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SODELOVANJE JAVNOSTI PRI UMEŠČANJU PRENOSNIH DALJNOVODOV V PROSTOR

Povzetek

Električna energija je nujno potrebna za delovanje gospodarstva in zagotavljanje življenjskega standarda prebivalstva. Elektroenergetsko omrežje povzroča vplive na okolje, vpliva na družbeno sprejemljivost in ima ekonomske posledice. V referatu obravnavam težave pri sodelovanju javnosti ob umeščanju prenosnih daljnovodov v prostor, kot so neustrezna zakonodaja, premajhne možnosti javnosti pri pridobivanju informacij in za sodelovanje pri odločanju, varovanje okolja v škodo razvojnih potreb prebivalstva, prepozno vključevanje javnosti v postopke, nasprotovanje javnosti brez znanih razlogov in podajanja predlogov, skromne sposobnosti komuniciranja, sodelovanja in usklajevanja. Predstavljene so nekatere dosedanje dobre izkušnje. Podanih je nekaj možnih vzrokov za probleme, na primer slabe izkušnje v preteklosti, prepletenost javnih in zasebnih interesov, prepričanje v nemoč vplivanja na odločitve in pomanjkanje zaupanja. Na koncu referata podajam nekaj predlogov za izboljšanje sodelovanja.

Ključne besede: sodelovanje javnosti, elektroenergetsko omrežje, umeščanje v prostor

1 Uvod

Poleg vode in hrane je energija osnovna človekova potreba (Sanghvi, 2006). Električna energija ni le blago, temveč je nujno potrebna storitev, ki nima nadomestkov (Cooper, 2003). Njena uporabnost je raznovrstna, vendar je ni mogoče skladiščiti.

Elektroenergetsko omrežje povezuje elektrarne, kjer pretvarjamo primarno v električno energijo s porabniki. Pretvarjanje fosilnih goriv in jedrskega goriva v električno energijo je običajno blizu središč porabe in podrejeno potrebam potrošnikov. Ker so obnovljivi viri nizke gostote, časovno spremenljivi in odvisni od okolja, je treba graditi dodatne dele elektroenergetskega omrežja. Deli prenosnega omrežja so potrebni za delovanje enotnega trga električne energije v EU. Elektroenergetsko prenosno omrežje je ključna infrastruktura sodobne družbe in gospodarstva, ki mora biti v javnem interesu (Cooper, 2003). Pri umeščanju prenosnih daljnovodov je treba zadostiti mnogim zahtevam, pri čemer so si najpogostejše nasprotujoči interesi javnosti in varstva okolja. Procesi umeščanja le-teh trajajo v EU kot v RS v povprečju med 5 in 10 let, včasih celo več desetletij. Vzroki so vse večje zahteve varstva okolja, nasprotujoči si interesi deležnikov in nasprotovanje javnosti.

2 Dosedanje težave pri sodelovanju javnosti

Po ratifikaciji Arhuške konvencije v RS so bila v nekatere zakone dodana določila, ki so omogočala javnosti boljše obveščanje in sodelovanje pri odločanju. Zaradi neustreznega reševanja nasprotij, ki so nastopila pri sodelovanju javnosti v okoljskih zadevah, so veljavni zakoni zopet zmanjšali možnosti sodelovanja javnosti. Zakon o prostorskem načrtovanju (ZPNačrt) omogoča le eno javno razgrnitev in po eno javno obravnavo v vsaki občini. Zakona o varstvu okolja (ZVO-1) in o ohranjanju narave (ZON) pa zahtevata le javno razgrnitev.

Vlagatelji v infrastrukturo državnega pomena so omejeni pri vključevanju javnosti, ker zakonodaja ne predvideva obsežnega sodelovanja javnosti in ker državna uprava ne podpira teh aktivnosti ter ne posreduje pri usklajevanju. Vlaganja v sodelovanje javnosti brez zakonske podlage so obravnavana kot negospodarno ravnanje s sredstvi. Vlagatelji, ki imajo malo ali slabe izkušnje, so pogosto prisiljeni sami organizirati in voditi sodelovanje javnosti pri umeščanju novih objektov državnega pomena v prostor.

