

SEA

Strategic Environmental Assessment (SEA) General information

What is SEA?

Strategic Environmental Assessment (hereinafter referred to as the "SEA") is a tool for assessing the likely impacts of strategy documents during their preparation and prior to their environmental approval, including impacts on human health.

What is a strategy document?

Strategy document is a draft plan or program, including one co-financed by the European Union, as well as its any change, being prepared, approved at national, regional or local level, or which is being prepared for approval by the National Council of the Slovak Republic, a local council, a council of a higher territorial unit or the Government of the Slovak Republic, and their preparation is required under a generally binding legal act, decision or resolution of the body for which it is being prepared for approval.

What is the SEA legal framework?

At the international level, the assessment of strategy documents is carried out according to:

- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programs on the environment (SEA Directive),
- Protocol on Strategic Environmental Assessment to the United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context (SEA Protocol) by the Slovak Republic.

At the national level, the assessment of strategy documents is carried out under Act No. 24/2006 Coll. on Environmental Impact Assessment and on Amendments to Certain Acts, as amended (hereinafter "the Law") and Decree of the Ministry of the Environment of the Slovak Republic (hereinafter "MoE SR") No. 113/2006 Coll., laying down the details of professional competence for environmental impact assessment.



Which strategy documents and their changes are subject to Strategic Environmental Assessment, the so-called mandatory assessment?

Strategy documents subject to Strategic Environmental Assessment are documents prepared for agriculture, forestry, fisheries, industry, energy, transport, waste management, water management, telecommunications, tourism, land use planning, land use, regional development and environment, strategy documents co-funded by the European Union that are likely to have a significant impact on the environment and at the same time provide a framework for the approval of some of the proposed activities listed in Annex No. 8 of the Act, in addition to the strategy documents that determine the use of small areas at the local level. Furthermore, these are strategy documents, including their changes, which, according to the expert opinion of the state nature and landscape protection authority, are likely to have a significant impact on territories belonging to the European system of protected areas, protected bird areas or areas of European significance alone or in combination with other documents or activities.

Which strategy documents are subject to the screening procedure?

These are strategy documents, not mentioned for the mandatory assessment, which set the framework for the approval of some of the proposed activities listed in Annex No. 8 of the Act, including its amendment, a strategy document that determines the use of small areas at the local level and a small change of strategy document.

Which strategy documents are not covered by the Strategic Environmental Assessment?

Strategy documents whose sole purpose is defence, civil protection, financial or budget plans and programs do not imply an obligation to assess the environmental impact of a strategy document.

Who can participate in the SEA process?

Contracting party is the person who ensures the procurement of a strategy document, competent authority is a government body which fulfils its obligations in the field of Environmental Impact Assessment; it is the MoE SR and the district office at the headquarters of the county and the district office,

departmental authority is the central government body when it comes to Strategic Environmental Assessment with a national impact. It is the body that submits a draft strategy document for the negotiation of the Government of the Slovak Republic,

approving authority is a public authority responsible for approving the strategy document,

authority concerned is a public authority whose opinion is required prior to the adoption or approval of the strategy document,

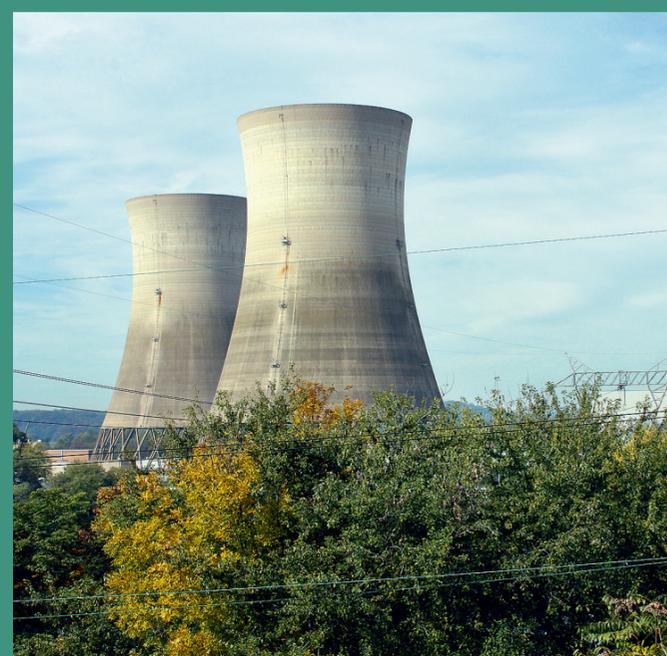
municipality concerned is the municipality whose territory the proposed strategy document relates to or whose territory may be affected by the adoption of the proposed strategy document,

