

Annex 3

The Statement foreseen by Article 9(1)(b) of the Directive 2001/42/EC summarizing how environmental considerations and opinions expressed have been taken into account

The Joint Task Force (JTF) preparing the Joint Operational Programme (JOP) and the secondary documentation of the Programme has taken fully into account and integrated into the JOP many of the received proposals by different authorities during the national public consultations, as well as remarks and proposals from the Final Strategic Environmental Assessment (SEA) Report. The JTF has always considered very seriously all the remarks and proposals received on the JOP text.

All of the comments received during national public consultation procedures in Latvia, Estonia and Russia were discussed and analyzed by the JTF members and decided at the JTF meeting on 19 December 2007 on whether to include the comments into the JOP text or not. The majority of the proposals received from the future beneficiaries of the Programme and other relevant institutions, especially during Latvian, Estonian and Russian public consultations, were subsequently introduced into the JOP text. However, many of these comments were too detailed to include in the JOP text, they will be taken onboard when elaborating the more specific implementation aspects in the secondary documentation (Guidelines to Applicants).

It was of great importance to include the representatives of national environmental authorities to the programming process in order to prepare the JOP in accordance with national environmental objectives.

The representative of the Latvian Ministry of the Environment took part in the Latvian national sub-committee's work on elaborating the JOP and it was also consulted by the SEA expert. SEA expert contacted also the Latvian Environment State Bureau – a SEA process supervising body in Latvia. The SEA expert team has contacted and discussed the SEA process and the key issues to be considered with Estonian Ministry of the Environment – the relevant Environmental Authority which is supervising the SEA process in Estonia. Although SEA is not legally requested in Russia, the relevant institutions were contacted and issues on environment were discussed with Pskov, Leningrad Regional administrations and TACIS office in St. Petersburg.

The final SEA Report emphasizes that although the JOP does highlight neither sustainable development nor environmental protection in its objectives, the several relevant statements with regard to environment and the vision of the Programme have been included. It declares that business related infrastructure is developed in compliance with European environmental requirements.

The Final SEA Report has taken into account also several of the comments and proposals received from the national environmental authorities, as well as from the target group of the Programme during national public consultations.

The Final SEA Report recommends that the attention shall be given to Measure 1.1. "Fostering of socio-economic development and encouraging business and

entrepreneurship” in the sense that best practices in energy efficiency, water management and waste management have to be promoted, required and used supporting the business activities, relevant authorities and experts shall be consulted before granting support in the areas of protected habitats and species. Also the Measure 1.2. ”Transport, logistics and communication solutions” might have potentially some negative effects on the Programme area, and there would be a need for individual assessment of the specific project/measure targeted to restoration of roads. For the Measure 1.3. “Tourism development” is recommended that the activities envisaged in the nature conservation areas should be in line with already developed nature management plans. When such management plan has not been elaborated yet, a nature conservation expert or relevant authority shall be engaged in developing new tourism products and infrastructure, thus, the carrying capacity of nature would be taken into account. Further on, adequate environmental monitoring system which would support identification and prevention of the negative impacts, supervision of visitors flow shall be foreseen.

When supporting the activities within the Measure 2.1. “Joint actions aimed at protection of environment and natural resources” it is recommendable that activities would support the problems from the transboundary perspective.

The above proposals were welcomed and taken into consideration by the JTF. It is understood that it is of great importance to protect the environment and promote and different environment-friendly solutions when implementing the Programme. The proposals outlined in the Final SEA Report will be discussed again when preparing the secondary documentation of the Programme, especially the Guidelines to Applicants.

There are different possibilities in implementing the proposals outlined in the SEA Report, e.g. include the application of environmental measures such as energy saving schemes, use of renewable energy, waste prevention and sorting into the Project selection criteria as the priority criteria, favouring project proposals which apply such measures; underline the necessity to include such measures in the project proposals at the seminars for applicants; include the requirement to report on various environment-friendly measures applied during project implementation (e.g. “green publications”) during project reporting, etc. All the various possibilities will be discussed at the JTF meetings when finalising the secondary documentation of the Programme, and the selected measures applied to the Programme. It is of great importance to include different environmental measures to the Programme also to be in line and promote national environmental objective of Estonia, Latvia and Russia.

The description of the measures decided concerning monitoring foreseen in Articles 9(1)(c) and 10 (monitoring)

The SEA Report concludes that the Programme foresees regular monitoring and reporting including the effects of the measures on environment, and proposes potential environmental indicators which would support to monitor the impact on environment caused by the priorities and the Programme.

The monitoring system of the Programme foresees that in addition to the indicators defined in the JOP, the projects should establish additional indicators adjusted to their specific needs and targets. To identify at an early stage unforeseen adverse effects, and to be able to undertake appropriate remedial action, the relevant operations shall monitor their significant environmental impact on the environment. The relevant operations which shall be required to monitor their significant environmental impact will be identified by the Joint Monitoring Committee while selecting the operations for funding. Each such operation must establish the most adequate environmental indicators for itself, and monitor these regularly. The JMC may require establishing additional environmental indicators to the selected operations besides what has been outlined in the Application Forms of operations when applying for funding. To guarantee that all operations selected for funding with potential unforeseen adverse effects on the environment, one of the representatives of socioeconomic partners shall be probably from an environmental organisation.

Project beneficiaries will submit progress reports to the JTS regularly. These reports will be the central source to monitor progress in implementation of operations. Detailed reporting procedure shall be described in the Guidelines to Applicants. When finalizing the Guidelines to Applicants, the JTF will also discuss and decide which environmental indicators could be applied to the Programme at the level of programme, priority, measure, or project. The indicators proposed by the Final SEA report will also be analyzed in this regard.

The Programme is determined to take possible environmental concerns very seriously, is willing to prevent, and if this is not possible – to identify at an early stage any unforeseen adverse effects of implementing the Programme and undertake appropriate remedial action as soon as possible.