Workshop on SEA

Zagreb

December 4th, 2013

Ciljevi

- Upoznati sudionike s glavnim načelima prakse SPUO

- Pružiti praktične preporuke za postupak ocjene o potrebi strateške procjene, te za ocjenu kvalitete SPUO

- Prikaz mogućnosti koje se u procesu SPUO pružaju sudionicima iz nevladinih organizacija

Dnevni red

Vrijeme	Tema
0830	**Prijava**
0900	**Otvorenje**
0915	**Ključna načela djelotvornosti SPUO**
	• Uvodna prezentacija
	• Primjeri slučajeva zemalja EU
	• Rasprava o primjeni ključnih načela u praksi SPUO u Hrvatskoj
1000	**Postupak ocjene o potrebi strateške procjene**
	• Svrha i pristup
	• Kriteriji postupka
	• Grupni rad
1100	**Pauza za kavu**
1130	**Pregled kvalitete**
	• Svrha i pristup
	• Glavni aspekti kvalitete i kriteriji
	• Grupni rad
1230	**Zaključna rasprava**
	• Uloga nevladinih organizacija u procesu SPUO
1300	**Završetak treninga**

REPUBLIKA HRVATSKA
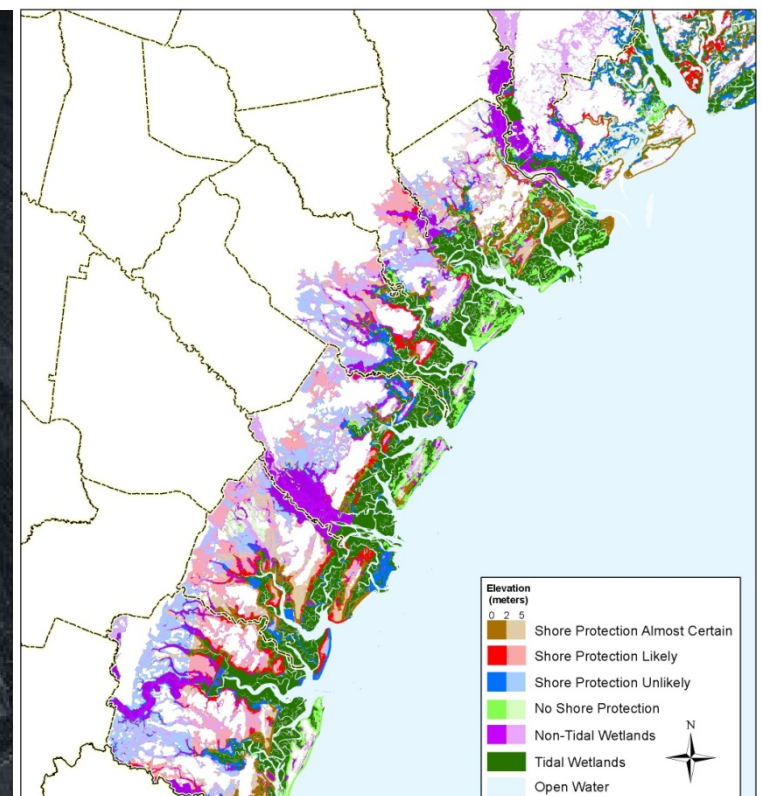MINISTARSTVO ZAŠTITE OKOLIŠA I PRIRODE

Očekivanja

- Kakva su Vaša iskustva s SPUO? (PUO ili planiranje)?

- Koja su Vaša očekivanja od treninga?
  - Što biste željeli dobiti ovim treningom?
  - Koje bi se teme vezane za SPUO trebale obrađivati?

Introduction to SEA part. 1

Elevation (meters)
0 2 5

Shore Protection Almost Certain
Shore Protection Likely
Shore Protection Unlikely
No Shore Protection
Non-Tidal Wetlands
Tidal Wetlands
Open Water

Zašto nam je potrebna SEA?

