

**Strategic Environmental Assessment
of the Operational Programme Objective European
Territorial Cooperation
Austria – Czech Republic
2007-2013**

**Summarising statement
acc. article 9 sea-directive 2001/42/EC
incl. monitoring measures**

This statement forms part of the Strategic Environmental Assessment of the programme as required under Article 9 of the SEA-Directive. The main purpose of this document is to inform the public on the decision-making process until the adoption of the Operational Programme Objective European Territorial Cooperation Austria –Czech Republic 2007-2013 by the programming partners. It summarises how environmental considerations have been integrated into the programme and how the Environmental Report and the consultation responses have been taken into account. Further it states the reasons for choosing the programme in the light of the other reasonable alternatives dealt with. Finally it describes the measures that are to be undertaken to monitor the significant environmental effects during programme implementation.

The SEA-process ends with this summarising statement and the adoption of the final draft of the Operational Programme by the programming group (in the meaning of the decision on the programme acc. to Article 9 of the SEA-Directive) before its official submission to the European Commission (EC) at the beginning of March 2007. Therefore final adjustments to the Operational Programme due to comments of EC will very likely take place until the official approval of EC on the Operational Programme.

1 Summary of SEA-process

The main aim of the Strategic Environmental Assessment carried out for the Objective European Territorial Cooperation Programme Austria – Czech Republic was the integration of environmental considerations in the programme at an early stage in order to ensure a high level of environmental protection and promote sustainable development. Additionally the process gives interested parties the opportunity to express their opinion and be kept informed on decisions that may have significant environmental impacts.

This section gives an overview of the main stages of the SEA process also in correspondence to the overall process and programming steps.

Figure 1: Procedural steps and timeline

Programming steps	Timeline	Corresponding SEA steps
Determine the overall objectives of the programming document and the main issues it should address	March – May 2006	Determine environmental issues, objectives and indicators that should be considered during the SEA process
Analysis of the development context	May – June 2006	Evaluate the current situation and trends and their likely evolution if the programming document is not implemented
Propose development objectives and priorities	June – July 2006	Assess proposed development objectives and priorities
Propose fields of activity	July – Sept. 2006	Assess proposed fields of activities Assess cumulative effects of the entire programming document
Propose evaluation criteria and monitoring system	October 2006	Evaluate proposed evaluation criteria system Evaluate proposed monitoring system
Compile the proposed programming document and hold consultations with authorities and stakeholders	Nov.- Dec. 2006	Compile the Environmental Report and hold consultations with environment authorities and the public
Formal adoption of the Operational Programme by programming partners	Dec. 2006- February 2007	Take into account Environmental Report and results of consultation in decision-making Inform environmental authorities and the public on how the outcomes of the SEA have been taken into account

2 Environmental Report – content and main results

The Environmental Report for the programme was prepared by a group of external experts from following institutions: ÖGUT-Österreichische Gesellschaft für Umwelt und Technik, Joanneum Research, Institut für Technologie- und Regionalpolitik (InTeReg); Österreichisches Ökologie Institut und integra consulting services.

The SEA assessed the likely positive and/or negative effects expected from the implementation of the programme's fields of activity on relevant environmental issues¹ and cross border environmental objectives. For each environmental issue guiding questions/indicators were selected to guide the analysis within the SEA process. Initially the Environmental Report describes the likely developments in these issues in case the programme is not implemented. This “zero-option” represents the “baseline” for the overall assessment process within the SEA. Subsequently the relevance of the abovementioned environmental issues to the programme priorities and fields of activities was assessed. Where no relevance is assumed, no further assessment is conducted. Finally, the SEA projects the likely positive or negative environmental impacts of implementing the specific priorities and fields of activities to the relevant environmental issues.

Content of the Environmental Report acc. Article 5 and Annex I of the SEA-Directive

Directive provision	Chapter in Environm. Report	Comment
Lit. a) outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes	Chapter 2	The final draft of the programme and the herein outlined activities and priorities are the product of continuous interaction between the SEA team and the Programming Group.
Lit. b) relevant aspects of the current state of the environment and the likely evolution thereof without implementation	Chapter 4	
Lit. c) the environmental characteristics of areas likely to be significantly affected	Chapter 4	Most environmental data is available on a national or regional base. CBC programmes being by definition transboundary pose a challenge for a coherent yet differentiated description.
Lit. d.) any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;	Chapter 4	
Lit. e) the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation;	Chapter 4	

¹ Population: Human health and well-being; Fauna, flora incl. biodiversity and natural habitats; Soil and subsoil; Ground and surface water; Air; Climate protection; Landscape and cultural heritage and archaeological and architectural heritage; Functional utilizations (recreational utilization, housing etc.); Protection from natural hazards; Environmentally friendly transport/sustainable mobility systems; Energy efficiency and renewable energy sources; Resource efficiency and conservation/sustainable resource management.

