Public Participation in Strategic Environmental Assessment

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Research Group 2: Energy, Transport and Climate Policy
Content

- Background: Strategic Environmental Assessment (SEA)
- Legal Requirement of SEA and Public Participation (PP)
- Background: Public participation: why, who, when, how?
- Case studies: Waste Management (Austria), Transport (UK)
- Virtual case study: The Jiading Transport Master Plan
- Conclusion: Principles and future role for PP in SEA
Background: Strategic Environmental Assessment
Definition of SEA

"SEA is the formalised, systematic and comprehensive process of evaluating the environmental effects of a policy, plan or programme and its alternatives including the preparation of written report on the findings of that evaluation, and using the findings in publicly accountable decision-making."

Therivel and Partidario (1992)
SEA Objectives

- SEA is a tool/instrument
  - to provide important information about the general environmental effects
  - of a policy, plan or programme,
  - which consider synergetic, cumulative, indirect and induced effects
  - for the decision makers.
Different Approach

**EIA**
- Project
- Direct effects
- Local, regional level
- Project orientated
- Formalised
- Quantitative

**SEA**
- Policy, Programme, Plan
- Cumulative, synergetic, indirect effects
- Global, national, regional, local level
- Strategic components
- Flexible
- Qualitative
EA Framework: Tiering Approach

- SEA
- Project-specific EIA
- Environmental Management Systems
- Monitoring and data collection

Higher levels such as regions or sections of development, new policies or proposed legislation

Specific development proposals and projects

Construction and operation of development projects

Feedback to higher levels
Environmental impacts caused by transport

- Traffic
- Vehicles
- Transport Infrastructure
  - Energy Consumption
  - Ressource Consumption
  - Waste
  - Land Consumption
  - Habitat Fragmentation
  - Biodiversity
- CO₂
- Emissions
- Other Pollutants
- Climate
- Air
- Water
- Soil
- Landscape
- Urban Space
- Noise
- Accidents
- Plants
- Animals
- Human

- Climate
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- Energy Consumption
- Ressource Consumption
- Waste
- Land Consumption
- Habitat Fragmentation
- Biodiversity

- Transport Infrastructure
- Traffic
- Vehicles
# Sequence of Actions and Assessments

<table>
<thead>
<tr>
<th>Level of government</th>
<th>Land-use plans (SEA)</th>
<th>Sectoral and multi-sectoral actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>National/Federal</td>
<td>National land-use plan</td>
<td>Policies (SEA) → Plans (SEA) → Programmes (SEA) → Projects (EIA)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>National transport policy → Long-term national roads plan → 5-year road building programme → Construction of motorway section</td>
</tr>
<tr>
<td>Regional/State</td>
<td>Regional land-use plan</td>
<td>National economic policy → Regional strategic plan → Sub-regional investment plan</td>
</tr>
<tr>
<td>Sub-regional</td>
<td>Sub-regional land-use plan</td>
<td></td>
</tr>
<tr>
<td>Local</td>
<td>Local land-use plan</td>
<td></td>
</tr>
</tbody>
</table>
Structure of SEA Process

- Screening
- Scoping
- Impact Assessment
- Review
- Integration into Planning and Decision-Making
- Implementation and Monitoring

Source: Adapted from European Comission 1999
Legal Requirement of SEA and Public Participation (PP)
SEA Requires Public Participation:

- Essential part of SEA process
- Several international legal requirements:
  - Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters, art. 7 (UNECE, June 1998)
  - SEA Protocol, art. 8 and others (UNECE Protocol on Strategic Environmental Assessment (Kiev) - the 'SEA Protocol', May 2003)

Source: http://www.unece.org/env/eia/sea_protocol.htm
## Legal Requirements on Consultation and Information

