

Regione Puglia (Managing Authority)

Italy – Albania - Montenegro

Cross-Border Cooperation

Programme

2014-2020

Strategic Environmental Assessment

DRAFT Project - SEA Scoping Report

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ACRONYMS

CBC : Cross Border Cooperation Programme

PA: Priority Axis of the Programme

SO: Specific Objective of the Programme

JTS : Joint Technical Secretary

MA : Managing Authority

TF : Task Force

EA: Environmental Authority

1. THE STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS (SEA)

Brief presentation of SEA process and normative framework for Italy, Albania and Montenegro:
to be done



In compliance with the SEA legislative dispositions and explanatory package¹ and with the requirements from the Terms of Reference, measures will be adopted to assess the likely environmental effects of the Italy-Albania-Montenegro Cross-Border Cooperation Programme 2014-2020.

¹ 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. OJ L 197, 21.7.2001, p. 30

The assessment will be carried out in 4 steps : Scoping or preliminary activities, Environmental reporting (included a context analysis, an environmental assessment of key effects and impacts, the proposal of mitigation actions and the definition of an monitoring system), a Public consultation and, eventually, a decision making.

The preliminary “scoping phase” is principally aimed to define the scope and the level of detail of the information to consider for the evaluation activities developments as setting the perimeter of the evaluation. In particular, the following point will be addressed:

a) Areas covered by the program	Addressed in section 2.
b) Environmental issues, including relevant environmental objectives, relevant for the SEA?	Addressed in sections 3. and 4.
c) Periods of time to be covered	2014-2020
d) Depth of assessment required	Covered by sections 3, 4 and 5.
e) Data and information needed (and available)	Covered by section 7.
f) Methods come into consideration	Addressed in section 5.
g) Alternatives and options to be considered	Addressed in section 5.
h) Entities and experts to be involved in review of the Environmental report	Addressed by annex 1 and 2..

The present Scoping Report has the aim to address these points, involving the Environmental Authorities. This report will therefore include a brief presentation of the Programme (section 2), a proposal of environmental issues, indicators and objectives (sections 3 and 4), a description of the methodology (section 5), a presentation of the public’s consultation modalities (see section 6) and documents and information sources used (section 7). Annexes complete the pictures providing with information on SEA authorities, legal provisions for SEA, questionnaire for Public consultation and a questionnaire supporting the Scoping review (discretionary).

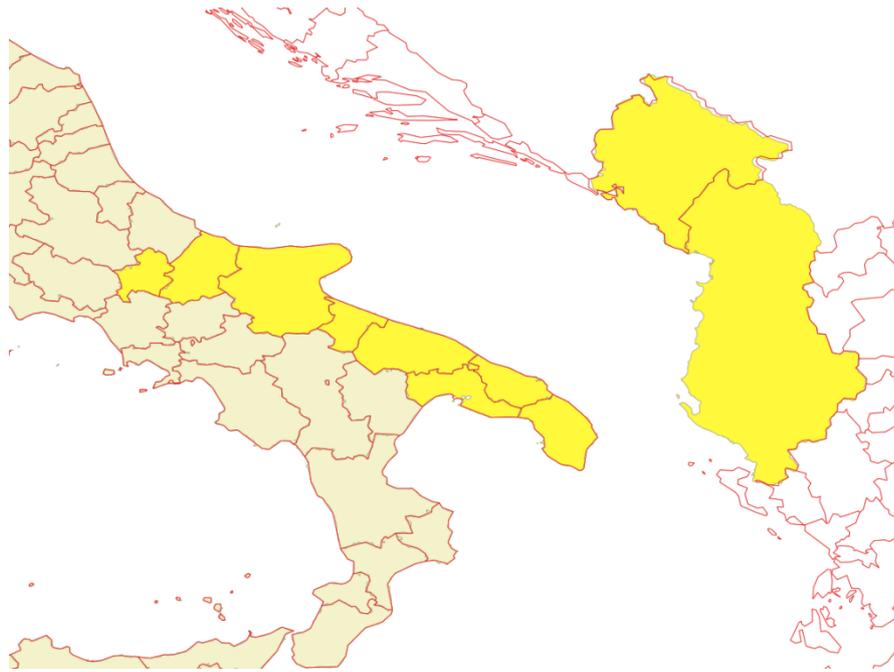
2. THE CBC ITALY – ALBANIA - MONTENEGRO PROGRAMME

2.1 COOPERATION AREA

The Italy – Albania - Montenegro Programme ('the Programme') is a cross border cooperation programme between Italy, Albania and Montenegro, co-financed by the European Regional Development Fund (ERDF) and IPA (Instrument for Pre-Accession Assistance). The Programme contributes to the European cohesion policy, which pursues harmonious development across the Union by strengthening economic, social and territorial cohesion in order to stimulate growth.

