



A checklist for the review of **strategic environmental studies**

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WWF with partners in Albania, Bosnia and Herzegovina, Montenegro, Serbia, and Turkey is implementing the Civil Society Acts for Environmentally Sound Socio-Economic Development (CO – SEED) project. CO-SEED is contributing to the sustainable management of natural resources by supporting improvements to regulatory frameworks and ensuring the decision-making process for new infrastructure is more participatory and transparent. CO-SEED is focusing on improving the process of environmental impact assessments and strategic environmental assessments by creating a network of informed civil society organizations across the region and increasing media interest in sustainable, environmentally friendly development. As part of this process CO-SEED and its regional network of civil society partners developed this checklist. The checklist is designed to aid evaluators – including concerned citizens, representatives of civil society organizations, and government officials – of Strategic Environmental Assessments by including a set of questions that all good quality assessments will be able to answer.



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INTRODUCTION

Strategic environmental assessment (SEA) is a process of identifying future consequences of proposed policies, plans and programmes with the aim of ensuring that environmental implications are integrated with social and economic considerations in strategic decision-making. As explained by the International Association for Impact Assessments (IAIA), 'this process informs planners, decision-makers and the affected public on the sustainability of strategic decisions, facilitates the search for the best alternative, and ensures a democratic decision making process'.

An SEA should be conducted from the earliest stages of strategic decision-making to help formulate policies, plans and programmes so as to ensure prudent management of natural resources and the protection of environment. Thus, this is a continuous, iterative, and adaptive process the result of which is identification of the alternative best suited to ensure long-term environmental sustainability. When properly implemented, this process also facilitates transparency and inclusion, spreads democratic values, and increases public participation in the development of society.

While the details of SEA procedures differ across countries, owing to differing regulatory frameworks, the process can generally be divided into three main phases:

1. Determination of the objectives of the SEA process jointly with key stakeholders, including identification of the content of the assessment and significant issues associated with the proposal and the main alternatives, sometimes referred to as scoping;
2. Preparation of a comprehensive analysis of likely significant impacts on the environment and how those should be mitigated, the result of which is an environmental study;
3. Public consultations on the findings of the study and final decision-making.

The purpose of an SEA environmental study (SEA study) is to provide evidence to support more informed decision-making by analysing potential effects and risks of proposed policies, plans and programmes, as well as suggesting measures to avoid, mitigate, or compensate likely adverse significant impacts on the environment.

Hence, the SEA study needs to provide expert, comprehensive, and objective advice on whether the likely environmental impact of a proposed policy, plan or programme is at an acceptable level.

The evaluation of the quality of such a study is not exclusively the task of the competent public authority responsible for final decision-making. Experts and interested public, including non-governmental organisations, can and should engage in commenting on the information and conclusions presented in an SEA study. This way, a study's fitness to serve as the basis for strategic decision-making can be checked and improved.





ABOUT THIS CHECKLIST



SEA studies are often long documents. It may be necessary to read them more than once to appropriately judge whether they meet their intended purpose of objective and unbiased assessment of impacts of a proposed policy, plan or programme on the environment. For non-practitioners in the field of environmental assessments, including non-governmental organisations and members of general public, it may be even more difficult to assess the information presented in such a study and to react to it with quality comments. This may lead to those participants being perceived as less credible partners in consultations, with their comments disregarded or their opinions not sought at all.

There are a number of guidance documents already available which aim to facilitate better and easier preparation and review of SEA studies. Most are aimed at practitioners and

decision-makers, with only a few focusing on supporting non-expert participation in the process. To help fill this gap, this document is intended to provide guidance to non-practitioners interested in actively engaging in decision-making on strategic environmental assessments. It should be used by non-governmental organizations and members of the general public to gauge if all important aspects of assessing impact on the environment have been considered in an SEA study.

This checklist is focused only on the scientific and technical adequacy of an SEA environmental study. It is not a scoring tool that would result in a 'grade' on the quality of the assessment. Rather it provides guidelines for the interested public to offer high quality feedback on SEA studies. By replying to a set of questions, readers should be able to conclude which parts, if any, of an SEA study are not up to standards of best practices and which information may be missing or is under-evaluated.

