

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	7
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Campeni, 26.07.2006
RMGC internal unique code	MMGA_0027
<b>Proposal</b>	The Roman galleries – from National and UNESCO patrimonies – will be destroyed.
	<p>None of the Roman mining galleries nor any associated remains (such as structures built within the Roșia Montană sites) are included on the UNESCO World Heritage List.</p> <p>Detailed information on the complex issue of the research of the historic mining works at Roșia Montană and their results are available in the EIA Report for the Roșia Montană project, volume 6 – <i>Cultural Heritage Baseline Report</i>, pages 32, 36-55, 83-109. Although their presence was known for more than 150 years, the Roșia Montană Roman galleries had never been archaeologically investigated prior to 1999. Basically, prior to 2000, this type of archaeological remains have never been subject to a specialized research, but only mentioned empirically.</p> <p>Starting from 1999, the Toulouse team, specialized in mining archaeology, has conducted the scientific survey of the mining remains found on the Roșia Montană site. The 7 km of galleries dated to the Roman period represent the total length of this type of works identified and mapped in all the massifs investigated, they do not form a single unit. The research of these structures led to a better understanding thereof and determined some well-grounded decisions with regard to their conservation and enhancement. Based on the results of the research conducted so far (completed research for the Cetate, Cârnic, Jig, and underway in the Orlea massif), a decision was made for the conservation and enhancement of the following areas comprising Roman mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monulești gallery - located in the Historical Centre of the Roșia Montană village. This gallery is the place where most of the wax tablets and an ancient mine dewatering system have been found;</li> <li>- the Păru Carpeni mining sector - located in the south-eastern part of the Orlea massif, where a system of overlapped chambers was found, these chambers were equipped with Roman wood-made mine water drainage devices (wheels, channels, etc.);</li> <li>- the Pietra Corbului area - located in the south-western part of the Cârnic massif; this area bears traces of the ancient and medieval galleries dug by the fire setting technique;</li> <li>- the Văidoaia massif area - located in the north-western part of the Roșia Montană village, where areas or open-cast mining can still be found dating back to the ancient period.</li> </ul> <p>As for the parts of ancient galleries on the southern part of the Cârnic massif, once the research there is completed and considering the difficult access to this area, the state of preservation of these remains as well as their nature and distribution, and the fact that such mining works have been identified in other areas from the above-mentioned sites, it was concluded that it is very difficult to arrange these galleries for public access. Many insurmountable obstacles have been encountered regarding the safety and maintenance conditions for the access to these galleries first of all for the specialists. This option is consequently all the more difficult and unlikely as regards their development for public access.</p> <p>Thus, the current situation clearly points out that most of the ancient mining works from the Cârnic massif and from the other mining sectors are hardly accessible to specialists and almost inaccessible to the public. Moreover, the safety standards for public visits in museums all across the European Union, which will be adopted in Romania as well, do not allow these galleries constantly exposed to high risk factors to be developed for public access. However, note that significant segments of Roman galleries will be preserved <i>in situ</i>, as mentioned above. As an impact mitigation measure, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-</p>
<b>Solution</b>	

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D representation of these structures as well as replicas of these structures (at a 1:1 scale). These will be then included in the mining museum, which will be developed at Roşia Montană.

As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries on the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif amount to a value that is not justified from an economic point of view (see Annex “Costs Estimate for the Development of Ancient Mining Networks from Cărnic Massif”, prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd.)

Research conducted so far in the Orlea massif area (the only area currently comprising ancient mining remains according to the List of Historical Monuments 2004) was preliminary in nature. A thorough investigation of this area is planned for the period 2007-2012, and once this research is completed, the necessary measures will be taken – according to the legislation in force – either the preservation *in situ* of certain sectors or the implementation of the archaeological discharge procedure for the others. Detailed information on the chance archaeological finds and on the preliminary archaeological research conducted in the Orlea massif (both at surface and in the underground) has been published in the Environmental Impact Assessment Study for the Roşia Montană project, volume 6, *Cultural Heritage Baseline Report*, Annex I, pages 231-236. Note that the Cultural Heritage Baseline Report states that: Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be researched starting 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded.” (*Cultural Heritage Baseline Report*, volume 6- page 46).

Note that the development of the Roşia Montană project does not imply the uncontrolled destruction of the galleries from the Roşia Montană area. On the contrary, the existence of this special category of archaeological remains has been considered in the preparation of this project. Thus, preliminary archaeological investigations and extensive studies have been conducted and appropriate measures have been taken based on their findings. As indicated in the reports and studies published by experts in the field, the Roman galleries at Roşia Montană are important, but not unique. Following the inventory of the Roman mining sites existing in Transylvania and Banat-undertaken as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is quite difficult to state that the Roşia Montană site is of unique importance, at least if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vâlcoi Corabia area and Haneş – Almaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, comparable to that of the ancient Alburnus Maior site. This aspect should also be taken into consideration when assessing the significance of the Roşia Montană as a site.

In conclusion, with regard to your question, we can say that under no circumstances will the Roman galleries at Roşia Montană be destroyed. However, we are now facing some sort of a paradox. Given the state of preservation and the nature of the Roman galleries, their physical existence would be threatened if they were not investigated. This type of investigation known as preventive/rescue archaeological research is conducted everywhere in the world in close connection with the economic interest for certain areas. In addition, both the costs for the investigation and for the enhancement and maintenance of the areas conserved must be covered by the investors through a private-public partnership for the protection of the cultural heritage, in accordance with the provisions of the European Convention of Malta (1992) on the Protection of the Archaeological Heritage [1].

Considering the importance of Roşia Montană’s cultural heritage and the current legal provisions, S.C. Roşia Montană Gold Corporation S.A. has allotted a budget of over US\$ 10 million for the archaeological research of the heritage in the Roşia Montană area conducted in the period 2001-2006. Moreover, taking into account the results of the research, the specialists’ opinions, and the competent authorities decisions, the company has allowed a budget of US\$ 25 million for the conservation and restoration of the cultural heritage of Roşia Montană, an operation to be carried out in the coming years if the mining project were implemented, as publicly stated in the Environmental Impact Assessment Study for the RMP, volume 32, Management Plan for the Archaeological Heritage from Roşia Montană Area, pages 83-85). Thus, among the plans for the future there are: the continuation of the archaeological research of the Orlea massif area, and especially the development of a **modern Mining Museum with geological, archaeological,**

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industrial and ethnographic heritage displays, and the Cătălina Monulești gallery and the monument at Tăul Găuri will be developed for tourist access as well as the conservation and restoration of the 41 historical monument buildings and of the protected area Historical Centre Roșia Montană.

For further information on the history of the archaeological research and on the main discoveries related to the ancient galleries from Roșia Montană as well as for experts' conclusions on this matter and for the assessments made with a view to including the ancient mining networks from the Cărnic massif in a tourist circuit, or for the opinions expressed in 2004 by Edward O'Hara, General Rapporteur on the Cultural Heritage from the Parliamentary Assembly of the Council of Europe, please see the annexes called: „Information on the Cultural Heritage of Roșia Montană and Related Management Aspects” and „Costs Estimate for the Development of Ancient Mining Networks from Cărnic” as well as the enclosed Romanian version of the “O'Hara Report”

Reference:

[1] The text of the Convention is available at the following address:  
<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	10
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Rosia Montana, 24.07.2006
RMGC internal unique code	MMGA_0065
Proposal	<p>The questioner wants to learn how the famous Roman galleries, unique within Europe will be visited in the future: under the cyanides lake?</p>
Solution	<p>The future TMF for the RMP is going to be built on the Corna valley. No ancient mining galleries were found in this area. Such archaeological remains have been identified only in the massifs from the Roşia valley, namely on the Southern slope of the Cărnic massif in the North-Eastern side of the upper Roşia valley, outside the perimeter of the planned TMF. Therefore, none of these galleries is going to be flooded.</p> <p>In accordance with the legislation in force, RMGC has provided the necessary funds for the investigation and assessment of the mine galleries located in the Roşia Montană area. The mining archaeological researches carried out since 1999 at Roşia Montană by a multi-disciplinary team from the University of Toulouse Le Mirail (France) led by Dr. Beatrice Cauuet were focused on the development of a detailed study of this type of archaeological remains, namely the old mine galleries dating from the Roman and later periods.</p> <p>The future Mining Museum from Roşia Montană will comprise both ancient mining works (e.g. galleries, exploitation sites, etc.) dug with the hammer and chisel or by the fire setting technique found in the Cătălina Monuleşti, Coş, Piatra Corbului and Păru Carpeni areas and ancient mining devices (e.g. the hydraulic wheels uncovered in the Păru Carpeni sector). All these elements will be preserved <i>in situ</i>. For this purpose, the following areas have been delimited and declared as protected areas: the mining sectors of Lety – Coş (the Cătălina Monuleşti gallery has already been classified as historical monument on the List of Historical Monuments 2004); Piatra Corbului (already classified as historical monument on the List of Historical Monuments 2004) and Păru-Carpeni (this perimeter is still being researched). Thus, these sectors will not be affected by the future works performed within the RMP. The ancient mining works as well as the modern and recent ones will be arranged to ensure the optimum conditions for the research activities as well as for the public's safe access to areas declared accessible by the specialists. Moreover, replicas of the main types of ancient mining works found in the Cărnic massif are going to be created in the Mining Museum planned to be established at Roşia Montană. These replicas refer to those types of structures which have been identified so far only in this massif or which are severely degraded. RMGC is going to provide funds for the establishment of the museum and for the acquisition of appropriate equipment for the exposition halls and offices. According to the legal provisions, these will be managed by the company's Foundation. In our opinion, all these measures planned by RMGC are going to widen the range of tourist attractions in this area.</p> <p>For further information on the history of the archaeological research and of the main archaeological finds related to the historic galleries from Roşia Montană, please see the enclosed brochure. This brochure also included the experts' conclusions on this issue and the proposals for tourism development in the Roşia Montană area using as starting point the potential represented by the archaeological finds. Detailed information on the complex issue represented by the research of the ancient mining works at Roşia Montană and its results are available for consultation in the EIA for the Roşia Montană project, volume 6 – <i>Cultural Heritage Baseline Report</i>, pages 32, 36-55, 83-109.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	12
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Rosia Montana, 24.07.2006
RMGC internal unique code	MMGA_0068
<b>Proposal</b>	<p>RMGC states that they have paid for archeological excavations which have been performed on 1,100 ha, but actually these have not been performed not even on 3ha.</p>
<b>Solution</b>	<p>In compliance with the existing legislation, RMGC has provided the necessary funds for the investigation and assessment of these types of archaeological remains. Considering the opinions and conclusions of the researchers who conducted these surveys and the decisions of competent authorities (i.e. the Romanian Ministry of Culture and Religious Affairs, the National Commission of Archaeology and the National Commission for the Historical Monuments), the company has also provided funds to cover a series of material expenses, such as facilities, work and work safety equipment, costs related to the labor force, in accordance with the existing legislation.</p> <p>The notion of archaeological research does not refer only to the proper archaeological excavations. Specific investigative tools and methodologies are used for this type of research, which are adjusted to meet the realities of every site researched. The archaeological research of the Roşia Montană site consisted in the following steps:</p> <ul style="list-style-type: none"> <li>- studies of the archive;</li> <li>- archaeological surveys, trial trenches (test trenches);</li> <li>- aerial reconnaissance/survey and aerial photo interpretation ; high resolution satellite images;</li> <li>- mining archaeology studies; underground topography and 3D modeling;</li> <li>- geophysical surveys;</li> <li>- thorough archaeological investigations in the areas with an identified archaeological potential - this implied carrying out archaeological excavations;</li> <li>- interdisciplinary studies - sedimentology, archaeo-zoology, comparative palynology, archaeo-metallurgy, geology, mineralogy;</li> <li>- radiocarbon dating and dendrochronology;</li> <li>- this research and its outcomes were included in an integrated database;</li> <li>- traditional and digital archaeological topography and development of the GIS project; generate a photo archive - both traditional and digital;</li> <li>- restoration of artifacts;</li> <li>- an inventory and a digital catalogue of the artifacts;</li> <li>- studies conducted by specialists in order to enhance the outcomes of this research - publication of monographs and scientific volumes, exhibitions, websites, etc.</li> </ul> <p>All the preventive archaeological researches conducted at Roşia Montană since 2001 have been carried out within a complex research program; permits for preventive archaeological excavations being issued in compliance with the legislation in force. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. All archaeological researches have been conducted in line with the legislation in force. The investigations conducted during each archaeological research campaign are authorized by the Ministry of Culture and Religious Affairs based on the Annual Archaeological Research Plan approved by the National Commission of Archaeology. The specific techniques employed during the preventive archaeological investigations conducted on the RMP perimeter consisted in a survey of all the areas, which are accessible and, at the same time, suitable for human dwellings, and took into account bibliographical data and observations made during field surveys, geophysical surveys, as well as data resulting from the analysis of photogrammetric flights. Archaeological research has been developed where required by the archaeological realities. The archaeological investigations conducted at Roşia Montană have covered large areas, and the areas with an archaeological</p>

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potential have been thoroughly investigated. THUS, ALL THE AREAS THAT WERE ARCHAEOLOGICALLY DISCHARGED HAD BEEN PREVIOUSLY INVESTIGATED. All the investigations have been conducted in accordance with the legislation in force, specifically the Order of the Minister of Culture and Religious Affairs no. 2393/06.09.2004 on the implementation of Archaeological Standards and Procedures.

Under the same legislation in force in Romania on the protection of the archaeological heritage, the archaeologists who have conducted the research are not authorized to grant the archaeological discharge. The archaeological discharge procedure comprises the following steps: once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation regarding the researched area. After consideration of this documentation, the National Commission of Archaeology recommends or not the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	16
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Rosia Montana, 24.07.2006
RMGC internal unique code	MMGA_0085
<b>Proposal</b>	What will happen with those 40 patrimony houses from Rosia Montana that are abandoned?
<b>Solution</b>	<p>All the historical monument buildings in Roşia Montană are going to be restored as specified in the <i>Management Plan for the Protected Area-Historical Centre of Roşia Montană – an area generically named Piaţa (Square) – and for the historical monuments from Roşia Montană</i>. Moreover, projects are currently almost completed for the restoration of 11 historical monument buildings located in the Square (Piaţa) area.</p> <p>At present, 41 buildings from Roşia Montană are classified as historical monuments under the List of Historical Monuments published by the Ministry of Culture and Religious Affairs in the Official Gazette of Romania no. 646 bis/16.07.2004. These 41 buildings (39 houses and 2 churches) are classified under the codes L.M.I. 2004: AB-II-s-B-00269, and then from AB-II-m-B-00271 to AB-II-m-B-00311.</p> <p>RMGC currently owns 14 of the historical monument buildings. These have been acquired in accordance with the legal procedures stipulated by Law 422/2001 and were in different states of preservation when acquired as shown both in the sale-purchase contracts and in various pictures taken since their acquisition to the present day</p> <p>Under Law 422/2001 on the protection of historical monuments, article 38 as amended by Law 259/2006-RMGC fulfills its obligations as owner of historical monument buildings (see Annex "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects"). The owner's immediate obligation is to maintain these historic buildings. Therefore, a team was set up in 2003, as soon as the company began buying these buildings, made up of 10 people with constructions-related qualifications. This team is in charge of the permanent maintenance of these houses. First of all, the historic houses acquired by RMGC were subject to repair works: roof repair works (measure meant to avoid the deterioration of the building because of weather conditions or rainwater infiltration), installation of gutters and downpipes (in order to prevent the rainwater from infiltrating through the building foundation or walls), usual repair works for the houses, repair works to the surrounding fences and <i>moors</i> (ancient walls traditional in Roşia Montană) and disposal of the domestic waste piled up over the years.</p> <p>On the other hand, we have to mention that the Protected Area from Roşia Montană is going to cover over 130 ha and it will include 35 historical monuments and other local architectural resources (restored and enhanced). A modern mining museum is planned to be established at Roşia Montană. This museum will include exhibits of geology, archaeology, ethnography (including an open-air section), industrial heritage as well as a significant underground part organized around the Cătălina Monuleşti gallery. In this part of Roşia Montană, the company plans to promote the development of traditional tourism activities (e.g. guesthouses; small pubs). The historic lakes of Tăul Mare, Tăul Brazi and Tăul Anghel are located in the eastern and southeastern parts of the old centre of the village. This area is suitable for modern, recreational tourism. However, all the proposals submitted by the company in this respect have to be endorsed by the local community and approved by the competent authorities.</p> <p>The company wants to protect and promote all these heritage assets. Therefore, special measures will be taken both inside the protected area Historical Centre of Roşia Montană (restoration-consolidation-conservation) and in the industrial area (special blasting techniques, buffer areas between the 2 perimeters, permanent monitoring of vibrations and the blasting adjusted to the waves' propagation speed, etc.).</p>

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In the coming years, the company plans to provide US\$ 3,385,000- if the Roşia Montană project is implemented-for conservation, restoration and maintenance works to be undertaken in the Protected Area Historical Centre of Roşia Montană as well as for the historical monument buildings located outside this perimeter.

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MMDD's item no. for the question which includes the observation identified by the RMGC internal code	81
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Campeni, 26.07.2006
RMGC internal unique code	MMGA_0203
Proposal	The company states that no churches will be destroyed and that the Project's opponents who are speaking about 9 churches and 10 graveyards exaggerate. The questioner underlines that the church is not only a building but it has a critical function. A church may be decommissioned only when it has no function.
Solution	The two churches from Corna that are going to be relocated will be rebuilt by Company within the resettlement sites. Their function is not affected, these being rebuilt where the communities choose to be relocated.

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MMDD's item no. for the question which includes the observation identified by the RMGC internal code	88
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Campeni, 26.07.2006
RMGC internal unique code	MMGA_0222
<b>Proposal</b>	How Piatra Despicata will be moved; how can a geographic reservation be moved?
<b>Solution</b>	<p>First of all, we have to clarify the aspect you referred to in the question, namely "how can a geographical reserve be moved". Under law 5/2000 on the approval of the National Territory Arrangement Plan-Section III- Protected Areas (published in the Official Gazette of Romania no. 152/April 12th, 2000), Piatra Despicată is included in section 2.0 Natural Reserves and Monuments, under point 2.8. Therefore, Piatra Despicată is not a "geographical reserve", but a natural monument.</p> <p>Piatra Despicată is in fact a volcanic bomb located not in its original position but in a secondary position at the base of the Cărnic massif, few meters above an industrial-communal road. This is an andesite block weighing roughly 2 tons, which can at any time roll down the valley. In 2000, based on the documentation submitted by the company S.C. Agraro Consult S.R.L., the Commission for the Protection of Natural Monuments of the Romanian Academy approved the relocation of Piatra Despicată to another area, where it would not be impacted by the mining project.</p> <p>Therefore, the future location of Piatra Despicată will be approved by the Romanian Academy and the Ministry of Culture and Religious Affairs, and it would preferably be in the Protected Area of Roșia Montană. The relocation will be coordinated and monitored by specialists, this process involving the use of usual technical means that are specific for such large objects.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	101
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Campeni, 26.07.2006
RMGC internal unique code	MMGA_0230
Proposal	<p>What do the company representatives understand by protected area: what is the surface covered by this area, what are the outlining marks, and what does RMGC intend to protect there?</p>
Solution	<p>In the case of Roşia Montană, the List of Historical Monuments 2004 comprises several historical monuments and protected areas. We assume the questioner refer to the protected area Historical Centre, an area generically named Square (Piaţa). The Historical Centre of Roşia Montană is included on the List of Historical Monuments 2004. and the following details are mentioned as regards its location: „the Village Fair” (Târgul Satului), the Square (Piaţa), the Berg district, Brazilor Street and the area located upstream of the Square towards the lakes. Under Law 5/2000 (article 5, paragraphs 2-3), local public authorities, with the support of central public authorities competent in this field, were under the obligation to establish the boundaries of the protection areas for the cultural heritage values stipulated in Annex III to the above-mentioned law, namely the historical centre of Roşia Montană. This measure should have been taken within 12 months after the date when Law 5/2000 on the approval of the National Territory Arrangement plan – Section III – Protected Areas came into effect and it should have been based on specific studies. For this purpose, the local public authorities had to prepare the town planning documentation and its related regulations. This documentation had to be developed and approved in accordance with the law, had to comprise the necessary protection and conservation measures for the national cultural heritage values located in this area.</p> <p>In accordance with the legal provisions, in 2001, RMGC has initiated the drafting of these specific town-planning documentations, specifically the General Urban Plan and the Zonal Urban Plan. These plans were developed by Romanian certified companies and they followed all the stages legally established for the approval. The permit for the creation of the Protected Area Historical Centre of Roşia Montană was issued by the Ministry of Culture and Religious Affairs in 2002 (permits no. 61/14.02.2002 and no. 178/20.06.2002) as part of the procedure for the approval of the town planning documentations. On the basis of these permits, the Ministry of Culture and Religious Affairs requested the company to develop a Zonal Urban Plan for the Historical Centre of Roşia Montană. Out of the 41 historical buildings in Roşia Montană, 35 are located in the protected area Historical Centre of Roşia Montană. Following the recommendations made by the National Commission for Historical Monuments, the surface covered by this area has been extended from 52 ha to over 130 ha.</p> <p>In conclusion, the protected area will cover over 130 ha and will include the architectural values of this village (restored and enhanced). These will be enhanced in a mining museum which will include exhibits of geology, archaeology, ethnography (with an open-air section), industrial heritage as well as a significant underground section organized around the Cătălina Monuleşti gallery. In this part of Roşia Montană, the company plans to promote the development of traditional tourism activities (e.g. guesthouses; small pubs). The historic lakes of Tăul Mare, Tăul Brazi and Tăul Anghel are located Eastern and Southeast of the old centre of the village – an area suitable for modern, recreational tourism. However, all the proposals submitted by the company in this respect have to be endorsed by the local community and approved by the authorities.</p> <p>RMGC's proposal for the delimitation of this area has been illustrated in the EIA (volume 33), the Plan <i>M-Cultural Heritage Management Plan</i>, part II – <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>, Exhibit 6.</p> <p>The several hundred houses located in the protected area represent a highly significant component of this perimeter. The Zonal Urban Plan for the Protected Area Historical Centre of Roşia Montană stipulates</p>

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different protection levels for the built architectural heritage. Thus, a significant area will be established for habitation, while other areas will be established for complementary activities. Any industrial activity or activities with negative impacts will be strictly forbidden in this protected area. RMGC's planned mine operation represents a potential impact. A detailed environmental impact assessment is required before resuming the mining operations, which will also include the impact of mining on the cultural heritage assets. The exploitation plan will be developed only once the environmental impact assessment is completed, as the company will have to adjust its operational plans according to the outcomes of this assessment in order to avoid any negative and irreversible impacts on the cultural heritage of the area represented by the historical monuments and the protected area Historical Centre of Roşia Montană.

The company wants to protect and promote all these heritage assets. Therefore, special measures will be taken both inside the protected area Historical Centre of Roşia Montană (restoration-consolidation-conservation) and in the industrial area (special blasting techniques, buffer areas between the 2 perimeters, permanent monitoring of vibrations and the blasting adjusted to the waves' propagation speed, etc.).

For further details on the protected area Historical Centre of Roşia Montană, including a series of remarks regarding the type of juridical protection and other legal provisions applicable in this case, please see the Annex called "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects".

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	101
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Campeni, 26.07.2006
RMGC internal unique code	MMGA_0231
<b>Proposal</b>	<p>How will rehabilitation be performed for the buildings of major historic relevance located on the street heading to Brazilor Lake?</p> <p>41 buildings (39 houses and 2 churches) from Roşia Montană are currently classified as historical monuments of local importance (group B), according to the List of Historical Monuments published by the Ministry of Culture and Religious Affairs in the Official Gazette of Romania no. 646 bis/16.07.2004 (code LMI 2004: AB-II-s-B-00269 and then from AB-II-m-B-00271 to AB-II-m-B-00311).</p> <p>RMGC owns so far 14 buildings classified as historical monuments. These buildings have been acquired in accordance with the provisions of Law 422/2001 on the protection of historical monuments. They were in different conditions when acquired, this aspect being reflected in the sale-purchase agreements and documented by photographic records taken since their acquisition up to the present day.</p> <p>It must be said that a comprehensive inventory was developed in the period 2000-2002 for all the architectural heritage assets located in Roşia Montană. This process involved an updating of the analytical record cards for all the historic buildings in Roşia Montană. Moreover, observations made by specialists were included regarding the state of preservation of these buildings. This inventory was initially undertaken by the Design Centre for the National Cultural Heritage (now the National Institute for Historical Monuments) and then it was taken over by S.C. OPUS – Atelier de Arhitectură S.R.L, an architectural company.</p> <p>The owner's immediate obligation of is to maintain these historic buildings. Therefore, a team was set up starting with 2003, as soon as the company began buying these buildings, made up of 10 people with constructions-related qualifications. This team is in charge of the permanent maintenance of these houses.</p>
<b>Solution</b>	<p>Under the provisions of Law 422/2001, article 22, companies and specialists certified by the Ministry of Culture and Religious Affairs are going to be contracted to carry out the restoration of the historic buildings from Roşia Montană in compliance with current legislation. The first step of this process consists in drafting the restoration project, which will be submitted to the Commission for Historical Monuments. The project will be then carried out under the coordination of a company certified for monitoring such works. In addition, the Ministry of Culture and Religious Affairs through its decentralized departments, in this case, the Directorate of Culture, Religious Affairs and National Cultural Heritage of Alba County is under the obligation to monitor these restoration works. This way, the restoration works will be carried out in a legal, transparent manner and with all due responsibility.</p> <p>We have to mention that the specialized documentation for the restoration of 11 historical monument buildings, prepared in accordance with the regulations of the Ministry of Culture and Religious Affairs, is nearly completed. The company has established for the next 22 years a budget of over US\$ 25 million for the conservation and enhancement of Roşia Montană's cultural heritage.</p> <p>As publicly stated in the EIA Report, once the Roşia Montană Mining Project is approved, all historical monument buildings in Roşia Montană will be included in a complex restoration and conservation program. Should any historical monument buildings remain under the ownership of various institutions or natural persons, upon their consent, RMGC will finance their restoration, in full compliance with the specific guidelines issued by the Ministry of Culture and Religious Affairs.</p>

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For further details on the protected area Historical Centre of Roşia Montană, including a series of remarks regarding the type of juridical protection and other legal provisions applicable in this case, please see Annex called „Information on the Cultural Heritage of Rosia Montana and Related Management Aspects”.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	106
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0247
<b>Proposal</b>	<p>The questioner would like to receive a map outlining the protected area established for the patrimony houses pursuant to the provisions of Law 422 of historic monuments.</p> <p>Under the legal provisions in force, in 2001, RMGC contracted certified companies and initiated the drafting of the specific town-planning documentation, specifically the General Urban Plan and the Zonal Urban Plan. The permit for the creation of the Protected Area Historical Centre of Roşia Montană was issued by the Ministry of Culture and Religious Affairs in 2002 (permits no. 61/14.02.2002 and no. 178/20.06.2002) as part of the permitting procedure for the town planning documentation. Based on these permits, the Ministry of Culture and Religious Affairs requested the company to prepare the Zonal Urban Plan for the Historical Centre of Roşia Montană. The drafting of this document is currently underway.</p> <p>Thus, the town-planning documentation currently in force, that you request, is the General Urban Plan. We provide you with the exhibit of the protected area, which is part of the PUG (see Exhibit 1). Following the recommendations of the National Commission for Historical Monuments, the documentation for the Zonal Urban Plan- the Historical Centre Roşia Montană is currently being drafted where the surface of the protected area has been extended from 52 ha to over 130 ha and it comprises 35 of the 41 historical monument houses. RMGC's proposal regarding this area has been illustrated in the EIA, volume 33- the Plan M – <i>Cultural Heritage Management Plan</i>, part II – <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>, Exhibit 6.</p>
<b>Solution</b>	<p>In conclusion, the town-planning studies and the specific studies conducted for the delimitation of the protected areas within the Roşia Montană commune, in the perimeter planned for the extension of the existing mining operation under the project proposed by the company, are currently awaiting approval by the competent institutions and commissions, in accordance with current legislation.</p> <p>Note that none of the houses located within the RMP perimeter is going to be negatively impacted, and the 41 historic buildings are going to be included in a comprehensive restoration and rehabilitation program (see EIA, volume 33 – Plan M: <i>Cultural Heritage Management Plan</i>, part II – <i>Management Plan for the Historical Monuments and Protected Zone from Roşia Montană</i>, pages 75-94).</p> <p>As for the archaeological heritage of the area, now after more than seven years of large-scale preventive archaeological researches conducted at Roşia Montană within the „Alburnus Maior” National Research Program – financed by RMGC in accordance with current legislation – this is now better identified, understood and delimited. Thus, the List of Historical Monuments has been updated and it includes four new distinct areas: the Roman remains found in the Carpeni area, the Roman funerary precinct from the „Hop-Găuri” area, the „Cătălina Monuleşti” area from the protected area historical centre of Roşia Montană and the Roman galleries from the Cărniceş massif, the Piatra Corbului area.</p> <p><b>For further details, please see Annex called “Information on the Cultural Heritage of Roşia Montană and Related Management Aspects”.</b></p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	107
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0256
Proposal	<p>It is intended to preserve a part of Roşia Montana (the so-called protected areas). Will these be included in the open pits?</p>
Solution	<p>The protected areas are not located within the proposed open-pits.</p> <p>41 buildings (39 houses and 2 churches) from Roşia Montană are currently classified as historical monuments, according to the List of Historical Monuments published by the Ministry of Culture and Religious Affairs in the Official Gazette of Romania no. 646 bis/16.07.2004 (code LMI 2004: AB-II-s-B-00269 and then from AB-II-m-B-00271 to AB-II-m-B-00311).</p> <p>The Historical Centre of Roşia Montană is also included on the List of Historical Monuments 2004 (code AB-II-s-B-00270), and the following details are mentioned as regards its location: „the Village Fair” (Târgul Satului), the Square (Piaţa), the Berg district, Brazilor Street and the area located upstream of the Square towards the lakes, all these being included in the B group, that is to say historical monuments of local interest.</p> <p>In accordance with current legislation, in 2001, RMGC contracted certified companies and initiated the drafting of these specific town-planning documentations, namely the General Urban Plan and the Zonal Urban Plan. The permit for the creation of the Protected Area Historical Centre of Roşia Montană was issued by the Ministry of Culture and Religious Affairs in 2002 (permits no. 61/14.02.2002 and no. 178/20.06.2002) as part of the procedure for the approval of the town planning documentations. On the basis of these permits, the Ministry of Culture and Religious Affairs requested the company to prepare a Zonal Urban Plan for the Historical Centre of Roşia Montană. Our proposal regarding this area has been illustrated in the EIA, volume 33 – the Plan M – <i>Cultural Heritage Management Plan</i>, part II – <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>, Exhibit 6 The surface covered by this area has been extended from 52 ha to over 130 ha and includes 35 of the 41 historical monument houses.</p> <p>As for the heritage assets located within the proposed industrial area, they consist of 6 historic buildings and 4 archaeological sites – the Orlea area (codes LMI AB-I-m-A-00065.01, AB-I-m-A-00065.02); the Carpeni area (AB-I-m-A-00065.03); the Roman funerary precinct found in the „Hop-Găuri” area (AB-I-m-A-00065.04) and the Roman galleries from the Cărniceş massif – Piatra Corbului area. Specific measures regarding the historical monuments and archaeological sites within the industrial area are described in the EIA, volume 32-33 – Plan M: <i>Cultural Heritage Management Plan</i>, part I – <i>Management Plan for the Archaeological Heritage from Roşia Montană Area</i> and part II – <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>. These measures will also be included in the requirements of the Zonal Urban Plan for the Industrial Area of Roşia Montană.</p> <p>Note that none of the historic houses located within the RMP perimeter is going to be negatively impacted, and the 41 historic buildings are going to be included in a comprehensive restoration and rehabilitation program (see EIA, volume 33 – Plan M: <i>Cultural Heritage Management Plan</i>, part II – <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>, pages 76-95).</p> <p>The proposed protected zone of Roşia Montană will cover over 130 ha. This area will include the architectural values of this village (to be restored and enhanced). These are going to be organized in a mining museum, which will include exhibits of geology, archaeology, ethnography (with an open-air section), industrial heritage as well as a significant underground section organized around the Cătălina Monuleşti gallery. In this part of Roşia Montană, the company plans to promote the development of</p>



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traditional tourism activities (e.g. guesthouses; small pubs). The historic lakes of Tăul Mare, Tăul Brazi and Tăul Anghel are located in the eastern and southwestern parts of the old centre of the village-an area suitable for modern, recreational tourism. However, all the proposals submitted by the company in this respect have to be endorsed by the local community and approved by the authorities. The several hundred houses located within this area represent a highly significant component of this perimeter.

The company wants to protect and promote all these elements. Therefore, special measures will be taken both inside the protected zone Historical Centre of Roşia Montană (restoration-consolidation-conservation) and in the industrial area (special blasting techniques, buffer areas between the 2 perimeters, permanent monitoring of vibrations and the blasting adjusted to the waves' propagation speed, etc.).

**The Technical University of Civil Engineering, Bucharest has conducted in co-operation with IPROMIN have conducted a series of studies and simulations regarding the specific measures for the mitigation of the impact caused by blasting on the historical monuments. For further details on this matter, please see the specific Annex.**

In conclusion, according to the status of the proposed protected zones for Roşia Montană, these are not located within the proposed open-pits, but outside them. We talk about 4 protected zones, namely the protected zone Historical Centre Roşia Montană (which includes 35 historical buildings, the Cătălina Monuleşti gallery), the archaeological reserve from the Carpeni hill area (including the Păru Carpeni mining sector); the Roman funerary precinct from Tăul Găuri and the mining remains from the open-cast mines in the Piatra Corbului area.

**For further details on the protected zone Historical Centre of Roşia Montană, including a series of remarks regarding the type of juridical protection and other legal provisions applicable in this case, please see the Annex called "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects".**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	108
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0259
<b>Proposal</b>	<p>Will the archaeological sites be impacted; will we erase 2000 years of history with bulldozers? Would anyone from Europe have taken the liberty to develop such a project in an area loaded with so much history?</p>
<b>Solution</b>	<p>Note that RMGC does not plan to destroy Roşia Montană's cultural and spiritual heritage by implementing the RMP. At present, after seven years of extensive research and specialized studies, financed by RMGC in accordance with current legal provisions, the nature, features and distribution of heritage values (archaeological sites, historic buildings, churches and cemeteries from the Roşia Montană area) as well as with the history of this village are now better understood. The research and studies conducted in the period 2000-2006 on the heritage of the area allowed the creation of a comprehensive understanding of these assets of the national cultural heritage and of the areas bearing a spiritual significance, of the history of this village as well as the adoption of specific measures for the protection of all these elements.</p> <p>Thus, these researches served as a basis for the issuance of the archaeological discharge certificates, that is to say the areas where the project can be developed have been established. They also served to establish the protected zones with cultural heritage assets, that is to say the areas where no industrial activities can be carried out.</p> <p>These are several examples of cases in Europe where industrial areas have been developed which required preventive/rescue archaeological researches-stipulated by the European Convention of Malta (1992) on the Protection of the Archaeological Heritage [1] :</p> <ul style="list-style-type: none"> <li>- the construction of the Toyota plant near Valenciennes (France);</li> <li>- the development and systematization of the Actiparc industrial area near Arras (France);</li> <li>- the development and systematization of the industrial area at Dourges near Pas-de-Calais (France);</li> <li>- the development of the gravel pit on the Aisne valley (France);</li> <li>- the route of the transeuropean gas pipe from the Jamal Peninsula (Siberia) to the West of Europe – the portion from the Wielopolska region (West of Poland);</li> <li>- the construction of office buildings in the Spitalfield area (Spitalfield Charnel House), London (Great Britain);</li> <li>- the construction of new residential areas in the Wandsworth Riverside quarter of London (the former Shell oil terminal), London, UK.</li> </ul> <p>All the commitments publicly made by RMGC regarding the cultural heritage of Roşia Montană and its protection are detailed in the EIA Report, volume 32-33, Plan M – <i>Cultural Heritage Management Plan</i>, part I – <i>Management Plan for the Archaeological Heritage from Roşia Montană Area</i>, part II – <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>, part III – <i>Cultural Heritage Management Plan</i>. Should the mining project be implemented, the company plans to continue the archaeological research, to publish its results and to enhance Roşia Montană's cultural heritage. All these measures are meant to support tourism development based on these elements and bring it to the levels imposed by the relevant European standards.</p> <p>All the parties concerned with the cultural heritage of Roşia Montană have approached this issue from the beginning in good faith, in a responsible manner and in compliance with the national and international legislation applicable to this specific issue.</p> <p>For further details on the significance of the cultural heritage values from the Roşia Montană area, namely the way they have been inventoried and researched in the last 7 years as well as for a series of remarks on</p>

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the type of legal protection and other legal provisions applicable in this case, please see the Annex called "Information on the Cultural Heritage of *Roşia Montană* and Related Management Aspects".

Reference:

[1] The text of the Convention is available for consultation at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	108
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0264
Proposal	Why doesn't the Government of Romania provide less money for archaeological researches, in order to take advantage of the beauty of the area and of the archaeological sites, and this will certainly attract tourists? (Note: the meaning of this question may be why the Govt. doesn't provide more money, not less)
Solution	The Ministry of Culture and Religious Affairs from Romania grants every year several funds to conduct basic researches. The funds are provided based on several funding criteria (Ministerial Order 2066/09.02.2007 on the methodology and criteria for provision of funds necessary for archaeological sites subsidized from the budget of Ministry of Culture and Religious Affairs). The above mentioned Ministry is the authority competent to answer your question.

