

**ASSIGNMENT/ SCOPING REPORT/ FOR DETERMINING THE  
SCOPE AND CONTENT OF AN ECOLOGICAL ASSESSMENT  
REPORT ON**

**the draft versions of the Cross-Border Cooperation Program 2021-  
2027, co-financed under the Instrument for Pre-Accession  
Assistance, between the Republic of Bulgaria and the Republic of  
Serbia and the Territorial Strategy for Integrated Measures**

(according to art. 19a of the Ordinance on the terms and conditions for  
carrying out environmental assessment of plans and programs and art. 86,  
para 3 of the Environmental Protection Act)

**Contracting authority:** Ministry of Regional Development and Public  
Works

**2021**

## TABLE OF CONTENTS

<b>I. INTRODUCTION</b> .....	5
<b>II. CONTACT INFORMATION OF THE CONTRACTING AUTHORITY</b> .....	6
1. <i>Name, registered office and unique identification number of the legal entity</i> .....	6
2. <i>Full postal address</i> .....	6
3. <i>Telephone number, fax number E-mail</i> .....	6
<b>III. ASSIGNMENT/ SCOPING REPORT/ FOR DETERMINING THE SCOPE AND CONTENT OF THE ENVIRONMENTAL ASSESSMENT</b> .....	7
1. <i>Description of the content of the main objectives of CBCP and TSIM and connection with other relevant plans and programs</i> .....	7
1.1. <i>Grounds for development of the CBCP and the TSIM</i> .....	7
1.2. <i>Main objectives and provisions of the CBCP and TSIM</i> .....	8
1.4. <i>Relationship of CBCP and TSIM with other relevant plans, programs and strategies</i> .....	16
2. <i>Current state of the environment and possible development without the application of CBCP and TSIM</i> .....	19
2.1. <i>Current state of the environment</i> .....	19
2.2. <i>Possible development of the environment without the application of CBCP and TSIM</i>	29
3. <i>Characteristics of the environment for areas that are likely to be significantly affected by the implementation of the CBCP and TSIM</i> .....	29
4. <i>Existing environmental problems identified at different levels related to CBCP and TSIM, including those related to areas of special ecological importance, such as protected areas under the Biodiversity Act</i> .....	29
5. <i>Environmental protection objectives at national and international level relevant to the CBCP and TSIM and the way in which these objectives and all environmental considerations have been taken into account in the preparation of the program and strategy</i> .....	30
6. <i>Probable significant effects on the environment and human health, incl. and transboundary environmental impacts in other countries</i> .....	30
7. <i>Measures foreseen to prevent, reduce and compensate as fully as possible the adverse effects of the implementation of CBCP and TSIM on the environment and human health</i> .....	31
8. <i>Reasons for choosing the considered alternatives</i> .....	31
9. <i>Methods for carrying out the ecological assessment, used normative base and documents and difficulties in gathering the necessary information</i> .....	31
10. <i>Monitoring measures during the implementation of CBCP and TSIM</i> .....	36
11. <i>Conclusion of the environmental assessment</i> .....	36

<b>12.</b>	<b><i>Information on the results of the conducted consultations in the process of preparation of CBCP and TSIM and performance of the ecological assessment</i></b> .....	<b>36</b>
<b>13.</b>	<b><i>Non-technical summary of the environmental assessment</i></b> .....	<b>36</b>
<b>14.</b>	<b><i>Annexes to the environmental assessment report</i></b> .....	<b>37</b>

### LIST OF ABBREVIATIONS

<b>BOD<sub>5</sub></b>	Biological oxygen demand - oxygen consumed per liter of sample at a constant temperature of 20 ° C for 5 days incubation period
<b>BC</b>	Border checkpoint
<b>EAR</b>	Environmental assessment report
<b>EA</b>	Environmental assessment (Strategic environmental assessment within the meaning of Directive 2001/42)
<b>ICT</b>	Information and communication technologies
<b>ISO</b>	INTERREG specific objective
<b>AQ</b>	Air quality
<b>MSME</b>	Micro, small and medium enterprises
<b>MoEW</b>	Ministry of Environment and Water
<b>MRDPW</b>	Ministry of Regional Development and Public Works
<b>SME</b>	Small and medium enterprises
<b>Ordinance on EA</b>	Ordinance on the terms and conditions for carrying out environmental assessment of plans and programs
<b>NA</b>	National authority
<b>NGOs</b>	Non-governmental organizations
<b>EIA</b>	Environmental impact assessment
<b>PAH</b>	Polycyclic aromatic hydrocarbons
<b>PM</b>	Program of measures
<b>CBCP</b>	Cross - border cooperation program
<b>RBMP</b>	River basin management plan
<b>FRMP</b>	Flood risk management plan
<b>MA</b>	Managing authority
<b>FDP/ PM</b>	Fine dust particles/ Particulate matter

## I. INTRODUCTION

The Scoping Report for the scope and content of the Environmental Assessment Report (EAR) of the draft version of the Cross-Border Cooperation Program 2021-2027 (CBCP), co-financed under the Instrument for Pre-Accession Assistance, between the Republic of Bulgaria and the Republic of Serbia and the Territorial Strategy for Integrated Measures prepared within the environmental assessment procedure (EA), in compliance with the requirements of Art. 19a of the Ordinance on the terms and conditions for carrying out environmental assessment of plans and programs (EA Ordinance). The Scoping Report is in accordance with the instructions in a letter of the Ministry of Environment and Water (MoEW) with ref. № 04-00-1849/23.07.2021, by which the Minister of Environment and Water has determined to carry out a mandatory environmental assessment of the draft version of CBCP and TSIM.

**The purpose of this Scoping Report for the scope and content of EAR** is to propose the scope and content of the EAR, on which stakeholders can make suggestions, comments and recommendations. The received opinions will be reflected/implemented in the preparation of the EAR, which will ensure the achievement of the objectives of the EA procedure for integration of environmental considerations in the draft program and strategy and protection of the environment and human health in their implementation.

According to Art. 19, para. 1, para. 3 and para. 4 of the EA Ordinance, during the different phases of preparation of the CBCP and the TSIM and the EA, the Contracting Authority should consult with the public, stakeholders and third parties who may be affected by the implementation of the program and the strategy, in order to obtain and comply with their opinions and comments, according to a *consultation scheme*, which was prepared as a separate document.

On the territory of the Republic of Bulgaria the Scoping Report for the scope and content of the EAR are submitted for consultations by the Ministry of Regional Development and Public Works to Ministry of Environment and Water (MoEW) – according to art. 19a, item 1 of the EA Ordinance, Ministry of Health (MoH) – according to art. 19a, item 2 of the EA Ordinance and to the public, other interested bodies and third parties identified in the consultation scheme – according to art. 19a, item 3 of the EA Ordinance.

*The Scoping report for the scope and content of the EAR is to be provided by the Ministry of Regional Development and Public Works, in its capacity of Managing Authority (MA) of the program to the National Authority (NA) for the CBCP and the TSIM - Ministry of European Integration of the Republic of Serbia for conducting the consultations in the partnering country on the program and strategy.*

## II. CONTACT INFORMATION OF THE CONTRACTING AUTHORITY

### 1. *Name, registered office and unique identification number of the legal entity*

Ministry of Regional Development and Public Works

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### III. ASSIGNMENT/ SCOPING REPORT/ FOR DETERMINING THE SCOPE AND CONTENT OF THE ENVIRONMENTAL ASSESSMENT

The assignment for determining the scope and content of the EAR has been prepared in compliance with the requirements of Art. 86, para. 3 of the *Environmental Protection Act* and the instructions set in a letter of the Ministry of Environment and Water with reference 04-00-1849/23.07.2021.

