Application of Directive 2001/42/EC (SEA)

Jaspers Networking Platform
Training on environmental requirements for cohesion policy projects in the 2014-2020
14 January 2016, Brussels

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European Commission - DG Environment
D1 Unit Enforcement, Cohesion Policy & European Semester
Environmental assessments

- Policies
- Plans & Programmes covered by SEA Directive (2001/42/EC)
- Projects covered by EIA Directive
The Environmental Assessment Procedures

- **Screening**: Using screening criteria
- **Scoping**: Scope and level of detail Obligatory under the SEA
- **Environmental Report/Study**: The “Report” (including a non-technical summary)
- **Information and Consultation**: Public, environmental authorities, other MS...
- **Decision**: Takes account of env. report and consultations
- **Information on decision**: End of EIA/SEA process
- **Monitoring**: SEA (from 2017 – for EIA)

F.2.1 Is the project implemented as a result of a plan or programme, other than Operational Programme? <type='C' input='M'>

Yes □ No □

F.2.2 If the reply to question F.2.1 is ‘Yes’, please specify if the plan or programme was made subject to a strategic environmental assessment in accordance with the SEA Directive <type='C' input='M'>

Yes □ No □

— If the reply is ‘No’, please provide a short explanation:

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— If the reply is ‘Yes’, please provide the non-technical summary (1) of the Environmental Report and the information required by Article 9(1)(b) of that Directive (either an internet link or an electronic copy).

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Statement in accordance Art. 9(1)(b)

Article 9 - Information on the decision
1. Member States shall ensure that, when a plan or programme is adopted, the authorities referred to in Article 6(3), the public and any Member State consulted under Article 7 are informed and the following items are made available to those so informed:
(a) the plan or programme as adopted;
(b) a statement summarising how environmental considerations have been integrated into P/P and how the environmental report prepared pursuant to Article 5, the opinions expressed pursuant to Article 6 and the results of consultations entered into pursuant to Article 7 have been taken into account in accordance with Article 8 and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with, and
(c) the measures decided concerning monitoring in accordance with Article 10.
Art. 9(1)(b) statement in MS legislation

- BG 'становище по EO' (SEA opinion), Environmental Protection Act and SEA Ordinance
- HR 'izvješće o provedenoj strateškoj procjeni' (report about carried-out SEA), Art 19 of the SEA Regulation
- PL 'pisemne podsumowanie' (written conclusions), Law on the access to information on the environment and its protection, public participation and environmental assessments
- SI 'obvestilo o sprejetem planu' (notice of adopted plan), Slovenian Environmental Protection Act
Tips!

- Talk to your competent SEA authority
- Write if the project results from P/P (other than an OP) that has undergone an SEA
- If 'NO' (e.g. to simplify ...) and the project results from P/P – incorrect answer
- Cases with 'NO': pre-SEA project, purchase of rolling stock, etc.
- If "Yes", it might be good practice, especially for env. sensitive projects to write whether:
  - it is consistent with P/P (in the second box)
  - strategic considerations about the project (or a particular type of project) have been taken into account at the project level.
- Always attach required documents or links (Do they open? Are they providing direct links?)
  - non-technical summary
  - statement in accordance art. 9(1)(b)
For info or further questions on this training and on the activities of the JASPERS Networking Platform, please contact:

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