The cooperation Programme extends to both sides on the Adriatic Sea and includes the following NUTS 3 regions:

The IT-AL-MN Programme Area comprises the entire Countries of Albania and Montenegro the Italian Provinces of Foggia, Bari, Brindisi, Lecce, Barletta-Andria-Trani (BAT) and Taranto (Apulia Region) as well as Isernia and Campobasso (Molise Region), the entire countries of Albania and Montenegro.



2.2 PROGRAMME OBJECTIVES AND INVESTMENT PRIORITIES

The focus of the Programme is the exchange of knowledge and experiences, to develop and implement pilot actions, to test the feasibility of new policies, products and services and to support investments.

The strategy of the programme is primarily focused on the following thematic priorities set by IPA regulations²: enhancing competitiveness, encouraging sustainable tourism, promoting sustainable transports and improving public infrastructures; protecting the environment. The priority axes selected in this preliminary phase will concern the following topics:

- Entrepreneurships and innovation;
- Valorised Heritage;
- Environment protection and risk management;
- Integrating sustainable networks.

Between these issues, four Priority Axis have been selected:

1. SMEs' competitiveness and cooperation practices;

² EU Regulation n.231/2014, Annex III "Thematic priorities for assistance for territorial cooperation".

2. Good governance of natural and cultural heritage for the exploitation of cross border sustainable tourism and territorial attractiveness;
3. Environment protection, risk management and low carbon strategy;
4. Cross border sustainable mobility for people and goods.

In each Priority Axis, (PA) one or more specific objectives (SO) with related actions will be selected. A first draft of the possible SO is summarized in the Table 1 below:

Table 1: Programme's axis and Specific Objectives

IPA Thematic priority	Priority axis	Specific Objectives
Enhancing competitiveness, the business environment and the development of small and medium-sized enterprises, trade and investment through, inter alia, promotion and support to entrepreneurship, in particular small and medium-sized enterprises, and development of local cross-border markets and internationalization	1. SMEs' competitiveness and cooperation practices	1.1 Enhance the framework conditions for the development of SME's cross-border market.
Encouraging sustainable tourism and cultural and natural heritage	2. Good governance of natural and cultural heritage for the exploitation of cross border sustainable tourism and territorial attractiveness	2.1 Boost attractiveness of specific natural and cultural assets to improve a smart and sustainable economic development
		2.2. Exploitation of creativity potential for increasing local development and the area tourist attractiveness.
Protecting the environment and promoting climate change adaptation and mitigation, risk prevention and management through, inter alia: joint actions for environmental protection; promoting sustainable use of natural resources, resource efficiency, renewable energy sources and the shift towards a safe and sustainable low-carbon economy; promoting investment to address specific risks, ensuring disaster resilience and developing disaster management systems and emergency preparedness	3. Environment protection, risk management and low carbon strategy	3. 1 Enhance coordination for environmental protection and risk prevention management
		3.2 Boost implementation of innovative practices and tools to reduce carbon emission and to promote energy efficiency in public sector
		3.3 Increase implementation of systems and plans contributing to improve water management

Increasing cross border accessibility, promoting sustainable transport service and facilities and improving public infrastructures	4. Cross border sustainable networks	4.1 Increase coordination among relevant stakeholders to promote connections in the area
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3. KEY ENVIRONMENTAL ISSUES AND CONTEXT INDICATORS

In a first part of the Environmental Report ‘the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme’ and the ‘environmental characteristics of areas likely to be significantly affected’³ will be outlined.

To better characterise the environmental context of the Italy-Albania-Montenegro Programme, relevant data will be collected during the first steps of the assessment through available publications (section 7) and according to suggestions made by Environmental Authorities during the scoping phase. A first proposal of environmental issues and related topics is presented in Table 2.