Directive provision	Chapter in Environm. Report	Comment
Lit. f) (f) the likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;	Chapter 6	The definition of the likely significant effects on the environment of the programme priorities was approached with great attention and depth of detail, providing comments and incentives for reformulation to the programming group.
Lit. g) the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;	Chapter 8	The main concern of the SEA team was the incorporation of their remarks and comments to the formulation of the Programme Priorities and Fields of activities. Thus the proposed “measures” are already part of the Programme.
Lit. h) an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling	Chapter 8	Cross Border Cooperation Programmes are implemented through the selection of single projects proposed by the eligible applicants. It is thus beneficial to the environment to define project selection criteria that safeguard the environment.
Lit. i) a description of the measures envisaged concerning monitoring in accordance with Article 10	Chapter 9	
Lit. j) a non-technical summary of the information provided under the above headings	Chapter 1	

The assessment on the level of fields of activities resulted in suggestions for alternative formulations of fields of activities, proposals for new activities and general project selection criteria. These measures to prevent, reduce and offset adverse effects and the suggestions for improvements are regarded as required reasonable alternatives according the SEA-Directive. The suggested reformulations and amendments were provided to the programming team and discussed within an iterative process and have been partly integrated into the different drafts of the programme.

As a central result of the SEA it can be stated that no significant negative effects are expected from the implementation of the programme. Possible negative impacts are on the one hand constrained by the existent legal frameworks and environmental nature conservation policies on the national or regional level and can on the other hand be minimized by adopting the SEA suggestions and conditions for implementation in the programme and during programme implementation.

In most cases the programme has a positive or neutral impact on the environment through the introduction of new technologies, communication networks and promotion of a service-oriented economy. There could be substantial synergies between environmental technology transfer, business development and growing tourism activities. Technology transfer networks could support the implementation of energy efficiency principles into most of business or public investment decisions with positive impact on air quality, climate change and sustainable resource management. Negative impacts are mainly expected to occur in those fields of activities that have a spatial dimension and consume or exploit space (e.g. tourism, transport etc.). Activities which support cross border business development and tourism will

increase the request for enlargements of regional road networks including major motorways and by-pass-routes and can therefore result in possible negative cumulative effects. On a long term individual motorized traffic and transport will increase, with negative impacts on air quality, noise and climate change. However, most of the likely negative effects have been eliminated through the iterative process between the programming group and the SEA team.

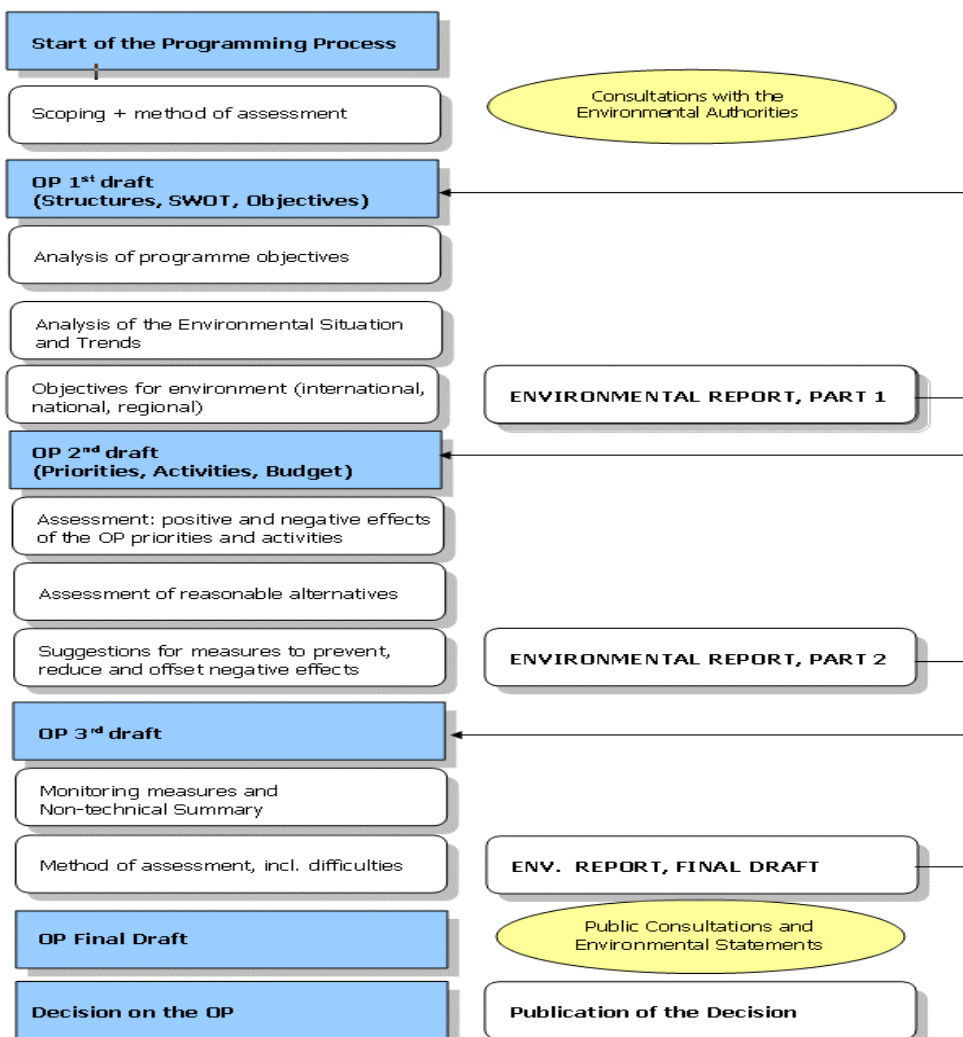
Cross Border Cooperation Programmes are implemented through the selection of single projects proposed by the eligible applicants. It is thus beneficial to the environment to define specific project selection criteria that safeguard the environment. The SEA team proposed a series of criteria for each field of activity. Indicatively project selection criteria focus on the adoption of new technologies and “best available technologies” especially for reducing environmentally negative activities, the promotion of environmental awareness and decentralised tourism, the adoption of ISO 14.000/EMAS, the reduction of transport demand and the introduction of transboundary environmental assessment, the contribution in capacity building for environmental management and the fostering of participation and collaborative decision-making processes. The Environmental Report concludes with recommendations concerning the measures to be decided to monitor the significant environmental effects during programme implementation.