public is one natural person, a legal person or more natural persons or legal entities, their organisations or groups,

public concerned is the public affected or likely to be affected by an environmental action or is interested in such conduct; a non-governmental organisation promoting environmental protection and fulfilling the requirements laid down in this Act shall have an interest in such conduct,

non-governmental organization promoting environmental protection is a civic association, a non-investment fund, a non-profit organisation providing public services other than that established by the state or a foundation established for the purpose of creating or protecting the environment or preserving natural values,

professionally qualified person is a natural or legal person registered by the MoE SR in a special list according to Decree of the Ministry of Environment of the Slovak Republic No. 113/2006 Coll., laying down the details of professional competence for environmental impact assessment.



Who to contact?

To get information:

- whether your strategy document is subject to assessment under Act No. 24/2006 Coll. on Environmental Impact Assessment, as amended,
- which government authority is the competent authority for your strategy document.

You can contact:

- employees of government authorities for environmental impact assessment (<http://enviroportal.sk/agendy/na-koho-sa-obratit/poradime-vam>),
- employees of the EIA/SEA (Slovak Environment Agency) documentation centre <http://enviroportal.sk/eia-sea-posudzovanie-vplyvov-na-zp/dokumentacne-centrum>.

What are the types of SEA processes and procedures within their frameworks?

The **process of Strategic Environmental Assessment**, the so-called mandatory assessment, consists of the following basic procedures:

- Notice and its commenting,
- Determining the scope of the Strategic Environmental Assessment and time schedule,
- Environmental Impact Statement on strategy document assessment and its commenting,
- public hearing of Environmental Impact Statement,
- expert review on the strategy document,
- final record from the Strategic Environmental Assessment.

In the final record of the Strategic Environmental Assessment, the competent authority shall, in addition to the overall strategic environmental assessment, indicate whether it recommends or does not recommend its adoption, or under what conditions, as well as the required scope of its monitoring and assessment.

The screening procedure begins with the submission of a strategy document notice and ends with the issuance of a decision in which the competent authority decides whether the strategy document or the change of the strategy document will or will not be judged by the Act. If it is decided that the strategy document is to be judged by the Law, the process proceeds with the mandatory assessment procedures by determining the scope of the assessment and the time schedule. In deciding the case, the competent authority shall in particular take into account the criteria for the screening procedure set out in Annex No. 3 of the Act.

The process of Strategic Environmental Assessment with a national impact is based on the same procedures as mandatory assessment and screening procedure. The process ends with the issuance of an environmental impact clause, which evaluates the outcome of the impact assessment as well as the opinions submitted.

What is the SEA relationship with the approval procedure?

The approving authority must take into account the final record of the Strategic Environmental Assessment and, in particular, the conditions for the adoption of the strategy document. The approving authority can not approve the strategy document subject to the assessment without a final record or without an environmental impact clause.

How can the public get involved in the SEA process?

Fulfilling the principles of democracy is, on the one hand, informing the public about draft strategy documents and, on the other, enabling the public to be directly involved in the process of assessing their environmental impact.

Information to the public is provided through the web site of the MoE SR, the official board, the media and the municipality concerned.

The public has the opportunity to comment in writing on the draft strategy document within the time limit for the publication of the notice, scope of assessment and Environmental Impact Statement on strategy document assessment, and subsequently participate in consultations and public hearing of the Environmental Impact Statement when the issues discussed are recorded in the public hearing record. Public opinion must be included and evaluated in the expert review and the final record of the competent authority.

The Act defines the so-called "public concerned" within the general term "public". Within the framework of the Strategic Environmental Assessment the public concerned is a natural person older than 18 years, a legal person and a citizens' initiative. When conducting the Strategic Environmental Assessment, the public concerned has the right to participate in the preparation and assessment of the document's environmental impact until the strategy document has been approved, including the right to submit a written opinion, to participate in consultations and public hearing of the strategy document.

Where is the SEA process documentation published and archived?

Documentation from the Strategic Environmental Assessment process is published in electronic form at the MoE SR web site within the framework of the comprehensive information system <http://enviroportal.sk/en/eia> and it is available to the general public. Comprehensive documentation is archived for at least 15 years from the end of the assessment process at the Ministry of the Environment of the Slovak Republic, the district offices and the EIA documentation centre at the Slovak Environment Agency in Banská Bystrica.