Each of these topics will be described through suitable indicators. The indicators will be selected according to:

- the relevance to the contents of the Program
- the availability of data
- the suggestions received during the scoping phase

At least one indicator will be associated with each environmental issue. The identification and quantification of environmental issues and indicators will depend on the information available at national and regional levels (section 7). It is suggested to use only indicators relevant for the whole Program area.

³ Directive 2001/42/EC Annex I (b and c)

Table 2 Environmental issues and related topics

Environmental issues	Topics
Climate change and associated risks	<ul style="list-style-type: none"> • GHG emission • Sea level variations • Coastal erosion • Flood risks
Air quality	<ul style="list-style-type: none"> • Air pollution
Water inland quality and supply	<ul style="list-style-type: none"> • Water bodies status • Water eutrophication • Water consumption
Inland biodiversity and ecosystem	<ul style="list-style-type: none"> • Protected areas • Natura 2000 areas • Peculiar species (at risk, endemic, protected...) • Natural and semi-natural ecosystem
Marine ecosystem and natural resources	<ul style="list-style-type: none"> • Marine protected areas • Marine species • Marine water quality
Soil quality and landscape	<ul style="list-style-type: none"> • Artificial soils and surfaces • Contaminated sites
Technological risks	<ul style="list-style-type: none"> • Industrial sites (IPCC and Seveso Sites) • Accidents and associated damages
Health, sanitary risks and nuisances	<ul style="list-style-type: none"> • Exposition to noise (% of population) • Transport and sustainable mobility • Electromagnetic pollution
Natural and cultural heritage (including architectural and archaeological heritage)	<ul style="list-style-type: none"> • Outstanding site and hotspot • Protected sites
Energy	<ul style="list-style-type: none"> • Energy consumption • Energy production • Renewable energy
Waste	<ul style="list-style-type: none"> • Waste production • Recycling • Landfill deposit

4. ENVIRONMENTAL AND SUSTAINABLE OBJECTIVES

The Environment Report takes account of ‘the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation’⁴.

The main environmental and sustainable objectives of the area are will be underlined and listed by environmental theme. Objectives at national and European levels should consider:

- European policies and the Europe 2020 strategy, including the EU climate and energy package and roadmap for moving to a low-carbon economy in 2050;
- The resource-efficient Europe flagship initiative, including the roadmap for a resource-efficient Europe;
- EU Strategy for the Adriatic and Ionian Region (EUSAIR) and European Blue Growth Strategy;
- Biodiversity conservation and management policy objectives, including those related to Natura 2000 networks and to the EU Biodiversity Strategy to 2020;
- Targets on internal and sea water quality, fixed under the WFD and the Marine Strategy Framework Directive;
- Industrial risk management rules fixed under the IPPC directive⁵, the REACH directive⁶ and the SEVESO directive;

Part of the information on environmental objectives should be collected directly from SEA experts together with EAs, e.g. during the consultation process, taking into account directives,

⁴ Directive 2001/42/EC Annex I(e)

⁵ Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control (OJ L 24, 29.1.2008, p. 8).

⁶ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

decisions and rules adopted by the Commission and other relevant national and regional institutions in the field of sustainability and environmental protection over the last 10 years.

A first list of objectives is proposed in Table 3. General objectives will be also disaggregated in specific objectives, with the aim to better integrate local characteristics of the areas under analysis.

Table 3 Environmental objectives

Environmental issues	Topic	General environmental objectives
Climate change and associated risks	GHG emission	Reduce GHG emissions
	Adaptation	Reduce flooding risks
		Reduce risks linked to coastal erosion
Air quality	Air pollution	Improve air quality
Water quality and supply	Water quality	Improve or maintain underground, surface and bathing water quality
	Water use	Reduce pressures on fresh water
Biodiversity and ecosystem	Ecosystem	Restore degraded ecosystems and their associated services
	Biodiversity	Protect and preserve the diversity of species
Marine ecosystems and natural resources	Water quality	Improve or maintain coastal water quality
	Ecosystems	Protect and preserve the diversity of species
	Natural resources	Reduce the pressures on natural resources

Soil quality and Landscape	Soil quality	Remediate contaminated soils and lands
	Soil management	Improve efficiency in soil and land management
Technological risks	Risks prevention	Prevent technological risks
Health and Sanitary risks and nuisances	Human health protection	Reduce chemical pollution and its effect on health
		Decrease noise pollution
		Reduce electromagnetic pollution
Natural and cultural heritage		Preserve landscape and cultural heritage
Energy	Renewable	Promote renewable energies
	Efficiency	Improve energy efficiency
Waste management	Production	Reduce the production of waste
	Recycling	Promote recycling and reuse

5. METHODOLOGY FOR EXPECTED EFFECTS

The methodology used by the evaluation group for drafting the Environmental Report refers to the following analysis:

- external coherence analysis (with other policy documents, plans or strategies)
- significant environmental effects;
- mitigation measures,
- monitoring system and Programme indicators.

