15 Experiences with SEA in Latvia

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15.1 Introduction

The integration of environmental protection requirements into planning documents of other sectors have over the time been recognized in Latvia as a significant principle for ensuring adequate level of environmental protection. Several new legal requirements for environmental policy integration have been established within the past few years, in recognition of a number of issues where insufficient assessment of environmental concerns have been identified. Those include: stricter requirements for land use planning in the Baltic Sea coastal area and other sensitive areas, and preservation of biological diversity. However, with an increasing number of cross-cutting issues such as climate change, nature conservation and the protection of biological diversity, a specific new tool like SEA has become necessary to identify likely negative effects of proposed planning documents. While experience with SEA and continuous discussions regarding its better application are still at the relatively early stage in Latvia, the implementation of the SEA directive in 2004 is to be seen as an important tool to create a continuous and stable process of assessing environmental impacts. This chapter reflects the author’s own personal view on this implementation in Latvia.

It has been also recognized that an effective SEA system will require to overcome existing difficulties regarding the understanding of the nature of SEA and technicalities. Discussions on whether the actual instrument will increase the effectiveness of integrating the environmental policy into other sectors are to be seen as continuously ongoing. However it may change with time when more useful practical examples of SEA will be known. It is also important to show to planners and authorities responsible for other sectors that SEA cannot be effective if not built into the planning process. Therefore already developed processes for taking decisions in areas like, transport, agriculture, industry and forestry should overcome some modifications and be more open in introducing SEA.
It seems that the only area where SEA can be integrated quite easily into existing planning and decision-making process is territorial planning. This is mostly because many elements of SEA are part of the procedure for developing territorial plans. When in 2001 work on developing a Latvia SEA system took place, the practice gained from specific planning and decision-making processes (e.g. development of territorial plans, regional development strategies) was analysed beforehand. It showed that some of the fundamental elements of the SEA Directive are incorporated already in our legal system. However analyses of current practice also showed that we do not have concrete provisions set by the law on how to proceed with SEA in other sectors besides territorial planning.

Before defining and explaining specific elements to the Latvia SEA process, a brief summary of the existing assessment tools will be given in Sect. 15.2 to see whether today’s practice can be a part of the SEA process. Sect. 15.3 provides an introduction to the legislative context of SEA and a review of differences in applying SEA in Latvia. Sect. 15.4 focuses on activities regarding quality assurance of the SEA process. Sect. 15.5 discusses case study that provides information about pilot SEA project.

15.2 Practical Experience Gained with Existing Assessment Instruments and its Legal Provisions

As a starting point for introducing an SEA system, information was gathered and analyzed to identify what administrative and legal frameworks were already in place for applying SEA. The findings of the study on introducing the status and challenges of SEA processes and practice (Ruza 2001) indicated that territorial planning requirements in Latvia have many common procedural steps with regard to the SEA Directive. Those include:

- identification of environmental issues and related impacts;
- evaluation of impacts likely to be significant and important for particular areas and people living there;
- preparation of the planning documentation, including environmental impacts;
- consultations with relevant state and municipal authorities during the scoping stage and planning documentation review stage;
- public participation with public involvement within the scoping stage, public review of the draft documentation and final draft before submitting for approval;
- submission of the documentation to decision-makers.

However there are also some procedural steps that are missing in the territorial planning system and those relate to identification and evaluation of alternatives, requirements for assessing cumulative and transboundary effects, requirements for mitigation measures, requirements for monitoring, requirements for managing the total quality of the process, including decision-making process and communication of the decision passed to the public. As regards to the issue of integration, it