

Summarising Statement
on the integration of environmental considerations into the programme according to
Directive 2011/42/EC, Article 9

within the Strategic Environmental Assessment of the
Cross-Border Cooperation Programme
Austria - Hungary 2014-2020

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Introduction

Within the framework of the European Regional Development Fund (ERDF) a cross-border cooperation (CBC) programme for the period of 2014-2020 was developed for the cross-border area Austria-Hungary consisting of the NUTS 3 regions Nordburgenland, Mittelburgenland and Südburgenland, Niederösterreich Süd, Wiener Umland/Südteil, Wien, Graz and Ost-Steiermark, and the Hungarian NUTS3 regions Győr-Moson-Sopron, Vas and Zala. The core programme area remained in large part the same as in 2007 – 2013, with the addition of the metropolitan area of Graz being the only exception. CBC is a specific instrument in the portfolio of European and national instruments available for territorial development. Cross-border cooperation programmes are intended to complement the European mainstream programmes such as “rural development” or “investment for growth and jobs” and are primarily designed for strengthening cooperation in specific policy fields.

It cannot be excluded that the cross -border cooperation (CBC) programme Austria - Hungary 2014-2020 might trigger positive or negative environmental effects. According to the requirements set in Directive 2001/42/EC and the national legal requirements of Austria and Hungary, a Strategic Environmental Assessment (SEA) was required.

The SEA was carried out simultaneously to the preparation of the programme by Verracon GmbH and BFH Európa Kft. The SEA is part of a joint contract of Ex-ante Evaluation and Strategic Environmental Assessment conducted by ÖAR-Regionalberatung.

The purpose of the SEA was to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of the programme with a view to promoting sustainable development.

For that, the SEA evaluated possible environmental impacts related to priorities of the CBC AT-HU 2014-2020 programme and gave recommendations on how to enhance the quality of the programme in respect to environmental aspects.

Methodology

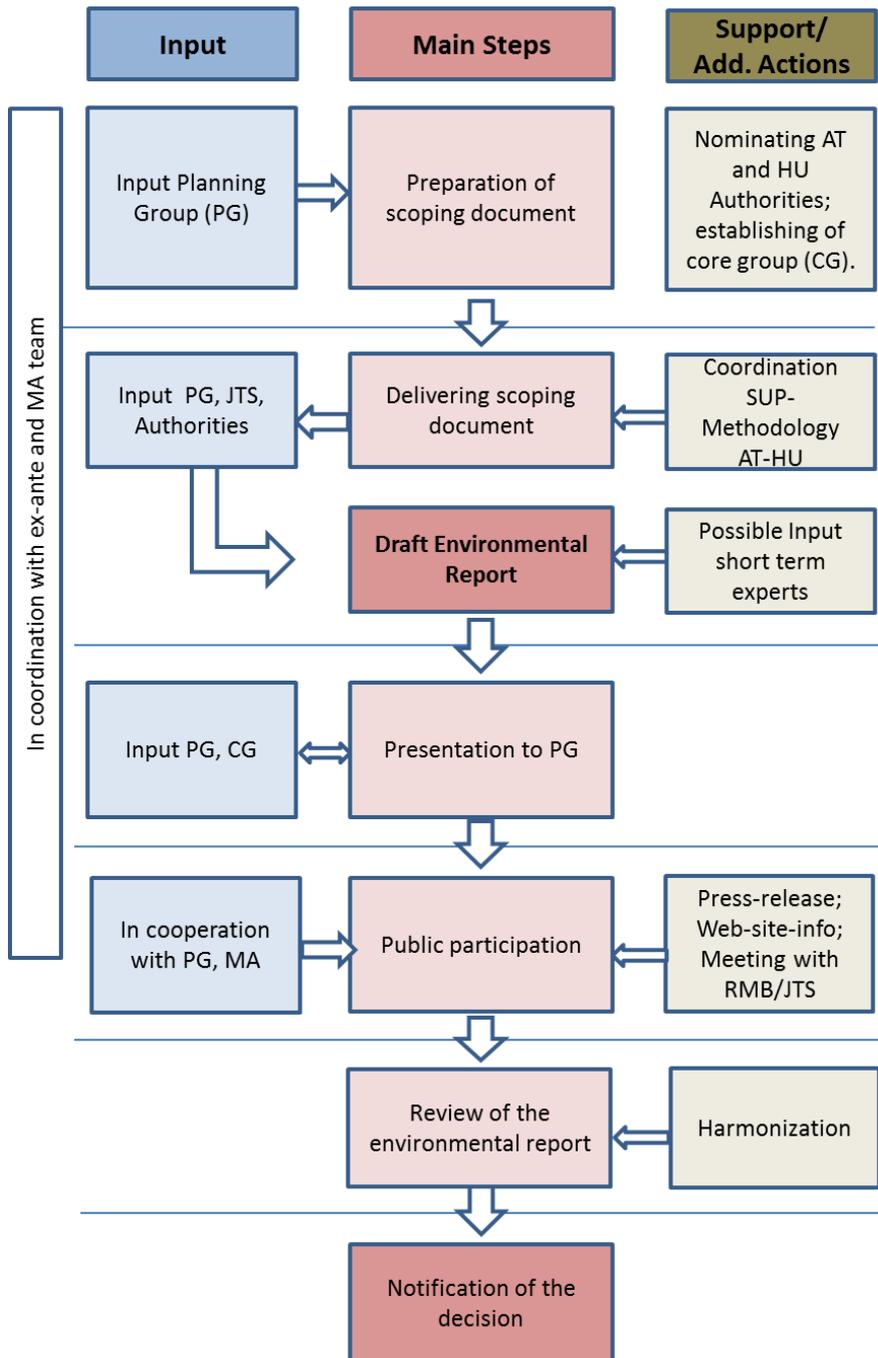
Following the general guidelines for the SEA seven steps need to be taken:

1. **"Screening"**: investigation of whether the plan or programme falls under the SEA legislation. Thus possible negative effects due to the programme cannot be excluded a SEA will be examined.
2. **"Scoping"**: defining the boundaries of investigation, assessment and assumptions required,
3. **"Documentation of the state of the environment"**, effectively a baseline on which to base judgments,

- "Determination of the likely (non-marginal) environmental impacts", usually in terms of Direction of Change rather than firm figures,

Point 3 and 4 are worked out in this **Environmental Report**.

- Informing and consulting the public,
- Influencing "Decision taking" based on the assessment and,
- Monitoring of the effects of plans and programmes after their implementation.



The Environmental Report

The Environmental Report, the main document of the SEA, is available as a separate document and is based on the programme draft of 5 June 2014. The final version of the Environmental Report also considers comments received during the consultation of the Environmental Report (12.05.2014-14.06.2014).

The SEA was carried out simultaneously to the preparation of the programme: in an iterative process the SEA team provided recommendations on how to enhance the programme concerning its environmental impact. The version of the programme the Environmental Report is based on, therefore already has been enhanced in respect to environmental aspects.

The Strategic Environmental Assessment is required for this program, as it cannot be excluded that projects which are implemented with the help of the program have an impact on the environment - both negative and positive. Therefore, according to an EC Directive, an environmental assessment is provided. The core part of the SEA is the Environmental Report

This report has the following contents:

- Chapter 1: Introduction
 - o Purpose of the Programme
 - o Description of the investigation area
- Chapter 2: The methodology and analytical framework are explained.
 - o The background is explained
 - o Each step of the planning process is characterized
 - o the involvement of the authorities is explained
 - o Source of used data-bases and applied methods are listed
 - o Difficulties of the assessment is noted
- Chapter 3: International and national Objectives of Environmental Protection is described.
- Chapter 4 shows the current state of the environmental situation and the trend without implementing the programme is assessed – the so called zero-option. This trend is the basis for the assessment of the environmental impact of the program.
- Chapter 5: On the basis of the status quo and the trend without implementation of the program an assessment of the environmental impact of the program is given by the experts.
- Chapter 6: Finally, remarks and suggestions of further necessary steps are made.
- Chapter 7 provides a Non-technical Summary of the Environmental Report.

Due to the size of the study area and the temporary processing time a small observation scale has been chosen.

Environmental Impacts

The main environmental problems are to be found in the enormous space consumption. The continued high amount of pollutant emissions, whether nitrogen oxides, greenhouse gases or phosphorus loads reveal a similar and worrying trend. The increasing energy consumption is indeed at least slowed down (due to the stagnant economy). It is, however, still at a high level, as well as waste generation.

The situation in the organization of protected areas and water quality are at least improved. There is still major groundwater pollution, but the trend is upward. No significant upward trend is assessed for biodiversity and red list species, although especially in the protected areas many efforts are done to improve the situation.

Regarding traffic we have a similar situation. While there are tremendous efforts to better organize the traffic and introduce sustainable transport systems, nevertheless, the car and truck traffic is that the fastest growing segment.

