



Strategic Environmental Assessment (SEA) follow-up

Monitoring significant effects on environment as induced by the EU-financed programmes

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Main aspects presented

- The origin and purpose of the presentation
- SEA follow-up – legislative framework
- SEA for EU-financed operational programmes in Romania – key aspects of the proposed monitoring system
- Main findings – Romania
- Main findings – multiple study case
- Conclusions (and recommendations)

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Origins of the presentation

- The project “Improving the system of indicators used in monitoring and evaluation” launched by the Authority for the Coordination of Structural Instruments (ACIS) in October 2009 and finalised in 2011
- Under this Activity 3.2 was carried out, entitled “Formulating a methodology for monitoring the effects on environment of OPs and NSRF”, which entailed the following sub-activities:
 - 3.2.1. Current state review, as regards monitoring the effects on environment at OP and NSRF levels;
 - 3.2.2. Identification and analysis of European good practices in this field;
 - 3.2.3. Development of guidelines as regards the system for monitoring the effects on environment.

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The purpose of this presentation

Presenting the **most important aspects** identified during the conducted analysis, in order to contribute to a better **understanding** and **improvement** of the European and national framework (legislative and further guidance) in place for SEA, especially as regards **monitoring** the OPs’ effects on environment.

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SEA follow-up – legislative framework

- SEA Directive Art. 10 (1): *“Member States shall monitor the significant environmental effects of the implementation of plans and programmes in order, inter alia, to identify at an early stage unforeseen adverse effects, and to be able to undertake appropriate remedial action.”*
- HG 1076/2004 Art. 27 (2): *“the monitoring programme set up for assessing environmental impact accompanies the documentation submitted to the competent authority for environmental protection with a view to obtaining the environmental certificate and constitutes a part of this”.*
- Further guidelines

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SEA for OPs in Romania - recommendations

- Environmental indicators – 20 on an average for each OP
- Measures and activities, as follows:
 - (1) Proposed indicators – to be revised / integrated in the OP overall monitoring system/interpreted;
 - (2) Initiation of respective steps in case negative environmental impacts were identified;
 - (3) Ensure capacity in each MA for environmental monitoring;
 - (4) The project appraisal and selection system needs to take into account environmental criteria, where it is the case;

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(5) Applicants should receive sufficient information regarding environmental issues and criteria and the possible connection between their project and environment;


(6) Involving the Ministry of Environment, as environmental agency, in the discussions related to the monitoring system, especially as regards how to integrate environmental issues in this system prior to OP implementation;

(7) Publishing the monitoring results regularly;

- endorsed, for each of the 4 Operational Programmes, by the MoE - environmental certificate/OP approval

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Main findings - Romania

- Main bottleneck: the SEA proposed indicators
 - (1) Generically defined, at programme level;
 - (2) Not specifically formulated;
 - (3) In some cases, not relevant;
 - (4) No baselines/targets defined;
 - (5) No data collection/aggregation methodology;
 - (6) **Significant effects?**

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- Further on, instrumentalising the SEA recommendations was challenging considering the fact that SEA was new for the MAs, but also for the environmental agency (MoE) and, as well as, at EU level, especially under Cohesion Policy;
- Although some data were available (at project level/other sources) these were not collected or analysed/interpreted;
- The AIRs – the main vehicles for presenting information regarding the OPs' effects on environment;
- The environmental authority is not represented in all 4 Monitoring Committees;
- In Romania, as in other countries, environmental monitoring and reporting is perceived as the responsibility of the MA, only.

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Main findings – case study

- Including in EU-founding countries (e.g. Franta, Italia) the efforts to create a comprehensive methodology for monitoring the OPs effects on environment are in a first phase;
- In some cases SEA did not recommend indicators; or some were, but these haven't been taken over in the monitoring system, or have been only partially taken over (on average 5-10 indicators/OP or 2-5/environmental factor/sometimes the same "typical "indicator e.g. noise)
- Environmental indicators are not defined as (1) output, (2) result, (3) impact. They are frequently called "impact", however, many we analysed, in Romania and other countries, are rather output/input indicators (e.g. "Total investment in transport infrastructure related to energy saving ")

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- None of the studies countries uses environmental indicators which require complex calculation and interpretation methodologies for the current OPs
- The main data sources for the environmental indicators are the OP monitoring system and the domestic statistical systems (at regional/national levels).
- Not available data are collected through separate initiatives (e. g. annual surveys in Poland, physical-chemical analyses)
- In some cases it seems that setting up baseline and targets was possible (e.g. Polonia, Cehia)
- Overall, no specific environmental evaluations are planned (Finlanda)

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- In the Czech Republic, SEA was carried out for the NDP and NSRF, and from this level all necessary measures to be taken, also at OP level, were determined – including environmental indicators and data collection methodology
- In this case and in Finland, the environmental agency is pro-actively involved in the whole process
- SOPT – study for updating the indicators list and for establishing their (indicative) baseline and target – including for “air quality”
- In Italy and France (NECATER) – detailed and specific methodologies for calculating the greenhouse gas (GHG) emitted through the implementation of the OPs – **in the context of the existing methodologies, Kyoto Protocol, IPCC, CORINAIR**

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Concluzii

- **Ex-ante phase/SEA as such:** although the potential *significant impact* of the OP on environment is correctly identified, and although measures to mitigate this impact are taken (which may go even to adjusting the programme strategy), it is very important that, even from this phase, an adequate environmental monitoring system to be set up for the OP;
- Adequate system = **proportional** and manageable, which makes use of the available data or collects them at reasonable costs;
- The indicators need to be clearly formulated, the data source correctly identified and the data collection/aggregation methodology detailed;
- If possible, baselines and targets defined, at least indicative
- Still, the monitoring system open to improvements

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- Necessary to develop the MA capacity to manage environmental monitoring, including to cooperate with other involved institutions;
- Necessary to develop the capacity of the environmental agency as regards SEA and SEA follow-up for EU-financed programmes – this should be actively involved, including through participation as member in the MC of the OP;
- The provisions of the SEA follow-up, as defined by SEA and taken on board by the programme, should be operationalised during all phases: project development/appraisal&selection /implementation

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- As regards SEA follow-up, the existing legislative framework and guidelines at European and national level are not sufficient
- “Contradiction” between the “strength” of the requirements in the ex-ante phase and the ones applicable to the implementation phase (follow-up)

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- !!! Weak connection between “environmental system” and the “SIs system” – paradox, considering that SEA born from EIA experience;
- Strengthening this connection would facilitate the use (by the SI system) of data and methodologies already available (in the environmental system), beyond EIA results – reinventing the wheel is not necessary
- Disadvantage: the challenge of proving “attributability” higher in the case of environmental effects

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- **SIGNIFICANT: How far should SEA follow-up go?**
- Partial “contradiction” between the SEA objective and the monitoring requirement: if SEA reached its objective, at least in principle, the OP, while implemented, should not have significant negative effects on the environment, thus, why to monitor? *
- Reconnect SEA follow-up with EIA follow-up (SOPT Romania)
- Carry out “environmental evaluations”
- Maintain publicity clauses

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Thank you!

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