

# **Is there need for Strategic Environmental Assessment to improve the quality of planning decisions?**

## **A study of the early stages of SEA in the Lazio and Veneto Regions.**

**Alessandro Rinaldi**

PhD Student

Dipartimento di Pianificazione, Design, Tecnologia dell'Architettura - Sapienza Università di Roma  
Via Flaminia, 72 - 00196 - Rome, Italy – [alessandro.rinaldi@uniroma1.it](mailto:alessandro.rinaldi@uniroma1.it)

### *ABSTRACT*

*This paper summarizes an early part of a wider research project on decision making and Strategic Environmental Assessment (SEA) processes. The screening phase of EA has been explored very little even though it represents the starting point of decision making about SEA. Activities in the Lazio and Veneto regions were investigated and evaluated. This study highlighted that generally neither Lazio nor Veneto subjected their plans and programmes to SEA. This tendency is also confirmed in cases where many critical elements exist and also when some relevant institutional opinions have certified the need for evaluation. The results reveal that, in this way, Strategic Environmental Assessment appears as a planning tool which is considered marginal for sustainable development aims.*

## **INTRODUCTION**

This paper summarizes a part of a wider research project on Decision making and Strategic Environmental Assessment (SEA) processes. The aim is to understand administrative behaviour in relation to SEA. For this reason, the screening phase and the relative decisions enacted by two Regions, Lazio and Veneto, were analyzed. Both Lazio and Veneto have subjected a very limited number of plans to SEA. This aspect is also confirmed in cases where many critical elements exist, and also when some relevant institutional opinions have certified the need for evaluation.

The SEA was introduced in the European Union in 2001 with the Directive 2001/42/EC.

However, many SEA researches have arisen before 2001. At the beginning, a group of scholars focused on decision making within the SEA process (Kørnø and Thissen, 2000; Nilsson and Dalkmann, 2001; Nitz and Brown, 2001). From these studies has derived the current debate on effectiveness of SEA (Cashmore et al., 2004, 2010; Herrera, 2007; Hilding-Rydevik and Bjarnadóttir, 2007; Jha-Takur et al., 2009; Kontic and Kontic, 2012; Retief, 2007; Runhaar and Driessen, 2007; Stoeglehner, 2010). Furthermore, another group of academics has compared environmental evaluation with planning theories (Lawrence, 1997, 2000, 2001). Many authors have pointed out the linkages between urban planning and environmental evaluation. All of these lines of research have one final objective to show how the SEA could improve the quality of planning decision making (Aschemann, 2004; Fischer, 2003; Partidário, 2000; Runhaar, 2008; Runhaar and Driessen, 2007; Sheate et al., 2003; Théritel and Minas, 2002). Nevertheless, the analysis of administrative behaviour regarding SEA is still weak.

In Italy the SEA has not achieved good results, above all concerning its integration with urban planning. The expected innovation was not realised in this country. Many critical issues are still open and they are related to the decision sphere.

This work will investigate the first phase of decision making in the SEA context: the screening phase. This part has been explored very little even if it

represents the starting point of decision making about SEA, and it shows administrative behaviour.

The analysis considers the decisions enacted by two Regions in 2011, 2012 and 2013. These concern urban plans or programmes which contain relevant territorial transformations. In Italy the normative evolution about strategic environmental assessment started in 2006 with the National legislative decree (D. Lgs.) n. 152 and it concluded in 2010 with the D.Lgs. n. 128. This phase was considered necessary for the development of the method and enhancement of the process. For this reason, the only laws to be examined were those of 2011, 2012 and 2013, that is the years where the technical evolution could be considered mature.

Moreover, to select the cases to be examined a stock of relevance indicators was defined and used to choose those plans or programmes which presented peculiar features and problems. The aim of this study is to remove all doubts about the necessity or not of environmental evaluation, basing its assumptions on sustainability targets proposed by European bodies.

The analysis of these acts has permitted the definition of a first profile on how the public administration operates. The results highlight how administrations prefers not to subject their plans to SEA. This is also the case when there are all the characteristics defined in the normative acts. In this way, the Regions elude the law. This behaviour emphasized the uncertainty about the real usefulness of the SEA. The principal doubts concern the nature of this type of decision. Perplexity increased when the reasons indicated by the administrations to exclude the SEA were analysed. In fact, these are mainly citations of national and regional laws.

