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## The Governance of the SEA in the 2007-2013 EU Programs: the case of Italy

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51<sup>ST</sup> INTERNATIONAL CONGRESS OF THE EUROPEAN REGIONAL SCIENCE  
ASSOCIATION

THE GOVERNANCE OF THE SEA IN THE 2007-2013 EU PROGRAMMES: THE  
CASE OF ITALY

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**ABSTRACT**

The European Union 2007-2013 funds programming is a relevant frame in order to analyse the implementation of Strategic Environment Assessment (SEA) of plans and programmes. In this paper the SEAs of 21 Regional Development Programmes and 21 Rural Development Plans implemented by the Italian regions, between the second half of 2006 and the end of 2007, have been reviewed. The complexity of the processes and the huge documentation to be examined, in addition to the wide range of approaches experienced by the regions, required to focus the study on the following interpretative keys:

- the instruments of *governance* arranged by the regions in order to manage the contextual processes of planning and assessment;
- the definition of the objectives and the targets and the capacity to systematize coherently the indicators used in the context definition, within the assessment and monitoring;
- the participation, as regards the adopted modality and the real effectiveness of this phase of the process in order to drive the assessment and therefore the programme;
- finally, a privileged, even if not comprehensive, reading of the coherence of the measures in the energy field included in the operative programmes with the regional sectoral planning.

*Key Words: Strategic Environmental Assessment, European Union Programming, Energy planning*

## 1. Introduction

The 2007-2013 European Funds programming cycle can be considered the first wide experience in the application of Strategic Environment Assessment (SEA) to plans and programmes, enforced since 2004 by EU with the 2001/42/CE Directive, and implemented within Italian legal framework by the Laws 152/2006 and 4/2008. The 2007-2013 European Funds programming cycle is based on two strategic frames:

- The first, made up of the National Strategic Reference Framework (NSRF) whose regional development objectives in term of Convergence, Competitiveness and Employment and Territorial Cooperation are to be achieved through Operational Programmes (OPs);
- The second, aimed at rural development, is made up of the Strategic National Plan (SNP) and of the relative Rural Development Plans (RDPs) at regional level.

To this aims, which the political and administrative structures empowered to National and regional planning have been involved, corresponded a parallel, relevant effort by scientific and technical structures with competencies on environmental assessment.

According to the Directive 2001/42/CE, between the second half of 2006 and the end of 2007, SEA was applied to a large number of OPs carried out in the frame of NSRF: 2 national Ops; 21 Regional Operational Programmes (ROP) related to European Regional Development Fund (ERDF); 2 Interregional OPs; a large number of OPs in the frame of Territorial Cooperation objective. In the same time, SEA was applied to 21 RDPs carried out by Regions and Autonomous Provinces in the frame of Rural Development European Policy, mainly focused on agro-industry and forestry sector.

In the present paper the SEA processes implemented on the 42 regional programmes (21 ERDF-ROP and 21 RDP), have been reviewed.

The complexity of these processes and the huge documentation, as well as the wide range of approaches followed by the Regions as a consequence of the legal framework *in progress* at that time, have needed to focus the analysis on methodological and governance aspects, leaving aside specific territorial results. The review can be considered a sort of *meta* assessment carried out around some interpretative keys:

- the instruments of *governance* arranged by the regions in order to manage the contextual processes of planning and assessment: actors and their relationship; roles; administrative, technical and scientific skills involved in the processes;
- the assessment methodology and design concerning from one side the role played in each region by the existing planning framework in the definition of the objectives and the

targets, from the other side in regards to the capacity to systematize coherently the indicators used in the context definition, within the assessment and monitoring;

- the participation, as regards the adopted modality and the real effectiveness of this phase of the process in order to drive the assessment and therefore the programme;
- finally, a privileged, even if not comprehensive, reading of the coherence of the measures in the energy field included in the operative programmes with the regional sectoral planning.

On chapter 2 the evolution and the debate concerning the concept of SEA is reviewed, focusing particularly on the twofold nature of this instrument that can be investigated from the point of view of technical-administrative procedures or, in alternative, from the point of view of the assessment processes. Chapter 3 consists of a brief description of the specificity of the SEA processes applied to the 2007-2013 Community Programming and to the relative ROP and RDP. Finally, chapter 4 includes the methodology and the results of the assessment carried out through the analysis of the documentation according to the interpretative keys mentioned above.

