



**Ministry of Transport, Construction and Regional  
Development of the Slovak Republic**  
Managing Authority  
for the Operational Programme Integrated Infrastructure pre



**Ministry of Finance of the Slovak Republic**  
Intermediate body under managing authority  
for the Operational programme Integrated Infrastructure

**Operational Programme  
Integrated Infrastructure  
2014 - 2020**

**Non-technical summary of SEA procedure**

April 2014

## OBSAH

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## ABBREVIATIONS

EIA	Environmental Impact Assessment
EU	European Union
MTCRD SR	Ministry of Transport, Construction and Regional Development of the Slovak Republic
ME SR	Ministry of Environment of the Slovak Republic
MF SR	Ministry of Finance of the Slovak Republic
OPII	Operational programme Integrated infrastructure 2014 - 2020
SEA	Strategic Environmental Assessment
SR	Slovak Republic
TEN-T	Trans-European network

## I. BASIC DATA ON STRATEGIC DOCUMENT

Operational programme 'Integrated Infrastructure' (hereinafter also 'OPII') is a strategic document of Slovak Republic for EU funds absorption in the 2014 - 2020 period in the transport sector and in the area of enhancing access to, and use and quality of, information and communication technologies.

Overall focus of OPII, its specific objectives, and activities are set to ensure promotion of the fulfilment of the priorities of Europe 2020 strategy and National Reform Programme of Slovak Republic.

Overall objective of OPII is to support sustainable mobility, economic growth, job creation and to improve the business climate through the development of transport infrastructure, public transport and information society.

The aim of Slovak Republic's transport infrastructure development is to respond to the existing problems in infrastructure and at the same time prevent foreseen adverse developments in transport network. Direction of Slovak Republic's transport infrastructure development in the 2014 – 2020 programming period is based in particular on requirements to improve the quality of transport infrastructure, especially rail and road transport, in the light of improvement of transport's safety, reliability, accessibility and efficiency.

In the area of informatization, the purpose is to improve accessibility, use and quality of information and communication technologies through:

- Promotion of information and communication technology applications (hereinafter 'ICT') within eGovernment services;
- Development of ICT products and services;
- Facilitation of broadband rollout and deploying high-speed electronic communications networks.

The targets set will be fulfilled through eight priority axes:

- Priority axis 1: Railway infrastructure (TEN-T CORE) and renewal of rolling stock
- Priority axis 2: Road infrastructure (TEN-T CORE)
- Priority axis 3: Public passenger transport
- Priority axis 4: Waterway and airport infrastructure
- Priority axis 5: Rail infrastructure (outside TEN-T CORE)
- Priority axis 6: Road infrastructure (outside TEN-T CORE)
- Priority axis 7: Information society
- Priority axis 8: Technical assistance

OPII implementation strategy was elaborated in the light of partnership principle i.e., it is a result of the work of the wide group of experts selected on national, regional and local level in economic, social and environmental area. OPII draft draws on a transport sector and ICT analysis and projection of their development, key disparities and potential factors of development identified on a national level for all modes of transport and sphere of information society.

Investments up to 2020 should serve to fill in the missing links in the basic infrastructure on national as well as cross-border level with an emphasis on sustainable, greener and more cost-effective transport infrastructure. In alignment with the European Commission requirements, the final elaboration of the projects with a potentially great impact on national and/or trans-European network will take into account results and recommendations of feasibility studies.

The information society development is focused primarily on effective implementation of the provisions of the Digital Agenda for Europe, which is committed to Slovakia and to contribute to the

national objectives of strategy Europe 2020. By building the broadband infrastructure and supporting of the unit digital market the population may be involved into economic and social activities in any corner of the country, which will help increase the competitiveness of the regions of Slovakia and bring a positive economic impact in the long run.

## **II. DESCRIPTION OF THE COURSE OF PREPARATION AND ASSESSMENT**

Within the meaning of the Act 24/2006 on environmental impact assessment and on amendments of certain acts, as last amended (hereinafter the 'Act' ), the OPII is a strategic document with national relevance. Assessment procedure of strategic documents and strategic documents with national relevance is governed by the second part of the Act. The Act takes into account requirements of the Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (so called 'SEA Directive').

Incorporation of outputs resulting from environmental as well as human health assessment of a strategic document into the decision process on the level of the Slovak Government forms the objective of SEA process, taking into consideration other stakeholders - competent authorities, organizations and public.