The dynamics of decisions examined in this paper could be further analysed in future phases of the research.

This work is structured in five parts. Following the introduction, the second section presents a summary of experiences of SEA research and the decision making process. Subsequently, the methodology which was used to prepare this paper is explained. Section 4 shows the results with the help of four synthesis tables. The last part contains a final comment where possible

future research lines about the topic are introduced.

### **SEA AND DECISION MAKING: THE ITALIAN CASE**

Strategic Environmental Assessment is considered the principal tool for the management of the environmental impacts of urban plans or programmes (Directive, 2001/42/EC). Urban planning is one of the most relevant application fields. In this context SEA should support the decision makers to integrate the environmental issues within the decision making process, like economic and social issues (Fischer, 2007; OECD, 2006; Chaker et al., 2006; Sadler and Verheem, 1996; Therivel and Partidario, 1996; Therivel, 1992). SEA was introduced with Directive 2001/42/EC. The Directive was translated in the European countries at different times (Dalal-Clayton and Sadler, 2005). In this way, different models were produced in order to carry out the application and results in each national context.

All SEA approaches developed in European countries have in common the relationship with the decision making process. This feature is central in the broad literature on the topic (Jha-Takur et al, 2009; Stoeglehner et al, 2009; Hilding-Rydevik and Bjarnadottir, 2007; Runhaar and Driessen, 2007; Ascherman, 2004; Emilson and Tyskeng and Carlsson, 2004; Garano and Zoppi, 2003; Balfors and Schmidtbauer, 2002; Nilsson and Dalkmann, 2001). In relation to links between plans and SEA, the connection should be developed at the same time as the plan preparation, as explained in the Directive. But this link could be realized only if SEA is prepared at same time as the plan.

From this point of view, transparency could be a very important element to improve the quality of the process.

In fact, Strategic assessment could limit the grey areas which are present in the shaping phase of decisions (Bonifazi et al., 2011; Kjørnøve Thyssen, 2000). However, this characteristic is also one of the main limits for the correct application of this tool. This conflict occurs in the planning process, which can be “fuzzy” (AAVV, 2005; Therivel e Partidario, 1996; Therivel, 1992). This phenomenon is also evident in Italy (Scattoni and Falco, 2012; Fischer and Gazzola, 2006) and it could only be reduced if SEA is developed in the correct manner.

The Italian situation presents some critical aspects that could be derived from the Directive’s translation into national law. In fact, the inclusion of

SEA in Italy was carried out late (Wood and Dejeddour, 1992; Bonifazi et al., 2011; Jha-Thakur et al., 2012) and in an incomplete manner (Garano and Zoppi, 2003; Garano, 2004; Zoppi, 2008).

The study of critical aspects of Italian SEA has been the subject of analysis in depth by Fischer (2007) and Fischer and Gazzola (2006). The principal issues were on participation (Zoppi, 2008; Bonifazi et al, 2011) and the phase of creating alternatives (De Montis, 2013). These elements are absent in almost all SEA procedures.

In relation to the screening phase, studies are very limited, above all with the focus on the decision making rather than the technical sphere.

The SEA process presents many decision phases where decision makers of different hierarchy levels make choices. At this stage, some conflicts could often arise and these could represent a problem or an opportunity to improve the process. Unfortunately, these often simply represent an additional problem. The institutional organisms which can approve the SEA differ from region to region in Italy; two are the most relevant legislative bodies in Italy, the National and Regional Parliaments. In reference to SEA normative, and in general in relation to the planning system, National law defines the basic line. In each region there are specific requirements which determine in detail the contents of planning procedure. The SEA is subject to these regional norms.

For this reason, the institutional organism which can approve the SEA changes from region to region. In some cases, this authority is conferred on the region whereas in other cases it is the province which approves the SEA of a town plan.

The procedural models adopted by public administration for SEA are reflected in the cognitive models developed by Simon (1947). According to them, there is a tendency to use similar approaches for similar cases, when they have proved to be successful. However, this method is weak in relation to its response to local and specific issues. This perspective is most commonly adopted for SEA. It is difficult to reach the optimal solution in this way, since if on the one hand it reduces the complexity of the process, but on the other it avoids the consideration of the specific elements which are typical of each context.