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	124
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0281
Proposal	<p>In 2000, the company's management team was claiming that Roman Galleries from Orlea won't be impacted by the project, and now nobody acknowledges this fact.</p>
Solution	<p>Under the provisions of the Government Ordinance no. 43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, modified, the investor, whoever it may be, shall provide the necessary funds for the preventive archaeological investigations and related heritage surveys if/she plans to implement a project in areas with an archaeological potential. As an investor, SC Roşia Montană Gold Corporation has assumed this legal obligation since 2000 up to the present day.</p> <p>RMGC's declared purpose is to ensure the necessary conditions for the investigation, registration, protection and public enhancement of the cultural heritage in the Roşia Montană area, in compliance with the provisions of the Government Ordinance no. 43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, as modified by Law 378/2001, Law 462/2003 and Law 258/2006 and with the provisions of Law 422/2001 on the protection of historical monuments, as modified by Law 259/2006.</p> <p>All the preventive archaeological researches undertaken at Roşia Montană since 2001 have been conducted within the "Alburnus Maior" National Research Program, and permits for preventive archaeological excavations have been issued, in compliance with the legislation in force. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. It is to be noted the significant contribution of the team of mining archaeologists from the University Le Mirail (Toulouse, France), led by Dr. Beatrice Cauuet. Mining archaeology studies are an innovation in Romania, Roşia Montană being in fact the first site in Romania where such investigations are conducted by a team of qualified and experienced archaeologists. All archaeological investigations have been conducted in compliance with the legislation in force. Researches carried out during each archaeological campaign are authorized by the Romanian Ministry of Culture and Religious Affairs, on the basis of the annual archaeological research plan approved by the National Commission of Archaeology (NCA). The archaeological research included a survey of all the areas, which are accessible and, at the same time, suitable for dwellings and other human activities, and took into account preliminary data taken from archives and bibliographical data and observations made during field surveys, magnetometer and electrical resistivity surveys, as well as the data collected during the photogrammetric flights.</p> <p>Detailed information on the chance finds and the preliminary archaeological investigations (at surface and underground) conducted in the Orlea massif were published in the EIA (Environmental Impact Assessment for the Roşia Montană Project, volume 6: <i>Cultural Heritage Baseline Report</i>, Annex I, pages 231-235)</p> <p>The Cultural Heritage Baseline Report (volume 6, page 46) states that archaeological investigations (both at surface and in the underground) will continue in the Orlea massif area, which is in an area with an identified archaeological potential. The report also mentions the fact that the investigations undertaken so far in the respective area were only preliminary. The following statement in the report is to be noted: "Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be researched starting 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded." (<i>Cultural Heritage Baseline Report</i> – page 46).</p>

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In 2004, during these preliminary archaeological investigations conducted underground, a significant discovery was made in the Orlea massif, whose archaeological value was confirmed in the summer of 2005. More precisely, the French team of archaeologists led by Dr. Beatrice Cauuet found a chamber equipped with a mine drainage wheel, and then a whole drainage system serving to discharge water from the underground. This device identified in the Păru Carpeni sector was established to date back to the Roman period, it has been thoroughly investigated, and special measures were taken for its preservation *in situ*. This item is not going to be affected by the construction of the future Orlea pit. Preventive archaeological investigations (at surface) in the Orlea area and mining archaeological investigations (in the underground) are scheduled for the period 2007-2012, as stated in the *Cultural Heritage Baseline Report* (volume 6, page 48).

According to the List of Historical Monuments published in the Official Gazette of Romania no. 646 bis/16.07.2004, the future industrial area from the Orlea massif comprises two archaeological sites classified as group A historical monuments: the Alburnus Maior Roman settlement, located in the Orlea area (code AB-I-m-A-00065.01) and the Roman mining operation at Alburnus Maior, the Orlea massif (code AB-I-m-A-00065.02).

Under Law 422/2001, amended by Law 259/2006, the declassification procedure can be legally initiated after the archaeological sites are discharged based on the permit issued by the National Commission of Archaeology within the Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the legislation in force, stipulates that a piece of land comprising archaeological artifacts can be restored to its habitual use (Law 258/2006, art. 5, paragraph 2). Therefore, it is true that in the second phase of the operations, RMGC plans to mine the gold-silver deposits from the Orlea massif. Law 258/2006 also stipulates (article 7a) that “the investor is under the obligation to provide the necessary funds in order to ‘draw up a feasibility study and a technical project meant to establish the measures later to be presented in detail and the necessary funds for carrying out preventive archaeological investigations or archaeological monitoring (as the case may be), and also to finance the protection of the archaeological heritage or the archaeological discharge procedure (as the case may be) for the area impacted by works and the implementation of these measures”.

Consequently, this proposed mining operation in the Orlea massif can become operational only once preventive (surface and underground) archaeological investigations are completed. These investigations are meant to provide comprehensive data on the Roman site located in the Orlea area. As it is well-known (see the archaeological site record card included in the Cultural Heritage Baseline of EIA Report, i.e. Annex I –archaeological record cards produced for the archaeological state of Roșia Montană identified sites, site record card no. 9 – Orlea (pages 231-235) – this area has never been subject to archaeological investigations or expert studies meant to establish in detail the characteristics and spatial distribution of the archaeological remains located in this area. Therefore, RMGC has committed to financing a program of preventive archaeological investigations to be conducted by specialists, program that will be implemented between 2007 and 2012. A decision as to the approval of the archaeological discharge of the area will be made based on the results of these preventive investigations. There are no laws to prohibit preventive archaeological investigations for areas where cultural heritage artifacts have been identified, as is the case for the Orlea area.

Given that the development of the Orlea pit is scheduled for a later date, starting from 2007, this area will be subject to preventive archaeological investigations. Therefore, the construction works required for the development of the project in this area will not be initiated before the archaeological investigations conducted in line with the national legislation and the international practices and recommendations are completed.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	124
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0282
Proposal	<p>In EIA it is stipulated the fact that a pit is going to be developed at Orlea; several pages further (chapter 9, pg. 30), it is stated that archaeological research activities are scheduled to be conducted within this area between 2007 and 2012. An area that hasn't been researched and archaeologically discharged according to legal procedures, it is already included in the project as a pit; this is an illegal thing to do.</p>
Solution	<p>In compliance with the provisions of the Government Ordinance no. 43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, modified, an investor shall provide the necessary funds for the preventive archaeological investigation and related heritage surveys if he/she plans to implement a project in areas with an archaeological potential. As an investor, SC Roşia Montană Gold Corporation has assumed this legal obligation from 2000 until the present day.</p> <p>RMGC's declared purpose is to ensure the necessary conditions for the investigation, registration, protection and public enhancement of the cultural heritage from the Roşia Montană area, in compliance with the provisions of the Government Ordinance no. 43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, as modified by Law 378/2001, Law 462/2003, Law 258/2006 and with the provisions of Law 422/2001 on the protection of historical monuments, as modified by Law 259/2006.</p> <p>All the preventive archaeological researches undertaken in Roşia Montană since 2001 have been conducted within the "Alburnus Maior" National Research Program, and permits for preventive archaeological excavations have been issued, in compliance with the legislation in force. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. It is to be noted the significant contribution of the team of mining archaeologists from the University Le Mirail (Toulouse, France), led by Dr. Beatrice Cauuet. Mining archaeology studies are an innovation in Romania, Roşia Montană being in fact the first site in Romania where such investigations are conducted by a team of qualified and experienced archaeologists. All archaeological investigations have been conducted in compliance with the legislation in force. Researches carried out during each archaeological campaign are authorized by the Romanian Ministry of Culture and Religious Affairs, on the basis of the annual archaeological research plan approved by the National Commission of Archaeology (NCA). The archaeological research included a survey of all the areas, which are accessible and, at the same time, suitable for dwellings and other human activities, and took into account preliminary data taken from archives and bibliographical data and observations made during field surveys, magnetometer and electrical resistivity surveys, as well as data collected during the photogrammetric flights.</p> <p>Detailed information on the chance finds and the preliminary archaeological investigations (at surface and underground) conducted in the Orlea massif were published in the EIA (Environmental Impact Assessment for the Roşia Montană Project, volume 6: <i>Cultural Heritage Baseline Report</i>, Annex I, pages 231-235). The Cultural Heritage Baseline Report (volume 6, page 46) states that archaeological investigations (both at surface and underground) will continue in the Orlea massif area, which is in an area with an identified archaeological potential. The report also mentions the fact that the investigations undertaken so far in the respective area were only preliminary. The following statement in the report is to be noted: "Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be researched starting 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded." (<i>Cultural Heritage Baseline Report</i> – page 46).</p>

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In 2004, during these preliminary archaeological investigations conducted in the underground, a significant discovery was made in the Orlea massif, whose archaeological value was confirmed in the summer of 2005. More precisely, the French team of archaeologists led by Dr. Beatrice Cauuet found a chamber equipped with a mine drainage wheel, and then a whole drainage system serving to discharge water from the underground. This device identified in the Păru Carpeni sector was established to date back to the Roman period, it has been thoroughly investigated, and special measures were taken for its preservation *in situ*. This item is not going to be affected by the construction of the future Orlea pit. Preventive archaeological investigations (at surface) in the Orlea area and mining archaeological investigations (in the underground) are scheduled for the period 2007-2012, as stated in the *Cultural Heritage Baseline Report* (volume 6, page 48).

According to the List of Historical Monuments published in the Official Gazette of Romania no. 646 bis/16.07.2004, the future industrial area from the Orlea massif comprises two archaeological sites classified as group A historical monuments: the Alburnus Maior Roman settlement, located in the Orlea area (code AB-I-m-A-00065.01) and the Roman mining operation at Alburnus Maior, the Orlea massif (code AB-I-m-A-00065.02).

Under Law 422/2001, amended by Law 259/2006, the declassification procedure can be legally initiated after the archaeological sites are discharged based on the permit issued by the National Commission of Archaeology within the Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the legislation in force, stipulates that a piece of land comprising archaeological artifacts can be restored to its habitual use (Law 258/2006, art. 5, paragraph 2). Therefore, it is true that in the second phase of the operations, RMGC plans to mine the gold-silver deposits located in the Orlea massif. Law 258/2006 also stipulates (article 7a) that “the investor is under the obligation to provide the necessary funds in order to ‘draw up a feasibility study and a technical project meant to establish the measures later to be presented in detail and the necessary funds for carrying out preventive archaeological investigations or archaeological monitoring (as appropriate), and also to finance the protection of the archaeological heritage or the archaeological discharge procedure (as appropriate) for the area impacted by works and the implementation of these measures”.

Consequently, this proposed mining operation in the Orlea massif can become operational only once preventive (surface and underground) archaeological investigations are completed. These investigations are meant to provide comprehensive data on the Roman site located in the Orlea area. As it is well-known (see the archaeological site record card included in the Cultural Heritage Baseline of EIA Report, i.e. Annex I –archaeological record cards produced for the archaeological state of Roşia Montană identified sites, site record card no. 9 – Orlea (page 231-235) – this area has never been subject to archaeological investigations or expert studies meant to establish in detail the characteristics and spatial distribution of the archaeological remains located in this area. Therefore, RMGC has committed to financing a program of preventive archaeological investigations to be conducted by specialists, program that will be developed between 2007 and 2012. A decision as to the approval of the archaeological discharge of the area will be made based on the results of these preventive investigations. There are no laws to prohibit preventive archaeological investigations for areas where cultural heritage artifacts have been identified, as is the case for the Orlea area.

Given that the development of the Orlea pit is scheduled for a later date, starting from 2007, this area will be subject to preventive archaeological investigations. Therefore, the construction works required for the development of the project in this area will not be initiated before the completion of the archaeological investigations conducted in line with the national legislation and the international practices and recommendations.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	124
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0283
Proposal	<p>Large areas that are covered or are going to be covered by tailing dumps and the lake's area on Corna's Valley, according to the map officially published by the Company, they have hardly been touched by an archaeological survey. This is the situation in the upstream area, on the eastern slope of Corna Valley, where are several extremely superficial surveys, and archaeological discharges certificates have been granted for hundreds of hectares; this thing is entirely illegal.</p>
	<p>The Exhibit no. 4.9.5 and 4.9.5f included in Chapter 4 – Potential Impact of Report on Environmental Impact Assessment Study, subchapter 4.9 presents the exact location of archaeological sites as outlined by archaeological experts based on the results of researches. The researched area is much larger. This can be easily seen by consulting the additional enclosed material. For the information regarding the site from Corna Lake please see the record card of the archaeological site included in Annex I Record cards of the archaeological sites of Rosia Montana area – Archaeological Site Record Card no 12, an annex of the Cultural Heritage Baseline Report of the EIA Report.</p> <p>Therefore, exhibit 4.9.5 does not present the areas from the perimeter of Roşia Montană for which archaeological discharge certificates have been secured. The area from Corna Lake has been archaeologically discharged during late 2002; the perimeter being identified through STEREO70 coordinates. The certificate for archaeological discharge was issued by the Ministry of Culture and Religious Affairs following the results secured after conducting archaeological researches in Corna Valley and at Corna Lake and after the National Archaeology Committee has analyzed specific documentations.</p>
Solution	<p>The archeological surveys conducted between 2001 and 2002 have revealed in Corna Valley traces of habitation from modern and contemporaneous eras, and field researches conducted during 2002 (May – July) have indicated several aspects related to habitation and mining activities developed here during the respective eras. Thus, 55 private properties have been archaeologically surveyed together with other three communal lands, the archaeological research units totaling 119 sections (of different dimensions). Positive evidence of human activities have been identified within 18 sections out of these 119 sections opened; within 34 sections, the archeological material collected is probably in the secondary position, and in the remaining 67 sections, no signs of interventions have been identified. Regarding the evidence of human activities identified within the sections, we would like to emphasize the fact that these are: the foundation of a house or of a hutch, a water collector, a lime pit, and three wood-stamps installations.</p> <p>The archaeological monitoring has been used as a specific measure to mitigate the potential impact on the archaeological heritage, both during construction and operational stages, pursuant to current in force legal requirements. Hence, the protocol for subsequent chance archaeological discoveries will be implemented to identify, document, and preserve artifacts and archaeological structures that may be identified during construction. The stripping operations (to include opening of pit benches) will be supervised by certified archaeologists and the construction activities will be developed in compliance with the protocol for subsequent chance archaeological discoveries.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	124
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0284
Proposal	<p>Romanian legislation stipulates the resettlement of historical monuments, not to make replicas. In EIA it is said that replicas and copies of the original Roman galleries are going to be constructed from different synthetic materials. There is no clear alternative, and the Romanian legislation provides the resettlement of historical monuments not to make replicas (the questioner gives as example Catalina Monulesti or Parul Carpeni, which have been researched only superficially).</p> <p><b>In this case, the creation of replicas refers to structures which have been scientifically researched and for which the archaeological discharge measure was taken. Consequently, this is an impact mitigation measure in addition to the measures stipulated by law and not a simple creation of replicas for some historical monuments.</b></p>
Solution	<p>Although their presence was known for more than 150 years, the Roşia Montană Roman galleries had never been archaeologically investigated prior to 1999. Basically, prior to 2000, this type of archaeological remains have never been subject to a specialized research, but only mentioned empirically. At present, following the extensive archaeological research conducted in the last 7 years, the nature, features and distribution of this special category of heritage i.e. the historic mining galleries from Roşia Montană are well understood. The comprehensive research conducted in the underground and the complex specialized studies undertaken in the area in the period 2000-2006 have helped creating a comprehensive picture of these remains and have led to the adoption of specific measures for their protection. Here is a brief list of these conclusions:</p> <ul style="list-style-type: none"> <li>- the mining remains from the massifs located in the southern part of the Roşia valley have been thoroughly researched and specific preservation measures have been taken for the Cătălina Monuleşti and Piatra Corbului areas;</li> <li>- the mining remains from the northeastern part of the Rosia valley have been thoroughly researched and conservation measures have been proposed, which are specific for the Văidoaia area;</li> <li>- the mining remains from the massifs located in the northern part of the Roşia valley have been subject to preliminary investigations and for specific preservation measures have been taken for the significant finds such as those from the Păru Carpeni mining sector; the Orlea – Țarina area is going to be thoroughly researched in the period 2007-2012.</li> </ul> <p>As regards the complex of heritage assets from this area, note that 13 archaeological sites have been identified and researched during the preventive archaeological investigations undertaken in the period 2001-2006; once this comprehensive research were completed, a decision was made for the archaeological discharge of some on these sites, while other structures will be preserved <i>in situ</i> (e.g. the funerary precinct of Tăul Găuri or the Roman remains from the Carpeni hill). The development of the mining project would not affect the 41 historic buildings from Roşia Montană. Measures will be taken for the restoration and conservation of these structures. Specialized documentation necessary for the initiation of the restoration and conservation process is currently being prepared for 11 of these structures.</p> <p>With regard to the organization of a mining museum in the Roman galleries from Roşia Montană, Dr. Beatrice Cauuet said in 2003: „in the perspective of establishing a site museum for the conservation and preservation <i>in situ</i> of mining remains it is much more advisable to choose outstanding areas comprising different types of mining works, which are characteristic for the ancient mines from Roşia Montană. In the perspective of the enhancement of the ancient mining works, the existing technical and financial means may be used to restore a smaller sector, which has been less impacted by modern and recent mining works (and therefore it has a higher degree of authenticity) and which is located in the proximity of the other historical monuments to be enhanced, such as the historical centre of the Roşia Montană commune. Finally, there are other smaller areas within the site, which are located outside the project's</p>

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impact perimeter (e.g. the eastern slope of the Cărnic massif-the Piatra Corbului and Păru Carpeni sectors), which are equally suitable to be arranged for public access. The Piatra Corbului sector, in particular, comprises Roman mining sectors dug by the fire setting technique, outstanding remains, impressive by their large size; but their position in the proximity of the future pit must be considered in order to take the appropriate protection measures which are necessary in order to avoid it from being deteriorated by the blasting”.

Referring strictly to your statement, the Romanian legislation (Law 422/2001 on the protection of historical monuments, modified, the Government Ordinance no.43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, modified) stipulates two distinct aspects:

- the possibility of conducting the archaeological research of the historical monuments and the application of the archaeological discharge measure based on its conclusions – this means that the monument at issue is automatically declassified;
- the relocation of historical monuments- this aspect refers mostly to elements of the built heritage (houses), which is not the case here as all the historic houses in Roșia Montană are going to be restored and preserved *in situ*.

The mining archaeological research conducted since 1999 by a multidisciplinary team of specialists from the University Toulouse Le Mirail (France) led by Dr. Beatrice Cauuet have been focused –for the first time in Romania- on a detailed study of this type of archaeological remains-the old mining galleries dating from the Roman and later periods.

The Roman mining galleries found in the Cătălina Monulești and Păru Carpeni sectors will be subject to extensive works for their re-opening, consolidation and development, which would allow them to be preserved *in situ* and to be included in a public tourism circuit. This decision was based on the value and significance of the archaeological remains preserved in these galleries, namely wood-made Roman devices for mine water drainage (the so-called “Roman wheels”). The Cătălina Monulești is also famous as the place where the largest number of wax tablets were uncovered mid 19<sup>th</sup> century (more than 11 tablets out of the 32 tablets known to date, according to sources of historical archive).

Given that the specialists’ access to the underground remains found in the Cărnic massif is extremely difficult and that tourist access is practically impossible, it was concluded that the only way to enhance the main types of mining works is to create replicas of them. Among the specialized studies conducted by the team of French mining archaeologists from the University Le Mirail of Toulouse (France) the detailed topographical survey of the ancient mining works and the making of a complete inventory of photos of the underground Roman mining works are noteworthy. Moreover, the 3D modeling made by the French specialists allowed the reconstruction of the original morphology of the ancient mine, removing the deteriorations caused by the flow of time and by the subsequent mining works. These scientific results will represent the starting point in the creation of replicas of the ancient mining works.

Thus, the current situation clearly points out that most of the ancient mining works from the Cărnic massif and from the other mining sectors are hardly accessible to specialists and almost inaccessible to the public. Moreover, the safety standards for public visits in museums all across the European Union, which will be adopted in Romania as well, do not allow these galleries constantly exposed to high risk factors to be developed for public access. However, note that significant segments of Roman galleries will be preserved *in situ*. As an impact mitigation measure, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation of these structures as well as 1:1 scale replicas of these structures. These will be then included in the mining museum, which will be developed at Roșia Montană.

In Romania, the concept of a copy or replica is perceived as a low quality product, a substitute, whereas in other countries such as France (for example the replicas of the painted caves of Lascaux and Cosquer) or the Great Britain (the Killhope lead mine, Scotland), one cannot distinguish the replica from the original. The creation of replicas implies the accurate reproduction of the entire underground environment: the morphology of the underground space and of the walls texture as well as of the general environment including the temperature, humidity, limited light, air streams, etc. Moreover, these structures-whether created above or under the ground -allow a thorough control of the potential risk factors such as floods, caves-in, ventilation, which cannot be monitored in an underground labyrinth more than 75 km long with

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a difference in level of 400 m as is the case of the Roşia Montană mine.

As for the creation of replicas of certain mining structures, there are such cases in several European countries. A relevant example would be **reconstruction of the Rio Tinto mine** (in the mining museum of Rio Tinto Huelva, Spain, a museum which presents the 5000 year history of mining in the Iberian Peninsula; this site represents perhaps one of the most similar analogies with the mining archaeological heritage from Roşia Montană, moreover, a Roman mine water drainage system was uncovered here at the end of the 19<sup>th</sup> century, which is similar to the two mine dewatering systems found at Roşia Montană, in the Păru Carpeni and Cătălina Monuleşti sectors).

Moreover, with regard to the possibility of tourist access to this system of galleries, we provide you with an excerpt which addresses this issue from the official report drafted by Mr. Eddie O'Hara MP (General Rapporteur on Cultural Heritage) and Mr. Christopher Grayson (Chief Secretary for Culture, Science and Education) from the Parliamentary Assembly of the Council of Europe after they visited Roşia Montană.

- “[...] Concern has been expressed by critics over the procedure (allegedly superficial archaeological discharges) and conservation ethics, involving the programmed destruction of Roman galleries. **This concern does not appear to be entirely justified.** The reworked galleries in the areas of the main pits Cărnic and Cetate appear empty of any archaeologically interesting remains. **Tourist access to most galleries would be impossible.** However, the condition must clearly be imposed of continued archaeological excavation and monitoring of what is found [...]”.
- “[...] Research does not necessarily imply the need for everything found to be preserved and the academic ideal of total in situ preservation is perhaps not always and altogether appropriate in a situation of rescue archaeology and a commercial world. This is certainly so in the case of in situ preservation of the Roman galleries at Roşia Montană. There are over 5 km of them, apparently with a limited variety of distinctiveness between them and few surviving remains in them. Most of them are inaccessible, indeed dangerous of access to tourists. Alternative proposals such as designation of the whole area as a cultural landscape to be developed for tourism lack viability [...]”.

For condensed information on the history of the archaeological research and of the main finds made in the historic galleries of Roşia Montană as well as for the experts' conclusions on this issue. Detailed information on the complex issue of the research of ancient mining works from Roşia Montană and on the results thereof are available for consultation in the Environmental Impact Assessment for the Roşia Montană project, volume 6 – *Cultural Heritage Baseline Report*, pages 32, 36-55, 83-109.

As an alternative, the company also considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif amount to a value that is not justified from an economic point of view (see Annex “Costs Estimate for the Development of Ancient Mining Networks from Cărnic Massif”, prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd.)

In conclusion, in response to your question, note that the company does not plan to destroy the Roman galleries from Roşia Montană or to create replicas thereof, without having a clear alternative in this respect. Complex specialized studies have been conducted during eight years and their conclusions served as a basis for the adoption of a series of specific measures which imply complex works for the conservation of certain original sectors of galleries and their development for public access, while others will be preserved for future research (the archaeological reserves), and replicas will be made for other segments of galleries. Note that we are now facing some sort of a paradox, specifically given the state of preservation and the nature of these remains, their physical existence would be threatened in the absence of archaeological research. On the other hand, any archaeological research implies, to a certain extent, the irretrievable loss of an archaeological context in order to save the information. However, this type of research – known as rescue/preventive archaeological research – is conducted everywhere in the world in relation to the economic interest for certain areas. And the costs for this research as well as the costs for the enhancement and maintenance of the areas preserved are covered by the investors through a public-private partnership for the protection of the cultural heritage, in compliance with the provisions of the European Convention of Malta (1992) on the protection of the archaeological heritage [1].

Reference:

[1] The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	127
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0296
Proposal	<p>The questioner believes that special care must be provided for the protection of the cultural heritage, because what has left of Rosia Montana must be well preserved. RMGC should consider the reestablishment of a gold museum at Rosia Montana.</p>
Solution	<p>Considering the importance of Roşia Montană's cultural heritage and the existing legal provisions, S.C. Roşia Montană Gold Corporation S.A has allotted a budget of over US\$ 10 million for the archaeological research of the heritage undertaken in the period 2001-2006. Taking into account the results of this research, the specialists' opinions and the decisions made by the competent authorities, the company has estimated a budget of US\$ 25 million for works to be carried out in the following years for the conservation and restoration of Roşia Montană's cultural heritage, as publicly stated in the Environmental Impact Assessment from May 2006. Among the proposed works is the establishment of a <b>Modern Mining Museum</b>, which will include exhibitions of <b>geology, archaeology, industrial and ethnographic heritage</b>, and the <b>Cătălina-Monuleşti gallery</b> and the <b>monument from Tăul Găuri</b> will be arranged for tourist access; the <b>conservation and restoration of the 41 historical monument buildings and of the protected area Historical Centre of Roşia Montană</b> and the continuation of the archaeological research in the Orlea area.</p> <p>Prior to 2000, Roşia Montană was considered an area with an archaeological potential. A series of chance archaeological finds - epigraphic monuments, funerary architecture elements were found in the area of the Cetate, Cărnic, Jig and Orlea massifs. Data provided by these elements were enough to suggest the existence of some archaeological sites in that area. However, no specific archaeological excavation had been undertaken in the region, excavations necessary in order to provide a detailed picture of the various elements of the site.</p> <p>In the context of the implementation of a new mining project in this area, the Ministry of Culture and Religious Affairs approved a series of studies to be conducted in order to research the archaeological and architectural heritage of the area. And at the end of 2000, the Design Centre for National Cultural Heritage (now the National Institute for Historical Monuments - an institution reporting directly to the Ministry of Culture and Religious Affairs) presented the preliminary results of these researches to the National Commission for Historical Monuments and of the National Commission of Archaeology (both are specialized commissions of the Ministry of Culture and Religious Affairs). Based on these results, in 2001, the Ministry of Culture and Religious Affairs established the "Alburnus Maior" National Research Program (the Order no. 2504/07.03.2001 of the Minister of Culture and Religious Affairs) in compliance with the provisions of the Government Ordinance no. 43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, modified. All the archaeological researches of the cultural heritage of Roşia Montană have been conducted by institutions of the Ministry of Culture and Religious Affairs, of the Romanian Academy and of the Ministry of Education and Research. Thus, since 2000, the central government i.e. the Ministry of Culture and Religious Affairs fulfilled its duties with regard to the management of the issues related to Roşia Montană's heritage.</p> <p><b>The main objectives of the „Alburnus Maior” National Research Program are as follows:</b></p> <ul style="list-style-type: none"> <li>- the research of the archaeological heritage, including the recording of all the data collected from archaeological excavations and field surveys (archaeology and mapping databases, digital archives comprising images, etc.) as well as the publication of all the results of the archaeological investigations;</li> <li>- an investigation carried out by specialists of the Roman and medieval mine galleries located in this area. The inventory and proposals for the conservation/restoration of the representative segments of these mine galleries;</li> </ul>

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- establish the boundaries of the archaeological and architectural reserve area, which will include parts of the mine galleries and historical monument buildings;
  - a recording and investigation of the industrial heritage structures;
  - the elaboration of an ethnographic study for the Roşia Montană-Abrud-Corna area;
  - the elaboration of an oral history study for the area in question;
  - implementation of the archaeological discharge procedure for the sites located in the project impact area, in line with the legislation in force;
  - drafting a project for the future Mining Museum dedicated to the mining activities carried out over the centuries in the Apuseni Mountains.

A synthesis of the results of the archaeological research undertaken at Roşia Montană is presented in the Chronicle of Archaeological Researches in Romania (published annually 2001-2007), in the Alburnus Maior monograph series and in the Report on the Environmental Impact Assessment Study for the Roşia Montană mining project.

Moreover, representatives of the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County have paid a number of information gathering visits to Roşia Montană in order to collect information and to check the situation. The same administrative body was the intermediary for the acquisitions of historic buildings made by RMGC. The Ministry of Culture and Religious Affairs expressed its pre-emption right regarding the acquisition of these buildings.

The preventive archaeological investigations are conducted under the scientific coordination of the Ministry of Culture and Religious Affairs, based on the annual approval by the National Commission of Archaeology of the Ministry of Culture and Religious Affairs. This research program is carried out with financial support provided by RMGC (the company that plans to expand and continue to mine the gold-silver deposit in Roşia Montană). Thus, large-scale preventive archaeological investigations have been conducted or are underway in the RMP impact area with a view to applying the archaeological discharge of the sites located in the project perimeter or for the preservation *in situ* of some representative structures and monuments, in accordance with the legal provisions. In addition, comprehensive studies of architecture, history, ethnography, town planning, etc. have been conducted for a better understanding and protection of the local heritage.

For further details on the significance of the cultural heritage values from the Roşia Montană area, more precisely the way they have been investigated and inventoried over the last 7 years as well as for a series of remarks regarding the type of juridical protection and other legislative provisions applicable in this case and the strategies for the construction of the future Mining Museum, please see the Annex called **“Information on the Cultural Heritage of Roşia Montană and Related Management Aspects”**.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	128
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0297
Proposal	<p>The questioner really appreciates RMGC's efforts in protecting the cultural patrimony and claims that this thing is really important, no matter who's the owner.</p>
Solution	<p>Considering the importance of Roşia Montană's cultural heritage and the existing legal provisions, S.C. Roşia Montană Gold Corporation S.A has allotted a budget of over US\$ 10 million for the archaeological research of the heritage undertaken in the period 2001-2006. Taking into account the results of this research, the specialists' opinions and the decisions made by the competent authorities, the company has estimated a budget of US\$ 25 million for the works to be carried out in the following years for the conservation and restoration of Roşia Montană's cultural heritage, as publicly stated in the Environmental Impact Assessment from May 2006. Among the proposed works is the establishment of a <b>Modern Mining Museum</b>, which will include exhibitions of <b>geology, archaeology, industrial and ethnographic heritage</b>, and the <b>Cătălina-Monuleşti gallery</b> and the <b>monument at Tăul Găuri</b> will be arranged for tourist access; the <b>conservation and restoration of the 41 historical monument buildings and of the protected area Historical Centre of Roşia Montană</b> and the continuation of the archaeological research in the Orlea area.</p> <p>The archaeological research at Roşia Montană began in 2000 with the participation of teams of archaeologists from the National Union Museum in Alba Iulia and from the National Institute for Historical Monuments in Bucharest. The „Alburnus Maior” National Research Program was initiated in 2001 through the Order no. 2504/07.03.2001 of the Minister of Culture and Religious Affairs, and it was developed in compliance with the provisions of the Government Ordinance no.43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, modified. The preventive archaeological investigations are conducted under the scientific coordination of the Ministry of Culture and Religious Affairs, based on the annual approval by the National Commission of Archaeology of the Ministry of Culture and Religious Affairs. This research program is carried out with financial support provided by RMGC (the company that plans to expand and continue to mine the gold-silver deposit in Roşia Montană).</p> <p>Large-scale preventive archaeological investigations have been conducted in the period 2001-2006 in the RMP impact area with a view to applying the archaeological discharge of the sites located in the project perimeter or for the preservation <i>in situ</i> of some representative structures and monuments, in accordance with the legal provisions. In addition, comprehensive studies of architecture, history, ethnography, town planning, etc. have been conducted for a better understanding and protection of the local heritage.</p> <p>For further details on the significance of the cultural heritage values from the Roşia Montană area, more precisely the way they have been investigated and inventoried over the last 7 years as well as for a series of remarks regarding the type of juridical protection and other legislative provisions applicable in this case and the strategies for the construction of the future Mining Museum, please see the Annex called <b>“Information on the Cultural Heritage of Roşia Montană and Related Management Aspects.”</b></p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	133
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Alba Iulia, 31.07.2006
RMGC internal unique code	MMGA_0308
Proposal	What kind of projects and how many, did NHN Eco Invest Bucuresti developed for the company?
Solution	SC. NHN – EcoInvest S.R.L had no contract concluded with SC. Roşia Montană Gold Corporation. S.C. Until 2003, SC. NHN – EcoInvest S.R.L. was under contract with the National History Museum of Romania to conduct geophysical surveys in the Țarina area, in the context of the multi-disciplinary investigations conducted under the auspices of the “Alburnus Maior” National Research Plan.



Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	152
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Zlatna, 02.08.2006
RMGC internal unique code	MMGA_0323
<b>Proposal</b>	Which is the project's impact on protected areas: Piatra Corbului and Piatra Despicata? If resettlement is going to be initiated, which will be the technical means to develop it?
<b>Solution</b>	<p>The Piatra Corbului area is located outside the future Cărnic pit. Consequently, it will not be impacted by RMGC's mining project. All the technical measures required will be undertaken in order to minimize the project's effects during the operational phases, which will be carried out in the proximity of this area. These measures are meant to avoid an impact on the integrity of this area.</p> <p>As for Piatra Despicață, this is a block of andesite weighing roughly 2 tons. In 2000, based on the documentation submitted by the company S.C. Agraro Consult S.R.L., the Commission for the Protection of Natural Monuments of the Romanian Academy approved the relocation of Piatra Despicață to another area, which will not be impacted by the mining operation. Therefore, the future location of Piatra Despicață will be approved by the Romanian Academy and by the Ministry of Culture and Religious Affairs. The relocation will be coordinated and monitored by specialists, this process involving the use of usual technical means that are specific for such large structures.</p> <p>Under Law 5/2000 (March 6, 2000) on the approval of the National Territory Arrangement Plan – Section III- Protected Areas (published in the Official Gazette of Romania under no. 152/April 12, 2000), the Piatra Corbului and Piatra Despicață areas were included in the section: Natural Areas of National Interest Protected and Natural Monuments, points 2.8 (Piatra Despicață) and 2.83 (Piatra Corbului).</p> <p>Moreover, as a result of the archaeological investigations conducted at Rosia Montana within the "Alburnus Maior" National Research Program, the Piatra Corbului area was classified as historical monument, more precisely the Roman galleries from the Cărnic massif, the Piatra Corbului area (code LMI AB-I-s-A-20329), as published in the Official Gazette of Romania no. 646 bis/16.07.2004, Alba County, position 146). This research program has been financed by RMGC, as required by the legislation in force.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	160
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Zlatna, 02.08.2006
RMGC internal unique code	MMGA_0342
Proposal	<p>The questioner states the fact that Roman Galleries and wax coated tablets must be taken into consideration. Such complete wax coated tablets as the ones discovered at Rosia Montana haven't been found in the entire world. Romanian people were born in Rosia Montana.</p> <p>Considering the opinions and the conclusions of the researchers who conducted these investigations and the decisions of the competent authorities (i.e. the Romanian Ministry of Culture and Religious Affairs, the National Commission of Archaeology and the National Commission for the Historical Monuments), the company has provided funds to cover a series of material expenses and will continue to do so. These expenses refer to facilities, work and work safety equipment, costs related to the labor force (e.g. the creation of a permanent team of miners to ensure the access and assist the team of mining archaeologists in the underground and to undertake restoration and conservation works for the most representative structures of mining archaeology).</p> <p>Both ancient mining works (galleries, exploitation sites, etc. dug with the hammer and chisel or by the fire setting method) located in the Cătălina Monulești, Coș, Piatra Corbului and Păru Carpeni mining perimeters and the ancient mining devices (i.e. the hydraulic wheels from the Piatra Corbului sector) are going to be preserved <i>in situ</i> within the future Mining Museum at Roșia Montană. For this purpose, the mining sectors of Lety – Coș (Cătălina Monulești gallery is already declared as historical monument on the List of Historical Monuments 2004), Piatra Corbului (already declared as historical monument on the List of Historical Monuments 2004) and Păru Carpeni (archaeological research is currently going on in this perimeter) have already been outlined and declared as protected areas. Therefore, these sectors will not be affected by the proposed mining project. The ancient mining works as well as the recent and modern ones located in the above-mentioned areas, will be developed so as to ensure optimum conditions for the future archaeological research activities as well as the safe access of the public to areas where specialists consider it feasible.</p>
Solution	<p>Indeed, the ancient Alburnus Maior became famous as the place where some special types of epigraphic materials were found. These epigraphic materials are special because of their rarity and richness of information they contain. The 25 wax tablets preserved provide precise data on the economic realities, the system of habitation, the religious life and the legal framework that governed the local mining community. The tablets initially found were probably over 40, but only 32 of these 40 wax tablets have been identified so far (3 of them have been lost in the meantime, but after being published), these tablets are now included in the collections of museums: Aiud (2 sections of a tryptich, Bucharest (2 wax tablets), Cluj (11 wax tablets, 6 of which are unpublished), Sebeș (1 unpublished wax tablet), Budapest (13 wax tablets), and in the collection of the Battyaneum Library in Alba Iulia (1 wax tablet) and at the "Titmotei Cipariu" in Blaj (2 wax tablets). The generally accepted view is that these wax tablets had been hidden inside inaccessible mining galleries, in a critical moment, probably related to the Marcomanic attacks on Dacia (167-170 A.D). In the theoretical approach of the archaeological research conducted at Alburnus Maior (the ancient name of Roșia Montană), the analysis of the information provided by the wax tablets represented a significant starting point in defining the research methodology. In addition, the Cătălina Monulești gallery is a priority in the projects for the enhancement of the mining heritage, especially considering the numerous wax tablets that were found inside this gallery.</p> <p>The mining archaeological investigations carried out since 1999 at Roșia Montană by a team of specialists in different fields from the University of Toulouse Le Mirail (France) led by Dr. Beatrice Cauuet were focused -for the first time in Romania – on the development of a detailed study of this type of archaeological remains, namely the old mine galleries dating from the Roman and later periods. These are the main findings of the mining archaeological studies and investigations conducted since 1999 to date:</p>

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- approximately 7 km of ancient mining works have been identified within the Roşia Montană site. These 7 km are not a continuous structure, but they are formed of segments of mining works spread in almost all the mining perimeters of the site;
  - most of the types of mining works found in the other mining sectors to be impacted by the project, which have already been researched (e.g. the Cărnic massif area), can also be found in the protected areas already outlined in the perimeter of the Roşia Montană mining project (Cătălina Monuleşti, Lety - Coş, Piatra Corbului and Păru Carpeni);
  - mining archaeological surveys conducted in the Cetate and Cărnic massifs have pointed out that the ancient mining works had already been affected to various extents by subsequent mining works, especially those carried out starting from the 18<sup>th</sup> century until 2006;
  - the ancient mining works are currently in different states of preservations as a result of the human impact on the underground environment (reworking) as well as of the natural impact (cave-ins, flooding, mud flows, erosion);
  - archaeological research needs to be continued in the Orlea and Țarina massifs over the next years;
  - research and preservation works need to be continued in the Păru-Carpeni (a Roman mine drainage system was found here, a unique find in Europe at present, after the similar ones found in the Iberian Peninsula in the last century (in the '30s) and in the Cătălina –Monuleşti areas.

