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**Independent expert group on analysis of Environmental impact of
Moscow-Saint Petersburg toll motorway, Phase 1, 15 km– 58 km**

**Approved by the Order of General Director
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ANALYSIS OF THE DOCUMENT

**“Environmental and Social Assessment. Additional environmental and social
analysis of alternatives of the projected motorway”**

by

‘North-West Concession Company’ LLC (NWCC)

**Subject: construction of the Moscow-Saint Petersburg motorway, Phase 1: 15 km–
58 km)**

**Moscow
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Introduction

The documents related to environmental study performed by ERM Eurasia consulting company on the project of the Moscow-Saint-Petersburg motorway (section between 15th and 58th km) as requested by 'North-West Concession Company' LLC (hereinafter referred to as 'NWCC' LLC) were published on the 'NWCC' LLC's official web-site www.nwcc-msp.ru on February 12, 2010. This publication is an obvious response from 'NWCC' LLC (the project's general contractor and concessionary) to the criticism from the Russian and foreign community related to the planned highway construction through Khimki forest park. Furthermore, it is likely that this study was inspired by the concerns of international financial institutions (first of all, European Bank for Reconstruction and Development, and European Investment Bank) about the compliance of the project in question with their own environmental policy since it was planned to involve international financial institutions to provide funds for the project.

For the purpose of thorough investigation and analysis of the data submitted by 'NWCC' LLC, pursuant to Order # 2502/10-1 Wild Life Conservation Center, an expert group was established to carry out an independent examination of the document "Environmental and Social Assessment. Additional environmental and social analysis of alternatives of the projected motorway". The Group consists of the following members:

- A. V. Yablokov, Professor, Advisor of Russian Academy of Science, Chairman of the Expert Group
- O. D. Blatova, Greenpeace Russia
- M. Y. Blinkin, RDI of Transport
- V. P. Zakharov, Forest Campaign of the International Social and Environmental Union
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- A. Y. Yaroshenko, Greenpeace Russia

The central point of this analysis was the examination of various options in order to resolve the transport problem in this section, first of all the options not damaging the territory of Khimki forest park. This was done due to the following circumstances:

Firstly, the variety and high degree of uniqueness of the Khimki forest park with regard to Near Moscow Region is not questioned either by the project supporters or their opponents; it is recognized in the 'NWCC' LLC documents. Specifically, Khimki forest park comprises three planned Specially Protected Territories: an oak wood (grove), a mesotrophic bog, and the Klyazma river bottomland. Since the projected highway crosses all of them, the intention to find an alternative route with a milder impact on environment and biodiversity is quite understandable.

Secondly, Russian laws allow capital construction projects to be located within a territory of forest parks (and other protective forests) if and only if there are no alternative routes (Article 11, FL #172-FZ). The policy of international credit organizations does not permit the participation in the projects that interfere with the national environmental legislation. Therefore, this project can be regarded as compliant with the international credit organizations' policy only if the absence of alternative motorway's routes by-passing Khimki forest park is proved.

The document considered here: “Environmental and social assessment. Additional environmental and social analysis of alternatives of the projected motorway” (hereinafter referred to as “the Document”) is first to be analyzed, because the issue of alternative options of road building is of crucial importance due to its impact on the environment.

Here are the items to be considered further:

- the status of the document,
- the scope and reliability of the source data which the conclusions of the document are based on;
- the comprehensiveness of the list of possible options that are accepted for consideration in the document;
- the techniques used in the comparison of the alternative options;
- the results, conclusions, and recommendations developed in the document.

The analysis will be followed by conclusions regarding the considered document and by our recommendations for the parties involved in the project in question.

The analysis is based upon the text of the document and data available from open sources. The references to relevant information sources are given directly in the document. The references are given in the corresponding source language (Russian, as a rule).

Document Status

The status of the document is not clear enough. Despite the tone of the document that is pretended to be an independent expert evaluation, it bears the General Contractor’s (North-West Concession Company LLC) logo. The document might have been prepared by some consulting company engaged as a subcontractor. The document gives no explicit indications as to the name of the subcontractor, the engagement procedure, or the measures taken to ensure an independent and qualified evaluation. Based on the analysis of other documents that can be found on the NWCC LLC’s website, it is possible to surmise that the document is authored by ERM Eurasia. Furthermore, the document states neither its authors’ surnames and first names, nor any data that would allow evaluating the sufficiency of their qualification for the work of the kind.

The scope of information analyzed in the document

The scope of the source data that were used to prepare the document appears significant. However, it is hardly possible to exactly evaluate it, because the document lacks the list of sources. The references to external sources in the text of the document are quite rare; most of the assumptions are offered as a matter of fact. Even though the most of the postulates appear credible, a number of assertions gives rise to doubts (e.g. that the average driving speed on the existing M10 motorway is 10 km/h during 24 hours). Some assertions in the text of the document have certainly been developed based on unreliable information sources. For example, the document presents “Ecooborona” and “Khimki Forest Protection Movement” as two independent informal movements. However, a single visit to www.ecmo.ru or a phone call at the number given on the site would be sufficient to see that, in fact, it is the same association. The assertion, that the main section of the existing M10 motorway has only three lanes, is untrue, at least as far as the most topical section is concerned that passes through the town of Khimki (from the road interchange with the Moscow Ring Road up to the end of the residential zone), which is easy to be visually verified.

The document ignores a number of important facts, e.g.: the non-approval of the selected road option by Moscow Forest Department, revocation (due to the public pressure) of instructions and decrees initially passed by the Khimki municipal and Moscow regional administration concerning the route of the new road; the results by public hearings (April 2009) on the expansion of Businovskaya road interchange in connection with the new road construction. The impact of these and other similar faults on the comprehensiveness and results of the analysis contained in the document in question is discussed in more detail below.

Comprehensiveness of the list of possible options for construction of Moscow – Saint-Petersburg motorway that is considered for section 15-29 km

It is important to say that the selection of the options reviewed in the document is not separately considered and properly justified. The central issues of the discussion in the document are the three options each of which implies the passing of the motorway through the Khimki forest park territory and which have been officially considered by the project client.

To a larger or lesser extent the document **mentions the following options:**

- 1) **Zero Option**—complete dismissal of the road construction plan and use of the existing M10 motorway. In this case we see two options unreasonably mixed: the use of the existing M10 motorway “as it is” and the expansion of it that would include an overpass construction. The option of M10 expansion is actually rejected at the very beginning of the document (page 6), i.e. before any analysis is made. The fact, that the existing M10 motorway has been actively expanded in its narrowest place - at the intersection with Moscow Canal - through the year of 2009 has also been disregarded by the document.
- 2) **Three road options through the Khimki forest park territory** (enumerated 1, 2, 3) that were initially considered by the motorway designers. They are described on pages 11-13 of the document and are shown in the comparative table 1 on pages 14-17 along with Zero Option. The option approved for today that cuts the Khimki forest park territory in two parts is listed under # 3. The later modifications of Option 3 (# 4, # 5) do not differ enough to be considered independently.
- 3) **The document refers to two options that bypass the Khimki forest park territory: A** — a road that passes in the transport corridor with the Oktyabrskaya railway section, **B** — a road that passes in the tunnel under the entire territory of the Khimki forest park. These options are referred to on page 20 in section “Position of Nongovernmental Agencies”. The A and B options **are not considered in table 1, and, thus are not included into the main comparison.**

Thus, roughly speaking, **the document compares the three options that pass through the Khimki forest park territory and Zero Option that takes into account neither the expansion of the existing M10 motorway that is under construction now, nor the possibility of its further expansion.**

A number of evident options are totally neglected:

1. **Expansion of the existing M10 motorway**, also including the construction of an overpass as an auxiliary option. This option is not identical to the above Zero Option, because the area to the southwest from the existing M10 motorway on the section between the Moscow Ring Road and the Mezhdunarodnoye motorway allows a significant expansion (see below). This option has been mentioned in the Ministry’s of Transport official letter No. 01-9/5069 of 27.05.2008, but as far as we know has not been considered in detail.