5.1 EXTERNAL COHERENCE ANALYSIS

According to Annex I(e) of the SEA Directive⁷ an external coherence analysis should compare the Italy – Albania -Montenegro Programme with other key plans or strategies for the cooperation area and that deal with environmental issues covered by the Programme strategy.

Coherence was analysed at the level of the Italy - Albania -Montenegro Programme ‘Specific Objectives’ and related ‘Investment Priorities’ using a specific assessment matrix (see below). External coherence analysis built on the list of relevant national and regional documents drawn up by SEA experts and completed by the EAs, during the Scoping Report consultation.

The following coherence levels were established using a joint-methodology developed with the ex-ante evaluators:

- CONTRAST (C): where the Programme strategy could potentially clash with local stakeholder interests or the Programme differs from strategic goals;
- NEUTRAL (N): where the Programme strategy and key plans have no common fields of interaction, neither at target group level nor at objective level;
- COHERENT (S/O): where the Programme strategy and the key plans and strategies share similar strategic goals, actions and target groups.

⁷ ‘The environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.’

5.2 ASSESSMENT OF THE LIKELY SIGNIFICANT ENVIRONMENTAL EFFECTS

The Directive requires the evaluation of the likely significant effects on environment of the actions implemented by the Operational Programme. The evaluation must consider in particular the direct and indirect impacts, their probability and their scale, their frequency, duration and reversibility, the cumulative nature of their effects and their cross-border dimension.⁸

Evidence from the past and experiences from other Programmes belonging to the cooperation objective show that many expected effects of the programme should be intangible and indirect. According to the Regulation, actions planned for territorial cooperation are much more related to networking and information sharing than infrastructural investments with significant short terms and direct effects on environment (see Table 4 for a first characterization of environmental effects of actions under ETC funding⁹).

Table 4 Typology of actions

Type of action	Environmental effects	Time horizon
Investment in infrastructure	Direct, localised and certain, non-reversible	Short, long term
State aid and support for innovation projects	Indirect, localised, non-reversible	Medium, long term
Information and communication	Indirect, intangible, non-localised, reversible	Short, medium
Networking, cooperation and exchange of experience	Indirect, intangible, non-localised, reversible	Short, medium

The analysis of the effects comprises three main steps. In a first step, the environmental objectives identified in Table 3 will be matched with the proposed actions and eligible activities planned by the Operational Programme (see Table 5 with the water issue as illustration). Based on information from Table 4, actions with a potential effect will be recognized by an “X” while unknown effects will be marked by “?” and actions with no environmental significant effect by “n.s.’ This last sign is not to be confound with ‘ne’ used for indicating the absence of likely significant environmental effects.¹⁰

⁸ Directive 2001/42/EC Annex II (2)

⁹ Article 3 proposal ERDF Regulation and Article 6 of the ETC Regulation.

¹⁰ "?: some actions planned by the Programme could have indirect impacts difficult to estimate under the current methodologies of assessment. E.g. projects in the field of innovation or R&D could have environmental effects depending on many different factors, such as technology, market conditions or implementations factors, unknown at

Table 5 Illustration of an Evaluation matrix

<i>Environmental issue</i>	<i>Environmental objectives</i>	<i>Action 1.1.</i>	<i>Action 1.2.</i>	<i>Action 1...</i>
Water	Improve or maintain water quality objectives	X		?
	Reduction in water consumption		X	
	Availability of drinking water	n.e.		X

In a second step, the SEA experts will combine the previous table with an estimation of the effects intensity according to the scale illustrated in Table 6.

Table 6 Scale for measuring positive and negative effect

<i>Positive effects</i>	<i>Scale to measure the intensity of the effects</i>	<i>Negative effects</i>
++	Very significant effects	--
+	Significant effects	-
?	Unknown effect	?
n.s.	No significant effects	n.s.

