



MINISTRY OF ENVIRONMENT

VICE PRIME MINISTER CABINET, MINISTER OF ENVIRONMENT

No. 5816 /GLG/ 15.09.2017

To: MINISTRY OF ENVIRONMENTAL PROTECTION OF THE REPUBLIC OF SERBIA
Mr. Goran TRIVAN, Minister

Subject: Notification sent to Romania by letter No. 350-02-05/2017 - 02, dated 24 July 2017

Dear Mr. Minister,

In addition to the address of the ministry of environment no. 5816/GLG /28.08.2017, regarding the SEA procedure in a Transboundary Context for the Implementation Program of the Energy Strategy of the Republic of Serbia 2017-2023, please find below the comments of the Romanian Party regarding the documents Implementation Program of the Energy Strategy of the Republic of Serbia 2017-2023 and Environmental Report for the Program of Implementation of the Energy Strategy of the Republic of Serbia 2017-2023:

Observations on the Program Implementing the Energy Strategy of the Republic of Serbia 2017-2023 (named hereinafter Program):

- In the field of "renewable energies", the Program provides the possibility of developing reversible hydropower plants and micro-hydropower projects on cross-border water courses, which have a potential impact on the quality of biological elements provided by the Water Framework Directive no.2000/60/EC, namely invertebrate benthic fauna, fish fauna and phyto-benthos.

We consider that in this sector, the Program should take into account the principle of not deteriorating the status of water bodies, because such a deterioration can generate a significant cumulative impact on the downstream/upstream water bodies, including on the territory of Romania. This is confirmed by the information from the environmental report that shows that micro-hydropower projects will be provided with migratory passages of the ichthyofauna and that their operation will ensure a minimum downstream flow necessary to aquatic ecosystems.

We mentioned that, Romania in line with the requirements of the Water Framework Directive no. 2000/60/EC, has developed a methodology for the ecological flow as being the required flow for the protection of aquatic ecosystems both from the quantitative point of view and its dynamics in order to achieve the environmental objectives for the surface water bodies. Therefore, we consider it necessary to correlate this flow with the one proposed in the case of the installation of a hydropower / micro hydro power plant by the Serbian side on cross-border water courses, the values of which may differ.

In this respect, we ask for Romania to be notified for participation in the decision-making process, with the aim to identify common solutions, even for projects that are not listed in Annex 1 to the Espoo Convention, but which may have a transboundary impact, to prevent deterioration of the ecological status of surface water bodies.

- Regarding the accumulations and the Iron Gates 1 and 2 (Djerdap 1,2), considering the transboundary nature of the proposed works and the importance of the Danube River, we would like to be mentioned in the Program the efforts of the signatory states of the Danube Convention, to carry out the study feasibility of migration possibilities of the ichthyofauna (especially sturgeons), identifying the possibilities of financing the feasible technical measures in order to improve the longitudinal connectivity of the Danube water bodies.

Observations on the Environmental Report for the Program for Implementing the Energy Strategy of the Republic of Serbia 2017-2023 (named hereinafter Environmental Report) :

- In the environmental report is not foreseen a chapter/subchapter that refers strictly to the impact on biodiversity, or on the natural capital in the Republic of Serbia, or a transboundary impact.
- The chapter "The transboundary impact" does not present information about the biodiversity in Romania, as a state potentially affected by the works proposed by the Program, although the proposed projects in the hydroelectric sector can have a significant negative impact on the Danube River.
- Measures for the protection of natural capital are generally treated and it is not very clear if by their application the quality of natural capital existing in Serbia or across borders, will be improved.

In this sense it is necessary to include the following information:

- Species of wild flora and fauna, natural habitats, as well as protected natural areas likely to be influenced by the future projects of this Program, especially those in Romania.
- Distances of existing/future locations (if known) of proposed investments from the territory of Romania, to be specified including on the map.
- Cumulative impact, residual impact, conservation measures for the protected species and habitats potentially affected by Program implementation.
- Assessment of the impact on biodiversity for each alternative presented, including the "zero" alternative.

- In the environmental report, a monitoring Program over a period of 2 years is mentioned, as well as the application of measures for environmental protection. We consider it necessary that the proposed measures to have also effect of protecting the population health. We also consider that the results of the pollutants monitoring Program should be brought to the knowledge of the Romanian authorities. If an impact on the environment, as result of exceeding the limit values stipulated in the legislation in this field is noted, we consider it necessary that Serbia should carry out an impact study on the population health in the vicinity of the border with Romania.

Once again we express our readiness to continue our fruitful cooperation and please accept, Mr. Minister, the assurance of my highest consideration and esteem.

VICE PRIME MINISTER
MINISTER OF ENVIRONMENT


Grația Leocadia GAVRILESCU