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# Monitoring and post-project analysis in EIA / SEA

2<sup>nd</sup> Subregional Workshop on the Practical Application of SEA  
and Transboundary EIA

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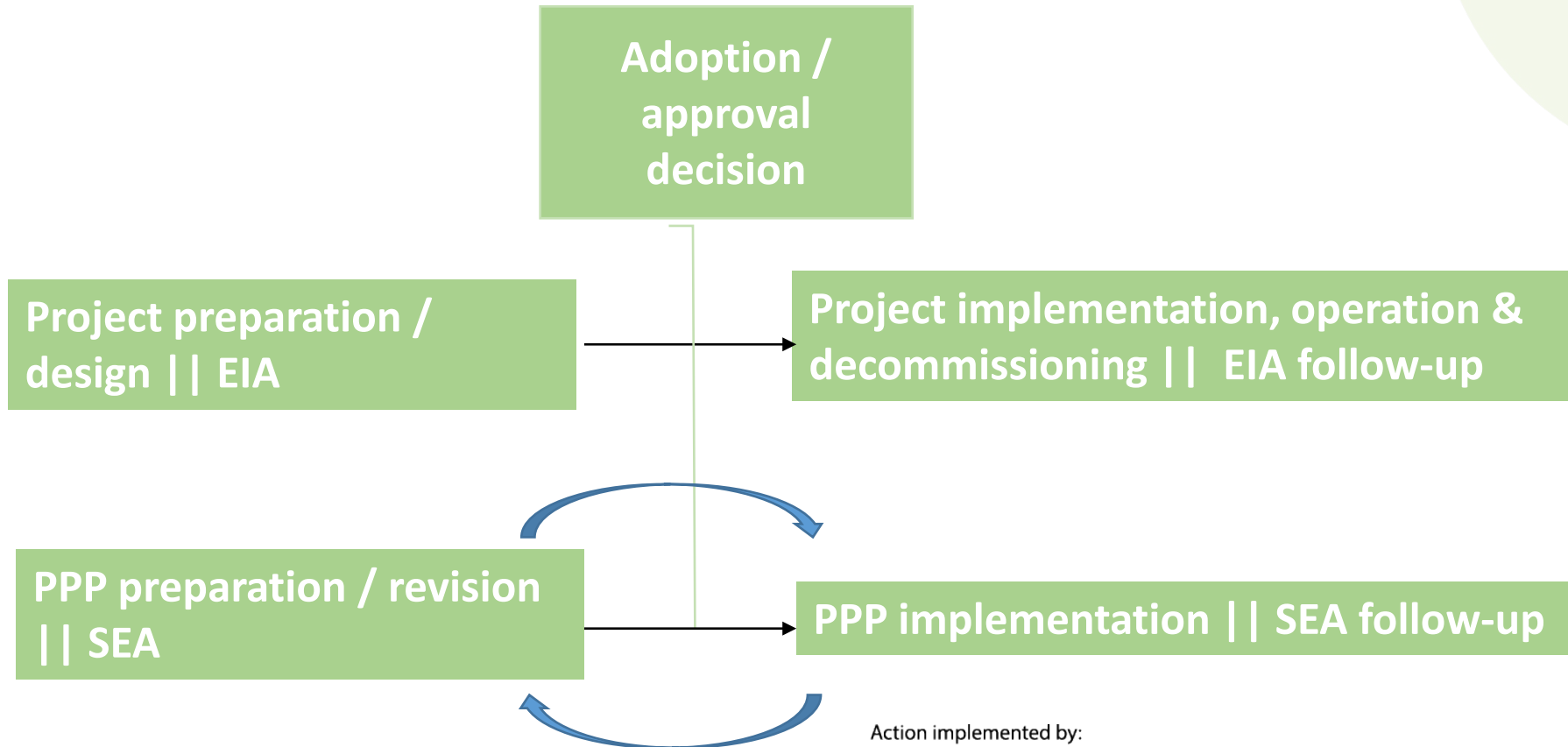


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## Understanding post-assessment activities (environmental assessment follow-up)