Legend:

++ = very significant positive effects; -- = very significant negative effects

+ = significant positive effects; - = significant negative effects

ne = no effects; n.s. = no significant effects; ? = unknown effect

the beginning of the program. "n.e" is indicated when actions are deemed to have no environmental effects, e.g. communication plans to public is not related to environment topics.

By doing so, we obtain the map of the effects with their associated colors. Such a representation helps the reader to identify quickly, in a single view, those effects which are relevant to the Programme and those without any particular signification (Table 7). To ensure that the assessment is open and transparent, additional comments will follow the table to provide a clear explanation/justification of the likely effects including their type and significance for each action against each objective.

Table 7 Actions and Environmental topics

<i>Environmental topic</i>	<i>Environmental objectives</i>	<i>Action 1.1.</i>	<i>Action 1.2</i>	<i>Action 1...</i>
Water	Improve or maintain water quality objectives	++		?
	Reduction in water consumption		-	
	Availability of drinking water	ne		++

Thirdly, the information will be organised to assess the cumulative and cross-border effects of each action planned by the Cooperation Programme. The cumulative impacts will be ordered by environmental theme and will be evaluated considering all possible causal relationships leading to an impact on that theme.

Three levels contributing to the cumulative effect are considered:

- The first includes effects from different actions directly influencing the environmental issues (and related objectives).
- The second adds the contribution of other environmental components to the objective.
- The third order effects act on the second order ones.

The single effects will be weighted in relation to their level, i.e. their contribution to the final environmental theme, to obtain a overall significance of the cumulative effect.

5.3 MITIGATION MEASURES

In the Environmental Report, “*the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme*”¹¹ will be described.

Mitigation measures will be proposed following the information gathered on foreseen environmental effects of the Programme. For every action with significant environmental impacts recommendations will be made to reduce or delete negatives effects and increase or amplified the positive ones. Potential mitigation/corrective measures are suggested below:

- additional specific activities to be implemented;
- selection criteria to be used;
- alternative instruments/tools to be promoted;
- innovations to be adopted (best available technology approach).
- financial allocation to be modified.

Information concerning mitigation actions will be synthesised for each SOs or actions in a specific table, with in evidence: the actions or SOs’ names, the environmental dimension, the description of the effects and measures to be implemented to reduce, off-set or mitigate the adverse effects to the environment. In the document the SEA experts will also underline best practices of the past programming period worth to be repeated or sustained in a specific way over the future programme period 2014-2020.

5.4 ALTERNATIVES AND MONITORING SYSTEM

The 2001/42/EC Directive also provides for the analysis and evaluation of alternatives identified in the Programme, in terms of different scenarios, if there are any. In particular, it provides for the analysis and evaluation in the event of "alternatives 0" namely the assessment of environmental effects in case of non-implementation of the Operational Programme. The

¹¹ Directive 2001/42/EC Annex I(g)

assessment of expected changes in the case of non-implementation of the Programme will be included at the end of the assessments of significant environmental effects.

In accordance with Article 9(1) and Article 10 of SEA directive “*Member States shall monitor the significant environmental effects of the implementation of plans and programmes [...]*”¹².

The monitoring part of the Strategic Environmental Assessment aims at setting the adequate framework for an effective follow up of unforeseen changes in the environment arising from the Programme implementation. “*Monitoring allows the actual effects of the plan to be tested against those predicted in the SEA and helps to ensure that problems which arise during implementation, whether or not they were originally foreseen, can be identified and future predictions made more accurately.*”¹³

Art. 10 of the SEA Directive says that monitoring can be split into the following main steps:

- Selection of an adequate set of indicators;
- Procedures and responsibilities (governance).

Following this indication, in the Environmental Report the experts will describe:

- the monitoring system to be implemented in the phase Programme implementation;
- the list of environmental indicators to include in the monitoring system of environmental effects, with targets set out to reach the environmental objectives of the area;
- the authorities to involve in the monitoring system e.g. national or regional Environmental Authorities.

¹² SEA Directive 2001/42/EC

¹³ EC (2005) The SEA manual. A Sourcebook on Strategic Environmental Assessment of transport infrastructure plans and programmes, 79p.

