

# **STRATEGIC ENVIRONMENTAL ASSESSMENT FILE**

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# SEA STATEMENT

## REGIONAL OPERATIONAL PROGRAMME

### 1. INTRODUCTION

This Strategic Environmental Assessment (SEA) Statement has been issued according to the provisions of art. 9 (1) (b) of the Directive 2001 / 42 on the assessment of the effects of certain plans and programmes on the environment (SEA) and accompanies the official proposal of Regional Operational Programme (ROP). It records how the SEA has improved the development of the programme, including how opinions expressed on the Environmental Report and ROP have been taken into account in finalizing the operational programme.

This Statement is published on MEI webpage, as required by the art. 33, par 1, letter b) of the Governmental Decision No 1076/2004 for setting up the environmental assessment procedure of certain plans and programmes.

### 2. SEA METHODOLOGY AND STEPS

The Regional Operational Programme (ROP) has been subject to a process of Strategic Environment Assessment (SEA) in accordance with the provisions of the Governmental Decision No 1076/2004 for setting up the environmental assessment procedure of certain plans and programmes, which transposes into Romanian legislation the EU Directive No 2001/42 (SEA). PHARE project RO-2004/016-772.04.03.01.06-“Ex-ante evaluation” has provided assistance to support the strategic environmental assessment, including the elaboration of the environmental report and organization of public consultation.

#### SEA process has included the following steps:

Step No	Steps of SEA Procedure	Documents/date for the undertaken steps
1.	<b>Notification</b> on the elaboration of the first ROP draft submitted by the MA ROP to the SEA responsible department within MEWM -General Directorate for Pollution Control, Impact Assessment, together with the submission of the first draft of ROP; the announcement published in the newspaper; first draft also published on MEI's website.	The official letter, no. 9171, was submitted on 16 <sup>th</sup> of March 2006. The announcement was published on March 16 and 22, 2006.
2.	<b>Screening stage</b> - decision taken by the General Directorate for Pollution Control, Impact Assessment that ROP should carry out the environmental assessment, before its approval, in accordance with the art. 5, para 2, letter a of the Governmental Decision No 1076/2004	The formal letter (no. 73.507) from General Directorate for Pollution Control, Impact Assessment was received on the 3 <sup>rd</sup> of April 2006.
3.	<b>Setting up of the SEA Working Group</b> comprised of representatives of relevant ministries - Ministry of Public Finance, Ministry of Health – Institute of	The official invitation (no. 15269) was sent to relevant authorities on the 8 <sup>th</sup> of May 2006.

Step No	Steps of SEA Procedure	Documents/date for the undertaken steps
	Public Health, Ministry of Economy and Trade, Ministry of Administration and Interior, Ministry of Agriculture, Forests and Rural Development, technical departments of the Ministry of Environment and Water Management, Ministry of Education and Research, Ministry of Transport, Construction and Tourism, Ministry of Labour, Social Solidarity and Family, National Agency for Small and Medium Enterprises and Cooperation external consultants provided by PHARE project	
4.	Invitation to take part in the first meeting of SEA Working Group	The official invitation was sent on June 2006.
5.	<b>First meeting</b> of SEA Working Group with the aim to inform the representatives of the working group about SEA procedure and their role in the process	The meeting took place on the 11 <sup>th</sup> of June 2006. The minutes is here attached.
6.	Invitation for the second meeting of SEA Working Group	The official invitation was sent on 24 <sup>th</sup> of August 2006.
7.	<b>Second meeting</b> of the SEA Working Group ( <b>scoping meeting</b> ) with the aim to establish the scope and level of detail appropriate for the Environmental Report, based on the proposals made by PHARE key experts on SEA and agreed by the working group	The meeting took place on 11 <sup>th</sup> of September 2006. The minutes is here attached.
8.	<p><b>Preparing the Environmental Report</b> on the likely significant effects of the draft ROP on the environment, including consideration of:</p> <ol style="list-style-type: none"> <li>1. The current state of the environment and the likely evolution thereof without implementation of the ROP</li> <li>2. The environmental protection objectives, established at international, community or national level, which are relevant to ROP and the way those objectives have been taken into account</li> <li>3. The likely significant effects on the environment of the ROP</li> <li>4. The measures envisaged to prevent, reduce or offset the likely significant environmental effects of each area of intervention</li> <li>5. Measures for monitoring environmental effects</li> </ol>	Environmental report prepared with the support of PHARE experts
9.	Invitation for the third meeting of SEA Working Group	The official invitation was sent on 7 <sup>th</sup> of November 2006.
10.	<b>Third meeting</b> of the SEA Working Group with the aim to present the draft Environmental Report	The meeting took place on 14 <sup>th</sup> of November 2006. The minutes is here attached.
11.	<b>Completion of the Environmental report</b>	Environmental report finalized by PHARE

Step No	Steps of SEA Procedure	Documents/date for the undertaken steps
		experts based on working group contribution
12.	Official information on finalization of Draft Environmental Report sent to responsible Directorate within MEWM	The official announcement was sent to General Directorate for Pollution Control, Impact Assessment on 30 <sup>th</sup> of November 2006.
13.	<b>Announcement for public debate</b> (45 days before the meeting); Environmental Report published on MEI' webpage.	The formal announcement for public debate was published on 30 <sup>th</sup> of November and 4 Managing Authority for ROP <sup>th</sup> of December 2006. The public hearing was established for 18 <sup>th</sup> of January 2007.
14.	Public hearing	The public hearing took place on 18 <sup>th</sup> of January 2007. The minutes is attached.
15.	Elaboration of Final Draft of Environmental Report taking into account the comments received	The final draft of the Environmental Report was completed on 25 <sup>th</sup> January 2007
16.	Notification of MA ROP submitted to the General Directorate Pollution Control, Impact Assessment sending the final draft of ROP (which includes public comments)	The official letter was sent on 26 <sup>th</sup> of January.
17	<b>Environmental permit issuance</b>	The environmental permit was issued on 31 <sup>st</sup> of January 2007.
18.	<b>Official notification on the decision to issue the environmental permit</b>	The official letter was received from the General Directorate for Pollution Control, Impact Assessment on 2 <sup>nd</sup> February
19.	Publication of the announcement of the decision to issues the environmental permit in mass media and MEI webpage; <b>publication of Environmental Report and SEA statement on MEI's webpage</b>	The publication of final Environmental Report on the 7 <sup>th</sup> of February 2007.

### 3. HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN TAKEN INTO ACCOUNT IN ROP

The *Regional Operational Programme 2007-2013* ("ROP") comprises all the 8 Development Regions of Romania and will be financed by State and local Budgets for 2007 – 2013 and private sources and will be co-financed by the European Regional Development Fund (ERDF) – one of the structural funds of the European Union. The EU contribution will represent up to 85% of the total national (public and private) expenditure.

ROP implements important components of National Strategy for Regional Development of the National Development Plan (NDP) and together with the other Operational Programmes will contribute to the achieving of the NDP and National Strategic Reference Framework's objectives, thereby contributing to reduce the economic and social development disparities between Romania and EU Member States.

**The ROP global objective consists in supporting and promoting the economic and social sustainable local development of the Romanian Regions, according to their specific needs, by improving business environment and infrastructural conditions as basis for growth, in order to make the Romanian Regions, especially the ones lagging behind, more attractive places to invest in and work.**

For the accomplishment of the general objective of ROP, this is articulated on several **specific objectives**, namely:

- Improvement the Regions’ accessibility, including intra-regional links
- Increase The Regions’ attractiveness due to the improved social infrastructure
- Increase the Regions’ competitiveness as businesses locations
- Increase the tourism contribution to the Regions’ development
- Increase the socio-economic role of the urban centres in regional/ local development

In order to achieve these objectives, the following priority axes and key intervention areas have been identified and analysed in the Environmental Report:

<b>Priority Axis</b>	<b>Key area of intervention</b>
<b>Priority Axis 1</b> “Improvement of regional and local transport infrastructure”	<b>K.I.A.</b> Rehabilitation and modernization of the county roads and urban streets network- including construction/rehabilitation of ring roads- regional airports and ports
<b>Priority Axis 2</b> “Improvement of social infrastructure”	<b>K.I.A.1</b> Rehabilitation, modernization and equipping of the health services’ infrastructure
	<b>K.I.A.2</b> Rehabilitation, modernization, development and equipping of social services infrastructure
	<b>K.I.A. 3</b> Improving the equipments of the operational units for public safety interventions in emergency situations
	<b>K.I.A. 4</b> Rehabilitation, modernization, development and equipping of pre–university, university education and continuous vocational training infrastructure
<b>Priority Axis 3</b> “Strengthening the regional and local business environment”	<b>K.I.A. 1</b> Development of sustainable business support structures
	<b>K.I.A.2</b> Rehabilitation of unused polluted industrial sites and preparation for new activities
	<b>K.I.A. 3</b> Support the development of micro-enterprises
<b>Priority Axis 4</b> “Sustainable development of regional and local tourism”	<b>K.I.A. 1</b> Restoration and sustainable valorization of cultural heritage and setting up/modernization of related infrastructure
	<b>K.I.A.2</b> Creation, development, modernization

	of the specific infrastructure for sustainable valorization of natural resources with tourism potential
	<b>K.I.A. 3</b> Rehabilitation, modernization, extension of accommodation structures and related utilities, as well as leisure tourist infrastructure
<b>Priority Axis 5</b> “Support of sustainable urban development”	<b>K.A.I. Integrated urban development plans</b>

**The Environmental Report emphasizes that ROP is largely oriented towards improvement of environmental situation in Romania and therefore assessment and recommendations were aimed at strengthening the positive environmental effects and analyzing the additional opportunities and possible negative impacts in relation to the actions.**

For the purpose of the assessment of environmental effects on the ROP, a number of relevant environmental issues and objectives have been selected and formulated based on the national and international (European and Global) objectives and obligations that Romania has in the field of the environment.

