



EIA in V4 countries

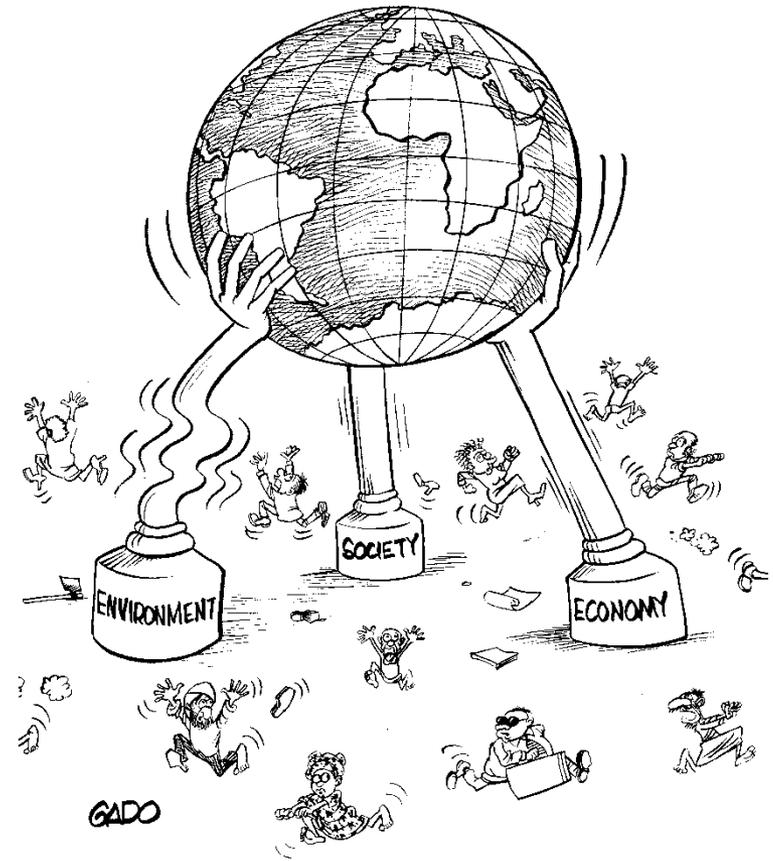


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Introduction

- Environmental degradation and the depletion of natural resources induced by human activities have attracted steadily growing concerns in the last decades. Such concerns made evident the necessity for the planning authorities to count on sound information about the possible environmental consequences of development actions.



Introduction

- One of the tools available to satisfy this need is represented by the procedure of **Environmental Impact Assessment**.
- This procedure involves the systematic identification and evaluation of the impacts on the environment caused by a proposed project.

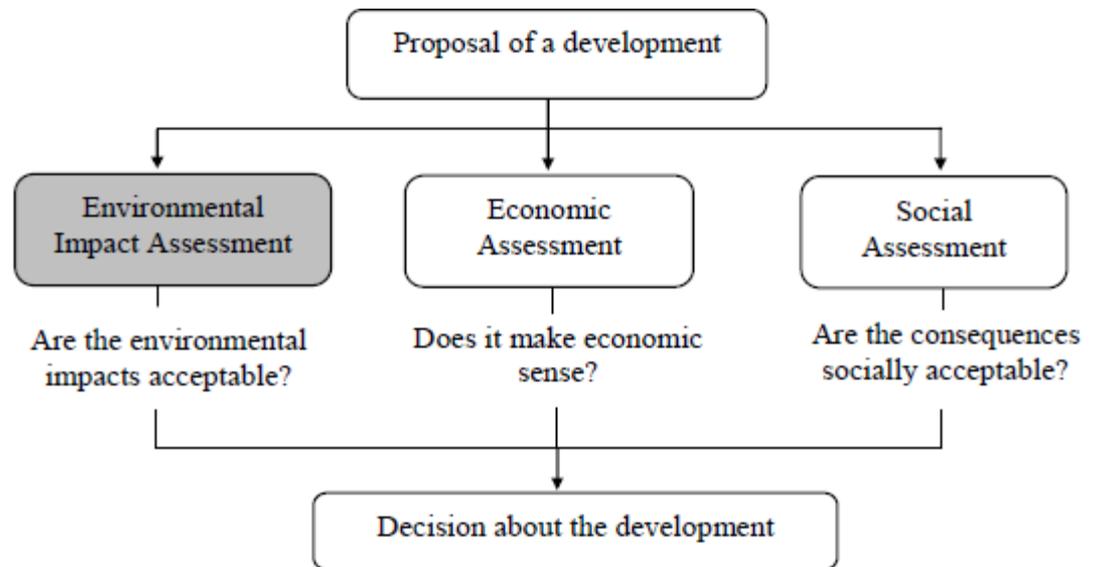


Fig. The role of EIA in the decision process (after Beinart et al. 1999)