As for the statement regarding the creation of the Romanian nation, we are in the best position to say that the ethnogenesis of the Romanian people is a very complex historical process that occurred on a vast territory, which included, from a geographical and historical point of view, the Golden Quadrilateral of the Apuseni Mountains.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	188
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0364
Proposal	<p>After blasting the entire perimeter of the commune, what will happen with the Roman Galleries and archaeological vestiges from the area, consisting of churches and cemeteries of Roşia Montana?</p>
Solution	<p>We have to make it clear right from the start that the implementation of the mining project does not mean carrying out blasting operations in the perimeter of the Roşia Montană commune. The maps included in the Report of the Environmental Impact Assessment Study illustrate the areas where the proposed open-pits will be located.</p> <p>Considering the importance of Roşia Montană's cultural heritage and the existing legal provisions, S.C. Roşia Montană Gold Corporation S.A has allotted a budget of over US\$ 10 million for the archaeological research of the heritage undertaken in the period 2001-2006. Taking into account the results of this research, the specialists' opinions and the decisions made by the competent authorities, the company has estimated a budget of US\$ 25 million for the works to be carried out in the following years for the conservation and restoration of Roşia Montană 's cultural heritage, as publicly stated in the Environmental Impact Assessment from May 2006 (see the EIA Report, volume 32- Cultural Heritage Management Plan for the Roşia Montană area, pages 83-85). These are some of the plans for the coming years: the continuation of the archaeological research in the Orlea area, but especially the establishment of a <b>Modern Mining Museum</b>, which will include exhibitions of <b>geology, archaeology, industrial and ethnographic heritage</b>, and the <b>Cătălina Monuleşti gallery</b> and the <b>monument from Tău Găuri</b> will be arranged for tourist access; the <b>conservation and restoration of the 41 historical monument buildings and of the protected area Historic Centre of Roşia Montană</b>.</p> <p>At present, after the comprehensive archaeological research conducted in the last 8 years, the nature, features and spatial distribution of the heritage assets from the Roşia Montană area (archaeological sites, historic buildings, but also churches and cemeteries) are better understood. The comprehensive archaeological research conducted in the period 2000-2006 have allowed the creation of a comprehensive picture of these national cultural heritage assets and of areas with a spiritual significance as well as the adoption of specific measures for their protection.</p> <p>Thus, in compliance with the requirements of the Ministry of Environment and Waters Management and of the Ministry of Culture and Religious Affairs, specific management plans have been prepared for the management and conservation of the heritage assets from the Roşia Montană area, in the context of the implementation of the Roşia Montană project. These management plans have been included in the documentation for the Report on the Environmental Impact Assessment Study for the Roşia Montană project. (see the EIA Report, volume 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană Area; part II – Management Plan for the Historical Monuments and Protected Zone from Roşia Montană; part III – Cultural Heritage Management Plan).</p> <p>Roşia Montană 's values can be summed up as follows:</p> <ul style="list-style-type: none"> <li>- the Roman galleries from the massifs located on the southern part of the Corna valley have been thoroughly researched and specific conservation measures have been proposed for the Cătălina Monuleşti and Piatra Corbului areas; the Roman galleries from the northern part of the Rosia valley have been subject to preliminary archaeological investigations and specific conservation measures have been proposed for outstanding finds such as those from the Păru Carpeni mining sector; the Orlea – Țarina area is going to be thoroughly researched in the period 2007-2012. As for the segments of ancient galleries found in the southern part of the Cărniciu massif, given that</li> </ul>

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they are spatially dispersed and access is very difficult, and implies a high risk regarding the public's safe access as well as the enormous maintenance costs, after being thoroughly investigated, it has been concluded that they cannot be preserved and enhanced by opening them for tourist tours;

- 13 archaeological sites have been identified and researched during the preventive archaeological investigations undertaken in the period 2001-2006; once these comprehensive researches were completed, a decision was made for the archaeological discharge of some of these sites, while other structures will be preserved in situ (e.g. the funerary precinct of Tăul Găuri; the Roman remains from the Carpeni hill);
- the development of the mining project would not affect the 41 historic buildings from Roșia Montană. Measures will be taken for the restoration and conservation of these structures;
- out of the 10 churches and prayer houses from Roșia Montană and Corna, the mining project will affect only those that are located on the Corna valley whereas those from the Roșia valley will be preserved in their entirety;
- out of the 12 cemeteries existing in Roșia Montană, 6 are going to be affected by the implementation of the mining project, while approximately 410 tombs of the total 1905 will have to be relocated.

For further information on the main archaeological remains, the historical monuments, as well as for a series of remarks regarding their protection and the specific measures stipulated in the management plans, please see the Annex called **"Information on the Cultural Heritage of Roșia Montană and Related Management Aspects"**.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	189
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0369
Proposal	<p>This project represents the destruction of the area because Roşia Montana won't be the same regardless of any cosmetology applied. It is a Romanian culture, archaeological and historical treasury which is hard to let go.</p> <p>In the context of implementing a new mining project, specific management plans have been developed for the management and conservation of the heritage assets of the Roşia Montană area, in accordance with the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religious Affairs, respectively, as part of the documentation developed under the Environmental Impact Assessment Study for the Roşia Montană Project, (see EIA Report, vol. 32-33, Plan M – Management Plan for the Cultural Heritage, part I – Management Plan for the Archeological Heritage of the Roşia Montană Area, part II – Management Plan for the Historical Monuments and Protected Zones of the Roşia Montană area, part III –Cultural Heritage Management Plan).</p> <p>Considering the importance of the cultural heritage at Roşia Montană and the current legal provisions, the heritage research budget allocated between 2001-2006 by S.C. Roşia Montană Gold Corporation S.A. amounted to more than USD 10 million. Moreover, based on the research results, on the specialists' opinions and the decisions of competent authorities, the budget provided by the company for the research, conservation and restoration of the cultural heritage at Roşia Montană in future years, provided the Project is implemented, will be USD 25 million, as disclosed in the Environmental Impact Assessment published in May 2006 (see the EIA Report vol. 32, Management Plan for the Archeological Heritage of the Roşia Montană area, p. 84-85). Therefore, the intention is to continue work in the Orlea area, and especially to create a <b>modern Mining Museum with geological, archeological, industrial and ethnographic heritage</b> exhibitions, and the development of tourist access to the <b>Cătălina-Monuleşti</b> gallery and to the monument at <b>Tăul Găuri</b>, as well as to <b>preserve and restore the 41 historical monument buildings and the protected area of Roşia Montană Historic Centre</b>.</p>
Solution	<p>Mining archeology research conducted – since 1999 – by a multi-disciplinary specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed to develop – for the first time in Romania – a detailed study of historic mining galleries of the Roşia Montană area. The study of these structures entailed better understanding and, at the same time, making pertinent decisions regarding their preservation and enhancement. Based on the results of research conducted to date (completed for Cetate, Cărnice, Jig but in progress in Orlea), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monuleşti Gallery – located in the Historic Center of Roşia Montană, where the most important collection of wax tablets and an ancient mine drainage system had been found in the past;</li> <li>- the Păru Carpeni mining sector – located in the south-eastern part of the Orlea massif, where a drainage system of overlapped chambers equipped with Roman wooden mine water drainage installations (wheels, channels, etc.) was uncovered;</li> <li>- the Piatra Corbului area – located in the south-western part of the Cărnice massif, this area bears traces of the ancient and medieval galleries dug by the fire setting technique;</li> <li>- the Văidoaia massif area – located north-west of the Roşia Montană village, including segments of surface mining exploitations from ancient times.</li> </ul> <p>As for the Roman mining galleries discovered in the mining sectors of Cătălina Monuleşti and Păru Carpeni, comprehensive rehabilitation, consolidation and development works have been planned, in order to allow their in situ preservation and their development for tourism. This decision was based on the value</p>

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and significance of the exceptional archeological remains preserved in the galleries, i.e. the wooden Roman installations designed for dewatering the mines (the so-called “Roman wheels”). At the same time, the gallery at Cătălina Monulești is famous because – in mid 19<sup>th</sup> century – the most significant set of waxed tablets was discovered here (according to archive sources, more than 11 such pieces were discovered, out of a known total of 32 such artifacts discovered to date).

Most of the ancient mining works in the Cărnic massif, as well as in other mining sectors, are only accessible, and in difficult conditions, to specialists, and actually partially inaccessible to the public at large. Moreover, under the EU safety rules regulating the visits of the public in museums all over the European Union, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. Note that a number of other similar Roman gallery segments will be preserved *in situ*. As a measure to mitigate the impact on this category of archaeological remains, apart from their full research and publication of the research results, specialists have considered it appropriate to develop a 3D graphic model and 1:1 replicas of these structures, to be included in the mining museum proposed to be developed at Roșia Montană.

The surface preventive archaeological investigations conducted in the period 2001-2006 have resulted in the identification and research of 13 archaeological sites; once this comprehensive research were completed, a decision was made for the archaeological discharge of some on these sites, while other structures will be preserved *in situ* – e.g. the funerary precinct of Tăul Găuri or the Roman remains from the Carpeni hill; thorough investigations are planned in the Orlea area in the period 2007-2012.

For further information on the history of the research and the main discoveries related to the historic galleries at Roșia Montană, as well as for the specialists’ conclusions on the matter, and assessments of a potential tourist circuit including the historic mining structures at Cărnic, or for the opinions formulated in 2004 by Edward O’Hara, General Reporter on the Cultural Heritage of the Parliamentary Assembly of the Council of Europe, please consult the annex – “Information on the Cultural Heritage of Roșia Montană and Management Thereof”. Detailed information on the complex issue of the mining works at Roșia Montană, on their results and on their potential for enhancement, are available in the EIA Report, vol. 6, *Cultural Heritage Baseline Report* (pages 32, 36-55, 83-109).

For further information on the most important archaeological remains, historical monuments and a number of considerations on how to protect them and the specific measures designed in the Management Plans, please see the annex called **“Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”**.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	196
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0381
Proposal	<p>The questioner makes the following comments and remarks: Roşia Montana is the millenary core of the Romanian people. On the surface of this deposit there are churches belonging to different religions, having their specific architectural and mural culture, real patrimony values.</p>
Solution	<p>Through the implementation of the proposed mining project, Roşia Montană Gold Corporation (RMGC) does not intend to destroy churches, monuments or cemeteries. On the contrary, RMGC's approach is not to offer economic benefits (work places, high living standards, etc.) or to request the community to renounce its cultural and moral values. The company considers that economic development should not be opposed to the traditional spirituality and values.</p> <p>Starting from these principles, from the total of 10 churches and prayer houses situated within the perimeter of Corna and Roşia Montană villages, only 2 churches and the two prayer houses from Corna village will be affected. None of these buildings is classified as historical monument. Therefore, all possible options have been taken into account, and where it was feasible and appropriate, the locations of the industrial facilities were modified in order to mitigate the impact on churches and cemeteries. In the case of two churches, in the context of relocating them, a series of impact mitigation measures will be taken, specifically preventive archeological investigation of their location and the creation of a detailed inventory of all religious objects in order to relocate them according to the religious rituals.</p> <p>In the Corna valley, the churches that would be affected by the tailings management facility construction would be subject to all necessary measures for their relocation and reconstruction on a location chosen by the members of the respective religious congregation. The Greek-Catholic Church from Corna village was abandoned by parishioners many years ago, and now services take place only on special occasions. In these circumstances, a new church will be built in the area of the proposed Piatra Alba locality, according to the parishioners' wishes. As regards the prayer houses (one is in use, the other was abandoned many years ago) there is an amicable agreement between the representatives of these cults and the RMGC company, specifying relocation and compensation. None of the other churches and prayer houses situated on Roşia valley will be affected by the mining project development.</p> <p>In the case of Orthodox and Greek-Catholic churches from Roşia Montană, considerable modifications regarding the placement of the industrial facilities have been made, so that these churches will not be directly affected by the mining project implementation. These will be maintained in good preservation during the entire project life, and access to them will be agreed with the respective congregations. In the case of Pentecostal prayer house from Roşia Montană, an amicable agreement is already concluded between company and respective congregation regarding compensation.</p> <p>The churches, besides the other historical monuments from Roşia Montană, will be included in a complex restoration program.</p>



Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	198
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0399
Proposal	<p>This project will ruin historical vestiges, while no other country would destroy its history.</p> <p>The mining project implementation does not involve the destruction and abandonment of the archeological heritage assets from Roșia Montană commune. The existence of these vestiges has been carefully considered in the proposals for the project.</p> <p>As a brief answer to the questioner's opinion regarding the destruction of historical remains, we can mention the following:</p> <ul style="list-style-type: none"> <li>- the Roman galleries from the massifs located in the southern part of the Roșia valley have been thoroughly researched and specific preservation measures have been proposed for the Cătălina Monulești and Pietra Corbului areas;</li> <li>- the Roman galleries from the massifs located in the northern part of the Roșia valley have been subject to preliminary investigations and specific preservation measures have been taken for the outstanding finds such as those from the Păru Carpeni mining sector; the Orlea – Țarina area is going to be thoroughly researched in the period 2007-2012;</li> <li>- 13 archaeological sites have been identified and researched during the preventive archaeological investigations undertaken in the period 2001-2006; once these comprehensive researches were completed, a decision was made for the archaeological discharge of some on these sites, while other structures will be preserved in situ (e.g. the funerary precinct at Tăul Găuri; the Roman remains from the Carpeni hill); the Orlea area is going to be thoroughly researched in the period 2007-2012;</li> <li>- the development of the mining project is not going to affect the 41 historic buildings from Roșia Montană. Comprehensive measures will be taken for the restoration and conservation of these structures;</li> </ul>
Solution	<ul style="list-style-type: none"> <li>- out of the 10 churches and prayer houses from Roșia Montană and Corna, only those located on the Corna valley will be affected by the mining project, while those on the Roșia valley will be preserved in their entirety;</li> <li>- out of the 12 cemeteries from Roșia Montană commune, 6 are going to be affected by the implementation of the mining project, and approximately 410 graves will need to be relocated.</li> </ul> <p>The Roman galleries from Roșia Montană, according to the specialists' reports and publications, are important, but not unique. Thus, a gazetteer of the ancient mining sites from the areas of Transylvania and Banat – developed for the Environment Impact Study for the Roșia Montană project – sustain the assertion that it is difficult to consider Roșia Montană to be unique, at least from the perspective of Imperial Roman mining operations in Europe and particularly from the Dacia Province. The existence of at least 20 sites with relatively similar characteristics suggests this site is one of many. From these 20 sites, some (e.g. Ruda Brad, Bucium – Vâlcoi Corabia area and Haneș – Almașul Mare area) have already revealed certain remains that are comparable with those at ancient Alburnus Maior.</p> <p>Through the mining project implementation, Roșia Montană Gold Corporation does not intend to destroy the cultural and spiritual heritage from Roșia Montană. After 7 years of comprehensive research and specialist studies, financed according to legal provisions by company, the nature, features and distribution of heritage assets – archeological sites, buildings historical monument, but also churches and cemeteries – are well understood from Roșia Montană. Heritage research and studies carried out between 2000 and 2006 allowed both the formation of a comprehensive understanding of these assets belonging to the national cultural heritage and areas with spiritual significance, as well as the adoption of specific measures for their protection.</p>

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Thus, on the basis of these researches, on the one hand, the certificates of archeological discharge were issued, specifically for the areas where the industrial project may be developed, and on the other hand, the areas with cultural heritage assets, including areas where the industrial activities are forbidden, were established.

To note a few example of situations from Europe, where industrial developments also involved preventive / rescue archeological investigations as stipulated by European Convention from Malta (1992) regarding the archeological heritage protection [1], consider the following:

- Construction of Toyota plant near Valenciennes (France);
- Development of the Actiparc industrial area close to Arras (France);
- Development of the Dourges industrial area, near Pas-de-Calais (France);
- Development of the gravel quarry on Aisne valley (France);
- Route of trans-European gas pipeline from Jamal (Siberia) peninsula to Western Europe – section from Wielopolska (west Poland);
- Construction of office buildings in Spitafield area (Spitafield Chame House), London (Great Britain);
- Construction of new residential areas in the London district Wandsworth Riverside (Shell oil terminal), London (Great Britain).

All the commitments publicly assumed by company are detailed in the Report on the Environment Impact Study, Vol. 33, Cultural Heritage Management Plan. What the company proposes in the context of future project development is the continuation of researches, their publication and enhancement of the cultural heritage from Roșia Montană all based upon European standards in order to develop the tourism potential.

At Roșia Montană the cultural heritage problems have been approached by all parties involved based on good faith, acting responsibly and in accordance with Romanian and international legislation.

For more details on the significance of cultural heritage assets from Roșia Montană area, their inventory and investigation over the last 7 years, as well as a series of considerations regarding the legal protection regime and other legislative provision applicable in this case, please consult the Annexed called “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”.

In conclusion, the destruction of the historical and archaeological vestiges from Roșia Montană or their simple substitution with copies is not proposed. The investigations of this type – known as preventive/rescue archeological research – is performed all over the world, in connection with the economic development of areas, and the costs of investigation as well as the costs for restoration and maintenance of the preserved areas are provided by investors, creating a public-private partnership in order to protect the cultural heritage according to the provisions of the European Convention from Malta (1992) regarding the archeological heritage protection.

Reference:

[1] The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	198
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0401
Proposal	<p>The questioner accuses Mr. Razvan Teodorescu, former Minister of Culture, as well as the current Minister, who have granted archaeological discharge certificates for an entire series of vestiges that were found at Rosia Montana. The questioner underlines the fact that many vestiges get destroyed, such as the largest fortress from Rosia Montana, from Carpin, which has been covered.</p>
Solution	<p>All the preventive archaeological investigations conducted at Roşia Montană since 2001 have been carried out within a complex research program; permits for preventive archaeological excavations being issued in compliance with the legislation in force. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. All archaeological investigations have been conducted in compliance with the legislation in force. The investigations conducted during each archaeological campaign are authorized by the Ministry of Culture and Religious Affairs based on the Annual Archaeological Research Plan approved by the National Commission of Archaeology.</p> <p>The specific techniques employed during the preventive archaeological investigations conducted in the RMP perimeter consisted of a survey of all the areas, which are accessible and, at the same time, suitable for human settlement, and took into account bibliographical data and observations made during field surveys, geophysical surveys, as well as data collected during the photogrammetric flights. The development in surface of the archaeological research has been conducted where required by the archaeological realities. The archaeological investigations conducted at Roşia Montană have covered large areas, and the areas with an archaeological potential have been thoroughly investigated. <u>THUS, ALL THE AREAS THAT WERE ARCHAEOLOGICALLY DISCHARGED HAD BEEN PREVIOUSLY INVESTIGATED.</u> All the investigations have been conducted in compliance with the legislation in force, namely the Order of the Minister of Culture and Religious Affairs no. 2392/06.09.2004 on the implementation of Archaeological Standards and Procedures. Under the same legislation in force in Romania on the protection of the archaeological heritage, the archaeologists who have conducted the research are not authorized to grant the archaeological discharge. The archaeological discharge procedure comprises the following steps: once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation regarding the researched area. After consideration of this documentation, the National Commission of Archaeology recommends or not the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.</p> <p>In cases when a significant archaeological item was found or where historical monuments were located in the vicinity of the planned industrial facilities, the latter have been re-designed so that no archaeological structure or historical monument be affected. Moreover, when necessary, archaeological structures have been restored and preserved <i>in situ</i> (e.g. the double circular funeral monument found at Hop-Găuri) (Mihaela Simion <i>et alii</i>, <i>Alburnus Maior</i> II, Bucharest 2004), the Pietra Corbului protected area or the historical area comprising architectural heritage items (35 houses classified as historical monuments), or the area was classified as archaeological reserve (such as in the case of the Carpeni hill (Code LMI 2004, AB-I-m-A-00065.03) that the questioner refers to.</p> <p>Archaeologically speaking, the Carpeni hill is the area where archaeological remains are more abundant. Prior to the archaeological investigations, a Roman fortress was assumed to exist there. Interesting signs point to the existence of archaeological artifacts in the central part of the plateau, an area also known as the "Bisericuta". Although the items found in this area have been mentioned several times in the literature, existing data are rather imprecise. Some materials derived from a building with hypocaust</p>

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installation were briefly mentioned more than once in the archaeological records. Most of the times, the tegulae (tegular material) uncovered in this area were related to the presence of the Roman Legio XIII Gemina at Alburnus Maior. Recent archaeological investigations on the Carpeni hill have revealed the existence of elements of habitation including human dwellings and two groups of burials (in the North-Western part) and two buildings with hypocaust installation (E2 in the central area and E1 in the southernmost part - the areas known as Tomus and Bisericuta). Previous evidence indicates that discoveries that can be expected in the north part of the massif, on the property of the Badau family, and also in the area where the local stadium is currently located as well as in the southern part of the hill.

The ancient buildings located in this area probably had an administrative function, as there are several factors in support of this hypothesis. The edifices are located in the central part of the area where ancient remains were found. They were built in a typically provincial manner (i.e. mortar-bound stone walls with traces of plaster) and equipped with hypocaust installations. Tegulae stamped with the insignia of the Legio XIII Gemina were found there, while the archaeological inventory found in this area is typical for a Roman site.

Also, a new funeral ground (comprising eight cremation burials with a ring structure) as well as a primitive habitation structure of the Roman period were identified in the western extremity of the Carpeni hill.

As for the statement that the Roman remains found on the Carpeni hill had been covered, note that the covering of archaeological items during the initial conservation phase is common practice. The area in question was classified as an archaeological reserve (Code LMI 2004, AB-I-m-A-00065.03), at the proposal of the archaeological research team and on the recommendations of the National Commission of Archaeology and the edifices will remain covered until the competent authorities and other stakeholders make a decision as to new research and conservation works in this perimeter.

Here are some of the projects proposed by RMGC through the Cultural Heritage Management Plans for the Carpeni area prepared following the consultation of specialists, we mention the setting up an archaeological research program in the archaeological reserves areas, which has to comply with the desideratum mentioned in the Malta Convention (1992) to preserve these resources for research by future generations (project 38, Management Plan M, part I, - *Management Plan for the Archaeological Heritage from Roşia Montană area*, page 61) or those in the same specialized documentation, namely Table 4.1 "*Annual work plan (action plan) and RMGC's middle and long-term plans for archaeological heritage of Roşia Montană area*", point 3 - "*Carpeni: archaeological summer camp on the occasion of the 2009-2022 archaeological research campaigns*" (see above page 80-81).

Moreover, it is every minister's duty to observe the legislation in force, and the persons you refer to have certainly acted accordingly.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	236
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0483
<b>Proposal</b>	<p>Under decision nr.20 of Alba County Council issued on the 27th of October '95, several protected areas have been established and nominated, together with certain landscaping reserves, geological, speleological, pale-ontological, and botanic composites as well as rare species of flora and fauna from the county. The only geological reservations found in Rosia Motana area are 2 outcrops, namely Piatra Despicata and Piatra Corbului. The development of the mining operation will have as a result the relocation, which is already approved, of the Piatra Despicata and in site preservation of Piatra Corbului. The questioner wants to be told how will Piatra Despicata be relocated technically speaking?</p>
<b>Solution</b>	<p>Piatra Corbului and Piatra Despicată, are classified according to Law 5/2000 from March 6, 2000 on the approval of the National Territory Arrangement Plan - Section III – Protected Areas (published in the Official Gazette no.152 from April 12, 2000) at section Natural Protected Areas of National Interest and Natural Monuments, points 2.8 (Piatra Despicată) and 2.83 (Piatra Corbului).</p> <p>At the same time, as a result of archeological researches performed at Roşia Montană through the Alburnus Maior National Research Program, financed in accordance with legal provisions by RMGC, Piatra Corbului has also been classified as protected area from an archeological point of view (Official Gazette No. 646 bis, from 16.07.2004, position 146).</p> <p>The project proposed by RMGC will not affect Piatra Corbului. All technical measures of impact mitigation during the operational stages near this area will be taken, so that its integrity would not be affected.</p> <p>As regards Piatra Despicată, this is a volcanic bomb situated in secondary position at the foot of Carnic massif, at few meters above a communal-industrial road. In fact, this is an andesite block with a weight of about two tons that may roll downhill at any time. In 2002, the Commission for Natural Monument Protection of the Romanian Academy, as a result of the documentation submitted by SC Agraro Consult SRL, approved its relocation to another site that would not be affected by the future operations.</p> <p>Consequently, by means of technical equipment absolutely normal for objects of this size, and under specialized coordination and supervising, Piatra Despicată will be relocated to a location to be approved by Romanian Academy and Ministry of Culture and Religious Affairs, preferably in Roşia Montană Protected Area.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	248
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0505
Proposal	The company plans to destroy the birth certificate of the Romanian people.
Solution	<p>The placement of the project proposed by S.C. Roşia Montană Gold Corporation S.A. (RMGC) is based upon the existence at Roşia Montană of one of the largest gold ore deposit from Europe. The mining project implementation does not involve the destruction of Roşia Montană locality, but on the contrary, this project would make a significant contribution to the knowledge of the history of this locality.</p> <p>Prior to 2000, Roşia Montană was only an area of archaeological potential, where no proper archeological research had been carried out in order to identify in detail the diverse elements of the site. Essentially, within the area of Cetate, Cărnic, Jig and Orlea massifs situated on the upper part of the Roşia and Corna valleys, in the administrative area of Roşia Montană commune, a series of chance archeological finds were known – epigraphic monuments, pieces of funeral architecture - which provided sufficient indications to suggest the existence of some archeological sites.</p> <p>Taking into account the importance of the cultural heritage from Roşia Montană, the history of the locality and the legal provisions in force, SC Roşia Montană Gold Corporation SA has allocated a budget of over USD 9 million for heritage research for the period 2000-2006. Moreover, considering the research results, the specialists' opinions and competent authorities' decisions, the budget estimated by the company for research, preservation and restoration of the Roşia Montană cultural heritage if the mining project were implemented is USD 25 million, as was publicly stated within the Report on Environment Impact Study in May 2006 (see the Report on Environment Impact Study, vol. 32, Management Plan for the Archeological Heritage from Roşia Montană Area, p. 83-85). Therefore, the intention is to continue work in Orlea area, and especially to create a <b>modern Mining Museum</b> with <b>geological, archaeological, industrial and ethnographic heritage</b> displays, and the development of tourist access to the <b>Cătălina-Monuleşti</b> gallery and to the monument at <b>Tău Găuri</b>, as well as to <b>preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center</b>.</p> <p>Prior to 1999, the Roman mining galleries from Roşia Montană had not been subject to mining archaeological research, although their existence was known for more than 150 years. Prior to 2000, this type of remains were practically unknown from the perspective of a scientific research; references to these remains being most of the times empirical. The other archaeological remains in the area weren't researched either prior to 2000. Most of the information about this site came exclusively from chance finds caused by agricultural works, constructions of roads and elements of mining infrastructure.</p> <p>Due of the detailed investigations undertaken in the last 7 years, the nature, features and distribution of heritage assets – archeological sites, historical monument buildings, churches and cemeteries - from Roşia Montană area are now well understood. Heritage research and studies carried out between 2000 and 2006 allowed both the formation of a comprehensive understanding of these values belonging to the national cultural patrimony and areas with spiritual signification, and led to the adoption of specific measures for their protection and enhancement.</p> <p>According to the specialist's reports and publications, the Roşia Montană mining site, is important, but not unique, if compared with other similar sites in Romania (e.g. Ruda Brad-Săcărâmb, Zlatna-Almaş or Bucium) or across Europe. Certainly, due to the "Alburnus Maior" National Research Program financed by RMGC in accordance with the legal provisions, this mining site is at present the best understood and researched.</p>

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The fame of the Alburnus Maior ancient site is based on the fact that Roşia Montană was the place where some epigraphic materials with a special character- wax tablets where this ancient toponym is also mentioned, were found by chance in the 18-19th centuries. Documents important due to their rarity and the rich historical information contained, the 25 wax tablets preserved and published offer precise information regarding economic activities, living conditions, religious life and the legal framework governing the local mining community. Roşia Montană (the ancient Alburnus Maior) is neither the oldest settlement documentary attested from Romania, nor the most important Roman settlement in Dacia, but surely preserves significant evidence of the Roman gold mining of this region located at the border of the Roman Empire. The archaeological investigation opportunity at Roşia Montană, in the context of RMGC's mining project, made possible the completion of detailed knowledge about the site with information on the ancient mining operation as compared to other ancient areas with similar characteristics. These other areas are known largely due to some chance finds and are not yet investigated (for example, Brad-Săcărâmb, Zlatna-Almaş, Bucium). It is desired that proposed museum at Roşia Montană could display at least some of the wax tablets uncovered at the ancient Alburnus Maior.

The research of the historical mining remains has led to their better understanding and at the same time determined some well-grounded measures for their conservation and enhancement. Based on the results of the research conducted so far (already completed in the Cetate, Carnic, Jig massifs and in progress in the Orlea massif), a decision was made for the conservation and enhancement of areas including ancient mining works such as the Cătălina Monuleşti gallery, the Păru Carpeni mining sector, the Piatra Corbului area, the Văidoaia massif area-North-West of Roşia Montană village, where surface mining areas dating from the Roman period are preserved.

13 archaeological sites have been identified and researched during the preventive archaeological investigations conducted in the period 2001-2006. Once the thorough investigation completed, a decision was made for the archaeological discharge of some of these sites, while for other sites a decision was made for their preservation *in situ*- the funerary precinct at Tău Găuri, the Roman remains uncovered on the Carpeni hill. As regards the Orlea area, this is going to be thoroughly investigated (both on the surface and in the underground) in the period 2007-2012.

According to the requirements of the Ministry of Environment and Water Management, and the Ministry of Culture and Religious Affairs, the Report on Environment Impact Study for the Roşia Montană project includes detailed plans for the management and preservation of the heritage assets from the Roşia Montană area, in the context of the mining project implementation (see the Report on Environmental Impact Assessment Study, Vol. 32-33, Plan M – *Cultural Heritage Management Plan*, part I – *Management Plan for the Archaeological Heritage from Roşia Montană Area*, part II – *Management Plan for Historical Monuments and Protected Zone from Roşia Montană* and part III – *Cultural Heritage Management Plan*).

All these commitments publicly assumed by company are detailed in the Report on Environmental Impact Assessment Study, Vol.33, *Cultural Heritage Management Plan*.

For further information on the main archeological remains, historical monuments, churches and cemeteries, as well as a series of considerations regarding their protection and the specific measures established by management plans, please consult the Annex called "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects".

In conclusion, the company does not plan to destroy Roşia Montană's cultural heritage that the questioner refers to through the exaggerated assertion "birth certificate of the Romanian people". The archaeological research conducted at Roşia Montană – known as preventive/rescue archaeological research – and the related heritage studies, are conducted all over the world in relation to the economic interest for certain areas. And the costs of this research as well as the costs for the enhancement and maintenance of the areas preserved are covered by the investors through a private-public partnership for the protection of the cultural heritage, in compliance with the provisions of the European Convention of Malta (1992) on the protection of the archaeological heritage [1].

References:

[1] The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	253
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0517
Proposal	<p>The questioner considers that the Orlea and Carnic open pits cannot be developed and provides the following reasons to support this statement:</p> <p>The Carnic open pit (73 ha) comprises many Roman galleries and a contestation of the validity of the archaeological discharge certificate is currently being tried by the Brasov Court of Law. As for the Orlea open pit, where exists a 45 ha area that is still inhabited, archaeological investigations have not been performed there, and although RMGC secures the environmental permit, there are high chances that the archaeological discharge certificate will not be granted. Should these two open pits be lost, the RMGC project will undergo significant changes. Therefore, why are the relocation and resettlement process being carried out if the Carnic and Orlea open pits have not been archaeologically investigated?</p>
Solution	<p>The relocation and resettlement process is a voluntary process, guided by World Bank rules and is not related to the archaeological discharge. The following includes a few remarks on the archeological research, the research results, as well as on the proposed management and enhancement measures for the Roman mining remains in the Orlea and Cârnic area.</p> <p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Almaşul Mare area) have already produced concrete evidence proving that their archaeological potential is similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>Surface and underground preventive archaeological researches will continue in the Orlea area, that is in an area with identified archaeological potential (as mentioned in The Cultural Heritage Baseline Report, vol. 6, page 48). In addition, it has been stated here that the researches undertaken so far in this massif are preliminary in character. The following aspect, mentioned in the report, should be noted: given that mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is to be carried out starting with 2007. Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines. (Cultural Heritage Baseline Report, vol. 6, p. 46)</p> <p>In 2004, the preliminary underground investigations, undertaken in the Orlea Massif, have led to a significant discovery. The value of the discovery was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet uncovered a chamber with a hydraulic wheel, and subsequently an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was dated to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation <i>in situ</i>. The discovery would not be affected by the future development of the Orlea open pit. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea- Țarina segment are planned to be undertaken between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 48.</p> <p>In accordance with the List of Historical Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-</p>



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I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).

Law 422/2001 on the protection of historical monuments, as last amended, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Ministry of Culture and Religious Affairs. Under GO no. 43/2000 on the protection of archaeological heritage and the designation of some archaeological sites as areas of national interest, as last amended, the archaeological discharge is the procedure by means of which an area of archaeological interest may be restored to its current use (see also Law 258/2006, art. 5, paragraph (2)). Consequently, it is true that RMGC plans to mine the gold-silver deposits located in the Orlea Massif area, in the second phase of the proposed mining project. Law 258/2006, article 7, point a), also stipulates that “the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures”.

Consequently, the proposed mining operations in the Orlea Massif can be developed only after the completion of preventive, surface and underground archaeological researches, that will produce a comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Record cards of the archaeological sites of Roşia Montană area - Archaeological Site Record Card-no. 9 - Orlea Massif, p.231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be undertaken between 2007-2012 by an expert team. Based on the research findings, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal provisions that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

Most of the Roman mining works in the Cărnic massif, as well as in other mining areas can only be accessed by specialists, in very difficult conditions, being partially inaccessible to the public. Moreover, under the EU safety rules applying to similar museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. It should be noted that extensive portions of comparable Roman galleries will be preserved in situ.

Consequently, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Ministry of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cărnic Massif, with the exception of a 5 ha area, including Piatra Corbului. As part of the effort to minimize negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation as well as replicas of the different types of Roman mining works (at a scale of 1:1). These will be included in the mining museum that is proposed at Roşia Montană.

“Alburnus Maior”, a Romanian NGO, has filed a lawsuit, contesting the archaeological discharge certificate for the Cărnic Massif, issued by the Ministry of Culture and Religious Affairs. In 2006, after the initial judgement given by the Alba Court of Appeals (2004-2005), the Supreme Court of Justice decided on a retrial of the case by the Braşov Court of Appeal. The case is currently in progress.

As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex “Costs Estimate for the Development of Ancient Mining Networks from Cărnic”, prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).

Given the significance of the Roşia Montană’s cultural heritage, and the current legal requirements, S.C. Roşia Montană Gold Corporation S.A allocated approximately USD 10 million for the archaeological

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investigations undertaken between 2001 and 2006. What is more, based on the research results, on the experts' opinions and on the decision of competent authorities, the budget destined for the research, conservation and preservation of the Roşia Montană's cultural heritage, undertaken as part of the project development in the following years, amounts to more than USD 25 million, as indicated in the Environmental Impact Assessment Study, published in May 2006 (see the EIA Report, vol. 32, Management Plan for the Archaeological Heritage from the Roşia Montană area, p. 84-85). Archaeological investigations in the Orlea area are to be continued, and a **Modern Mining Museum** will be opened, including **geology, archaeology, ethnographic and industrial heritage exhibitions**. Other plans include the development for public access of the **Cătălina-Monuleşti gallery and the Tău Găuri monument, as well as the restoration of the 41 historical buildings and of the protected area Roşia Montană Historic Centre**.

For further information on the most important archaeological remains (including Roman galleries), as well as for a series of remarks on their protection and on the special measures included in the Management Plans, please consult the annex "Information on Roşia Montană Cultural Heritage and Related Management Aspects" and "Costs Estimate for the Development of ancient mining networks from Cărnic".

In conclusion, with regard to your question, please note that the project will not cause the destruction of the Orlea and Cărnic Massifs. Note that the type of research mentioned above, known as preventive/rescue archaeological research, is done everywhere in the world in close connection with the economic development of certain areas. Both the costs for the research and for the enhancement and maintenance of the preserved areas are provided by investors, in a public-private partnership set up in order to protect the cultural heritage, as per the provisions of the European Convention on the Protection of the Archaeological Heritage (Malta-1992) [1].

References:

[1] The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	253
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0519

**Proposal** Why didn't the company secure the archaeological discharge certificate for Carnic and Orlea as well?

The Cultural Heritage Baseline Report points out that archaeological investigations will continue in the area surrounding the Orlea Massif, given that this perimeter has been classified as an area with known or potential archaeological remains. The investigations undertaken to date in this area have been preliminary in nature. The EIA Report states that: "Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be researched starting 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded."

Between 2007 and 2012, large-scale surface archaeological investigations at Orlea will be carried out in parallel with underground archaeological investigations in the Orlea – Tarina area.

**Solution** Under Law 422/2001, the declassification procedure can be legally initiated after the sites have been archaeologically discharged in compliance with the approval of the National Commission of Archaeology within the Ministry of Culture and Religious Affairs. Therefore, it is true that, in the second phase of the operations, RMGC plans to mine the gold-silver deposits located in the Orlea Massif area. However, the proposed mining exploitation in the Orlea Massif can become operational only after the underground and surface preventive archaeological investigations have been carried out, designed to recover comprehensive data on the Roman site located in the Orlea area and to allow the initiation of the archaeological discharge procedure. According to the information already available - Archaeological Site Record, The Cultural Heritage Baseline Report, the EIA Report, namely Annex I-Archaeological Site Record Card for the sites located in the Roşia Montană area- Record Card no. 9 Orlea - the area has been subject to archaeological investigations or expert studies, which would determine in detail the characteristics and the spatial distribution of the archaeological remains located in the area. The findings of these investigations will determine whether the archaeological discharge procedure will be initiated or not.

As for the Cărnic Massif, the area has been systematically explored and the identified ancient mining works and networks have been topographically surveyed. Starting with 1999, the scientific research of the mining remains located at the Roşia Montană site is undertaken by a team of experts in mining archaeology, led by Dr. Beatrice Cauuet (researcher at CNRS, UTAH Laboratory, Toulouse II Le Mirail University). Exploration and archaeological excavation works have been carried out on a large area of ancient mining works, located in the Cărnic massif, conventionally named the Big Network. It comprises seven networks of ancient mining galleries, Cărnic 1-2-3-4-8-9-10, connected through horizontal or sloping galleries. The Big Network is made up of 2750 meters of mapped ancient works covering a surface of 13600 m<sup>2</sup> and situated at different levels (between level +921 and +1019), with a maximum difference between levels of 98 meters.

The state of preservation and the nature of the underground ancient mining remains found in the Cărnic massif have been determined on the basis of extensive mining archaeology investigations, indicating that most mining remains are concentrated on the southern slope; however, in this case, too, mining works are not evenly spread. More exactly, most ancient galleries have been revisited and partially reworked over the time. Consequently, starting from the XVIIth century, a large part of the ancient works have been partially deteriorated by the modern reworks carried out with explosives, the 17th century being the time when the method of blasting using explosives was first introduced in European mining. Consequently, the general plan of the ancient mining works can be pieced together only based on traces of ancient walls or parts that

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have been preserved in the ceiling and floor of the galleries.