**The Environmental Assessment Report (EAR) will be prepared in the following structure, scope and content:**

#### ***1. Description of the content of the main objectives of CBCP and TSIM and connection with other relevant plans and programs***

##### **1.1. Grounds for development of the CBCP and the TSIM**

The development of cross-border cooperation programs is based in the first place on Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (**General Regulation**) and Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments (**Interreg Regulation**).

At the national level, the leading documents for preparation of the programs are:

- Draft **Partnership Agreement** containing a list of Interreg programs;
- **Decision № 196 of the Council of Ministers of 11 April 2019 approving the Analysis of the socio-economic development of Bulgaria 2007-2017 for determining the national priorities for the period 2021-2027, on a list of policy objectives that should be supported during the programming period 2021-2027, and a list of programs and lead agencies for their development**, with which the Ministry of Regional Development and Public Works (MRDPW) has been designated as the lead agency for the development of programs under the European Territorial Cooperation Interreg) 2021 - 2027;

- *Decree № 142 of the Council of Ministers of 2019 for development of the strategic and program documents of the Republic of Bulgaria for management of the funds from the EU for the programming period 2021-2027.*

The CBCP and TSIM are funded by the European Union with funds from the Instrument for Pre-Accession Assistance.

The Ministry of Regional Development and Public Works is the MA under the bilateral Interreg programs for cross-border cooperation between the Republic of Bulgaria and the Republic of Serbia, the Republic of Turkey and the Republic of Northern Macedonia.

## 1.2. Main objectives and provisions of the CBCP and TSIM

**A. The CBCP 2021-2027 between the Republic of Bulgaria and the Republic of Serbia** has a geographical scope:

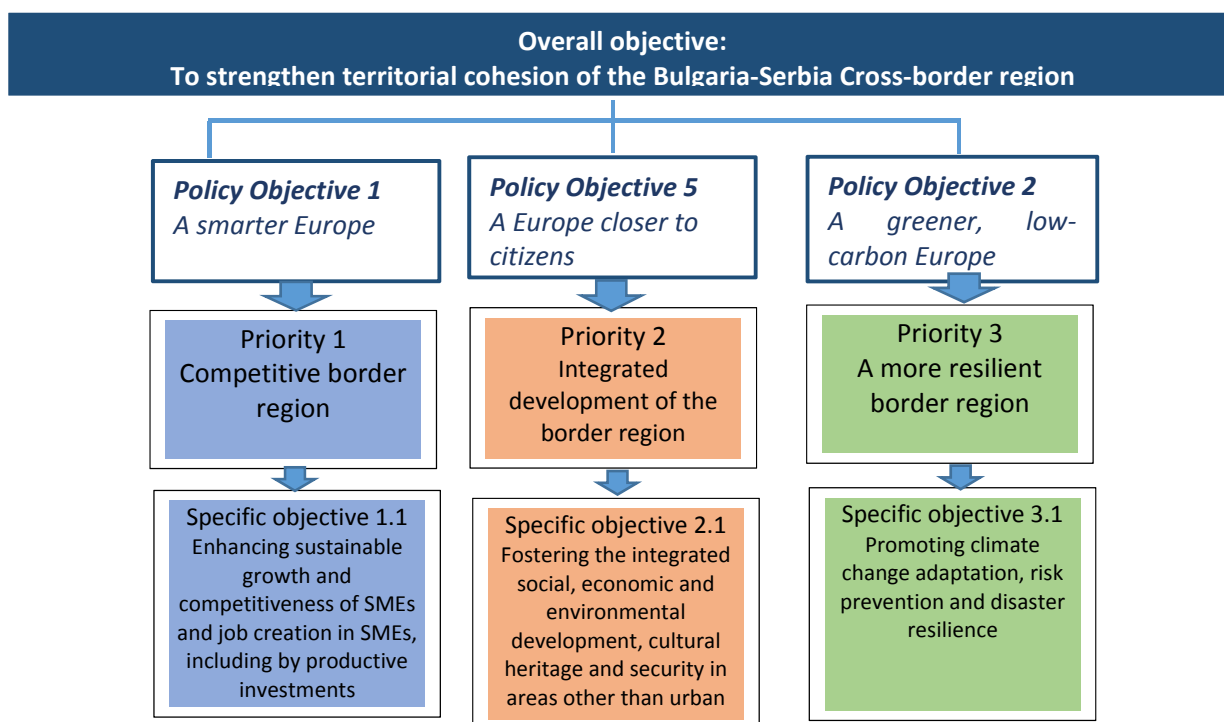
- *Republic of Bulgaria: 6 NUTS III regions: Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil*
- *Republic of Serbia - 7 NUTS III regions (okrug): Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski*



**Fig № 1.2-1** Territorial scope of the CBCP 2021-2027 between the Republic of Bulgaria and the Republic of Serbia



The program identifies the following **Overall Objective, Policy Objectives** (from the Proposal for a General Regulation) **and related Priorities, Specific Objectives and Activities/Investments to be supported:**



**Fig № 1.2-2 Thematic concentration of the CBCP 2021-2027 between the Republic of Bulgaria the Republic of Serbia**

The content of the **Priorities** is as follows:

### **Priority 1 Competitive border region**

*Policy Objective 1 “A smarter Europe”*

*Specific objective 1.1 “Enhancing sustainable growth and competitiveness of SMEs and job creation in SMEs, including by productive investments”*

*Type of actions/investments to be supported:*

- Investments in existing enterprises including but not limited to investments in buildings, purchase of equipment and technologies, construction works, modernisation of infrastructure, communication networks etc.;

- Investments for the establishment of new enterprises including but not limited to investments in buildings, equipment, and systems and wage costs arising from job creation as a result of the initial investment;
- Investments for the development of new products/services including but not limited to research for product development, securing of patents, purchase of royalties, purchase of specialized equipment, IT technologies, installations, vehicles, etc;
- Investments aimed at increasing employment in an existing enterprise;
- Technological and/or organizational investments aimed at reducing the cost of production/service delivery and any other investment leading to increased enterprise competitiveness including but not limited to purchase of specialized equipment and technologies, monitoring systems; purchase of IT equipment, training and know-how transfer, virtual business centres, e-commerce solutions, possibilities for electronic payments, etc;
- Investments aimed at increasing productive capacity and/or securing stable minimum production thresholds (quantities) thus allowing the enterprise to access larger markets;
- Investments aimed at quality management for improving product/service quality, including but not limited to improvements in the design of product/service features, improvements in customer after-sales service, improvements in product guarantee, corporate responsibility measures, total quality management systems, and any other aspect that defines overall product/service quality level including “product branding” as “green” or “traditional”;
- Investments aimed at accessing new markets or market segments including but not limited to marketing studies, distance-spanning technologies, “organisational cooperation” and joint business schemes with other enterprises, company exhibition halls at company’s establishment, etc.
- Investments in marketing and promotion, participation in international fairs, exhibitions and other promotional events, consultation and information services, including e-marketing, communication with clients, etc.

### Target Groups

Micro, small and medium enterprises, employees, job seekers

### Beneficiaries:

Micro, small and medium enterprises

## Priority 2 Integrated development of the border region

Policy Objective 5 “A Europe closer to citizens”

Specific objective 2.1 “Fostering the integrated social, economic and environmental development, cultural heritage and security in areas other than urban”

Priority 2, for the implementation of *Policy Objective 5 "Europe closer to the citizens"*, provides for the development of **Territorial strategy for integrated measures (TSIM)**, to address the measures (identified eligible support activities under the program) for specific territorial needs.

