

EXPRESSWAY R7 BRATISLAVA - DUNAJSKÁ LUŽNÁ

FINAL OPINION (Number: 5461/07-7.3/ml)

issued by the Ministry of Environment of the Slovak Republic pursuant to the Act No. 24/2006 Coll.
on the assessment of the impacts on environment and on the amendment and supplementation of some acts.

I. BASIC DATA ON THE PROPOSER

1. Name

Národná diaľničná spoločnosť, a.s.

2. Identification No.

35919 001

3. Registered office

Mlynské Nivy 45, 821 09 Bratislava

II. BASIC DATA ON THE INTENTION

1. Name:

Expressway R7 Bratislava – Dunajská Lužná.

2. Purpose:

The expressway R7 Bratislava – Dunajská Lužná is the first section of expressway R7 Bratislava – Lučenec. The purpose is to provide for the fluency and safety of road traffic within the road network and to reduce the negative impacts of road transport on environment of the concerned villages. At the same time, the section of expressway R7 shall largely contribute to the development of the potential of the catchment area with the functional utilisation of its areas, which leads to the favourable impact on the economical growth and living standard of the population in the given area.

3. User:

Národná diaľničná spoločnosť, a.s.

4. Location (Cadastral Territory):

Region: Bratislava
Territorial sub-district: Bratislava II, Senec
Cadastral territory: Podunajské Biskupice, Rovinka, Miloslavov, Jánošíková, Nové Košariská, Nová Lipnica

5. Term of Activity Commencement:

The supposed year of construction commencement:	2011(2012)
The supposed year of construction completion	2014(2015)
The supposed year of putting into operation:	2014(2015)
The supposed year of operation termination:	not known

6. The Brief Description of Technical and Technological Solution:

Expressway R7 in the section Bratislava - Dunajská Lužná was dealt with in the Technical Study compiled in 04/2006 by Alfa 04 in two variants, A - red and B - blue. On the basis of comments of the concerned villages of Rovinka and Dunajská Lužná to the given documentation, for the reason of urban conditions of their territorial development, the Technical Study was complemented by variant C - green, drawn up in 11/2006 by Geoconsult Bratislava.

The proposed variants: A - red, B - blue and C - green were defined for the elaboration of the Intention pursuant to the Act No. 24/2006 Coll., compiled by Geoconsult Bratislava in 01/2007.

After commenting the documentation of the Intention, two variants were specified for further assessment of the expressway R7 in the section of Bratislava – Dunajská Lužná in the Assessment Scope of 11 September 2007.

- **Variant A - Red**
- **Variant C - Green**

The proposed expressway R7 is connected in the given section (beginning of the section) to the route of the prepared highway D4. In further continuation it passes by the villages of Rovinka and Dunajská Lužná and furthermore behind the village of Dunajská Lužná (the end of the section) it continues in the direction of Šamorín - Dunajská Streda - Nové Zámky - Veľký Krtíš - Lučenec with the connection of the expressway R2. According to the consultations to the Intention of the Proposed Activity and the Assessment Scope, Variant C - green was partially modified, by shifting it more to the North for the reason of the addition of Miloslavov intersection and placing the crossing of R7 with railway farther in the location of the gardening zone of Miloslavov.

With regards to the interconnection of R7 and D4, it is necessary to state the investment preparation of highway D4 is terminated as of 2009 in stage I (technical study and intention), while according to the assessment scope the highway D4 in this section (km 0-12) is defined in red variant and thus this variant of D4 is considered in the Assessment Report for R7.

Brief description of the proposed variants

Variant A (red) is practically identical with the relaying of the road I/63 as for the position, the route of the road was stabilised ca 20 years ago in the relevant town and country planning documentation. In 2001, the Resolution of the Government of the Slovak Republic No. 162/2001 defined the arrangement of highways and expressways on the territory of the Slovak Republic, while the Resolution of the Government of the Slovak Republic No. 523/2003 supplemented the arrangement also by the commencement of project preparation of the expressway of Bratislava - Nové Zámky - Lučenec (R7).

The given implies R7 in this variant starts on highway D4 in Ketelec intersection (in km 7.640 f D4). The route further continues closely touching CHKO Dunajské Luhy, passes through the cadastral territory of Nové Košariská and Jánošíková to the South-west and to the South of the residential zone of the village of Dunajská Lužná, between Kalinkovo and Dunajská Lužná it crosses the original Danube embankment and the road III/0635 and ca 2 km behind the village of Dunajská Lužná it joins the road I/63 in Dunajská Lužná intersection.

Variant C (green) starts on the highway D4 in Rovinka intersection (in km 12.090 D4) and continues in the North-east direction alongside the area of agricultural cooperative and passes above railway route of Bratislava – Komárno. Subsequently, it continues almost in a synchronous way with a railway to the North of gravel pit of Rovinka and Nové Košariská. It passes above the railway route of Bratislava – Komárno to the North-east of Nové Košariská gravel pit. In this variant R7 crosses the roads III/0632 and III/0634. The end of the proposed section of R7 of variant C is to the North-east of the built-up area of the part of Dunajská Lužná – Nová Lipnica. A grade separated rhomboid intersection Miloslavov is designed on the place of crossing the route of R7 with the road III/0632 that shall provide for the traffic connection to the road R7 from the North and South part of the territory (Dunajská Lužná,

Miloslavov, and Studené). The connection of variant C to the road I/63 is projected by means of the feeder - relaying of the road III/0634 that shall provide for the connection to the road I/63 from the proposed intersection Dunajská Lužná to R7. The relaying of the road III/0634 shall also mediate the traffic connection to the road R7 from the North-east part of the territory (Alžbetin dvor, Miloslavov, Štvrtok na Ostrove). It shall be necessary to reclassify the road III/0634 to the road of class II for the above purpose. The connection of variant C of the route R7 to the road I/63 shall be provided for by a short feeder "Podunajské Biskupice" that shall lead from "Rovinka" tubular intersection to the grade separated intersection "Podunajské Biskupice" on the road I/63 in the proximity of power distribution substation Podunajské Biskupice.

Width arrangement - the road R7 shall be 4-lane, directionally divided communication of category R 22.5/100. Pursuant to STN 736101 of July 2008, it should be designed minimal as **R 24.5/120**. The joining and turning additional lanes in the intersections are proposed in the width of 3.50 m.

The overview of basic indexes of the expressway R7 is given in the following Table:

Technical Characteristics		measure unit	Variant A	Variant C
Length of the route ZÚ - KÚ		km	7.040	6.977
Length of feeder roads to the road I/63		km	0	1.381 +1.475 (2.856)
Length of D4 necessary for the operation of R7		km	3.560	-
Functional length in total *		km	10.600	9.833
Bridges on R7	number/length	pcs/m	2/152	2/225
	area	m ²	3,117	4,713
Bridges above R7	number/length	pcs/m	5/356	5/376
	area	m ²	2,670	2,820
Anti-noise walls	length/height	m/m	0	5,500/4.0

* The functional length corresponds to the necessary essential length that must be built so that R7 could be operable (it is the relevant section of D4 for variant A and feeder roads for variant C).

Interchanges

Variant A (Red)

- Ketelec intersection at km 7.620 of D4 is proposed as full clover, with the adaptation of its shape to very skew crossing of D4 and R7. Since this is the crossing of two 4-lane, directionally divided communications, collectors are proposed for the case of intertwining, the intersection shall provide for the interconnection of highway D4 with expressway R7 and with the elongation of Bajkalská street in all transport directions.
- Dunajská Lužná intersection shall mediate the connection of the expressway R7 to the related road network – road I/63. The intersection is proposed as incomplete clover while the connection of the Šamorín course with R7 shall be provided for in the continuation of road R7 in the subsequent GSI "Šamorín". Interweaving section on the route of R7 shall be dealt with by a collector. Within this study, they consider the complex construction of the intersection so that road transport on the other communications would no be disturbed when connecting the traffic from the continuation of R7.

- Rovinka intersection in km 11.200 of D4 shall provide for the connection of the road I/63 to the highway D4 and through it to the expressway R7 in Ketelec intersection.

Variant C (Green)

- Rovinka intersection in km 12.100 of D4 is the clover-shaped intersection with collectors. The intersection is designed while respecting the territorial interests (the area of the manufacture of packed resin mixtures Strabag), the protective zones of buried services (VHV line, oil pipeline, product duct), and crossings of the related communications with buried services. The connection of R7 to the road network shall be dealt with in this variant from Rovinka intersection through Podunajské Biskupice feeder, that shall connect to the road I/63 by grade separated tubular intersection (alt. level contact, traffic light controlled intersection) before Podunajské Biskupice distribution centre.
- Miloslavov intersection in km 3.600 of R7 is designed as complete rhomboid intersection. It deals with the crossing of the road R7 with road III/0632, where the road R7 is lead on the terrain and the road III/0632 is lead by a bridge object above expressway R7. With regards to the strengthening of the importance of the road III/0632, it shall be necessary to re-classify it to the road of class II and to condition its technical condition in the subsequent section.
- Dunajská Lužná intersection at the end of variant C is designed as a complete rhomboid-shape intersection. It deals with the crossing of the road R7 with the relaying of the road III/0634 that shall fulfil the "feeder" function in the section between the intersection and the road I/63. With regards to the strengthening of the importance of this communication, it shall be necessary to classify it as the road of class II and to deal with its technical condition also in the subsequent section. The relaying of the road III/0634 shall be connected to the road I/63 in a large circular intersection,
- Ketelec intersection in km 7.620 of D4 is designed as the connection of R7 (D4) with the considered elongation of Bajkalská street in all transport directions. The intersection shall be fully collision-free, tubular, while highway D4 shall be lead in the terrain level and above it, the road communication shall be lead on a bridge object (the elongation of Bajkalská street).

Road Waste Water Disposal System

With regards to the leading of the route in the proximity of locations being the subject of the interest in nature protection, with regards to the leading of the route of R7 in CHVO Žitný ostrov, as well as in accordance with the standard requirement of the environmental authorities and organisations, they consider the need of a perfect treatment of rain water from the road prior to their release to recipients. Road waste water disposal system shall be designed in sections depending upon the longitudinal slope and the possibility of the outfall to the relevant infiltration ditches with output value of 0.1 mg RL /l.

When designing the road waste water disposal system, it is possible to consider also infiltration as an alternative. For that purpose it shall be necessary to verify the suitability of geological and hydrogeological conditions in subsoil.

Relaying and Alterations of Road Communications

With regards to the location of the expressway R7 it shall be necessary to modify the existing communication system in such a way its function would be preserved and the access to lands would not be restricted.

Bridges

Directional and elevation leading of the directly relates to the designed communication leading on the bridge. The bridge type, its length and span further depends upon the character of bridged obstructions, terrain and geological conditions.

Anti-noise measures

On the basis of noise study are proposed as the following anti-noise measures:

VARIANT	Proposed anti-noise measures	Height (m)	Length (m)
A	No anti-noise measures		
C	Anti-noise wall at km 2.000 - 5.000 R7 to the right	4.00	3,000
	Anti-noise wall at km 4.900 - 5.900 R7 to the left	4.00	1,000
	Anti-noise wall at km 2.000 - 5.000 R7 to the right	4.00	1,500

Access Roads to the Site, Construction Yards and Dumpings

During the construction, the access to the site for the individual construction parts (expressway, feeder, bridges) or construction yards, stock-piles and areas for site facilities shall be provided for using access road on existing roads that shall be adapted to the supposed load (surface reinforcement, or even broadening of a country road, local communication) and further on the route of the expressway under construction. Special accesses to the site for the purposes of the construction of expressway R7 are not proposed in the technical documentation. In principle, the access roads, construction yards and stock-piles may not be proposed in the territory protected by special regulations (nature and countryside protection, protected zones of water sources, in a built-up area, etc.). It shall be necessary to determine the particular proposal in the next stage of documentation while observing the conditions specified by state administration and self-government. The assessment report proposes the supposed places for construction yards and access roads where these temporary objects could be established.

III. DESCRIPTION OF ASSESSMENT PROCESS

1. Elaboration of the Assessment Report

The Impact Assessment Report for "Expressway R7 Bratislava – Dunajská Lužná" was elaborated by GEOCONSULT, s.r.o. in September 2008; the head of the team was RNDr. Ivan Jakubis.

The proposed activity is included according to its Annex No. 8 to Chapter 13 Transport and Telecommunications - Items No. 1. Highways and expressway communications, part "A" and therefore is the subject of mandatory assessment.

Variant Options

In addition to zero variant, the Ministry of Environment of the Slovak Republic set the following variants for further assessment of the impacts of the construction of "Expressway R7 Bratislava – Dunajská Lužná" within the scope of the assessment for the Assessment Report of 11.9.2007 under Proceeding No. 5461/07-7.3/ml

- Variant A - Red
- Variant C - Green

2. Distribution and Publishing of the Assessment Report

The proposer presented the Assessment Report pursuant to Article 31 to the Ministry of Environment of the Slovak Republic in October 2008. The Ministry of Environment of the Slovak Republic sent the Assessment Report for "Expressway R2 Zvolen West – Zvolen East" to the following subjects pursuant to Article 33 Para of the Act No. 24/200ž Coll. on the assessment of impacts on environment and on the amendment and supplementation of some acts (hereinafter referred to as the "Act"): the Ministry of Transport, Posts and Telecommunications of the Slovak Republic, the city of Bratislava, the capital city of the Slovak Republic, the municipal part of Bratislava - Podunajské Biskupice, the village of Rovinka, the village of Dunajská Lužná, the village of Miloslavov, the Ministry of Economy of the Slovak Republic, the Ministry of Defence of the Slovak Republic, Logistic Section, the Ministry of Interior of the Slovak Republic, the Regional Memorial Institute, Bratislava, the Office of Bratislava Self-government Region, the Regional Land Authority, Bratislava, the

Regional Authority for Environment, the Regional Authority for Road Transport and Communications, Bratislava, the Sub-district Authority for Road Transport and Communications, Bratislava, the Sub-district Authority for Environment, Bratislava, the Regional Authority of Public Health Care of the Slovak Republic, Bratislava, the District Directorate of the Fire and Rescue Force, Bratislava, the Sub-district Authority, Crisis Management Department, Bratislava, the Sub-district Mining Authority, Bratislava, the Sub-district Forest Office of Bratislava, the Sub-district Authority for Road Transport and Communications, Senec, the Sub-district Authority of Environment, Senec, the Sub-district Authority, Crisis management Department, Senec, the Authority for Regulation of Railway Transport, Bratislava, the Administration of CHKO Dunajské luhy, Dunajská Streda, the District Directorate of Fire and Rescue forces, Pezinok, BROZ Bratislava.

The Assessment Report was published pursuant to Article 34 of the Act in a usual way at the relevant municipal offices and the internet page of the Ministry of Environment of the Slovak Republic - www.enviroportal.sk.

3. Discussions on the Assessment Report with Public

Public discussion in **Bratislava** held on 8.12.2008 at 5:00 p.m. in the Primaciálny palác Palace, Bratislava

Attendees: according to the attendance list

1. Summary of hitherto steps - Ing. Tokoš mentioned the steps in the assessment process made by the Magistrate of the capital city of the Slovak Republic, Bratislava.

- **He briefly stated the purpose of the intention, the place of intention implementation and the consent with the ÚPN.** Variant A - red, is in accord with the ÚPN of the Upper-tier Territorial Unit of Bratislava region and the ÚPN of the capital city of the Slovak Republic, Bratislava 2007 .
- **Notice for Public** - the public was informed on 24.11.2008 that since 24.11.2008 it was possible to study the "Report", to take notes, etc. and to send the standpoint to the Ministry of Environment of the Slovak Republic. They subsequently announced the public discussion on the Assessment Report would take place on 8.12.2008 (Monday) at 5:00 p.m. in the room No. 19 of the Primaciálny palác Palace. Invitations letters to the public discussion were distributed on 27.11.2008.

2. Ing. Daniela Pyszková - she stated that NDS, a.s., prepared the construction of highways, expressways and important roads. R7 shall be located in the South of Slovakia and it connects to the expressway R2 near Lučenec. Section of expressway R7 Bratislava - D. Lužná and highway D4 - in the corridor of so called zero circuit of a city (negotiations take 3-4 years already) are interrelated. She stated that there were just the roads of class 3 and 4 in the SE direction from the city, reclassification to the road of class 2. would take place in future. An approach to the development was changed, legislation was amended as well - variant C goes to the North of the road I/63. Based on the regulations - highways and expressways start on a highway or an expressway, or a state border. R7 starts on D4 (Ketelec intersection) or the road I/63 (Svornosti street) and continues in the SE direction from Bratislava. She stated that variant A - red was in contact and passed through the CHÚP - the territories entered to NATURA 2000 network (ÚEV, CHVÚ); on contrary, variant C - green passed just through agricultural land (PP) and it takes also traffic from wider territory. In the case of variant C, also the section of Bajkalská street, Svornosti street must be completed - the broadening of Svornosti street is also in the ÚPN of Bratislava.

4. The presentation of the intension by person compiling the report - RNDr. Ivan Jakubis et al. Ing. Furst and Ing. Golab - they presented the data from the Intention and Assessment Report:

- Ing. Furst - he stated that on contrary to the data on transport quantity on the road network from 2005 it came to the increase, even in the case of freight transportation. He stated that R7 in variant A - red and variant C - green ended on ul. Svornosti street (road I/63), since continuation in the direction of the elongation of Bajkalská street was not

constructed. Transport- a constant increase, the road I/63 does not suffice any more, there must be a concurrent construction of the prolonged Bajkalská street and the construction of GSI Ketelec, yet it is the question of future. Therefore he supported variant C - green. No impact on 2nd protective zone of mineral waters in Čilistov was supposed.

- The seizure of the PP - is rather large: in the case of variant A - 5č ha, in the case of variant C - 46 ha,
- OPaK - variant A - is in a contact with CHÚP (CHKO Dunajské luhy), there are the biocentres of ÚSES and natural reserves, as well as the territories entered into NATURA 2000 network (CHVÚ and ÚEV Dunajské luhy); the contact is at the length of ca 1.5 km, - variant C - conflict-free from this point of vies,
- cultural technical monument - the original anti-flood dam is ca in km 4.0 of the red variant attacked.
- These data are considered in detail in the Assessment Report, where also multi-criterial assesment is provided - variant C has better score, it is also recommended for implementation.

5. Discussion -

1. Ms. Ožvaldová - the Mayor of the municipal part of Bratislava -P. Biskupice - she stated that she welcomed this expressway, she stated the non-controlled construction in the villages under Bratislava (Rovinka, D. Lužná); she stated that entry to Bratislava was possible just using the road I/63 today and the cars moved on roads in the entire P. Biskupice afterwards. The inhabitants of MC P. Biskupice are for variant A, since variant C enters the road I/63 (Svornosti street). In 2009-2011 HMB plans to broaden Svornosti street by 1 lane in the direction towards the city, she stated the broadening of Svornosti street to 4-lane was questionable (and not feasible), she stated the road I/63 was still a funnel.

Response - Ing. Pyszková - she stated that in the context of uncontrolled construction label roads would be constructed at first. She stated the costs or efficiency in this design were ca identical – approximately 15-16%; furthermore, she stated HMB had road I/63 (Svornosti street) with 4-lanes but even the lane 4 would not be able to manage it (since everything ends up on Gagarinova street).

2. Mr. Adamec - P. Biskupice - when comparing 2 variants, weight criteria are used. He stated that if the authors of the "Report" would consider what was discussed now - the result of comparison would be different. He asked the persons compiling the report whether they had the load model - i.e. what would enter BA - he recommended going behind Slovnaft - i.e. according to variant A.

Response - Ing. Furst - he stated that expressway RC R7 should be sensed as the individual route to Bratislava and then - what R7 would induce in the direction to the centre of the city, that the highway D4 was a milestone (there is a pressure on it) - a quantity of cars should be distributed to more communications - he stated D4 would not help with the distribution. He said that D4 would take over ca 20-25% of the transport and in the horizon of 2015-2020 it was rather high number. He also said that the opinions and assessment were based on the ÚPN of the villages of Dunajská Lužná and Rovinka; he stated that the problem was in the communications system of HMB and he mentioned that the ÚPN of Bratislava should determine the steps (i.e. also the stages). Furthermore, he stated the road I/63 would not suffice even when being 4-lane. In conclusion he thanked for the base materials from the Magistrate of 2007 (Svornosti street had 26,000 — 27,000 vehicles/day in 2007). Lastly he stated another radial would be necessary and the road I/63 should go to the territory of the city as 4-lane.

Response - Ing. Pyszková - she stated that the expressway R7 dealt with the bypass of the villages, but this had an impact on BA; they recommended var. C - since it was possible to deal with it immediately (i.e. without the construction of D4); she stated that also Ketelec intersection would be made on the highway D4 (i.e. for the construction of the connection to Bajkalská street); she announced that the "Study of the Assessment of BA Region and TT

Region" was compiled in 2007 and in conclusion it clearly said that it would be necessary to build capacity roads in BA within the nearest 5 years (e.g. broadening of D1 to 6-lane, completion of highway D4, reconstruction of the road to Senec, etc.). In 2008, they made the "Study - Assessment of Intersection Capacity" (ca 40 intersections) - finally she stated the priority would be transport!!!

Mr. Marcel Jánošík (NDS) - expressed his opinion that the broadening of Svornosti street (road I/63) was a nonsense (since everything would end/i.e. cars - on Gagarinova street); i.e. it would be necessary to build the section from Ketelec intersection up to Rovinka intersection, at the same time the city should elongate Bajkalská street. He considered the South part of the route of variant A to be impossible, since Rovinka and D. Lužná had the intentions of recreational exploitation towards the Danube. He said the Ministry of Environment of the Slovak Republic must decide what variant would be supported (and not call both variants equivalent).

3. Ing. V. Nagy (BSK. P. Biskupice) - Variant C would be the best, if it lead to Galvaniho street (not ul.Svornosti street), he stated that RC R7 led nowhere, he noted the distributed brochure on the intention was tendentious and he would support just Variant C; he stated the Variant A intersects the historical Lafranconi's dam of the 19th century, the railway of 1885 was not mentioned (in Variant C) - it was a tendentious material. He missed variant solution, he mentioned RC was not defined at the international level and the RC did not deal with the local problems. He considered variant A to be better. At the end he mentioned that VÚC/BSK had approved the development of recreation above the railway in the development documents, i.e. where the variant C should pass through.

Mr. M. Jánošík (NDS) - the broadening of the road I/63 have to be done by HMB, also the intersection behind Ketelec and the road behind Slovnaft, i.e. these are the investments of a city; he noted the expressways ended on D4; he said that the construction of D4 was about money; and that cars had to get from Bajkalská street to Prístavný bridge, i.e. the highway D1.

Response - of Ing. Mikuš (in particular on Mr. Jánošík) - he defined the logical sequence of R7 BA -Lučenec:

- R7 deals with the transport relation on the entire route.
- BA is the biggest source and target of transport
- the focal point of problems = the central transport circuit (SDO)
- the transport through the boundary of the city is the question
- net transit through the boundary of the city is 3%
- BA absorbs 97% of the transport capacity (i.e. the area of 376 km²)
- he reproached Mr. Jánošík for Svornosti street, NDS would not be willing/would not deal with it when R7 might not end on D1 so why red variant A would not be selected?
- I can state that ca 70% of transport coming from R goes to the bottom level of Prievoz intersection
- Assessment Report - is it the assessment of the impacts ending at the boundary of the city — why did not they assess also in Bratislava?

Response - of Ing. Pyszková (to Ing. Mikuš) - she stated and asked: - NDS deals with the network of highways and expressways, - has the city the prognoses of traffic including the numbers?, - NDS built certain structures for the city (zero circuit, North tangent), - why NDS should deal with it! Let's HMB deals with it!

Response - of Mr. Jánošík (he followed Ing. Pyszková) - there are also some demands of the villages (they should be dealt with as well).

4. Mr. Kovalčík (citizen) - according to him, variant A is better from the point of view of impacts; is there something preventing variant A from being deviated from NATURA 2000 territories? - shift it to the NW - closer towards the southern edge of Slovnaft!

Response - of Ing. Jakubis - red variant is approved in the town and country planning proposal of the Upper-tier Territorial Unit and also in the town and country planning proposal of Bratislava

Response - Ing. Mikuš - broader response:

- let's design x variants, but it is simply impossible to enter Galvaniho street,

- they considered the route of exceptional load transports even before (it was around the West side of Slovnaft and it was routed more to the North as it is in the valid town and country planning proposal of the city), but ended in the road I/6š.

5. Mr. Z. Szabó - he stated that both variants dealt with the relieving of Svornosti street, but when making variant A, there would be 2 entrances, which would be the positive.

6. Mr. Šmalec (student) - he stated variant C was positive from the point of view of nature protection (Dunajské luhy); he expressed an opinion it would be necessary to deal with the transit cargo transport as well. He is against variant C and asks to take variant A under Prístavný bridge.

7. Mr. Ivan Georgiu (D. Lužná) - supports variant C - it would take transport also from Alžbetin dvor, Miloslavov and other settlements, he stated there were daily problems with children passing through the roads and that the villages would like to place recreational activities towards the Danube.

8. Representative of D. Lužná - first section should help the villages outside BA, he does not agree the development in the villages is not coordinated; there were 6 fatal accidents for 3 years on the road I/63; variant A interferes with CHÚP; he is for variant C.

Ms. Ožvaldová - she cast doubt on some statements of the fore-speakers.

Ing. Mikuš - variant C is not in the ÚPN VÚC - it is necessary for the representative of VÚC BSK to approve other design; we know who these representatives are and how and when they possibly would re-approve it in favour of another design than it is in the approved ÚPN VÚC Ba -region and the ÚPN of the capital city of the SR Bratislava? Both documents need to have approved amendments!

9. female citizen - she works in the sphere of social work - management: she states it is unbearable in P. Biskupice.

Response - Mr. Jánošík - he stated he would be willing to discuss about variant A but it should be dealt with from two points of views: short-term and long-term point of view; he stated a state should enter the problem; we dealt with something that could not be constructed at one time!

Response - Ing. Mikuš (to Mr. Jánošík) - he states the majority of traffic ends in BA, the transit should be considered everything passing the cadastre of the city for ca 2 hours, the regional roads assure the regional relations.

10. citizen of Dolné hony - he defines the situation in Podunajské Biskupice as unbearable and asks to solve the situation with a new bridge above the Danube; he supports variant A! He adds to the problem that the question of funding is also the question of obtaining the funds from the EU - the state should deal with it! He asks the competent people to search for money for dealing with transport! He appeals - deals with it together: the government - the Upper-tier Territorial Unit - HMB - NDS!

11. JUDr. Vajda (from municipal part P. Biskupice) - he asks what is the costs of building 1 bridge? and what is the cost of the construction of 1 km of highway? He has objections towards the data in the "Report" and asks to re-assess and add them also by the costs not included (he quotes from p. 30 of the "Report"); he states the data on p. 6%, 125 of the "Report" are tendentious and when they would be complemented by real costs, variant A would be notably cheaper!

Note - Ing. Pyszková - The difference between variant A (lower costs) versus variant C (slightly higher costs) is just minute in the Cost Table.

