

TESS Work-package 2 – Reporting

Title: Central Policy Environment

Lead Partner: European Sustainable Use
Specialist Group of IUCN/SSC

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ENV.2007.4.2.1.1. Methodologies for scaling down to regional & local level the analysis of policy impacts on multifunctional land uses & economic activity

Work-package 2 – Objectives

- To identify information needs of government for SEA, SIA and other aspects of biodiversity conservation and sustainable development.
- To determine how that information is obtained.
- To produce a report detailing the information flows from local and regional to central.

First task

- To gather information on how these processes and information needs were managed in 4-5 countries with different types of environmental governance

What we actually did

- Analysed EIA & SEA Directives at EU level
- Analysed EIA, SEA, Land Use Planning (LUP) and CAP information requirements in depth in UK
- Used this as model to collect information from as many TESS partners as possible via questionnaires agreed with them

Participants in the Enquiry

Returns were eventually received from Partners in 8 countries:

Country	Organization
United Kingdom	ESUSG of IUCN/SSC
Turkey	WWF-Turkey
Romania	Danube Delta National Institute for R&D
Portugal	ERENA
Poland	Pro-Biodiversity Service
Hungary	Szent Istvan Univ, Inst for Wildlife Conservation
Estonia	IST, Tallin Univ of Technology
Greece	TERO Ltd

EIA and SEA Directives – Key Features

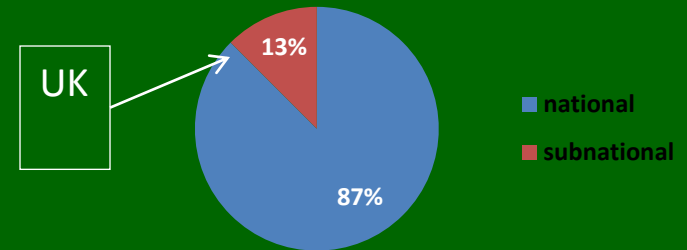
	EIA (1985 amended)	SEA (2001)
Applies to	Projects	Plans and programs
Scale	Large	Any scale
Submitted by	Developers	Public bodies
Official consultees	Yes	Yes
Public involvement	Yes	Yes -strong emphasis
EC reports	Yes	Yes

Examples of plans and programmes SEA applied to – 7 countries in total.

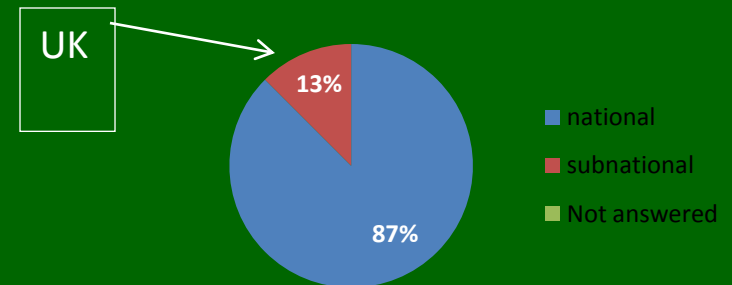


Governance levels for law making

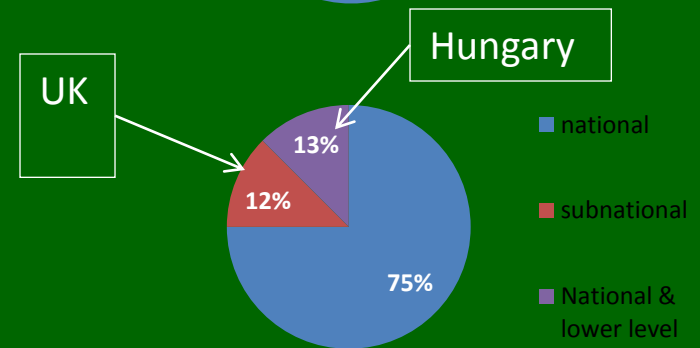
Governance level at which laws/regulations are framed for EIA



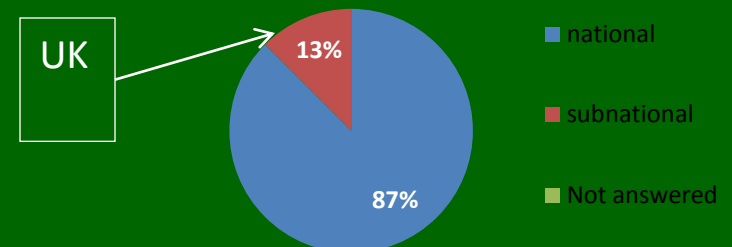
Governance level at which laws/regulations are framed for SEA



Governance level at which laws/regulations are framed for Landuse Planning (LUP)



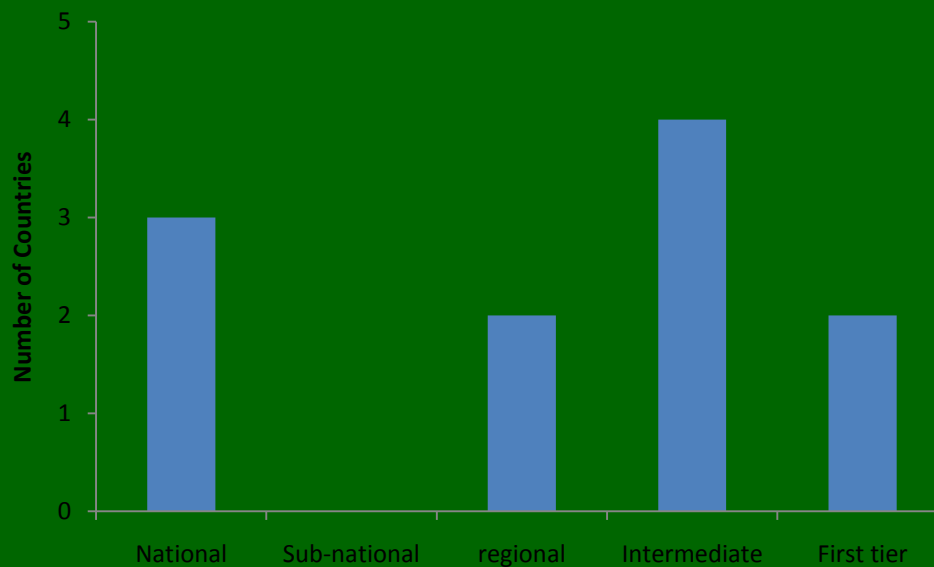
Governance level at which laws/regulations are framed for CAP