## 2. The SEA between procedure and process

In general terms<sup>1</sup> the objective of the Strategic Environmental Assessment (SEA) “*..is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes by ensuring that an environmental assessment is carried out*”. According to a successful definition (Sadler B. & Verbeem R., 1996) SEA is “*..a systematic process for evaluating the environmental consequences of proposed policy, plan or programme initiatives in order to ensure they are fully included and appropriately addressed at the earliest appropriate stage of decision-making on par with economic and social considerations*”, where from one hand the emphasis is on the simultaneity of planning and assessment processes, and from the other hand the focus is on the role of SEA to promote environmental development referring to the par relevance of environmental, economic and social elements.

Numerous authors<sup>2</sup> have reconstructed the historical evolution of the environmental assessment of plans and programmes identifying the origin in the *National Environmental Action Plan* adopted by USA in 1969. Nevertheless beginning from the years '90, after some years of experience in the field of Environmental Impact Assessment (EIA), emerging the lacks of this instrument regarding the difficulties to incorporate and to harmonize the elements of sustainability, and ineffectiveness of project assessment to be relevant on hierarchically superior planning processes,

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<sup>1</sup> Directive 2001/42/CE of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, art.1

<sup>2</sup> A wide and complete review of international literature on this issue is on: Dalal-Clayton D.B., Sadler B., 1999 e 2010.

SEA affirms, if not yet as operational practice, as a focal issue of academic, political and scientific debate on the environment.

However the approach to SEA as a sort of EIA applied to plans/programmes persists for a long time, as a real school of thought for which SEA should be tightly limited to environmental topics, in opposition to the ones who, emphasizing the relations between sustainability and SEA, believe that SEA should face social and economic aspects as well as environmental ones.

This emphasis on the potential of SEA as an instrument of sustainable development has brought to define “environmental assessment” and “the pursuit of sustainability” as “...*the marriageable pair...of two of the major concepts introduced over the past few decades to improve the odds of continued human survival on this planet*”<sup>3</sup>.

There is vice versa a broad consensus around a flexible approach “...*that will need to be developed and tailored to suit conditions, institutional realities and political circumstances in individual countries*”, in opposition to the so called *blueprint approach* (Dalal-Clayton D.B., Sadler B., 1999).

Since the enforcement of the Directive 2001/42 the debate shift toward legal aspects and around the problems related to the transposing of the Directive into Member States legal frames, mandatory beginning from July 2004. Actually, at that date only nine MS have had implemented the Directive, with the consequent 15 infringement procedures and 5 MS condemned by the Court of Justice of the European Union.<sup>4</sup>

Finally, all MS transposed the Directive by 2009 and the Commission has started a study to verify the compliance of transposing to Directive obligations.

The difficulties to transpose the SEA Directive within the Italian legal framework have led to a wide literature focused mainly on the procedural and administrative aspects, like the comparison between national and regional legislation (Casini C., Santini L. 2007 e 2009; Rega C. 2006) or the implementation in specific regions (Gazzola P., Caramaschi M. 2005). In some case the focus is on the objects of the assessment, to the border between plan and project such as great infrastructures, (Morandini G., Norberti S. 2008) or deepening the relations with other instruments like EMAS (Chiellino G., 2008).

As many extensive the scientific literature related to the methodology of SEA implementation where the characteristics of the assessment process are privileged. This area of investigation refers to the first application of SEA, during the second half of 90s, to large territorial units like in the case of the National Transport Plan, or the Winter Olympic Game in Turin. More recent experience on rural development (Spaziante A., Muraro C. 2007), on regional scale (Casini C.,

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<sup>3</sup> Gibson, R.B., 2005, “*Sustainability Assessment: Criteria and Processes*”, Earthscan, London. Cit. in: Borysova O. 2007.

<sup>4</sup> Cfr. *European Commission 2003 and 2009*. The Directive established (art. 12, comma 3) the Commission to provide by July 21, 2006 a first report to the European Parliament and to the Council, concerning its implementation and effectiveness. Because of the delay in transposing and the limited experience on implementation, the information available at that date were inadequate to provide the report, which was presented on 2009.

