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2nd Training workshop on SEA application for the municipal spatial plans: SEA and decision-making

19 – 20 September 2019, Tbilisi

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Step back: What is purpose of SEA?

Good SEA results in:

- A good reliable report with
 - Scientifically sound predictions of likely effects
 - Mitigation measures proposed
 - Proper participatory process
- Improvement of the plan/program under assessment
- Final decision considering SEA conclusions

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SEA and decision-making

- SEA shall provide information on environmental effects to decision-makers, its results have to be considered in relevant decision-making
- SEA report (or SEA final statement) is submitted together with strategic document for decision
- Decision-makers have to justify their decision, which – together with justification – has to be made public
- **SEA inputs should be optimally considered already in strategic document, which is submitted for decision**
- **By the SEA Protocol, SEA is not supposed to be a decision itself!**

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SEA outcomes to be considered in decision-making

- The conclusions of the SEA report;
- The measures to prevent, reduce or mitigate the adverse effects identified in the SEA report; and
- The comments received through consultations with environmental and health authorities and public participation including transboundary consultations (if relevant)

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Examples of various approaches

Croatia and the Czech Republic

- SEA Competent Authority issues '**SEA statement**' based on
 - SEA Report
 - Consultations
- SEA statement has to be considered when adopting plan or programme (SEA statement is a compulsory document to be submitted together with the plan/programme for its adoption)
- **SEA statement IS NOT 'decision'** in the sense of Art. 11 of the SEA Protocol

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Examples of various approaches

Denmark and the Netherlands

- Authority responsible for adoption of the plan or programme has to consider
 - Conclusions of SEA report
 - Consultations
 - Results of Quality Control (NL)
- No 'SEA statement'

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SEA system in Georgia: Recommendation on the SEA report (Chapter III, Article 27)

- Adoption / approval of the strategic document should be preceded by the preparation of recommendations by the MEPA and the Ministry of Health on the draft strategic document and on the SEA report;
- Ministries shall, within their competence, issue recommendations at least 51 and no later than 55 days after the registration of application;
- The recommendations issued by the ministries are valid for 10 years

