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EIA OF TRANSPORTATION PROJECTS IN THE REPUBLIC OF MACEDONIA: COMPARATIVE ANALYSIS

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Abstract. We are entering a new era, in which countries will have to work together in order to safeguard our environment. This paper highlights the results from the detailed research and comparative analysis of the contents, way of preparation and the transportation projects Environmental Impact Assessment-EIA types within Republic Of Macedonia, European Union and worldwide. International documents for EIA regulation, realization and use, are compared too. It gives a detailed review of the environmental protection Law from the transportation sector in R. Macedonia, EIA procedure as it's under sections, compared to the EU Directive 85/337/EEC (EEC-Environment European Community) from June 1985, the Directive supplement 97/11/EC from March 1997, and the World Bank documents. Noted shortcomings and necessary supplements are emphasized.

Key words: environment, impact assessment, transportation.

1. Introduction

With the signing of the Agreement for stabilizing and associating, Republic Of Macedonia is under obligation to harmonize its laws with the European ones.

For the ecological problems purposes National action plan so called NEAP, has been developed and published. NEAP is part of the Ministry of environment and space planning guided process „Environment for Europe“. Has been developed with the cooperation of all relevant subjects in the country, and sustained from the World Bank.

The Euro integration sector from the Government Secretariat made a government strategy for enclosing of the law regulative to EU. Program Part 7, concerns the environment, set's deadlines for harmonizing the different areas of the environmental law regulative with the EU one. The highest priority has been given to the horizontal regulative, which included the Directive for estimating the environmental impacts, Directive for access to the environmental information as well as public informing and the Regulative of the European agency for environment.

2. Basic road network data of the Republic Of Macedonia

R. Macedonia is physically enclosed country with territory of 25.333 square km and with population little over 2 million. The main transport corridors, PAN-corridors 8 and 10, are part of the trans-european network. The road network has 12.522 km roads, 909 km highways, 3542 km regional roads and 8071 km arterial roads. 53% are covered with asphalt, cement or paved roads, 5% are macadam roads and 42% are earth roads. Our country has two airports, and purely developed rail network.

3. Environmental protection law

The legal system in the Republic Of Macedonia has three levels: the constitution as highest level, the laws as second level and the under law acts (normative acts: *regulatory, decisions, directions, and orders*), as the third level.

3.1. The constitution of R. Macedonia

In the constitution which has been adopted by the Parliament (1991), paragraph 8 emphasized that the "appropriate urban and transport planning" should promote congenial living environment. As present, protection and the improvement of the environment are counted as fundamental country values. Paragraph 15 says that the Ministry must: "choose type of investment objects paperwork for environmental impact assessment, however it's necessary quality." Paragraph 29 obliges the transportation and other firms to submit ecologically- technological projects for polluting sources analysis and pollution decrease in accordance with the law. Paragraph 30 says that the Ministry must assess these projects. With the, paragraph 43: "Everyone has right to live in healthy environment. Everyone is responsible for its advancement and protection", the base for the entire law regulative and environment policy has been stated. Namely, this obliges the Ministry to bring decision for integration of transportation pollution, prevention, control and the monitoring of the environment.

4. Operational and institutional implementation of EIA

The preliminary assessment shows very small EIA process implementation, contrary to the needs and the advices given in the Directive 85/337/EEC and its appendix in the Directive 97/11/EC, (Table 1).

Table 1. Operational and institutional implementation of EIA

ACTIVITY	REALISATION
Coordination between the institutions	humble!
SEIA	not being prepared!
SCREENING	in preparation!
SCOPING	in preparation!
EIA (transportation project level)	in preparation!
Basic conditions to be fulfilled for realization of the EIA process (methodology, paperwork)	in preparation!
Public participation	on minimum!
Public information	on minimum!

5. Comparative analysis of the EIA procedure in the R. Macedonia with the World Bank procedure

An analysis has been made, by conducting several tables. Each table contents three segments. First one is for the EIA procedures in the Republic Of Macedonia, second one for the World Bank procedures, and final for the recommendations and changes based on noted shortcomings and needed supplements.

Table 2. Law system review

Procedures in the Republic Of Macedonia	
EIA for transportation projects	None
Formal SEIA	None
Local EIA plans/procedures	Theoretically prescribed in the law, but practically NON EXISTENT! An under law act is being prepared to implement on local level!
Specific technical paperwork-manual	The monitoring assessment and the environmental impact unit are making rules for EIA (including the traffic).
World Bank procedures	
EIA for transportation projects	Guide Report Good practice
Formal SEIA	In the operation procedure 4.01, Annex A, Tools are given, For sector and regional assessment of the environmental impacts
Local EIA plans/procedures	The World Bank take's in consideration the state frame politics, institutions abilities and obligations under the guidance of relevant international agreements. It does not finance projects that break the State responsibilities identified during the making of the EIA.
Specific technical paperwork-manual	1991 - Basic manual 1999 - Polution prevention and its decrease - Manual.
Necessary changes in the law of the R. Macedonia	
EIA for transportation projects	Needs and procedures should be integrated, and a technical manual should be prepared.
Formal SEIA	Needs and procedures should be integrated, and a technical manual should be prepared.
Local EIA plans/procedures	More precise obligations and their practical implementation.
Specific technical paperwork-manual	Needs and procedures should be integrated, and a technical manual should be prepared.