12. Ing. Cingel (the Mayor of D. Lužná, also for the Danube Region) - he does not accept the statement there are the egoistic interests of people and villages; identically he objects also against the statements there are the uncontrolled building up without infrastructure in them. The village of Dunajská Lužná has approved its ÚPN since 1996 and it was complemented two times (including transport). He claims he deals with his own competencies - the local ones and that all of us should accept the notorious saying "that we can eat just the cake we have". In the conclusion he stated that no variant was ideal!

13. Izabela Jégh (the representative from P. Biskupice) - she states that Slovnaft destroyed ground water and air in Podunajské Biskupice, the regional road is jammed, you can see cars with plate numbers starting SC, DS.

14. citizen (he did not introduce himself) - he expressed his opinion that HMB and VÚC should deal with it, he criticises the city there is no public transport.

Ing. Pyszková - the purpose of the negotiation is not to take a decision! Conditions are defined for both variants. She stated the increase in transport per 1 year was by ca 10%. She also stated in the context that the highway D4 is divided from EIA process point of view to 4 sections and that the Assessment Range was already defined for section Jarovce - intersection on DI Ivanka North. "Assessment Report" is being prepared.

6. Conclusion - Ing. Tokoš - he thanked for active participation in the public negotiation.

The public negotiation that took place in Miloslavov on 9 December 2008 at 5 p.m. in the municipal authority building.

Attendees: according to the attendance list

This was the common public negotiation after the previous agreement with the representatives of the Magistrate of the capital city of Bratislava, the municipal part of Podunajské Biskupice and the employees of the concerned municipal authorities of Rovinka, Miloslavov and Dunajská Lužná.

The negotiation was opened by the representative of the municipal authority, she welcomed the present people and announced that the "Assessment Report" and invitation letter for today negotiation was made accessible to the inhabitants using the method usual in the village, by publishing it on the information table of the municipal authority from 20 December 2008 till today in the case of the Report, and also by announcing it in the local radio in the case of the negotiation.

The representative of the municipal authority of Miloslavov welcomed the present people and asked the proposer to speak.

Dr. Jánošík, the representative of the proposer - NDS introduced the employees of the party elaborating the Impact Assessment Report from Geoconsult and the employees of NDS.

The representatives of NDS and Geoconsult briefly stated the basic data about the given section of R7.

The Mayor - the village with the local council supports variant C - green. It is closer to the village, they plan an industrial zone and variant C would enable the connection to expressway, they welcome Miloslavov intersection, since they count on the development of the village in the adjacent territory up to the number of 8,000 inhabitants.

Variant A - red does not solve anything for the villages and the other villages since with regards to its distance from the villages, the drivers would use the road I/63, since it is closer. Also, when building the variant A, the recreational space near the Danube would be rather limited, not only for the villages, but also for the inhabitants of Bratislava. He stressed out the need of as fast construction of highway D4 as possible, that would solve today notable problems in the transport of SE entry to Bratislava together with R7.

Discussion:

1. **Mr. Burianek** - is there an anti-noise wall designed on the left side of the expressway in variant C - green at km 4.9 – 5.9? That is the time succession of the project preparation and when the construction should take place?

2. **Mr. Račák** - how is it with time succession of the other sections? How long would the cars drive from the villages to the East of them through Miloslavov?

3. **Mr. Pažitný** - how many provisional arrangements are counted on? When the construction is supposed to take place?

- What variant is preferred?

Responses of the representatives of NDS and Geoconsult

1. - The anti-noise wall is designed bilaterally on the expressway. After the determination of the final variant in the Final Opinion (to be issued by the Ministry of Environment of the Slovak Republic), it would be possible to prepare the zoning and planning decision

documentation), to issue the zoning and planning decision and subsequently the documentation for planning permission. In the case of variant C that is operable without the construction of the section of highway D4 and when observing the terms in preparation stipulated by the act, the soonest possible term of the construction of this section is in 2011 - 2012. In the case of variant A, it depends upon the agreements with the Magistrate (the connection of R7 to Prievoz intersection and the construction of highway D4).

In both cases it is under the precondition the funds would be provided for the construction.

2. - the subsequent sections are prepared in time shift - the technical study is prepared for another section, i.e. the assessment process is prepared nowadays. This first section is prepared in advance since it regards with highway D4 from transport point of view. They strive to start with the construction of section R7 from Bratislava up to Dunajská Streda in 2011-2012. However, this depends upon the provision of funds.

3. There would not be provisional connections in both variants. Variant A shall be connected to the road I/63 by grade separated intersection Rovinka at the beginning of the section and Dunajská Lužná at the end of the section. Variant C - green shall have identically both intersections, but the road III/0634 shall be relayed and it shall make the feeder to the road I/63 in Dunajská Lužná intersection. The construction is supposed to take place in 2011-2012. NDS does not prefer any variant. For the determination of the resulting variant, the Assessment Report was elaborated and after the evaluation of all impacts on environment, variant C - green seems to be more favourable. After the completion of highway D4 with Ketelec intersection, Most pri Bratislave intersection and ther 5 intersections, the transport shall be favourably distributed to the adjacent territory.

Dr. Jánošík

After the approval by the villages, the record shall be delivered to the Ministry of Environment of the Slovak Republic on 23 December 2008. In January, we shall initiate the meeting between the Magistrate, the Upper-tier Territorial Unit of Bratislava Region and NDS in order to coordinate the preparation of highway D4 and expressway R7 Bratislava - Dunajská Lužná so that the preparation and construction of the structures was interrelated and would serve to the improvement of transport in this part of territory.

The public negotiation that took place in Rovinka on 10 December 2008 at 5 p.m. in the community centre

Attendees: according to the attendance list

The public negotiation was summoned pursuant to Article 34 of the Act No. 24/2006 Coll after the previous agreement with the representatives of the Magistrate of the capital city of Bratislava, the municipal part of Podunajské Biskupice and the employees of the concerned municipal authorities of Rovinka, Miloslavov and Dunajská Lužná.

The negotiation was opened by the representative of the municipal authority, he welcomed the present people and announced that the "Assessment Report" and invitation letter for today negotiation was made accessible to the inhabitants using the method usual in the village, by publishing it on the information table of the municipal authority from 20 December 2008 till today in the case of the Report, and also by announcing it in the local radio in the case of the negotiation.

The Mayor of the municipal authority of Rovinka welcomed the present people and asked the proposer to speak.

Dr. Dr. Jánošík, the representative of the proposer - NDS introduced the employees of the party elaborating the Impact Assessment Report from Geoconsult and the employees of NDS.

The representatives of NDS and Geoconsult briefly stated the basic data about the given section of R7.

Discussion:

1. Mr. Fabian - what variant is preferred by the Ministry of Environment, since variant C is more suitable from the nature protection point of view? Is NDS ready for ownership settlement and how is the situation with expropriation in the case of the owner's disaccord?

Is the exhalates study elaborated for the contemporary situation and prospect when the R7 is completed?

2. The Mayor - the villages suffering from contemporary traffic jams on the road I/63 handed over their petition to the Government with 200 thousand signatures for the speeded up solution of the unbearable traffic situation in the villages. They got the promise it would be included in the plan for 2011-2012.

3. Mr. Nagy - would not the economic indexes prevail when selecting the variant?
- how would the deal with the access to the Danube in variant A?

4. Ms. Mezejová - she supports variant C - green, not only she, but also all the citizens. If necessary, they would go to support the variant also to the Ministry of Environment. Is a change or shift in the variants possible?

5. The Mayor - the citizens supported variant C - green with 860 signatures and variant C was supported by 300 citizens in a poll.

6. Mr. Martaláš - why does the city prefers just variant A? How would the villages connect to R7 in the case of variant A?

7. Mr. Zima - how the traffic would be arranged till the construction of the R7? Will they complete D4 with the bridge over the Danube sooner or R7?

8. Ms. Efembergerová - with regards to the traffic load on the road I/63 it would not be possible to join the road I/63 from side roads in the village within a short time period and it is also impossible to turn to the streets of the village from it. How will be the traffic safety dealt with till the completion of the construction of R7?

9. Ms. Kolenová - is not it possible to boost railway transport? What would say the environmentalists?

10. Mr. Štecko - the inhabitants of the villages are uniformly for variant C

11. Ms. Petriková - if necessary, they would join the inhabitants of the other villages and make a live chain to support variant C.

Responses:

1. The opinion of the Ministry of Environment shall be expressed in the Final Opinion after considering the results of reports, opinions of the concerned authorities and organisations, villages as well as citizens.

Variant A red is in a contact with protected territory of the supra-national importance, the European importance, Natura 2000, the avian territory. The result of the report - after the assessment of all impacts on environment, variant C - green seems to be more favourable

The ownership settlement shall take place within the preparation of planning permission, after the elaboration of detailed technical documentation, including the orientation of the territory, geological and other surveys, when all numbers of plots of land that should be purchased shall be known, NDS shall negotiate with the particular owners only at that time.

Those cases when we would not make an agreement with the owners, are of minimum quantity - ca 3-5% of all. In the case of the disaccord of the owner with the price determined on the basis of the forensic opinion the funds shall be placed to deposit after the decision of the relevant court on the expropriation and the owner may claim the difference between the price offered by NDS and the requested price through a court. However, the construction of the road may start; the court may take a year or even more. All the prices for the lands are market prices as in the case of a building site.

The delay is also in the validity of the Hungarian inheritance law, i.e. the heirs are always all the siblings. For example, there are ca 3,000 purchase contracts per ca 10 km of highway in Považská Bystrica.

The emission study is elaborated also for the contemporary situation – the limits are exceeded by 20%, and also for prospect – the emissions shall reach just 30 - 40 % of the sanitary limit in 2030.

3. The economic indexes shall not prevail since the costs of both variants are comparable. In the case the highway D4 is completed (in the case of variant A), the costs shall be higher by this amount for its operability. Access to the Danube as well as the possibility of recreation on the territory shall be rather restricted even when bridges and ecoducts would be constructed.
4. In the next stage of the project documentation (zoning and planning decision documentation), the corridor of the resulting variant shall be surveyed at the width of 300 m and the position of the route shall be made specific. No principal changes are supposed. The village and its inhabitants separately may send their standpoint to the Ministry of Environment of the Slovak Republic.
6. The city of Bratislava is interested in the connection of expressway R7 to Prievoz intersection on the highway D1. However, the connection is the investment of the city and according to the information of the employees of the Magistrate, its project preparation for as soon implementation as possible has not become. NDS prepares and constructs highways and expressways, its competence is not to prepare or make the municipal communications. Highways and expressways begin on the state boundary or highway and this is also this case – R7 begins on highway D4. The connection of villages in the case of variant A - red is possible in an intersection with road I/63 Dunajská Lužná.
7. and 8. Safety is definitely necessary. The representative of the municipal authority responded – they prepare the establishment of turning lanes for some intersections, cooperation with policemen, etc.
R7 should be constructed as first and subsequently D4, after ca 2 years. The bridge above the Danube shall be financially demanding.
9. The Mayor responded: the railway station in the village was cancelled, they reduced also some routes, a bus from railway station was not fully utilised.
This is not question to be responded by NDS.
As for the Assessment Report, State Nature Protection provides its opinion as well. When the financial means from the funds would be drawn, the stress shall be put in particular on the environmental points of view, including nature protection.
10. and 11. The village and its inhabitants separately may send their standpoint to the Ministry of Environment of the Slovak Republic.

Dr. Jánošík

After the approval by the villages, the record shall be delivered to the Ministry of Environment of the Slovak Republic on 20/12/2008. In January, we shall initiate the meeting between the Magistrate, the Upper-tier Territorial Unit of Bratislava Region and NDS in order to coordinate the preparation of highway D4 and expressway R7 Bratislava - Dunajská Lužná so that the preparation and construction of the structures was interrelated and would serve to the improvement of transport in this part of territory.

Public discussion that took place in Dunajská Lužná on 11. 12. 2008 at 5:00 p.m. at the municipality office.

Attendees: according to the attendance list

The public negotiation was summoned pursuant to Article 34 of the Act No. 24/2006 Coll after the previous agreement with the representatives of the Magistrate of the capital city of Bratislava, the municipal part of Podunajské Biskupice and the employees of the concerned municipal authorities of Rovinka, Miloslavov and Dunajská Lužná.

The negotiation was opened by the representative of the municipal authority, she welcomed the present people and announced that the "Assessment Report" and invitation letter for today negotiation was made accessible to the inhabitants using the method usual in the village, by publishing it on the information table of the municipal authority from 20 December 2008 till today in the case of the Report, and also by announcing it in the local radio in the case of the negotiation.

The chief of the municipal authority welcomed the attendees and she asked the Mayor to follow, who informed that this was 5th meeting regarding the R7 already. First one was at the NDS, another in Miloslavov, Bratislava, in Rovinka and today in Dunajská Lužná.

He stated that he participated also in the negotiations in Bratislava, where the citizens and the Magistrate of the capital city promoted variant A - red together with the construction of a communication that would interconnect the expressway with the highway D1 in Prievoz intersection. Podunajské Biskupice proposed the continuation of variant C so that it would not end at Svornosti street, but Galvaniho street. This is not possible, since an expressway must end on the highway, in this case D4 and it certainly may not end on an urban communication (Galvaniho street).

The representatives of NDS and Geconsult briefly stated the basic data about the given section of R7.

Discussion:

- 1. P. Marko** - how would be the site transport routed? Their quality of living would grow worse. He does not prefer any of the variants.
- 2. Mr. Šafárik** - variant C green will solve a lot of problems, it is rather important for Dunajská Lužná, cargo transport (gravels) would be directed to R7, which shall relieve the village from traffic. Variant A - red is of no importance from traffic point of view and the separation of Dunajská Lužná from the Danube is depriving. How did they design Slovaft road? The reconstruction of Svornosti street is needed in every design, since the entire Podunajské Biskupice is unidirectional – it is problematic to get to I/63. Broadening to 4-lane would solve also this problem.
- 3. Ms. Takáčová, representative** - they will prefer variant C in the local authority. Variant A red separates the village from the Danube and the surrounding nature, from the protected territories and we would like to use this area for the development of tourism. Variant C - green is operable without further investments, it is lead in the protective zone of railway, it would take away cargo transport from the village, its feasibility is the fastest, and he calls the citizens to sign to support the variant C - green. Transport on road I/63 is unworkable, 6 people died for recent 3 years as the consequence of the collision with motor vehicle.
- 4. Mr. Šefčík** -he prefers variant C - green – question: why does not it copy the railway? Would they get to family houses in the constructed residential area in Lipnica?
- 5. Mr. Gendel** - what would it be like when the Ministry of Environment would go for variant A - red? Would it be a binding decision?
- 6. Mr. Plaszc** -are we aware of the counts of vehicles passing through the village from the East? Cannot be the feeder elongated up to the road III/0635 (the road to Kalinkovo)?
- 7. Mr. Oltus** - is not it possible to locate the intersection more to the South in the direction to Šamorín?

Responses

- 1.** Today is the question too early. The aim is to place the site transport outside the villages - to country roads. The contractor of the structure is be obliged to elaborate the plan of construction organisation approved by the concerned villages where it will be agreed what roads in the villages may be used as well as the other appurtenances, such as road cleaning, night peace observation - no driving after 10 p.m., repair of possibly damaged roads used during the construction, etc. First year of the construction shall be the most difficult, (earth works), and then the site transport may use already constructed sections of R7.

Prior to, during and one year after the construction monitoring of air, noise and water shall be carried out. In the case any limit is exceeded, it shall be dealt with measures

2. The grade separated intersection of Slovnaftská – Popradská has no time links in the urban plan of Bratislava to the prepared D4 and R7.

The ending up in D1 in Prievoz intersection has been in the plan of the city as the relaying of road I/63 for 10 – 15 years, but project preparation has not been done yet. The situation in transport is different now than decade before and the ending up of ca 20,000 vehicles from the R7 to Prievoz intersection is almost on the limit of load capacity with regards to the capacity of the intersection.

It shall be necessary to summon the mutual negotiation of the statutory representatives of NDS, the Magistrate of the city, the Upper-tier Territorial Unit and to agree how to proceed so that all would be helped from traffic point of view - for example variant C - green + connection behind Slovnaft to D1.

3. The standpoint of the village and the individual citizens may be sent directly to the Ministry of Environment of the Slovak Republic.

4. The modification of the route of R7 in the proximity of railway was consulted with the Mayors of the villages and ŽSR and it was shifted from the railway route for the possibility of Miloslavov intersection construction and the decline of the route from the allotted gardens. The development interests of the villages were considered as well. Further detailed specification of the route shall be after the geodetic survey in the width of 300m. The shift of the route shall be minimal, ca +/- 50 m. The possibility of the connection to R7 is through Dunajská Lužná and Miloslavov intersections. The route (variant C) is not in the contact with the planned construction in Lipnica.

5. If there is no constructed interconnection of R7 with highway D1 behind Slovnaft, R7 would not be operable, since it would be necessary to wait till the completion of highway D4 in the section between Ketelec and Rovinka intersections and the variant A would end up on Svornosti street in Podunajské Biskupice. The Final Opinion is not binding, but the building control department should consider it.

6. The survey of traffic on highways and roads of class I, II, and III. is carried out nationally every 5 years (provided for by SSC), the other statistic data on vehicles on the road are provided for by the Upper-tier Territorial Unit. The elongation of feeder to the road III/0635 is impossible since the feeder from expressway may be lead to the first road, which is the road I/63,

7. It is not possible to shift the intersection towards Šamorín, since another section is dealt with as bypass of Šamorín from the East and there is an intersection with road I/63 proposed. A part of Šamorín would go to R7 and part to I/63 and before the village of Dunajská Lužná by relaying the road III/0634 (which is the feeder for R7) to the expressway R7.

4. Standpoints, Objections and Expert Opinions Presented to the Assessment Report

The following standpoints to the Assessment Report were sent within the deadline specified by the law.

MDPT SR, Section of Road Transport and Ground Communications (letter of 25.11.2008, Ref.No. 122746/2008-2330/54554)

No objections to the presented conclusion of the Assessment Report. It agrees with the person drawing up the presented Assessment Report and on the basis of the complex assessment of the variants of the expressway R7 in the section of Bratislava - Dunajská Lužná, it recommends variant C - green for implementation.

The Ministry of Defence of the Slovak Republic, Section of Assets and Structure, Department of Construction and Environment Protection (letter of 12.12.2008, Ref. No. SEMal-242-369/2008)

The Ministry of Defence of the Slovak Republic has no objections to the presented Assessment Report from the point of view of the supposed impacts on environment.

The Ministry of Agriculture of the SR, Department of Land Reallocation (letter of 12.12.2008, Ref. No. 4780/2008-430)

In this case it is the solution of extraordinary important section of the inland and international transport network with exposed route to the capital city of the Slovak Republic Bratislava and neighbouring countries: Hungary and Austria. For this reason even despite that significant negative impact on agricultural land by its permanent seizure, we recommend to implement the red R7 variant A with the following conditions specified by the law:

1. do not corrupt the unity of stretches of land and do not hamper the cultivation of agricultural land by an unsuitable location of the route of the construction, division and disintegration of lands or the creation of parts unsuitable for cultivation using agricultural mechanisms.
2. assure the access to the inaccessible stretches of land in the case of the division of stretches of land by the construction of special purpose country lands,
3. to carry out the stripping of humus horizon of agricultural soils taken for good and to assure their economical and purposeful use on the basis of the balance of humus horizon stripping.
4. to carry out the stripping of humus horizon of agricultural soils taken temporary and to assure the care after the stored stripping on the basis of the balance of humus horizon stripping.
5. to carry out the stripping of humus horizon of the agricultural soil used for non-agricultural purpose for time up to one year and to assure the care after the stored stripping on the basis of the balance of humus horizon stripping.
6. to carry out the re-cultivation of temporary taken agricultural soil on the basis of the approved re-cultivation project.

Municipal part of Bratislava - Podunajské Biskupice (letter of 15.12.2008, Ref. No. SÚ/3879 / 07/Bo,Va.)

It states the conclusions of the Assessment Report are tendentiously processed in favour of routing the expressway R7 pursuant to variant "C".

The municipal part of Bratislava – Podunajské Biskupice asks to design the routing of the expressway R7 pursuant to variant "A" (red) that is dealt with as the continuation of the elongation of Bajkalská street, behind the grade separated intersection of the route of zero transport circuit and the route of the overtaken Bajkalská street that follows the communication system of Central transport circuit around Bratislava that is unsuitable from capacity point of view. The routing of R7, in variant "C" and its ending up in Svornosti street is **unacceptable for the municipal part:**

A) since the route of variant "C" liquidates all potential development areas of the municipal part and the capital city from the South entry to Bratislava. Route "C" and the individual intersections:

1. liquidate the territories intended for building up for civil facilities of both municipal and supra-municipal character.
2. divide the compact territory intended for the function of mixed territory of trade and services, production and non-production, without the reasonable solution of its transport accessibility.
3. liquidate the territorial locations named Tretí diel, in which the municipal part has its intentions to develop the functions of sport, physical training and leisure time.

The considered territories are of an extraordinary importance for the municipal part of Bratislava - Podunajské Biskupice from strategic point of view, since it plans to locate the activities in this area that would significantly contribute to the development of the municipal part. The earmarked space creates the territorial preconditions for the location of nearby centre of civil facilities and mixed territory with the corresponding business

activities, including the recreational background, sport and leisure time activities. This point of view is important in particular in relation to the unused potential of purchasing power of inhabitants living in this area, the citizens of the adjacent settlements of Rovinka, Dunajská Lužná and the migrating work force from the countryside and the visitors of the city within the activities of tourism and in relation to the existing lack of multifunction facilities providing trade, services, sport, entertainment and amusement.

- B) Since the proposal of the route "C" does not deal with the necessary relief of Biskupice radial (the road I/63) leading through the intensively built-up territory of Bratislava and that is even nowadays unsuitable from the point of view of traffic load. Svornosti street (state road I/63), being two-lane communication, is nowadays loaded with traffic at the rate of ca 26,500 vehicles/24 hours in one direction.
- C) The variant "C" pursuant to the presented Assessment Report does not consider the impact of R7 on the traffic situation on the territory of the capital city, it does not consider the quantity and demand-conditioning induced investments versus variant "A", the costs of construction, the technical demandingness of the construction, the overall consumption of time for construction and thus the operational costs of transport. The summary evaluation of the variants by the individual criteria stated in Table on p. 160 of the Report ... is tendentious, non-objective and it is not the true picture of the data stated in the previous part of the Report.

As one of the examples, we may state the data on the induced investments in the comparison of variant "A" with variant "C" that is unambiguously to the detriment of variant "C" from the point of view of economical and technical demands.

The induced investments:

Relaying (alteration) of a road communication

Variant "A" at the amount of 6 bridges having the length of 3,395 m

Variant "C" at the amount of 9 having the length of 6,135 m (double the number)

Bridges

Variant "A" at the amount of 7 bridges having the length of 508 m? (this does not correspond to the project documentation; there is a smaller amount there)

Variant "C" at the amount of 11 bridges having the length of 882 m

Anti-noise walls

Variant "A" no anti-noise measures

Variant "C" 3 walls having the length of 5,500 m

Anti-glare shields in mlm

Variant "A" no shields

Variant "C" 500/2.0

Relayings and alterations of water supply systems

Variant "A" at the amount of 3

Variant "C" at the amount of 6

Modification of irrigation and draining systems

Variant "A" at the amount of 0

Variant "C" at the amount of 33

Relayings and alterations of gas duct

Variant "A" at the amount of 0

Variant "C" at the amount of 10 having the length of 310 m

Relayings and alterations of oil pipeline

Variant "A" at the amount of 0

Variant "C" at the amount of 3 having the length of 110 m

Relayings and alterations of product ducts

Variant "A" at the amount of 0

Variant "C" at the amount of 3 having the length of 400 m

Relayings of high power transmission line

Variant "A" at the amount of 5 having the length of 2,065 m

Variant "C" at the amount of 9 having the length of 2,000 m

The alleged total costs and their comparison in the individual variants are stated in Table on p. 30 of the Report...

In this regards, it is necessary to stress out also the necessity of two bridges in the crossing of railway Bratislava - Nové Mesto - Dunajská Streda with the proposed route of R7 in variant "C" the approval of which is according to the available sources conditioned by Železnice SR by the construction of tractive line and the electrification of the railway route by the investor. Another not less demanding investment in variant "C" is its coping with the crossing of the route of railway siding leading from the railway station Pod. Biskupice to the area of Slovnaft, a.s. prior to the ending-up to Svornosti street, not mentioned by the presented Report. Even this investment is not calculated in the overall costs of variant "C" as well as the costs of the construction of grade separated intersection "Miloslavov" and the route modification by elongation by 75 m.

When assessing the impacts on fauna and flora when implementing the variant "A", they seem to be even worse than variant "C".

We should not omit also the results of the poll made in the form of an enquiry. The concerned villages that could express themselves this way were the villages of Rovinka, Dunajská Lužná, Miloslavov and the municipal part of Bratislava - Podunajské Biskupice. The following conclusions resulted from the results of the assessment of the enquiry:

- 60% of the total amount of the attendees, i.e. the citizens in all concerned villages and the municipal part who handed over valid enquiry cards gave their consent to the **variant "A"** (red).
- 38% of the total amount of the attending citizens of the villages and the municipal part who handed over valid enquiry cards gave their consent to the variant "c" (green).
- 2% represent the remaining enquiry cards that were invalid.

Participation and opinion of the inhabitants of the concerned villages and municipal part is clear from the following Table:

Municipality /municipal part		Podunajské Biskupice	Rovinka	Dunajská Lužná	Miloslavov
Number of domiciled inhabitants		19,749	1,368	3,709	864
Number of participating persons	Count	303	183	228	50
	%	1.5	13.4	6.2	5.8
Questions on survey sheet – evaluation (shortened version)					
Consent with Variant A	Count	295	14	137	11
	%	97.4	7.7	60.1	22.0
Consent with Variant A	Count	1	166	88	38
	%	0.3	90.1	38.6	76.0

The municipal part requires routing R7 in accordance with a valid Urban Planning Scheme of the capital city of the Slovak Republic, Bratislava, and year 2007 and in accordance with the Urban Planning Documentation of the Upper-tier Territorial Unit of Bratislava region, as amended.

The municipal part, represented by its elected representatives and inhabitants unambiguously tends towards and shall advance the routing of expressway R7 in variant "A" (red) with the connection to highway D4 in "Ketelec" intersection and the subsequent continuation in the territory earmarked with the area of Slovnaft, a.s. and Spalovňou odpadů spoločnosti OLO, a. s., Bratislava and the subsequent connection to the existing communication Bajkalská in contact with highway D1. This variant, as the only one form

amongst the proposed alternatives, can relieve the territory characterised as entrance gate to the capital city from the villages situated to the South and South-East from Bratislava and to preserve environment at least at the acceptable level.

Extract of the Resolution from the Meeting of the Local Authority of the Municipal Part of Bratislava - Podunajské Biskupice (letter of 19.6.2007)

Ad point 20) The negotiation of the technical study of highway bypass of the capital city of the SR Bratislava - D4 and the proposal for the implementation of an optimum variant.

