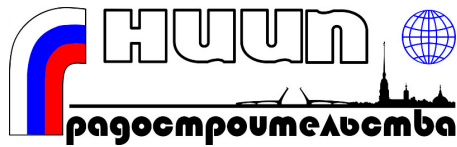




Leibniz-Institut  
für ökologische  
Raumentwicklung



# Integrating ecological concerns into Russia's territorial planning (EkoRus)

– Short report on an advisory assistance project –



Bundesministerium  
für Umwelt, Naturschutz,  
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МИНИСТЕРСТВО  
РЕГИОНАЛЬНОГО  
РАЗВИТИЯ  
Российской Федерации

# **Development of proposals for the integration of ecological concerns in the Territorial Planning system of the Russian Federation (RF) basing upon German experiences in spatial and environmental planning (EkoRus)**

## **Short Title: Integrating ecological concerns into Russia's territorial planning**

- Short report on an advisory assistance project -

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## **Integrating ecological concerns into Russia's territorial planning**

In recent years there have been a number of political initiatives aiming to realign the spatial (territorial) planning system in Russia, for example by establishing environmental risk and impact assessments for plans and infrastructure projects. These efforts have been supported by a bilateral agreement of 1992 between the Federal Republic of Germany and the Russian Federation (RF) ensuring cooperation in the field of environmental protection. The agreement has initiated pilot projects in several regions of the Russian Federation conducted with German assistance (e.g. Lake Baikal and Altai region). Such efforts have already proved successful: Russian planning institutions are now developing their own planning schemes and concepts for other parts of the country, aiming to incorporate ecological concerns in the framework of territorial planning. However, there remain serious deficiencies regarding the legal and administrative integration of such environmental planning approaches in Russia's territorial planning system.

To resolve this deficit, German and Russian experts in the field of spatial planning have developed a number of practical proposals with the goal of embedding ecologically-oriented approaches in Russian territorial planning. The expert team focused on legal, methodological and technical aspects of planning as well as concepts for implementation. By means of a comparative analysis of the two legal systems, the experts investigated how ecological concerns are already recognised in spatial planning in Germany and Russia, and went on to derived modifications for the Russian system. Furthermore, they investigated how protected public goods (e.g. soil, water, and climate) and different forms of land use (e.g. agriculture, settlements and infrastructure) are dealt with in the planning systems. The examination of methodology encompassed planning levels, planning tools, the process of spatial planning as well as issues regarding participation and involvement. The foundations for strategic environmental assessment and for the evaluation of major infrastructure projects were developed in another project module.

The expert team presented the results as a series of guidelines: (1) on environmental subjects of protection and the environmental impacts of land use, (2) on the handling of environmental concerns in planning processes, (3) on Strategic Environmental Assessment (SEA), and (4) on environmental monitoring and the provision of environmental information. All results were placed at the disposal of the Russian Ministry for Regional Development (MinRegion), where they serve as an impulse for a number of short-term legislative initiatives aiming at a better consideration of ecological concerns in Russia's territorial planning. Furthermore, MinRegion was involved in the preparation of the draft bill "On the revision of the federal law 'On Environmental Protection'", adopted on July 8, 2014 ([http://www.mnr.gov.ru/news/detail.php?ID=134680&sphrase\\_id=461052](http://www.mnr.gov.ru/news/detail.php?ID=134680&sphrase_id=461052)).

Spatial and environmental planners must reconcile the needs of society with ecological and economic concerns. Both Germany's "Raumplanung" and Russia's "Territorialnoje Planirovanije" aim to achieve balanced and sustainable development while recognizing that ecological concerns must be given due weight.

Whereas Germany has adopted a complex planning approach, the scope of the Russian territorial planning system is largely restricted to the siting of investment projects. This can be attributed to the country's rapid transition from a communist system with a centralized economy to a capitalist market-based system in which growth and competition are the governing principles. In such a context it is obvious that the main aim of territorial planning became to foster construction and the

realization of megaprojects. Even though Russian's population density is much lower than Germany's and the country has much greater reserves of open space, land use conflicts have quickly arisen in agglomerations and regions with rich natural resources. Therefore territorial planners face new challenges which can hardly be resolved with the available instruments.

In view of the fact that territorial planning in Russia has, in recent years, been largely directed at construction (the siting of investments), the following *recommendations* aim to refine developmental goals to take account of natural and environmental protection. The Russian project partners have underlined the value of legal and practical experience provided by Germany in improving territorial planning in Russia, particularly in the fields of environmental and landscape planning, strategic environmental assessment and the integration of environmental goals into spatial planning schemes. At the same time it must be acknowledged that there are also a number of traditions and potentials in the Russian system of territorial planning which can serve as a basis for further development.

### **Legal embedding of environmental and natural protection in spatial planning**

While environmental concerns are already considered at a local level in regard to the siting processes of investment projects, there is no consistent acknowledgement of individual environmental issues and functions (such as soil and climate) in territorial planning in Russia. The basic elements of the country's planning schemes must therefore be broadened to provide a more complex planning approach. Up to now the content of planning schemes has been limited to questions of investment and infrastructure in areas such as transport, security and defence, energy, higher education and public health. In the future, basic environmental and natural protection goals should also be anchored in the respective sectoral legislation and specified by the responsible authorities. In this way such goals can be incorporated into complex schemes of environment and natural protection.