The assessment of the proposed key areas of intervention in relation to the relevant environmental objectives was done using the following scale:

- + 2: substantial positive effects of the area of support on the given reference goal
- + 1: positive effects of the area of support on the given reference goal
- 0: no impact (neutral effect)
- 1: negative impact of the area of support on the given reference goal
- 2: substantial negative impact of the area of support on the given reference goal
- ?: the impact cannot be identified

The results of this assessment are presented in the table below. N.A. stands for “Not applicable”.

**Table . Assessment of effects of the ROP on the relevant environmental objectives**

Environmental issues	Environmental objectives	Priority axis 1	Priority axis 2				Priority axis 3			Priority axis 4			Priority axis 5		
		KAI	KAI 1	KAI 2	KAI 3	KAI 4	KAI 1	KAI 2	KAI 3	KAI 1	KAI 2	KAI 3	KAI 1	KAI 2	KAI 3
<b>Air</b>	Maintain and improve the quality of ambient air within the limits set by the legal norms	1	NA	NA	NA	NA	1	1	1	0	0	0.5	1	0	NA
	Minimize the impacts on the air quality at rural and urban level	1	1	0.5	1	1	1	1	1	0	0	0	NA	NA	NA
<b>Water</b>	Limit water pollution from point and diffuse pollution sources	0	NA	NA	NA	NA	1	1	1	0.5	0	1	1	0	NA
<b>Soil</b>	Limit point and diffused pollution of soil and facilitate soil protection from water and wind erosion	0	NA	NA	NA	NA	1	2	1	0.5	0.5	0.5	1	0	0
<b>Climate change</b>	Decrease emissions causing climate change	1	1	0.5	0	0	1	1	1	0.5	0	0	0	0	0

<b>Biodiversity</b>	Protect and improve the conditions and functions of terrestrial and aquatic ecosystems against anthropogenic degradation, habitat fragmentation and deforestation	-1	NA	NA	NA	NA	0	1	0	2	1	0.5	0	0	0.5
	Preserve the natural diversity of fauna, flora, and habitats in protected areas and potential Natura 2000 sites	-0.5	NA	NA	NA	NA	0.5	1	-1	2	2	1	NA	NA	NA
<b>Human health</b>	Facilitate improvement of human health by implementing measures aimed at pollution prevention and mitigation of old burdens (e.g. pesticides, mining waste, etc.)	1	1	1	1	1	1	1	1	NA	NA	NA	1.5	1	0.5

	Protect and improve the conditions of settlements with respect to transport noxes, particularly noise and vibration	1	NA	NA	NA	NA	0	-1	1	0	1	0.5	0.5	1	0.5
<b>Environmental risk management</b>	Increase population protection from risk associated with natural disasters	0.5	1.5	0.5	0.5	1	NA	NA	NA	NA	NA	NA	1	1	1
<b>Resource efficiency and conservation/ sustainable resource management</b>	Limit use of depleting natural resources	0.5	NA	NA	NA	NA	1	1	1	0	0	0	NA	NA	NA
	Reduce waste generation, increase waste recovery, and facilitate recycling of all waste	0.5	1	1	1	2	1	-1	1	0.5	0	-0.5	1	0.5	1

<b>Landscape and cultural heritage</b>	Ensure protection of natural and cultural landscape by revitalization of brownfields and protection of natural habitats from fragmentation due to traffic corridors	-1	NA	NA	NA	NA	0.5	1	1	1	1	0	0	0.5	1
	Preserve, protect and rehabilitate the Romanian coastal zone of the Black Sea ensuring protection of natural (including aquatic and terrestrial ecosystems) and cultural heritage in order to achieve the sustainable development of the region	1	NA	NA	NA	NA	1	1	0	2	1	-1	1	0.5	1
<b>Energy efficiency and renewable energy sources</b>	Improve energy efficiency and use of energy resources	1	1	1	1	1	0.5	1	1	0	0	0.5	1	0	0

	Facilitate energy generation from renewable resources	NA	NA	NA	NA	NA	1	0	1	0	0	1	NA	NA	NA
<b>Awareness raising on environmental issues</b>	Improve environmentally-responsible behaviour of governmental, private and public sectors by promoting of environmental issues	1	2	1	1	2	1	1	1	2	1.5	1	1	1	1.5
<b>Sustainable transport</b>	Support of environmentally friendly transport and promote development and usage of public transport	1	NA	NA	NA	NA	0.5	0	1	1	1	1	1	1	1
<b>Sustainable tourism</b>	Promote tourism that would ensure high degree of environment protection and natural conservation	NA	NA	NA	NA	NA	NA	NA	NA	2	2	2	1	1	1

The SEA report for ROP identifies mostly positive and neutral effects on the environment following this programme's implementation. For the negative effects on the environment that are likely to appear as consequences of the specific investments foreseen in the programme, the report provides a set of measures envisaged to prevent, reduce or even offset them. Environmental considerations have been taken into account in the Programme. All the effects of the ROP implementation on environmental components will be strictly monitored through a proposed set of specific indicators, which will be introduced into the overall monitoring system of the programme.

The Environmental Report has produced useful recommendations that have been considered in the final version of the ROP. As well, the specific recommendations related to projects selection criteria and EIA procedure will be fully addressed in the implementation of the projects.

The main recommendations proposed in Environmental Report based on the assessment of the key areas of intervention and how they have been considered in improvement of ROP / or other related documents is presented in table below:

<b>Recommendations</b>	<b>How they have been considered in ROP or related documents</b>
To emphasize the link with sustainable development objectives identified in the EU Sustainable Development Strategy (Gothenburg 2001 and as renewed in Brussels 2006) and Sustainable Development Strategy of Romania (1999);	New references were introduced in ROP stating that all proposed ROP priorities are in line with the renewed Lisbon strategy - taking into account the Gothenburg Strategy 2001 (pag. 9), and with the provisions of the sustainable development objectives identified in Sustainable Development Strategy of Romania, 1999 (pag. 156)
To amend the ROP with potential impact of tourism on the natural and cultural heritage and to refer to the actions being taken by the country to ensure sustainable tourism development;	It is stated in ROP that the development of tourism should take into account the principle of sustainable development, concerning the preservation of natural and cultural assets, and also the reduction of human pressure on the environment. The human pressure on environment is envisaged to be controlled especially in those regions with special natural assets, in order to ensure their capitalization in a sustainable manner and also to distribute balanced spatial tourism activities.
To strengthen and expand the environmental situation analysis in general and as relates to each region being supported under ROP (detailed recommendations provided);	The environmental analysis in ROP was extended and improved according to SEA recommendations: the general chapter identifying the main characteristics of the environment status in Romania was improved and actualised and also a synthetic, more comprehensive environmental picture at regional level,

<b>Recommendations</b>	<b>How they have been considered in ROP or related documents</b>
	elaborated on a pattern provided by the SEA expert was inserted.
To complement and modify the global and specific objectives in order to advance sustainable development;	Both in the content of the global objective and also of the specific objectives (where it was the case) were operated modifications in order to ensure an “environmentally friendly” approach and sustainable development through ROP implementation.
To modify formulation of some of the key areas of intervention in order to strengthen the potential progress towards sustainable development of the actions envisioned.	The requested modifications were operated in the formulation of the key areas of interventions.
To incorporate the proposed environmental evaluation of project applications into the overall system of evaluating and selecting projects	The environmental impact assessment (where needed) of the projects implemented through ROP will represent a selection criterion in the Programme Complement.
To incorporate the environmental indicators proposed into the overall system of monitoring the ROP implementation impacts	The list of indicators proposed by the SEA expert was adjusted and agreed together with the AM POR and the Ministry of Environment and Water Management and will be introduced into the ROP overall monitoring system.
To publish the results of monitoring regularly (at least once a year);	The ROP implementation results (including the evolution of the environmental indicators) will be published at least once a year (annual report).
Projects have to be screen for EIA and if EIAs are carried out, special focus should be given the mitigation of any negative impact on Natura2000, landscape fragmentation and green-field developments; <ul style="list-style-type: none"> <li>– All tourism development projects should undergo the EIA in order to enable</li> <li>– Alternative solutions to any environmentally harmful impacts (e.g. under “Carpathian Super-ski” development)</li> </ul>	The environmental impact assessment (where needed) of the projects implemented through ROP will represent a selection criterion in the Programme Complement.
To enable environmental integration into operations supported by ROP it is recommended to integrate the environmental selection system into the overall project selection system as well as environmental monitoring indicators proposed in this	The list with the environmental indicators will be introduced into the overall monitoring system of ROP and EIA will represent a selection criteria for investments that are likely to affect the environment.