- SEA omogućava **pripremu i impleme**ntaciju kvalitetnih planova i programa

- SEA će
  – Analizirati utjecaje predloženih planova na zdravlje i okoliš
  – Donijeti premise za donošenje odluka

- SEA donosi **informacije o utjecaju na okoliš i zdravlje**
  – Izrađivačima planova
  – Donositeljima odluka
  – Javnosti

Zašto je važna SEA

- Radi informiranja o načinima zaštite okoliša i o tome kako bi se ti načini mogli ugraditi u strateško donošenje odluka kojima se podupire razvoj održiv i neškodljiv za okoliš

- Pomaže da nadležni za planiranje i odlučivanje uzmu u obzir:
  - **Ključne trendove** glede okoliša i zdravlja na koje utječe ili koji utječu na planove i programe
  - **Ciljevi u pogledu okoliša i zdravlja** relevantni za planove i programe
  - **Mogući važniji učinci** na okoliš i zdravlja predloženih opcija
  - **Mjere za izbjegavanje, smanjivanje ili ublažavanje štetnih učinaka** & pojačavanje pozitivnih učinaka
  - **Gledišta i informacije** za okoliš i zdravlje nadležnih organa, javnosti i (kada je nužno) potencijalno ugroženih zemalja

je SEA

- **Prema općeprihvaćenom mišljenju:** SEA je sustavan i anticipativni postupak koji se provodi radi analize utjecaja predloženih planova, programa i drugih strategijskih radnji na okoliš i zdravlje, kao i radi upotrebe pribavljenih nalaza u procesu odlučivanja.

- **SEA smjernica** propisuje četiri elementa
  - Izradu izvješća o utjecaju na okoliš
  - Provedbu konzultacija
  - Uzimanje u obzir izvješća o utjecaju na okoliš i rezultata konzultacija pri odlučivanju
  - Pružanje informacija o donesenim odlukama

Načela za primjenu SEA

- Provedba od strane državnih tijela nadležnih za planove i programe

- Primjena u što ranijoj fazi procesa donošenja odluka

- Usredotočenost na glavna pitanja

- Razmatranje razumnog raspona alternativa

- Davanje odgovarajuće prilike za uključivanje glavnih zainteresiranih strana, kao i javnosti

- Primjena odgovarajućih i ekonomičnih analitičkih metoda i tehnika

Pogodnosti SEA-e

- Omogućava visok stupanj zaštite okoliša i zdravlja
- Poboljšana kvaliteta izrade planova i programa
- Povećana učinkovitost procesa donošenja odluka
- Olakšano prepoznavanje novih razvojnih prilika
- Pomoć u sprečavanju skupljih pogrešaka
- Pojačana sposobnost upravljanja
- Olakšavanje prekogranične suradnje

Troškovi SEA-e

- SEA regionalnog i lokalnog planiranja korištenja zemljišta obično uvećava troškove planiranja između 5 i 15%

- Troškovi uvelike ovise o

  - Koliko su planovi i programi detaljni te o broju alternativa

  - Dostupnosti podataka

  - Duljini procesa planiranja

- Izrada većine SEA-i zahtijeva 70-80 radniko-dana, prema studiji iz Velike Britanije

- Češko istraživanje: izvršni organi prostornog planiranja procijenili su da pri izradi trebaju odvojiti 2 do 10 radniko-dana za oko 50% SEA-i

Troškovi SEA-e

- Najveći dio troškova obično je u svezi s početkom primjene SEA-e kada se
  - testiraju odgovarajući pristupi i sredstva
  - podaci sabiru i kategoriziraju po osnovnim grupama

- Sljedeće SEA-e zahtijevaju niže troškove budući da su
  - utemeljene na prethodnom iskustvu
  - potrebni tek standardni poslovi analize i upravljanja procesima

- **Troškovi SEA-a zanemarivi su u usporedbi s troškovima implementacije planova i programa!!!**

Glavna razlika između SEA-e i EIA-e

SEA

- Obavlja se u ranoj fazi u ciklusu donošenja odluka
- Proaktivan pristup razvojnim prijedlozima
- Procjenjuju se učinci na dugoročne trendove i odnose
- Razmatra se širok raspon potencijalnih alternativa
- Naglasak je na integraciji primijenjenih načela (pristup je reaprevenciji)

EIA

- Obavlja se pri kraju ciklusa donošenja o...
- Reaktivan pristup razvojnim prijedlozim...
- Identificiraju se projektni specifični učinc...
- Razmatra se ograničen broj izvodljivih a...
- Naglasak je na prevenciji, ublažavanju i...

Relationship between SEA and EIA

- **SEA is not a mega-EIA** – it should not duplicate EIAs. It ideally covers strategic issues of concern that cannot be effectivelly addressed through project-level decision-making

- SEA Directive stipulate that outcomes of SEA must be without rejudice to EIAs. **Proposals ´approved´ by SEA can still be rejected through project-level decision-making** when more information is available.

