



Netherlands Commission for
Environmental Assessment

Preliminary Comments on the Draft SEA Report for the Integrated Coastal Development Plan for the South Coast of Albania

Memorandum by the NCEA

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Advice of the Secretariat Netherlands EA Commission

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From Mrs. Ineke Steinhauer and Rob Verheem (Netherlands Commission for Environmental Assessment), with input from Mr. Roel Slootweg (member of the Netherlands EA Commission's working group that prepared the interim advisory review report in March 2006)
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1. Introduction

In October 2006 (e-mail 3 October 2006), the Netherlands EA Commission received a request from the Project Coordination Unit for the Integrated Coastal Zone Management and Development Plan in Albania to provide comments on the draft SEA report prepared as part of the Southern Coastal Development Plan. When the Commission was in the process of reviewing the documentation, it was informed that the contract with the consultant who ought to draft the SEA and Plan was about to terminate, due to a number of reasons.

The draft Plan needs to be amended to reflect properly the vision and expectation of the Albanian government for the development and conservation of the Southern Coast. For this, an international consultant was contracted to assist the Albanian government in preparing Terms of Reference for the completion of the work on the Plan and SEA. Therefore the review work of the SEA by the Commission was put on hold (and will no longer be carried out under the Bank Netherlands Partnership Program, which ends in December 2006).

However, as some preliminary review results by the Commission were already prepared, it was decided to share these with the Project Coordination Unit, because these can be of use for the international consultant, contracted by the Albanian Government.

The Commission is willing to continue its assistance in this pilot SEA work upon invitation by the Albanian Government.

The review findings presented below are preliminary and should be read as such. Chapter 2 reflects the findings of Rob Verheem, chapter 3 those of Roel Slootweg, Chapter 4 those of Ineke Steinhauer (prepared for the SEA workshop in Tirana in November 2006) and Chapter 5 are the results of a practical assignment on chapter 7 of the draft SEA report (section on scenarios), also undertaken during the Tirana SEA workshop.

2. Findings of the review of the draft SEA report (August 2006) by Rob Verheem

Summary: The SEA is good, although not perfect. It is a good basis for further improvement of it by the Albanian government. The SEA should be regarded a good first proposal by the consultant, to be completed by the Albanian government in such way that it becomes ‘their’ product. A special point of attention is the relationship between the SEA, the plan and available/necessary enforcement capacity. For example: what enforcement capacity does the SEA/plan need, and how would conclusions from the SEA, or proposals in the plan, change in the case of insufficient enforcement capacity.

Overall remarks: Positive as to methodology and alternatives development. The methodology applied is state of the art in SEAs for plans with this kind of abstraction level and can be summarized as:

- First clarify the boundaries by describing what is already decided in existing policies and plans
- Then check the preferences and ideas of stakeholders; for this a round public participation was done, with a clear report on what local and other stakeholders find important
- Then develop within these boundaries and using these ideas possible policy options (here mentioned: scenarios) for the plan, to find out what would be best from economic, environmental and social viewpoint. In this respect, the selection of a scenario with maximum environmental protection (‘green’), a scenario with maximum economic development (‘ribbon’) and a scenario with a compromise between these two (‘anchor’) is logical.
- Consequences of scenario’s are assessed on the basis of expert judgement, using a clear set of criteria.
- Then a preferred scenario is selected that is assessed in more detail against the policy objectives of the proposed plan.

To be improved: Each of the above elements of the SEA could be further improved, with the following recommendations:

- As to setting the boundaries: existing policies and plans are described, however, without clear discussion of what they actually mean for the scenarios, and how the scenarios are in line with these policies and plans.
Recommendation: provide this discussion.
- As to public participation: the same comment. Major concerns of stakeholders are clearly described in the annex to the SEA. However, there is little discussion in each of the scenario’s how these concerns were taken into consideration in the development of a specific scenario.
Recommendation: provide this discussion.
- Developed scenarios: the description in the main text of the scenario’s is very brief. It would better communicate and provide a basis for further stakeholder discussion to give a little bit more detail on what a scenario actually would mean on the ground (to be checked: do the available maps sufficiently give this insight)? Of course, without going

to the full level of detail that would be required for local spatial plans; that is for a later stage.

Recommendation: give a bit more detailed description of the developed scenario's.

- Assessment of consequences of scenarios: a precondition to using expert judgement is that scores given are very well argued. The argumentation given in the matrices in chapter 7 are too brief in this respect. A number of scores given are not evident, and need further explanation/discussion. Also, in giving the scores it appears that certain assumptions were made. E.g. the extent to which locals may or may not benefit economically and the extent to which environmental regulation may or may not be enforced. The SEA should then give a sensitivity analysis on how scores would be affected (and thus the comparison of scenarios might change) when assumptions in reality would prove wrong. E.g. if enforcement capacity in reality would be too small to protect all allocated nature area, would it then be wise to prioritise?

Recommendation: better argument scores that are not obvious and provide a sensitivity analysis on the assumptions used in scoring.