is an important legislative and scientific tool that lends quality assistance to decision-making for sustainable development.

Introduction

- Act of 3.10.2008 on the Provision of Information on the Environment and its Protection, Public Participation in the Environmental Protection and EIA (**Journal of Laws No. 199, item 1227**), the Act on the EIA.
- The Regulation of the Council of Ministers of 9.11.2010 on types of projects likely to have a significant impact on the environment (**Journal of Laws No. 213, item 1397**).



- Act No. **38/2012** Coll., amending Act No. 100/2001 Coll., on EIA.

- Law No. **408/2011** Coll., amending and supplementing Law No. 24/2006 Coll. on EIA, has been effective from 1.12.2011.

- Government Decree No. **314/2005** (XII. 25.) on EIA and the integrated environmental permit.

Objectives/Aims of the study

- This study analyzes these laws and policies in light of a variety of issues relevant to all EIA systems.
- Each section begins with a short discussion of the issue under consideration, followed by descriptions of how the issue is treated in each of the V4 countries.

Issue

1. Which types of activities may require EIA?
2. When the EIA process carried out?
3. Preliminary assessment (Screening)
- 4. Who conducts the EIA?**
- 5. Who pays for the EIA?**
- 6. When does the EIA process begin?**
- 7. Scoping.**
- 8. What types of impacts must be considered?**
9. Must the EIA consider alternatives to the proposed action?
- 10. Must mitigation measures be discussed or adopted?**
- 11. When must the EIA document be completed?**
- 12. How is the EIA document reviewed?**
- 13. How is the final decision made?**
- 14. Must the most environmentally sound alternative be chosen?**
- 15. Is post-decision monitoring required?**
- 16. Public participation.**

Who pays for the EIA?

In principal, the costs incurred in preparing an EIA should be borne by the proponent of the project (i.e., the sponsor or developer). Thus, EIAs for private projects should not be paid for with public funds.



- ✓ Costs connected with the EIA of a *strategic document* are borne by the procurer, costs connected with the impact assessment of a *proposed activity* are borne by the proponent.



- ✓ The costs connected with EIA of plans, with the exception of costs connected with the public hearing and making information public, shall be borne by the notifier. The costs connected with the EIA of a conception, except for the costs connected with making information public, shall be borne by the submitter.



- ✓ **doplnit'**



- ✓ The costs connected with the participation of individual state authorities, civic association and non-governmental organisation in the assessment process of a strategic document and a proposed activity according to this Act are borne by individual subjects.

When does the EIA process begin?

The process should begin as early as possible. Because EIA is an important planning tool, it should be integrated into all stages of the planning process. Careful and early evaluation of environmental concerns can prevent costly mistakes later.



✓ The Slovak EIA law does not specify when the EIA process is to begin.



✓ The Czech EIA law does not specify when the EIA process is to begin.



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What types of impacts must be considered?

A thorough understanding of the environmental impacts of the proposed action and its alternatives is essential to the success of the EIA process. Three types of impacts should be considered for each alternative: direct, indirect, and cumulative impacts.



- ✓ EIA must to ascertain, describe and evaluate **direct and indirect impacts** of a strategic document and a proposed activity on the environment.



- ✓ The assessment shall include determining, description, assessment and evaluation of expected **direct and indirect** environmental impacts of implementing or not implementing the plan.
- ✓ The conception assessment shall include the identification, description and evaluation of expected **direct and indirect** impacts of implementing or not implementing the conception and its objectives for the whole period of its expected implementation.



- ✓ The EIA involves the analysis and assessment **direct and indirect impact** of the project on the environment.



