



REPUBLIC OF BULGARIA
MINISTRY OF ENVIRONMENT AND WATER

REGIONAL INSPECTORATE ON ENVIRONMENT AND WATER - RUSE

Outgoing No: AO 3308, Ruse, 29.07.2014

TO: MR. ALEXANDER CHAKMAKOV
EXECUTIVE DIRECTOR OF
“GRAVEL AND SAND PITS BULGARIA” EAD

Bulgaria, 1528 Sofia,
at 6, Poruchik Nedelcho Bonchev Str.

Regarding: *Notification about investment offer for “Sand and Gravel Excavation from Alluvium Deposits in the Bed of River Danube, Mishka Section (from km 462.0 to km 459.4) in the area of Babovo village, Municipality Slivo pole, Ruse Region”*

DEAR MR. CHAKMAKOV,

In connection with the submitted to the RIEW – Ruse Terms of Reference on the scope and content of the EIA Report of the aforesaid investment proposal, I express the following Observation:

I. Regarding the Terms of Reference for scope and content of EIA:

The submitted Terms of Reference has been prepared in observance of the requirements of Article 10, paragraph 3 of the *Ordinance on the terms and conditions for conducting environment impact assessment – the EIA Ordinance*, adopted with Decree of the Council of Ministers No 59/2003 (SG, issue 25/2003, amended and supplemented SG, issue 94/2012). The proposed structure of the EIAR is complied with Article 96, paragraph 1 of the *Environment Protection Act*.

Upon review of the information, inadequacies have been found, which should be rectified:

1. In page 8 of the *Terms of Reference*, it is indicated that river Danube is a third category water recipient, according to the categorization of the surface running water, identified with *Ordinance No 7/1986*. Considering that the quoted *Ordinance* has been repealed (SG, issue 22/2013) currently the order and manner for characterization, classification and presentation of the status / potential of the surface water bodies are determined, according to *Ordinance No H-4 of 14. 09. 2012 on characterization of surface water* (SG, issue 22/2013);

2. In page 18 the requirements of “*Code of Rules for Navigation in the Bulgarian Section of river Danube and Specialized Recommendations of the Danube Commission to the Competent Authorities of the Danube Countries on the Application of the Main Provisions for Navigation along the Danube* (Supplement to SG, issue 55/2005) have been recorded. The

provisions of the current *Rules for Navigation along river Danube*, adopted with CMD No 83 of 05. 04. 2013 have to be taken into account (SG, issue 35/2013).

3. In the process of development of EIAR should be reviewed the expected long-term impacts of dredging on aquatic fauna species, according to their breeding period and necessity for implementation of mitigating measures, restricting or minimizing the negative effects. Assessment of the direct and indirect dredging impacts regarding the primary reproduction of the aquatic organisms, as well as on the populations of the looking for food higher organisms in the impact zone should be made.

II. Regarding the Environment Impact Assessment Report (EIAR) on the rate of impact:

According to Decision No 3-IIP/2014 of the Minister of Environment and Water and pursuant to Article 40, paragraph 6, in reference to Article 34, paragraph 1 of the *Ordinance on the terms and conditions for conducting assessment on compatibility of plans, programs, projects and investment proposals with the subject and the targets of conservation of protected zones*, (the CA Ordinance, SG, issue 73/2007) amended and supplemented, issue 94/2012) as a separate Annex, to EIAR a *Report on the Rate of Impact Assessment* has to be developed (RIAR), of the aforesaid investment proposal, on the species and habitats, subject to conservation in protected zones *BG0002030 Complex Kalimok*, on conservation of wild birds and *BG0000377 Kalimok – Brashlen* on protection of natural habitats and wild flora and fauna.

I recommend you in the process of elaboration of the *Report on the Rate of Impact Assessment* (RIAR) the following to be accounted for:

1. To be established and analyzed all likely direct and/or indirect impacts on the species subject to protection in protected zones *BG0002030 Complex Kalimok* for protection of wild birds and *BG0000377 Kalimok – Brashlen* on protection of natural habitats and wild flora and fauna.

2. To be specified in which months of the 9 month period (230 working days per year) the envisaged in the IP activities will be realized.

3. In the process of development of item “*Alternatives for location or technologies*”, alternatives regarding the periodicity and the deadlines for excavation of the alluvial deposits from the bed of river Danube to be reviewed, complied with the specific requirements of rare and protected species of animals (colonial water fowls, nesting in the regions, wintering birds and transitional sturgeon and other species of fish). Regarding the alternative for location, other aggregate excavation sections to be explored, beyond the boundaries of the protected zones.

4. Measures for prevention, minimization and complete elimination of the unfavourable impacts from the realization of IP on species and habitats, with protective status, pursuant to the Bulgarian or international legislation, have to be presented. Prohibition for execution of activities during the breeding period of the species, subject to protection in the zones, proven to be negatively affected from the realization of IP shall be envisaged.

5. The cumulative impact on environment from the IP realization is to be assessed, by using current information from other past, present and/or expected future plans, programs and projects/investment proposals, which jointly reviewed, may have substantial negative impact on the protected zones.

6. Scientifically grounded data is to be presented, related to the likelihood of appearance of erosion processes on the bank of Mishka island (Big Mishka-1 and Small Mishka-2) and Mishka-3 island, as a consequence of the change in the dynamics of the water flow during the extraction of aggregate materials.

7. On presentation of scientific information, the sources are to be indicated, where from the data has been taken. Up-to-date information is to be used about the protected zones, as a result of project "Mapping and identification of nature protection status of natural habitats and species – phase I", loaded on the internet page www.natura2000.moew.government.bg In usage of data from carried out explorations (diving descent and etc.) period and length of the exploration is to be indicated, as well as number and type of the monitored individual species, and also analysis of the obtained results is to be made. In the realization of impact analysis of IP on sturgeon fish, data from project WWF-Bulgaria "*Implementation of Activities from the National Action Plan for Sturgeon Fish, Aiming Status Improvement and Sturgeon Protection in Bulgaria*" shall be used.

8. It shall be specified how the personnel, engaged with the aggregate extraction activity will reach the dredge. Will usage of the bank of river Danube in the region of Mishka island, near Babovo village, Municipality Slivo Pole be necessary, as well as entry within the boundaries of *Kalimok – Brashlen* protected zone?

9. Rectification has to be done of the technical mistake in the recording of the code of *BG0000377 Kalimok – Brashlen* protected zone. In page 44, 45, 49 and 55 of the Terms of Reference, the same is recorded as *BG0000177*, and in page 4 the country identification BG is missing.

Respectfully,

/Signature unreadable/

DAUD IBRYAM

Director of RIEW – Ruse

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