<b>Recommendations</b>	<b>How they have been considered in ROP or related documents</b>
report.	
<p>To involve the Ministry of Environment and Water Management into the discussion about the overall system of monitoring and especially the way of incorporating environmental issues into the overall system before it is launched;</p>	<p>The Ministry of Environment and Water Management was involved from the beginning in the development of the SEA process (including the formulation of environmental indicators and their monitoring process) and will be consulted regarding all environmental aspects related to ROP.</p>
<p>Priority Axes 3 – KAI 1/2</p> <p>Promoting the restoration of brownfields for the purpose of nature and habitats protection, connectivity of the business with PT as well as the promotion of recycling and waste reuse (e. g. construction waste), restoration of brownfields leading to the clean up of contaminated soil, mitigation measures to reduce noise and vibration during construction and renovation</p> <p>Significant positive effect is expected. The impact can be increased if BAT principles are applied, if the rehabilitated sites will be used for other business and /or social purposes (like industrial parks), if eco-services will be stimulated by different legal, financial or other types of incentives and if public and NGO involvement is enabled.</p>	<p>The SEA recommendations for priority axis 3 “Strengthening the regional and local business environment” were taken into consideration at the level of Programme Complement and the rehabilitation of industrial sites is encouraged since it facilitates environmental protection. As a result, new eligible activities were introduced such as: cleaning of the industrial polluted unused areas and land improvement; decontamination of areas/land; depollution activities; transport and deposit of dangerous waste and toxic substances;</p>
<p>Priority Axes 4 – KAI 1</p> <p>Positive effect from implementation of this KAI may be increased by use and installation of demonstration equipment for energy generation from renewable resources, support and increased accessibility to public transport networks, support for the establishment of waste collection systems in parks and protected areas and various energy saving measures (such as sensors).</p>	<p>All projects must respect the national legislation in the field of environmental protection. The sustainable development of tourism should be achieved in accordance with the spatial plans that set out the level of protection for the proposed objective to be rehabilitated. There will also be financed projects that implements environmental friendly solutions, such as: the use of ecological materials, non-conventional energy sources, equipments with efficient energy / water consumption, increase of green spaces / surfaces, promotion and dissemination of an environmental friendly lifestyle, conservation of cultural patrimony.</p>

Recommendations	How they have been considered in ROP or related documents
<p>Priority Axes 5</p> <p>Increased access to PT by various and especially deprived social groups of people will increase their possibility to better integrate into the society and to reduce environmental effects caused by lack of education and lack of access to social and public services (such as water and waste systems) and to better food and technologies.</p>	<p>This recommendation is taken into account through selection criteria in Programme Complement, which foresees that the projects financed under this KAI should address in an integrated manner aspects related to the rehabilitation of an urban area, through improving urban public transport, solving social groups problems and regeneration of deprived physical urban infrastructure (streets, parks, etc.), considering also the environmental norms.</p>

#### **4. HOW PUBLIC OPINION AND THE OPINION OF RELEVANT AUTHORITY EXPRESSED DURING CONSULTATION PROCESS HAVE BEEN TAKEN INTO ACCOUNT**

The Environmental Report was prepared with the support of PHARE SEA key experts, in close consultation with the representatives of the working group on SEA. Consultation with other relevant authorities (relevant ministries or institutes) has been done through the working group.

The ROP document, as well as Environmental Report and SEA methodology have been made available for all stakeholders on MEI website –www.mie.ro and adequate time has been allowed for comments and suggestions. Since March 2006 the first draft and the following versions of ROP have been made public on MEI website, both in Romanian and English versions.

According to the relevant national legislation on SEA process, a public hearing was organized on 18<sup>th</sup> January 2007, the announcement of the meeting being published in mass media and on MEI's website 45 days before the meeting.

No comments from the public have been received on Environmental Report and ROP during consultation process. The relevant authorities expressed their opinion and formulated comments on Environmental Report during working group activity, so as the final version contained their input. The comments, questions and opinions presented by the participants at the public hearing and also the answer provided by the MA for ROP are included in the table below:

Name / Organisation	Question / Comment	Response / How it has been addressed in ROP
Liliana Sitaru Ministry of Transport	Concrete manner of monitoring the environmental indicators	Baseline values will be provided by the Ministry of Environment (through specialized directorates), while the intermediate and final values will be

Name / Organisation	Question / Comment	Response / How it has been addressed in ROP
		provided by the monitoring systems of the projects that followed EIA procedure (for which the beneficiaries have the responsibility to monitor the intensity of the effects generate by the project on the affected environmental components).
Claudia Jianu / NGO Terra Mileniul III	Are projects addressing water management aspects eligible under ROP?	Projects addressing water management aspects are eligible under SOP Environment.
Claudia Jianu / NGO Terra Mileniul III	Concrete manner of avoiding overlapping and ensuring correlation between different programmes financed under structural funds and if and how the public was informed concerning these aspects.	The aspects concerning possible overlapping between programmes were clarified during the drawing-up process of these documents, both in bilateral and general meetings with the participations of all implied institutions and under the coordination of the MPF. Each programme financed under structural funds is published on the internet page of the institution that is its Managing Authority. Each programme contains a section, which explains the complementarity with the other OPs that are financing the same fields. The public was informed both through meetings and conferences all over the country, but also by publishing announcements in media and on the internet page referring to programmes elaboration.
Claudia Jianu / NGO Terra Mileniul III	Requested information on the structure of the Monitoring Committee and if the NGOs are represented in this structure.	The structure of the Monitoring Committee is under discussion, but it will certainly include NGOs representatives.
Mrs. Emilia Niciu / Institute of Public Health Bucharest	It was stressed the need to introduce protective measures in the construction phase of various projects, phase that can have a negative impact on human health.	This request will be dealt with during EIA procedure – the environmental authority in EIA permit will introduce specific conditions.  A measure to check the observance of these conditions when on-the spot cheks at projects level are carried out by IBs will be included in the monitoring programme for ROP.
Mrs. Mariana Ghineraru / Independent Consultant	It was presented the situation of the abandoned industrial sites, characterized by heavy pollution (100 years), for which the polluter cannot be identified anymore, in order to pay for the cleaning of these sites. The economic agents, the new owners of these sites, should invest all	Addressing this problem implies a set of competences and expertise in the field of environment (there are necessary specific studies for pollution identification, treatment, etc.). Moreover, the funds dedicated to economic agents in order to solve this problem will be limited according to the specific regulations of state aid. However, this proposal should be formally submitted to MEI in order to be analyzed and decided.

Name / Organisation	Question / Comment	Response / How it has been addressed in ROP
	the profit and risk to go bankrupt in order to clean these areas. Currently, no programme financed under structural funds or other sources foresees that these types of activities are eligible. The proposal was to include them as eligible under ROP.	
Mrs. Ileana Vasilescu / Ministry of Environment and Water Management, Water Department	For some environmental components, the monitoring indicators are the same.	In order to avoid congestion with indicators, these were adapted in order to correspond to many objectives.
Cristina Popa Ministry of Labour, Social Solidarity and Family	As a representative of MA POS HRD in SEA ROP Working Group, considers that the format and content of the Environmental Report for ROP are adequate and the procedure followed is in line with GD 1076/2004.	
Cornel Stefan Ministry of Agriculture and Rural Development	Besides the number of sites Natura 2000, it should be useful to include also information on the degree and dimension of affected areas.	The list with Natura 2000 sites is not completed yet. However, the information requested will be monitored through the monitoring system.

