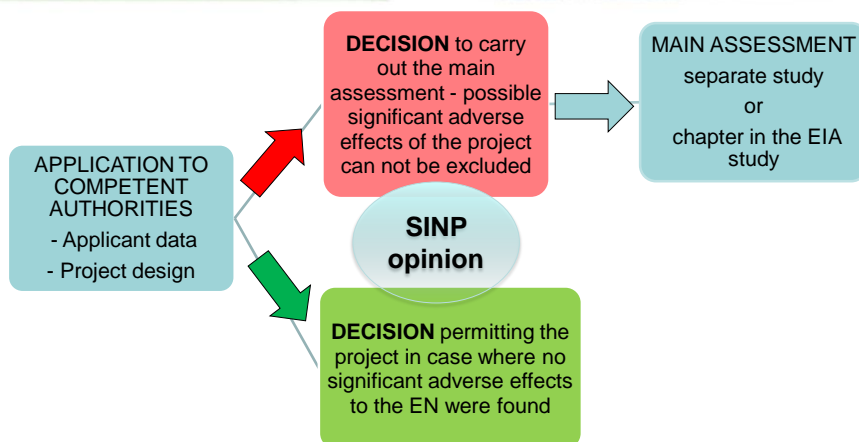


Experience Screening: example of Croatia

Aljoša Duplić

ECRAN Workshop - TAIEX
Ankara, November 2014

SCREENING PROCEDURE



Screening

- Not mentioned directly in article 6 (3,4) - hidden in the word „appropriate”
- It is a part of appropriate assessment
 - appropriate in relation to the likelihood of significant impact
 - no likelihood no assessment
- Practical purpose
 - essential to make implementation possible
 - reduces expenses of procedure
 - speeds up procedure

Any plan or project that may have negative impact

- EIA philosophy deeply enrooted – Give us a list!
- Lawyers expect lists – is it legal insecurity?
- Actually not new in Croatian nature protection terminology - measures and conditions of nature protection have to be issued to any activity that may have negative impact in relations to reasons for which natural value was protected
- However, screening has long consequences that may lead ultimately to infringement procedure for the country

Types of projects



VS



VS



Croatia Prescreening, Screening
and AA

Državni zavod
za zaštitu prirode

Projects that need appropriate assessment

Screening

Projects that need screening

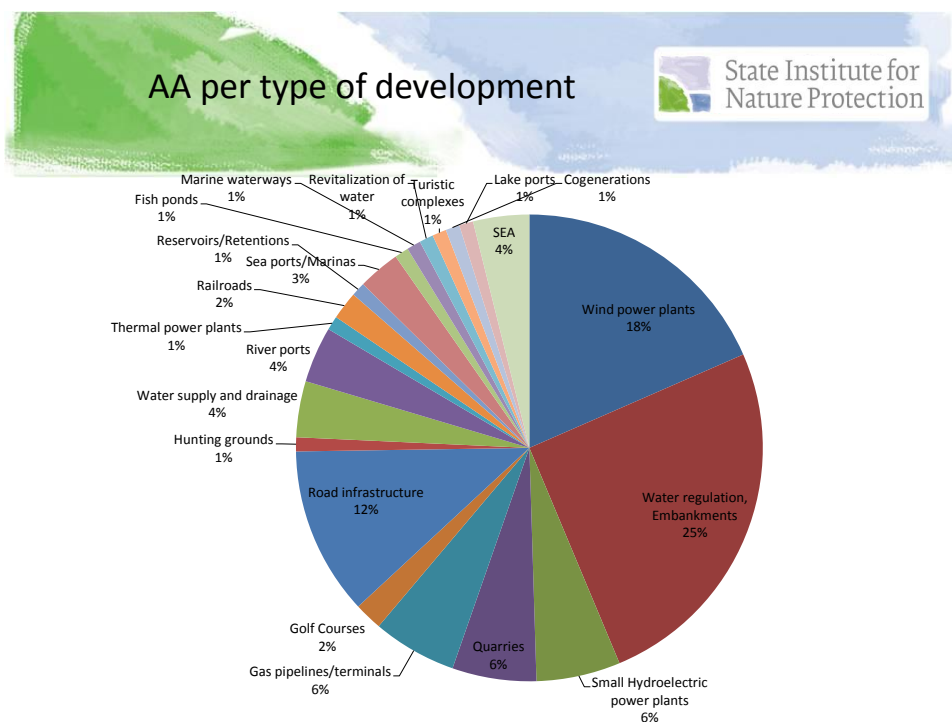
Selection (prescreening)

