

Mediated SEA: the Viennese experience

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This article discusses the use and value of environmental mediation in Strategic Environmental Assessment (SEA). Strategic Environmental Assessment (SEA) is an instrument to integrate environmental aspects into policies, plans and programmes. Environmental mediation is a process that allows different stakeholder viewpoints to be taken into consideration. **Kerstin Arbter** explains how mediation was used in Vienna to allow stakeholder groups to participate in an SEA. Kerstin argues that mediation improved the quality of the assessment and produced a more sustainable and effective outcome, than would have been the case with traditional approaches.

Strategic Environmental Assessment

SEA has been defined as a formalised, systematic and comprehensive process of evaluating the environmental impacts of a policy, plan or programme and their alternatives, the preparation of a written report on the findings, and the use of the findings in publicly-accountable decision-making*. The wider intention behind the SEA approach is to weigh environmental, social and economic effects equally during the planning process. The expectation is that it will lead to more sustainable and effective decisions, and the overall aim is to enhance the quality of environmental protection.

SEA operates on higher more strategic planning levels than other assessment tools. It deals with questions concerning needs, technical methods and capacities as well as with questions about the optimal location of new installations. For example, in the waste management sector, SEA attempts to answer questions such as:

- do we need additional waste treatment facilities or can we solve the waste problem by improving waste avoidance;
- if we need new facilities, should we build a new incineration plant or choose another technique for the elimination of waste;
- what treatment capacities are required; and
- where is the best place to locate the new waste treatment plant in our region.

Environmental mediation?

Environmental mediation has its origins in 'alternative dispute resolution' in the USA more than twenty years ago where it was developed to resolve conflicts between different parties. The aim is to find consensus amongst the parties by voluntary negotiations. A neutral mediator helps to find win-win situations.

Mediation is used extensively in the environmental sector, particularly where people are directly affected by a project with significant impacts on the environment.

Experience with mediation shows that communication between the parties is improved during the process. Different points of view are aired and taken into account. In this sense, environmental mediation is also an instrument for improving democratic decision-making.

This type of public participation is far more than simply informing people and inviting them to comment on an elaborated solution. It encourages them to take part in the whole solution-finding process. In the end all parties should agree on a satisfactory common solution. This kind of co-operation offers the opportunity to reach broadly backed, higher quality planning solutions.

SEA and mediation: commonalities and differences

Table 1 summarises the common features and differences between SEA and mediation.

Table 1: SEA and mediation: common features and differences

Strategic Environmental Assessment	Environmental mediation
Common features	
Both are instruments designed to have a beneficial impact on the environment	
Both are processes consisting of various elements and steps	
Public participation is a central element in both	
Differences	
Focuses on 'greening' policies, plans and programmes, on making them more environmentally beneficial	Focuses on balancing different interest groups
Used during the preparation of policies, plans and programmes to integrate environmental aspects – therefore it tends to be a pro-active tool to prevent problems	Used when a conflict amongst different groups has already occurred – therefore it tends to be a re-active tool to resolve problems
Mostly used at the level of plans and programmes, sometimes used at the policy-level (legislation), but never used at the project level	So far, mostly used at project level, e.g. for new highways, new industry buildings, new railway tracks
Public participation in a more general and flexible way	Participation of the people directly affected
Legal basis at the level of the European Community and obligatory for some plans and programmes at the member states level by July 20, 2004	Completely voluntary (no legal obligation)

Linking SEA and mediation

How can SEA and environmental mediation be linked effectively and how would the integration of both instruments work in practice. SEA has been developed especially for the policy, plan and programme level. Therefore, it would seem sensible to start

the integration with the generic structure of an SEA. The elements in the structure are: screening, scoping, defining aims, looking for planning alternatives to reach those aims, assessing alternatives with respect to their effects on the environment, preparing an environmental report, and taking into account the results in decision-making.

Starting with the SEA procedure also makes sense because the legal basis is already in place. By July 20, 2004 at the latest, SEA will be obligatory in the preparation of specific plans and programmes in EU member states. Also, SEA is a pro-active tool, developed to prevent conflicts - in this sense SEA goes a step further than environmental mediation, which is generally used for solving existing conflicts.

The next step is the integration of mediation elements into this structure. Public participation could be the starting point, as it is the main link between the two instruments (see Table 1). The SEA Directive requires public involvement (articles 6 and 9) within the SEA process, and information and consultation are two basic forms of involving the public. But public participation could go much further, in the direction of pro-active collaboration.

International experiences show that effective participation can yield significant benefits for decision-makers and third parties*. Therefore it makes sense to integrate the manner of participation used in mediation into an SEA. This means identifying the interest groups who are concerned with the policy, plan or programme and inviting them to take part in the process.

Traditionally, SEAs are carried out by a planning authority, which has prime responsibility for the process. Other experts, authorities and the public are also consulted. By contrast, mediated SEAs involve representatives of the invited groups and authorities, and planning experts who develop the SEA, in a consensual manner. This means that they work together from the very beginning, from defining planning and environmental goals to selecting the optimal planning solution that is satisfactory for the entire group of stakeholders. This linkage between SEA and mediation is illustrated in Figure 1.

