



# Strategic Environmental Assessment – and its application to the CAP Strategic Plans

*Directive 2001/42/EC (SEA Directive)*



# Outline of the presentation

1. **WHY do we need SEA?**
2. **WHICH plans and programmes?**
3. **The SEA procedure and some of its key elements**
4. **SEA in the context of CAP: Recommendations**

## WHY do we need SEA?

- To provide for a **high level of protection of the environment**.
- To contribute to the **integration of environmental considerations** into the preparation of plans and programmes with a view to promoting sustainable development.
- Plans, programmes and projects which are **likely to have significant effects** on the environment are subject to an assessment.

## SEA: WHICH plans and programmes? (1/2)

### Which plans or programmes?

- ✓ prepared and/or adopted by an **authority** at national, regional or local level **AND**
- ✓ **required** by legislative, regulatory or administrative provisions.

### Exemptions:

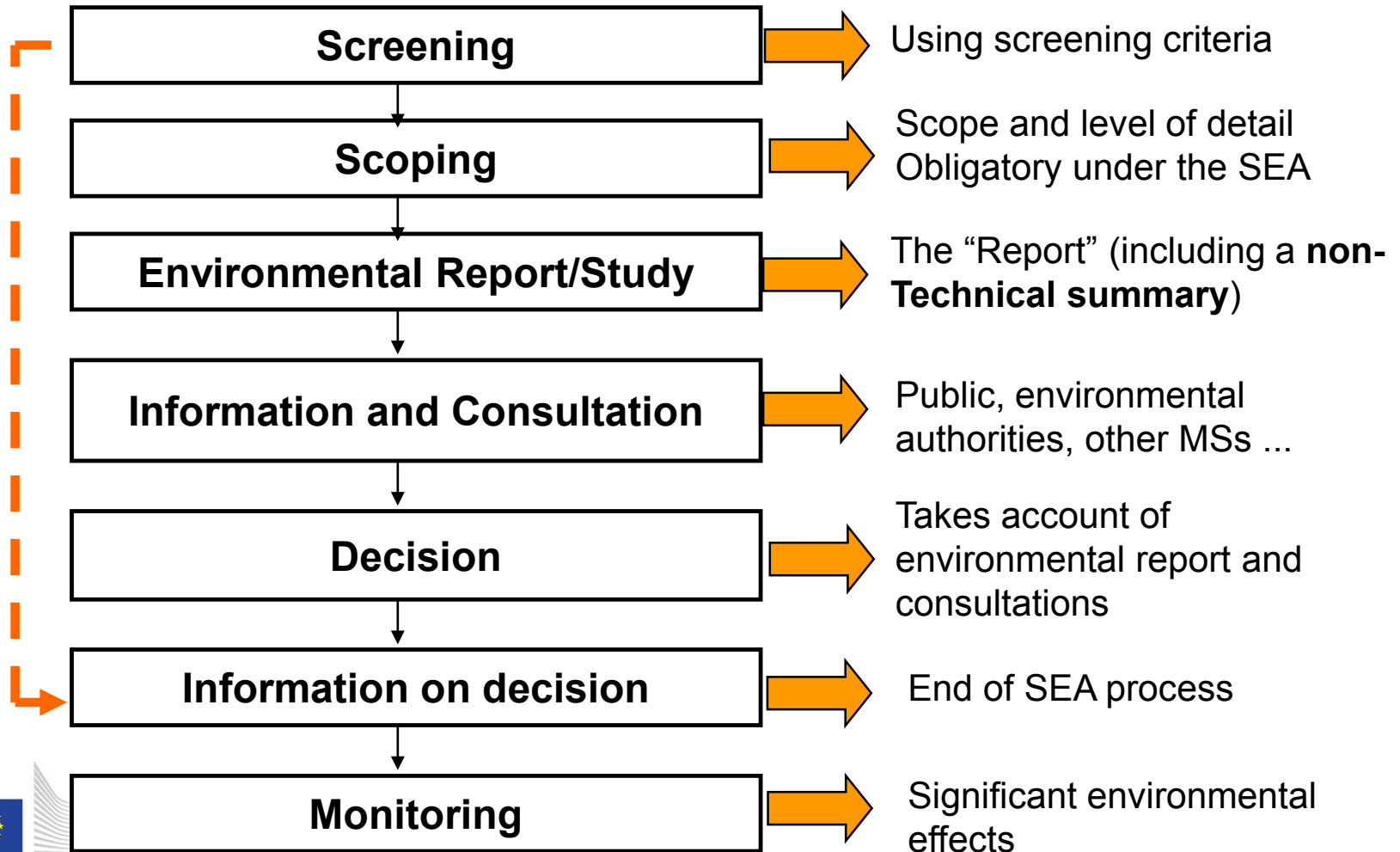
- ✗ Plans & programmes the **sole** purpose of which is to serve national defence or civil emergency;
- ✗ Financial or budget plans/programmes.