As a result the innovative character of SEA is eliminated. Thus the SEA becomes only the extension of EIA.

## **METHODOLOGY**

The acts enacted by two regions, Lazio and Veneto, have been considered in this study. Both regions can make decisions in relation to SEA procedures. The years 2011, 2012 and 2013 were considered to review the SEA procedures. In Italy the legislative evolution regarding strategic environmental assessment started in 2006 with the legislative decree n. 152 “Norme in Materia Ambientale” and was concluded in 2010 with the legislative decree n. 128 “Modifiche ed integrazioni al decreto legislativo 3 aprile 2006, n. 152, recante norme in materia ambientale, a norma dell'articolo 12 della legge 18 giugno 2009, n. 69”. This period was considered necessary to develop the method and to enhance the process.

At a second stage, a set of indicators was created in order to choose the practices of SEA that have been evaluated in this paper. These indicators were used to select only those plans which present considerable transformations in terms of scale or for their relative impact on the surrounding territory. These indicators are:

- an area larger than 100.000 square metres. This size indicates a transformation which certainly impacts on the environmental, social and economic balance of the city.
- it is a Town plan (Piano Regolatore Generale), therefore affecting all parts of the city's territory and its different functions.
- the plan is related to a site included in the list of “Natura 2000 Network”(Directive Habitat, 92/43/EEC). This feature highlights an extremely environmentally sensitive territory.
- the designation of the plan or programme for industrial functions and uses with a high risk of environmental impacts.
- there are opinions of Institutions which certified problems with either the water, geological and/or hydro-geological systems. There are specific institutional opinions which require that the SEA procedure be applied.

The actions of the Regions, with respect to the screening phase of SEA, were taken into consideration in this study when at least one of the indicators above is present.

The subject for analysis concerns the opinions on the screening phase produced by two Regions in the years 2011-2012-2013. In this period the Lazio Region produced 86 of these, while there were 62 for the Veneto Region. 12 SEA opinions for the Lazio Region and 8 for the Veneto Region were selected by means of the indicators described above.

The environmental characteristics, the decisions in relation to whether the plan should be subjected to the SEA and the reasons for this decision were all analysed.

The presentation of the results is organised in two parts: in the first part, the administrative behaviour regarding SEA is discussed; in the second, the reasons for sustaining these choices were taken into consideration.

#### **ANALYSIS OF RESULTS: TWO CASE STUDIES**

The analysis of the institutional opinions has highlighted that the two Regions prefer not to subject their plans or programmes to the SEA procedure. This decision was taken even if many critical issues were present. Such elements are defined in the opinions produced by the Regions for the SEA screening phase.

Moreover, this kind of decision has not been supported by sound technical motivations.

#### **Lazio Region**

Lazio Region has made compulsory the implementation of the SEA only for 33% of the examined cases (See Table 1). In detail, the plans which were subjected to SEA are only 4 out of a total of 12. These often present a very critical situation:

- The “Variation of Zone of the Detailed Plan” in the Municipality of Rome, the “Town Plan (Piano Regolatore Generale) Variation to build the aquatic centre” in the Municipality of Aprilia as well as the “Integrated Programme Grotte Porcella” in the Municipality of Frascati present many problems regarding both the hydro-geological system and the air and water matrix. Moreover, some institutional bodies which are present in the process have declared the need for SEA.

- The situation of the “Variation of Detailed Plan” in the Municipality of Pomezia is different. In this case, the SEA was carried out due to many deficiencies relative to the Preliminary Environmental Report. In synthesis the ARPA (Regional Agency for the Environmental Protection) certified the absence of a correlation between the environmental report with the higher environmental plans; the Lazio Region claimed the lack of the economic, environmental and demographic motivation to use new land.
- The elements highlighted in these 4 SEA procedures show an extremely critical situation. Similar issues, however, are present in the other 8 cases examined which were not subject to SEA, as can be seen below in Table 1.