*Santini L. 2009, Gazzola P., Caramaschi M. 2005, Marangoni B. 2006*), on vast area planning (*Garano M., Zoppi C. 2003, Panzini M. 2006*) or as in this case on European programming SEA, are the natural continuation of those first experiences.

### 3. SEA in the 2007-2013 Community planning

Between the end of 2005 and the first half of 2006, with the adoption of EU regulations<sup>5</sup> is formally triggered the 2007-2013 programming.

As mentioned, the Directive 2001/42 on SEA was, during the course of implementation, however, in force since July 2004.

Therefore, defined the two programmatic frames, NSRF concerning regional development and SNP for what regards rural development, the regions started to draw their plans, ROP and RDP respectively, ensuring contextually the needed assessments.

In fact the European Funds programming provides, in addition to SEA, an ex-ante assessment, carried out by independent evaluators, regarding essentially, physical realization objectives of the interventions, social and economy impacts, results to be achieved. This process, as well as in SEA, starts at the early stage of the programme and follows it with an *on-going* and an *ex-post* assessments. This parallelism needs to be managed “.. *in coordination and, wherever is possible, synergy.. in order to avoid the risk of duplication of procedures, to contribute to increase effectiveness of assessments, ensuring the unity of social, economic and environmental aspects of the programme* (National Assessment System 2006, p. 10).

It is clear the complexity of the exercise, in term of coordination and integration, and the large number of actors involved at different levels:

- European Commission, National *policy makers* and the Regions in the negotiation of Strategic Frameworks;
- For each Region, between the Planner and the organisations to be entrusted with the *ex-ante* and the environment assessments

The regions were not completely unprepared to conduct an operation of this complexity.

Within the 1994-1999 programming the European Commission had already considered the institution of the Environmental Regional Authorities (ERA), with the task of promoting environmental integration in all areas of action of the Structural Funds, entrusted them, during the cycle 2000-2006, with the drafting of the Ex-ante Environmental Assessment of Regional Operational Programmes. These assessments, which may be considered prototype of SEA, were at a first stage considered inadequate by the Commission, which established a new deadline on the 31 December 2002. At that date, filled the gaps of technical and human resources through the

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<sup>5</sup> We refer to Council Regulation (EC) N° 1698/2005 of 20 September 2005 *on support for rural development by the European Agricultural Fund for Rural Development. (EAFRD)* and to Regulation (EC) N° 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the *European Regional Development Fund (ERDF)*

establishment of appropriate *Task Forces* (TF) in the frame of a Ministry of the Environment's project<sup>6</sup>, the ERA were able to prepare adequate environmental assessments of ROP, fulfilling their duties for the duration of the programming.

As will be seen later (§ 4.1), the ERA, and the TF supporting them, will play a decisive role in the application of SEA to 2007-2013 programming, both in cases where it will be directly assigned them the task of environmental assessment, and where others will play that role.

As mentioned above, because of the uncertainty of the national framework, the application of SEA to the 2007-2013 EU programming was carried out with the only legal reference to Directive 2001/42. Therefore, as far as not expressly provided a *reasoned opinion*, the role of *competent authority* was in fact carried out by the European Commission the institution in charge for the approval of the Programme and of all related documents, including assessments.

The European Commission has not given interpretations of the SEA Directive, nor has given guidance for its application to operational programmes, leaving the Member States, hence the Planning Authority, responsible for ensuring the quality and accuracy of the environmental assessment. Vice versa the Commission intended to inform<sup>7</sup> Member States on the elements taken in consideration to verify that, during the preparation of the 2007-2013 programmes, were taken into account the provisions of the SEA Directive. To this aim, the European Commission listed the minimum documentation to be transmitted by the Member State in the case of the OP has to be submitted to SEA.

This documentation, in addition to the Environmental Report (ER) whose contents are defined in the Annex I of the Directive, includes:

1. A **non-technical summary** (Annex 1, lett. j) of the information provided in the ER;
2. A **statement on the results of consultations** of the public and authorities with environmental expertise;
3. a **synthesis statement** by the Authority's programme (art. 9, comma 1, lett. b), summarising how environmental considerations and consultations results have been integrated into the PO;
4. **the measures decided concerning monitoring** (art. 9, comma 1, lett. C) in accordance with Article 10.

