

EU Environmental Policies and Strategies in South Eastern Europe

IUCN workshop



CONCILIATE INFRASTRUCTURE DEVELOPMENT AND ECOLOGICAL CONNECTIVITY

Tuesday, October 25, 2011



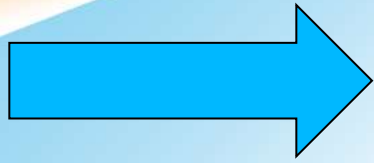
Part I: presentation

Introduction

Infrastructure development projects (roads, railway, dams, mines) are essential to economic development on a territory but can break ecological connectivity.

How to make sure that their impact on the environment is acceptable?





Use the right decision-making tools to assess the impact on the environment



Look at the big picture: assess the impact of an economic development strategy with the **Strategic Environmental Assessment: SEA**



Focus on one particular project with the **Environmental Impact Assessment: EIA**



Focus on one particular project from the Habitat Directive point of view with the **Appropriate Assessment: AA**

Look at the big picture: assess the impact of an economic development strategy with the SEA

SEA Directive: 2001/42/EC



Rosalia longicorn (*Rosalia alpina*)

The SEA of a plan or programme is made of 4 main steps:

1. Prepare an **Environmental Report** where the likely significant environmental effects are identified and evaluated
2. **Consult the public**, environmental authorities, and any EU Member State affected, on the environmental report and draft plan or programme
3. **Decide** whether to adopt, reject or modify the draft plan or programme taking into account the findings of the report and the outcome of these consultations
4. **Advertize** the decision on adoption of the plan or programme and explain how the SEA influenced the outcome.

Strategic Environmental Assessment & CSOs

The SEA directive clearly states that the public **should be consulted** and **been given enough time** to study the projects and plans and the available data.

- **article 3.7, and 6.1:** the decisions of the legal authority concerning the SEA should be accessible to the public.

- **Article 5:** the state members define the process for the public consultation.

- **article 6.1:** the general public should be given enough time to express its opinion

- **article 6.4:** it is the responsibility of the state members to define who “the general public” is and who the stakeholders impacted by the plan or programme including environmental CSOs are.



Large Copper (*Lycaena dispar*)

Example 1: Areas for wind farm development (ZDE)

Once the decision makers know what is the environmental value of their territory, they can decide where to develop projects.

In France (Oise), the regional council defined areas (ZDE) where wind farms can be developed without impacting the environment. In these areas, the French States is committed to by all the electricity produced at a good and constant price (feed-in tariff).



En dehors des limites du territoire, les informations sont données à titre indicatif et ne sont pas exhaustives



Communauté de Communes de la Picardie Verte (60)

