**Information regarding the consideration of proposals and comments to the Danube RBMP and the SEA report**

1. Comments regarding the „water" factor

**•The Danube River Management Plan is drawn up on the basis of provisions that are not yet in line with the requirements of the Water Framework Directive 2000/60/EC (WFD), although the Report on environmental strategic assessment states that the management of water resources in Ukraine is also based on WFD provisions.**

The Danube RBMP was developed in accordance with the legal acts adopted to ensure the approximation of national legislation to the WFD, and the relevant guiding documents of the Common Implementation Strategy for the WFD. Preparation of the Danube RBMP was carried out with the support of the EU4Environment in Eastern Partner Countries: Water Resources and Environmental Data (ENI/2021/425-550). Program experts checked the project of the Danube RBMP for compliance with the requirements of the WFD.

According to the analytical document (NOTE ON THE FIRST UKRAINIAN RIVER BASIN MANAGEMENT PLANS (EU4Environment in Eastern Partner Countries: Water Resources and Environmental Data (ENI/2021/425-550), the RBMPs are in line with the WFD requirements, especially when considering the war in Ukraine and the insufficient monitoring database that exists since long. It proofed very positive that the local expert team is globally the same for all RBMPs. This allowed producing 9 rather homogenous RBMPs, with the exception of Crimea.

• **The list of abbreviations should be completed, e.g. MPA, MPE, IWA, MNR, MPP, MWP, etc.**

Given the short deadline for translation preparation, the documents were automatically translated. Currently, the draft document has been revised and abbreviations are given. Please see an updated draft of the Danube RBMP.

**• It is necessary to clarify what the “MPA” stands for, having in view the importance of this acronym in the analyses presented in the management plan, as well as the “MWP”**.

Done, please see an updated draft of the Danube RBMP.

• **Regarding pollution by priority substances (Chapter 2.1.3), the presence of such substances in surface waters and sediments is mentioned, respectively in the Tisza, Prut and Siret sub-basins, in concentrations exceeding the environmental quality standards (EQS).**

**• Table 15 of the same chapter sets out the list of hazardous substances and their average and maximum concentrations, but these are presented as specific pollutants. Having in view that the limits specified in the table are higher than those of Directive 2008/105/EC on environmental quality standards in the field of water policy (EQSD), as amended by Directive 2013/39/EU, and taking into account possible transboundary impacts, a number of measures should be established to ensure that downstream water bodies are not affected.**

For both comments: Assuming that the main source of water pollution by priority substances coming from industrial and domestic wastewater the program of measures (PoM) includes a number of measures for the construction and reconstruction of wastewater treatment plants (e.g – Uzhhorod, Chernivtsi, Izmail).

• **In Chapter 4.1.3 - Chemical status assessment, there is mentioned that this assessment is based on the EQSD limit concentrations, but it is not clear whether these standards have been transposed into national legislation through Annex 8 of the Order of the Ministry of Ecology and Natural Resources, or represent the limits specified in Table 15.**

EQSD transposed into national legislation, namely – Order of the Ministry of Ecology and Natural Resources of Ukraine dated 14.01.2019 № 5 "On Approval of the Methodology for Assigning a Surface Water Body to One of the Classes of Environmental and Chemical Status of a Surface Water Body, as well as Assigning an Artificial or Significantly Altered Surface Water Body to One of the Classes of Environmental Potential of an Artificial or Significantly Altered Surface Water Body" and Order of the Ministry of Environmental Protection and Natural Resources of Ukraine dated 01.04.2024 № 332 "On Approval of Environmental Water Quality Standards for Determining the Ecological Status of Surface Water Massif and Amendments to Certain Regulatory Acts".

• **Regarding the Environmental assessment (chapter. 4.1.4), its significance is not clear; environmental assessment appears rather to be equivalent to the assessment of ecological status, but it is based only on the assessment of biological quality elements (BQEs), while in other paragraphs Environmental assessment also refers to the assessment of chemical status.**

Done, please see an updated draft of the Danube RBMP.

• **It is not clear whether the BQEs assessment complies with the provisions of the Water Framework Directive - in this respect it is mentioned January 2019 "On Approval of the Methodology for Assigning a Surface Water Body to One of the Classes of Environmental and Chemical Status of a Surface Water Body, as well as Assigning an Artificial or Significantly Altered Surface Water Body to One of the Classes of Environmental Potential of an Artificial or Significantly Altered Surface Water Body".**

BQEs assessment is complies with the provisions of the Water Framework Directive - Order of the Ministry of Ecology and Natural Resources of Ukraine dated 14.01.2019 № 5 "On Approval of the Methodology for Assigning a Surface Water Body to One of the Classes of Environmental and Chemical Status of a Surface Water Body, as well as Assigning an Artificial or Significantly Altered Surface Water Body to One of the Classes of Environmental Potential of an Artificial or Significantly Altered Surface Water Body" and Order of the Ministry of Environmental Protection and Natural Resources of Ukraine dated 01.04.2024 № 332 "On Approval of Environmental Water Quality Standards for Determining the Ecological Status of Surface Water Massif and Amendments to Certain Regulatory Acts".