The integrated approach for meeting / addressing the needs and potentials of the territory in the developed TSIM is manifested in three main aspects:

- territory defined on the basis of achieving sustainable results in terms of common needs and development potentials;
- participation of a wide range of partners in the whole process of preparation, discussion, adoption and implementation of the strategy.
- derived package of interconnected and complementary (integrated) measures, based on close coordination of different public policies according to local specifics, meeting local needs and development potentials and bringing common benefit to partners and the region.

Through TSIM it will give priority to the support for some projects / actions / activities over others – they are described below in the TSIM description.

Target groups:

Civil society, local/ regional bodies and authorities, regional structures of central public authorities, NGOs, R&D, academic and training institutions, Social institutions, SMEs, residents, tourists

Beneficiaries:

Will be known at a later stage, but in general these are local/ regional bodies and authorities, regional structures of central public authorities, NGOs, academic and training institutions, social institutions, SMEs

## Priority 3 A more resilient border region

Policy objective 2: “A greener, low-carbon Europe”

Specific objectives 3.1 „Promoting climate change adaptation, risk prevention and disaster resilience

The objective includes A pre-defined strategic project for Preparation of the population for actions in case of disasters and improvement of the capacity of the professional teams for response in case of emergency situations will build on past results with the aim to leverage, valorise and multiply them by outspreading the idea in two main directions:

1. Extend the CBC disaster response framework by adding on more types of natural and man-made disasters;
2. Enhance regional capacity for disaster response of those who are the most affected – the professionals and the border population.

Type of actions/investments to be supported:

- Development of a comprehensive preparedness program for border communities to adequately response to natural disasters, including online and in-situ trainings, simulations, awareness campaigns, etc.;
- Strengthening the institutional cooperation in the cross-border region through development of guiding and strategic documentation; exchange of information, knowledge and skills; implementation of joint field trainings etc.;
- Update of the academic programmes in regards to the development and the implementation of a disaster response framework aiming to enhance the interface between science and policy for a stronger knowledge base for decision-making;
- Small-scale investments in public training infrastructure and in specialised equipment

Target groups:

Border population, regional public authorities, socio-economic partners and NGOs, stakeholders (business, academia, students, volunteers, professionals etc.)

Beneficiaries:

- 1) Directorate General Fire Safety and Civil Protection –Ministry of the Interior (DGFSCP-MoI), Bulgaria;
- 2) Sector for Emergency Management - Ministry of Interior (SEM MoI), Serbia
- 3) Volunteers organizations
- 4) Other competent institutions in the field

## **B. TSIM 2021-2027 between the Republic of Bulgaria and the Republic of Serbia**

TSIM defines **the Vision** of the CBCP, strategic objective, specific objectives (described above at Priority 2 of the CBCP ) and measures.

### *Vision:*

The territory of the cross-border cooperation program between Bulgaria and Serbia - a place where cross-border cooperation is important and through an integrated response to local needs and realization of local potential, contributes to the balanced territorial development of the region.

The vision defines the desired role of the strategy as part of the organized implementation of policies for sustainable socio-economic development of the territory.

The identified key (priority) areas of intervention provide the basis for defining the strategic objective, and it in turn - the specific objectives of the strategy.

The specific objectives are the basis for defining, in close connection with the specific needs and potentials and the priority measures at a higher level, a multisectoral package of measures. For this purpose, the implementation of the necessary minimum of territorially focused interventions in the various areas of socio-economic development will be ensured.

A system of approaches (integrated, transboundary, ecosystem and location-based approach), principles and methods applied in the development of strategies for integrated territorial development are used, namely:

- Integrated planning and comprehensive treatment of all problems of the cross-border region;
- Scientific approach to planning, mandatory for all levels and activities of spatial planning;
- Priority protection of the public interest in order to ensure the balance between the public and private interest in the implementation of the ideas and priorities of the strategy
- Publicity, transparency, partnership and public participation in the decision-making process at all stages of the strategy work
- Consistency, coordination and continuity of the planning process, contributing to the rational development and adequate use of the experience gained during the past planning period;
- Interdisciplinary, transdisciplinary approach and synergy in generating ideas that encourage creativity and innovation;

- Concentration on thematic scope, financial and geographical aspects, available resources and timeframes in order to achieve more appropriate behavior when using limited resources.

### ***Strategic Objective: To enhance growth in all its aspects***

The problem addressed is: The strategy area has the lowest scores in all EU development indicators.

The proposed solution is: Multi-sectoral inter-connected interventions whose joint cumulative effects shall boost the growth indicators.

### **Specific objective 1: To expand and improve service provision**

The problem in brief: Remote areas, disadvantaged groups of people and small businesses continue to remain under- or inadequately publicly served, which drawbacks growth efforts.

#### ***Measure 1.1. Expand accessibility and improve quality of services of general interest in support of social and economic growth.***

The accessibility, proximity, affordability and quality of public services is important to quality of life and business development. Demographic trends and rising skill shortages suggest that both countries need to invest more and better in the skills of their current and future workforce, as well as to better link education and training with labour market's needs. Furthermore, vulnerable and disadvantaged groups of people continue to have limited access to services of general interest, therefore integrated measures for service quality enhancement and active economic inclusion of vulnerable persons should be determined with priority and allowing for more digital solutions. Despite the restricted available resources, the measure needs to support elderly people from peripheral rural areas to have access to communication technologies and capability to use them in receiving distant services.

### **Specific objective 2: To enhance regional competitiveness, incl. in the area of tourism**

The problem in brief: lowskilled workforce, limited participation of local SMEs in cross-border and international value chains, low uptake of innovative technologies and ICT adoption, insufficient entrepreneurial and business marketing skills to achieve better economic performance in digital-driven markets, untapped tourism potential.

#### ***Measure 2.1 Development and provision of framework support to local businesses to grow, expand and perform better in a greener and smarter competitive global market***

Among others, SMEs' needs cover framework support for digital and green transition, enhanced management and marketing competencies, creativity and entrepreneurship skills to make the regional economy competitive and inclusive. These needs can be properly addressed by utilizing and maximizing the existent business support potential by networking relevant institutions from both sides of the border and upgrading and channelling their business supporting practices.

***Measure 2.2 Streamline the utilization of the CBC region's tourist resources, incl. ensuring faster, equitable and environmentally friendly access to and conditions for networking of cultural heritage and tourist sites in the CBC region***

Most of the cultural heritage monuments are in disrepair and need enormous investments for restoration and preservation. In the past years a lot has been invested in culture preservation but still there is a need of further conservation of cultural heritage. Further, exposure models of many sites deprive them from attractiveness instead of contributing to it. Improvements in this aspect (exposure) are needed. There is a lot to be done in digitalization too. Similar to cultural heritage, there are certain needs for providing access to and information for attractive natural complexes. Designing and building of new and rehabilitation of existing ecotrails and bikeroutes will enrich tourist supply and contribute to marketability of tourist products. Tourism mobility measures need to be addressed in a way to ensure faster and smoother movement of people and goods.

***Measure 2.3. Improving CBC tourism marketing and branding practices***

The CBC tourist products should be promoted as being the best option for tourists highlighting some of the things that make them different, or unique. Modern tourism marketing would imply wide use of the internet, websites, online adverts, email and social media platforms as ICT technologies play a key role. It is also crucial that the CBC tourism marketing keeps up with the latest trends thus creating a diverse marketing mix and use the best methods for getting tourist messages out. Thus applying multi-sectoral inter-connected interventions, the measure will contribute to tourism industries' development and will support development and marketing of CBC regional tourist products, focusing on the new trends and obtaining a recognizable brand.

The strategy will implement a horizontal policy in the field of green transition, which requires each supported project to contain a component related to the protection of environmental components and the search for and implementation of green solutions.