City Council	Type of Plan	Ar>10ha	Town Plan	Natura 2000	Industrial Settl.	Hydro-geol.	Other issues	Result
1 Roma	Variation of zone of the Detailed Plan	Yes	No	No	Yes	Yes	Many institutional opinions have certificated the need to subject the plan to SEA	Subjected
2 Aprilia	Town Plan (PRG) Variation to build an aquatic park	Yes	Yes	No	No	Yes	A lot of problems with air, aquatic and soil matrix	Subjected
3 Pomezia	Variation to Detailed Plan “Martin Pescatore”	Yes	No	No	No	No	Heavy deficiency on Preliminary Environmental Report for ARPA, Province and Region	Subjected
4 Cisterna di Latina	Complex Programme for Productive activity	Yes	No	No	Yes	Yes	Site of programme is an old explosives deposit	Not subjected to SEA with recommendations
5 Colferro	Special Variation for the recovery of spontaneous settlements	Yes	No	Yes	No	No	There is a weapons factory near to the site. In this area there are also archaeological constraint	Not subjected to SEA with recommendations
7 Fiumicino	Integrated Programme for Focene Nord	Yes	No	Yes	No	Yes	The MIBAC (Ministry of Activity and Cultural Heritage) has required the SEA for the plan, the ARP (Parks Regional Agency) has highlighted many problems.	Not subjected to SEA with recommendations
9 Guidonia Montecello	Recovery plan for spontaneous settlements	Yes	No	No	No	Yes	Context with high environmental sensitivity	Not subjected to SEA with recommendations
10 Tarquinia	Parcelling Plan for Marina Velca	Yes	No	No	No	Yes	High Archaeological risk	Not subjected to SEA with recommendations

Table 1: Analysis of the opinions of the Lazio Region (continue) - Source: personal presentation of data published on website of Lazio Region

City Council	Type of Plan	Ar>10ha	Town Plan	Natura 2000	Industrial Sett.	Hydrogeol.	Other issues	Result
12 <b>Guidonia Montecelio</b>	Detailed Plan for Colle Giannetta	Yes	No	No	No	Yes	Serious problems for the Province, Region and ARPA (Regional Association for Environmental Protection)	Not subjected to SEA with recommendations
10 <b>Valmontone</b>	Productive Settlements Plan for the locality of Colle Mura	Yes	No	No	Yes	Yes	Problems for ARPA and ATO2 (hydro facilities)	Not subjected to SEA with recommendations
11 <b>Marino</b>	Integrated Programme for Intervention "Ecovillage"	Yes	No	No	No	Yes	Problems with air and aquatic matrix for ARPA, problems in relation to Appia Antica Park for the Province.	Not subjected to SEA with recommendations

Table 1: Analysis of the opinions of the Lazio Region - Source: personal presentation of data published on website of Lazio Region

All developments concern an area larger than 10 hectares, an element which denotes a highly significant urban transformation for their council's territories. Moreover, other common problems were observed. In fact:

- All plans reveal problems with the water system. In relation to the "integrated programme" for the Municipality of Marino, the "Authority of Basin" has recommended the need for a preliminary test for the availability of water. Furthermore, the same authority had underlined that the "Complex Programme" of the Municipality in Cisterna of Latina was located in "Critical Area (AC12)", as specified in Regional Norms about the water basin (Lazio Region, 2009).
- Both "The Variation" of Municipality of Colferro and "the Integrated Programme" of Fiumicino interfere with the primary connection of Provincial Ecological Network (REP) (PTCP, 2010). Moreover, they are located in proximity to sites protected by "Natura 2000 Network", as explained in a Habitat Directive (Directive 92/43/ECC). In addition, "the Variation" of Colferro is located inside the clear zone (type of development constraint) of a weapons factory.
- The "Integrated Programme" of Fiumicino, the "Detailed Plan" of Guidonia Montecelio and the "Plan for Productivity Settlements" of Valmontone had most negative reviews from the Institutional organisms. In relation to the "Integrated Programme" of Fiumicino, even the Ministry of Activity and Cultural Heritage (MIBAC) highlighted the need for a SEA for this Programme.

