

SEA as a Tool for Environmental Policy Integration: A Case Study of EU Funds Programming in Bulgaria

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Outline

- Introduction to the research
- EPI and SEA (EA in Bulgaria)
- Case study: SEA in EU funds programming in Bulgaria
- Implications for EPI
- Conclusions

Introduction

- Part of a Ph.D. project
- Cohesion policy – addressing disparities between EU regions through social cohesion and economic development
- EU funds – structural instruments for implementing cohesion policy
- SD / EPI – embedded in EU funds regulations as horizontal principle (art. 17)
- Bulgaria – country in transition, member of the EU since 2007

Environmental Policy Integration (EPI)



- Essential element of governance for sustainable development
- Continual process to ensure environmental issues are reflected in policy making
- Co-ordination between agencies, communication and procedures
- Objectives, strategies and instruments
- SEA – major tool for integration in planning

Why is SEA a crucial tool for integration?



- Process-based tool in planning
- Alternative development scenarios
- Environment considered early in the planning
- Arena for public involvement
- “Greening” decision-making

Questions from EPI perspective



- What type of assessment?
- Formal process of application and content
- Public participation and transparency
- Effect on decision-making

EU funds programming in Bulgaria



- For 2007-2013, Bulgaria is being allocated €6.9bn from EU funds + national co-financing => €8.3bn for “regional development measures”
- Strong leverage effect on other financial resources (national budget co-financing, IFIs loans) => determining the development path way of the country
- EU funds for “regional development” – mainly sectoral investments, main focus is transport and environmental infrastructure, research and innovation, business support, employment measures and broadband networks

EU funds programming in Bulgaria



- Main planning documents are Operational Programmes (OP) which identify priority axes of intervention
- OP Transport, Environment, Competitiveness and Regional development, each of which was subject to SEA
- OPT and OPE focus on “major” infrastructure projects in the field of TEN-T and waste and water facilities, “shopping lists” of indicative projects identified already at the programming phase
- OPC and OPRD focus on smaller scale regional/local development projects and business entrepreneurship, open bidding schemes during the implementation phase

SEA legal practice and traditions in Bulgaria



- Strong traditions in assessment systems for land use planning
- Environmental analysis as part of the assessment, mainly EIA-based assessments
- Many shortcomings, demand for improved procedures but some knowledge base existed
- Transfer of practice via international initiatives and networks of practitioners
- EU accession context, SEA Directive 2001/42/EC and EU funds Regulation 1083/2006 – *ex ante (art. 48)*
- Environmental Protection Act and SEA Ordinance – *ecological assessment*

SEA as part of the ex ante

- General consensus that SEA is the key tool for environmental integration
- Requested by the EU
- Integrated assessment
- Environment on par with social and economic aspects

Methodological dilemmas

- Environmental part was mostly “added” to the socio-economic analysis rather than integrated
- Confusion among administrators which procedure to follow
- Different terminology used – EIA, EA, SEA, “review of environmental dimension”
- Low comprehension of the actual function of SEA (“our OP will not have a significant impact on the environment so we do not need EA”)
- Different methodological approaches - from “coherence with environmental legislation” to “impacts”
- No consideration of alternative demand-side solutions
- No clear link between SEA of priority interventions and List of indicative projects

Further remarks

- Time constraints of negotiations used to justify late procedure or limited public consultation
- In general, short timeframe for first-time SEA of investment programmes
- Lack of professional SEA teams – transfer of old knowledge into new procedure -> varying quality of assessments
- Transport OP – strong promotion of road interventions (571km of new motorways) along TEN-T which is not properly addressed in the SEA nor corresponds to the analysis of the current problems and needs of transport systems; political decisions justified in the OP

Further remarks

- Environmental NGOs active only in case of “significant impacts” in traditional sectoral programmes (transport and environment)
- No consideration of climate impact and adaptation measures
- SEA for OPE and OPRD proposed environmental indicators for monitoring every three years
- Some SEA identified “positive” environmental impacts

Does SEA deliver integration?

- A tool for integration vs. another “burdensome procedure”
- The environmental dimension watered down by social and economic objectives
- “Procedural integration” – EU required summary of EA and description of consultation processes to be integrated in the text of the OP
- Lack of leadership and strong involvement of the MoEW
- Some SEAs recommendations later translated into projects selection criteria
- Missed opportunity for inclusion and capacity building of non-state actors

Other approaches to enhance integration via assessment



- Climate dimension – impacts, mitigation potential, adaptation needs, low carbon development pathways in terms of investment needs
- “Environment as economic driver” – assessment of “positive impacts” of environmental interventions on green jobs and quality of life, new business opportunities and technologies, ecosystem services, etc.
- Territorial impact assessment – link to spatial planning but focus on enhancing territorial capital and improving cross-sectoral coherence of EU policies

Conclusions

- Including SEA in the ex ante did not ensure integrated assessment as it was intended
- Methodological and procedural difficulties
- Although considered as main integration tool, EAs' "greening" effect on OPs needs to be strengthened
- A combination of other integration tools is necessary as well as strong regulatory framework and market based incentives
- Further challenge would be monitoring based on SEA indicators (due now – 2010)

Questions and discussion!

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