3 Taking account of environmental considerations in the programme

3.1 Influence of the SEA process during programming and influence of the Environmental Report

The preparation of the Operational Programme was conducted within a broad programming group composed by representatives of national authorities of Austria and Czech Republic, regional authorities, environmental authorities as well as external experts providing the technical assistance on the programming, the ex-ante evaluation of the programme and the SEA-team. The process involved a number of workshops and meetings in Austria and Czech Republic and discussions with continued feedback between the SEA and the programming experts from March to December 2006. All experts cooperated closely through a consensus-seeking iterative process. The involvement of environmental authorities and SEA-experts in the programming process and the closely linked SEA process ensured that environmental aspects were considered at an early stage and were adequately integrated.

Figure 2: Interlinked Structure of Programming and SEA



3.2 Identification and evaluation of reasonable alternatives of the programme

The SEA directive requests to identify reasonable alternatives to the programme. In a multi-step process the SEA provided recommendations in order to optimize the programme. First, the SEA team defined the environmental baseline which served as a valid basis for decision-making in the planning process considering environmental aspects. As the Environmental Report, especially the fields of activities, was prepared parallel with the Operational Programme, environmental impacts (positive, neutral and negative effects on environmental issues) of different draft versions of the Operational Programme were assessed by SEA during the programming process. The SEA team suggested reformulations and new activities to the programming experts which were mostly integrated in the following draft versions of the programme. These suggestions and recommendations for adjusting priorities/directions of support are regarded as possible alternatives to the Operational Programme. This complies with the request of the SEA directive to identify, describe and evaluate reasonable alternatives (SEA Directive, Art. 5). By means of this iterative-adaptive process the programme was optimized from an environmental and sustainability point of view, reducing possible negative impacts and enhancing positive effects on environmental issues. The substantial improvements achieved concerning the expected environmental effects of the programme are documented in detail in the Environmental Report.

4 Consultations

4.1 Introduction

In line with the SEA-Directive Art. 5 and 6 environmental authorities and the public had the opportunity to express their opinion on the draft Operational Programme and the Environmental Report.

There were two key stages of consultation within the SEA-process:

- ◆ Stage 1: Scoping – Consultation with environmental authorities on scope and level of detail of Environmental Report
- ◆ Stage 2: Environmental Report and Draft Operational Programme – Consultation with the public and the Environmental Authorities on Environmental Report and Draft Programme

Both stages of consultation were done simultaneously in Austria and Czech Republic. Before starting the public consultation of the Environmental Report and the draft Operational Programme there were further consultations with the environmental authorities on the results of the SEA.

Information for the public about the ongoing planning process was provided on the website www.oegut.at starting in March 2006 till the end of the process.

4.2 Consultation –Scoping

Regarding the scoping-process a scoping-document was provided to and consultation meetings were held with the following authorities:

- Harald Rossmann, Advocacy for the Environment of Lower Austria (as representative on “environmental affairs in objective 3 programme AT-CR” for the provincial governments of Upper Austria, Lower Austria and Vienna)
- Gottfried Lamers, Federal Ministry of Agriculture, Forestry, Environment and Water Management/BMLFUW (Austria)
- Jaroslava Honova, Ministry of Environment (Czech Republic)

In particular, the environmental authorities and the SEA-team agreed on the geographical and temporal scope and the level of detail of the assessment, the methodology as well as the environmental issues and indicators.