All possible projects taking place



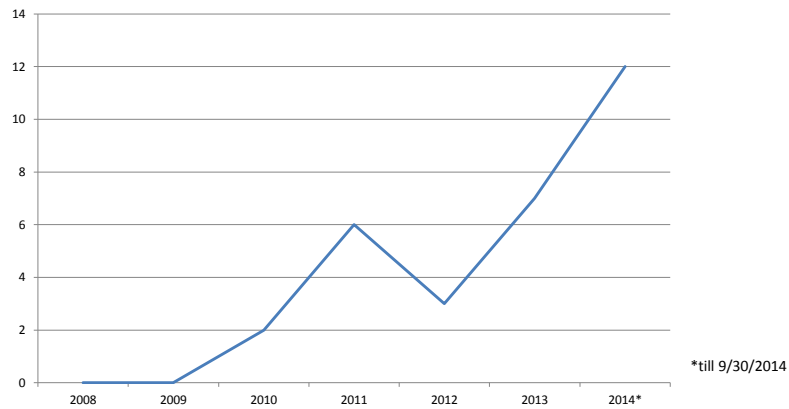
- Increase of requests in 2011 was caused mainly by IPARD Programme
- Data for 2013 and 2014 are based only on SINP official records (without MENP)



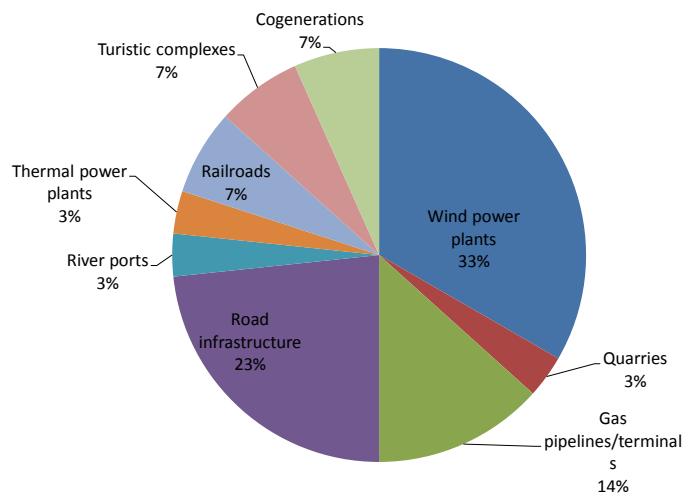




AA in EIA - requests for reviews per year



AA in EIA - per type of development



Two topics

- Selection for screening (prescreening) - which projects need screening
 - How to ensure legal security for proponent that has to know when to ask
 - How to ensure that civil servants who make decisions have needed data and clear rules
- Screening - which projects need appropriate assessment
 - Which information to request from proponent
 - How to ensure that decision is properly made

Which projects need screening

- We used the definition:
 - ***Any plan and project that **may** have negative impact***
- For activities that need any kind of permit i.e. location permit, county administration or ministry ask proponent to do screening if necessary
- Even small activities in nature are always sent to screening if there is likely impact: i.e. houses in the villages – not; but a house by river - yes
- Large portion of Croatia under ecological network. So far selection for screening was quite successful though there is more demands from some counties and less from other

Problems with small projects

- i.e. shed for tools that may be unnecessary assessed because it is within Natura 2000 site
- Actually not big issue in practice
- Small project generally have direct impact – taking up the space, using small watercourse etc.
 - proponent usually aware that he may have impact on the nature
 - i.e. if water is used he needs at least water permit



Problems that remain in selection for screening

- Project that does not go to screening gets **no document** from nature protection
- Some national bodies request screening as obligatory document for processing the project application for EU funds
- Proponent may correctly assume that he may not have an impact, like thousands of project that were carried out, but may face – administrative rejection of application since he did not go to screening
- Coordination between the bodies necessary

Some solutions we discuss

- Introduce very simple formal prescreening document
- Expert guidelines about prescreening could be made in particular for regional bodies (Ministry deals with larger projects so the problems in regards to prescreening are smaller)
- Assessment of plans maybe may define the zones and types of projects that do not need screening – legal security

