

4th Regional EIA Workshop of the Sofia EIA Initiative

STRATEGIC ENVIRONMENTAL ASSESSMENT OF DEVELOPMENT PLANS IN CEE

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A. Role of SEA within Development Planning in CEE

1. Strategic environmental assessment (SEA) is an important tool for practical implementation of sustainable development. Governments and institutions responsible for strategic policy-making should encourage application of SEA on both formal and informal basis.
2. PHARE SPP Program provides a unique opportunity for development of national SEA systems in Central and Eastern Europe (CEE). It is however unclear whether the European Commission will require proper environmental assessment within *Ex Ante* evaluation of National Development Plans and related programming documents (Rural Development Plans and Investment Strategies for ISPA) that are drafted under PHARE SPP Program.
3. The European Commission should clearly state its position on environmental assessment of National Development Plans (and related programming documents). The Commission should in particular state whether or not environmental assessment is a mandatory requirement and what quality standards it should meet. The need for such a statement is evident from the fact that National Development Plans of most CEE countries (except the Czech Republic, Estonia and Slovenia) will not be submitted to environmental assessment, unless such requirement is clearly stated.

B. Principles for effective SEA of Development Plans in CEE

4. Relatively -easy and transparent procedures for SEA of National Development Plans and of related programming documents should be introduced, tested and broadly disseminated in CEE countries prior to the elaboration of more sophisticated SEA methodologies.
5. Principles of effective SEA for Development Plans in CEE drafted by the workshop (Annex 1 and Annex 2) should be widely disseminated and their application encouraged.

Annex 1: Principles of effective SEA of Development Plans in CEE

National Development Plans and related programming documents in CEE (Rural Development Plans and Investment Strategies for ISPA) are drafted under considerable financial and time constraints. In order to effectively carry out SEA during preparation of these Development Plans, a relatively-easy and transparent SEA approaches should be used. Within this simplified SEA procedures, the following principles may apply:

General principles for undertaking of SEA of Development Plans (DPs) in CEE:

1. SEA should be carried out by a multi-disciplinary and multi-stakeholder team of experts. SEA team should be provided with sufficient mandate to access information on materials provided during elaboration of DPs and propose changes in their formulation.
2. SEA team should be formed as soon as possible in the elaboration of DP and should work in parallel to the planning teams elaborating the DP. The SEA team should work in continuous interaction with the planning team. Its goal is to provide independent environmental review of all documents leading to elaboration of DP. In order to do so, SEA team needs to be provided with proper mandate, resources and access to materials developed by the planning team.
3. SEA should be based on through public participation (see Annex 2 to this document) held in accordance with the partnership principles in the operations of EU Structural Funds.

Scope of SEA:

4. SEA should focus mainly on impacts that have been identified as priority concerns by the affected public administration and concerned public (NGOs, academicians, citizens).
5. SEA should address both national and trans-boundary/global issues.

Prediction of impacts:

6. SEA should especially use - given the lack of resources, time and information for elaboration of complex prognostic models - collective expert judgements by qualified multi-disciplinary and multi-stakeholder team (see above Principle 1).

Evaluation of impacts:

7. Impacts should be evaluated on the basis of:
 - A. their conformity with formally adopted governmental goals in environmental and health protection (e.g. national strategies in the fields of environment and health, global conventions, transboundary issues and EU standards,),
 - B. degree of public concern associated with the forecast impact.

Outcome of SEA:

8. SEA should suggest environmentally friendly modifications of DPs. This information can be most effectively used during elaboration of DPs - SEA should therefore, when possible, be undertaken in parallel to the elaboration of DPs (see Principle 3 above).
9. Findings of assessment should be documented in SEA Report which should be made publicly accessible. SEA Report can be then effectively used for monitoring of actual environmental impacts of DP and for elaboration of consecutive programming documents.

Annex 2: Principles of effective public participation in SEA of Development Plans in CEE

I. General Principles:

1. SEA of DPs should be carried out on the basis of *partnership* which is generally requested for operations of the EU Structural Funds.
2. Position of *public* in “partnerships” needs to be defined on the basis of legal and administrative arrangements in each individual country. In this respect, however, one general rule should apply: in partnership there is no distinction between “partners” - all stakeholders involved in the partnership should have the same rights and duties. When respecting this principle, NGOs and public should:
 - be notified at the same time as other parties involved;
 - have the same opportunities for submitting comments;
 - have the same rights to challenge decisions within SEA.

II. Rules for Notification

Effective and active notification is a starting point for effective participation. In order to involve public, the following rules should apply:

3. *Timing of notification.* Public should be notified at the same time as municipalities and other bodies involved in “partnership”. At least 30 days notice should be given before public hearings
4. *Means of notification.* Notification should - if it is to be effective - use as many means of communication as possible - especially those, which reach out to most people or which are easily accessible for many. The following communication means may be used:
 - official gazettes for general notification or use of electronic means (networks, WWW Sites);
 - mass media, official notice board of municipalities, etc.;
 - individual notification should be possible within certain limits.
5. *Content of notification.* Notification should provide at least the following information:
 - what is going to be assessed and why,
 - where to find Development Plan which is being assessed,
 - how the SEA process will be carried (what are the stages of the process, what information will be available and when, when are there opportunities for public comments),
 - who is responsible for gathering comments.

III. Gathering and due account of comments

6. *Gathering of comments.* Comments should be gathered either through regional workshops or public hearings or through individual submissions.
7. *Consideration of comments.* Each comment has to be recorded; the substance has to be responded to. The response document should become an integral part of the SEA Report and should be made public.
8. *Information after decision is made.* Decision should be reasoned. Prompt information should be provided about the outcome of the SEA process.