4.3 Consultation –Environmental Report and Draft Operational Programme

In accordance with the requirements of the SEA-directive the Environmental Report (status: 19th October 2006) and the Draft Operational Programme (version 2.1, October 2006) were available for inspection from 13th November 2006 to 14th December 2006 in Austria as well as in Czech Republic.

The two documents were on display and notices advertising the public consultation period, giving information about the details of the programming and consultation process and inviting the public for written comments were placed on the following websites:

- ♦ www.at-cz.net/
- ♦ www.ceu.cz/EIA/SEA/Koncepce/Default.aspx (Czech SEA information system)
- ♦ www.oegut.at
- ♦ www.integranet.cz

The Czech Ministry of Regional Development placed the information about the consultation process and a link to the websites above on their official website. At the start of consultation period in Czech Republic official letters were sent to relevant public authorities with the invitation for comments.

In Austria the Environmental Report and the Draft Operational Programme were sent to the Environmental Authorities with the request to forward it to the relevant operating departments and authorities of the concerned provincial governments resp. the Ministry of Agriculture, Forestry, Environment and Water Management.

Moreover the invitation for written comments was sent to the Advocacies for the Environment of Lower Austria, Upper Austria and Vienna and the umbrella organisation for environmental NGO's, the Ökobüro.

The consultation was also announced by a newsletter of OeGUT addressing a variety of NGO's in the environmental sphere, representatives of public administration and the economy.

4.4 Summary of Public Consultation –

Taking account of issues raised during consultation in the Environmental Report

The key issues raised during the public consultation period in Austria and Czech Republic and how they have been addressed are outlined in the following tables:

Comments in Austria:

Issues Raised	How it has been addressed/Further remarks
Ministry for Agriculture, Forestry, Environment and Water Management, Department II/3	
<p>The environmental report does not include any details concerning the selection of the environmental protection objectives. These only cover certain partial aspects. This thematic limitation results in a limited description of the environmental conditions.</p>	<p>Annex I lit. e) of the Directive defines that the ER contains the environmental objectives set at an international, EU or national level that are of relevance to the programme. Relevance to the Programme was assumed based on the provisions in Art. 6 of the ERDF regulation (1080/2006). The ERDF regulation provides the basis for the programming process, thus indicating the potential thematic relevance.</p> <p>The description of the environmental objectives and of the environmental situation were defined according to the Annex I lit. f) of the Directive. The task of the SEA is the outlining only of the programme relevant information.</p>
<p>The evaluation of the impact of potential programme activities on the environmental objectives contains comments on positive or negative impacts on the selected environmental objectives without addressing real impact on the mentioned environmental issues.</p>	<p>The structuring of impacts according to the Priorities/fields of activities is purposeful and sets the base for a systematic evaluation of the OP. In doing so the results can be optimally integrated in the further elaboration and improvement of the programme with regard to its environmental effects.</p> <p>Cumulative effects (i.e. the assessment of potential reciprocally reinforced impacts as requested by the Directive) as described in chapter 7, can be regarded as a summarising description of the most relevant impact on every environmental issue.</p>
<p>The relevance matrix shows the connections between activities and guiding questions/ indicators. It contains no explanation why single activities are irrelevant. Here the limitation of the selected environmental issues on the relevant environmental objectives is evident.</p>	<p>In the delimitation of “possible relevant impacts” direct and indirect impacts of single “fields of activities” were considered. The relevance was derived from the contextual description of the “fields of activities” and the listing of „directions of support“(as an indicative non-exhaustive list of possible projects).</p> <p>It should be mentioned that the strategic character of the Operational Programme does not allow for detailed information on concrete actions to be implemented. Hence the evaluators are acting in a “space of possibilities” for intended actions, trying to assess and evaluate the possible impacts as realistic as possible. However, the scope of the programme and of each field of activity has intensively been discussed with the programming group to allow for a realistic appraisal of the possible activities to be implemented.</p> <p>E.g. in field of activity 1.3 direct and indirect mobility effects due to the transformation of the labour market were considered.</p>