<table>
<thead>
<tr>
<th>Stage of SEA</th>
<th>Requirements in German legislation</th>
<th>Legal requirements for the EU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determination if a plan or programme requires an SEA</td>
<td>Consultation of authorities (Art.3(6)) Information made available to the public (Art. 3(7))</td>
<td></td>
</tr>
<tr>
<td>Decision on scope and level of detail of the assessment</td>
<td>Consultation of authorities (Art.5(4))</td>
<td>Consultation of authorities in the Member State likely to be affected (Art. 7(2))</td>
</tr>
<tr>
<td>Environmental report and draft plan or programme</td>
<td>Information made available to the public (Art. 6(1)) Consultation of authorities (Art.6(2)) Consultation of the public concerned (Art. 6(2))</td>
<td>Consultation of the public concerned in the Member State likely to be affected (Art. 7(2))</td>
</tr>
<tr>
<td>During preparation of plan or programme</td>
<td>Take account of environmental Report and opinions expressed under Art. 6 (Art. 8)</td>
<td>Take account of results of transboundary consultation (Art. 8)</td>
</tr>
<tr>
<td>Adopted plan or programme; statement according to Art.9(1)(b), measures concerning monitoring</td>
<td>Information made available to authorities (Art. 9(1)) Information made available to the public (Art. 9(1))</td>
<td>Information made available to the consulted Member State (Art. 9(1))</td>
</tr>
</tbody>
</table>

Source: European Commission n.s.
Public participation: why, who, when, how?
Why is Participation Sensible?

Better decisions / New perspectives
- Public possesses information (broader collective base of knowledge)
- More innovative solutions
- Quality control
- Acceptance and legitimating → implementation
- Disseminate knowledge and awareness raising.
Who Profits by Public Participation?

- People concerned: influence, transparency
- Interest groups: introduce their interests, chance to reconcile interests, access to information
- Authorities: broader basis of knowledge to prepare decisions
- Politicians: acceptance, legitimating
- Project proponents: faster project permissions, better image, less legal proceedings.
When Should Participation Take Place?

- As early as possible – "when all options are open" (SEA Protocol, art. 8)
- Throughout the process, not only at the end
- Screening: SEA yes/no
- Defining objectives
- Choosing alternatives to be assessed
- Defining assessment criteria & assessment of alternatives
- Preparation of env. report
- Adoption of plan/programme
- Monitoring.
Levels of Public Participation

- Information
- Consultation
- Co-operation
- Mediation

"hot" topics!
- SEA Prot ✓
- Broader public
- Qualified public

Influence
Stages of Participation

- Screening: volunteer, gain acceptance
- Defining objectives: took care for env. objectives
- Defining alternatives: combing different measures, iterative process
- Assessment of alternatives: criteria, comments to results, high sophisticated forecasting model
- Env. report: draft version – final version – "one page for individual comments"
- Adoption of plan: no formal adoption
- Monitoring: monitoring group (stakeholders).
When Should Participation Take Place?

- **Screening**
  - If doubt re need for SEA, consult re significance of environmental effects

- **Scoping**
  - Consult on the scope of environmental information

- **Assessing Environmental Effects**

- **Environmental Report**
  - Consult on the Environmental Report

- **Monitoring**

**Key**
- Informal advice (active advice for priority Plan otherwise standing advice)
- Statutory consultation requirement

Who is the Public?

- "One or more natural or legal persons and their associations, organisations or groups" (SEA Protocol, art. 2)
- Broader public: everybody
- Qualified public: interest groups (NGOs, chambers, politicians).
Whom to involve how? – Three levels of PP in SEA

- **Information feedback:**
  provision of information with a request for feedback to supplement knowledge and gain a better understanding of issues
  Methods: (e.g. surveys, staffed exhibits and displays, staffed telephone lines)

- **Involvement and consultation:**
  formal or informal dialogue to identify issues of concern
  Methods: (e.g. workshops, focus groups, open house)

- **Extended involvement:**
  participants are able to contribute to the formation of a plan or proposal and to influence a decision through group discussions or activities
  Methods: (e.g. stakeholder groups, forums).
### Checklist of Consultees

<table>
<thead>
<tr>
<th>1. Environmental Authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional and local authorities</td>
</tr>
<tr>
<td>Authorities responsible for pollution control, protection of nature and the landscape</td>
</tr>
<tr>
<td>Land use control, spatial planning and zoning authorities</td>
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<tr>
<td>Authorities in neighbouring countries where transfrontier impacts may be an issue</td>
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</table>