SEA and planning

- **Planning** analyzes and proposes development interventions
- **SEA** examines individual outputs of the planning process and it may propose any necessary amendments

- Optimally, **SEA should be carried out in parallel with planning**, when
  - The lead process is the planning process, and
  - SEA fits into the logic and steps of the planning process

- Thus, both processes can be seen as mutually reinforcing tools within one robust planning system for more sustainable development

Main SEA achievements in Europe

- **SEA is recognized as a standard tool**
  - Planning agencies and planners are familiar with SEA and know what they can expect from it
  - Results are taken seriously – planners often welcome "early warnings" and identification of likely risks

- In many cases SEA leads to changes of PP **resulting in better environmental and health performance** of its implementation
  - New development priorities, new alternatives
  - Environmental criteria for projects´ selection

Main SEA achievements in Europe

- **SEA provides efficient opportunity for public participation**
  - Public is using SEA to enter the planning processes
  - Public is informed about PP and its likely environmental and health impacts

- **SEA has improved policy-making and planning systems**
  - SEA has brought some environmental and health issues on high policy-making and planning levels
  - Planning authorities pay more attention to env. issues simply to avoid criticism during the SEA process

Key challenges of SEA practice in Central Europe

- Too wide application – overuse of SEA

- Lack of general interests and lack of capacities to focus on the most important cases

- Only formal application without any real effects – no modifications of the PP, decision or PP´s implementation

- Low quality of analyses and insufficient quality control – may discredit SEA results and conclusions

- Beyond SEA: Poor implementation of the PPs assessed through SEA

Common myths on SEA

☹ **Myth 1** SEA requires detailed analyses which may not be appropriate for a given planning document

☺ **Good practice**

- the level of detailed information and analysis provided in the SEA should correspond to that of the planning document,

- this should be determined as part of the scoping process and consultations

Common myths on SEA

☹ **Myth 2** SEA poses significant additional costs and prolongs the planning process

☺ **Good practice**

– SEA needs to be properly linked to the planning process and carried out in an ex-ante manner (as required in the SEA Directive)

– Cooperation of planning and SEA experts helps to optimize and share the data generated

– In-house capacity should be utilized

Common myths on SEA

☹ **Myth 3** SEA will decide on the plan or programme

☺ **Good practice**

- SEA is should not be a decision-making tool
- SEA shall provides information on likely environmental and health impacts to be caused by the decision
- SEA conclusions, however, have to be considered in the decision (and further on during the plan or programme implementation)

Common myths on SEA

☹ **Myth 4** SEA it a tool of environmental authorities

☺ **Good practice**

- – SEA has been originally designed to support planning process and as such it is mainly tool for planners
- – SEA process shall, however, provide a platform for consultations with environmental and health authorities

Corner game

Ideje

Potrebno je da SPUO pruža sljedeće usluge:

1. **Temeljita analiza pozitivnog i negativnog utjecaja na okoliš** (npr. dugoročne trendove, utjecaj pojedinih radnji, kumulativne učinke, itd.)

2. **Uključiti glavne zainteresirane strane** (npr. državne organe za zaštitu okoliša i javnost)

3. **Omogućiti pravodobne i korisnicima prilagođene sastojke za razradu planova i programa** (npr. alternative, mjere za ublažavanje posljedica itd.)

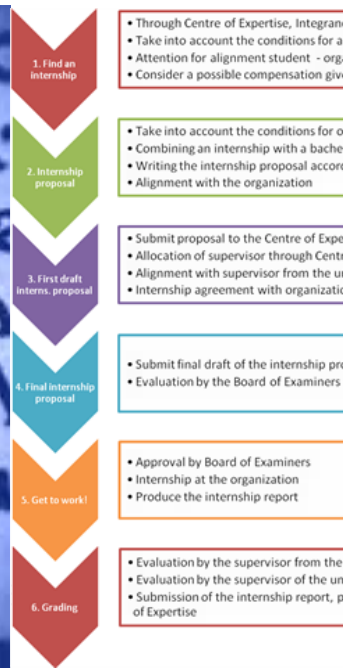4. **Ukupan (manje detaljan) pregled** ključnih okolišnih, ekonomskih i socijalnih učinaka predloženih kretanja

Sada….

1. **Izabrati** jednu od tvrdnji

2. **Zauzeti** jedan kut prostorije

3. **Raspravljati** s ostalim kolegama istomišljenicima i pripremiti objašnjenje svoga stava, pružanje koje usluge je najvažnija aktivnost SPUO

4. **Ukratko predstaviti** svoje stavove ostalim grupama.

Introduction to SEA part. 2

ork for SEA in EU

- **Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment**

- Stipulates **general "rules"** for SEA application

- MSs shall transpose the requirements considering **the country specifics**

- Focused on **plans and programmes**

- Environment: biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;

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in principles of SEA i.