In accordance with the requirements of the SEA Directive and methodologies issued for its application (eg, "Handbook on SEA for Cohesion Policy 2007-2013"), strategic environmental assessment started in parallel with the development of the draft strategy document. The work carried out in a preparatory phase was as follows:

- Collection of evidence for assessment of current state of the environment and health as well as bottlenecks in respect of the main objectives of OPII;
- Establishment of a list and searches of strategic document objectives in respect of the main objectives of OPII on national and international level;
- Determination of area of environmental targets and indicators relevant in respect of a follow up assessment of objectives and priorities of OPII.

Developing OPII was a follow up to the preparation of another strategic document 'Strategic plan for Transport Infrastructure Development of the SR by 2020' (hereinafter only Strategic plan). While working on a draft of the strategic documents, within the preparatory phase of SEA, elaborators of both Strategic plan and OPII were continuously discussing the need to take into account environmental objectives. In this manner, the methodology and the assessment scope as well as the importance of both documents were gradually established.

In assessing the priority axis 7 OPII focused on the development of the information society the base for the OPII processor was the Strategy Paper for growing area of digital services and Infrastructure Next Generation Access Networks (2014-2020), which is an analytical and conceptual basis for this priority axis.

Selection of projects for the OPII is the result of the activities of working group for the programming in the transport sector in the programming period 2014 - 2020, which is composed of representatives of relevant ministries, economic and social partners, regional authorities, local government and NGOs. Projects included in OPII were selected from the reservoir of so called green projects of Strategic Plan.

Selection a great projects for the area of information society is based on the Strategy Paper for growing area of digital services and Infrastructure Next Generation Access Networks (2014-2020). The basic framework for the project's container for the development of the information society will

be elaborated in the document Ministry of Finance "eGovernment roadmap for the programming period 2014 - 2020", which specifies a list of projects, as well as the basic stages of the implementation of the program in 2014 - 2020 strategy.

In accordance with EC requirements, realisation of projects will be conditioned by positive result of feasibility studies. Studies should confirm the accuracy of the proposed solution, and in particular on technical, economic and environmental terms.

## 1 TIMELINE OF PROCESS OF OPII PREPARATION AND APPROVAL

First meeting of the Management Committee for preparation of OPII	April 22, 2013
Elaboration of the first draft of OPII	April 30, 2013
Second meeting of the Management Committee for preparation of OPII	June 26, 2013
Elaboration of the second draft of OPII	June 28, 2013
Notification on strategic document	August 02, 2013
Scope of the strategic document	September 16, 2013
Elaboration of the environmental report	November 11, 2013
Publication of the environmental report and OPII draft	November 19, 2013
Transboundary assessment	November 27, 2013 - February 18, 2014
Public consultation of environmental report	December 03, 2013
Elaboration of expertise	February 21, 2014
Final opinion based on the strategic document evaluation	March 04, 2014
Submission of OPII to negotiations of Slovak government	March 31, 2014
Discussion of OPII in the Slovak government	April 16, 2014

Process SEA according to the Act started with its elaboration and publication of **Notification on strategic document**. Notification was published on August 02, 2013 on website of Ministry of Environment of the Slovak Republic [www.enviroportal.sk](http://www.enviroportal.sk), website of Ministry of Transport, Construction and Regional Development of the Slovak Republic [www.mindop.sk](http://www.mindop.sk) and website of Ministry of Finance of the Slovak Republic [www.informatizacia.sk](http://www.informatizacia.sk). Simultaneously, MTCRD SR published the information on the Notification through the public information media - Hospodárske noviny, on August 02, 2013. In parallel with the document publication, ME SR informed the public that different views to the notification can be submitted until August 17, 2013. MTCRD SR received 20 views from stakeholders.

In the **phase of scoping**, all of the comments submitted by the public and competent authorities in response to the Notification were evaluated. Based on the evaluation, MTCRD SR in cooperation with ME SR elaborated draft scope of the strategic document. The draft scope of the strategic document was consulted on September 09, 2013 with the participation of contracting authority - MTCRD SR, representatives of ME SR, MF SR, competent authorities and representatives of environmental report elaborators. Scope was published by MTCRD SR in cooperation with ME SR on September 16, 2013. Scope was published on website of ME SR announcing that the public can submit its views until September 19, 2013. Scope was published also through the public information media - Hospodárske noviny, on September 18, 2013.