2. **Building a motorway to the northeast from Khimki and Khimki forest**, closer to the town of Lobnya. The option was suggested by Mr. Y.M. Luzhkov, the Moscow Mayor, in 2008: <http://top.rbc.ru/society/15/07/2008/202073.shtml>
3. **Building a motorway to the northeast from Khimki and Khimki forest**, from the Korovinskaya road interchange with the Moscow Ring Road. The option was suggested by the residents of the town during the public hearings that were held on the 21st of April 2009 (while the option of the road construction through the Businovskaya interchange was flatly rejected by a vast majority of the participants): <http://www.izvestia.ru/moscow/article3127787>

The document does not examine any possible alternative non-automobile solution of the transport problem, although such options appear to be the best choice from the environmental perspective, and the most suitable one for the residents:

4. **Construction of a light rail metro section from Moscow to Khimki** with the potential of further construction up to Sheremetyevo and Zelenograd.
5. **Modernization of the existing Oktaybrskaya railway section from Moscow to Zelenograd** in order to provide high-speed rail for commuter trains running at 5 to 15 minutes intervals.

The following combined solutions have not been examined:

6. **Construction of a light rail metro section to Khimki** (or modernization of the existing railway) **combined with M10 expansion.**
7. **Expansion of the existing M10 motorway with the moderation of requirements for the width of the alternate motorway**, which would allow suggesting more options for the layout of the latter.
8. **A new motorway that would pass the shortest way through Khimki forest park territory** (like in the first two options suggested by the designers) **provided that there will be constructed tunnels for it in the zones near the residential area of Levoberezhny district, as well as within the planned Specially Protected Territory "Oak Grove".**

One should mention that the above list of options is not exhaustive. These are only the most evident alternatives that should be examined without fail taking into account the crucial importance of existence or non-existence of alternatives to the project of building a motorway through the Khimki forest park territory (see below).

Comprehensiveness of the list of possible options for the construction of Moscow – Saint-Petersburg motorway that is considered for section 29-58 km

It should be stressed here that all the above-mentioned statements concern only the section 15-29 km that passes through Khimki. **For the section 29-58 km only 1 (one) option (except for Zero Option) has been examined.** The document admits that “After the 29km point almost 90% of the new motorway route will run at a distance of 4km to 5km from the M-10 highway mainly through massive forests”, but “The issue of bypass routes to avoid any areas of special ecological value was not analyzed in detail» (page 9). It means that for the greater part of the motorway section in question (15-58 km) no alternative options have been analyzed at all despite the evident damage to the environment and the biodiversity.

Examination method

The document does not describe any working methods of selection and comparison of different options. Table 1 (the principal comparative table of the document) states a number of parameters that serve as the

basis for the analysis. The list of parameters appears comprehensive enough in items concerning planning restrictions, legal aspects, construction costs, impact on the population's health, environment, and biodiversity. At the same time, the following important items are missing:

1. Public opinion on different motorway options;
2. Corruption level for each of the options, potential consequences and damage in this connection;
3. Speed characteristics of the motorway for the selected option.

What is even more important, the document basically **does not comprise an integrated approach to the examination of different options of the motorway to be constructed**. It is true that the document gives a relatively detailed (based on the parameters in Table 1) analysis of the motorway construction options that were officially suggested by the project client in the very beginning, as well as of the Zero Option that is suggested in such form that does not imply any further expansion of the existing M10 motorway. **The two alternative options (A and B) that bypass the Khimki forest park are examined independently of the options suggested by the designers and the Zero Option; the examination of the former ones is very far from detailed**. The alternative options are not included even in the summary comparison table (pp. 13-17). For example, instead of the analysis of A option (construction in the transport corridor with Oktyabrskaya railway section) we can find the following statements on page 20:

“The feasibility of a combination of a motorway within the outlines of the city of Khimki (even as an elevated section or especially at the ground level) with the existing railroad line and the planned associated infrastructure facilities within a narrow corridor (max. 120-140m wide) of the high-speed railroad line Moscow – Saint-Petersburghad not been assessed”;

“The feasibility and limitations of construction of a motorway bridge across the Moscow Canal in parallel to the existing railroad bridge (at the crossing point of the railroad line the Canal is almost twice as wide as at the crossing in case of Alternative 3) has not been evaluated either”;

“The possible impact of the motorway in case of Alternative A on the environment and public health in the central zone of the city of Khimki crossed by the railroad line (which is one of the causes of acoustic discomfort within a range of up to 700m from the railroad line) has not been assessed”;

“A route of the motorway leaving Khimki has not been considered, i.e. when the motorway will exit from the Oktyabrskaya railroad corridor (at that point it is the land belonging to the Molzhaninovo district of Moscow)”.

It seems to be reasonable that the “assessment” and “consideration” of the above issues should be the very objective of the concerned document, all the more so because building of the motorway in the transport corridor with the Oktyabrskaya railway (section 0-15 km) is planned in the Moscow General Layout. Moreover, many motorways that have been built in Moscow for the last 15 years (including the Third Ring Road) rely upon the technology allowing organization of such transport corridors with existing railways. Nevertheless, the document shows no attempts to study any pertinent technologies and / or possibility of using them on section 15-58 km.

The text contains mutually contradicting statements that concern the alternative options: “No technical and economic analysis of Alternative A has been carried out”, and further – “It follows from the above that the alternatives proposed by the NGOs ... are of a hypothetical character; but according to experts' assessments they appear to be extremely expensive”. The “expert judgment” refers to Mr. Belozerov's, transport

minister's deputy, opinion. We should mention here, however, that this opinion, firstly, concerns another option (B — building a tunnel under the entire territory of the Khimki forest park), and, secondly, that Mr. Belozеров is an outright champion of the project in its current condition. His assessment cannot be used as an independent judgment, particularly taking into account Mr. Belozеров's intentional spreading of false information on the project that was widely publicized: <http://www.svobodanews.ru/content/article/1963253.html>. This all brings us to the conclusion that **the alternative options of the motorway bypassing Khimki forest park remained unattended.**

Furthermore, even a rough **analysis of the text in question reveals a number of symptoms evidencing that the options were examined with the violation of the impartiality principle.**

