

**STRATEGIC ENVIRONMENTAL ASSESSMENT  
DOCUMENTATION**

**ON  
SECTORAL OPERATIONAL PROGRAMME TRANSPORT 2007-2013**

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### **List of Abbreviations**

EIA	- Environmental Impact Assessment
EC	- European Commission
EU	- European Union
KAI	- Key Area of Intervention
MA	- Managing Authority
MESD	- Ministry of Environment and Sustainable Development
MPH	- Ministry of Public Health
MT	- Ministry of Transport
PA	- Priority Axis
PT	- Public Transport
SEA	- Strategic Environmental Assessment
SOP	- Sectoral Operational Programme
SOPT	- Sectoral Operational Programme for Transport
TEN-T	- Trans-European Networks Transport
WFD	- Water Framework Directive

## **A). Non-Technical Summary**

The Sectoral Operational Programme – Transport for the years 2007-2013 (SOPT) is a document prepared to enable the distribution of EU (European Union) financial sources in the area of transport infrastructure development. This SOPT is being elaborated by the Ministry of Transport of Romania (MT), which is the Managing Authority (MA) of the SOPT. It adheres to the thematic priority identified in the National Strategic Reference Framework aimed at “expanding and improving transport infrastructure” identified in the Romanian Law no. 203/2003 on development and modernization of the transport network important at national and European level, which underpins the strategies identified in the White Paper on the European Transport Policy and directives detailing the Trans-European Networks - Transport (TEN-T). The SOPT defines objectives, priority axes (PA) and key areas of intervention (KAI) within which it will make possible to apply for the project co-financing from the EU Funds.

The SOPT was one of 4 sectoral operational programmes (SOP) screened to be assessed by Strategic Environmental Assessment (SEA), as provided for in the Government Decision no.1076/2004 for setting up the environmental assessment procedure of certain plans and programmes (Official Journal no.707/05.08.2004). The content and scope of the assessment was endorsed by the scoping meeting of a Working Group established for the purpose of SEA by the Managing Authority. The scoping meeting took place on the 8<sup>th</sup> of September 2006.

The SEA began immediately after the decision of the scoping meeting. At the time of the start of the process, a draft SOPT version from April 2006 was made available to the SEA team. The process then continued simultaneously with the amendments introduced to the SOPT by the MA due to consultations with SEA team and ex-ante evaluation recommendations.

All parts of the SOPT were assessed within SEA. The SEA experts based their conclusions in recommendations on a number of national and international documents relevant to the SOPT, including the draft programme complement elaborated by the MA. The basic reference framework for conducting SEA was a set of relevant environmental objectives endorsed by the 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 the current status of environmental issues related to the nature and focus of the SOPT. The final set of the 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 SOPT sections and proposed the following changes to the SOPT:

- to complement the “Analysis of the current situation” with a separate section dedicated to the environmental situation analysis related to issues arising due to transport;
- to complement and modify the SOPT descriptive part, including the SWOT analysis;
- to complement and modify the global and specific objectives of the SOPT by emphasizing the sustainable transport development objective;

- 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 draft environmental report was completed on 15<sup>th</sup> of November 2006 and was prepared for the version SOPT dated April 2006 and included modifications of November 2006 version . The SOPT 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 Economy and Finance, that wished to ensure that SEA considers alternatives options, another draft / version of the SOPT was provided to the SEA team on 23<sup>rd</sup> of January 2007 (December 2005 version). This version has been consequently still included in the final version of the environmental report.

The SOPT contains priority axes that are worked out in detailed key areas of intervention, which are the most important part of the SOPT in terms of assessment of its possible negative impacts and potential environment benefits and alternatives.

Assessment was carried out for each separate key area of intervention 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 the attainment of the relevant environmental objectives in Romania. Alternative reformulations of objectives, priority axes and KAIs, where appropriate and reasonable, were proposed and discussed.

On the basis of this assessment, the SEA team made proposals for implementation and modification of the focus of the areas of intervention and also suggested conditions for their implementation. Another important output of the assessment was the proposal for the monitoring of environmental effects during the SOPT implementation and a proposal for environmental criteria that will help to evaluate the environmental performance of the projects proposed for funding within SOPT. It is anticipated that integration of environmental criteria and indicators into the overall implementation and monitoring system of the SOPT will enable to focus the support from the EU funds on those activities, which will bring bigger positive effects to the environment and will minimize adverse impacts.

In the framework of the assessment, human health issues as well as impacts on the Natura 2000 network were addressed.

### ***Major recommendations and findings of the analysis***

All chapters and sections were reviewed during the strategic environmental assessment, focusing on those parts that could reveal the environmental effects of the projects to be funded under the priorities of the SOPT. The biggest focus and attention was paid to the strategic level statements of the SOPT, which are the global objective, specific objectives, priority axes and key areas of intervention.

In elaboration of the proposals for environmental monitoring system of the SOPT, information was correlated with the programme complement, which contained more information on the monitoring indicators of SOPT.

Results of the assessments covered two versions of the SOPT: i) 2005 version of this SOPT and ii) April and November 2006 versions of the SOPT.

Both versions of the SOPT differ by the scope. Earliest version lacked the objective “Promote sustainable development especially by minimizing adverse effects of transport on the environment and improving safety” and KAI 4.3<sup>1</sup> within Priority axis 4 “Sustainable development of the transport sector”<sup>2</sup> called “Minimize adverse effects of transport on the environment”.

Assessment of the Key Area of Intervention “Minimize adverse effects of transport on the environment” proposed in later SOPT versions indicates that this intervention as well as adding a separate objective of the SOPT on sustainable transport development is likely to have significantly positive environmental effects and its inclusion improves an overall balance of positive and adverse environmental impacts of the SOPT.

Comparison of both versions of the SOPT thus leads to a conclusion that the latest version of SOPT (April and November 2006) is likely to have more positive environmental effects than the previous (2005) version of the SOPT, since:

- the new objective “Promote sustainable development especially by minimizing adverse effects of transport on the environment and improving safety” brought into the SOPT will clearly add to the environmental safety of the transport sector;
- KAI 4.3<sup>3</sup> “Minimize adverse effects of transport on the environment” is likely to have significant positive effects by expending activities under priority axis 4<sup>4</sup>, then the originally proposal;
- the last version enables better integration of sustainable development and environment to the SOPT.

The global and specific objectives of the SOPT are on a national scale therefore the assessment scope (scale) of the SOPT was on the national level as well.

It is emphasized in the SOPT that urban transport infrastructure is not the subject of the SOPT, and it may be dealt by ROP, which addresses regional policy issues, since municipal transport is a matter governed by municipalities and local authorities.

