

SAVE KRESNA GORGE Campaign

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About: Constructing lot 3 of "Struma" Motorway trough Kresna Gorge, Bulgaria, part of Trans-European Transport Network (TEN-T) №: IV.

Dear Ladies and Gentlemen,

The project of building "Struma" Motorway part of the Trans – European Transport Network № IV has a long-lasting history. It dates back to 1997 with the first plans of the Bulgarian Government for using European Pre-Accession Funds for constructing it. At the same time started the civil

campaign "Save Kresna" [1] conducted by Bulgarian NGOs and scientists. The history of that project is into the archive of DG of Environment, DG of Regional Development, Committee on Petitions of the European Parliament, OLAF and Bulgarian institutions.

Why Kresna Gorge is so important and valuable place for Europe? This is a zone of Natura 2000 in both European directives identified as valuable dated back to the program Corine Biotopes and the program Emerald. It is unique with its bio geographical role – northern borders of many Mediterranean species and plant communities are going through it and also southern borders of northern range ones. The gorge is an area of bottle-neck bio-corridor for southern species and a lot of them are included into Annexes 1 and 2 of the two environmental directives, these are species and habitats of Natura 2000. Large number of them could not manage to migrate to a northern place because of that bottleneck which is once more highlights the sensitivity of this area to all effects and the inability to be compensate. Similarly, the slopes and deep valleys connect the surrounding high mountains and serve as a corridor for northern species - all this with the presence of refúgium of Mediterranean species of ice ages, leads to compression of the species and increasing the biodiversity of the region and the formation of unique transient complexes, one of the richest areas of biodiversity in Bulgaria!

On 5 December 2002, with the vote of the European Commission and the Bulgarian government, the 22th Committee of the Bern Convention approved recommendation 98 connected to the construction of a highway through the Kresna Gorge. The most significant point in this recommendation having the status of an official interpretation of the Convention is that it prescribes specific actions, namely the Bulgarian government to refuse to extend the existing route (international road E-79 Sofia-Thessaloniki), as this would lead to significant damage to the gorge without possible compensation measures, and this time to restore local road used by local farming community and tourists, and thus to reduce the current impact on the area and restore already damaged by the traffic areas. It is also recommended to continue **the study of alternative routes outside the gorge and reporting restrictions resulting from conservation.**

In 2007 with Bulgarian EU membership, Kresna Gorge was introduced by the government as a potential Site of Community Importance and Special Protection Area. At that time was decided by the Bulgarian Government and the European Commission confirmed that it will not allow the construction of the motorway through the Kresna Gorge, which would lead to its destruction, but instead Bulgarian authorities will choose one of two alternatives that both meet the transport needs of the EU and nature conservation in the gorge. For that purpose, the European Commission gave a clear assurance that as a project which **aims to preserve the natural wealth will fund as much needed** the selected option. Bulgarian authorities had tunnel option chosen.

According to its commitments to the European legislation and the Berne Convention, in 2007-2008 were conducted EIA and AA of the entire highway without its dividing into sections. All alternatives were evaluated from the options of expansion and use of the track of the current road to other routes in the gorge, gorge trails off to the tunnel option. The final conclusions of the EIA and SEA rated the version of a long tunnel as the only allowable under Art. 6.3 of Directive 92/43 according to the results of the evaluation of all possible alternatives.

To get the money for construction of the remaining lots of "Struma" Bulgarian government after talks with the campaign "Save Kresna gorge" and with the agreement of the European Commission have prepared a **common application form** for the entire route of the highway (all 4 lots). It was submitted to the Commission and approved, with the condition that during the period 2007 - 2013, there will be build Lot 1, 2 and 4 and Lot 3 (the gorge) will be designed in detail and built in 2014 – 2020. Thus Lot 3 - tunnel option is an integral part of the project and in its essence **is a measure to reduce the harmful environmental impacts of the project (environmental mitigation measure)** and

a **condition** provided for the funding of all other lots.