Issues Raised	How it has been addressed/Further remarks
Ministry for Agriculture, Forestry, Environment and Water Management, Department II/3	
<p>The environmental report states that the preventive, reductive and compensatory measures (in short: measures) are conducted as alternatives. We must repudiate this. The Directive provides for the assessment of the draft plan and for reasonable alternatives. Mitigation measures cannot be regarded as alternatives in the sense of the Directive. Moreover, the SEA Directive also calls for an assessment of the reasonable alternatives. This has not been carried out in the environmental report.</p>	<p>The programming process contains a multi-step route to the final OP. The early drafts were subject to the assessment of relevant environmental impacts. At this stage recommendations from the SEA team were introduced, e.g. through „reformulations of fields of activity“, „new activities“, „selection criteria“ or other “conditions for implementation“.</p> <p>In that sense an optimized programme alternative was created. This final draft was subject to a concluding assessment in the final version of the ER. Additional comments were formulated aiming at the additional improvement of the OP and the elimination of remaining negative points (see chapter 8 of the environmental report). Those comments respect the requirement of Annex I lit. g of the Directive. However based on the available information serious negative impacts are not expected.</p> <p>Aiming at the optimization of the OP, numerous possibilities were depicted, how environmental impacts could be optimized with the use of selection criteria and further adaptations.</p> <p>Due to the specifications of Article 6 of the ERDF Regulation the “zero-option” is not regarded as a “reasonable alternative” in the light of the Directive. However the environmental impact of the “zero-option” is illustrated in chapter 4 according to Annex I lit. b of the Directive.</p>
<p>The positive estimates are not always comprehensible. It appears that only the best possible assumptions have been made in arriving at these estimates. There is, however, no assurance that the assumptions made will actually be realised. E.g. it is assumed that no physical development of business sites or the construction of technical infrastructure will occur under field of activity 1.1. In the programme construction is not explicitly excluded.</p>	<p>The assessment of potential relevant effects (chapter 6.2) contains direct and indirect effects of the activities on the environmental issues. Those were generated through the contextual description of the “fields of activities” and the listing of „directions of support“(as an indicative non-exhaustive list of possible projects).</p> <p>A major starting point for the assessment of the effects are –apart from the detailed description of the fields of activities – the chapters of the OP „General Principles“ and „Programme Strategy“ along with the ERDF regulation which define the orientation framework of the programme. Additionally the issues have been intensively discussed with the programming group, the financial endowment of the programme and fields of activities and the experiences made during the last programme period have been considered.</p> <p>It should be noted that the strategic character of the OP does not allow any detailed information about single concrete measures that will be implemented. Hence the evaluators are acting in a “space of possibilities” for intended actions, trying to assess and evaluate the possible impacts as realistically as possible.</p> <p>It can be safely assumed that the focus of the field of activity 1 „Business and innovation related environment and services“ lies in „soft-projects” such as development of cooperative networks and definitely not in the physical creation of commercial parks or the construction of extensive technical infrastructure. Such an activity would contradict the formulated objectives of the programme and only these can be the relevant set of criteria for the SEA.</p> <p>Intensive cross border cooperation of business actors will be supported. A consequent spatial expansion of single entities cannot be foreclosed. This effect on Landscape has been dealt with in chapter 6.2. The severity of these effects cannot be assessed at this stage. Even very detailed project selection criteria cannot guarantee that. However, all environmental provisions at project level still apply (e.g. EIA etc.)</p>

Issues Raised	How it has been addressed/Further remarks
Ministry for Agriculture, Forestry, Environment and Water Management, Department II/3	
<p>Selection Criteria and conditions for implementation do attempt to safeguard the assessment assumptions and their effects. However it is not guaranteed that those selection criteria will be compulsory applied. It would be advisable to demonstrate the effects of less favorable assumptions within an alternative assessment. The undertaken assumptions are not considered to be realistic based on the experience.</p>	<p>The scope of the SEA addresses an cross border cooperation OP with its provisions, objectives and priorities.</p> <p>The assumptions to assessment and evaluation are realistic in relation to the activities implemented within the predecessor INTERREG IIIA Programme. “Considerable negative effects as a direct or indirect consequence of the programme implementation” are not to be expected due to the nature and dimension of potential eligible activities. Additionally the issues have been intensively discussed with the programming group, the financial endowment of the programme and fields of activities and the experiences made during the last programme periode have been considered.</p> <p>If the environmental authority expects considerable negative effects as a direct or indirect consequence of the programme implementation, a comprehensible and coherent argumentation is necessary.</p>
<p>An integrated overall assessment of the OP is missing. Only partial assessments of the single priorities are present.</p>	<p>The non-technical summary and the assessment of cumulative effects offer the required overall assessment. Appart from that no overall comments are required by the Directive.</p>
<p>The monitoring process should in any case be applied in the case of the implemented projects. Aspects of environmental relevance (based on the environmental status-quo, and the programme implementation i.e. projects) should be monitored. The environmental report offers the base for it. The Monitoring system should focus on the existing problem areas.</p>	<p>The OP monitoring-system chapter is still under development. The comments will be taken in account by the programming group.</p>
<p>The monitoring could include an inspection to see whether the selection criteria/guiding principles are being adhered to, particularly if these are not obligatory as adherence to the criteria or principles constitutes the precondition for estimating the environmental effects. When these are not adhered to, or not used, other environmental effects must be expected. This ought to be presented within the framework of the monitoring.</p>	<p>The OP Monitoring-System chapter is still under development. The comments will be taken in account by the programming group.</p>
<p>Page 27: The statement that “...In the second half of the 1990ies separate collection of waste streams could decrease the level of waste from households and similar establishments...” is wrong. The amount of residual waste and bulky waste was reduced by the separate collection of organic waste, problem materials and packaging waste from paper, glass, metal and synthetic materials. By definition waste from households and similar establishments includes all separately collected recyclables. Thus the amounts of waste from households and similar establishments showed an increasing trend. From 1989 to 1995 the amounts of residual and bulky waste was reduced. This passage should be changed.</p>	<p>Page 27: Remark acknowledged and paragraph changed to: “1989 to 1995 amounts of residual and bulky waste was reduced by the separate collection of organic waste, problem materials and packaging waste from paper, glass, metal and synthetic materials. The amounts of waste from households and similar establishments showed an increasing trend.”</p>