**Environmental report** was published on November 19, 2013 on website of MTCRD SR [www.mindop.sk](http://www.mindop.sk) and MF SR [www.informatizacia.sk](http://www.informatizacia.sk) and on November 20, 2013 on website of ME SR [www.enviroportal.sk](http://www.enviroportal.sk), together with notice that the opinions can be sent to Ministry of the Environment, Department of environmental assessment, as well as to MTCRD SR, section Operational Programme Transport till December 11, 2013. Notice of Environmental report was published also through the public information media - Hospodárske noviny, on November 19, 2013.

On December 3, 2013, in the period laid down by the law, **public hearing** was held at the premises of the MTCRD SR. On December 20, 2013 the ministry produced record of the hearing, which was, along with attendance sheet sent to a professionally qualified person in order to take into account in expert opinion.

Ministry of the Environment in accordance with Art. 42 of the Act ensured the transboundary assessment of the strategic document, which covered the period November 27, 2013 to February 18, 2014 Czech, Polish and Hungarian side responded to information on transboundary assessment. Details on transboundary assessment are provided in Chapter 4.

Ministry of the Environment in accordance with Art. 13 of the Act to ensure the development **an expert opinion**. Mrs. Katarína Pavličková was delegated to draw up the expert opinion by the letter no. 9634/2011/3.4/ml dated December 10, 2013. Expertise accompanied by a draft final statement was submitted to the ME SR on February 24, 2014. It recommended approval of OPII in the wording submitted to environmental assessment on the condition of compliance with the proposed measures.

Results of assessment of the strategic document were summarized in a final statement of MoE SR, drawn up in accordance with Art. 14 of the Act. The final opinion was issued on April 03, 2014 and at the same time was published on the website of the Ministry of the Environment, MTCRD and Ministry of Finance.

Results of the impact assessment of the strategic document with a nationwide impact on the environment and taking into account the opinions along with their assessment, MTCRD SR stated in the clause of environmental impact, which was together with the draft OPII submitted on March 31, 2014 to the Government Office. The Government, on its meeting held on April 16, 2014 discussed and approved the proposal of OPII.

## 2 STATEMENTS OF AUTHORITIES

20 opinions were received to the draft strategic document and environmental report. None of these opinions disputes proposals of priority axes, specific objectives and activities, as well as assessment of their impact on the environment, including impacts on health. One opinion expressed directly acceptance to the proposal of strategic document. Some opinions include proposals to amendments of particular projects. Some of them includes proposals for amendment of related strategic documents or measures. These are set out in the relevant chapters of the final statement of Ministry of Environment of the SR.

## 3 PUBLIC CONSULTATION

Process of introduction of OPII to the public and other stakeholders started with publication of Notification on strategic document, in line with requirement of the Art. 5 and 17 of the Act. Notification was published on website of ME SR [www.enviroportal.sk](http://www.enviroportal.sk), website of MTCRD SR [www.mindop.sk](http://www.mindop.sk) and website of MF SR [www.informatizacia.sk](http://www.informatizacia.sk).

In the same way public information was provided during the next stages of the SEA process (publication of scoping, environmental report, dates of public hearing, final statement and opportunity for consultation).

Within the entire SEA process, both the government bodies and the public, who might be interested in the approval of the strategic document, did not use the possibility of consulting. Association of Municipalities or interested public (NGOs) did not expressed an interest even though a competent authority (MTCRD SR) created under the Act scope for a consultation (Art. 63).

Public did not expressed their opinion in the course of the process, no petitions or substantial negative opinions were received. In the assessment of the strategic document no public concerned was created under Art. 6a of the Act.

At a public hearing on December 3, 2013 19 participants, including representatives of contracting authority and processor of environmental report were present. Comments and questions from 6 participants addressed the following areas: lack of inclusion of the north-south interconnection, alternative proposals of expressways routing, broad gauge railway, links of cadastre portal and ZBGIS, R2 expressway implementation, review of projects included in the list of selected projects, solutions of transport as such, water transport underestimation, no financing of aviation. All questions were adequately answered by representatives of contracting authority and processor of environmental report.

#### **4 TRANSBOUNDARY ASSESSMENT**

Based on the assessment of transboundary impacts under part 4 of the Act, these comments were received:

**Ministerstvo životního prostředí** (*letter no. 87283/ENV/13 dated December 05, 2013*) – statement

Ministry of Environment of the Czech Republic by the letter announces that pursuant to Art. 14b) of Act no. 100/2001 on Environment impact assessment as amended, it is necessary, prior to the opinion is sent to Ministry of Environment, to publish the proposal of the concept and circulate it to the affected administration bodies and the concerned regional authorities in the Czech Republic to in order to express their opinion.