The situation of Lazio Region appears very confusing. The majority of procedures analysed were not subjected to SEA, even when there are many problems certified by specialized bodies. As shown in Table 2, the same laws, regulations and prescriptions were applied in almost all plans examined and deemed sufficient by the competent regional authorities. They can be summarized as follows:

- All plans have to respect the provisions indicated in the Ministerial Decree 1444 of 1968 (Italian Government, DM 1444/1968), with the exception of “Integrated Programme” in the Municipality of Fiumicino;
- All plans have to respect the Regional Environmental laws, with the exception of “Parcelling Plan” of Marina Velca (Tarquinia);
- All plans have to respect the law on energy saving buildings, with the exception of the “Parcelling Plan” of Marina Velca and the “Recovery Plan for the spontaneous settlements” of Guidonia Montecelio;
- For the plan of the Municipality of Colferro it was recommended to respect the protection guidelines allowed in the Special Area Protection (SAC, Habitat Directive 95/43/EEC) which is situated near to plan's site;
- All plans have to respect the provisions of the Air quality Plan of Lazio Region, with the exception of the programme in Cisterna of Latina Municipality.
- Regarding the plan of the Municipality of Valmontone, Tarquinia, Colferro and in the programmes of Cisterna di Latina and Fiumicino, a preliminary assessment of the water needs was required.

	DM. 1444/68	Regional Normative	Preliminary Report	Natura 2000	Energy Saving Normative	Air Quality Plan	Preliminary Assessment of water needs	Other issues
<b>Complex Programme – Cisterna di Latina</b>	Yes	Yes	Yes	No	Yes	No	Yes	Put right the local viability
<b>Special Variation - Colferro</b>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
<b>Integrated Programme - Fiumicino</b>	No	Yes	Yes	No	Yes	Yes	Yes	Mitigation actions for airport noise and Archaeological analysis in depth

Table 2: Analysis of recommendations of SEA Opinions of Lazio Region (continue) - Source: personal presentation of data published on website of Lazio Region

	DM. 1444/68	Regional Normative	Preliminary Report	Natura 2000	Energy Saving Normative	Air Quality Plan	Preliminary Assessment of water needs	Other issues
Recovery Plan - Guidonia Montecello	Yes	Yes	No	No	No	Yes	No	Upgrade of the light system, increase the accessibility for disadvantaged people, maintaining the views
Parcelling Plan - Tarquinia	Yes	No	No	No	No	Yes	Yes	Preliminary archaeological assessment, make a time-programme
Detailed Plan - Guidonia Montecello	Yes	Yes	No	No	Yes	Yes	No	Fix light system, sidewalk at the limits of the streets, maintaining the views
Plano of Productive Settlements - Valmontone	Yes	Yes	No	No	Yes	Yes	Yes	Adequate light system, management plan for green areas, ask opinions to Superintendence
Integrated Programme - Marino	Yes	Yes	No	No	Yes	Yes	No	Adequate light system, archaeological analysis

Table 2: Analysis of recommendations of SEA Opinions of Lazio Region - Source: personal presentation of data published on website of Lazio Region

In addition to the common measures, there are also some specific regulations for each programme or plan. Even in this case it is possible to point out recurring elements. We can highlight the need to upgrade the street lighting system, the conservation of the landscape views and the creation of better pedestrian walkways in the streets.

The recommendations expressed by the Regional offices contributed to increase the uncertainty on the nature of decisions. In fact, the majority of these are either national or regional law or an act of the same value. Therefore, every plan or programme has to already respect these bodies.

Moreover, the preliminary assessment of the water requirement, even if it is not specified in law, it should be good practice within the design phase. It is difficult to understand how these could improve the quality of the decision, and in general reach the objectives of sustainable development.

### Veneto Region

The Situation of Veneto Region is similar to that of Lazio. In fact, the SEA was adopted only in cases in which many serious critical aspects were highlighted. Among the evaluated procedures, strategic environmental

assessment has been applied only in one case (See Table 3). In detail:

- the plan “Principal Hub of Veneto mobility: the strategic project of the eastern entry” was located in a highly environmentally sensitive territory. This characteristic was noted by all the authorities which were involved in the process. For this reason, they pointed out the necessity of SEA for the plan. In particular, the “Authority of Basin” specified that the plan has to be subjected to SEA; the ARPAV (Regional Agency for Environmental Protection of Veneto) underlines that in the Environmental Report there is not adequate information to evaluate environmental impacts. Furthermore, the Agency points out that the site is located near areas protected by the Habitat Directive. Also, the ARPAV demands to subject the plan to strategic environmental assessment. In addition, the Regional Direction for the Cultural and Landscape Heritages recommended a preliminary evaluation of the archaeological state as extremely necessary.