### **Integration of environmental planning in territorial planning**

Sectoral environmental planning schemes should be systematically integrated into territorial planning schemes. The precondition for such a step is the transfer of environmental regulations (which can be found in various sectoral laws) into urban planning legislation, for example through the integration of environmental planning goals into territorial planning schemes by the responsible authorities. As there is no firm basis for environmental planning in Russia comparable to German landscape planning, one option is to exploit the experience made in the USSR in the 1970s/80s of setting up "complex territorial schemes of natural protection" (TerKSOP) at the regional level and "complex territorial schemes of environmental protection" (TerKSOOS) at the local level. These schemes can be reactivated and transformed to meet current challenges. Using their technical and methodological principles, it should be possible to develop a general environmental assessment that encompasses all subjects of protection. Such an independent, autonomous environmental assessment could be integrated into territorial schemes. Of course these schemes, which previously only covered selected areas of the USSR, must be broadened and revised to take account of current ecological challenges and political objectives. This would also pave the way for a form of territorial planning that helps to reconcile different land use requirements and to reduce land use conflicts.

### **Strengthening environmental concerns through systematic concertation of planning levels**

To ensure that planning processes sufficiently take into account the needs of other planning levels, concertation is required, respecting the independency of public authorities at all levels of planning.

Sections 12, 16 and 21 of the Russian Urban Planning Act already consider the mutual coordination of planning levels similar to the German “counter flow principle” (Gegenstromprinzip). However, this is limited to the socio-economic and environmental impact of investment projects. The decision whether to undertake an environmental assessment of an investment project is taken by the public authority directly in charge, with little scope for effective legal challenge. In particular, planners at lower levels rarely influence the coordination processes at higher levels. To achieve a better consideration of environmental concerns at different planning levels, it is necessary to consider not only the subjects listed in sec 12 para 1, sec 16 para 1, sec 21 paras 3 and 4 of the Urban Planning Act, but all relevant subjects. Similarly, restrictions must be applied to the scope of decision-making, namely regarding the question of whether a concertation is necessary or not.

### **Consistent application of environmental subjects of protection at all levels of territorial planning and over entire territories**

The Russian Federation’s federal law “On environmental protection” defines the legal principles of governmental environmental policy, thereby providing a framework for issues of land-use that concern both society and nature by specifying environmental subjects of protection: fauna, the earth’s surface, soils, sub-soil layers, surface and ground water, forests and other flora as well as the earth’s atmosphere, including the ozonosphere and near-earth space. This concept bears a number of similarities to the German concept. However, in the Russian system environmental subjects of protection are restricted to certain levels and zones (natural protection areas, water protection areas, heritage areas, etc.). There are no mechanisms to establish a holistic assessment of environmental subjects of protection and no dedicated instruments to prioritise environmental goods.

To ensure that environmental concerns are considered nationwide, it is recommended to extend the fragmented environmental protection concept (based on “Areas of specific land use conditions”) to the full territory. This seems to be the only way to preserve environmental goods in the interest of society at large and to reduce negative impacts of land uses on the environment.

### **Introduction of strategic environmental assessment tools (SEA – the assessment of environmental subjects in planning schemes and programs)**

The goal of SEA is to avoid environmental risks and dangers by identifying environmental impacts of higher level spatial plans and programs on sustainable development at an early stage. In Germany environmental concerns are voiced during the initial planning phase. Using information on the state and development of environmental subjects, planning decisions are based on solid knowledge and a weighing of other spatial concerns. Although SEA does not yet exist in Russia, a legal initiative was launched in July 2014 to introduce this instrument. The draft version will enable the development of a complex system of environmental assessment of plans and programs in the Russian Federation. The recommendations of the EkoRus project support this endeavor.

Basically we recommend the integration of basic elements of SEA such as Screening, Scoping, Environmental Report and Monitoring into Russian law. Russian planners can base the new procedures on those of the previous environmental impact assessment (in Russia named “OVOS”), which are already applied to individual projects. Of course, attention should be paid to developing practical alternatives, namely environmentally-friendly solutions that can similarly achieve the goals of plans and programs.

## **Public participation**

The existing system of public participation at local level which is anchored in the Russian Urban Planning Act should be suitably extended to both the regional level (federal “subjects”) and the national level. Citizens, public authorities and private associations should be given the chance to participate in land planning decisions. Of course, this presupposes that the public is supplied with comprehensive information not only about local spatial plans but also regional and national planning goals. Moreover, legislative bodies should aim to involve all interested persons as well as those directly affected. Furthermore, it is recommended that participation be facilitated for non-profit associations, organisations and NGOs. Experience in Germany and elsewhere has shown that environmental concerns are more strongly voiced when public participation begins at an early planning stage and continues over the whole planning process.

## **Providing environmental information**

Spatial planners require a comprehensive base of information in order to be able to draft suitable planning schemes and to assess the environmental impacts of socio-economic development measures. For this reason many countries have in recent years developed environmental information systems to generate, store, process and provide environmental data in a spatial and temporal context. Russia is in the early stages of developing such a system.

It is true to say that environmental concerns will only be sufficiently considered in Russia’s system of spatial planning when a solid information base is available with high quality data (regarding precision, congruency with the scope of planning, topicality, dataset for the whole territory under planning – including neighboring areas, availability of metadata/descriptive data, data of former states – time series). Such information must be freely available, preferably online. Experiences made in Russia with the Federal Information System of Territorial Planning (FSIS TP; <http://fgis.minregion.ru>) could be used to help develop an environmental information system.

The EkoRus results are published in a series of guidelines:

- Comparative study on legal regulations regarding the consideration of ecological concerns in the German and Russian planning systems
- Guideline 1: The management of environmental subjects of protection and land use impacts in Russia’s territorial planning
- Guideline 2: The consideration of environmental concerns in planning processes in the Russian Federation
- Guideline 3: The handling of Strategic Environmental Assessment in the territorial planning system of the Russian Federation
- Guideline 4: Spatial monitoring and environmental information systems in Germany and implications for territorial planning in the Russian Federation
- Criteria for the selection of a model region in the Russian Federation