

April 2012

Road construction and rehabilitation project “Bypass of the town of Gabrovo, including the tunnel under the Shipka mount” – I-5 (E-85)”

Project description¹

The Bypass of the town of Gabrovo is an important route, passing a serious flow of heavy automobiles and cars, coming from the Danube Bridge. It is an important node for movement of transport flows in the direction north – south. It cuts the Balkans Mountain, at that in the central part of the Republic of Bulgaria. The main engineering facility on this site is the road tunnel under the Shipka Mount, the construction of which shall provide the best route for cutting the Balkans Mountain.

The main transport directions the site shall serve are:

Oryahovo – Sevlievo – Shipka – Stara Zagora – Svilengrad (Makaza);

Russe – Veliko Tarnovo – Shipka – Stara Zagora – Svilengrad (Makaza).

The implementation of this site shall relieve the transport communication between Romania – Bulgaria – Greece, as well as between Central North Bulgaria - the regions of Lovech, Russe, Pleven, Veliko Tarnovo, Gabrovo and those from Central South Bulgaria – the regions of Plovdiv, Stara Zagora, Haskovo, Kardzhali and Smolyan. The site shall undertake all the traffic in the direction north – south, which now passes on FP I-5 and FP II-44 through the town of Gabrovo and the Shipka passage. The present route of FP I-5 is also a central street for the town of Gabrovo and all the traffic passing the town creates serious problems.

The site “**Bypass of the town of Gabrovo**” is located in southwest - south of the town of Gabrovo. The starting point of the site at km 0+000 is three-way road junction e of FP I – 5, at km 142+599 before the town of Gabrovo. The route of the site is detaching to the right of FP I-5 Veliko Tarnovo – Gabrovo. End of site – km 30+673.48 = km 182+669.72 (by the millage of FP I-5) and is connecting to the Bypass of the town of Shipka FP I-5 Gabrovo - Kazanlak . The route of the site is located in Gabrovo and Stara Zagora regions and crosses the lands of the Municipality of Gabrovo from km 0+000 to km 24+440 (beginning in the tunnel of Shipka) and the Municipality of Kazanlak from km 27+620 (near the tunnel of Shipka) to km 30+673.48. From km 0+000 to km 10+940 (village of Chehlevtsi) the route of the Bypass shall be built and rehabilitated. After km 10+940 the route of the site is on a new terrain. From km 24+440 to km 27+620 the route crosses the Balkans Mountain by means of a tunnel with total length of 3220

¹ According official information from Road Infrastructure Agency presented at the Monitoring Committee of OP Transport

m. Connections of the site are provided to the existing FP I-5, before and after the tunnel, which enables providing safe traffic deviation in emergency situations in the tunnel, without the need of passing the traffic through the town of Gabrovo.

The project is divided to five stages:

The construction of stages 1 to 4 (from km 0+000 to km 20+120), including the stage road connection with I-5 is planned to be done in the current programming period, 2007-2013, including preparation of technical design and all necessary procedures for issuance of a building permit.

Stage 5 (from km 20+120 to km 31+000), which includes a tunnel under Mount "Shipka" is planned to be built in the programming period 2014-2020.

- **EIA procedure:** There is an EIA report, prepared without taking into account the tunnel under the Shipka Mount. Additions are assigned for the reports for EIA and AA, which were prepared and presented to MEW on 22 July 2011. Remarks for the additions concerning the compatibility assessment were received on 09 August 2011, with deadline for removal - 20 September 2011. The remarks were removed and the corrected report was once again entered into MEW on 19 August 2011. **Indicative date for receiving the already entered into force Decision on the Report for EIA – end of March 2012.**
- **Availability/Lack of funds for refinancing the projects:**

No	NAME	FUNDS
1	Totally admissible project expenses	€ 42 000 000,00
2	Percentage of co-financing for the priority axe	80%
3	Community co-financing	€ 33 600 000,00
4	Percentage of national co-financing for the priority axe	20%
5	Total national co-financing for the project	€ 8 400 000,00

Identified problems

1. The road-bed of the planned project cross directly Bulgarka Nature Park, which is also a Natura 2000 site, BG0000399 under both the Birds and Habitats Directives.