For further information on the history of the archaeological research at Roşia Montană and on the main discoveries related to the historic galleries from Roşia Montană as well as for the specialists' conclusions on this matter, please see Annex called "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects"

It must be noted that in the case of this type of mining archaeological remains we are facing some sort of a paradox, specifically given the state of preservation and the nature of these remains, their physical existence would be threatened in the absence of archaeological research. However, this type of research – known as rescue/preventive archaeological research – is conducted everywhere in the world in relation to the economic interest for certain areas. And the costs for this research as well as the costs for the enhancement and maintenance of the areas preserved are covered by the investors through a public-private partnership for the protection of the cultural heritage, in compliance with the provisions of the European Convention of Malta (1992) on the protection of the archaeological heritage [1]

With regard to the archaeological discharge for the Cârnic perimeter, we would like to add the following:

- the archaeological discharge certificate has been issued by the Ministry of Culture and Religious Affairs in accordance with the legislation in force;
- this certificate is being disputed by an NGO. The matter has been brought before the Court of Appeals of Braşov County and is currently in course of being settled.

However, we hope that the professionalism and reasoned conclusions of specialists and competent authorities will soon prevail over the subjective actions undertaken by a part of the civil society.

References:

[1] The text of this Convention is available for Consultation at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	253
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0520
Proposal	<p>The Ministry of Environment has received throughout the years public letters from more than 1000 archaeologists worldwide, apart from the Romanian archaeologists, meant to rescue the cultural heritage. The questioner presents a list of 1038 archaeologists and asks that this list be taken into account.</p>
	<p>The letter of protest signed by the 1038 specialists is the result of an action undertaken by Dr. Ioan Piso and Dr. Volker Wollmann between 2001 and 2002 in order call the scientific world to react against the RM project. For this purpose, the two eminent Romanian researchers wrote a standard letter that they then presented to various scientists. That is how the signatures have been gathered. But this letter made no reference to the preliminary survey conducted in 2000 at Roşia Montană aimed at assessing the archaeological and cultural heritage of the area. No other real archaeological research had been carried out in the area prior to that date. They also avoided mentioning that in 2001, the Ministry of Culture and Religious Affairs decided to initiate a National Research Program entitled „Alburnus Maior” . The objectives of this research plan were:</p> <ul style="list-style-type: none"> <li>-to undertake comprehensive research of the archaeological heritage and the publication of all the findings;</li> <li>-to undertake archaeological investigation of the Roman and medieval galleries and proposal of solutions for their restoration/preservation;</li> <li>-to delineate the boundaries of the archaeological and architectural reserve;</li> <li>-to undertake ethnographic research of the Roşia Montană-Abrud-Corna area;</li> <li>-to preserve the area's specific oral history;</li> <li>-to implement the archaeological discharge procedure for the sites located in the project's impact area, according to Law 378/2001.</li> </ul>
Solution	<p>In the period 2001-2002, during the signature collection campaign, preventive archaeological investigations (archaeological evaluation works) were being conducted at Roşia Montană, in compliance with the objectives of the „Alburnus Maior” Research Program, yet this aspect was also omitted by the authors of the letter of protest and of the list of signatures mentioned by the questioner. All this realities were omitted from the letter. As a consequence, the signatories were under the false impression that the mining activities had already begun, without preventive investigations being carried out and without the adoption of appropriate measures for the management of the cultural heritage issues. Thus, an opinion was promoted that the company and the Romanian competent authorities had failed to comply with the relevant international legislation.</p> <p>The resolutions adopted by ICOMOS (2001, 2003, 2005) fully comply with its role, namely to protect the cultural heritage, but they are mostly based on a series of subjective impressions and not on objective information. A different point of view was expressed by two prominent cultural officials who visited Roşia Montană in July and September 2004 in order to assess the situation, following the same protests submitted by the Romanian scientists to the UNESCO and the Council of Europe. It must be noted that the two visits of the cultural officials at Roşia Montană included official meetings with the representatives of the National History Museum of Romania – the coordinator of the national research program for the cultural heritage from Roşia Montană – and with representatives of the Ministry of Culture and Religious Affairs.</p> <p>When visiting Roşia Montană in the autumn of 2004, Dr. <b>Mounir Bouchenaki</b>, the official representative of UNESCO encouraged dialogue and cooperation as the only way to help find a viable solution for the coexistence of necessary industrial development with scientific development or, as appropriate, the preservation of cultural heritage. In his opinion, improved publication of the research and its results would counteract the misinformation currently existing among many European archaeologists, some of</p>

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them having signed the often mentioned protests.

A second point of view on the true situation existing at Roşia Montană focused on the issues regarding the existence of the cultural heritage and its protection was presented in the report drawn up by Mr. Edward O'Hara (General Rapporteur for Cultural Heritage) and Mr. Christopher Grayson (Chief Secretary for Culture, Science and Education), both representatives of the Parliamentary Assembly of the Council of Europe. The two officials visited Roşia Montană in the period July 11-15, 2004. On that occasion, they came in direct contact with the local situation of the cultural heritage as well as with the local community. The conclusions of this report and the detailed program of their visit are public documents drafted by these European authorities of and they are available for consultation at the following address: <http://assembly.coe.int/Documents/WorkingDocs/Doc04/EDOC10384.htm>

Some of the report's conclusions are mentioned below:

- [...] The RMGC project would appear to provide an economic basis for sustainable development of the whole area with positive benefits on environmental and social as well as cultural grounds. From the cultural heritage point of view, it might be seen as an exemplary project of responsible development. The funds currently made available by RMGC for research (archaeological, ethnological, and architectural) are many times what could be expected from the Government. This has revived the international renown of the site. [...]

- [...] Concern has been expressed by critics over the procedure (allegedly superficial archaeological discharges) and conservation ethics, involving the programmed destruction of Roman galleries. This concern does not appear to be entirely justified. The reworked galleries in the areas of the main pits Cârnic and Cetate appear empty of any archaeologically interesting remains. Tourist access to most galleries would be impossible. However, the condition must clearly be imposed of continued archaeological excavation and monitoring of what is found. [...]

- [...] Opposition to the RMGC project is substantial. It is not altogether easy to explain. It has been linked to profiteering on local property values. It is very much fuelled by outside bodies, presumably well-meaning but possibly counter-productively. It seems in part at least exaggerated. The supposed environmental risks do not take account of modern mining techniques and in fact, the RMGC project will help to clear up existing pollution caused by Minvest. The academic arguments are possibly correct in principle, but appear excessively fundamentalist. [...]

- [...] Research does not necessarily imply the need for everything found to be preserved and the academic ideal of total *in situ* preservation is perhaps not always and altogether appropriate in a situation of rescue archaeology and a commercial world. This is certainly so in the case of *in situ* preservation of the Roman galleries at Roşia Montană. There are over 5 km of them, apparently with a limited variety of distinctiveness between them and few surviving remains in them. Most of them are inaccessible, indeed dangerous of access to tourists. Alternative proposals such as designation of the whole area as a cultural landscape to be developed for tourism lack viability. The only available source of funding for this is from the company, which wishes to exploit the mineral resources. Certainly, there is a need to determine and preserve a representative sample of galleries accessible for tourists, at Cătălina Monuleşti and/or Orlea, and certainly there is a need for continuous monitoring to ensure the preservation of anything of distinctive archaeological value, which is revealed in the course of mining or archaeological exploration. This is the responsibility of the Ministry of Culture. [...]

- [...] A balance of benefit appears achievable to both the needs of the cultural heritage of Roşia Montană and the business of RMGC. If that balance is overturned by the demands of either the Government or the company the project may not go ahead. In that case there will be a considerable setback to the opportunity for the development of cultural tourism in this area of exceptional historic interest. [...]"

The Romanian Academy has repeatedly expressed its opinion regarding the cultural heritage at Roşia Montană, however it must be pointed out that this opinion is opposed to those expressed by the Research Institutes of the Academy, namely the ones in Cluj-Napoca and Bucharest, which took part in the „**Alburnus Maior**” National Research Program. A similar situation is encountered in the case of the History Museum of Transylvania (in Cluj-Napoca), where the archaeologists who took part in the archaeological investigations conducted at Roşia Montană are in favor of the archaeological discharge of the area where this measure is possible. On the other hand, Prof. Dr. Ioan Piso, former manager of the History Museum of Transylvania opposes these archaeological discharges. This is the same for the National Union Museum in Alba Iulia where the former manager, Dr. Horia Ciugudean also opposes the archaeological discharges. Teams of archaeologists from the Alba Iulia Museum have nevertheless taken part in all the archaeological campaigns conducted at Roşia Montană.

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It should be added that the preventive archaeological investigations carried out every year in Roşia Montană involved, on average, 40 archaeologists representing 8 institutions governed by the Romanian Ministry of Culture and Religious Affairs, the Romanian Academy or the Ministry of Education and Research, and other experts such as: survey engineers, sedimentologists, geologists, architects, restorers, IT specialists, photographers, designers plus approximately 250 laborers and other auxiliary technical staff per year.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	259
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0541
Proposal	<p>The questioner points out the fact that he took part in the archaeological investigations carried out in Rosia Montana and that numerous archaeological vestiges have been found there.</p> <p>The questioner wants to know where are the 7 necropoleis from Rosia Montana presented in the EIA.</p>
Solution	<p>The funerary archaeology is likely to be the field where the results of the archaeological researches conducted in Roşia Montană have brought essential and spectacular clarifications. The six years of archaeological researches (which developed from preventive investigations to systematic investigations) resulted in the identification of five necropolises and funerary areas with more than 1,400 funerary complexes investigated to date. These complexes have been found in: Hop Găuri, Tăul Corna, Țarina, Tăul Secuilor, Gomboş Piciorag, the Carpeni and Szekely funerary areas.</p> <p>The results of these archaeological research of those sites has been published in preliminary form in the Chronicle of the Archaeological Researches in Romania (CAR) or in monographic volumes, as follows:</p> <ul style="list-style-type: none"> <li>- Hop Găuri - CAR 2001 (2002), p. 210–211, no. 173/3; 254-257, no. 182; 261-262, no. 185; 262-263, no. 186; 264-265, no. 188; 263-264, no. 187; 265-266, no. 189; CCA 2002 (2003), p. 254-256, no. 182; CAR 2002 (2003), p. 105-106, no. 63; Alburnus Maior I, 2003, p. 45-80; 81-122; 123-148; 149-192; 193–251; 501-505; 505-507; Alburnus Maior II, 2005;</li> <li>- Tăul Corna - Alburnus Maior I, Bucureşti 2003, p. 31-33, CCA 2002 (2003), p. 92- 104, Alburnus Maior III, Bucureşti, 2006;</li> <li>- Țarina - Alburnus Maior I, Bucureşti 2003, p. 31-33, CCA 2003 (2004), 264-280; CCA 2004 (2005), 187;</li> <li>- Tăul Secuilor - Alburnus Maior I, Bucureşti 2003, p. 31-33, CCA 2004 (2005), 187; CCA 2005 (2006), 158;</li> <li>- Gomboş Piciorag - CAR 2003 (2004), 262-264, 264-267, CCA 2004 (2005), 297-298;</li> <li>- The Carpeni funerary area - Alburnus Maior I, 2003, p. 387-431, 433-446, 447-467, CAR 2001 (2002), 257-261;</li> <li>- The Szekely funerary area- Alburnus Maior I, 2003.</li> </ul> <p>Moreover, it must be said that the team of researchers have made constant and commendable efforts to publish as rapidly as possible and at the highest standards all the results of the archaeological investigations conducted so far at Roşia Montană.</p>



Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	262
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0546
<b>Proposal</b>	A mining perimeter cannot be archaeologically discharged before it is thoroughly investigated.
	<p>The specific techniques employed during the preventive archaeological investigations conducted on the RMP perimeter consisted of a survey of all the areas, which are accessible and, at the same time, suitable for human settlement. Bibliographical data and observations made during field surveys, geophysical surveys, as well as data resulting from the analysis of photogrammetric flights were all considered. The development in surface of the investigations was conducted where required by the archaeological realities. The archaeological investigations conducted at Roşia Montană have covered large areas, and the areas considered to have archaeological potential were also thoroughly investigated. <u>THUS, ALL THE AREAS THAT WERE ARCHAEOLOGICALLY DISCHARGED HAD BEEN PREVIOUSLY INVESTIGATED.</u> All the investigations have been conducted in accordance with the legislation in force, namely the Order of the Minister of Culture and Religious Affairs no. 2392/06.09.2004 on the implementation of Archaeological Standards and Procedures.</p> <p>Under the same legislation in force in Romania on the protection of the archaeological heritage, the archaeologists who have conducted the research are not authorized to grant the archaeological discharge. The archaeological discharge procedure comprises the following steps: once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation regarding the researched area. After consideration of this documentation, the National Commission of Archaeology recommends or not the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.</p>
<b>Solution</b>	<p>The concept of archaeological research does not refer only to the proper archaeological excavations. Specific investigative tools and methodologies are used for this type of research, which are adjusted to meet the realities of every site researched. The archaeological research of the Roşia Montană site consisted in the following steps</p> <ul style="list-style-type: none"> <li>• studies of the archive;</li> <li>• archaeological surveys, trial trenches (test trenches);</li> <li>• aerial reconnaissance/survey and aerial photo interpretation ; high resolution satellite images;</li> <li>• mining archaeology studies; underground topography and 3D modeling;</li> <li>• geophysical surveys;</li> <li>• thorough archaeological investigations in the areas with an identified archaeological potential this implied carrying out archaeological excavations</li> <li>• interdisciplinary studies- sedimentology, archaeo-zoology, comparative palynology, archaeo-metallurgy, geology, mineralogy;</li> <li>• radiocarbon dating and dendrochronology;</li> <li>• this research and its outcomes were included in an integrated database;</li> <li>• physical and digital archaeological topography and development of the GIS project; generate a photo archive- both traditional and digital;</li> <li>• restoration of artifacts;</li> <li>• an inventory and a digital catalogue of the artifacts;</li> </ul>

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- studies conducted by specialists in order to enhance the outcomes of this research – publication of monographs, exhibitions, website, etc.

All the preventive archaeological researches conducted at Roşia Montană since 2001 have been carried out within a complex research program; permits for preventive archaeological excavations being issued in compliance with the legislation in force. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. The investigations conducted during each archaeological research campaign are authorized by the Ministry of Culture and Religious Affairs based on the Annual Archaeological Research Plan approved by the National Commission of Archaeology.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	263
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0548
Proposal	<p>The questioner makes comments regarding the archaeological finds:-the questioner considers that the archaeological diggings in Rosia Montana have been performed at European standards and resulted in immense scientific benefits. Materials have been published on this issue, which have been sent also abroad.</p> <p>The archaeological research implied the survey of all the areas that were accessible and, at the same time suitable for human settlement. Bibliographical data and observations made during field surveys, magnetometer and electrical resistivity surveys, as well as data resulting from the analysis of photogrammetric flights were all considered. The development in surface was conducted where required by the archaeological realities. In these cases or in cases where historical monuments were located too close to the planned industrial facilities, the latter have been re-designed so that no archaeological structure or historical monument would be affected in the absence of preliminary archaeological research and the adoption of measures necessary for the management of the heritage. Moreover, when necessary, according to the specialists' opinion, archaeological structures have been restored and preserved <i>in situ</i>. This was the case for the double circular funeral monument found at Hop-Găuri (published in its entirety in the monographic volume <i>Alburnus Maior</i> II, Bucharest, 2004). Alternatively, the area was designated as archaeological reserve (such as in the case of the Carpeni hill (Code LMI 2004, AB-I-m-A-00065.03), the Piatra Corbului protected area or the historical area comprising architectural heritage values (35 houses classified as historical monuments). On the other hand, the other archaeological finds have been thoroughly investigated. Once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation regarding the researched area. After consideration of this documentation, the National Commission of Archaeology recommends or not the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.</p>
Solution	<p>We mention that all the results have been published over the years in the Chronicle of Archaeological Researches in Romania as well as in the three volumes of the <i>Alburnus Maior</i> monographic series or in other specialized publications, as follows:</p> <ul style="list-style-type: none"> <li>• CAR 2001(2002): p. 210–211, nr. 173/3; 254-257, nr. 182; 261-262, nr. 185; 262-263, nr. 186; 264-265, nr. 188; 263-264, nr. 187; 265-266, nr. 189; p. 257, nr. 183; p. 266-272, nr. 190, 257-261;</li> <li>• CAR 2002 (2003): p. 254-256, nr. 182; CCA 2002 (2003), p. 105-106, nr. 63; p. 106-107; p. 92-104; p. 254-256, nr. 182; 254-262;</li> <li>• CAR 2003 (2004): 280-283; 283-288; 262-264; 264-267; 264-280;</li> <li>• CAR 2004 (2005): 187, 297-298;</li> <li>• CAR 2005 (2006): 158;</li> <li>• <i>Alburnus Maior</i> I / (ed. Paul Damian), Bucharest, 2003;</li> <li>• <i>Alburnus Maior</i> II (authors Mihaela Simion, Decebal Vleja, Virgil Apostol), Bucharest, 2004;</li> <li>• <i>Alburnus Maior</i> III (ed. Paul Damian), Bucharest, 2006.</li> </ul> <p>Moreover, the members of the research team have participated in different scientific meetings both in Romania and abroad, where their presentations were very appreciated by the scientific world. These meetings included:</p> <ul style="list-style-type: none"> <li>- <b>The International Colloquium of Funerary Archaeology</b>, Brăila-Tulcea, April 2003;</li> <li>- <b>The Colloquiums of the Romanian School in Rome (Accademia di Romania)</b>, April 2004, April</li> </ul>

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2005;

- **The 10th Annual Congress of the European Association of Archaeologists (EAA)**, Lyon, September 2004;

- **The International Colloquium of Funerary Archaeology**, Buzău, November, 2004;

- **The 11th Annual Congress of the European Association of Archaeologists (EAA)**, Cork, September 2005.

Moreover, it must be said that the team of researchers has made constant and commendable efforts to publish as rapidly as possible and to the highest standards all the results of the archaeological researches conducted so far at Roşia Montană.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	269
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0567
Proposal	<p>The Romanian Academy is not against these archaeological investigations, but it wants to ensure that they are performed correctly, its position is that of a watchdog. These investigations have brought highly significant results and not a meter of Roman gallery has been destroyed so far. This heritage is not destroyed, it is rescued, as it happens in any other European country. There is a European legislation regarding the archaeological aspect that must be complied with in every area where construction works are performed. Due to the Rosia Montana project, the Romanian legislation in the field of archaeology has been more quickly harmonized with the EU legislation than in many other fields.</p> <p>RMGC appreciates the position of the representatives of the Romanian Academy and invites them to continue monitoring with professionalism the implementation of the Roşia Montană mining project, as they did so far. With regard to the harmonization of the legislation, the following aspect has to be emphasized: this type of research- known as preventive/rescue archaeological research in conducted worldwide in close connection with the economic interest areas. Moreover, the costs of this research as well as the costs for the enhancement and maintenance of the areas preserved are born by the investors through a private-public partnership for the protection of the cultural heritage, in accordance with the provisions of the European Convention of Malta (1992) on the Protection of the Archaeological Heritage [1] The Roşia Montană site has undoubtedly been and still is an innovation from the point of view of the rescue archaeological research conducted in compliance with certain European standards and practices. The economic development will generate more and more such sites in Romania, an example in this respect being the archaeological rescue site generated by the beginning of the construction works for the Transylvania Highway (Bors-Brasov-Bucharest) in 2004 or by the works planned for the construction of the roads which will be part of the European Transport Corridor IV (which would link the West of Romanian with the Black Sea) This is a phenomenon that took place all over the world, and now it is Romania's turn.</p> <p>In addition, we provide you with a series of data on the cultural heritage of Roşia Montană and on the research program conducted since 2000 till the present day.</p>
Solution	<p>Considering the importance of Roşia Montană's cultural heritage and the existing legal provisions, S.C. Roşia Montană Gold Corporation S.A has allotted a budget of over US\$ 10 million for the archaeological research of the heritage undertaken in the period 2001-2006. At present, after the comprehensive archaeological research conducted in the last 7 years, the nature, features and spatial distribution of the heritage assets from the Roşia Montană area (archaeological sites, historic buildings, but also churches and cemeteries) are better understood. These archaeological researches and heritage studies conducted in the period 2000-2006 have allowed the creation of a comprehensive picture of these national cultural heritage assets and of the areas with a spiritual significance and have led to the adoption of specific measures for their protection.</p> <p>Thus, in accordance with the requirements of the Ministry of Environment and Waters Management and of the Ministry of Culture and Religious Affairs, specific management plans have been prepared for the management and conservation on the heritage values from the Roşia Montană area, should the mining project be implemented. These plans have been included in the documentation of the Report on the Environmental Impact Assessment Study. (see the EIA Report, volume 32-33 – <i>Cultural Heritage Management Plan</i>, part I - <i>Management Plan for the Archaeological Heritage from Roşia Montană Area</i>; part II - <i>Management Plan for Historical Monuments and protected Zone from Roşia Montană</i>; part III – <i>Cultural Heritage Management Plan</i>).</p> <p>The archaeological research implied the survey of all the areas accessible and at the same time suitable for</p>

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human habitation. Biographical data and observations made during the archaeological surveys, magnetometer and electrical resistivity studies, and data provided by photogrammetric flights were also taken into account. The development in surface of the archaeological research was conducted where required by the archaeological realities. In these cases or in cases where the historical monuments were located too close to the industrial facilities, the latter have been re-designed so that no archaeological structure or historical monument is affected by the mining project without being previously investigated and necessary management measures being taken. Practically, where necessary, the archaeological structure was preserved and restored *in situ*. This was the case for the double circular funerary monument from *Hop-Găuri* (published in its entirety in the monographic volume. *Alburnus Maior* II, Bucharest, 2004). Or the area was classified as an archaeological reserve such as the Carpeni hill (code LMI 2004, AB-I-m-A-00065.03), the Piatra Corbului protected area or the historical area, which comprises architectural assets (35 houses classified as historical monuments). On the other hand, the other archaeological finds have been thoroughly investigated. Once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation regarding the researched area. After consideration of this documentation, the National Commission of Archaeology recommended the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.

In response to your opinions, note that:

- the Roman galleries from the massifs located in the southern part of the Roşia valley have been thoroughly researched and specific preservation measures have been proposed for the Cătălina Monuleşti and Piatra Corbului areas;
- the Roman galleries from the massifs located in the northern part of the Roşia valley have been subject to preliminary investigations and specific preservation measures have been taken for the outstanding finds such as those from the Păru Carpeni mining sector; the Orlea- Țarina area is going to be thoroughly researched in the period 2007-2012;
- 13 archaeological sites have been identified and researched during the preventive archaeological investigations undertaken in the period 2001-2006; once these comprehensive researches were completed, a decision was made for the archaeological discharge of some on these sites, while other structures will be preserved *in situ* (e.g. the funerary precinct at Tău Găuri; the Roman remains from the Carpeni hill);
- the development of the mining project is not going to affect the 41 historic buildings from Roşia Montană. Measures will be taken for the restoration and conservation of these structures restoration projects are currently being prepared for 11 of these structures.

Note that none of the historical monument houses located within the project perimeter will be negatively affected by the RMP. Moreover, all the 41 historic buildings will be included in a comprehensive program of restoration and rehabilitation (see EIA, volume 33- Plan M: *Cultural Heritage Management Plan*, part II – *Management Plan for Historical Monuments and Protected Zone from Roşia Montană*, pages 76-94). This program is necessary- irrespectively of the implementation of the mining project- in order to prevent these houses from collapsing because of their advanced deterioration.

Moreover, taking into account the results of this research, the specialists' opinions and the decisions made by the competent authorities, the company has estimated a budget of US\$ 25 million for the works to be carried out in the following years for the conservation and restoration of Roşia Montană's cultural heritage, as publicly stated in the Environmental Impact Assessment from May 2006 (see the EIA Report, volume 32- *Management Plan for the Archaeological heritage from Roşia Montană Area*, pages 84-85). These are some of the plans for the coming years: the continuation of the archaeological research in the Orlea area, but especially the establishment of a **Modern Mining Museum**, which will include exhibitions of **geology, archaeology, industrial and ethnographic heritage**, and the Cătălina Monuleşti **gallery** and the **monument from Tău Găuri** will be arranged for tourist access; the **conservation and restoration of the 41 historical monument buildings and of the protected area Historical Centre of Roşia Montană**.

For further details on the main archaeological remains and historical monuments as well as for a series of remarks on their protection and the specific measures stipulated in the management plans, please see the annex called "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects".

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References:

[1] The text of the Convention is available for consultation at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	273
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0577
Proposal	<p>The questioner makes the following observations and comments:With regard to the Cultural Heritage Baseline Report, the questioner states that this ends all of the sudden and then there is presented a study conducted in 2002 where it is said that in Romania and in Europe are in fact other Roman archaeological vestiges (have they been actually identified or are they assumed to be there?). Does this mean that the vestiges from Rosia Montana are not very important and they can be destroyed?</p>
	<p>The specialists' conclusions with regard to the archaeological site of Roşia Montană are synthesized in Section 5.5.2 – „<i>The Roman Gold Mining Context</i>” in <i>the Cultural Heritage Baseline Report within the EIA Report</i>, and it outlines issues regarding the unique features of this site. There are 47 other archaeological sites with similar characteristics in Romania, which have been hardly or at all researched. Out of these 47 sites, 14 (Ruda-Brad, Stănişia, Bucium – the Vulcoi Corabia areas, the ones from Băiţa – Fizeş, the ones from Certej – Săcărâmb, those from the Baia de Criş area and those from the Haneş - Almaşu Mare area) have already provided concrete evidence on the survival of an archaeological remains to a certain extent similar to those of the ancient Alburnus Maior. More precisely, they contain evidence of gold mining operations, habitation structures and elements of related infrastructure. While some of the sites have been affected by recent works conducted over the last 200 years, others contain promising evidence prompt the continuation of archaeological researches.</p> <p>Thus, Roşia Montană is part of a whole series of gold mining centers spread all over the territory of the ancient Roman empire, its importance being similar to that of the other centers. Gold mining archaeological research continues to develop apace with every year that goes by, and there are undoubtedly many sites waiting to be investigated and their archaeological context clarified. These realities do not minimize Roşia Montană's historical and archaeological significance, but the unilateral approach and the groundless exaggeration overshadow the real value of the Roşia Montană archaeological site, a value that resides precisely in the possibility to refer to the example provided by the investigation conducted here.</p>
Solution	<p>Roşia Montană is a very important archaeological site, but it is not a unique one as stated by some of the researchers who embrace the concept of preserving the entire archaeological area from Roşia Montană. Therefore, we considered that the concerned public should be correctly informed in order to let them have a real overall understanding of this issue of the site's "uniqueness". Considering the importance of the site and the responsible observation of the legal obligations, RMGC has estimated a budget of US\$ 25 million for the restoration and conservation of the cultural heritage at Roşia Montană, as publicly stated in the EIA Report. It should be noted that RMGC has spent so far US\$ 9 million for the research of the cultural heritage of the area. These funds will be used in order to establish a <b>Modern Mining Museum</b>, which will include exhibitions of <b>geology, archaeology, industrial and ethnographic heritage</b>, and tourists with access to the Cătălina Monuleşti gallery and to the monument at Tău Găuri and Pietra Corbului will be arranged.</p> <p>This means that significant finds will be restored, conserved and turned into cultural resources, which could generate sustainable incomes for the local community.</p> <p>The Cultural Heritage Management Plan has been drawn up in compliance with the terms of reference issued by the Ministry of Environment and Waters Management and the Ministry of Culture and Religious Affairs and based on international best practice. It comprises detailed protection measures from the preventive archaeological investigation to the enhancement of the archaeological results in the case of archaeological remains as well as specific actions related to the restoration and conservation of historic buildings. The concrete protection measures are developed as programs proposals starting from the</p>



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specific goals of the management plan, both for the archaeological heritage and the one for the protected area and the historical monuments.

RMGC's cultural strategy is aimed at achieving the necessary conditions for research, recording, protection and public enhancement of the cultural heritage from the Roşia Montană area, in compliance with Law 378/2001, as modified by Law 462/2003 and Law 259/2006 on the historical monuments.

For further information on the main archaeological remains and historical monuments as well as for a series of remarks on the their protection and specific measures stipulated in the management plans, please see the Annex called „Information on the Cultural Heritage of Roşia Montană and Related Management Aspects”.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	276
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Cluj Napoca, 07.08.2006
RMGC internal unique code	MMGA_0585
<b>Proposal</b>	The questioner quotes from the criminal decision no. 1661/July12th 2006 regarding the archaeological discharge of the Carnic massif and makes reference to the archaeological report drafted by Paul Damian. According to this criminal decision there is a great difference between Mr. Damian's opinion and the conclusions provided by the French experts who performed the archaeological investigation in Rosia Montana. What does the company have to say about this aspect?
<b>Solution</b>	The Criminal Decision no. 1661 from 12 <sup>th</sup> of July 2006 mentioned by the questioner refers to the resolution of the Criminal Complaint filed by Alburnus Maior Association against Mr. Paul Cristian Damian. The respective decision has been issued by the Court of 1 <sup>st</sup> District of Bucharest during a public session held on 12 <sup>th</sup> of July 2006 and they have rejected as unfounded the Criminal Complaint that has been filed by the abovementioned association against Mr. Damian. To support its decision, the court emphasizes the role of Archaeology National Committee as a scientific authority competent to analyze the opinions of Mr. Paul Damian and finds no guilt against him.  The company has no comments regarding any of the aspects included in the abovementioned decision.

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	298
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Turda, 09.08.2006
RMGC internal unique code	MMGA_0631
Proposal	With regard to the quantification, the questioner wants to know how were the Roman galleries quantified, how will these be impacted, where is this quantification presented in the EIA and if it not presented, then why ?
Solution	<p>The mining archaeological research was conducted by an international team made up of 55 specialists from France, Germany and Romania. This team is led by Dr. Beatrice Cauuet, a researcher of the <i>Centre National de la Recherche Scientifique</i> from the University le Mirail Toulouse, France. Dr. Cauuet is one of the most respected mining archaeologists in Europe.</p> <p>Approximately 7 km of ancient mining works have been identified within the Roşia Montană site. This figure represents the length of all the ancient mining works, regardless of their state of preservation, the extent of the modern and recent mining works or the accessibility from all the mining perimeters in Roşia Montană. In addition, it is important to note that these works are have a fragmented spatial dispersion being crossed by numerous more recent mining works, and sometimes specialists can identify them only based on the traces of walls, the ancient floors or heath found within some modern or recent works. The EIA mentions the following figures regarding the quantification of the length of the ancient mining works found in the mining perimeters from Roşia Montană:</p> <ul style="list-style-type: none"> <li>- 5 km in the Cetate and Cărnic massifs;</li> <li>- more than 4 km in the Cărnic massif;</li> <li>- 0 km in the Cărnicele massif;</li> <li>- no mention for the Carpeni- Păru Carpeni sector (research in progress);</li> <li>- no mention for the Coş sector (research in progress);</li> <li>- 127 m in the Hăbad sector;</li> <li>- 0 km in the Jig-Văidoaia sector;</li> <li>- 1.5 km in the Țarina-Orlea sector (research in progress).</li> </ul> <p>No quantification was presented for the Păru Carpeni and Coş mining sectors because both sectors are classified as protected areas and thus they will not be affected by the mining project. This is the same for the Pietra Corbului sector located in the Cărnicele massif where the ancient mining works made by both the fire setting technique and with the hammer and chisel found in this sector will be preserved <i>in situ</i>.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	308
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Turda, 09.08.2006
RMGC internal unique code	MMGA_0646
Proposal	<p>The questioner addresses the audience on behalf on the Institute of Archaeology of the Romanian Academy and states that the Romanian Academy has never been against the archaeological investigations carried out in the Rosia Montana area, this institution will act as a watchdog for the protection of the archaeological monuments.</p>
Solution	<p>RMGC appreciates the position of the representatives of the Romanian Academy and invites them to continue monitoring with professionalism the implementation of the Roşia Montană mining project, as they did so far. In addition, we provide you with a series of data on the cultural heritage from Roşia Montană and on the research program of this cultural heritage conducted since 2000 to the present day.</p> <p>Considering the importance of Roşia Montană's cultural heritage and the existing legal provisions, S. C. Roşia Montană Gold Corporation S. A has allotted a budget of over US\$ 10 million for the archaeological research of the heritage undertaken in the period 2001-2006. At present, after the comprehensive archaeological research conducted in the last 7 years, the nature, features and spatial distribution of the heritage values from the Roşia Montană area (archaeological sites, historic buildings, but also churches and cemeteries) are now better understood. These heritage research and studies conducted in the period 2000-2006 has allowed the creation of a comprehensive picture of these national cultural heritage assets and of the areas with a spiritual significance and have led to the adoption of specific measures for their protection.</p> <p>Taking into account the results of this research, the specialists' opinions and the decisions made by the competent authorities, the company has estimated a budget of US\$ 25 million for the works to be carried out in the following years for the conservation and restoration of Roşia Montană's cultural heritage, as publicly stated in the Environmental Impact Assessment from May 2006 (see the EIA Report, volume 32-<i>Cultural Heritage Management Plan for the Archaeological Heritage from Roşia Montană Area</i>, pages 84-85). These are some of the plans for the coming years: the continuation of the archaeological research in the Orlea area, but especially the establishment of a <b>Modern Mining Museum</b>, which will include exhibitions of <b>geology, archaeology, industrial and ethnographic heritage</b>, and the <b>Cătălina-Monuleşti gallery</b> and the <b>monument at Tău Găuri</b> will be arranged for tourist access; the <b>conservation and restoration of the 41 historical monument buildings and of the protected area Historical Centre of Roşia Montană</b>.</p> <p>Thus, in accordance with the requirements of the Ministry of Environment and Waters Management and of the Ministry of Culture and Religious Affairs, specific management plans have been prepared for the management and conservation on the heritage values from the Roşia Montană area, should the mining project be implemented. These plans have been included in the documentation of the Report on the Environmental Impact Assessment Study. (see the EIA Report, volume 32-33 – <i>Cultural Heritage Management Plan</i>, part I - <i>Management Plan for the Archaeological Heritage from Roşia Montană Area</i>; part II - <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>; part III – <i>Cultural Heritage Management Plan</i>).</p> <p>In response to your opinions, note that:</p> <ul style="list-style-type: none"> <li>- the Roman galleries from the massifs located in the southern part of the Roşia valley have been thoroughly researched and specific preservation measures have been proposed for the Cătălina Monuleşti and Pietra Corbului areas;</li> <li>- the Roman galleries from the massifs located in the northern part of the Roşia valley have been subject to preliminary investigations and specific preservation measures have been taken for the outstanding finds such as those from the Păru Carpeni mining sector; the Orlea-Ţarina area is</li> </ul>

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- going to be thoroughly researched in the period 2007-2012;
  - 13 archaeological sites have been identified and researched during the preventive archaeological investigations undertaken in the period 2001-2006; once these comprehensive researches were completed, a decision was made for the archaeological discharge of some on these sites, while other structures will be preserved in situ (e.g. the funerary precinct of Tău Găuri; the Roman remains from the Carpeni hill);
  - the development of the mining project is not going to affect the 41 historic buildings from Roșia Montană. Measures will be taken for the restoration and conservation of these structures, restoration projects are currently being prepared for 11 of these structures.

Note that none of the houses classified as historical monuments located within the project perimeter will be negatively affected by the RMP. Moreover, all the 41 historic buildings will be included in a comprehensive program of restoration and rehabilitation (see EIA, volume 33- Plan M: *Cultural Heritage Management Plan*, part II – *Management Plan for Historical Monuments and Protected Zone from Roșia Montană*, pages 76-94). This program is necessary- irrespectively of the implementation of the mining project- in order to prevent these houses from collapsing because of their advanced deterioration.

The archaeological research implied the survey of all the areas accessible and at the same time suitable for human habitation. Biographical data and observations made during the archaeological surveys, magnetometer and electrical resistivity studies, and data provided by photogrammetric flights were also taken into account. The development in surface of the archaeological research was conducted where required by the archaeological realities. In these cases or in cases where the historical monuments were located too close to the industrial facilities, the latter have been re-designed so that no archaeological structure or historical monument is affected by the mining project without being previously investigated and necessary management measures being taken. Practically, where necessary, the archaeological structure was preserved and restored *in situ*. This was the case for the double circular funerary monument from *Hop-Găuri* (published in its entirety in the monographic volume *Alburnus Maior II*, Bucharest, 2004). Or the area was classified as an archaeological reserve such as the Carpeni hill (code LMI 2004, AB-I-m-A-00065.03), the Pietra Corbului protected area or the historical area, which comprises architectural values (35 houses classified as historical monuments). On the other hand, the other archaeological finds have been thoroughly investigated. Once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation on the researched area. After consideration of this documentation, the National Commission of Archaeology recommended the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.

For further details on the main archaeological remains and the historical monuments as well as for a series of remarks on their protection and the specific measures stipulated in the management plans, please see the Annex called “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	316
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Turda, 09.08.2006
RMGC internal unique code	MMGA_0661
Proposal	<p>The issue of the open-cast mining of the deposit in Rosia Montana was raised also during period comprised between the two World Wars, but back then the project was rejected in order to preserve the patrimonial values. Why should we destroy now the best values of this country?</p>
Solution	<p>Between the two World Wars, Roşia Montană experienced continued economic exploitation of the gold ore deposit, mining through the system of galleries. There is no document from that period attesting the mine holders' intention to mine in open pits.</p> <p>Regarding the preservation of heritage assets, we totally agree with you. For this reasons, in compliance with its legal obligations stipulated by the European and Romanian relevant legislation RMGC supported financially the one of the largest programs of preventive archaeological researches conducted lately in the South-East of Europe. Thus, at present, after seven years of archaeological research, the protected areas comprising heritage assets as well as the areas where the mining project may be developed were outlined. In this way, the areas with significant heritage values are preserved and restored and may contribute to the sustainable development of the community.</p> <p>Practically, where it was necessary, according to the specialists' opinion, the preservation and restoration <i>in situ</i> of the archeological objective were chosen, for example the Funerary double circular monument from Hop-Găuri (monographic volume <i>Alburnus Maior</i> II, Bucharest 2004) or the area has been declared an archeological reserve, for example the Carpeni hill (Code LMI 2004, AB-I-m-A-00065.030), the Pietra Corbului protected area, or the historical area with architectural assets (35 historical monument houses). On the other hand, in the case of other discoveries, complete archeological investigation was carried out. Once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation regarding the researched area. After consideration of this documentation, the National Commission of Archaeology recommended the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.</p> <p>Taking into account the importance of the cultural heritage from Roşia Montană and current legislation, SC Roşia Montană Gold Corporation SA allocated for the period 2001-2006 a budget of over USD 10 million for heritage investigation. Moreover, taking into account the research results, the specialists' opinions and competent authorities' decisions, the budget estimated by the company for research, preservation and restoration of the Roşia Montană cultural heritage during project implementation, is USD 25 million, as was publicly announced within the Report on Environment Impact Study in May 2006 (see the Report on Environment Impact Study, vol. 32, Management Plan for Archaeological Heritage from Roşia Montană Area, p. 84-85). In this way, the intention is to continue work in Orlea area, and especially to create a <b>modern Mining Museum</b> with <b>geological, archeological, industrial and ethnographic heritage</b> displays, and the development of tourist access to the <b>Cătălina-Monuleşti</b> gallery and to the monument at <b>Tău Găuri</b>, as well as to <b>preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center</b>.</p> <p>The management plans for cultural heritage from the Report on the Environment Impact Study define more accurately these aspects (see Report on the Environment Impact Study, Vol. 32, Management plan for archeological heritage from Roşia Montană area, p. 22-24, 49, 55-56, 71-72 and Report on the Environment Impact Study, Vol.33, Management plan for historical monuments and protected areas from Roşia Montană area, p. 28-29, 47-50, 51-53, 65-66, p.103 – Annex 1).</p>

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For detailed information on the main archaeological remains, historical monuments, churches and cemeteries, as well as for a series of considerations regarding their protection and the specific measures stipulated by management plans, please consult the Annexed called "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects".

