

SEA

name	SEA-Directive	
official name	Strategic Environmental Assessment (SEA) Directive	
legal foundation	2001/42/EC and SEA Protocol to Convention on EIA in a Transboundary Context from 1991	
state of ratification European Union (entry into force)		
state of ratification in member states (entry into force)	although all EU governments should have transposed the directive by 21 July 2004 in February 2005 only 11 countries did this. These are: Czech Republic, Denmark, Germany, the 3 Baltic States, Ireland, Hungary, Poland, Slovenia, United Kingdom (which has most experience in doing SEA).	
what's new/ what's special	requires environmental assessment in early stage of planning and continuing integration of its outcomes but change of plans or programmes (PoPs) stays political decision	
main intention	provides a high level of protection of the environment by integrating a wide range of environmental considerations and developing of alternatives in all types of spatial planning.	
main instruments	processual requirements to assess (1) likely significant env. effects of a PoP (2) during its preparation, to (3) identify strategic alternatives and their effects before final decisions/choices, to (4) give public substantial possibility to participate in the SEA and the preparation of the plan and to (5) monitor the significant effects during the implementation of the PoP.	
scope	very broad as it requires SEAs of all PoPs produced in spatial planning (forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning/land use). Also MS must pay special attention to environmental problems in relation to other EU env. Laws such as Natura 2000 sites. SEAs also have to cover cumulative effects.	
affected transport projects	all PoPs with probably significant environmental effects. Only PoPs on "small areas on the local level" and minor modifications of PoPs may be excluded. But even for this case the authorities have to report that the PoP doesn't have any significant environmental effects.	

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legal results (authorities)	requires change of administrative behaviour and working style. Directive requires systematically integration of environmental assessment, involving different authorities and public hearings.	
consequences on project planning/optimal planning modells	Planning authorities have to integrate environmental assessment and make and publish the report during the planning process. But changes to the PoPs are left to political decision. Only starts biting when brought together with the wealth of existing EU objectives and requirements.	
example		
legal results (citizens)		
legal results (organizations)	consultation and participation are integral to the SEA-process and should be at various stages as the definition of objectives, the scoping, the identification of alternatives, etc.	
possible use (ENGOS)	good tool to challenge the political decision makers in the light of documented negative impacts on the environment. When checked against existing EU env. objectives and requirements SEA provides an opportunity to ensure cross-compliance and enforcement of existing env. legislation	
possibly negative effects and implications for ENGOS	Loopholes: small & local PoPs and salami-slicing, missing assessment through authorities claiming there were no possibility to analyse details. Misunderstanding of SEA as a larger EIA. Problem of mobilising the public to participate. Lack of capacity and expertise among local communities or ENGOS to respond to consultations and hearings.	
possible impact on transport policy	depends on political will and public pressure or infraction of other EU-Legislation	