City Council	Type of Plan	Ar>10ha	Town Plan	Natura 2000	Factory Settl.	Hydro-geol.	Other issues	Result
13 Padova-Venezia	Hub of Veneto mobility: the strategic project of eastern entry	Yes	No	Yes	No	Yes	Many opinions which certify the environmental risks and possible impacts	Subjected to SEA
14 Castelfranco Veneto	Variation of Town Plan (PRG) for the Plan of Alienation and Appreciation of Real Estate, Triennium 2012-2014	No	Yes	No	No	No	Some buildings are protected from MIBAC (Ministry of Activity and Cultural Heritage) constraint	Not subjected to SEA with recommendations
15 Erbezzo	Variation of Town Plan (PRG) for the Plan of Alienation and Appreciation of Real Estate, Triennium 2012-2014	No	Yes	No	No	No	Some buildings are listed in MIBAC (Ministry of Activity and Cultural Heritage) constraint	Not subjected to SEA with recommendations
16 Caprino Veronese	Variation of Town Plan (PRG) for the Plano of Alienation and Appreciation of Real Estate, Triennium 2012-2014	No	Yes	No	No	No	Some buildings are listed in MIBAC (Ministry of Activity and Cultural Heritage) constraint	Not subjected to SEA with recommendations

Table 3: Analysis of the opinions of the Veneto Region (continue) - Source: personal presentation of data published on website of Veneto Region

City Council	Type of Plan	Ar>10ha	Town Plan	Natura 2000	Factory SettL	Hydro-geol.	Other issues	Result
17 Venezia	Recovery Plano of Isle Santo Spirito	No	No	Yes	No	Yes	The context of Lagoon of Venezia presents a high environmentally sensitive. There are 2 Sites of Community Interest and 1 Special Area Protection (SAC)	Not subjected to SEA with recommendations
18 Jesolo	Urban Implementation Plan "orizzonte verde"	Yes	No	Yes	No	No	Many opinions which certify the possible impacts	Not subjected to SEA with recommendations
19 Belfiore, Caldiero, Cologno ai Colli, Lavagno	Variation to PATI (Plan of Territorial Arrangement of Inter-City)	No	Yes	No	No	No	Opinion ULSS (Social Health Local Unit)	Not subjected to SEA with recommendations
20 Caorle	Urban Implementation Plan- Nautical Centre Sansonessa	Yes	No	No	Yes	Yes	Already subjected to EIA (Environmental Impact Assessment, Directive 85/337/EEC)	Not subjected to SEA with recommendations

Table 3: Analysis of the opinions of the Veneto Region - Source: personal presentation of data published on website of Veneto Region

In regard to the seven cases which were not subjected to SEA, relevant critical aspects were pointed out, as described in Table 3:

- The "Variation of Town Plan (Piano Regolatore Generale) for the Plan of Alienation and Appreciation of Real Estate (Piano di alienazione e valorizzazione del mercato immobiliare), Triennium 2012-2014" of the City Councils of Castelfranco Veneto, Erbezzo and Caprino Veronese represent a singular case compared to the other procedures taken into consideration. In fact, these plans have fewer problems with regard to the environment and landscape. However, they represent a typical case described in the SEA Directive because there is a strong interaction between the three dimensions of sustainable development: environmental, economic and social.
- The "recovery plan" for the Isle in Santo Spirito of Municipality of Venezia represents another extreme case. In fact, the plan is located in a very environmentally sensitive zone, characterized by the presence of SCI (Sites of Community Importance) and SPA (Special Protection Area).
- There is similar situation for the plan "Orizzonte Verde" of the Municipality of Jesolo which interacts with three areas protected by "Natura 2000 Network" (Habitat Directive, 92/43/EEC). The level of sensitivity is further increased by the scale of transformation that

is about 613.000 square metres. Moreover, the Municipality of Eraclea has highlighted that a buffer zone between the plan and the SCI (Site of Community Importance) is missing. L'ARPAV (Regional Agency for Environmental Protection of Veneto) has indicated the lack of an adequate study on the acoustic impacts. In addition, the Province of Venice has asserted that:

- it is not possible to define the boundaries of the plan. This could be a limit for the preparation of a correct analysis.
- some works could be subjected to EIA (Environmental Impact Assessment, Directive 85/337/EEC)
- the plan did not consider the similar development in the territory of Eraclea which is located on the other side of River Piave.
- the planned development could represent a barrier between the inland environment and the mouth of River Piave.
- the "Variation to PATI" (Plan of Territorial Arrangement of Inter-City) of the district set up by four City Councils and the "Urban Implementation Plan" for Nautical Centre Sansonessa (Caorle) have less critical aspects than the cases described above. In fact, even if there are opinions which indicate the need for SEA, the PATI has influence on a more restricted territory. The plan for the nautical centre in Caorle, instead, is more similar to a project than a plan and, furthermore, it was already subjected to EIA.

In relation to the analysis above, the prescriptions put into supporting the decisions appear more interesting.

Type of Plan	Preliminary Report	Establish Monitoring Plan	Environmental Incidence Assessment (art. 6, Directive 92/43/EEC)	Obtain new opinions in the implementation phases	No one prescription	Other issues
Variation of Urban Plan (PRG) for the Plan of Alienation and Appreciation of Real Estate, Triennium 2012-2014- Castelfranco Veneto	No	No	No	No	Yes	No
Variation of Urban Plan (PRG) for the Plan of Alienation and Appreciation of Real Estate, Triennium 2012-2014- Erbezzo	No	No	No	No	Yes	No
Variation of Urban Plan (PRG) for the Plan of Alienation and Appreciation of Real Estate, Triennium 2012-2014- Caprino Veronese	No	No	No	No	Yes	No
Recovery Plan of Isle Santo Spirito	Yes	No	No	No	No	Hold the recommendations contained in the opinion
Variation to PATI (Plan of Territorial Arrangement of Inter-City)-District of 4 City Councils	Yes	No	No	No	No	Integrate the Environmental Report with the recommendations contained in the ULSS opinion
Urban Implementation Plan "orizzonte verde"- Jesolo	Yes	No	Yes	No	No	Hold the recommendations contained in the opinion
Urban Implementation Plan- Nautical Centre Sansonessa - Caorle	No	Yes	No	No	No	Request any opinions on the archaeological and landscape situation

Table 4: Analysis of Prescriptions of SEA Opinions of Veneto Region - Source: personal presentation of data published on website of Veneto Region

These “justifications” differ from those of Lazio as they are not related to laws, neither regional nor national. In detail, as described in Table 4:

- the “Variation of Town Plan (PRG) for the Plan of Alienation and Appreciation of Real Estate (Piano di alienazione e apprezzamento del mercato immobiliare), Triennium 2012-2014”- of City Councils of Castelfranco Veneto, Erbezzo and Caprino Veronese do not have prescriptions because these plans do not cause impacts (as specified in the acts of the Veneto Region to justify the choices).

- the “Recovery Plan of Isle of Santo Spirito, the “Variation to the PATI” and the “Urban Implementation Plan” of Jesolo have presented a prescription only complying with the guidelines explained in the Preliminary Environmental Report. In addition, the Region has advised that these guidelines should be integrated with the measures which are specified in the opinion. Moreover, the plan of Jesolo has to develop an Environmental Incidence Assessment for the site protected under Natura 2000 Network (Directive Habitat, 92/43/EEC).
- regarding the Plan of Caorle, the Region has recommended that a monitoring plan should be carried out to limit the possible future impacts.

Veneto Region adopted a similar policy to Lazio Region in regard to SEA since the “motivations” showed to support the refusal do not help to clarify the nature of the decision. Some motivations described above are interesting in order to understand the administrative behaviour. For example, when the plan is situated inside a Site of Community Importance (SCI, Habitat Directive 92/43/EEC) it is compulsory, according to the Italian law, to develop an Environmental Incidence Assessment. The prescription is not integration but only a measure to adjust a mistake. However, it is even more curious to have a closer look to the “Variation of Town Plan (Piano Regolatore Generale) for the Plan of Alienation and Appreciation of Real Estate” of three City Councils. In fact, in this cases no consideration was given to the economic value and the relative developments generated by the sale and transformations of these spaces. Nonetheless, these cases appear as a lost opportunity to implement the SEA as a real expression of sustainable development, where all three dimensions are present: environmental, social and economic.