## 5. ALTERNATIVE OPTIONS

Relevant legislation – both Directive (2001/42/EC) and Governmental Decision (1076/2004) – require the reasonable alternatives of the programme to be considered within the SEA.

The following alternative of the ROP were analysed during SEA process:

- **Zero alternative** – no ROP implementation
- **First alternative** ROP version elaborated in April 2006
- **Second alternative** ROP version elaborated in May 2006
- **Third alternative** ROP version elaborated in October/November 2006.

The main difference of these alternatives resides in definition of objectives, priority axes and key areas of interventions.

The **first alternative** ROP version elaborated in April 2006 was based on the following strategic approach:

“to accelerate the economic growth of the Romanian Regions, giving priority to the Regions lagging behind, so that, by the end of the programming period, the disparities between the more prosperous and the less developed Regions, in terms of infrastructure development and business environment, addressed by this programme, to diminish”.

The **specific objectives of ROP** were formulated as follows:

- The improvement of the general level of attractiveness and accessibility of the regions
- Increasing the competitiveness of the regions as locations for businesses
- The valorization of the touristic, historic and cultural potential of the regions and increasing the contributions of these fields to the regions development
- Increasing the socio-economic role of the urban centres.

The balanced development of all the counties regions was foreseen be achieved through an integrated approach, based on a combination of public investments in the local infrastructure, active policies to stimulate business activities and support for the valorification of the local resources, by the following priority axes:

- Improvement of regional and local public infrastructure
- Strengthening regional and local business environment
- Development of regional and local tourism
- Sustainable urban development
- Technical Assistance

The **second alternative** ROP version elaborated in May 2006 followed the same strategic approach as April version, but additional texts to improve the strategy and rationale of the priority axes was introduced. Also some rearrangements at the level of priority axes 1 was made:

- There were established 5 specific priorities, besides technical assistance priority: (1) Improvement of regional and local transport infrastructure; (2) Improvement of social infrastructure; (3) Strengthening the regional and local business environment; (4) Development of regional and local tourism; (5) Support of sustainable urban development. The priority axes 3 contained 2 key areas of intervention: Development of business support structures and Support to set up and develop micro-enterprises.

Following consultation with partners and institutional agreements, the indicative operation foreseen in the Priority axis regarding business environment in order to address **Industrial sites rehabilitation** was excluded from this version, even if it represented a positive component from environmental point of view.

The **third alternative** elaborated in October/November 2006 contained major changes and improvements, being prepared following the consultation with relevant partners.

The strategy will give priority to the regions lagging behind and to the less developed areas within more prosperous regions. The purpose is to allocate funds for those fields of interventions and operations, which have strong and direct influence on regional and local development, namely:

- Increase the regions competitiveness as business locations
- Supporting the regional/local economic and social infrastructure
- Rehabilitation of the urban centres.

The **Industrial sites rehabilitation** was reintroduced and became key area of intervention under Priority axis 3. The rehabilitation of these industrial areas supports not only the improvement of the environment, but it also provides better conditions for new investment due to the infrastructure, which requires only improvements and not complete renewal.

In synergy with other activities, industrial sites rehabilitation will address the abandoned/derelict or insufficient used industrial areas that were previously included within a programme of reducing environmental pollution (eg. OP Environment) and it will focus on minimizing and recycling of existing waste in these locations and their inclusion into economic flow, more specifically making them available for companies interested in such locations, adequate for business development, including the creation of industrial and technological parks, etc.

Comparison of the three versions of the ROP thus leads to a conclusion that the October/November 2006 versions of the ROP are likely to have more positive environmental effects than the January version of the ROP, since:

- It has an additional KAI “Rehabilitation of industrial sites” in the Priority Axis “Strengthening the regional and local business environment”
- This KAI includes and corresponds to the priorities provided in the guidelines for SF
- It enables better integration of sustainable development and environment to the ROP.

The key experts considered the following approach in analysing ROP alternatives: in the case of the programming for Structural Funds, the operational programmes are “one option programmes” and a no-programme alternative (no-ROP or zero alternative) is a default alternative to the programming document. The no-programme has been examined in the Environmental Report, which revealed that the no-ROP alternative would mean further deterioration of environmental situation and as such, no action is likely to have significant negative effects on the environment. Therefore the analysis further concentrated not on the alternatives of the ROP, but on the alternatives and possible improvement of positive effects on the environment of components of the ROP, such as objectives, priority axes and key areas of intervention (KAIs).

The analysis was made following the SEA Directive guidance of the EC “Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment”, which provides the most clear explanation on the treatment of the alternatives in the plan or programme elaboration process. The approach presented in the Guidance enabled the SEA team, due to programming process and available time, to focus on the programme as the core alternative and worked on options for internal levels of the programming process.

In case of operational programmes, the alternatives were discussed during the elaboration of ROP. The SEA team assessed the **alternative objectives, priority axes** (except the Priority Axis focused on the Technical Assistance) **and priority areas of interventions** contained in the draft-working version of ROP, and provided recommendations for choosing their optimal formulation (from the environmental point of view).

## 6. MONITORING MEASURES

Environmental monitoring programme is a vital process of any strategic plan or programme. It helps not only to adequately follow environmental considerations identified by ex-ante evaluation, but also in signaling the potential problems resulting from the proposed projects, which have not been identified during the ex-ante assessment processes (both SEA and EIA) and will allow for prompt implementation of effective corrective measures.

The environmental monitoring is required for the construction and operational phases of the projects carried out within the ROP. The main objectives of environmental monitoring are:

- to assess the changes in environmental conditions resulting from the projects,
- to monitor the effective implementation of mitigation measures,
- to warn about the significant deteriorations in environmental quality (if any due to the carrying out the ROP) for further prevention action,
- to monitor the environmental effects of the entire programme.

It is generally accepted that monitoring of environmental indicators on national or regional level, makes it difficult to distinguish the ROP environmental impacts from impacts of other activities /interventions (e.g. projects financed from sources other than the ROP).

Monitoring the significant environmental effects will form part of the approach to monitoring system of environmental factors in Romania. The two principles, which guide the approach to monitoring, are:

- The need for a simple but robust approach that is easy to use;
- The need for a collective approach amongst all partners involved in implementing the programme.

Relevant actors involved in monitoring of environmental factors and effects include: final beneficiaries of projects financed under ROP, the Intermediate Bodies (Regional Development Agencies), Managing Authority for ROP, Ministry of Environment and Water Management.

It is therefore important that monitoring of significant environmental effects forms part of the monitoring framework as a whole, to ensure information process management and reviewing decisions, and to make data collation as efficient as possible.

The monitoring system will take into account the relevant environmental objectives specified in Environmental Report. These objectives represent environmental areas and topics that can be substantially influenced by the ROP implementation.

In line with the SEA recommendations, in order to monitor the extent of the effects that the ROP has on the environment a proposed environmental indicator for each of the relevant environmental objectives will be used. The monitoring indicators will be used to monitor environmental effects based on the characteristics of the projects selected for funding. The environmental objectives used within the project evaluation and selection will be further used for the monitoring of the project. By monitoring and summarising the single projects' monitoring results, it will then be possible to estimate the overall environmental effect on the relevant environmental objectives.

Monitoring data on the environmental effects of the ROP should be provided by the project owners together with the final project reports at the end of the projects implementation. Managing Authority should request the data at the end of each project implemented as minimum. Environmental data should be summarized and interpreted in the interim and ex-post evaluation reports in a separate chapter, which will draw on the results of SEA, environmental section and monitoring systems.