- Assessment of preferred scenario: table 8.2 gives an overview of assessment result. This matrix may be useful for experts, but clearly is unreadable for non-experts such as decision makers and local stakeholders. It needs to be complemented by a text in writing, giving the main conclusions and recommendations that come out of the assessment.

Partly this is done in table 8.3, although it is not clear how the issues mentioned here were selected. For example, the matrix gives many more question marks than discussed in table 8.3.

Recommendation: present the key conclusions of the assessment of the scenario in a more accessible way and clarify the selection of 'potential critical points and inadequacies'.

A point of attention is the fact that matrix 8.2 indicates no policies with adverse environmental impacts at all. This is almost too good to be true?

- further issues:
 - accumulation: it not clear why assessment of the accumulated impact of multiple smaller projects along the coast (think of impact of waste water on the marine environment) is delayed until after consultation. It would seem perfectly possible to give some first idea on this from a technical perspective.
Recommendation: provide a first discussion on accumulated impacts in each of the scenarios.
 - Enforcement capacity: it is quite clear from the stakeholder participation that sufficient enforcement capacity was a problem in the past. Also, the scores in the SEA to a large extent are based on the assumption that environmental regulation and protection will be enforced. Furthermore, scenarios differ in their vulnerability for potential lack of sufficient enforcement capacity (e.g. in the green scenario protection is central, and thus requires a higher capacity than the other scenarios). For this reason, both the SEA and the plan should give sufficient attention to this issues and discuss recommendations on what they mean as to enforcement issues.

Recommendation: give more attention of monitoring and enforcement issues.

3. Review findings Roel Slootweg on both draft Plan and the draft SEA

Review findings on the Integrated Coastal Development Plan

The EA Commission's initial observation on the ambivalence of the study, i.e. either being a sectoral tourism development plan or a regional spatial plan, no longer applies. The plan has definitely turned into a tool for spatial planning. The emphasis on tourism as the driving force of economic and social development is well understood. Tourism development, however, is presented within the larger context of spatial development pressures in natural, rural, and urban contexts.

Successful tourism development can act as the strongest force to protect or restore the natural, landscape and cultural heritage of the area; autonomous development now is in the opposite direction, immediately threatening the tourism potential. The plan describes a balanced approach to reach this required path of spatial development. It is concise in its description, indicating the level at which the plan should be elaborated in more detail. On fundamentally important issues, such as buildable land quotas and coastal conservation areas it provides sufficient detail.

There is no attention to planning of the marine area (shipping corridors, harbours, locations of effluents into open sea, etc.). Is this a deliberate choice?

It is not entirely clear what the status of the presented document is and if any other documents will be annexed to this. For example, reference is made to the ICD Plan (Integrated Coastal Development Plan ?) and the Recreation Plan, as if these are other documents.

Review findings on the SEA

Contains a rather general explanatory chapter on what SEA is (chap. 3) ending in a number of key stages, linked to the requirements of the EU SEA Directive. It is unclear where these stages come from, but they provide a clear structuring principle for the rest of the report.

Stage 1: relevant plans / programmes: a pleasantly short overview of relevant plans leading to the present planning exercise. The section does not explain, how the present plan is linked to lower level regional and municipal plans. Actual implementation of many measures is governed through lower level plans.

Stage 2: Analysis of environmental problems in Plan Area. Well-written general baseline leading to the identification of issues and root causes. The chapter provides a good overview of protected status of areas and species.

(General remark: The problem with baseline descriptions is that one doesn't know what is relevant to describe until it is clear what issues will be dealt with by the plan. So the baseline description can only be provided after the presentation of the plan objectives. The EA Commission's 10 steps are therefore better by not putting a baseline study prior to objectives and alternatives).

Stage 3: Sustainability objectives. Based on the identified issues in stage 2, a number of environmental objectives are defined, which are being used to test the plan against what should be achieved in terms of sustainable development.

Here, the methodology takes an unexpected turn. Instead of describing the expected environmental impacts of the plan, the SEA derives a number of environmental objectives to which the plan should respond. The reason for this is the perceived need to have a number of environmental objectives, for the planning authority to derive criteria for the assessment of the plan's environmental performance.

In other words, in the SEA the environmental objectives of the plan are defined. In the words of the document (page 22): *"This is why it is crucial that presented objectives and criteria are adopted by the planning authority"*. For me the distinction between plan and SEA becomes blurred, as this phrase says the SEA prescribes the objectives of the plan. I find the use of the term "SEA objectives" very confusing – in my view the plan has objectives, which are being assessed by the SEA. In the presented approach the SEA provides additional objectives to the plan, if I understand it correctly.

Looking at the SEA Directive text referred to in table 3.1 (page 5) I think the sustainability objectives have to be based on existing legal and policy documents that apply to the situation. An example can be the National Biodiversity Strategy and Action Plan. In the approach taken in this SEA the objectives are derived from the environmental issues encountered in the plan area. This mixes up the use of an (inter)national sustainability reference (embedded in law or policies) with the objectives of the plan.

The testing of compatibility of objectives has not been elaborated; the meaning is unclear to me.