By doing so, reviewers can formulate constructive and credible feedback to share during public consultations.

Compliance with national legal frameworks, international best practices, or other possible requirements is not considered in this document. Likewise, evaluation of the quality, transparency and inclusiveness of a decision-making process, as embodied in public participation principles and relevant national frameworks and international conventions, are not considered. However, this does not imply that evaluating these aspects are not important and should be disregarded. In fact, proper implementation of both is paramount for good practice environmental decision-making. It is recommended that evaluators of an SEA study also take them into account.





HOW TO USE THIS CHECKLIST

For the purpose of clarity and ease of following an environmental study, this checklist is divided into specific sections dedicated to the most important segments of an SEA study. The importance of each section is explained under each heading, followed by a set of questions to which qualitative answers are to be provided after the study had been read. Possible answers are:

Not applicable.

This answer is appropriate in cases where questions are specific to one type of development or technology, which is not the topic of the SEA study being evaluated. These questions carry no weight in evaluating the overall quality of the study.

Partially meets best practices.

This answer indicates that there is not enough information or analysis provided in the SEA study to fully answer a particular question; the study does not consider all important data or up-to-date information, so before any development decision can be made, additional information or evaluations should be included.

Fully meets best practices.

This answer indicates that the information that would answer the relevant question is well elaborated, based on appropriate data and other information, and thus can serve as a basis for making development decisions. Such data and information need to be up-to-date, comprehensive, and relevant for the topic of discussion; with official sources properly quoted and all cited background studies available for review.

Does not meet best practices.

This answer indicates a significant deviation from the purpose of an SEA study, raising serious concerns about the quality of a decision that can be made based on the information presented in the study. It implies that these aspects of a study need to be re-evaluated or improved with more data before a development decision should be made.



Before reading an SEA study, evaluators should familiarize themselves with this checklist in order to understand what type of information to look for in the study. While reading the answers to each question should be recorded using the qualitative descriptors mentioned above. It is also recommended to note any impressions, questions or concerns arising from evaluation of each question, to better formulate comments on a study. After answering all questions, synthesized feedback should be developed and delivered to the competent authority during public consultations. It is important to remember that in addition to enabling critical evaluation of a study, this checklist can also help identify positive examples and good practices. Reviewers should include those in their feedback, as it is equally important to point out aspects of the work that are being undertaken according to good standards and best practices.





DESCRIPTION OF THE POLICY, PLAN OR PROGRAMME

Detailed and comprehensive presentation of a proposed policy, plan or programme is important to be able to adequately assess possible impacts. It is equally important to understand the purpose of the policy, plan, or programme in order to determine how important it is overall for society and how it integrates with other goals and objectives, especially in terms of meeting sustainable development goals and environmental conservation objectives.

1 Are the purpose, overall aim, and expected outcomes of the proposed policy, plan or programme described?

2 Are the links of the proposed policy, plan or programme with other policies, plans, or programmes described?

3 Does the SEA study describe the overall approach to the assessment, including procedural steps and integration in the planning process?

4 Are the key environmental and/or sustainable development issues and their main questions to be addressed by the SEA study clearly identified and supported by references to relevant objectives in related official documents?

5 Are the key environmental impacts identified, taking into account the views of key stakeholders, for the SEA study to focus on?

6 In case some environmental issues are eliminated (i.e. scoped-out) from the SEA study focus, are the reasons for elimination given and explained?

7 Is the territorial scope of SEA study (i.e. area to be likely affected by the policy, plan or programme) identified and shown on a map?

8 Are the potential transboundary impacts of the proposed policy, plan or programme identified?





CONSIDERATION OF ALTERNATIVES



The assessment of alternative development options is essential for sound decision-making processes and are central to an effective strategic environmental assessment. The consideration of different options to meet the same target could ensure that the most sustainable option is chosen, leading to lower environmental and social risks. Alternative options can be framed around consideration of location options for implementation, technologies/methods for achieving the same objective, timing of implementation of measures, etc. as well as a no-action (zero) alternative. The latter does not simply entail presenting the baseline/existing situation, but outlining the future situation based on the evolution of baseline conditions without the particular proposed policy, plan, or programme being realized. A proper assessment of alternatives includes their description, presentation of their environmental implications, and an explanation of the reasons for their adoption or rejection.

