

To: Mr. Dirk AHNER
Director General
Directorate General Regional Policy

To: Mr. Georges-Stavros KREMLIS
Head of Unit ENV D/3 Cohesion Policy
and Environmental Impact Assessment
Directorate General Environment

outg. number:148/23.07.2009

July 23, 2009, Sofia

Subject: The Struma motorway project, Bulgaria – Latest government decision piles up future risks for the Kresna gorge

Dear Mr. Ahner and Mr. Kremlis,

We are writing to you with regards to the development of the Struma motorway project in Bulgaria, part of the TEN-T corridor IV. As you know, the project is part of the Bulgarian Operational Programme Transport (OPT) and is planned to be financed by the EU funds.

The most recent significant decision regarding the project is that the most controversial and difficult to construct part of the motorway, LOT 3 through the Kresna Gorge, has been shifted for financing to the next financial period 2014-2020. The construction of the remaining sections is, however, planned to start during the current financial period. This was recently decided by the managing authority of the OPT.

EUR 300 million from the Struma project's budget will be reallocated for the Trakia motorway in the current financial period. The shift of LOT 3 (Kresna) to the next financial period poses a real threat to the gorge and may undermine the already reached agreements on the mitigation measures for the gorge. To date, we have not seen any reasonable justification as to why the money from Kresna (LOT 3) should go towards the Trakia motorway. We believe that the money should be reserved for Kresna and its implementation should start this financial period. Any postponement may pose difficulties in the preparation of the LOT 3 now and may also complicate allocating enough resources after 2013

Moreover, LOT 3 of the Struma motorway was scheduled for preparation in 2009 and an indicative start for construction was planned for 2009/2010. Any further postponement of the work on this specific part of the motorway has to be viewed as unwillingness on the part of the authorities to keep to their commitments. We take into account that there is money for OP Transport which is currently blocked, as well as the difficulty of the managing authorities to implement the projects from the Indicative List, but this cannot be used as an excuse for not working on the project preparation and leaving LOT 3 of the Struma motorway pending until after 2013.

We would like the detailed planning and designing of the route for the Kresna gorge to be resumed as soon as possible. The most complex LOT 3 should not come last as the current trend is. To this end, the money for Kresna should be kept.

In 2007, the representatives of environmental NGOs together with the Ministry of Transport and National

Road Infrastructure Agency (former Republican Road Infrastructure Fund) agreed that the route through the Kresna gorge will be implemented via tunnel(s) based construction in order to preserve the great biodiversity in the gorge, part of the Natura 2000 network. The agreement was also achieved with the support of Mr. Georges Kremlis (DG ENV) at a meeting held in the Ministry of Transport on 26 September 2007. Representatives of DG Regio and JASPERS were also at that meeting. Finally, this agreement was one of the conclusions of the Environmental Impact Assessment public hearings, which are a fundamental part of any big infrastructure project preparation in compliance with Directive 97/11/EC.

Environmental NGOs have campaigned for over 10 years now to ensure that another, more environmentally sound route of the Struma motorway through the Kresna gorge is feasible. NGOs have also called for this part of the motorway to be a priority for design and construction – as it is the most complicated section, but it can set a positive precedent of environmentally friendly road development.

We fear, though, that once other parts of the motorway are completed in order to speed up the project, the tunnel route may be scrapped by the Bulgarian authorities.

This may lead to the destruction of the gorge and the harming of unique biodiversity and intact habitats, while at the same time violating Bulgarian and European environment legislation and the Bern Convention on protecting biodiversity. This would also constitute an unfortunate misuse of scarce EU funds which are needed to develop a sound and effective transportation system in Bulgaria which does not run counter-productive to the EU's own goals and policies for protecting biodiversity and habitats.

Working to protect the Kresna gorge for many years, NGOs would like to receive written guarantees from the government and the European Commission that the EU financed Struma motorway through the Kresna gorge will be implemented via tunnel(s) as agreed after the last Environmental Impact Assessment hearings and at the official meeting mentioned above. We are requesting that any approval of EU funding for the motorway is made conditional to a mandatory requirement for the Bulgarian government to construct the motorway via tunnel in Kresna Gorge.

We are also requesting that an official project steering committee is formed with at least three environmental NGO representatives present, including relevant Bulgarian officials as well as EC and JASPERS representatives. It should be mentioned that such a committee was agreed to be established during the EIA consultations in 2007, but it has so far failed to materialise. NGOs had to again propose to the Minister of Transport in December 2008¹ to set up such a committee. Although we received a positive response, for more than half a year now no action has been taken in this direction.

To summarise our points:

- We do not support the postponement of the construction of LOT 3 of Struma motorway until the next financial period 2014-2020
- We do not support the shift of money from the Struma motorway to the Trakia motorway at the expense of the Kresna gorge
- We ask for written guarantees by the EC that the selected route through the Kresna gorge (via tunnels) will be developed and implemented as agreed by all stakeholders in 2007 and in accordance with EU nature protection legislation
- We call for a project steering committee to be immediately established, one that includes at least

¹ The request was made at a presentation about the progress of Operational programme Transport organised by the Ministry of Transport – Dec 7, 2008 – Sheraton Hotel, Sofia, Bulgaria

three representatives from environmental NGOs.

These conditions, in our view, should ensure that the Struma motorway will not contribute to significant biodiversity losses and the misuse of EU funds. We believe that such written guarantees are essential in order to secure more transparent and accountable spending of public money in Bulgaria.

We look forward to your reply.

Yours sincerely,



Ivaylo Hlebarov

National Coordinator for CEE Bankwatch Network
Environment Association Za Zemiata (For the Earth)

Letter also supported by:

Petko Kovachev –Green Policy Institute
Andrey Ralev – Balkani Wildlife Society
Irina Mateeva – The Bulgarian Society for the Protection of Birds
Milena Dimitrova – Centre for Environmental Information and Education (CEIE)

Environmental Association "Za Zemiata" (For the Earth)
CEE Bankwatch Network

50 "Yanko Sakazov" str. floor 2,
1504 Sofia, Bulgaria

Mailing address: Environmental Association Za Zemiata (For the Earth)

P.O. Box 975, 1000 Sofia, Bulgaria

Telephone/fax: + 359 2 943 11 23

Web address: www.zazemiata.org

E-mail: hlebarov@bankwatch.org, info@zazemiata.org