- Environmental assessment is an **important tool for integrating environmental considerations** into the preparation and adoption of certain plans and programmes ….. it ensures that environmental effects of implementing plans and programmes **are taken into account during their preparation and before their adoption**.

- Environmental assessment procedures should lead to inclusion of the relevant **environmental information into decision making**.

- The inclusion of a wider set of factors in decision making **should contribute to more sustainable and effective solutions**.

n principles of SEA ii.

- It is necessary to provide that authorities with relevant environmental responsibilities and the public **are to be consulted during the assessment** of plans and programmes.

- When a plan or programme is adopted, the relevant authorities and the public are informed and **relevant information is made available to them.**

- In case of likely transboundary impacts ...the **Member States concerned shall enter into consultations** and for the relevant authorities and the public to be informed and enabled to express their opinion.

k for SEA in Croatia

- **Environmental Protection Act** (OG No. 80/13) entered into force on July 6, 2013, and present the main SEA framework specifying
    - Main obligations and responsibilities
    - Scope of application
    - Methods of SEA implementation

- **Bylaws and other relevant legislation**
    - Regulation on strategic environmental assessment of plans and programmes (Official Gazette 64/08) – currently being amended
    - Ordinance on the committee for strategic assessment (Official Gazette 70/08)
    - Nature Protection Act (OG No. 80/13) stipulates provisions on ENIA

Scope of SEA application

- There is a wide range of strategic documents – plans, programmes, strategies, concepts

- For only some of them SEA should be applied i.e.
    1. **Having likely significant environmental effects**
    2. **Meeting administrative criteria:**
    3. Prepared by public agencies and formally adopted
    4. Required by legislative, regulatory or administrative provisions
    5. Setting framework for future development consent of projects likely requiring EIA

Step / analysis	Purpose
• Screening	To determine if SEA is needed **(only for certain P/P)**
• Scoping	To define the scope of assessment i.e. key issues that should be considered within the SEA process + territorial scope of the assessment, stakeholders to be involved, data and information to be considered
• Baseline analysis	To describe past evolution, current situation and estimate likely future evolution if P/P is not implemented for the key issues defined in scoping
• Analysis of likely effects	• To analyze proposed development objectives or priorities and its linkages to the key issues and relevant objectives **(optional task)** • To analyse likely effects of P/P on the key issues • To evaluate alternatives and formulate mitigation measures
• Monitoring and envi mgmt.	To desing monitoring and adaptive management of environmental effects during P/P implementation
• SEA report / QC	To compile SEA Report, and after quality control submit it for consultations with environmental and health authorities and the public

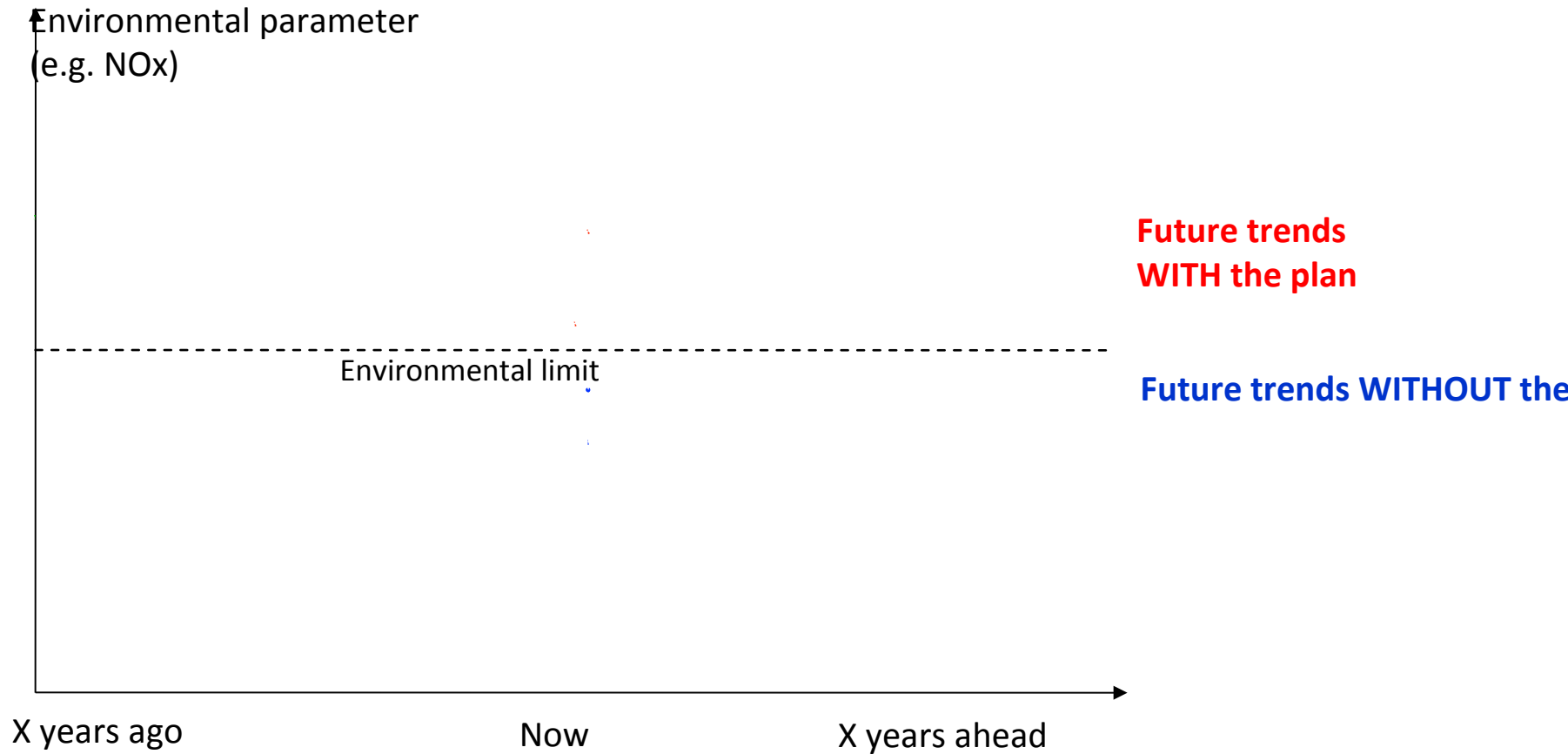| Step / analysis	Purpose
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...olders consultations