1.1 Manipulations with data in order to favor the options of building the motorway through the Khimki forest park:

1.1.1 First of all, **the evaluation of different options' impact on the residents of apartment blocks situated next to the existing and planned motorway is incorrect.** When examining the Zero Option, this evaluation is based on the impact on the health of people who live in several apartment (mostly five-storey) blocks that adjoin the M10 motorway from the northeast. This impact is compared with the environmental situation in the blocks adjoining Khimki forest park from the southwest that are much more remote from the alternate motorway under design (p. 7-8). Such comparison reveals that the construction of an alternate motorway through the forest park would reduce the load on the existing M10 motorway and thus favorably influence the locals' health. But, doing this, **the authors of the document do not examine the section of the new alternate motorway that would pass through the territory of the Levoberezhny district of Khimki, from the Businovskaya interchange to the Moscow Canal.** And it is here—and not to the southeast from the Khimki forest park, that the planned “alternate motorway” passes in immediate vicinity of the existing apartment blocks and those presently under construction. All of these blocks have 16 stories and more, which means the population density in this district is significantly higher than along the existing M10 motorway (and also along the above Oktyabrskaya railway, where an alternate motorway in accordance with the option A is suggested). The residents of these blocks suffer from pollution caused by a huge dumping ground of solid domestic waste, from the Moscow Ring Road, a thermoelectric station, and a concrete products plant. The motorway, if built in accordance with options 1-3, would undoubtedly destroy the forest shelter-belt existing now between the residential buildings and the dumping ground. Consequently, the environmental conditions for the residents of the Levoberezhny district would become much worse than those for the people who live next to the existing M10 motorway. It is indicative that the **dumping ground (a heap of solid domestic waste as high as a 7-storeyed building, where regular fires happen that result in generation of smoke covering the dwelling areas) has not even been included in the list of environmental threats by the authors of the document,** despite the fact that this problem long ago became the topmost with the community and environmental organizations (<http://www.ecmo.ru/data/Buklet-dlya-ecologov.pdf>). In 2009, public hearings were held that revealed a negative attitude of the locals to the approved option of the

motorway; the results of the hearings were publicized in central media (<http://www.izvestia.ru/moscow/article3127787/>).

It is worth mentioning that the Option A (construction of the motorway in the transport corridor with the Oktyabrskaya railway branch) eliminates this problem. This, however, is neither reflected nor analyzed in the document, for the above reasons.

- 1.1.2 Furthermore, the first of the reasons explaining the increasing transport flow in the concerned direction is referred to as: “A new industrial zone “Prom-City-North” will be constructed at a distance of 6-7 km from the Moscow ring road in the direct vicinity of the M-10 highway in the area of Molzhaninovo (currently integrated in the city of Moscow) in accordance with the General Urban Development Plan of the City of Moscow. The number of jobs in that industrial zone is estimated at 120,000. In addition, it is planned to construct new residential areas within the Molzhaninovo district with a total residential area of 1 million sq.m.” (p. 6). But, on the next pages (p. 12) it is admitted that the project of residential development in Molzhaninovo has been rejected. The question, whether the same is true for the industrial zone project, is not even raised in the document.
- 1.1.3 As has been mentioned, Mr. Belozеров’s “expert judgment” on the tunnel option is absolutely unreasonably used for the evaluation of a completely different option — construction of an overpass above the Oktyabrskaya railway branch.

1.2 More than doubtful statements are used as basic ones for further conclusions. Some examples of such statements have been given above. Below we provide some more examples of how doubtful statements are used to justify the approved motorway option.

- 1.2.1 “Due to the economic crisis during the recent year the traffic intensity (cargo transportation and traveling of individuals using private cars) has dropped to MOSCOW-SAINT-PETERSBURG MOTORWAY a certain degree. But this only slightly holds up the continuing aggravation of the traffic issue”; “According to the existing forecasts, the traffic intensity in the north-western sector outside of Moscow will grow sharply (virtually a twofold increase) during the next 20 years “ , and then: “The number of privately owned cars will continue to grow entailing an increase in the overall traffic intensity”. Such a macroeconomic forecast is by no mean justified, particularly, if we recollect that the car sales in Russia dropped by 47 % in 2009. <http://www.autonews.ru/autobusiness/news.shtml?2009/04/09/1461634> Neither the demographic situation supports such growth: (http://ru.wikipedia.org/wiki/%D0%9D%D0%B0%D1%81%D0%B5%D0%BB%D0%B5%D0%BD%D0%B8%D0%B5_%D0%A0%D0%BE%D1%81%D1%81%D0%B8%D0%B8), essentially because the number of motor transport users in 2010-2030 will inevitably be influenced by the birth rate falling in the 1990-s. **Actually, the document does not even attempt to align the before-crisis indices with modern economic realities, although such an alignment would certainly help reduce technical requirements for the suggested solutions of this transport problem, and, consequently, enlarge the list of available alternatives.**

- 1.2.2 **Another central statement of the document sounds: the suggested motorway would be able to provide its “almost full-size” capacity in case of the absence of the “Northern Belt Road” (i.e. the extension of the road through Moscow as section 0-15 km).** This statement is given in the footnote on page 4 as matter-of-course and of little importance. However, in fact it is the key statement to the document at issue, as it provides a way to avoid any further discussion on the way the motorway passes through the territory of Moscow. **This statement helps skip a fundamental question: how is it possible that in Moscow with its more dense development (compared to Khimki) a motorway can be built without takeover of any forest territories?** This key statement of the document, in fact, is illogic in its essence. In case the Northern Belt Road is not built, the new 10-lane motorway (with the declared speed of about 150 km/h) enters the existing Moscow Ring Road. The latter has virtually the same number of lanes, but today its load is next to 100 % with the driving speed not exceeding 100 km/h, dropping to 10-30 km/h in rush hours. **The effect leaves no doubts – a gigantic traffic jam at the junction of the new motorway and the Moscow Ring Road, which renders the declared speed performance unattainable.**
- 1.2.3 One more example of poorly reasoned statement: **“To ensure an adequate throughput rate of the M-10 highway”** (i.e. the existing motorway Moscow-Saint-Petersburg) **“in accordance with the predicted traffic intensity, the highway should have nine lanes in each direction and meet the requirements for the A1 Category. However, due to the existing limitations, the highway can be widened only up to 5 lanes in each direction in the best case”.** The source of these data remains unknown, but most probably it is one of “optimistic” pre-crisis evaluations. The above-mentioned “planning restrictions” are highly unspecific. In fact, in the “narrowest” place—on the bridge across the Moscow Canal—the **existing M10 motorway is already in state of reconstruction that ensures widening to at least 6-7 lanes wide in each direction.** Moreover, **in Khimki there isn’t any residential block adjoining the existing motorway from the southwest. This area mostly comprises parking lots of numerous shopping malls.** These very shopping malls are pre-fabricated constructions of non-capital type; many of them have been in operation for 10 years and more by now. The cultural, environmental, and recreational value of this territory virtually equals zero, or at least it is significantly less than the value of the oak-grove in the Khimki forest park, the trees in which are over 100 years old. **Accordingly, there are no insurmountable obstacles that would hinder the M10’s expansion in this direction.**
- 1.2.4 In addition, **the authors of the document repeatedly refer to the statement about the refusal of the Moscow authorities to approve any option of motorway construction through the Molzhaninovo district** (incl. the option in the transport corridor with the Oktyabrskaya railway). **At the same time, the authors of the document admit that they “have not succeeded” in finding any official document with such non-approval** (p. 12). Any references to the Moscow General Layout 2009 are groundless in view of the justification of the decision taken in 2004. We assume it highly incredible that a document of such importance has been lost. That is why this statement is probably untrue.

