

**Module 2: How to do SEA**

# **Public Participation and Consultation: The Experiences of Europe**

**Ralf Aschemann**

**Austrian Institute for the Development of  
Environmental Assessment (An !dea)**

# Presentation's Outline

- Brief history of public participation in Europe
- Requirements of public participation
- Key questions of public participation:
  - When, who and how?
  - Project level versus strategic level
- EU SEA Directive
- Case studies
- Key learning points

# History of Part. in Europe

- 1. EU Env. Action Program 1973
- EU EIA Directive 1985
- 1<sup>st</sup> internal SEA Directive proposal 1990
- Espoo Convention 1991 (UNECE)
- 1<sup>st</sup> official SEA Directive proposal 1996
- Århus Convention 1998, effective 2001
- EU SEA Directive 2001, effective 2004
- Dir. on publ. part. f. certain plans 2003
- SEA Protocol 2003 (UNECE)

# Requirements of Part.

- Influences the decision-making by informing and involving interested and affected public and government bodies
- Explicitly addresses their inputs, comments and concerns both in documentation and decision-making
- Needs sufficient time and resources

# Requirements of Part. (2)

- Ensures that relevant parties are involved, at least represented
- Supports the transparency of decision-making at the strategic level
- Has clear, easily-understood information requirements
- Safeguards sufficient access to all relevant information concerning the plan and the environmental report

# Key Questions of Participation

- The following questions are crucial:

- When?
- Who?
- How?



# When ? (Timing)

- Different models:
  - E.g. in the Netherlands a *twofold* involvement of the public exists; scoping stage & review env. report
  - Often only a single opportunity; commenting on the drafted plan and on the environmental report
  - “Round table” model, e.g. for SEA of waste management plan Vienna

# Who ? (Actors)

- **Example Austria:**
  - **National and provincial level - Not practical to involve the whole population; experts, NGOs, staff of various authorities**
  - **Regional and local level - general public, experts, NGOs, authorities**
  - **“Environmental advocate”, legal and independent institution in Austria**

# Project versus Strategy

- ***Project* level:** Mostly, it is easy to communicate its environmental effects (e.g. power plant, waste management facility, highway construction, ...)
- ***Strategic* level (Plan, program, policy):** Often more *abstract* (e.g. regional development plan, it is more difficult to describe its environmental effects compared to a project)

# Project versus Strategy (2)

- In SEA participation possibilities might be affected:
  - Scoping more difficult (in terms of area, alternatives, time scale, influence on other PPs, projects, ...)
  - Number of potential affected people can be huge (e.g. general transport plan Austria, 8 million inhabitants)  
→ approach of a “qualified public”

# How ? (Methods & Techniques)

- Different “qualities” exist
  - Information measures (drafted plan and/or maps accessible, print media, radio, TV, Internet, models, ...)
  - Consultation measures (qualified public, possibility to comment on documents, hearings, meetings, ...)
  - More active measures (mediation, workshop, round table, consensus conference, citizen juries ...)