- 1 Are all alternatives suggested by the policy, plan, or programme described in detail, with their respective environmental effects?
- 2 Is the process for the policy, plan, or programme development described, including elaboration of the reasons the proposed alternative was chosen?
- 3 Are the considered alternatives and their environmental effects compared to the 'no action' situation and to the proposed policy, plan or programme?
- 4 In case that the SEA recommends a new alternative course of action, is a clear explanation given of the reasons for eliminating the originally proposed alternative(s)?



DESCRIPTION OF ENVIRONMENT
LIKELY TO BE AFFECTED
BY THE POLICY, PLAN OR PROGRAMME



- 1 Is the existing state of the environment described?
- 2 Is up-to-date reliable scientific data used for the baseline analysis in the SEA study, and are references provided?
- 3 Are missing data or potential uncertainties clearly acknowledged?
- 4 Are the past and current trends for the key environmental issues analysed, including factors influencing those trends?
- 5 Is the future evolution of the key environmental issues without the implementation of the policy, plan or programme estimated and described?
- 6 Does the baseline analysis in the SEA study include the entire potentially affected area, as established during the SEA scoping phase? Even when this area is wider than administrative and/or physical boundaries, such as national borders, of the policy, plan or programme?

The appropriate assessment of impacts is only possible if there is a comprehensive and up-to-date analysis of existing conditions in the environment where the proposed policy, plan, or programme would take place. It is especially important to provide detailed information of existing biodiversity and ecosystems, as this will inform the development of mitigation measures and the overall determination if a proposed policy, plan or programme should go ahead. Namely, one goal for undertaking an environmental assessment is to ensure no net loss of biodiversity or irreparable damage to ecosystems. In fact, biodiversity and ecosystems must be conserved to ensure they survive, continuing to provide ecosystem services, values and benefits for current and future generations.



DESCRIPTION OF THE LIKELY
SIGNIFICANT EFFECTS
OF THE POLICY, PLAN OR PROGRAMME

The evaluation of impacts should be a comprehensive exercise based on good quality data of baseline conditions and the identification of all potentially significant effects of a proposed policy, plan or programme. The impacts on the environment need to be described in as precise terms as possible. Their significance is assessed by asking whether an impact is acceptable in the environmental and social context of the proposed policy, plan or programme, including the consideration of baseline conditions, alternative development options, direct impacts, and cumulative effects with other existing and planned developments. The criteria and sources of the quality standards used in the assessment need to be clearly presented, and the rationale, assumptions, and value judgements used in determining significance need to be fully described. In cases when baseline information is poor or there exists uncertainty about impacts, a precautionary approach should be taken when determining the significance of impacts.

- 1 Are likely conflicts and/or synergies between environmental objectives in other strategies, if any, for the key sustainable development issues elaborated in the SEA study and objectives of the policy, plan or programme identified and described?
- 2 Are the full range of impacts likely to be caused by the implementation of the policy, plan or programme to all key environmental issues evaluated?
- 3 Are all types of impacts considered, i.e.: direct and any indirect, secondary, short, medium and long-term, permanent and temporary, positive and negative, and cumulative?
- 4 Are likely transboundary impacts analysed?
- 5 Are the impacts characterized (e.g. their nature, significance, probability, scope and extent, frequency and duration, and reversibility), with sources of quality standards, rationale, assumptions and value judgments for such characterization clearly described?
- 6 Are impacts quantified, where possible, and clearly supported by evidence such as references to any research, discussions, or consultations held?
- 7 Is the evaluation of impacts substantiated by calculations, examples, and references, with sources of quality standards, rationale, assumptions and value judgments for the evaluation clearly described?