Page 26, item 6.7: unclear.

Stage 4: scenario's. The three scenario's are well chosen to picture two completely opposing paths of development (green versus intensive ribbon development), both based on tourism development. The third option is the in-between (phased anchor), combining the best of two worlds, as the document phrases it. A less detailed base-line scenario assessment is available as an annex.

Stage 5: evaluation of impacts. Whereas in the former chapter the three scenario's have been tested against SEA sustainability objectives, this chapter provides the actual impact assessment. Stage 4 has led to the selection of one scenario, which has been further developed into the spatial plan.

A complication is provided by the phrase: “*the development plan is tested to see if all the environmental issues and objectives are covered by adequate policies*”. Does a spatial plan have to address all environmental issues? Isn't this depending on the objectives of the spatial plan and the 'powers' that a spatial plan has?

Also, the actual impacts of the plan are being assessed. Individual policy statements from the plan are assessed on their potential environmental impact. This is a thorough approach to assessing the impacts of the plan. The table provides a wealth of information up to the level at which issues have implication for the planning hierarchy.

So the SEA assesses whether the plan results in desired impacts covering all environmental issues, and whether other impacts occur.

It is difficult to trace back the various policy statement to the actual spatial plan. One has to trust this is done in a comprehensive and correct manner, but some explanation would be welcome.

The criteria used do not represent formal criteria or an objective set of environmental indicators, but the list of environmental issues identified in stage 3. This is not the correct approach.

Stage 6: mitigation & monitoring. Only at this stage a list of verifiable indicators is provided to monitor the actual impacts during implementation of the plan.

In summary, the process has progressed significantly:

- 1) The character of the plan is definitely a spatial plan. The influence of the SEA on the plan is difficult to assess as both documents are prepared by the same consultant. This has to be checked with relevant authorities and stakeholders.
- 2) From a distant position it looks as if stakeholder participation has been taken up seriously, although participation in public hearings was sometimes low (between 4 and 38; average 17). People have expressed the need to be informed better and timely in order to study the plan. The project team has taken up this challenge as reported in Annex 1.
- 3) Objectives of the plan are clear now. Land-ownership/restitution discussion has disappeared from documents, although it has been raised as an overriding problem at the meeting in Kakoma. Project team members were not authorised to discuss the topic. Alternatives are relevant, even though the emphasis remains on tourism development with very little attention to other sectors.
- 4) The consistency analysis could go further in order to come to a set of assessment criteria based on established policies.

4. Review findings Ineke Steinhauer, prepared for training workshop

a) Critical SEA check on problems and objectives:

- Check preferences and ideas of all stakeholders involved
- For this a public participation round was done, with a clear report on what local and other stakeholders find important
- Remember: develop a shared vision on problems and objectives. Is everyone clear about which decisions are to be taken in this planning process?
- Is there consensus on what is being planned where?
- What about spatial and time horizon: is the plan geographically defined (if yes, how?) and for which period of time (1 year, 30 years?)

b) Critical SEA check on SEA objectives

- is everyone clear on the purpose of this SEA?:
- assessment of draft plan and develop mitigating and compensatory measures?
- improve planning and decision making while developing the plan?
- Which are the main problems and challenges of the plan that the SEA has to resolve?
- What do the results of the SEA mean for the plan and decision-making process?
- The SEA derives a number of environmental objectives to which the plan should respond
 - Where do these environmental objectives come from?
 - consultant's opinion
 - government view
 - stakeholders views?
 - environmental policies/strategies/plans?
- Again: remember to develop a shared view

c) Critical SEA check on consistency analysis

- existing policies and plans are described, but not in terms of whether these policies/plans/programs support or set conditions for the new Plan for the Development of the South Coast or have the potential to conflict with the new plan and, if so, how these conflicts can be solved.
- the section does not explain how the plan is linked to lower level regional and municipal plans: actual implementation of many measures is governed through lower level plans

5. Results working groups on SEA section on alternatives

Discussion points on the SEA matrices for the Integrated Coastal Development Plan:

Strong points:

- The right alternative was chosen!
- Good, and systematic methodology (best practice)
- 3 distinct alternatives
- Clear problems and objectives, good selection of objectives
- Clear analysis of the main issues
- Assessments correct +/-
- Selection (process) supports sustainable growth

Weak points:

- Was the right alternative chosen?
- Process not transparent, especially consultant judgments and selection of stakeholders and (government) experts to involve, some stakeholders are missing
- Are the problem analysis and objectives based on a shared vision? Was agreement reached on the objectives?
- Process of SEA and planning not adequately integrated, consultants are not the planners responsible for the plan, discrepancy between planning framework and SEA
- Not clear how judgments on +/- were made
- Not enough information to form your own opinion
- Could have less indicators/objectives, some overlap
- Are the alternatives in compliance with existing policies (such as the tourism strategy)? Not clear from the information, could be one of the objectives
- Timelines (short/mid/long term) not specified
- Other methodologies than experts judgment could also have been used (GIS, literature search, experience).