Local Authority

A. Recommends

- a) to route the highway bypass of the capital city of the SR Bratislava on D4 - variant I (zero circuit) passing through the cadastral territory of the Municipal part of Bratislava - Podunajské Biskupice in the original variant, presented on the work negotiation held on 24 October 2000 on the place of Geoconsult, s.r.o. in Bratislava
- b) to route the expressway R-7 in variant "A" to the South from the villages of Rovinka, Dunajská Lužná with the connection to Bajkalská street,

The Municipal Authority of Dunajská Lužná (letter of 19.12.2008, Ref. No. 4364/2008)

It took up the following standpoint:

"In the annex hereto in the form of the extract from the Resolutions of the 18th meeting of the local authority of the village in Dunajská Lužná on 16 December 2008, we are sending you the standpoint of the village to the Assessment Report for the "Expressway R7, Bratislava – Dunajská Lužná".

At the same time, it declares that also the Mayor of the village and the local authority identify with the wording of the adopted Resolution."

The Extract of the Resolution of the 18th Meeting of the Local Authority of the village of Dunajská Lužná (dated 16.12.2008)

The proposal to change the functional use of the lands in the corridor of variant "C" of the expressway R7 from arable land to the expressway R7, North route, plot of the land No. 758/48 in the cadastral territory of Jánošíková from OV to B2 and to change the regulations of the functional use and the principles of spatial arrangement.

The local authority prefers the following in the standpoint of the village to the Assessment Report:

1. It recommends variant "C" - green to be implemented. The connection of variant "C" to the road I/63 requires the elongation up to the road III/0635 between the villages of Dunajská Lužná and Kalinkovo.
2. In the case of the implementation of variant "A" -red, it requires to design the crossing of the variant "W" with the road III/0635 between the villages of Dunajská Lužná and Kalinkovo using grade separated intersection.

The Local Authority approves within the changes and supplementations to the town planning scheme:

A. the change in the function use of the lands in the corridor of variant "C" of the expressway R7 from arable land to the expressway R7, North route, including the connection to the road I/63 and III/0635.

2. the change in the function use of the land, plot of land No. 758/48 in the cadastral territory of Jánošíková from OV to B2,

3. the changes in the binding part of the urban plan of the village of Dunajská Lužná, Regulation block B4 - the change of the original "CH" in the location of N. Košariská - Malá Voda pursuant to the Annex 1 hereto.

Sending of the Extract from the Resolution of the Local Authority, Municipal Part of Bratislava - Podunajské Biskupice (letter of 18.2.2009)

Resolution No. 16/2009 - The municipal part unambiguously promotes variant A.

At the same time it announces that there is maybe a plan of petition pursuant to the Act Np. 85/1990 Coll. on petition right.

The Municipal Authority of Rovinka (letter of 22.12.2008, Ref. No. 1918/08/UL 4 extracts)

Extract from the Resolution:

"The Local Authority recommends and asks to implement the section of expressway R7 - variant C (green) leading alongside the railway, ending up in Podunajské Biskupice".

The Municipal Authority of Miloslavov (letter of 16.12.2008, Ref. No. 2652651/08/Ha)

It took up the following standpoint:

„On the public discussion of the Assessment Report that took place in the village of Miloslavov with the presence of the inhabitants on 9.12.2008, we still prefer the construction of R7 pursuant to variant "C".

With regards to the expansion of the construction that is being prepared after the approval of the town planning scheme of the village (ca in March 2009, the elaborated proposal of variant "C" is of extraordinary importance for the village of Miloslavov."

Bratislava Self-government Region, the Office of the BSK, Transport Department, (letter of 25.11.2008, Ref. No.16826/08-DOPR)

The Transport Department of the BSK recommends accepting variant "A" (red) that is in accord with the proposal of the route of R7 in the urban planning documentation of the Upper-tier Territorial Unit of Bratislava Self-government Region.

However, according to them, the time succession between the construction of highway D4 and the construction of expressway R7 is not sufficiently assessed. Furthermore, the impact of the construction of R7 on the traffic situation in the capital city of the Slovak Republic, Bratislava, is not considered in the assessment. Variant "C" in principle deals with just the shift of transport from road I/63 through the villages of Dunajská Lužná and Rovinka to capacity by-pass of the villages. The completion of the bypass on the road I/63 before Podunajské Biskupice does not deal with the unbearable traffic situation at the entry to the city. Similarly, the construction of the interconnection of Ketelec intersection on D4 with Prievoz intersection on D1 proposed in the report on page 29 does not deal with any possibility of the diversion of long-distance and urban transit transport outside the territory of the city. In addition, the construction of the interconnection should be the investment of the city of Bratislava. It is of an opinion that it would be more suitable to put into operation also the highway section of D4 concurrently with the expressway R7 in the section from Jarovce intersection on D2 up to Ketelec intersection.

The Regional Authority for Environment in Bratislava, Department of Nature and Landscape Protection, (letter of 1.12 2008, Ref. No. ZPO/1557/2008)

The assessment implied the variant A - red had higher portion of the seizure of arable land by ca 7,500 ha, from the point of view of the protection of agricultural landscape, variant C is more suitable.

Furthermore, from the point of view of the protection of nature and landscape, it was prove the variant A had more notable negative impacts. Both variants cross several bio-corridors of local importance, variant A in addition also gene pool location of Dunajská Lužná.

The route of the body of the road in the case of variant A is in a close proximity of a lot of protected territories with higher level of protection (3-5) that are the part of the CHKO Dunajské luhy, UEV Biskupické luhy. Behind the intersection at Ketelec, the continuation of routing of variant A is according to them selected unsuitably - in the proximity of branch system of the Danube River, i.e. in a close proximity of the mentioned highly valued natural territories. Hereby they suppose the reduced food base for vertebrate communities, the limitation of their movement, reproduction, and the overall isolation within the boundaries of protected territories.

In addition, just in the territory rich in the quantity of protected reservations and areas it is not suitable to cumulate - increase transport activities, since the significant negative impact in this territory is represented by the body of D4 already.

This cumulative - multiplied impact of other newly proposed intersections and road bodies and the synergicly co-acting with D4 was not stated by the person who elaborated the documentation. For comparison, there is not so rich network of territories with higher (3-5)

level of nature protection on the territory of CHKO Dunajské luhy in lower locations outside Bratislava.

With regards to the facts, from the point of view of the preservation of balance and functionality of the natural ecosystems when implementing the anthropogenic interests or activities in the assessed territory, it recommends the implementation of variant C.

Regional Authority for Road Transport and Ground Communications of Bratislava (letter of 17.12.2008, Ref. No. A/2008/02972)

From the point of view of their monitored interests of the solution of fluency and safety in road traffic on the road I/63 E 575, it tends to the variant "A". It has no other objections to the Assessment Report.

Regional Directorate of the Police Corps in Bratislava (letter of 16.12.2008, Ref. No.KRP-33-29/EO-NM-2008)

It announces that it does not put any objections and comments to the presented proposal. The Regional Directorate of the Police Corps in Bratislava does not record any lands or structures in the considered location. The Sub-district Department of the Police Corps of Dunajská Lužná is located in the leased premises of Úsvit PD Dunajská Lužná. After looking at the assessments of the impacts on its construction and operation, it identifies with variant C proposed by PD Úsvit Dunajská Lužná.

As long as the assessment of safety and fluency of road traffic during the movement of the motor vehicles in the considered location is concerned, it recommends you to turn directly to the Regional Traffic Inspectorate of the Regional Directorate of the Police Corps in Bratislava.

Regional Land Office in Bratislava, (letter of 15.12.2008, Reg. No. 2346/234/2008)

It has no principal objections to the Assessment Report, from the agricultural point of view it is elaborated in accordance with the Act No. 220/2004 Coll. on protection and use of agricultural land and on the amendment of the Act No. 245/2003 Coll. on integrated prevention and control of environment pollution and on the amendment and supplementation of some acts.

Regional Authority for Monument Preservation in Bratislava (letter of 28.11.2008, Ref. No. BA/08/2110-2/9343/Pr)

The Regional Authority for Monument Preservation in Bratislava agrees with the contents of the assessed report without the preference of any of the proposed variants of the intention with 5 comments pursuant to Article 30 Para 4 of the Monument Preservation Act:

- The interdigitation of the proposed structure in the case of variant A with the national cultural monument of technical character registered in the Central List of the Monument fund of the Slovak Republic (hereinafter referred to as the "ÚZPF SR"), No. 1 0796 - anti-flood dam, so called Hornožitnoostrovská dam, shall be pre-discussed with the Regional Authority for Monument Preservation in Bratislava upon the presentation of next stage of project documentation intended for general planning proceedings.
- With regards to the fact it is not possible to exclude the damage or destruction of hitherto unknown or not recorded archaeological findings or finding situations on the concerned territory by the implementation of the intention, the method of protection of prospective archaeological findings shall be determined by the Regional Authority for Monument Preservation in Bratislava within the general planning proceedings and building permit procedure on the basis of the assessment of the project documentation pursuant to the relevant stipulations of the Act on Monument Preservation and the Building Code.

Sub-district Forest Authority in Bratislava, (letter of 24.11.2008, Ref. No. 08/566/I-BA5)

From the point of views of their interests, variant "C" seems to be the best acceptable for the reason no seizure of forest land takes place in the case of that variant.

Sub-district Authority in Senec, Department of Civil Protection and Crisis Management, (letter of 24.11.2008, Ref. No.CO-2008/149-303)

From the point of view of the interests of civil protection of population, in accordance with general binding regulation in this field, it is not possible to assess the impact of the proposed structure on environment.

Sub-district Authority for Road Transport and Ground Communications in Senec (letter of 26.11.2008, Re. No. 2008/2292/10)

It took up the following standpoint:

- After the studying of both proposals of variants - "A" red and "C" green and the assessment of the other concerned organisations of the structure - it agrees with variant "C" - green.
- This variant is for them the most practical for several reasons:
- By constructing the expressway R7 of variant "C" in this section, the road shall take over the aliquot part of traffic from the road I/63 and at the same time it shall mediate the transport connection and relief of roads II/510 and II/572 from the North-east part of the territory, namely Miloslavov, Štvrtok na Ostrove, Tomášov and Studené, while this variant with Podunajské Biskupice feeder may be constructed independently upon the construction of highway D4 as a separate construction of the bypass of the villages of Rovinka and Dunajská Lužná.
- Variant "C" is acceptable also from the point of view of nature and environment protection in the given territory.
- PD - transport should be dealt with upon the construction of relaying and intersection of roads of class III while observing the standards STN 73 61 02, 73 61 01,

The Sub-district Authority for Environment in Bratislava, (letter of 16.12.2008, Ref. No. PO/2008/ 00421 - 17/ANJ/BA II)

It took up the following standpoint as for the individual sections:

Waste Management Authority

It states the presented Assessment Report does not comprise the quantitative data on waste that shall be generated by the implementation of the assessed activity, thus it may not express itself to the Assessment Report from the point of view of waste management. It justifies the standpoint by saying that with regards to the scope of the proposed activity, they expect a great generation of construction and demolition waste and it shall be necessary for the person compiling the Assessment Report to deal with it.

Air Protection Authority

During the construction of the road, the source of air pollution shall be in particular the construction mechanisms on construction yards and the transport on the road site itself. During the operation, the road shall be a line source of air pollution. The emissions shall depend mainly upon the intensity and fluency of transport.

The assessed activity shall not significantly affect the contemporary quality of air in the concerned territory, on contrary, by deviation of the transport outside the village of Rovinka and Dunajská Lužná, the production of exhaust gases into air in their built-up area shall be reduced. From the point of view of air protection, there are no objections to the presented report.

Authority for Prevention of Serious Industrial Accidents

No objections.

Water Management Authority

The assessed structure shall be located in the protected water supply area; therefore it is necessary to assure the general protection of surface and ground water. Rain water from roads shall be drained through longitudinal concrete gutters and street inlets by branches to sewer system or oil substance separators to suitable recipients. The induced investments shall be the investments in relaying of buried services.

From the point of view of state water supply management, it has no principal objections to the presented Assessment Report.

The Nature and Landscape Protection Authority

According to the presented report, by evaluating the variants on the basis of the value analysis, variant C - green seems to be more suitable from environmental point of view than the variant A - red. Variant A has a significant negative impact, it would come to the direct

seizure, fragmentation and liquidation of the biotopes of the European importance (Oak-elm and ash lowland inundated forests) when implementing it. It has the negative impact on the territory of Biskupické Luhy. When compared to zero variant, we may expect a significant deterioration of living conditions of many species of fauna, in particular birds (112 species were found) and mammals. Several of them are the subject of protection of the European significant locations NATURA 2000 in the adjacent territory Variant C is more favourably assessed in all assessed impacts save social and economical criteria. It has just a moderate negative impact, close to zero, when compared to the zero variant it shall come to the moderate local deterioration of living conditions of some fauna species and smaller land seizure. This negative impact is not significant.

Within the preparation of the territory they suppose the removal of all stands from the area of the permanent seizure by the structure and the treatment of areas for the establishment of construction yards.

As the partial compensation of the impacts on biota, vegetation treatments shall take place, fulfilling also the function of anti-erosion protection of the slopes of earth body and mitigating negative impacts on nature and environment (absorption of exhalates, noise). There should be a condensed brush planting and group planting of various tree species in the proximity of the entire structure so that a continuous compact mass of greenery should be established.

The following technical measures were proposed for the minimisation of negative impacts of the proposed activity on the protection of nature for variant C:

- fencing in the entire section preventing the intrusion of game to the road;
- 2 ecoducts - underpasses for animals;
- bridge objects above the railway with a sufficient width for the provision of game migration.

The OÚŽP in Bratislava states that all the comments from the point of view of the interests in nature and landscape protection, biodiversity conservation or the territorial system of ecological stability, applied in the standpoint to the intention of the proposed activity, as well as the requirements for the assessment of its impacts on environment specified for this reason within the assessment (the detailed assessment of impacts on the territory of Biskupické Luhy, the impacts on the quantity and occurrence of bird species, the barrier effect of the proposed activity, etc.) were fulfilled in the presented Assessment Report. In the case of the modified variant C, they propose to locate the expressway in the territory with first, the lowest level of protection within the stipulations of Article 12 of the Act No. 543/2002 Coll. on nature and landscape protection. The execution and the operation of the construction pursuant to this variant, on contrary to variant A, shall not bring about the direct interference with the protected territories or their protective zones and it is situated outside the biocentres, gene pool areas and the elements that are significant for the territorial system of ecological stability, therefore **they recommend to implement variant C - green in the section of expressway R7 Bratislava - Dunajská Lužná.**

In addition to the technical measures proposed for the minimisation of negative impacts of the construction and operation of the activity on nature and landscape, it is recommended to approve the activity under the following conditions:

- Pursuant to Article 47 Para 3 of the Act No. 543/2002 Coll. the consent of the nature protection authority with wood species cutting shall be required (in the powers of the relevant municipal part) in the case of wood species exceeding 40 cm circumference at the height of 130 cm above ground and bush growth with the area exceeding 10 m². The removal of vegetation to the necessary extent must be carried out outside the vegetation and nesting period in order to minimise the unfavourable impact on fauna. Prior to the submission of the proposal for consent with tree cutting it is apt to elaborate the dendrological survey and to focus on the functions of wood species also as the biotope of the protected species. The wood species in the proximity of the structure that shall remain preserved must be respected and during the construction works protected in accordance with Article 47 Para 1 and Para 2 of the Act No. 543/2002 Coll., the measures pursuant to STN 83 7010 Nature protection . treatment, maintenance and protection of tree vegetation.

- The original wood species should be used in a compact greenery plantation in the proximity of the structure.

Final Summary

From the point of view of air protection and prevention of major industrial accidents, there are no objections to the Assessment Report regarding the proposed activity. The objections of State Water Administration regard the general protection of surface and ground water in the protected water supply area that must be dealt with in the next stages of construction documentation and assure during the implementation and operation of the construction. We recommend variant C as the most suitable from environmental point of view, that is the best acceptable for the interests of nature and landscape protection. The other objections of the nature protection authority, in particular the objections of the waste management authority must be considered when elaborating the Final Opinion on the Assessment of the Proposed Activity and when determining the conditions under which it is recommended to implement the activity.

The Sub-district Authority for Environment in Senec, (letter of 17.12.2008, Ref.No. ŽP/EIA/2813/08-Ba)

It took up the following standpoint as for the individual sections:

State Water Administration Section

No principal objections to the presented intention, however it requires the following in the next stage of the project documentation:

- to observe the stipulations of the Act No. 364/2004 Coll. on waters and on the amendment of the Act of the Slovak National Council No. 372/1990 Coll. on misdemeanours as amended (the Water Act).
- warns the given construction is in the protected water supply area and thus it shall be necessary to observe the conditions of Article 31 of the Water Act,

The Nature and Landscape Protection Section

Nature and Landscape Protection Section states there is a great difference between the variants "A" and "C" in the Assessment Report. Variant "C" passes through the intensively cultivated fields, whereby it will come to the direct seizure and liquidation of the biotope just to a minimum extent. From the point of view of interests protected by the Act No. 543/2002 Coll. on nature and landscape protection, variant "C" is unambiguously more suitable.

The Section of State Administration of Air Protection

It has no objections; the activities shall be implemented outside the villages. Variants "A" and "C" shall not have the unfavourable impact on the individual houses in the residential zone in the village of Rovinka and Dunajská Lužná. Emission limits shall not be exceeded in any of the observed variants.

It recommends variant "C" as more suitable from the point of view of air protection.

Waste Management Section

It has no objections against the construction of expressway R7. Waste Management Section proposes variant "C", since its impact on environment is not as notable as in the case of variant "A".

State Nature Conservation of the Sr, Regional Centre of Nature Conservation in Bratislava, (letter of 28.11.2008, Ref. No. RCOP BA 682/2008)

The presented Assessment Report comprises all the necessary facts important from the point of view of nature and landscape protection. It recommends the construction of expressway R7 in section of Bratislava -Dunajská Lužná pursuant to **variant C - green**, together with the measures for the elimination of negative impacts of the proposed activity on the protected territories, the elements of the ÚSES, fauna, flora and biotopes.

Justification

From the point of view of the supposed impacts of the construction of expressway on the territory of the section of Bratislava - Dunajská Lužná from the point of view of the interests of nature and landscape protection, **variant A (red) seems to be unsuitable** from the point of view of many negative direct and indirect impacts on the protected territories themselves as well as the adjacent territory (fields, the fragments of the Danube branches and forests) having a great importance for the preservation of the populations and the favourable

condition of several species that are the subject of the protection of protected territories of Biskupické luhy and the Danube River. The subsequent continuation of the communication from variant A (red) from Ketelec intersection towards Bratislava is again in collision with the interests of nature protection.

From the point of view of the interests of nature and landscape protection it is possible to **recommend variant C (green)**, the impacts of which are minimal (in the case of the implementation of measures mentioned in the report).

Regional Public Health Authority, capital city, (letter of 9.12.2008, Ref. No. RÚVZ/21-16989/2008)

From the point of view of the protection of health, it agrees with the Assessment Report pursuant to Act No. 24/2006 Coll. for the action "expressway R7, Bratislava - Dunajská Lužná". It considers both variants to be acceptable, however it prefers variant A, more distant from the built-up area.

In the general planning proceedings, it shall require the detailed noise study with the proposal of particular anti-noise measures for the protection of protected built-up area.

Noise Study (Ing. Baláž) documents that variant A shall not exceed the allowable values of noise in the surrounding built-up area. For variant C, it proposes the anti-noise walls for the protection of recreation areas of Rovinka and Košariská (3,000 m). Alžbetin Dvor (1,000 m) and residential zone of Nová Lipnica (1,500 m). It shall come to the reduction of noise load in the villages of Rovinka and Dunajská Lužná from road I/63.

Noise Study (Ing. Durčanská) documents that the emission limits shall not be exceeded in the surroundings of both variants. It shall come to a significant decrease in air pollution in the proximity of road I/63 in Rovinka and Dunajská Lužná, where the limits of NOx are exceeded. The structure shall be assessed in the general planning proceedings pursuant to the Act No. 355/2007 Coll. and the implementing regulations.

Authority for Regulation of Railway Transport, Section of Special Planning Office,

(letter of 24.11.2008, Reg. No. 5964/2008-S4/J-Sú)

It took up the following standpoint:

- After the assessment of the presented Assessment Report made by Geoconsult Bratislava in September 2008, we may state the variant C of the proposed activity shall regard the interests protected by the Act on Railways,
- the proposer shall be obliged to present the next stage of documentation, regarding the structure in the protective zone (OPD) of railway and partially in the circumference of the railway (bridge objects above the railway, anti-noise walls in the OPD, induced relaying of buried services administered by Železnice SR represented by the General Directorate, Development Department, Klemensova 8, 813 61 Bratislava.
- A consent of the ÚRŽD shall be necessary for the permission of the proposed activity in the OPD.

ÚRŽD has no principal objections to the given Assessment Report.

Regional Mining Authority in Bratislava, (letter of 25.11.2008, Reg. No. 916-3182/2008)

No objections to the presented conclusion of the Assessment Report.

Regional Directorate of the Fire and Rescue Corps in Bratislava (letter of 8.12.2008 Ref. No. KRHZ-1537/2008)

From the point of view of fire safety, the Regional Directorate of Fire and Rescue Corps in Bratislava have no objections to the Assessment Report.

District Directorate of the Fire and Rescue Corps in Pezinok (letter of 28.11.2008 Ref. No. ORHZ-1946/2008)

Pursuant to the Act of the National Council of the Slovak Republic No. 314/2001 Coll. on the protection against fires as amended and the Act No. 24/2006 Coll. on the assessment of impacts on environment and on the amendment and supplementation of some acts, it has no objections to the presented intention.

The petition of the inhabitants of Dunajská Lužná and Rovinka for the acceleration of the construction of expressway R7, section of Bratislava – Dunajská Lužná, addressed to the members of the NR SR and the Government of the SR.

We, the citizens of the villages of Dunajská Lužná and Rovinka, are appalled at the constant increase in transit transport on the road I/63 (it is also the international European road E575) the route of which passes through our villages. This road is the only traffic road arterial road of South Slovakia from Komárno up to Bratislava. Its traffic intensity has gradually increases when approaching to Bratislava till it reaches almost the limit of its practical capacity in our villages.

Traffic intensity on the road I/63 in our villages has increased for the last decade more than two times (?), while the transit transport makes up to 70% of its volume. In proportion with it, environment of our inhabitants has been unbearably worsened and in particular transit transport is responsible for the deterioration.

The increase in the intensity of transport in the village residential areas increases the accident count, not only with material damages but also with an impact on lives of our citizens. The noise load on the inhabitants nowadays exceeds the allowable values up to the distance of ca 100 m from the road. Not even mentioning vibrations and exhalates that accumulated alongside the road, in particular at morning rush hours (from 7 .to 8. a.m.), when the standing vehicles form lines alongside the village residential areas of our villages.

It is real to expect the reaching of practical capacity of the road I/63 in the nearest period of time, this shall mean the prolongation of rush hours to the rush period of 2 to 3 hours with all unfavourable consequences on life and health of our citizens.

*This situation is at the limit of tolerability now and its improvement consists in a radical solution, which is the construction of expressway R7. This communication shall allow the re-direction of ca 90% of transit transport from our villages to its route. It shall mean a significant improvement of environment, the substantial reduction in traffic accident rate and in particular the improvement of the quality of lives of our citizens. **That is why we, the undersigned citizens of the villages of Dunajská Lužná and Rovinka, ask the members of the National Council of the Slovak Republic, the Government of the Slovak Republic, so that it would speed up the construction of expressway R7, the section of Bratislava - Dunajská Lužná through the Ministry of Transport, Posts and Telecommunications of the Slovak Republic and Národná diaľničná spoločnosť, a.s.,***

The person for contact with public administration authorities:

Ing. Eva Takáčová, the representative of the municipal authority, Stromová 3,900 42 Dunajská Lužná

The Letter from the Office of the National Council of the Slovak Republic to the petition signatories

"Dear Ms Takáčová,

With regards to the petition of the citizens of the villages of Dunajská Lužná and Rovinka for the acceleration of the construction of expressway R7, the section of Bratislava - Dunajská Lužná, the copy of which was forwarded to the National Council of the Slovak Republic by the Section for Inspection and Anti-Corruption Fight of the Office of the Government of the Slovak Republic, we would like to inform you that the given petition was discussed at its 49th meeting held on 2 September 2008 by the Committee of the National Council of the Slovak Republic for Economic Policy. The conclusion from the discussion (the minutes from the Committee meeting) is enclosed for your information."

The Discussion of the Petition of the Committee of the National Council of the Slovak Republic for Economic Policy (extract from the minutes of the Committee meeting)

The Department for Communication with Media and Public of the Office of the National Council of the Slovak Republic forwarded the copy of the petition of the citizens of the villages of Dunajská Lužná and Rovinka for the acceleration of the construction of expressway R7, the section of Bratislava - Dunajská Lužná to the Committee of the National Council of the Slovak Republic.

In the interest of obtaining the objective information on the problem mentioned in the given petition, the Chairman of the Committee Maroš Kontrôt authorised the member Peter

Pelegriňy to ask the standpoint of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic to its contents.

By letter of 15 July 2008, the Minister of Transport, Posts and Telecommunications assured the committee members that the department continues in the provision of the tasks in the field of road infrastructure in accordance with the approved documents. The technical study for entire route of R7 was elaborated in 2006. The intention of the assessment of impacts on environment pursuant to the Act No. 24/2006 Coll. was drawn up for the section of Bratislava - Dunajská Lužná last year. Subsequently after the issue of the Final Opinion of the Ministry of Environment of the Slovak Republic it shall be possible to continue in the subsequent project preparation.

However, in his letter, Minister warn of the fact the approval process and the process of general planning proceedings shall be complex which relates t the protected territories of the European importance as well as the alternatives of intersection with the proposed highway D4.

The acceleration of the construction of highways was supported by the National Council of the Slovak Republic in the adopted Act No. 27t/2007 of 17 May 2007 amending and supplementing the Act of the National Council of the Slovak Republic No. 129/1996 Coll. on some measures on the acceleration of the preparation of highways and motorways. On its basis, in the preparation of the expressway, it shall be possible to use also the mode of the acceleration of ownership settlement, the general planning proceedings, taking of the agricultural land for non-agricultural purposes, etc. Pursuant to Annex 2 to the Act, the prepared transport structures the Act shall apply to include also the expressway R7 Bratislava - Nové Zámky - Lučenec.

The Committee of the National Council of the Slovak Republic has become aware of the information of the Minister of Transport, Posts and Telecommunications at its 49th meeting held on 2 September 2008. It stated the procedure of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic in the preparation of the construction of communication R7 is in accord with the adopted documents and acts; however it is necessary to consider the real traffic needs of Slovakia, as well as the financial possibilities of state budget. The Committee acknowledges the legitimate requirements of the petition signatories and believes that their problem would be solved as soon as possible pursuant to the adopted measures of the department and the acts of the National Council of the Slovak Republic.

The Letter of the Minister of Transport, Posts and Telecommunications of the Slovak Republic to the Petition

The department of transport under my leadership continuously proceeds in the fulfilment of tasks in the field of road infrastructure. The route of expressway of Bratislava - Dunajská Streda - Lučenec having the length of 213.35 km with draft labelling R7 is prepared in accordance with the document "Report on the Fulfilment of Up-dated New Project of the Construction of Highways and Expressways" adopted by the Government of the Slovak Republic by the Resolution No. 1/1051/2004. The technical study for entire route of R7 was elaborated in 2006. The EIA intention, i.e. the the assessment of impacts on environment pursuant to the Act No. 24/2006 Coll. on the assessment of impacts on environment was drawn up for the section of Bratislava - Dunajská Lužná last year. Subsequently after the issue of the Final Opinion of the Ministry of Environment of the Slovak Republic it shall be possible to continue in the subsequent project preparation.

