

# **Project to widen and canalise the Görbepatak stream, using EU taxpayers' money with the intention of flood prevention**

**Country, region:** Romania, Pogany Havas Micro-region

**Name of the organisation which implemented the project:** Harghita County Council

**Total size of the project in EUR:** approx. €2m EU funding

**Name of the EU fund that supported the project:** Cohesion Fund and Structural Funds (ERDF)

## **Name of the Operational Program**

Operational Programme 'Environment': infrastructure of natural risk prevention in most vulnerable areas

**Period:** 2008-2012

## **Short description of the project, aims, targets, project activities:**

Reduce risk of seasonal flooding in the area, by hard engineering along streams.

## **Estimated impacts on biodiversity and ecosystem services**

### **Natura 2000**

There is a Natura 2000 site covering the top of this catchment, upstream of the area where canalisation work will take place.

## **Stream bed and bank work**

The entire stream bed will not be concreted. Twenty-four 10-metre concrete stream-bed sections will be separated by stretches of "natural" but dredged and widened stream bed. The banks of the stream will be lined with mortared stone walls on a substantial concrete foundation. This will have a major impact on the area, its people, hydrology, ecology and economy; and we cannot see that it will address the causes of flooding.

## **Impact on private land owners**

Under a 1996 law, the water company controls a zone extending 5 metres either side of a watercourse less than 10m wide. We were told by the council officials that this means that the company can widen the stream by up to 5m either side of the stream if they want to, without compensating the land owners for the loss of their land; and any buildings within 5m of the existing banks could be demolished by the widening work without compensation. Since the stream widening works go through a narrow populated valley, this will affect many of the villagers directly, and we have found no evidence that they have been

informed or consulted about this. The former mayor had signed a partnership agreement with the water company, which we understand allows the water company to take private land within this zone for community flood protection.

### **Environmental Impact Assessment**

Harghita County Council papers include a statement from the Environmental Protection Agency, stating that no environmental impact assessment is required for this scheme. We would refute that claim, for the reasons given below.

### **Environmental impacts**

We were amazed to see a paper stating that no impact assessment was needed because of the low impact of this scheme. It has been well known for a long time in the UK that such schemes cause a range of negative environmental impacts, and many old schemes are now being reversed.

#### **Impacts might include:**

- Severe impact to amphibia, of which many protected species exist in Harghita County. Amphibia using this stream would no longer be able to get into or out of the water if the stream bed is deepened and the banks are lined.
- Severe impact on fish and crayfish. Many species rely on a varied topography and vegetation, which will be destroyed by this scheme. Many species of fish (and other creatures) need slower flowing water, side channels or the protection of bank-side roots and crannies to lay their eggs or hide from predators. A natural stream provides this variety of habitat, but canalisation removes it. Invertebrates, which are valuable in their own right and provide food for many other stream dwellers, birds and small mammals, also require streambed vegetation, banks etc to live, feed and evade predation.
- Mammals, birds and other animals that live or nest on the vertical banks of the stream will have their habitat completely destroyed by mortared stone wall that will extend along the full length of the canalised stretch of the stream.
- Plants of the stream bed, banks and boundaries will lose their habitat during the dredging, widening and canalisation works.
- After the construction work is finished, the pattern of water flow will be completely different, affecting all life in the stream. Water will no longer move easily between the stream and its surrounding catchment, which might change the water table – adversely affecting wildlife and people.
- Heavy rainfall and rapid snowmelt will cause much higher water flows in a canalised stream than a natural one, since the banks and bankside vegetation can no longer trap water and release it slowly. The stream will be subject to both higher and lower flows than before, affecting the type of animals and plants that can live there.

#### **Remaining concerns**

- Will this scheme stop flooding?
- Have local people and their elected representatives been given enough information about the scheme to make an informed decision?
- Have they been consulted in a meaningful way about the scheme and its impacts, and do they feel afraid to oppose the scheme publicly?
- What is the hydrological impact of the scheme?
- What is the environmental impact of the scheme?
- What is the economic impact of the scheme (landowners not being compensated for lost land, impact on tourism, fishing and farming)?
- Who holds copies of the detailed plans for the scheme (including information about whose land will be lost)?

- Which plans are the contractors working to, eg details about materials to be used, building to be demolished (if any), bank-side walls (if any)? Have the regulatory authorities seen and approved these plans as complying with the permits?
- How often will inspectors check the progress of the work to ensure that it complies with the permits, and what are their powers to stop the work if it does not comply?

**How did project leaders, authorities, NGOs or other stakeholders try to avoid harmful impacts, if the project had any?**

### **Public consultations**

The representatives of the NGO Pogany Havas have seen the paperwork held by the planning department in Harghita County Council. They were not allowed to take copies of the papers held by the council, but the mayor would be allowed to do so. Not all of the relevant papers are held in a single location, making a full investigation of the paper trail unnecessarily difficult. For example, they were told that the most detailed plans for the scheme (which would make it possible to identify whose land will be removed by bank-widening), is only held by the water company and the designers of the scheme, not by the County Council nor the mayor of the affected region.



Pogany Havas representatives had hoped to see a hydrological report explaining the causes of flooding in this stream (and hence the justification for the scheme) and the hydrological impact of the project. The Council officials did not know if a hydrologist had made such a report, and are not required to hold the paperwork if it exists.

The County Council holds only one consultation paper regarding the scheme: a sheet signed by villagers giving permission for construction machinery to cross their land as part of the project.

Council officials also told us that a notice would have appeared in local newspapers inviting people to see the plans for the scheme in the council offices. They did not know if anyone had taken up this opportunity. Even if they had, it seems unlikely that they would have understood the papers since the documentation is in the Romanian language, which is not spoken fluently by many of the people most affected by the scheme (whose mother tongue is Hungarian).

An environmental consultation would be the responsibility of the Environmental Protection Agency. Pogany Havas are not aware that this has been done, but will seek clarification from the agency.

## **Discussion with villagers and contractors**

Pogany Havas spoke to some villagers when they visited the construction site in Görbepatak. They told us that they had not been consulted about the scheme and did not know what it would do. They were very much against the idea of the scheme as Pogony Havas described it, but said that they would not be willing to speak out against it publicly, for example to the media or on our camera, for fear of some unspecified retribution.

Pogany Havas spoke to the contractors digging the stream bed. They were not very well informed about the plans, but believed that they would be building a 2-metre high wall along the stream banks. Such a wall doesn't appear on the plans held by the council, and Pogony Havas hadn't heard this mentioned before.

**Author of the case study: Nat Page, Fundatia ADEPT Transilvania, in cooperation with Pogony Havas Pogány-havas Kistérségi Társulás (Association)**

### **Contact with CEEweb member:**

Nat Page, [nat@fundatia-adept.org](mailto:nat@fundatia-adept.org),  
+40 748 200088