Državni organi ali od njih pooblašene institucije izvajajo in razlagajo zakonodajo o varovanju okolja in o ohranjanju narave tako, da omejujejo razvojne potrebe prebivalstva, pri čemer pogosto nimajo dokazov za takšne omejitve. Ti zagovarjajo stališče, da imata okolje in še posebno narava neskončno vrednost in da je najbolje preprečiti vse človekove dejavnosti. Takšnih stališč ne želijo predstaviti lokalnim skupnostim, ki jih takšne omejitve prizadenejo. V postopkih umeščanja uveljavljajo svoje zahteve z izdajanjem smernic, mnenj in soglasij, in to ne glede na nasprotovanje lokalnega prebivalstva. Pogosto se javnost pozno vključi v postopke umeščanja infrastrukturnih objektov v prostor. V več primerih kljub zgodnjemu obveščanju lokalne javnosti o načrtovanih posegih ta ne sodeluje. Prebivalci se ne zanimajo za dogajanje v svojem širšem bivalnem okolju. Javnost se pogosto vključi v postopke umeščanja infrastrukture na podlagi opozoril posameznikov, katerih interes je s posegom ogrožen. Običajno javnost nasprotuje posegu, pri čemer ne obrazloži razlogov. Le izjemoma javnost podaja predloge rešitev, če pa jih poda, so ti običajno na račun sosednjih lokalnih skupnosti. Ena od težav je tudi malo izkušenj, ob tem pa še skromne sposobnosti komuniciranja, sodelovanja in predvsem usklajevanja vseh, ki sodelujejo pri umeščanju infrastrukture državnega pomena v prostor.

3 Nekaj primerov dobre prakse pri sodelovanju javnosti ob umeščanju prenosnih daljnovodov v prostor

Pri umeščanju prenosnih daljnovodov v prostor smo si v preteklosti pridobili več pozitivnih izkušenj. Kljub majhnim zahtevam v zakonodaji smo v več primerih izvedli obsežnejše obveščanje lokalne javnosti. Koristno ocenjujemo tudi anketiranje prebivalcev, ki živijo v bližini tras načrtovanih prenosnih daljnovodov. Na nekaterih območjih smo opravili več skupnih ogledov s prebivalci in predstavniki interesnih skupin in na podlagi teh ogledov skupaj določili traso. Pogosto so zainteresirani sklicevali srečanja in obravnave, ki smo se jih v največji možni meri tudi udeleževali.

Pripravljavcem državnih lokacijskih načrtov smo predlagali daljše javne razgrnitve, kot to zahteva zakonodaja, kar je bilo upoštevano in koristno. Predloge, ki so bili podani na javnih razgrnitvah in javnih obravnavah, smo, kjer je to bilo izvedljivo, tudi upoštevali. Pri enem od načrtovanih prenosnih daljnovodov smo spremenili traso na sedmih odsekih tako, da smo še povečali razdaljo od

stanovanjskih hiš. Zaradi skrbi prebivalcev v bližini načrtovanega prenosnega daljnovoda, da bodo podvrženi vplivom električnih in magnetnih polj, smo zanje pripravili predstavitev. Na njej smo izvedli meritve električnih in magnetnih polj več gospodinjskih aparatov in izvedli meritve v bližini obstoječih prenosnih daljnovodov. Lokacije meritev smo izbrali tako, da so bile podobne razmeram, ki bodo nastale z delovanjem načrtovanega prenosnega daljnovoda.

Med temeljnimi načeli, ki jih pri komuniciranju z javnostjo spoštujemo, sta ustvarjanje in ohranjanje zaupanja. Zaradi tega nismo prikrivali informacij, v največji možni meri smo podajali informacije strokovno in nepristransko, svoja stališča smo podkrepili z obrazložitvami in utemeljitvami ter v celoti izpolnjevali obljube.

4 Možni vzroki za težave pri sodelovanju javnosti

Za izboljšanje sodelovanja javnosti v okoljskih zadevah je nujno poznati vzroke za težave. Sodelovanje javnosti ni mogoče, če ta ne zaupa vsem, s komer komunicira. Med vzroke zanesljivo lahko uvrstimo slabe izkušnje v preteklosti. Izgubo zaupanja javnosti je povzročilo tudi skrivanje zasebnih interesov za javne interese. Ker odločevalci v več primerih niso upoštevali zahtev javnosti, niti niso dovolj obrazložili, zakaj predlogov niso upoštevali, je v nekaterih delih javnosti prevladalo prepričanje v nemoč vplivanja na odločitve. Pri umeščanju infrastrukture državnega pomena odločevalci niso upoštevali enakih načel za vse lokalne skupnosti in so pogosto pod pritiski politike pristali na različno obravnavo lokalnih skupnosti. Med razlogi za izgubo zaupanja javnosti je tudi neupoštevanje stroke proti zahtevam politike, ki je v želji po všečnosti v javnosti zahtevala upoštevanje nestrokovnih rešitev.