Screening - which projects need assessment

- Administrative body makes decision
- The assessment of acceptability for ecological network is started and proponent submits petition and provides some data
- Decision based on the obligatory expert opinion of the Institute
- Large amount of work for the Institute - 500 requests made, 10-20 % go to the appropriate assessment

Which information to request

We tried two approaches:

- In accordance with present Nature Protection Act (2013) there is no obligation for any project proponent to hire a professional to prepare screening request nor provide data about impacts on Natura 2000 (he can do it if he wants)
- The second rulebook of 2009 (which is not valid in that part now) required a screening elaborate for projects that are on the EIA lists
- The idea was to make decisions easier but many elaborates were unnecessary and did not help in decision-making
- Now proponent submits „idea solution“ and administrative body sends it to Institute for opinion

Expert work in regards to screening

- Big decision based on little data
- However, it is better to have essential data and then ask for targeted information from proponent then to burden him/her with general content that may not be relevant
- Proponent should be cooperative since we are working in his interest (precautionary principle pushes always to full assessment)
- The experience and good team of individuals that have in house additional specialists to ask – big advantage of SINP in screening opinions

Expert work in regards to screening

- Experts at SINP search databases, perform GIS analysis, discuss projects, search on potential impacts of various kinds of projects and propose decision
- Sometimes a construction engineer in the team would be an advantage: problems with technical language of proponents vs. biological language of assessors
- Important to keep administrative track of all additional information which from proponent gradually appears - in the end several documents give picture what was actually permitted

Screening form

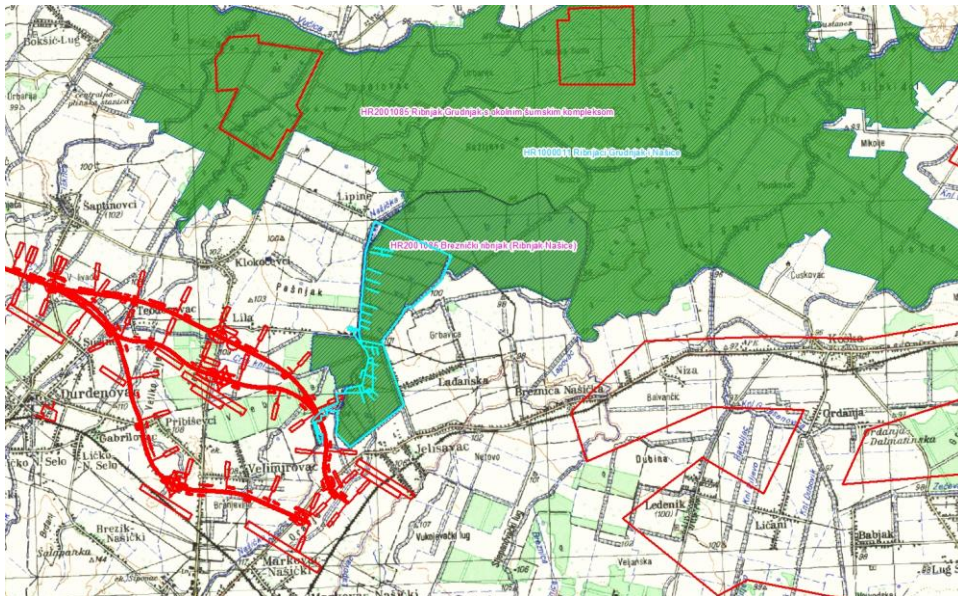
- We have developed simple screening form that gives brief description of the project, lists analysed sites, impacts and concludes decision
- Good side is that it provides summary of information but preparation can be time consuming especially in regards to summarizing the descriptions of the large projects
- For small projects it may not be necessary