It is necessary to note that the proposed variants regard more or less the protected territories of Dunajské Luhy, the other protected locations important also from the European point of view (the territory of the European importance, the protected avian territories). There is also the assessment of the alternatives of intersection with the proposed highway D4, which shall surely affect the complex approval process and the process of the general planning proceedings.

In order to speed up the preparation of some constructions of highways and expressways, the Ministry of Transport, Posts and Telecommunications of the Slovak Republic prepared

the draft of the amendment of the Act No. 129/1996 Coll. on some measures for the acceleration of the preparation and construction of highways and roads for motor vehicles. The amendment was adopted by the Act No. 275/2007 Coll. When preparing the expressway, in accordance with Annex 2 it shall be possible to use the acceleration of the ownership settlement, the general planning proceedings, seizure of agricultural land for non-agricultural purposes, the exemption of forest lands and the transfer of the ownership of the land intended for the development of highway or expressway to the constructor.

Dear Member of Parliament, I can fully assure you that the steps and procedures of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic are focused on the acceleration of the preparation of the construction of expressway R7 and when assessing the priorities and real transport needs of Slovakia the terms of the preparation and construction shall be put into accord with the real possibilities of state budget.

Poll by the Independent Representatives of the Local Authority of Dunajská Lužná,
(letter of 23.12.2008)

On 20 November 2008, the given Report was registered at our Municipal Authority in Dunajská Lužná and later also the public discussion on it was announced pursuant to the Act No. 24/2006 (EIA). With regards to the above mentioned, I would like to inform you with the opinion of our citizens of the concerned village of Dunajská Lužná.

1. At the independent web site of our group of independent representatives of the Local Authority of Dunajská Lužná

Survey

What variant of the expressway R7 you are for?

- | | |
|----------------------|---------------------|
| ➤ I am for variant A | 35.62% (26 votes) |
| ➤ I am for variant C | 64.38% (47 votes) , |

73 respondents participated in the voting. (29.12.2008)

Štefan Marko, Dunajská Lužná č.44,ul. Hlavná č.8 (letter of 18.12.2008)

On the basis of the public discussion in the village of Dunajská Lužná on 11 December 2008, upon the incentive of Diaľničná spoločnosť Bratislava in the matter of the expressway R7 - variant A and variant C of Bratislava - Dunajská Lužná /the first section of the road of Bratislava - Lučenec/, I raised a question to the representatives of Diaľničná spoločnosť, whether the transport of materials and construction mechanisms shall be excluded from the existing road I/63 and III/0632 - towards Dunajská Lužná - Tomášov in the section of the built-up area of the village when implementing the intention, since when such transport through the built-up area of the village is allowed, it would make the contemporary bad situation in environment of the citizens living near the given communications even worse. Such a situation during the construction of the expressway R7 would be unbearable.

I and the other present people got the hint that in the subsequent design they should strive for avoiding the transport of materials and construction machinery on the given communications in the section of the built-up area of the village during the construction of the expressway R7 and they shall search for the possibility of the use of other existing roads or the construction of temporary roads outside the village residential area, however the present representative of the company cast doubt on the information.

Therefore in my own name, in the name of my family, neighbours and other citizens living in the proximity of the given communications, we absolutely ask not to allow the transport of materials and construction machinery on the road I/63 and III/0632 of the village of Dunajská Lužná during the construction.

The permission of such transport would considerably deteriorate hitherto bad condition of environment in the proximity of the given communications, in particular from the point of view of:

- the shaking of the family houses and other structures,
- the increased production of exhalates on the roads and the connected streets,
- more dense traffic and thus the increase in the risk of traffic accidents, even the fatal ones,m

- the excessive noise acting in a negative way on health of people living in the proximity of the given roads,
- the pollution of the given roads and connected streets to the roads,
- and indirectly from the point of view of the possibility of the increase in ground water pollution - through the pollution of surface and rain water from the road body, which could deteriorate the quality of water in the existing wells in the proximity of the family houses.

I suppose the oand requirement shall be accepted in the subsequent granting of permit and that I shall become aware of its acceptance in time. In principle, I have no objections against the construction of the expressway R7, either variant A or variant C.

ACUL, s.r.o., Námestie SNP 22, 811 01 Bratislava, (letter of 22.12.2008)

Our company is the owner of the plots of land No. 5837/20, 5837/21, 5837/22, 5837/23, 5837/24, 5837/25, 5837/26, cadastral territory of Podunajské Biskupice. The plots of land are located approximately in the territory to the West of Slovasfalt, just on the place where the intention of the expressway R7, variant C, designs a large grade separated intersection "Rovinka". Variant C of the route R7 liquidates the valuable lands of urban greenery specified by the urban plan of the city for construction and development. According to the material of the Assessment Report, it requires incomparably higher funds and implementation demands on the solution of the conditioning investments than variant A of the route.

The town planning scheme of the capital city of the Slovak Republic, Bratislava, year 2007, in effect since 1 September 2007, defines the given plots of land as building lands, intended for the functional use of mixed territory of trade, production and non-production services, code D 502, development territory. The given function system is characterised by the areas serving in particular for placing of small business and servicing operations and related administrative objects that shall not substantially disturb the other functions placed in the surroundings.

The prevailing function: the facilities of trade, services, production and non-production; Permissible function: not disturbing production, warehouses, storage areas.

The town planning scheme does not design any communications and networks and the facilities of technical equipment on the given plots of land.

In accordance with the definition of the functional use, we prepare an investment intention on the given plots of land. Nowadays, the documentation for zoning and planning decision is elaborated. We invested considerable funds in the preparation of the intention.

For the above reasons, we use the following standpoint in the given matter: we radically do not agree with the routing of expressway R7 pursuant to variant C. We ask to select the routing of communication R7 in accordance with the valid town planning scheme of the capital city of the Slovak Republic, Bratislava, year 2007 and in accordance with the ÚPN of the Upper-tier Territorial Unit of Bratislava region, as amended and in accordance with the pinions of the municipal part of i Bratislava - Podunajské Biskupice, applied during the discussion on the problem of routing of R7.

Klára Hornišová, Lipského 11, 841 01 Bratislava, (letter of 10.12.2008)

"The Assessment Report for the intention "Expressway R7 Bratislava – Dunajská Lužná" was published on the internet site of enviroportal=EIA under No. 15523 on 12 November 2008."

Hereby I express my disapproving standpoint to this intention. Justification:

Despite that variant C is considered to be better than variant A that would similarly as the intended highway from Jarovce to Ivan seriously damage the valued natural values of Biskupické luhy, it is impossible at all to agree with the concept of zero variant as the condition "as if the activity would not be implemented" with the unfair implicit appendix that no other measures would be implemented at the same time.

Extremely unfair when searching for the solution of the national or local traffic problems is to ignore the most natural and from the point of view of the public interest also the most acceptable solution from all points of view, i.e. the systematic replacement of cargo road transport with railway transport and the transport by passenger motor vehicles with public transport, in the form of reasonable technical investments (surely not including the revelling in non-functional or even harmful innovations of the interiors of passenger wagons - the impossibility of natural venting, noise level and the insufficiency of artificial venting, mirroring

surface of window glasses making it difficult to see the countryside, often the impossibility to switch off or at least regulate the artificial venting and artificial light, the impossibility to hear the announcements on the stations where the train stops from inside the train, the bothering and nonsense announcement of station names in several languages, non-ergonomic seats, unpleasant close arrangement of the seats in particular in the wagons without compartments leading to the increase mutual disturbance of the passengers, the use of tasteless transparent separating walls instead of opaque ones, annoying advertising materials that sometimes are stuck also on the windows, the disgraceful names of some trains) enabling the reasonable coverage of the territory and the frequency and linking of the routes as well as the suitable administrative measures - in particular by the consistent charging of the individual transport types (road and railway, private and public) in accordance with the real scope of damages caused in the public interest (the seizure and fragmentation of land, noise, vibration, light pollution, the emissions of harmful pollutants, impacts on the abundance of the individual taxons of plants and animals, the endangerment of ground and surface water, etc.), as well as in accordance with the real costs of the construction and maintenance of the relevant transport structures and facilities and the level of their exploitation.

There is missing an analysis of causes of the increase in the intensity of transport separately, how the volume and portion of the individual transport components changes in the test of the intention and the Assessment Report. They do not quantify what would be the values of noise, vibrations, emissions, accident rate, land seizure and other indicators in the case of systematic replacement of cargo road transport by railway transport and the transport by passenger cars by the public transport. There are no doubts that all of them would be substantially lower in any of the variants compared in the given documents - A, B and C or so called zero variant.

The studious processing of the systematic replacement of cargo road transport by railway transport and the transport by passenger cars by the public transport. is the prime task of the state and it is unacceptable to avoid this task by retreating under the force of drivers. The responsible solution is not to devastate the countryside with further and further roads and cars, but to globally reduce the intensity of transport and thus also of its all negative consequences, including last but not least the pampered and reckless people, by energetic restriction of transport by passenger motor vehicles and lorries.

The proposer should take back the given intention to the entire extent."

The petition of the inhabitants of Dunajská Lužná and Rovinka for the acceleration of the construction of expressway R7, section of Bratislava – Dunajská Lužná (letter of 18.12.2008)

"The problem of several thousands of inhabitants of the villages of Dunajská Lužná and Rovinka is the intensity of traffic load that has the constantly growing tendency and the development of the traffic accident rate on state road I/63, that is the transport corridor of regional, national and international level. We get persuaded everyday of the necessity of dealing with the traffic situation and safety with an impact on health and lives of our citizens. In recent three years, 6 human lives went out on this state road in the village of Dunajská Lužná.

Nowadays, there was a public discussion on the proposed activity and the Assessment Report "Expressway R7 Bratislava - Dunajská Lužná" and pursuant to the Act No. 24/2006 Coll. on EIA and pursuant to Article 35 Para 1 of the Act; we are sending you our written standpoint. After the issue of the affirmative Final Opinion of the Ministry of Environment of the Slovak Republic it shall be possible to continue in the subsequent project preparation.

The Final Opinion of the Ministry of Environment of the Slovak Republic should finally decide what variant A - red or C - green would be prepared further, which shall have a crucial impact on the future of our villages.

When considering variant A starts on D4 in Ketelec intersection, from where the interconnection to Bajkalská street is just planned for future and not prepared as a project, it is clear that without the development of highway D4 and the development of related communication - the interconnection to Bajkalská street, R7 would not be operable. The routing of R7 in variant A is designed in a close contact with the CHKO Dunajské Luhy to the

South of the village of Dunajská Lužná a Rovinka, that shall be cut out by it (the barrier effect) from these valued territories such as the CHKO Dunajské luhy, the protected avian territory and the protected territory of the European importance Biskupské luhy, i.e. .Dunajská Lužná and Rovinka from the Danube. In the strategic documents of the village, such as the town planning scheme and currently approved programme of economical and social development of the village, our village should be a tourist centre of regional and supra-regional importance. This implies the possibility of drawing of irrecoverable EU funds for tourism development. Variant A - red of the expressway R7 is the principal cancellation of the development plans of our villages where we can suppose also more complex process of approval and general planning proceedings. In the assessment of the variants of the intention, on the basis of the value analysis, variant C seems to be the most beneficial. It is routed to the North-east of the village in the protective zone of railway and it shall be operable independently upon the construction of highway D4. In this location, the village has approved investment intentions that are demanding as for cargo transport, such as gravel mining, processing and supply of returned press, they presented an intention of the operation of the "Yard for collecting construction waste and recycling". Also a large newly established location of recreation houses in the proximity of "Malá voda" is located nearby. Variant C would provide for the relief of the given traffic that nowadays runs through the village residential area to the existing road I/63. From traffic point of view, also the territory of Alžbetin dvor, Miloslavov and Štvrtok na Ostrove, Studené, Tomášov should be connected. During the public discussion, the inhabitants of the village raised a requirement to elongate the feeder - relaying of road III/0634 up to the road III/0635, whereby also fast-developing settlements of Hamuliakovo and Kalinkovlou would connect to the traffic. Since variant C does not regard the mentioned protected areas of the European interest, it is supported also by the association Bratislavské regioálne ochranné združenie that shall be also the party to the building permit procedure. The villages of Dunajská Lužná and Rovinka adopted the resolutions of the local authorities on the preference of variant C.

Therefore it asks to decide in favour of variant C in the section of Bratislava - Dunajská Lužná in the Final Opinion, since it is considered to be the fastest and the most suitable method of a radical improvement of our unbearable traffic situation. (38 signatures)

The owners of the plot of land No. 661/1, cadastral territory of Podunajské Biskupice, (letter of 18 December 2008)

I am the owner of the plot of land No. 661/1 in the cadastral territory of Podunajské Biskupice. The plots of land are located in the territory to the West of Slovafalt, just on the place where the intention of the expressway R7, variant C, designs a large grade separated intersection "Rovinka". Variant C of the route R7 will liquidate the valuable lands of urban greenery specified by the urban plan of the city for construction and development. According to the material of the Assessment Report, it requires incomparably higher funds and implementation demands on the solution of the conditioning investments than variant A of the route.

The town planning scheme of the capital city of the Slovak Republic, Bratislava, year 2007, in effect since 1 September 2007, defines the given plots of land as building lands, intended for the functional use of mixed territory of trade, production and non-production services, code D 502, development territory. The given function system is characterised by the areas serving in particular for placing of small business and servicing operations and related administrative objects that shall not substantially disturb the other functions placed in the surroundings.

The prevailing function: the facilities of trade, services, production and non-production; Permissible function: not disturbing production, warehouses, storage areas.

The town planning scheme does not design any communications and networks and the facilities of technical equipment on the given plots of land. .

Nowadays, the documentation for the issuance of the zoning and planning decision is elaborated, I have obtained a positive binding standpoints of all concerned authorities (pursuant to Article 140a of the Act No. 50/1976 Coll. on urban planning and building core (the Building Code) as amended. I invested considerable funds in the preparation of the intention.

For the above reasons, I use the following standpoint in the given matter: we radically do not agree with the routing of expressway R7 pursuant to variant C. I ask to select the routing of communication R7 in accordance with the valid town planning scheme of the capital city of the Slovak Republic, Bratislava, year 2007 and in accordance with the ÚPN of the Upper-tier Territorial Unit of Bratislava region, as amended and in accordance with the pinions of the municipal part of Bratislava - Podunajské Biskupice, applied during the discussion on the problem of routing of R7.

The owners of the plot of land No. 661/1:

Alexander Buzási Valéria Puchnerová, Július Buzási, Priska Plavczová, Helena Stanková, Klára Fehérviziová, Robert Buzasi, Alexander Kanávor, Magdalena Buzasiová“

Mgr. Vladimír Burianek, Alžbetin dvor 613, 900 42 Miloslavov, (letter of 18.12.2008)

"In relation to the assessment of the construction of expressway R7 Bratislava - Dunajská Lužná on the basis of the report presented to the public and the meeting of the representatives of Národná diaľničná spoločnosť with the citizens, I state the following comments representing the part of the inhabitants of the village of Miloslavov within the specified deadline:

In the case of the construction of variant C:

- The construction of the protective anti-noise wall at the left side in the direction from Bratislava - in the section between the grade separated intersections of Miloslavov and Dunajská Lužná, or up to exit from R7, for the reduction of noise affecting the adjacent residential areas of the village of Miloslavov.
- In the case of the construction of temporary construction yards, to place this operation outside the contemporary exploited agricultural land, at the right side of the developed communication (the direction from Bratislava).
- To locate the section of R7 as far from the village of Miloslavov, the municipal part of Alžbetin dvor as possible, for the reason of the increase of the noise and exhalates load at the supposed use of R7 by transit and cargo truck transport.

The general comment to the construction of variant A or variant C.

- To get the construction of the expressway R7 into concordance from time point of view so that it would be completed and put into operation only after (or at the same time as) the construction of 4-lane access communication to Bratislava in the area of cadastral territory of Podunajské Biskupice or Ružinov. Otherwise the unbearable traffic situation would not be solved on contemporary the only one South entry to Bratislava.

Final Opinion:

From the point of view of the citizens of the village of Miloslavov, variant A is more beneficial with the concurrent connection through the newly built 4-lane communication behind Slovnaft to the intersection with highway D1 Bajkalská, since they would use the intersection of R7 Dunajská Lužná or after the completion of R7 the original roads I/63 Dunajská Lužná - Bratislava and road of class III - Miloslavov - Podunajské Biskupice, significantly relieved from traffic point of view. In general, from the point of view of the entry of vehicles to Bratislava that is the destination for ca 85 % of incoming vehicles, variant A is more beneficial with the construction of new 4-lane communication to Bajkalská intersection since thus the load of communication at entry to Bratislava shall be distributed thanks to the new access communication.

From the point of view of the inhabitants of the village of Miloslavov it is not possible to state variant C is more beneficial since the transit transport through the village shall remain from the directions of Studené, Hviezdoslavov and in the stage I also from Kvetoslavov in the case of both assessed variants. In addition, in the case of variant C, the village shall be loaded incomparably more by noise and emissions from transit transport from this communication than in the case of variant A.

In the case of a different opinion of the elected representative of the village - the Mayor, I would like to state he has no mandate without the verified standpoint of the inhabitants of the village in such important and irreversible question to prefer any of the assessed variants without the publication of the comments.“

APULZ, s.r.o., Brezová 369/40, 900 23 Viničné, (letter of 19.12.2008)

"As the concerned person, investor in the village of Dunajská Lužná, we ask you to decide in the final opinion in favour of variant C of the expressway R7 in the section of Bratislava-Dunajská Lužná for the reason the given variant is the most suitable from the point of view of impacts on future business intentions of the investors in the location behind the embankment, who build a vast sports, recreational and agro-tourist centres there nowadays."

Civil Association "Poľovnícka spoločnosť PRIDUNAJSKO, pri hrádzi 3, 900 42 Dunajská Lužná, (letter of 26.12.2008)

"The members of PS PRIDUNAJSKO, after the assessment of the variants of the intention, express their supportive standpoint to the construction of communication R7 in variant C - green and at the same time the negative standpoint to the variant A - red for the following reasons:

The routing of R7 in variant A is designed in a close contact with the CHKO Dunajské Luhy to the South of the village of Dunajská Lužná a Rovinka, that shall be cut out by it (the barrier effect) from these valued territories such as the CHKO Dunajské luhy, the protected avian territory and the protected territory of the European importance Biskupské luhy, i.e. Dunajská Lužná and Rovinka from the Danube. Furthermore, such barrier would divide also the hunting district of Dunajská Lužná, managed by our hunting society. Deer, boar, roe, rabbit, pheasant game lives in that territory as well as the numerous species of water fowl. The expressway, variant A is in a close contact with waterworks Gabčíkovo (Hrušov embankment), where a lot of protected animal species live using the concerned territory at the time of mating, nesting and baby animal laying.

The routing of R7, variant C, to the North-east of the villages of Rovinka and Dunajská Lužná is practically in the protective zone of railway and it shall affect, from our point of view, in particular small game that has no great migration and is able to adapt to the created barrier.

Therefore we ask you to decide in the Final Opinion in favour of variant C of the expressway R7 in the section of Bratislava - Dunajská Lužná, that is supposed by us to be the most suitable method of dealing with the traffic situation."

BROZ Bratislava, (letter of 20.3.2009)

It recommends variant C.

Variant C would provide also the possibility of connection of the villages of Dunajská Lužná, Miloslavov, Studené, Lažbetin Dvor and Štvrtok na Ostrove. The objections against variant C may be dealt with (e.g. the insufficient capacity of Svornosti street can be enlarged by expansion, so called the "elongation of Bajkalská street" may be connected to variant C too, etc.) On contrary, the principal defects of variant A have permanent and irreversible character and they may not be remedied by the additional solution (in particular the negative impact on the protected territories and the deterioration of recreation potential of the area between the Danube River and the villages of Kalinkovo, Dunajská Lužná, Rovinka and Podunajské Biskupice).

SOS/BirdLife Slovakia (letter of 23.3.2009)

They state in the standpoint that the proposed activity in variant A at the boundary of forest complexes would have a negative impact on the NATURAL 2000 territories - the Territory of the European importance Biskupické luhy and the Protected Avian Territory of Dunajské luhy. For this reason they require to implement variant C.

The objections received may be divided to the following groups:

- ⇒ The affirmative standpoints the comments of which were accepted when raising the objections to the Intention and in the process of assessment they were processed and assessed in the Assessment Report or they were reminded of again in the standpoints.
- ⇒ The affirmative standpoints with comments, the objective of which was to positively contribute to the proposed designs, they are feasible and they shall be incorporated in the measures for the remedy, compensation, elimination or minimisation of the impacts of the construction and operation of the proposed activity on environment in the Final Opinion and further stages of project preparation.
- ⇒ The disapproving standpoints arguing against the implementation of the proposed activity in any of the variants.

⇒ And the standpoints of a general character.

The majority of the raised comments was justified, is feasible and contributed to the design of measures for the minimisation of the impacts of the construction and operation of the road on environment and they are incorporated in the proposal of measures. We may also state the citizens have no principal objections to the construction of the expressway R7 under the condition it would be implemented in any of the variants after the implementation of the measures for the minimisation and elimination of the unfavourable impacts. At the same time we must state that:

- the capital city of the Slovak Republic, Bratislava and the municipal part of Podunajské Biskupice do not agree with variant C green and they require routing the expressway in variant A - red.

During the public discussion, the inhabitants had no principal objections to the construction of expressway under the condition the measures for the minimisation and elimination of the unfavourable impacts would be implemented. The citizens, civil incentives and non-government organisations presented in their standpoints the affirmative standpoints supposing their proposals would be implemented.

Standpoints and Records of the Discussions during the Elaboration of the Expert Opinion

from the working negotiation to the variants of R7 Bratislava - Dunajská Lužná prior to the issuance of the Final Opinion within the EIA process that took place on 27 January 2009 in the premises of NDS Bratislava.

Attendees: according to the attendance list

The working negotiations were summoned by NDS with the objective to reach the uniform standpoint of the Magistrate and the villages to the recommendation of one variant, for the subsequent possibility of the preparation of expressway R7 in this section (The documentation for general planning proceedings with the survey of the territory, the documentation for planning permission). An intention is made for the section, the Scope of Assessment is issued and the Report on the Assessment of the Impacts on Environment for Two Variants pursuant to the Act No. 24/2006 Coll. is elaborated. In December 2008, the public discussions took place in all concerned villages; the Report was commended pursuant to the Act No. 24/2006 Coll.

The Ministry of Environment excused itself for busyness at work.

The Mayor of the city, Mr. Ďurkovský announced by phone he had not the meeting in an agenda so he would not attend it.

Investment Director of NDS Ing. Čermák, CSc. welcomed the attendees and excused the General Director who had the unexpected tasks at work.

Ing. Pollák, Head of the Department of Preparation briefly made the attendees familiar with the plans of the NDS for the closest period in the proximity of Bratislava.

Ing. Pyszková, the Head of the Department of Pre-investment Preparation of Highways, informed about the preparation of the expressway R7 Bratislava - Dunajská Lužná that is before the termination of the EIA process and on the links and the situation in the preparation of highway D4 (1st stage of the EIA process is completed, NDS plans to start with the elaboration of the documentation for zoning and planning decision this year). At the same time, she reminded this meeting did not replaced the negotiations to the issuance of the Final Opinion (FO) of the EIA that may be summoned by the Ministry of Environment of the Slovak Republic.

Conclusion - the recommendation of the Report on the Assessment of Impacts on Environment: from amongst the assessed variants - A (red) and C (green) in the further technical documentation, variant C (green) should be prepared, while it shall be necessary to broaden Svornosti street where variant C ends up in and when developing highway D4 it is also necessary to build Ketelec intersection through which it would be possible to interconnect the expressway R7 with the local communication behind Slovnaft prospectively in future in Prievoz intersection on highway D1. Both the entries to Bratislava shall be needed within a short time.

The Ministry of Environment received 32 standpoints to the Assessment Report.

Out of them:

- for variant A (red) 8 standpoints
- for variant C (green) 15 standpoints
- consent with the conclusion of the Report, i.e. the consent with variant C 9 standpoints

Discussion:

1. Ing. Štefány, Director of the Department of Ground Communications of the MDPT confirmed the standpoint of the MDPT, sent to the Ministry of Environment, to prefer variant C, that is more suitable from conceptual point of view since it creates the possibility of the development of another entry to Bratislava via Ketelec intersection, which might be dealt with within D4.

He acknowledged the effort of the MDPT and the Minister personally for the accelerated solution of the unbearable traffic situation in the villages of Rovinka and Dunajská Lužná. Variant C allows the real solution.

2. The representatives of BSK stated that in the ÚP VÚC BSK the road R7 is stabilised in the route of variant A and their standpoint corresponded with that. In the case of a change in the position it shall be necessary to amend the ÚP VÚC, it should be initiated by NDS.

Ing. Pyszková stated that pursuant to the Act No. 24/2006 Coll. at least 2 variants of expressway R7 and zero variant should be assessed, which was ensured by NDS. The final position of R7 thus may be determined after the issuance of the FO of the EIA at the soonest.

3. The representatives of the villages of Rovinka, Dunajská Lužná and Miloslavov again informed on the unbearable traffic situation on the road I/63 and the reasons why they prefer the variant C:

- In addition to the long-range transit transport, this variant shall be used also by all the villages at the North-east from variant C. Nowadays, their inhabitants daily travel to Bratislava, use the local communications of the given 3 villages that are not adapted to this.

- The territory to the South-east of Bratislava represents its wider hinterland, i.e. it is not possible to separate the traffic problems of Bratislava from the traffic problems of the villages. In Bratislava, there are still be developed large business and administrative centres, where the inhabitants from wider territory travel to work, go shopping, etc.

The disadvantage of variant A is:

- the usability just for transit transport,
- regional transport from the catchment territory would still lead on the road I/63 and the local roads,
- the access to the recreation area near the Danube River would be prevented.

4. The representative of the Magistrate, Ing. Mikuš repeated the standpoint from the previous negotiations to the given topic - to construct R7 in variant A and at the same time he confirmed the non-readiness of the interconnection of D4 and D1, without which variant A would not operable.

5. Ing. Zachar – Deputy Director of the Magistrate spoke of the need of cooperation of Bratislava and the concerned villages when dealing with the traffic problems of Bratislava and the selection of the final position of R7.

6. Mayor of the municipal part of Podunajské Biskupice: she is not against the road R7; however it is necessary to find such a solution that would not make the traffic situation in Podunajské Biskupice worse. She proposed to design the bypass of Biskupice so that R7 would not end up on Svornosti street.

7. The representative of SSC: from the conceptual point of view, variant C is more suitable, it crates the possibility of the development of second entry to Bratislava through Ketelec intersection as well.

The attendees adopted the following **conclusins**:

1. The representatives of NDS called the attendees to reach the agreement at the level of self-government when selecting the resulting route of R7 of Bratislava - Dunajská Lužná so that NDS could continue with the technical preparation.