Generally, it must be said that it is a very environmentally friendly program. Many thematic priorities are aimed at environmentally relevant topics (improvement of water quality, development of nature reserves and cultural heritage, development of sustainable transport systems). In particular, the promotion of regulatory cooperation is very important for environmental issues.

The greatest danger lies in the additional sealing by certain investments. Although the program provides only small-scale investments in infrastructure, it must be ensured, that all projects aiming a wise use of natural resources and taking care of biodiversity and habitats.

Consideration of environmental concerns and of comments received during the consultations period

Aim of the summarising statement

According to SEA Directive 2001/42/EC Article 9, the summarising statement has to explain

- how environmental considerations have been integrated into the programme,
- how the Environmental Report and the results of consultations have been taken into account,
- the reasons for choosing the programme as adopted, in the light of the other reasonable alternatives dealt with, and
- the measures decided concerning monitoring.

How have environmental considerations been integrated into the programme?

The programme contains the following efforts to optimise the programme's environmental impact:

- The assessment of the programme's thematic objectives is based on environmental objectives on EC, national and federal level.

- environmental orientation of the OP's Thematic Objectives (see „Environmental Impact of the Programme“) is outlined and assessed,
- requirements of the horizontal principle „Sustainable Development“ is taken into account.

In feedback loops between the drafting team of the Operational Programme (OP) and the SEA team, an improvement of the environmental impact of the programme has been achieved.

By implementation of the recommendation of the Environmental Report concerning project selection and monitoring, the environmental impact of the programme can be further improved.

Consultation of the programme and the Environmental Report

From 12.05.2014-14.06.2014, the Environmental Report together with a draft of the programme was subject to a consultation of the public and the authorities which by reason of their specific environmental responsibilities are likely to be concerned by the environmental effects of implementing the programme.

SEA Directive 2011/42/EC Article 6 imposes the following requirements concerning the consultation phase:

- „2. The authorities referred to in paragraph 3 and the public referred to in paragraph 4 shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme or its submission to the legislative procedure.
- 3. Member States shall designate the authorities to be consulted which, by reason of their specific environmental responsibilities, are likely to be concerned by the environmental effects of implementing plans and programmes.
- 4. Member States shall identify the public for the purposes of paragraph 2, including the public affected or likely to be affected by, or having an interest in, the decision-making subject to this Directive, including relevant non-governmental organisations, such as those promoting environmental protection and other organisations concerned.
- 5. The detailed arrangements for the information and consultation of the authorities and the public shall be determined by the Member States.“

How were the comments concerning the Environmental Report taken into account?

The following table summarises the Hungarian authorities and environmental bodies that gave responses to the SEA report, and how the comments/suggestions were built in the report.

Authority/ body responsible for environment:	Comment(s):	Response to the comment:
Vas Megyei Kormányhivatal Erdészeti Igazgatóság	Orientating information concerning forests and forestry on the area covered by the authority	Relevant information is built in chapter 4.2.7.
Vas Megyei Kormányhivatal Népegészségügyi	1. Quality of river Gyöngyös plays an important role in drinking water supply	Comments are not relevant in the case of a

