

SUMMARY STATEMENT

**under Article 29, paragraph 1 of the Ordinance on the terms
and procedure of performing strategic environmental
assessment of plans and programmes**

on the

COMPLIANCE

of

Operational Programme Environment 2014 – 2020

**with the performed strategic environmental
assessment**

Following the provision of Article 29, paragraph 1 of the Ordinance on the terms and procedure of performing strategic environmental assessment of plans and programmes (SEA Ordinance) and in relation with the SEA opinion No 15-9/12.12.2014 of the Minister of Environment and Water, approving Operational Programme Environment 2014 – 2020 (OPE 2014 - 2020), a summary statement has been prepared including analysis of:

- The compliance of OPE 2014 – 2020 with the main results and recommendations of the SEA documentation, with the results of the consultations, conditions, measures and restrictions, laid down in the SEA opinion;
- The compliance of OPE 2014 – 2020 with the alternative motivated in the SEA opinion under Article 26, paragraph 2, point 1 of the SEA Ordinance to achieve the objectives of the plan or the programme;
- The extent to which the measures under Article 26, paragraph 2, point 2 and point 3 of the SEA Ordinance have been taken into account in the programme.

1. Compliance of OPE 2014 – 2020 with the main results and recommendations of the SEA documentation, with the results of the consultations, conditions, measures and restrictions, laid down in the SEA opinion.

OPE 2014 – 2020 is in compliance with the main results and recommendations of the SEA documentation, with the results of the consultations, conditions, measures and restrictions, laid down in the SEA opinion. The programme has been elaborated in parallel with the process of performing SEA of the programme and the environmental considerations have been integrated into the draft OPE. The opinions, proposals and recommendations expressed during consultations and how they have been taken into account and integrated into the draft programme is evident from the information on the consultations held annex to the SEA report.

The implementation of OPE 2014 – 2020 will have an integrated positive effect on the environment and human health at national level according to the SEA report. Based on the results of the analyses, assessments and conclusions on the likely significant environmental and human health impacts, included in the SEA report, the implementation of OPE 2014-2020 is expected to:

- integrate the aspects related to climate change by limiting greenhouse gas emissions and increasing the adaptability of the environment to the changing climate;
- reduce PM₁₀ and NO_x levels in urban environment and indirectly reduce the amount of harmful gases emitted in the processes of sludge and waste treatment, also related to the improvement of ambient air quality;
- have a positive effect on the water status - surface and groundwater bodies as well as water for drinking and sanitary purposes;
- improve the soil status as an indirect result of the improvement of water and waste management, flood and landslide risk prevention and the improvement of ambient air quality in the urban environment;

- contribute to preservation and restoration of natural landscape elements, improvement in the structure and functioning of natural landscapes, prevention of the risk of damage and deterioration of the landscape through the activities for flood and landslides risk prevention and management;
- have a long-term positive impact on the biodiversity, not only through the activities and objectives under Priority Axis 3 which will directly lead to an improvement in the conservation status of targeted species and habitats in Natura 2000 nature protection areas (sites);
- contribute to more effective protection of cultural heritage through enforcement of the legislation related to environmental protection and improvement of the quality of the environment;
- contribute to sustainable municipal waste management, incl. biodegradable waste, according to the waste management hierarchy;
- reduce the noise levels in urban areas;
- improve the status of the tangible assets related to environmental protection, as well as protection of the tangible assets by implementation of the activities related to flood and landslides risk prevention and management, provided under PA4 of OPE Option IV;
- have a positive cumulative impact on human health, quality of life and well-being associated with an improved drinking water treatment, improvement of the water bodies status affected by discharges, a limited risk of harmful effects of waste, improved ambient air quality, reduction of noise levels, incl. indirect positive effects stemming from the improved status of landscapes, soils, natural environment, flood and landslides risk prevention and management;
- Have insignificant negative impacts mainly during the construction of the respective facilities. However, these impacts are with local scope and are reversible.
- The programme's implementation does not imply significant negative impacts on the environment and human health.
- No negative but only positive cumulative impacts on the environment and human health are expected.

The programme objectives until 2020 will be achieved under the strict implementation of the measures and conditions proposed in the SEA opinion which will be considered as requirements in the guidance for application/ guidelines to the beneficiaries under the programme.