SEA analysis and recommendations contain references to the public transport (PT) focusing mostly on the national and international infrastructure used by PT, since there is no way to separate it. This assessment is analyzing the impacts of the development of rail, air and water transport addressed in the SOPT as well as Priority axes on “Sustainable development of the transport sector”<sup>5</sup>, which is important for PT development, especially because one of the Key Areas of Intervention under this PA is aimed at the introduction of efficient non-polluting / environmentally friendly transport infrastructure initiatives for all transport modes and mitigation

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<sup>1</sup> KAI 4.3 became KAI 3.3 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>2</sup> PA 4 “Sustainable development of the transport sector” became PA 3 “Modernization of transport sector aiming at higher degree of environmental protection, human health and passenger safety” within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>3</sup> KAI 4.3 became KAI 3.3 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>4</sup> PA 4 became PA 3 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>5</sup> PA 4 “Sustainable development of the transport sector” became PA 3 “Modernization of transport sector aiming at higher degree of environmental protection, human health and passenger safety” within the April 2007 version of SOPT, following the negotiations with the EC.

of the environmental impacts of the past developments in the transport sector as a whole. The SEA team emphasizes the importance of such measures to PT.

*Suggestions for modifications (alternative formulations) of the specific objectives of the SOPT were proposed as follows:*

Objective 1. Promote international and transit movements of people and goods in Romania by providing effective connections of the port of Constanta, as well as *transit transport from EU to the south* through the modernization and development of the relevant TEN-T priority axes *applying necessary environmental measures.*

Objective 2. Promote effective movement of persons and goods among Romanian regions and their transfer from the hinterland to priority axes by modernizing and developing national and TEN-T networks *according to sustainable development principles.*

Objective 3. n/a.

Objective 4. Support sustainable transport development by minimizing adverse effects of transport on the environment *and improving traffic safety and human health.*

*Suggestions for modifications (alternative formulations) of Priority Axes (PA) were as follows:*

PA 1: Modernization and development of TEN-T priority axes *aiming at sustainable transport system integrated with EU transport networks.*

PA 2: Modernization and development of the national transport infrastructure outside the TEN-T priority axes *aiming at sustainable national transport system.*

PA 3<sup>6</sup>: Upgrade the railway passenger rolling stock on the national and TEN-T railway networks

PA 4<sup>7</sup>: *Modernization of transport sector aiming at higher degree of environmental protection, human health and passenger safety.*

*Suggestions for modifications (alternative formulations) of Key area of intervention (KAI) were as follows:*

KAI 1.1: Modernization and development of *sustainable* road infrastructure along the TEN-T priority axis 7.

KAI 1.2: Modernization and development of *sustainable* railway infrastructure along the TEN-T priority axis 22.

KAI 2.1: Modernization and development of national road infrastructure *adopting sustainable transport principles and ensuring the highest possible environmental protection.*

KAI 4.1<sup>8</sup>: *Development of inter-modal terminals and logistic centres.*

KAI 4.3<sup>9</sup>: Minimize adverse effects of transport on the environment *by developing the national Environmental Strategy of Transport Sector and other activities aimed at mitigation of environmental effects.*

KAI 1.3; 2.2; 2.3; 2.4; 3.1<sup>10</sup> and KAI 4.2<sup>11</sup> n/a.

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<sup>6</sup> The PA 3 is removed, the activities foreseen for KAI 3.1 being included in KAI 2.2 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>7</sup> PA 4 became PA 3 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>8</sup> KAI 4.1 became KAI 3.1 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>9</sup> KAI 4.3 became KAI 3.3 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>10</sup> The PA 3 is removed, the activities foreseen for KAI 3.1 being included in KAI 2.2 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>11</sup> KAI 4.2 became KAI 3.2 within the April 2007 version of SOPT, following the negotiations with the EC.

The implementation of the objectives and priority axes of the SOPT will likely have significant environmental effects on the environment. Special attention should be given and selection of appropriate mitigation measures to offset the potential negative impacts should be done for Priority Axes (PA) 1 and 2. Most likely positive effects are to be expected from carrying out measures planned under PA 3<sup>12</sup> and PA 4<sup>13</sup>.

Key mitigation measures proposed for SOPT are:

- all projects should have EIA carried out with special focus given on alternatives to reduce any potential significant impacts on Natura 2000 and landscape fragmentation. Since the exact locations of the projects are not known, special attention should be given to overlap and interaction of the developments with Natura 2000 network which is to be approved at the end of 2006;
- priority support should be given to the investments that promote best available techniques (BATs);
- priority support should be given to the investments that promote minimization of energy consumption, increase energy efficiency and decrease energy demand (e.g. oil and gas) and promote reuse of the natural resources;
- projects enabling PT use and development should have a priority (e.g. rail versus road and measures aimed at PT promotion);
- projects prioritised using the environmental section criteria proposed in the report should take priority in the overall SOPT funding.

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.

In order to implement the system it was recommended:

- To incorporate the proposed measures that should be taken to minimize, 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.

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<sup>12</sup> The PA 3 is removed, the activities foreseen for KAI 3.1 being included in KAI 2.2 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>13</sup> PA 4 became PA 3 within the April 2007 version of SOPT, following the negotiations with the EC.

- 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 with the European Environmental Agency 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 SOPT implementation impacts;
- To connect the monitoring system to the system of evaluating and selecting the projects i.e. use the same environmental objectives/indicators for the project evaluation and selection and also for further project monitoring;
- To link monitoring of the SOPT to monitoring of the single projects i.e. summarize results of the monitoring from the project level in order to estimate overall effects of the SOPT to the relevant environmental objectives;
- To publish the results of monitoring;
- To ensure sufficient personnel and professional capacities for environmental areas within the SOPT monitoring;
- To involve the Ministry of Environment and Sustainable Development 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;
- To invite environmental NGOs to take part in the monitoring committee (-s) established for the SOPT.

### ***Consultations***

In order to consult the public in the preparation and assessment of the SOPT, the SEA team proposed to establish a webpage within the MT, where the SEA working documents and other relevant information were posted (<http://gatekeeper.mt.ro>). Visitors to the site were also able to comment on the draft documents in writing and register to take part in the public debate at the end of the SEA process.

REC Romania created a web-page on its website ([www.recromania.ro](http://www.recromania.ro)) dedicated to the “Ex-ante Evaluation” (EuropeAid/121373/D/SV/RO), which contains most of the interim papers produced during the SEA of 4 Operational Programmes assessed under this contract. Comments on the draft environmental report for SOPT could have been also sent to the following e-mail address: [oana.boingeanu@recromania.ro](mailto:oana.boingeanu@recromania.ro) by the 19<sup>th</sup> of January 2007.

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Pursuant to the relevant national legislation, the public debate was organized after the formal submission of the SOPT including this environmental report to the Ministry of Environment and Sustainable Development and the open consultation phase of 45 days with other relevant stakeholders and the public as required by the national law.

The comments and suggestions raised during this consultation phase and the public debate were considered within the final version of the SOPT.

## **B). Statement summarising how environmental considerations have been taken into account**

### **1. INTRODUCTION**

This 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 completed Sectoral Operational Programme for Transport. It records how the SEA has improved the development of the plan, including how opinions expressed on the Environmental Report and SOPT have been taken into account in finalising the operational programme.