Along these lines between the second half of 2006 and the end of 2007 the Italian regions have completed the simultaneous process of planning and assessment of the ROP and the RDP. What follows, is an overview of how the regions have managed this complex process.

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<sup>6</sup> For the details of the Project and in general, on the role of Environmental Authorities and Task Force see the web site of Enviromental Network:

[http://www.reteambientale.it/autorita\\_ambientali/progetto\\_operativo\\_ambientale.asp](http://www.reteambientale.it/autorita_ambientali/progetto_operativo_ambientale.asp)

<sup>7</sup> Refer to "*Joint letter from DGs REGIO and ENV to the Member States concerning the SEA Directive*", mimeo; More details in the presentations at European Network of Environmental Authorities Meeting 26-27 october 2006:

[http://www.reteambientale.it/agenda/2006\\_26-27\\_10.asp](http://www.reteambientale.it/agenda/2006_26-27_10.asp)

#### 4. The overview of the SEA applied to the regional operational programmes

In this chapter a survey of SEA implemented by the Regions on 21 ERDF-ROP and on 21 RDP during the period is carried out.

It is a mainly a *qualitative* analysis aimed to describe how the regional governments, all having to deal simultaneously with the application of a new evaluation tool on the same type of programme, have developed strategies, approaches and technical solutions more or less original, innovative and/or related to any standard approach.

The focus, for reasons already explained at length above, is given to processes rather than procedures.

Are not mentioned, neither positive nor negative individual regional results and no sorts of “ranking” not been drafted.

The documentation examined refers to the minimum required by the European Commission; for all 42 programmes the documents on the list described above were examined, with particular respect to the RA and the statement of synthesis.

As mentioned above, the analysis, a sort of meta-evaluation, is focused around a few keys, systematized in a special grid, and the results are shown in the following paragraphs.

##### 4.1 Governance

The survey was conducted in relation to three aspects: planning, assessment, for the two positions of responsibility and implementation, monitoring.

About programming, regional structures (political and technical) required to perform the tasks of ROP were usually those delegated to Economic Planning, to Budget or to EU Policies or in some cases, more traditionally, Industry or Production Activities.

In some regions innovative ways were followed, such as the cases in which a steering committee has been established trying to manage the process involving main actors of programming and assessment: planners; independent evaluator; environmental evaluator; regional team of assessment. In few cases to manage through a single steering committee the two assessment processes of the ROP and the RDP has been tried.

These approaches are in the opinion of the authors the closest to the innovative concept of governance applied to complex processes such as the VAS.

Concerning the assessment, the reading of the documents has been aimed to highlight the distinction between responsibility for the SEA process and its operational implementation.

The distinction makes sense when it is considered that, even if from the formal point of view the responsibility of the process is unequivocally of the planner, the operational implementation of SEA has been entrusted to a different actor, leading to a *de facto* lack of responsibility of the planner, registered in 6 cases of ROP.



Regarding the aspect of operational assessment process, categories of subjects (organizations) who have been entrusted with the VAS and the scientific and technical structures that have often operated in support have been identified.

A general distinction is that between:

- **Internal**, subjects within the Regional Administration, as ERAs and supporting TF (see p. 5), the REPA<sup>8</sup>, regional Offices dealing with environment and territory;
- **Outsider**, subjects outside the Regional Administration, as Universities, Research Institutes, private companies and consultants;
- **Mixed** subjects;

As shown in Figure 1, most frequent category is the internal environmental evaluator which for RDP covers more than half of RDP assessments , while for the ROP it accounts for nearly all (18 out of 21). For the use of mixed forms there are three cases for the RDP and 1 for the ROP.

