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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

37th meeting
Strasbourg, 5-8 December 2017

Possible file

**Follow-up of Recommendation No. 98 (2002)
on the project to build a motorway
through the Kresna Gorge
(Bulgaria)**

- RECEIVED POSITIONS OF OTHER STAKEHOLDERS -

*The documents have been tabled in the form they have been submitted by the stakeholders,
who are responsible for the content*

OFFICIAL TRANSLATION FROM BULGARIAN

To

Mr Giovanni La Via

Chairman of the Committee on the Environment, Public Health and Food Safety to the European Parliament

To

Mrs Iskra Mihaylova

Chair of the Committee on Regional Development to the European Parliament

To

Mr Karmenu Vella

European Commissioner for Environment, Maritime Affairs and Fisheries

To

Mrs Corina Crețu

European Commissioner for Regional Policy

To

Mr Marc Lemaître

Director-General, Directorate General for Regional and Urban Policy
European Commission

To

Mr Daniel Calleja

Director-General Dg Environment
European Commission

To

Standing Comitee of the Berne Convention

To

Mr.Nicola Notaro – Nature protection

To

Mr.Georges – Stavros Kremlis:Mainstreaming /Environmental Assessments

Mr Tomislav Donchev

Deputy Prime Minister For EU Funds

Mr. Nikolay Nankov

Minister of Regional Development and Public Works

Mr. Neno Dimov

Minister of Environment and Water

**SUBJECT: THE PROGRESS AND RESULTS OF THE RESENT PUBLIC CONSULTATION ON THE
EIA – AA STUDIES THE PROGRESS OF THE MOTORWAY PLANS AND SPECIFICALLY HOW
THESE PLANS COMPLY WITH RECOMMENDATION 98 – 2002 ON THE TO BUILD A MOTORWAY
THROUGH THE KRESNA GORGE
BULGARIA**

Dear Ladies and Gentlemen,

The Struma Motorway is a part of the Trans – European Motorway (TEM) North - South and part of the Trans – European Transport Corridor "Orient-Eastern Mediterranean."

It is important for the integration of national transport infrastructure into the European transport system.

Investment proposals are subject to procedures for the assessment of environmental impact /EIA/ and appropriate assessment /AA/ with the protected areas under Natura 2000 according to the requirements of European and Bulgarian legislation.

We've reviewed in detail all equally proposed 5 alternatives for the construction of the Struma Motorway to pass through or circumvent the Kresna Gorge and the respective protected areas. All routes pass through protected areas "Kresna- Ilindentsi" and "Kresna": Alternative G20 – blue; Alternative G20 – red; Eastern alternative G10.50; A long tunnel alternative and the eastern alternative G20 pass through a rough cross-country terrain on the territory of the municipality of Simitli and the municipality of Kresna, where parts of the project decisions are located in the Kresna Gorge – a region extremely sensitive in ecological terms. The conditions are further aggravated by the complex physical and geographic features – landslides and collapses, a fault zone with a complex geological structure and a high seismic risk in tectonic terms.

In the course of the public discussion, we've held several meetings with locals of various social groups: business organizations, administrations of municipalities, youth and local NGOs. Discussion of elements of EIA and AA reports on the investment initiative outlined several problem areas that focused on the following issues.

1. **What mitigating measures are provided for the conservation of biodiversity in the Gorge?**
2. **Are there any impacts from the construction and operation of Lot 3.2 of the Struma Motorway on the health of the population from the nearby settlements?**
3. **How will the environmental monitoring be carried out in the construction and operation of Lot 3.2 of the Struma Motorway?**
4. **Will the construction of Lot 3.2 of the Struma Motorway offer new jobs and when?**
5. **Implementation of Recommendation 98 (2002) of the Standing Committee of the Berne Convention?**

The Environmental Impact Assessment and Appropriate Assessment with Natura 2000 sites indicate that the impact during the construction and operation of the motorway on environmental components can be classified as negligible, short-term for the construction period, constant in the course of operation, direct and reversible, with a small territorial scope, with a negligible cumulative effect, below the accepted national and European regulatory requirements, and does not imply a significant negative impact on the components and factors of the environment and human health, both on the territory of the road and in the vicinity of the motorway, as well as in a cross-border context.

