
Chapter 14 Comments on Draft ESIA Study & List of Introduced Changes#

Will include the comments received on the draft ESIA during the public disclosure/comment period, and a list of the changes introduced in the final version of the ESIA Study.

Summary of feedback during the public disclosure of the ESIA

9th March – 7th July 2012

This document summarises the results of consultation exercise for the draft ESIA and explains how the project has responded to the various issues raised.

A series of public meetings were held during the public disclosure period at various locations along the route. Details of the public meetings are summarized in the table below.

Date and time of meetings	Location	Number of attendee's
24.04.2012 11:00hrs	Kratovo	23
24.04.2012 14:30hrs	Rankovce	13
25.04.2012 14:30hrs	Kumanovo	18
26.04.2012 10:00hrs	Kriva Palanka	26

Table 1 Schedule of meetings

Consultation meetings were organized by the Ministry of Environment and Physical Planning in cooperation with the investor, Ministry for Transport and Communication and PE Macedonian railways – Infrastructure Skopje

At each of the Public consultation meetings were structured as follows:

1. Opening - Public consultation meetings were opened by Biljana Spiroska, counselor in the Department for Assessment of Environmental Impacts within the Directorate for Environment within Ministry of Environment and Physical Planning. All of the representatives from the Ministry, Investor and Consultant were then introduced. The Consultant then gave a short presentation on the study.

2. Presentation of ESIA

The presentation of the ESIA study was provided by Carlota Arguiaga and Tatjana Todoroska.

Aim of this project is to finish the railway line between Macedonia and Bulgaria.

As part of the study two alternatives were considered. One alternative was the existing established railway line and the other alternative followed the route of the planned motorway Corridor VIII. Multi criteria analysis of both alternatives (from technical, traffic, EIA aspect, socio-economic and financial aspects) were carried out and led to the recommendation to select the established alignment.

The study assessed the possible impacts during the construction and operational phase including : cultural heritage, soil, surface waters, ground water, air, noise and vibrations, nature, habitats, fauna and flora, land and properties, health and safety of the Community, community tensions, access and severance, disruptions of the communal services, economy, employment, education, vulnerable groups, workforce and quality of life issues.

Mitigation measures to avoid, decrease and compensate potentially negative impacts were presented. Details of the management and monitoring plan that is part of this study to ensure implementation of the proposed mitigation measures for construction and the operational phase were also presented at the meetings.

Although there were other means by which stakeholders could comment on the Project ESIA (e.g. via the website, submission of written comments, use of the hotline) comments were only raised at the meetings and no other comments were submitted.

A summary of the questions raised throughout the 120 day disclosure period and details on how the project has responded to these questions are presented in the table below:

Date	Source	Question	Answer	Addressed in ESIA
24.04.2012	Public meeting : Section 2, Kratovo	Milosh Dimitovski, NGO Izvor, supports construction of the project due to the importance that the railway is going to have for the region of Kratovo. Their question raised was how will the protected area be compensated if some damages were to occur to the natural monument Kuklica .	<p>From Carlota Arguiaga it was answered that the protected area will not be damaged by the project, due to the distance from 840m to the railway line from the locality.</p> <p>Prior start of the construction works there are going to be experts on site in order to assess if there is going to be potential negative impacts caused by construction works on the locality. If there is, in that case measures for avoiding/mitigating of the negative impacts are going to be proposed. Preventative measures have been defined within the ESMPP.</p> <p>If it is found that there are going to be significant negative impacts which have not been assessed in the ESIA and mitigation measures applied then works could be stopped.</p> <p>From the side of the Investor, Representative Rade Sekulovski answered that the construction of railway line is far away from the locality and negative impacts are not expected to occur. He emphasized positive impacts that the construction of railway had on the locality in the past period. During construction works undertaken on this section from the side of PERI access road to the locality was constructed which is still functioning.</p>	<p><i>In Chapter 7 Mitigation measures and in Chapter 8 management and Monitoring Plan following measures for cultural heritage is envisaged in general:</i></p> <p>PRECONSTRUCTION ARCHAEOLOGICAL SURVEY - During the construction works and more specifically prior to any earth works in undisturbed terrain, an archaeological survey will be conducted to check that no archaeological remains are unearthed without control. The survey will be conducted by a team of expert archaeologists holding valid archaeological research licenses. The archaeologists will be permanently on site to implement the chance finds procedure. The construction works should not begin until all relevant permits are provided by the responsible institution, the Administration for protection of the cultural heritage of the Ministry of Culture.</p> <p>Chance Find Procedure to be established and implemented prior to construction works commencing. In accordance with Macedonian Law on Protection of Cultural Heritage and EBRD PR 8 requirements.</p> <p>In the event of the unexpected discovery of archaeological objects the Contractor shall immediately inform PERI and the Ministry of Culture and follow their instructions. The construction works will be temporary stopped while the authorities decide if any research are needed or any protection measures should be applied. The Contractor shall follow the instructions provided by the authorities responsible for the protection of cultural heritage.</p> <p>Cultural Heritage training shall be provided to construction workers before the start of earth works to foster their awareness on how to identify artefacts and the importance of</p>