- 8 Are the impacts on any of the key environmental issues excluded from the evaluation, and are reasons for such exclusion clearly elaborated?
- 9 Are any components of the policy, plan, or programme excluded from evaluation, and are reasons for such exclusion clearly elaborated?
- 10 Are the methods, approaches, techniques, and tools used to evaluate the impacts clearly described?
- 11 Are potential uncertainties in the impacts' evaluation described, including what is their expected effect on objective decision-making?
- 12 If any assumptions are used in evaluating impacts, are they clearly justified (e.g. examples of impacts from similar activities in other areas / countries, and references to literature)?
- 13 Are the conclusions and recommendations given by the SEA study unbiased, clear and explicitly describe:
(i) what is recommended, (ii) why it is recommended, (iii) what actions are needed, and (iv) who should perform them?



DESCRIPTION OF MITIGATION MEASURES AND MONITORING

The purpose of an SEA study is to anticipate significant environmental and social impacts of a proposed policy, plan or programme in order to ensure no net loss of biodiversity or irreparable damages to ecosystems. Thus, mitigation is a key element of a good impact assessment. Properly considered mitigation always follows this hierarchy:

- 1 Avoiding irreversible loss of biodiversity/damages to ecosystems through consideration of alternatives to proposed policy, plan, or programme, which may entail completely abandoning the proposed idea
- 2 Minimizing biodiversity loss/ecosystem damages through seeking alternative solutions, which may entail changing the policy, plan, or programme completely or re-designing some of its features
- 3 Mitigating unavoidable impacts through various mitigation measures to restore biodiversity resources and ecosystems
- 4 Compensating for unavoidable loss by providing substitutes of at least similar biodiversity value

Mitigation measures are adopted only when it is not possible to avoid impacts through alternative solutions or changes to the design of a proposed policy, plan, or programme. Proposed mitigation measures need to be supported by evidence of their appropriateness and effectiveness, including by demonstrating their success and side-effects in similar cases. A clear commitment to implement mitigation and compensation measures must be expressed, ideally with timelines and costs attached.

- 1 Are measures to prevent, reduce, and/or offset any significant adverse effects suggested by the SEA study for all main impacts clearly defined?
- 2 Are the impacts that cannot be mitigated identified?
- 3 Are mitigation measures clearly linked to impacts identified, including transboundary ones (i.e. is it clear which impacts will be mitigated by a given measure)?
- 4 Is the responsibility for the implementation of mitigation measures clearly assigned?
- 5 Is a monitoring plan elaborated in the SEA study?



6 Are the indicators for monitoring clearly defined based on the baseline information, the objective, and likely impacts identified by the SEA study?

7 Where monitoring may reveal significant adverse effects, does the SEA study clearly define commitments for actions to be made in response to these adverse effects?

8 Is a plan outlined for how affected stakeholders will be informed of these adverse effects?

9 Does the suggested monitoring scheme include monitoring of likely transboundary impacts?

10 If so, is it clear how the likely affected foreign country will be informed about monitoring results and participate in actions in response to any adverse effects?



HELPFUL RESOURCES

Running an SEA study through the questions in this checklist will show whether it meets its purpose – to ensure that a proposed policy, plan, or programme does not irreversibly damage the environment and prescribe mitigation measures to alleviate significant unavoidable impacts. The checklist is designed to support non-practitioners in the field of strategic environmental assessments to constructively and credibly engage in the decision-making process. Unfortunately, not all concerns and questions raised by non-governmental organizations and the general public may be answered. Likewise, there may be other inadequacies in the strategic environmental assessment process that fall beyond the scope of this checklist, such as the quality of the public participation process, which severely limit access to environmental decision-making. In case this happens, below are several resources that are publically available:

Aarhus Convention.

The Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters – colloquially known as the Aarhus Convention – grants the public rights and imposes on Contracting Parties and public authorities obligations regarding (i) access to information, (ii) public participation and (iii) access to justice. The Convention links environmental and human rights, as well as government accountability and environmental protection by focusing on the interaction between the public and public authorities in a democratic context. The Compliance Committee was established to monitor compliance with the Convention's provisions by individual Parties. Members of the public may make 'communications' concerning a Party's compliance with the Convention.

More about the Aarhus Convention:

<http://www.unece.org/env/pp/introduction.html>

Details on how to submit a communication concerning compliance, as well as to review past submissions:

<http://www.unece.org/env/pp/pubcom.html>

Bern Convention.