This Statement is published on the Ministry of Transport's webpage, as required by the art. 33, par 1, letter b) of the Governmental Decision 1076/2004 for setting up the environmental assessment procedure of certain plans and programmes.

### **2. SEA METHODOLOGY AND STEPS**

SOPT has been subject to a process of Strategic Environment Assessment 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/EC (SEA). PHARE project RO-2004/016-772.04.03.01.06 - "Ex-ante evaluation" has provided assistance to support the strategic environmental assessment of the SOPT, including the elaboration of the environmental report and organization of public consultation.

<b>Step No</b>	<b>Steps of SEA Procedure</b>	<b>Documents/date for the undertaken steps</b>
<b>1</b>	<b>Notification</b> on the elaboration of the first SOPT draft submitted by the MA SOP Transport to the SEA responsible department within the Ministry of Environment and Sustainable Development (MESD) - General Directorate for Pollution Control, Impact Assessment, together with the first draft of SOPT; two announcements were published in the newspaper; first draft was also published on MT's website	The official letter was submitted on 09 <sup>th</sup> of February 2006. The announcements were published on 10 <sup>th</sup> and 13 <sup>th</sup> of February 2006.
<b>2</b>	<b>Screening stage</b> - decision taken by the General Directorate Pollution Control, Impact Assessment to carry out the environmental assessment of the SOPT, before its approval, in accordance with the art. 5, para 2, letter a of the Governmental Decision No 1076/2004	The formal letter from General Directorate for Pollution Control, Impact Assessment was received on 20 <sup>th</sup> of February 2006.

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<b>3</b>	<b>Setting up of the SEA Working Group</b> formed by the representatives of relevant ministries – MT, MESD, Ministry of Interior and Administrative Reform, Ministry of Economy and Finance, Ministry of Public Health (MPH) – Institute of Public Health, National Authority for Regulating and Monitoring Public Procurement and NGOs, external consultants provided by PHARE project	The official invitation was sent to the relevant authorities on 03 <sup>rd</sup> of March 2006.
<b>4</b>	<i>Invitation to take part in the first meeting</i> of SEA Working Group	The official invitation was sent on 05 <sup>th</sup> of September 2006.
<b>5</b>	<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 08 <sup>th</sup> of September 2006.
<b>6</b>	<b>Preparing the Environmental Report</b> on the likely significant effects of the draft SOPT on the environment, including consideration of: 1. The current state of the environment and the likely evolution thereof without implementation of the SOPT; 2. The environmental protection objectives, established at international, community or national level, which are relevant to SOPT and the way those objectives have been taken into account; 3. The likely significant effects on the environment of the SOPT; 4. The measures envisaged to prevent, reduce or offset the likely significant environmental effects of each key area of intervention 5. Measures for monitoring environmental effects	Environmental report prepared with the support of PHARE experts.
<b>7</b>	<i>Invitation to take part in the second meeting</i> of SEA Working Group	The official invitation was sent on 31 <sup>st</sup> of October 2006.
<b>8</b>	<b>Second meeting (scoping meeting)</b> of the SEA Working Group 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 03 <sup>rd</sup> of November 2006.
<b>9</b>	<b>Finalization of the Draft Environmental Report</b>	Draft Environmental Report finalized by PHARE experts based on working group contribution.
<b>10</b>	Official information on finalization of Draft Environmental Report sent to the SEA working Group	The official announcement was sent to the Working Group on 27 <sup>th</sup> of November 2006.

<b>11</b>	<b>Announcement for public hearing</b> (45 days before the meeting); Environmental Report was published on MT's webpage together with two announcements that were published also in the newspaper	The formal announcements for public hearing were published on 27 <sup>th</sup> and 30 <sup>th</sup> of November 2006. The public hearing was established for 15 <sup>th</sup> of January 2007.
<b>12</b>	<b>Public hearing</b>	The public hearing took place on 15 <sup>th</sup> of January 2007. The minute is attached (Chapter 8).
<b>13</b>	Elaboration of the <b>Final Draft of Environmental Report</b> taking into account the comments received	The Final Draft of the Environmental Report was completed on 26 <sup>th</sup> of January 2007.
<b>14</b>	<b>Notification</b> of MA SOP Transport submitted to the MESD together with the final draft of SOPT (which includes public comments) and final version of the SEA Report	The official letter was sent on 26 <sup>th</sup> of January 2007.
<b>15</b>	<b>Environmental permit issuance</b>	The environmental permit was issued on 31 <sup>st</sup> of January 2007.
<b>16</b>	<b>Official notification on the decision to issue the environmental permit</b>	The official letter was received from the MESD on 02 <sup>nd</sup> of February 2007.
<b>17</b>	Publication of the announcement of the decision to issue the environmental permit in mass media and MESD's webpage; <b>publication of the final Environmental Report for SOPT and SEA statement on MT's webpage</b>	Publication of the announcement of the decision to issue the environmental permit on MESD's webpage on 02 <sup>nd</sup> of February 2007 and in the newspaper on 07 <sup>th</sup> of February 2007. The publication of the final Environmental Report for SOPT and SEA statement on MT's website on 07 <sup>th</sup> of February 2007.

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

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.

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The SOPT document, as well as Environmental Report and SEA methodology have been made available for all stakeholders on MT's website ([www.mt.ro](http://www.mt.ro)) and adequate time has been allowed for comments and suggestions. Since January 2006 the first draft of SOPT and the following versions of SOPT have been made public on MT's website, both in Romanian and English versions.

According to the relevant national legislation on SEA process, a public hearing was organized on 15<sup>th</sup> of January 2007, the announcement of the meeting being made in mass media and on MT's website ([www.mt.ro](http://www.mt.ro)) 45 days before the meeting.

The comments received during consultation process and public hearing, the response provided and the way in which these comments have been addressed in SOPT are presented in the table below. No comments from the public have been received on Environmental Report 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. During public hearing, the opinion of Institute of Public Health was asked again. The answers are included in the table below.