Problem of measures

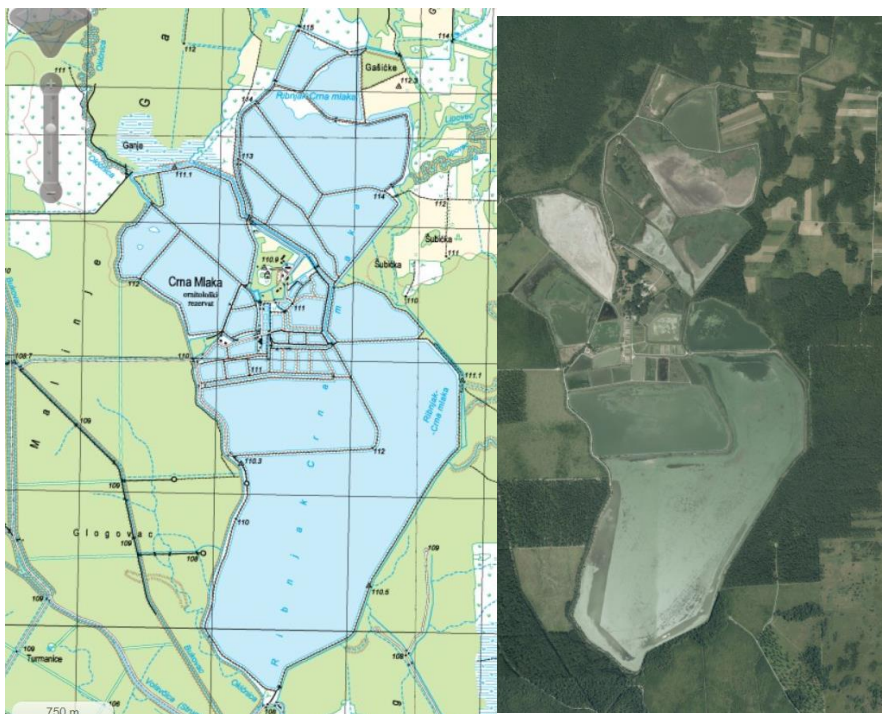
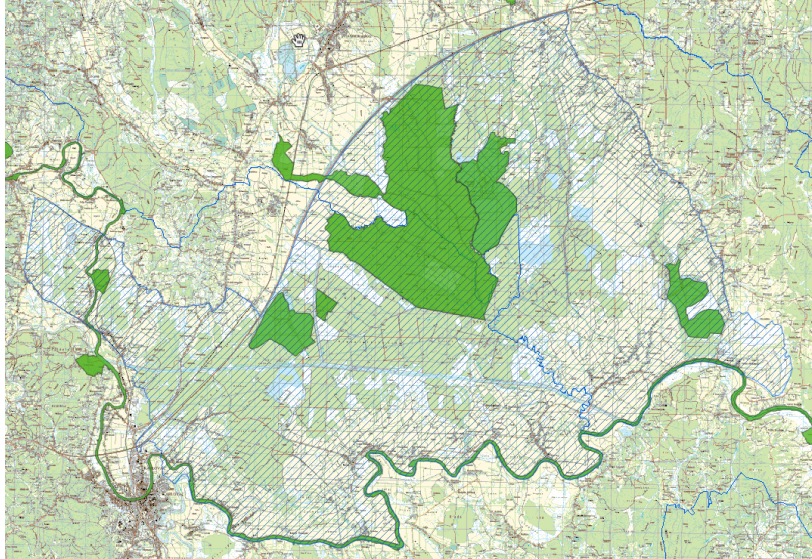
- Sometimes simple project would not need assessment only with few measures, i.e., season when it will be carried out
- Measures can not be proscribed in screening
- Proponent has to amend the project with information when the project will be carried out and then submit it to be screened out