### **1.3. Alternatives to CBCP and TSIM**



The drafts of the program and strategy submitted by the Contracting authority do not contain alternatives. At a later stage it is possible an identification of alternatives and options that will be analyzed in the EAR in terms of their impact on the environment and human health.

*A detailed examination of the alternatives available at the time of its preparation will be made in the EAR, incl. The "zero alternative", if such are developed for CBCP and TSIM.*

#### **1.4. Relationship of CBCP and TSIM with other relevant plans, programs and strategies**

The sub-item of the EAR will analyze the relationship and correlation of the projects of CBCP and TSIM 2021 - 2027 with other plans, programs and strategies:

- at European and international level;
- at national, regional and local level (falling within the territorial scope of the program and strategy in the Republic of Bulgaria and the Republic of Serbia).

##### **A. Plans, programs and strategies at European (including bilateral) and international level related to CBCP and TSIM 2021-2027**

- The United Nations (UN) Sustainable Development Agenda 2030 “Transforming the World“;
- UN’s Sendai Framework for Disaster Risk Reduction
- Territorial agenda 2030;
- European Green Deal / European Green Pact;
- Roadmap for an action plan aimed at zero pollution of water, air and soil;
- Circular Economy Action Plan;
- EU Biodiversity Strategy to 2030.;
- EU Strategy for the Danube Region;
- Рамковата програма на ООН от Сендай за намаляване на риска от бедствия,
- The spatial plan of the infrastructure corridor Nis - border of Bulgaria
- Other;

##### **B. Plans, programs and strategies on the territory of the Republic of Bulgaria, related to CBCP and TSIM 2021-2027:**

- Draft Partnership Agreement for the programming period 2021-2027;
- National Development Program: Bulgaria 2030;
- National Strategy for Regional Development for the period 2012-2022;
- National Concept for Spatial Development for the period 2013-2025 - Update 2019;
- National Disaster Risk Reduction Strategy 2018-2030;



- National Strategy for Road Safety in the Republic of Bulgaria with horizon 2021 - 2030 and Action Plan for its implementation for the period 2021 - 2023;
- Recovery and sustainability plan (project);
- National Program for Air Pollution Control (2020 - 2030);
- National Program for Improving Atmospheric Air Quality 2018-2024;
- The National Strategy for Adaptation to Climate Change and Action Plan until 2030;
- Integrated plan in the field of energy and climate of the Republic of Bulgaria 2021 - 2030;
- National Program for Protection, Sustainable Use and Restoration of Soil Functions 2020-2030;
- National plan for protection of the most important wetlands in Bulgaria 2013-2022;
- Strategy for sustainable energy development of the Republic of Bulgaria until 2030 with a horizon until 2050;
- National Waste Management Plan 2021-2028 (project);
- National Strategy for Management and Development of the Water Sector in the Republic of Bulgaria and Action Plan to it in the short-term (2013 - 2015), medium-term (2016 - 2021) and long-term (2022 - 2037) perspective;
- National plan for protection of the most important wetlands in Bulgaria 2013-2020;
- River Basin Management Plan in the Danube Region (2016-2021);
- Flood risk management plan in the Danube region for basin management 2016-2021, incl. Draft of the Updated Preliminary Flood Risk Assessment for the Danube Basin Management Region, March - 2021;
- Flood risk management plan in the West Aegean region for basin management 2016-2021, incl. Draft of the Preliminary Flood Risk Assessment for the West Aegean for Basin Management, March - 2021;
- National Priority Framework for Action for Natura 2000 for the period 2021-2027 (project).
- Integrated Territorial Strategy for Development of the Southwest Region of Level 2 for the period 2021-2027 (project);
- Integrated Territorial Strategy for Development of the Northwest Region of Level 2 for the period 2021-2027 (project);
- Municipal strategies, plans and programs in the scope of Vidin, Montana, Vratsa regions, the municipalities falling within the territorial scope of Sofia Regional Administration, Pernik, Kyustendil, incl. General development plans of the municipalities;

- Regional strategies for development of Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil
- Other.

**C. Plans, programs and strategies on the territory of the Republic of Serbia related to CBCP and TSIM 2021-2027:**

- National Waste Management Strategy for the period 2020-2025.
- National Environmental Protection Program of Serbia
- National strategy for cohesion in the field of environment for the republic
- National strategy for sustainable use of natural resources and goods
- Strategic framework for communication in the field of environmental protection
- Strategy for water management on the territory of the Republic of Serbia until 2034.
- Biodiversity Strategy of the Republic of Serbia for the period from 2011 to 2018.
- Roadmap for the circular economy in Serbia
- National Strategy for Inclusion of the Republic of Serbia in the Clean Development Mechanism
- First report of the Republic of Serbia under the Framework Convention on Climate Change
- Declaration of High Level Ministers and Representatives in the First High Level Ministerial Group on Responding to Climate and Environmental Challenges in South East Europe
- Strategy for sustainable urban development of the Republic of Serbia until 2030.
- The Industrial Policy Strategy of the Republic of Serbia from 2021 to 2030
- The Energy Development Strategy of the Republic of Serbia until 2025 with forecasts until 2030.
- National Action Plan for the use of renewable energy sources of the republic
- Fifth Ministerial Conference on Environment and Health "Protecting the Health of Children in a Changing Environment"
- Biodiversity Management Strategy of the Republic of Serbia
- Forestry Development Strategy for the Republic of Serbia
- Draft Spatial Plan of the Republic of Serbia from 2021 to 2035 and Strategic Environmental Assessment Report
- Spatial plan of the special purpose of the regional water supply system
- Regional and municipal strategies, development plans and programs for regions Regions Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski (Republic of Serbia).
- Other national and regional spatial development plans

*The EAR will analyze the compliance and consistency of the forecasts of CBCP and TSIM 2021-2027 with the relevant plans, programs and strategies, incl. and with those proposed for consideration by stakeholders as a result of the consultations under this Scoping Report.*

## **2. Current state of the environment and possible development without the application of CBCP and TSIM**

### **2.1. Current state of the environment**

*The current state of the environment in the scope of the cross-border region - subject of CBCP and TSIM will be considered, analyzed and assessed in the EAR in relation to each component and factor of the environment, incl. with regard to the population and human health for the territory of regions Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil (Republic of Bulgaria) and regions Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski; (Republic of Serbia). For the purpose of the Scoping Report only basic/summary information on the state of the environment is presented.*

#### **2.1.1. Climate and climate change**

##### **A. Climatic characteristics**

##### ***Regions Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil (Republic of Bulgaria)***

The regions of Vidin, Vratsa and Montana are located in the western parts of two climatic regions according to the climatic zoning of Bulgaria - Northern and Middle climatic region of the Danube hilly plain of the Temperate-continental climatic subregion. The climate in this region is characterized as markedly continental due to the sharp contrast between winter and summer heat conditions.

The region of Pernik and Sofia is characterized by a temperate continental climate and falls into 2 climatic regions – Mountainous-by (characterized by a cold winter with an average January temperature of 2-3.5 °C below zero and a relatively cool summer), and Lower-Mountainous (having comparatively cold and rainy-poor winter) - areas in Western Central Bulgaria; Climatic region of the high fields of Western Central Bulgaria.

Kyustendil region falls within the transitional continental climate region of the European Continental Climate Region - Kyustendil-Blagoevgrad Climate Region. The climatic wind rose is characterized by protection from eastern and western invasions. There are a total of about 30 days in winter with temperatures below 0. The average January temperatures in the area are around the interval  $+1 \div -1$ .