## **CONCLUSION**

This work has analysed in depth the first phase of the SEA and it attempted to understand how the Public Administrations behave in relation to this procedure. In detail, the activities of the screening phase of SEA of both Lazio and Veneto Regions were analysed. The results highlighted that a kind of “systematic rejection” exists about the application of SEA. Moreover, the observation of this trend offers a new perspective for the

study of the Strategic Environmental Assessment in relation with town planning in Italy.

This first stage of research focused attention on the relationship with the nature of decisions. In fact, generally the main focus of research on SEA has been the environmental report. On the contrary, the screening phase (which represents the fundamental early stage of the assessment) was investigated only in a few cases. However, a better understanding of this stage of the process can play a remarkable role in the analysis of the administrative behaviour.

To sum up, the application of the SEA took place only in a few cases where serious critical issues are present. In detail, the Lazio Region has submitted the “Variation of zone of the Detailed Plan” of Rome, “Town Plan (PRG) Variation to build an aquatic park” of Aprilia, “Variation to Detailed Plan Martin Pescatore” of Pomezia (see table 1). The decision about the first plan has been determined pursuing many recommendations by many institutions which have certified potential risks for the environment. Moreover, the plan presented criticism about the hydro geological condition. As regards the plan of Aprilia, the SEA submission has been decided because both the Environmental Report and Public Institutions' opinions have highlighted several problems related to air, water and soil matrix. Finally, the plan “Martin Pescatore” was submitted following the indications of ARPA, Province and Region which have argued a variety of deficiency in the Environmental Report. Anyway, the most interesting situation has regarded the “evaded” procedures (see table 2). Indeed, it was observed how these cases presented serious risks of impacts for the environment, like the previous three SEA analysed above. The prescriptions used to support these decisions seem to be very intriguing. The Lazio Region's recommendations turn out to be only a “wish” to respect norms and regulations, both at national and regional level. This appears as a paradoxical situation because the respect of the law should be natural in a society and a civil State.

In regarding to the Veneto Region, this has submitted only 1 plan of 8 analysed. The plan for the new Hub of Veneto mobility presented issues identified by different public institutions (see table 3). Nonetheless, the plan's location falls within a Habitat Directive protected site. The situation of the Veneto Region, with regard to the prescriptions for the 7 not submitted

plans, seems as confused as the situation for the Lazio Region. Indeed, the Region has principally recommended the respect of the guidelines defined in the Preliminary Environmental Report or the development of a monitoring plan. However, the uncertainty about these decisions remains because these measures were already provided by law. In fact, the normative bodies specify the mandatory nature of the lines identified in the Environmental Report (see table 4).

The situation of Veneto Region is different with regard to the prescriptions but it seems similar in relation to the results. In fact, the Region has recommended principally the respect of the guidelines defined in the Preliminary Environmental Report or the development of a monitoring plan. However, the uncertainty about these decisions remained because these measures were already provided by law. In fact, the normative bodies specify the mandatory nature of the lines identified in the Environmental Report.

That being so, the field of decision appears to be very confused. In fact, it is less clear the reason “why” the law is avoided and “why” the recommendations are only a kind of normative revision.

Above all, in this way a correlation between SEA and the sustainability objectives does not exist. The strategic Environmental Assessment appears as a worthless tool for planning in Italy, despite living in the sustainable development era.

However, this situation might inspire many possible research projects in order to investigate the reasons for this administrative and political behaviour. In detail, some research questions have been formulated to structure further analysis:

- Could the SEA improve the transparency of the planning process? Could this tool become a threat for the "hidden negotiation character" which is present in the town planning decision making process?
- Or, is there a learning problem? Could the perception of SEA as an extension of EIA represent a limit for the development of this tool?
- Finally, is it possible to state that the SEA is merely another procedure which increases the costs and the slowness of the bureaucratic machine?

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