The conclusions of the Appropriate Assessment Report, as part of the EIA documentation, states that the construction activities will lead to direct destruction of 0,031% or 0,040% of the habitat of the Brown Bear (*Ursus arctos*), priority species included in Annex II of the Directive 92/42, or 2,51% of the highest class habitat suitable for dens plus lead to reduction of the quality of the wider habitat due to fragmentation and disturbance. It has to be noted that the construction of the road is planned within the wildest part of the park, through non-fragmented habitats. The direct destruction of habitats in addition to disrupting the structure and function of the surrounding habitat will have a negative impact on the favourable conservation status of the species. Taking

into account those negative effects of the investment proposal, environmental NGO's insisted for proper assessment of two alternatives:

- 7400 m. long tunnel which would minimize the construction on the surface within Bulgarka Natura 2000 site.
- an alternative route through the Republic pass (known also as Hainboaz), a three –lane road pass crossing Stara Planina Mountain which already exists, was recently rehabilitated and presents the actual European Transport corridor No 9 linking Romania – Russe- Veliko Turnovo – Stara Zagora – Svilengrad. A map is attached as Annex 1 to this paper.

The above mentioned alternatives have been set at the scoping phase of the EIA procedure and officially submitted again as statements on 03.02.2012 by WWF Bulgaria and 02.03.2012 by Coalition on sustainable use of EU funds.

Despite the requirements of the interested parties and the high risk for the species and habitats, these alternatives have not been assessed and the EIA documentation has been approved on 23.03.2012 by the Higher Expert Ecological Council, (a consultative body to the minister of the Environment and Water) with the reservation of the representatives of the environmental NGO's. The final approval by the Minister of Environment was issued on 03.04.2012 (Annex 2).

2. The situation is additionally aggravated by the decision for Preliminary execution of the project which will allow the start of the construction work even if the Decision of the Minister is appealed in the Court. According to the Bulgarian legislation such preliminary execution can be applied *“when is imposed to be ensured the life or the health of the citizens, to be protected particularly important state or social interests, at danger that may be foiled or seriously hampered the execution of the act, or if from the delay of the execution may follow significant or hardly repairable damage, or at request of some of the parties – in protection of its particularly important interest.”*.

3. The Appropriate Assessment report, in its Project Annotation section states that *“The construction of this corridor is formulated as Priority 3 of the Strategy for development of the transport system of Bulgaria fro the period up to 2020, as it meets the European requirements fro funding in view of the fact that it is part of Trans-European Corridor N 9 “Bucharest – Dimitrovgrad- Alexandroupolis”*. In view of this statement it is worth noting that **Decision No 661/2010/EU of the European Parliament and of the Council of 7 July 2010 on Union guidelines for the development of the trans-European transport network, art.2, 2, (d)** states that the transport network should “allow the optimal use of existing capacities. An existing capacity is the Republic Pass (known also as Hainboaz), a three –lane road pass crossing Stara Planina Mountain which, was recently rehabilitated and currently links Bucharest – Russe- Veliko Turnovo – Stara Zagora – Dimitrovgrad - Alexandroupolis. With this in mind, is important to say that a ring road around Gabrovo together with a tunnel linking Gabrovo and Kazanlak is an important project, but has a regional significance for the region of Gabrovo.

Previous experience

Our previous experience with the case of a tunnel of the D8 Motorway Prague-Brno² in the Czech Republic has shown that similar behavior from part of the State authorities has led to 12 years of delay and 5 times increasing of the cost of the “short and cheap” tunnel.

In Bulgaria the Struma Motorway project has been also significantly delayed by the Road Infrastructure Agency’s denial to adopt the environmentally friendly tunnel alternative to cross the Kresna Gorge.

Our demands

We would like European Commission to remind the relevant Bulgarian authorities of the importance of public participation and the consideration of alternatives at the EIA procedure for the achievement of balanced and sustainable decisions.

We would like European Commission to state that the EU funds co financing requires strict implementation of the *environmental aquis* and the non deterioration of protected areas of European importance.

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² <http://bankwatch.org/our-work/projects/d8-motorway-czech-republic>