

Environmental Impact Assessment

The process of environmental impact assessment (EIA) and strategic impact assessment (SEA) is considered to be one of the main preventive instruments of environmental policy, the objective of which is sustainable development of society. In developed countries EIA has been implemented for more than three decades.

The process ensues from the following principles:

- **the complexity of assessing the environmental effects of a strategic document or proposed activity prior to rendering a decision on whether or not to approve them**
- **a proposal and evaluation of alternative solutions of draft documents or activities**
- **environmental impact assessment by a team of experts from various fields,**
- **wide and active public participation in the assessment process**

In the Slovak Republic (SR) environmental impact assessments have been in use since 1994 when Act 127/1994 Coll. of the National Council of the Slovak Republic on environmental impact assessment was enacted. In order to assure harmony between Slovak legal regulations on environmental impact assessment and legislation of the European Union (EU), Act 321/2000 Coll. was adopted in 2000, amending Act 127/1994 Coll.

At present, Act 24/2006 Coll. on environmental impact assessment and on amendments to certain acts (hereinafter the Act) applies in the SR, which became effective on 1 February 2006.

The following documents were taken into account during development of the Act:

- Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment as amended by the Council Directive 97/11/EC

- Directive of the European Parliament and of the Council 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment
- Directive 2003/35/EC of the European Parliament and of the Council providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC
- Directive 2003/4/EC of the European Parliament and of the Council on public access to environmental information
- Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention)
- UNECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention)
- Protocol on Strategic Environmental Assessment to the UNECE Convention on Environmental Impact Assessment in a Transboundary Context

The Act regulates conditions of environmental impact assessment of strategic documents (policies, conceptions, plans, programmes) and proposed activities (projects, construction, establishments and other activities) in compliance with EU legislation and with the above-mentioned international conventions to which the Slovak Republic is bound. The Act defines rights and obligations of the assessment process participants, i.e. relevant authorities, proponents and procurers, departmental authorities, affected authorities, affected municipalities and the public.

The Decree No. 113/2006 Coll. of the Ministry of Environment of the Slovak Republic to the Act regulates the details of professional qualification for the purposes of environmental impact assessment.



Participants in the Assessment Process

Competent Authority - The Ministry of Environment of the Slovak Republic (MoE SR) and the District Environmental Office (DEO), in compliance with the Act, comprise the state administration authority governing the environmental impact assessment process.

Departmental Authority - A central authority of the state administration, under whose authority the proposed activity belongs. In the case of the assessment of strategic documents affecting the entire territory of the state it is the body which submits the draft of such documents for the session of the Government of the Slovak Republic.

Procurer - A legal person or a natural person who provides for the development of a strategic document.

Proponent - A legal person or a natural person intending to carry out the activity to be assessed according to the Act.

Approving Authority - A public administration body authorized to approve a strategic document.

Permitting Authority - A state administration body authorized to issue a permit for the proposed activity under special regulations.

Affected Authority - A public administration body, whose binding judgment, approval, viewpoint or expression of opinion, issued under special regulations, outlines the permit conditions for a proposed activity.

Affected Municipality - A municipality on whose territory the activity is to be carried out and/or a municipality, whose territory will be affected by the activity.

The Public - One or more natural or legal persons, their associations, organizations or groups. (e.g. a civic initiative, a civic association, a non-governmental organisation).

Professionally Qualified Persons - Experts from various fields of science, technology and practice registered in the list of professionally qualified persons.

Access to the Information on the Assessment Process

MoE SR, the Department of Environmental Impact Assessment, provides for a complex information system of impacts assessment in compliance with the requirements of Act 24/2006 Coll. and Act 275/2006 on information systems of public administration as amended by later regulations. According to Part 5 of the Act "Competence of State Administration Authorities", state administration authorities for environmental impact assessment are obliged to



ensure and provide information to the integrated information system and publish, without undue delay, information about the assessment process on the web page of MoE SR.

The integrated information system of impacts assessment (hereinafter IS EIA/SEA) consists of four main interconnected modules:

- MoE SR Module
- DEO Module
- SAZP Module
- Public Module

and three main parts:

- EIA
- SEA
- Information

Contributions

IS EIA/SEA contributes to:

- ensuring the flow of information among the participants of the impact assessment process
- the unification and automation of expert activities among public administration bodies for impact assessment
- making documents in the assessment process available at the national level
- the simplification of documents filing and the acceleration of the process of document search
- making information accessible to the public

MoE SR entrusted the Slovak Environmental Agency (SAZP) in Banská Bystrica with IS EIA/SEA operation. Data for IS EIA/SEA have been stored in the United Central Database Oracle on the database server of SAZP Banská Bystrica.

Assessment process information for the expert and lay public from IS EIA/SEA is accessible through the Public Module, portal <http://eia.enviroportal.sk>, which consists of following parts:

- What is EIA
- EIA / SEA legislation
- Assessment process steps
- Projects

- Information system
- Documentation Centre
- List of professionally qualified persons
- Discussion forum
- Others

The Information System provides information about on-going and completed projects in the assessment process in SR.

Projects are searched according to following criteria:

- project name
- law
- state of the assessment
 - all states
 - notification / preliminary environmental study
 - is not subject to further assessment
 - is subject to further assessment
 - environmental impact statement
 - public hearing
 - final record
 - archive
- region
- district

Texts of documents and documentation for individual projects are published electronically in .rtf, .pdf, .jpg or .xls formats.



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