***Regions Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski (Republic of Serbia).***

On the territory of the region of the Republic of Serbia, falling under the CBCP and TSIM, there are two climatic regions - temperate continental climate in the north, with cold dry winters and warm, humid summers with well-distributed rainfall patterns, and a more Mediterranean climate in the south with hot, dry summers and autumns and moderately relatively cool and rainier winters with heavy mountain snowfall.

**B. Climate change**

Climate change is a fact due to large-scale global processes in both the Northern and Southern Hemispheres. They mainly affect the regime of air temperature and precipitation, as well as the change of seasons. There is a general tendency to increase the global air temperature, increase evaporation and reduce the amount of precipitation, especially winter and increase extreme events such as floods, high temperatures and related fires and others.

In recent years, the frequency of extreme meteorological and climatic phenomena has also increased: there has been a significant increase in the average number of days with daily precipitation over 100 mm - by about 30% for the period 1991-2020 compared to the base period 1961-1990. the cases with a typical spring-summer type of convective cloudiness with rainfall, thunderstorms and sometimes with precipitation from a city during winter months such as January and February. The annual amplitude between the maximum and minimum air temperature decreases - the minimum temperature rises faster than the maximum.

The cross-border regions of Bulgaria and Serbia in question are affected by all the effects of climate change, especially in the urban areas where the so-called heat island is observed.

*The EAR will provide detailed information on the current state and climatic features of the climatic areas and sub-areas in which the cross-border territory falls within the scope of CBCP and TSIM; the state and trends of climate change; greenhouse gas emission levels by indicators.*

**2.1.2. Atmospheric air condition**

European legislation on ambient air quality (AAQ) has been transposed into both Bulgarian and Serbian, with some standards differing between the two countries.

***Regions Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil (Republic of Bulgaria)***

The control of air quality in the districts on the territory of the Republic of Bulgaria is carried out by the respective RIEWs, through air quality monitoring points. Some of the municipalities in the scope of the considered areas implement air quality management programs due to exceedances of the norms for some harmful substances - mainly fine dust particles up to 10 microns (PM10).

***Regions Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski (Republic of Serbia)***

In the Annual Report on the State of Air Quality in the Republic of Serbia for 2019<sup>1</sup>. The assessment of air quality is presented on the basis of average annual quantities of concentration of pollutants, obtained by monitoring the air quality in the state and local air monitoring networks, as the results are divided into three categories (the first is with clean / slightly polluted air, the second with moderately polluted, the third with significantly polluted). The third category includes air quality of the agglomerations of Nis, Bor and Zaichar. The other cross-border areas considered fall into the first category.

*The EAR will analyze data on air pollution in the territories within the scope of CBCP and TSIM, the main sources of pollution and current trends in air quality.*

### **2.1.3. Water condition, water protection zones, flood risk**

The main goal of European water policy is to ensure a sufficient supply of good quality water, both for human needs and for the environment.

#### **A. Surface water**

***Regions Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil (Republic of Bulgaria)***

<sup>1</sup> [http://www.sepa.gov.rs/download/izv/Vazduh\\_2019.pdf](http://www.sepa.gov.rs/download/izv/Vazduh_2019.pdf)

The territory of Vidin, Montana, Vratsa, Sofia-region, and part of Pernik regions falls within the scope of the Danube water management region and in the catchments of the rivers Iskar, Ogosta, river valleys west of Ogosta, as well as Nishava and Erma rivers, which lead originate from the territory of the so-called Serbia and are cross-border rivers. All of them collect and discharge their outflow into the Danube.

The territory of Kyustendil and part of Pernik regions falls within the scope of the West Aegean Region for water management and in the catchment area of the Struma river.

The Iskar and Struma river basins are one of the most aquifers among the river basins in the country, with the largest annual volume of runoff.

The period of validity of CBCP and TSIM coincides with the implementation of RBMPs and FRMPs in the West Aegean region for the period 2016-2021, as well as for the period 2022-2027.

When reviewing the current state of the environment, the reflection of the status and characteristics of surface and groundwater was performed on water bodies according to the information contained in the RBMP 2016 - 2021 in the West Aegean and Danube regions and current information on the state of water posted on the website of the Basin Directorates.

When preparing the report for environmental assessment, the opinion of the Basin Directorate "West Aegean Region" reg No. II-01-156(1)/09.06.2021 and Danube Region Basin Directorate reg. No IIY-01-414-(1)/02.06.2021 will be taken into account.

### ***Regions Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski (Republic of Serbia)***

Serbia's water resources are mainly transit waters of the Danube, Sava, Tisza and other rivers, while only 9% are inland waters. The water regimes of the rivers are characterized by territorial and seasonal variability. The rivers in western, southwestern and southern Serbia are flooded than in other areas. The main catchments in the considered border region are on the Danube, Morava, Nishava, Erma, which are cross-border and Timok, which in its lower course for 15.5 km is border with Bulgaria.

The main sources of water pollution in Serbia are untreated industrial and municipal wastewater, agricultural waste water, leachate, and pollution related to the mining and energy industries.

## **B. Groundwater**



The factors that determine the conditions for formation, dynamics and regime of groundwater are physico-geographical: relief, climate, hydrology and hydrography and geological: geological structure, lithological composition of rocks and tectonic structures.

The transboundary area is rich in groundwater bodies.

The most significant reason for the condition of water bodies in the region, assessed in poor condition by physicochemical parameters (exceedances of BOD<sub>5</sub>, electrical conductivity, nitrite nitrogen, nitrate nitrogen, total phosphorus, etc.), are the sources of diffuse pollution (settlements without built sewerage, waste pollution, etc).

### **C. Water protection zones**

According to the provisions of Art. 6 of the Water Framework Directive requires EU Member States to ensure that registers are established for all water protection areas within each individual basin management area, which are reviewed and updated every 6 years.

The following water protection zones are regulated:

- the catchment area of surface water bodies and the land surface above groundwater bodies, which are used for drinking and domestic water supply and have an average daily flow of more than 10 cubic meters or serve for water supply of more than 50 people and water bodies, which is provided to be used for drinking and domestic water supply;
- water bodies defined as recreational and water sports waters, including designated bathing water areas;
- areas where water is sensitive to nutrients, including vulnerable zones and sensitive areas;
- areas for protection of economically valuable species of fish and other aquatic organisms;
- protected areas and zones designated or declared for protection of habitats and biological species, in which the maintenance or improvement of the condition of the waters is an important factor for their protection.

### **D. Risk of flooding**

An integrated approach to flood risk management is introduced by Directive 2007/60/EA of the European Parliament and of the Council of 23 October 2007 on the assessment and management of floods, which aims to reduce future risk through research, assessment and impact

on all factors influencing the occurrence of floods and the significance of their consequences on human health, economic activity and the environment.

The Directive requires Member States to develop a Flood Risk Management Plan (FRMP) with a Program of Measures (PoM) included. Its aim is to create the conditions for reducing the adverse effects on human health, the environment, the cultural heritage and the economic activity of floods, in particular in certain areas with a significant potential risk of floods.

The cross-border area subject to CBCP and TSIM includes areas with significant potential flood risk.

*The EAR will present information on the state of surface and groundwater in the area of the transboundary region, subject to CBCP and TSIM, the state of water protection zones, the presence of areas with significant potential risk of floods. For the analyzes of the waters on the territory of Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil will be used RBMP and FRMP of Danube and West Aegean regions for the period 2016-2021, as well as the updated preliminary flood risk assessments of FRMP projects for the period 2022-2027.*

#### **2.1.4. Condition of the earth's depths**

The modern natural geographical appearance on the territory of the Republic of Bulgaria and the Republic of Serbia is the result of a long and complex development, the beginning of which is set in the geological past. The main forms of the relief were formed during the action of the folding, fault, volcanic and sedimentation processes, especially during the last neotectonic stage of the development of the territory.