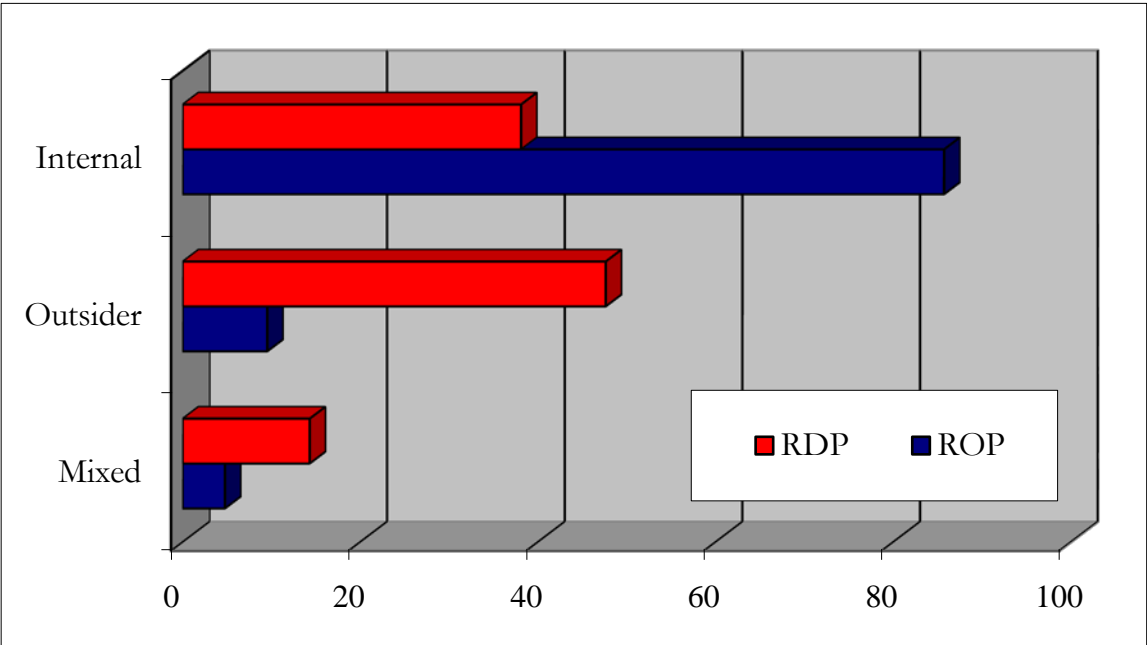


Figure 1: SEA of ROP and RDP – Categories of environmental evaluators, percentage values

It is interesting to interpret how specific subject are distributed within these categories. For what concern ROP, in 10 regions, the SEA has been entrusted exclusively to the ERA, which used, the data is more or less expressed, the TF. However, the ERA figures in 5 other cases with ARPA who was entrusted with Sea exclusively in only one case. The ERA appears also in the unique case of mixed subject, together with REPA and university, with an overall involvement in 15 regions.

<sup>8</sup> The Regional Environmental Protection Agencies. Actually, they are operating autonomous entities of Regional Administration. In these case they has been considered the same way of Regional Structures.

Finally, in one case the implementation of SEA has been carried out by the Regional Evaluation Team, while the external subject figures 3 times as a university, a private company and a research institute.

Also with regard to the RDP, the assignment exclusively to ERA figures in 7 cases, and in two regions in which the SEA was carried out by REPA.

Among the outsiders the most common assignment is to universities (5 cases), followed by private companies (3 cases) and other institutions (2).

It is interesting to note that the ERA figures in both cases of mixed subject; in one case with the university, in the latter as coordinating a working group with a large participation of institutions.

On monitoring, the only thing that was possible to extrapolate from the documents examined concerns if these tasks were assigned already at the early stage of planning and assessment.

In more than half of the regions (12 ROP and 13 RDP) the role for monitoring was not assigned, at least explicitly. In six regions, the expectation was to ERA both for the ROP and RDP, while in other cases, at least formally, the planner has maintained that power.

The first consideration that emerges from this analysis is related to the forward-looking strategy adopted by the European Commission identifying, as early as the 1994-1999 cycle, institutional entities in charge for integration of the environmental component in the implementation of EU funds. The fruitful choice to strengthen, during the 2000-2006 cycle, the expertise of these entities through a specific project focused on building Task Forces (TF) with adequate human and technical resources. The role played by the ERA and the TF support was decisive in enabling the region to respond adequately to the challenge of applying SEA to the 2007-2013 cycle.

In contrast, the assignment of the implementation of SEA to outsiders, particularly relevant especially for RDP, regardless of the technical capabilities of the evaluators, seems risky in order to internalize the skills to manage such complex processes in a timeframe too large to be managed by a "contract".

As shown regarding to monitoring tasks which were rarely assigned, in term of mandate, human resources and equipment, it appears as a sign of lack of awareness of the distance between a simple administrative one-off procedure and a process as complex as the SEA.