Analytical approach

- **Analysis of long-term trends** in the key relevant environmental issues (and possibly also social and economic issues) **without** and **with** the proposed plan/program.

- It informs the plan/program making process authorities about resulting opportunities and constrains for development.

- It can utilise different information and cope with data gaps

der long-term trends

Environmental parameter
(e.g. NOx)

**Future trends
WITH the plan**

- -
Environmental limit

Future trends WITHOUT the

X years ago   Now   X years ahead

Dusik (2006)

Roles and responsibilities of key actors in SEA process

Roles of environmental authorities

- **SEA process coaching**

- Supervision of screening

- Assistance in scoping and TORs preparation

- Assistance in establishing SEA advisory committees and supporting them (as and when needed)

- Providing advices to consultants on approaches and methods during SEA studies (as and when needed)

- Quality assurance – both procedure and partly content

- Issuing final SEA statement

Roles of planning authorities

- **Primary responsibility for SEA**

- Undertaking screening

- Undertaking scoping

- Preparation of TORs and contracting experts

- Making sure SEA teams have access to planning documents,

- Considering inputs from SEA during P/P preparation

- Actively participating at various consultations that SEA team may undertake

- Taking outcome of the SEA into account in the P/P adoption

Roles of other authorities (nature, water, health, culture...)

- **Providing inputs related to their management responsibilities**

- Participating at scoping,

- Providing data and information for baselines studies

- Participate at various consultations that SEA team may undertake – comment on impact evaluation and proposed mitigation measures for impacts that relate within their responsibilities

Roles of consultants

- **Managing SEA studies and supporting the planning agency in conducting the SEA procedure**

- Fine-tune scope of assessment

- Preparing baseline analyses

- Conducting impact assessment and supporting consideration of alternatives, proposing mitigation measures

- Conducting consultations with relevant authorities and stakeholders – proactively seek their comment on impact evaluation and proposed mitigation measures for impacts that relate within their responsibilities

- Preparing SEA report and proposals to the planning team

Roles of public and NGOs

- **Participating in SEA procedures i.e.**
  - Providing information (and possibly data) on likely environmental and health problems and baseline status
  - Giving feedback in key SEA stages (screening, scoping, impacts analysis, SEA report – as stipulated by the national legislation and/or usual in the SEA practice in a given country)

- **…**and thus conducting **informal QA** of the SEA process

Application of the key SEA principles in Croatian practice

Questions to be addressed

- How would you define the major problems in current Croatian SEA practice?

- Do you see any serious risks linked to the SEA application in coming years (i.e. following the requirements of the new legislation)?

- What would you proposed to overcome them?

- How should the inputs from public and NGOs be optimally used?