*The EAR will consider the peculiarities of the earth's depths in the territory within the scope of CBCP and TSIM.*

#### **2.1.5. Soil condition**

##### **Region Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil (Republic of Bulgaria)**

The regions of **Vidin, Montana, Vratsa** fall into the Carpathian-Danube soil area, which is composed of forest-meadow-steppe dark, luvisols soils (Luvisols), Chernozems and alluvial soils (Fluvisols). On spots there are shallow, carbonate soils (Leptosols - Rendzinas). The diverse forms of the relief, the diverse soil-forming rocks and the differentiation of the climate create a complex



picture of the soil cover, which is divided into three sub-areas: Carpathian, Middle Danube and Lower Danube. The Lower Danube subregion includes several soil provinces, and the western Lower Danube and Western Pre-Balkan provinces falling within the territory for the considered territorial units. They are mainly carbonate, typical, luvisols and meadow chernozems and alluvial soils. The higher foothill and plain-hilly parts of the Danube plain are occupied by chernozems and gray forest soils. In the high mountainous parts of Stara Planina brown forest soils (Dystric Eutric Cambisols) are widespread.

The regions of Pernik, Sofia-region and Kyustendil fall into the following soil provinces of Sofia-Kraishtenska, Vitosha-Srednogorska, Osogovo-Belasitsa provinces. The predominant soil type on the plains and in the lower parts of the mountain slopes are the cinnamon soils (Luvisols), as well as the cinnamon-like soils and shallow soils. In the low, poorly drained parts of the Sofia plain, smolniks (Vertisols) are widespread. The foothills of the mountains up to 600-800 m above sea level, covered with dry oak forests and shrubs are occupied by brown and cinnamon-like soils. At an altitude of 800-1500 m there are brown forest soils (Dystric Eutric Cambisols) under beech and mixed forests, whereas above 1700 m - dark forest soils (Umbric Cambisols) and mountain meadow soils (Modic Cambisols). Shallow carbonate soils (Leptosols - Rendzinas) are also widespread in this belt.

A system of three levels for soil monitoring is applied in the scope of the considered territory. At the first level large-scale monitoring is carried out, at the second level the networks of acidification and salinization are observed, at the third level local soil pollution is observed.

***Regions Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski (Republic of Serbia).***

Luvisols, Cambisols, Vertisols, shallow soils (Leptosols - Litosols, Regosols, Rendzinas), alluvial (Fluvisols) are widespread in the area. The region is dominated by soils with slightly acidic to acid reaction, carbonate-free to weakly carbonate, weakly humus to humus, with low and very low content of easily accessible phosphorus, as well as soils with optimal and high content of easily accessible potassium and clay soils in mountainous areas.

The industrial complexes in the regions of Negotin and Bor (Serbia) assume the presence of disturbed terrains and the formation of anthropogenic soils (Anthrosols).

The main phenomena leading to land degradation in the Republic of Serbia, represented by intensity are: erosion, reduction of organic matter, disturbance of soil structure, soil acidification,

soil pollution due to industrial activity, excessive use of chemicals in agriculture and compaction on agricultural land.

*The EAR will provide detailed information on the condition of the soils, incl. soil sealing, soil erosion, soil pollution within the territory of CBCP and TSIM.*

#### **2.1.6. Biodiversity status**

The biological diversity of the Republic of Bulgaria and the Republic of Serbia in the territorial scope of CBCP and TSIM is characterized by great heterogeneity and a high degree of relictness and endemism. This is a result of their central geographical position on the Balkan Peninsula, as well as the influences to which its territory has been exposed in the past, especially during the Pleistocene. Large temperature fluctuations before, during and after the end of the ice age have caused mass migrations of wildlife. Such movements have left deep traces on the recent flora and fauna of the wider European area, including in the cross-border area in question.

*The EAR will present information on the characteristic vegetation and fauna in the area covered by the CBCP and TSIM, incl. rare and endangered species (including subject of protection according to normative acts), invasive alien species and non-native species, natural habitats, etc.*

#### **2.1.7. Protected zones and protected areas**

In order to protect or restore the favorable condition of natural habitats and species in their natural area of distribution, special territories with a protection regime shall be established.

*The EAR will address the protected zones and protected areas within the cross-border area.*

#### **2.1.8. Landscape condition**

##### **Regions Vidin, Montana, Vratsa, Sofia-region, Pernik, Kyustendil (Republic of Bulgaria)**

According to the Landscape Zoning of G. Petrov, 1997, the region of the six regions falls into three of the four landscape zonal areas of the Republic of Bulgaria and is characterized by an exceptional diversity of subregions as follows: Northern Danube Plain Subregion, Southern Danube Plain Subregion, Western Stara Planina region; Vitosha-Ihtiman region; Kraishtenska region; Osogovo-Middle Stream region. Plains, valleys and mountains predominate as classes of landscapes.

***Regions Borski, Zaječarski, Nišavski, Pirotski, Toplički, Jablanički, Pčinjski (Republic of Serbia).***

A variety of relief forms and altitudes are also observed in the range of the seven regions. Mountain and valley landscapes are typical.

*The EAR will analyze the state of the landscape in the area of the territory within the scope of CBCP and TSIM.*

#### ***2.1.9. Status of tangible assets***

Tangible assets are divided into fixed (land, buildings, infrastructure, facilities) and short-term (raw materials). Their condition is directly dependent on the availability of financial security for their renewal and development. In the cross-border area, the need for investment in specific activities and measures is determined mainly on the basis of the state of tangible assets at the moment.

*The EAR will analyze the condition of the main tangible assets related to CBCP and TSIM.*

#### ***2.1.10. Cultural and historical heritage, including architectural and archaeological heritage***

The Republic of Bulgaria and the Republic of Serbia have a wealth of cultural values, incl. such are registered on the territory of the cross-border region in the scope of CBCP and TSIM.

*The EAR will present information on the cultural heritage and the regulations for its protection on the territory of the cross-border region in the scope of CBCP and TSIM.*

#### ***2.1.11. Condition with regard to harmful physical factors***

Road traffic is the main source of noise pollution in Europe, and noise levels are expected to increase in both urban and rural areas over the next decade due to the development of urbanization and the increased need for mobility.

To limit the harmful effects of environmental noise, Directive 2002/49/EA of 25 June 2002 on the assessment and management of environmental noise was adopted.

Legislation to limit environmental noise has been adopted in both the Republic of Bulgaria and the Republic of Serbia.

*The EAR will provide information on the state of the factor and the main sources of noise in the cross-border region in the scope of CBCP and TSIM.*

#### ***2.1.12. Condition and management of waste***

Waste is perceived as an environmental, social and economic problem, and growing consumption and "consumer" behavior of society continue to produce large amounts of waste. Large and diverse efforts are needed to prevent their formation. Waste also represents a loss of

material resources (through metals and other recyclable materials) and at the same time has the potential as energy sources.

The implementation of waste treatment activities such as reuse and recycling are environmentally friendly, leading to the diversion of waste from landfills.

Both the Republic of Bulgaria and the Republic of Serbia are developing and implementing National Strategic Documents for Waste Management. Regarding the trends observed at the moment:

- In recent years, **the Republic of Bulgaria** has maintained a relatively constant level of waste handed over for recovery, which is indicative of efforts to recycle waste, reduce landfill quantities at the national level and apply the hierarchy in waste management practices;
- The main method for final disposal of waste in **the Republic of Serbia** is landfilling as the only way for organized waste management. The collection of household waste in the Republic of Serbia is carried out mainly by public utility companies, whose, like each local self-government /region /has its own landfill. The National Waste Management Strategy for the period 2020-2025 further develops a regional approach to municipal waste management and sets goals in line with the acquis. At the forefront is waste management at source, increasing the rate of waste recycling and the construction of the missing infrastructure for its creation, namely the construction of regional centres for waste management by waste streams.