#### 4.2 *Sustainability objectives*

A correct definition of sustainability objectives is an important step in the SEA process. It is needed to compare what emerges from the analysis of environmental context, i.e. in terms of identification of critical areas, and the assessment of the significant effects of programme actions on the environment.

The so-called external consistency is the phase of acquisition of information relating to planning tools, general and sectoral, whose objectives are compared with the ones of the plan to be assessed in order to verify their coherence.

It is clear that higher is the qualitative level of regional planning easier is the process: a plan for sustainable development accompanied by clear objectives and quantitative targets greatly facilitates the task of the evaluator.

Regarding how the objectives of sustainable development have been managed within the SEAs examined in this study, from the analysis carried out some elements emerge clearly both for ROP and RDP.

First, the preponderance of general references: international references, such as the Kyoto Protocol and the Sixth Community Environment Action Programme are the most cited, and the Italian sustainable development strategy as the most frequent national reference.

Secondly, the indication of the same references for both types of strategic programme, with some exceptions for the RDP.

The use of regional normative references is large, but it should be noted that the compliance with laws related to the various environmental components is obvious, though important especially when there is the possibility they are not respected.

A sustainable development strategy should be aimed to develop goals that bind more strongly the growth targets with sustainability objectives. The use of quantified targets is extremely rare: two cases in ROP, 4 for the RDP.

### 4.3 *Context Analysis and Indicators*

The context analysis in SEA is the framework by which to assess the impact that the various measures and actions in the plan have on the environmental components.

The element that somehow qualifies the context is, therefore, its relevance to the programme.

The terms of the Directive, which contains the full list of environmental components<sup>9</sup> that must be taken into account, and the constant production of Reports on the State of the Environment led the regions to draw in most cases "analysis of the environmental context", redundant and not always relevant to the programme.

This problem is more frequent in the SEA of the ROP because of their nature, compared to the RDP, of horizontal and sectoral programmes.

It thus figures that 15 of the 21 SEA of ROP treat all the environmental components referred by the Directive, but only 6 use this analysis to identify the most critical components or vice versa

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<sup>9</sup> The list is included in Annex I, lett. F: biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.

strengths through a SWOT analysis. The DPSIR<sup>10</sup> scheme is explicitly used by only 4 regions and 3 detail the analysis in order to identify the most critical land areas. A useful criterion to verify the relevance of the analysis of context in the assessment of ROP is the number of regions which in this phase have coded the indicators; such codification in the opinion of the authors is significant, as we shall see later, to verify the coherence between sets of indicators used in the different phases. In the SEA of ROP only in 7 regions has provided this codification.

In the case of RDP, the reference to the environmental components of Annex I to Directive is less massive (4 regions). Probably the reason in the sectoral characteristics RDP that leave a wider discretion to the evaluator in the selection of components really relevant for the programme. The consequent reduction of the indicators and the increased codification of the indicators that figures in more than half of regions, is probably due to this as well as to a more "structured" process of rural development assessment<sup>11</sup>.

As mentioned above, the coding of the indicators used for the analysis of context is a sign of the search for coherence between sets of indicators that are used at key stages of assessment: definition of the context, identification of the impact, planning monitoring.

In the case ROP, such consistency have been found in 8 cases, in five cases it was not possible to evaluate it, while the remaining cases showed a clear lack of connection between the three phases. About RDP the coherence between the phases of the evaluation was found in 12 cases, compared to 6 in which were lacking and 3 cases of indeterminacy. This is clearly a qualitative analysis strongly characterized by the subjectivity of the authors. For this reason further information, with less margin for personal interpretation, have been sought in the documentation. It was thus examined if, at the phase of the assessment of "significant impacts" of the programmes on the environment, these impacts have been linked to one or more indicators, and whether these indicators were or not among those used for the analysis of the context.

The results are not encouraging given that this connection is in only 2 cases in ROP and 4 for RDP. Another question that has arisen is whether in the course of the evaluation relevant but not measurable indicators were identified, and whether adequate research or campaigns have been planned to quantify them. Even in this case the result is not encouraging, since only in 3 regions used the SEA as an opportunity to strengthen the monitoring and acquisition of environmental data, needed for the evaluation and not yet available.