<b>Name / Organization</b>	<b>Question / Comment</b>	<b>Response / How it has been addressed in SEA Report</b>
Andreia Petcu / WWF – The Danube – Carpathians Programme Romania	The main effects of SOPT on waters are presented without mentioning the specific hydro technical works (dragging, drainage, etc.). We consider that those works represent an important aspect to consider and suggest to include it into the analysis of the effects.	The comment is taken into account and the text is modified as follows: “negative effects on waste ecosystems due to hydro technical works (dragging, drainage etc.)”
“-“	We understood that the impact value, evaluated on the scale from -2 to 2, is the average of the options of the different specialists involved in assessment and that the comments presented on the right column regarding the effects are very important. This is the reason why we suggest that those comments have to be always in accordance with the scale. A. If there is no direct connection than the value must be 0, and if there is a connection the associated value must be also specified.	The point is correct. A. The conclusions of the assessment of the effect of KAI 1.3 on the Objective ‘Preserve, protect and rehabilitate the Romanian coastal zone of the Black Sea ensuring protection of natural (including terrestrial and aquatic ecosystems) and cultural heritage in order to achieve the sustainable development of the region’ have been modified as 0 (having no effect). B. No engines or other energy consuming equipment is planned to be purchased during within the KAI. Therefore the evaluation was not changed, however, in the works related to the activities planned, there may be a

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	B. We consider that there is a connection and that this program should be correlated with the Energy strategy that foresees the increase of the bio-fuel consumption till up to 2% of the total fuel consumption.	possibility to employ biofuel, therefore the description was amended with the following text. “Due to the national commitment to achieve 2% increase in biofuel consumption, there is a potential to encourage beneficiaries to utilize this kind of fuel and give priorities to such projects”.
“-“	Comment regarding the recommendation for KAI 1.3. We consider that it should be avoided the recommendation to use of the term <b>REGULARIZATION</b> because it implies an activity that causes major modifications, some of them irreversible, of the river beds. We suggest the reformulation: „It is recommended that the structural works affecting river beds be done using ecological materials and technologies. We suggest as well that, when a project proposes irreversible morphological modifications with environmental impact, compensatory ecological measures should be suggested (renaturalization or flooding of other areas, etc.)	The comment accepted and proposed modification was incorporated into the text.
“-“	In SOPT, at the intermodal transport chapter, only the road and railway transport are mentioned, while the SEA report for SOPT includes also the correlation of water and railway transport segments. We consider necessary to prepare an analysis of the environmental benefits before implementing such projects.	Intermodal transport is considered as more environmentally friendly transport, since it enables better connection between water, rail and road freight and passenger transport ensuring the most environmentally friendly modes are better accessed and used. Therefore, it is thought that evaluation of the impact as positive towards the environment is correct though it is correctly observed that activities under this KAI nevertheless have to be prioritized in terms of environmental effects.
“-“	Water Framework Directive (WFD) should be integrated in the TEN-T programme	The comment is accepted. The SEA team does not have information if the Danube river basin management plan according

	<p>respectively. Accordingly, in the projects, plans and programmes to be carried out, the requirements of the WFD have to be integrated (e.g. principle of non-deterioration, improvement of ecological status, cost efficiency, public participation, etc.). As regards the plans to improve navigation on the Danube this should be holistically approached and SEA has to be performed for the whole river basin.</p>	<p>to the WFD has been finalized. The activities in the SOPT as regards the navigation and development have to be coordinated with such plan. Therefore based on the comment, the environmental report has been amended with the following recommendations:</p> <ul style="list-style-type: none"> <li>- to coordinate the projects and activities planned under SOPT on the Danube river with the WFD and/or Danube basin management plan;</li> <li>- to conduct the SEA of the complete set of the activities on TEN-T priority axis 18 in Romania.</li> </ul>
<p>“_“</p>	<p>It is suggested to carry out an analysis that would show costs benefits for environment from the development of different branches of transport and the optimal balance among these branches taking into account the environmental factors.</p>	<p>Such analyses have been carried out in different countries already. Based on effects on the environment the most positive are the train, water and public transport means and networks. However, additional analysis of the most suitable transport mean development can be carried out within or in parallel of the development of the strategy under KAI 4.3<sup>1</sup> “Minimize adverse effects of transport on the environment”.</p>
<p>“_“</p>	<p>With regards to the environmental indicators suggested we could see that some of them should be reformulated to allow the correct measurement of the effects:</p> <p>1. For relevant environmental Objectives „Limit water pollution from point and diffuse pollution sources “ and “Limit point and diffused pollution of soil” It is not relevant only the number of accidents but also the quantity, toxicity and other characteristics of substances are equally important. Certain substances have high volatility and can evaporate quickly, and others can easily infiltrate”.</p>	<p>1. The type of pollution is not directly related to activities under SOPT. Data on the spilled pollutants is being collected by the environmental inspectorates regularly. The indicators on the number of accidents would demonstrate better the performance of the SOPT therefore we think the indicators are relevant. Monitoring of the SOPT should not substitute the environmental monitoring of EPA, but has to as close as possible reflect to the activities of the programme.</p> <p>2 and 3. Due to very big volumes of measurements and high expertise of staff needed to collect such data as well as due to the need to have small number of indicators, we support the original suggestions and would encourage other institutions responsible for management</p>

<sup>1</sup> KAI 4.3 became KAI 3.3 within the April 2007 version of SOPT, following the negotiations with the EC.

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	<p>2. For relevant environmental Objective „Protect and improve the conditions and functions of terrestrial and aquatic ecosystems against anthropogenic degradation, habitat fragmentation and deforestation „Indicators increase in the level of fragmentation of relief due to SOPT’ is not relevant. Baseline situation must be firstly known. Suggested indicator: „no. of affected habitats and their surface”</p> <p>3. For relevant environmental objective „Preserve the natural diversity of fauna, flora, and habitats in protected areas and potential Natura 2000 sites“ the affected habitats, populations and species’ status must be as well considered besides the surface affected by the transport infrastructure.</p>	<p>of protected areas and Natura 2000 sites to monitoring this data or include it into the national monitoring system, but not to use it for the monitoring of the SOPT.</p>
<p>Dr. Fulga Mihaela and Dr. Emilia Maria NICIU, MD MSc / Environmental Health Department, Institute of Public Health Bucharest</p>	<p>Projects with negative impact can not be accepted it case to be at least "0" -zero or +, even in construction phase. Especially in construction phase pollution peaks can generate acute health effects, leading to an important public health problem. At all project stages (construction and exploitation) pollution mitigation measures have to be taken in such a way that the health status of the population is protected and kept at least as existing at baseline.</p>	<p>The OP does not contain projects, but more general strategy for implementation of the objectives. During SEA the highlighted scale was used to estimate the potential significance of the effect on the KAI and from the assessment one can not conclude that projects will have negative effects. However, any projects which will be approved within OPs will have comply with EIA (Environmental Impact Assessment) procedures based on the national law, where it is expected that environmental as well as health effects’ minimization or elimination measures will be proposed, discussed and approved as well as for the construction phase.</p>
<p>“-“</p>	<p>Remark to the text regarding impacts of accidental spills from traffic to water “Toxic-dangerous”</p>	<p>Amendment was done to the text as follows: spills from vehicles transporting harmful substances on surface and in waters, which are very toxic to humans</p>