## SEA: WHICH plans and programmes? (2/2)

1. Plans and programmes (P/Ps) that **always** require SEA are those:
  - *prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use **AND** which **set the framework** for future development consent of projects listed in the EIA Directive;*
  - *which have been determined to require an assessment under **Articles 6 or 7 of the Habitats Directive**.*
  - *P/Ps co-financed by the EU (e.g. OPs).*
  - *Modifications of P/Ps.*
2. Plans and programmes that must be **screened**:
  - *P/Ps using small areas at local level.*
  - *minor modifications to P/Ps.*
  - *P/Ps setting the framework for future “non-EIA projects” and “non-sector” P/Ps.*

## The SEA procedure



## Key elements of SEA - the Environmental Report (1/2)

Must identify, describe and evaluate:

- the likely significant **environmental effects of implementing the plan/programme**, including
  - effects on biodiversity, soil, water, air, climatic factors
  - effects on population, human health, architectural and archaeological heritage, landscape.
- reasonable **alternatives** taking into account the objectives and the geographical scope of the plan/ programme
  - ! **alternatives must include the « zero » alternative**, i.e. the current state of the environment and the likely evolution of environment without implementation of the plan or programme.

## Key elements of SEA - the Environmental Report (2/2)

- Outline of the plan/programme and **relationship with other p/ps**
- Environmental characteristics of the area
- **Environmental protection objectives**, how they were taken into account
- Mitigation measures (envisaged to prevent, reduce and as fully as possible compensate any significant adverse effects on the environment of implementing the plan or programme)
- **Monitoring measures**
- **Non-technical summary (important)**



# Key elements of SEA - Consultation

- Environmental authorities
  - in screening
  - in scoping
  - on the **draft** plan/programme and the environmental report
- The public
  - on the **draft** plan/programme and the environmental report
- Transboundary consultations
  - on the **draft** plan/programme and the environmental report

# Key elements of SEA - Monitoring

- Member States have to monitor the significant environmental effects of the implementation of the plan/programme in order to:
  - identify at an early stage unforeseen adverse effects
  - be able to undertake remedial action
- Existing monitoring arrangements may be used
- Monitoring measures must be covered in the SEA Report

# Key elements of SEA - Decision making

## Art. 8

**The competent authorities have to take account of the:**

- Environmental report
- Opinions expressed pursuant to the consultation (public, environmental authorities)
- Results of any transboundary consultation

## Key elements of SEA - Information on the decision – Art.9

Information about final decision has to be provided to the public, environmental authorities, other countries (if consulted):

- Adopted plan/programme
- Statement summarising how environmental report and results of consultations have been taken into account, and reasons for choosing between alternatives
- Monitoring measures



# EIA/SEA Guidance

**EU Commission EIA / SEA Homepage:**

<http://ec.europa.eu/environment/eia/sea-support.htm>

- Commission's Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment;
- Guidance on Integrating Climate Change and Biodiversity into Strategic Environmental Assessment (March 2013);
- Report from the Commission on the application and effectiveness of the SEA Directive, COM/2009/469.
- Report from the Commission to the Council and the European Parliament under Article 12(3) of the SEA Directive, COM/2017/234.



# Strategic Environmental Assessment – Lessons learned and recommendations



## General remarks:

- Findings related to contents and process – it is difficult to assess whether findings of SEA were fully used during planning, amendment and implementation

## Learn from the past:

- Analysis should build on SEA 2014: Make sure that those involved in evaluation 2014 are also involved in 2019-20 to learn from their experience
- SEAs adopted in 2014 were formally compliant. Challenge is to fully take into account SEA for CAP SP

## Planning:

- Realistic planning and time schedule, allowing for unexpected delays
- SEA should finish before final version of CAP SP – or at least its main conclusions should feed into CAP SP

## Participation:

- If expertise is not available in-house, consultants may be needed. In this case, it is important to ensure that administration + stakeholders are duly involved and know-how transfer to administration
- True Involvement of stakeholders, including NGOs. Invite all relevant stakeholders, allow enough time for consultations and discussions
- Cooperation of agricultural + environmental administration is key, at local, regional and national level
- Listen to the basis – make sure local needs and specificities are taken into account



## Technical aspects:

- CMEF (common monitoring and evaluation framework) does not always capture some specific aspects of each country/region -> it may be complemented by additional indicators on a local scale
- Take into account trans-boundary issues, where appropriate
- Prepare alternative scenarios where necessary
- Take into account urban sprawl, land sealing and landscape preservation
- Make use of information of environmental planning tools for air (NAPCP), water (RBMP), Natura 2000 (PAF)