

Ministerul Mediului si Dezvoltare Durabile
CAT Committee – Rosia Montana EIA Report
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2 pages.

2 July 2007

Contestation

To The Technical Analysis Committee for the Assessment of the Rosia Montana EIA Report

RE: Reply to the contestation submitted by Szabo Jozsef

When assessing the quality of the EIA Report's section on biodiversity, consider the following

1. The primary direct effects on the flora, fauna and habitats are not described nor quantified and neither are the flora and fauna and their respective populations.

In the study on biodiversity and in the answer to our observations on the quality of this document, the figures describing all the populations in the study's area are missing, with the exception of those for birds.

Furthermore, a list of species for the lepidopteres is missing. Only a tentative list has been included. The probability factor in this list makes the analysis of the impact the project will have on these species impossible.

In fact, any baseline study should objectively reflect the situation on the ground. A potential list is useless if the purpose of the EIA report is specifically to assess the impact that a proposed project would have on the existing conditions, on the species in the area. It is however clear that in the absence of any factual information at least on the existence of certain species, any likely impact is impossible to appraise.

2. Many habitats that we and other experts have described and analysed are not in the list included in the study. Therefore, in the absence of primary information on flora and fauna from the impact area, effects cannot be quantified. Hence, a fundamental prerequisite for an EIA report has been disregarded.

The list of plants, birds, habitats, vertebrate and nonvertebrate species are truncated. In them one can only find the most common species and habitats and not those which may be of interest to the community or those which are under strict protection at the European

and, implicitly, national level. The narrative in the text is biased and emotional while trying to persuade one of the insignificant value of the area. The objective scientific character of a study of this kind is completely absent in this case.

3. The replies put forward by the company lack any scientific grounding. This fact has a tremendous bearing on the quality of the report and furthermore on the objectivity of the information which was used. We consider that the absence of any mention about certain species which are present in the area and whose existence therein has been confirmed by expert herpetologists, for example, are issues that one cannot overlook as is the case with the following statement: „we express our gratitude to the authors of the note and we would like to reassure them that this species will be included in the management plan”

Note that while trying to circumvent the ironic slant of the text that the real impact of the proposed project may, indeed, expand beyond the immediate impact area. Going back in time not earlier than the accident at Baia Mare, one can acknowledge that the impact is not limited to a well-defined area in the proximity of the industrial installations. Therefore, if an accident occurs other species which were not initially considered by the authors of the EIA Report or even the authors of these comments, will be irreparably affected. In other words, the geographical spread of an effect is difficult to evaluate and to offer a clear demarcation of the area wherein the flora, fauna, habitats and the biodiversity will be impacted.

Because we wish to avoid any arguments regarding these conclusions which could subsequently develop into personal and also emotional disputes we

-believe that not the importance of the project not the so-called sensitivity of some of the representative of the civil society should have been the causes to influence the objectivity of the study. Rather, it should have been the major effect that this project will have on the environment. Therefore, if this study has been designed to address the public's concern, its quality has been undermined by subjectivity.

-applications to have the area declared a Natura 2000 site have been made. In the event that a decision will be taken against assigning Tarina as a Site will not affect the importance of this site given that the decision cannot be a final one.

Yours truly,

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