2. The expressway R7 is not in the town planning scheme of Bratislava, variant A - red or variant C - green. The relaying of road I/63 is in the town planning scheme of the city, its corridor was taken to the Technical Study and the EIA documentations as variant A of the expressway R7.

3. Both variants of R7 starting on highway D4 require construction modifications on the territory of Bratislava, namely:

Variant A: the completion of the interconnection of D4 (Ketelec intersection) with Slovnaftská street or with D1 (Prievoz intersection) at the length of ca 7 km. This interconnection is specified in the town planning scheme of the city, but according to the statement of the representatives of the Magistrate, the city has not verified its technical and environmental feasibility yet. The ending of the road in Prievoz intersection on D1 is however questionable for capacity reasons. In the case of the selection of variant A, the construction of R7 shall be shifted by minimally 1.5 - 2 years necessary for the pre-investment preparation of the given interconnection. Variant A is operable only after the completion of the given city communication at the length of ca 7 km or the part of highway D4 in the section of Ketelec intersection – Rovinka intersection with ending on Svornosti street or the entire section of D4 Jardovce – Ivanka North.

Variant C: The construction of the feeder to the road I/63 with the length of 1.6 km, the broadening of Svornosti street with the construction of two grade separated intersections (it is anchored in the town planning scheme of Bratislava).

The implementation of variant C is not conditioned by other large investments. Variant C will improve traffic in all three villages, it will not improve the transport in the municipal part of Podunajské Biskupice, yet it would not deteriorate it in a principal way - there would be the same or worsening situation than today.

4. The scope of the given subsequent investments that would be made within the construction of R7 may be agreed at the level of the magistrate of the capital city of the Slovak Republic, Bratislava – MDPT (NDS).

5. In the case of persisting conflicts, it would not be possible to start the technical preparation of the construction of R7, i.e. zero variant would remain.

6. Ing. Zachar, the Magistrate Deputy Director assured the present people that the mayor is informed of the prepared expressway R7 and he promised to initiate the meeting with the representatives of the villages and the municipal part of Podunajské Biskupice, with the aim to achieve the accord in the standpoints with the villages, today we agreed the deadline before 28. 2. 2009.

The supplementation of information, found out by the NDS after the negotiation:

- Today, 27. 01. 2009, the daily SME published an advertisement - Notice of Beginning of procurement of the town planning scheme of Bratislava region, in which the BSK asks public to send the requirements and base information for the elaboration of the town planning scheme and we have received the Notice from the BSK on 29 January 2009 as well.

This implies it is possible to bring the preparation of the town planning scheme and the expressway R7 in its final location (variant A or variant C) into line.

- The interconnection of D4 and Galvániho street, as it was proposed by the Mayor of the municipal part of Podunajské Biskupice is in the town planning scheme of Bratislava the part of external road semicircle, thus it is the city communication outside the competence of NDS.

5. Elaboration of Expert Opinion Pursuant to Article 36 of the Act

The expert opinion and the proposal of the Final Standpoint was elaborated pursuant to the stipulations of Article 36, para 4, 6 and 7 of the Act of the National Council of the Slovak Republic No. 24/2007 Coll. Ing. Karol Mahr, registered in the list of professionally capable persons for the assessment of impacts on environment pursuant to Article 36 of the Act and the Article 9 of the Regulation of the Ministry of Environment of the Slovak Republic No. 52/1995 Coll. on 4 September 1997 under N. 63/96-OPT.

The conclusion of the opinion:

The fastest solution of the given activity is in variant C - green that is conditioned by the change in the decision of the capital city of the SR, Bratislava and the municipal part of Podunajské Biskupice. As long as this change would not take place, it shall be necessary to propose and build R7 in variant A - red only after the completion of highway D4.

IV. THE COMPLEX ASSESSMENT OF THE IMPACTS OF THE PROPOSED ACTIVITY ON ENVIRONMENT, INCLUDING HEALTH

As it is implied by the Assessment Report, opinion, record of the public discussions and received standpoints, the proposed activity shall have several impacts on environment in the assessed section, while there would be different types of impacts of various seriousness. The following impacts were identified in the existing solutions from the assessment documentations, opinions and consultations.

Impacts on Inhabitants

Zero variant

In the case of non-construction of the expressway, the unfavourable contemporary situation in the considered villages would just get worse with the increasing intensity of traffic.

Proposed Variants

In the stage of construction

The negative impacts may be qualified only during the construction, however they would be just of temporary character and minimal since the future construction site, construction yards and access roads are lead mainly outside the considered villages. It shall be necessary to draw up the plan of transport during the construction for Dunajská Lužná, where they suppose the traffic of large amount of lorries.

In the stage of operation

The inhabitants of the villages of Rovinka and Dunajská Lužná shall be immediately directly affected, in a positive way in the case of both variants, since the contemporary transport leading through the villages shall be re-distributed by re-directing in particular of transit traffic to the capacity communication, whereby the number of vehicles moving through the given villages shall be significantly reduced. The inhabitants of the village of Miloslavov must connect to R7 in both variants, it is closer in the case of green variant, but also noise shall be closer to them.

The inhabitants of the municipal part of Podunajské Biskupice shall be affected in a positive way only when constructing the interconnection of R7 (D4) to Bajkalská street by means of an intersection on D4 Ketelec in the case of both variants. As long as the interconnection to Bajkalská street is not constructed, the unfavourable contemporary situation would remain and it would get worse with the growing intensity of traffic, in particular on Svornosti street and the adjacent communications. Variant C does not solve the problems of road traffic in Podunajské Biskupice and from this point of view it is not suitable. There are ca 60,000 vehicles per day there and even after the construction pursuant to variant C; the same count shall arrive there. Both inhabitants and elected representatives are aware of this and therefore they are for variant A and they plan to support it also in the form of petition.

The remaining part of inhabitants of the concerned region shall be positively affected, by the improvement of access to Bratislava on the capacity communication.

Health risks

Risks during the construction

The employees working on the structure have the following tasks implied by the character and type of work - the construction works as well as the design of the structure: work at heights, work with gaseous, electric devices, construction mechanisms and means of transport. In the stage of construction, there shall be an increased movement of construction mechanisms in the area of the structure, whereby noise, dust and traffic emission quantity shall be increased. However, this shall not have a significant impact on the health condition of inhabitants. Direct health risks occur in the construction stage only with regards to the

construction activity itself. This is in particular the risk of accident during transport, handling with material, during construction works, in particular works at height and in a tunnel, during the work with electric devices, etc. These risks may be eliminated just via discipline at work and the observation of the principles of health protection at work.

The risks of the influence of health condition of population are usually assessed through the impact of transport on the quality of air and noise level in the environment. These impacts may be manifested on the health condition at long-term exposures of population to the concentrations exceeding the hygienic limits. It is supposed that the polluted air contributed to the increase in diseases in particular of respiratory system (asthma, allergies to dust and other substance).

During the construction, they suppose the increased production of exhalates polluting the air coming from the operation of heavy lorries and dustiness during the construction of expressway, they shall be just temporary and they would be minimised by a suitable organisation of construction, the location of construction yards and access roads.

Risk during the operation

of the proposed activity represents the impact on inhabitants in particular by the production of noise. It is relevant to assess the impact of noise pursuant to criterion being the Decree of the Government of the Slovak Republic No. 339/2006 Coll. specifying the highest allowable equivalent noise levels and the expression of the public health authority pursuant to the Act of the National Council of the Slovak republic No. 355/2007 Coll. on protection, support and development of public health and on the amendment and supplementation of some acts.

Its unfavourable impact may be demonstrated at the long-term condition of excess of the allowed hygienic limit, that is however not probable in this design.

The negative impacts of noise on the population shall be eliminated by the implementation of anti-noise measures and thus it shall come to a significant shift of exposure of the inhabitants to the lower noise levels. The results of noise study proved that there was the necessity of the construction of anti-noise walls for variant C - green, for variant A, with regards to the distance from the village residential area, it would be under the limit in the entire section without the implementation of anti-noise measures since the hygienic limits would not be exceeded at daytime and at nights.

The most significant impact of air pollution may be expected in the stage of construction works, when the operation of heavy automotive transport would be the source of air pollution by exhaust gases and whirling of these deposited particles on the surface of the road and its immediate proximity, but the impact shall be short-term and less significant.

Upon the location of all variant solutions outside the village residential area of the villages, just the minimum part of inhabitants shall be affected directly by exhalates. On the basis of the results of exhalation study, we may state the load with hazardous substances from traffic on expressway R7 in an outlook of 2030, the maximum allowable concentrations of hazardous substances (CO, PM and NOx) would not be exceeded in its proximity and even 30-40% of the allowed minimum values would not be exceeded too. This does not apply to the ending in variant C in Podunajské Biskupice.

Social and Economic Consequences and Context

The social and economical effects of the assessed activity shall be manifested in transport parameters by re-distribution of traffic after the commencement of the use of new structural work, but also on the original part of the concerned road network, by reaching higher driving speed, travel speed and safety of users and by the reduction of negative impacts on the concerned population as the consequence of higher quality of new structural work in comparison with the deteriorating contemporary situation. The given applies to the case of a complete solution of the connection of R7 to the transport system of the city of Bratislava. Failing that, there is a diversion before Dunajská Lužná and the ending in Podunajské Biskupice shall remain, whereby nothing would be solved from the point of view of transport, since the "jams" shall be created in Podunajské Biskupice.

The economical effects shall be manifested in particular in the final clients of the given section of road network by reduction of their costs related to the transport of cargo and passengers, or to the operation of the vehicles. The social effects shall take place in the users of the roads by the improvement of their safety and in the inhabitants of the surroundings of the road I/63 by the reduction of negative effects on their environment. They shall also be demonstrated on the reduction of travel time spent by the passengers of passenger vehicles and buses.

The social effects shall be demonstrated in the case of the user of the activity by the improvement of their safety and comfort of drive and in the case of the inhabitants of the adjacent settlements of Rovinka and Dunajská Lužná in the proximity of road I/63 by the reduction of negative impacts of road transport on their environment.

The positive impact of the investment shall be also the improvement in the performance of the expressway, the improvement of servicing and the creation of conditions for the development of the territory of interest and also the creation of job opportunities thanks to the building activity.

The negative consequence of the construction shall be the inevitability of the seizures of new plots of land, loading of the territories with transport and the collision with the intention of another exploitation of the territory

Impairment of Well-being and Quality of Life

The impairment of well-being and quality of life of the inhabitants is meant to be in particular the negative influence of the basic factors of environment of the inhabitants of the villages (quality of living, quality of the basic elements of environment - in particular air, water and hygiene of the environment, subjective factors of the perception of the surrounding environment). It is obvious that during the direct construction works on the construction of road the hitherto used way of life and the quality of environment would change, while the changes have usually the negative character, but they are temporary.

The direct and indirect consequences of construction activity related to the road construction and the induced investments can be considered to be influence of the factors of well-being and quality of life, such as:

- the increase in the intensity of cargo transport with the consequences being the increase in noise level, dustiness and the overall disturbance, in particular in the proximity of construction yards and greater construction objects,
- And the impairment of the landscape perception perceived for many years (new technical elements in the countryside).

After putting the structure into operation, the benefits of the assessed activity for the inhabitants of Rovinka and Dunajská Lužná shall be immediately demonstrated by the re-distribution of contemporary transport on road I/63 that shall take place due to the commencement of the use of new, given section of road network. By reducing the traffic load, the quality and comfort of life in particular of the inhabitants nearby the road I/63 leading through a village residential area, by reducing noise, vibrations and emissions, the safety of traffic and accident rate shall be improved. Due to the given positive change it shall also come to the decrease in the consumption of fuel and operation costs of the users of the given section of the road network.

The impacts on the impairment of peace and quality of life may be assessed in these villages in general against the zero variant as a positive.

From the point of view of the comparison of the proposed variants, just a little less negative impact shall be attributed to variant A - red, since by ending up of the variant C in Podunajské Biskupice, nothing would change for this part of Bratislava. Nowadays and also in future the entire transport shall pass through it, with all negative consequences. For this reason, the design pursuant to variant C is unacceptable for the municipal part.

Acceptability of the Activity for Villages

The acceptability for the villages in hitherto preparation of the construction is as follows:

The standpoints of the concerned villages and inhabitants

The municipal part of Bratislava - Podunajské Biskupice - it does not agree with variant C -

green, since it takes a part of the territory earmarked according to the town planning scheme for civil facilities.

Village of Dunajská Lužná - agrees with variant C green,

Village of Rovinka - agrees with variant C green,

Village of Miloslavov has not sent its standpoint.

Public discussions

Bratislava capital city and municipal part of Podunajské Biskupice - agree with variant A red.

Village of Dunajská Lužná - they prefer variant C - green, do not agree with the use of local communications for the purposes of the transport of materials and mechanisms.

Village of Rovinka - prefers the variant C green.

Village of Miloslavov - prefers the variant C green.

Poll amongst the Concerned Inhabitants

The municipal part of Bratislava - Podunajské Biskupice, 97.4% for variant A - red

Village of Dunajská Lužná, 60.1% for variant A - red

Village of Rovinka, 90.1% for variant C - green,

Village of Miloslavov, 76.0% for variant variant C -green.

Impacts on Rock Environment

In the territory that is intensively used by industry and also agriculture, we may expect the contamination of rock environment as the consequence of anthropogenic activity.

The direct and indirect impacts of the proposed activity on rock environment and relief may be classified as:

- The interference with the rock environment and relief by the body of expressway as a direct impact,
- The possible pollution of rock environment as indirect impact.

The interferences with rock environment and relief represented in particular by high fillings and bridge objects may be characterised as a permanent, irreversible and long-term impact. With regards to the longitudinal profile of both variants and the number of bridges, the interference with rock environment by earth works is of no significant negative direct impact, since the territory is table without active geodynamic phenomena (erosion, landslide territories, etc.).

The presence of well-permeable soils, however, indirectly conditions the possible pollution of rock environment during the construction of expressway and also during its operation when it comes to the collision of vehicles transporting hazardous substances, which might be characterised as emergency situation. In the case of their activation, they would cause permanent, irrevocable condition and induce other costs of necessary improvement.

From amongst the favourable impacts of the construction and operation of the road, we may mention the optimisation of the routing the communication from the point of view of the interference with rock environment and relief and the prevention of activation of nowadays identified geodynamic processes by suitable technical measures.

Impacts on Climatic Conditions

The construction would not induce the changes in the elements of local climate, or their change induced by the construction would not be proved. The changes in microclimate that would be more significant (due to the field modifications, etc.) shall rather affect the work itself r the activities related to its operation.

Impacts on Air

In the stage of construction, they expect temporary, short-time increase in air pollution with imissions from motors of transport and construction mechanisms when transporting the materials on the existing road network passing through the settlements, the increase in secondary dustiness due to the field modifications and earthworks, lading and transport of earth. The composition of vehicle fleet and mechanism fleet of the supplier in this stage is known. In addition, the decisive influence on the negative impacts of the construction of expressway shall belong to the division of the construction to stages, the organisation of works and the selected construction procedure, by which it is possible to significantly eliminate the unfavourable impacts of construction works. This impact is temporary and limited to the period of construction.

In the stage of operation, the quality of air shall be, similarly as till now, affected by exhalates and dustiness caused by transportation by cars, as well as solid pollutants during winter spreading. According to calculations for average annual concentrations, the contribution to air pollution with considered exhalates generated from the supposed traffic load with regards to the relevant limit is minimal.

Nowadays, the most loaded communication from traffic and emission point of view in the monitored territory is the road I/63. It shall be relieved by the load that shall be taken over by expressway R7. Thus they expect the reduction of harmful substances from automotive transport in the villages passed by the entire transit nowadays.

On the basis of the calculated emission load by harmful substances from traffic in the horizon of 2030, we may state that after putting this construction to operation the maximum allowable concentrations of harmful substances (CO, PM and NOx) shall not be exceeded from transport in its surroundings in the case of none of the variant designs. This holds true for variant A and partially for variant C.

From the point of view of impact on the quality of air of the concerned territory as a unit and from the point of view of the supposed concentrations of CO and NOx, variant A - red is more favourable.

Impact on Surface Water

The contamination of water running from the surface of the road is caused by the contents of the entire range of pollutants, while waste water may have a negative impact on quality of ground water in particular. The intensity of the impact shall depend upon the concentration of pollutants, climatic and hydrogeological conditions.

With regards to the fact the assessed variants are not in contact with surface water and road drainage system, the negative impacts on surface water are not supposed during both operation and construction.

Impacts on Ground Water

The considered territory belongs to the CHVO Žitný ostrov, for this reason it is necessary to pay an increased attention to the protection of ground water. On the basis of these limits, road drainage system was proposed for the entire section with the treatment of released water within the technical design for both assessed variants, which in the common operation provides for the protection of the ground water resources in the territory against negative impacts.

However, in the construction stage the deterioration of quality and regime of ground water is possible, in particular during earthwork and bridge engineering works that may interfere with the collector of ground water.

From qualitative point of view, the indirect impacts on ground water (the supposed sources of contamination) may be in particular:

- The contamination of ground water during the construction - the release of waste water from servicing equipment and from the maintenance of mechanisms, the contaminated rain water washed away from the surface of access roads to the site, domestic waste water from the equipment on the site and construction yards.
- During the operation, there is a possibility of contamination of ground water with waste water running from the surface of the road (road cleaning, de-icing salts, the risk of contamination upon the leakage of contaminants in the case of accidents of large-capacity transport).

Natural Healing Water of Čílistov

Both assessed variants interfere with the protective zone of level II of Čílistov, while variant A - red at smaller length (2.550 km) than variant C - green (5.150 km).

With regards to hydrogeological collector of the water, we do not suppose impact of the assessed variants on the resource. However, it shall be necessary to observe the relevant legal stipulation when making and operating the structure in the protected zone.

Water Management

From the point of view of the construction and operation of the communication on water management, the direct impacts related to the intersection of the existing land reclamation and the indirect impacts related to the existence of territories important from water supply

point of view and the protective zones of water sources in wider territory b possible contamination of ground water may be considered to be more significant.

A direct impact shall be also the production of waste water from road sewer system with water treatment through ORL, which shall increase the demands after its taking way by infiltration.

According to the position of the assessed variants versus CHVO Žitný ostrov, we may state that both assessed variants are routed in the entire section in the territory of the CHVO. The registered water sources located in the territory of interest are at a sufficient distance from the route of the assessed variants (water source of Podunajské Biskupice, water source of ZIPP D. Lužná), thus impact on them is not supposed.

Impacts on Soil

The basic negative impact on soil is its seizure by the bod of intersection layers and temporary seizures, material dumping areas and construction yards. The negative impact may occur in the stage of construction on temporary seized grounds. During the construction, the construction activity and relate human activities may cause the following negative changes in the quality and stability of concerned soils:

- a) Degradation (decomposition) of the structure aggregates of soils, on which the construction mechanisms and means of transport would drive (handling belts and their immediate surroundings, construction yards). This change may take place in the locations of luvisol pseudogley and texturally light modal carbonate fluvisol. It has mostly reversible character, however only in the case that after the completion of the construction the due biological re-cultivation of the concerned lands would take place, focused not only on the humus horizons, but also the sub-surface horizons down to the depth of ca 1m.
- b) Speeding-up of erosion processes due to the in.depth interferences in the slope relief, with the presence of luvisol pseudogley and cambisols with high level of erodibility and unfavourable structure condition. This impact may be prevented by a thorough observation of anti-erosion principles during the construction works.
- c) Starting of slope defects - solifluction (landslide) in the sections of the construction of the expressway lead in the deep notches into the original level of slopes where the geological subsoil is made of clay flysch slates and marl. Such changes are of irreversible character and they may not be prevented by as trict observation of the principles for construction works on slopes.
- d) Beating (compaction) of the soil profile in its root zone, caused by the compaction by construction and heavy transport mechanisms having a negative impact on the overall physical condition of the soil, the biological and chemical processes and water-air regime of the soil. The compaction of root zone is of reversible character in the case that after the completion of the construction a due biological re-cultivation focused also on deep ploughing of soil profiles would take place on the considered lands.
- e) Intoxication of soil with the components of exhausting products, in particular polycyclic aromatic carbohydrates (PAU) that are the products of combustion in diesel motors. In the case of exhaust-emission output, a contamination is possible up to the distance of 10 m from the source. Despite that these impacts shall act in an intense way, they would not be long-term therefore it is not necessary to expect the irreversible character of these changes. However, despite that it is necessary from the point of view of permanent maintenance of production potential of soils so that the complex and intense biological re-cultivation would take place on the concerned soils immediately after the completion of the construction.
- f) Nitrate (NO_x) accumulation in humus horizons of soils at the distance up to 10 m from the construction and in plants grown on these soils. In the case of agricultural soil, this impact is up-to-date in particular in the case of fluvisol soils, gley phaeozem, rendzina and pararendzina, where there is a reversible change, remediable by biological re-cultivation of the soils. In the case of grown plants, this impact may have a negative impact on their technological properties or health safety. These impacts may not be eliminated; it is just

possible to preventively monitor the content of nitrates in the cultivated products prior to their use for direct consumption or further processing.

- g) The potential risk factors of soil intoxication is also the point pollution of soils with oil substances and motor oils that may be expected on the territories of handling belts and construction yards and in their immediate proximity. Soil contamination with oil substances has reversible character under the condition such soil shall be excluded from agricultural use and a specific several-year biological re-cultivation would take place on it. The contamination with motor oils has usually irreversible character since we do not know the efficient method of land rehabilitation yet.

From this point of view, both variants are comparable.

Impact on Fauna, Flora and their Biotopes

The linear constructions represent a considerable risk for biodiversity preservation. It may be endangered directly (by species vanishing from destroyed or degraded biotopes) and indirectly (e.g. the loss of food sources for some species, their isolation and impossibility to overcome the distance between the natural biotopes). When the biotopes and populations living in them are fragmented to small groups and the interconnection between them is impaired, their long-term existence is disturbed. Small and isolated populations are vulnerable to extinction with regards to the inbreeding. However, this impact relates in particular the line elements, such as highways and expressways forming an obstruction that is hard to overcome. Recently, also the impact of noise is significant; it must be also defined as unfavourable.

When assessing the impact of the proposed activity, it shall be necessary to consider also the supposed direct, indirect, secondary, cumulative, synergic, short-term, temporary, long-term and permanent impacts and the impacts induced during the construction of the proposed activity and during the operation of the proposed activity.

In addition to the impacts during the operation of expressway R7, it shall be necessary to consider also the impacts induced during the construction of the proposed activity. An excessive disturbance shall affect practically all the species in the given territory. Disturbance during construction (noise, dustiness, vehicle drives, construction yards and temporary depositories and material dumping sites, etc.) shall restrict the use of optimum food biotopes, the possibilities of hiding while being disturbed in the forest complex of Biskupické luhy for some species. For sensitive species, such as Black Kite ((*Milvus migrans*), this activity may lead to the prevention of nesting in the disturbed environment or even the ruination of nesting in progress in the stage of egg-laying.

The induced and synergic impacts we may consider in future include the possible building activity alongside the new expressway R7 - warehouse and production premises, logistic parks, petrol stations, resting places, as well as the individual construction of houses, etc.

Despite that the project of R7 does not deal with such relations, such a trend may be observed practically alongside all important communication in Bratislava region. The growing built-up area should have other significantly negative impacts on the given territory and its biota.

The negative impacts on fauna, flora and biotopes are in particular in the case of variant A - red that runs in a close proximity of extraordinary valuable territory of Dunajské luhy. The impacts of variant C - green on biota are less significant.

The proposed variant A - red intersects the traditional migration roads of a large quantity of game. It means a partial liquidation of feeding biotopes and the separation of migrating corridors of the game living mainly in the territory of the CHKO. This relates also to the liquidation of the sanctuaries and resting territories (and access to them) used by the game while being disturbed in the CHKO, deterioration of recreational potential.

When implementing variant A - red, it shall be necessary to provide for the fencing of the road R7 in its entire length (from Slovnaft up to Kalinkovo). Failing that, it shall come to very frequent collisions of motor vehicles with game, used to use its traditional migration routes.

In addition to ungulate game, also the other species of mammals can be considered, coming to the fields to get food. These are in particular Foxes, but also Badgers (occurrence of ca 5-

6 families, each with 4 young animals per lair in average) and the European Beaver (a stable occurrence on all water courses in the territory).

There is a precondition that even the complete implementation of possible measures for the mitigation of negative impacts (road fencing, non-transparent anti-noise walls, ecoducts - passages for animals over the communication) would just partially deal with the worsening of migration.

For some species, e.g. birds (in particular owls), it is impossible to avoid collisions with vehicles even by fencing and protective walls alongside the road.

The direct seizure and liquidation biotopes shall take place only to a minimum degree, in the case of variant A - red at km 4.0 when crossing the river channel of the former Danube branch. There is a biotope Ls +.2 Oak-elm-ash lowland inundated forests (the biotope of the European importance 91 F0) in this section.

Even more serious impact than the direct seizure of the biotopes is however the fragmentation and isolation of the existing biotopes and ecologically important segments of the country.

Impact on Landscape - Structure and Exploitation of the Landscape, Landscape Scenery

The landscape scenery of the assessed territory is determined by the distribution of positively perceived elements of landscape structure in a heavily urbanised and agricultural country. The technical elements, such as mass construction of houses, the complexes of industrial areas, technical works (communications, electric lines, etc.) are usually the elements perceived in the country in a negative way. From this point of view it is necessary to perceive also the position of the new technical element in the landscape scenery that the new road would certainly be. It shall distinctively apply in particular in the areas with more exposed relief.

The extent of the influence of landscape scenery by the implementation of the assessed variants depends mainly upon the character of the technical intervention in the country.

Variant A shall act in the landscape scenery in very disturbing way with regards to its considerable barrier effect, while it shall separate the villages of Rovinka and Dunajská Lužná from the territory valued not only from the point of view of nature protection and game migration but also from the point of view of the exploitation of the territory as an attractive zone for recreation and relaxation with an access to Hrušov dam.

Variant C shall act in the landscape in less disturbing way, it runs behind the railway and the substantial part of the route runs in parallel with it, whereby it shall be the part of the existing transport corridor.

There is non-forest wood species vegetation, bushes and tree lines on the route of both variants. They are formed mainly by the non-original wood species: Black Locust (*Robinia pseudoacacia*), Persian Walnut (*Juglans regia*), Euro-American Hybrid Poplars (*Populus x euroamericana*) and in the case of variant C also American Ash (*Fraxinus americana*), Red Ash (*Fraxinus pensylvanica*), with the accompanying nitrophilic and ruderal vegetation - Black Elder (*Sambucus nigra*), *Urtica dioica*, *Calamagrostis epigeios*, *Arctium tomentosum*, *Rumex* sp., *Solidago gigantea*, *Solidago canadensis*, *Carduus* sp.. The vegetation is not classified in the biotopes of the European and national importance. However, despite that they represent the most significant ecologically important segments of landscape in the homogeneously intensively exploited agricultural country. From the point of view of the local ÚSES, they form the framework of the ecological stability and function as the local bio-corridors and interaction elements and they fulfil the eco-stabilisation function in the country.

