

Training for youths for monitoring and advocacy through utilization of spatial data – part 1

April 28–30 2014, Sofia

Practical exercise 3

Identification of violations in environmental legislation

Group 1

Project Panitshishte – The Lakes – Kabul

Rila Mountain is a national park (IUCN I). National park "Rila" includes the high areas of the mountain above 1600 m and preserves the unique natural resources of centuries-old coniferous forests, *Pinus mugo*, rock complexes, lake circuses and lakes in it, wild animals and plants. Rila forests are key habitats for the *Ursus arctos*, wolves and a huge number of birds.

In addition, Rila National Park is a Natura 2000 area according to the Birds and the Habitats Directives. The territory around the National park has been proposed to be included in Nature 2000 in 2006 (under the name Rila buffer), but it has not been accepted yet, because "there are a lot of investment interests there". (Chavdar Georgiev's statement, former minister of environment and waters after the meeting in NSBR in October 2007, on which was decided Rila buffer to be excluded from Natura 2000).

The project "Panitshishte – The Lakes – Kabul" is one of the eight projects for ski-resorts, planned to be built on the territory of Rila National park and the proposed for proclamation area "Rila buffer". Panitshishte – The Lakes – Kabul envisages 27 ski-runs and facilities, 80% (2400 ha) of which located in the territory of Rila NP (in the vicinity of the highly sensitive area of Seven Rila Lakes). The project threatens to cause irretrievable damage to one of the main water sources in Bulgaria – Northwestern Rila.

The construction is made without a complete plan and there are many violations of the law.

The reconstruction of the road Pionerska hut–Panitshiste and construction of the Panitshiste holiday resort are made without [the necessary procedure](#) of environmental impact assessment (EIA), despite the many warnings from MoEW.

The construction of a new lift Pionerska hut – Rila Lake hut is also without current environmental impact assessment (EIA). The National construction control directorate found out that the new lift project differs significantly from the old unfulfilled one, and that the construction of the old lift has begun illegally in 1998, because it was approved by Sapareva Banya municipality on 20.10.1998; EIA decision №73/1995 ends on 14.10.1998.

New poles were erected for Pionerska hut – Rila Lake hut lift without a permission from the Minister of environment and water and within the borders of Rila National Park, which led to [illegal logging of forest vegetation](#) (mainly spruce and *Pinus mugo*) for tractor roads. Over 3000 people per day climb the circus of the Seven Lakes (which is restricted human impact area according to the Park's management plan) without the expert estimation of the maximum number of persons the ecosystem could endure. Illegally constructed lift to Rila Lakes hut has not been suspended by the MRDPW and Sapareva Banya municipality even after the arising of a huge landslide from the edge

of lower lift station, which affects derivation Dzherman-Skakavitsa. [Official expertise of the landslide](#) is unyielding in its estimation.

Sapareva Banya municipality has denied the public access to copy of the Master plan of the project multiple times and representatives of Non-governmental organizations had to [make pictures of it in secrecy](#).

During the construction of parts of the project violations of the Concession Act, Law on State Property, Law on Territory Planning, and Forest Act (not examined in the presentation) have been done. You may find additional information and documents about this case on <http://forthenature.org/cases/18>.

There are plans for 8 winter resorts in Rila. In addition during the last year a new mega project, named "Destination Rila" has been announced. According to the investigation of Capital newspaper (2013) the project is a megaresort on 55 000 hectares, which has to be built between Sapareva Banya and Samokov village Govedartsi. The main partners in the projects are the French group Accor, which is the biggest hotel operator in Europe; PGI Management, which runs ski resorts in Europe, Asia and South Africa, Bulgarian construction company "Marcan". The concept envisages the building of a ski centre with 155 km ski runs, aqua center, golf center, and 80 other kinds of tourist activities. Accommodation facilities will be divided in several villages and there will be constructed hotels in category range between 2 and 5 stars. The final goal is all-season resort with a capacity for 200 000 guests per year. In comparison – in all other Bulgarian ski resorts the number of visitors every year is 330 000 – 350 000.

According to the information obtained in response of an inquiry on the Law of access to public information an investment proposal for the area has not yet been handled in.

Exercise:

Which laws have been violated in project "Panitshishte – The Lakes – Kabul" (except the already cited)?

Which laws affect directly the project "Destination Rila" and there should be an observation concerning their abiding?

Point out the evidences in the text.