• **The system for ecological status assessment based on biological quality elements is not complete - ichthyofauna is not monitored and assessed, but is included in the definition of reference conditions, including data from the reference sections.**

Ichthyofauna is not monitored and assessed at present. It also happened in some EU countries during the first cycle of RBMP implementation.

• **The legend of the BQEs Environmental Assessment is in Ukrainian - Evaluation of MPAs by biological indicators, %.**

Please see an updated draft of the Danube RBMP.

• **Chapter 8.1.1 mentions a number of measures to reduce pollution by organic substances, nutrients and hazardous substances, but in the presented Annexes it is difficult to identify which measures are applied to water bodies with poor chemical status or with moderate or lower than moderate ecological status. The ecological status and the quantitative status are mentioned together in the same cell of the table in the Annexes, making it difficult to identify which area the planned measures are addressing to.**

Annex 13 includes column

The PoM table includes a column for "chemical status" and "ecological/quantitative status", these columns are filled in for those surface water bodies where monitoring and assessment has been conducted/done.

• **Also, regarding the Programmes of Measures for the Tisza, Prut, Siret and Lower Danube sub-basin: in addition to the issues presented in Chapter 7 - Review of the Programmes of Measures - and to the measures analyzed from the point of view of reducing pollution and impact in Chapter 8 - Full list of programmes, annexes containing a list of concrete specific measures are presented: M5.3.4 Full list of measures in the Lower Danube sub-basin; M5.3.2, M5.3.3 - Full list of measures in the Prut and Siret sub-basins; M5.3.1 - Full list of measures in the Tisza sub-basin. These lists include planned measures for 2022-2023, although the planning target period is 2025 - 2030. In addition, it would be useful to specify which of these measures have been implemented and which are in the process of being implemented.**

Chapter 7 describes recently completed and ongoing until 2024 programs and measures and their analyses. Chapter 8 is devoted to the measures that are planned to be implemented during 2025-2030.

• **The document states that the DPSIR concept has been applied, but the linkage between pressures, measures and exceptions to environmental objectives has not been clearly identified, the common element in this linkage being the water body. In the tables of measures of Annexes, we consider that the code and names of the water bodies on which the measure has an impact should appear. For transboundary river basins, the application of measures and exemptions for certain water body should be coordinated and agreed with neighbouring states.**

The PoM table (Annex 13) includes the codes and names (or categories) of the surface water bodies. The implementation of measures with potential transboundary effects will be done in accordance with the relevant legal procedures.

• **In the management plan, climate change issues are addressed in terms of effects (e.g. increase in temperature, change in rainfall regime, frequency of occurrence of extreme droughts and floods, etc.), medium-term water resource forecast (2023-2030), also taking into account climate change causing anthropogenic pressures (e.g. increase in water consumption for irrigations), as well as in terms of assessing the impact of climate change on water resources. No reference is made to programmes of specific measures or measures to mitigate and/or adapt to climate change. It is only in the Report on environmental strategic assessment that such measures are referred to, as being described in short- and medium-term planning documents, such as: The Strategy of Environmental Security and Adaptation Climate Change for the period up to 2030 and the Operational Plan for its implementation in 2022-2024, and the Concept of implementation of the state policy in the field of climate change for the period until 2030 (presented in Table 5.2.2). We consider that these documents and the related specific measures to mitigate and/or adapt to climate change should be included in River Basin Management Plan of Ukraine 2025-2030.**

The PoM table (Appendix 13) includes the column D (Measure (according to CMU Resolution № 336), which indicates measures aimed at climate change **issues** (SWMI - 8.3.1. Climate change (low water, droughts, floods (measures should be coordinated with the approved Flood Risk Management Plans for 2022-2030).

Please see an updated The PoM table (Annex 13) draft of the Danube RBMP.

• **The Report on environmental strategic assessment indicates (in Table 5.2.2) the list of EU Directives and National Regulations that formed the basis for the preparation of the management plan. In addition to the mentioned EU directives, the provisions of the Environmental Quality Standards Directive, the Industrial Emissions Directive and the Drinking Water Directive should have been taken into account**.