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## Monitoring in SEA: Legal Requirements

### SEA Directive:

1. monitor the significant environmental effects of the implementation of PPs
2. undertake appropriate remedial action
3. use existing monitoring arrangements, if appropriate
4. mitigation & monitoring measures to be publicly available

### Protocol on SEA:

1. the same, but including health effects
2. the same
3. no mention
4. the same
5. additionally & importantly, the results of the undertaken monitoring to be publicly available

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# Monitoring and post-project analysis in EIA: Legal Requirements

## EIA Directive:

- ❖ monitoring measures to be publicly available
- ❖ monitor how mitigation & compensation measures are implemented
- ❖ monitor significant **adverse** effects on the environment from construction and operation
- ❖ identify unforeseen significant adverse effects
- ❖ undertake appropriate remedial action
- ❖ use existing monitoring arrangements

## Espoo Convention:

*assumes that post-project analysis is required by the national law*

**DOES YOUR LAWS REQUIRE IT? IN WHAT FORM AND WHEN?**

- ❖ **the need for (and scale) of a joint (transboundary) project analysis to be determined by the concerned Parties, at the request of any such Party, in case of projects with T-EIAs**
- ❖ Any post-project analysis to include, in particular, the **surveillance of the activity** and the **determination of any adverse transboundary impact** (objectives in Appendix V).
- ❖ inform the other Party if monitoring reveals a significant adverse transboundary impact => the concerned Parties to consult on measures needed to reduce/eliminate the impact

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## Key tasks and practical aspects

- ❖ Monitor the delivery of **the environmental conditions** set out in the authorization/approval of the activity
- ❖ Review the environmental implications of **any changes** that are required;
- ❖ Monitor the **actual effects** of project activities on the environment and the community;
- ❖ Verify **compliance with regulatory requirements** and applicable standards or criteria;
- ❖ **Take action to reduce or rectify** any unanticipated adverse impacts;
- ❖ **Adjust the monitoring plan**, project specifications and related schedules as necessary;
- ❖ Evaluate the **effectiveness of the mitigation** measures; and
- ❖ Verify past predictions to **provide feedback to improve EIA/SEA practice** in a transboundary context in the future.

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## Key participants

- ❖ Project proponent / planning authority
- ❖ Competent environmental authorities: Ministries of Environment and Ministries of Health of the Parties concerned
- ❖ Other authorities from both countries - ministries, agencies, municipalities, competent authorities for the development consent
- ❖ EIA / SEA practitioners and consultant organisations
- ❖ Scientific and research institutions
- ❖ Public concerned and directly affected communities
- ❖ Non-governmental organizations
- ❖ Mass media

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## Post-project analysis for the of Wind Farm Lubrza Project in Poland

- ❖ Poland – Party of Origin
- ❖ The Czech Republic – Affected Party
- ❖ Notification – March 2012;
- ❖ Final decision – February 2014
- ❖ EIA, also in a transboundary context, including consultations – August 2013
- ❖ The Czech Republic requested the post-project monitoring consisting of:
  1. actual noise emission (performing measurements of noise during a day and night at the territory of the CzR in defined spots, in different weather conditions)
  2. monitoring of the birds and bats for 3 years

Source of the case study: [https://www.unece.org/fileadmin/DAM/env/eia/documents/WG2.4\\_may2015/poland\\_PPA\\_KT.pdf](https://www.unece.org/fileadmin/DAM/env/eia/documents/WG2.4_may2015/poland_PPA_KT.pdf) Action implemented by:



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## Post-project analysis for the of Lubrza Wind Farm in Poland (cont.)

The final Decision on Environmental Conditions issued by RDEP (Regional Director for Environmental Protection) **included the obligation of conducting post-project analysis** in terms of:

### 1. **impact of the wind farm on the birds**

The monitoring to start within the first 12 months of operation & be performed three times within five years.

### 2. **impact of the wind farm on the bats**

This monitoring to start within the first 12 months of operation and be carried out for at least three seasons, during the first five years of the launch of investment, which is mandatory to include in the survey the first two years, while the third season tests can be performed in the third, fourth or the fifth year of the farm.