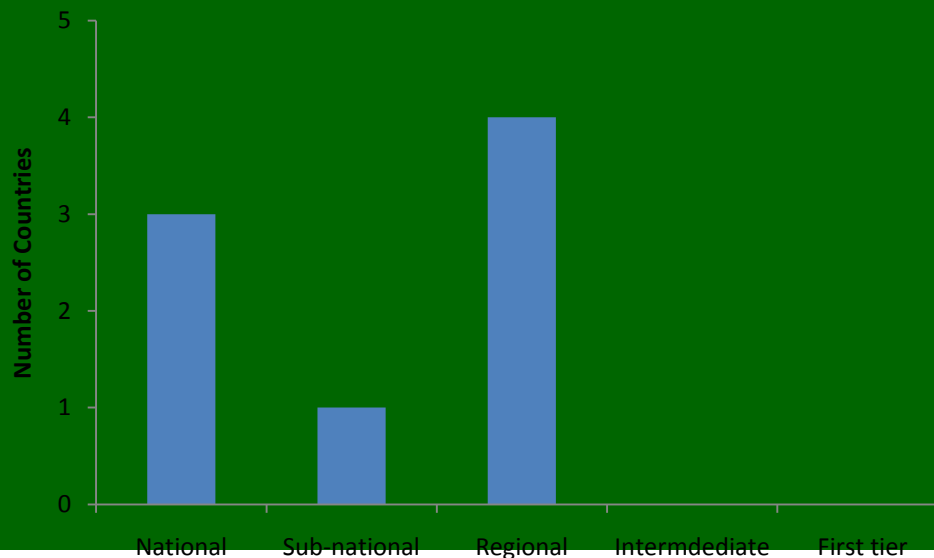
Governance Levels for Approval

Lowest level for:

EIA



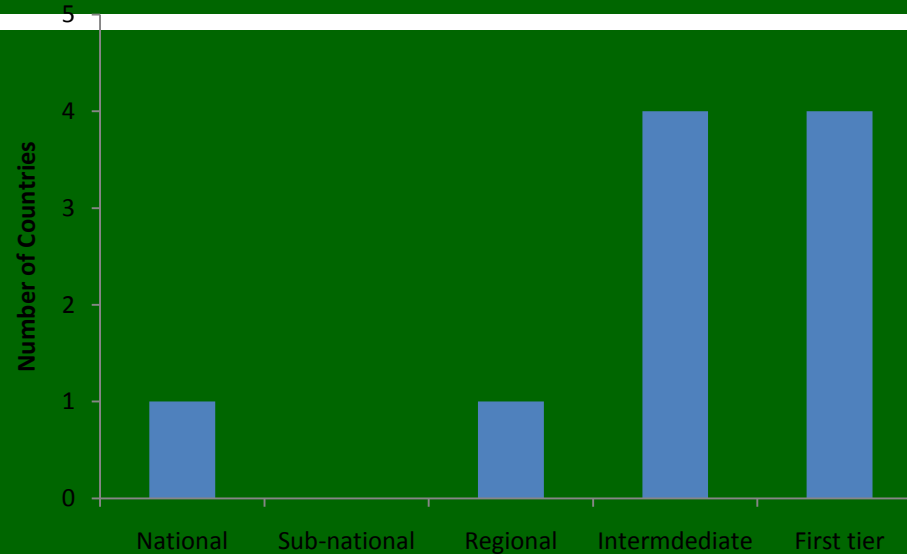
SEA



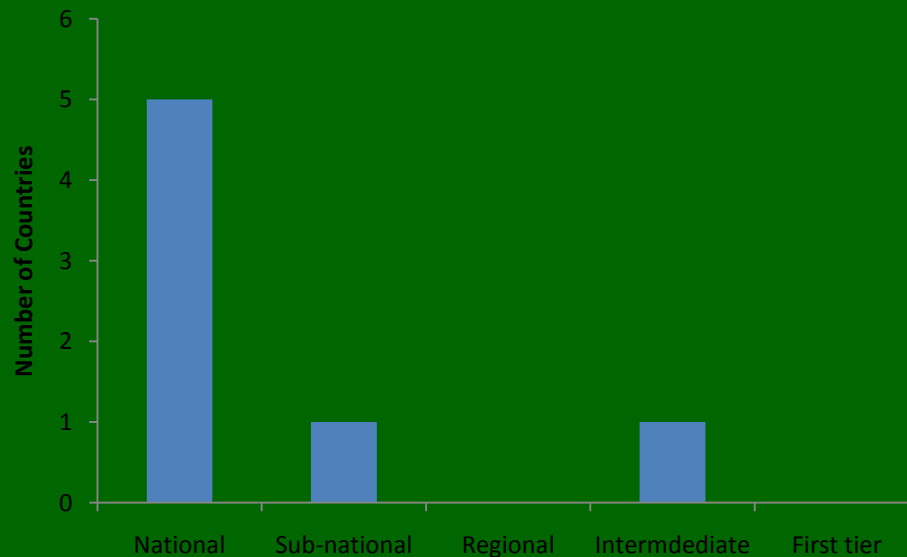
Governance Levels for Approval

Lowest level for:

LUP



CAP



Numbers and Categories of EIA & SIA Cases Annually Where Recorded

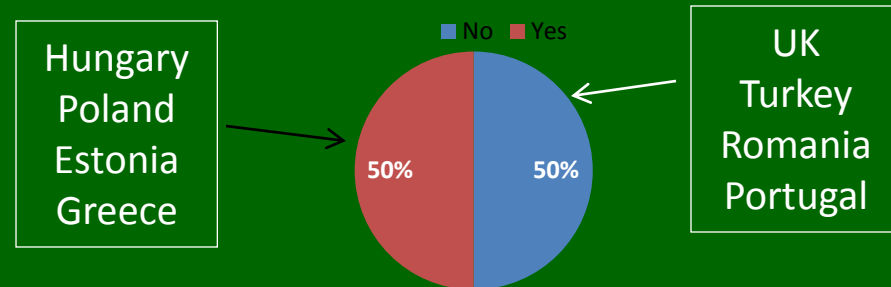
(N/R= not recorded, N/A= not applicable, Y= yes, N= no, U= uncertain)

	EIA Number	Cat	SEA Number	Cat	Samples
UK	313	Y	N/R (500-600 est.)	N/A	U
Turkey	110	Y	N/A	N/A	Y
Romania	822	N	105	N	Y
Portugal	100	Y	10	Y	Y
Poland	N/R	N/A	N/R	N/A	Y
Hungary	N/R	N/A	N/R	N/A	Y
Estonia	N/R	N/A	N/R	N/A	U
Greece	1600*	N	N/R	N/A	U

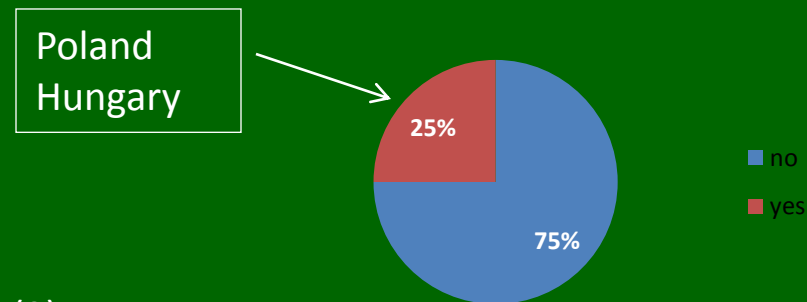
* Estimate from EC 2003

Extension of EIA & SEA Directives by national laws?

