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**International standards of EIA and
transboundary procedure in the light of the
requirements of the Espoo Convention**

**Strengthening environmental assessment systems in
Kazakhstan in line with the UNECE Convention on
Environmental Impact Assessment in a Transboundary
Context and its Protocol on Strategic Environmental
Assessment**

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Key mandatory requirements for EIA national scheme

- National EIA procedure with mandatory
 - Public participation conducted by authorities
 - Preparation of EIA Report by developer
 - Possibility for transboundary procedure
 - Final binding decision required before initiating activity
- List of activities subject to EIA in line with Espoo and Aarhus
- EIA starts early enough to
 - identify potential transboundary effect
 - meaningfully consider alternatives
- Requirements for EIA Report are in line with Espoo

Key mandatory requirements for EIA national scheme - cd

- Details of public participation are clearly regulated in line with Aarhus
- Details of transboundary procedure are clearly regulated in line with Espoo
- Clear obligation for competent authorities to take due account of the results of EIA and prepare justification
- Possibility for post-project analysis

Modalities

- List of activities beyond Espoo and Aarhus
- Individual screening
- Individual scoping
- Competence of authorities
- Consultation with other authorities
- Fees
- Time-frames (but must be reasonable)

Key practical features in EU countries

- Individual screening (usually)
- Individual scoping (usually)
- Nature of EIA Report
- Active role of competent authorities in providing individual conditions
- Statement of reasons
- Elaborated documentation and procedures at each stage

EIA - practice in EU

- Full EIAs yearly – appr 20 000-25 000
- Average duration – 11,6 months
- Average costs of EIA Report – 1% of project costs (41 000 Euro per EIA average)
- Responsibility for conducting EIA procedure
 - In big/medium countries – local and regional authorities with general competence
 - In smaller countries – environmental authorities

Development control procedures for specific projects - typical structure in EU

- EIA decision
- Siting decision/planning permission
- Construction/building permit
- Pollution control (IPPC) permit and/or resource use decisions (e.g. water permit, mining license, nuclear permit)

EIA in Poland

- Population: about 39 milion
- Rapid development
- Decentralised
 - 16 regions (voivodship)
 - 380 counties (powiat)
 - 2479 local communities (gmina)

EIA procedures in Poland

- Number of EIA Decisions yearly: about 16000
- Number of projects subject to full EIA procedures yearly: about 4000-4500
- Number of projects subject to screening yearly: about 11000-12000
- Approximate ratio of positive screening yearly: about 20% positive screening determinations
- The fee for EIA procedure: 205 PLN (about 50 Euro)

Officials involved in issuing EIA decisions as competent authority

- At the central level (General Directorate for Environmental Protection - GDOS) – about 10 persons dealing with EIA (mostly transboundary)
- At the regional level (Regional Directorates for Environmental Protection RDOS) – about 240 persons
- At the local level –
 - about 300-500 persons dealing with EIA on exclusive basis (mostly in big cities)
 - about 2500 persons dealing with EIA on non-exclusive basis in other local authorities

Consulted authorities

- Regional Environmental Directorate - RDOS
- Sanitary Inspection
- Authorities responsible for issuing integrated environmental permit (IPPC- integrated pollution prevention and control)
- Authorities responsible for water management (Polish Water)

Time-frames: EIA decisions for Group I projects (full EIA)

- Stage I (scoping) – non-mandatory
- Preparation of the EIA Report (timing not regulated, usually a couple of months)
- Stage II – verification of the EIA Report and issuing the decision

Time-frames for scoping for I Group

- One month, within this time-frame there is:
 - one week for checking quality of submitted scoping information c (if bad - they return it for revision and the timeframes would count again when it is resubmitted)
 - two weeks for consulting other authorities
 - public concerned may submit comments during the entire period

Time -frames for for I Group

- Up to two months, within this time-frame there is:
 - one week for checking quality of submitted application and EIA Report
 - one month for consulting other authorities
 - one month for public participation

EIA decisions for Group II projects (subject to screening)

- One month, within this time-frame there is:
 - one week for checking quality of submitted application and screening information (if bad - they return it for revision and the timeframes would count again when it is resubmitted)
 - two weeks for consulting other authorities
 - public concerned may submit comments during the entire period

Verification

- At any time authorities (usually after getting comments from the authorities and the public) may return the documentation (screening or scoping documents, EIA Report) for revision - in such case the time frames stop - and are counted again when the report is resubmitted - ie again one month for public participation etc).