<table>
<thead>
<tr>
<th>2. Other Interested Parties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local, national and international environmental and social groups</td>
</tr>
<tr>
<td>Sectoral government departments e.g. responsible for transport, energy</td>
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<tr>
<td>Pressure groups</td>
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<tr>
<td>Groups representing users of the environment, e.g. local wildlife groups</td>
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<tr>
<td>Research institutes, universities and other centres of expertise</td>
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<table>
<thead>
<tr>
<th>3. The General Public</th>
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</thead>
<tbody>
<tr>
<td>Landowners and residents</td>
</tr>
<tr>
<td>General members of the local and wider public</td>
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<tr>
<td>Elected representatives and community figures</td>
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<tr>
<td>Local community groups etc</td>
</tr>
</tbody>
</table>
Methods of Public Participation in SEA

- Electronic democracy
- Open space technology
- Workshops/Round Table
- Future search conference
- Advisory committees
- Task forces
Methods of Public Participation in EIA

- Questionnaires and surveys
- Leafleting
- Use of media
- Displays and exhibitions
- Open houses
- Telephone 'hot lines'
- Personal contact

- Community liaison staff
- Community advisory committees
- Group presentations
- Workshops
- Public meetings
- Public hearings and inquiries
# Suitability of Methods of Public Participation in SEA

<table>
<thead>
<tr>
<th>Methods of Public Participation</th>
<th>Information*</th>
<th>Participation*</th>
<th>Cooperation*</th>
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<tbody>
<tr>
<td>Press</td>
<td>++</td>
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<tr>
<td>Other print media (e.g. flyer)</td>
<td>++</td>
<td>+</td>
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<tr>
<td>Internet</td>
<td>++</td>
<td>++</td>
<td></td>
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<tr>
<td>Presentations / discussions</td>
<td>++</td>
<td></td>
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<tr>
<td>Exhibition</td>
<td>++</td>
<td></td>
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<tr>
<td>Public display</td>
<td>++</td>
<td></td>
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<tr>
<td>Explanation</td>
<td>+</td>
<td>++</td>
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</tr>
<tr>
<td>Open council</td>
<td>++</td>
<td>++</td>
<td></td>
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<tr>
<td>Working groups / workshops</td>
<td>++</td>
<td>++</td>
<td>++</td>
</tr>
<tr>
<td>Mediation</td>
<td>++</td>
<td>++</td>
<td></td>
</tr>
<tr>
<td>Round table</td>
<td>++</td>
<td>++</td>
<td></td>
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<tr>
<td>Future search</td>
<td>++</td>
<td>++</td>
<td></td>
</tr>
<tr>
<td>Agenda conference</td>
<td>++</td>
<td>++</td>
<td></td>
</tr>
<tr>
<td>Open space</td>
<td>++</td>
<td>++</td>
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Source: Heiland 2005

* + suitable, ++ very suitable
Basic Requirement: Integration of SEA & Planning Process

- Better integration of environmental aspects
- Start with first PP ideas

- Simultaneous, interlinked
- Well planned process
- Process management

PP with integrated environmental aspects
Case Studies: SEA & Public Participation
Outline

Environmental governance today in general and SEA in particular implies public participation, but …

- when is stakeholder involvement a good choice?
- who has a ‘stake’ or ‘interest’ that may be affected?
- how should the process be planned?
- what are the key factors of successful active participation?
- what are the critical factors to ensure that a SEA is thorough and meaningful to decision-makers?

Experiences from other - international and national - SEAs provide a useful help for the political decision-making process.
Case Study: SEA for Viennese Waste Management Plan
SEA Round Tables in Vienna: Main objectives

- 1999: SEA for Viennese Waste Management Plan
- "Hot topic": new waste incineration plant?
- 4 env. NGOs + Viennese env. ombudsman
- Strengthened participation of broader public.
Project Overview - The Overall Objective

Finding the best ecological + economic solution for the management of Vienna’s waste

by

initiating the first waste management plan related SEA in Austria
Project Aim

The SEA was conducted as a team process where members of concerned authorities, representatives of the public and external experts participated on an equal basis.