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		as well as nature
“-“	Number of comments on the key environmental issues	Most of the comments have been accepted, with a couple of exceptions where it was thought that the issues are too detail for the level of the OP
“-“	Number of comments related to the reformulation of the relevant environmental objectives	The relevant environmental objectives were adopted at the scoping meeting and could not be changed at this stage
“-“	It is only possible to accept projects as eligible, from the point of view of health impact assessment, only if the impact is negative (-) compared with the starting moment (zero moment baseline data).	The assessment (estimate) was not of the projects, but of KAIs, therefore the evaluation by experts provide not ultimate, but preliminary effect, and not of any particular project or KAI. In the SEA it is important to evaluate all uncertainties and options, therefore the overall assessment is being summarized in the cumulative assessment and mitigation measures are being proposed, table 7.
“-“	Comments related to evaluation of effects on relevant environmental objectives and especially objective on “Facilitate improvement of human health by implementing measures aimed at pollution prevention”	We understand the concern with human health, though any economic activity has a negative effect on the environment (longer or shorter, reversible or irreversible). Mitigation measures have been proposed to minimize, offset or mitigate such effects to the highest degree, but specific measures on each project can not be suggested on SEA level, but will come up only on project level. SEA can only point out to such risks.
“-“	Indications potential negative effects	The assessment provided in table six aims to identify potential negative effects. This is the purpose of the analysis. We can not eliminate the wording where negative impacts are described. The experts attempted to make the description as detailed as possible in the time available, but there may be some omissions made.
“-“	Comments regarding information on potential negative effects, they have to be eliminated	The information provided in the table points out to the areas where attention has to be paid off during the EIA assessment aiming at establishment minimization, reduction and elimination of those negative effects. It has to be thee

		since otherwise it is not clear why there is a need for EIAs or obligatory minimization and protection measures.
“-“	It was recommended to include population health indicators: mortality and morbidity in that area	Accepted with explanation that SEA recommends to use this indicator for projects in pollution “hot spot” areas, since the indicators are unlikely to pick up on the effects from the OP as a whole when activities in other sectors will intensify due to foreseen development.
“-“	Suggestions regarding indicators	Accepted

Note: During the period January 2006 – January 2007, various comments / recommendations were made by the public (public consultation and hearing), by the relevant authorities (especially during working group activities), by the ex-ante evaluators (including SEA evaluators) and by the European Commission. Various positions and remarks have been assessed by the Managing Authority and adequately taken into account in the SOPT version of 31<sup>st</sup> of January 2007.

#### **4. HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN TAKEN INTO ACCOUNT IN SOPT**

The SOPT is the instrument that elaborates upon the objectives of the National Strategic Reference Framework (NSRF), establishing priorities, goals and the allocation of funds for development of the transport sector in Romania.

The global objective of the SOPT is to “promote a transport system in Romania, which will facilitate safe, fast and efficient movement of persons and goods with appropriate level of service at European standards, nationally, Europe-wide and between and within Romanian regions”.

Further, specific objectives of the SOPT, analyzed in the Environmental Report, were as follows:

- Promote international and transit movements of people and goods in Romania by providing effective connections of the port of Constanta, as well as Greece, Bulgaria and Turkey, with the EU through the modernization and development of the relevant TEN-T priority axes;
- Promote effective movement of persons and goods among Romanian regions and their transfer from the hinterland to priority axes by modernizing and developing national and TEN-T networks;
- Promote the development of a balanced transport system of modes, based on the respective competitive advantage of each, by encouraging the development of rail, waterborne and inter modal transport;
- Promote sustainable development especially by minimizing adverse effects of transport on the environment and improving safety.

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

<b>SOPT Priority axes</b>	<b>Key areas of intervention</b>
<b>Priority axis 1:</b>  Modernization and development of TEN-T priority axes	<b>1.1</b> Modernization and development of road infrastructure along the TEN-T priority axis 7
	<b>1.2</b> Modernization and development of railway infrastructure along the TEN-T priority axis 22
	<b>1.3</b> Modernization and development of water transport infrastructure along the TEN-T priority axis 18
<b>Priority axis 2:</b>  Modernization and development of the national transport infrastructure outside the TEN-T priority axes	<b>2.1</b> Modernization and development of national road infrastructure
	<b>2.2</b> Modernization and development of national railway infrastructure
	<b>2.3</b> Modernization and development of river and maritime ports
	<b>2.4</b> Modernization and development of air transport infrastructure
<b>Priority axis 3<sup>2</sup></b> Upgrade the railway passenger rolling stock on the national and TEN-T railway networks.	<b>3.1<sup>3</sup></b> Upgrade the railway passenger rolling stock with up to date train units
<b>Priority axis 4</b>  Sustainable development of the transport sector	<b>4.1</b> Promote inter-modal transport
	<b>4.2</b> Improve traffic safety across all transport modes
	<b>4.3</b> Minimize adverse effects of transport on the environment

For the purpose of the assessment of environmental effects on the SOPT, 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.

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

<sup>2</sup> Within the April 2007 version of SOPT, the PA 3 is removed, the activities foreseen for KAI 3.1 being included in KAI 2.2, following the negotiations with the EC.

<sup>3</sup> See previous footnote.

The recommendations proposed in the Environmental Report based on the assessment of the key areas of intervention and how they have been considered in the improvement of the SOPT are presented in the table below:

<b>Recommendations</b>	<b>How they have been considered in SOPT or related documents</b>
To complement the “Analysis of the current situation” with a separate section dedicated to the environmental situation analysis related to issues arising due to transport	This chapter was complemented accordingly.
To complement and modify the SOPT descriptive part, including the SWOT analysis	These chapters were complemented and modified accordingly.
To complement and modify the global and specific objectives of the SOPT by emphasizing the sustainable transport development objective	The global and specific objectives of the SOPT were complemented and modified accordingly.
To modify formulation of some of the Priority Axes by emphasizing the sustainable transport development objective	The Priority Axes of the SOPT were complemented and modified accordingly.
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	No action was taken since the change in the name of the Priority Axes was considered enough in order to emphasise the sustainable development objective.
All projects should have EIA carried out with special focus given on alternatives to reduce any potential significant impacts on Natura 2000 and landscape fragmentation	The recommendation is fully considered in selection criteria for projects. All the projects under SOPT will follow the EIA procedure according to national legislation, which transposes EIA Directive, as amended; also, Natura 2000 permit is a requirement for all infrastructure projects.
Priority support should be given to the investments that promote best available technologies	This issue is taken into consideration across all the interventions of the SOPT, in particular within the ITS field.
Priority support should be given to the investments that promote minimization of energy consumption, increase energy efficiency and decrease energy demand (e.g. oil and gas) and promote reuse of the natural resources	This issue is taken into consideration across all the interventions of the SOPT, in particular within the railway passengers service.
Projects enabling public transport use and development should have a priority (e.g. rail	Priority axis 3 <sup>4</sup> - Upgrade the railway passenger rolling stock on the national and

<sup>4</sup> Within the April 2007 version of SOPT, the PA 3 is removed, the activities foreseen for KAI 3.1 being included in KAI 2.2, following the negotiations with the EC.

versus road and measures aimed at public transport promotion)	TEN-T railway networks - aims at promoting appropriate balance among modes of transport. It aims at faster, safer and higher quality services at inter-operable European standards for domestic and international rail passengers by modernizing the railway rolling stock thus allowing rail to compete effectively with the growing road passenger transport.
Projects prioritised using the environmental section criteria proposed in the report should take priority in the overall SOPT funding	The recommendation is considered within the selection criteria for projects.