Impacts on the Protected Territories and Their Protected Zones

Impacts on the protected natural territories and Natura 2000 territories

Variant A - red passes in a contact with large-area (Rural Conservation Area Dunajské luhy) and small-area (Natural Reserve Topolové hony) protected areas at the length of 1.5 km (the section of km -0.5 - 1.0), while it approaches also the protected territory included to the Natura 2000 system in that section. This is the Territory of the European Importance SKUEV0295 - Biskupické Luhy and Protected Avian Territory SKCHVÚ007 - Dunajské Luhy.

Dunajské Luhy is also the internationally important wetland territory according to Ramsar Wetland International Agreement.

The proposed variant C - green is located in the sufficient distance from the boundary of CHKO Dunajské luhy and the boundaries of Natura 2000 territories and it practically does not interfere with any natural territories protected by law.

The impacts of the assessed variants on the protected territories is given in the following well-arranged form:

Impact on the Rural Conservation Area (CHKO) Dunajské luhy

Variant A - Red

Serious damage to part 1 of the CHKO - noise, pollution, migration barrier, the fragmentation of non-built-up area, the liquidation of trophic biotopes and migration corridors of game living mainly in the territory of the CHKO. The liquidation of the sanctuaries and resting territories (and access to them) used by the game while being disturbed in the CHKO, deterioration of recreational potential.

Variant C - Green

No impact.

Impact on the Natural Reserve Topoľové hony

Variant A - Red

Indirect interference - noise, pollution, migration barrier.

Variant C - Green

No impact.

Impact on the Protected Aian Territory Dunajské luhy

Variant A - Red

The loss of hunting biotopes of Western Marsh Harrier (*Circus aeruginosus*) and Black Kite (*Milvus migrans*) species. The loss of trophic biotopes – Wild Geese (*Anser* spp.) pastures. The increase in the disruption on potential nesting grounds (the loss of potential nesting grounds) for Black Stork (*Ciconia nigra*), Black Kite (*Milvus migrans*) and White-tailed Eagle (*Haliaeetus albicilla*) species.

Variant C - Green

No impact.

Impact on the Territory of the European Importance Biskupické luhy

Variant A - Red

An interference in the peripheral part – long term upset – noise, pollution, the violation of migration corridors, direct death of animals.

Variant C - Green

No impact.

Impacts on the Protection of Water Supply Areas and Water Sources

Both proposed variants are located in the CHVO Žitný ostrov.

The proposed variants partially pass through the protective zone of grade II. of the natural healing sources of Čilistov as follows:

- Variant A – from km 4.450 up to the end of the section (2.550 km)
- Variant C – from km 1.850 up to the end of the section (5.150 km)

The impact on the protected territory, the protection of water supply areas and water sources is significant.,

Impacts on the Territorial System of Ecological Stability

From amongst the identified impacts on the Territorial System of Ecological Stability, it is possible to state the following from the **supra-regional and regional** point of view for the assessed variants :

Variant A - Red

The route of variant A - red passes in the section having the length of 1.5. (km -0.5 - 1.0) at the border with the supra-regional biocentre (NRBC) Bratislavské luhy and the regional biocentre (RBC) Topoľové hony. At the same time, in the section of km 0.6 - 4.0, it passes through the proposed expansion of the NRBC Bratislavské luhy, whereby it practically

makes it impossible to implement the proposed expansion NRBC Bratislavské luhy to the south-west of the villages of Rovinka and Dunajská Lužná towards the Danube river.

The route of variant A - red also directly crosses the supra-regional bio-corridor (NRBK) Topoľové hony – Rovinka – the Little Danube at km 2.250 and the fauna gene pool location od Dunajská lužná at km 2.0 - 3.0.

Variant C - Green

The route of variant C - green crosses the supra-regional bio-corridor (NRBK) Topoľové hony – Rovinka – the Little Danube at km 2.850.

At the level of the **local** ÚSES, we state the elements located in the proximity, or touched by the assessed variants of R7.

Variant A - Red

- at km 0.6 - 0.7, the variant intersects a significant local bio-corridor connecting the local biocentre mBc 3 Lučina with rBc Topoľové hony, or biocentre in the PHO of the water source of Podunajské Biskupice, the bio-corridor provides for the approach also to a "small lake" in Rovinka.
- at km 1.5 - 2.3 the route passes in the proximity the local biocentre mBc 3 Lučina in the location named Prípor, forming the part of the old Danube branch grown with tree and bushy vegetation of hardwood inundated forest to xerothermic oak forest type,
- at km 2.3, the route intersects the significant local bio-corridor connecting the local biocentre mBc 3 Lučina and the local biocentre mBc 1 in the location named Kamenný pasienok, formed by the remnants of the community of a transient and hardwood inundated forest with a significant representation of tree, bushy and herbaceous individuals of this biotope and the water area of former gravel pit between them.
- at km 3.1 and 4.0 the route crosses the local bio-corridors in the territory of an old embankment.

Variant C - Green

- at km 0.1, the route intersects the local bio-corridor to the local biocentre in the PHO of water source of Podunajské Biskupice
- at km 1.3 and 4.8, the route intersects the local bio-corridor between the local biocentre in the PHO of water source of Podunajské Biskupice and the local biocentre mBc 4 and regional bio-corridor rBk XVI The Little Danube - the Danube and water area of Rovinka and Nové Košariská lakes.

The given implies that the variant A - red has more unfavourable impact on the given elements of ÚSED than variant C - green.

Impacts on the Urban Complex and Land Use

The use of the land in the considered part of the territory would not be changed upon the construction of the expressway R7. The greatest portion of the area of proposed variants takes agricultural land today, while it shall come just to its seizure. The given communication shall have just temporary impact on the intensity of the exploitation of the territory during construction, we do not suppose a significant restricting impacts on the intensity of the exploitation of the territory during operation with regards to the fact that all technical measures eliminating the unfavourable impacts shall be taken.

Impact on the Contemporary Urbanisation of the Territory

Both variants are located outside the contemporary built-up territory of the villages of Rovinka, D. Lužná and Miloslavov. Rovinka intersection with P. Biskupice feeder and the beginning of the section of variant C - green is on the territory of the city of Bratislava, where they consider the construction of civil facilities in long-term horizon according to the valid ÚPD.

From the long-term point of view, the variant A - red passes in the section of km 4.0 - 4.5 through the proposed extension of the village residential area of the village D. Lužná, where they consider the use of the territory for agricultural production and public greenery. Variant C - green interferes with the proposed extension of the village residential area of the village of D- Lužná in the section from km 6.4 up to the end of the section including D. Lužná intersection, where they consider the use of the territory for business activities.

Impacts on land exploitation

The agricultural exploitation of the territory prevails in the territory of the proposed variants of

R7, i.e. the impact shall be the most notable on agricultural production.

The Impacts on Cultural and Historic Monuments

Variant A - red crosses the **protected cultural and technical monument** - the original anti-flood protective dam (built in the period of Austria-Hungary under the rule of Maria Theresia) as the part of secondary anti-flood line (Upper Rye Island dam Hornožitnoostrovná hrádza). at km 4.0.

The proposed variant C does not collide with the protected cultural monuments.

The Impacts on Archaeological Dig Sites

The impacts on the cultural values of an immaterial value: the assessed activity has zero impacts.

The Impacts on Palaeontological Dig Sites

No significant palaeontological dig sites and geological fields were found in the monitored territory.

Impact on Cultural Values of Non-material Character

The proposed variants and their possible construction shall not have an impact on the cultural values of non-material character.

Other Impacts

Impact on Agriculture

The impact of the planned construction of the assessed variants on agricultural production shall be negative from the point of view of the seizure of agricultural land, while the size of permanent seizure of agricultural land in the assessed territory depends upon the proposed variant. By taking the land, it shall come to the reduction of the production of agricultural crops and to the division of the individual field units.

The land seizures in the proposed variants are given in the following Table.

Variant	Arable land	Arable land - irrigation	Meadows and pastures	Other land	Forest land	In total (in ha)
A	50.860 ha	-	-	2.581 ha	0.474 ha	53.915
C	13.235 ha	29.585 ha	-	3.695 ha	-	46.515

During the construction, the operation shall be temporarily affected in particular on the access roads to the fields within both variants and to the agricultural enterprises in the case of variant C - green (Agricultural cooperative Ješovice, Rovinka farm).

Impact on Forest Management

The impact of the construction and operation of the proposed activity on forest management is not supposed with regards to the fact there are no commercial forests.

Impact on industrial production and technological areas

The proposed variants do not affect practically any of the areas of industry, production and other technological areas. It may favourably affect some production activities within the region that stagnate in the territory or are in liquidation. During the construction, it shall indirectly affect the operation mainly on access roads to the enterprises in the case of variant C - green (Slovasfalt, Feron, Stachema, ZIPP, Alas), but this would be just temporary impact and after the completion of the bridge objects, the servicing of these areas shall be assured in the original condition.

Impacts on Non-production Activities

The proposed variants shall not directly affect the non-production activities, they shall indirectly favourably affect the activities related to the development of suburban recreation and sports, and they plan to gradually build in this territory.

Impact on Services, Recreation and Tourism

The assessed communication is located in the sub-urban zone of Bratislava. The construction of expressway shall vicariously positively affect the development of activities related to the assurance of services for the satisfaction of increased visit rate of the territory.

The negative impact on recreation is significant in the case of variant A - red, that shall form a barrier to the entry to the zone of relaxation and recreation in the territory of CHK Dunajské

luhy, whereby the value of the territory shall be decreased from the point of view of its utilisation.

Variant C - green shall not have a notable barrier effect since it is lead mostly alongside the existing railway. The impact on allotted gardens Miloslavov was dealt with within the shift of the route outside the territory of the garden, while the bridge object above the railway shall have anti-noise measures in the closes contact.

Impacts on Infrastructure

From the point of view of impacts on infrastructure, it shall be necessary to include also collisions with existing communications, railway and the collisions with the existing buried services, in particular in variant C - green (for details see the induced investments) among the significant impacts of the construction of expressway.

Impact on Territorial Development

The proposed activity shall have the following impact on the territorial development of the concerned villages. According to the valid town and country planning documentation of the individual villages, the impact on their territorial development may be assessed as follows:

Variant A - Red

- Bratislava and the municipal part of Podunajské Biskupice - it does not interfere with the territory of the proposed development
- Rovinka - it does not interfere with the territory of the proposed development, however it shall form a notable barrier in the use of the considered territory as the zone of relaxation and recreation-
- Dunajská Lužná - it interferes with the prospective territory intended for the use for public greener and agricultural production, it shall form also a significant barrier in the use of the considered territory as the zone of relaxation and recreation.
- Miloslavov - it does not interfere with the territory of the proposed development.

Variant C - Green

- Bratislava and the municipal part of Podunajské Biskupice - it interferes with the territory of the proposed development intended for the construction of civil facilities
- Rovinka - it does not interfere with the territory of the proposed development.
- Dunajská Lužná - it interferes with the prospective territory intended for the use of business activities
- Miloslavov - it does not interfere with the territory of the proposed development.

Impacts on Transport System and Transport Infrastructure

Starting

The basic communication system of Bratislava (ZAOS) forms a special group of communications from the selected communication network on which a decisive portion of traffic within the city takes place and the quality of which decides upon the operability of the entire urban transport system. For the given reasons, ZAKOS received the preferential attention from the point of view of transport and engineering (the monitoring of the development in the intensity of transport, traffic accident rate and traffic modelling), the complex maintenance and in particular the construction development). ZAKOS is formed by traffic circuits (internal and central), traffic semicircle, radials and connecting sections. Nowadays, the ZAKOS is formed by the following communications:

- Internal transport circuit - Staromestská, Štefánikova, Šancová, Legionárska, Karadžičova, Dostojevského rad streets, Vajanského and Rázusovo nábrežie riverbanks
- External transport circuit - Bojnická, tunnel, under the Lesser Carpathians, highway D2,
- Zero transport circuit - the proposed highway D4

Radials

- Lamač radial: on the following communications: Hodonínska, Lamačská cesta, Brnianska, Pražská, with ending on the internal transport circuit at SAV intersection.
- Rača radial: on the following communications: Púchovská, Račianska street with ending on the internal transport circuit at Račianske mýto.

- Senec radial: on the following communications: Senecká cesta, Rožňavská, Trnavská, Krížna, with ending on the internal transport circuit
- Biskupice radial: on the following communications: Svornosti, Gagarinova, Prievozská, Mlynské nivy streets up to the internal transport circuit
- Rusove radial: from the boundary with Hungary on the following communications: Balkánska cesta, Panónska cesta, Nový most up to the internal transport circuit The branch of Rusovce radial starts in Petržala at its crossing with Dolnozemska street and it is formed by Dolnozemska street with termination on Biskupice radial.
- Pečenská radial: from the boundar with Austria (at Berg) on Viedenská road with termination on Rusovce radial.

Connecting sections

- the riverbank of L. Svoboda, Starý most (the Old Bridge) , Šancová street (in the section from Račianske mýto up to Trnavské mýty).

The analysis of the contemporary condition of the automotive transport implies the greatest increase in traffic load and also the most critical situation is demonstrated on the central traffic circuit or in a contact with it on entering radials. The request applied in all hitherto processed concept materials is proved in full and still insistently - to complete the highway sections, to complete the selected communication network by the missing sections, to extent the selected communication network by further traffic lanes and the re-construction of the critical intersections from level ones to partially or completely grade separated.

The proposal of the communication network was elaborated in such a way it could deal with the following in particular.

- the existing lacks and disproportions of the contemporary situation lasting for years,
- the requirements resulting from the main original documents, mainly the interconnection of the superior communication network to the European transport network,
- the relief of urban communication network from transit and heavy cargo transport,
- the relief of the city centre from the continuous (diagonal) transport, and
- the transport interconnection of newly urbanised areas.

The design of the communication network consists in the network of highways and the selected communication network the part of which is the roads of class I, II and III, as well as the local communications of class I and II. Pursuant to STN, these are expressway (A1, A2), collector (B1, B2, B3) and servicing communications C1 and communications with mass transport.

The design does not comprise the development of local communications of class II and IV, i.e. the servicing and access communications inside the zones that shall be the subject of the design of zonal documentations.

The transport situation, as well as the results of transport surveys imply the traffic situation in Bratislava and its surroundings is bad. The given communication network is in many cases just planed or the existing technical condition and width arrangement of the roads does not correspond to the daily carried out volume of transport on them.

From the point of view of transport and engineering assessment, it would be suitable to consider, with an emphasis placed on the solution of international, supra-regional and regional relations, the implementation of the following transport structures with the commencement of the construction in the nearest five days.

- Highway D1 Bratislava - Senec, broadening to six-lane
- Expressway R7 Bratislava - Dunajská Lužná
- Highway D4 in the section of the interconnection of D2 from Jarovce up to D1
- Highway D4 - the continuation up to D2 (Stupava - South)
- The broadening of I/61 to four-lane road with unrestricted access
- The road of regional importance - the interconnection of highway D1 with road II/502 (connection to the bypass of Pezinok and Sv. Jur)
- Highway 4 - Devínska Nová Ves - state boundary with Austria

Concurrently with the given designs, they should continue with the preparation of the following construction on the territory of the city and the region:

- The bypass of Pezinok and Svätý Jur (now already)
- The dealing with the capacity reliable system of mass public transport and mass transport (now already)

Proposed Condition

The proposed activity deals with first section of expressway R7 from Bratislava up to Dunajská Lužná. Pursuant to the concept of the development of highway and road network, it starts on the highway D4. Thus the condition for the connection of R7 to the communication system is the construction of highway D4 (the section pursuant to variant R7)

Expressway R7 is considered in two variants in the documentation.

Variant A - Red

In this variant, R7 starts on D4 in Ketelec intersection. Furthermore, it is possible to continue on D4 towards Jarovce on D2 or towards Ivanka pri Dunaji on D1. **There is no continuation on communication system of the city of Bratislava nowadays.** The continuation of Bajkalská street communication from the Prístavný most Bridge (D1) behind Slovnaft on D4 is proposed in the town planning scheme. The variant A of expressway R7 is thus operable under the following conditions:

- R7, variant A as far as Ketelec intersection and the continuation on the new communication behind Slovnaft to Bajkalská street up to Prístavný most Bridge (D1). This variant requires the construction of R7, the construction of a new communication behind Slovnaft with the connection to Bajkalská street. This variant shall enable the transport relief of Svornosti and Gagarinova streets by the portion of source-destination transport to Bratislava.

or

- R7, variant A up to Ketelec intersection and the continuation on D4 and connection to I/63 (Svornosti street) at Rovinka intersection in the municipal part of Podunajské Biskupice. This variant requires the construction of the operable section of highway D4. This variant shall moderately stress Svornosti street loaded by traffic. In this case it shall be necessary to deal with the increase in the capacity Svornosti street in particular, where there is a serious traffic problem nowadays.

The interconnection of R7 at Ketelec intersection to Bajkalská street by the designed communication behind Slovnaft is problematic since the conceptual materials and traffic surveys show that **the contemporary Prievoz intersection (Bajkalská street) on highway D1 would not be capable of the provision of new further volume of traffic from R7 from capacity point of view.** The possible modifications of the intersections are unreal for now from technical, traffic and territorial point of view.

Variant C - Green

In this variant, R7 starts on D4 in Rovinka intersection. Furthermore, it is possible to continue on D4 towards Jarovce or Ivanka pri Dunaji. The connection to the communication system of the capital city of Bratislava is through Podunajské Biskupice feeder to the road I/63 (Svornosti street) farther to the city. This variant does not exclude the construction of a new communication behind Slovnaft and the connection to it in future shall be possible through D4 by Ketelec intersection. The variant C of expressway R7 is thus operable under the following conditions:

- R7, variant C, from Rovinka intersection with D4 through Podunajské Biskupice feeder, its connection to I/63, continuation on Svornosti street farther to the city. **This variant requires the increase in the capacity on Svornosti street by extension to four-lane communication,** where there is a traffic problem even nowadays. The expansion of Svornosti street is real (it is considered also in the valid ÚPD of Bratislava), spatially possible, which is enabled by contemporary built-up area (mainly the objects of services and small operations) at its both sides,

or

- R7, variant A up to Rovinka intersection and the continuation on D4 and in Ketelec intersection continuation on the new communication behind Slovnaft to Bajkalská street up to Prístavný most Bridge (D1). This variant requires the construction of R7, the construction of an operable section of highway D4 and a new communication behind Slovnaft with the connection to Bajkalská street. This variant shall moderately relieve Svornosti street.

The expressway R7 in the designed section shall not provide an ideal solution in any of the variants for all traffic problems in the SE part of Bratislava, but it shall significantly relieve the road I/63 and the settlements of Dunajská Lužná and Rovinka. After the completion of the route of R7 in longer section and its quality interconnection to the communication system of the city of Bratislava (not only the highway D4), a sufficiently efficient solution can be expected.

The positives of the proposed expressway R7 in the section of Dunajská Lužná - Bratislava:

- the "transit" transport shall be diverted away from the settlements of Rovinka and Dunajská Lužná,
- environment of the inhabitants of Rovinka and Dunajská Lužná shall be improved from the point of view of reduction of noise and exhalates, but in particular from the point of view of safety of all participants in traffic, the improvement shall regard in particular the groups of population endangered by risks, being children and old people.
- transport servicing of the territory and the connection to the road network of higher grade shall be improved,
- the conditions for everyday driving to Bratislava by car from South shall be improved and its quality shall be improved as well, which shall have an impact on the quality of environment.
- the quality interconnection of expressway route of R7 to the highway network (after the completion of D4) shall be mediated.

It seems that on the basis of a real need of the construction of R7, the R7 get ahead of the construction of D4 that is just conceptually planned nowadays. If the D4 would be completed, there would be no problem with the connection to D4 and thus also to D1. There would be no problem with temporary connection to the communication system of the city. It is obvious that in the case of both variants, the city will have to design or a new interconnection behind Slovnaft or to broaden Svornosti street. From this point of view, variant A and variant C are just conditionally self-supporting.

The Spatial Synthesis of the Impacts of the Activity in the Territory

According to the previous chapter on the supposed impacts of the proposed activity on environment, the assessment of the expected impacts from the point of view of their significance and time course of the effect comes from the identification of inputs and outputs of the proposed intention, while the basic classification is their significance in the modification of the contemporary condition of environment, either in negative or also positive direction, as well as the point of view of their effect in time.

The expected impacts from the point of view of significance may be classified as follows:

The rock environment in the given location is assessed as well bearable, without notable geodynamic phenomena with favourable engineering and geological properties of the rock environment. The impacts of the proposed activity are assessed as inconsiderable and just during the construction.

The relief in the proximity is partially secondarily affected (gravel mining, artificial fills). The impacts are assessed by us as little significant during the construction and operation.

Surface water in the territory representing the water areas of gravel pits are very vulnerable (possible direct pollution). The distance of the assessed variants is however outside the possible impact on surface water.

In the considered territory, the ground water is very vulnerable with regards to high permeability of the environment. The impact of the assessed variants with regards to their

position in the CHVO Žitný ostrov is considered by us to be very significant during both construction and operation.

Soils are affected in particular by seizures, thus it is very significant impact in particular during the construction and operation.

Air pollution is affected by the overall quality of air in the territory. With regards to the fact the contemporary transport shall be practically just re-distributed and it shall proportionally increase even in the case R7 would not be constructed, just the cumulation of air pollution shall change upon bad dispersion conditions, yet in a favourable way in the open countryside outside the village residential area, where there is substantially better ventilation. The impact is assessed by us as little significant during the construction and operation.

Biota, ÚSES and the protected territories - the territory from the point of view of fauna and flora is directly affected in particular by the intervention in the biotopes and ecologically significant segments of the landscape, where it shall come also the tree cutting. We consider this impact to be less significant in the case of variant C - green, yet very significant in the case of variant A - red. The influencing of the elements of ÚSES and protected territories can be considered to be very significant. They shall act during the constructions and operation in particular in the case of variant A.

The scenery of landscape and the cultural monuments are affected the most in the case of variant A - red, by its barrier effect and the contact with Hornožitnoostrovná dam, which is the cultural and technical monument.

The quality of life shall be perceived differently during construction and differently during the operation. It shall be heavily affected by the cumulation of negative factors during construction, such as noise, locally increased air pollution with immissions from traffic, the restriction of traffic on contemporary communications and thus also the origin of collapses in traffic. We consider this impact to be very significant, but only during construction. After putting the R7 into operation, the quality of life shall significantly improve in the villages of Rovinka and Dunajská Lužná.

Infrastructure shall be significantly affected during the construction for the reason of inevitable relaying of networks and communications.

Health risks are related in particular with operation, by the increased noise and immissions. During the construction, the noise generated by transport on the construction site shall locally affect the concerned parts of the villages in the proximity of the facilities on the side and the route of R7.

From the point of view of **positive impacts**, we may state just the most significant one, which is the deviation of traffic during the operation outside the village residential area of the villages and the significant improvement of contemporary unfavourable impacts in particular on inhabitants (reduction of noise, air pollution, health risks and the overall well-being and quality of life of the concerned inhabitants). Also the traffic situation in the region shall improve, but only after the completion of the related transport structures.

Operation Risks and their Possible Impact on the Territory

The risks related to the implementation of the proposed activity may occur in particular due to the following:

- the failure of technical and other measures,
- the failure of the activities of human factor,
- the transport collapse due to the extreme weather,
- the demonstration of external impacts (natural forces, weather, etc.)
- The origin and demonstration of the risks may negatively affect the following:
 - rock environment, quality of surface and ground water,
 - the quality of air from the point of view of the increase in up to exceeding of the limit of air pollution,
 - health and property of the traffic participants in the case of accident (the possible collision also with running game),
 - health and property of the inhabitants in wider surroundings in the case of accidents of vehicles transporting hazardous substances and their liquidation.

The given possible risks that could endanger the quality of the individual components of environment in the given territory are not more significant and do not represent greater risks. Their ction or minimisation shall be assured by technical and organisational measures, the control of the observation of generally binding legal and other regulations, etc. The risks of human origin shall be considered in the particular solutions of management, control and monitoring.

The other possible risks related to the implementation of the proposed activity, in addition to the above ones, are not supposed.

We may state that there are no sources with unacceptable risk for society in the assessed territory, as long as the measures for prevention, elimination, minimisation and compensation of the impacts on environment shall be strictly followed and all aeration and emergency plan shall be observed.

Cumulative Evaluation

Advantages and Disadvantages of the Individual Variants

Variant C - Green

Advantages:

- From the point of view of incorporation into the landscape, it is more suitable, since it is lead practically in the corridor of the existing railway route to greater extent.
- It does not interfere with any protected territories of nature and landscape and NATURA 2000 territories.
- It does not act as a barrier for the development of the Danube recreation and relaxation zone to the South of the villages of Rovinka and Dunajská Lužná.
- In addition, it meets the regional transport relations.
- It is more suitable from the point of view of regional transport relations and it is independent upon the construction of highway D4, or other transport constructions (the elongation of Bajkalská street up to Ketelec intersection on D4).
- It is more suitable from the point of view of the servicing of the gradient territory in a direct relation to a large development of the concerned villages (Miloslavov, Studené, Tomášov, etc.), in particular from the point of view of today construction of IBV and HBV.
- It meets the purpose for which the expressway is designed in this section, namely to deviate the substantial part of traffic from the road I/63 outside the village residential area of the villages of Rovinka and Dunajská Lužná within as short time as possible and to improve the contemporary very unfavourable condition of environment in the villages of Rovinka and Dunajská Lužná.

Disadvantages:

- It is not in accord with the town planning schemes of the capital city of the Slovak Republic, Bratislava, Bratislava Self-government Region, the municipal part of Podunajské Biskupice, Rovinka and Dunajská Lužná.
- In the cadastral territory of Podunajské Biskupice it takes over the part of the territory intended for the construction of civil facilities of an urban character.
- It needs the construction of feeders.
- It needs the construction of Svornosti street.
- The need of the construction of ca 5,500 m of anti-noise walls.

Transport connection:

In this variant, R7 starts on D4 in Rovinka intersection. Furthermore, it is possible to continue on D4 towards Jarovce or Ivanka pri Dunaji. The connection to the communication system of the capital city of Bratislava is through Podunajské Biskupice feeder to the road I/63 (Svornosti street) farther to the city. This variant does not exclude the construction of a new communication behind Slovnaft and the connection to it in future shall be possible through D4 by Ketelec intersection. The variant C of expressway R7 is thus operable under the following conditions:

- R7, variant C, from Rovinka intersection with D4 through Podunajské Biskupice feeder, its connection to I/63, continuation on Svornosti street farther to the city. This variant requires the increase in the capacity on Svornosti street by extension to four-lane communication, where there is a traffic problem even nowadays. The expansion of Svornosti street is real (it is considered also in the valid ÚPD of Bratislava), spatially possible, which is enabled by contemporary built-up area (mainly the objects of services and small operations) at its both sides,

or

- R7, variant A up to Rovinka intersection and the continuation on D4 and in Ketelec intersection continuation on the new communication behind Slovnaft to Bajkalská street up to Prístavný most Bridge (D1). This variant requires the construction of R7, the construction of an operable section of highway D4 and a new communication behind Slovnaft with the connection to Bajkalská street. This variant shall moderately relief Svornosti street.

The expressway R7 in the designed section shall not provide an ideal solution for all traffic problems in the SE part of Bratislava, but it shall significantly relief the road I/63 and the settlements of Dunajská Lužná and Rovinka. After the completion of the route of R7 in longer section and its quality interconnection to the communication system of the city of Bratislava (not only the highway D4), a sufficiently efficient solution can be expected.