Issues Raised	How it has been addressed/Further remarks
Ministry for Agriculture, Forestry, Environment and Water Management, Department II/3	
Page 49 and Page 56: Field of activity 2.2 Environment and risk prevention: Regarding the activity “Preparation of a cross border Waste Strategy” it should be noted that relevant EU regulations should be considered.	Page 49 and Page 56: The use of the word „proper“ is indicating that the relevant EU Regulations are to be respected.
Page 58: The reduction of the amount of waste should not be the main objective, but, rather, the reduction of the amount of waste which must be disposed of. As long as waste remains a part of the economic cycle through recycling processes this can be regarded as sustainable development. Therefore reduction of waste should not be main endeavour (with regard to both quantity and quality), but also to push through recycling measures, and thus to give priority to minimising the amounts of waste which must be conveyed for disposal.	Page 58: Remark acknowledged as follows "... key objectives (low emissions to air and water, efficient use of energy resources, reducing amount of waste, .." changed in: "... key objectives (low emissions to air and water, efficient use of energy resources, reducing amount of disposed waste, .."

Comments in Czech Republic:

Issues Raised	How it has been addressed/Further remarks
Ministry of Agriculture, Department of state administration, forest regulation and protection	
Recommendation to unify Austrian and Czech environmental issues. On Czech side environmental issues are too specific with unreal objectives.	Environmental issues on Czech side are selected from the national and international strategic documents. Objectives also state national and international strategic documents. In comparison with Austrian environmental issues the Czech ones are more particular but regarding the more numerous Czech issues both sets of environmental issues are consistent.
On page 12, table 2 “Relevant environmental issues and objectives – AT and CR: health and well-being” – Czech issue: „Participation of a wide spectrum of partners in environmental protection and realize partnership between authorities, NGOs, private sector and public“is lengthy and vague. We recommend cutting and reformulating the text.	Mentioned environmental issue is citation of Aarhus convention. In our opinion this formulation is clear and real and consistent with requirements on partnership principle development. Partnership principle which is the substance of this issue is one of the fundamental principles enforced in connection with Structural Funds.
Fauna, flora incl. biodiversity and natural habitats: Request of reformulation of Czech translation „Protect hot spots of biodiversity“ and „brownfields reuse“.	Remark acknowledged (translation mistake).
On page 13: Landscape and cultural heritage and archaeological and architectural heritage – to adopt formulation of Austrian issue which is shorter and more appropriate.	Remark acknowledged.
Ministry of public health	
We agree with OP with condition of realization of health protection proceedings especially noise protection.	Remark acknowledged.

Issues Raised	How it has been addressed/Further remarks
Ministry of Environment, department of water protection	
If all water protection conditions will be satisfied there are no serious remarks. We recommend discussing measures or projects of border waters by Czech-Austrian Commission for border waters.	Remark acknowledged.
Ministry of Environment, department of human and settlement ecology	
Focus on landscape – protection, management, planning, typology.	Remark acknowledged. Landscape protection should be realized in all aspects of landscape protection but the programme could not propose measures for all kinds of activities in landscape protection because of the programme character. Nevertheless the programme has integrated landscape protection in environmental issues. SEA focussed on specific landscape protection.
Agency for nature conservation and landscape protection of the Czech republic	
Focus on ecological systems, cross border connection and on impact of constructions on landscape scenery.	Remark acknowledged. Resolution of ecological systems in OP is partially limited by the nature of the programme. Nevertheless the programme proposes some measures for mentioned problems. Evaluation of construction impact on landscape scenery will be resolved by consecutive decision processes.
Authority of military area Boletice	
Avoid negative impacts on landscape scenery, improve landscape protection. Projects with potential negative impact on biotopes and protected species are not to be supported, also activities which could reduce development and revitalization of biotopes.	Remark acknowledged. This should be solved at the level of project selection. It is partially addressed in project selection criteria proposed by SEA, for example „Does it avoid negative side effects, especially on biodiversity or other natural resources?“ or „Does it contribute to a positive impact on environmental issues like biodiversity, air, climate protection, energy efficiency or prevention of natural disasters on a long-term?“

Remarks on Natura 2000:

Issues Raised	How it has been addressed/Further remarks
National Park Podyjí	
Evaluation of impact on Natura 2000 of the programme did not proceed.	SEA process proceeded according to Austrian legislation for environmental impact assessment. In Czech Republic only consultations of OP and SEA were held. Czech Ministry of Environment did not require Natura 2000 impact evaluation of the programme in Czech Republic and nature protection authorities did not get request according to § 45i of Act. N. 114/1992 Coll. However, all environmental provisions at project level still apply (e.g. EIA etc.)
Local impact assessment of issues and measures is very important. Impacts on Natura 2000 depend on project selection and realization of the projects. We propose project planning with potential impact on Natura 2000 sites Podyjí, Popice-fara, Podmolí-strouha, Vranov nad Dyjí – základní škola should be consistent with management plan of this Natura 2000 sites. We suggest the participation of National park Podyjí administration in project planning.	Remark acknowledged. This requirement was integrated to Ministry of Environment's standpoint. However, all environmental provisions at project level still apply (e.g. EIA etc.)

