Hrvatske vode - 374 Received: 22 March 2013 15:14:36

Class. No.: 351-03/13-01/0000008

 Reg. No.: 2196-13-2

 Organisational Unit: 22-4

 Attachments:

 Value: 0

REPUBLIC OF CROATIA

VUKOVAR-SRIJEM COUNTY

Administrative Department of Spatial Planning,

Construction and Environmental Protection

Class: UPI/I-351-03/13-03/03

Reg. No.: 2196/1-14-01-13-5

Vukovar, 15 March 2013

The Administrative Department of Spatial Planning, Construction and Environmental Protection of the Vukovar-Srijem County, pursuant to Article 79.b, paragraph 2 of the Environmental Protection Act (Official Gazette No. 110/07) and Article 30, paragraph 3 of the Regulation on environmental impact assessment (Official Gazette No. 64/08 and 67/09), concerning the request submitted by Hrvatske vode from Osijek, Water Management Department for the Danube and Lower Drava, Splavarska 2a, Osijek, and after carrying out the procedure of evaluation of the need for environmental impact assessment of the project, is passing the following

**DECISION**

**I. For the project “Reconstruction of the revetment and bank zone of the Danube river in the area of the Town Vukovar – the right bank from the Vuka river mouth to the Vukovar Port and Improvement of Otok Športova”, developer Hrvatske vode from Osijek,** **Water Management Department for the Danube and Lower Drava, Splavarska 2a - it is not necessary to conduct the procedure of environmental impact assessment.**

**II. For the project “Reconstruction of the revetment and bank zone of the Danube river in the area of the Town Vukovar – the right bank from the Vuka river mouth to the Vukovar Port and Improvement of Otok Športova”, it is necessary to implement the environmental protection measures described in the “Report with the request for evaluation of the need for environmental impact assessment for the project “Reconstruction of the revetment and bank zone of the Danube river in the area of the Town Vukovar – the right bank from the Vuka river mouth to the Vukovar Port and Improvement of Otok Športova”, developed by HIDROING d.d. from Osijek, Project No. I-1356/13 of 14 March 2013, which is an integral part of this Decision.**

**III. For the said project, it is necessary to also implement the environmental protection measures proposed by the State Institute for Nature Protection from Zagreb,** Class: 612-07/113-29/29, Reg. No.: 366-07-3-13-2 pf 14 March 2013, which are an integral part of this Decision.

* *The filling of a part of the small port basin from the existing bridge towards the river mouth may affect the fish possibly present in this area at the time of works. Therefore, as a protection measure, we propose that the filling should be carried out at the time of low water levels or when this part is dry. If the works are carried out at the time when water is present, the filling should start from the bridge towards the port exit,* *since there is no water contact between the left and right parts of the port basin, so that the fish may flee this part of the port basin.*

***Grounds for decision***

Hrvatske vode from Osijek, Water Management Department for the Danube and Lower Drava, Splavarska 2a submitted, pursuant to Article 29 of the Regulation on environmental impact assessment (Official Gazette No. 64/08 and 67/09) (hereinafter: the Regulation), a request for evaluation of the need for environmental impact assessment for the project “*Reconstruction of the revetment and bank zone of the Danube river in the area of the Town Vukovar – the right bank from the Vuka river mouth to the Vukovar Port and Improvement of Otok Športova*”. The planned project anticipates the reconstruction of the urban-type revetment from the parking lot along the street Dunavski Prilaz to Otok športova.

The length of the revetment reconstruction is approximately 1200 m. The removal of the existing revetment is planned, and an urban-type revetment will be constructed in its place, but with milder slopes than the existing one. Additionally, the project also includes the improvement of Otok športova for purposes of preventing adverse effects of water (flood protection).

The improvement of the bank zone in this area of the project is planned through execution of pedestrian and bicycle paths, flower stands, rest areas and planting the lines of trees as well as improvement with urban utility equipment (bike racks, waste baskets, banks, etc.).

The request was accompanied by the “*Report for evaluation of the need for environmental impact assessment of the project “Reconstruction of the revetment and the bank zone of the Danube river in the area of the Town Vukovar – the right bank from the the Vuka river mouth to the Vukovar Port and Improvement of Otok Športova*”, Project No. I-1356/13 developed by HIDROING d.d. za projektiranje i inženjering from Osijek in January 2013.

The planned project is in compliance with the existing spatial planning documentation: *the* *Spatial Plan of the Vukovar-Srijem County, Spatial Plan of the Town Vukovar and General Urban Plan of the Town Vukovar.*

The Administrative Department, pursuant to Article 29, paragraph 1 of the Regulation on environmental impact assessment, submitted the request for opinion to the Ministry of Construction and Physical Planning from Zagreb, State Institute for Nature Protection from Zagreb, Ministry of Agriculture – Water Management Directorate from Zagreb, Town Vukovar – Administrative Department of Town Planning, Management of Town Property, Utility Services and Environmental Protection, Public Health Institute of the Vukovar-Srijem County from Vukovar, Public Institution for Management of Protected Natural Values of the Vukovar-Srijem County.