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<sup>10</sup> DPSIR (Driving forces, Pressure, State, Impact, Response) is a scheme to classify and use environmental indicators in order to draw State of the Environment Report or to carry out environmental assessment;

<sup>11</sup> We refer to the Common Framework of Monitoring and Evaluation (Cfr. *European Commission 2006*), the guidance document in which the Commission and Member States share the tools to raise awareness on co-financed policy implementation.

#### 4.4 *Participation*

The SEA requires the participation as a key moment of the entire evaluation process, according to the strategy of the European Commission with regard to public involvement in environmental issues.

For this reason, it was deemed useful to analyze this aspect, considering the different stages of involvement of the Authorities with Environmental Responsibilities (AER) and the public, highlighting where possible the results of consultations.

In parallel with the drafting of the two programmes consultations with the AER and the public, pursuant to art. 6, par. 2 of Directive 2001/42/EC, were initiated.

Although there are cases where information is lacking or not available, consultations, in terms of phases, timing, and parties involved, and so on, are reported in SEA documents.

In the participation actions to most qualified subjects in terms of environmental expertise at institutional level (AER) have been involved: regional environment Departments; Regional Unit in charge of specific environmental issues; environmental protection Regional Agencies, and so on. Only in one case, a border region has applied the principle of cross-border consultations established by Directive.

Modalities of public involvement raised different problems. There are generally more difficulties to define and to involve the so called “public” (social economic partnership; environmental stakeholders; and so on).

In many cases, during the so-called “scoping phase”, several partnership tables were set up involving AER, socio-economic partnership, environmental stakeholders.

These subjects were sent the draft of the ROP and the Environmental Report, and in some cases questionnaire on the opinions was used.

The duration of the consultation varied from region to region, and during this time it was possible for different subjects to express observations and make suggestions about the documents of SEA. The contents of these observations have been attached to the SEA giving an account of the results, about the transposition or not and the reasons of these decisions.

I should be noted that the results of consultations have not always been available in detail, but often it is made use of generic terms.

From this point of view, it is possible to notice a difference between the SEA of ROP and RDP: in this latter case, there are fewer regions that use generic formulas to describe the outcomes of consultation.

The majority of participation procedures were concluded with the formulation of some observations for the improvement of the programme such as the deepening in the assessment of some issues, the integration of areas considered important but absent in the SEA or at least integration of the programs.

This shows, at least limited at few cases, the interest and expertise of the authorities consulted and the effectiveness of participation and consultation processes, when it is considered effectively and not merely as steps to take.

At the conclusion, we can say that the regions have undoubtedly made an effort to allow wider involvement of AER, stakeholders and the public. Nevertheless, like in other Italian experiences on participation, this was faced more in a ritual than effective way.

For this reasons it is therefore not easy to assess univocally how the participatory processes have really affected the quality of programmes and evaluations

#### 4.5 Energy

In transposing the Community's energy objectives, the 2007-2013 programming cycle, much more than in the past, gives the energy sector a crucial role.

One of the general objectives of Priority 3 of the NSRF<sup>12</sup> is dedicated to "... *promote local development opportunities through the activation of productive chains related to the increase in the share of energy produced from renewable sources and energy saving*". Consequently, a significant share in the ROP total resources, between 20 and 25 percent depending on the region, is devoted to this type of intervention. Therefore, the energy sector is often invoked in the SEA context analysis of ROP.

Even in the RDP energy sector actions does not play a negligible role, both in terms of production from renewable sources, particularly biomass, both for agricultural and forestry practices that contribute to the reduction of greenhouse gas emissions and may increase the amount of carbon stored. Energy sector is then mentioned in the SEA context analysis of more than half of the RDP.

As environmental issues and the achievement of the objectives of the Community strategies on climate change are a prerequisite, it must be remembered that in any case, in both the programming tools the central objective is always connected to the development of the territories.

This is probably the reason why no regions provided a thorough evaluation aimed to estimate the effect of intervention programs in the energy emissions of greenhouse gases, an estimate carried out only later for ROP (ENEA, 2010).

In this work the role of Energy in the SEA of EU programming has been focused around the two following issues:

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<sup>12</sup> Priority 3 "*Energy and environment: efficient and sustainable use of resources for development*" [ref. 20], pag. 103

- To check the level of consistency between sectoral planning (Regional Energy Environmental Plan - REEP) and community programming;
- To verify whether in the planning and assessment there was or not, with regard to energy, an attempt to synergistic integration between the ROP and the RDP.