- Are the key actors in SEA process ready for their tasks?
  - What problems do you expect and how to overcome them?
  - What support they would need?

Case example:
SEA procedure in the Czech Republic

Scope of SEA application

- SEA **automatically required** for:
  - all **concepts** in sectors stipulated by the SEA Directive (and also for environment and biodiversity protection) that set framework for permitting of activities that require EIA (Annex 1 of the EIA Act)
  - all concepts co-financed by EU

- SEA **screening required** for:
  - concepts that affect territory of only one municipality or
  - modifications of already approved concepts
  - SEA not required for defence, emergency plans and budgetary documents

Procedural steps

1. Notification
2. Fact-finding procedure (screening + scoping)
3. SEA report
4. Public consultations on draft concept
5. SEA statement

1. Notification

- **PPP developer has to notify** SEA authority about:
    - Nature of the concept
    - Affected environment
    - Possible effects of environment and health (incl. possible transboundary effects)

- Notification is sent in printed and electronic form

- **SEA authority makes it publicly available** and forwards it to possibly concerned authorities (state authorities, regions and municipalities)

2. Fact-finding procedure

- Concerned authorities and the public can within 20 days submit comments on the notification

- **SEA authority** on the basis of obtained comments **determines**:
    - Whether SEA is required or not
    - Scope of SEA and requirements for alternatives
    - Details of public participation requirements and of SEA approach to be used

- Results of screening/scoping sent to PPP developer and concerned authorities + **publicly accessible**

3. SEA report

- PPP developer has to
    - **appoint an SEA accredited expert** (responsible for quality of SEA)
    - cooperate with SEA expert (by providing all relevant documents generated within elaboration of the concept)
    - **take into account inputs from SEA into the concept**

- Legal requirements for SEA Report are taken from SEA Directive with additional requirement **to define env. criteria for evaluation of future projects that implement the concept**

4. Public consultations

- Draft PPP and SEA is submitted to SEA authority by the PPP developed

- **SEA authority forwards it** to concerned authorities and makes it publicly available

- Public hearing has to be organized

- **Everybody can submit comments to the draft PPP and SEA report** (to be sent to the SEA authority)

5. SEA statement

- **Issued by SEA authority**

- SEA authority has to take into account all submitted comments and SEA report

- SEA statement has to be sent to PPP developer, concerned authorities and is made publicly available

- **PPP cannot be approved without SEA statement** (even though accepting it is not binding for the final decision-making)

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Screening

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Aim

- Screening is aimed at determining **if SEA is needed** for a given strategic document

- **Not all documents automatically require SEA**…it should be applied only if certain criteria are met i.e. for documents which are:
  - Formally required (based on legal provisions, prepared and adopted by the public authorities)
  - Having likely significant environmental and health effects

- SEA needs to be considered also for **amendments of already existing documents!**

Rationale

- There is a number of plans and programmes, as well as their changes

- Screening is highly important for the **efficiency of the overall SEA system in country** – it ensures the effort is focused on relevant plans, programmes and policies

- Screening should be optimally **conducted at the initial stages of the planning process** to enable conducting SEA in parallel with the plan development.

Zahtjevi SPUO - smjernice EU - i.

- Planovi, programi, strategije (PPS), kao i **bilo kakve njihove izmjene koje**:

  - donose i/ili potvrđuju nadležna tijela na nacionalnoj, regionalnoj ili lokalnoj razini, odnosno koje nadležna tijela pripremaju za zakonodavnu proceduru u državnom parlamentu ili vladi,

  - se pripremaju u skladu s odredbama zakona, drugog pravnog akta ili provedbenih propisa,

  - se odnose na poljoprivredu, šumarstvo, ribarstvo, energetiku, industriju, promet, gospodarenje otpadom, gospodarenje vodama, telekomunikacije, turizam, prostorno planiranje ili korištenje zemljišta

  - postavljaju okvir za davanje suglasnosti u postupku PUO

  - zahtjevaju provođenje postupka ocjene prihvatljivosti zahvata za ekološku mrežu

Zahtjevi SPUO - smjernice EU - ii.

- planovi i programi koji **ne podliježu ovoj Smjernici**:

  - planovi i programi koji služe isključivo za potrebe nacionalne obrane i /ili civilne zaštite, te planovi zaštite i spašavanja u slučaju izvanrednog stanja,

  - financijski ili proračunski planovi i programi.