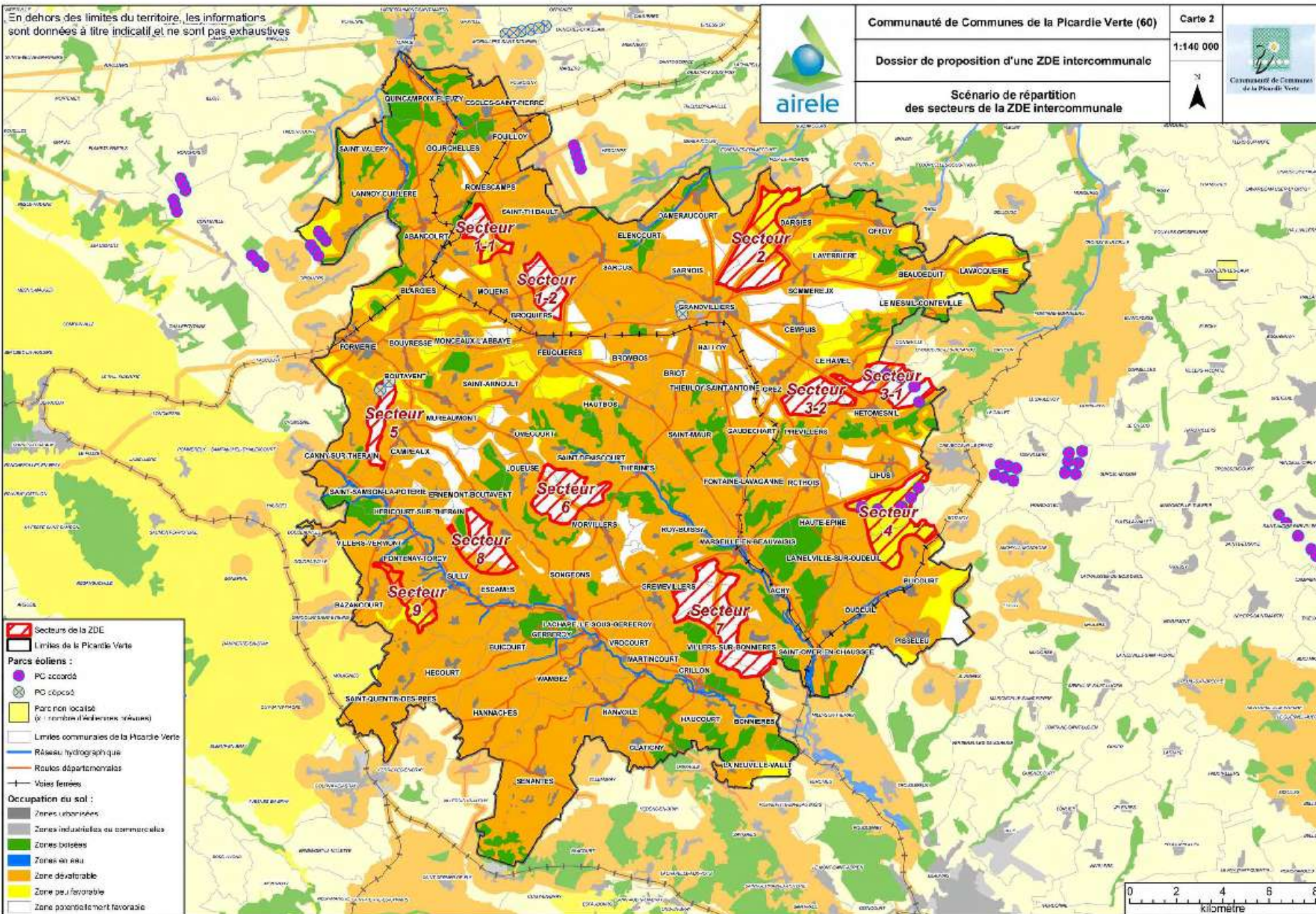
Carte 2

Dossier de proposition d'un ZDE intercommunale

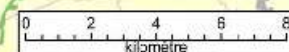
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Scénario de répartition des secteurs de la ZDE intercommunale



Réalisation : AIRELE - PP/PP 0703182
 Projection : Lambert II étendu



Focus on one particular project with the EIA

EIA Directive: 85/337/EEC

The EIA procedure is made of 5 main steps:

1. Screening and scoping stage
2. EIA study:
3. public consultations
4. decision:
5. public announcement

Condition: there is sufficient data to assess the environmental situation: (monitoring study , additional inventories)

GOALS:

1. Avoid
2. Reduce
3. Compensate
4. Restore

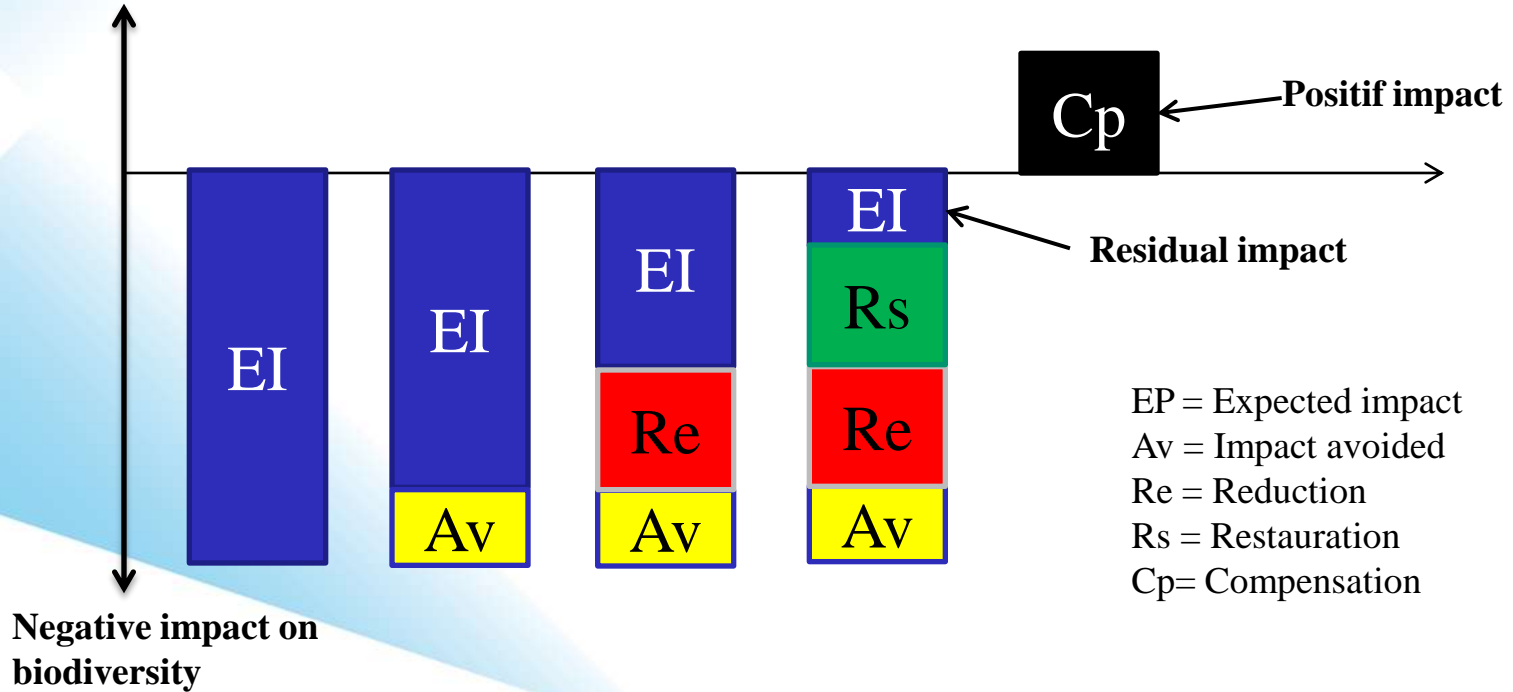
STEPS:

- Design
- Construction
- Post-construction



Reduction of projects' impact on biodiversity

Positive impact on biodiversity



EP = Expected impact
 Av = Impact avoided
 Re = Reduction
 Rs = Restauration
 Cp = Compensation

Source BBOP

Environmental Impact Assessment & CSOs

The Article 6.2 states that the Member States shall ensure that:

- all the requests for developing projects are submitted to EIA consent
- all the information gathered are made available to the public
- the public is: “*given the opportunity to express an opinion before the project is initiated*”

EU Member State

The Article 2 states that if the EU member states decides to exempt a project of EIA it has to decide whether:

- to make the collected data available to the public
- to explain to the public “concerned” why there is no need for EIA
- Article 2.3 let the Member States the responsibility of saying who is the concerned public and of defining the process for communication and consultation.



Example 2: EIA

- **Location:** Thédillac, Lot (46), France
- **Implementation:** 06/2004 to 04/2011
- **Price:** € 46,970 (average of €6,710 per year)



Activities: Fauna and flora inventories, EIA and design of mitigation measures:

- Elaboration, implementation and monitoring of a Biodiversity Recovery Plan (yearly planning of activity)