The Convention on the Conservation of European Wildlife and Natural Habitats – colloquially known as the Bern Convention – is a binding international legal instrument in the field of nature conservation, which covers the whole of the natural heritage of the European continent. The Convention aims to ensure conservation of wild flora and fauna species and their habitats, with special attention given to endangered and vulnerable species. Thus, the Contracting Parties agreed to take all appropriate measures to ensure the conservation of the habitats of wild flora and fauna species, including during development decisions. The monitoring mechanism, known as the case file system, was set up to enable non-governmental organizations, the scientific community and private citizens to submit complaints for possible breaches of the Convention.

More about the Bern Convention:

<https://www.coe.int/en/web/bern-convention>

Details on how to submit a compliance concern, as well as to review past case-files:

<https://www.coe.int/en/web/bern-convention/monitoring>

SEA Protocol to Espoo Convention

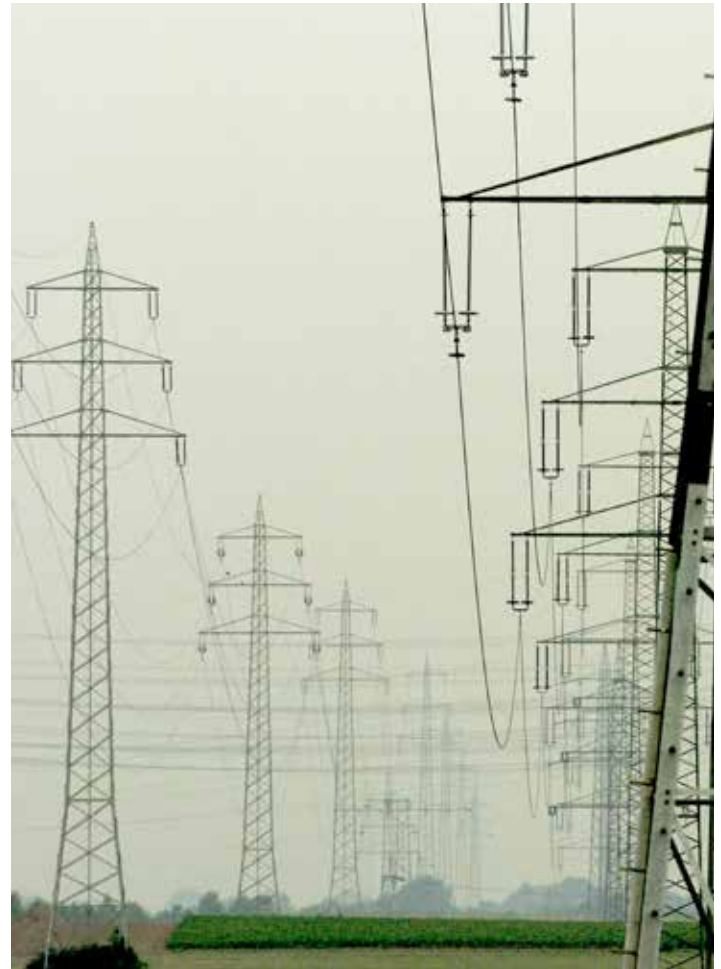
The Convention on Environmental Impact Assessment in a Transboundary Context – colloquially known as the Espoo Convention – sets out obligations of Contracting Parties to assess the environmental impact of certain activities at an early stage of planning. It also lays down the general obligation of countries to notify and consult each other on all major projects under consideration that are likely to have significant transboundary adverse environmental impacts. The Protocol on Strategic Environmental Assessment augments the Espoo Convention by ensuring that individual Parties integrate environmental assessments into their plans and programmes at the earliest stages, and thus help in laying down the groundwork for sustainable development. The Implementation Committee was established to review compliance by the Parties to their obligations under the Convention and the SEA Protocol. Members of the public and non-governmental organisations may submit information to the Committee should they have concerns with a Party's compliance with the Convention.

More about the SEA Protocol of Espoo Convention:

<http://www.unece.org/env/pp/introduction.html>

Details on how to submit a compliance concern, as well as to review past submissions:

http://www.unece.org/env/eia/implementation/implementation_committee.html





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