Kako je implementacija screeninga predviđena novom uredbom

- Čelnik tijela koje je nadležno za pripremu PPS donosi odluku o započinjanju SPUO i PPS

- Tijekom faze odlučivanja o potrebi provođenja SPUO tijelo nadležno za pripremu PPS priprema <u>zahtjev za davanje mišljenja</u> i šalje ga relevantnim institucijama

- Nakon dobivenih mišljenja priprema se odluka koja se šalje ministarstvu → donosi mišljenje o provedenom postupku ocjene o potrebi SPUO

Pitanja za raspravu

- What should be the role of NGOs and public in screening?

- Kako koristiti kriterije za donošenje odluke o potrebi implementacije SPUO?

- Da li je obrazac za screening dovoljno razumljiv? Ima li prijedloga za poboljšanje?

Quality control

Background

- **Quality of SEA system**
  - Legal framework, guidance, scope of SEA application, personal / expert capacities (authorities, experts)

- **Quality of specific SEA process**
  - Links to the planning / project preparation process, public involvement, consultations with relevant authorities, integration of the assessment results in the decision-making

- **Quality of SEA report**
  - All key issues covered, alternatives evaluated, findings clearly defined, it is readers friendly etc.

Aim

- Quality control shall ensure that a **particular SEA is conducted at the sufficient quality level** i.e.
  - It is consistent with legal requirements
  - It was applied in 'fit for purpose' way including efficient stakeholders´ consultations
  - Provides un-biased and relevant conclusions and recommendations

- ...and thus may be considered in the decision-making

- Optimally, the quality control **shall also emphasize SEA conclusions** and thus **increase the chance these will be properly reflected by the decision-makers**

Rationale

- There are various approaches to SEA and way how it can be implemented, however **certain criteria shall be always met**

- EU SEA Directive requires that **MSs shall ensure that environmental reports are of a sufficient quality** to meet the requirements of the Directive

- However, the quality control shall address **also procedural aspects**, especially
  – Level of consideration of SEA inputs during the P/P preparation
  – Scope and efficiency of stakeholders´ consultations
  – Considering conclusions from stakeholders´ consultations in the SEA and/or P/P

Approaches to Quality Control

- SEA processes usually do not recognize specific QC stage

- Formal QC
  - Environmental authorities
  - Review committees
  - Independent expert reviews
  - SEA licenses for companies or individual experts

- Informal QC
  - Planning agencies
  - SEA experts
  - Public / NGOs

Konzultacije s dionicima i rad savjetodavnog povjerenstva
- situacija u Hrvatskoj -

Postupak (I)

Dionici

- odnosi se uglavnom na nadležna tijela tijekom scoping-a
- tijekom Javne rasprave – javnost i zainteresirana javnost daje svoje komentare/ primjedbe/ prijedloge

Postupak (II)

Povjerenstvo

- Pravilnik o povjerenstvu za stratešku procjenu (NN 70/08)

- imenuje ga čelnik nadležnog tijela za provedbu SPUO

- uključuje se u postupak nakon izrade SS

- ocjenjuje cjelovitost i stručnu utemeljenost SS

- predlaže dopune/ dorade SS, donosi mišljenje o rezultatima SS

Kako unaprijediti konzultacije (I)

Dionici – važan izvor informacija o postojećim problemima

- uključiti konzultacije u ranoj fazi SPUO
  - tijekom scoping-a, ili
  - tijekom scoping-a definirati dionike za konzultacije tijekom izrade SS

Kako unaprijediti konzultacije (II)

Povjerenstvo

- uključiti konzultacije u ranoj fazi izrade SS putem radnih sastanaka

- naglasiti savjetodavnu ulogu

- usmjeriti se i na PP – na koji način rezultate SS ugraditi u PP

Quality Criteria

- Often defined by the legislation

- Can be derived from good international practice

- Specific criteria for a particular SEA process can be developed (e.g. as a part of the ToR)

SEA Review Checklist

- The checklist should
  - Help to ensure that the requirements of the SEA Directive are met,
  - Identify problems in the SEA Report, and
  - **Show how effectively the appraisal has integrated environmental considerations into the plan or programme**.

- The checklist **may be applied at any stage of the SEA process** to check the quality of the work carried out up to that point.

- Adopted from the "Quality Assurance checklist" found in Appendix 4 of the UK document Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents.

SEA Review Checklist

1. Addressing key issues
2. Alternatives
3. Baseline information
4. Prediction and evaluation of likely significant effects of the plan/programme
5. Uncertainties

6. Mitigation proposals
7. SEA Report
8. Consultations
9. Management of the SEA process
10. Decision-making and information

Discussion

- Which three quality criteria would you consider as the most relevant / important for SEA quality in Croatia?