Szakigazgatási Szerve	<p>of cities of Szombathely and Kőszeg.</p> <p>2. Waste and rainwater management in recreation area of Kőszeg is to be solved as soon as possible.</p> <p>3. Lack of waste water collection and management in two areas of Vas County are a real barrier of further development of the settlements (Szeleste-Hegyfalú and Kenéz-Pecöl-Bozzai).</p> <p>4. It is necessary to raise the ratio of selective waste collection and collected hazardous waste.</p>	cross-border OP.
Nyugat-dunántúli Vízügyi Hatóság	<p>1. The authority is not mentioned in the relevant 2/2005. Government regulation therefore is not authorised to give opinion.</p> <p>2. Chapter 4.2.4.1 is to be corrected concerning water takeout and costs.</p>	Chapter 4.2.4.1 is corrected according to comment Nr. 2.
Vas Megyei Kormányhivatal Növény- és Talajvédelmi Igazgatósága	Suggesting a study on saving soil's productivity	Relevant rather for the OP
Zala Megyei Kormányhivatal Népegészségügyi Szakigazgatási Szerve	Agreeing with the report's statements. Suggesting an emphasis on hazardous waste collection, windup of illegal waste depositories, collection and management of wastewater and building bypasses to decrease air pollution of settlements.	Relevant rather for the OP
Balaton-felvidéki Nemzeti Park Igazgatósága	National Parks are not authorities, but bodies responsible for environment protection.	The change is made throughout the report.
Győr-Moson-Sopron Megyei Kormányhivatal Népegészségügyi Szakigazgatási Szerve	Agreeing with the report	-
Országos Tisztifőorvosi Hivatal Országos Környezetegészségügyi Intézet	<p>Some of the stated measures are overruled by now.</p> <p>Suggestion for new indicators</p> <p>Suggestions for smaller changes and supplements in chapter 4.</p>	Suggested new measures are listed in chapter 3.3. Unfortunately it is not possible now to add new indicators, the assessment had been carried out already. All suggested corrections are made.
Észak-dunántúli Környezetvédelmi és Természetvédelmi Felügyelőség	Agree with the report	-
Zala Megyei Kormányhivatal ZJH Építésügyi és Örökségvédelmi Hivatal	They miss some important cultural heritage sites (Zalavár, Zalalövő, Keszthely-Fenekpuszta) from the SEA.	Not relevant (relevant rather for the OP)
Zala Megyei Kormányhivatal Erdészeti Igazgatóság	Agree with the report, emphasis on the prohibition of any construction works, investments in forests.	-

Some of the responses given for the SEA report are relevant rather to the Operation Programme. We advert the attention of the Programming Group to these comments.

The contacted Austrian authorities and environmental bodies had given one response; this was concerning the operational programme. The Environmental Report was not commented; therefore no changes were made in the Austrian part.

Recommendations of the Environmental Report

The following statements concerning the programme were made

- In addition to the operational programme's specifications a concretization of the action field or a careful project selection is suggested regarding supportable activities, which guarantees that projects explicitly pay attention to their environmental compatibility.
- It should be guaranteed that the overall positive intention to reduce negative effects of economic activity on the environment is fulfilled. Therefore integrative aspects during the project realisation have to be strengthened.
- Only projects which guarantee a sustainable development should be supported (e.g. according to mobility aspects, land use and possible conflicts, landscape and overall appearance of the townscape).
- Special attention must be paid on transportation needs, mobility concepts to minimized transportation needs should be an integrated part of cooperation concepts.
- Concerning wild habitats, any human intervention or activity might have negative impact. Therefore we suggest setting up a rating scale where the environmental impact on wild habitats is rated separately. The rating is positive if the impact is minimal or zero. Forests, meadows, grass and reeds must receive special attention.
- Projects concerning protected monumental city downtown buildings or sites, or landscape protected areas, the SEA group suggests to expect preliminary supporting declarations from responsible environmental authority. Alternatively, the rating scheme could negatively score these activities.
- In some IP-s construction activities might be supported. Here we suggest for the Programme to look into the future, and expect all constructions – let it be new works or reconstruction – to meet the expectations and conditions of *EU Directive 2010/31* on the energy performance of buildings. This would allow the Programme to show up project results pointing into the future.
- As in some IP-s construction works are possible to be carried out, we point at the danger of raising buildings in foreshores or floodplains. To avoid it, we suggest to exclude it with a prohibition concerning construction works in foreshores or floodplains – apart from water management works, of course.

In the Environmental Report many recommendations on water, climate and emissions, transport and mobility, biodiversity and protection of areas, waste volume, energy consumption and cooperation were made and delivered to the programming group.

Reasons for choosing the programme as adopted, and Implementation of the recommendations

As a result of the feedback loops between SEA and programme drafting, the recommendations were integrated in the planning process. By implementing these recommendations and the in general strong environmental focus of the programme, the final version of the programme constitutes an optimized alternative itself. In addition to the changes in the programme by implementing the recommendations of the SEA and the comments received during the consultation period, some further minor changes of the programme were made. The program will be deemed accepted if the monitoring measures are implemented accordingly to the following chapter.

Monitoring

About the detailed procedure for defining the specific scope and the specific objectives relating to the implementation of the SEA monitoring is at the present time due to lack of concrete project proposals still no accurate statement possible. Therefore it is recommended to implement a monitoring system in two steps:

It is recommended to specify general programme-oriented monitoring strategies in an early phase of the running tome of the programme (first half of 2015).

Then concrete project-specific assessment of environmental effects should be realized by independent experts. As a monitoring measure a regular (annual) review of the projects is recommended. An emphasis shall be placed on the sensitive investment priorities, such as 3d and 7b.