Based on SEA recommendations, the measures envisaged for monitoring of ROP effects are presented in the table below:

<b>Monitoring Measure</b>	<b>Deadline</b>	<b>Responsible body</b>
<b><i>Measure taken before ROP approval</i></b>		
To incorporate the environmental indicators proposed into the overall system of monitoring the ROP implementation impacts	Action correlated with SMIS development / monitoring procedure for ROP	Ministry of Public Finance / Managing Authority
To connect the monitoring system to the system of evaluating and selecting the projects, using environmental criteria;	(Connection done within the procedures for monitoring and project selection / guidelines for applicants)	Managing Authority
To involve the Ministry of Environment and Water Management into the discussion about the overall system of monitoring and especially the way of incorporating	The Ministry of Environment and Water Management was involved from the beginning in the development of the SEA process (including the formulation of	Managing Authority

environmental issues into the overall system before it is launched;	environmental indicators and their monitoring process) and will be consulted regarding all environmental aspects related to ROP.	
To ensure sufficient personnel and professional capacities for environmental areas within the ROP monitoring;	Continuous training of staff	Managing Authority / Intermediate Body
To ensure that the applicants are informed sufficiently about environmental issues and about possible links of the draft projects to the environment	- Elaboration and dissemination of guidelines for applicants – correlated with the organisation of calls for proposals - Information campaigns - Guidelines for beneficiaries	Managing Authority / Intermediate Bodies
<b><i>Measure taken during ROP implementation</i></b>		
Examination of the monitoring results, i.e. revision of changes in environmental indicators. Initiation of respective steps in case the ROP negative environmental impacts were found.	On a regularly basis	Managing Authority / Intermediate Body
Monitoring of environmental indicators (especially on the basis of aggregation of data from the project level)	According to the deadlines established in monitoring and reporting procedure of the ROP	Managing Authority / Intermediate Body
To publish the results of monitoring regularly (at least once a year);	Yearly, after approval of the ROP implementation Report for ROP operations progress Ex-post evaluation for overall ROP environmental effects (2015)	Managing Authority / Intermediate Bodies

Reporting on environmental monitoring issues will be done in compliance with the existing monitoring procedures and tools set up by legislation. Environmental data collection will use as much as possible the Single Management Information System allowing the bottom-up aggregation of output environment indicators at project level. In addition, relevant statistical information (State Environmental Report, Romanian Statistical Yearbook) will be used whenever relevant. The relevant ex-post report will be used as well.

According to art. 27, para 3 of the Governmental Decision No 1076 / 2004, Managing Authority for ROP will send yearly to the competent environmental authority, respectively

the General Directorate for Pollution Control, Impact Assessment (MEWM), an yearly report concerning the results of the monitoring measures presented above. This report will be compiled from the existing monitoring programme of ROP and Annual Implementation Report of the ROP.

## **7. NON-TECHNICAL SUMMARY**

The Regional Operational Programme for the years 2007-2013 (hereinafter ROP) is a document prepared to enable access and distribution of EU financial sources in the area of regional development.

This ROP is being elaborated by the Ministry of European Integration of Romania (hereinafter the Managing Authority). It adheres to thematic priority identified in the National Strategic Reference Framework aimed at “promoting balanced territorial development”. The ROP determines objectives, priority axes and key areas of intervention within which it will be possible to submit project applications for co-financing from the EU Cohesion Fund.

The ROP was identified as one of 4 sectoral operational programmes screened for the strategic environmental assessment (hereinafter SEA) procedure, as provided for in the Government Decision no.1076/8.07.2004 for setting up the environmental assessment procedure of certain plans and programmes (Of.J.no.707/5.08.2004) (hereinafter DG1076/2004 on SEA). The content and scope of the assessment was determined during the scoping meeting with the Working Group established for the purpose of SEA by the Managing Authority.

The scoping meeting took place on the 11th of September 2006 and the minutes of the meeting were recorded, which are attached in the Annex 1 with the list of participants attached to the Annex 2 of this report.

The assessment process began after the decision of the scoping meeting. From the time of the start of the project, a working version of ROP from April 2006 was made available to the SEA team and the process then continued simultaneously with the amendments introduced to the ROP by the Managing Authority due to consultations with stakeholders and ex-ante evaluation recommendations. At the end of October the Managing Authority provided with the second draft version of the report, which had some modifications. The draft environmental report reflects this latest draft of the ROP.

The draft environmental report was completed on 16th of November and was prepared for the version ROP dated April and included modifications of November versions of 2006. The ROP and the draft environmental report were made available for public consultations at the end of November 2006. Based on the request of the Ministry of Finance, that wished to ensure that SEA considers alternatives options, another draft / version of the ROP was provided to the SEA team on 19th of January 2007. This version has been consequently still included in the final version of the environmental report.

All parts of the ROP were assessed through SEA. Expert conclusions and recommendations were based on a number of national and international documents relevant to the ROP

including the draft programme complements elaborated by the Managing Authority. The basic reference framework for conducting SEA was the set of relevant environmental objectives endorsed during the September

Scoping meeting referred above. The objectives were formulated on the basis of the analysis of existing relevant national and international strategic documents (strategies, plans and programmes) and current status of environmental issues related to the nature and focus of the ROP. The final set of relevant environmental objectives also included relevant human health issues and specific issues related to nature and biodiversity protection (within the framework of Natura 2000).

Using the set of relevant environmental objectives the SEA team assessed the ROP sections and proposed inter alia:

- to emphasize the link with sustainable development objectives identified in the EU Sustainable Development Strategy (Gothenburg 2001 and as renewed in Brussels 2006) and Sustainable Development Strategy of Romania (1999);
- to strengthen the references made to the need to support public transport as one of the preconditions for sustainable transport development;
- to amend the ROP with potential impact of tourism on the natural and cultural heritage and to refer to the actions being taken by the country to ensure sustainable tourism development;
- to strengthen and expand the environmental situation analysis in general and as relates to each region being supported under ROP (detailed recommendations provided);
- to supplement the SWOT analysis with environmental issues;
- to complement and modify the global and specific objectives in order to advance sustainable development;
- to modify formulation of some of the key areas of intervention in order to strengthen the potential progress towards sustainable development of the actions envisioned.

The ROP contains priority axes that are worked out in detailed key areas of intervention, which are the most important part of the ROP in terms of assessment of its possible negative impacts and potential environment benefits. Assessment was carried out for each separate key area of intervention (except for the Priority Axis on Technical Assistance) and was based on the analysis of its consistency with the relevant environmental objectives - i.e. whether and how the intervention areas may positively or negatively affect future attainment of the relevant environmental objectives in Romania.

On the basis of this assessment, the SEA team made proposals for implementing and modifying the focus of the areas of intervention and also suggested conditions for their implementation.

Another important output of the assessment was the proposal for monitoring of environmental effects of the ROP implementation and a proposal for environmental selection system that will help to evaluate environmental performance of projects proposed for funding within ROP. It is anticipated that integration of environmental criteria and monitoring indicators into the overall implementation and monitoring system of the ROP

will enable to focus the support from the EU funds on those activities, which will bring positive effects to the environment and will minimize adverse impacts.

### ***Major findings of the analysis***

The assessment covers two versions of the ROP: one from 2005 and one from April 2006. In the April 2006 version the programme under the Priority Axis 3 “Strengthening the regional and local business environment” includes an additional Key Area of Intervention called “Rehabilitation of industrial sites”, while in the 2005 version this KAI was missing.

Assessment of the Key Area of Intervention “Rehabilitation of industrial sites” indicates that this intervention is likely to have significant positive environmental effects and its inclusion improves an overall balance of positive and adverse environmental impacts of the ROP.

Comparison of both versions of the ROP thus leads to a conclusion that the April and November 2006 versions of the ROP are likely to have more positive environmental effects than the 2005 version of the ROP, since:

- It has an additional KAI “Rehabilitation of industrial sites” in the Priority Axis “Strengthening the regional and local business environment”
- this KAI includes and corresponds to the priorities provided in the guidelines for SF
- it enables better integration of sustainable development and environment to the ROP.

Based on the analysis of the environmental status in Romania, focused on the most important environmental issues and problems related to regional development, and based on the assessment of specific objectives, the SEA team proposes recommended in the global objective of the ROP to change the term “economic growth” into the term “economic development”. The opinion of environmental experts is that economic growth is not a sustainable concept in the environment where majority of natural resources used for economic development are finite.

Therefore economic growth is not an acceptable term in the process reaching the sustainable development. SEA team proposed some additions to the Objective 2 and 3 of the ROP, where it recommended to include term sustainable to the business and region’s development concepts. The same modifications were proposed for Priority axis 3 and 4.

During the assessment it was determined that the implementation of the objectives and priority axes of the ROP will have some significant environmental effects on the environment. Mostly neutral and positive effects are expected from implementation of the projects to be carried out under the ROP. Some significant negative effects may likely take place under priority axis 1 and 3.

Following modifications of the KAIs were recommended:

KAI 3.1: Development of **sustainable** business support structures

KAI 3.2: Industrial sites rehabilitation **and renovation of public utility infrastructure in urban areas**

## KAI 5.2: Development of **sustainable** business environment

For KAI 1.1, 2.1, 2.2, 2.3, 2.4, 3.3, 4.1, 4.2, 4.3, 5.1 and 5.3 no modifications were proposed. Key mitigation measures recommended for implementation of ROP are:

- projects have to be screen for EIA and if EIAs are carried out, special focus should be given the mitigation of any negative impact on Natura2000, landscape fragmentation and green-field developments;
- all tourism development projects should undergo the EIA in order to enable alternative solutions to any environmentally harmful impacts (e.g. under “Carpathian Super-ski” development)
- to enable environmental integration into operations supported by ROP it is recommended to integrate the environmental selection system (criteria) into the overall project selection system as well as environmental monitoring indicators proposed in this report.