Do the relevant national or sub-national laws
extend the categories of projects for which
EIA is required?



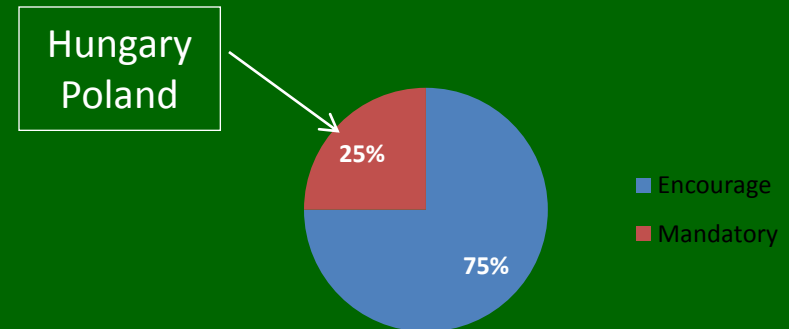
Is SEA applied to other proposals?



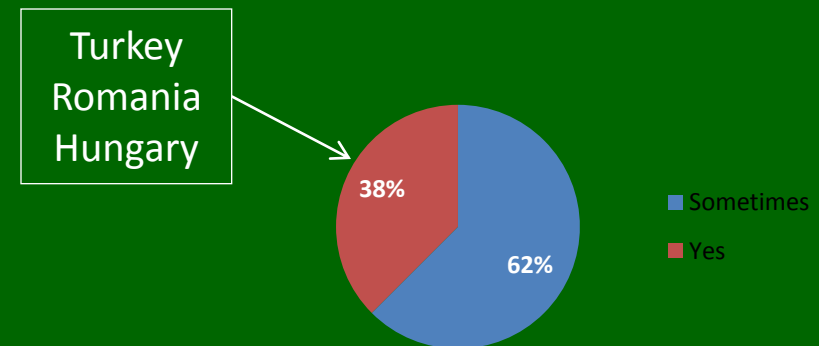
Climate Change, energy policy, National Development (2)

Operation of EIA Directive – Mitigation & Monitoring

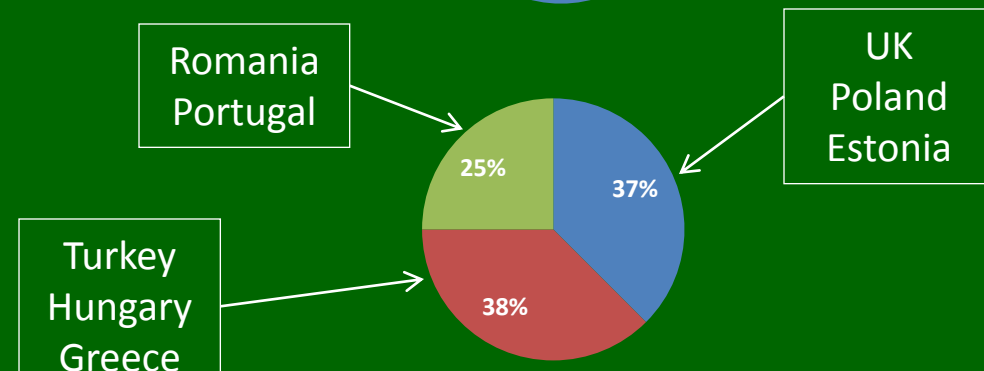
In cases of significant damage to the environment is mitigation required?



Is there monitoring of the environmental impact of the development?

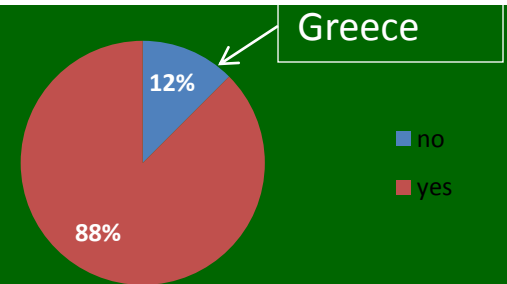


Who is responsible for the monitoring?

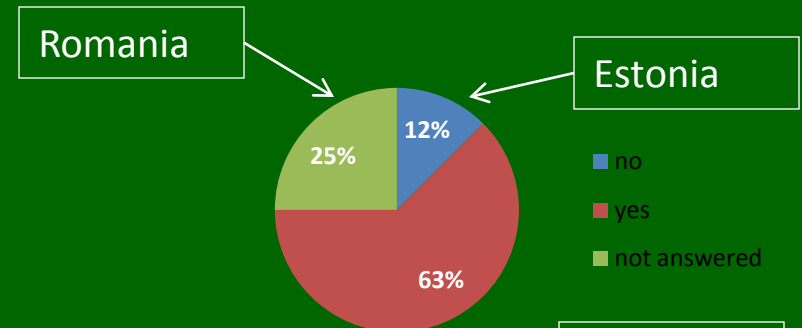


EIA & agricultural intensification: sanctions

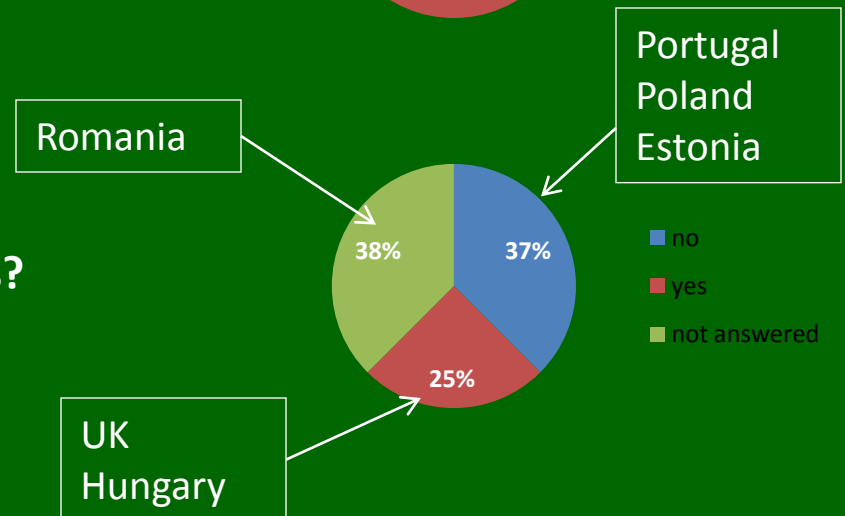
Is the EIA Directive applied to the changes in rural land management ?