Another important output of the assessment was the proposal for the monitoring of environmental effects during the SOPT implementation and a proposal for environmental criteria that will help to evaluate the environmental performance of the projects proposed for funding within SOPT. It is anticipated that integration of environmental criteria and indicators into the overall implementation and monitoring system of the SOPT will enable to focus the support from the EU funds on those activities, which will bring bigger positive effects to the environment and will minimize adverse impacts.

The Environmental Report has produced useful recommendations that have been considered in the final version of the SOPT.

## 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 alternatives of the SOPT were analysed during SEA process:

- Zero alternative – no SOPT implementation;
- First alternative SOPT version elaborated in December 2005;
- Second alternative SOPT version elaborated in April 2006;
- Third alternative SOPT version elaborated in November 2006.

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

The different versions of the SOPT differ by the scope. The 2005 version lacked the objective “Promote sustainable development especially by minimizing adverse effects of transport on the environment and improving safety” and KAI 4.3<sup>5</sup> within Priority axis 4 “Sustainable

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<sup>5</sup> KAI 4.3 became KAI 3.3 within the April 2007 version of SOPT, following the negotiations with the EC.

development of the transport sector”<sup>6</sup> called “Minimize adverse effects of transport on the environment”.

Assessment of the Key Area of Intervention “Minimize adverse effects of transport on the environment” proposed in the later versions of SOPT indicates that this intervention, as well as adding a separate objective of the SOPT on sustainable transport development, is likely to have significantly positive environmental effects and its inclusion improves an overall balance of positive and adverse environmental impacts of the SOPT.

Comparison of these versions of the SOPT thus leads to a conclusion that the latest version of SOPT (April and November 2006) is likely to have more positive environmental effects than the previous (2005) version of the SOPT, since:

- the new objective “Promote sustainable development especially by minimizing adverse effects of transport on the environment and improving safety” brought into the SOPT will clearly add to the environmental safety of the transport sector;
- KAI 4.3<sup>7</sup> “Minimize adverse effects of transport on the environment” is likely to have significant positive effects by expanding activities under priority axis 4<sup>8</sup>, then the originally proposal;
- the last version enables better integration of sustainable development and environment to the SOPT.

The key experts considered the following approach in analysing SOP alternatives. In the case of the programming for Structural Funds, the operational programmes are a one option programmes and a no-programme alternative (no-SOP 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-SOP 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 SOP, but on the alternatives and possible improvement of positive effects on the environment of components of the SOP, 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 SOPT. The SEA team assessed the alternative objectives, priority axes (except the Priority Axis focused on the Technical Assistance) and key areas of interventions contained in the draft

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<sup>6</sup> PA 4 “Sustainable development of the transport sector” became PA 3 “Modernization of transport sector aiming at higher degree of environmental protection, human health and passenger safety” within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>7</sup> KAI 4.3 became KAI 3.3 within the April 2007 version of SOPT, following the negotiations with the EC.

<sup>8</sup> PA 4 became PA 3 within the April 2007 version of SOPT, following the negotiations with the EC.

working version of SOPT, and provided recommendations for choosing their optimal formulation (from the environmental point of view).

The draft Environmental Report was completed on 15<sup>th</sup> of November 2006 and contained the analysis of the SOPT alternatives mentioned above.

The draft SOPT and the draft Environmental Report were made available for public consultations at the end of November 2006. The comments received have been taken into account in the final version of the SOPT elaborated after the public debate took place.

### **C). Description of the measures decided concerning monitoring**

Monitoring environmental effects and impact 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 signalling the potential problems that are resulting from the proposed projects, not identified during the ex-ante assessment processes (both SEA and EIA). The monitoring process will also 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 SOPT. 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 SOP) 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 SOPT environmental impacts from impacts of other activities/interventions (e.g. projects financed from sources other than the SOPT).

Monitoring of the significant environmental effects of the SOPT will follow closely the approach taken for the general 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 plan.

Relevant actors involved in monitoring of environmental factors and effects include: national, regional and local environmental protection agencies, National Administration “Romanian Waters”, local authorities.

It is therefore important that the monitoring of significant environmental effects is included in the monitoring framework as a whole, to ensure that the monitoring process provides information for the management and revision of the SOPT, as well as to make data collection 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 SOPT implementation.

In line with the SEA recommendations, in order to monitor the extent of the effects that the SOPT has on the environment, proposed environmental indicators 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 in other words, on the SOPT.

Monitoring data on the environmental effects of the SOPT should be requested by the Managing Authority and provided by the project beneficiaries yearly and also together with the final project reports 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 SOPT effects are presented in the table below:

<b>Monitoring Measure</b>	<b>Deadline</b>	<b>Responsible body</b>
<b><i>Measure taken before SOPT approval</i></b>		
Incorporation of the environmental indicators proposed by SEA into the overall system of monitoring the SOPT	Action correlated with SMIS development / monitoring procedure for SOPT  March 2007	Ministry of Economy and Finance / Managing Authority for SOPT
Connection of the monitoring system to the system of evaluating and selecting the projects i.e. use the same environmental objectives /indicators for the project evaluation and selection and also for further project monitoring	March 2007  (Connection done within the procedures for monitoring and project selection / guidelines for applicants)	Managing Authority for SOPT
Linking monitoring of the SOPT to monitoring of the single projects i.e. summarize results of the monitoring from the project level in order to estimate overall effects of the SOPT to the relevant environmental objectives.	Action correlated with SMIS development (which ensure data aggregation from projects level to programme level)	Managing Authority for SOPT
Elaboration of the selection criteria for projects, including projects appraisal, based on the set of environmental indicators proposed by SEA team	Drafted selection criteria including environmental considerations (to be proposed for Monitoring Committee approval)	Managing Authority for SOPT
Ensuring sufficient staff and professional capacities for environmental areas within SOPT monitoring	Continuous training of staff – with the support of pre-accession and SOP programs, but also governmental budget	Managing Authority for SOPT
Proper information of potential applicants about environmental issues and about possible links of the draft projects to the	Elaboration and dissemination of guidelines for applicants – correlated with the organisation of calls for proposals	Managing Authority for SOPT

environment	- Information campaigns - Guidelines for beneficiaries	
Inclusion of environmental NGOs into the monitoring committee	Selection of NGOs representative February – March 2007	Managing Authority for SOPT

<b><i>Measure taken during SOPT implementation</i></b>		
Verification of the measures taken to mitigate the likely negative effects on environment, when performing on-the-spot checks at the level of the project. Action is correlated with monitoring system of relevant authorities.	Yearly	Managing Authority for SOPT
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 SOPT	Managing Authority for SOPT
Publishing of the results of monitoring on Managing Authority webpage	Yearly, after approval of the SOPT implementation Report for SOP operations progress Ex-post evaluation for overall SOPT environmental effects (2015)	Managing Authority for SOPT

Report on environmental operations monitoring will be produced regularly by responsible units in Managing Authority.