The provisions of these Directives and ways of taking them into account when developing the PURB are added to table 5.2.2 of the SEA Report.

**• In addition, in Table 5.2.2, in the framework of the Plan of Measures for the Concept of implementation of the state policy in the field of climate change for the period until 2030, reference is made in the column 'Ways of taking into account obligations during the preparation of the state planning document' to the rivers of Poland and Lithuania: 'In order to improve the hydrological characteristics of the watercourses of the rivers of the Polish-Lithuanian Commonwealth...' - it is necessary to correct this passage.**

In the Ukrainian version of the Report on the SEA, there is no wording regarding : “In order to improve the hydrological characteristics of the watercourses of the rivers of the Polish-Lithuanian Commonwealth...”. Due to the imperfection of the English translation, an incorrect translation of the abbreviation was allowed. Therefore, the correct version of the English translation presented in the Ukrainian version of the SEO Report is as follows: “To improve the hydrological characteristics of river watercourses, the Action Plan provides measures for revitalization, clearing, and improvement of the ecological condition of riverbeds.”.

**• The Report on environmental strategic assessment indicates the Vistula River (which is in Poland) - page 2 - it is necessary to correct this passage.**

Technical error. On page 2 of the SEA report, the name of the river basin has been corrected.

2. Comments regarding „biodiversity"

2.1. Comments on the contents of the Danube RBMP

**• The presentation of the aspects of vegetation and fauna (sections 1.1.7 Vegetation and 1.1.8. The animal world) is a synthesis of the aspects presented in the environmental report.**

Sections 1.1.7 and 1.1.8 are part of the general descriptive part of the RBMP, they are presented in a synthesis way.

• **In chapter 3, there is no analysis of the protected areas in a transboundary context, and no map of the protected areas in relation to the hydrographic basins that are the object of the plan is attached. The map can be inserted in the Maps section, after map no. 12.**

Done, see updater Danube RBMP.

• **Chapter 5 refers to Areas (territories) to be protected listing only the Emerald sites, protected according to the Berne Convention. In this sense, we consider it appropriate to refer and analyze the Natura 2000 sites in Romania, close to the border.**

Chapter 5 is about environmental objectives for surface and groundwater, but not for protected areas. Natura 2000 sites and other protected areas located near the border with Romania and other neighbouring countries will be analyzed in the next RBMP cycle.

2.2. Comments on the SEA report

**• In section 2.7 Biodiversity and landscape, there is no reference to the connectivity between species, especially the species that have a common distribution along the border, such as the aquatic species identified in the Natura 2000 sites in Romania. The chapter only provides a presentation of biodiversity, not an analysis of their conservation status.**

Information on the conservation status of species of flora and fauna, habitats protected within nature conservation areas located in the Danube river basin is given in tables 2.8.1 and 2.8.3.

**• In chapter 2.7.2 Fauna (page 79), it is stated that: "The following species are of industrial importance: mullet, sturgeon, trout, chub, catfish, tench, carp, pike and herring".**

• **We request that it be specified whether these species are proposed to be exploited industrially. According to the IUCN Red List, whose purpose is to inform and promote biodiversity conservation actions, policies, critical aspects to protect the species, sturgeons are, globally, the most threatened animal species. The species: Huso huso, Acipenser stellatus, Acipenser gueldenstaedtii, Acipenser ruthenus, Acipenser sturio and Acipenser nudiventris are currently classified by the International Union for Conservation of Nature as being Critically Endangered or extinct. In the situation where these species would be captured, the premises for violating the policies of protecting/conserving the species and affecting their populations are created.**

The sentence: "The following species are of industrial importance: mullet, sturgeon, trout, chub, catfish, tench, carp, pike and herring" was removed from the SEA report.

• **In section 2.8. Natural Territories and objects maps of the identified protected areas are not attached. Also, the protected areas in Romania in the vicinity of the studied area are not mentioned and, as the case may be, analyzed. For the analysis in relation to the natural protected areas, there is the possibility for the developer to use the limits of the hydrographic basins published in the Map annex, in relation to the limits published on the Ministry of Environment, Waters and Forests's website at the address https://www.mmediu.ro/categorie/date-gis/205. At the same time, we inform you that scientific data (species, habitats) can be found in the standard forms published at https://www.mmediu.ro/categorie/natura-2000/476.**

The list of objects of the Emerald network located within the Danube river basin is given in table 2.8.1, the objects of the nature reserve fund are presented in table 2.8.2., the list of wetlands is shown in table 2.8.3. Also, in subsection 2.8, an analysis of the structural elements of the ecological network of Ukraine, located within the river basin, was carried out.