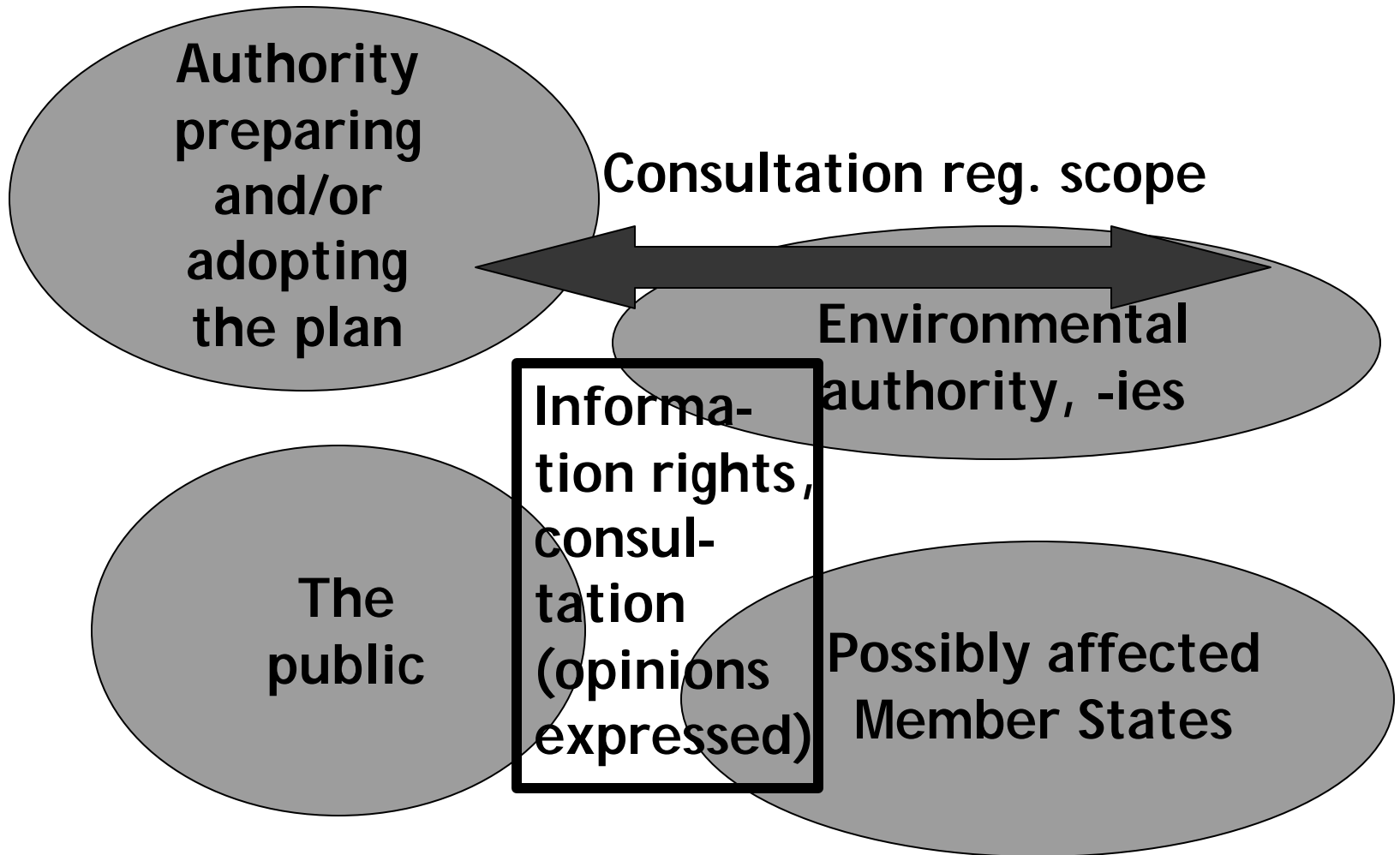
# Disclosing SEA Information

- **Selecting the right part. methods:**
  - **General constraints: Time, money**
  - **Obstacle: If stated limitations on confidentiality are given, disclose this in advance (e.g. defense plans)**
  - **Factors to be considered: Abstract plans → “translate” it for the public**
  - **There is no “cooking recipe” for participation or consultation in SEA**

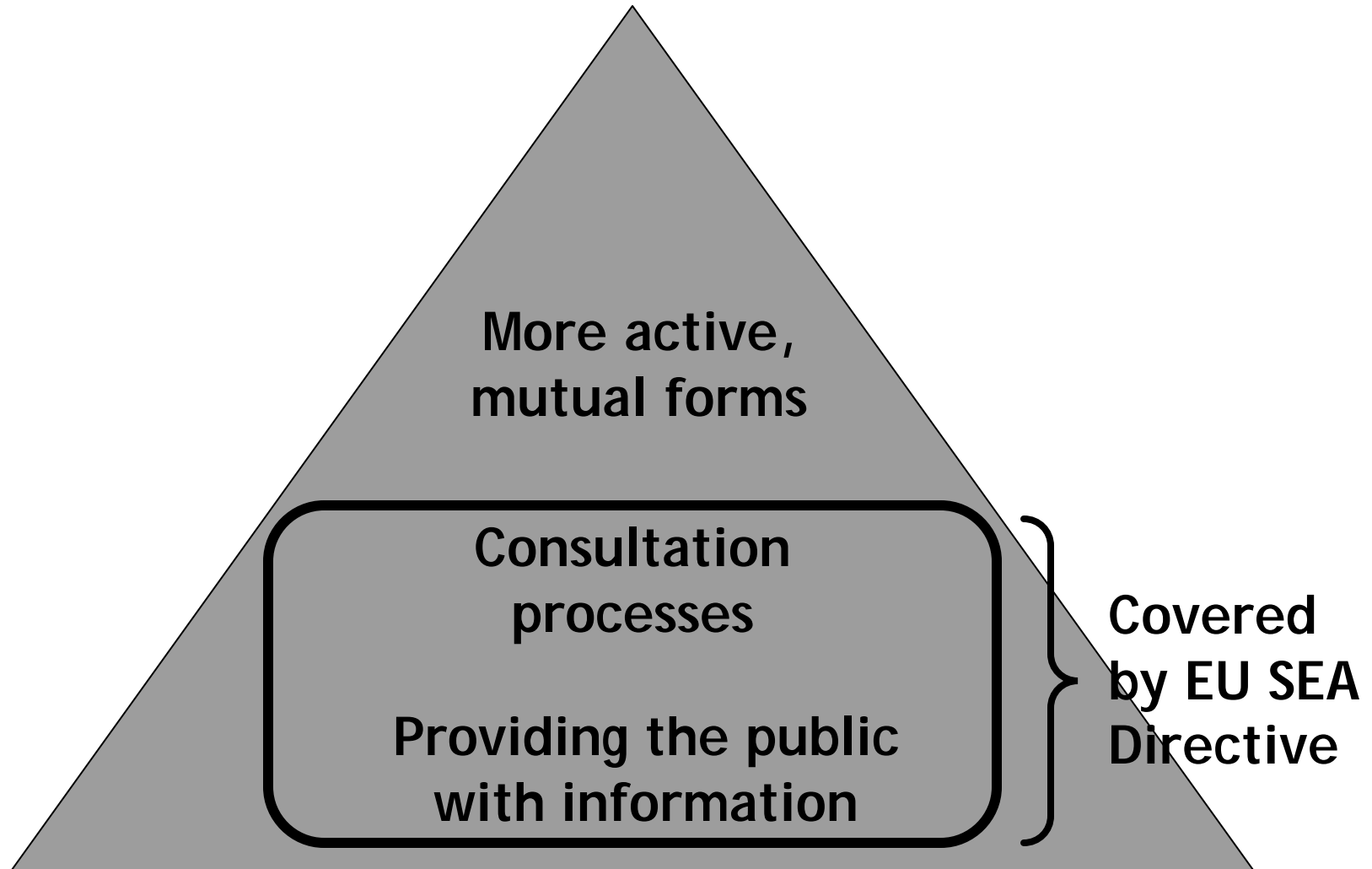
# Requirements of EU SEA Dir.