				<p>protecting Macedonian cultural heritage, including existing cultural monuments and archaeological sites and to be discovered sites.</p> <p>PERI to undertake the necessary works as directed by the authorities responsible for the protection of cultural heritage to protect any archaeological finds from damage and plunder.</p>
25.04.2012	Public meeting: Section 1, Kumanovo	<p>Question from NGO "DOM", from one participant who was involved in the earlier social mapping exercises during the scoping of the ESIA. There is going to be impact from noise, some houses could fall down, they don't possess property rights, their social situation is very bad, so if there is resettlement the values of the houses will be very low and the idea for resettlement for these houses is not acceptable.</p>	<p>Rade Sekulovski answered that the idea is not to resettle or relocate any of the residents that live adjacent to the railway track, even the houses are situated on the land which is property of Macedonian railways; the idea is to ensure protection measures for these houses which may include strengthening the current buildings.</p>	<p>Addressed in Chapter 7, Mitigation measures</p> <p>Implementation of structural improvements to houses, noise mitigation measures and provision of compensatory play area and bottle storage for the Pero Cico settlement is planned.</p> <p>Traffic solution for Pero Cico settlement will be designed and later constructed in order to provide safe and regular access of the inhabitants to their houses (e.g. overpasses).</p> <p>To ensure the safety of people living near railway, there will be adequate markings and signage, for both construction and operational phase.</p> <p>To protect third parties from electrical hazards, adequate physical barriers and signage shall be located in the immediate areas of the settlement.</p>
26.04.2012	Public meeting: Section 3, Kriva	<p>Where can details of the alignment of the railway be seen in order for people to</p>	<p>Rade Sekulovski explained the location of the alignment (it was shown on slide). It was stated that the alignment is in the ESIA. The Plan for expropriation with all parcels which</p>	<p>The Project Description includes a number of maps and details of the route.</p> <p>The Expropriation procedure is explained in Chapter 13, Resettlement compensation framework</p>

	Palanka	check if their properties may be going to be subject of expropriation due to construction of railway in cadaster municipality of Gradec ?	need to be expropriated is already prepared and available in Municipality of Kriva Palanka. For information on potentially affected properties citizens should contact the Municipality of Kriva Palanka to obtain the required information.	<p>All feasible alternative project designs should be explored to avoid or at least minimize physical and/or economic displacement.</p> <p>Resettlement Action Plans will be prepared by a suitably qualified specialist approved in consultation with EBRD for each section based on Expropriation Studies, socio-economic surveys and a census.</p> <p>Affected persons shall be given the opportunity to participate in the negotiation of the compensation packages, eligibility requirements, resettlement assistance, suitability of proposed resettlement sites and the proposed timing.</p> <p>The Project shall comply with and implement the RCF and associated RAP's and ensure all affected owners / users of land (including those who are using land informally) are appropriately informed, consulted and compensated for their assets and any losses:</p> <ul style="list-style-type: none"> • Primarily through negotiated settlements; • At full replacement cost; • Additional assistance to be provided to the people who will be resettled for restoring their standards of living and further improve them; • People who have not vacated their houses which were expropriated during 2004 should be advised in good time about the Project and the risk of remaining nearby the line so they can move out; • Prior to displacement; and • With any additional resettlement assistance needed <p>Any grievances are resolved on a timely basis, with evidence of formal and informal communication retained.</p>
26.04.2012	Public	When start of the	From the Investor side, Biljana Zdraveva	Addressed in Chapter 3 Project delivery phases

	meeting: Section 3, Kriva Palanka	works on railway line is planned?	answered that in the past several years there has been an intense amount of work to seek to obtain financial funds for construction of this railway. For first section from Kumanovo to Beljakovce through working with EBRD we are at an advance phase of negotiation to obtain funds for construction, in the second half of this year. The tender for choosing the construction company for the reconstruction works on this section is going to be published, and in March – April 2013 it can be expected contract to be signed and then the construction works will start. It is expected construction works will last 2-2.5 years. In 2015 it is expected this section will be reconstructed. For other two sections Beljakovce – Kriva Palanka and Kriva Palanka – Deve Bair-border with Bulgaria, at this moment there are ongoing discussions with the banks to seek to obtain financing for the works and funds on a grant basis for the preparation of design documentation. So it is expected construction works for whole section to start at 2013, and end in 2018-2020 .	
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All questions have been carefully considered by the Project Team to determine whether any change should be made to the assessment of impacts based on the comments and suggestions made by stakeholders. No specific changes are proposed in the proposals for design, construction or operation of the Project although the Project team will maintain their awareness of the issues raised during the later stages of development. It is concluded that the consultation process has not caused the ESIA Team to alter its findings or conclusions and the ESIA Report published at the start of the consultation period has not therefore been amended.