Dear ladies and gentlemen,

People from the region understand and feel nature not only as a concern for the flora and fauna, but above all, preserving it to improve their way of life, to change the socio-economic conditions, to achieve a better life. At the 8 meetings held in the district – Krupnik, Simitli, Kresna, Brezhani, Stara Kresna, Blagoevgrad, Sandanski and Petrich, the environmental arguments in the EIA and AA reports were interpreted primarily in the context of their relationship with social and economic status,

employment, the need to improve labor and transport services with the need to create better conditions for tourism and agriculture.

At meetings held with citizens we've used the opportunity to familiarize them with the recent message of the European Commission to the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Action Plan for Nature, People and the Economy. Restoring the balance between nature, people and the economy and creating new connections between them –those were priority topics in the larger cities of the region.

In the Southwest region, the word "ecology" is sufficiently discriminated as a result of the work of some non-governmental organizations. Over the long period of their work in people's consciousness there has been created an unnecessary tension between nature conservation and socio-economic activities. These results are the result of disinformation and manipulation of data and facts concerning environmental problems in municipalities.

Our efforts were focused on securing, for all public groups, the ability to play an essential role in shaping strategies, plans and programs across the different sectors of governance, with a view to better quality and greater transparency of the decision-making process at national and local level. We have concentrated our efforts on creating a partnership to implement the different sector policies. We realize that it is the only way to create a solid basis for restoring the balance between people, nature and the economy, and to build new, constructive relations between them.

The informative days held resulted in numerous signatures of people who expressed their choice and support for the alternative chosen for the construction of the Struma Motorway, namely – Eastern alternative G10.50 – 9 670 signatures from local people to support the project Eastern alternative G10.5 of the Struma Motorway and 437 online signatures from across the country and abroad to support the same project.

The representatives of our organization, after extensive research and communication with scientists from the Bulgarian Academy of Sciences, following a serious and profound insight into the complex issue of the EIA and the Appropriate Assessment Report of the investment project Struma Motorway offered the respected Environmental Board to the MoEW to approve the implementation of the investment proposal Improvement of the route of the Lot 3.2 of the Struma Motorway **in Eastern alternative G10.50. As members of the Monitoring Committee for the construction of the Struma Motoway we've voted in favor of the most environmentally friendly, safest and cost-effective project.**

As environmental organizations we are convinced that the construction and operation of Lot 3.2 of the Struma Motorway with the eastern alternative G10.50 will have a negligible impact on the integrity and structure of the Natura 2000 protected areas, as well as on the natural habitats and species, including protected birds, in the implementation of the recommended mitigation measures – defragmentation and barrier facilities.

As a result of this we consider that the Republic of Bulgaria strictly implements and applies the international, European and national legislation for protection of species and habitats, incl. Recommendation 98 (2002) of the Standing Committee of the Bern Convention and there is no reason to open a case in relation to the implementation of the project for Lot 3.2 of the Struma Motorway.

Bulgaria will clearly and categorically its affiliation to European values and structures, by successfully completing the entire Struma Motorway in the programming period of the Operational Program "Transport and Transport Infrastructure" 2014-2020.

Respectfully:

Federation of Consumers in Bulgaria
Association "Cluster Wellness BG"
Association "Cluster Green Transport"
Scientific and Technical Research Committee – Transport Federation"
Association "Nature for People"
Bulgarian Federation of Speleology –

"Intelligent Bulgaria" Union
National Citizens Coalition "Nature for People and Regions
For Ecological Association Maritsa 2004:
Bulgarian Hunting and Fishing Union
Bulgarian Association for Rural and Ecological Tourism

OPEN LETTER

Subject: The progress and results of the recent public consultation on the EIA/AA studies – project to build a motorway through the Kresna Gorge /Bulgaria/

IMPLEMENTATION OF RECOMMENDATION NO. 98 (2002) OF THE STANDING COMMITTEE OF THE BERN CONVENTION

Dear Ladies and Gentlemen,

For the past five years each single kilometer of the Kresna Gorge has been marked by **two** tombstones, **eight** people have received serious injuries on every single kilometer of it, some of those injuries being for life. In recent years, this road section has become notorious for being the **most bloody road section in Bulgaria.**

Each day of delay in the construction of the Struma Motorway results in serious road accidents and in a large number of people killed and injured. Even if we are negligent about the fact that the failure of Lot 3.2 of Struma Motorway could lead to the failure of the Operational Programme "Transport and Transport Infrastructure" 2014 – 2020 and the imposition of a financial sanction for Bulgaria, we should at least care about our own life and that of our kin.