### 3. **impact of the wind farm on the state of acoustic climate in the areas legally protected against noise**

The analysis to include the results of measurements of noise from the operation of the Lubrza Wind Farm carried out within six months from the date of the farm's commissioning, at eight points marked according to the EIA report, and listed in the Decision.

The important requirements of the final Decision: the post-project analysis plan and results should be translated into Czech, and presented to RDEP and Czech Republic as per the terms set out in Decision

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## Implementing the SEA Monitoring Scheme

**Monitoring measures should not only be envisaged, but also implemented!**

SEA monitoring activities and reporting should be:

- optimally integrated in the overall monitoring scheme for the implementation of a PP and/or linked to its regular revisions.
- reasonably based on existing monitoring schemes

### Who is responsible?

- Protocol on SEA & SEA Directive do not suggest who, where, when or how should undertake the SEA monitoring.
- Practice: the key role is with the implementing agency

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## Monitoring Examples from the Midlands WMP SEA

Environmental Receptor	Indicator	Source
Biodiversity, flora and fauna	<ul style="list-style-type: none"> <li>- Proximity of new facilities to designated areas</li> <li>- Area and % of designated habitat damaged due to waste management facilities</li> </ul>	<ul style="list-style-type: none"> <li>-Site EIS/AER/ DoEHLG</li> <li>-Site EIS/otherwise may not be available</li> </ul>
Soil/ Landuse	<ul style="list-style-type: none"> <li>- Area of land occupied by ceased and existing waste activities (Total area and greenfield area)</li> <li>- Location of new facilities</li> <li>- Area of land contaminated due to waste activities</li> <li>- Area of contaminated land restored for beneficial use</li> </ul>	<ul style="list-style-type: none"> <li>-AER, Local Authority</li> <li>-AER</li> <li>-Local Authority</li> <li>-Local Authority</li> </ul>

Air	<ul style="list-style-type: none"> <li>- Number of licence exceedances for dust and noise</li> <li>- No. of households with a waste collection service</li> <li>- Estimated tonnes of waste uncollected</li> <li>- Amount of energy captured from waste facilities</li> </ul>	<ul style="list-style-type: none"> <li>-AER</li> <li>- Local Authority /AER</li> </ul>
Climatic Factors	<ul style="list-style-type: none"> <li>- Estimate of landfill gases (CO<sub>2</sub> and methane) emitted/year from facilities</li> <li>- Tonnes of waste recycled, landfilled and thermally treated</li> </ul>	<ul style="list-style-type: none"> <li>-AER/ Local Authority</li> <li>-Local Authority/ Annual Report/</li> </ul>



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## Some challenges

- ❑ Programme of post-project analysis is not well linked to the identified adverse impacts/risks
- ❑ Weak implementation:
  - ❖ a limited control over how environmental assessment conditions are implemented in practice
  - ❖ responsibilities are not clearly assigned
  - ❖ financial means for environmental and social monitoring not envisioned
  - ❖ no clear provisions for evaluation and management within the post-project analysis programme
- ❑ A way to avoid such situations is to prepare a well structures environmental and social management plan listing all mitigation and monitoring requirements and conditions, roles, resources, timeframes, etc.
- ❑ Careful delivery of this plans (with a change management procedure in place)

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## Some reference documents

Post project analysis in EIA, report prepared by the task force on EIA auditing with Canada as lead country, 1990, ECE/ENVWA/11.

<http://www.unece.org/fileadmin//DAM/env/documents/1990/ece.envwa.11.e.pdf>

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[https://www.unece.org/env/eia/pubs/practical\\_espoo.html](https://www.unece.org/env/eia/pubs/practical_espoo.html)

UNECE Resource Manual for SEA. 2012.

[https://www.unece.org/env/eia/sea\\_manual/welcome.html](https://www.unece.org/env/eia/sea_manual/welcome.html)

Manual for Trainers on Application of the Protocol on Strategic Environmental Assessment. 2018.

<https://www.unece.org/index.php?id=48758&L=0>

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