The overall aim was to elaborate strategies for a optimal ecological and economical treatment of waste.

The targets in detail were
- to clarify the amount of the capacity and the demand for new waste treatment plant within the city,
- to clarify the needed and appropriate waste treatment technology and
- to develop a long-term waste treatment plan under consideration of environmental aspects.
Project Design

Aim: Develop a Waste Management Plan for Vienna including an SEA model

Process phases:

**Preparation phase**: Analyses and documentation of national SEAs and international SEA on waste management, identification of methodological hints for conducting SEA

**Evaluation phase**: Assessment of the SEA process by using qualitative criteria, documentation of results

**Closing phase**: Developing the model of “SEA at the round table” and testing it in the working process of the SEA for the Viennese Waste Management Plan
Project Design

Integrated process

One SEA and Plan as an integrative approach

Stages:
- Defining objectives
- Identify indicators/criteria
- Develop and test alternatives
- Decision-making
- Environmental Report as an outcome
Stakeholder Identification – Who?

Who to involve?

- Current practice refers to identifying stakeholders who collectively can be taken to represent the public

- Where appropriate, use selected ‘focus groups’ of representatives of key stakeholders
  
  - Provides public input on a continual basis
  - Is more cost- and time-effective
  - Increases quality of outcome
  - Develops a sense of shared responsibility
Stakeholder Identification – How?

Approach to identify appropriate Stakeholders

- No hard or fast rules exist – in any case context-specific
- Start by asking questions:
  - Who are the representatives of those likely to be affected?
  - Who is responsible for what is intended?
  - Who is likely to mobilise for or against what is intended?
  - Who can make what is intended more effective through their participation or less effective by their non-participation or outright position?
  - Whose behaviour has to change for the effort to succeed?
**Key Stakeholder Selection in Austria**

The following Stakeholder groups have been chosen for involvement in the consensus-building process:

- **Directly affected Stakeholders**
  - Representatives, who are anyway going to be involved through the official consultation procedure
  - Involvement of this ‘focus group’ will ease the consultation procedure and by all means increase the quality
Key Stakeholder Selection in Austria

- Scientific Representatives
  - Working with experts of the scientific society will ensure that the content will comply with the latest state-of-the-art.
  - Scientific input may also provide for innovative views that are normally not taken into account

- Practitioners
  - Working with practitioners shall bring in practical experiences and advance the acceptance and willingness to implement the strategy's measures
Key Stakeholder Selection in Austria

- Relevant lobbies

  - Take representatives of the relevant lobbies on board, who will eventually be significantly involved in the final political decision-making

Generally reflecting upon:

  - Balanced proportion regarding representation of various interests
  - Manageable size of the group of participants to provide for productive teamwork
SEA Round Table

SEA-Team

Authorities

External Experts

Interest groups

Equal partners

Stakeholder participation

Holger Dalkmann

Guiyang, April 2006
- From the beginning
- Equal say
- Share responsibility

- Common learning
- Consensus
Enlarged Participation

Interest groups:
Environ. NGOs / chambers / politicians

Public SEA-Forum 1

Public SEA-Forum 2

Broader Public
Role of the Qualified Public

- Speak on behalf of their interests
- Take care of transparency of process & results
- Introduce innovative ideas
- Increase credibility of process & results
- Represent the broader public.
Opportunities for the Qualified Public

- Access to information throughout the whole SEA process
- Influence choice of objectives, alternatives, results
- Have space to explain their positions
- Acquire knowledge
- Build up networks for further projects
- Control: monitoring.
Limits for the SEA Round Table

- Time-consuming
- Some team members could be more equal than others
- Depends on political commitment
- Consensus-building and group dynamics in SEA-Team → could relinquish rigid policy positions
- Role of NGOs could become ambiguous: partner of administration or counterweight
- Rigid provisions for planning process, where SEA cannot be integrated.
Case Studies: Transport-SEA
Transpennine Corridor (UK)
SEA Transpennine Corridor (TPC) - UK
Study Approach