5 Predlogi za večje sodelovanje javnosti v okoljskih zadevah

Ob upoštevanju dosedanjih izkušenj je nujno dopolniti in spremeniti ZPNačrt, ZVO-1 in ZON tako, da bo javnosti omogočeno: večja dostopnost do informacij in možnost sodelovanja pri odločanju z oblikovanjem konferenc, na katerih bodo sodelovali enakopravno vsi uporabniki prostora. Pomen varovanja okolja in ohranjanja narave je nujno izenačiti z razvojnimi potrebami prebivalstva. Koristno bi bilo v zakonu opisati celoten odločevalski proces z določitvijo vloge stroke v primeru nasprotujočih si interesov. Zakonodaja mora jasno ločiti, kateri posegi v okolje so v javnem interesu in kateri so v zasebnem interesu. Zakoni morajo biti medsebojno usklajeni tako, da upoštevajo enaka merila pri izbiri najustreznejše možnosti. Poskus v pravi smeri je Zakon o umeščanju posegov državnega pomena v prostor.

Dolgoročno je treba pri javnosti ustvariti in ohranjati zaupanje. Koristno bi bilo, da bi nevladne organizacije delovale v javnosti tako, da bi prebivalstvo bolj zanimalo dogajanje v njegovi okolici, da bi bilo sposobno oblikovati jasna stališča in utemeljitve zanje ter da bi bilo sposobno konstruktivnega sodelovanja pri usklajevanju vseh uporabnikov prostora. Za vse sodelujoče pri umeščanju posegov v prostor bi morala državna uprava zagotoviti usposabljanje za strpno in pošteno komuniciranje, usklajevanje ter učinkovito iskanje za vse sprejemljivih rešitev.

6 sklep

Samo legitimen postopek odločanja o okoljskih zadevah, ki vsem uporabnikom prostora zagotavlja enakopravno sodelovanje pri odločanju, s točno opredelitvijo tistih posegov, ki so v javnem interesu, in ustrezno vlogo stroke, lahko pripelje do učinkovitega umeščanja infrastrukture državnega pomena v prostor. Zaupanje med vsemi uporabniki prostora pa je temelj za sodelovanje.

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PUBLIC PARTICIPATION IN THE PHYSICAL LOCATING OF TRANSMISSION LINES

Abstract Electricity is essential for the functioning of the economy and for ensuring the standard of living of the population. The electricity grid has environmental impacts, it impacts social acceptability and has economic consequences. In this paper I address problems of public participation in the physical locating of transmission lines, including: inadequate legislation, insufficient possibilities for the public to obtain information and to participate in decision-making, protecting the environment to the detriment of the population's development needs, the excessively late involvement of the public in procedures, opposition of the public without known reasons and without proposals being offered and the meagre capacity for communication, participation and coordination. Certain good experiences to date are presented. The paper also gives several possible reasons for problems, such as bad experiences in the past, the interweaving of public and private interests, the conviction of being powerless to influence decisions and a lack of trust. At the end of the paper I offer several proposals for improving participation.

Keywords public participation, electricity grid, physical locating

1. Introduction

Alongside water and food, energy is a basic human need (Sanghvi, 2006). Electricity is not just a commodity, but an essential service that cannot be replaced (Cooper, 2003). Its usefulness is diverse, but it cannot be stored.

The electricity grid links together power stations, where we convert primary energy into electricity for consumers. Conversion of fossil fuels and nuclear fuel into electricity usually takes place close to centres of consumption, and is subordinated to the needs of consumers. Since renewable sources are of low frequency, time-variable and dependent on the environment, additional parts of the electricity grid need to be built. Sections of the transmission grid are necessary for the operation of the single electricity market in the EU.

The electricity transmission grid is a key infrastructure element of modern society and the economy, which must be in the public interest (Cooper, 2003). In the locating of transmission lines, many demands need to be satisfied, wherein there are most commonly opposing interests of the public and environmental protection. The process of determining the location for lines takes on average between 5 and 10 years both in the EU and in Slovenia, and sometimes even several decades. The reasons are: increasing environmental protection demands, opposing interests of stakeholders and public opposition.

2. Problems to date in public participation

Following ratification of the Aarhus Convention in Slovenia, certain laws acquired additional provisions facilitating more information for the public and their participation in decision-making. Owing to the inadequate resolving of discord arising with public participation in environmental matters, the currently valid laws have again reduced the possibility of public participation. The Spatial Planning Act (ZPNačrt) enables just one public unveiling and one public debate per municipality. The Environmental Protection Act (ZVO-1) and Nature Conservation Act (ZON) require just a public unveiling.

Those making capital investments in infrastructure of national importance are restricted in public participation, since legislation does not envisage any extensive public participation, and since the state administration does not support these activities and is not involved in coordination. Investing in public participation without any basis in law is treated as uneconomical use of funds. Investors who have few or bad experiences are often constrained themselves to organise and manage public participation in the physical placing of new structures of national importance.

