

Overview results of benchmarking RPP criteria against the National legislation and regulations for licensing for Estonia, Latvia, Sweden and Finland

		+ = RPP criterion covered by legislation		V = RPP criterion not fully or not always covered		- = RPP criterion not covered				
COUNTRY		ESTONIA		LATVIA		SWEDEN		FINLAND		
TOPIC	RPP Criterion	RPP Criterion description	+ - v	Description	+ - v	Description	+ - v	Description	+ - v	Description
Selection	3.1.2	Selection of sites shall be in full compliance with all local, national regional and ratified international laws and regulations.	+ - v	Selection based on General Part of Environmental Code Act, Earth's Crust Act. There is a list of areas suitable for peat extraction based on 1) The Estonian Mires Inventory of Habitats, and 2) Revision of Abandoned Milled Peatlands in Estonia. Remark RPP: The EU-Redlist is the standard (reference) to be followed for RPP certification. When up to date, the national list should be followed and deviations from the EU-list shall be explained. Remark RPP: National list for protected species is not available	+ - v	Selection based on Spatial Development Planning Law, Regulation of the Cabinet of Ministers, Law on Subterranean depths. The EU directives are transposed into Law On Specially Protected Nature Territories and Law on Conservation of Species and Biotopes. Remark RPP: The EU-Redlist is the standard (reference) to be followed for RPP certification. When up to date, the national list should be followed and deviations from the EU-list shall be explained	+ - v	Selection based on the the Swedish environmental law to get a permission for peat extraction. Exemptions on EU Bird directive can occur. Remark RPP: The EU-Redlist is the standard (reference) to be followed for RPP certification. When up to date, the national list should be followed and deviations from the EU-list shall be explained. Exemptions on EU Bird directive need to be explained and assessed for individual applications for RPP certification.	+ - v	Selection based on the the Finnish Environmental Protection Act (527/2014) and the Nature Conservation Act (Lu.1096/1996). Exemptions on EU Bird directive can occur. Remark RPP: The EU-Redlist is the standard (reference) to be followed for RPP certification. When up to date, the national list should be followed and deviations from the EU-list shall be explained. Exemptions on EU Bird directive need to be explained and assessed for individual applications for RPP certification.
	Annex A	Classification	+ - v	The classification used is comparable	- - v	No classification comparable to the RPP certification scheme.	+ - v	Swedish Wetland Survey report 2014 (VMI): Used classification is not the same but can be used as a guideline to some extend	+ - v	Used classification is not the same but can be used as a guideline to some extend
	additional	Is there a national inventory, and how is it used for selection.	+ - v	There is a list of areas suitable for peat extraction based on 1) The Estonian Mires Inventory of Habitats, and 2) Revision of Abandoned Milled Peatlands in Estonia. Permits and applications are only possible for sites indicated in this list. Remark RPP: In general this concerns class 3 or 4 areas of the RPP-scheme. In case of class 2 areas, box 3.2 of the scheme has to be followed.	+ - v	There is only an inventory on nature values that resulted in SPNAs (including Natura 2000 network areas) and micre reserves, where extraction is impossible. Currently there is a new inventory taking place (Nature Census) to receive detailed information on the natural resources (habitats of EU importance) The project is performed by the Latvian Nature Protection Agency and will continue till May 2023.	+ - v	Swedish Wetland Survey report of 2014 only gives a base for dealing with applications for peat harvesting.	+ - v	Only regional landuse planning that shows where application for extraction is not possible
EIA / quick scan	3.2.1	Full Prior Informed Consultation with relevant local / regional stakeholders shall take place before developing any extraction site.	+ - v	Stakeholders consultations are performed in the application procedure. All desired stakeholders engaged. Procedure is protocolled and part of decision making of the Environmental Board. Remark RPP: EKO (environmental umbrella organisation) is involved but some relevant local associations can be missed	+ - v	Stakeholder consultations are performed during the spatial planning process and the EIA procedure, including public meetings.	+ - v	Stakeholder consultation is performed two times; 1x prior to the application and 1x during the application process. Landowners, local communities and NGOs are involved. Assessment by County Board.	+ - v	Stakeholder consultation is performed two times; 1x during the application and 1x for comment on permit decision. All desired stakeholders are engaged. Procedure protocolled (environmental protection Act (527/2014) - Section 42-44 and 84-85)
	3.4.1	Peat producing companies shall select sites for which ecosystem services after peat extraction show an improvement or remain at least equal in comparison to the situation before extraction.	+ - v	Covered by Earth's Crust Act, List of Peat Areas Disturbed by Extraction and Abandoned or the List of Peat Areas Suitable for Extraction	- - v	No information on specific regulations for this criterion	- - v	No information on specific regulations for this criterion. No permit possible for peat extraction when bog is hydrologically intact.	- - v	It is not sure what after use destination will be. Mire fields that are no longer in use and mires that have already been ditched or otherwise significantly altered from their natural state are reserved for peat extraction (Land Use and Building Act)
	4.1.1	An assessment of all potential impacts on-site and off-site shall be prepared in accordance with Annex C of the RPP scheme.	+ - v	An EIA is required for sites ≥150 ha. A quick scan is always required according to water Act. Remark RPP: Data of vegetation and fauna can be older than 5yrs. Climate impact (emissions) not included by law.	+ - v	An EIA is required for sites ≥150 ha and extensions ≥75ha. A quick scan is required for sites ≥25ha < 150 ha. Remark RPP: Data of vegetation and fauna can be older than 5yrs. A quick scan may not cover all required topics indicated in Annex C	+ - v	An extensive EIA is required for all applications. The part that may not be covered is full compliance to EU Bird directive since exemptions are made in some cases.	+ - v	An EIA is required for sites ≥150 ha For sites < 150 ha: the Environmental Protection Act still requires prevention of harmful impacts.