6. CONSULTATION PROCEDURES

According to the provisions made by the Article 6 of Directive 2001/42/CE: “*the draft plan or programme and the environmental report prepared in accordance with art. 5 shall be made available to the authorities [...] and the public*”. The SEA experts will provide the documents to support the organisation of a consultation with the public and Environmental Authorities in order to improve the quality of the environmental analysis provided in the environmental report and to make some suggestions for significant changes to the programme and its likely environmental effects.

For SEA provisions in the Countries involved see table in annexe 2.

7. DOCUMENTS AND INFORMATION SOURCES

EU level policy documents

Policy documents – Italy

National level

Regional level

Policy documents – Albania

National level

Regional level

Policy documents – Montenegro

National level

Regional level

ANNEX 1. PROVISIONS FOR CONSULTATION AND DECISION MAKING

A specific timing for SEA consultation is not set by the SEA directive but is specified by the Italian legislation; in the following table key information on timing provided by national and regional legislations (in days) as agreed between partners, is illustrated.

Country	Scoping consultation	Environmental Report - Public and EA Consultation	Opinions From EA
Italy (Apulia, Molise)	15 ^a	60	30 ^b
Albania	Not defined ^c	60 ^d	To be defined
Montenegro	Not defined ^c	60 ^d	To be defined

a : National legislation states a maximum of 90 days from the delivery of the scoping report to the conclusion of the procedure. However a specific time for the scoping consultations is not fixed; b : National legislation states a maximum of 90 days for the delivery of a formal opinion from Environmental Authority for the SEA ("parere motivato"); c: European directive doesn't set specific requirement for the scoping procedure; d : European directive states for an appropriate period for public consultation

ANNEX 2. ENVIRONMENTAL REPORT'S TABLE OF CONTENT

Part I – Framework and Programme background

1 - General presentation and objective of the SEA

2 – Presentation of the Programme (Priority Axis, SOs and expected results)

3 – Context analysis, environmental indicators and characteristics of the area to be significantly affected.

Part II – Vertical and Horizontal integration of environment and sustainable development

4 – Synergy with other Plans and Programmes relevant for the Italy – Albania - Montenegro area

5 – Environmental protection objectives and internal coherence of the Programme

Part III – Environmental effects analysis

6 – Likely significant effects on the environment

7 – Risks and opportunities for the Italy – Albania - Montenegro cooperation area

Part IV -Recommendation for a better environmental integration

8 – Measures to prevent reduce and offset adverse effects

9 – Measures to promote, diffuse environmental best practices

Part V – Follow-up for the implementation phase

11 – Programme Indicators

12 – Provisions for an environmental monitoring system

Part VI – Conclusion

13 – Information of potential alternatives and justification of the Programme choices

14 – Quality of information and rationale for analysis

Appendix 1 – Non technical summary

Appendix 2 – Preliminary report

ANNEX 3. SCOPING QUESTIONNAIRE

Objective of this discretionary questionnaire is to define the scope of the analysis and the level of details to be considered in the environmental report, validating the methodological approach followed in the assessment of the Programme's environmental effects.

Questions to validate the preliminary scoping report and suggestions for the environmental report

Q1 – ENVIRONMENTAL ISSUES

Q1.1 – Does the list of environmental issues (SEA Scoping Report, section 3) seem complete to you with regards to the analysis conducted as part of the Programme? Yes/No. If no, please indicate unconsidered environmental issues.

Q1.2 – Have you pertinent indicators to suggest? Yes/No. If yes, please indicate also the data source

Q2 – ENVIRONMENTAL OBJECTIVES

Q2.1 – Do environmental general objectives (SEA Scoping Report, section 4) well characterise objectives pursued in territories under your responsibility? Yes/No. If no, please indicate missing environmental objectives.

Q2.2 Considering the the environmental policy in territories under your responsibility, there are peculiar specific objectives that you would suggest? Yes/No. If yes, please indicate.

Q3 – BACKGROUND DOCUMENTS

Q3.1 – Could you provide with keys background documents (SEA Scoping Report, section 7) on the state of the environment of the territories under your responsibility? Please indicate the title and source of documents.

Q4– METHODOLOGY

Q4.1 – In your opinion, is the methodology presented at section 5 of the SEA Scoping Report complete and sufficient to assess the Programme environmental effects? Yes/No. If no, have you any suggestion?

Q5– OTHER REMARKS

Q5 – Do you have any other suggestion or recommendation for the SEA experts in drafting the Environmental Report of the Italy-Albania-Montenegro CBC Programme?