- **The EU SEA Directive requires:**
  - **Definition of actors**
  - **Information on screening decision**
  - **Drafted plan and SEA report available**
  - **Possibility to comment on both**
  - **Taking into account those comments**
  - **Making available the adopted plan**
  - **Statement for reasons of decision**
  - **Potential transboundary participation**

# Actors of EU SEA Directive



# Participation in the EU SEA Dir.



# Case Study 1: SEA of Land-Use Plan Weiz (Austria)

- **Subject:**
  - **3<sup>rd</sup> revision of Land-Use Plan Weiz**
  - **Small municipality in Styria, approx. 9,300 inhabitants, area of 5 km<sup>2</sup>**
  - **Three alternatives: (1) No action, (2) environmentally friendly, (3) plans of municipality; 25 key areas selected**
  - **Public participation according to SEA Directive and Spatial Planning Act**

# Case Study 1 (continued)

- **Public participation provisions:**
  - **Drafted land-use plan and environmental report accessible for the public for eight weeks**
  - **Possibility to comment on both documents (written, oral)**
  - **Public hearing (with maps etc.)**
  - **Non-technical summary (4 pages) of drafted plan/alternatives, environmental report for every inhabitant**

# Case Study 1 (continued)

- Lessons learned:
  - Public hearing separate from public hearing for drafted plan → too less participants and comments → *one* common public hearing in the future
  - Even the non-technical summary was not understood by everybody → Elaborate a brief, clear and simple one in the future, focusing on the significant environmental problems

# Case Study 1 (continued)

- Lessons learned (2):
  - Good preparation, advertisement and moderation of public hearing is necessary in order to get many and useful opinions and comments
  - “Abstract” level of plan: “Translate” the main issues of the plan into a language that can be understood by “non experts”

# Case Study 2 (France)

- **Subject: Master Water Management Plans, Adour Garonne case**
  - **Workshops in 7 sub regions in order to collect stakeholder concerns (often conflicting)**
  - **Involved: people living beside rivers, local experts, manufactures and farmers, various representatives**
  - **Final plan design composed of ideas of all parties involved (influence)**

# Key Learning Points

- Public involvement should be a fundamental element in the process of SEA
- Methods and techniques of participation depend on subject of SEA (its contents and level of detail, its stage in the decision-making process, ...), choose appropriate ones
- Appropriate time frames necessary for public participation, allowing *sufficient* time for consultations (minimum 6 weeks)

# Key Learning Points (2)

- Start the public participation early enough in order to be able to influence the decision-making (during plan preparation and before its adoption)
- Promote efficient and effective dialogues and resolve conflicts by establishing *clear* competences within the participation or consultation process before it starts

# Key Learning Points (3)

- **Actors: If possible define them**
- **Communication between all actors and stakeholders safeguarded by a special co-ordinating person**
- **Make the adopted plan or program available and elaborate a statement, whether/how the participation results have been taken into account**

# Key Learning Points (4)

- Translate abstract strategies into a language to be understood by everyone
- Plans or programs with a lot of affected people: Use “qualified public” approach
- Commission pilot projects with scientific evaluation (of participation) and/or review completed SEAs by expert groups in order to improve participation’s quality
- Additional resource to improve the quality of plans and of decision-making