On both investigated issues there are not particularly positive feedbacks and there is some justified reason for concern.

Regarding the ROP, in the analysis of "external" coherence included in the SEA, REEP is used as a reference for 11 regions; in 6 cases a delay or a need to update in the energy planning has been recognized. In other cases, gaps in the definition of objectives and targets that can be used operationally are pointed out. From this point of view the SEA, through the reporting of these shortcomings, may have played an extremely useful reporting. Surprisingly, in 5 cases the REEP is not mentioned at all.

For RDP, in 13 cases the REEP is explicitly mentioned in the construction of the sustainability objectives of the SEA, while in 3 cases the lack in energy planning is reported. Even for RDP in the case of 5 regions the REEP is not mentioned at all.

Finally, as regards the integration and synergies between RDP and ROP in the implementation of energy policies, for 18 regions the problem did not arise, while in two cases the RDP recalled the need for integration with the ROP, but not vice versa; in another case, the problem was placed in the ROP and ignored in the RDP.

On this aspect the concerns expressed elsewhere (*R. Del Ciello 2008*), referring to some issues as critical ones (energy, research) to find coherent and integrated approaches, not just within individual plans, but rather in connection between different instruments of regional planning, seem to be confirmed.

## **5. Conclusions**

The 2007-2013 programming cycle is undoubtedly the largest and most comprehensive SEA experience have been carried out in Italy. For the first time, all regional administrations were engaged, at the same time, with this new evaluation tool, applied to the same type of plane. The SEA of 2007-2013 programmes has been carried out in the presence of a highly uncertain regulatory framework. The Directive 2001/42 was at that time the only reference; a reference as solid in terms of contents, as generic in terms of procedures.

It appears that in this experience the Regional Environmental Authorities have played a decisive role in the assessment of the ROP as the RDP, allowing the regions to fulfil the requirements of the EC. This result is closely related to the reinforcement, which occurred in the previous programming cycle, of the capacity building of government in this field through the Task Force

to support the REA. These are long-term processes that need to be planned properly in terms of selection and training of human resources and acquisition of technical tools. Very often these processes involve skills and competencies which the “outsiders” (external to the administration) cannot compensate.

The application of SEA is not possible without a proper sustainable development strategy which can provide a precise reference through defined objectives and targets.

Similarly, about indicators a formal and bureaucratic approach to environmental assessment is followed in which the use of indicators seems to be the final scope and not, as it should be, the "toolbox" of the evaluator.

In such a context, participation is the element of the SEA, which risks a ritual and formal approach. The analysis shows all the effort that the structures of regional administrations have done to give effectiveness to a crucial element of innovative governance. It seems clear that the process concerns all the actors: the planners must accept to reconsider their own choices if is needed, to argue with accuracy and preparation, and make the interests that guide their decisions transparent; technical-scientific community and the Authorities with Environmental Responsibilities, must be able to guarantee their independence and ability, to act without abdicating their role; the public, organized or not, must be prepared to play the role, not easy, to express its positions with construction methods and rational forms.

The part of the survey about the energy sector is emblematic of the risks and potential of these processes. Only the capability to plan consciously the various technological options, economic, environmental and social problems, will allow winning a game in which the SEA is one of the most important tools we have available.

With the 2007-2013 programmes on the run, the present work aims to lay the bases for a more thorough investigation, including the implementation phase, related to the use of VAS on a very significant thematic, territorial and temporal scale.



## Acronyms

**AER** - Authorities with Environmental Responsibilities

**EAFRD** - European Agricultural Fund for Rural Development

**DPSIR** Scheme - Driving forces, Pressure, State, Impact, Response

**EIA** - Environmental Impact Assessment

**ER** - Environmental Report (of SEA)

**ERA** - Environmental Regional Authorities

**ERDF** - European Regional Development Fund

**NSRF** - National Strategic Reference Framework

**RDP** - Rural Development Plan

**REEP** - Regional Energy Environmental Plan

**REPA** - Regional Environmental Protection Agencies

**ROP** - Regional Operational Programmes

**SEA** - Strategic Environment Assessment

**SNP** - Strategic National Plan (of Rural Development)

**TF** - Task Forces (supporting Environmental Regional Authorities)

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