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 with art. 27, para 3 of the Governmental Decision 1076/2004, the Managing Authority for SOPT will send yearly to the competent environmental authority, respectively the General Directorate Pollution Control, Impact Assessment, an yearly report concerning the results of the monitoring measures presented above. This report will be compiled from the existing monitoring data of SOPT and other sources, following to be used also for drawing up the Annual Implementation Report of the SOPT.

## **D). Information on the consultations with the public and the environmental authorities concerned**

According with the *Statement summarising how environmental considerations have been taken into account* (Chapter B), the formal announcements for public hearing were published on 27<sup>th</sup> and 30<sup>th</sup> of November 2006 in a central newspaper and on MT's website (together with the draft Environmental Report), 45 days before the meeting established for 15<sup>th</sup> of January 2007.

Also, apart the general public, the main institutions consulted were the ones within the SEA Working Group formed by the representatives of relevant ministries – MT, MESD, Ministry of Interior and Administrative Reform, Ministry of Economy and Finance, MPH – Institute of Public Health, National Authority for Regulating and Monitoring Public Procurement and NGOs.

Below there is the translation of the *Minutes of the public debate* that took place on 15<sup>th</sup> of January 2007.

### **MINUTES OF THE PUBLIC DEBATE (15<sup>th</sup> of January 2007)**

The public consultation process on the Strategic Environmental Assessment for SOP Transport 2007-20013 was organized at the MT, on the 15<sup>th</sup> of January 2007.

The meeting started with an introductory speech delivered by Mr. Catalin Costache, advisor with the Ministry of Transport– Managing Authority for the Sectoral Operational Program for (SOP-T), in which he pointed out the specific programming process of SOP-T, a process that also includes the Strategic Environmental Assessment (SEA), which lead to this event.

Mrs. Luminita Andrei, advisor with the Ministry of Environment and Sustainable Development, mentioned the special importance of observing the SEA provisions for SOP-T, in accordance with the SEA Directive of the European Commission.

Mr. Catalin Costache continued by delivering a presentation of the Sectoral Operational Program on Transport 2007-2013.

The overall objective of SOP-T is to promote a transport system in Romania, which will facilitate safe, fast and efficient movement of persons and goods, with appropriate level of service at European standards, nationally, Europe-wide and between and within the regions of Romania.

The specific objectives of SOP-T are as follows:

- Modernization and development of the TEN-T infrastructure, with a special focus on the TEN-T Priority Axes;
- Promote the development of a balanced transport system for all modes of transportation by encouraging the development of the railroad, water and inter-modal transport;
- Promote a sustainable development, mainly by mitigating the negative environmental effects of transport and by enhancing traffic safety.

The structure of the Priority Axes was also mentioned:

- Priority Axis 1 – Modernization and development of Priority Axes for the Trans-European Network - Transport (Priority Axes TEN-T no. 7, 22, 18) – in order to build a sustainable transport network, integrated with the EU transport networks,
- Priority Axis 2 – Modernization and development of the national transport network outside the TEN-T Priority Axes (in order to create a sustainable national transport system);
- Priority Axis 3 – Modernization of the railway passenger rolling stock on the national railway networks and TEN-T;
- Priority Axis 4 – Modernization of transport sector aiming at higher degree of environmental protection, human health and passenger safety (promoting the inter-modal transport; enhancing traffic safety for all modes of transport and mitigating the negative environmental effects of transport);
- Priority Axis 5 – Technical Assistance for SOP-T.

The beneficiaries of these priorities shall be:

- The National Company for Highways and National Roads from Romania (CNADNR S.A.);
- The National Railway Company - CFR S.A.;
- SNTFC CFR Calatori S.A.;
- MT Agency;
- Port, river and maritime administrations;
- Airports;
- Private operators.

Mr. Catalin Costache also mentioned the project types (in the field of road, railway, water and air transport, horizontal aspects and technical assistance); project portfolios (for each sector), as well as a percentage of the financial allocations for each priority axis.

During the second part of the meeting, Ms. Ausra JURKEVICIUTE, SEA topic area team leader, Regional Environmental Center (REC), delivered a presentation of the conclusions on the Strategic Environmental Assessment Report (SEA).

It started by an introduction of the presentation's objectives:

- Methodology;
- Issues and difficulties faced during the assessment process;
- Overall effects of the SOP-T on the relevant environmental objectives;
- System for project selection and evaluation;
- Environmental effects monitoring.

Regarding the methodology, there were references to:

- Main environmental aspects related to SOP-T;
- Analysis of relevant environmental strategic documents;
- Projects' compliance with the national and international standards;
- Identification of the relevant environmental objectives for SOP-T;
- Environmental assessment and recommendations for the strategy;
- Selection evaluation (monitoring and selection),
- The environmental report;
- The consultation process (the intervention of the environmental authority, but not only, is sought during the entire process).

The methodology was based on the GRDP Handbook on SEA in the Cohesion Policy 2007-2013.

Issues and difficulties encountered during drafting the SEA report:

- Late start of SEA in comparison with the programming process,
- Lack of local experience and too short time to train the local experts,
- The Natura 2000 network was in the process of being implemented.

The strengths are as follows:

- first SEA process in Romania;
- latest methodology applied for the operational programmes (OP);
- successes with institutional consultations;
- taking into account the definition of the OP interventions at strategic level, SEA recommendations are of strategic and unspecific nature, relying on continuing the environmental assessment through subsequent processes;
- multidisciplinary team of national and international experts with SEA experience.

General effects of SOP-T on the relevant environmental objectives can be positive or negative; priority axes 1 and 2 can generate a negative effect, while priority axes 3 and 4 have a positive effect.

*The suggestions regarding the modification of the SOP-T, specific objectives, priority axes and key areas of intervention, concerned the support of a sustainable development and the effects on the environment, were proposed as follows:*

Objective 1. Promote international and transit movements of people and goods in Romania by providing effective connections of the port of Constanta, as well as transit transport from EU to the South through the modernization and development of the relevant TEN-T priority axes applying necessary environmental measures.

Objective 2. Promote effective movement of persons and goods among Romanian regions and their transfer from the hinterland to priority axes by modernizing and developing national and TEN-T networks according to sustainable development principles.

Objective 3. Promote the development of a balanced transport system of modes, based on the respective competitive advantage of each, by encouraging the development of rail, waterborne and intermodal transport.

Objective 4. Support sustainable transport development by minimizing adverse effects of transport on the environment and improving traffic safety and human health.

PA 1. Modernization and development of TEN-T priority axes aiming at sustainable transport system integrated with EU transport networks

PA 2. Modernization and development of the national transport infrastructure outside the TEN-T priority axes aiming at sustainable national transport system

PA 3. Upgrade the railway passenger rolling stock on the national and TEN-T railway networks

PA 4. Modernization of transport sector aiming at higher degree of environmental protection, human health and passenger safety.