Carp fishponds - aerators



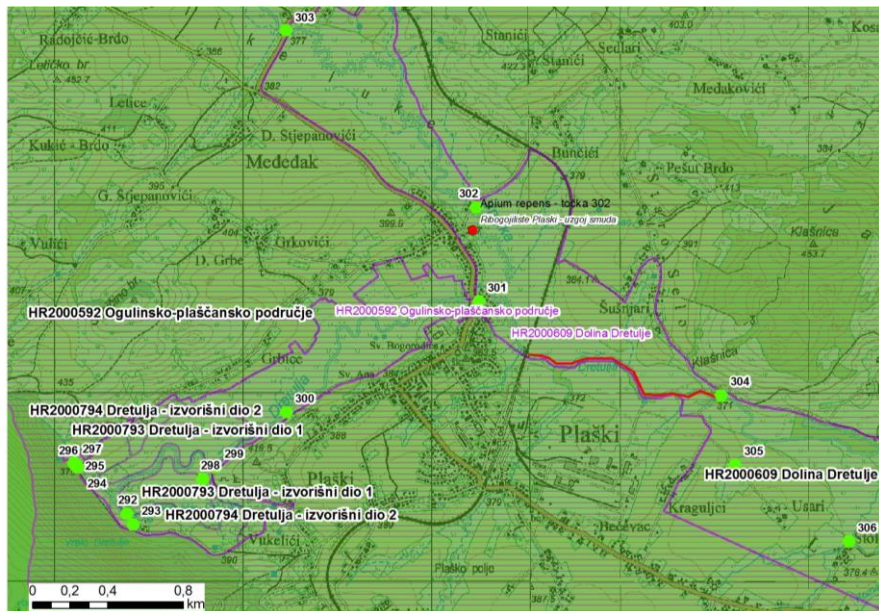


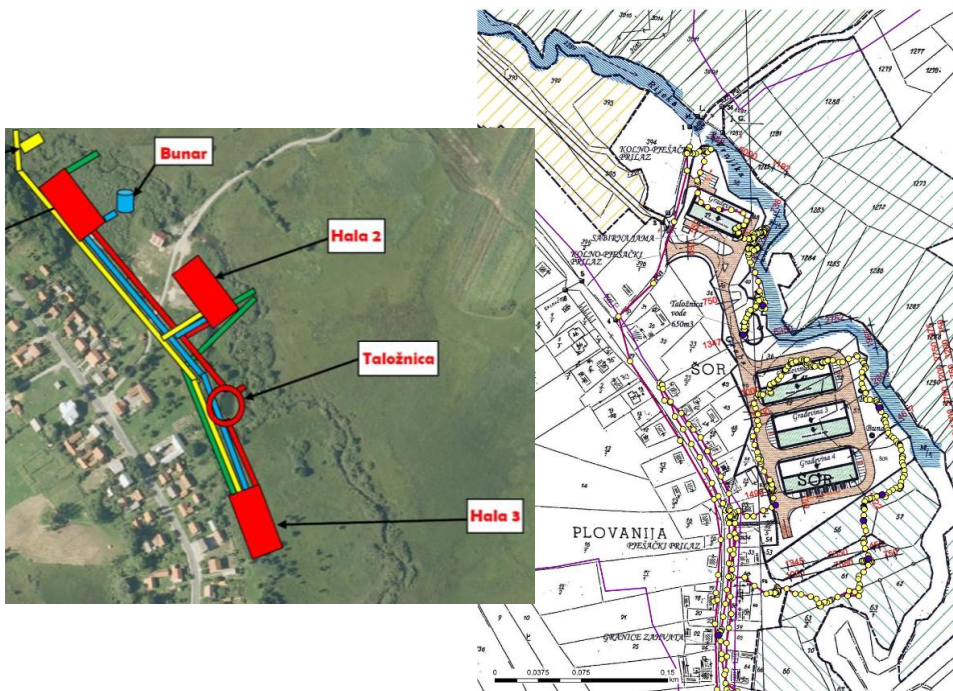
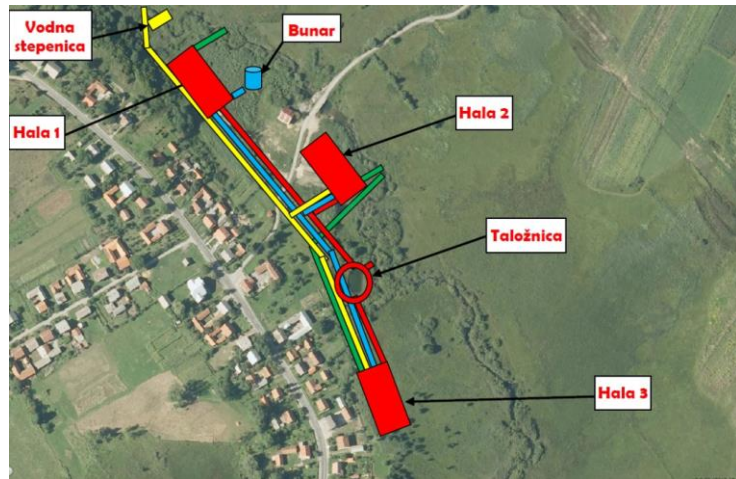
Crna Mlaka – revitalization of fishponds