Variant A - Red

Advantages:

- It is in accord with the valid ÚPD of the capital city of the Slovak Republic, Bratislava, Bratislava, Bratislava Self-government Region, the municipal part of Podunajské Biskupice, Rovinka and Dunajská Lužná, (despite that the corridor is reserved in the town planning schemes for the road I/63 and not for expressway R7).
- It meets the purpose for which the expressway is designed in this section, namely to deviate the substantial part of traffic from the road I/63 outside the village residential area of the villages of Rovinka and Dunajská Lužná within as short time as possible and to improve the contemporary very unfavourable condition of environment in the villages of Rovinka and Dunajská Lužná, however by ca 1-2 years later when compared to variant C - green, which may be problematic in any method of the provision of construction funding.

Disadvantages:

- It is necessary to build ca 3.560 km section of highway D4 Karovce intersection on D2 - Senec intersection on D1 in first phase so that the connection to Svornosti street would be possible (the construction of the interconnection of Ketelec intersection - Bajkalská intersection on D1 is "in a distance" from the point of view of the financial possibilities of the capital city of the Slovak Republic). The preparation of the structure is delayed by ca 1-2 years when compared to R7 Bratislava-Dunajská Lužná.
- It is in contact with a lot of protected territories with higher level of protection /3-5), including CHKO Dunajské luhy, there are the ÚSES biocentres and natural reserves, as well as the territories included in NATURA 2000 (CHVÚ and ÚEV Dunajské luhy); the contact is at the length of ca 1.5 km, which may be problematic in any case of the provision of funding.
- The subsequent continuation of the communication from variant A (red) from Ketelec intersection towards Bratislava is again in collision with the interests of nature protection. In addition, just in the territory rich in the quantity of protected reservations and areas it comes to the accumulation of transport activities, since the significant negative impact in this territory is represented by the body of D4 already.
- The interconnection of Ketelec intersection - Bajkalská intersection on D1 has another problem of the ending up in Bajkalská intersection - highway D1 since the capacity of the contemporary intersection is exceeded or shall be exceeded in the shortest time period.
- It creates a barrier for the entry to the recreation area of the villages and the capital city of Bratislava.

Transport connection:

In this variant, R7 starts on D4 in Ketelec intersection. Furthermore, it is possible to continue on D4 towards Jarovce on D2 or towards Ivanka pri Dunaji on D1. There is no continuation on communication system of the city of Bratislava nowadays. The continuation of Bajkalská street communication from the Prístavný most Bridge (D1) behind Slovnaft on D4 is proposed in the town planning scheme. The variant A of expressway R7 is thus operable under the following conditions:

- R7, variant A as far as to Ketelec intersection and the continuation on the new communication behind Slovnaft to Bajkalská street up to Prístavný most Bridge (D1). This variant requires the construction of R7, the construction of a new communication behind Slovnaft with the connection to Bajkalská street at the length of ca 7 km. This variant shall enable the transport relief of Svornosti and Gagarinova streets by the portion of source-destination transport to Bratislava.

or

- R7, variant A up to Ketelec intersection and the continuation on D4 and connection to I/63 (Svornosti street) at Rovinka intersection in the municipal part of Podunajské Biskupice. This variant requires the construction of the operable section of highway D4. This variant shall moderately stress Svornosti street loaded by traffic. In this case it shall be necessary to deal with the increase in the capacity Svornosti street in particular, where there is a serious traffic problem nowadays.

The interconnection of R7 at Ketelec intersection to Bajkalská street by the designed communication behind Slovnaft is problematic since the conceptual materials and traffic surveys show that the contemporary Prievoz intersection (Bajkalská street) on highway D1 would not be capable of the provision of new further volume of traffic from R7 from capacity point of view. The possible modifications of the intersections are unreal for now from technical, traffic and territorial point of view.

The Key Transport Impacts are:

- the deviation of traffic outside the villages of Rovinka and Dunajská Lužná (variant A and C) - significant positive impact,
- non-leading away of traffic from Podunajské Biskupice (variant C) - significant negative, continuing impact,
- call for the immediate dealing with the continuation of R7 in the communication system of Bratislava (variant A and C) - positive impact.

V. THE OVERALL ASSESSMENT OF THE IMPACTS OF THE PROPOSED ACTIVITY ON THE PROPOSED PROTECTED AVIAN TERRITORIES, THE TERRITORIES OF THE EUROPEAN IMPORTANCE OR THE CONTINUOUS EUROPEAN SYSTEM OF PROTECTED TERRITORIES (NATURA 2000).

Variant A - red passes in a contact with large-area (Rural Conservation Area Dunajské luhy) and small-area (Natural Reserve Topolové hony) protected areas at the length of 1.5 km (the section of km 0.5 - 1.0), while it approaches also the protected territory included to the Natura 2000 system in that section. This is the Territory of the European Importance SKUEV0295 - Biskupické Luhy and Protected Avian Territory SKCHVÚ007 - Dunajské Luhy. Dunajské Luhy is also the internationally important wetland territory according to Ramsar Wetland International Agreement.

The proposed variant C - green is located in the sufficient distance from the boundary of CHKO Dunajské luhy and the boundaries of Natura 2000 territories and it practically does not interfere with any natural territories protected by law.

VI. CONCLUSIONS

1. Final Standpoint to the Proposed Activity

On the basis of the result of the assessment stated in the Assessment Report, the received standpoints, records from public discussions, negotiations during the elaboration of the opinion

it is recommended

to carry out the proposed activity "Expressway R7 Bratislava - Dunajská Lužná" under the conditions of meeting the measures specified in this Final Opinion. The uncertainties that occurred in the assessment process must be dealt with while preparing the other stages of project preparation of the construction.

2. Recommended Variant

On the basis of the course of the entire process of the assessment of the proposed activity (technical documentation, intention, assessment report, standpoints, records of public discussions, technical study, addendum to the technical study, standpoint, ÚPD, preparation and the possibility of financial provision of the subsequent structures) as well as negotiations during the elaboration of the expert opinion, it is possible to state the problem of the construction of R7 has been dynamically developed recently and due to the short time available there is no constant opinion regarding the selection of a suitable variant. This is documented also by the following development of the problem, which implies it is impossible to unambiguously determine the better variant. It seems that from environmental point of view, both variants are approximately identical, however the principal differences are in the rate of impact on the population, in technical preparation and time criterion of feasibility.

The persons drawing up the Assessment Report assessed variant C - green as the most suitable.

It came to different opinions in the sent standpoints as for the selection of the resulting variant, we state them in the following table or overview:

Authority or public		Recommended Variant		Other
		A red	C green	
Department authority	MDPaT SR	-	for	
Approving authority	City of Bratislava	-	-	No standpoint sent.
	Municipal part of Pod. Biskupice	for	-	
	Village of Rovinka	-	for	
	Village of Dunajská Lužná	-	-	Does not prefer any variant
	Village of Miloslavov	-	for	
The concerned authority	The Ministry of Agriculture of the SR	for	-	
	The Ministry of Defence of the SR	-		No objections to the variants.
	The Ministry of Interior of the SR	-	-	No standpoint sent.
	The Regional Authority for Monument Preservation	-	-	No objections to the variants.
	The Authority of Bratislava Self-government Region	for	-	

	The Regional Land Authority,	-		No objections to the variants.
	The Regional Authority for Environment	-	for	
	The Regional Authority for Road Transport and PK	for	-	
	The Regional Directorate of Fire and Rescue Force	-	-	No objections to the variants.
	The Regional Authority for Road Transport and PK of Bratislava	-	-	No standpoint sent.
	The Sub-district Authority for PŽ	-	for	
	Regional Authority for Public Health	for	-	Agrees also with variant C - green
	The District Directorate of Fire and Rescue Force of Bratislava	-	-	No standpoint sent.
	Sub-district Authority, Department of Crisis Management of Bratislava	-	-	No standpoint sent.
	Sub-district Mining Authority of Bratislava	-	-	No objections to the variants.
	Sub-district Forest Authority of Bratislava	-	for	
	Sub-district Authority for Road Transport and PK Senec	-	for	
	Sub-district Authority for Environment of Senec	-	for	
	Sub-district Authority, Department of Crisis Management Senec	-	-	Does not prefer any variant
	Authority for Regulation of Railroad Transport Bratislava	-	-	No objections to the variants.
	ŠOP SR, Reg. Centre of Nature Protection in Bratislava	-	for	
	Administration Centre of CHKO Dunajské luhy	-	-	No standpoint sent.
	OR Hasičského and ZZ Pezinok	-	-	No objections to the variants.

Based on the received standpoints it is possible to state that :

- no one was against the construction,
- the standpoints stated in the last column are in accord with the Assessment Report,
- for variant A red 5 organisations (1 is the concerned village and four are concerned authorities)
for variant C green is 11 organisations (out of which 2 concerned villages, MDPT SR and 7 concerned authorities, 1 businessman, 1 - public petition, 1 civil association and 1 person).
- no variant was preferred by 8 organisations (out of which 1 concerned village and 8 concerned authorities).

The Public Negotiation implied:

Bratislava capital city and municipal part of Podunajské Biskupice - agree with variant A red.
Village of Dunajská Lužná - prefers the variant C green,
Village of Rovinka - prefers the variant C green,
Village of Miloslavov - prefers the variant C green.

The Standpoints of Citizens and Civil Incentives

Also the standpoint of citizens was delivered to the proposed activity:

- The petition of the inhabitants of Dunajská Lužná for the acceleration of construction.
- Hunting society PS PRIDUNAJSKO requires variant C - green.
- Other comments were already considered in the measures.
- Two limited liability companies have their plots of land in the route of variant C - green.
- By Ms.K. Hornišová, who does not agree with the construction and requires to shift all the road traffic to railway or variant C - green.
- BROZ – variant C.
- SOS Bird/life – variant C.

The statement of the Committee of the National Council of the Slovak Republic for economic policy - to the petition of the inhabitants of Dunajská Lužná and Rovinka for the acceleration of the construction of R7 in the section of Bratislava – Dunajská Lužná

The Committee of the National Council of the Slovak Republic has become aware of the information of the Minister of Transport, Posts and Telecommunications at its 49th meeting held on 2 September 2008. It stated the procedure of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic in the preparation of the construction of communication R7 is in accord with the adopted documents and acts, however it is necessary to consider the real traffic needs of Slovakia, as well as the financial possibilities of state budget. The Committee acknowledges the legitimate requirements of the petition signatories and believes that their problem would be solved as soon as possible pursuant to the adopted measures of the department and the acts of the National Council of the Slovak Republic.

The Conditions for the the Construction of Assessed Variants

Variant A - Red

- its operability is conditioned by the concurrent construction of the section of highway D4 from Ketelec intersection up to Rovinka intersection with the length of 3.560 km, or the connection of D4 and D1 behind the area of Slovnaft (local feeder communication – traffic connection of Bajkalská street and highway D4 - the investment of the city of Bratislava).

Variant C - Green

- Podunajské Biskupice feeder shall provide for the connection of road I/63 to the beginning of R7 (highway D4 in the section from Ketelec intersection up to Rovinka intersection need not to be constructed) and the relaying of the road III/0634 shall connect road R7 to the road I/63 at the end of the section.

Especially important is the problem of the traffic connection of expressway R7 to the communication system of the city of Bratislava that must be dealt with in a complex way. On the basis of the traffic surveys and analyses (source: NDS, the Magistrate of the capital city of Bratislava), it is provable that the communication on the territory of the city in contact with the proposed R7 are **unsuitable** from the point of view of performance (e.g. Svornosti street as two-lane communication has nowadays the traffic load of 26,356 vehicles/24 hours).

For this reason it is necessary to consider the following modifications (related investments that are however in the competence of the city of Bratislava) of the communication system of Bratislava:

- to adjust the existing Svornosti street by broadening to four-lane communication including the modification of strategic intersections with Slovnafstká and Popradská to grade separated ones,
- to build a new four-lane "transport radial" that shall interconnect Bajkalská street from the intersection on D1 Prievoz and highway D4 by means of Ketelec intersection from transport point of view (defined in the urban planning documentation as the elongation of Bajkalská street).

The given modifications are defined and protected in the form of binding regulations by the up-dated and nowadays valid urban plan of Bratislava of 2007 or its amendments and supplementation 01 of 2008.

The given implies that the decisive step shall be the meeting of statutory representatives of the Ministry of Transport, Posts and Telecommunications, the Magistrate of the capital city of the Slovak Republic, Bratislava, Bratislava Self-government Region, Národná diaľničná spoločnosť and Slovenská správa ciest, at which they would decide upon the solution of the transport system in this territory not only from the technical point of view, but also the financial provision and the succession of the construction of the individual communications or their sections, namely for:

- variant A - red - to construct the interconnection from Ketelec intersection on D4 to highway intersection of D1 with Bajkalská street and the re-construction of Bajkalská D1 intersection.
- variant C - green - to build Svornosti street to 4-lane and 2-3 GSIs.

However, as long as the negotiation at the level of statutory representatives introduces new facts to the problem that would affect the contemporary not-readiness to the construction of variant A, so variant A - red could be prepared for implementation with regards to the fact that both variants are passable from environmental point of view. In addition, the preferences of variant A are higher with regards to the fact they consider it longer in the planning documents.

Furthermore, the variant A is supported also by the fact that such a variant that would lead transport (ca 30,000 vehicles/day) outside the villages suits the villages of Rovinka and Dunajská Lužná, however just variant A suits Podunajské Biskupice.

From time point of view, variant C - green seems to be more suitable. The variant represents the solution of the "status of a crisis" occurring probably due to the increase in the building development in the surroundings of Bratislava and not the natural increase in transport on communication, being the transport collector from wider surrounding area, with the intensity of traffic before Dunajská Lužná of ca 13,000 vehicles/day.

Another reason of such formulated conclusion from the assessment is the Ministry of Environment may not issue the Final Opinion that would be in disaccord with the urban planning of the city of Bratislava - variant A, still insisted on by the city now. In addition, it is surely not better from environmental point of view to design the ending up of such notable traffic in the area of Podunajské Biskupice that is not ready from transport point of view.

In fine, we state that in the clause 17 of the assessment, they imposed the following task on NDS, a.s.: *the overall design should be discussed with the city of Bratislava from the point of view of the interconnection of R7 with the communication system of the capital city and the zero circuit.* „ **However, several negotiations that took place during the elaboration of the Report on the Assessment Opinion implied the concerned parties did not reach a**

consensus on the complex solution of the connection of R7 to the communication system of the city of Bratislava, which prevents the Ministry of Environment of the Slovak Republic to unambiguously determine the resulting variant.

3. The recommended conditions for the construction stage and operation stage of the activity

We recommend, from the proposal of the technical solution, its environmental assessment in the Assessment Report, the objections and standpoints of the concerned authorities and villages as well as on the basis of the recommendations from the Opinion to the Assessment Report, in addition to the above, also the other conditions for the subsequent preparation and implementation phase:

3.1) In the case of implementation in variant C - green

a/ Measures in the phase of next stage of project preparation

- To carry out the engineering and geological as well as hydrogeological survey focused on the potential risk of geodynamic processes and the provision of water in the 2nd protective zone of natural healing sources,
- To carry out the engineering and geological survey and on the basis of its result to clarify the technical solution of establishment of bridges and other more demanding objects.
- To update the "Noise and Vibration Study" for the selected variant, in order to clarify the final anti-noise measures,
- To update the "Emissions Study" for the selected variant,
- To elaborate the project of monitoring of the individual components of environment in points specified in the Final Opinion,
- To elaborate and to get approved by the relevant state administration authority the particular project of transport organisation on the basis of the Project of the Construction Organisation, that should apply during the construction on the individual locations affected by the construction in the proposed activity,
- To specify the sources and conditions for the consumption of drinking and supply water during the construction,
- To pay an increased attention to the study of land seizures with the assessment of quality, balance and use of stripped material within the zoning and planning decision documentation,
- To make the dendrological survey and the study of the necessary wood species cutting according to the final seizures,
- To provide for the ownership settlement of the lands and real estates in the permanent and temporary seizure of the construction in advance,
- To draw up the study of the optimum utilisation of the excavated earth and handling with them and to use the transport of material outside the village residential area of the villages, to define the routes of site transport in cooperation with the villages,
- To assure the access to the inaccessible stretches of land in the case of the division of stretches of land by the construction of special purpose country lands,
- Not to corrupt the unity of stretches of land and do not hamper the cultivation of agricultural land by an unsuitable location of the route of the construction, division and disintegration of lands or the creation of parts unsuitable for cultivation using agricultural mechanisms.
- In the next stage of the project documentation (zoning and planning decision documentation, DSP, Documentation to the offer), the technical and other solutions of the conditions of the Final Opinion should be stated in a separate annex in details (state the detail, situation, technical parameters, drawings or sketches, informative costs, etc.) for the protection of environment.

b/ Other Measures

Urban Planning Measures

- For the expressway R7, it shall be necessary to update the urban planning documentation of the villages - the municipal part of Podunajské Biskupice, Rovinka, Dunajská Lužná and Miloslavov, the capital city of the Slovak Republic, Bratislava and the Upper-tier Territorial Unit of Bratislava region.
- When elaborating or supplementing the urban planning documentation of the concerned villages, it is necessary to harmonise all the planned activities with the recommended variant.

Organisation and Operation Measures

The basic organisational measures within the preparation of the construction includes the elaboration of emergency plans for the case of the leakage of harmful substances into the surrounding environment during construction and operation.

- The project documentation in all stages of preparation of the proposed activity shall comprise all the requirements for such measures so that the possible unfavourable impacts would be mitigated.
- To elaborate the plan of transport during the construction for Dunajská Lužná,
- Prior to the commencement of earthworks, the proposer shall be obliged to ensure the marking out of all buried services so that they would not be damaged.
- The construction machines should be deployed in the construction in due technical condition, equipped with the prescribed noise-reducing guards,
- To carry out the preliminary technical inspections and maintenance of the construction mechanisms.
- TO ensure the smooth operation of the construction machines by ensuring the sufficient number of means of transport, to stop the aggregates of the construction machines at the time of technological breaks,
- Not to allow the operation of means of transport and machines with excessive quantity of noxious agents in exhaust gases,
- To maximally reduce dust level during construction works and transport,
- To secure the transported material in such a way it would not pollute the transport routes (canvases, wetting, speed reduction),
- To ensure the cleaning of wheels (undercarriages) of the means of transport and machines at the exit to the public communications,
- To remedy the contamination of communications without any delay,
- To implement the measures for the provision of a fluency and safety of road traffic on the dedicated communications to a maximum extent, using the traffic signs (speed reduction, entry restriction, bypass, etc.).
- To maintain order at the sites, to store the material on dedicated places,
- To elaborated the emergency plan during the construction of the communication (the contractor), the emergency plan for the operation of the activity shall be elaborated by the operator,
- The supplier or the participating suppliers shall be obliged to respect and observe the legislative conditions for safety and protection of health at work,
- To proceed pursuant to the plan of the organisation of construction during the development,
- To control the implementation of the activity pursuant to the environmental plan of construction (the proposal of the measures for environment protection during construction, POV, modification of construction yards, agreement with the works in the protected territories, the agreement with the access on sites, seized areas, etc.)
- The strict observation of the plan of safety at work,
- The exclusion of work at night and during the public holidays.

Waste Management

- The contractor and operator of the structure must dispose of all the waste in accordance with the Act on wastes No. 223/2001 Coll. as well as the Regulations of the Ministry of Environment of the Slovak Republic No. 283/2001 and 284/2001.

The Measures for the Elimination of Unfavourable Impacts of Noise

- The construction works should be carried out using all available means and technologies for the prevention of the increase in the secondary dustiness during the development (coverage of loose materials, ban of combustion of materials, cleaning of the vehicles prior to leaving the site),
- To ensure the spraying of the site during excavation works and spraying and cleaning of access communications,
- To ensure the cleaning of vehicles at the exit from the site,
- To minimise the storage of dust-producing construction materials within the boundary of the site or to store them in closable storerooms and silos within the proposed boundary of the central site,
- When operating the objects, the operator must obey the relevant law in the field of air protection, the proposed technology must meet all legislative regulations and standards in the field of air protection.
- To cooperate with local self-government when designing the route of construction material driving in and out,
- To route the site transport outside the existing built-up area.
- Just machines and devices suitable for the particular activity (proposed technology) should be used on the site and their regular maintenance and control must be ensured,
- Ensure the construction works would not be carried out during public holidays or just no-noise and no-dust work could be carried out (the exception is the activities providing for the observation of the prescribed technological procedures or activities that decrease the value of already made work by interruption.
- The selection of suitable construction mechanisms and technological procedures, the use of machinery with lower noise level, the use of anti-noise guards, the use of materials with sound-insulation properties is recommended,
- The constructor shall be obliged to ensure the measurement of the level of noise generated during the construction activity and not to exceed the allowed values.

The Measures for the Protection of Rock Environment

In the stage of the preparation of the construction, from the point of view of the protection of rock environment, it shall be necessary to:

- When designing the establishment of the construction, the construction and technical measures should be adopted pursuant to the recommendations from the engineering and geological survey for safe and rational way of construction establishment.

In the stage of construction it is necessary to?

- To ensure a good technical condition of construction mechanisms and means of transport in order to prevent the undesired leakages of oil substances in rock environment.

The Measures for the Protection of Ground Water

In the stage of the preparation, from the point of view of the protection of ground water, it shall be necessary to:

- To carry out the hydrogeological survey focused on the drainage effect and the method of infiltration of water from ORL and the effect of ditches as well as the impact of the regime and quality of ground water.

In the stage of construction it is necessary to:

- To observe the stipulations of the Act No. 364/2004 Coll. on waters and on the amendment of the Act of the Slovak National Council No. 372/1990 Coll. on offences as amended (the Water Act) since the proposed activity is in the protected water supply area

and therefore it shall be necessary to observe the conditions of Article 31 of the Water Act,

- To ensure the observation of safety regulations and technical standards during construction when handling with oil products and to regularly check the technical condition of mechanisms and vehicles,
- Not to establish the construction yards on the territories where more permeable rock environment protrudes directly to the surface or is closely to the surface or in a close proximity of surface streams,
- To ensure vehicle cleaning at their exit from the site on the reinforced impermeable surface with the entrapping of contaminated water and its safe disposal,
- To ensure possible repairs and cleaning of construction machines on the reinforced areas with the entrapping of contaminated water and its safe disposal,
- Not to place the storerooms of material, construction waste and car fleet outside the area of the construction of the assessed activity,
- To ensure the hydrogeological monitoring during the construction in the stage II protective zone of natural healing water sources in Čilistov,
- To release waste water from the production of concrete, cleaning of means of transport and mechanisms (or from their repairs) to the streams with sufficient flow rate only after their de-sedimentation and removal of oil in the ORL so that the concentrations specified by the relevant regulations would not be exceeded,
- It shall be necessary to accumulate the sewage water from social and sanitary facilities in water-tight sump tanks and to take them to a suitable water treatment plant,
- To lead the rinse water from dumping sites of construction materials and other masses to recipients after de-sedimentation,
- To thoroughly de-sediment and de-oil the waste water from the storerooms of oils and dispensaries of fuel,
- The washing from storerooms of construction chemicals and other chemical preparations should be accumulated in water-tight reservoirs and driven away to be disposed of in the relevant facilities.

The Measures for the Protection of Soil

In the stage of the preparation of the construction, from the point of view of the protection of land resources, it shall be necessary to:

- After the exact survey of the recommended variant, to determine the exact permanent seizures of PPF and , using a suitable technical solution to minimise the areal scope of earth works and thus remove the vegetation cover with a negative impact on soil substrate demonstrated by an increased erosion of soil,
- To propose the site servicing so that the temporary seizures would be minimised, even with time optimisation and minimisation of earth works under construction (the plan of organisation of the construction),
- To select the suitable places for putting away the removed humus layer for its further utilisation (reclamation).

In the stage of construction it is necessary to:

- After the removal of vegetation cover and the completion of earthworks it shall be necessary to reconstruct it and to use the stabilisation elements against erosion with the subsequent vegetation treatments (hydro-sowing, planting of suitable vegetation),
- The protection against soil contamination with oil substances from construction mechanisms should be achieved by a thorough maintenance of construction machines,
- The protection against contamination of soil with oil substances should be ensured using the suitable technical materials, e.g. geo-textiles,
- The construction yards must be situated on the areas not used for agricultural purposes,
- After the completion of the construction it shall be necessary to carry out consistent land reclamation on the areas of temporary seizures.

- During operation, a thorough care after the replacement planting on the reclaimed areas and the areas of a new communication (notches, fills) shall be necessary.

The Measures for the Protection of Biota

- The cutting of non-forest bushy and tree greenery should take place only outside the nesting period.
- **To build 2 ecoducts - underpasses for animals, namely:**
 - Underpass at km 1.5** on the place of intersection with supra-regional bio-corridor of Topoľové hony – Rovinka – the Little Danube (located in the terrain recess of the former Danube branch)
 - Underpass at km 6.0** on the place of intersection with a little forest representing the biggest and the most significant ecologically important landscape segment in the routing of variant C. While a deer could theoretically migrate through the underpass at km 1.5, in the case of the underpass at km 6.0 there is a precondition the greatest mammals that would use it would be roebuck and wild boar
- The bridge objects above the railway should be developed with a sufficient width for the assurance of the migration of game to the biocentre of VZ P. Biskupice.
- A free space should be left between the bridge object and the barrier itself in order to enable the passage by animals.
- Fencing in the entire section preventing the intrusion of game to the road should be erected;
- The construction yards, machinery parks and other accompanying construction objects should be placed to the territory with small species diversity.
- After the completion of construction works, the replacement re-cultivation and planting of greenery in the locations impaired by the construction should take place.
- In the next stage of project documentation, carry out the inventory and social evaluation of the wood species that should be liquidated and to make the compensatory greenery planting at the amount of the determined social value on the areas specified by the relevant nature protection authority. The selection of the composition of tree and bush species must orientate on the original typical species of the monitored territory. The proposal of the composition of wood species that shall be used for the treatment of slopes must be agreed with the relevant nature protection authority.
- To carry out the vegetation modifications of the slopes of the communications - notches and fills , ecoducts, the central separating lane as well as the interior of the intersection spaces.

d Compensatory Measures

- The compensatory measures regarding soils resulting from the relevant legislative regulation, in particular the Act No. 220/2004 Coll. on protection and use of agricultural land and on the amendment of the Act No. 245/2003 Coll. on integrated prevention and control of environment pollution and on the amendment and supplementation of some acts.
- The compensatory measures regarding forests imply from the relevant legislative regulations, in particular the Act No. 326/2005 Coll. on forests (just in variant A - red).
- The compensatory measures regarding wood species cutting shall be dealt with in accordance with the Act of the National Council of the Slovak Republic No. 543/2002 Coll. on nature and landscape protection and in accordance with the implementing regulation of the Ministry of Environment of the Slovak Republic No. 24/2003 Coll. according to which the social value of wood species is determined.
- The compensations for proprietary damages shall be dealt with pursuant to the valid legal regulations (the Regulation of the Ministry of Justice of the Slovak Republic No. 492/2004 Coll. on the determination of the general value of property), individually in a close cooperation with the investor of the construction, the concerned subjects, the local authority of the concerned villages.