Insert Figure 1: Linking SEA and mediation

The linkage of SEA and environmental mediation has some positive effects.

First, the quality of public participation increases. Collaboration throughout the SEA process is much more pro-active than consultation with the public at the end of the process. Public representatives have a greater opportunity to influence the outcome. This in turn can create public acceptance of the planning solution. Merely informing or asking the public for comments after the process has taken place does not send a positive message to the public. In a mediated SEA the public's concerns can be genuinely taken into account. The entire process becomes more democratic.

Second, the quality of the outcome increases. The policy, plan or programme development is enriched by the diversity of inputs, and the risk of overlooking environmental or other impacts is minimised.

Third, a mediated SEA allows the participants to develop a solution on the basis of consensus. Such a policy, plan or programme, which is supported by different interest groups, has a much better chance of being implemented without discord and delay.

First attempt at a mediated SEA: the Viennese waste management plan

For several years, the City of Vienna had experienced growing volumes of waste, increasing requirements from landfill legislation, and bottlenecks in its waste treatment facilities. Confronted with these problems, the Environmental Commission of Vienna (Wiener Umweltanwaltschaft) called for an SEA to be undertaken with the aim of producing a waste management plan that would resolve these problems by 2010. The waste management authority also decided to use mediation to engage with a wide range of stakeholders.

From the beginning, ecological, economic and social aspects were taken into account. This was a central requirement in the Commission's brief for the study. The fundamental issues to be resolved were:

- How can we get to the root of the waste problem. Which waste minimisation and waste recycling options must be implemented to solve the problem.
- Does Vienna need additional waste treatment facilities to cope with the waste generated until 2010.
- Which treatment technologies are best suited to the specific local circumstances.
- Which waste treatment options should be chosen. How can the capacity of the existing facilities be optimised. What treatment capacities should the newly built facilities comprise.

The process started in 1999 and was completed in 2001. An integrated SEA was developed by "the round-table-SEA" (see Figure 2). This team consisted of members of: the relevant authority for waste management and environmental authorities, external waste management experts, and representatives of different environmental NGOs. The NGOs took part in the process as representatives of the public. They were called "the qualified public". The team worked together from the very beginning and came to a consensus in nearly all aspects on the best solution for the capital's waste management*.

Insert Figure 2: the 'round-table-SEA' for the Viennese waste management plan

Insert photograph: the 'round table' at work

The issue of siting new waste management facilities was explicitly excluded from the discussions. The goal was to first clarify the needs and the technologies, and to subsequently try to find appropriate sites for the necessary facilities. The waste management plan does, however, recommend basing the siting procedure on a consensual approach. In December 2001, the political decision concerning the waste management plan was made - the Vienna City Council followed the recommendations of the 'round table'. One year later, the first measures of the plan were implemented. It remains to be seen, whether all recommendations will become a reality, but the experiences demonstrated that mediated SEA was a way forward.

Outline of the contents of the Viennese Waste Management Plan

- Waste minimisation and material recycling: Vienna should step up its efforts to improve the quality and reduce the quantity of waste. The goal is to significantly cut down on the growing quantities of wastes to be treated and their pollutant concentrations. A budget of €5 million per year should be spent on further waste avoidance measures.
- Fermentation plant: the ground needs to be prepared for the construction of a biogas facility that is capable of processing 25,000 tonnes of fermentable waste.
- New waste incineration plant: Vienna should build a new incinerator with 450,000 tonnes per annum capacity. One old incinerator shall be shut down. The existing sorting and processing plant shall cover the necessary extra capacity needed in case of a breakdown.
- All facilities should be regularly refurbished in compliance with current technical and economic requirements.
- A monitoring group shall be formed, whose task will be to keep an eye on the successful implementation of the Viennese Waste Management Plan.

Second attempt at a mediated SEA: urban and transport development in the North-east region of Vienna

A second mediated SEA has been started in Vienna on urban and transport development in the North-east region. This round-table SEA is currently active and is planned to be completed by the end of 2002. This time the group of public representatives, known as "qualified public" has been enlarged: besides environmental NGOs, the chambers of labour, commerce and industry and agriculture are taking part along with local politicians. And in order to enable the wider public to participate, a web page is available in the German language - see <http://www.wien.gv.at/stadtentwicklung/supernow/>. At least two large public meetings are planned to inform interested people and to allow the public to meet their representatives, the "qualified public" in the round-table. The aim here is to make SEA even more suited to public participation. This combination is illustrated in Figure 3.

Insert Figure 3: Stakeholder and public participation in an SEA for urban and transport development in the North-East region of Vienna

Conclusions

These two practical experiences show that mediated SEAs help to successfully integrate environmental aspects into policies, plans and programmes, they also help to find a balance between the interest groups concerned. Mediation could perhaps be the key to effective use of SEAs in daily planning practice. A representative of an Austrian environmental-NGO has stated that Vienna's model of mediated SEAs is one of the most innovative planning instruments to have been used in Austria. We will see if we succeed in convincing more people of the value of mediated SEAs as we seek to find the path called sustainable development.