Thus, taking into account the significant number of protected areas located within the Danube river basin, the inclusion of map materials with the location of each object in the SEA report will lead to an overload of the document. The SEA Report provides a comprehensive list of nature conservation areas, the boundaries of which can be viewed in open access.

In addition, a map of the objects of the Smaagd network was added to the RBMP project.

**• According to the information presented in Chapter 6, Table 6.1 Probable consequences for the environment, including for public health, as a result of the implementation of RBMP measures (page 155), several effects were identified on the environmental factors air and water, respectively : air pollution, noise, vibrations, temporary deterioration of the transparency and increase of turbidity of water downstream, change of hydrological parameters of the water course, including a change of level, speed and the current, as well as the isolation of individual sections of the river; an increase in the concentration of suspended substances in water, which reduce the biological activity of the water system as a whole; the sedimentation of suspended particles from the bottom of the river downstream leading to a decrease in the number of benthic communities; changing the chemical composition of habitat characteristics, when chemicals buried in the subsoil and released during stream dredging will dissolve in the water.**

**• We specify that all these have a negative impact not only on air and water but especially on species and habitats by destroying them, disrupting the activity and removing species, destroying the spawn, disrupting the migration of anadromous fish species, etc. We also mention that in the studies developed for the Management Plan of the Danube Delta Biosphere Reserve, ROSC/0065 Danube Delta, ROSPA0031 Danube Delta and the Razim Sinoie Complex and ROSCI0066 Danube Delta Marine Zone, which is in the approval process, de-clogging is identified as an activity with a negative impact on at least two species of insects, 4 species of fish, two species of mammals and two types of habitats of community interest.**

In Table 6.1, namely in the item "Biodiversity and nature conservation areas", information is added regarding the possible impact on biodiversity, which will occur at the stage of preparatory, construction and installation works, works on the reconstruction of sewage treatment facilities and sewage networks, as well as revitalization of rivers.

**• In Table 6.1, Chapter 6, the level of the plan's estimated impact on biodiversity is expected. to be negative, local, direct, in the short term. Although in the area of the Lower Danube Basin there is a significant area of water course that belongs to both states, and the part that belongs to Romania is included in the Danube Delta Biosphere Reserve which has multiple protection status: biosphere reserve, wetland of international importance, site of natural and universal heritage and a Natura 2000 network site, the report mentions nothing about the impact of the plan on the conservation objectives of these protected areas.**

It will be possible to reliably calculate the impact of the implementation of the planned RBMP measures only for each project separately in the process of passing the environmental impact assessment procedure in accordance with the Law of Ukraine "On Environmental Impact Assessment". At the SEA stage, it is possible to analyze the impact on nature conservation areas only in a generalized form.

Therefore, table 6.1 adds generalized information on impacts on nature conservation areas, including transboundary ones.

**• Chapter 7 does not present the measures taken to prevent, reduce and diminish the consequences of project implementation in the transboundary context, especially in relation to the fish species in the hydrographic basins analyzed.**

The SEA Report states that in order to reduce the impact on ichthyofauna, it is planned not to carry out work from April 1 to June 15 (during the period of mass reproduction of wild animals) and during the spawning period and during the feeding period of young fish.

In addition, additional measures to reduce impacts on aquatic biota are added to Table 7.1.

3. Comments regarding “cumulative impact”

* **Experts have found a lack of strategic environmental assessment and quantification of the impact on all environmental factors regarding some objectives/works proposed by the plan that will be implemented in the vicinity of the Delta Danube Reserve Biosphere. Please provide details on the types of infrastructure and proposed activities, as well as the analysis of the impact but also of the cumulative impact on species and habitats of conservation interest in the Delta Danube Reserve Biosphere, ROSCI0065 Danube Delta and ROSPA0031 Danube Delta.**

**The cumulative impact must be analyzed including the activities carried out previously on the canals connecting the Danube and the Black Sea.**

**We believe an assessment of the cumulative impact of the works proposed to be executed in the Lower Danube basin, including the canals connecting the Danube and the Black Sea is necessary.**

The analysis of the cumulative impact of the works planned in the RBMP, including those that will be implemented near the border of Romania, will be able to be reliably assessed during the environmental impact assessment procedure in accordance with the Law of Ukraine "On Environmental Impact Assessment". At the stage of conducting a strategic environmental assessment, there are no technical and economic indicators by which it is possible to calculate the probable pollution of atmospheric air, water resources, soils and other environmental components from the implementation of projects.