The members of our organizations took an active part in the public discussion on improvements in the route of the Struma Motorway. We've examined all 5 alternatives for the design and construction of the route. In accordance with the requirements of the European and Bulgarian legislation, investment proposals are subject to an Environmental Impact Assessment (EIA) and an appropriate assessment (AA) procedure with Natura 2000 protected areas. In this respect, the Road Infrastructure Agency (RIA) has appointed a team of independent experts to carry out the necessary research and to prepare an Environmental Impact Assessment Report (EIA) and an Impact Assessment Report (IAR) on the subject matter and objectives of the protection of the Natura 2000 protected areas of the investment proposal of RIA for "Improvement of the route of the Lot 3.2 of the Struma Motorway".

The implementation of Lot 3.2 of the Struma Motorway, just like every infrastructure project, involves environmental impact and impact over the quality of life in the nearby settlements. This impact is reflected in the emission of exhaust gasses and traffic noise from motor vehicles in the construction and operation of the motorway. In order to mitigate and limit the harmful effect of noise pollution and exhaust gasses, an environmentally friendly alternative has been developed with minimal impact on the living environment and the health status of the population. In the design process, a technological option of the route has been selected, consistent with all environmental limiting factors and human health protection, incl. distance to settlements and areas with special protection regime.

Places with a potential danger of excessive noise are provided with highly effective noise protection screens (walls) that comply with stringent European requirements and standards for protection against the harmful effects of noise. Adverse effects of gas emissions is determined by distancing the track at a sufficient distance from the boundaries of urban areas, thus concentrations of pollutants reaching settlements will be below admissible standards for protection of human health.

The Environmental Impact Assessment and Appropriate Assessment with Natura 2000 sites indicate that the impact during the construction and operation of the motorway on environmental components can be classified as negligible, short-term for the construction period, constant in the course of operation, direct and reversible, with a small territorial scope, with a negligible cumulative effect, below the accepted national and European regulatory requirements, and does not imply a significant negative impact on the components and factors of the environment and human health, both on the territory of the road and in the vicinity of the motorway, as well as in a cross-border context.

The construction and operation of Lot 3.2 of the Struma Motorway with the eastern alternative G10.50 will have a negligible impact on the integrity and structure of the Natura 2000 protected areas, as well as on the natural habitats and species, including protected birds, in the implementation of the recommended mitigation measures – defragmentation and barrier facilities.

Eastern alternative G10.50 will separate the traffic in two carriageways, which will significantly reduce the traffic and the risk of collision (both of animals and the road accidents); measures will be implemented to protect human life and important species for the wildlife conservation, which will dramatically improve the current situation.

The prolonged postponement of the construction of the Struma Motorway is in no advantage to anyone. The Eastern alternative G10.5 of the Struma Motorway is an option that respects nature and at the same time meets the safety requirements for the route. It also adds benefits for the people living in the area: on the one hand by keeping their business, and on the other – by routing the traffic outside populated urban area to the periphery of the city.

For a short period, our organizations have gathered 9 670 signatures of locals in support of the Eastern alternative G10.5 of the Struma Motorway and 437 online signatures from all over the country and abroad to support the same project.

In connection with the foregoing, on a press conference our organizations and many NGOs have presented current data on the number of casualties in this road section, which we've enclosed herein.

Road traffic accidents in the region for the period 2012-2016			
	Total number of road traffic accidents	Casualties	Injured
Kresna Gorge	270	25	119
Blagoevgrad – Sandanski (length of the route – 65 km)	893	52	300

The official data concerning car accidents have been provided by Traffic Police.

Bulgarian non-governmental organisations:

- Bulgarian Association of Victims in Car Accidents
- Bulgarian Branch Association "Road Safety"
- Bulgarian Federation for Bus Transportation;
- Association "Bulgarian Forum for Transport Infrastructure"
- Balkan Center for Sustainability and Ecoengineering