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	327
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bistra, 14.08.2006
RMGC internal unique code	MMGA_0678
Proposal	<p>Why did RMGC choose Rosia Montana, which is the oldest gold mine operation and where are huge quantities of native gold? Rosia Montana is a page in the Romanian people's identity document. This is where the wax-coated tablets lay. Do they want to tear this page off the Romanians' identity document?</p> <p>The location for the project proposed by RMGC has been chosen taking into account the fact that the gold deposit from Roşia Montană is one of the largest in Europe. However, it must be pointed out that by implementing this mining project, we do not plan to destroy Roşia Montană. On the contrary, this project has contributed a lot to ensuring a better understanding of the history of this area. Prior to 2000, Roşia Montană was considered an area with an archaeological potential, where no specific archaeological excavation had been undertaken, excavations necessary in order to provide a detailed picture of the different elements of the site. A series of chance archaeological finds - epigraphic monuments, funerary architecture elements were found in the area of the Cetate, Cărnic, Jig and Orlea massifs located in the upper part of the Roşia valley and of the Corna valley, in the administrative territory of the Roşia Montană commune. Data provided by these elements were enough to suggest the existence of some archaeological sites in that area.</p> <p>At present, after the comprehensive archaeological research conducted in the last 7 years, the nature, features and spatial distribution of the heritage values from the Roşia Montană area (archaeological sites, historic buildings, but also churches and cemeteries) are now better understood. The comprehensive archaeological researches conducted in the period 2000-2006 have allowed the creation of a comprehensive picture of these national cultural heritage assets and of the areas with spiritual significance and have led to the adoption of specific measures for their protection.</p> <p>According to the reports and the articles published by the specialists, the Roşia Montană mining site is an important site, but it is not unique. This mining site is certainly the best known site at present due to the archaeological research conducted within the „Alburnus Maior” National Research Program financed by RMGC in accordance with the legal provisions.</p>
Solution	<p>The ancient Alburnus Maior became famous as the place where some special types of epigraphic materials were found. These epigraphic materials are special because of their rarity and richness of information they contain. The 25 wax tablets preserved and published so far provide precise data on the economic realities, the system of habitation, the religious life and the legal framework that governed the local mining community. The tablets initially found were probably over 40, but only 32 of these 40 wax tablets have been identified so far (3 of them have been lost in the meantime, but after being published), these tablets are now included in the collections of museums: Aiud (2 sections of a tryptich), Bucharest (2 wax tablets), Cluj (11 wax tablets, 6 of which are unpublished), Sebeş (1 unpublished wax tablet), Budapest (13 wax tablets), and in the collection of the Battyaneum Library in Alba Iulia (1 wax tablet) and at the “Timotei Cipariu” in Blaj (2 wax tablets). The generally accepted view is that these wax tablets had been hidden inside inaccessible mining galleries, in a critical moment, probably related to the Marcomanic attacks on Dacia (167-170 A.D).</p> <p>In the theoretical approach of the archaeological research conducted at Alburnus Maior (the ancient name of Roşia Montană), the analysis of the information provided by the wax tablets represented a significant starting point in defining the research methodology. Thus, the wax tablets found by chance and not as a result of specialized archaeological research in the old mining galleries (most of them were found in the Cătălina-Monuleşti gallery – 11) from the Roşia Montană area. All these tablets were found between the end of the 18 th century and the beginning of the 19<sup>th</sup> century and they are displayed in several museums and in public collections as shown by the above-mentioned brief inventory. No similar artifacts have been</p>



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found in the last 150 years, despite the re-opening and massive re-working of the ancient mining galleries, as well as of the specialized archaeological research of these underground structures conducted since 2000 to the present day.

Roşia Montană (the ancient Alburnus Maior) is not the oldest settlement mentioned in Romania, nor is it the most important Roman settlement in Dacia. However, it comprises significant evidence of the Roman gold mining operations in this province located at the borders of the Roman Empire. The opportunity of the archaeological research conducted at Roşia Montană in the context of the implementation of the mining project provided data regarding this ancient mining operation as compared to other ancient mining operations with similar characteristics, which were also known based only on the chance finds, but they had not been researched yet (e.g. Brad-Săcărâmb, Zlatna-Almaş, Bucium). These data obtained from the research contributed to completing and detailing the existing information about this site.

In accordance with the requirements of the Ministry of Environment and Waters Management and of the Ministry of Culture and Religious Affairs, specific management plans have been prepared for the management and conservation on the heritage values from the Roşia Montană area, should the mining project be implemented. These plans have been included in the documentation of the Report on the Environmental Impact Assessment Study. (see the EIA Report, volume 32-33 – *Cultural Heritage Management Plan*, part I - *Management Plan for the Archaeological Heritage from Roşia Montană Area*; part II - *Management Plan for Historical Monuments and Protected Zone from Roşia Montană*; part III – *Cultural Heritage Management Plan*).

Considering the importance of Roşia Montană's cultural heritage, the history of the village and the existing legal provisions, S.C. Roşia Montană Gold Corporation S.A has allotted a budget of over US\$ 10 million for the archaeological research of the heritage undertaken in the period 2001-2006. Moreover, taking into account the results of this research, the specialists' opinions and the decisions made by the competent authorities, the company has estimated a budget of US\$ 25 million for the works to be carried out in the following years for the conservation and restoration of Roşia Montană's cultural heritage, as publicly stated in the Environmental Impact Assessment from May 2006 (see the EIA Report, volume 32-*Management Plan for Archaeological Heritage from Roşia Montană Area*, pages 84-85). These are some of the plans for the coming years: the continuation of the archaeological research in the Orlea area, but especially the establishment of a **Modern Mining Museum**, which will include exhibitions of **geology, archaeology, industrial and ethnographic heritage**, and the **Cătălina-Monuleşti gallery** and the **monument at Tău Găuri** will be arranged for tourist access; the **conservation and restoration of the 41 buildings classified as historical monuments and of the protected area Historical Centre of Roşia Montană**.

All these commitments publicly assumed by the company are detailed in the Report on the Environmental Impact Assessment Study, volume 33, *Cultural Heritage Management Plan*.

For detailed information on the main archaeological remains, historical monuments, churches and cemeteries as well as for a series of remarks regarding their protection and the specific measures presented in the management plan, please consult the Annex called "Information on the Cultural heritage of Roşia Montană and Related Management Aspects".

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	337
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Lupsa, 16.08.2006
RMGC internal unique code	MMGA_0688
Proposal	<p>The questioner is in favor of the project and makes the following proposals:-the Mining Museum should include also a department of ethnography;</p>
Solution	<p>The Roșia Montană museum will certainly have an ethnography section together with the geology, archeology, and history ones. Several local traditions of this mining community have been maintained at Roșia Montană for a long time. Two of the objectives of the research conducted within the Alburnus Maior National Research Program were aimed at preparing an ethnographic study of Roșia Montană - Abrud – Corna area, as well as preparing a study of oral history for the respective area. Thus, an ample ethnographic research of Roșia Montană - Abrud – Corna area has been conducted under the coordination of several experts from National Village Museum “Dimitrie Gusti” between 2001 and 2004. This research was supported by an ample series of interviews of oral history conducted by the Societatea Română de Radiodifuziune (National Radio Broadcasting Company) through the Center of Oral History “Gheorghe Brătianu” (SRR - CIO) from Bucharest between 2001 and 2002.</p> <p>These local traditions – many transmitted orally from one generation to another – are a significant part of the intangible cultural heritage of the town. The archive of the oral history established between 2002 and 2003 contains over 100 hours of interviews recorded under digital format. This archive is currently the only archive of this kind that refers to industrial heritage and to the life traditions of a mining community that has had a long life in Transylvania. The way in which the people of Roșia Montană celebrate festivals and ceremonies is somehow different from other rural settlements from Transylvania. This fact can be explained by the ethnical and religious diversity existing at Roșia Montană, many populations being attracted here by the presence of gold reserves.</p> <p>The results of ethnographical researches conducted for Roșia Montană – Abrud – Corna area during 2001 have been published in 2004 in the first volume of the monographic series <i>Alburnus Maior – Anthropos</i>; another two volumes are scheduled to be published on this topic.</p> <p>All these cultural values and resources together with an important collection of archive images are a significant potential resource that may be developed in the future museum from Roșia Montană, which will have sections dedicated to geology, archeology, history and ethnography. The company believes that by constructing a new cultural center and a mining museum in Roșia Montană a special opportunity will be created for the conservation and development of ethnographic heritage elements and the data of oral history of Roșia Montană. Moreover, the community will be encouraged to be involved in an active and direct manner in decision-making process on conservation and development of their cultural heritage and traditions.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	366
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0738
Proposal	<p>The questioner presents paragraphs from an official letter addressed to the Ministry of Environment by SC OPUS Atelier de Arhitectura SRL, included in Chapter 1 – General Information, Section 2 – Certified authors of the EIA Study. In this letter, RMGC was accused that the documentation prepared by OPUS regarding the cultural heritage management plan related to the historic centre of Rosia Montana was included only partially in the EIA, which is a clear evidence of the fact that RMGC manipulates public opinion and the authorities.</p> <p>Some of the studies conducted by the experts employed by RMGC have been included in their entirety in the EIA, because these experts knew what the purpose of the study was. But it is obvious that a study prepared by an independent party is not presented entirely, the company using only parts of it, taken out of the context, such as to create a positive image of this project.</p>
Solution	<p>There are several stipulations we have to make considering the point of view expressed by the questioner with regard to the document prepared by SC OPUS – Atelier de Arhitectură Ltd.</p> <p>Pursuant to the scoping guidelines for the Report on Environmental Impact Assessment sent by the Ministry of Environment and Water Management (MEWA) under register number 8070/24.05.2005 (“the Guidelines”) to S.C. Roşia Montană Gold Corporation S.A (RMGC), the project titleholder was asked to present a Management Plan for Historical Monuments and Protected Areas, as an annex to the Environmental Impact Assessment Study for the Roşia Montană Project.</p> <p>Taking these requirements into account, the project’s titleholder contracted this work to the National History Museum of Romania (NHMR), the institution assigned to co-ordinate all the heritage research and studies for the Roşia Montană project pursuant to the provisions of the Order of the Ministry of Culture and Religious Affairs no. 2504/07.03.2001.</p> <p>Through the professional services agreement concluded between RMGC and the National History Museum of Romania (NHMR), the latter being an expert consultant, and having Paul Damian, PhD, Deputy Scientific Director as its representative, the institution was committed “to prepare a specific documentation to be included in the Environmental Impact Assessment for Roşia Montană Project, Cultural Heritage section”. This specific documentation was to be prepared “in compliance with applicable Romanian, European and international standards for the environmental impact assessment studies”.</p> <p>In its turn, NHMR subcontracted SC OPUS - Atelier de Arhitectură Ltd. for the development of “a documentation exclusively prepared for the Study Area of Roşia Montană Historic Centre”; to be precise only a section of the entire document requested by MEWM through the official letter regarding the assessment’s scoping guidelines. Within this framework, OPUS prepared the document called “The Historic Center of Roşia Montană - Cultural Heritage Management Plan. Draft I. A document for public disclosure”.</p> <p>We must emphasise the fact that the final version of the “Management Plan for the Protected Areas and Historical Monuments of Roşia Montană Area” underwent several phases of editing according to instructions formulated by the EIA certified team of experts, coordinated by Mrs. Marilena Patrascu, overall expert reviewer, in order to meet all legal requirements that were included in “Guidelines.”</p> <p>We note that the Environmental Impact Assessment Study for Roşia Montană mining Project was prepared by “natural and legal entities that were independent of the project’s [...] titleholder”, and “certified by environmental competent authority” [1]. “The liability regarding the accuracy of information disclosed to the environmental competent authorities and public lies with the project’s [...] titleholder”, and the liability regarding the accuracy of the Environmental Impact Assessment lies with its authors. [2]</p>

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Chapters 1 (*Introduction*) and 9 (*Non Technical Summary*) include the list of all certified natural and legal entities who participated to the development of the Report on Environmental Impact Assessment Study. In order to express the gratitude for all their efforts, a list of uncertified natural and legal entities that have assisted the certified specialists, was been added to the respective list.

The liability for the development of the Environmental Impact Assessment and for the accuracy of the interpretation of the information included in the report lies **only** with “highly competent certified natural and legal entities” and with “certified legal entities” [3], which have participated in the development of the Environmental Impact Assessment based on the agreement concluded with the titleholder, and not with the assistant (or sub-) consultants. **Therefore, the decision regarding the selection and use of information provided by the assistant consultants rests with the certified experts.**

Signing the Report on Environmental Impact Assessment Study (or its “chapters”) by certified experts is not a legal requirement [4].

For all necessary clarifications related to the detailed changes made to the content of the documentation prepared by SC OPUS - Atelier de Arhitectură Ltd., please find enclosed an annex that includes a comparison of the text submitted by OPUS through the official report no. 1007/09.05.2006 to the National History Museum of Romania, and the final published version of the Report on Environmental Impact Assessment, specifically volume 33 – Management Plan for the Protected Areas and Historic Monuments of Roșia Montană Area, which was submitted during the month of May 2006 to the Ministry of Environment and Water Management.

Reference:

[1] In compliance with the provisions of Governmental Emergency Ordinance no. 195 of December 22<sup>nd</sup>, 2005 on environmental protection, published in the Official Gazette of Romania, part I, no. 1,196 of December 30<sup>th</sup>, 2005 endorsed with all of its amendments by Law no. 265 of June 29<sup>th</sup>, 2006 which in its turn has been published in the Official Gazette of Romania no. 586 of June 6<sup>th</sup>, 2006, art. 21, point (a).

[2]. *Idem* 2, art. 21, letter (d).

[3]. According to the 5<sup>th</sup> article from the Ministerial Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no.97 of May 18<sup>th</sup>, 2004 with regard to the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 on the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environmental balances, published in the Official Gazette no. 504 of June 4<sup>th</sup>, 2004.

[4] The provision on the liability of the expert coordinator “**upon their signing**”, regarding the “quality of the studies and the reports submitted” mentioned within article 5 (2) of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no. 978 of December 2<sup>nd</sup>, 2003 (published in the Official Gazette no. 3 of January 5<sup>th</sup>, 2004) **it has been removed** through the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 97 of May 18<sup>th</sup>, 2004 (for the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 regarding the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environment balances, published in Official Gazette no. 504 of June 4<sup>th</sup>, 2004).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	367
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0739
Proposal	<p>The questioner makes the following comments and addresses the following questions: The company repudiates OPUS, after the study prepared by the latter, claiming that it is not a certified company. Does this mean that RMGC used non-certified companies to prepare the environmental impact assessment study? How accurate is the environmental impact assessment study?</p>
	<p>There are several stipulations we have to make considering the point of view expressed by the questioner with regard to the document prepared by SC OPUS – Atelier de Arhitectură Ltd.</p> <p>Pursuant to the scoping guidelines for the Report on Environmental Impact Assessment sent by the Ministry of Environment and Water Management (MEWA) under register number 8070/24.05.2005 (“the Guidelines”) to S.C. Roşia Montană Gold Corporation S.A (RMGC), the project titleholder was asked to present a Management Plan for Historical Monuments and Protected Areas, as an annex to the Environmental Impact Assessment Study for the Roşia Montană Project.</p> <p>Considering these requirements, the project’s titleholder contracted this work to the National History Museum of Romania (NHMR), the institution assigned to co-ordinate all the heritage research and studies for the Roşia Montană project pursuant to the provisions of the Order of the Ministry of Culture and Religious Affairs no. 2504/07.03.2001.</p> <p>Through the professional services agreement concluded between RMGC and the National History Museum of Romania (NHMR), the latter being an expert consultant, and having Paul Damian, PhD, Deputy Scientific Director as its representative, the institution was committed “to prepare a specific documentation to be included in the Environmental Impact Assessment for Roşia Montană Project, Cultural Heritage section”. This specific documentation was to be prepared “in compliance with applicable Romanian, European and international standards for the environmental impact assessment studies”.</p> <p><b>Solution</b></p> <p>In its turn, NHMR subcontracted SC OPUS - Atelier de Arhitectură Ltd. for the development of “a documentation exclusively prepared for the Study Area of Roşia Montană Historic Centre”; to be precise only a section of the entire document requested by MEWM through the official letter regarding the assessment’s scoping guidelines. Within this framework, OPUS prepared the document called “The Historic Center of Roşia Montană - Cultural Heritage Management Plan. Draft I. A document for public disclosure”.</p> <p>We must emphasize the fact that the final version of the “Management Plan for the Protected Areas and Historical Monuments of Roşia Montană Area” underwent several phases of editing according to instructions formulated by the EIA certified team of experts, coordinated by Mrs. Marilena Patrascu, overall expert reviewer, in order to meet all legal requirements that were included in “Guidelines.”</p> <p>We note that the Environmental Impact Assessment Study for Roşia Montană mining Project was prepared by “natural and legal entities that were independent of the project’s [...] titleholder”, and “certified by environmental competent authority” [1]. “The liability regarding the accuracy of information disclosed to the environmental competent authorities and public lies with the project’s [...] titleholder”, and the liability regarding the accuracy of the Environmental Impact Assessment lies with its authors. [2]</p> <p>Chapters 1 (<i>Introduction</i>) and 9 (<i>Non Technical Summary</i>) include the list of all certified natural and legal entities who participated to the development of the Report on Environmental Impact Assessment Study. In order to express the gratitude for all their efforts, a list of uncertified natural and legal entities that have assisted the certified specialists, was been added to the respective list.</p>

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The liability for the development of the Environmental Impact Assessment and for the accuracy of the interpretation of the information included in the report lies **only** with “highly competent certified natural and legal entities” and with “certified legal entities” [3], which have participated in the development of the Environmental Impact Assessment based on the agreement concluded with the titleholder, and not with the assistant (or sub-) consultants. **Therefore, the decision regarding the selection and use of information provided by the assistant consultants rests with the certified experts.**

Signing the Report on Environmental Impact Assessment Study (or its “chapters”) by certified experts is not a legal requirement [4].

For all necessary clarifications related to the detailed changes made to the content of the documentation prepared by SC OPUS - Atelier de Arhitectură Ltd., please find enclosed an annex that includes a comparison of the text submitted by OPUS through the official report no. 1007/09.05.2006 to the National History Museum of Romania, and the final published version of the Report on Environmental Impact Assessment, specifically volume 33 – Management Plan for the Protected Areas and Historic Monuments of Roşia Montană Area, which was submitted during the month of May 2006 to the Ministry of Environment and Water Management.

Reference:

[1] In compliance with the provisions of Governmental Emergency Ordinance no. 195 of December 22<sup>nd</sup>, 2005 on environmental protection, published in the Official Gazette of Romania, part I, no. 1,196 of December 30<sup>th</sup>, 2005 endorsed with all of its amendments by Law no. 265 of June 29<sup>th</sup>, 2006 which in its turn has been published in the Official Gazette of Romania no. 586 of June 6<sup>th</sup>, 2006, art. 21, point (a).

[2]. Idem 2, art. 21, point (d).

[3]. According to the 5<sup>th</sup> article from the Ministerial Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no.97 of May 18<sup>th</sup>, 2004 with regard to the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 on the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environmental balances, published in the Official Gazette no. 504 of June 4<sup>th</sup>, 2004.

[4] The provision on the liability of the expert coordinator “**upon their signing**”, regarding the “quality of the studies and the reports submitted” mentioned within article 5 (2) of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no. 978 of December 2<sup>nd</sup>, 2003 (published in the Official Gazette no. 3 of January 5<sup>th</sup>, 2004) **it has been removed** through the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 97 of May 18<sup>th</sup>, 2004 (for the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 regarding the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environment balances, published in Official Gazette no. 504 of June 4<sup>th</sup>, 2004).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	370
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0753
Proposal	<p>According to everybody's estimations, there are 350 t of gold and 1700 t of silver to be mined by any company that will be agreed upon and will win the tender organized for this purpose. How are the ancient Roman galleries protected, as provided by the law? The project titleholder said that, after 15-20 years, the calculation and the project will be updated. But people should know now if these galleries and the Dacian sites, that the Romanians are so proud about, are going to be preserved. How will this be possible, when the whole area is blasted using thousands of tons of explosive?</p>
Solution	<p>Although their presence was known for more than 150 years, the Roşia Montană Roman galleries had never been archaeologically investigated prior to 1999. Basically, prior to 2000, this type of archaeological remains have never been subject to a specialized research, but only mentioned empirically. Equally, surface archaeological remains have not been properly researched before 2000, the existing body of data was formed by chance finds uncovered during agricultural activities and construction works.</p> <p>Consequently, prior to the researches undertaken at the beginning of 2000, Roşia Montană was known to be an ancient mining site with a significant archaeological potential, where no proper archaeological excavations had been conducted as would be required for a detailed identification of various components and characteristics, and for the identification of the location and spatial distribution of the ancient mining remains within the site.</p> <p>Despite all these, mining of the gold and silver deposit at Roşia Montană by the Romanian state continued for more than 60 years, even after the ratification of Law No. 5/2000 that lists the Roman gold and silver mining galleries among the cultural heritage assets, but without further specification of location, characteristics or distribution.</p> <p>As part of the implementation of a new mining project in the area, preventive archaeological researches in Roşia Montană began in 2000, with the participation of archaeological teams from the Alba Iulia Union National Museum and the Bucharest National Institute for Historical Monuments, while a team of mining archaeologists from the University of Toulouse, coordinated by dr. Beatrice Cauuet, was called upon to conduct an expert assessment of the ancient galleries. Starting with 2001, taking into account the results of the preliminary studies conducted in the preceding year, the National Research Program "Alburnus Maior" was established under Order No. 2504 of 7 March 2001 of the Ministry of Culture and Religious Affairs. One of its objectives was to conduct specialist archaeological investigations of the Roman and medieval mining galleries in the area, and to inventory and propose conservation/restoration solutions for the representative sectors. Since 2000, the central government, i.e. the Ministry of Culture and Religious Affairs has been involved in matters related to the Roşia Montană Roman galleries, in accordance with its statutory powers.</p> <p>Under the current Romanian legal provisions, the company has provided the necessary financial resources for the assessment and study of these types of archaeological remains. Based on the conclusions of the researchers and on the decisions of the competent authorities – the Ministry of Culture and Religious Affairs, the National Archaeology Commission, and the National Commission for Historical Monuments - the Company has also financed the acquisition of facilities, work equipments, health and safety equipment, expenses in connection with the workforce, as well as expenses connected with the creation of a permanent team of workers employed at ensuring access and underground assistance to the archaeologist team and maintenance of the underground works. Consequently, the EIA Study includes the budget allocated for this type of works.</p> <p>During the eight years of research at Roşia Montană, more than 140 km of underground mining works of</p>

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Roman and later periods have been investigated, two thirds of which are located in the Cârnic and Cetate Hills and where a total of about 7 km include ancient mining works involving excavation by iron tools (chisel and hammer) or fire. The modern and recent workings, identifiable based on a study of their walls (traces of drilling blasting, general shape of the works, comparison with archived mining plans) have been dated generally between the 17th and early 20th century, based on radio-carbon analysis on charcoal or preserved wood. The 7 km of galleries dated back to the Roman Age constitute the sum of all works that have been identified and mapped, from all the areas researched, and not a continuous system of galleries. Thus, according to the findings of the team involved in the research, most of the Roman galleries have been revisited and partially re-mined by generations of miners, throughout the centuries.

We should also mention that mining archeology excavations that allow dating, interpretation and restoration, also contribute to the gallery's vulnerability. More specifically, the reopening of old works makes them accessible to all and, therefore, exposes them to degradation. To an equal extent, the conduct of complete excavation will naturally involve the removal of the "archaeological deposit" and, once digging is completed, only empty galleries and other works will be left, which become unstable, while all the chronological information (artifacts) will be recovered during excavations.

Detailed information on chance finds and preliminary archaeological research (both surface and underground) in the area of Orlea Massif was published in the Environmental Impact Assessment Study for the Roşia Montană Project, vol. 6 – Cultural Heritage Baseline Study, Annex I p. 231-236.

The Cultural Heritage Baseline Study - Volume 6 p.48 - specifies that, with regard to the Orlea area, preventive surface and underground archaeological research is planned to continue in an area of identified archaeological potential. It also specifies that the research undertaken to date is preliminary in character. Also, given that mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is planned to start in 2007. Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines. (Cultural Heritage Baseline Report, vol. 6, p. 46).

As stipulated by the current legislation, between 2007 and 2012 RMGC will finance a preventive archaeological research program conducted by qualified archaeologists. Based on the results of such research, it will then be decided whether to start the procedures for archaeological discharge. There are no legal provisions that might prohibit the conduct of preventive archaeological research in the case of identified archaeological heritage areas, as is the case of the Orlea area.

The archaeological investigations undertaken by the team of French specialists have led to the identification, in the protected areas delineated in the Project's footprint, i.e. Cătălina Monuleşti, Coş, Piatra Corbului and Păru Carpeni of mining works that, for the most part, are also present in the other mining segments that will be affected by the Project once they are researched. Consequently, the Company has committed to providing financial and logistic support for conservation and restoration work in these areas. RMGC will provide the necessary financial resources for the continuation of archaeological research in the Păru Carpeni mining sector. The chambers equipped with hydraulic wheels, as well as the hydraulic installations and ancillary equipment will also be preserved in situ and restored with funds provided by RMGC. Additionally, the Company has allocated funds for the construction of replicas of hydraulic wheels, identical to the ancient ones. We believe that all these actions provided by RMGC will increase the range of tourist attractions in the area.

As for the Roman mining galleries discovered in the mining sectors of Cătălina Monuleşti and Păru Carpeni, comprehensive rehabilitation, consolidation and development works have been planned, in order to allow their in situ preservation and their development for tourism. This decision was based on the value and significance of the exceptional archeological remains preserved in the galleries, i.e. the wooden Roman installations designed for dewatering the mines (the so-called Roman wheels). At the same time, the gallery at Cătălina Monuleşti is famous because – in the mid 19<sup>th</sup> century – the most significant set of waxed tablets was discovered here (according to archive sources, more than 11 such pieces were discovered, out of a known total of 32 such artifacts discovered to date).

Most of the ancient mining works in the Cârnic massif, as well as in other mining sectors, are only accessible, and in difficult conditions, to specialists, and actually partially inaccessible to the public at

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large. Moreover, under the EU safety rules regulating similar activities in museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. Note that a number of other similar Roman gallery segments will be preserved in situ. As an impact mitigation measure, apart from the full research and publication of the research results, specialists have considered it appropriate to develop a 3D graphic model and 1:1 replicas of these structures, to be included in the mining museum proposed to be developed at Roșia Montană. Taking into account the characteristics of the researched network of galleries, extensive and very expensive restoration works are needed, plus considerable long-term maintenance costs.

In accordance with the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religious Affairs, as part of the documentation developed for the Environmental Impact Assessment Study for the Roșia Montană Project, specific management plans have been developed for the management and conservation of the heritage assets of the Roșia Montană area in the context of Project implementation, and implicitly in regard to the historic mining galleries (see EIA Report, vol. 32-33, Plan M – Cultural Heritage Management Plan, Part I – Management Plan for the Archaeological Heritage of the Roșia Montană Area, Part II – Management Plan for the Historical Monuments and Protected Zones in Roșia Montană, Part III – Cultural Heritage Management Plan). These management plans include a detailed description of the duties and responsibilities that the Company has assumed, as part of the project development, in accordance with the decisions of the central cultural administration, in regard to the protection and conservation of heritage assets in Roșia Montană area: surface and underground archaeological remains, historic monument buildings, protected areas, intangible heritage elements, cultural landscape elements, etc.

In addition to the commitments made by RMGC regarding protection and preservation of the archaeological remains and historical monuments, there are numerous obligations and responsibilities for both the local public authorities in Roșia Montană and Alba county, and the central public authorities, i.e. the Romanian state. The cultural heritage management plans included in the Report on the Environmental Impact Assessment Study, include further information on the matter (see the EIA Report vol. 32, Management Plan for Historical Monuments and Protected Zone from Roșia Montană, pages 22-23, 49, 55-56, 71-72 and, vol. 33, Management Plan for the Archaeological heritage from Roșia Montană area, pages 28-29, 67-68, p. 103 – Annex 1).

Given the significance of the cultural heritage at Roșia Montană and in accordance with the legal requirements, the allocated heritage research budget for 2001-2006 by S.C. Roșia Montană Gold Corporation S.A. amounted to more than US \$10 million. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roșia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment published in May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for the Roșia Montană area, p. 84-85). Therefore, the company plans to continue work in Orlea area, and, above all, as indicated in the National Research Program “Alburnus Maior”, to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** exhibits, and the development of tourist access to the **Cătălina-Monulești** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roșia Montană Historic Center**.

As recommended by the team of French archaeologists and in accordance with international practices in the field, the best solution for enhancing the Roșia Montană cultural heritage is to preserve in situ the most important archaeological remains or to create exact replicas. With regard to the latter, the museum will also recreate a setting similar to the underground environment, in accordance with the EU and national safety rules, so as to make it suitable for public access. The hydraulic wheels will also be preserved, both the original installation, restored and consolidated, and the exact replicas, at a scale of 1:1.

As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărniciu massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex “Costs Estimate for the Development of Ancient Mining Networks from Cărniciu Massif”, prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).

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As for the alleged presence of galleries and sites of Dacian origin, mention should be made that the archaeological researches undertaken to date have not revealed concrete evidence in support of such an allegation. There is not enough data to justify the claim that the artifacts uncovered in the Roşia Montană area are of Dacian origin, nor have any remains been uncovered that would support the idea of ancient mining works predating the Roman conquest.

During the last 8 years, the Roman galleries have been investigated by a team of specialists. It should be mentioned that this type of research, known as preventive/rescue archaeological research is done everywhere in the world in close connection with the economic development of certain areas. In addition, both the costs for the research and for the enhancement and maintenance of the areas conserved are provided by investors, in a public-private partnership set up in order to protect the cultural heritage, as per the provisions of the European Convention on the Protection of the Archaeological Heritage [1] (Malta-1992).

For further information on the history of the research and the main discoveries related to the historic galleries at Roşia Montană, as well as for the specialists' conclusions on the matter, and assessments of a potential tourist circuit including the historic mining structures at Cărnic, or for the opinions formulated in 2004 by Edward O'Hara, General Rapporteur on the Cultural Heritage of the Parliamentary Assembly of the Council of Europe, please consult the annex entitled "Information on Roşia Montană Cultural Heritage and Related Management Aspects". Detailed information on the complex issue of the mining works at Roşia Montană, on their results and on their potential for enhancement, are available in the EIA Report, vol. 6, Cultural Heritage Baseline Report (pages 32, 36-55, 83-109).

[1]The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	389
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0814
<b>Proposal</b>	<p>Piatra Corbului and Piatra Despicata monuments may not be relocated without the approval of the Romanian Academy.</p> <p>Under Law 5/2000 (March 6, 2000) on the approval of the National Territory Arrangement Plan- Section III- Protected Areas (published in the Official Gazette of Romania under no. 152/April 12, 2000), Piatra Corbului and Piatra Despicată were included in the section: Natural Areas of National Interest Protected and Natural Monuments, points 2.8 (Piatra Despicată) and 2.83 (Piatra Corbului).</p> <p>Moreover, as a result of the archaeological investigations conducted at Roşia Montană within the "Alburnus Maior" National Research Program, the Piatra Corbului area was classified as historical monument, specifically the Roman galleries from the Cărnic massif, the Piatra Corbului area (code LMI AB-I-s-A-20329), as published in the Official Gazette of Romania no. 646 bis/16.07.2004, Alba County, position 146). This research program has been financed by RMGC, as required by current legislation.</p>
<b>Solution</b>	<p>Piatra Corbului is located outside the future Cărnic pit. Consequently, it will not be impacted by RMGC's mining project. All the technical measures required will be undertaken in order to minimize the project's effects during the operational phases, which will be carried out in the proximity of this area. These measures are meant to avoid an impact on the integrity of this area.</p> <p>As for Piatra Despicată, this is a block of andesite weighing roughly 2 tons. In 2000, based on the documentation submitted by the company S.C. Agraro Consult S.R.L., the Commission for the Protection of Natural Monuments of the Romanian Academy approved the relocation of Piatra Despicată to another area, which will not be impacted by the mining operation. Therefore, the future location of Piatra Despicată will be approved by the Romanian Academy and the Ministry of Culture and Religious Affairs. The relocation will be coordinated and monitored by specialists, this process involving the use of usual technical means that are specific for such large structures.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	393
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0833
Proposal	<p>The questioner makes the following comments regarding the archaeological sites from Rosia Montana, which are very important and are recognized as such by the Romanian Academy and by foreign experts:</p> <ul style="list-style-type: none"> <li>- The Roman and medieval galleries are unique in Europe and worldwide, and will be lost. In addition to the loss of these the national heritage elements, Romania will also lose the tourism potential represented by such elements. RMGC claims that it will support the development of tourism in the Rosia Montana area and proposes to replace the 2000-year old galleries, studied only in part, with replicas of some of these galleries and 3D simulations, made available on several web-sites. These elements (quotation from the EIA) represent a valuable learning tool and a means for a better understanding, knowledge and visualisation of specific Roman mining techniques (quoted from Volume 14, 4.9, page 12) (in the Romanian version, this reference appears on page 8). The questioner asks how are tourists going to be attracted by replicas, by kitsch presented as cultural heritage and how are they going to be invited to the accommodation spaces located near the cyanide lake, surrounded by a desolating landscape, to see the attractions of this century: the dam having a height of over 100 m, the open pits and the ruins? And how will the replicas of the mining works serve to understand the specific Roman techniques? Tourists will only understand how mines are built in the 21st century. If the authentic remains are destroyed, what will pupils learn? They will learn that authentic things are dispensable if required by the material interest?</li> </ul>
Solution	<p>The Roman mining galleries from Roşia Montană are important, but, as indicated by a series of scientific studies, they are not unique. The Roman galleries from Roşia Montană are at present the best known in Romania certainly due to the „Alburnus Maior” National Research Program financed by RMGC is compliance with the existing legal provisions. Although their presence was known for more than 150 years, the Roşia Montană Roman galleries had never been archaeologically investigated prior to 1999. Basically, prior to 2000, this type of archaeological remains have never been subject to a specialized research, but only mentioned empirically.</p> <p>The archaeological research of the Roşia Montană site began in 2000, and the nature, characteristics and distribution of this special category of heritage represented by the mining galleries of Roşia Montană are well known at present. The comprehensive underground archaeological research and the specialized studies conducted in the period 2000-2006 have allowed a comprehensive understanding of these remains and have led to the adoption of specific measures for their protection.</p> <p>The specialists' point of view on the archaeological site from Roşia Montană is briefly presented in <i>section 5.5.2- „The Roman Gold Mining Context” of the Cultural Heritage Baseline Report from the EIA Report</i>. This chapter addresses aspects relating to the uniqueness of this site. There are 47 other archaeological sites with similar characteristics in Romania, which have been hardly or at all researched. Out of these 47 sites, 14 (Ruda-Brad, Stănişia, Bucium – the Vulcoi Corabia areas, the ones from Băiţa – Fizeş, the ones from Certej – Săcărâmb, those from the Baia de Cris area and those from the Haneş – Almaşul Mare area) have already provided concrete evidence on the existence of an archaeological potential to a certain extent similar to that of the ancient Alburnus Maior. More precisely, they contain evidence of gold mining operations, habitation structures and elements of related infrastructure. These realities do not minimize Roşia Montană's historical and archaeological significance, but the unilateral approach and the groundless exaggeration overshadow the real value of the Roşia Montană archaeological site, a value that reside precisely in the possibility to refer to the example provided by the research conducted here.</p> <p>Starting from 1999, the team of French mining archaeologists from the University of Toulouse has been researching the mining remains from the Roşia Montană site. The 7 km of galleries dated to the Roman period were obtained by putting together all the mining works of this type identified and mapped in all the massifs investigated as these galleries do not form of a continuous structure, but they are spread all over</p>

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the mining perimeter. Thus, the experts who conducted the investigations concluded that most of the ancient mining works have been revisited and partially re-mined along the centuries. Consequently, most of the mining works dated to the Roman period have been partially deteriorated by modern re-works performed with explosives starting from the 17<sup>th</sup> century when the blasting with explosives technique was first used in the mining activities in Europe. Thus, the research of these structures led to their better understanding and at the same time led to a series of well-grounded decisions as to preservation and enhancement of the following areas which include ancient mining works:

- the Cătălina Monulești gallery located in the Historical centre of Roșia Montană village, the place where the most significant lot of wax tablets and a Roman mine water drainage system were uncovered;
- the Păru Carpeni mining system-located in the Southeast of the Orlea massif where a system of overlapped chambers with Roman wood-made mine water drainage devices (wheels, channels, etc.) were uncovered;
- the Piatra Corbului area-located Southwest of the Cărnic massif, where traces of medieval galleries dug by the fire setting method were uncovered;
- the Văidoaia massif area- located in the Northwest of Roșia Montană village where traces of surface mining operations dated to the Roman period were found.

As regards the segments of ancient galleries from the southern part of the Cărnic massif, once their research was completed, considering the difficult access to this perimeter, the state of preservation of these remains as well as their nature and distribution, and the fact that such mining works have been identified in other areas from the above-mentioned sites, it was concluded that these galleries are unlikely to be developed for public access. Significant difficulties have been encountered as regards the safe conditions and the long-term access of specialists to these galleries, whereas these galleries seem unlikely to be developed for public access. As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif amount to a value that is not justified from an economic point of view (see Annex “Costs Estimate for the Development of Ancient Mining Networks from Cărnic Massif”, prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd.). As an impact mitigation measure, in addition to the thorough investigation and publication of its results, specialists have deemed it necessary to make replicas of these structures (at a 1:1 scale). These will be then included in the mining museum that will be established at Roșia Montană.