During the assessment, as additional measure to prevent, reduce and as fully as possible offset any significant adverse effects on the environment, a system for environmental evaluation and selection of project applications was proposed. The system for environmental evaluation was designed in two stages with pre-project environmental evaluation during project preparation and formal environmental evaluation within official selection procedures. A draft recommended form for project proposal evaluation from environmental impact point of view was elaborated, which is based on the relevant environmental objectives and will enable to assess proposed project impact on the relevant environmental objectives.

During project selection it is recommended to give priority to developments that:

- promote and enable BATs;
- promote investments to brownfields versus greenfields;
- promote minimize and reduce energy efficiency and energy demand and reuse of waste;
- directly address the PT but also in other measures under the ROP;
- aim at production and replacement of fossil based fuel with bio-fuel
- promote energy efficiency, environmental services in tourism sector but also such tourism activities as eco- tourism, agro- tourism, etc.
- have “greening” approach to the landscape and eco-systems, such as rehabilitation of the brownfields or afforestation and development of green areas/zones.

In order to implement the system it was recommended:

- To incorporate the proposed measures that should be taken to minimise, reduce or offset the likely significant environmental effects of each area of intervention provided (outlined in the sub-chapter 8.1) among the core selection criteria for project applications.
- To incorporate the proposed environmental evaluation of project applications into the overall system of evaluating and selecting projects
- To ensure sufficient personnel and professional capacities for environmental areas within the project evaluation
- To ensure that the applicants are informed sufficiently about environmental issues and about possible links of the draft projects to the environment.

To ensure monitoring of environmental effects of the programme a set of environmental indicators were proposed (coordinated with the national environmental monitoring indicators as well as EEA indicators sets). SEA aimed at establishment of indicators to monitor effects on each relevant environmental objective. In order to ensure monitoring, it was recommended:

- To incorporate the environmental indicators proposed into the overall system of monitoring the ROP implementation impacts
- To connect the monitoring system to the system of evaluating and selecting the projects, using environmental criteria;
- To publish the results of monitoring regularly (at least once a year);
- To ensure sufficient personnel and professional capacities for environmental areas within the ROP monitoring;
- To involve the Ministry of Environment and Water Management into the discussion about the overall system of monitoring and especially the way of incorporating environmental issues into the overall system before it is launched;

To ensure that the applicants are informed sufficiently about environmental issues and about possible links of the draft projects to the environment.

### ***Consultations***

The environmental report was prepared in consultations with the Managing Authority. Consultation with other relevant authorities (relevant ministries and agencies) has been done through the Working Group (WG) established for the purpose of the SEA.

In order to provide a wider access to the SEA process and, the SEA team initiated the establishment of the webpage within the Managing Authority where the SEA working documents and other relevant information was posted ([www.mie.ro](http://www.mie.ro)).

Visitors to the web-site will also be able to comment on the draft SEA documents in writing and register to take part in the public debate which will take place at the end of the SEA process (to be announced).

REC Romania created a web-age on its website ([www.recromania.ro](http://www.recromania.ro)) dedicated to the “Ex-ante Evaluation” (EuropeAid/121373/D/SV/RO), which contains the documents produced during the SEA of ROP. Comments on the draft environmental report for ROP may be sent to the following e-mail address:  
[oana.boingeanu@recromania.ro](mailto:oana.boingeanu@recromania.ro).

Pursuant to the relevant national legislation the public debate was organized after the formal submission of the ROP including this environmental report to the SEA Authority (the Ministry of Environment and Water Management) and the open consultation phase of 45 days with other relevant stakeholders and the public as required by the national law.

Minutes of the public debate held on the 18th of January and the list of participants are in the Annex 6. The comments and suggestions raised during this consultation phase and the public debate were considered within the final version of the environmental report and the ROP, which will be approved by the Government of Romania.

## **8. Public announcements**

### **Announcement for starting the SEA procedure – 16 and 22 March 2006**

***16 March 2006 / Adevarul***

***22 March 2006 / Romania Libera***

The Ministry of European Integration, having its headquarters in Bucharest, 12 Libertatii Blvd., district 5, acting as Managing Authority for Regional Operational Programme, announces the interested public on the elaboration of the first draft of the Regional Operational Programme, for which the screening stage was started in order to decide if the respective Programme falls under the incidence of strategic environmental assessment (SEA) procedure, in accordance with the provisions of Governmental Decision no 1076/2004.

The above-mentioned programme may be consulted on MEI website [www.mie.ro](http://www.mie.ro), as well as at MEI premises, Bucharest, Apolodor Street no. 17., district 5, from Monday to Friday, between 09.00 – 16.30. Remarks, comments and suggestions may be sent at MEWM premises, Bucharest, 12 Libertatii Blvd., district 5, in 18 calendar days following the publication of the present announcement. Contact details: tel. 021/311.41.92.

### **Announcement for public hearing**

***30 November/ Gandul***

The Ministry of European Integration, acting as Managing Authority for Regional Operational Programme, announces the availability for the interested public of draft Regional Operational Programme and Environmental Report for the above-mentioned Operational Programme. These documents may be consulted at MEI premises, Bucharest, Apolodor Street no. 17, district 5, MEI information Center, between 10.00 – 16.00, as well as on [www.mie.ro](http://www.mie.ro). Interested public may send written comments and proposals at MEI and MEWM premises (Bucharest, 12 Libertatii Blvd., district 5), in 48 days following the present announcement. In accordance with the provisions of Governmental Decision no 1076/2004, the public hearing on the above-mentioned documents will take place on January 18, 2007, starting with 10.00, at MEI premises.

***4 December/ Gandul***

The Ministry of European Integration, acting as Managing Authority for Regional Operational Programme, announces the availability for the interested public of draft Regional Operational Programme and Environmental Report for the above-mentioned Operational Programme. These documents may be consulted at MEI premises, Bucharest, Apolodor Street no. 17, district 5, MEI information Center, between 10.00 – 16.00, as well as on [www.mie.ro](http://www.mie.ro). Interested public may send written comments and proposals at MEI and MEWM premises (Bucharest, 12 Libertatii Blvd., district 5), in 45 days following the present announcement. In accordance with the provisions of Governmental Decision no

1076/2004, the public hearing on the above-mentioned documents will take place on January 18, 2007, starting with 10.00, at MEI premises.

### **7 February 2007/ *Gandul***

The Ministry of European Integration, acting as Managing Authority for Regional Operational Programme, announces the interested public that, following the environmental assessment in accordance with provisions of GD 1076/2004 laying down the procedure for environmental impact assessment for plans and programmes, the Ministry of Environment and Water Management has decided to issue the environmental permit for Regional Operational Programme 2007-2013.

The Regional Operational Programme and the Environmental Report may be consulted on the following website <http://www.mie.ro>.

## **9. MINUTES OF THE MEETINGS**

### **The minutes of the scoping meeting**

Grup de lucru pentru Evaluarea Strategică de Mediu pentru Programul Operațional Regional - a doua întâlnire, 11 septembrie 2006 –  
Proces verbal

Ministerul Integrării Europene, în calitate de Autoritate de Management pentru Programul Operațional Regional, a organizat în data de 11 septembrie a.c., a doua întâlnire a Grupului de Lucru Interministerial, înființat pentru a evalua impactul implementării Programului Operațional Regional asupra mediului.

Lista participanților și agenda întâlnirii sunt prezentate în anexă.

La această întâlnire a grupului de lucru au participat și experții SEA contractați de Ministerul Finanțelor Publice, în calitate de Autoritate de Management pentru cadrul de sprijin Comunitar, în cadrul unui proiect de asistență tehnică PHARE, care va sprijini realizarea activității de evaluare ex-ante a Programelor Operaționale și a Programelor Complement, elaborate sub Obiectivul Convergență.

Conform agendei, primul subiect pe ordinea de zi a constat în prezentarea, de către experții străini, ale principalelor elemente a procedurii de Evaluare Strategică de Mediu (SEA):

- Dl. Martin Smunty a evidențiat scopul și importanța procedurii SEA, în procesul de elaborare a planurilor și programelor, în general (*De ce SEA?*) și a programelor operaționale cu finanțare din Fonduri Structurale UE, în special (*SEA pentru programele finanțate din Fonduri Structurale*);

- Dna. Ausra Jurkeviciute a prezentat, în linii mari, Metodologia procesului de evaluare de mediu - *Handbook on SEA for Cohesion Policy 2007 – 2013*, elaborat cu finanțare parțială UE și agreat de DG Regio și DG Environment ca ghid consultativ pentru transpunerea Directivei UE referitoare la SEA. Abordarea celor două procese de evaluare, ex-ante și SEA trebuie să aibă o logică similară, având în vedere că SEA este o componentă a evaluării ex-ante în cadrul aceluiași proces de planificare. Au mai fost prezentate o serie de recomandări privind etapele și conținutul procesului SEA (identificarea principalelor obiective de mediu și stabilirea contextului de mediu în care are loc această evaluare, stabilirea principalelor priorități, măsuri și activități ale programului de investiții evaluat, analiza impactului cumulat al programului care va fi implementat, a sistemului de management propus și a sistemului de monitorizare).