Issues Raised	How it has been addressed/Further remarks
Authority of military area Boletice	
Ensure better protection of Natura 2000 sites in general and in military area of Boletice in accordance with Act. N. 222/1999 Sb., about defence of the Czech Republic	Remark acknowledged. Protection of Natura 2000 sites is included in programme in general. SEA includes protection of Natura 2000 sites as „Development of favourable condition of Natura 2000 network (incl. status of bio-corridors)“ in environmental issue „Protect and restore habitats and natural systems and halt the loss of biodiversity by 2010 and beyond“.
Proposition of regulation criteria for tourism in Natura 2000 sites.	Within the OP, including SEA, the set up of detailed regulation of tourism in Nature 2000 sites is not possible. However, all environmental provisions at project level still apply (e.g. EIA etc.)
During assessment use precautionary principle, to set general condition for landscape planning, preparing and realization of projects.	SEA proposes conditions for project planning and realization. General condition is proposed in selection process.
Every project will be realized complying with conservation Natura 2000 protection and integrity.	Remark acknowledged. It is included in selection criteria and in standpoint of Ministry of Environment. However, all environmental provisions at project level still apply (e.g. EIA etc.)

Based on the statements above the Ministry of Environment composed a final statement which is attached in the annex of this document.

Taking account of issues raised during consultation in the Programme

As illustrated in Figure 1 (page 4) and in chapter 4 the recommendations by SEA experts were taken into account during the whole programming process and were partly integrated into the OP. The process of elaborating the Programme took place between October 2006 and February 2007 and was organised in eleven meetings of a programming group with written feed-back loops in between. This programming group consisted of representatives from Czech Ministry for Regional Development, Austrian Federal Chancellery, the 6 involved regions (South Bohemia, Vysocina, South Moravia, Upper Austria, Lower Austria, Vienna) and representatives from Euregios. External experts supported the drafting of the Programme. Written comments from other national institutions (e.g. Ministries), which were not themselves present in the programming group were also taken into account.

5 Reasons for choosing the programme

Consideration of the environmental effects of the programme has been integral to the process of developing the programme. The assessment has shown that no significant adverse impacts are to be expected from the implementation of the programme. The SEA supported this direction by providing recommendations for improving the Operational Programme from the environmental point of view. These proposals for new activities, reformulations and for the selection of projects to be implemented aimed at the promotion of positive environmental effects and the mitigation of negative impacts on the environment. The table below gives an overview on main SEA suggestions and how these have been considered in the programme.

SEA Comments	Introduction to the OP
<ul style="list-style-type: none"> Recommendation for a strong connection of technology transfer activities with innovation processes which focus on more energy and resource efficiency. 	<ul style="list-style-type: none"> Integrated in the OP in 6.2.2 and in more detail in the “PC light”
<ul style="list-style-type: none"> Introduction of (cross border) award systems to promote “clean and resource efficient technologies”, sustainable forms of tourism etc. suggested. 	<ul style="list-style-type: none"> Integrated in the OP in 6.2.2 and in more detail in the “PC light”
<ul style="list-style-type: none"> Positive impacts could be further enhanced by mobilising e.g. the regional capital, eco technologies or environmental management as fields for human resources development, labour market, education and qualification. 	<ul style="list-style-type: none"> Integrated in the OP in 6.2.2 and in more detail in the “PC light”
<ul style="list-style-type: none"> Support for the uptake for environmental management systems and audit schemes is recommended. 	<ul style="list-style-type: none"> Integrated in the OP in 6.2.2 and in more detail in the “PC light”
<ul style="list-style-type: none"> Additional measures to promote environmentally friendly transport/sustainable mobility systems recommended. 	<ul style="list-style-type: none"> Integrated in the OP in 6.2.1 and in more detail in the “PC light”
<ul style="list-style-type: none"> Strengthening cross border products and activities (joint planning of road corridors, SEA/EIA, public transport, business development etc.). 	<ul style="list-style-type: none"> Integrated in the OP in 6.2.1 and in more detail in the “PC light”
<ul style="list-style-type: none"> Land take, urban sprawl and loss of soil by sealing cannot be excluded at the Programme level. As a matter of principle, any new terminals and facilities should whenever possible be located in brownfields. 	<ul style="list-style-type: none"> Will be integrated and taken into consideration In “PC light” in the project selection criteria
<ul style="list-style-type: none"> For all fields of activities addressed by the programme main project selection criteria were recommended to safeguard the environment. 	<ul style="list-style-type: none"> Will be integrated and taken into consideration In “PC light” in the project selection criteria

6 Monitoring the environmental impacts of the programme

6.1 Introduction

The SEA-Directive requires that the significant environmental effects of the implementation of the programme shall be monitored in order, inter alia, to identify at an early stage unforeseen adverse effects, and to be able to undertake appropriate remedial action.

