

Kresna Gorge case update

40th meeting of the Standing Committee,
December 2020, Strasbourg

**On behalf of “Save Kresna
Gorge” coalition:**

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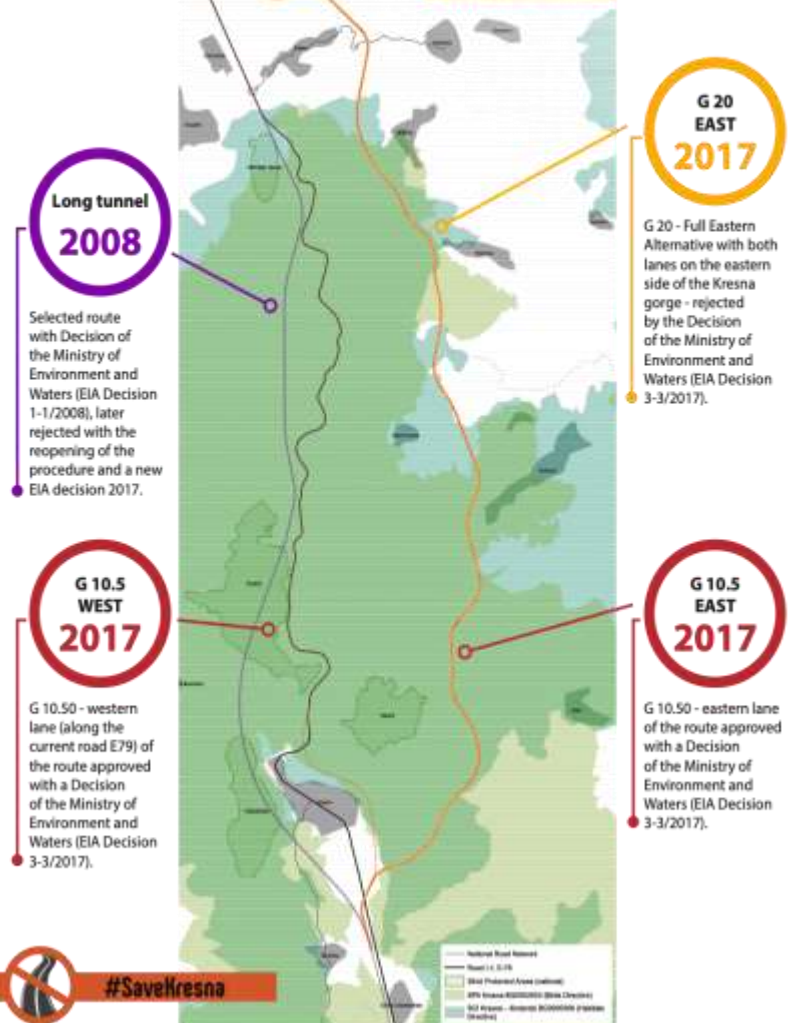


Brief history of the case

- 2002 on-the-spot appraisal mission and Recommendation No. 98 (2002) defines:
 - strong traffic pressure (mortality) in the Gorge
 - no effective mitigation inside the Gorge is possible
 - need for alternative motorway route outside the Gorge (existing road in the Gorge to be local)
- 2004 - opened case file
- 2008 – EIA decision – alternative outside chosen – tunnel or eastern by-pass and in 2010 – case file closed
- 2017 – new EIA decision in violation with Recom. 98 and 2008 EIA decision

Brief history of the

Alternative routes for Kresna gorge section (lot 3.2) of Struma motorway, Bulgaria



➤ Monitoring of road mortality 2003-2004 vs.2013-2014 – drastic dropdown (tens of times) of all populations. Protected snakes, tortoises and bats affected.

- 2017 EIA decision, without scientific proves or new information, approved:
- One lane of the motorway uses the existing road in the Gorge
 - No effective mitigation measures (small underpasses not covering minimum requirements)
 - No local road – traffic accidents
- 2019 – EC found violation of article 6.3
December 2020 – there is still no on-the-spot appraisal mission organised

New developments:

- **In 2019** the EC criticized the low quality and the misleading conclusions of the 2017 EIA report requested revision and significant improvements
 - missing conservation priorities of the site and not effective mitigation measures;
 - the EIA decision does not comply with the Habitat Directive

- **February 2020** – Commissioned report:
“Monitoring the populations of two species of land tortoises and two species of snakes in the part of the International E-79 route (I-1), in the part traversing the Kresna gorge” on the protected species to be completed 3 times per year (spring, summer and autumn).

Observation: The monitoring was implemented late summer-autumn and did not reflected the most active period of the annual life cycle of the protected species thus making the results unreliable.



New developments:

- **September 2020** – tender for Lot 3.2.2 - technical design and implementation of part of the mitigation measures. Evaluation of the received tenders is underway, expected to be finalized in November. The contract gives 120 days to start construction works since the signature. The contractor has 300 days in total for its completion.
- An EC external experts support **is ongoing** and is scheduled to provide results by 31 March 2021. The purpose – to assist the Bulgarian Government in preparation of conservation priorities of the NATURA 2000 site and the Application form for EU financing the project.

This means that:

- The design of some of the hard measures should be ready by February 2021, contradicting the schedule of the EC experts report due by 31 March 2021.
- The construction works for the mitigation measures in the Gorge will start in March-April 2021
- There will be no revision of the 2017 EIA (according to the ToR of the EC experts).
- The Bern Convention Secretariat might receive the report of the EC experts mission by next spring meeting and the Standing Committee will be able to discuss it and take decision not earlier than the autumn session of 2021.

By that time the construction works in the Gorge could be underway.

Our concerns - the Bulgarian government could:

- Revoke completely the independent on-the-spot appraisal of the Bern Convention
- Sub-ordinate and adjust the conservation priorities of Natura 2000 in Kresna Gorge to the provisions of the 2017 EIA decision.
The EC experts will work in the very limited scope of the 2017 EIA decision.
- Not open the public EIA procedure for revision – no inclusion and proper assessment of alternatives out of the Gorge, neither adapt the project according to the local community needs and the recommendations of the biodiversity scientific community
- The construction works in the Gorge are planned to start in March-April 2021 with national financing and possible co-financing from EC at later stage. But the planned mitigation measures needs at least two full seasons monitoring to be completed to evaluate their efficiency.

We ask the Standing Committee to:

- ❖ Urgently reopen the case file
- ❖ Recommend to the Bulgarian authorities to stop any tender procedures, which include construction within the Gorge until revision of the EIA is finalized
- ❖ Support the urgent implementation of on-the-spot mission
 - evaluation of the EIA report quality and gaps
 - assessment of the alternatives in view of site conservation objectives and mitigation effectiveness

The Convention expert should be working independently and complementing the EC expertise, but not to be subordinated to the outcomes of the EC visit!

Save Kresna gorge! Thank you!