With the development of the global crisis and the programming process of the European Structural Funds for the period 2014 - 2020, in Bulgaria began to rise a campaign to change the decision reached and confirmed for "Struma" highway. That campaign comes by two sources:

1. Bulgarian road constructing business which is concerned that:
 - There are no needed resources-- people, technique, experience, money to win a fair and open competition for large tunnel project;
 - money for roads are going only for "Struma" highway and there will not be funding for other road projects;
2. Representatives of Bulgarian political parties and members of the regular and caretaker governments who want to push more traffic projects, but can not use money from the Structural and Cohesion Funds, due to the change in the goals and policies of the EU.

There is a focused pressure on Bulgarian institutions and companies, incl. by offering some "alternative" option which supposedly is also a "green", but instead offers a tunnel with small changes to get back to the construction of the **initially rejected destructive option** - expanding the existing road - already rejected several times in 2002 with recommendation of the Berne Convention and the 2008 procedure under Art. 6 (3) of Directive 92/43. The media and the authorities are suggesting that it would save 200 to 300 million euros that can be transferred to other road projects, some of which also issues of environmental nature or controversial in terms of development.

In regard with this we want to remind the following:

1. There are approved EIA and SEA for all "Struma" highway, which started the construction of Lot 1, 2 and 4 and which **positively evaluated** options to tunnel through the gorge and **reject** alternatives that pass through the gorge itself.
2. There is a closed project file in the Berne Convention precisely because this agreement was reached for the tunnel option. When changed by force, it will probably be reopened.
3. There is an agreed indicative budget for the "Struma" highway with the construction of a tunnel. It is because of this budget tunnel axis "Roads" future OP "Transport and transport infrastructure" is about 1 billion Euro. Without this tunnel it would be about 300 million Euro. This means that the money for the tunnel **are assigned and can not be transferred** to other road projects based on any "alternatives". Such an opportunity would occur **only** if the tunnel is built on time and with the needed high quality nevertheless some savings remain - an extremely unlikely situation.

In connection with the above, we express the following **common position**:

1. We call on the European Commission and the Bulgarian authorities to strictly adhere to the approved arrangements and solutions for the construction of "Struma" highway through the Kresna Gorge.
2. We call on Bulgarian authorities not to jeopardize future funding of Lot 3 and already spent funds for the construction of Lot 1,3 and 4 and to end looking for impossible "alternatives."
3. We call on the relevant Bulgarian institutions and partners that produce Operational Programme "Transport and transport infrastructure" to comply it with the EU to develop innovative low-carbon

economy based on knowledge, with the climate goals and objectives for connectivity. We do not take the approach of "pour asphalt at any price" because Bulgaria had not yet been built its basic infrastructure.

We ask the European Commission:

1. Does The Commission confirm its support for the agreement as an alternative of 26 September 2007? If not - what are the reasons for such a change?
2. What will the Commission do to comply with the arrangement for the construction of "Struma" highway with high quality standards and in compliance with the highest environmental criteria?
3. Does the European Commission will allow the use of public funds by the Community for purposes which place corporate interests first and political games in violation of Community law, including Directive 92/43 and the Berne Convention?

Your prompt reply will be highly appreciated because of the urgency of the problem.

Sofia,
25.11.2014

for the Campaign:



Petko Kovachev
Green Policy Institute

[1] The following groups are members of the SAVE KRESNA GORGE Coalition: Balkani Wildlife Society, Biodiversity Bulgarian Foundation, Birds in Pray Protection Society, BBPS – Semperviva, BSBP – BirdLife Bulgaria, Bulgarian Lepidopterological Society, Centre for Environmental Information and Education (CEIE), ECO-CLUB 2000, Elm Tree Association, Green Policy Institute, EA Terra (Blagoevgrad), EA Tetida (Blagoevgrad), WWF – Bulgaria, EA Za Zemiata