

Name of Exercise: Public hearings on the Environment Impact Assessment (EIA) Report for the Road I-6 Gueshevo – Kjustendil, Alternative Derventa

Location: Municipality of Kjustendil, section of the Main Road I-6 located between Vratza village and Garliano village.

Participation Exercise under which Article? *Article 6*

Purpose of Participation Exercise:

To gather opinions, view points, critical comments and proposals regarding the four options for crossing the Dervent Pass on the Main Road I-6. The main objective of the EIA hearing is to identify the most acceptable environmentally friendly alternatives of the project which will help to preserve the natural environment of the area.

Participation Techniques Used:

The public hearing of the preliminary Environment Impact Assessment (EIA) report consisted of two public discussions held on 22 December 1998 in Kjustendil town and on 1 February 1999 in Vratza village. Vratza village is potentially the most affected village by the project.

During the meeting held on 22 December 1998 in Kjustendil, a proposal for another public hearing in Vratza town was made by an NGOs representative. This was agreed to and conducted in full compliance with the legal requirements. The second hearing prolonged the time period for public information and thus the EIA procedure by 40 days.

In the one month period before the first EIA public hearing, the report (together with all its appendixes) was made available to all interested parties and to anyone wishing to review it at the EIA Department at the Ministry of Environment and Waters (MoEW), the Regional Inspectorate for Environment and Waters (RIEW) in Sofia, the Municipality of the town of Kjustendil and the Municipality of Vratza village.

Letters regarding the public's access to the EIA report were sent on behalf of both the MoEW and the Municipality of Kjustendil to all the institutions and authorities concerned (10 in total) and also to Non-Governmental Organisations (11 in total).

Announcements about the EIA public hearing were published in 2 newspapers and in addition individual letters were sent to the 11 NGOs and 10 other institutions. Besides these letters and adverts, the hearing was announced at 3 public places in Kjustendil and Vratza village and the local newspapers and radio covered the events in detail (2 publications were made and 3 radio programs were transmitted).

Regrettably, it was not possible to use the Internet, electronic mail or other electronic communications to create broader contacts and attract a larger audience for the discussion meetings, due to lack of access by public. A phone line was used to co-ordinate the work and to provide more information to citizens and journalists on request. The information requested was usually about the investment and details about the EIA report itself.

The investor held an additional public meeting of the project in Vratza village on 15 December 1998 but since he did not inform MoEW or the municipality of the meeting, representatives of these bodies were not present. Unfortunately, a record of the meeting was not prepared. The public discussion was attended by as many as 20 people from the local population.

Who participated?

The two 'official' meetings were attended by a total of 55 participants (31 people for the December 22 meeting and 24 people for the February 1 meeting in Vratza village). The participants came from 3 major groups:

Participants	Kjustendil	Vratza village
1. Government Officials:	17	13
MoEW and RIEW	3	4
Municipality of Kjustendil	4	1+2
Investors, designers	5	6
Museum of National History in Kjustendil	3	–
Other institutions	2	–
2. EIA experts	3	–
3. Representatives of the general public, NGOs, and local (Vratza village) population	4	1+17

Stage(s) at which public participated in the process:

In the time period when the EIA report was publicly available, the public did not express an excessive interest in reviewing the report. The public became acquainted with the EIA report mainly during the discussion meeting through the presentations of the EIA expert team, the designers and the investors of the project.

In the days before the public hearing one NGO and the Museum of National History in Kjustendil reviewed the report (then available in the municipality) and they usually asked questions and made proposals during the discussions.

The local population's lack of knowledge about the environmental issues meant that the questions raised during the discussion focussed mainly on some technical aspects and the opportunities for compensation for any damage that may be caused. The questions were not focussed on the environmental impact of the project.

What information was made available?

All information about the project was collected and summarised by licensed experts in compliance with the requirements of the Environment Protection Act and in accordance with EIA regulations, for which the investor paid. The information thus gathered was compiled in the form of a preliminary EIA report. Information about the project and the EIA report was made publicly available by the project designers, investors and other governmental officials from national, regional and local offices for more than two months.

What was the outcome of the public participation exercise?

An NGO representative proposed a second meeting in Vratza, potentially the most affected by the project. The number of public statements (3 in the town of Kjustendil and 11 in Vratza village) demonstrated a reasonable basis for a second public hearing to be held in Vratza village.

The viewpoints expressed during the public discussion were carefully documented in the form of minutes, copies of which are available in the municipality, RIEW and MoEW. Consensus was reached for only one point: all the alternatives in the project must lead to substantial improvements in Dervent area. It was felt that the Supreme Environmental Expert Council (SEEC) at MoEW should amend the preliminary EIA report. The MoEW representatives guaranteed that the SEEC will take into consideration the presented public statements (both oral and written) when making final decision about the project.

As a result of participation of the public in EIA decision process the Supreme Environmental Expert Council at the Ministry of Environment and Waters took decision No. 11-4/1999 to amend the preliminary EIA report of the project: "Road I-6 Main Control Checking Point Gueshevo – Kjustendil, Alternative Derventa". Detailed directions for eliminating the weaknesses of the EIA report, which should be paid special attention when amending it, were provided. The outcome from the procedure is expected to be a final positive decision of the Supreme Environmental Expert Council at the MoEW.

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REC view on participation exercise:

In this case the public appears to have been relatively inexperienced in proceedings of this kind and did not participate in a very active way. The proponent and the authority took additional steps to try to encourage public participation, including delaying the procedure by organising a second meeting and using contact points.

It is clear that there is a need to educate the public to deal with complex issues like these. An independent advisor or further training sessions might allow the public to participate in a more meaningful way.

Significant omissions from requirements of Article 6:

In general the requirements of Article 6 were met. It is not entirely clear, but it appears that a number of NGOs and authorities received a notification about the availability of the preliminary EIA report, whereas the general public was only notified about the public hearing. This may have contributed to an ill-informed public.