Following Article 21 of the SEA Ordinance if more than two motivated negative opinions are received on the SEA report during the public consultations, public discussion should be held. No negative opinions have been received and no public discussion has been held.

With regard to Article 87, paragraph 2 of the Environmental Protection Act, the SEA contractor has reflected part of the opinions received during the consultations into the SEA report. With regard to the opinions that have not been reflected into the SEA report, the SEA contractor has presented the arguments of the experts who developed the SEA report in the information on the consultations and how they have been taken into account (Annex 1 to the SEA report).

2. Compliance of OPE 2014 – 2020 with the alternative motivated in the SEA opinion under Article 26, paragraph 2, point 1 of the SEA Ordinance to achieve the objectives of the plan or the programme.

Four options of OPE 2014 – 2020 have been drawn up in the SEA report and a zero alternative has also been considered:

- Zero alternative: the development of environmental aspects without the implementation of the programme is outlined. According to the projections, the alternative is unacceptable from the environmental perspective as well as from socio-economic perspective because the non-implementation of OPE will lead to lost profits most having a direct positive impact on the environment and human health;
- Option I – OPE 2014-2020 version from March 2013;
- Option II – OPE 2014-2020 version from September 2013;
- Option III – OPE 2014-2020 version from April 2014 (finalised in June 2014) – at the stage of finalized third version, consultation with the public, the interested authorities and third parties have been carried out;
- Option IV – OPE 2014-2020 version from November 2014, representing Option III supplemented as a result of the European Commission comments.

The SEA Report provides detailed analyses and assessment of the impact on the environment and human health in reference of the provisions of all four OPE options. In Section VIII are given the reasons for the preferred option in consideration of the environment and human health protection.

Based on the strategic environmental assessment of OPE 2014 - 2020, as a result of the performed analysis and estimation of the likely impacts of the provided priority axes and relevant activities, the conclusion of the team of independent experts is that **Option IV of OPE 2014 – 2020 contributes to achieving the environmental protection objectives at the national level to the fullest extent, by prioritizing and specifying eligible activities very clearly thus creating conditions for investment security on the one hand and addressing EC recommendations in the process of drafting OPE 2014 - 2020 on the other.**

Option IV of OPE 2014 – 2020 which is the option preferred in the SEA report has been submitted to the EC for approval – option IV from November 2014 г., which is in compliance with motive 7 from the SEA opinion No15-9/12.12.2014 of the Minister of Environment and Water.

3. The extent to which the measures included in the SEA opinion have been taken into account in OPE 2014 – 2020.

Measures from the SEA opinion part I., Letter A **Measures to be included in the final version of OPE 2014-2020** have been reflected in the draft OPE:

1. Eligible activities related to water quality monitoring under Priority Axis shall exclude groundwater catchments aiming at water abstraction, and shall support only activities for water flowrate measurement and representative water sampling.

The text within OPE 2014 - 2020 related to catchments for the purposes of monitoring have been deleted and the measure has been reflected.

2. Eligible activities under Priority Axis 3 for restoring meanders and old riverbeds (M 109 from the National Prioritized Action Framework for Natura 2000) and under Priority Axis 4 for restoring floodplains and improving water retention should be based on adequate planning and anticipation of all the risks for the environment.

The measure has been addressed in the process of programming. Measures 109 and 71 have been defined in the process of elaboration of the National Prioritized Action Framework for Natura 2000 (NPAF), and they will have a direct or indirect contribution to protection/restoration of habitats and species within Natura 2000. They have been identified by the stakeholders during the working groups meetings, during national and regional meetings and other ways of communication in the process of the NPAF elaboration. The NPAF for Natura 2000 has been approved by the Minister of Environment and Water and was submitted to the EC in 2014.

At the stage of OPE 2014 - 2020 implementation the planning of concrete measures will be carried out during the preparation of invitations/guidelines for application under priority axis 3 and priority axis 4. For the purposes of the adequate planning of the concrete measures the MA of OPE will ensure the participation of the stakeholders in the process of preparation of invitations/guidelines for application through the inclusion of the competent authorities as well as through the website of OPE. Anticipation of all the risks for the environment will be carried out at the stage of planning the invitations/guidelines for application for the concrete calls for proposals, as well as at the stage of implementation of activities by issuing of the opinion of the competent EIA authority and in compliance with the Ordinance on the terms and procedure for conducting compatibility assessment of plans, programmes, projects and investment proposal with the subject and objectives of conservation in the protected areas (sites).