- What should be the main focus of QA in Croatia
  - **Quality and completeness of SEA reports** OR
  - **Formulating balanced recommendations on the proposed plan**?

- What should be the role of NGOs and public in SEA QC in Croatia?

- How should the advisory commissions relate to consultations with the authorities and the public – should they work **before it** or **after it**?

Stakeholders´ consultations

REPUBLIKA HRVATSKA
MINISTARSTVO ZAŠTITE
OKOLIŠA I PRIRODE

Aim

- SEA process shall include consultations with
  - **Environmental and health authorities**
  - **Public**

- Two main stages when consultations shall be conducted
  - When determining the **scope of the SEA**
  - When reviewing of the **draft P/P** and the accompanying **SEA Report**

Rationale

- SEA is not only analytical tool, but also **shall provide platform for stakeholders´ consultations**

- If efficiently conducted, stakeholders´ consultations
  - Support „better" decisions in the sense that **all possible aspects and views are considered**
  - **Provide important information for SEA and decision-making** (e.g. from groups affected by the P/P or living in the relevant environment)
  - May build up **public support for implementation of the P/P**

Roles of public and NGOs

- **Participating in SEA procedures i.e.**
  - Providing information (and possibly data) on likely environmental and health problems and baseline status
  - Giving feedback in key SEA stages (screening, scoping, impacts analysis, SEA report – as stipulated by the national legislation and/or usual in the SEA practice in a given country)

- **...**and thus conducting **informal QA** of the SEA process

Sudjelovanje javnosti u Hrvatskoj

Zakon o zaštiti okoliša (NN 80/13)

- čl. 160-166 - Informiranje javnosti u posebnim postupcima uređenim ovim Zakonom (uklj. SPUO)

- tijela nadležna za provedbu SPUO obvezna su informirati javnost u ranoj fazi postupanja kada su otvorene sve mogućnosti

- informiranje putem javnih obavijesti, oglasa ili drugih odgovarajućih sredstava, te elektroničkih medija, odnosno na primjeren način

- Minimalni rok → 30 dana

Sudjelovanje javnosti u Hrvatskoj

Uredba o informiranju i sudjelovanju javnosti i zainteresirane javnosti u pitanjima zaštite okoliša (NN 64/08)

- U postupku ocjene o potrebi strateške procjene javnost se informira o odluci donesenoj u tom postupku

- U postupku strateške procjene javnost se informira:

  - 1. **odluci o pokretanju postupka strateške procjene i izradi strateške studije,**

  - 2. odluci kojom se određuje sadržaj strateške studije,

  - 3. **odluci da se strateška studija i nacrt prijedloga plana, odnosno programa upućuje na javnu raspravu,**

  - 4. postupku u svezi mogućeg prekograničnog utjecaja plana i

Sudjelovanje javnosti u Hrvatskoj

Dionici/ javnost – važan izvor informacija o postojećim problemima

- Uključivanje u početnoj fazi SPUO
  - Pisanim putem
  - U roku od 30 dana
  - Mišljenja i prijedlozi o sadržaju strateške studije – vezano za sadržaj ili kao prijedlog dionika koje treba konzultirati tijekom izrade strateške studije
  - Prethodna rasprava
- Uključivanje tijekom javne rasprave

Case example: Stakeholders´ participation in the Czech Republic – SEA for the National Development Plan

Legal requirements

1. Notification
2. **Fact-finding procedure (screening + scoping): MoE – notification published in SEA Information System, comments used for scoping statement**
3. SEA report
4. **Public consultations on draft concept (including SEA report): MoE – published it in SEA Information System, public hearing organized, comments considered in the final SEA statement**
5. SEA statement

Additional activities

- Public meetings
  - Initial workshop (information on NDP and SEA process)
  - Experts round table (discussion on priorities for NDP)

- SEA NDP Website
  - Information on the SEA process
  - Publishing news and draft documents
  - Email conference

- Publishing news in press

Conclusions

☺ **Joint activities**
- – programming and SEA (initial workshop)
- – NGOs activities

☺ **Good communication with MoRD and programming team**
- – Delivering presentation at the SEA meetings

☹ **Low interest on SEA**
- – Long process
- – NPD + OPs + SEAs running in parallel

☹ **Passive role of MoE**

Discussion

- What challenges would you see regarding the stakeholders´ participation in SEA (or EIA) processed in Croatia?

- What techniques would be the most appropriate for ensuring the active participation of the key stakeholders in the SEA process?

- How to make sure the findings from the consultations are properly taken into account in the planning and/or related decision-making?