**Ministerstvo životního prostředí** (*letter no. 3489/ENV/14 dated January 17, 2014*) – opinion

Ministry of Environment of the Czech Republic announced the Slovak side, that the proposal of the concept does not require the participation in inter-state consultations, since it has no fundamental comments. Potential cross-border impacts of each proposed project will be assessed individually under the environment impact assessment of the activities. This opinion was supported by 22 statements of administrative authorities and concerned regional government units, none of which contained comments, suggestions or recommendations.

**Generalna dyrekcja ochrony środowiska, Departament Ocen Oddziaływania na Środowisko** (*letter no. DOOŚ-tos.442.2.7.2013.wn.2 dated December 19, 2013*)

The Polish side declared that since the motorway in question D3 Skalité - border SR / Poland had already been evaluated under trans-border assessment, they would not participate in the environment impacts assessment of the OPIL.

**Ministerstvo rozvoja vidieka, Odbor ochrany životného prostredia** (*letter no. KmF/33 - 4/2013 zo dňa January 21, 2014*) – statement

Hungarian party requested an extension of the deadline for its opinion to the document due to the fact that the assessment report was sent in English and Hungarian authorities need more time to

study it. Summary in Hungarian was not considered sufficient. This period was determined to February 21, 2014.

**Ministerstvo rozvoja vidieka, Odbor ochrany životného prostredia** (*letter no. KmF/33 - 10/2014 dated February 18, 2014*) – opinion

The Hungarian Ministry announced that it has no interest in participating in cross-border consultations. Transboundary impacts of proposed projects (in particular concerning waterways, roads and railways) will be assessed under the environmental impact assessment of individual activities.

**Consultations within the cross-border scheme** have not been conducted, since neither of the parties have shown interest in their implementation.

### III. CONCLUSIONS OF THE ASSESSMENT

The final opinion Ministry of the Environment states that in evaluating of documents and in preparing of the final statement the provisions of the Act and the SEA Directive were followed. In the course of environmental impact assessment no negative environment impacts have been demonstrated, which could jeopardize the approval of the strategic document. Conversely, many positive effects have been demonstrated. Elimination or minimization of potential negative effects is a condition of OPII implementation; preventive measures and monitoring of individual projects will be implemented under Act no. 24/2006.

Environmental aspects have been fully incorporated into the strategic document what is most reflected in the selection particular projects included in OPII. As announced activities predetermine future projects, these will be subject to environment impact assessment. Projects that will be in conflict with Natura 2000 sites will have to be subjected to a special impact assessment.

Based on the outcome of the environment impact assessment process of the strategic document with a nationwide coverage under the provisions of the Act and Directive 2001/42/EC of the European Parliament and of the Council of June 27, 2001 **Ministry of the Environment has recommended approval of the OPII** with the conditions set out below, with the fact that if the individual projects supported by this strategy meet the limits for the environmental impact assessment, it will be necessary to carry out their environmental impact assessment under the Act prior to their authorization pursuant to special regulations and, if necessary, an assessment of impacts on the Natura 2000 will be carried out.

Strategic paper was recommended for approval and implementation in the version as it had been submitted to assessment. As resulted from environmental report, opinions and a public hearing, it is not necessary to revise or substantially modify the OPII.

#### ***Proposed measures to eliminate and/or reduce adverse impacts of the strategic document***

In order to ensure the optimal implementation of projects of OPII the following measures are proposed:

- To coordinate and harmonise the implementation of activities in support of small and medium-sized enterprises proposed within the OPII with other strategic documents with statewide reach, such as Research and innovation strategy for smart specialization of the Slovak Republic or prepared Operational Programme Research and Innovation.
- To plan public works in the Slovak Republic in a manner not disrupting or otherwise restricting activities and operation of military installations and military equipment, including



their protective zones, and also the operation and activities of the armed forces in military districts.