Interestingly, the document essentially does not touch upon the issue of the motorway approval by the Moscow regional and Khimki municipal authorities, although according to the approved option, the greater part of the road passes through the territory of Moscow region. This allows not mentioning the fact that the Khimki Mayor Mr. Strelchenko and the Moscow Region Governor Mr. Gromov had to recall their initial approvals under the public pressure (http://www.ecmo.ru/data/New_foto/france/Otmena-rasporiajenia-367-R.jpg).

1.3 Ignoring “inconvenient” (i.e. those that evidence against the building of the motorway through the forest park) data in the concerned document is a regular and clearly nonrandom phenomenon.

- 1.3.1 So, for instance, it is stated that the project “has obtained all necessary approvals by state bodies”. At the same time, the official non-approval of the selected option by the Moscow Forest Department is completely ignored (http://www.ecmo.ru/data/doc/doc09-01/pismo_dep-ta_prirodopolzovaniya_moskv1.JPG), (http://www.ecmo.ru/data/doc/doc09-01/pismo_dep-ta_prirodopolzovaniya_moskv2.JPG), and also http://www.ecmo.ru/data/doc/doc09-01/pismo_dep-ta_prirodopolzovaniya_moskvy2.JPG), that was obtained at the early stage of work on this project. In that period the Khimki forest park was subordinated to this body. Therefore, to comply with the legal procedures, after receiving this non-approval the designers of the motorway were supposed to start modifying the project in order to minimize its impact on the environment. Nothing of the kind happened. What is more, the document contains no information as to how the approvals were finally obtained.
- 1.3.2 The document suppresses the information about the negative attitude to the selected project option on the part of some governmental agencies, scientific & design organizations including: the Ministry of Natural Resources, Federal Service for Supervision of Natural Resource Usage, Department of Natural Resources Management, Moscow City Duma, WWF and many others: http://www.ecmo.ru/problems/road/russia_za_les/. We assume, such approach is unacceptable for the document aimed at providing social evaluation of different project options.
- 1.3.3 What is even more important, the document does not refer to any data based on which we could get an idea of the attitude of people who live in the Khimki urban district, in Moscow and Moscow region. **The comparison table does not have a column dedicated to the public opinion on different motorway building options.** Specifically, the document does not refer to the mass gatherings (meetings, pickets) that took place against the project at issue, in order to protect the Khimki forest park. There is no information about the drive for signatures to protect the Khimki forest park and the quantity of signatures collected. Nothing is said about the election campaign 2008 for the Khimki Mayor position, the 3rd place (16 % of votes) in which was taken by Evgeniya Chirikova, the leader of the Khimki Forest Protection Movement—a perfect evidence of how seriously the problem of the Khimki forest park protection is taken by many residents of the Khimki urban district.

- 1.3.4 **The results of the public hearings devoted to the issue of the new motorway construction through Businovskaya interchange** (implied by all options considered in the comparison table except for the Zero Option) **of April 21, 2009 have been entirely ignored.** Virtually all the session participants (about 500 individuals) took a stand against the project in its present condition. Such ignoring of the hearings' results appears even more strange if we take into account the extensive media coverage: (<http://www.izvestia.ru/moscow/article3127787/>), (<http://www.ecmo.ru/news/p40/n-587/>).
- 1.3.5 The situation with a killing attempt against local journalist Mr. Beketov (the fact that many NGOs and mass media link to the coverage which was given to the threat to the Khimki forest park in his *Khimki Pravda* newspaper) is not mentioned either.

It is worth also mentioning, that many NGOs and mass media's opinions on the corrupt underpinnings of the accepted motorway option have not been mentioned at all (see, e.g., <http://www.ecmo.ru/news/n-927/>, http://www.youtube.com/watch?v=eaw4-GwoY94&feature=player_embedded). The information that the status of the lands belonging to Khimki forest park was misrepresented in the project documentation, including the Environment Impact Assessment (<http://www.pravo.ru/news/view/25347>) has also been ignored.

Results of the analysis of possible options presented in the document

Below we consider the results of the analysis of three motorway options that pass through the Khimki forest park, and the Zero Option (without the extension of M10) as per Table 1. As it was mentioned before, no other options have been properly considered in the document.

1. As far as insurmountable planning restrictions, legitimacy assessment, and elaboration of the project are concerned, the authors actually **have not determined the true reasons underlying the selection of the option that passes through the center of the Khimki forest park** (Option 3 according to the table). The references to the non-approval of Option 2 (less pernicious to the forest park) by the Moscow authorities are unsubstantiated (i.e. not supported by any official document dated back to the time of this decision). **The only option that was in fact officially rejected is Option 3 that was selected for implementation and that envisages the passing through the center of Khimki forest park (see above).**
2. **The document does not examine possible corrupt interests associated with the selection of Option 3 that passes through the Khimki forest park territory**, although their existence was repeatedly signaled by the community, mass media and NGOs (http://www.ecmo.ru/data/doc/himk_pravda_sziva.pdf). The analysis of the publicly available data reveals at least **two groups of corruption interests: 1) interest in taking hold of the forest lands adjoining the motorway in order to use them for "infrastructure development", 2) approaching the motorway to the Sheremetyevo airport, which, despite making the route longer, has a lot to gain from by the commercial structures associated with the airport.** Interestingly, the existence of both motivations is not disclaimed by the document (see below), but their impact on the selection process is not either examined or discussed. In the meantime, such potential influence is notable. First, the close connections of the Moscow Regional Government and the Khimki administration bodies with business structures that practice infrastructural projects of the kind, are notoriously known

(<http://www.novgaz.ru/data/2008/92/18.html>). Illegal seizure of forest lands for commercial development is one of the most typical crimes in the land management sphere of Moscow Region (<http://www.kasparov.ru/material.php?id=467A6B7844C3C>). It was the Khimki municipal and the Moscow regional administrations who initially approved the documents that not only envisaged the selection of the motorway option through the Khimki forest park territory, but also handed over virtually all the forest park territory for the development of objects of “transport and urban infrastructure” (Directive №358/16, April 28, 2006). It is characteristic that these documents were later recalled through public pressure leaving, nevertheless, the motorway project unchanged.

Secondly, **the nowadays minister of transport Mr. Levitin is an acknowledged stakeholder in commercial structures associated with Sheremetyevo airport**. Specifically, even occupying the ministerial position he officially heads a number of commercial structures on the Sheremetyevo territory. His interest in bringing the motorway as close as possible to the airport is evident, even if it damages the general performance of the transit way.