Are those who infringe required to re-instate?



Do they lose CAP cross-compliance payments?



Thresholds for Application of EIA to Intensification of Agriculture

	Area for EIA to be applied	Period of previous non-cultivation
England	100ha - less in designated areas	15 years
Turkey	500ha	-
Romania	No threshold	-
Portugal	100ha or 50ha in sensitive areas	5 years
Poland	300ha (re-parcelling)	-
Hungary	50ha but 1ha in designated areas; 30ha for deforestation	-
Estonia	100ha; also for forestation	-

NGO's Commenting on EIA's and if National, Regional or Local

(N.B. same NGO can be national, regional and local)

	UK	Turk	Rom	Port	Pol	Hung	Est	Gr	Total
Total NGO	5	4	7	5	6	6	4	1	38
National	3	4	1	3	6	5	4	1	27
Regional	3	-	4	2	3	1	-	-	13
Local	3	-	2	-	-	-	-	-	5

Similar NGO's Across Countries

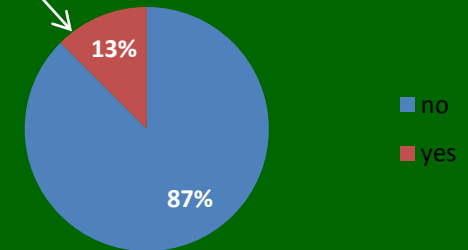
	National Bird Groups	WWF Associates	Friends of the Earth
UK/England	Royal Society for the Protection of Birds		Friends of the Earth
Turkey	Nature Society (Birdlife affiliate for Turkey)	WWF-Turkey	
Romania	Societatea Ornitologica Romana (Romanian Ornithological Society) (Partner of Birdlife International)	Salvati Dunarea si Delta (Save the Danube and Delta)	
Portugal		Liga para a Protecção da Natureza	
Poland	Polish Society for the Protection of Birds (OTOP) (Part of Birdlife International)		
Hungary	Birdlife Hungary (Hungarian Ornithological and Nature Society)	WWF Hungary	
Estonia		Estonian Fund of Nature (ELF)	Estonian Green Movement Fo-E (ERL)
Greece		WWF Greece	

Compliance & Sustainability

Is your country regarded as non-compliant with any aspects of EIA and SEA?

Incorrect conversion in national legislation of the stipulations art. 6(3) and 6(4) from the Habitat Directive

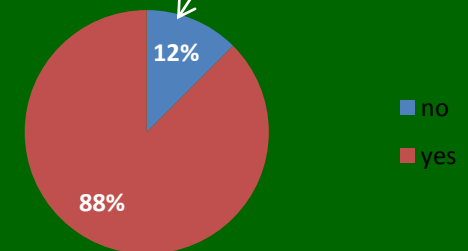
Romania



Do any laws on SEA, EIA or LUP require sustainable development or sustainability assessment to be included alongside environmental assessments?

In Hungary only certain socio-economic aspects are considered during environmental assessments.

Hungary



Interaction of EIA & LUP system

Is the 'development consent' required by the EIA Directive administered as part of general land use planning (LUP) policy?

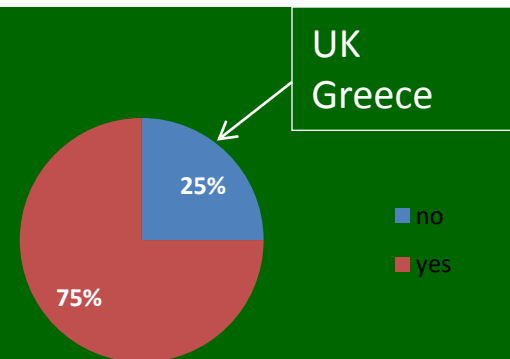
100% replied "partially"

Is EIA always required when proposals for development are made?

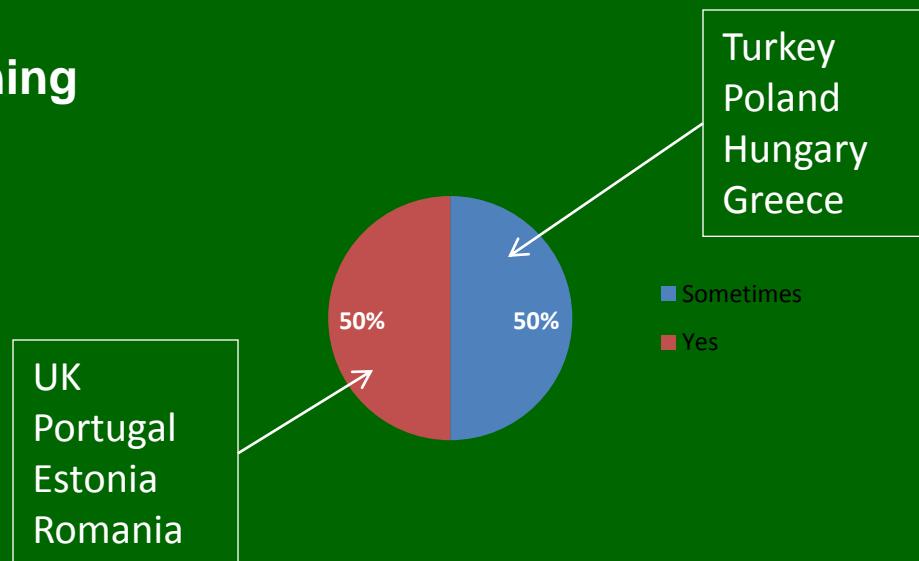
100% replied "no"

Taking account of biodiversity

Do any laws on SEA, EIA or LUP
require ecological infrastructure to
be taken into account?



In developments where EIA is not
required, does the LUP system/planning
policy support biodiversity or nature
conservation in a positive way?

