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Expert panel and integration of environmental aspects in the draft policy and planning document

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Training Workshop on SEA in the Republic of Moldova

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Requirements of the SEA Protocol (1)

Article 11 – Decision

Decision-maker must **take into account**

- **conclusions of environmental report**
 - including measures to prevent / reduce / mitigate adverse effects of various P/P alternatives
- **opinions expressed by**
 - relevant environmental & health authorities
 - the public concerned
 - any affected Parties

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Requirements of the SEA Protocol (2)

Following policy and planning documents adoption, decision-maker must **inform**

- relevant environmental & health authorities
- the public (not just the public concerned)
- any affected Parties

Adopted policy and planning documents must be made available, plus a statement:

- Summarizing how environmental considerations (in environmental report) integrated into adopted policy and planning documents
- Summarizing how their opinions (of authorities & ‘the public concerned’) have been taken into account
- Summarizing reasons why policy and planning documents adopted in light of reasonable alternatives considered

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Panel of experts (expert commission)

The basic functions of the Expert Commission are:

- to assess the quality of the SEA report and prepare an opinion on the quality of the SEA report in accordance with Art. 8 para. (6) of the Law no. 11/2017.
- to analyse the draft policy and planning document and to develop an opinion on the draft, based on the results of the assessment:
 - how the environmental aspects and the information obtained during the strategic environmental assessment have been integrated by the initiator into the draft policy and planning document, pursuant to Art. 8³ para. (1) let. a) of the Law no. 11/2017.
 - how the comments and proposals of the interested public have been considered by the initiator of the draft policy and planning document, pursuant to Article 8³ para. (1) let. b), of the Law no. 11/2017.

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Environmental opinion

- Issued by the Competent Authority based on
 - the opinion of the panel of experts regarding the draft policy and planning document according to Article 83 para. (2), as well as
 - the results of public consultations and, as the case may be, transboundary consultations
- Required for approval procedure of the given policy or planning document

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Typical issues

- Lack of technical-level communication between SEA and planning process:
 - SEA proposals are not incorporated in the policy or planning document
 - The SEA report does not provide account of proposals/suggestions already integrated in the policy or planning document.
 - Disagreement on significance of impacts and feasibility of mitigation measures
- Different opinions on overriding public interests
- Lack of follow-up and monitoring of effects

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General approaches to Monitoring

- Impact-Related Monitoring on a Project Level
 - data is collected at different stages of project development (permitting, start of operation, regular monitoring – emissions, wastes, etc.)
- State-Related Monitoring (General Environmental Monitoring)
 - to observe and describe the state of the environment (including changes) independently from programmes and plans

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General approaches to Monitoring

- Performance-Led Monitoring
 - controlling the implementation and effectiveness of certain measures foreseen in a plan or programme and/or SEA report (e.g. mitigation measures)
- Objective-Related Monitoring
 - controlling whether specific environmental quality objectives or environmental targets are attained within a given amount of time
- Combined Approaches

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Approval of the policy or planning document

- After the final approval the initiator must publish:
 - a) the policy or planning document in the approved form;
 - b) the information on how environmental issues were integrated into the policy or planning document, the impact of the policy or planning document on the environment, including public health;
 - c) the information regarding the consultation of the public and the public authorities concerned, the results of consultations in a transboundary context,
- Carry out the Environmental monitoring and submit regularly its results to the Competent authority

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Thank you for your attention!

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