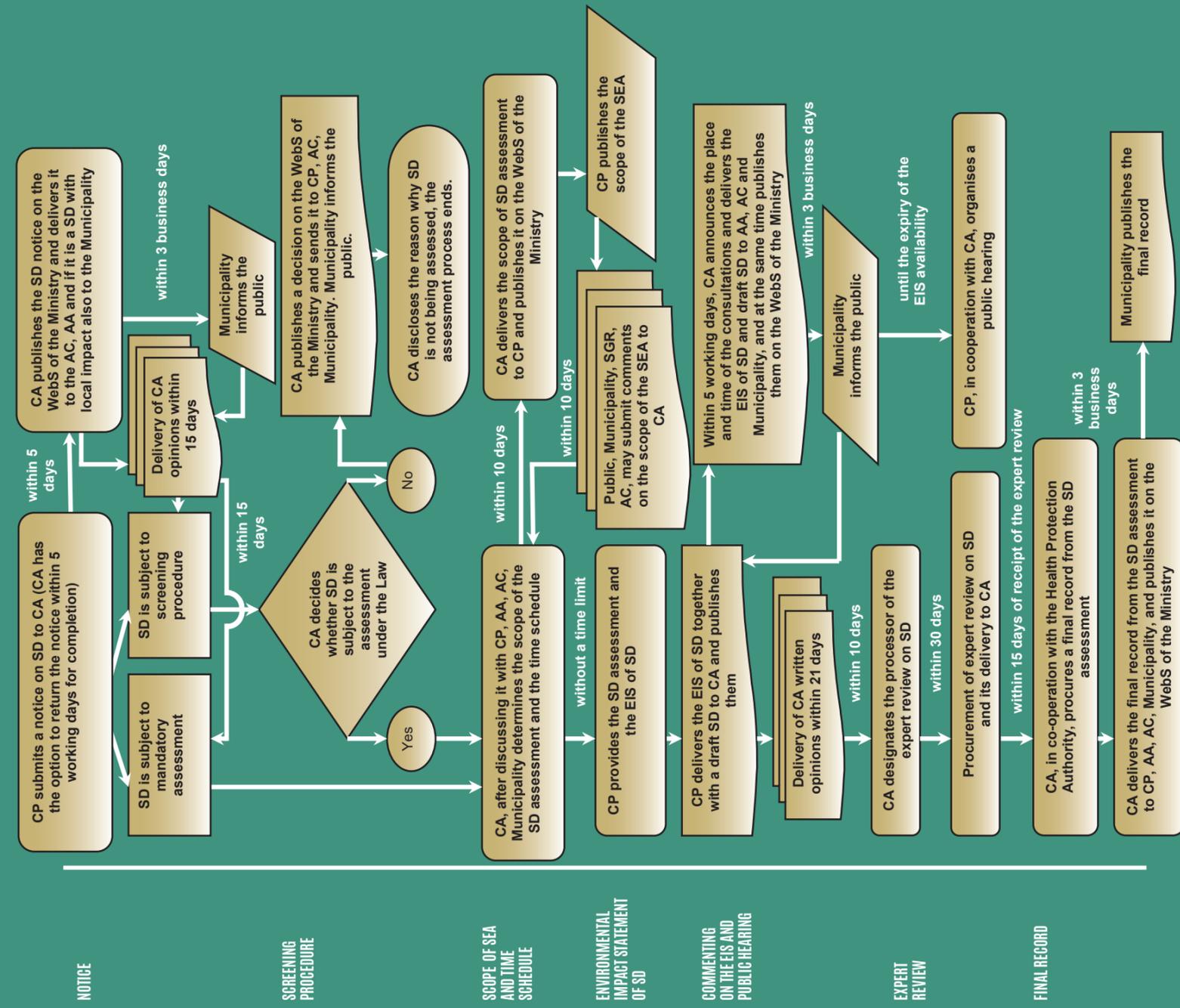
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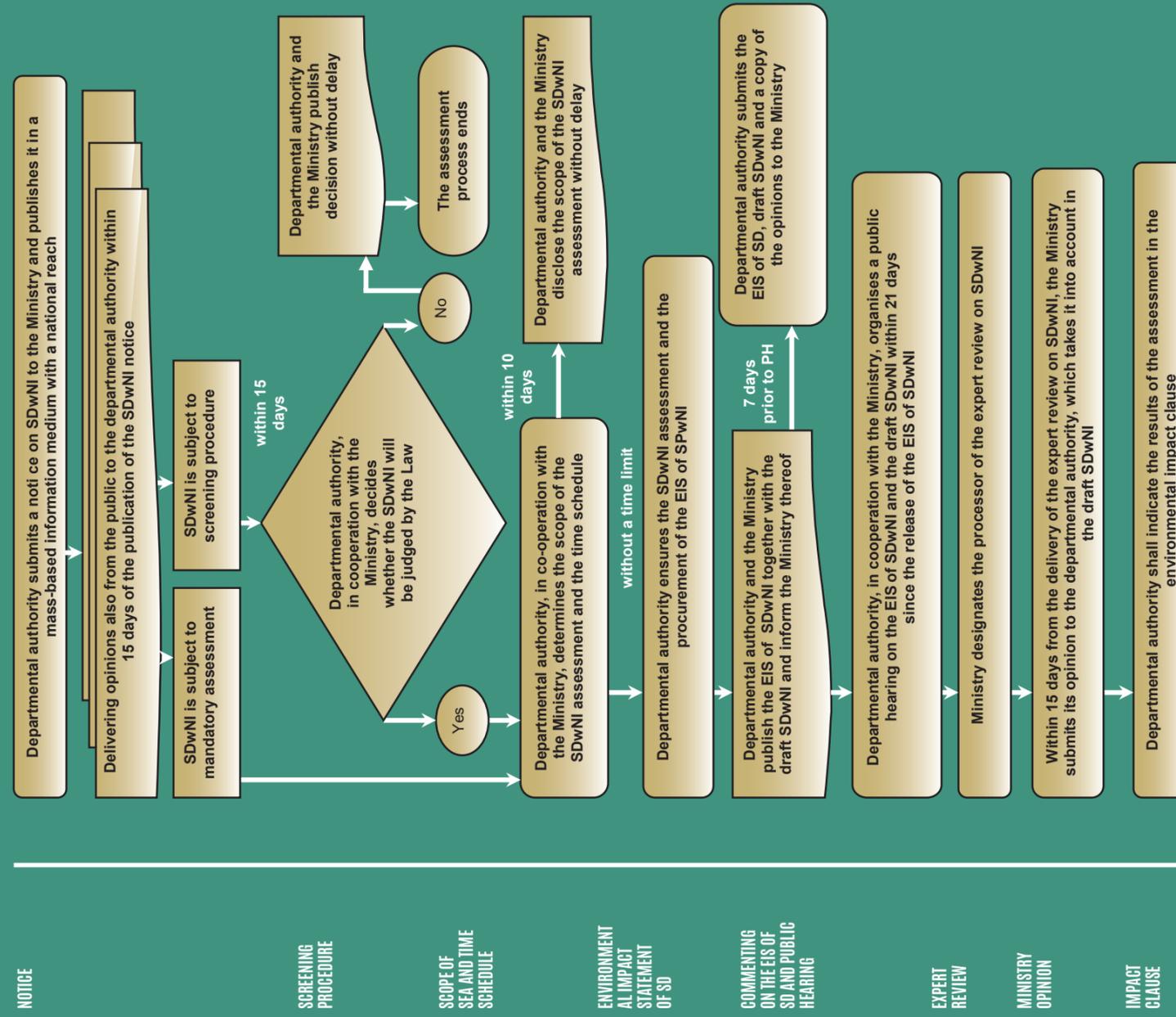
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SCHEMATIC REPRESENTATION OF THE SEQUENCE OF STEPS OF THE STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS



SD - strategy document, CP - Contracting party, CA - competent authority, AC - authority concerned, Municipality - municipality concerned, AA - approving authority, SGR - self-governing region, Webs - web site, Ministry - Ministry of Environment of the Slovak Republic, SEA - Strategic Environmental Assessment, EIS - Environmental Impact Statement

SCHEMATIC REPRESENTATION OF STRATEGIC ENVIRONMENTAL ASSESSMENT WITH A NATIONAL IMPACT PROCEDURES (§ 17 OF THE LAW)



SDwNI - strategy document with a national impact, Ministry - Ministry of the Environment of the Slovak Republic, Departmental authority - the relevant ministry that ensures the procurement of SDwNI, PH - public hearing, EIS - Environmental Impact Statement