3. **The document does not expose the essence of the legal issues related to the building of the motorway through the forest park (Options 1 – 3 in Table 1).** The table states that the planning restrictions regarding Option 3 (accepted for today and passing through the forest park’s center) have been annulled by the RF Government Decree No. 1642-p of 05.11.2009. The document says that the competence of this decree is now disputed, but it does not expose the essence of the legal issues that concern it. Actually, **this Decree can be legitimate if and only if there are no any other options of locating the facility outside the forest territory (Federal Legislation, art. 11 No. 172-Ф3).** Therefore, the existence of at least a single alternative option that does not affect the forest park territory makes the Decree No. 1642-p illegal. Consequently, **the participation in the project of the kind would prove inconsistent with the leading banks’ policy (with that, e.g., of EBRD), whenever there is at least one alternative solution of the problem that does not affect the forest park territory.** For this reason, **the exclusion of the alternative motorway options that do not pass through the Khimki forest park from Table 1 appears completely unacceptable and ungrounded.** The above-mentioned **regards all the options examined in Table 1 except the Zero Option.** Surprisingly, the Table does not state any legal restrictions as to Option 1 at all, though it passes through the forest park territory just like the other two. This brings us to the conclusion **that the main comparison Table 1 contains at least one serious error.**

4. Regrettably, the document does not examine the evolution of the legal situation during the project elaboration process. The thing is that during this period the Land Code included art. 86 that explicitly prohibited any conversion of forest parks to other land categories. This article stayed in force until April 2009 (i.e. all the activity phase in which the project based on the selected Option 3 through the forest park territory was in development). Thus, **at the time the project documentation was in preparation the selected option was absolutely illegal—although that fact did not lead to the suspension of work.** Furthermore, the **evident controversy with the legislation did not even force the client and the project contractor to thoroughly study of the alternative options of the motorway that would bypass the Khimki forest park** (or the results of such study were suppressed and remain unavailable for the analysis). On the other hand, the project documentation (incl. the Environment Impact Assessment) shows the symptoms of the forest lands status falsification: instead of “forest park” it says “protective forests of I-II categories”. The existence of such “inaccuracies” allowed further activities on the project, despite the prohibition of the Land Code imposed by art. 86. Art. 86 of the Land Code was annulled only in 2009, when a bill on firewood provision and terminology amendment was passed

([http://asozd.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=101334-5&11](http://asozd.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=101334-5&11)). As this bill was basically passed in secret from public (under a title contradicting its genuine implications and without any public discussions), **there is obvious reason to suspect significant lobbyist motivation standing behind this bill**. Interestingly, in 2009 the lands status in the project documentation was “corrected”, evidently, because the falsification was not needed any more.

5. As related to **the length of the route**, the analysis has revealed that **Option 3 accepted for today is the longest one among all the examined options** (1800 m longer than Option 2). **Should Table 1 include the motorway laid in the common transport corridor with the Oktyabrskaya railway section** (Option A that has been given too little attention in the document), **this figure is going to increase by at least 6-8 km**. Such option will evidently maximize the investor’s profit (if the road toll is paid per kilometer) while reducing the general motorway’s performance. Moreover, the total environmental impact will be higher, because its extension will inevitably increase the fuel consumption. Although the drawing of the motorway closer to the Sheremetyevo airport is communicated as an advantage in the document, it will obviously result in a significant deviation of the transit flow from the straight-line direction which is an obvious disadvantage.
6. As it was mentioned before, the document does not analyze the speed performance of each of the options. It turns out, nevertheless, that **Option 3 (in its final condition, under # 5), if accepted, will result in reducing the driving speed in the bottomland of the Klyazma river from the declared 150-160 km/h to 120 km/h** (p. 19).
7. As far as the **project cost** is concerned, it was found out that all the options of the motorway passing through the forest park are of approximately the same cost (from 17.5 to 27 bln. Rubles). What is important, the **accepted Option 3 is not the most expedient one among them** (21 bln. Rubles).
8. As far as the evaluation of third business entities’ damage is concerned, (not users of natural resources), the qualitative perspective of it is correct: **for accepted Option 3 and the Zero option the compensation amounts are minimal**. However, the list of the business entities does not include the users of natural resources, i.e. **the damage to the forestry is not taken into account and is not subject to reimbursement**. The document does not give any quantitative estimation of the suffered losses.
9. The results of analysis on sections: “Direct & Indirect Economic Damage and Losses due to Road Infrastructure Development”, “Direct & Indirect Economic Advantages of Road Infrastructure Development” are of less interest compared to the very fact that these sections are introduced to Table 1. Indeed, it proves that **development plans of “infrastructural objects” around the designed motorway do exist**. Since all the options, except for the Zero Option, rely on a great part of the motorway passing through the Khimki forest park territory, this should be basically understood as a seizure of forest lands and allocation there of shops, hotels, filling stations, and other commercial facilities of the kind. This fact is supported by statements found in other parts of the document. For instance, one of the reasons why Option 1 (according to which the motorway is to be constructed closer to Khimki town though still through the forest park) was discarded is given as follows: “It would create serious limitations for the development of the city of Khimki by reducing the available area for construction in its north even on a short-term basis” (p. 11). Since Khimki forest park is situated to the north of Khimki (see diagram on p. 30 of the document, diagram 5), it only proves

that the case in question is **the plans of development of road and urban infrastructural facilities on the forest park territory**. Therefore, **the expected damage to the forest park due to implementation of any of the project options on its territory will be significantly larger due to the damage caused by a gradual development within forest lands**. One should bear in mind that **Table 1 estimates only direct losses through the motorway construction without taking into account the losses due to inevitable further development of “infrastructural facilities” around the road**. It should be mentioned here that the plans of development of “infrastructural facilities” virtually on the entire territory of the forest park were officially communicated in Directive No. 358/16 of Mr Gromov, the Governor of the Moscow Region. The highly negative public response to the plans compelled Mr. Gromov to recall this directive later (<http://www.ecmo.ru/news/p45/n-667/>). But on the effective development plan of the Moscow Region (<http://guag.mosreg.ru/userdata/doc-13/279.jpg>) THE ENTIRE territory of Khimki forest park is still marked as “a high-activity urban development zone”. Given the well-known practice of corrupt seizure of lands in the Moscow Region, **in future this will result in complete destruction of the Khimki forest park, whatever option from # 1 to # 3 of the motorway is chosen**.

This problem is not properly considered in the document in question. Nor is it specified that **the development of infrastructural facilities on the territory of Khimki forest park will inevitably undermine the technical characteristics of the projected motorway**. The reduction of the declared driving speed to 120 km/h has been mentioned above, but in fact it will be much more notable both due to loss of transport flow’s uniformity as well as due to the planned implementation of additional payment terminals. Thus, it is indicated on page 19 that **only on the territory of the Khimki forest park the installation of two payment terminals is planned. This means that the distance between these two points will be less than 10 km. Such approach, quite obviously, contradicts the very idea of a motorway as a road for fast-moving traffic, and will end up in turning the road into a “shopping street”**. When considered along with the fact that the accepted option is the longest one, it tells in favor of the assumption that the decision was primarily motivated by the eventual seizure of roadside forest territories in order to build as much infrastructural facilities as possible on them—and by no mean by the speed performance of the motorway.