In compliance with the Regulation on environmental impact assessment and the Regulation on Information and Participation of the Public and Public Concerned in Environmental Matters (Official Gazette No. 64/08), the public was also informed about the request of Hrvatske vode. The information was published on the web page of the Vukovar-Srijem County, on the bulletin boards of the Town Vukovar, and of this Administrative Department in the period from 1 February 2013 to 15 March 2013.

The Administrative Department received the following opinions:

The Public Health Institute of the Vukovar-Srijem County from Vukovar, in its letter from 7 February 2013, submitted its opinion that for the planned project it is not necessary to conduct the procedure of environmental impact assessment, since no significant negative environmental impact is expected.

The Ministry of Agriculture – Water Management Directorate, in its letter Class: 351-03/13-01/16, Reg. No.: 525-12/0991-13-2 of 18 February 2013, submitted its opinion that for the planned project it is not necessary to conduct the procedure of environmental impact assessment, since no significant negative environmental impact is expected.

The Town Vukovar, Administrative Department of Town Planning, Management of Town Property, Utility Services and Environmental Protection, in its letter Class: 350-01/13-01/01, Reg. No.: 2196/01-2-13-03 of 19 February 2013, submitted its opinion that for the planned project it is not necessary to conduct the procedure of environmental impact assessment.

The Public Institution for Management of Protected Natural Values of the Vukovar-Srijem County, in its letter Class: 612-07/13-01/10, Reg. No.: 2196/1-16-13-1 of 21 February 2013, submitted its opinion that for the planned project it is not necessary to conduct the procedure of environmental impact assessment.

The Ministry of Construction and Physical Planning from Zagreb did not submit its opinion.

The State Institute for Nature Protection from Zagreb, in its letter Class: 612-07/13-29/29, Reg. No.: 366-07-3-13.2 of 14 March 2013, submitted its opinion that for the planned project it is not necessary to conduct the procedure of environmental impact assessment, since the project anticipates the reconstruction of the revetment, an already existing facility, and considering the fact that the intervention is located in an anthropogenically altered area and has a temporally and spatially limited impact. Therefore, no significant impact of the project is expected on the protected natural values and ecological network of the Republic of Croatia.

Additionally, the State Institute for Nature Protectionproposed the following nature protection measures:

* *The filling of a part of the small port basin from the existing bridge towards the river mouth may affect the fish possibly present in this area at the time of works. Therefore, as a protection measure, we propose that the filling should be carried out at the time of low water levels or when this part is dry. If the works are carried out at the time when water is present, the filling should start from the bridge towards the port exit,* *since there is no water contact between the left and right parts of the port basin, so that the fish may flee this part of the port basin.*

 Taking into consideration all the above, the Administrative Department of Spatial Planning, Construction and Environmental Protection of the Vukovar-Srijem County decided that the concerned project will not have significant impact on the environment and that it is not necessary to carry out the procedure of environmental impact assessment, and thus, pursuant to Article 79, paragraph 2 of the Environmental Protection Act (Official Gazette No. 110/07) and Article 30, paragraph 3 of the Regulation on the Environmental Impact Assessment (Official Gazette No. 64/08 and 67/09), decided as in the text of the Decision.

The administrative fee for issuing of this Decision in the amount of 70.00 HRK in tax stamps according to Tariff No. 1 and 2 of the Administrative Fees Act (Official Gazette No. 8/96, 77/96, 95/97, 131/97, 68/98, 66/99, 145/99, 116/03, 17/04, 110/04, 150/05, 153/05,129/06, 117/07, 25/08, 60/08, 20/10 and 69/10, 126/11) was duly paid.

INSTRUCTION ON LEGAL REMEDY:

Against this Decision a complaint can be instituted to the Ministry of Environmental Protection, Physical Planning and Construction within the period of 15 days from the date of its receipt. The complaint, in written form, is submitted by post, or may be declared verbally for the minutes, through the body which issued this decision. The administrative fee in the amount of 50.00 HRK is paid with this complaint.

 REPUBLIC OF CROATIA

 VUKOVAR-SRIJEM COUNTY

 Administrative Department of Spatial Planning, Construction and Environmental Protection

 (stamp)

 Head of Department Silvana Tvrz, B.Sc.E.

 (signed)

To be delivered with confirmation of delivery to:

1. Hrvatske vode, Water Management Department for the Danube and Lower Drava, Splavarska 2a, 31000 Osijek

2. Registry, here

3. Archives, here