



Luxembourg, 4 October 2024

Environmental and Social Completion Sheet (ESCS)

Overview

Project Name:	D4R7 SLOVAKIA PPP
Project Number:	2015-0059
Country:	Slovakia
Project Description:	The project consisted of the design, construction and financing of approximately 27 km of the D4 motorway around Bratislava, which will connect to the R7 expressway and is to be procured as part of the D4R7 PPP.

Summary of Environmental and Social Assessment at Completion

EIB notes the following Environmental and Social (E&S) performance and key outcomes at Project Completion.

Environmental Impacts during Project Construction

The main works of the project began in 2016. The project became operational to traffic in stages between 2020 and 2021, before reaching Final Completion in 2022. The project was completed essentially to the original scope with the construction of 27 km of D4 highway (2x2 and 2x3 lanes) and included 8 interchanges, 55 overpasses and 5 bridges. The major technical element that changed was the de-scoping of the D1-D4 interchange (Ivanka Sever). This interchange will be completed separately by the Public Authority at a later date.

Prior to construction, the project was required to complete approval and permitting procedures following the award of the public private partnership (PPP) contract. This required Notifications of Change and finally Change of Building Permits for all project sections. In 2016, the Ministry of Environment's (MoE) decision on the Notification of Change to the Project (including bridge structures) determined that the change was not expected to have a significant negative environmental impact and therefore would not be subject to a new full EIA. This decision was repealed by the Regional Court of Bratislava in its ruling of November 2018. The MoE filed an appeal against this decision before the Supreme Court. In August 2020, the Supreme Court returned the case to the Regional Court of Bratislava for new proceedings. A national judicial proceeding concerning the assessment of environmental impacts remains ongoing. There has been no impact on the Project to date and the EIA approved remains valid.

During construction, a number of environmental issues were reported and resolved through the project and national judicial procedures. These issues did not prevent technical handover or receipt of relevant occupation permits.

The final reporting on environmental monitoring during construction concluded that construction did not result in the deterioration of the quality of either air, groundwater or surface water. In relation to biodiversity, the initial signs of use of the eco-ducts was promising and it is assumed frequency of use will increase with time. Air quality, surface and groundwater quality, noise and biodiversity monitoring will continue as part of the operations phase.



Luxembourg, 4 October 2024

Natura 2000 Compensatory Measures

The D4 motorway project passes through Natura 2000 sites: Special Protection Area (SPA): SKCHUU007 “Dunajské Luhy” and Site of Community Importance (SCI): SKUEV0295 “Biskupické Luhy”. An appropriate assessment concluded significant negative impact on priority species concerning the D4 Jarovce – Ivanka Sever section in the vicinity of the River Danube and as a consequence triggering article 6 (4) of the Habitats Directive 92/43/EEC. Implementing the project was justified due to imperative reasons of overriding public interest concerning human health and public safety. It was submitted for information to the Commission in 2016 and updated in 2019.

Due to the significant impact of the project on Natura 2000 sites, the project design and approval included requirement to implement nine compensatory measures. All compensatory measures, except compensatory measure 1 (CM1) (object 071 – Rusovce- afforestation), have been completed to date and handed over to the relevant competent authority (State Nature Conservancy).

The original location for CM1 was unable to be procured by the Public Authority. Following further assessment, coordinated with stakeholders including the MoE and the Slovak Ornithological Society/BirdLife Slovakia, an alternative site was located in Patas in the vicinity of Gabčíkovo. The identified land is in the process of being acquired for use by the Public Authority for the project. The completion of CM1 is currently estimated by the end of 2024 resulting in afforestation of approximately 18 hectares, planting approximately 29,000 trees. The completion of CM1 did not affect the issuance of the project Occupation Permits and therefore formal completion and operation of the project.

EIB notes the following key Environmental and Social aspects to be monitored during operations:

The EIB will undertake environmental monitoring for the post-completion phase for a period of three years, following which environmental post-completion monitoring requirements will be reviewed. The focus of environmental monitoring shall be on the progress of implementation of CM1. Other E&S issues may also be reported on – particularly any further information on any outstanding judicial or national procedures related to E&S aspects.

Summary opinion of Environmental and Social aspects at completion:

EIB is of the opinion based on reports from the promoter, site visits by the EIB team and/or inputs provided by Lenders' Technical Adviser and others, where applicable, during Construction that the Project has been mainly implemented in line with EIB Environmental and Social Standards, applicable at the time of appraisal. The EIB notes the completion and operation of the project, however, the implementation of CM1 remains outstanding and will be monitored post project completion.