10. As far as **the impact on the population’s health and environment in densely-populated areas** is concerned, **the estimation given in the table is basically incorrect due to suspected misrepresentation of the data** (see above). Let us just remind that **all three concerned options (except the Zero Option) pass next to residential buildings in Levoberezhny district and lead to the destruction of the forest shelter-belt that protects the residential area from the influence of a giant open dumping ground**. This, however, is totally left out of the scope of analysis. It is remarkable, though, that even despite such methodological “miscalculations” the selected Option 3 turns out to be far from the most favorable one (see points 5.1, 5.2, 5.3, Table 1 of the document).
11. From the point of view of its impact on forced resettlement (point 5.4 of Table 1) Option 3 looks advantageous, at a glance. This estimation, however, does not take into account that the motorway passes close to cottage settlements with homestead land that are situated in the Levoberezhny district and next to Starbeevo village. This turns the land parcels located some dozens of meters from the motorway into unusable areas. Thus, it will finally result in a resettlement which is not considered in the document.

12. As far as the estimation of the impact on the environment and biodiversity is concerned, the deduction here does not leave any doubts (on the qualitative level): **the selected Option 3 is the most harmful for the environment and the biodiversity.** Still, with regard to the potential development of infrastructural facilities on the forest lands (point 6 above) and the fact that all the three of concerned options pass through the Khimki forest park territory, it may be concluded that **the damage from implementation of any of the three options is dramatically underestimated** (see point 6 above).

Assessment of conclusions drawn in the NWCC's document

Below we examine the conclusions made in section 5 of the NWCC's document. Our conclusions on the results of the examination of the above document are given further in the text.

NWCC's conclusions	Assessment
"1. The zero alternative will result in a traffic collapse in the north-western direction from Moscow and in aggravation of risks for public health within a range of up to 500m from the M-10 highway. The need for construction of a new motorway is not rejected by the general public. The issue is what route alternative will be selected for motorway construction."	The construction of a new motorway is not the only (and, probably, not the best) alternative to the Zero Option (i.e. to the use of M10 without extension). The primary alternative to be considered is the extension of M10 alone, or together with light rail or railway transport development. In the crisis conditions it is, probably, the best choice. The document does not refer to any relevant sociological study; consequently, the allusions to "public opinion" in the conclusions are inappropriate.
"2. For the motorway within the 29-58km section only one option is considered now, which is compared with the zero alternative (i.e. no road construction project). No comments have been made by the local population or non-governmental organizations in relation to the selected motorway route within this road section."	The lack of complaints does not prove that the option is safe for the environment and biodiversity.
"3. The route of a backup road for the M-10 highway through the Khimki forest has been fixed since over 40 years in the relevant documents of territorial development planning of Moscow and Moscow Oblast."	It should be taken into account that the official documents of the same period contained highly disputable statements like those about the leading role of the Communist Party of the Soviet Union or a prohibition of private entrepreneurship. In fact, over 40 years ago Khimki and its surroundings were a country-side with quite a lot of natural territories. Later the population density in the Khimki area increased due to urbanization and almost equaled to that of Moscow at the same time dramatically reducing the area of natural lands. It is absolutely obvious that these conditions require a more solicitous approach to the issue of conservation of the remaining natural areas than one adopted 40 years ago. Moscow can serve here an example: to build the motorway on the section 0-15 km it is not planned to use any natural area.
"4. Alternative 1 (with exit from Khimki directly to the M-10 highway and with an elevated 5km long road section above the highway) was found to be the most expensive and inefficient alternative out of the three alternatives considered during the stage of the feasibility	The conclusion is ungrounded, because the criteria of "expensiveness" and "inefficiency" are not articulated. In Table 1 an attempt of a multi-aspect analysis is made, according to which this option has advantages on some aspects, and disadvantages on some others. For example, it is significantly shorter than the selected Option 3.

<p>study. In consequence of cumulative effect, Alternative 1 implies further growth of negative impacts on the population in the adjacent area to M-10 highway (territory of 200 m width which is located between International highway and Sheremetyevo highway).”</p>	
<p>“The use of a shorter and economically more viable route alternative (Alternative 2), which would affect the Khimki forest to a substantially less significant degree than Alternative 3, turned out in 2004 to be impossible, because the land in the Molzhaninovo district of Moscow at the time of the pre-project studies relating to the route selection had been already purchased for other purposes. Such changes in the target-oriented use of land had been already incorporated in Moscow’s General Urban Development Plan.”</p>	<p>The conclusion is beyond criticism. Firstly, the authors of the document admit the absence of any written non-approval of this option by Moscow authorities (page 12). The reference to the General Layout 2009 to justify the decision made in 2004 looks highly dubious, to say the least. It appears more probable that the General Layout 2009 reflects the decisions taken 5 years ago and motivated by some undocumented factors. Secondly, there are procedures of forced reacquisition of lands for a federal motorway that could be used in this case. Thus, it is de-facto admitted that the selection of Option 3 (passing through the Khimki forest park) was motivated by some unknown factors, but the genuine reasons for such choice are neither examined nor analyzed.</p>
<p>“6. Alternative 3 associated with the highest level of impact on the Khimki forest was found in 2004-2005 to be the only feasible alternative for implementation with respect to possible land allocations, economic indicators and convenience of transport communications. At the same time all stakeholders admitted that its environmental characteristics are much worse than those in case of any other considered options.”</p>	<p>The conclusion appears doubtful for the reasons stated above. Let us stress once again that Option 3 is the only one that was officially rejected from the very start. The re-allocation of the Khimki forest parklands was strictly prohibited by the RF legislation until 2009; art. 86 of the Land Code of the Russian Federation explicitly banned any conversion of forest-park lands. (http://www.ecmo.ru/data/doc/doc09-01/otvet_rosleshoza.doc). The project documentation (openly contradicting the legislation) could be developed due to the falsification of the lands status in the project documentation including the Environment Impact Assessment. It is worth mentioning that the real analysis of alternative options has not been done until now, incl. in the document under study.</p>
<p>7. Selection of Alternative 3 was carried out in full compliance with the procedures adopted in the RF. The selection of this alternative was justified and approved by all relevant agencies authorized in the RF to review project design documentation and allocate land for project implementation. Compensation for withdrawal of land of the Khimki forest park for the motorway construction should be provided in the form of allocation of 144 hectares of land.</p>	<p>The statement is untrue.</p> <ol style="list-style-type: none"> 1) The Moscow Forest Department and Department of Natural Resources Management of Moscow initially rejected the project: (http://www.ecmo.ru/data/doc/doc09-01/pismo_dep-ta_prirodopolzovaniya_moskv1.JPG), as well as http://www.ecmo.ru/data/doc/doc09-01/pismo_dep-ta_prirodopolzovaniya_moskv2.JPG) 2) The public hearings of May 12, 2005 were conducted in the absence of the representatives of key stakeholder groups. 3) The results of the public hearings held on April 21, 2009 in the urban district of Khimki were ignored despite an explicitly negative feedback to this option was expressed. (http://www.izvestia.ru/moscow/article3127787/). 4) Until April 2009 the RF Land Code comprised art. 86 that expressly prohibited the conversion of forest-park lands. It