1. Setting Objectives

2. Present Situation

3. Future Situation

4. Consultations

5. Assessment Framework

6. Assessment tools and Methods

7. Options for sustainable development in the corridor

8. Consultations

9. Recommendations for the Preferred Environmental and Development Strategy

- Investigate Funding Sources

- Develop Implementation Programme

- Land-use/transport interactions

- Possible iteration required

- Possible iteration required

- Possible solution required

- Objectives possible solutions

- Possible iteration required
Strategy Objectives

The four primary objectives are:

- To protect and enhance the environment,
- To promote safety,
- To promote adequate accessibility, and
- To promote (a) economic efficiency of transport, and (b) efficiency of economic activities.
Consultation

1st Phase: Consultation on problems and solutions for transport in the TPC

Participants: Local government, governmental agencies and transport operators

Aim: Development of strategic options for the assessment

2nd Phase: Discussion of the strategic options

Participants: Local government, governmental agencies, transport operators and general public

Aim: Feedback/Discussion on strategic options
Methodology of the SEA Study

Goal:
Providing information on the environmental performance of the strategy options

Filter:
Feasibility studies were used as a kind of filter

Instruments:
Spatial Model → Indication of changes in transport behaviour arising from a strategy option
GIS → Assessing the environmental performance
Trans-Pennine Corridor Model → Forecasting Procedures
Strategy Options

1. Do-Minimum,
2. Public Transport Investment,
3. Road Traffic Reduction – Parking and Trans-Pennine Charging,
4. Road Capacity Re-Allocation in Favour of Goods Vehicles and Buses,
5. Selective Road Capacity Increases,
6. Optimisation of Trans-Pennine Charging,
7. Optimisation of Urban Road User Charging,
8. Major Road Traffic Reduction Measures,
Assessment of Options

- The options were tested for the year 2021 and focused on:
  - a) Transport results and
  - b) Land-use impact

- The environmental assessment of the options is reflected

- A Cost Benefit Analysis (CBA) was taken
Virtual case study: The Jiading Transport Master Plan
Characteristics of Jiading

- Jiading area: 463.9 km²
- Expected 90% urbanisation (today 45%)
- Very dynamic economic development and high population growth
- Extensive planning activities, including large-scale industrialisation and infrastructure projects
- High growth in traffic demand, especially motorized individual traffic
- Subsequent high growth in energy consumption and environmental burden.
## Implementing SEA & PP in Jiading

<table>
<thead>
<tr>
<th>SEA Stages</th>
<th>Who?</th>
<th>How?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Screening</td>
<td>General Public</td>
<td>Media / Internet Workshop</td>
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<tr>
<td></td>
<td>„Stakeholder“</td>
<td></td>
</tr>
<tr>
<td>Scoping</td>
<td>„Stakeholder“</td>
<td>Workshop / Round Table</td>
</tr>
<tr>
<td>Alternatives</td>
<td>General Public</td>
<td>Public hearing / Questionnaire</td>
</tr>
<tr>
<td></td>
<td>„Stakeholder“</td>
<td></td>
</tr>
<tr>
<td>Assessment</td>
<td>General Public</td>
<td>Hearing / Media</td>
</tr>
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<td>„Stakeholder“</td>
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</tr>
<tr>
<td>Decision-making</td>
<td>General Public</td>
<td>Workshop</td>
</tr>
<tr>
<td></td>
<td>„Stakeholder“</td>
<td>Media / Display</td>
</tr>
<tr>
<td>Monitoring</td>
<td>General Public</td>
<td>Exhibition</td>
</tr>
</tbody>
</table>
Qualified Stakeholders within SEA

Authorities

External Experts

Interest groups

Shanghai Municipality
Reform Commission
Planning Bureau
Environmental Protection Bureau
Transport Department