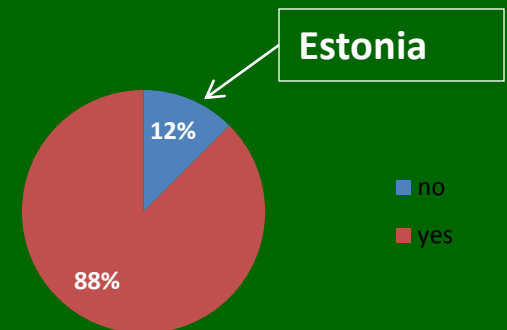
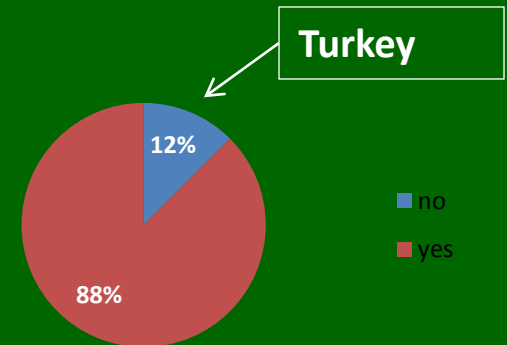
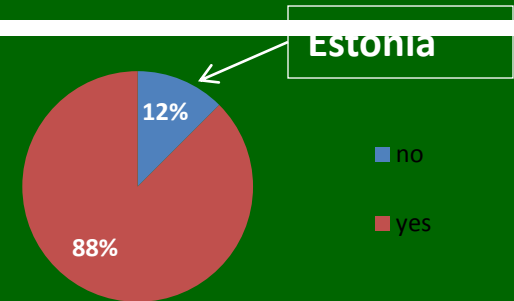


Formal and informal guidance on EIA, SEA & LUP

Formal guidance to authorities who have to consider EIA's/SEA's or LUP decisions and give or withhold consent?

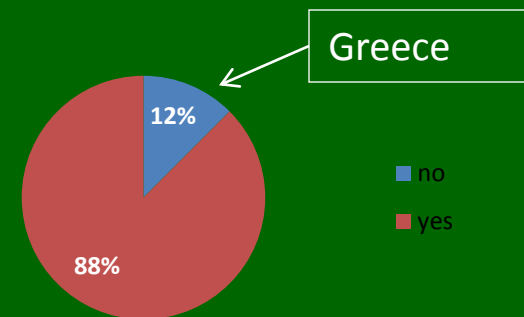
Practical guidance to authorities, developers, the public, NGO's etc who need to prepare EIA's/SEA's or LUP applications or comment on them?

Have consultants, experts or NGO's issued practical guidance on EIA/SEA or LUP applications?

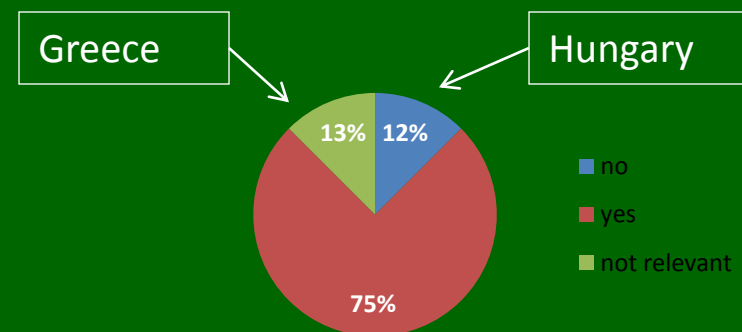


Environmental and biodiversity information listed?

Does the practical guidance, whether official or unofficial, list sources of environmental information?



Does this environmental information include biodiversity information?



Availability and Nature of Biodiversity Information – Number of Countries Responding

		Yes	No
i	Accessible to all	6	1
ii	Accessible via the internet	7	0
iii	Fragmented	6	1
iv	Payment needed	4	2
v	List of protected areas	7	0
vi	List of protected species	7	0
vii	Species population/habitat extent	5	2
viii	Baseline plus trend data	3	4

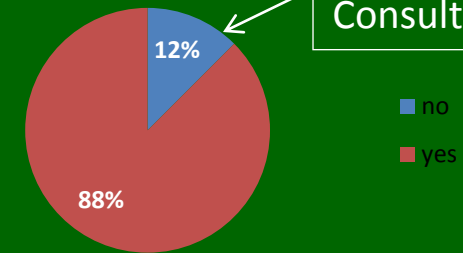
Biodiversity Information Websites - Number and Type

	National	Regional	Specialist	Total
UK	3	3	1	3
Turkey	5	-	-	5
Romania	4	1	-	5
Portugal	1	-	1	2
Poland	2	1	1	4
Hungary	3	-	1	4
Estonia	1	-	-	1
Greece	2	-	2*	4
	21	5	6	28

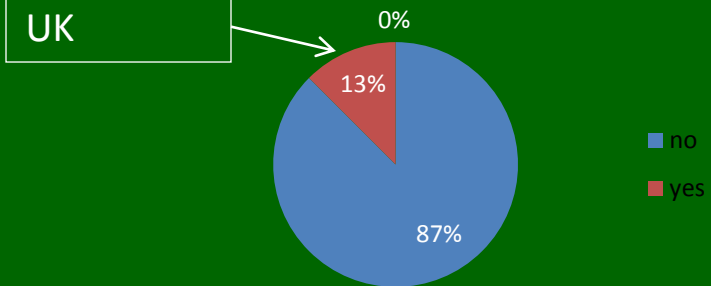
* One of these was run by an NGO and the other by a private entity

Biodiversity Action Plans

Are there Biodiversity Action Plans with biodiversity information available at national or sub-national level?

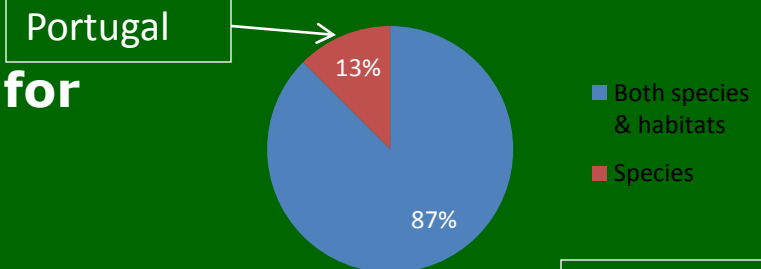


Are there Biodiversity Action Plans with biodiversity information available at lower governance level?

