**MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE**

Cabinet of Minister

**Reg. No 4072/AK/26.08.2014**

***Re:*** *Procedure for the assignment of EIA on investment proposal for gravel and sand extraction from alluvial sediments in the bed of the Danube river, Mishka section (462.0 km. – 459.4 km.), in the area of Babovo village, Slivo Pole Municipality, Rousse Region*

**DEAR MINISTER,**

In connection with your letter No OVOS - 74 of 22 July 2014 concerning the terms of reference for the scope and content of the EIA Reporton investment proposal for gravel and sand extraction from alluvial sediments in the bed of the Danube river, Mishka section (462.0 km. – 459.4 km.), in the area of Babovo village, Slivo Pole Municipality, Rousse Region we would like to make the following statements:

* Location. The document only provides geographic coordinates as degrees, minutes and seconds, which hinders analysis. Given that Romania and Bulgaria use the same coordination system (Stereo 70), details must be provided in this system or in a coordinate system that is easy to use. However, after the coordinates transformation performed by the Ministry of Environment and Climate Change it turned out that half of the points are positioned in Romania and not in Bulgaria.
* There is no map of the position of the extraction site compared to the protected areas/Natura 2000 sites in Romania and Bulgaria. There are two Natura 2000 sites on Romanian territory located near the extraction site, namely ROSCI0088 „Gura Vedei - Şaica –Slobozia” (Habitats Directive) and ROSPA 0090 Ostrov Lung-Gostinu (Birds Directive).
* The basic data for monitoring of the sturgeon are incomplete (eg. "The presence of bastard sturgeon in the Bulgarian section of the Danube River must be proven scientifically."). Also, data for other species of sturgeon are too general and not specifically for the location of the extraction site. Therefore, the impact of future actions will be difficult to assess.
* Regarding Section 5. Flora and fauna. Protected Areas and Zones, paragraph 5.2. Protected Areas and Zones. We believe that this paragraph should describe all protected areas of national interest for both countries as well as areas of importance for the EU. The paragraph covers only the Bulgarian section. There is no information at all about the Romanian section despite the presence of more Natura 2000 sites near the extraction area. Also, there is no map of the location of the extraction area compared to the location of protected areas.
* Natura 2000 sites have been officially approved by the Romanian legislation (Order of the Minister No 2387/2011 on the sites of Community importance and No GD 971/2011 on special protection areas). Relevant information (shape files and standard data) is available on the website of the Ministry of Environment and Climate Change (http://mmediu.ro/new/?page\_id=5178).
* The scope of the terms of reference does not indicate the need for preparation of assessment under Art. 6 (3) of the Habitats Directive. However, we would like all species and habitats important for the EU to be covered in the documentation and taken into account in project implementation. The evaluation should indicate the impact of the project on species and habitats, including periods of fish migration, especially those of sturgeon and *Alosa immaculata (Alosa pontica*).
* Given that the extraction works could lead to changes in the bed of the Danube, changes in currents etc. the impact on the valley and neighbouring sites in directly affected areas must be considered.
* The document does not comply with the EC Guidance on undertaking new non-energy extractive activities in accordance with Natura 2000 available in English, Romanian and Bulgarian on the website of the European Commission (<http://ec.europa.eu/environment/nature/natura2000/management/docs/neei_n2000_guidance.pdf>). This Guidance is indicative document recommended by the EC in analyzing the assessment of the environmental impact of non-energy extractive activities.
* The scope of the document for the assignment must require the determination of remedial measures if the impact on species and habitats is significant, and indicate alternatives concerning biodiversity, the location of sorting stations and technology used.
* In addition, the document must include the conclusions suggested by the Bulgarian interested parties, particularly those mentioned by the Danube region Basin Water Management - Pleven in Letter ref. No 378/24.03.2014, Opinion ref. No 168/04.04.2014 of the Regional Museum of History – Rousse, and Opinion ref. No 036 / 28.03.2014 of the “Friendly Support” Foundation, Rousse.

Romanian shipping requested the following:

* In order to ensure safety, the extraction areas between km 462.0 - km 459.0 must be marked accordingly, and dredges (extraction installations) must be clearly designated in accordance with the Regulation on the Navigation Regime of the Danube.
* Romanian shipping authorities must be notified officially upon start of extraction operations.

Please accept, Mr. Minister, the assurance of my highest consideration.

*/ Signature /*

**Attila Korodi**

**Minister**

**Mr. Stanislav Atanasov**

**Minister of Environment and Water**

**Republic of Bulgaria**