As regards the segments of Roman mining works identified in the Cărnic massif, which are not planned to be preserved *in situ* (e.g. the mining works from Piatra Corbului area) –replicas and a digital 3D modeling of these types of remains will be created in the Mining Museum planned to be developed at Roșia Montană in the coming years. The creation of this 3D model of the Roman mining remains located in the Cărnic area required approximately 3 years (2004-2006) of detailed topographical surveys, computerized graphic processing and digital graphic design and other similar specialized studies. This 3D model can be used for scientific, education and demonstration purposes, as part of the museum and tourist circuit that is to be developed in the Historic Centre of Roșia Montană. The 3D model can also be posted on an internet website dedicated to promoting the Roșia Montană cultural heritage and to creating interactive CD-ROMs showing the 3D model.

As for the creation of replicas of certain mining structures, there are such cases in several European countries. We will mention only two situations: the **reconstruction of the Rio Tinto mine** (in the mining museum of Rio Tinto Huelva, Spain, a museum which presents the 5000 year history of mining in the Iberian Peninsula; this site represents perhaps one of the most similar analogies with the mining archaeological heritage from Roșia Montană, moreover, a Roman mine dewatering system was uncovered here at the end of the 19th century, which is similar to the two mine dewatering systems found at Roșia Montană, in the Păru Carpeni and Cătălina Monulești sectors) or the **restoration of the Killhope lead mine** (the Wales, UK).

Moreover, we consider it useful to quote certain opinions expressed after Mr. Eddie O’Hara MP (General Rapporteur on Cultural Heritage) and Mr. Christopher Grayson (Chief Secretary for Culture, Science and Education), officials of the Parliamentary Assembly of the Council of Europe visited the Roman galleries from Roșia Montană in July 2004. [...] „*Concern has been expressed by critics over the procedure (allegedly superficial archaeological discharges) and conservation ethics, involving the programmed destruction of Roman galleries. This concern does not appear to be entirely justified. The reworked galleries in the areas of the main pits*

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*Cârnic and Cetate appear empty of any archaeologically interesting remains. Tourist access (under the conditions existing at present-our note) to most galleries would be impossible. However, the condition must clearly be imposed of continued archaeological excavation and monitoring of what is found. [...] Research does not necessarily imply the need for everything found to be preserved and the academic ideal of total in situ preservation is perhaps not always and altogether appropriate in a situation of rescue archaeology and a commercial world. This is certainly so in the case of in situ preservation of the Roman galleries at Roşia Montană. There are over 5 km of them, apparently with a limited variety of distinctiveness between them and few surviving remains in them. Most of them are inaccessible, indeed dangerous of access to tourists. Alternative proposals such as designation of the whole area as a cultural landscape to be developed for tourism lack viability”.*

In conclusion, in response to your question, note that the company does not plan to destroy the Roman galleries from Roşia Montană and their tourist potential without having them thoroughly researched and without taking the appropriate impact mitigation measures. However, we are now facing some sort of a paradox, specifically given the state of preservation and the nature of the Roman galleries, their physical existence would be threatened if they were not investigated. This type of investigation known as preventive/rescue archaeological research is conducted everywhere in the world in close connection with the economic interest for certain areas. In addition, both the costs for the investigation and for the enhancement and maintenance of the areas conserved must be covered by the investors through a private-public partnership for the protection of the cultural heritage, in accordance with the provisions of the European Convention of Malta (1992) on the Protection of the Archaeological Heritage. [1]

For an overview on the history of the archaeological research conducted in this area and of the main finds made in the historic galleries of Roşia Montană, as well as for the experts' conclusions on this matter and the assessments made in order to establish a tourist circuit including all the historic mining structures from the Cărnic massif or the opinions expressed in 2004 by Mr. Edward O'Hara, General Rapporteur on Cultural Heritage for the Parliamentary Assembly of the Council of Europe, please see the annex called "Information on the Cultural Heritage of Roşia Montană and Management Thereof" and the O'Hara Report. The Environmental Impact Assessment Study for the Roşia Montană Project (volume 6 – *Cultural Heritage Baseline Report*, pages 32, 36-55; 83-108) comprises detailed information on the complex issue of the research of the ancient mining works from Roşia Montană as well as on the results of this research and on the enhancement of these structures.

References:

[1] The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	393
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0834
Proposal	<p>What about the 41 historic buildings, classified as historic monuments, which are scattered among the 4 open pits? What are the company's guarantees that these houses will resist the vibrations produced by the traffic and blasting?</p> <p>As regards the impact on historical monument houses/ note that in March 2006 a specialist study was undertaken regarding the state of preservation of each building historical monument. This study was undertaken by IPROMIN and Technical University of Civil Engineering, Bucharest, institutions with expertise in the field of mining designing and construction safety. This study proposes the appropriate measures as regards the reinforcing of all these buildings. Also, these institutions developed an experimental study in order to measure the vibrations induced by blasting activities within the protected area of the historical centre and inside the area of this group of historical monument houses situated outside the protected area. The measurements have been performed by the simulation of a large blasting of 3000 kg of explosive, detonated in normal conditions without delay stages or the application of other modern technologies, used currently in the modern mining activity. The mitigation measures of the potential impact generated by the four open pits, and more precisely the blasting effect on the historical monuments, have been designed in this study.</p> <p>According to the List of Historical monuments published by the Ministry of Culture and Cults in the Official Gazette No. 646 bis on 16.07.2004, at present, 41 buildings from Roşia Montană locality, including two churches and 39 houses (code LMI 2004: AB -II-s-b-00269 and then AB-II-m-B-00271 through AB-II-m-B-00311) were classified as historical monuments. These historical monument buildings are not located within the four pits, but they are grouped as follows: 35 of them are located within the protected area Historic Centre, while 6 others are grouped in the area of the current administrative centre of the Roşia Montană commune, within the planned industrial area.</p>
Solution	<p>None of these historical monuments will be affected by the implementation of this mining project. RMGC currently owns 14 historical monument buildings. These were purchased following the legal procedures stipulated by law 422/2001. When purchased, these buildings were in different states of preservation, this fact being mentioned both in the buying –selling contracts and in photos taken at purchase and since then.</p> <p>On the basis of legal provisions, RMGC began in 2001 the process of developing specific town-planning documents – General Urbanism Plan and Zonal Urbanism Plan. These were developed by certified Romanian companies who had pursued the legal procedure of approval. The approval for the establishment of the Roşia Montană Protected Area-Historical Centre was issued by the Ministry of Culture and Religious Affairs in 2002 (approvals no. 61/14.02.2002 and no.178/20.06.2002) as part of the authorization procedure of the urbanism documentations. Based on these approvals, the Ministry of Culture and Religious Affairs requested the company to prepare the Zonal Urbanism Plan for the Central Historical area. Out of those 41 historical monument buildings/, 35 are situated within the Roşia Montană Protected Area-Historical Centre, including the Catholic church. According to recommendations of the National Commission of Historical Monuments, the extent this area was considerably increased. This area will be restored and preserved in its entirety, including a proposed mining museum comprising several sections – open air exposition with all traditional-historical households and industrial patrimony elements, an exposition regarding the mining history on these sites, an underground museum circuit around the Cătălina Monuleşti historical gallery in which most of wax tablets were discovered. The company has no intention of transforming this area into a museum, taking into account the fact that all houses including the restored building historical monuments will be occupied by local people, and where owned by RMGC will be inhabited by the people working on the Roşia Montană Project. Note that projects</p>

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are currently being prepared for the restoration of 11 historical monument houses owned by RMGC.

The company wishes to protect and promote all these values and to achieve this, special measures will be taken both within the protected area Roşia Montană Historical Centre (restoration-consolidation-conservation) and industrial perimeter (utilization of special blasting techniques, establishment of buffer areas between the two perimeters, ongoing monitoring of vibrations and blasting adjustment depending on wave propagation speed, etc.)

The company assumed publicly – within the Environment Impact Study - rehabilitation and restoration program for the historical monuments and Roşia Montană Protected Area-Historical Centre, so that important funds will not be spent without the technical and safety measures necessary to ensure that the future mining operation will not affect these structures.

**For further details related to these studies and simulations performed by Technical University and IPROMIN regarding the specific mitigation measures of the blasting impact on historical monument buildings, please consult the enclosed specialized documentation. In addition please see the Annex called “Information on the Cultural Heritage of Roşia Montană and Related Management Aspects” for further details on the measures planned for the rehabilitation and restoration of historical monuments from the Roşia Montană area.**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	393
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0835
<b>Proposal</b>	<p>How are you going to comply with the provisions of Law no. 422/2001, which stipulates that a monument must be surrounded by a 200-meter protection area? Or is this law going to be violated?</p>
<b>Solution</b>	<p>The law invoked by the questioner is and will be fully complied with. At present, 41 buildings (38 houses and 2 churches) from Roşia Montană are classified as historical monuments according to the List of Historical Monuments published by the Ministry of Culture and Religious Affairs in the Official Gazette of Romania no. 646 bis/ 16.07.2004 (code L.M.I. 2004: AB-II-s-B-00269 and then from AB-II-m-B-00271 to AB-II-m-B-00311).</p> <p>Under Law 5/2000 on the approval of the National Territory Arrangement Plan, Section III- Protected Areas ("Law 5/2000"), article 10-(1), Law 422/2001, article 59, as amended by Law 259/2006, the protection area for each monument is established based on specific studies, but until then the protection zone is represented by an area with a radius of 100 m in urban settlements, 200 m in rural areas and 500 m outside towns. This surface is measures starting from the outside limit of the monument all around it.</p> <p>According to Law 5/2000 (article 5, paragraphs 2-3), local public authorities, with the support of competent central public authorities, were under the obligation to establish the boundaries of the protection areas for the cultural heritage assets stipulated in Annex III to the above-mentioned law. This measure should have been taken within 12 months after the date when Law 5/2000 came into effect and it should have been based on scientific studies. For this purpose, the local public authorities had to prepare the town planning documentation and its related regulations. This documentation developed and approved in accordance with the law, shall comprise the necessary protection and preservation measures for the national cultural heritage assets located in this area. Therefore, until the protection areas for historical monuments are established based on specific studies, the historic buildings from Roşia Montană have a protection zone of 200 m. Practically these protection limits for the historical monuments at Roşia Montană are going to be established by the Zonal Urban Plan for the Protected Area Historical Centre Roşia Montană and the Zonal Urban Plan for the Industrial Area Roşia Montană.</p> <p>In 2001, RMGC initiated, in accordance with the legal provisions, the drafting of these specific town-planning documentations, namely the General Urban Plan and the Zonal Urban Plan. These plans were prepared by Romanian certified companies and they followed all the stages legally established for the approval. The permit for the creation of the protected area Historical Centre of Roşia Montană was issued by the Ministry of Culture and Religious Affairs in 2002 (permits no. 61/14.02.2002 and no. 178/20.06.2002) as part of the procedure for the approval of the town planning documentations. On the basis of these permits, the Ministry of Culture and Religious Affairs requested the company to prepare a Zonal Urban Plan for the Historical Centre of Roşia Montană. This document is currently being prepared.</p> <p>Specific measures for the historical monuments and archaeological sites located in the industrial area are described in the Environmental Impact Assessment Study (volume 32-33), Plan M-<i>Cultural Heritage Management Plan</i>, part I-<i>Management Plan for the Archaeological Heritage from Roşia Montană Area</i> (pages 80-81) and part II – <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i> (pages 75-94) and also a series of specialized provisions resulting from the requirements of Zonal Urban Plan for the Industrial Area of Roşia Montană (a specialized documentation which is currently under approval according to the Environmental Strategic Evaluation (SEA) for plans and programs) .</p> <p>In conclusion, the town-planning and specific studies, which serve to establish the boundaries of the protected areas within the Roşia Montană commune, are currently being prepared-in accordance with the</p>

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legal provisions- by the institutions and commissions competent in this area of interest. It must be pointed out that none of the historic houses located in the proposed project perimeter would be negatively affected. On the contrary, all the 41 historical monument buildings are going to be included in a complex rehabilitation and restoration program (see the *Environmental Impact Assessment Study*-volume 33-Plan M: *Cultural Heritage Management Plan*-part II-*Management Plan for Historical Monument and Protected Zone from Roşia Montană*, pages 75-94). This program is necessary-irrespective of the implementation of the mining project- in order to prevent these houses from collapsing because of their advanced deterioration.

We mention that the protected area of Roşia Montană will cover over 130 ha and it will include the architectural assets of this village (restored and enhanced) organized in a mining museum. This museum will include exhibitions of geology, archaeology, ethnography (including an open-air section), industrial heritage as well as a significant underground part located around the Cătălina Monuleşti gallery. In this part of Roşia Montană, the company plans to develop traditional tourism activities (e.g. guesthouses, small pubs). The historic lakes of Tăul Mare, Tăul Brazi and Tăul Anghel are located South and Southeast of the old centre of the commune. This area is suitable for the development of modern, recreational tourism.

Thus, we consider that RMGC has fulfilled so far its legal obligations as owner of buildings classified as historical monuments. By assuming the data and conclusions of the *Management Plan for Historical Monuments and Protected Zone from Roşia Montană* of the *Environmental Impact Assessment Study*, RMGC plans to go on with this responsible approach and to provide the necessary funds for the restoration and conservation of buildings classified as historical monuments and of the historical centre of Roşia Montană. All intervention works on these buildings shall be performed in compliance with the existing legal provisions and based on the conclusions of the specialized study conducted in the period 2005-2006 on the buildings classified as historical monuments from Roşia Montană. This study was conducted by the Bucharest Technical University of Civil Engineering and the National Centre of Seismic Engineering and Vibrations.

The company wants to protect and promote all these heritage assets. Therefore, specific measures will be taken in this respect both within the protected area Historical Centre of Roşia Montană (restoration-consolidation-conservation) and in the industrial perimeter (e.g. the use of special blasting techniques; creation of buffer areas between the two perimeters, permanent monitoring of vibrations and blasts adjusted in accordance with the waves propagation speed, etc.). The projects for the restoration of 11 historic houses from the protected areas have already been initiated.

**For further details on these studies and simulations performed by the Bucharest Technical University of Civil Engineering and IPROMIN regarding the specific measures for the mitigation of impacts caused by blasting on the historic buildings, please consult the enclosed specialized documentation.**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	395
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0840
Proposal	<p>Why does the company want to destroy approximately 7 km of Roman galleries in Roşia Montana, when in other countries several centimetres of archaeological remains are preserved by virtue of the law, and in Romania they are blasted and turned into dust?</p>
Solution	<p>In response to this question, we want to say that we don't plan to destroy the Roman galleries from Roşia Montană without previously conducting complex studies and taking the appropriate measures in this respect. However, we are facing some sort of a paradox. Given the state of preservation and the nature of the Roman galleries, their physical existence would be threatened if they were not investigated. On the other hand, any archaeological research implies, to a certain extent, the irremediable deterioration of an original context in order to save the information. However, this type of research- known as preventive/rescue archaeological research - is conducted everywhere in the world in close connection with the economic interest for certain areas. In addition, both the costs for the investigation and for the enhancement and maintenance of the areas conserved must be covered by the investors through a private-public partnership for the protection of the cultural heritage, in accordance with the provisions of the European Convention on the protection of the archaeological heritage [1] (Malta -1992).</p> <p>Prior to 1999, the Roman galleries from Roşia Montană hadn't been researched by specialists in mining archaeology, although their existence was acknowledged for more than 150 years. Prior to 2000, this type of archaeological remains hadn't been scientifically researched and reference thereof was most of the times empirical.</p> <p>The mining archaeology research undertaken since 1999 by a multidisciplinary team of specialists from the University Toulouse Le Mirail (France) led by Dr. Beatrice Cauuet were focused – for the first time in Romania- on a detailed research of this type of archaeological remains, namely the old mining galleries dated to the Roman and later periods. The main conclusions of the mining archaeology studies and research conducted since 1999 to date are as follows:</p> <ul style="list-style-type: none"> <li>• Approximately 7 km of ancient mining works have been identified within the Roşia Montană site. These 7 km are not a continuous structure, but they are made up of segments of mining works spread in almost all the mining perimeters of the site;</li> <li>• The mining archaeology studies have pointed out that most of the types of mining works found in the other mining sectors investigated, which will be impacted by the project (the Cărnic massif area) can also be identified in the protected areas already outlined in the perimeter of the Roşia Montană mining project (Cătălina Monuleşti, Lety - Coş, Piatra Corbului and Păru Carpeni);</li> <li>• Mining archaeological surveys undertaken in the Cetate and Cărnic massifs have revealed the fact that the ancient mining works have already been affected, being deteriorated to various extents by subsequent mining works, especially those carried out starting from the 18<sup>th</sup> century until 2006;</li> <li>• The ancient mining works are currently in different stages of preservation as a result of the human impact on the underground environment (re-works) as well as of the natural impact (cave-ins, flooding, mud flows, crumbling);</li> <li>• Archaeological research needs to be continued in the Orlea and Țarina massifs area over the next period of time;</li> <li>• Research and preservation activities need to be continued in the Păru-Carpeni (a Roman mine dewatering system was found here, a unique find in Europe at present, after the similar ones found in the Iberian Peninsula in the last century (in the '30s) and Cătălina Monuleşti areas.</li> </ul>

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The research of these structures resulted in their better understanding and has also led to some pertinent and well-grounded decisions regarding their conservation and enhancement. Based on the results of the research conducted so far (completed research for the Cetate, Cârnic, Jig, and underway in the Orlea massif), a decision was made for the conservation and enhancement of the following areas comprising old mining works:

- in the Cârnic massif – ancient surface and underground mine operations from the Piatra Corbului area located in the southwestern part of the massif;
- in the Lety – Coş massifs – the Cătălina Monuleşti gallery, including a Roman mine dewatering system;
- in the Văidoaia massif – remains of the ancient surface mine operations from the central southern part of the massif;
- in the Orlea massif – the Păru-Carpeni mining sector, including a Roman mine dewatering system and parts of ancient mining works which were drained with this system.

Moreover, we have to mention that the Cătălina Monuleşti gallery is going to be organized as an underground museum, the ancient and medieval galleries being preserved *in situ*. In addition, this museum will include replicas (made at a 1:1 scale) of those segments of galleries whose typology has not been found in original in this sector, in accordance with a technique which has been used and accepted in many situations all across Europe.

The Environmental Impact Assessment Study for the Roşia Montană Project (volume 6- *Cultural Heritage Baseline Report*, pages 32, 36-55, 83-109) comprises detailed information on the complex issue represented by the research of the ancient mining works from Roşia Montană and on the results of this research.

The future Mining Museum from Roşia Montană will comprise both ancient mining works (e.g. galleries, exploitation sites, etc.) dug with the hammer and chisel or by the fire setting technique found in the Cătălina Monuleşti, Coş, Piatra Corbului and Păru Carpeni areas and ancient mining devices (e.g. the hydraulic wheels uncovered in the Păru Carpeni sector). All these elements will be preserved *in situ*. For this purpose, the following areas have been delimited and declared as protected areas: the mining sectors of Lety – Coş (the Cătălina Monuleşti gallery is already classified as historical monument on the List of Historical Monuments 2004); Piatra Corbului (already classified as historical monument on the List of Historical Monuments 2004) and Păru-Carpeni (this perimeter is still being researched). Thus, these sectors will not be affected by the future works performed within the RMP. The ancient mining works as well as the modern and recent ones will be arranged to ensure the optimum conditions for the research activities as well as for the public's safe access to areas declared accessible by the specialists.

For further details on the history of the research and of the main finds related to the historic galleries from Roşia Montană, as well as for the specialists' conclusions on this matter, please consult the Annex called „Information on the Cultural Heritage of Roşia Montană and Related Management Aspects”.

Reference:

[1] The text of the Convention is available for consultation at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	414
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0884
<b>Proposal</b>	What does RMGC know about the Roman galleries from Rosia Montana?
<b>Solution</b>	<p>The Company currently has the same information on this particular category of archeological relics represented by the historic mining works at Roşia Montană as do the specialists and the public at large. This has been possible due to the preventive archaeological research conducted at Roşia Montană in the last seven years and the transparency afforded to the communication of results of the archaeological investigations.</p> <p>Prior to 1999, the Roman galleries from Roşia Montană hadn't been researched by specialists in mining archaeology, although their existence was acknowledged for more than 150 years. Prior to 2000, this type of archaeological remains hadn't been scientifically researched and reference thereof was most of the times empirical.</p> <p>Mining archaeology research conducted – since 1999 – by a multi-area specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed to develop – as a first in Romania – a detailed study of this type of archaeological relics, i.e. old mining galleries of ancient age, but not only. The main conclusions of the mining archaeology studies and research conducted since 1999 include:</p> <ul style="list-style-type: none"> <li>• on the Roşia Montană site, an approximate 7 km of ancient mining works have been revealed in total, but not as continuous structures, rather as sections and portions of mining works scattered throughout most of the mining sites on the deposit;</li> <li>• in the currently outlined protection areas within the Roşia Montană Project, i.e. Cătălina Monuleşti, Lety-Cos, Piatra Corbului and Păru Carpeni, most of the mining work types existing in the other mining sectors have revealed, that will, however, be impacted after their research, by the mining project, i.e in the Cărniceş Mountains area;</li> <li>• mining archaeology studies in the Cărniceş and Cetate massifs have shown that the ancient mining works have already been impacted, and have been disfigured in variable proportion by mining works conducted in later ages, especially during the period between the 18<sup>th</sup> c. and 2006.</li> <li>• human impact on the underground (re-mining) and on the natural environment (collapse, flooding, mud slides, cave-ins) caused the varying degrees of conservation of the ancient mining works;</li> <li>• further mining archaeological investigation is required in the area of Orlea and Tarina massifs in the years to come;</li> <li>• further research and conservation work is needed in the areas of Păru Carpeni (where a Roman mine drainage system has been uncovered, a unique discovery in Europe to date, after the one in the Iberian Peninsula, in the 1930s) and Cătălina Monuleşti.</li> </ul> <p>The study of these structures therefore meant better knowledge and documented pertinent decision making in regard to their conservation and enhancement. Based on the results of research conducted to date (and finalized for Cetate, Cărniceş, Jig and in progress in the Orlea area), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>• in Cărniceş massif – ancient open cast and underground operations in the Piatra Corbului area, on the south-western side of the mountain;</li> <li>• in the Lety-Cos massifs, the Gallery at Cătălina Monuleşti, including a Roman mine</li> </ul>

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drainage system;

- in the Vaidoia Massif - vestiges of ancient open cast operations in the central-southern part of the mountain;
- in the Orlea Massif – the mining sector of Păru Carpeni, including a Roman mine drainage system and the sections of ancient mine they drained;

It should also be mentioned that the Cătălina Monulești gallery would be organized as an *in situ* underground museum. Moreover, this will include 1:1 scale replicas of the galleries of a type not originally found in the Cătălina Monulești area, as has been done in many similar cases in Europe.

Detailed information on the complex issues involved in the study of old mining works at Roșia Montană, and on the results of this research is available in the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 6 – Baseline Study p. p. 32, 36-55, 83-108.

Research of this type – known as preventive/rescue archeological research – is done everywhere in the world in relation to the economic interests in certain areas, and the costs thereof, as well as the costs of enhancing and maintaining the preserved areas have to be provided by the investors, which leads to the establishment of a public private partnership for the protection of cultural assets, as provided by the European Convention of Malta (1992) on the protection of the archaeological heritage [1].

The future Mining Museum at Roșia Montană will preserve *in situ* both chisel and hammer developed ancient mining works (galleries, mining sites, etc.) and fire operations in the mining sites of Cătălina Monulești, Cos, Pietra Corbului, and Păru Carpeni, as well as ancient mining installations, such as the drainage hydraulic wheels in the Păru Carpeni sector. In this regard, the following mining sectors have been defined and declared protected areas: Lety – Cos (the Cătălina Monulești gallery being already registered as a historical monument on the List of Historical Monuments 2004), Pietra Corbului (already registered as a historical monument on the List of Historical Monuments 2004), and Păru Carpeni (a site still under research) so that these mining sectors will not be affected by the future operations of the mining project at Roșia Montană. Ancient, as well as modern and recent mining works in the above areas will be developed so as to continue to provide optimal conditions for the conduct of specialist research, as well as safe public access to the areas where specialists decide that this is feasible.

For further details on the history of the research and of the main finds related to the historic galleries from Roșia Montană, as well as for the specialists' conclusions on this matter, please consult the Annex called „Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”.

References:

[1] The text of this Convention is available on website:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	416
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0887
Proposal	<p>The questioner makes the following comments: Two institutes of the Romanian Academy have been doing archaeological excavations since 2000: the Archaeology Institute in Bucharest and the Archaeology Institute in Cluj. Both institutes have been carrying out their activity in accordance with the highest standards, at an unprecedented level in Romania. The technology used in Rosia Montana has become a model for the Romanian legislation, as well. No archaeological monument has been destroyed. The representatives of the Academy have done their work properly and will continue to do it properly, and Gold Corporation will not be able to complete this project without the control and archaeological excavations made by the representatives of the Romanian Academy institutions. People must trust the Academy, which will not allow these monuments to be destroyed.</p>
Solution	<p>The investment planned for the goldfield at Roşia Montană raised a number of issues in regard to research of the local historical-archaeological assets, and their capitalization in a scientific and museum perspective. The very complexity and difficulty involved in this approach, which could never be afforded under individual contributions, the Ministry of Culture and Religious Affairs in Romania decided to initiate a National Research Program called <i>Alburnus Maior</i>, and which proposed a number of specific objectives.</p> <p>Thus, all the preventive archaeological research conducted at Roşia Montană starting in 2001 and up to the present date have been developed under the a complex research program, under preventive archaeological digging permits issued by the Ministry of Culture and Religious Affairs. Archaeological research were conducted under the scientific coordination of the National History Museum of Romania, and involves a number of 21 Romanian and 3 foreign specialised institutions. The research conducted during each archaeological campaign is permitted by the Ministry of Culture and Religious Affairs based on the annual archaeological research plan approved by National Commission of Archaeology.</p> <p>This type of research is conducted by specific means and methodologies adapted to the particular realities of the site. In the case of Roşia Montană, these included:</p> <ul style="list-style-type: none"> <li>• studies of the archive;</li> <li>• archaeological surveys, trial trenches (test trenches) ;</li> <li>• aerial reconnaissance/survey and aerial photo interpretation ; high resolution satellite images;</li> <li>• mining archaeology studies; underground topography and 3D modeling;</li> <li>• geophysical surveys;</li> <li>• thorough archaeological investigations in the areas with an identified archaeological potential- this implied carrying out archaeological excavations</li> <li>• interdisciplinary studies- sedimentology, archaeo-zoology, comparative palynology, archaeo-metallurgy, geology, mineralogy;</li> <li>• radiocarbon dating and dendrochronology;</li> <li>• this research and its outcomes were included in an integrated database;</li> <li>• traditional and digital archaeological topography and development of the GIS project; generate a photo archive- both traditional and digital;</li> <li>• restoration of artifacts;</li> <li>• an inventory and a digital catalogue of the artifacts;</li> <li>• studies conducted by specialists in order to enhance the outcomes of this research - publication of monographs / scientific books and journals, exhibitions, websites, etc.</li> </ul>

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Detailed research development occurred wherever archaeological reality required it. Were the specialists considered it necessary, *in situ* preservation and restoration of the archeological assets was preferred, as in the case of the circular Funerary Monument at *Hop-Gauri* (*Alburnus Maior* II, Bucharest 2004), or the area was established as an archaeological reserve, as in the case of Carpeni Hill (classified under LMI 2004, AB-I-m-A-00065.03), and the protected area at Piatra Corbului, respectively. On the other hand, in the case of the other discoveries, archeological research was exhaustive, and only then did the archaeological teams propose issuance of the archaeological discharge certificate.

On the other hand, in the case of the other finds, once the thorough research is completed, the archaeologists prepare a comprehensive standard documentation regarding the researched area. After consideration of this documentation, the National Commission of Archaeology recommended the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs. At present, this certificate is granted by the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County.

The development of archaeological research and studies of the historical monuments at Roșia Montană was also conducted under the national and international legislation in force. The conclusions of the research will be implemented starting from 2007. This will consist in the restoration of historical monuments. As of this year, the findings of the research will start being implemented, namely the proper restoration of the historical monuments.

“The chance finds protocol” was meant as an instrument for the management of issues related to the archaeological heritage from the Roșia Montană area. This is a strategic document, which will be drafted by independent specialists in archaeology and then it will be adopted by RMGC as operational policy. The drafting of this document was inspired both by the legislation in force on the archaeological monitoring and by the Archaeological Standards and Procedures developed by the Ministry of Culture and Religious Affairs (enforced through the order of the Minister of Culture and Religious Affairs no. 2399/06.09.2004) as well as by RMGC’s sustainable development policy, a policy which acknowledges the importance of the cultural heritage from the Roșia Montană area.

As for detailed information on the main archeological objectives, characteristics and results of the “Alburnus Maior” National Research Program (2001-2006), please read the Annex called “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	417
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0890
<b>Proposal</b>	<p>Concerning the tri-dimensional replica of the galleries, it may be used in the education system, but what value does it have if the original element no longer exists? If a work of art of universal value, such as Da Vinci's Gioconda, is destroyed, what value would the remaining replicas have?</p> <p>There is no question of unconditionally destroying the Roman Galleries at Roşia Montană, or of merely replacing them with replicas. However, note that we are faced with a relative paradox, i.e. that in the absence of research, due to the state of preservation and the nature of such remains, the physical existence of the Roman Galleries would be threatened, but the scientific research of any type of archaeological structure implies, to a certain extent, the destruction of an archaeological context in order to recover the scientific information and the archaeological artifacts.</p> <p>According to the results of research, the recommendations and international best practice, the decision to preserve <i>in situ</i> the most important underground mining archeological remains on the Roşia Montană site, in certain cases, where, considering the aspects related to the state of preservation of the remains and to the safe public access, accurate replicas are a viable solution that best serves the enhancement of such type of heritage assets.</p> <p>Although their presence was known for more than 150 years, the Roşia Montană Roman galleries had never been archaeologically investigated prior to 1999. Basically, prior to 2000, this type of archaeological remains have never been subject to a specialized research, but only mentioned empirically. Mining archeology research conducted – since 1999 – by a multi-disciplinary team of specialists from the University of Toulouse Le Mirail (France) coordinated by Dr. Beatrice Cauuet aimed to develop a detailed study of this type of archeological relics, i.e. old mining galleries from Roman and later periods.</p>
<b>Solution</b>	<p>The questioner compares the ancient mining galleries at Roşia Montană with “Gioconda”, Leonardo Da Vinci's famous painting, but this comparison is exaggerated and not grounded. First, the painting of the Italian Renaissance painter is a masterpiece, while the Roşia Montană galleries are the result of an engineering design and they have been re-worked in order to recover the ore. Thus, the characteristics of these two “masterpieces” are completely different. Unlike Leonardo Da Vinci's Gioconda, which is in the best conservation conditions in a museum, that is to say in an environment whit permanently monitored parameters, the mining networks at Roşia Montană are “constantly subject to highly aggressive environmental, anthropogenic and natural factors, with irreversible action. Due to the environment in which it is preserved and to the specialized monitoring, Da Vinci's painting undergoes no or minor impacts, while the ancient and more recent galleries are highly vulnerable to aggressive underground environmental factors because of the mining activities carried out over the centuries and of the studies conducted there.</p> <p>Should no measures be adopted, this heritage will be irretrievably lost. In this case, the initiation of the mining project implementation at Roşia Montană will significantly contribute to the <i>in situ</i> preservation of significant and illustrative mining works for the ancient site of <i>Alburnus Maior</i>, while the replicas that will be developed will allow the preservation of the memory of exceptional mining works currently either in an advanced state of degradation or going to reach such a state in the absence of immediate conservation measures. These conservation measures are very expensive, as calculated by experts in this field. Even if all mining activity stops at Roşia Montană, the galleries cannot be preserved without problems for another two thousand years. Intensive and extensive underground and open cast mining operations involving traditional explosive blasting have created a dense system of cracks, which is responsible for inducing high instability in the host rocks into which the mining works have been dug. As in most cases the ancient mining works were performed in the richest parts of the deposit, they were naturally subjected to</p>

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extensive re-mining operations, which have resulted in the disappearance of most of the ancient remains.

In this regard, a specialist study has been conducted in order to develop financial estimates for the full conservation and inclusion in a tourist circuit of the galleries in Cărnic Massif. The data contained in this study are provided in the attached information brochure, named **Cost Estimate of Historic Mining Networks in Cărnic Massif**, developed by the British company Gifford in co-operation with the companies Geo-Design and Forkers Ltd.

As regards the segments of Roman mining works identified in the Cărnic massif, which are not planned to be preserved *in situ*, replicas and a digital 3D modeling of these types of remains will be created in the Mining Museum planned to be developed at Roșia Montană in the coming years. The creation of this 3D model of the Roman mining remains located in the Cărnic area required approximately 3 years (2004-2006) of detailed topographical surveys, computerized graphic processing and digital graphic design and other similar specialized studies. This 3D model can be used for scientific, education and demonstration purposes, as part of the museum and tourist circuit that is to be developed in the Historic Centre of Roșia Montană. The 3D model can also be posted on an internet website dedicated to promoting the Roșia Montană cultural heritage and to creating interactive CD-ROMs showing the 3D model.

In regard to the development of replicas of some mining structures, such cases exist in several European countries, where restoration of the kind has been developed. To name but two, we could mention the **rebuilding of a Roman Mine at Rio Tinto** (in the Mining Museum at Rio Tinto, Huelva, Spain representing a 5,000 year long history of mining in the Iberian Peninsula; this is perhaps one of the closest analogies for the mining archeological heritage of Roșia Montană, (a Roman Age mine drainage system similar to the two already identified in Roșia Montană at the mining sectors of Păru Carpeni and Cătălina Monulești was discovered here in the late 19<sup>th</sup> century) or the **replication of the lead mine at Killhope**, Wales, UK.

For an overview on the history of the research and the main discoveries related to the historic galleries at Roșia Montană, as well as for specialist conclusions on this matter, and assessments of a potential tourist circuit of the historic mining structures at Cărnic, or for the opinions expressed in 2004 by Edward O'Hara, General Rapporteur on the Cultural Heritage of the Parliamentary Assembly of the Council of Europe, please consult the annex called "Information on the Cultural Heritage of Roșia Montană and Related Management Aspects". Detailed information on the complex issues involved in the study of old mining works at Roșia Montană, on the results of this research and the enhancement options is available in the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Report, p. 32, 35-58, 83-108.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	425
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Bucuresti, 21.08.2006
RMGC internal unique code	MMGA_0918
Proposal	<p>The architecture company Opus claims that the authors of the EIA have used only parts of its study, excluding the parts that did not serve the company's interests. Opus claims that this is the fault of Mr. Paul Damian, who represents a Romanian government institution, the National History Museum of Romania. How is it possible for a Romanian government institution, subordinated to a ministry, to falsify a study and, in bad faith, to present the data in favour of the project titleholder?</p> <p>Several comments need to be made considering the point of view expressed by the petitioner with regard to the document prepared by SC OPUS – Atelier de Arhitectură S.R.L.</p> <p>As required by the scoping guidelines for the Report on Environmental Impact Assessment sent by the Ministry of Environment and Water Management (MEWA) under register number 8070/24.05.2005 ("the Guidelines") to S.C. Roşia Montană Gold Corporation S.A (RMGC), the project titleholder was asked to present a Management Plan for Historical Monuments and Protected Areas, as an annex to the Environmental Impact Assessment Study for the Roşia Montană Project.</p> <p>Considering these requirements, the project's titleholder contracted the National History Museum of Romania (NHMR), to co-ordinate all the heritage research and studies for the Roşia Montană project, in accordance with the provisions of the Order of the Ministry of Culture and Religious Affairs no. 2504/07.03.2001.</p> <p>As indicated in the service contract concluded between RMGC and the National History Museum of Romania (NHMR), the latter being an expert consultant, and having Paul Damian, PhD, Deputy Scientific Director as its representative, the institution was committed "to preparing a specific documentation to be included in the Environmental Impact Assessment for the Roşia Montană Project, Cultural Heritage section". This specific documentation was to be prepared "in compliance with applicable Romanian, European and international standards for the environmental impact assessment studies".</p>
Solution	<p>In its turn, NHMR subcontracted SC OPUS - Atelier de Arhitectură S.R.L. for the development of "a documentation exclusively prepared for the Study Area of Roşia Montană Historic Centre"; to be precise only a section of the entire document requested by MEWM through the official letter regarding the assessment's scoping guidelines. Within this framework, OPUS prepared the document called "The Historic Center of Roşia Montană - Cultural Heritage Management Plan. Draft I. A document for public disclosure".</p> <p>We must emphasise the fact that the final version of the "Management Plan for the Protected Areas and Historical Monuments of Roşia Montană Area" has been prepared in accordance with editing standards and instructions formulated by the EIA certified team of experts, coordinated by Mrs. Marilena Pătraşcu, overall expert reviewer, in order to meet all legal requirements that were included in "Guidelines".</p> <p>Note that the Environmental Impact Assessment Study for Roşia Montană mining Project was prepared by "natural persons and legal entities that were independent of the project's [...] titleholder", and "certified by the competent environmental authority" [1]. "The liability regarding the accuracy of information disclosed to the environmental competent authorities and public lies with the project's [...] titleholder", and the liability regarding the accuracy of the Environmental Impact Assessment lies with its authors [2].</p> <p>Chapters 1 (<i>Introduction</i>) and 9 (<i>Non Technical Summary</i>) include the list of all certified natural persons and legal entities who participated to the development of the Report on Environmental Impact Assessment Study. As a sign of recognition, uncertified natural persons and legal entities that have assisted the</p>

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certified specialists have also been included in the list.

The liability for the development of the Environmental Impact Assessment and for the accuracy of the interpretation of the information included in the report lies **only** with “highly competent certified natural persons” and with “certified legal entities” [3], that have participated in the development of the Environmental Impact Assessment based on the contract concluded with the titleholder, and not with the assistant (or sub-) consultants. **Therefore, the decision regarding the selection and use of information provided by the assistant consultants rests with the certified experts.**

Signing the Report on Environmental Impact Assessment Study (or its “chapters”) by certified experts is not a legal requirement [4].

For all necessary clarifications related to the detailed changes made to the content of the documentation prepared by SC OPUS - Atelier de Arhitectură S.R.L., please find enclosed an annex that includes a comparison of the text submitted by OPUS through the official report no. 1007/09.05.2006 to the National History Museum of Romania, and the final published version of the Report on Environmental Impact Assessment, specifically volume 33 – Management Plan for the Protected Areas and Historic Monuments of Roșia Montană Area, which was submitted during the month of May 2006 to the Ministry of Environment and Water Management.