KAI 1.1 Modernization and development of sustainable road infrastructure along the TEN-T priority axis 7, adopting sustainable transport principles and ensuring the highest possible environmental protection;

KAI 1.2 Modernization and development of sustainable railway infrastructure along the TEN-T priority axis 22;

KAI 2.1 Modernization and development of national road infrastructure, adopting sustainable transport principles and ensuring the highest possible environmental protection;

KAI 4.1 Development of inter-modal terminals and logistic centres;

KAI 4.3 Minimize adverse effects of transport on the environment by developing the national Environmental Strategy of Transport Sector and other activities aimed at mitigation of environmental effects.

The main mitigation measures of the SOP-T impact on environment were translated into:

- All projects must undertake Environmental Impact Assessment, with special attention given to the NATURA 2000 sites and habitat fragmentation,
- Priority support for investments meeting the following conditions:
  - Promote BAT (pollution reduction techniques),
  - Promote a minimum energy consumption, support the increase in energy efficiency and the energy demand (e.g.: oil and gas) and promote the preservation of natural resources,
  - Facilitate the development and use of public transport as a priority,
- Use of the proposed environmental criteria in order to prioritize the project proposals submitted for funding through SOP-T.

The system for project selection and evaluation from the environmental point of view includes two stages:

- Pre-project environmental evaluation during project preparation (positive and negative effects),
- Formal environmental evaluation within official evaluation procedures.

In order to provide an efficient evaluation system, SEA recommendations include:

- Incorporation of the proposed environmental evaluation of project applications into the overall system of evaluating and selecting project proposals;
- Ensuring sufficient personnel and necessary expertise for environmental areas regarding projects evaluation;
- Ensuring that the applicants are informed sufficiently about environmental issues.

Environmental monitoring effects were mentioned as follows:

- the system propose to take into consideration that national and regional monitoring of the environmental indicators can not distinguish between SOP-T environmental impact and others activities environmental impact (in some cases);
- the proposal must be modified for reflecting the SOP-T implementation method;
- environmental indicators are proposed for each relevant environment objective;
- monitoring indicators have to be selectively used in monitoring the environmental effects based on projects' characteristics;
- estimation of the general effect on relevant environmental objectives will be possible by monitoring and summarizing the environmental impact assessments at individual project level;
- the Management Authority must require information from project beneficiaries at the end of each project;
- the proposed environmental indicators must be incorporated into the overall monitoring system of SOP-T;
- to publish the results (e.g. on Internet).

Next recommendations regarding an efficient monitoring system were presented in the end:

- involving key departments of the Ministry of Environment and Sustainable Development into the discussion about the overall monitoring system and especially the way of incorporating environmental issues into the overall system before it is launched;
- ensuring sufficient personnel and professional capacities for environmental areas within the SOP-T monitoring;

- ensuring that the applicants are informed sufficiently about environmental issues and possible connections between project proposals and these aspects.

During the last part of the meeting, Mrs. Andreia Petcu, representative of the WWF – The Danube – Carpathians Programme Romania, made the following *remarks and comments*:

1. the organization she represented considers the SEA Report on SOP-T to be one good report or good in according with the SOP-T documentation;
2. the existence of certain inconsistencies between the scale used to asses the key areas of intervention and the comments made regarding the potential environmental effects,
3. the term “aquatic” ecosystems refers to “marine” and „freshwater,, (e.g. rivers) ecosystems,
4. we propose to replace the following paragraph (page 58):  
SEA recommendations (examples: implementation conditions, selection criteria):  
River regularization will be done using environmentally friendly materials and technologies. EIAs have to be carried out to ensure minimization of the impacts on natural aquatic and delta habitats as well in order to propose measures supporting the rehabilitation and preservation of cultural and natural landscape and energy conservation.  
WWF – Danube – Carpathians Programme Romania considers that the term REGULARIZATION should be avoided because it implies activities which cause major modifications/alterations of the river bed, some of them irreversible. They suggest the reformulation: „It is recommended that the structural works affecting rives bed be done using ecological materials and technologies. In the same time the General Naval Transport Department of MT propose the reformulation: “We suggest that local rehabilitations of the rivers beds to be done using ecological technologies and materials”.
5. General recommendations: Water Framework Directive (WFD) requirements should be integrated in the TEN-T programme and all other relevant programmes (examples: the non-deteriorate principle, cost efficiency, public participation etc.). The plans and programmes to improve Danube navigation conditions require a holistic approach and a strategic environmental impact assessment at the scale of entire basin.
6. In SOP-T the chapter regarding *inter-modal transport* speaks only about railways and road modules, but in the SEA for SOP-T there are comments regarding the naval and railways correlation. WWF – Danube – Carpathians Programme Romania considers that cost – benefit analysis including environmental benefits should be developed for all transport modes.
7. We suggest that when a project proposes irreversible morphological modifications with environmental impact, *compensatory ecological measures* should be imposed (restoration/rehabilitation or creation of wetlands, etc.).
8. Regarding the proposed environmental indicators the organization considers that some of them must be reworded in order to have a correct evaluation of the effects. For example at page 105 the indicator for “*Limit water pollution from point and diffuse pollution sources*” is: “*The number of illegal and accidental discharges of pollutants by modes on surface and underground waters*”. WWF – Danube – Carpathians Programme Romania considers that only the number of accidents is not relevant but in the same time the quantity, the toxicity and other characteristics of substances are important (Some substances are volatile others can be instable in water, etc)

Regarding the *inter-modal transport*, Mr. Catalin Costache agreed that this sub-sector was not given enough attention over the past years, but with the SOP-T, this shall be remedied through projects on inter-modality.

Mrs. Andreia Petcu highlighted the importance of studies and cost-benefit analysis regarding the transport on inland navigable waters, with the purpose of determining the market functionality and the investment opportunities in this sub-sector. As a result, Mr. Catalin Costache reminded that the Master Plan for Transport, to be realized this year, tackles these aspects as well.

In this context, the Marco Polo Program was also mentioned, a program that finances transport services provided by the private sector, promoting inter-modality and transfer of road traffic to the water and railroad modes.

Concerning the *inconsistencies between the scale that was used for the assessment of the key areas of intervention and the remarks on potential environmental effects*, Ms. Austra JURKEVICIUTE mentioned that the final score represents an average of the 6 experts' assessment scores.

Regarding the *other observations* made by Mrs. Andreia Petcu, they are welcome and shall be considered in the final version of the SEA Report.

In the end, Mrs. Luminita Andrei, advisor within the Ministry of Environment and Sustainable Development, asked Mrs. Adriana Turturean, representing the Ministry of Public Health at the public consultation regarding SEA on SOP-T, for the institution point of view regarding the Sectoral Operational Program Transport and the Environment Strategic Evaluation Report, according with GD no. 1076/2004. No point of view on these aspects has been formulated until the moment of the public consultation, but it will be sent by MPH by the end of the day. The point of view formulated by the nongovernmental organization WWF – Danube-Carpathians Romania Program will be also sent by e-mail, by the end of the 15<sup>th</sup> of January 2007, according with GD no. 1076/2004.