Table 3. Administration review

Procedures in the Republic Of Macedonia	
Head administrative body for EIA	Ministry for environment and space planning
Competent sector for environmental accessibility	Environmental sector -monitoring and assessment unit for the environmental impact, within the environmental ministry, as stated in paragraph 15 of the Law.
EIA revisions body	None
Local government responsibilities	Small scale projects
Other executive bodies responsible for planning approval	Ministry for transportation and communications Ministry for economy Ministry for internal affairs Ministry for agriculture, forestry, and waters Ministry for healthcare Ministry for culture
Method for coordination	Defined from the government but in praxis almost nonexistent
World Bank procedures	
Head administrative body for EIA	World Bank reviews the EIA with RESU consulting (Regional Environment Sector Unit).
Competent sector for environmental accessibility	Executive director of RESU;
EIA revisions body	RESU (Regional Environment Sector Unit)
Local government responsibilities	None
Other executive bodies responsible for planning approval	Court sector, Regional vice president
Method for coordination	Internally and externally.
Necessary changes in the law of the R. Macedonia	
Head administrative body for EIA	Experts commission (the state commission for environment)
Competent sector for environmental accessibility	State commission for environment
EIA revisions body	Local level commission State level commission
Local government responsibilities	Local level commission
Other executive bodies responsible for planning approval	State level commission
Method for coordination	Forming of quality commission with representatives - experts from all areas

Table 4. SCREENING & SCOPING procedures

Procedures in the Republic Of Macedonia	
SCREENING Categories	Defined but not in detail with the environmental law par. 15. Only short in the Regulatory in preparation.
SCREENING Method	Defined but not in detail with the environmental law par. 15. Only short in the Regulatory in preparation.
SCOPING Method	NON EXISTENT! Only short in the Regulatory that is being prepared.
World Bank procedures	
SCREENING Categories	In operative procedure 4.01 of the World Bank categories A, B, C and F1 are given.
SCREENING Method	Depending on the type, location, sensitivity, level, nature, and the scale of the potential influence (operating procedure 4.01), through use of illustrations screening list (Annex B).
SCOPING Method	EIA accounts for the nature, environmental impact level, health, and human security, social, inter border, and global aspects of the activities. The World Bank, the scoping phase, or area of spreading of EIA, discusses with the project investor, including an expert from the area, and provides participation of the public, and coordination.
Necessary changes in the law of the R. Macedonia	
SCREENING Categories	Making screening categories, consistent to the World Bank, EU legislative and good international praxis, to achieve flexibility of the ministry.
SCREENING Method	Making of the technical manual for the types of influences, methods for evaluation, analysis, and measures for decreasing of the influences.
SCOPING Method	The government should stimulate coordination between sectors to help prepare an EIA instruction that gives compatibility with the national legislative and the international obligations, good public support and integration of the social and ecological aspects.

5. Urgent EIA improvements

Based on the analysis, other shortcomings and necessary supplements are stated. Some are as follows:

- The environmental ministry with the amendments to the law should make procedure and content of the EIA report in accordance with the World Bank rules and the good international praxis.
- The environmental ministry with the amendments to the law should make procedure and content of the EIA report in accordance with the World Bank rules for easy understandable conclusion.
- The government and the ministry should make an ecological management plan with involving a body responsible for financing and implementation.
- The government and the ministry should implement the ratified Convention and its technical requests in the law.
- The government and the environmental ministry, should make procedure for big scale consulting with the public, that should be implemented by LEAP, the local level commissions and the NGO's.
- The government and the environmental ministry, should give an access to all information regarding the ecology, EIA reports and realized consultations through involving of the LEAP, the local level commissions and the NGO's.

It could be concluded that there is an urgent need for EIA improvements. It's synthesized below, (Table 5).

Table 5. Urgent EIA improvements

Needed Elements	Necessary Action
Detailed EIA law	Change of the environmental law
SCREENING&SCOPING	Including in the law and defining types of projects that need EIA paperwork
Public participation and informing	The law should include the public through informing, consultations and inquiries
Approach to the EIA reports	Constant approach Following the EU legislative, ESPOO, and AARHUS conventions and the World Bank politics
Environmental Management Plan - EMP	An adequate management plan Including in the law
EI contents Report Conclusion	Rules for specifying of the report, correlated to the "Guide" of the World Bank. Clear concise conclusion with recommendations
SEIA	Complement of the environmental law Preparation of technical manual in accordance with the politics of EU and the World Bank

6. Conclusions

Based on the comparative analysis a difficult EIA of transportation projects implementation could be stated. There are some shortcomings and necessary supplements, stated probably because of the following:

- generality of the law concerning the procedures;
- non existing categorizing of traffic pollutants and types of influences;
- non existing methods, tools, and criteria for identifying, measurement, anticipating and assessment of influences;

- non existing of methods and programs for taking, analysis, work with and presenting of environmental data and information;
- non existent regulation for project analysis (monitoring, activiti approval, and analysis of efficiency of the measures for decreasing of the negative influences, revision of the influence, verification of old predictions and other);
- not satisfactorily institutional and administrative angagements and nonexistent of harmony between theirs policies, palns and programs;

Transposing of the EU directives is not simple process, but not an impossible one. That is shown by the preparation of: "Regulatory for procedure for assessing the environmental impact" and "Regulation for choosing projects for environmental influences estimation".

Namely, R. Macedonia should strive toward the following:

- Preparation of a sustainable development strategy;
- New law for environmental protection that will have the environmental monitoring and guidance instruments - an environmental info-monitoring system and economic instruments;
- A scenario for EIA implementation in our country.

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