- When designing the transport infrastructure, respect the conditions of health protection in relation to the Act. 355/2007 Coll. on the protection, promotion and development of public health and respect the requirements of Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise.
- To take into account the requirements of Water Framework Directive, plans of management of sub-basins and Water Act when planning and realising projects of transport infrastructure.
- To respect conditions of water protection defined in provided water management protection areas, protection zones of water sources and protection zones of natural healing sources and sources of mineral waters when proposing transport infrastructure.
- To realise technical measures slowing down the water run-off from river basin to water flows in the built-up areas of road infrastructure.
- To proceed in line with Act no. 220/2004 Coll. on protection and use of agricultural land and on amendment of Act no. 245/2003 Coll. on IPPC and on amendments of certain laws, as last amended as well as Act no. 326/2005 Coll. on forests, as last amended, when taking land.
- Within the priority axis 7 Information Society (because of that, this program will contribute to building a broadband internet) to add dividing lines respectively complementarity with the "Rural Development Programme 2014-2020".
- To consider the requirement of Prešov Region, which calls for a review of the list of major projects and the inclusion of project "Prešov - north bypass" to help residents in Bardejov, Svidník and Vranov districts to the primary road network.
- In case it were not realised, to ensure the process of evaluation under the articles 6(3) and 6(4) of Habitats Directive for constructions potentially affecting Natura 2000 sites.
- To include / publish a procedure for the issuance of declarations Natura 2000 (if necessary) in the programming documents (manuals) which will be developed within OPIT (as it is implemented currently under the Operational Programme Transport). State Nature Conservancy of the Slovak Republic, as a professional organization of the Ministry of Environment of the Slovak Republic, which was responsible for issuing declarations Natura 2000 will provide, if necessary, professional assistance to the processors manuals.
- To implement the following in order to protect landscape and nature, minimize interventions to ambient environment and to increase connectivity of habitats:
  - Within defined corridors to look for optimal route with regard to existence of valuable habitats and protected species of fauna and flora,
  - Ensure the migration permeability of built-up areas for all groups of fauna based on identified migration routes in the protected areas and wild landscape. It does not concern only large mammals but also other groups especially amphibians. To add to build underpasses the navigation fence. Technical solution of eco-ducts has to be adjusted to migration requirements of significant species,
  - Measures to increase the migration permeability need to be realised not only in case of new constructions but also the existing constructions, especially on the spots where routes cross the bio-corridors,
  - To fence the routes on the spots of contact with forest complexes with higher probability of migration,

- To solve the bridging of hydric bio-corridors so that from technical and ethological point of view they be permeable for animals migrating along the water flows (especially European otter) and at the same serve animals as underpasses,
  - To equip the transparent noise walls with measures against collisions with birds,
  - To minimize interventions to water flows, greenery, riparian vegetation, etc. also outside of the protected areas,
  - To solve the greening of the transport constructions with regard to conditions of animals, prevent adjustments allowing species of fauna to settle down dangerously close to transport roads, to construct the spare habitats in secure distance,
  - To monitor invasive plants along the routes and when discovered to secure their systematic elimination.
- To respect character of landscape, not to disrupt its integrity, to take into account specifics of regions through selection of adequate materials and decrease the visual exposition of constructions and promote their inclusion into the landscape through appropriate plantations when projecting the constructions of transport infrastructure.
  - To ensure the protection of cultural heritage in line with Act no. 49/2002 Coll. on protection of monument fund, as last amended.
  - To ensure the protection of mineral wealth in line with Act no. 44/1988 Coll. on protection and use of mineral wealth, as last amended.
  - To solve the issue of old burdens when realising modernisation projects of railways.
  - To reduce the requirements of raw material sources by means of recycling and effective use of mined materials (material from railway ballast, excavation, tunnelling, etc.).
  - In case the development of additional production centres is needed, to ensure their assessment by EIA process ahead.
  - To apply the EIA process ahead also to constructions facilities such as - concrete and asphalt plants.
  - To consider the cumulative impacts of existing and planned constructions including support activities at construction (mining activities, concrete and asphalt plants, etc.) when preparing and evaluating projects.
  - To take into account the need to adapt to climate change when planning the transport infrastructure.
  - To ensure the environmental management during the preparation and realisation of projects.

According to Art. 17(13) of the Act, MTCRD SR as a sectoral authority must take into account the statement of the Ministry of the Environment, submitted opinions and content of the public hearing on the draft strategic document with nationwide reach. Sectoral authority subsequently included results of the environmental assessment impacts in the **clause of environmental impacts** and taking into account the opinions along with their assessment.

If the contracting authority does not consider comments arising from the final statement on the assessment of the strategic document and as regards the completion of the strategic document he/she is obliged to justify such a proceeding and to publish such a justification and attach it along with the final statement to the approving authority to the draft of strategy document.