Measures from the SEA opinion part I., Letter B **Measures to be applied during the implementation of OPE 2014-2020** will be implemented at the stage of programme implementation as follows:

№	Description of the measure	Implementation
1.	Investment proposals, plans, programmes or projects requiring EIA / SEA (pursuant to the Environmental Protection Act) and an Appropriate Assessment (Assessment of compatibility with the purpose and conservation objectives of protected areas) (pursuant to the Biological Diversity Act)	The measure will be considered during the preparation of invitations/guidelines for application.

	should be approved pursuant to the particular law only after a ruling by a decision/ opinion for approval/ consultation by the competent environmental authorities after following the recommendations of the assessments, and the conditions and measures under the particular act.	
2.	To develop and apply environmental criteria for eligibility and prioritization when selecting projects for funding.	The measure will be considered during the preparation of invitations/guidelines for application.
3.	To ensure the implementation of activities under the National Action Plan to promote green public procurement for 2012-2014 applicable to the respective project (e.g. use of recycled paper and electronic carrier for project documentation).	The measure will be considered during the preparation of invitations/guidelines for application.
4.	As a matter of priority funding should be provided to projects envisaging energy and resource efficiency measures.	The measure will be considered during the preparation of invitations/guidelines for application.
5.	<p>During the research, approval and authorization of water-related investment project proposals, the following should be taken into account and observed:</p> <ul style="list-style-type: none"> • the provisions of Article 156f, paragraphs 1 and 2 of the Water Act; • the respective River Basin Management Plans; • the protected areas regimes designated under the Protected Areas Act, the orders designating them and the approved management plans; • the nature protection areas regimes designated by the orders under Article 12, paragraph 6 of the Biological Diversity Act and the approved management plans; • the regimes for protection of the water protection zones pursuant to Article 119a of the Water Act; • the requirements for health protection of the urban environment; • the existing sites subject to health protection. 	The measure will be considered during the preparation of invitations/guidelines for application.
6.	Projects for the development of green infrastructure should be accompanied by the relevant analyses and forecasting of risks to the environment and human health and have to be elaborated in accordance with the Ex-ante Flood Risk Assessment and the Flood Risk Management Plans for 2016-2021.	The measure will be considered during the preparation of invitations/guidelines for application.
7.	To finance projects if the requirements are met with regard to:	The measure will be considered during the preparation of invitations/guidelines for

	<ul style="list-style-type: none"> • water abstraction for household purposes (drinking and sanitary water supply); • designation of sanitary safeguard zones around water supply sources; • waste water discharges. 	application.
8.	The implementation of projects under Priority Axes 1 and 2 should involve appropriate measures to reduce noise (organizational, urban planning, construction - acoustic) in the stages: design, construction and operation.	The measure will be considered during the preparation of invitations/guidelines for application.
9.	Limit soil sealing outside urban areas when designating sites for implementation of projects under Priority Axes 1 and 2.	The measure will be considered during the preparation of invitations/guidelines for application.
10.	Reclamation of sites affected during construction works under Priority Axes 1 and 2.	The measure will be considered during the preparation of invitations/guidelines for application.
11.	When implementing waste management activities related to the construction of waste installations and facilities, effective control is to be exercised over the implementation of measures to reduce and prevent the emission of pollutants into the environment.	The measure will be considered during the preparation of invitations/guidelines for application.
12.	Measures are to be implemented during the project construction phase for the reduction of dust and noise as well as for the legal management of construction waste.	The measure will be considered during the preparation of invitations/guidelines for application.

As regards the measures for monitoring and control of the impact on the environment and human health during the implementation of OPE 2014-2020, point II of the SEA opinion No 15-9/12.12.2014, every three years of the programme implementation the Managing Authority shall prepare reports on monitoring and control of the environmental impact during the implementation of the programme. The reports will contain information on the implementation of the measures under point I of the SEA opinion and analyses of the measures and indicators defined in point II of the SEA opinion. In case of detected adverse impact on the environment and/or human health, timely measures for possible elimination should be proposed and undertaken.