	<p>means that all the works on the project within at least this period were performed in violation of the valid legislation.</p> <p>5) The procedure of cancelling of the above mentioned article 86 was basically performed in secret from public, disguised as a bill on firewood procurement (http://www.ikd.ru/node/8939), and shows all symptoms of direct lobbyism.</p> <p>6) The legitimacy of the directive on the attachment of 144 hectares of the Khimki forest park is highly dubious. The existence of any other alternative option bypassing the forest park renders this directive absolutely illegal. The document exposes no analysis of such option; therefore, the legitimacy of the directive cannot be affirmed.</p>
<p>“8. Issues related to site selection for associated infrastructure facilities for the future motorway affecting the Khimki forest need further project design in order to minimize clearing of the forest. Detailed recommendations concerning this issue are presented in other sections of this report”</p>	<p>It is meaningless, because the implementation of Option 3 in any case would be fatal for the ecosystem of the forest park (www.interfax.ru/realty/realtyinf.asp?sec=1463&id=1793).</p>
<p>“9. Alternative motorway routes and design proposed by NGOs to avoid any negative impact on the Khimki forest have not been elaborated in detail in the technical and economic respects, but according to experts’ opinion they are extremely expensive. Due to this reason, they were not accepted by the design development organization for consideration”.</p>	<p>The document does not contain any independent expert judgments (see above); therefore, its statements on expensiveness cannot be taken into account. The reasons, for which these options were left unattended, have not been clarified. The most important point: the project on any of the three options passing through Khimki forest park cannot be implemented on legal grounds in accordance with art. 11, No. 172-Φ3, of the Russian Federal Legislation, until these alternatives are scrutinized.</p>

Assessment of recommendations given in the NWCC’s document

It is indicative that despite all the disadvantages of the performed analysis its authors actually recommend to prepare for the modification of the existing motorway option. Specifically, the following is recommended: “The NWCC Company will officially address the Moscow City Government with an inquiry referring to a possibility and conditions for modification of the new motorway route according to Alternative 2 assuming that the motorway route will cross the land of the Molzhaninovo district”.

There are no recommendations regarding a detailed study of possible alternative options bypassing the Khimki forest. In the situation, when even approximate estimations of these options are unavailable, and the compliance of any of the concerned options passing through the forest with the leading credit agencies’ policy directly depends on the results of such analysis, this should be viewed as a fundamental drawback of the document.

The recommendation to use the resolution of the Russian Supreme court as a basis when choosing one of the motorway construction options appears totally insufficient. The underdeveloped judicial system of Russia and the dependence of the courts’ judgments on the executive bodies’ positions have been recognized at the highest level (<http://news.mail.ru/politics/1810490>). In this case there is a number of symptoms:

- The existence of development plans for the territories adjoining the road;
- The disregard of the official non-approval issued by the Moscow Forest Department;
- The disregard of the requirements of the effective legislation during 2007 - 2009;
- Unexplainable persistent reluctance to consider alternative options that bypass the forest park;
- The disregard of the public opinion;
- The dubious legal status of the option accepted at the moment;
- Known facts of falsification of the key data (ref. the lands status) in the project documentation including the Environment Impact Assessment;
- the “correction” to which the environmental legislation was exposed in 2009;
- The killing attempt against Mikhail Beketov;

enabling the conclusion of a potentially high level of corruption and lobbying around this project. **Should in future there be revealed** (e.g. by independent experts on the initiative of the NGOs) **possible alternative options for the motorway construction that would bypass the forest park, potential investors would face the necessity to publicly admit their participation in an illegal project.**

Conclusions on the results of the NWCC’s document examination

1. The concerned document comprises a substantial amount of important information on the project including the data unknown to the public before. This information should be taken into account in making further efforts to select a motorway construction option for section 15-58 km.
2. The document should by no means be viewed as an impartial and independent assessment of alternative options of the construction of the toll motorway. It bears the logo of the stakeholder – the General Contractor of the project (NWCC), does not indicate the names of its authors and does not comprise the list of the reference sources used. The document does not refer to any methods that were used at different stages of the motorway options examination and their further analysis.
3. The document shows the signs of data manipulation (see above, page 9). In producing core assumptions it relies on either dubious or knowingly untrue postulates (p. 10 above). A number of facts important for the analysis are ignored (p. 12 above). The document also contains evident errors, also in the principal comparison table 1 (p. 14 above).
4. The document essentially examines only four motorway options, three of which pass through Khimki forest park. The fourth option is the so called Zero Option (which takes into account neither the extension of M10 which is currently in progress, nor the perspective of its further extension). Such is the comparison used as a basis for Table 1 (Options 1 – 3 in this table imply the construction of motorway through the territory of Khimki forest park).
5. The document basically examines none of the possible alternative options of the motorway construction that would bypass the Khimki forest park. As far as Option A (motorway construction in the transport corridor with the Oktyabrskaya railway section) and Option B (tunnel construction) concerned, the document only ascertains that no technical and economic analysis of them has been conducted (p. 8 above). Other evident alternative solutions of the transport problem (including the use of public electric transport) are not even mentioned in the document. Nor does it mention the

- motorway option—bypassing the Khimki forest park territory—that was suggested by the Mayor of Moscow Mr. Y.M. Luhzhkov in 2008.
6. The document does not examine the economic crisis impact on the requirements to the transport system's performance; the entire document is actually based upon pre-crisis evaluation of the traffic flow growth rate. The present economic realities appear to be essential in deciding upon the best alternative option, because they allow reducing requirements to the calculated traffic. This, in turn, provides more options to choose from as potential solutions to the transport problem.
 7. The errors and misrepresentations found in the document are seemingly systematic in nature. Their manifest goal is to justify Option 3, selected by now, and to divert attention from the examination of real alternatives to the construction of the motorway through Khimki forest park. A typical example is the analysis of various options' impact on the environment in the residential areas of Khimki. To evaluate the consequences of constructing an alternate road, the area next to the existing M10 is taken (where the impact on the residents of the adjoining buildings is the greatest). This area is compared to the residential buildings situated near the Khimki forest park (based on the assumption that the alternate road passes in the depth of the forest park, far from these buildings). At the same time, the examination does not take into account the area where the influence of the alternate road on the residents reaches its maximum, namely—Levoberezhny district of Khimki. It is in this sector, that the projected motorway passes nearby 16-storeyed (and higher) residential buildings, and destroys the forest shelter-belt that protects the buildings from the influence of an open dumping ground more than 10 meters high. The same is true for all the examined options of the motorway construction through the territory of Khimki forest park
 8. A number of crucial aspects are omitted in the document despite the environmental and social analysis of the motorway options cannot be complete without them. Specifically, the document does not refer to any sociological studies addressing the construction of the motorway through the territory of the forest park, and possible alternative options of the transport problem solution. It also ignores the results of public hearings held in April 2009, when the residents explicitly condemned the road option selected by now as environmentally damaging one. No study has been undertaken to address the attitude of potential users of the motorway from Khimki, Molzhaninovo, and Zelenograd to the perspective of the elimination of the transport problem by resorting to electric transport (light rail metro or modernization of the existing railway communications), although such a solution might be an ideal way to get away with the transport problem.
 9. The document does not address the legal aspects related to any motorway option passing through the forest park. There are no open references to the fact that all options in Table 1, except the Zero Option, are illegal, if at least one alternative option that bypasses the park territory does exist. And these options, as the authors of the document recognizes, have not been essentially examined (the references to unknown "expert evaluations" are unjustified).
 10. The attempt, made by the document's authors, to examine the new motorway on section 15-58 separately from the "Northern Belt-Road" (section 0-15 km that passes on the Moscow territory) appears basically incorrect. First, section 15-58 alone will not solve the transport problem, because of the necessity to enter the Moscow Ring Road which today carries practically 100 % transport load, and has at the same time a worse speed performance. Second, the applicability of technologies used for the motorway construction in Moscow (section 0-15 km) must be studied without fail also for the section passing through the urban district of Khimki, because it allows constructing the motorway through densely-populated regions without expropriation of any forest park lands.
 11. The references in the document, according to which the motorway construction through the Khimki forest was planned as far as 40 years ago, cannot be viewed as a reasonable basis for such decision.