2007



2011

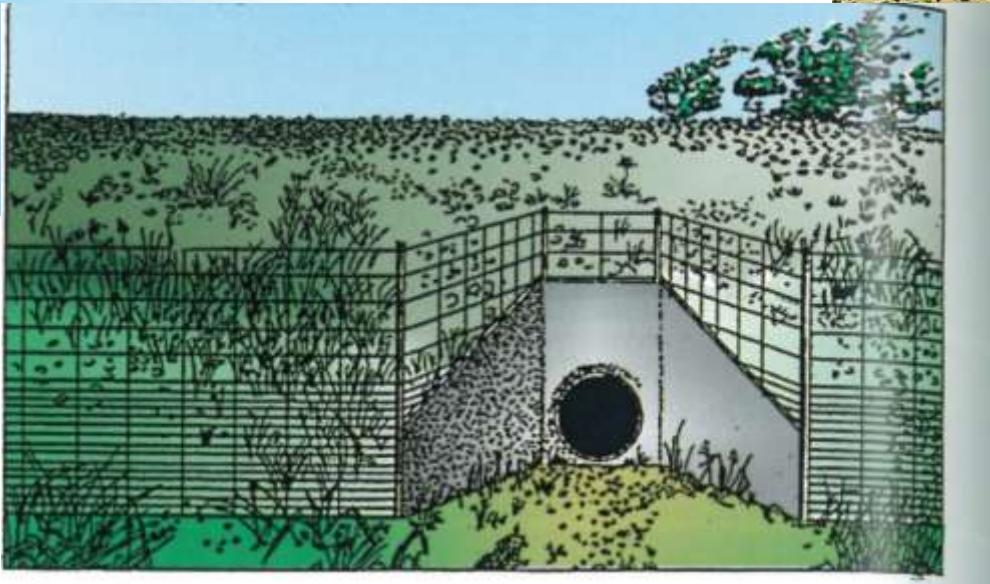


Large Copper (*Lycaena dispar*)



Rosalia longicorn (*Rosalia alpina*)

Wildlife crossing can be recommended in the framewor of EIAs and AAs



Focus on one particular project from the Habitat Directive point of view with the Appropriate Assessment: AA

Habitat Directive: 92/43/EEC

There are 5 steps for assessing the Impact of a plan or project on N2000 sites

1. **Screening:** goal avoid going through the whole procedure for projects that are obviously not dangerous for the N2000 site.
2. **Appropriate assessment (AA):** the impacts are studied with respect to the conservation objectives of the site and
3. **Assessment of alternatives**
4. **IROPI test and assessment of compensatory measures:**
 - Could there be economic, social or environmental benefits that could justify the impact of the projects?
 - Can the mitigation measures offset the projectIf not
 - Are there Imperative Reasons of Overriding Public Interest (IROPI) to develop the project?
 - If yes, assess the efficiency of mitigation measures
5. **Overall summary of the remaining conservation status of the site(s)**

The role of the CSOs in AAs

Article 6.3 of the Habitat Directive :

*“the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, **if appropriate**, after having obtained **the opinion of the general public.**”*

European Commission guidelines published in about 2001

“the assessment process will include the gathering and consideration of information from many stakeholders, including the project or plan proponents, national, regional and local nature conservation authorities and relevant NGOs”.

The guidelines advise the relevant authority carrying out the Appropriate Assessment:

- to get data from the project or plan proponent
- on the basis on this data to consult internal and external experts and other stakeholders.

CONCLUSION

Infrastructure projects are often impacting the environment but:

- the EIA and the SEA are pushing the decision makers to think about the environmental consequences of a project and to ask the right questions
- The AAs are forcing the decision makers to compare the benefits of a project with the loss that it will make for the biodiversity at the European scale

The CSOs have a big role to play: Make sure that these procedures are being correctly implemented.



Part II: activity

How to reconcile the interests of different stakeholders concerning a wind farm projects that has an impact on ecological connectivity?

- ✓ Project Developer
- ✓ Institute for Nature protection
- ✓ Local communities
- ✓ Non Governmental Organization

Wind farm



Falco cherrug /Saker falcon/stepski falko



HB Annexe 1, hunting territory: 2000ha

Spermophilus citellus/ Souslik/ tekunica



HB Annexe 2

Haliaeetus albicilla/ white-tailed eagle/ orao belo repan



Annexe 1 BD, increasing in Serbia, rare in EU)

Ciconia nigra / black stork/ crna roda



rare, less than 5000 in EU, Annexe 1 BD

Rana dalmatina agile frog/šumska žaba)



HB Annexe 4

Nyctalus noctula/ Common Noctule/ sredni noćnik



HB Annexe 4, Strictly protected in Serbia

Miniopterus Schreibersi/ Schreiber's Bat/ dugokrili ljljak



Photo : V Rufray, Biotope

HB Annexe 2

Thank you for your attention