	4.1.2	In relation to the impact assessment mitigation plan and monitoring plan is to be developed. (To regulate potential impacts on HCVs.)	+ - v	Covered by Environmental Impact Assessment and Environmental Management System Act	+ - v	Covered by Law On Environmental Impact Assessment, Cabinet Regulation No. 158 ("Regulations Regarding the Requirements with Respect to Environmental Monitoring and the Procedures for Performance). Additional monitoring requirements can be set in extraction licence. Remark RPP: It is not certain if all required topics of the RPP scheme are covered and full compliance is secured.	+ - v	In the permit application there needs to be a suggestion for an environmental control programme. Remark RPP: It is not clear how compliance to the RPP requirements for this part is secured.	+ - v	The permit contains regulations on reduction of environmental impacts and monitoring of the impacts. Environmental Protection Act (527/2014)
	4.3	Negative environmental impacts of operations shall be monitored and minimised. (soil, waste control, air and water pollution, uncontrolled emissions)	+ - v	Covered by Earth's Crust Act, Waste Act, Regulation for Handling Extractive Waste, Safety Requirements for Mining, Specified Requirements for Plan for Mining	+ - v	Covered by: - Law on Pollution - the relevant Cabinet Regulations - Waste Management Law - Protected Zone Law Remark RPP: It is not certain if compliance to all the RPP requirements for this part is secured.	+ - v	Described in the permit application. Remark RPP: It is not clear how compliance to all the RPP requirements for this part is secured.	+ - v	The permit contains regulations on reduction of environmental impacts and monitoring of the impacts. Environmental Protection Act (527/2014)
After use			+ - v	Regulated during permit application based on EIA Surrounding, health and safety considered	+ - v	During application: after use type and measurements set by landowner/extractor, approved by local authority	+ - v	A suggestion for after use is given in the application. Remark RPP: This is different for older permits	+ - v	By law (constitution) the landowner has the right to decide on land use so there is no after use plan required in legislation. Procedure for after care is given in the environmental permit. Through the aftercare phase, the peat production area is transferred to new land use, after use destination chosen by the landowner.
	5.3	After-use plans shall aim at returning the abandoned extraction site as close as possible and practically feasible to its original natural conditions.	+ - v	Needs further investigation. It's not clear how the after use destination is determined.	+ - v	After-use type depend on local conditions. The types which can be carried out are: -restoration -preparation for agriculture (e.g. berry plantation) -forestry -water bodies -preparation for recreation use -preparation for other type of after-use	+ - v	Needs further investigation. It's not clear how the after use destination is determined.	+ - v	The land owner has every right to decide on the after use destination.
	5.2.1	After-use plans shall be prepared in close cooperation and agreement with all relevant public authorities, including local and regional governments and government agencies.	+ - v	All desired stakeholders engaged.	+ - v	Local authorities, landowner and extracting company are engaged.	+ - v	The stakeholders involved are the landowner, the company and the county board or municipality.	+ - v	Only suggestions can be made to landowners
	5.2.2	After-use plans shall be prepared in consultation with all relevant stakeholders, including communities near the extraction site and NGOs	+ - v	Implemented in the application procedure. The procedure is protocolled and part of the decision making by the Environmental Board. Remark RPP: In practice some relevant (local) associations can be missed.	+ - v	Not all relevant stakeholders are included for consultation on after use.	+ - v	Nearby landowners or neighbors are involved in stakeholder application when applicable. Remark RPP: Involvement NGOs not secured.	+ - v	Procedure for after care given in the environmental permit. Through the aftercare phase, the peat production area is transferred to new land use, after use destination chosen by the landowner.
remarks		change after use destination before ending peat extraction	+ - v	Possible in justified circumstances and if its impact has been assessed during EIA or quickscan	+ - v	Possible 2 yrs before end extraction. The peat extraction company must submit a reclamation design to the local government building board demonstrating the intention of reclamation. The land owner is the most important decision maker.	+ - v	After use destination can be modified 5 years before the permit ends. New stakeholder consultation and approval by the authorities are needed.	+ - v	Landowners are informed about best possible options for after use to help them make decisions. The Finnish peat association has designed a special document for this purpose.
		Regulations on timing after use implementation	+ - v	Fulfillment after-use obligations before the end of the permit otherwise permit will be extended.	+ - v	Start within 1 year after ending peat extraction. There is a obligation to rent land for 75 yrs to make sure after use requirements will be fulfilled.	+ - v		+ - v	After care usually starts in blocks of subareas where pextraction has ended. It is arranged in the permit procedure and must be within 2 years.
		Supervision and inspection of compliance	+ - v	These processes are supervised by the Environmental Board as this organisation is issuer of environmental permits.	+ - v	State environmental Service issues license. Regional environmental Board and Environmental State Bureau organise EIA procedure	+ - v	inspection by supervising authorities for compliance permit conditions every 3 yrs - yearly reporting	+ - v	The Regional Center for Economic Development, Transport and the Environment (ELY-Center) checks on compliance with the environmental permit. Insepection by supervising authority is on average every 3 years (depending on risk)
	Points of attention		+ - v	Even where criteria of RPP can be benchmarked with RPP, it is still required to show how these criteria are met. (explanation in English)	+ - v	Requirements for mitigation or monitoring in the permit may differ from the requirements for RPP.	+ - v	This document is subject to change and no rights can be derived from it with respect to RPP certification.	+ - v	