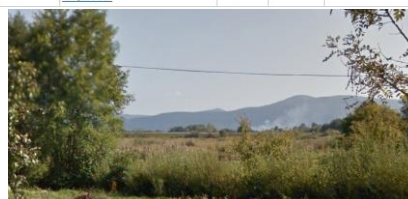
Dolina Dretulje - aquaculture



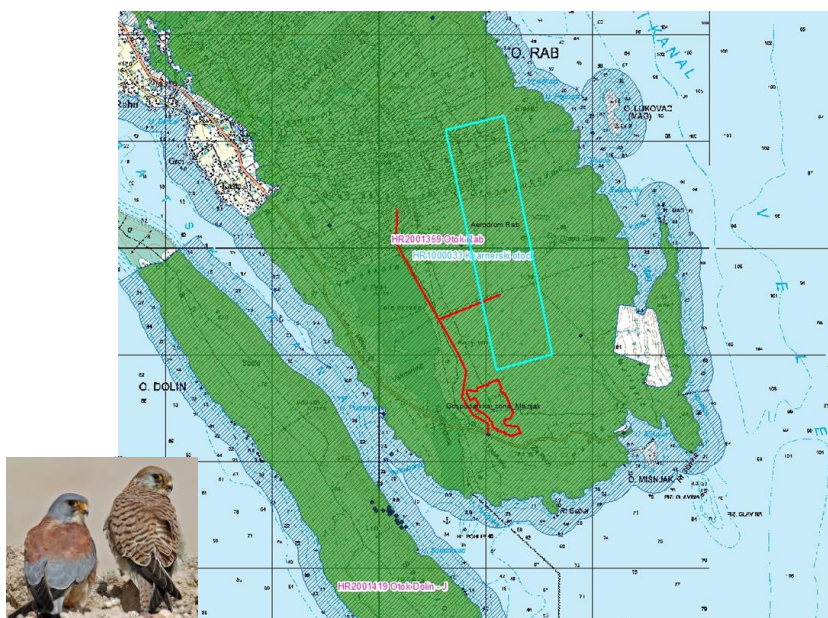




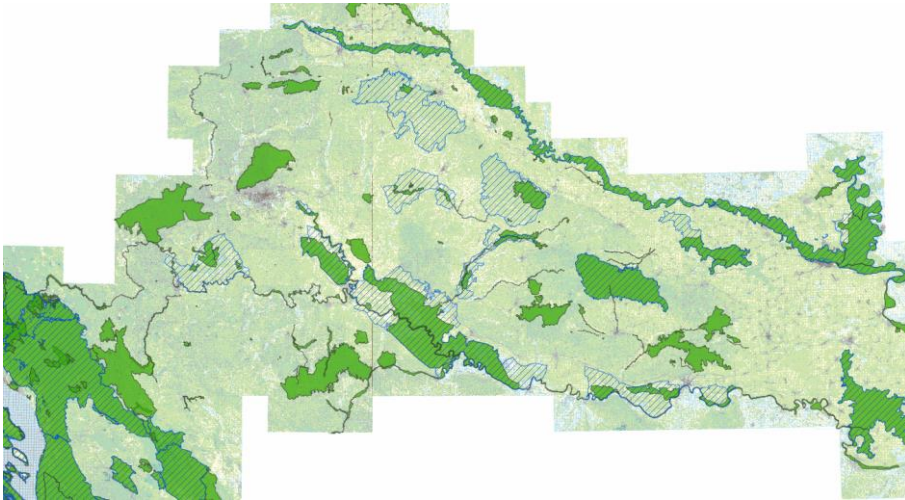
ANNEX I HABITAT TYPES				
CODE	NAME	PF	NP	COVER (ha)
7230	Alkaline fens	0	0	165
6430	Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	0	0	1
6510	Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>)	0	0	100
6410	Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>)	0	0	100
3260	Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche-Batrachion</i> vegetation	0	0	5



Island Rab - Airport



[illegible]



Conclusions

- Some prescreening document is an advantage
- Screening should be simple and flexible
- It is supposed to help proponent and not cause additional problems and take time in procedure
- Best to get some initial data and ask for more if necessary
- There is always risk in screening procedure. The mistakes that were made in screening occur in unlikely projects i.e. ecological agriculture project may impact the nearby lake etc.
- Involvement of central expert institution like SINP that has a team that sets standards for screening and carries out screening is advantage



State Institute for
Nature Protection

Thank you for your attention!

www.dzsp.hr
www.natura2000.hr
www.zastita-prirode.hr