*The EAR will provide detailed information on waste management in the cross-border region falling within the scope of CBCP and TSIM.*

### **2.1.13. Hazardous chemicals and risk of major accidents**

When implementing activities and measures under CBCP and TSIM, related to the construction of sites and infrastructure, it is necessary to take into account the existing enterprises in the area, performing activities for storage/production/use of hazardous chemicals and mixtures in quantities that pose a risk of large accidents. Depending on the amount (when above the relevant threshold amount) of these substances, companies are classified as having a low or high risk potential.

*In order to take into account the existing such enterprises from the point of view of the risk for the environment and human health, information about them will be presented in the EAR.*

### **2.1.14. Health status of the population**

The main health indicators for assessing the health status of the population are demographic indicators (birth rate, mortality, infant mortality, natural increase), morbidity, health issues,

mortality by causes and others. Their analysis, together with the analysis of risk factors related to the population and human health (factors of the socio-economic environment; factors related to lifestyle; factors related to the environment and the work environment), will give a clear picture of the current situation and trends in the health status of the population.

In recent years in the considered cross-border area there are trends of population decline, low birth rate, high mortality - with a leading cause of diseases of the circulatory system and tumors.

Of the environmental factors, the most significant is the impact as a result of air pollution and noise.

*Official statistics and reports will be used for the EAR, on the basis of which an analysis of demographic indicators and risk factors for human health in the cross-border area within the scope of CBCP and TSIM will be performed.*

## **2.2. Possible development of the environment without the application of CBCP and TSIM**

*Based on the characteristics of the environmental aspects in item 2.1 of the EAR, in item 2.2. an analysis of possible development of environmental aspects will be made, incl. with regard to human health, without the application of CBCP and TSIM (thus assessing the impact of the "zero alternative", ie refusal to implement CBCP and TSIM).*

## **3. Characteristics of the environment for areas that are likely to be significantly affected by the implementation of the CBCP and TSIM**

*Based on the characteristics of the environmental aspects at the moment (which will be made in item 2 of the EAR), as well as the projections of the CBCP and TSIM, in this section of the EAR will be paid attention to those areas that will be the most -significantly affected by the program and strategy. Sensitive areas such as protected areas of the Natura 2000 ecological network, settlements and other sites subject to health protection, sanitary protection zones around water sources, areas at risk of floods, etc. will be examined in detail.*

## **4. Existing environmental problems identified at different levels related to CBCP and TSIM, including those related to areas of special ecological importance, such as protected areas under the Biodiversity Act**

*This point will describe the existing environmental problems in the country, identified at different levels, related to CBCP and TSIM. An analysis will be made of the relationship between environmental problems and the projections of the program and strategy, respectively - conclusions whether CBCP and/or TSIM leads/lead to improvement of the environmental*

*situation, or to deterioration and deepening of existing environmental problems and/or the emergence of new ones.*

**5. Environmental protection objectives at national and international level relevant to the CBCP and TSIM and the way in which these objectives and all environmental considerations have been taken into account in the preparation of the program and strategy**

*In this point, an analysis will be made of the strategies, plans and programs that set goals for environmental protection at national (for the Republic of Bulgaria and the Republic of Serbia) and international (European) level, which are relevant to CBCP and TSIM, based on analysis, conclusions will be drawn on the manner and extent to which these objectives and environmental considerations have been taken into account in the program.*

**6. Probable significant effects on the environment and human health, incl. and transboundary environmental impacts in other countries**

As CBCP and TSIM are strategic documents, according to the nature and detail of their projections, the assessment of the likely significant impacts on the environment and human health will be made at two levels of detail:

- Strategic level:
  - For CBCP, this includes an impact assessment of *General Objective, Priorities and Specific Goals*;
  - For TSIM, this includes an impact assessment of *The vision, the Strategic goal and the Specific goals*.
- Level “measures/activities“:
  - For CBCP, this includes an impact assessment of *supported activities/investments*;
  - For TSIM, this includes an assessment of the impact of the *measures*.

*The impact will be assessed by performing an analysis by components and environmental factors of the likely significant impacts on the environment and human health, incl. secondary, cumulative, simultaneous, short-term, medium-term, long-term, permanent and temporary, positive and negative consequences of the implementation of CBCP and TSIM.*

Regarding the **likely transboundary impact** as a result of the implementation of the CBCP and TSIM:

- CBCP and TSIM are cross-border in nature and scope, and both documents aim to have an impact on the scope of the defined cross-border region. In this regard, **by drawing up a common EAR for the whole territory within the scope of the program, the impact of the provisions of both documents in the cross-border**



**region will be assessed by default, and consultations will be held in both countries;**

- With regard to transboundary impacts within the meaning of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, the TEC will analyze the likelihood of transboundary impacts on the territory of other countries outside the CBCP cross-border region. TSIM. At this stage, taking into account the provisions of the draft program and the strategy, there is no reason to assume a cross-border impact on the nearest neighboring countries - the Republic of Northern Macedonia and the Republic of Romania.

**7. Measures foreseen to prevent, reduce and compensate as fully as possible the adverse effects of the implementation of CBCP and TSIM on the environment and human health**

*Based on the results of the analyzes and assessments of the alleged impact on the environment and human health performed in the previous point (of the EAR) as a result of the implementation of the CBCP and TSIM, measures will be proposed to prevent, reduce and compensate as much as possible consequences of the implementation of the program and strategy on the environment and human health.*

*The measures will be motivated, incl. and with regard to the expected results of their implementation. They will be presented as:*

- *measures for reflection in the final version of the program;*
- *implementing measures for the implementation of the program.*

*The results of the consultations under the EA procedure will also be taken into account when proposing the measures.*

**8. Reasons for choosing the considered alternatives**

At the time of development of this Terms of Reference for the scope and content of the EAR, the projects of CBCP and TSIM do not contain alternatives.

In case alternatives and options are identified at the next stage, they will be analyzed in terms of their impact on the environment and human health in the EAR.

*The EAR will make a comparison of the alternatives available at the time of its preparation, incl. "Zero alternative", if identified for CBCP and/or TSIM.*

**9. Methods for carrying out the ecological assessment, used normative base and documents and difficulties in gathering the necessary information**

The main **methodological documents** that will be used are the following instructions and methodologies:

- Guidance on the implementation of Directive 2001/42/EA on the assessment of the effects of certain plans and programmes on the environment - European Commission – DG Environment;
- Guidance on Integrating Climate Change and Biodiversity into Strategic Environmental Assessment, 2013 – European Commission;
- The Use of Spatial Data for the Preparation of Environmental Reports in Europep JRC technical support, 2010;
- Resource Manual to Support Application of the Protocol on Strategic Environmental Assessment, 2011 – UNECE;
- Good Practice Recommendations on Public Participation in Strategic Environmental Assessment, 16 February 2016 – UNECE;
- Cross border orientation paper for IPA CBC cooperation programmes with the participation of regions of Bulgaria, North Macedonia and Turkey, Ref. Ares(2019)6239329 - 09/10/2019;
- Strategic environmental assessment in Interreg NEXT programmes - Guidance note and review of approaches, July 2020, TESIM;
- Letter Ref. Ares(2020)32846 - 06/01/2020 of EC with provisions and clarifications for environmental assessments applicable to the plans and programmes co-financed by the EU in the period 2021-2027;
- Presentation on *Application of the SEA Directive to the EU 2021-2027 cofinanced programmes*, 40th meeting of the Expert Group on ESIF(EGESIF), Brussels, 11-12 February 2020, Directorate-General for the Environment.