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Must mitigation measures be discussed or adopted

The adverse impacts of a proposed activity can often be mitigated by limiting the size of the project, repairing or restoring aspects of the affected environment, performing maintenance activities during the life of the project, adding to or substituting for the affected environment, or by avoiding particularly harmful actions altogether.



- ✓ EIA must to define the measures that will prevent the environmental pollution, mitigate the environmental pollution or prevent a damage to the environment.



- ✓ Assessment of plans or conception shall also include a proposal for measures to prevent detrimental impacts on the environment through implementation of the plan, to prevent, reduce, mitigate or minimize such impacts, or to increase the favourable impacts on the environment of implementing the plan, including evaluation of the expected effects of the proposed measures.



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Must the most environmentally sound alternative be chosen?

In most cases one of the alternatives identified in the EIA will be selected in the final decision. While the decision-making body is not necessarily required to choose the most environmentally preferable alternative, it may be required to discuss all the alternatives identified in the EIA and explain why it chose the one it did.



- ✓ Is not required to select the most environmentally sound alternative. In final record from the EIA of the proposed activity and from the assessment of the strategic document it should be noted **recommended alternative** as well as justification.



- ✓ There is no requirement that the most environmentally sound alternative be chosen or that reasons be given why a particular alternative was selected.



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Is post-decision monitoring required?

Post-decision monitoring is the weakpoint of many EIA regimes. Most do not explicitly require any monitoring. Monitoring is important in the initial stages of the project, during its operation, and after the project has been completed. Without monitoring there can be no guarantee that conditions imposed by the decision-making body on the project proponent are being implemented.



- ✓ The person who performs the proposed activity assessed according to this Act is obliged to provide for its monitoring and evaluation, in particular



- ✓ The submitter shall be obliged to provide for monitoring and analysis of the impacts of the approved conception on the environment and public health.

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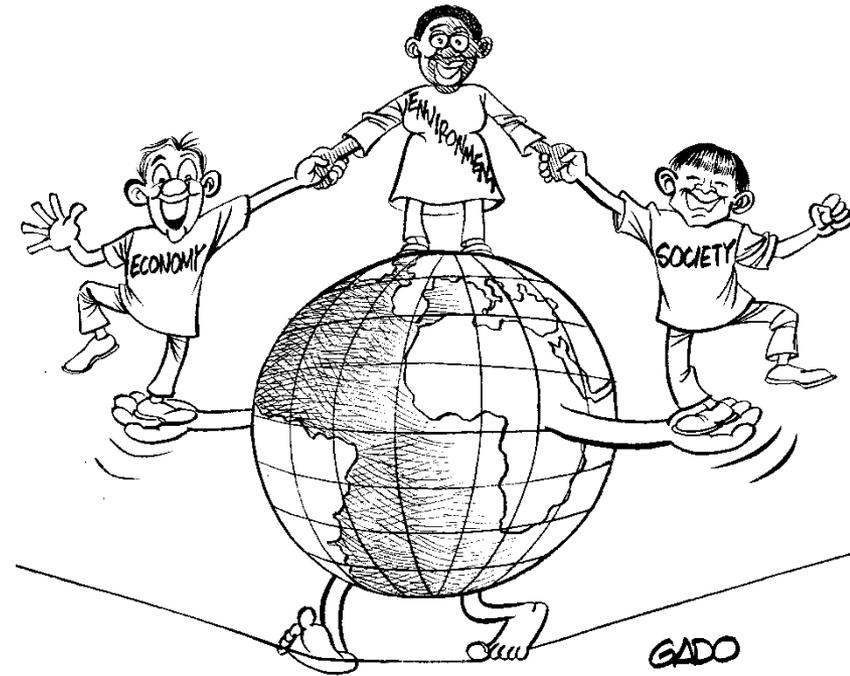


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Conclusion

- The issue of EIA in the Visegrad Group is currently much discussed topic and the protection of the environment has become an important obligation for any developing state.
- This paper has brought information to the some fundamental areas of EIA process in V4 countries.
- The result is a comparison that can be supplemented by additional information about EIA process in the V4 countries.
- In order to find good solutions to problems in EIA in V4 countries is monitored and mapped good examples in their national legislation and practice.



Thank you for attention