Other Measures

- In the case there would be found any archaeological or paleontological finds during the earthworks, the Contractor shall be obliged to inform the Archaeological Institute of SAV and to enable the securing archaeological survey.

3.2) In the case of implementation in variant A - red

a/ Measures in the phase of next stage of project preparation

- To verify the possibility of a shift of the route of expressway R7 in the spacing from km – 1.000 up to km 1.300 of ca 150 - 200 m (i.e. to shift Ketelec intersection to km 8.300 of highway D4) from CHKO Dunajské luhy, SKCHVU Dunajské luhy, SKUEV Biskupické luhy, NRBC Bratislavské luhy,
- To carry out the engineering and geological as well as hydrogeological survey focused on the potential risk of geodynamic processes and the provision of water in the 2nd protective zone of natural healing sources,
- To carry out the engineering and geological survey and on the basis of its result to clarify the technical solution of establishment of bridges and other more demanding objects.
- To update the "Noise and Vibration Study" for the selected variant, in order to clarify the final anti-noise measures,
- To update the "Emissions Study" for the selected variant,
- To elaborate the project of monitoring of the individual components of environment in points specified in the Final Opinion,
- To elaborate and to get approved by the relevant state administration authority the particular project of transport organisation on the basis of the Project of the Construction Organisation, that should apply during the construction on the individual locations affected by the construction in the proposed activity,
- To specify the sources and conditions for the consumption of drinking and supply water during the construction,
- To pay an increased attention to the study of land seizures with the assessment of quality, balance and use of stripped material within the zoning and planning decision documentation,
- To elaborate the architectonic study of bridges,
- To make the dendrological survey and the study of the necessary wood species cutting according to the final seizures,
- To provide for the ownership settlement of the lands and real estates in the permanent and temporary seizure of the construction in advance,
- To draw up the study of the optimum utilisation of the excavated earth and handling with them and to use the transport of material outside the village residential area of the villages, to define the routes of site transport in cooperation with the villages,
- To assure the access to the inaccessible stretches of land in the case of the division of stretches of land by the construction of special purpose country lands,
- Not to corrupt the unity of stretches of land and do not hamper the cultivation of agricultural land by an unsuitable location of the route of the construction, division and disintegration of lands or the creation of parts unsuitable for cultivation using agricultural mechanisms.
- In the next stage of the project documentation (zoning and planning decision documentation, DSP, Documentation to the offer), the technical and other solutions of the conditions of the Final Opinion should be stated in a separate annex in details (state the detail, situation, technical parameters, drawings or sketches, informative costs, etc.) for the protection of environment.

b/ Other Measures

Urban Planning Measures

- For the expressway R7, it shall be necessary to update the urban planning documentation of the villages Rovinka, Dunajská Lužná, municipal part of Podunajské Biskupice, the capital city of the Slovak Republic, Bratislava and the Upper-tier Territorial Unit of Bratislava region.
- It shall be necessary to get into harmony the replacement of the earmarked space for the road I/63 for expressway R7. Organisation and Operation Measures

The basic organisational measures within the preparation of the construction includes the elaboration of emergency plans for the case of the leakage of harmful substances into the surrounding environment during construction and operation.

- The project documentation in all stages of preparation of the proposed activity shall comprise all the requirements for such measures so that the possible unfavourable impacts would be mitigated.
- Prior to the commencement of earthworks, the proposer shall be obliged to ensure the marking out of all buried services so that they would not be damaged.
- The construction machines should be deployed in the construction in due technical condition, equipped with the prescribed noise-reducing guards,
- To carry out the preliminary technical inspections and maintenance of the construction mechanisms.
- TO ensure the smooth operation of the construction machines by ensuring the sufficient number of means of transport, to stop the aggregates of the construction machines at the time of technological breaks,
- Not to allow the operation of means of transport and machines with excessive quantity of noxious agents in exhaust gases,
- To maximally reduce dust level during construction works and transport,
- To secure the transported material in such a way it would not pollute the transport routes (canvases, wetting, speed reduction),
- To ensure the cleaning of wheels (undercarriages) of the means of transport and machines at the exit to the public communications,
- To remedy the contamination of communications without any delay,
- To implement the measures for the provision of a fluency and safety of road traffic on the dedicated communications to a maximum extent, using the traffic signs (speed reduction, entry restriction, bypass, etc.).
- To maintain order at the sites, to store the material on dedicated places,
- To elaborated the emergency plan during the construction of the communication (the contractor), the emergency plan for the operation of the activity shall be elaborated by the operator,
- The supplier or the participating suppliers shall be obliged to respect and observe the legislative conditions for safety and protection of health at work,
- To proceed pursuant to the plan of the organisation of construction during the development,
- To control the implementation of the activity pursuant to the environmental plan of construction (the proposal of the measures for environment protection during construction, POV, modification of construction yards, agreement with the works in the protected territories, the agreement with the access on sites, seized areas, etc.)
- The strict observation of the plan of safety at work,
- The exclusion of work at night and during the public holidays.

Waste Management

The contractor and operator of the structure must dispose of all the waste in accordance with the Act on wastes No. 223/2001 Coll. as well as the Regulations of the Ministry of Environment of the Slovak Republic No. 283/2001 and 284/2001.

The Measures for the Elimination of Unfavourable Impacts of Noise

- The construction works should be carried out using all available means and technologies for the prevention of the increase in the secondary dustiness during the development (coverage of loose materials, ban of combustion of materials, cleaning of the vehicles prior to leaving the site),
- To ensure the spraying of the site during excavation works and spraying and cleaning of access communications,
- To ensure the cleaning of vehicles at the exit from the site,
- To minimise the storage of dust-producing construction materials within the boundary of the site or to store them in closable storerooms and silos within the proposed boundary of the central site,
- When operating the objects, the operator must obey the relevant law in the field of air protection, the proposed technology must meet all legislative regulations and standards in the field of air protection.
- To cooperate with local self-government when designing the route of construction material driving in and out,
- To elaborate the plan of transport during the construction for Dunajská Lužná,

The transport on construction site should be lead outside the existing built-up area, not to allow the transport of materials and construction machinery through road I/63 and III/0632 in the section of the village residential area of the village of Dunajská Lužná,

- Just machines and devices suitable for the particular activity (proposed technology) should be used on the site and their regular maintenance and control must be ensured,
- Ensure the construction works would not be carried out during public holidays or just no-noise and no-dust work could be carried out (the exception is the activities providing for the observation of the prescribed technological procedures or activities that decrease the value of already made work by interruption.
- The selection of suitable construction mechanisms and technological procedures, the use of machinery with lower noise level, the use of anti-noise guards, the use of materials with sound-insulation properties is recommended,
- The constructor shall be obliged to ensure the measurement of the level of noise generated during the construction activity and not to exceed the allowed values.

The Measures for the Protection of Rock Environment

In the stage of the preparation of the construction, from the point of view of the protection of rock environment, it shall be necessary to:

- When designing the establishment of the construction, the construction and technical measures should be adopted pursuant to the recommendations from the engineering and geological survey for safe and rational way of construction establishment.

In the stage of construction it is necessary to:

- To ensure a good technical condition of construction mechanisms and means of transport in order to prevent the undesired leakages of oil substances in rock environment.

The Measures for the Protection of Ground Water

In the stage of the preparation, from the point of view of the protection of ground water, it shall be necessary to:

- To carry out the hydrogeological survey focused on the drainage effect and the method of infiltration of water from ORL and the effect of ditches as well as the impact of the regime and quality of ground water.

In the stage of construction it is necessary to:

- To observe the stipulations of the Act No. 364/2004 Coll. on waters and on the amendment of the Act of the Slovak National Council No. 372/1990 Coll. on offences as amended (the Water Act) since the proposed activity is in the protected water supply area and therefore it shall be necessary to observe the conditions of Article 31 of the Water Act,
- To ensure the observation of safety regulations and technical standards during construction when handling with oil products and to regularly check the technical condition of mechanisms and vehicles,

- Not to establish the construction yards on the territories where more permeable rock environment protrudes directly to the surface or is closely to the surface or in a close proximity of surface streams,
- To ensure vehicle cleaning at their exit from the site on the reinforced impermeable surface with the entrapping of contaminated water and its safe disposal,
- To ensure possible repairs and cleaning of construction machines on the reinforced areas with the entrapping of contaminated water and its safe disposal,
- Not to place the storerooms of material, construction waste and car fleet outside the area of the construction of the assessed activity,
- To ensure the hydrogeological monitoring during the construction in the stage II protective zone of natural healing water sources in Čilistov,
- To release waste water from the production of concrete, cleaning of means of transport and mechanisms (or from their repairs) to the streams with sufficient flow rate only after their de-sedimentation and removal of oil in the ORL so that the concentrations specified by the relevant regulations would not be exceeded,
- It shall be necessary to accumulate the sewage water from social and sanitary facilities in water-tight sump tanks and to take them to a suitable water treatment plant,
- To lead the rinse water from dumping sites of construction materials and other masses to recipients after de-sedimentation,
- To thoroughly de-sediment and de-oil the waste water from the storerooms of oils and dispensaries of fuel,
- The washing from storerooms of construction chemicals and other chemical preparations should be accumulated in water-tight reservoirs and driven away to be disposed of in the relevant facilities.

The Measures for the Protection of Soil

In the stage of the preparation of the construction, from the point of view of the protection of land resources, it shall be necessary to:

- After the exact survey of the recommended variant, to determine the exact permanent seizures of PPF and , using a suitable technical solution to minimise the areal scope of earth works and thus remove the vegetation cover with a negative impact on soil substrate demonstrated by an increased erosion of soil,
- To propose the site servicing so that the temporary seizures would be minimised, even with time optimisation and minimisation of earth works under construction (the plan of organisation of the construction),
- To select the suitable places for putting away the removed humus layer for its further utilisation (reclamation).

In the stage of construction it is necessary to:

- After the removal of vegetation cover and the completion of earthworks it shall be necessary to reconstruct it and to use the stabilisation elements against erosion with the subsequent vegetation treatments (hydro-sowing, planting of suitable vegetation),
- The protection against soil contamination with oil substances from construction mechanisms should be achieved by a thorough maintenance of construction machines,
- The protection against contamination of soil with oil substances should be ensured using the suitable technical materials, e.g. geo-textiles,
- The construction yards must be situated on the areas not used for agricultural purposes,
- After the completion of the construction it shall be necessary to carry out consistent land reclamation on the areas of temporary seizures.
- During operation, a thorough care after the replacement planting on the reclaimed areas and the areas of a new communication (notches, fills) shall be necessary.

The Measures for the Protection of Biota

- The cutting of non-forest bushy and tree greenery should take place only outside the nesting period.
- To build 4 ecoducts - passages through the road for animals, 3 underpasses and 1 overpass, namely:

Underpass at km 0.8 The routing of the road in this section at the highest fill is ideal - the slip road to the intersection with D4, which would allow the relatively large underpass under the road without recessing the ecoduct under the level of the flat terrain.

Overpass at km 2.2 having the width of 50 m. The overpass is located on the places of intersection with the supra-regional bio-corridor Topol'ové hony – Rovinka – the Little Danube River. The bio-.corridor should allow also the migration of deer from inundated forests from the Danube to the Little Danube in future. In this point, it shall be also necessary to ensure the existing contact and migration between the small forest in the oxbow of the former Danube branch and the gravel pit to the South of it - the watering hole for game, reproduction of amphibians in the gravel pit and their subsequent wintering in the forest stand. The ecoduct should have the form of elevated overpass above the expressway R7 with the width of 50 m. The passage must be planted with shrub and tree vegetation with non-transparent anti-noise and anti-glare walls at the lateral sides against the penetration of noise and car lights to the ecoduct. Vegetation should be planted in its proximity so that it would naturally lead the game onto the ecoduct. If possible, it would be good to at least partially embed the road R7 under the level of terrain. Thus the necessary height of ecoduct above the terrain would be reduced, which is positive from the point of view of game that is not accustomed in the given location to overcome the elevated sections above the terrain.

Underpass at km 4.0 It is desired to lead the communication on bridge pillars on the place of intersection of R7 with the former branch of the Danube River between Dunajská Lužná and Kalinkovo so that the basin of the branch and the accompanying vegetation would not get narrower. This is necessary for problem-free assurance of the migration of game under R7 as well as for making the planned project of revitalisation and the re-watering of the system of the former branches in this territory feasible.

Underpass at km 5.9 It is situated in the terrain recess of the former Danube branch.

- A free space should be left between the bridge object and the barrier itself in order to enable the passage by animals.
- To erect fencing or non-transparent multifunction barriers (from the side of CHKO, CHVÚ and ÚEV Dunajské (Biskupické) luhy in the section of km 0.5 – 4.0) within the entire section of the expressway preventing the penetration of game to the road.
- The construction yards, machinery parks and other accompanying construction objects should be placed to the territory with small species diversity.
- After the completion of construction works, the replacement re-cultivation and planting of greenery in the locations impaired by the construction should take place.
- In the next stage of project documentation, carry out the inventory and social evaluation of the wood species that should be liquidated and to make the compensatory greenery planting at the amount of the determined social value on the areas specified by the relevant nature protection authority. The selection of the composition of tree and bush species must orientate on the original typical species of the monitored territory. The proposal of the composition of wood species that shall be used for the treatment of slopes must be agreed with the relevant nature protection authority.
- To carry out the vegetation modifications of the slopes of the communications - notches and fills , ecoducts, the central separating lane as well as the interior of the intersection spaces.
- The movement of construction mechanisms should be limited just to the construction, handling belts and the access communications specified in the plan of organisation of the construction outside the valued territories and to minimise it in the area of bio-corridors.
- To elaborate the project of biological revitalisation of the territory in the sections of communication routing through or in the proximity of the valued biotopes with the aim to ensure their protection by the specification of the inevitable seizure and the protection by fencing against the damage by mechanisms.
- To process the monitoring project focused on the monitoring of the impact of construction and operation of the road on the selected species of flora, biotope types.

d Compensatory Measures

- The compensatory measures regarding soils resulting from the relevant legislative regulation, in particular the Act No. 220/2004 Coll. on protection and use of agricultural land and on the amendment of the Act No. 245/2003 Coll. on integrated prevention and control of environment pollution and on the amendment and supplementation of some acts.
- The compensatory measures regarding forests imply from the relevant legislative regulations, in particular the Act No. 326/2005 Coll. on forests (just in variant A - red).
- The compensatory measures regarding wood species cutting shall be dealt with in accordance with the Act of the National Council of the Slovak Republic No. 543/2002 Coll. on nature and landscape protection and in accordance with the implementing regulation of the Ministry of Environment of the Slovak Republic No. 24/2003 Coll. according to which the social value of wood species is determined.
- The compensations for proprietary damages shall be dealt with pursuant to the valid legal regulations (the Regulation of the Ministry of Justice of the Slovak Republic No. 492/2004 Coll. on the determination of the general value of property), individually in a close cooperation with the investor of the construction, the concerned subjects, the local authority of the concerned villages.

Other Measures

In the case there would be found any archaeological or paleontological finds during the earthworks, the Contractor shall be obliged to inform the Archaeological Institute of SAV and to enable the securing archaeological survey.

4. The Justification of the Final Opinion Including the Assessment of Acceptance or Non-acceptance of the Presented Written Standpoints to the Assessment Report

The Final Opinion was elaborated pursuant to Article 37 of the Act on the basis of all available base materials, the results of the Assessment Report and the documentation to it, the standpoints of the concerned authorities, the permitting authorities and department authority, the considered villages, the results from the public discussion of the received standpoints from citizens, the Committee of the National Council of the Slovak Republic for Economic Policy, the Minister of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic and the elaborated expert opinion. The Ministry of Environment of the Slovak Republic thoroughly considered ever comment and the standpoints from the concerned subjects, experts and citizens. All the objections, either made in writing or presented orally, were negotiated by the Ministry with the proposer, person drawing the Assessment Report and the person drawing up the Expert Opinion and the justified objections were incorporated in the Final Opinion in the proposal of measures.

The Final Opinion was elaborated on the basis of the following base materials:

1. The Impact Assessment Report for the expressway R7 Bratislava – Dunajská Lužná“, GEOCONSULT, s.r.o., Miletičová 21 520 05 Bratislava, September 2009
2. The scope of the assessment for Assessment Report "Expressway R7 Bratislava - Dunajská Lužná" issued by the Ministry of Environment of the Slovak Republic.
3. Standpoints to the Assessment Report
4. Records from the public discussions of the Assessment Report
5. Expert Opinion on the Assessment Report

When assessing the base materials and elaborating the Final Opinion, they proceeded pursuant to the stipulations of the Act No. 24/2006 Coll.

The following variants were assessed and evaluated:

- Zero variant
- Variant A
- Variant C

The individual pros and cons by the variants were described in the text of the entire Final Opinion.

The entire process showed the studied space is not solved in details from transport point of view. Variant "C" in principle deals with just the shift of transport from road I/63 through the villages of Dunajská Lužná and Rovinka to capacity by-pass of the villages.

The expressway is not especially built for Dunajská Lužná and Rovinka, thus the road I/63 shall remain, but for transit transport from more distant areas. The destination for R7 is Bratislava and this implies the request to connect R7 meaningfully to the communication system of Bratislava. For a long time, a route around Slovnaft is reserved for the communication in the given area in the ÚPD of the city of Bratislava, thus for variant A. From this point of view, variant A should be preferred.

From the point of view of funds, there is just a minute difference between the variants A (lower costs) versus variant C (slightly higher costs). The real costs are supposed to be higher in variant C: Nowadays, the funds may not be a criterion with regards to the social crisis and the movement of prices of lands and material. However, in the case of variant C it is necessary to count with the anti-noise walls and feeders.

In both variants there is a need of the construction of route from D4 - in the variant C there is a feeder is on Svornosti street and the broadening of Svornosti street and in the case of variant A there is the section from D4 up to Prístavný most Bridge intersection. The question still is whether state should not enter the overall solution since both variants are conditioned by a complex and concurrent construction of communications of R7 (NDS) + modification and completion works (the capital city).

The intersection at Prístavný most Bridge is full from capacity point of view and spatially restricted. The ending of R7 to the bridge shall as the above standard technical solution.

In the case of a combination alternative of R7 x D4 x Rovinka intersection x D1:

As for the future operation of this section of R7 in variant A, we must say that without the construction of highway D4, minimally in the section of 5.560 km, Ketelec intersection - Rovinka intersection (in km 11.200 of D4) and with the construction of Rovinka intersection (red variant) for the connection of road I/63, the section of R7 would not be operable. Also in the case of the construction of the given inevitable parts of the system, there is still unclear the question of its attraction with regards to the fact that without further investment, namely the construction of the connection of D4 (Ketelec intersection) with D1 (Prievoz intersection) that should ensure the elongation of Bajkalská ulica street pursuant to the valid ÚPN of Bratislava 2007 (the investment of the city of Bratislava), the route shall be significantly longer than the comparable section of road I/63. In this case, the mouth of such communication in Prievoz intersection is problematic to, since the capacity of the intersection would be full in 2010 already.

Both variants are feasible only under the precondition funds would be ensured for the entire construction at one time, i.e. for R7 in the case of variant C and for the feeder to Svornosti street and the broadening of Svornosti street in the case of variant A for the section from D4 up to intersection to Prístavný most Bridge.

The ending up in D1 in Prievoz intersection has been in the plan of the city as the relaying of road I/63 for 10 – 15 years, but project preparation is just being prepared. The situation in transport is different now than decade before and the ending up of ca 20,000 vehicles from the R7 to Prievoz intersection is almost on the limit of load capacity with regards to the capacity of the intersection. The problem shall move from Podunajské Biskupice to Gagarinova street.

Variant C - green, of the route R7 with Podunajské Biskupice feeder may be constructed independent upon the construction of highway D4 as an individual construction of the bypass of villages of Rovinka and Dunajská Lužná, which is not possible in the case of variant A - red. The municipal part of Podunajské Biskupice is against this variant and the variant is in disaccord with the ÚPD of the city of Bratislava.

From the point of view of location, both variants are comparable. There are already planned activities, either private or business, on the routes of both variants. The upper-tier Territorial Unit/BSK has in its development documents the approved development of recreation above the railway, thus on the place of routing the variant C. The inhabitants of the villages require the passage towards the Danube in the case of variant A also with the aim to recreate.

The town planning scheme of the BSK stated that in the ÚP VÚC BSK the road R7 is stabilised in the route of variant A and their standpoint corresponded with that. In the case of a change in the position it shall be necessary to amend the ÚP VÚC, it should be initiated by NDS, Bratislava.

The expressway R7 is not in the town planning scheme of Bratislava, variant A - red or variant C - green. The relaying of road I/63 is in the town planning scheme of the city, its corridor was taken to the Technical Study and the EIA documentations for the assessment of impacts as variant A of the expressway R7.

The scope of the given subsequent investments that would be made within the construction of R7 may be agreed at the level of the magistrate of the capital city of the Slovak Republic, Bratislava – MDPT (NDS).

In the case of persisting conflicts, it would not be possible to start the technical preparation of the construction of R7, i.e. zero variant would remain.

The partial problems, such as the collisions of the interests of the expressway with the protected territories, cultural monuments, etc. may be dealt with in further more detailed studies, by sifting the route or using the technical measures.

From the point of view of transport, variant A designs the opening of another entry to Bratislava, which is a pro.

Furthermore, the variant A is supported also by the fact that such a variant that would lead transport outside the villages suits the villages of Rovinka and Dunajská Lužná, however just variant A suits Podunajské Biskupice.

From the point of view of the inhabitants of the village of Miloslavov it is not possible to state variant C is more beneficial since the transit transport through the village shall remain from the directions of Studené, Hviezdoslavov and in the stage I also from Kvetoslavov in the case of both assessed variants. In addition, in the case of variant C, the village shall be loaded incomparably more by noise and emissions from transit transport from this communication than in the case of variant A. In addition, the motivation of Miloslavov for variant C is for the reason of the connection of the industrial park.

For the given reasons, the Final Opinion recommends that the decisive step shall be the meeting of statutory representatives of the Ministry of Transport, Posts and Telecommunications, the Magistrate of the capital city of the Slovak Republic, Bratislava, Bratislava Self-government Region, Národná diaľničná spoločnosť and Slovenská správa ciest, at which they would decide upon the solution of the transport system in this territory not only from the technical point of view, but also the financial provision and the succession of

the construction of the individual communications or their sections, namely for:

- variant A - red - to construct the interconnection from Ketelec intersection on D4 to highway intersection of D1 with Bajkalská street and the re-construction of Bajkalská D1 intersection.
- variant C - green - to build Svornosti street to 4-lane and 2-3 GSIs.

„ However, several negotiations that took place during the elaboration of the Report on the Assessment Opinion implied the concerned parties did not reach a consensus on the complex solution of the connection of R7 to the communication system of the city of Bratislava, which prevents the Ministry of Environment of the Slovak Republic to unambiguously determine the resulting variant.

As long as the negotiations at the level of statutory representatives do not come to the conclusion, the preferences of variant A remain higher with regards to the fact it is considered in the planning documents of the capital city for longer period."

In the next technical solution, the selected variant of R7 must consider all measures for prevention, elimination, minimisation and compensation of the impacts on environment in accordance with the Final Opinion and valid legislation of the Slovak Republic.

The implementation of the proposed activity objectively relates to the irrecoverable interventions in environment. Supposing the acceptance and implementation of the proposed measures for prevention, elimination, minimisation and compensation of the unfavourable impacts of the structure on environment and by a thorough project analysis it is possible to minimise the prevailing portion of the expected and really existing negative impacts during the construction and operation of the proposed activity and to ensure thus the prevailing of positive impacts.

5. The Required Scope of Post-project Analysis

The subject of monitoring in the designed section of the road should be processed within zoning and planning decision documentation or DSP in annex "Project of Monitoring of Selected Environment Components", pursuant to TP 6/2008 "Guidelines for Monitoring of Impact of Road Communications on Environment" valid since 15 August 2008 for the definite variant. It should be focused in particular on the monitoring of the impacts of activity in various stages of preparation, construction and operation on selected environment components in selected - concerned locations, while the role of the post-project analysis is the analysis and assessment of the impact of activity determined during monitoring with the subsequent drawing of consequences and adoption of measures for the elimination of the impacts that would be less favourable than it was supposed in the Assessment Report.

The monitoring project for the proposed activity must be focused in particular on:

- noise, emission and vibrations before, during and after the construction in selected places with regards to the position of the selected route over the built-up territory and recreation zones (according to the contemporary situation),
- waste water in road sewer system at the outlet of separators of oil substances,
- The condition of ground water prior to, during and after the construction in particular in relation to the CHVO Žitný ostrov, within the scope pursuant to the recommendation of the engineering and geological and hydrogeological survey (e.g. the construction of the system of monitoring drill holes alongside the entire route).
- Biota (for variant A - red) in contact protected territories (CHKO Dunajské luhy), the territories of NATURA 2000 (ÚEV Biskupické luhy and CHVÚ Dunajské luhy) and the concerned biotopes pursuant to the results of the biological survey prior to, during and after the construction.

- The migration routes of game in relation to the barrier effect of the assessed variants, however in particular in variant A - red, prior to and during the construction.
- The efficiency of the proposed measures for the provision of migration corridors of game (ecoducts) during the operation,
- The concerned territories of ÚSES (biocentres) prior to, during and after the construction (in particular for variant A - red).
- The monument objects (in the case of variant A - red - Horožitnoostrovská hrádza Dam) prior to, during and after the construction,
- The geotechnical monitoring during and after the construction.

On the basis of the stipulations of Article 39 of the Act, who carries out the proposed activity assessed pursuant to the Act No. 24/2006 Coll. is obliged to ensure its monitoring and evaluation, in particular.

- To systematically monitor and measure its impacts,
- To control the fulfilment of all conditions specified in the permit and in relation to the issue of the permit of the proposed activity and to assess their efficiency,
- To ensure the expert comparison of the supposed impacts specified in the Assessment Report on the assessment of the activity with the real situation.

The scope and deadline of the monitoring pursuant to Article 39 Para 2 of the Act shall be specified by the permitting authority when permitting the proposed activity pursuant to the special regulations while considering the Final Opinion of the Ministry of Environment of the Slovak Republic.

VII. DATA CORRECTNESS ACKNOWLEDGEMENT

1. The Final Opinion Elaborated by

Ministry of Environment of the Slovak Republic
The Department of Evaluation and Assessment of Impacts on Environment
Ing. Milan Luciak

in cooperation with the Regional Authority for Public Health
with its registered office in Bratislava

2. Data Correctness Acknowledgement

Mgr. Daniela Žišková

authorized to manage the Department of Evaluation and Assessment of Impacts on Environment

Ministry of Environment of the Slovak Republic

3. Date of Final Opinion

9. 5. 2009

Disclaimer

This is an English translation of a document that was originally produced in the Slovak language. While we have exercised utmost care to make this translation accurate, it may contain typing or translation errors. Therefore, always consult the Slovak original before making decisions on the basis of this translation.

The name of this document in Slovak is *Záverečné stanovisko*. The file name has not been changed.

We hereby confirm that the European Bank for Reconstruction and Development shall have no responsibility for the translated content.

Project Implementation Services, spol. s r. o.
Consultant under Consultancy Contract C31934