References:

[1] In compliance with the provisions of Governmental Emergency Ordinance no. 195 of 22 December 2005 on environmental protection, published in the Official Gazette of Romania, part I, no. 1.196 of 30 December 2005 endorsed with all of its amendments by Law no. 265 of 29 June 2006 which in its turn has been published in the Official Gazette of Romania no. 586 of 6 June 2006, art. 21, point (a).

[2] Idem 1, art. 21, point (d).

[3] Under article 5 of the Ministerial Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no. 97 of 18 May 2004 with regard to the amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 on the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environmental balances, published in the Official Gazette no. 504 of 4 June, 2004.

[4] The provision on the liability of the **expert coordinator** “upon their signing”, with regard to the “quality of the studies and the reports submitted” mentioned in article 5 (2) of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no. 978 of 2 December 2003 (published in the Official Gazette no. 3 of 5 January 2004) **has been cancelled by** the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 97 of 18 May 2004 (for the amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 regarding the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environment balances, published in Official Gazette no. 504 of 4 June 2004).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	437
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Deva, 23.08.2006
RMGC internal unique code	MMGA_0935
<b>Proposal</b>	<p>The questioner points out that those who are against the project have shown no interest in nearby archaeological remains, such as:</p> <ul style="list-style-type: none"> <li>- the Roman steps, where even the entrance doors have been destroyed. These remains are an important tourist attraction, a place where tourism activities can be developed, if desired.</li> <li>- Roman-time mineral water springs located at Boholt, near Deva, currently exploited in an extensive, unprofessional manner. No other NGO or association has taken a stand on this issue, or at least on the issue of the two sites of equal fame and importance for the cultural heritage.</li> </ul>
<b>Solution</b>	<p>Roşia Montană (the ancient Alburnus Maior) is not the only ancient settlement within Romanian territory whose existence is connected with the ancient mining operations.</p> <p>There are traces of about 47 sites having relatively similar characteristics, situated in the Transylvania and Banat regions, among which 14 (such as Ruda-Brad, Stănişia, Bucium – the area of Vulcoi Corabia, those from Băiţa – Fizeş, and those from the area of Certej – Săcărâmb, those from Baia de Criş, as well as those from Haneş – Almaşul Mare) have already provided precise data of an archaeological potential that is to some extent similar to the one of Alburnus Maior; including evidence related to gold mining operations, settlement areas and associated infrastructure elements. While some of the sites have been impacted by recent developments during the last 200 years, others include promising clues to encourage the future development of archaeological research.</p> <p>80-90 percents of these sites have not been investigated in detail. A dramatic situation has been recorded at Zlatna, ancient <i>Ampelum</i>, the administrative centre of the mines from the province of Dacia, where during the 70's, an industrial facility has been built on the ancient Roman remains and the archaeological research undertaken was minimal and irrelevant, as compared to the importance and the significance of the site. Practically, the archaeological information regarding this site is lost for good.</p> <p>The archaeological remains located at Brad, that you have mentioned, are in the same situation. With regard to the mineral water springs from Boholt we cannot make any further comments, all these are not issues of our concern.</p> <p>The opportunity of archaeological research at Roşia Montană, which has been created by the context of this mining project, has allowed much data to be gathered on the ancient mining operation compared to other sites, that are also known, but which haven't been researched yet. The results of investigations to date indicate that future archaeological research on a series of ancient mining sites from Romania will change the current perception about Roşia Montană.</p> <p>There are a series of objective factors that explain the insufficient archaeological research of these sites. First, note the historic and economic premises of the area where these sites are located, namely the Apuseni Mountains, where mining is the dominant industry. The ongoing mining activity carried out over the centuries has led to changes of the landscape by the deposits resulting from the primary processing of the ore or from the excavation of galleries or of the surface mining areas. The difficult access caused by the conditions specific to the mountain areas and the absence of programs which could provide the necessary financing for the archaeological research of this specific type of sites (extensive or preventive investigations) have also contributed to the insufficient understanding and research of the historic mining remains. With regard to the conservation and enhancement methods of these sites, it is obvious that these stages have to be preceded by a methodic research conducted by specialists. Such measures are mandatory if a well-grounded decision for a correct enhancement of the archaeological heritage is to be made.</p>

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As indicated by the specialized studies conducted in the area, Roşia Montană is a significant cultural heritage site. This is why the budget assigned for the conservation and restoration of the Roşia Montană cultural heritage amounts to US\$ 25 million, as publicly stated in the Environmental Impact Assessment Report. Note that since 2001 some US\$ 9 million have been spent for the research of the Roşia Montană heritage. The company is committed to supporting the development of a **Modern Mining Museum**, which will include **geological, archaeological, industrial** and ethnographical heritage sections, as well as to developing the **Cătălina Monuleşti** gallery, the monument at **Tău Găuri**, and the Piatra Corbului area for tourists' access.

Should the mining project be implemented, RMGC intends to continue the archaeological research of the area, to publish its results and to enhance the cultural heritage from Roşia Montană in order to create the framework for tourist development based on this potential and avoid the situations you have mentioned.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	439
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Deva, 23.08.2006
RMGC internal unique code	MMGA_0938
Proposal	<p>The questioner makes the following comments and observations: Archaeological investigations contribute to the enhancement of the cultural heritage. According to Gold Corporation, USD 9 million have been invested and an area of several hectares has been granted archaeological discharge. No human settlements have been discovered during the investigations; our investigation has been hindered: we asked that the carbon dating method be applied but our request has been refused.</p>
Solution	<p>In compliance with the existing legislation, RMGC has provided the necessary funds for the investigation and assessment of these types of archaeological remains through preventive archaeological research. Specific investigative tools and methodologies are used for the organization and development of this type of research, which are adjusted to meet the real conditions of every site researched. The archaeological research of the Roşia Montană site consisted in the following steps:</p> <ul style="list-style-type: none"> <li>• Archive studies;</li> <li>• archaeological surveys, trial trenches (test trenches);</li> <li>• aerial reconnaissance/survey and aerial photo interpretation; high resolution satellite images;</li> <li>• mining archaeology studies; underground topography and 3D modeling; geophysical surveys;</li> <li>• Thorough archaeological investigations in the areas with an identified archaeological potential- this implied carrying out archaeological excavations;</li> <li>• Interdisciplinary studies- sedimentology, archaeo-zoology, comparative palynology, archaeo-metallurgy, geology, mineralogy;</li> <li>• Radiocarbon dating and dendrochronology;</li> <li>• This research and its outcomes were included in an integrated database;</li> <li>• traditional and digital archaeological topography and development of the GIS project; generate a photo archive- both traditional and digital;</li> <li>• restoration of artifacts;</li> <li>• an inventory and a digital catalogue of the artifacts;</li> <li>• studies conducted by specialists in order to enhance the outcomes of this research - publication of monographs / scientific books and journals, exhibitions, websites, etc.</li> </ul> <p>All the preventive archaeological researches conducted at Roşia Montană since 2000 have been carried out within a complex research program; permits for preventive archaeological excavations being issued in compliance with the legislation in force. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. The investigations conducted during each archaeological research campaign were authorized by the Ministry of Culture and Religious Affairs based on the Annual Archaeological Research Plan approved by the National Commission of Archaeology.</p> <p>The specific techniques employed during the preventive archaeological investigations conducted on the RMP perimeter consisted in a survey of all the areas, which are accessible and, at the same time, suitable for human settlements, and took into account bibliographical data and observations made during field surveys, geophysical surveys, as well as data resulting from the analysis of photogrammetric flights. The archaeological investigations were developed in surface where required by the archaeological conditions. The archaeological investigations conducted at Roşia Montană have covered large areas, and all the areas with an archaeological potential have been thoroughly investigated. <u>THUS, ALL THE PERIMETERS THAT</u></p>

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WERE ARCHAEOLOGICALLY DISCHARGED HAD BEEN PREVIOUSLY INVESTIGATED. All the investigations undertaken starting with the 2004 campaign have been conducted in accordance with the legislation in force, specifically the Order of the Minister of Culture and Religious Affairs no. 2392/06.09.2004 on the establishment of Archaeological Standards and Procedures.

Under the same Romanian legislation in force, the researchers who have conducted the investigations are entitled to propose the archaeological discharge of a certain area. Based on the findings of the complex archaeological investigations, the team of archaeologists prepares a comprehensive documentation of the area investigated. Upon consultation of this documentation, the National Commission of Archaeology decides whether or not to recommend the issuance of the archaeological discharge certificate. The archaeological discharge certificate for the preventive archaeological researches conducted in the period 2001-2006 was issued directly by the Ministry of Culture and Religious Affairs or by its decentralized departments.

The statement that “no human settlements were found during the archaeological researches” is not consistent with the archaeological reality. In this respect, please note that the habitation structures identified and investigated were published in preliminary form, after each campaign, in the Chronicle of Archaeological Researches in Romania (CAR) and in the first volume of the Alburnus Maior monographic series. For convenience, the publications of the investigations of habitation structures dating from the Roman period are: Hop-Găuri, Carpeni, Tăul Țapului (CAR 2001 (2002), p. 254-257, no. 182; 261-262, no. 185; 264-265, no. 188; 265-266, no. 189. Alburnus Maior I, 2003, p. 45-80; 81-122; 123-148; CAR 2001 (2002), 257-261; CAR 2003 (2004) ,280-283; Alburnus Maior I, 2003, p. 387-431, 433-446, 447-467).

With regard to your request for a radiocarbon dating, note that your request did not comply with the administrative and professional procedures. As a member of the research team from the Museum of Dacian and Roman Civilization in Deva, you should have submitted this request to the person in charge in that sector, namely Dr. Adriana Pescaru Rusu. According to the legislation in force, the manager of an archaeological site is entitled to solve the requests submitted by a member of the team. Your request was dismissed because it remained only a verbal one as you didn't proceed with it. Moreover, the following year, your colleagues requested a radiocarbon dating on a wood sample taken from a burial in the Țarina necropolis. Their initiative was successful as they followed all the necessary procedures in this respect.

As for the obstruction of the works, please explain us what obstruction you refer to so that we can clarify your doubts.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	439
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Deva, 23.08.2006
RMGC internal unique code	MMGA_0939
<b>Proposal</b>	<p>Current legal provisions set a definite standard for building conservation. How many patrimony buildings has the company managed to preserve?</p>
<b>Solution</b>	<p>As specific activities related to the conservation of historical monuments conducted so far we can mention:</p> <ul style="list-style-type: none"> <li>- The design and development of the scaffolding at the gate of historical monument house no. 372 to prevent it from tilting forward (Approval);</li> <li>- The transformation of the historical monument house no. 392 into office space, by changing its initial residential use (Approval 453/2004);</li> <li>-Securing the Construction Permit for House no. 325 under Law 422/2001, although it is not a historical monument, it is located in the central square of Roşia Montană Historical Center (Approval 25/27.10.2006). This building will be restored in accordance with the legal regulations of the Ministry of Culture and Religious Affairs and will be used as an Information Center and Exhibition facility;</li> <li>- for 11 historical monument buildings in the Roşia Montană area specialist restoration design projects are currently being finalized; the restoration of these houses will begin in 2007;</li> <li>-the establishment of a wooden structure for the protection and primary conservation of the Roman funerary precinct at Tău Găuri.</li> </ul> <p>On the other hand, we have to mention the protected area in Roşia Montană. This will cover more than 130 hectares and will include 35 historical monuments and other architectural assets in the locality (restored and enhanced). A Mining Museum will be established with geological, archaeological, ethnographical (including an open-air section), industrial heritage displays and an important underground component around the Cătălina Monuleşti Gallery. In this part of the locality, the Company plans to promote the development of traditional tourism (guest houses, small restaurants). The historic lakes are located in the eastern and south-eastern part of the old center: Tăul Mare, Tăul Brazi and Tăul Anghel. Modern recreational tourism can develop in this area. Note that none of the historical monument houses located in the perimeter of the proposed RMGC Project will be negatively affected, i.e. all the 41 historical monument houses will be included in a comprehensive rehabilitation and restoration program (see Environmental Impact Assessment Study (vol. 33, i.e. Plan M - Cultural Heritage Management Plan, Part II – Management Plan for the Historical Monuments and Protected Zone of Roşia Montană, p. 75-94). This program is absolutely necessary- irrespectively of the implementation of the mining project-if we want to prevent these houses from collapsing because their current advanced state of degradation.</p> <p>The Company wishes to protect and promote all these elements, and this will determine special measures both within the protected area of the Historical Center of Roşia Montană (restoration-consolidation-conservation), and within the industrial sites (use of special blasting technologies, creating buffer zones between the 2 sites, continuous monitoring of vibrations and adjusting the blasting to wave propagation speed, and the actual restoration and rehabilitation of the houses located in this area). As publicly stated in the Environmental Impact Assessment Study, once the mining project for Roşia Montană has started, all the historical monument buildings in Roşia Montană owned by RMGC will be included in a complex restoration and conservation program. Should there be other historic buildings owned by various institutions or natural persons, RMGC will fully contribute, upon their consent, to the restoration of such structures, in accordance with the special regulations issued by the Ministry of Culture and Religious Affairs. The funds that the Company will make available in future years – should the Project be implemented – for conservation, restoration and maintenance works in the protected area Historical Center of Roşia Montană and for the historical monument buildings outside it amount to a total of US\$</p>

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3,385,000.

According to the List of Historical Monuments published by the Ministry of Culture and Religious Affairs in the Official Gazette No. 646 bis, of 16.07.2004, 41 buildings in Roşia Montană have been classified as historical monuments to date, i.e. two churches and 39 houses (HML 2004 code: AB-II-s-B-00269, and then from AB-II-m-B-00271 to AB-II-m-B-00311).

Under Law 422/2001 art. 38 – as amended by Law 259/2006, the obligations of historical monument building owners primarily include maintenance, and not restoration of historical monuments. Please see the enclosed brochure for further information on the obligations fully assumed by RMGC.

At present, RMGC owns 14 buildings that have been classified as historical monuments. These were acquired under the legal procedures provided by Law 422/2001 on the protection of historical monuments, amended, and they were in different states of preservation when acquired, aspect which was documented in both the sale and purchase agreements and by various pictures taken from the date of acquisition to the present day.

Thus, to date RMGC has fulfilled its legal obligations as owner of historical monument buildings. By committing to and assuming the data and conclusions included in the *Management Plan for Historical Monuments and Protected Areas from Roşia Montană* of the Environmental Impact Assessment Study, RMGC aims to continue this responsible approach and to provide the necessary funds for the restoration and conservation of historical monument buildings and the historical center of Roşia Montană. Any intervention on such buildings is carried out in accordance with the applicable legal provisions in force, and based on the findings described in the specialist study developed in 2005-2006 by the Technical Civil Engineering University of Bucharest – National Center of Seismic Engineering and Vibrations for the heritage buildings in Roşia Montană.

**For further details regarding these studies and simulations conducted by the Technical University and IPROMIN with regard to specific measures for the mitigation of the impact caused by blasting on the historical monument buildings please consult the attached brochure.**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	439
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Deva, 23.08.2006
RMGC internal unique code	MMGA_0940
Proposal	<p>No industrial archaeology investigations have been carried out. There are mentions dating back to the 3rd century. Investigations have not revealed any cultural aspects.</p> <p>Industrial archaeology is not a discipline in itself, except for the implication of the term in the post-procedural conception. During the past 6 years, field archaeological research conducted at several locations has revealed evidence of industrial type structures. The evidence of structures of this type has been published in preliminary form in the Chronicle of the Archaeological Researches in Romania, upon the completion of every archaeological campaign, as well as in the first volume of the monographic series of <i>Alburnus Maior</i>. For compliance purposes, we mention those locations that have been identified and also present the references for clarity: Hăbad – La Studentul, Valea Cornei, Tăul Găuri (property of Oltean), Jig Văidoaia (property of Câmpean) (CAR 2001 (2002), p. 264-265, no. 188; 263-264, no. 187. CAR 2002 (2003), pp. 106-107). Furthermore, while conducting underground research, the features associated with industrial archaeology have been included and the results of this research may be found in the reports of the preventive archaeological research that has been conducted by the French researchers. Last, but not least, we mention the archive study, which is an integral part of such a scientific process. As we intend to publish the results of the scientific research conducted at Roșia Montană the aspect you have referred to is going to be fully discussed in a document devoted to this topic.</p> <p>Also, considering the closure of RoșiaMin, all equipment and facilities having a potential relevance for industrial heritage have been researched and inventoried. This has been possible by creating a joint team of Romanian mining engineers coordinated by a French expert in mining archaeology. The equipment is currently owned by Minvest, and the representative ones will be part of the future Roșia Montană exhibition.</p>
Solution	<p>With regard to the discoveries dating from the 3<sup>rd</sup> century which were made in the necropolises from <i>Alburnus Maior</i>, note that the numismatic material after the year 160 is very rare, and from an archaeological point of view, within the investigated habitation structures, an abandonment of these sites has been observed in certain cases, (see the case of Tăul Țapului) which may probably date from the same period. It is certain that something happened with the communities from Roșia Montană, in the last quarter of the 2<sup>nd</sup> century, in a context which has not been yet entirely clarified by historians and which is probably related to the Marcomanic wars as well as to economic events (the choice of another mining area, considering the possibility that the part of the ore deposit which could be mined with the existing technical means was depleted in the Roșia Montană mining perimeters?) or the re-organization of the Province of Dacia undertaken by the emperor Marcus Aurelius. Moreover, as indicated in the <i>Historia Augusta</i> [1] or by <i>Eutropius</i> [2] Marcus Aurelius had to sell by auction his treasury in order to supply equipment for his army and to temporarily restore the finances of the Empire during the Marcomanic wars. This piece of information should not be ignored nor taken out of context as the gold mining operations at <i>Alburnus Maior</i> have probably phased out in that period, aspect which is implicitly proven also by the last chronological date provided by the wax tablets. Over the years, several historians such as Th. Momsen [3], G. Téglás [4], C.Daicovicu [5], S. Mrozek [6], C. Noeske [7], I.I. Russu [8], D.Protase [9] or Zsolt Visy (in the Contestation he sent to MMGA with regard to the EIA for the Roșia Montană Project) have expressed their opinions on this issue. The situation of the imperial finances and the Roman Empire in general are known to have recovered after this critical period. This aspect is confirmed both by the ancient sources and by the historical research- if we considered only the fact that Marcus Aurelius recovered his treasury and the fact that the end of the Marcomanic wars had been celebrated with great pomp and games in Rome [10]. Marcus Aurelius successor, Commodus, also spent significant financial resources when he celebrated his enthronement [11]. Another proof in this respect is the fact that during</p>

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Marcus Aurelius' reign, the *aureus* (coin named after Marcus Aurelius) weighed 7.3 g, while during the reigns of Septimius Severus and Caracalla its value raised again to 7.8 g [12], these variations of the monetary circulation being probably a consequence of the aforementioned crisis [13].

In this context, we are going to refer to one of the most interesting sources regarding the funerary discoveries: the Wax Dacic Tablet no.1. The deciphered text of this wax tablets referred to the declaration (verbatim record) issued for the self-dissolution of the funerary services association (collegium) headed by Jupiter Cernenus. The text emphasizes a crisis moment in the evolution of the ancient Alburnus Maior society. Therefore, the dissolution of a mutual aid society established to provide funerary services,- that initially included "54 men" will self-dissolve, apparently due to reasons related to the decrease in the number of taxpayers ("only 17 people remained at Alburnus"). The consequence was the decrease of common funds and thus "there wasn't enough money to pay for burials, and they haven't had any space available either (a space for graves?)". The text is precisely dated on 9<sup>th</sup> of February 167. This crisis moment so accurately recorded by the researched tablet is confirmed by the data obtained after conducting archaeological research both in the necropolis and in the settlement area.

This is the official statement received from the Ministry of Environment and Water Management – "3<sup>rd</sup> century", but we particularly remember that, during the public consultation process, you made reference to several events from the 13<sup>th</sup> century. Therefore, we provide a series of footnotes comprising clarifications of this issue [14]. Also note that in 2000, the National Design Centre for Cultural Heritage (the National Institute for Historical Monuments since 2002) conducted an assessment of the archaeological potential of the area. In this context, a series of preliminary archaeological investigations have been conducted on the one hand by Raluca Iosipescu and by Sergiu Iosipescu, Ph.D. and on the other hand by Cristina Crăciun. These investigations have revealed evidence of medieval settlements (dated to the 13<sup>th</sup>-18<sup>th</sup> centuries) in several locations within Roșia Montană (e.g. the Islazului hill, the Orlea-Tăul Secuilor area and to the Roman-Catholic Church (in the Historical Centre of the current village). Given that the Historical Centre of Roșia Montană and the Islazului hill will not be affected by the mining project, the archaeological research of these areas did not continue after 2000, but their archaeological potential has been mentioned. With regard to the Orlea massif, note that detailed archaeological research is scheduled in this perimeter in the period 2007-2012.

#### References:

- [1] Scriptorum Historiae Augustae, *Vita M. Antonini philosophi*, XVII.4-5.
  - [2] Eutropius, *Breviarum Historiae Romanae*, VIII.12-14.
  - [3] CIL III, p. 921
  - [4] Archeologiai Közlemenek, XVI, 1886, p. 43
  - [5] *Les castella Dalmatarum de Dacie. Un aspect de la colonisation et de la romanisation de la province de Dacie*, Dacia, n. s. II, 1958, p. 258 – 266
  - [6] *Aspects sociaux et administratifs des mines d'or romaines de Dacie*, in Apulum VII, 1, 1968, p. 201-208; *Les prix dans les mines d'or de Dacie au II-ème siècle de n.è.*, in Apulum IX, 1971, p. 443-452 ; *Die Goldbergwerke im römischen Dazien*, in ANRW, II, 6, 1977, p. 95 – 109
  - [7] Studien zur Verwaltung und Bevölkerung der dakischen Goldbergwerke in römischer Zeit, in BJ 177, 1977, p. 271-416.
  - [8] *Inscriptiile Daciei Romane* (IDR), vol. I, ed. Romanian Academy, Bucharest 1975, p. 175
  - [9] *Istoria românilor*, vol. II, ed. Romanian Academy, Bucharest, 2001, p. 178
  - [10] Eutropius, *Breviarum Historiae Romanae*, VIII.12-14.
  - [11] Herodian, *Historia de imperio post Marcum*, I.7.1.-4.
  - [12] *Aspects sociaux et administratifs des mines d'or romaines de Dacie*, Apulum VII, 1, 1968, p. 310.
  - [13] See M. Rostovtzeff, *The Social and Economic History of the Roman Empire*, Oxford, 1926; R. D. Johns, *The Economy of the Roman Empire*, Cambridge, 1982.
  - [14] In this case we can communicate to you the following: there is no archaeological or documentary evidence regarding Roșia Montană during the migration period and early Middle Age. After the Aurelian retreat from the province of Dacia, during the 3<sup>rd</sup> century A.D. there is a possibility that within the area of Apuseni Mountains an entire series of human communities might have continued to exist that that were more or less involved in mining activities. Several archaeological discoveries from neighboring areas, as those from Alba Iulia, Cluj-Napoca or Turda, clearly prove the presence of settlements within the intra-Carpathian area, but during the 4<sup>th</sup> and the 12<sup>th</sup> centuries at Roșia Montană only assumptions can be made with reference to the situation because no clear data exist.
- Two documentary evidences open the history of the medieval times, one dated 1238 and the other 1271,
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which attest the fact that mining activities had been developed in the Cărnic Massif by Saxon colonists from Ighiu and Cricău. In these documents the locality of Roșia Montană is not attested as we understand it today, but toponyms as Chernech or Terra Obruth are mentioned. It is highly probable that this historic information depicts the ancient mining settlements of Middle Ages as an important centre consisting of small hamlets located at the bottom of Cărnic massif, within the administrative area of Abrud.

It must be emphasized that for the period between the 13<sup>th</sup> and 16<sup>th</sup> centuries there is some confusion related to the localization of the toponyms for Abrud and Zlatna. It is highly probable that the confusion was generated by the Saxon names of these two localities, respectively for Abrud (in Hungarian - Abrudbánya, and in German Großschlatten) and for Zlatna (in German Schlatten, a name that has Slavonic roots, namely “zoloto” meaning “gold”). Therefore, the mining region Abrud– Roșia Montană - Zlatna (and their surroundings) was part of the oldest shire from Transylvania, having its headquarters at Alba. The name of this area came initially from the name of the town of Abrud, which had an administrative-political importance for a period of time. Consequently almost until the end of the 16<sup>th</sup> century the area of Roșia Montană hadn't been separately identified inside of the town of Abrud.

Traces of the development of the medieval settlement from the area of today's Roșia Montană might be identified in king Carol Robert de Anjou's decision, dated to 1327-1328, to transfer this mining land from the property of the Crown to the possession of local feudal class, a decision that resulted in the development of the overall mining area. The reforms and laws governing the mining sector during the medieval Hungarian kingdom and then of the principality of Transylvania stimulated gold mining and administrative developments (according to the opinions expressed by the historians Wollmann, and P. Binder, is a series of studies published in the 1980s).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	439
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Deva, 23.08.2006
RMGC internal unique code	MMGA_0941
Proposal	<p>An ethnographical study for the Bucium area has been carried out. In 1903, Rosia Montana area had a population of 5000 inhabitants, while the town of Deva had less.</p> <p>A series of local traditions that have been practiced by this mining community have been maintained at Roşia Montană through time. Two of the objectives of Alburnus Maior National Research Programme consist in the preparation of an ethnographical study of the Roşia Montană – Abrud – Corna area, together with the preparation of an oral history study for the same area. Therefore, between 2001-2004, an ethnographical research of the Roşia Montană-Abrud –Corna area was conducted, supported by the preparation of an extensive series of interviews of oral history conducted by the Romanian Society of Radio Broadcasting through the “Gheorghe Bratianu” Centre of Oral History, Bucharest (SRR - CIO), this being coordinated by several experts from the “Dimitrie Gusti” state-owned National Museum. Details on the main research methods and the results of these studies are summarized in the Report on Environmental Impact Assessment, volume 6 – Cultural Heritage Baseline Report, p. 31-32, 54, 56-69, 110-114.</p> <p>These local traditions – many transmitted orally from one generation to another – are a significant part of the intangible cultural heritage of the town. The archive of the oral history established between 2002 and 2003 contains interviews recorded on digital format. This archive is currently the only archive of this kind that refers to industrial heritage and to the living traditions of a mining community that has had a long life in Transylvania. The way in which the Roşia Montană locals celebrate festivals and ceremonies is different from other rural settlements from Transylvania. This fact can be explained by the ethnical and religious diversity existing at Roşia Montană, many populations being attracted here by the presence of gold reserves.</p>
Solution	<p>The results of ethnographical researches conducted for Roşia Montană – Abrud – Corna area during 2001 were published in 2004 in the first volume of the monographic series <i>Alburnus Maior – Anthropos</i>; another two volumes are scheduled to be published on this topic.</p> <p>With regard to the number of inhabitants about 100 years ago in the area of Roşia Montană, this volume, at page 22-23 states that: “According to the censuses conducted at the end of the 19<sup>th</sup> century, 758 households and a population of 3,439 inhabitants existed in Roşia Montană in 1880, and 215 households for a population of 770 inhabitants existed in Corna. In 1956, after nationalization, 2,371 inhabitants have been counted in Roşia Montană and 341 in Corna; one can see that this is a drastic decrease in the number of local people, due to the fact that miners and their families have left Roşia Montană, and in Corna’s case, the documents attest only a number of 149 inhabitants due to the fact that Bunta hamlet has been declared in 10.01.1956 as being a village and separately censused. Depopulation is a phenomenon that has continued up until now, therefore the results of the census conducted in 1992 are: Roşia Montană 1,556 inhabitants having 621 households, Corna 358 inhabitants having 123 households, and Bunta 41 inhabitants with 14 households. According to the statistic data provided by the Local Council of Roşia Montană, between 1997 and 2000 it has been noticed that both the village of Roşia Montană as well as the village of Corna recorded a relative stability of the dwelling process (between 641-638 households in Roşia Montană and 128-123 households in Corna). Currently, a part of these households are being abandoned, a part of them are vacation houses or they have been rented as spaces for conducting businesses.” Moreover, data on the demographic structure of the area are included in a study on the monuments from the Ariesului valley, published in 2001 [1].</p> <p>All these cultural values and resources, along with an important collection of archive images are a</p>

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significant potential resource that may be developed in the future museum from Roşia Montană, which will have sections dedicated to geology, archaeology, history and ethnography. The company believes that by developing a new cultural center and a mining museum in Roşia Montană, a special opportunity will be created for the conservation and development of ethnographic heritage elements and the data of oral history of Roşia Montană. Moreover, the community will be encouraged to get involved in a participatory manner in the decision making process with regard conservation and development of its cultural heritage and traditions.

References:

[1] Ioan Opreş, Mihaela Bodea-Bonfert, Marius Porumb – *Monumente istorice de pe Valea Arieşului*, ed. Oscar Print, 2001, p. 23-24, 123-124

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	452
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Deva, 23.08.2006
RMGC internal unique code	MMGA_0959
Proposal	<p>In the last 35 years archaeological remains have suffered massive destruction. The Roman ruins have disappeared. Nowhere is this fact mentioned but local inhabitants in Rosia Montana are entitled to say it.</p> <p>The potential loss of archaeological remains which occurred prior to the initiation of the Roşia Montană project proposed by RMGC is primarily due to the fact that no mining archaeological research was conducted in the Roşia Montană area prior to 1999. The scientific investigation and survey of the galleries from Roşia Montană practically began at that moment. It was only with the changes in the Romanian legislation on the protection of the archaeological heritage (the Government Ordinance no 43/2000) and in the context of the archaeological investigations undertaken for the implementation of the Roşia Montană mining project that the archaeological remains at Roşia Montană began to be appropriately dealt with. These aspects are also pointed out in the urbanism plans proposed by RMGC, where the areas of significance from the point of view of the heritage are treated as protected areas.</p> <p>Thus, prior to 2000 we had a rather theoretical understanding of the galleries from Roşia Montană (ancient Alburnus Maior), as it was based on all the data gathered from the chance finds and from the interpretation of the texts regarding the ancient Alburnus Maior written on the wax tablets found in the middle of the 19<sup>th</sup> century. This included, however, certain topographical archaeological survey attempts. Summarizing all these pieces of information, in <b>1995</b>, the <i>Archaeological Gazetteer of Alba County</i> presented the following data regarding the Roman galleries:</p> <ul style="list-style-type: none"> <li>- during the 18<sup>th</sup> – 20<sup>th</sup> centuries, the mining works have revealed a number of artifacts dated to the Roman period (note that, for many of these discoveries, the exact discovery place is unknown, often they were only mentioned, and others had even disappeared over the centuries; so we cannot talk about a methodical and professional approach of these movable heritage assets);</li> <li>- Parts of Roman mining works have also been discovered South, East and North of the modern mines; however, these ancient works have not been subject to proper scientific research;</li> <li>- Roman gold mine operations, especially taking into consideration the place where the wax tablets have been found, were signaled in the vicinity of the civil settlements located on the Cetate and Cărnic hills, in the Ecaterina Monuleşti (Cătălina-Monuleşti) gallery, Letea (Lety) and Rotunda massifs;</li> <li>- Moreover, the iron is mentioned to have been mined during the Roman period on the “Cetatea Mică” hill, without presenting any archaeological piece of evidence in this respect.</li> </ul> <p>Consequently, until early 2000, one could say that the Roman mining site at Roşia Montană was an area of significant archaeological potential, where no specific archaeological diggings had been carried out, diggings necessary for a detailed picture of the various site elements and characteristics as well as for the localization and spatial distribution of the settlement area, the funeral areas and the ancient mining remains within the site.</p> <p>The Report on the Environmental Impact Assessment Study (both in volume 6-<i>Cultural Heritage Baseline Report</i> and in volume 32-<i>Management Plan for the Archaeological Heritage from Roşia Montană Area</i>) refers to the deterioration of the archaeological remains which would have existed in the Cetate massif. Thus, open-pit mining works have been carried out in the Cetate and Cărnic massifs starting from the '70s during the communist period. No preliminary archaeological investigations were conducted prior to the exploitation. And these open-pits and their related infrastructure have led to the deterioration of significant archaeological remains, mainly the famous „Roman yards” and the „Emperor’s window”. A history of the</p>
Solution	



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historical and archaeological research in the Roșia Montană area prior to 2000 (see volume 6- Cultural Heritage Baseline Report, Annex F, pages 161-166) and an inventory of the chance finds prior to 2000 (see volume 6- Cultural Heritage Baseline Report, Annex G, pages 166-169 ) have been developed in the context of the preliminary studies for the documentation necessary for the EIA for the RMP.

Starting with 2000, preliminary archaeological investigations have been conducted in the Roșia Montană area in order to prevent any irretrievable losses of cultural heritage assets. And in 2001, based on the results of these researches, the Ministry of Culture and Religious Affairs initiated the „Alburnus Maior” National Research Program (by the Ministerial Order no. 2504/07.03.2001). This program is developed in compliance with Law 378/2001 (as subsequently amended by Law 462/2003 and Law 258/2006).

Against this background, an archive comprising old pictures was generated, doubled by an archive research for the Cărnic massif and the remains located there prior to 1970. Based on these researches, archaeological investigations have been conducted both above and under the ground, which allowed building a picture of the way this area was structured in the ancient times. The results of these researches are synthesized in volume 6 –*Cultural Heritage Baseline Report*, pages 71-73; 74-75; 86-88.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	460
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Arad, 25.08.2006
RMGC internal unique code	MMGA_0981
Proposal	<p>The questioner makes the following observations and comments:He/she disagrees with the exploiting methods, and not with the project itself. He/she is against the destruction of the historical-cultural centre of the region, of cemeteries and other treasures, which are to disappear under the effect of explosives and bulldozers. There are other exploitation methods, used for mining salt deposits: larger galleries where mining operations are carried out using chambers on pillars.</p>
Solution	<p>Note that the implementation of the mining project does not involve the destruction and abandonment of archaeological heritage assets in the area of Roşia Montană commune, i.e. of the cultural-historic cradle of this area. The archaeological research undertaken in this area in the period 2000-2006 has outlined several areas with significant heritage assets for which protection limits have been established.</p> <p>In practice, the areas of Cetate, Cârnic, Jig, and Orlea, located in the upper Roşia and Corna Valleys, respectively, in the jurisdiction of Roşia Montană Commune, a number of chance archaeological finds had been recorded – such as epigraphic monuments, funerary architecture items - that provided enough indication to suggest the presence of archaeological sites. The other heritage assets of Roşia Montană – the lakes, the historical monument buildings, traditions and customs – were generally known, but only in 2001 did the Ministry of Culture and Religious Affairs decide to approach this complex issue in a consistent manner.</p> <p>Today, after extensive research conducted for the past 7 years, the nature, characteristics and distribution of heritage assets are well known – including of archaeological sites, historical monument buildings, as well as churches and cemeteries of the Roşia Montană area. Research and studies helped outline a comprehensive image of the heritage assets and spiritually significant areas, as well as adopt specific measures concerning their protection. Thus, the areas where the mining project can be implemented and the heritage areas, defined as protection areas, have been already decided. These include:</p> <ul style="list-style-type: none"> <li>• in Cârnic Massif – ancient open cast and underground operations in the Piatra Corbului area, on the south-western side of the mountain;</li> <li>• in the Lety-Coş massifs, the Gallery at Cătălina Monuleşti, including a Roman mine drainage system;</li> <li>• in the Văidoaia Massifs - vestiges of ancient open cast operations in the central-southern part of the mountain;</li> <li>• in the Orlea Massif – the mining sector of Păru Carpeni, including a Roman mine drainage system and the sections of ancient mine they drained;</li> <li>• Carpeni archaeological reserve, which include ancient settlement remains as well as a funerary precinct;</li> <li>• The funeral monument at Tăul Găuri</li> <li>• The Historical Center of Roşia Montană covering approximately 130 ha including 35 historical monument buildings and some of the most important lakes built in the Theresian period.</li> </ul> <p>It should also be mentioned that the Cătălina Monuleşti gallery would be organized as an underground museum where Roman mining remains will be preserved <i>in situ</i>. Moreover, this will include 1:1 scale replicas of the galleries of a type not originally found in the Cătălina area, the practices used in this respect being accepted and adopted in several many similar cases in Europe.</p> <p>Considering the importance of the cultural heritage at Roşia Montană and the current legal provisions, S.C. Roşia Montană Gold Corporation S.A has allocated a heritage research budget of more than US\$ 10</p>

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million for the period 2001-2006. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget provided by the Company for the research, conservation and restoration of the cultural heritage at Roșia Montană in future years, provided the Project is implemented, will be of US\$ 25 million, as disclosed in the Environmental Impact Assessment Study of May 2006 (see EIA Report vol. 32, Management Plan for the Archaeological Heritage from Roșia Montană Area, pages 80-81). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the **Catalina-Monulesti** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historical monument buildings and the protected area Historic Center of Roșia Montană**.

As regards the churches and cemeteries, note that:

- out of the 10 churches and prayer houses in Roșia Montană and Corna, only the 4 churches on the Corna valley will be affected by the mining project, the 6 others from Roșia valley will be preserved in their entirety;
- out of the 12 cemeteries existing in Roșia Montană, 6 will be affected by the implementation of the mining project and approximately 410 graves will need to be relocated.

All these commitments publicly assumed by the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

As for detailed information on the main archaeological remains, historical monuments and a number of considerations on how to protect them and the specific measures designed in the Management Plans, please see the annex called "Information on the Cultural Heritage of Roșia Montană and Related Management Aspects".