National authorities or institutions authorised by them implement and interpret environmental protection and nature conservation legislation in such a way as to restrict the development needs of the population, wherein they often have no evidence to support such restrictions. They advocate the position that the environment and especially nature have an infinite value, and that it is best to prevent all human activity. They have no desire to present such a position to local communities, which are affected by these restrictions. In the procedures of site locating, they exercise their demands by issuing guidelines, opinions and consent, irrespective of the opposition of local residents.

Frequently the public is only involved at a late stage in the procedures for the physical locating of infrastructure facilities. In a number of cases, despite the early notification of the local public regarding planned encroachments, the public has not participated. Residents are not interested in events in their wider residential environment. The public is often involved in the procedures for physically locating infrastructure on the basis of warnings from individuals whose interests are threatened by the encroachment. Usually the public opposes the encroachment, without explaining the reasons for this. Only in exceptions does the public offer any proposed solution, and if it does, it is usually at the expense of neighbouring local communities.

Another problem is the lack of experience and poor capacity for communication, participation and in particular coordination of all those involved in the physical locating of nationally important infrastructure.

3. Some examples of good practices with public participation in the physical locating of transmission lines

In the past we have gained several positive experiences in the physical locating of transmission lines. Despite the meagre requirements in legislation, in several cases we effected the extensive provision of information to the local public. We also rate as useful the surveys conducted among residents living close to the planned route of transmission lines. In some areas we carried out several joint site inspections with residents and representatives of special interest groups. Based on these

inspections we determined the route together. Frequently interested parties called meetings and discussions, which we also attended to the greatest possible extent.

We proposed to those drawing up national location plans to hold the public unveiling over a longer period than required by law, and this was accommodated and proved beneficial. The suggestions made at the public unveilings and public debates were also taken into account, where this was feasible. For one of the planned transmission lines, we altered the route in seven sections such that we increased the distance from residential buildings.

Owing to the concerns of local residents close to the planned transmission line that they would be subjected to electrical and magnetic fields, we organised a presentation for them. At this we carried out measurements of the electrical and magnetic fields of several household appliances, and also measured close to existing transmission lines. We selected the points of measurement so as to obtain conditions similar to those arising through the operation of the planned transmission line.

One of the fundamental principles that we observe in communicating with the public is creating and maintaining trust. For this reason we did not conceal any information, to the greatest possible extent we provided information in a professional and impartial way, we backed up our position with explanations and reasoning, and wholly fulfilled our promises.

4. Possible causes of problems in public participation

In order to improve public participation in environmental matters, it is essential to understand the reasons for difficulties. Public participation is not possible if the public does not trust all those with which it is communicating.

Among the causes of problems we may certainly cite poor experiences in the past. Loss of public trust has also been caused by the hiding of private interests behind public interests. Since in several cases the decision-makers have not heeded public demands, nor have they provided sufficient explanation as to why their suggestions were not accommodated, some sections of the public have become convinced of their lack of power to influence decisions. In the locating of nationally important infrastructure, decision-makers have not observed the same principles for all local communities, and, often under political pressure, they have acquiesced in the differentiated treatment of local communities.

Another reason for the loss of public trust is the disregarding of experts opposed to the demands of political interests, which in their desire to be pleasing to the public have required adherence to solutions that are not professionally supported.

5. Proposals for greater public participation in environmental matters

In view of experiences to date, it is essential to amend the ZPNačrt, ZVO-1 and ZON in order to facilitate for the public greater access to information and the possibility of participating in decision-making by arranging conferences at which all the users of the physical environment will participate equally. It is essential to equate the importance of environmental protection and nature

conservation with the development needs of the population. It would be useful to describe in law the entire decision-making process, with an indication of the role of experts in the event of a conflict of interests. Legislation must clearly distinguish between which environmental encroachments are in the public interest and which are in the private interest. Laws must be harmonised among themselves so that they observe the same criteria in the selection of the most appropriate alternatives. An attempt in the right direction is the Physical Locating of Nationally Important Encroachments Act.

In the long term, public trust needs to be cultivated and maintained. It would be beneficial for non-governmental organisations to operate in the public in such a way that the public would be more engaged in events in their surrounding area, that they would be capable of formulating clear views and grounds for them, and that they would be capable of constructive participation in the coordination of all users of the physical environment.

For all those participating in the physical locating of encroachments, the state administration should provide training for patient and honest communication, coordination and effective seeking of solutions acceptable for all.

6. Conclusion

Only a legitimate process of decision-making on environmental matters that ensures for all users of the physical environment equal participation in decision-making, with a clear definition of those encroachments that are in the public interest and with an appropriate part played by experts, can lead to the effective locating of nationally important infrastructure in the physical environment. Trust among all users of the physical environment is the cornerstone for participation.

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