Universities
Architects
Engineers

Representatives of:
Environmental NGOs
Neighbourhood Committee
Women’s Association
Enterprises
SEA Task - Screening / Scoping

- **SEA Task:**
  Identification of PP & environmental objectives

  Example: Defining CO$_2$, NO$_X$, SO$_2$, Modal Split

- **PP Steps:**
  a) General Public
     
     **Method:** Media / Internet
     
     **Result:** Information about transport plan

  b) Qualified „stakeholders“
     
     **Method:** Workshop / Round Table
     
     **Result:** Agreements on discussed targets
SEA Stage - Alternatives

- **SEA TASK:**
  Developing different alternatives

  **Example:** „Business as usual“ vs. new light rail system vs. new BRT vs. road expansion

- **PP STEPS:**
  a) General public

  *Method:* Public hearing / Questionnaire

  *Result:* Suggestions for alternatives

- **PP STEPS:**
  b) Qualified „stakeholders“

  *Method:* Workshop

  *Result:* Decision about alternatives
SEA Stage - Assessment

**SEA TASK:**
Assessments of the alternatives

Example GIS-maps (emissions, habitat fragmentations)

**PP STEPS:**

a) General public

*Method: Media / Internet*

*Result: Information about the results*

b) Qualified „stakeholders“

*Method: Workshop*

*Result: Feedback to results*
SEA Stage - Decision-making

**SEA TASK:**
Final decision about the plan

**Example**
Acceptance by public administration (reform commission)

**PP STEPS:**

a) General public

*Method:* Exhibition / Media

*Result:* Information about the final plan

b) Qualified “stakeholders”

*Method:* Workshop

*Result:* Agreement on results, suggestions for the final plan
SEA Stage - Monitoring

**SEA TASK:**
Review of plan objectives

*Example* Monitoring of actual planning

**PP STEPS:**
for: General public

*Method:* Publication, Media

*Result:* Information
Improved efficiency of public participation within SEA in China through...

- Establishing a system of providing information on environmental issues to the public
- Improving national information policies on environmental topics
- Strengthening the role of environmental NGOs
- Strengthening environmental education
- Rising awareness for environmental concerns
Principles for Public Participation in SEA
Principles for a Successful Participation in SEA

- Information provided by government during policy-making should be objective, complete and equally accessible.
- Sufficient time for discussions should be provided.
- Enough time and opportunity to disseminate information in institutions.
- Response to issues/problems raised by participants.
- Decisions must be communicated widely and promptly and in an understandable manner.
- All participants share responsibility for the outcomes.
Principles for a Successful Participation in SEA

⇒ **Early involvement** - so that groups or individuals can influence the development of the overall strategy
⇒ **Interactive** - a two way dialogue involving, listening and learning
⇒ **Inclusive** - involving all local interest groups and key sections of the population
⇒ **Effective feedback to participants** - people need to be assured that their input is being used to influence the plan and that they are a part of the decision-making process
⇒ **Continuous** - participation is not an one-off exercise but an on-going process of involvement
⇒ **Open** - decisions should be transparent, not taken behind closed doors
Future Role of Public Participation

- Public participation improves the planning process
- Public Participation should be a part of a democratic process
- Early involvement is crucial for public participation
- Broad involvement of the public is crucial
- Choice of technique and stakeholders based on the level of decision-making and the related objects
Future Role of Public Participation

- Participation is crucial for successful and effective SEA
- Legal requirements are limited to basic forms of participation
- Sometimes more intense forms are sensible
- Participation models tailored to each specific case
- Process management becomes more important.
Future Role: Risks of SEA & Public Participation

- Political decision-making-process is a precondition for sustainable development
- Uncertainty with large scale assessment
- Rationality of decision-making not ensured
- Need for binding outcomes into decision-making processes
- Too high expectations on PP results could lead to disappointment and to negative impacts on the acceptance of process results
Summing Up

PUBLIC PARTICIPATION IS AN EFFORT (TIME, MONEY) -

BUT IT IS WORTH DOING FOR EFFECTIVE SEAS.
Thank you for your attention!

谢谢！

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http://www.wupperinst.org