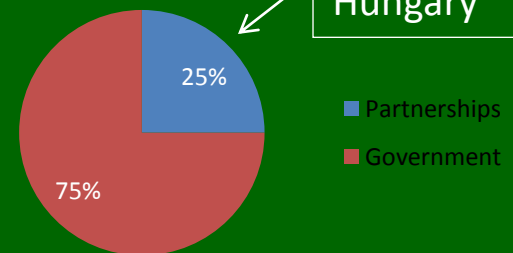


160 - UK, only number given

Are Biodiversity Action Plans prepared for species and habitats?



Who prepares the Biodiversity Action Plans?

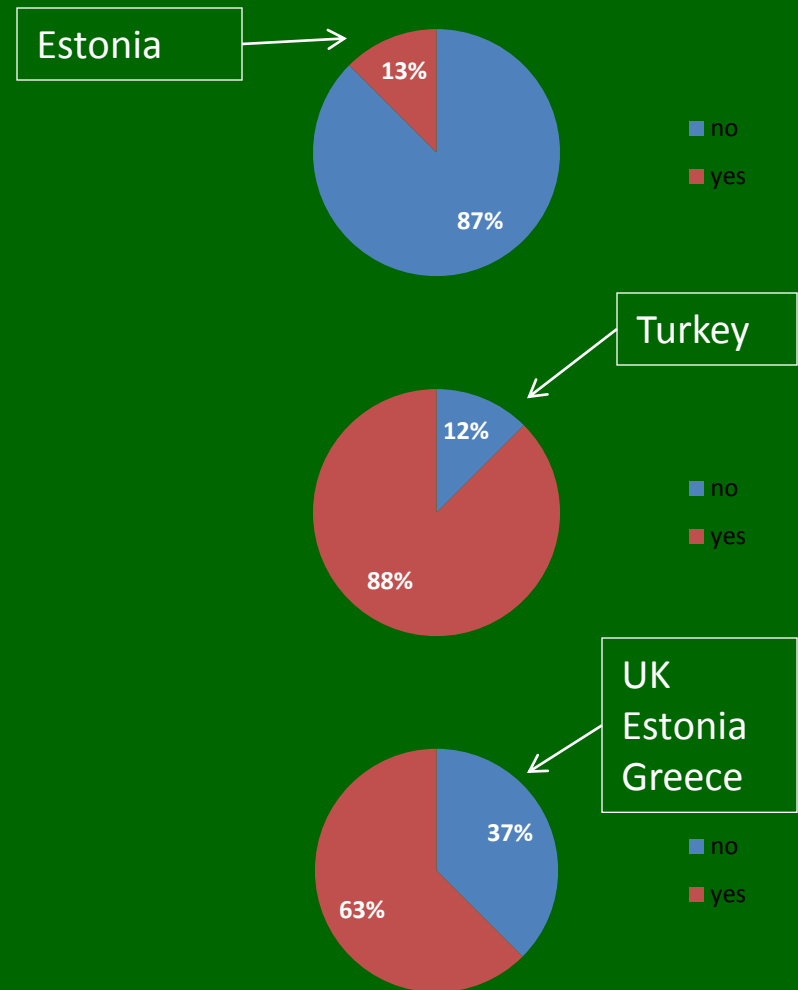


CAP & Agricultural Policy

Do basic payments to farmers under the Common Agricultural Policy subsidy rules require prior input of environmental information from an independent source?

Is there subsequent checking of compliance with environmental rules?

Is there still government funding to plant some crops or otherwise improve productivity?

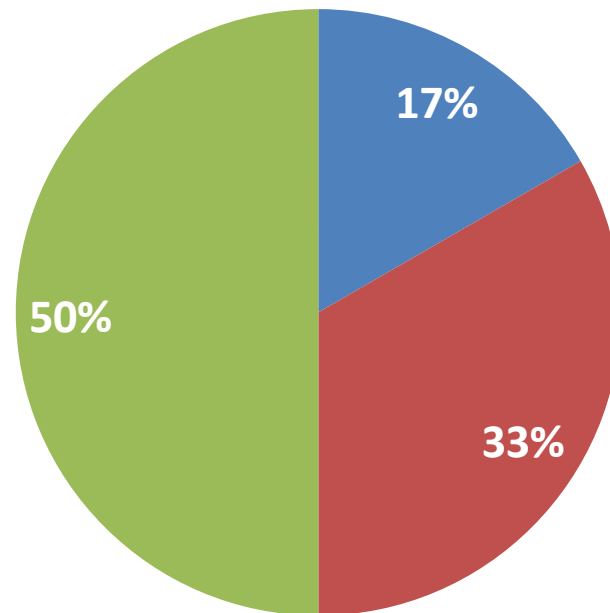


Agri-environment Schemes – where available?

**Do countries have payments
beyond the basic level for agri-
environmental schemes?**

Romania

UK,
Poland
Hungary



■ In Natura 2000 sites only

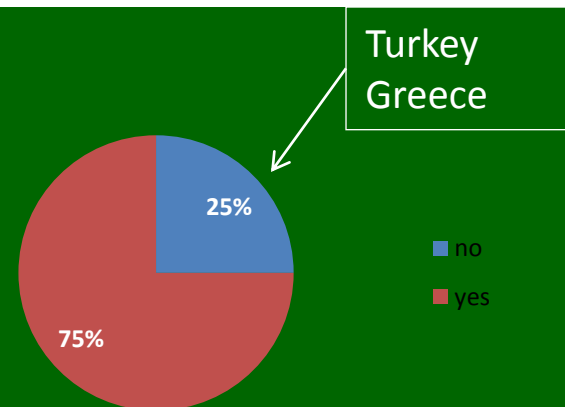
■ In Natura 2000 and other special habitats