6.2 SEA Recommendations

The SEA recommends that the monitoring of the significant environmental impacts should be an integrated part of the mid-term and ex post evaluation of the programme. It will be important when preparing the mid-term and ex post evaluations to include an explicit requirement on assessing the significant effects of activities and projects on the relevant environmental key objectives elaborated further below. Also an explicit requirement should be included to the mid-term evaluation to propose corrective measures if the evaluation shows unexpected adverse environmental effects.

Review of current monitoring system

The monitoring model to assess the environmental effects of structural funds programmes proposed by the ÖROK² in Austria, situated at the project level, offers a sound starting point. Taking into account the nature of possible activities and in order to find out whether and to which extent the programme has positive environmental effects, each project has to be analysed according to four environmental key objectives (low emissions to air and water, efficient use of energy resources, reducing amount of disposed waste, biodiversity and landscape protection).

The core of the environmental assessment of projects in the 2000-2006 period was restricted to three mainly nominal categories for each project, namely:

- “environmentally neutral”,
- “positive environmental effects” and
- “very positive environmental effects” or as an alternative formulation “environmentally oriented”

The presently applied approach focuses only on positive effects. This is deemed to be not satisfactory for SEA purposes and the approach can be optimized.

² Umweltdimensionen und Bewertungsskala zur Evaluierung von Umweltwirkungen der Strukturprogramm (2002); ÖROK.

Proposals for improvements of the monitoring system

Option A: Minor adjustments of the proposed monitoring system

The systematic SEA identified a set of relevant environmental objectives for the programming document that fully reflect relevant environmental objectives established on EU level and in Austria and Czech Republic.

When such set of relevant environmental objectives would provide too complex framework for examination of the actual environmental impacts, the environmental monitoring system can be based on two principles:

- environmental monitoring focuses on the set of four 4 environmental key objectives (low emissions to air, water and soil, efficient use of material and energy resources, biodiversity and landscape protection),
- data on the actual impacts of implemented projects are gathered through more systematic analysis outlined below.

Table 1: Monitoring limited to 4 key environmental objectives

Project	Impacts of the project on relevant environmental objectives for the programming document			Short explanation of scale and nature of the impact
	Positive	Neutral or not applicable	Negative	
Simplified set of environmental objectives for the programming document				
Low emissions to air, water and soil				
Efficient use of material resources				
Efficient use of energy resources				
Biodiversity and landscape protection				

Option B: Optimal adjustments of the proposed monitoring system

This proposal is based on a presumption that the examination of actual environmental impacts of the implementation of the programming document should assess impacts of proposed activities on the wider set of relevant environmental objectives for the programming document that were identified within this SEA.

If such set-up would be feasible, the optimal environmental monitoring system can be based on two principles:

- environmental monitoring focuses on the set of relevant environmental objectives for the programming document defined during SEA,
- data on the actual impacts of implemented projects are gathered through a systematic analysis outlined in the Environmental Report.

6.3 Decisions on the monitoring programme

The recommendation of SEA that the monitoring of the significant environmental impacts should be an integrated part of the mid-term and ex post evaluation of the programme was taken into account. As there is not yet a decision taken by the programming partners in which way the evaluation – process of the OP itself will be organised in detail (ongoing evaluation and/or mid-term evaluation) at this stage it is impossible to define the timetable for SEA-monitoring. However it is evident that SEA-monitoring will be connected with the evaluation of the OP.

In order to facilitate the evaluation of the OPs impact on environment it is foreseen to provide data continuously on project level for this purpose. Option A of the proposal of SEA therefore seems one possible way to improve the system used in the period 2000 – 2006. Nevertheless programming partners may find a need to adjust this proposal during further discussions on the set of indicators used on project level. For instance it might be helpful to distinguish between an indicator for those projects, which are significantly oriented towards an improvement of the environmental situation and other projects which contribute to this improvement but are not explicitly aimed on environmental issues.

Anyway detailed procedures to identify unforeseen adverse effects and undertake remedial actions have to be elaborated by the programming partners until implementation of the OP starts.

7 Information for the public

The environmental authorities and the public are informed that the programme was adopted by the programming group at the beginning of March 2007. According to Art. 9 of SEA - directive 2001/42/EC the results of the SEA process are made available to the involved environmental authorities and the general public.

This summarising statement can also be accessed on the following websites: www.at-cz.net.