Forty years ago the Khimki district was a country-side locality with a relatively large per cent of natural territories. Later, the population density in the Khimki area increased due to urbanization and almost equaled to that of Moscow at the same time essentially reducing the area of natural lands. It is absolutely obvious that these conditions require a more solicitous approach to the issue of the conservation of remaining natural territories than the one existing 40 years ago. Moscow can serve here an example: to build the motorway on the section 0-15 km it is not planned to use any forest-park lands.

12. The document methodically understates the drawbacks of the current motorway option. As it has been mentioned, its influence on the Levoberezhny district (where this influence is the greatest) residents' health is not considered, whereas the potential seizure of the forest lands for "infrastructural facilities" development is also ignored. Still, despite all the violations of the principles of unbiased analysis, the document admits that the option selected for now is the most harmful in its impact on the environment. Moreover, this is the longest option among all other considered ones, and it is rather costly in implementation. The document recognizes that the project in its present condition (Option 5) does not comply with the speed performance requirements to the motorway: it foresees the driving speed reduction to 120 km/h, instead of declared 150-160 — due to multiple curves of the motorway on the territory of the Khimki forest park . The conducted analysis shows that the actual speed performance reduction might be even greater. In addition, although these facts are not mentioned in the document, this option was officially rejected, and is widely disfavored by the public as well.
13. The document does not provide a satisfactory explanation as to why this option with its obvious drawbacks was accepted as the main one. The mentioned non-approval by Moscow authorities cannot be regarded as a true reason not least because it lacks written evidence, which is directly recognized in the document. To answer this question, we would probably need to carry out the analysis of corruption interests around the project, because it is the selected option that the best satisfies the commercial interests of the structures associated with the Moscow Region government and the RF Ministry of Transport (p. 13,14 above). Nonetheless, the document lacks such analysis of the corrupt aspect of the project.
14. The selected option has some symptoms of corruption including:
 - The lack of transparency in the key decision-making process;
 - The lack of documentary support of the key decisions taken on the project (see information above about the "disappeared" non-approval by the Moscow government);
 - The disregard of the initial official non-approval by Moscow Forest Department;
 - The selected project option was elaborated despite a direct legislative prohibition of any construction on the territory of the forest park that had been effective by early 2009 in accordance with the Land Code;
 - Despite the above prohibition, alternative options that bypass the forest park have not even been examined. It indicates that the client and project implementers did not basically plan to comply with the legislation.
 - The project documentation including Environment Impact Assessment shows the signs of falsification of the lands status, obviously meant to avoid compliance with the requirements of art. 86 of the RF Land Code as before 2009;
 - the "correction" of the legislation, that followed in 2009, and the issuance of the directive No. 1642-p on conversion of the Khimki forest park lands to transport lands were performed through fundamentally non-transparent procedures, actually – in secret from the public;

- Alternative motorway options have not been essentially examined by the present time (also in the reviewed document), though the existence of these alternatives determines the legitimacy and compliance with the policy of credit agencies participating in the project on any of the options that pass through the forest park.
15. Despite all the above-mentioned signs of impartiality lack during the examination of the alternative options, the inadmissibility of implementation of the project in its present condition is indirectly recognized even by the document authors. They, indeed, recommend the NWCC to prepare for the possible implementation of Option 2 instead of Option 3. This recommendation, however, arouses certain doubts, as Option 2 also passes through the territory of Khimki forest park. Thus, this option cannot be considered legal, and, consequently, as one that complies with the leading credit agencies' policy, until a fundamental examination of alternative options bypassing the territory of Khimki forest park (incl. the option of the motorway construction in the transport corridor with the Oktyabrskaya railway, as well as an option suggested by the Mayor of Moscow, Mr. Y.M. Luzhkov, and others; see above) is performed.
 16. A transparent, fair, and independent examination of alternative motorway construction options that bypass Khimki forest park appears to be an indispensable condition for the European financial institutions (incl. EIB and EBRD) participation in the project; otherwise the risks associated with the direct violation of the environmental legislation, and decision-making being in direct contradiction with the banks' policy, appear to be unacceptably high.
 17. The results of the examination regarding the section of 29-58 km do not deserve any attention, because, despite the recognition of the existing problems and the threat to the biodiversity, no viable alternatives for the section have been suggested. It is characteristic that the necessity of the motorway modification for the section is also recognized by the document authors.

Recommendations on the results of the NWCC's document analysis

1. According to the expert team, the examined documents of "NWCC" LLC should not be considered as an objective assessment of situation by the project investors and other stakeholders, since they reflect only a private point of view of one of the project parties and its subcontractor.
2. It is necessary to initiate, as soon as possible, an independent review of different solutions of the given transport problem that would not damage Khimki forest park. The involvement of an expert organization for such analysis should comply with principles of competence, transparency and independency. Taking into account that the Russian Ministry of Transport and the Moscow region government have direct interest in the project in its present condition, as well as the fact that the above mentioned instruction on converting the Khimki forest park lands to transport lands has been sanctioned and signed by Mr. Putin himself, it would be reasonable to select an independent organization outside Russia.
3. In carrying out the independent analysis, the special consideration should be given to plans of route construction on the territory of Moscow (section 0-15 km project "North belt road"). As the conditions of routing in common transport corridor with Oktyabrskaya railway on the territory of Moscow and urban district of Khimki appear to be similar, it is obligatory to examine the possibilities of applying the given option on the territory of Khimki. The consideration of the project "North belt road" is a compulsory condition both of the independent analysis of alternative options, and assessment of suitability of project implementation on the section 15-58 itself. Indeed, in case of refusal or delay in implementation of project "North belt road" (for example – due to the crisis) the project on the section 15-58 km virtually becomes senseless, since the new motorways then merges with the existing Moscow Ring Road, the transport load of which is close to 100% even without it.

4. Before the independent analysis of the other options regarding bypassing Khimki forest has been completed, taking any decisions on the part of potential investors as to the project support should be considered as an impermissible breach of principles of decision-making transparency and sustainable development, as well as potential favoring illegality and corruption. Civil society and NGOs must be ready to prevent such development.
5. The independent anticorruption investigation of the present situation must be carried out before the beginning of construction. The primary investigation objective should be the real factors influencing the choice of the option of routing on the centre of Khimki forest park, as well as systematic refusal to consider alternative options that avoid this territory.
6. Upon the results of such independent investigation of other options, and of possible interrelated corrupted practices as well, open public hearings must be held in the presence of potential investors' representatives.
7. The results of the given analysis must be circulated to all parties involved in the implementation of the project, as well as made available for public discussion.

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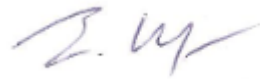
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