■ Everywhere provided conditions are observed

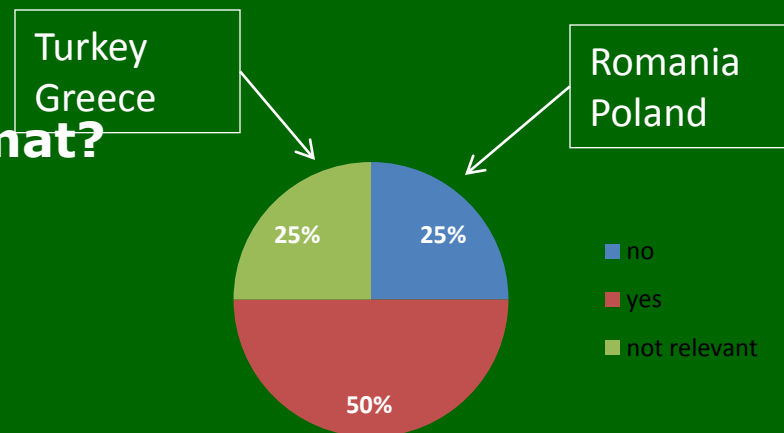
Estonia

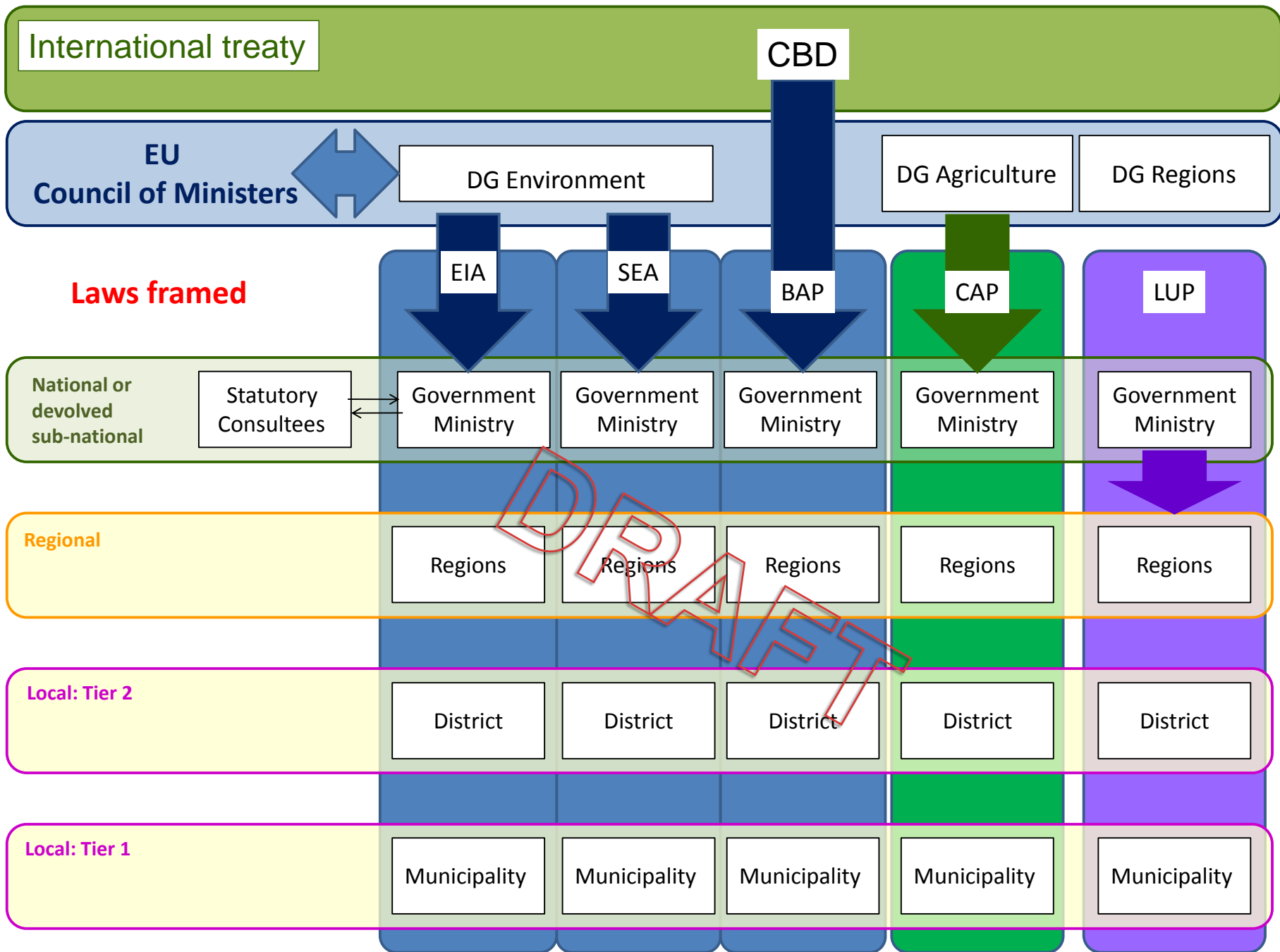
Maps from farmers

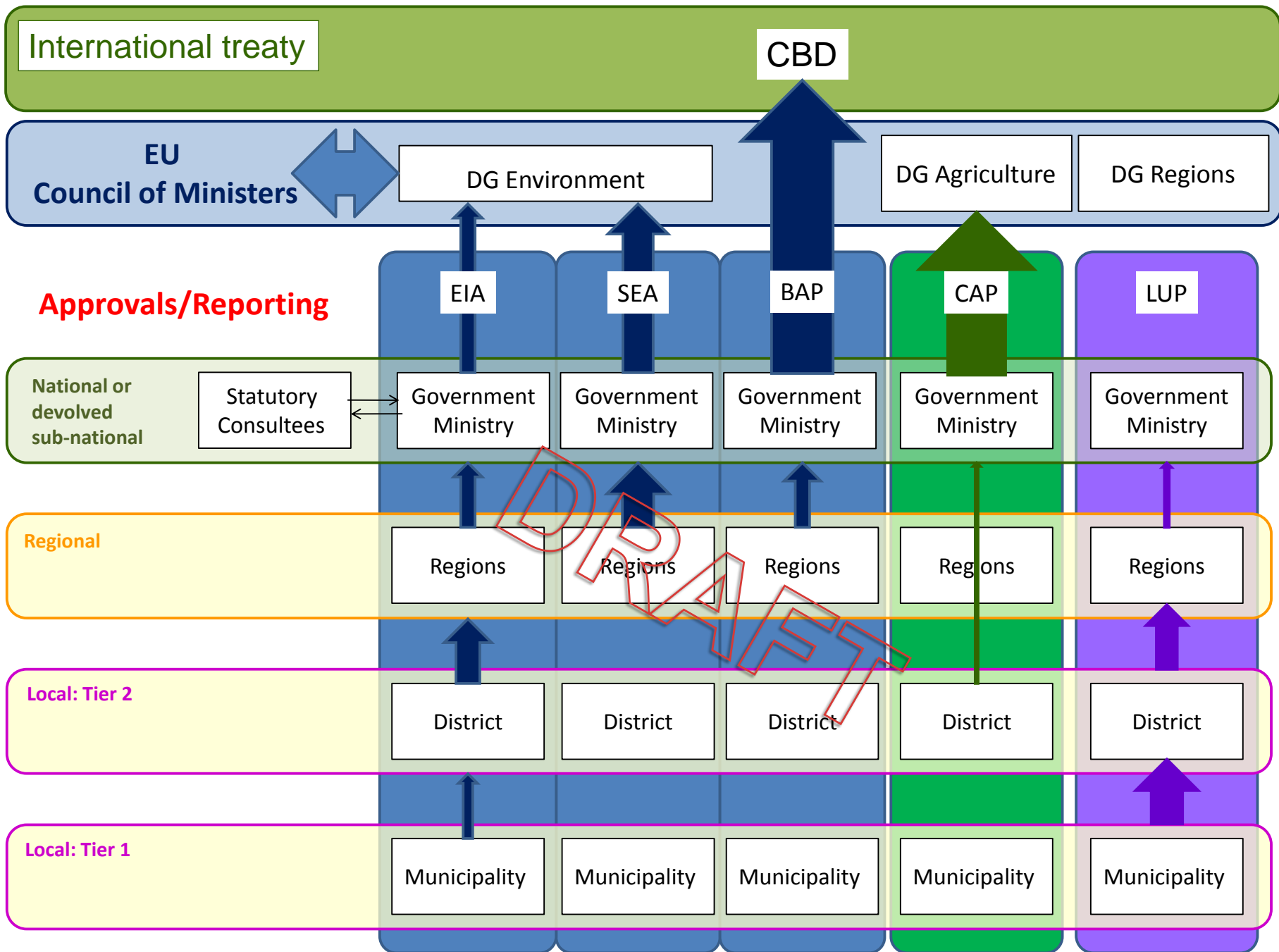
Do payments to farmers under the Common Agricultural Policy subsidy rules require a map from the farmer?