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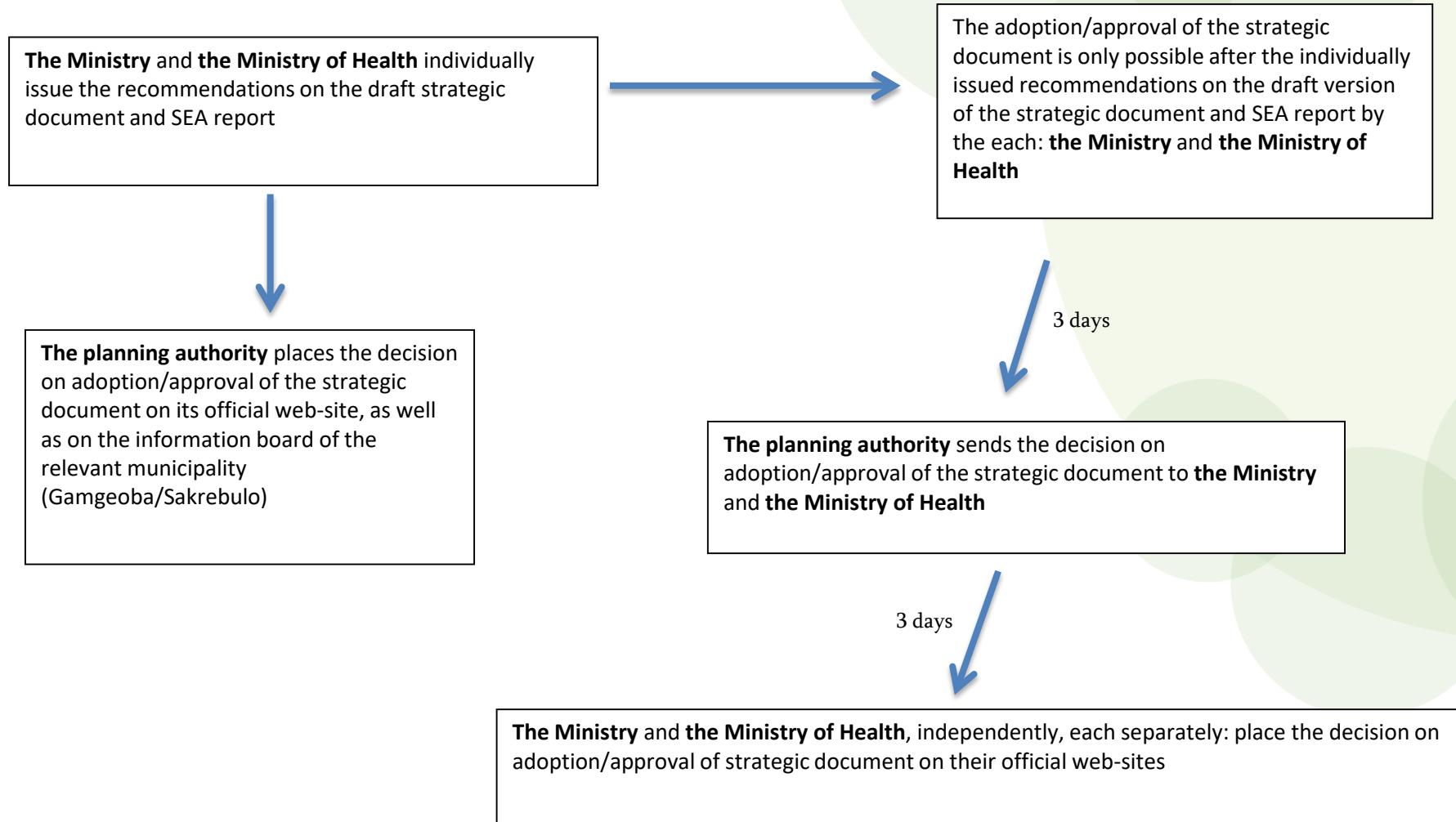




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SEA system in Georgia: Recommendation on the SEA report (Chapter III, Article 27)

- The recommendations should summarize the results of SEA process and thus it represents the output of SEA process to be considered when adopting a strategic document.
- Topics to be envisaged when issuing recommendations on SEA report:
 - Overview of significant environmental and health effects;
 - Overview of main mitigation measures;
 - Requirements/conditions which have to be considered when finalizing and/or adopting and/or implementing the strategic document.

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SEA system in Georgia: Recommendation on the SEA report (Chapter III, Article 27)

- Type of statements whether the strategic document is recommended for adoption from environmental and health impacts point of view:
 - Strategic document can be recommended for adoption;
 - Strategic document can be recommended for adoption with certain conditions (e.g. some modifications of the plan/programme must be made, conditions for implementation which have to be included in the adoption etc.);
 - Strategic document cannot be recommended for adoption.
- In the case of a negative recommendation, the planning authority is obliged to provide additional consultation with the ministries to correct any deficiencies identified.

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SEA system in Georgia: Adoption of strategic document

- Adoption/approval of strategic document is possible only after issuance of the recommendations on the draft strategic document and the SEA report
- The decision on adoption/approval of strategic document should be accompanied:
 - the results of public hearing and the opinions and comments submitted by the public;
 - the recommendation of the Ministry and the Health Ministry;
 - the results of transboundary environmental impact assessment procedure, if applicable.
- The planning authority sends the decision on adoption/approval of the strategic document to the MEPA and the Ministry of Health, which publish the decision on their websites

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Questions or comments?

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Group work assignment

- Based on previous work, **please prepare and present SEA recommendations** for Resort Lebarde Development Regulation Plan, which should include:
 - Overview of significant environmental and health effects;
 - Overview of main mitigation measures;
 - **Requirements/conditions which have to be considered when finalizing and/or adopting and/or implementing the strategic document.**

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