În continuare, experții SEA au prezentat o propunere de analiză a POR (din punct de vedere al impactului asupra mediului) - sub formă tabelară - pe care au elaborat-o, pentru a evidenția relațiile și corelările care există, acolo unde este cazul, între obiectivele axelor prioritare ale Programului Operațional Regional și obiectivele de protecție a mediului, așa cum sunt formulate în documentele și directivele UE.

În acest sens, dna. director Gabriela Frenț a propus clarificarea, de la începutul procesului de colaborare și consultare în cadrul acestui grup de lucru, a metodologiei propuse, astfel încât toate propunerile membrilor să se bazeze pe o înțelegere comună a modului de lucru adoptat, a conceptelor și instrumentelor utilizate.

În consecință, referitor la metodologia de lucru propusă de experții SEA, au fost agreate în cadrul Grupului de lucru următoarele:

- Având în vedere faptul că structura Programului Operațional Regional va fi modificată, conform recomandărilor CE, în sensul reconfigurării primei axe prioritare în două axe prioritare, și anume: una referitoare la reabilitarea / modernizarea infrastructurii regionale și locale de transport și cealaltă referitoare la reabilitarea / modernizarea infrastructurii sociale regionale (educație, sănătate, servicii sociale și situații de urgență), care, eventual ar putea fi formulată și ca o prioritate care vizează creșterea calității vieții în regiuni, este necesară operarea acestei modificări și în cadrul tabelului, în sensul apariției unei noi coloane pentru această nouă axă prioritară.
- Se vor lua în calcul, într-o primă fază, doar legăturile/relațiile/corelările care există între obiectivele de mediu și prioritățile de finanțare identificate în cadrul acestui program operațional, și nu neapărat aspecte referitoare la impact. Se va marca cu 1 orice gen de relație **semnificativă**, care se poate stabili între aceste două componente, fie că este de natură pozitivă sau negativă (în sensul identificării sinergiilor și conflictelor), și cu zero, o situație care nu prezintă nici un fel de interacțiune/influență între acestea.
- S-a discutat, de asemenea, și momentul pentru care se face această analiză de interacțiune: pe parcursul implementării programului (având în vedere faptul că majoritatea proiectelor presupun lucrări de execuție, și implicit deschiderea unui șantier, etc.) sau după finalizarea lucrărilor – ca și efecte directe rezultate în urma implementării programului. S-a stabilit să fie luate în considerare doar efectele rezultate în urma implementării programului.

- Având în vedere faptul că în acest tabel, și implicit în metodologie, există o serie de termeni referitori la mediu, de natură tehnică, și că majoritatea membrilor grupului de lucru nu sunt specialiști în acest domeniu, consultanții SEA vor transmite un glosar de termeni explicați/definiți, astfel încât să existe o înțelegere comună a acestor concepte.

Pe baza celor stabilite, s-a parcurs tot tabelul propus de consultanții SEA, și au fost operate modificări în anumite cazuri, pe baza sugestiilor membrilor grupului de lucru (de ex. – axa prioritară 4 era marcată pentru majoritatea câmpurilor de interacțiune cu obiectivele de mediu cu 0, ceea ce a fost considerat neadecvat, având în vedere complexitatea proiectelor și a impactului generat de implementarea acestora).

Având în vedere faptul că majoritatea membrilor grupului de lucru au considerat că au nevoie de mai mult timp pentru a avea un punct de vedere pertinent/fundamentat pe marginea tabelului și a punctajului acordat pentru fiecare caz în parte, s-a agreat, împreună cu consultanții SEA, transmiterea noii metodologii, rezultate în urma discuțiilor în cadrul grupului de lucru, pentru a fi re-analizate de fiecare membru până vineri, 15 septembrie a.c., când toate propunerile vor fi centralizate la nivelul Autorității de Management pentru Programul Operațional Regional, în vederea sintetizării lor.

De asemenea, s-a mai agreat, în principiu, ca următoarea întâlnire a grupului de lucru SEA pentru POR să aibă loc la sfârșitul lunii octombrie/începutul lunii noiembrie, când va fi prezentată/analizată/discutată o primă versiune a raportului de mediu, care va fi elaborat de consultanții SEA, folosind și informații/contribuții ale grupului de lucru. În acest sens, s-a stabilit menținerea unui contact, în această perioadă, pe două paliere:

- Între consultanții SEA și reprezentanții AM POR, pot avea loc întâlniri bilaterale, ori de câte ori se consideră că este necesar, precum și schimb de informații pe e-mail.
- Între reprezentanții AM POR (ca interfață între grupul de lucru și consultanții SEA) și membrii grupului de lucru, pentru centralizarea și sintetizarea punctelor de vedere și a diferitelor contribuții ale acestora în cadrul procesului de analizare a impactului POR asupra mediului.

## **The minutes of the public debate meeting**

Dezbateri Publice pentru finalizarea Raportului de Mediu elaborat pentru Programul  
Operațional Regional  
-18 ianuarie 2007 -  
**Proces verbal**

Ministerul Integrării Europene, în calitate de Autoritate de Management pentru Programul Operațional Regional, a organizat în data de 18 ianuarie a.c. dezbateri publice în vederea finalizării Raportului de Mediu elaborat pentru acest program, conform HG 1076/2004. Lista participanților și agenda întâlnirii sunt prezentate în anexă.

Scopul acestei reuniuni a fost prezentarea și discutarea diferitelor aspecte referitoare la forma și conținutul raportului de mediu pentru Programul Operațional Regional, care, împreună cu Programul Operațional Regional, au fost puse la dispoziția publicului larg pentru comentarii și observații pentru o perioadă de 45 de zile.

Primul punct pe ordinea de zi l-a reprezentat o prezentare sintetică a principalelor elemente și caracteristici ale Programului Operațional Regional (premise analitice, obiectiv general, obiective specifice) susținută de dna. director Gabriela Frenț, urmând ca fiecare axă prioritară să fie detaliată până la descrierea potențialelor activități eligibile și a complementarităților și delimitărilor cu activități eligibile în cadrul altor programe operaționale, de reprezentanții AM POR responsabili cu axele prioritare (Ionuț Sandu, Luciana Sandu, Diana Hangiu, Iuliana Topoleanu, Ionuț Trincă).

Mădălina Istrate (consilier și responsabil SEA POR în cadrul AM POR) a explicat pe scurt pentru participanții la această dezbatere publică din rândul publicului larg, contextul acestei reuniuni, pornind de la prevederile HG 1076/2004, la etapele parcurse în cadrul Grupului de Lucru interministerial, necesitatea și relevanța luării în considerare atât a efectelor negative, cât și a celor pozitive și neutre ale implementării POR asupra mediului înconjurător. Această scurtă clarificare, pentru participanții care, cel puțin oficial nu mai avuseseră contact cu aceste informații, a făcut practic trecerea la următorul punct de pe agendă, când dna. Ausra Jurkeviciute (expertul coordonator SEA) a susținut o prezentare, referitoare la raportul de mediu elaborat, respectiv modul în care acesta se conformează HG 1076/2004, precum și alte aspecte generate de respectarea procedurii SEA:

- Modul în care raportul de mediu se conformează HG 1076/2004;
- Efectele generale ale POR asupra obiectivelor relevante de mediu;
- Propunere pentru un sistem de evaluare și selecție a proiectelor din punct de vedere al mediului;
- Propunere pentru un sistem de monitorizare a proiectelor din punct de vedere al mediului;
- Procesul de consultare.

Dna. Ausra Jurkeviciute a menționat la începutul acestei prezentări timpul foarte scurt avut la dispoziție pentru elaborarea raportului, ceea ce a pus în dificultate desfășurarea unor consultări adecvate cu toți factorii interesați și implicați în elaborarea sa. Totodată, au fost prezentate sumar principalele etape parcurse până în acest moment pentru implementarea procedurii SEA pentru POR:

- Analiza principalelor aspecte de mediu, pe baza documentelor strategice relevante la nivel comunitar și național;
- Selectarea obiectivelor de mediu relevante pentru POR, aprobate în cea de-a doua reuniune a grupului de lucru, din data de 11 septembrie a.c.; aceste obiective definesc scopul evaluării de mediu pentru POR;
- Evaluarea capitoului de analiză din POR pentru identificarea celor mai relevante aspecte de mediu;
- Evaluarea și formularea unor recomandări astfel încât strategia, obiectivele și axele prioritare POR să fie în concordanță cu obiectivele de mediu.