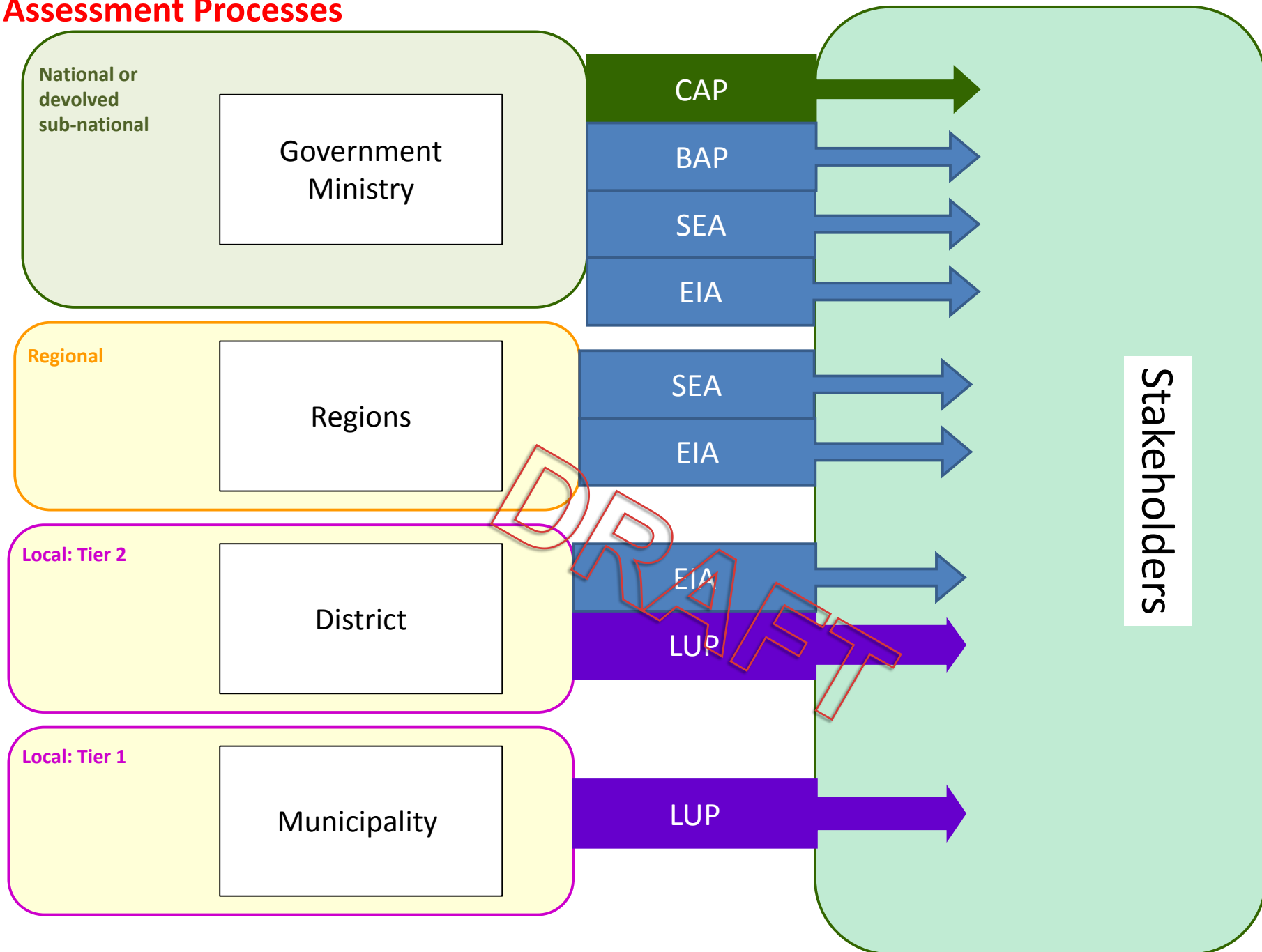
If 'yes', can this be in electronic format?







Assessment Processes



Some conclusions from the National Level Enquiry (1)

- EU EIA & SEA Directives and national LUP laws are generally sound in theory.
- They require input of biodiversity information where relevant.
- They encourage public involvement and transparency.
- Formal processes are often daunting, resulting in dominance by “experts”.
- Wide variation in numbers of EIA’s annually by country not explained – must affect quality of assessment & monitoring.

Some conclusions from the National Level Enquiry (2)

- No obligation to ensure the availability or quality of environmental data need for EIA, SEA or LUP.
- Plenty of biodiversity data on the internet but geographical coverage and quality are poor for decision making.
- Mainly lists of endangered species and habitats.
- An absence of policy responsibility making it fit for use.
- BAP's are useful tools but absence of regional or local Plan's in most countries limits their relevance for decision support.

Some conclusions from the National Level Enquiry (3)

- CAP is at the beginning of using environmental and biodiversity information at farm level.
- We need a better idea of land still farmed under production subsidies compared to land under agri-environment schemes.
- Lack of integration between biodiversity information providers and the decision making regimes.

**Thanks to Partners for collaboration and
to all for listening**