The preparation of the EAR will be carried out according to the following **methodological approach**:

- 1) Familiarization of the team of experts with the projects of CBCP and TSIM and their forecasts, the other documentation provided by the Contracting authority, the opinions on the assignment for determining the scope and content of EAR;
- 2) Analysis of the plans, strategies and programs related to the projects of CBCP and TSIM;
- 3) Collection, analysis and processing of data on the current state of the environment by components and factors, its relationship with the current level of development of the cross-border area in the scope of CBCP and TSIM;
- 4) Analysis of the development of the environment in case of non-application of CBCP and TSIM (impact assessment of the so-called "zero alternative");
- 5) Analysis of the probable significant impact on territories with CBCP and TSIM;



- 6) Collection, processing and analysis of information on the existing environmental problems at the national level and their connection with the CBCP and TSIM, incl. possible development of these problems with and without the implementation of CBCP and TSIM;
- 7) Analysis of the extent to which the CBCP and TSIM projects take into account the relevant objectives and measures for environmental protection, included / identified in documents - plans, strategies and programs at national and international level;
- 8) Analysis and assessment of the impact of CBCP and TSIM on the environment: As CBCP and TSIM are strategic documents, the assessment of the likely significant impacts on the environment and human health will be carried out at two levels of detail ("strategic" and "measures")./activities“);
- 9) Proposing measures to prevent, reduce and limit impacts, as well as measures to monitor and control the impact of the program in its implementation;
- 10) Motivated choice of the most appropriate alternative in terms of impact on the environment and human health;
- 11) Preparation of a motivated conclusion for the implementation of CBCP and TSIM.

The main **normative acts** that will be taken into account when preparing the EA report are:

A. For the Republic of Bulgaria:

- Environmental Protection law;
- Law on Biological Diversity;
- Waste Management Act;
- Law on the purity of the atmospheric air;
- Climate Change Limitation Act;
- Water Law;
- Plant Protection Act;
- Soil Law;
- Law on Environmental Noise Protection;
- Law on Protected Areas;
- Law for protection of agricultural lands and Regulations for its implementation;
- Cultural Heritage Act;
- Disaster Protection Act;
- Law on Spatial Planning;
- Forest Act and Regulations for its implementation;
- Law on Healthy and Safe Working Conditions;
- Health law;

- Ordinance on the terms and conditions for conducting environmental assessment of plans and programs;
- Ordinance on the terms and conditions for assessing the compatibility of plans, programs, projects and investment proposals with the subject and objectives of protection of protected areas;

Other by-laws regulating the components and factors of the environment and human health здраве.

*B. For the Republic of Serbia ( <https://www.ekologija.gov.rs/dokumenta> )*

- Strategic Environmental Assessment Act
- Law on Environmental Impact Assessment
  - Regulations for the content of the study for environmental impact assessment
  - Ordinance on the content of the request for the need for an impact assessment and the content of the request for determining the scope and content of the impact assessment study
  - Rules of procedure of the technical commission for evaluation of the study for environmental impact assessment
  - Rules for the procedure of public view, presentation and public discussion of the study for environmental impact assessment Закон за опазване на околната среда и
- Draft Law for amendment and supplement of the Law for protection of the environment
- Law for amendment and supplement of the Law for complex prevention and control of the environmental pollution
- Law on Waste Management and Draft Law on Amendments to the Law on Waste Management and by-laws, ordinances and regulations, including:
  - Rules for the content of the project for protection and rehabilitation of the environment during and after the use of natural resources, procedure and conditions
  - Regulations for the content of projects for rehabilitation and reclamation
- Law on Packaging and Packaging Waste and Draft Law on Amendments to the Law on Packaging and Packaging Waste
- Law on Ratification of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
- Law on Ratification of the Convention on the Transboundary Effects of Industrial Accidents and by-laws
- By-laws - decrees, regulations and regulations of the Integrated Permits section

- Biocides Act and by-laws
- Chemicals Act and regulations
- Laws on ratification of the Stockholm and Rotterdam Conventions
- Water Act and by-laws, including:
  - Regulation on priority limit values and hazardous priority substances that pollute surface waters and deadlines for reaching them;
  - Regulation on the limit values of pollutants in surface and groundwater bodies and sediment and deadlines for reaching them;
- Law on Land Protection and by-laws
- Law on Protection of the Environment from Noise and by-laws
- Air Protection Act and by-laws
- Kyoto Protocol Act
- Law on Ratification of the Convention on Long-range Transboundary Air Pollution
- Law on Ratification of the Montreal Protocol on Substances that Deplete the Ozone Layer
- Law on Ratification of the Protocol on Heavy Metals
- Law on Protection against Non-Ionizing Radiation and by-laws
- Law on Protection and Sustainable Use of Fish Stocks
- Other by-laws regulating the components and factors of the environment and human health.

As **sources of information** will also be used:

- Official statistics, reports and bulletins for the Republic of Bulgaria and the Republic of Serbia;
- National reports on the state and protection of the environment of the Republic of Bulgaria and the Republic of Serbia;
- Strategies, plans and programs of the Republic of Bulgaria and the Republic of Serbia related to CBCP and TSIM;
- Strategies, plans and programs at national (of the Republic of Bulgaria and the Republic of Serbia) and international (European) level, setting goals for environmental protection;
- Literary sources of information about the components and factors of the environment in the Republic of Bulgaria and the Republic of Serbia (climatic factors, geology, hydrology, landscape, vegetation, fauna, etc).

The technical shortcomings and lack of know-how in obtaining information (when establishing such).

The following documentation was used for the preparation of this Terms of Reference:

- CBCP and TSIM projects;
- Normative base for development of the programs for the programming period 2021-2027.;
- Letter with ref. № EC- /.....2021 of the Minister of Environment and Water;
- Other documentation provided by the MA and the National Authority ((plans, programs and strategies related to CBCP and TSIM, environmental information on the territory of the Republic of Serbia).

### **10. Monitoring measures during the implementation of CBCP and TSIM**

*According to the results and conclusions of the forecasts for the impact on the environment and human health as a result of the implementation of the CBCP and TSIM, measures will be recommended on the basis of which the monitoring and control of the impact on the environment and human health as a result of the application of the program and strategy. The measures will contain measurable indicators, the value of which will determine the presence or absence of significant impact on the environment and human health in the implementation of CBCP and TSIM.*

### **11. Conclusion of the environmental assessment**

*Based on the results of the forecasts that will be made in the EAR, as well as the opinions received during the EA procedure, the team of experts will make its conclusion on the alleged significant impact of CBCP and TSIM on the environment and human health.*

### **12. Information on the results of the conducted consultations in the process of preparation of CBCP and TSIM and performance of the ecological assessment**

*The EAR will describe all the opinions received in the course of the environmental assessment procedure, as well as the way they are reflected in the Environmental Assessment Report and the reasons for this.*

### **13. Non-technical summary of the environmental assessment**

*As a separate appendix to the Environmental Assessment Report, a non-technical summary will be prepared, in which abbreviated but sufficient for acquaintance of the general public information on the main sections of the EAR, containing no technical terms, will be presented, subject to the provisions of Art. 3 of the EA Ordinance.*

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## ***14. Annexes to the environmental assessment report***

*In addition to the statutory non-technical summary, which is a separate annex, copies of opinions obtained as a result of consultations on the terms of reference for the scope and content of the EAR report and other annexes, if necessary, will be provided in the form of annexes to the EA.*