

Environment: assessment of effects of certain plans and programmes

1996/0304(COD) - 16/10/2000 - Commission opinion on Parliament's position at 2nd reading

The objective of this proposal is to provide for a high level of environmental protection and to contribute to the integration of environmental considerations into planning with a view to promoting sustainable development. 17 amendments have been adopted by the Parliament in relation to this proposal. The Commission can accept one amendment fully, one partly in principle and seven in principle. Eight amendments and the remaining part of the amendment 9 which relates to the requirement for a reasoning to require a SEA are not accepted. The amendment adopted fully relates in particular to: - the UN Convention on Biological Diversity. The amendment accepted partly in principle relates to: - the making available to the public the reasoning to require or not to require SEA in case a screening determination has been made. The Commission considers that such a justification is appropriate only when it is determined that no SEA is necessary. In this case a justification would represent useful information for the public and increase the transparency of the decision-making. For these reasons, this amendment is accepted partly in principle. As far as the amendments accepted in principle are concerned, these relate to: - public access to information, public participation in decision-making and access to justice in environmental matters; - the adding of monitoring measures decided to the information to be given on the decision and thus contributes to transparent decision-making; - the establishment of monitoring systems; - strengthening the provision on the quality of the environmental reports; - broadening the scope of the Directive slightly to planning that was started before the transposition date of the Directive and where the plan would be adopted after more than one year after that date; - specifying the environmental aspects to be dealt with in the environment report; - broadening the information requirements of the environmental report. The environment report should include both information on measures for monitoring the effects of the implementation of the plans or programmes on the environment and information on measures for monitoring the effectiveness of the mitigation measures. With regard to the amendments not accepted by the Commission, these concern in particular: - the possibility of screening plans and programmes by specifying types of plans and programmes or by combining this case by case; - making available to the public the reasoning to require or not to require SEA after a screening determination has been made. Such a requirement would create unnecessary administrative burden especially since the SEA process itself provides for information and consultation rights to the public; - including all future plans and programmes under the current Structural Funds and rural development Regulations or under new EC Regulations into the scope of this Directive; - turning the requirement of the common position for making assessments at different levels of a planning hierarchy into the possibility to make assessments at only one level; - the proposition to open transboundary consultations up to States other than Member States; - making the use of coordinated or joint procedures mandatory when the obligation to carry out assessments of the effects of plans or programmes on the environment arises simultaneously from this Directive and other Community legislation; - broadening the Commission reporting requirement on the relation between this Directive and the Structural Funds and Rural Development Regulations; - adding plans and programmes which are funded by the European Union to the definition of plans and programmes.