Deși se estimează că Programul Operațional Regional va avea în general efecte pozitive și neutre asupra mediului, există totuși și intervenții care pot genera efecte negative asupra mediului. În acest sens, este important ca toate proiectele de investiții să parcurgă procedura EIA (Environment Impact Assessment), astfel încât toate posibilele efecte negative asupra mediului să fie identificate și compensate/contracarate la nivel de program.

Astfel, pentru asigurarea unei abordări ”prietenoase mediului” prin POR, au fost propuse următoarele:

- Să fie considerate prioritare proiectele care promovează sau utilizează cele mai bune tehnologii existente;
- Să fie considerate prioritare proiectele care promovează investițiile în areale „brownfield” versus „greenfield”;
- Să se urmărească minimizarea utilizării energiei și promovarea eficienței energetice;
- Să fie sprijinite investițiile în transportul public;
- Să se evite fragmentarea peisajelor și a eco-sistemului.

Reprezentanții AM POR au menționat faptul că, în principiu, recomandările expertului de mediu incluse în Raportul de mediu sunt pertinente și relevante pentru atenuarea efectelor negative și asigurarea unei abordări „prietenoase” asupra mediului prin implementarea POR. De asemenea, aceste recomandări au fost deja inserate în conținutul variantei POR care va fi oficial transmisă serviciilor Comisiei Europene spre analiză, în vederea începerii procesului de negociere pentru aprobare.

Următorul punct pe ordinea de zi a constatat într-o scurtă trecere în revistă a listei cu indicatorii de monitorizare propuși pentru a urmări intensitatea efectelor implementării POR pe componentele de mediu, având în vedere faptul că față de varianta inițială, această propunere a suportat anumite modificări în vederea adaptării numărului și formulării indicatorilor la specificul POR și a posibilităților reale de monitorizare. Astfel, dl. Sorin Voicescu, reprezentant AMCSC a propus introducerea în tabelul cu indicatori a unei coloane cu unitățile de măsură pentru aceștia și a sugerat, totodată ca denumirile indicatorilor să fie corelate cu obiectivele relevante de mediu, fără a repeta însă denumirea obiectivului.

Pentru obiectivele cu nr. 11 și 12, pentru care reprezentanții MMGA au remarcat formularea unor indicatori identici, dna. Ausra Jurkeviciute a explicat că în vederea evitării unei supraîncărcări cu indicatori, aceștia sunt în anumite cazuri adaptați pentru a corespunde mai multor obiective, însă se va lua în considerare posibilitatea identificării de noi indicatori pentru obiectivul 11.

Referitor la modalitatea concretă de monitorizare pentru acești indicatori, întrebare adresată de dna. Liliana Sitaru, reprezentant MTCT, dna. Ausra Jurkeviciute a explicat faptul că valorile inițiale vor fi oferite de direcțiile de specialitate ale MMGA, iar valorile intermediare și finale vor fi obținute prin monitorizarea proiectelor care au parcurs procedura EIA, și în consecință, beneficiarii au obligația de a urmări intensitatea efectelor proiectului asupra componentelor de mediu afectate.

Reprezentanta Ministerului Sănătății, dna. Emilia Niciu a subliniat faptul că, deși proiectul poate avea beneficii pozitive asupra stării de sănătate per ansamblu, pot exista și anumite

semente/grupuri de populație care suportă consecințe negative din acest punct de vedere (de exemplu – în faza de construcție, când este generată o cantitate foarte mare de praf) ca urmare a implementării proiectului, și în consecință, este necesară prevederea unor costuri suplimentare, eligibile în cadrul proiectului pentru compensarea acestor efecte.

Dl. Constantin Pulbere, consilier DGEICP, MMGA a precizat faptul că publicul a fost informat de la începutul procedurii SEA pentru POR, despre elaborarea acestui document, prin anunțuri în mass-media și pe pagina de internet a titularului. Astfel, toate etapele procedurale referitoare la informarea publicului și participarea sa la procesul decizional au fost respectate. De asemenea, în această etapă, a dezbaterilor publice, este foarte important, pe lângă observațiile celorlalți participanți la discuție (membrii din GL, titular s.a.) ca publicul să aibă un rol activ.

Astfel, dna. Claudia Jianu, reprezentanta unui ONG (Terra Mileniul III) care desfășoară activități și în domeniul Fondurilor Structurale a întrebat dacă prin POR sunt eligibile proiecte adresate problemelor referitoare la managementul apei. Reprezentantul AM POR, Ionuț Sandu, a explicat faptul că astfel de proiecte sunt eligibile în cadrul Programului Operațional Sectorial Mediu, pentru care Autoritatea de Management este Ministerul Mediului și Gospodăririi Apelor.

O altă întrebare a dnei. Claudia Jianu s-a referit la modalitatea prin care sunt evitate suprapunerile și sunt asigurate complementaritățile între diferitele programe finanțate din fonduri comunitare și, de asemenea, modul în care acest aspect este adus la cunoștința publicului larg. Dna. Director Frenț a explicat că aspectele referitoare la posibile suprapuneri între diferite programe au fost clarificate pe parcursul procesului de elaborare a acestor documente, atât prin întâlniri bilaterale, cât și generale între instituțiile implicate și sub coordonarea MFP, instituție responsabilă cu asigurarea complementarității între programe. Mai mult, toate programele finanțate din fonduri comunitare sunt publicate pe paginile de internet ale instituțiilor cu rol de autoritate de management și de asemenea, sunt disponibile în format fizic la sediile acestora. Conținutul fiecărui program include o secțiune dedicată modului în care a fost asigurată complementaritatea cu alte programe, potențial concurente pe aceleași domenii de finanțare.

Dna. Claudia Jianu a mai adus în discuție componența Comitetului de Monitorizare pentru POR și a dorit să știe dacă structura stabilită include ca membri și ONG-uri. Dna. Director Frenț a explicat faptul că structura Comitetului de Monitorizare a fost stabilită, ea include 25 de membri de bază și 23 de observatori și a confirmat faptul că această componență prevede și reprezentanți ai ONG-urilor.

Un alt participant la această reuniune, dna. Mariana Ghineraru, consultant independent de mediu, a adus în discuție problema siturilor industriale abandonate, caracterizate prin poluare istorică (de 100 de ani), și pentru care poluatorul nu mai poate fi identificat. Pentru ecologizarea acestor platforme, nu mai poate fi aplicat principiul „poluatorul plătește”, iar dacă această sarcină revine noilor proprietari, agenți economici, aceștia sunt în poziția în care ar trebui să-și investească tot profitul obținut sau chiar să falimenteze ca urmare a rezolvării acestor cazuri de poluare gravă. Îngrijorarea dnei. Mariana Ghineraru provine din faptul că nici un program de finanțare nu prevede fonduri pentru rezolvarea acestor probleme, și în consecință, acestea rămân netratate, cel puțin pe termen scurt și mediu. Propunerea adresată AM POR în vederea soluționării acestor cazuri constă în

inclusiunea activităților de depoluare pentru aceste situri ca activități eligibile pentru finanțare în cadrul Programului Operațional Regional. Aceeași propunere a fost înaintată și Ministerului Mediului și Gospodăririi Apelor, în calitate de minister de resort și Autoritate de Management pentru POS Mediu, dar nu a putut fi acceptată din cauza unui volum limitat de fonduri, care deja a fost alocat pe prioritățile de mediu identificate în cadrul capitolului 22. Reprezentanții AM POR au explicat faptul că această problemă, prin natura sa, impune expertiză și competențe de specialitate în domeniul mediului (sunt necesare o serie de studii de specialitate pentru identificarea poluanților, pentru tratare lor, etc.), și că în cazul în care totuși această propunere ar fi acceptată, fondurile adresate agenților economici privați în vederea ecologizării acestor situri ar fi limitate conform prevederilor specifice regulilor ajutorului de stat.

Totodată, s-a menționat că decizia de finanțare a acestor situri prin POR este o decizie politică, recomandându-se înaintarea oficială a acestei propuneri Ministerului Integrării Europene.

**Am luat la cunoștință și sunt de acord cu conținutul acestui proces verbal:**

Gabriela Frent – director, Direcția Politici Regionale și Coordonare Program,  
Autoritatea de Management pentru Programul Operațional Regional, MIE

Constantin Pulbere – consilier, Direcția Generală Evaluare Impact și Controlul Poluării,  
Ministerul Mediului și Gospodăririi Apelor