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	460
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Arad, 25.08.2006
RMGC internal unique code	MMGA_0983
Proposal	<p>The questioner considers that anyone can sell their properties ( houses, cars etc) but that nobody has the right to hold ownership over natural treasures and cultural heritage. Rosia Montana belongs to the Romanians. It is the oldest historically documented settlement in the country (Alburnus Maior). Who else would agree to sell their cultural and historical heritage? Nobody.</p>
Solution	<p>From the start, note that the implementation of the mining project does not involve the destruction and abandonment of archaeological heritage assets in the area of Roşia Montană commune, i.e. of the cultural-historic cradle of this area. The archaeological research undertaken in this area in the period 2000-2006 has outlined several areas with significant heritage assets for which protection limits have been established.</p> <p>In practice, the areas of Cetate, Cârnic, Jig, and Orlea, located in the upper Roşia and Corna Valleys, respectively, in the jurisdiction of Roşia Montană Commune, a number of chance archaeological finds had been recorded – such as epigraphic monuments, funerary architecture items - that provided enough indication to suggest the presence of archaeological sites. The other heritage assets of Roşia Montană – the lakes, the historical monument buildings, traditions and customs – were generally known, but only in 2001 did the Ministry of Culture and Religious Affairs decide to approach this complex issue in a consistent manner.</p> <p>Today, after extensive research conducted for the past 7 years, the nature, characteristics and distribution of heritage assets are well known – including of archaeological sites, historical monument buildings, as well as churches and cemeteries of the Roşia Montană area. Research and studies helped outline a comprehensive image of the heritage assets and spiritually significant areas, as well as adopt specific measures concerning their protection. Thus, the areas where the mining project can be implemented and the heritage areas, defined as protection areas, have been already decided. These include:</p> <ul style="list-style-type: none"> <li>• in Cârnic Massif – ancient open cast and underground operations in the Piatra Corbului area, on the south-western side of the mountain;</li> <li>• in the Lety-Coş massifs, the Gallery at Cătălina Monuleşti, including a Roman mine drainage system;</li> <li>• in the Văidoaia Massifs - remains of ancient open cast operations in the central-southern part of the mountain;</li> <li>• in the Orlea Massif – the mining sector of Păru Carpeni, including a Roman mine drainage system and the sections of ancient mine they drained;</li> <li>• Carpeni archaeological reserve, which include ancient settlement remains as well as a funerary precinct;</li> <li>• The funeral monument at Tăul Găuri;</li> <li>• The Historical Center of Roşia Montană covering approximately 130 ha including 35 historical monument buildings and some of the most important lakes built in the Theresian period.</li> </ul> <p>It should also be mentioned that the Cătălina Monuleşti gallery would be organized as an underground museum where Roman mining remains will be preserved <i>in situ</i>. Moreover, this will include 1:1 scale replicas of the galleries of a type not originally found in the Cătălina area, the practices used in this respect being accepted and adopted in several many similar cases in Europe.</p> <p>Considering the importance of the cultural heritage at Roşia Montană and the current legal provisions, S.C. Roşia Montană Gold Corporation S.A has allocated a heritage research budget of more than US\$ 10</p>

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million for the period 2001-2006. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget provided by the Company for the research, conservation and restoration of the cultural heritage at Roșia Montană in future years, provided the Project is implemented, will be of US\$ 25 million, as disclosed in the Environmental Impact Assessment Study of May 2006 (see EIA Report vol. 32, Management Plan for the Archaeological Heritage from Roșia Montană Area, pages 84-85). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the **Cătălina-Monulești** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historical monument buildings and the protected area Historic Center of Roșia Montană**.

Roșia Montană (the ancient *Alburnus Maior*) is neither the oldest documented settlement in Romania (e.g. we can mention here the Greek settlements of Histria, Tomis and Callatis at the Black Sea), nor the most spectacular Roman settlement in the Roman province of Dacia. The opportunity of archaeological research at Roșia Montană in the context of the mining project allowed the collection of more information on ancient gold mining than on any other sites that have also been known to exist, but have not been researched to date (Brad-Săcărâmb, Zlatna-Almaș, Bucium).

As regards the churches and cemeteries, note that:

- out of the 10 churches and prayer houses in Roșia Montană and Corna, only the 4 churches on the Corna valley will be affected by the mining project, the 6 others from Roșia valley will be preserved in their entirety.
- out of the 12 cemeteries existing in Roșia Montană, 6 will be affected by the implementation of the mining project and approximately 410 graves will need to be relocated.

As for detailed information on the main archaeological remains, historical monuments and a number of considerations on how to protect them and the specific measures designed in the Management Plans, please see the annex called "Information on the Cultural Heritage of Roșia Montană and Related Management Aspects".

All these commitments publicly assumed by the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	465
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Arad, 25.08.2006
RMGC internal unique code	MMGA_0991
<b>Proposal</b>	<p>How can the company talk about cultural heritage conservation considering that the house inhabited by Maria Botis Ciobanu (the poetess from Tara Motilor) has been demolished? Churches and cemeteries are being demolished and RMGC claims that they will be rebuilt later.</p>
<b>Solution</b>	<p>The house of the poetess of Țara Moșilor, located in the lower Roșia Valley, was demolished in the second half of the 20<sup>th</sup> century. This has been mentioned in the study A. Sântimbreanu, <i>Roșia Montană, Alburnus Maior, Cetatea de scaun a aurului românesc</i>, 2004, Edition II, RMGC being in no way responsible for these events.</p> <p>From the start, note that the implementation of the mining project does not involve the destruction and abandonment of archaeological heritage assets in the area of Roșia Montană commune, i.e. of the cultural-historic cradle of this area. The archaeological research undertaken in this area in the period 2000-2006 has outlined several areas with significant heritage assets for which protection limits have been established.</p> <p>In practice, the areas of Cetate, Cârnic, Jig, and Orlea, located in the upper Roșia and Corna Valleys, respectively, in the jurisdiction of Roșia Montană Commune, a number of chance archaeological finds had been recorded – such as epigraphic monuments, funerary architecture items - that provided enough indication to suggest the presence of archaeological sites. The other heritage assets of Roșia Montană – the lakes, the historical monument buildings, traditions and customs – were generally known, but only in 2001 did the Ministry of Culture and Religious Affairs decide to approach this complex issue in a consistent manner.</p> <p>Today, after extensive research conducted for the past 7 years, the nature, characteristics and distribution of heritage assets are well known – including of archaeological sites, historical monument buildings, as well as churches and cemeteries of the Roșia Montană area. Research and studies helped outline a comprehensive image of the heritage assets and spiritually significant areas, as well as adopt specific measures concerning their protection. Thus, the areas where the mining project can be implemented and the heritage areas, defined as protection areas, have been already decided. These include:</p> <ul style="list-style-type: none"> <li>• in Cârnic Massif – ancient open cast and underground operations in the Pietra Corbului area, on the south-western side of the mountain;</li> <li>• in the Lety-Coș massifs, the Gallery at Cătălina Monulești, including a Roman mine drainage system;</li> <li>• in the Văidoaia Massifs - remains of ancient open cast operations in the central-southern part of the mountain;</li> <li>• in the Orlea Massif – the mining sector of Păru Carpeni, including a Roman mine drainage system and the sections of ancient mine they drained;</li> <li>• Carpeni archaeological reserve, which include ancient settlement remains as well as a funerary precinct;</li> <li>• The funeral monument at Tăul Găuri;</li> <li>• The Historical Center of Roșia Montană covering approximately 130 ha including 35 historical monument buildings and some of the most important lakes built in the Theresian period.</li> </ul> <p>It should also be mentioned that the Cătălina Monulești gallery would be organized as an underground museum where Roman mining remains will be preserved <i>in situ</i>. Moreover, this will include 1:1 scale replicas of the galleries of a type not originally found in the Cătălina area, the practices used in this respect being accepted and adopted in several many similar cases in Europe.</p>

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Considering the importance of the cultural heritage at Roșia Montană and the current legal provisions, S.C. Roșia Montană Gold Corporation S.A has allocated a heritage research budget of more than US\$ 10 million for the period 2001-2006. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget provided by the Company for the research, conservation and restoration of the cultural heritage at Roșia Montană in future years, provided the Project is implemented, will be of US\$ 25 million, as disclosed in the Environmental Impact Assessment Study of May 2006 (see EIA Report vol. 32, Management Plan for the Archaeological Heritage from Roșia Montană Area, pages 80-81). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the **Cătălina-Monulesti** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historical monument buildings and the protected area Historic Center of Roșia Montană**.

Out of the total of 10 churches and prayer houses in Roșia Montană and Corna, the two churches and the two prayer houses in Corna will be affected by the mining project. Note that all the options have been considered to date and, wherever possible, the location of industrial facilities has been changed so as to minimize the impact on churches and cemeteries. The latter will not be abandoned under the TMF, but will be relocated wherever the communities want them. None of these structures was classified as a historic monument.

The churches located on the Corna valley will be affected by the construction of the TMF. Of these, the Greek Catholic Church has been abandoned by its parishioners and currently is only used for special events. Under the circumstances, while they will no longer be accessible for religious services, new churches have been included in the design of Piatra Albă village, according to the congregation's needs and wishes. For the other two prayer houses, an amicable agreement has been reached between the representatives of the respective religions and our Company, with regard to the terms of relocation and appropriate compensation. All the other churches and prayer houses will remain unaffected by the development of the mining project.

410 out of the total 1905 graves located on the industrial development area for the future mining project and on the Protected Area Historic Center of Roșia Montană will be relocated. Relocation of the impacted graves will only be conducted under the law, in agreement with the wishes of direct heirs or carers for such graves, and, of course, only under Church supervision. No grave in Roșia Montană will be moved without compliance with the ethical and legal criteria and authorities mentioned above.

Therefore, exhumation will be conducted in full compliance with the current legal provisions.

Apart from these issues, because we have always considered the importance and significance that cemeteries and graves can have in the life of a family and a community, we would like to stress that we have tried to find solutions to minimize impact on the cemeteries. This has been possible for some of them. However, for those where a solution could not be found, the works described above will be done in cooperation with the congregation and the families, with all due care and respect for such situations.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	488
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	Arad, 25.08.2006
RMGC internal unique code	MMGA_1019
Proposal	<p>Being an expert in Roman law, the questioner suggests that the Company and the Faculty of Law collaborate in order to discuss the heritage discovery, conservation and enhancement.</p>
Solution	<p>The archaeological investigations at Roşia Montană began in 2000 and the nature, characteristics and distribution of the cultural assets (archaeological sites, historic buildings, churches, cemeteries) from the Roşia Montană area are now better understood. The thorough investigations and heritage studies undertaken in the period 2000-2006 allowed us to build a comprehensive picture of these national cultural heritage assets and of the areas with a spiritual significance and to take specific measures regarding their protection.</p> <p>It should be mentioned, however, that apart from the obligations undertaken by RMGC as regards the protection and conservation of the archaeological remains and historical monuments, there is a whole series of obligations which rest with the local public authorities from Roşia Montană and from Alba County and with the central public authorities i.e. the Romanian Government.</p> <p>These aspects are further detailed in the Cultural Heritage Management Plans included in the EIA Report (see EIA Report, volume 32, Management Plan for the Archaeological Heritage from Roşia Montană Area (pages 22-24, 49, 55-56; 71-72) and the EIA Report, volume 33- <i>Management Plan for Historical Monuments and Protected Zone from Roşia Montană</i>, pages 28-29; 47-50; 51-53; 65-66; 103-Annex 1). In this context, RMGC is open to any constructive dialogue - based on facts and initiatives-with any competent institution or body, which shows interest in the sustainable development of Roşia Montană. Moreover, RMGC would like to express gratitude towards the Faculty of Law, Bucharest for their proposal for co-operation.</p> <p>Prior to 2000, one could say that Roşia Montană was an area with an archaeological potential, but where no specific archaeological diggings had been conducted, diggings necessary to provide a detailed picture of the various site elements. In essence, a series of chance finds - epigraphic monuments, funerary architectural elements were found in the area of the Cetate, Cărnic, Jig and Orlea massifs located in the upper part of the Roşia and Corna valleys within the Roşia Montană commune. Data provided by these elements were enough to suggest the existence of some archaeological sites in that area. That was all we knew about Roşia Montană's archaeological heritage prior to the extensive archaeological investigations conducted within the "Alburnus Maior" National Research Program. In the absence of any other evidence on the ancient <i>Alburnus Maior</i>, the overall picture of this site/these sites was created based exclusively on the data collected from the epigraphic materials. This resulted in a relative distortion of the area's significance. The other heritage assets of Roşia Montană (the lakes, historic buildings, traditions and customs) were known, but it was only in 2001 that the Ministry of Culture and Religious Affairs decided to approach this complex issue in a comprehensive manner.</p> <p>Archaeological investigations in the Roşia Montană area began in 2000 with the participation of teams of archaeologists from the National Union Museum in Alba Iulia and the National Institute of Historical Monuments in Bucharest. The "Alburnus Maior" National Research Program was initiated in 2001 following the Order no. 2504 / 07.03.2001 of the Minister of Culture and Religious Affairs, and it has been developed in compliance with Law 378/2001 (as subsequently amended by Law 462/2003 and by Law 258/2006). The preventive archaeological investigations are conducted under the scientific coordination of the National History Museum of Romania, with the annual approval of the National Commission of Archaeology of the Ministry of Culture and Religious Affairs. This program is financed by S.C. Roşia Montană Gold Corporation S.A (the mining company that plans to expand and continue the open-cast mining of the gold and silver deposits in Roşia Montană). Thus, large-scale preventive archaeological</p>



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investigations have been conducted and are currently continuing in the area to be impacted by the Roşia Montană mining project for the implementation of the archaeological discharge procedure for the sites located in the area to be impacted by the project or for the preservation *in situ* of some representative structures and monuments, in accordance with the legal provisions. Moreover, comprehensive architectural, historical and town-planning surveys have been conducted for a better knowledge, understanding and protection of the area's heritage.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	7
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 108106/05.07.2006 and No. 74076/AF/07.07.2006
RMGC internal unique code	MMGA_1033
Proposal	What are the estimated costs of loosing archaeological remains unique in Europe?
Solution	<p>As indicated by a series of scientific studies, the Roman galleries from Roşia Montană are important, but not unique. They are definitely better understood at present due to archaeological research conducted within the „Alburnus Maior” National Research Program, financed by RMGC in compliance with the existing legal provisions.</p> <p>The specialists' conclusions with regard to the archaeological site of Roşia Montană are synthesized in Section 5.5.2 – „<i>The Roman Gold Mining Context</i>” in the <i>Cultural Heritage Baseline Report</i> within the <i>EIA Report</i>, and they outline issues regarding the unique features of this site. There are 47 other archaeological sites with similar characteristics in Romania, few of which have been investigated in detail. Out of these 47 sites, 14 (Ruda-Brad, Stănişia, Bucium – the Vulcoi Corabia areas, the ones from Băiţa – Fizeş, the ones from Certej – Săcărâmb, those from the Baia de Criş area and those from the Haneş-Almaşu Mare area) have already provided concrete evidence on the existence of an archaeological potential to a certain extent similar to that of the ancient Alburnus Maior. More precisely, they contain evidence of gold mining operations, habitation structures and elements of related infrastructure. While some of the sites have been affected by recent mining industry developments conducted over the last 200 years, others contain promising evidence that encourages the continuation of archaeological researches.</p> <p>Roşia Montană is part of a whole series of gold mining centers spread all over the territory of the ancient Roman Empire, and it has a special importance. Gold mining archaeological research continues to develop apace with every year that goes by, and there are undoubtedly many sites waiting to be investigated in order for their archaeological context to be clarified. This fact does not minimize Roşia Montană's historical and archaeological significance, but the unilateral approach and the groundless exaggeration overshadow the real value of the Roşia Montană archaeological site, a value that resides precisely in the possibility to refer to the example provided by the investigation conducted here. Considering the importance of the site, RMGC has estimated a budget of US\$ 25 million for the restoration and conservation of the cultural heritage in Roşia Montană, as disclosed in the EIA Report. We note that RMGC has spent so far US\$ 9 million on the research of the cultural heritage from the area. These funds will be used in order to establish a Modern Mining Museum, which will include exhibitions of <b>geology, archaeology, industrial and ethnographic heritage</b>, and tourists' access to the <b>Cătălina Monuleşti</b> gallery and to the monuments of <b>Tău Găuri and Piatra Corbului or the Carpeni area</b> will be arranged. Programs for <i>in situ</i> preservation will be applied both for ancient mining works (galleries, exploitation sites, etc.) dug with the hammer and chisel, but also by the fire setting technique from the Cătălina Monuleşti, Coş, Piatra Corbului and Păru Carpeni perimeters and ancient mining facilities such as the hydraulic wheels from the Păru Carpeni sector. Moreover, the experts have proposed the creation of 1:1 scale replicas in order to offer the public a complete understanding of the typology of all the galleries uncovered within the site. For this purpose, the following mining sectors have already been declared as protected areas: Lety – Coş (the Cătălina Monuleşti gallery is already classified as historical monument on the List of Historical Monuments 2004), Piatra Corbului (already classified as historical monument on the List of Historical Monuments 2004) and Păru Carpeni (archaeological research is currently going on in this area). Therefore, no mining activities will be carried out in these sectors during the Roşia Montană mining project. The ancient mining works, as well as the recent and modern ones located in the above-mentioned areas, will be developed so as to ensure optimum conditions for the future archaeological investigations as well as the safe access of the public to areas considered to be safe by the specialists.</p>

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One of the priorities of RMGC's cultural strategy refers to the continuation of the conservation, restoration and inventory of the movable heritage assets uncovered during the archaeological investigations undertaken at Roşia Montană in accordance with the provisions of Law 378/2001, as reviewed by Law 462/2003 as reviewed by Law 258/2006 on the protection of the cultural heritage and by Law 422/2001 as reviewed by Law 259/2006 on the historical monuments.

In the light of the aforementioned aspects, we consider that Roşia Montană's heritage values are now better known and understood so that they can become a complementary income resource for sustainable development in Roşia Montană.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	11
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 108246/12.07.2006 and No. 74113/AF/14.07.2006
RMGC internal unique code	MMGA_1044
Proposal	- Rosia Montana area is considered to be a historical zone.
	<p>Today, after consistent research undertaken over the past 7 years, the nature, features and distribution of heritage resources in the Roşia Montană area are well known, including archaeological sites, historical monument buildings as well as churches and cemeteries. The extensive research and heritage studies performed from 2000 to 2006 revealed a comprehensive picture of these resources that belong to the national cultural heritage, and of the areas having a spiritual value, and identified specific measures regarding their protection.</p> <p>Thus, in accordance with the requirements of the Ministry of the Environment and Waters Management and those of the Ministry of Culture and Religious Affairs, presented as part of the documentation regarding the Report on the Environmental Impact Assessment Study for the Roşia Montană Project, specific plans have been prepared for the management and preservation of the heritage values in the Roşia Montană area, in the context of the implementation of the mining project (see the Report on Environmental Impact Assessment Study, vol. 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană Area, part II – Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area, part III – The Cultural Heritage Management Plan).</p> <p>Providing a very synthetic response to your opinions, please note the following:</p> <ul style="list-style-type: none"> <li>• the Roman galleries in the massifs located in the southern part of the Roşia valley have been investigated in detail and specific preservation measures have been proposed for the Cătălina Monuleşti and Piatra Corbului areas;</li> <li>• the Roman galleries in the massifs located in the northern part of the Roşia valley have been preliminarily studied and, in case of exceptional archaeological finds such as the ones in the Păru Carpeni mining sector, specific preservation measures have been proposed; the Orlea – Țarina area will be studied in detail between 2007-2012;</li> <li>• preventive archaeological research activities undertaken between 2001-2006 led to the identification and research of 13 archaeological sites. Once the extensive researches have been completed, it has been decided that some of these sites can be archaeologically discharged, and in other cases, the option for in situ preservation has been chosen – e.g. the Tăul Găuri funerary precinct, the Roman remains on the Dealul Carpeni hill;</li> <li>• the 41 historical monument buildings in Roşia Montană will not be affected by the development of the mining project. An extensive set of measures will be taken to ensure the restoration and preservation of these structures. Specialized documentation is currently being prepared for 11 of these houses, and restoration works are expected to begin in 2007.</li> </ul> <p>Given the importance of the Roşia Montană cultural heritage and the current legislation, S.C. Roşia Montană Gold Corporation S.A. allocated more than US\$ 10 million for the research of the cultural heritage between 2001 and 2006. Furthermore, taking into account the results of the research, the experts' opinion and the decisions of competent authorities, the budget allocated by the company for research, preservation and restoration of the Roşia Montană cultural heritage in the coming years, in the context of the implementation of the mining project, is approximately US\$ 25 million, as published in the Environmental Impact Assessment Study in May 2006 (see the Report on the Environmental Impact Assessment Study, vol. 32, Management Plan for the Archaeological Heritage from Roşia Montană area,</p>

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pages 84-85). Thus, we are considering continuation of research activities in the Orlea area, and, most importantly, the development of a Modern **Mining Museum** with **geological, archaeological, industrial and ethnographic heritage exhibitions**, as well as developing the **Cătălina-Monulești** gallery and the **Tău Găuri** monument for public access, the **preservation and restoration of the 41 buildings classified as historical monuments and of the protected zone of the Roșia Montană historic centre**.

For further information on the most important archaeological remains, the historical monuments, churches and cemeteries, as well as on a series of comments regarding their protection and the specific measures indicated in the management plans, please see the annex called **“Information on the Cultural Management of Roșia Montană and Related Management Aspects”**.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	12
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 108292/14.07.2006 and No. 74120/17.07.2006
RMGC internal unique code	MMGA_1045
Proposal	<p>The questioner wants to make a suggestion, taken from an article published in "Formula AS" magazine. The suggestion was made by Prof. Ioan Piso and aims at turning much of the Roşia Montana area into an archaeological park.</p> <p>With regard to the "Archaeological Park" mentioned by the questioner-Professor Ioan Piso, note that over the past 700 years at least, the Roşia Montană area has had a numerous population and its gold deposits have also been intensely mined over more than 10 centuries. Therefore, Roşia Montană is certainly not an area where archaeological remains are entirely preserved in a manner that resembles what those structures were in the 3<sup>rd</sup> century AD. The extensive preventive archaeology investigations undertaken in Roşia Montană in the last 8 years have led experts to conclude that the uncovered archaeological remains do not display spectacular constructive attributes but, rather they <i>adapt to the natural environment</i> and suggest a series of elements that serve to create a general picture of the way the area looked in antiquity: with necropolises located on slopes or on plateaus facing the valleys, habitation areas and sacred areas located on heights and probably connected to the mining and primary ore processing areas. Note that representative elements of the archaeological heritage components of the area have been identified, and <i>in situ</i> preservation has been designed for them as well as inclusion in a future cultural tourism circuit.</p> <p>We truly believe that the development of the Roşia Montană area as a tourism destination can work in parallel with the mining project proposed by RMGC. In fact, a major part of the potential tourist resources are direct products of the Alburnus Maior National Research Program, which is financed by RMGC, in compliance with its legal obligations. Some of these include:</p> <p><b>1. Movable and immovable archaeological heritage assets</b></p> <p>The Mining Museum which is proposed for Roşia Montană might well be built during the development of mining activities. This museum would include artifacts uncovered during archaeological excavations, items currently exhibited in the existing Mining Museum, as well as replicas of the galleries. Other plans include the development for public access of some of the galleries that have survived (i.e. Cătălina Monuleşti gallery where a wooden hydraulic system dating back to Roman times was found, as well as the ancient open-cast mine from the Văidoaia area). Specific projects planned for the development of this museum are presented in the EIA report. For further details, please see the EIA Study volume 32, chapter 4.3, pages 73-82.</p> <p><b>2. Buildings classified as historical monuments, the Protected Area Historical Centre of Roşia Montană and features of landscape within the lakes area</b></p> <p>As stated before in the Environmental Impact Assessment Study, if the Roşia Montană Mining Project is approved, all buildings that are classified as historical monuments in Roşia Montană and are the property of RMGC, will go through a complex restoration and rehabilitation program. Should there be any historic monument buildings that are owned by various institutions or individual persons, with their consent, RMGC will finance their restoration, in full compliance with the standards issued by the Ministry of Culture and Religious Affairs. For further details, please see the Environmental Impact Assessment Study – volume 33, chapter 3.2, pages 67-97.</p> <p>The company does not plan to turn this entire area into a museum; this part of Roşia Montană will continue to be inhabited by local people, and in the case of the houses acquired by RMGC, by the company's staff who will work on the project. New job opportunities and tourism-related small businesses are proposed in the area. Similarly, parts of the landscape around the historical centre of Roşia Montană</p>
Solution	

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can be included in a tourist circuit while other areas must remain inaccessible until mining activities in the area are completed.

### **3. Industrial heritage assets located within the former mining operation and assets located within the mining operation planned by RMGC**

Similar examples set by other mines around the world, such as - the Kennecott copper mine (Salt Lake City, Utah, USA); the Pemali tin mine in Indonesia; the Honister slate mine (Great Britain); the Martha mine (New Zealand) prove that tourist activities can be developed in close connection with works carried out as part of a large scale mining project.

Many local communities living in former mining areas have focused on developing their tourist potential – often by setting up and managing Foundations – this process being supported by European level initiatives - such as the European Mining Heritage Initiative (MINTOUR), European Route of Industrial Heritage (ERIH), European Network of Mining Regions (ENRM).

Some of the most relevant examples of former mining areas transformed into tourist attractions include: the Mining Park of Rio Tinto in Huelva, Spain (based on a former large scale copper mining operation); the Cap'Découverte Tourist Park from the Midi-Pyrénées region in France (based on a large scale coal mining operation); the Big Pit- National Coal Museum (Blaenafon, Torfaen, Wales, Great Britain); the Mining Museums in Příbram, Hradek - Kutna Hora, Okd Landez, Ostrava (the Czech Republic); the series of Mining Museums with underground tours in Predil, Velenje, Idrija, Mežica etc. (Slovenia); the series of Mining Museums with underground tours in Kupferberg, Goldkronach, Kali - Holungen/Schacht, Bad Ems, Frankenwald (Germany). These are only some of the many museums across Europe dealing with mining and the history of mining. Many similar museums also exist in the United States of America, Canada and Australia. RMGC has commissioned independent experts to prepare a tourism strategy for Roșia Montană in order to assess how such a process can be started.

### **4. Elements of Intangible Heritage – traditions and customs etc.**

A number of traditions practiced in the past by the local mining community have been preserved in Roșia Montană. These local traditions - many of them passed on orally from one generation to another - represent a substantial part of Roșia Montană's intangible cultural heritage. The oral history archive created between 2002 and 2003 includes over 100 hours of digitally recorded interviews. To date, this is the only archive of this type that includes references to the industrial heritage and the traditions of a mining community existing for a long time in Transylvania. The festivals and ceremonies from Roșia Montană are to a certain extent different from those practiced in other rural areas in Transylvania. An explanation of this fact can be found in the ethnic and religious diversity existing in Roșia Montană, as different populations settled here, lured by gold reserves. All these cultural resources, coupled with a substantial collection of archive images, constitute a significant potential that may be developed in the proposed Mining Museum from Roșia Montană. The volume called "Roșia Montană. Ethnological Study 2001" represents a synthesis of all the studies and researches conducted at Roșia Montană. This volume coordinated by Paula Popoiu, Ph.D. was published in 2004, as part of the "Alburnus Maior" National Research Program.

All these elements can be developed, to some extent, in parallel with the mining project. In order to make this possible, separate access roads will be developed, different from the industrial roads, so that tourists would not enter the exploitation areas. Some of the potential tourism elements might not be fully developed until some of the mining activities phase out or stop completely. Nonetheless, these elements will serve, amongst others, as a starting point for a sustainable economic development.

All commitments that were publicly assumed by RMGC regarding the company's contribution to the development of the tourism potential in the area based on the local heritage values are described in detail within the Environmental Impact Assessment Study, vol. 33, Cultural Heritage Management Plan.

In response to the proposal made by those who consider that the whole site should be developed as a tourism circuit, RMGC has commissioned the respected British company Gifford to estimate the costs necessary to develop the Cărnic galleries into a museum. The document prepared by Gifford in co-operation with the British companies Geo-Design and Forkers Ltd. is available in the annex called „Cost

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estimate for the development of the historic mining networks from Cârnic massif". As estimated by the British experts, the amount required for the development would exceed 150 million euros, plus maintenance costs of more than 1 million euros per year. As these costs are prohibitive, other options need to be considered for museum development, that would be economically feasible.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	19
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 108376/18.07.2006 and No. 108399/20.07.2006 and No. 108106/05.07.2006 and No. 74155/AF/20.07.2006
RMGC internal unique code	MMGA_1057
Proposal	The destruction of the archaeological remains;
Solution	<p>The Project will not destroy the archaeological remains in Roşia Montană without having them previously researched and without having adopted management measures for this heritage. Nor will these remains be replaced with replicas. S.C. Roşia Montană Gold Corporation S.A. has taken into account the importance of the Roşia Montană cultural heritage and the current legal requirements and has allocated a budget of over US\$ 10 million for the research of the cultural heritage during 2001-2006.</p> <p>Considering the results of the research, the experts' opinions, and the decisions of competent authorities, the company has allocated approximately US\$ 25 million for research, preservation and restoration of the Roşia Montană cultural heritage in the context of the implementation of the mining project, as published in the Environmental Impact Assessment Study in May 2006 (see the Report on Environmental Impact Assessment Study, vol. 32, Management Plan for the Archaeological Heritage from Roşia Montană Area, pages 84-85). Thus, proposals include the continuation of research activities in the Orlea area, and especially the creation of a Modern <b>Mining Museum with geological, archaeological, industrial and ethnographic heritage exhibitions</b>, as well as the development of tourist access to the <b>Cătălina-Monuleşti</b> gallery and to the <b>Tău Găuri</b> monument, plus the <b>preservation and restoration of the 41 historical monument buildings and the protected zone Historic Center of Roşia Montană</b>.</p> <p>The reports and publications by specialists make clear that the Roman galleries in Roşia Montană are important but not unique. Thus, a gazetteer of the ancient mining sites on the territory of Transylvania and Banat – developed in the context of the preparation of the Environmental Impact Assessment Study for the Roşia Montană project – supports the conclusion that an assertion of uniqueness is difficult to make for the Roşia Montană site, at least in the context of the history of the mining operations in the Roman Empire and in the province of Dacia, in particular. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, comparable to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when assessing the significance of the Roşia Montană as a site of unique value.</p> <p>Prior to 1999, the Roşia Montană Roman galleries had not been studied by specialists in the field of mining archaeology, even though their existence had been known for more than 150 years. Basically, prior to 2000, this type of archaeological remains have not been scientifically researched, most of the data about this site coming exclusively from artifacts uncovered by chance during the agricultural works, or the construction of roads and elements of mining infrastructure.</p> <p>The archaeological mining research activities - performed since 1999 by a multidisciplinary specialized team from the University "Toulouse Le Mirail" (France) coordinated by Dr. Beatrice Cauuet, had as an objective (for the first time in Romania) the preparation of a detailed study regarding this type of archaeological remains, including galleries of Roman and later periods. The extensive research and heritage studies performed during 2000-2006 revealed a comprehensive picture of these sites that belong to the national cultural heritage, and of the areas having a spiritual value, as well as identification of specific measures regarding their protection.</p> <p>Studying these structures entailed better understanding, and at the same time, making pertinent decisions regarding their preservation and enhancement. Based on the results of the research activities performed</p>

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(completed for Cetate, Cărnic, Jig massifs but ongoing in the Orlea massif), the preservation and enhancement of the following areas with ancient mining sites is proposed:

- The Cătălina Monulești gallery – located in the Historical Center of Roșia Montană, where, in the past, the most significant lot of wax tablets and an ancient hydraulic system for the drainage of mine waters, was discovered.
- The Păru Carpeni mining sector – located in the south eastern part of the Orlea massif, where a system of overlapped chambers, equipped with wooden Roman drainage installations (wheels, channels, etc.) was discovered.
- The Pietra Corbului area – located in the south-western part of the Cărnic massif, this area bears traces of the ancient and medieval galleries dug by the fire setting technique;
- The Văidoaia massif area – in the north-western part of the Roșia Montană village, including segments of surface mining exploitations from ancient times.

The preventive archaeological research undertaken between 2001-2006 led to the identification and research of 13 archaeological sites. Once extensive researches have been completed, it has been decided that some of these sites can be archaeologically discharged, and in other cases, the option for *in situ* preservation has been chosen – (e.g. the Tăul Găuri funerary precinct, the Roman remains on the Carpeni hill); the Orlea area will be researched in detail in the period 2007-2012.

As for the Roman mining galleries discovered in the Cătălina Monulești and Păru Carpeni mining sectors, note that reopening, consolidation and development activities are proposed in order to allow their *in situ* preservation and their development for tourism. This decision has taken into consideration the value and significance of the exceptional archaeological remains in these galleries, such as the wooden Roman installations designed for dewatering the mines (the so-called „Roman wheels”). At the same time, the Cătălina Monulești gallery is famous because – in the mid 19<sup>th</sup> century – the most significant set of wax tablets was discovered there (according to archive sources, more than 11 such pieces were discovered there, out of a known total of 32 such artifacts discovered to date).

Most of the ancient mining works in the Cărnic and other mining sectors, are accessible only to specialists, in difficult conditions, being practically inaccessible to the general public. Moreover, under the EU safety rules regulating similar activities in museums all over the European Union, rules that will be transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. Note that there are other similar Roman galleries that will be preserved *in situ*. As part of the mitigation effort, in addition to the full research of these Roman remains and publication of the research results, specialists have considered it appropriate to prepare a 3D graphic model of these structures, and also some 1:1 scale replicas, that will be included in the mining museum proposed at Roșia Montană.

For the Orlea massif area (the only one to include classified ancient mining remains, as per LMI 2004, the Alburnus Maior roman mining operations, in the Orlea area; code LMI AB-I-m-A-00065.02), the archaeological research conducted so far is preliminary in nature. The detailed research of the area is scheduled for 2007-2012, and upon completion of the research activities – as per legal requirements – the necessary measures will be proposed – either *in situ* preservation of certain sectors, or archaeological discharge for some of these. Detailed information regarding archaeological chance finds and preliminary archaeological research (surface and underground) in the Orlea massif area, has been published in the Environmental Impact Assessment Study for the Roșia Montană Project, in vol. 6 – Cultural Heritage Baseline Report, Annex I, pages 231-236. The following aspect, mentioned in the report, should be noted: As site development plans for the Project in the Orlea area will only be performed at a later date in 2007, the surface archaeological research will be conducted in this perimeter. *“As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded”* (Cultural Heritage Baseline Report, vol. 6, page 46).

For further information on the history of the researches undertaken to date and on the most important archaeological finds in the Roșia Montană Roman galleries, as well as the experts’ opinions on the matter. and the assessment studies that have been carried out in order to develop an underground circuit in the Cărnic massif, comprising Roman mining structures, as well as the opinion delivered in 2004 by Edward O’Hara, General Rapporteur on Cultural Heritage for the Parliamentary Assembly of the Council of Europe, please see the annex called “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects” or the enclosed Romanian version of the O’Hara Report. Detailed information on the complex issue of the mining works at Roșia Montană, on their results and on their potential for

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enhancement, are available in the EIA Report, vol. 6, Cultural Heritage Baseline Report (pages 32, 36-55, 83-109).

In conclusion, note that under no circumstances will the Roman galleries at Roşia Montană be destroyed or replaced with replicas without previous research. This type of research, known as preventive/rescue archaeological research is done everywhere in the world in close connection with the economic development of certain areas. In addition, both the costs for the research and for the enhancement and maintenance of the areas conserved are provided by investors, in a public-private partnership set up in order to protect the cultural heritage, as per the provisions of the European Convention on the Protection of the Archaeological Heritage [1] (Malta-1992).

Note that in addition to the commitments made by RMGC regarding protection and preservation of the archaeological remains and historical monuments, there are numerous obligations and responsibilities for both the local public authorities in Roşia Montană and Alba county, and the central public authorities, i.e. the Romanian state. The cultural heritage management plans included in the Report on the Environmental Impact Assessment Study, clarify certain aspects on the matter (see the EIA Report vol. 32, Management Plan for Historical Monuments and Protected Zone from Roşia Montană, pages 22-23, 49, 55-56, 71-72 and, vol. 33, Management Plan for the Archaeological heritage from Roşia Montană area, pages 28-29, 67-68, p. 103 – Annex 1).

References:

The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	22
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 108394/20.07.2006 and No. 74175/AF/24.07.2006
RMGC internal unique code	MMGA_1060
Proposal	<p>The questioner believes that by placing Tara Motilor under UNESCO's patronage RMGC would no longer be able to destroy the landscape in Rosia Montana. He/she believes that an alternative option for Rosia Montana would be to develop Roman galleries so as to allow the extension of archaeological investigations and the promotion of tourism.</p>
	<p>It must be noted UNESCO (<b>UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION</b>) cannot replace the relevant national authorities competent in the cultural heritage field. The national and governmental bodies empowered by law to manage monuments included on the World Heritage List (i.e. UNESCO monuments) are the Ministry of Culture and Religious Affairs, the National Institute of Historical Monuments and the National Commission for Historical Monuments.</p> <p>The provisions regarding these specific responsibilities, included in the Romanian legislation on historical monuments, i.e. Law 422/2001 on the protection of historical monuments, as amended ("Law 422/2001") are as follows:</p> <ul style="list-style-type: none"> <li>• art.28, (1)-25 – the Ministry of Culture and Religious Affairs [...] cooperates with interested international bodies and takes part in the co-financing of programs intended for the protection of historical monuments, including those listed on the World Heritage List [...];</li> <li>• art. 29, paragraph (3), point d) – The main responsibilities of the National Institute of Historical Monuments are: [...] d) preparation of documentation for the historical monuments proposed to be included on the World Heritage List [...];</li> <li>• art. 35, (1), point l) – the National Commission for Historical Monuments has the following responsibilities: [...] to propose historical monuments for inscription on the World Heritage List, as well as on the List of endangered sites, prepared by UNESCO [...].</li> </ul>
Solution	<p>In conclusion, the proposals for inscription on the UNESCO World Heritage List –are made by the Romanian state and competent bodies, i.e. the Ministry of Culture and Religious Affairs, the National Institute of Historical Monuments and the National Commission for Historical Monuments (in accordance with the abovementioned legislation).</p> <p>Furthermore, under the current legal provisions, local public administration authorities also have responsibilities in this regard; among these are the responsibilities to develop annual management and protection plans for the historical monuments listed on the World Heritage List and located on the respective administrative territorial unit, and to ensure their monitoring and provide the necessary personnel (as per Law no. 422/2001, art. 46, (1), point i).</p> <p>The aim of the Environmental Impact Assessment Study for the Roşia Montană area, submitted to the Ministry of the Environment and Water Management in May 2006, was to prepare the implementation of a mining project by RMGC and not to help include a very large area, generically named „Țara Moţilor” on the World Heritage List. Upon assessment of this document, the competent authorities in the cultural heritage field will form a well-grounded opinion as to whether to approve or reject the Roşia Montană Project.</p> <p>As for the development of the galleries, note that over the past 700 years at least, the Roşia Montană area has had a numerous population and its gold deposits have been intensely mined during the past 1900 years. Therefore, Roşia Montană is certainly not an area where archaeological remains are entirely preserved in a manner which resembles what those structures were in the 3<sup>rd</sup> century AD. The extensive</p>

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preventive archaeology investigations developed in Roşia Montană in the last 8 years have led experts to conclude that the archaeological remains discovered do not display spectacular construction attributes but, by the way they *adapt to the natural environment*, they suggest a series of elements that serve to create a general picture of the way the site looked in antiquity: necropolises located on slopes or on plateaus facing the valleys, habitation areas and sacred areas located on heights and probably connected to the mining and primary ore processing areas. Also, please note that the most representative elements of the archaeological heritage components of the area have been identified, and *in situ* preservation has been designed for them as well as inclusion in a future cultural tourism circuit.

We honestly believe that the development of the Roşia Montană area as a tourism destination can work in parallel with the mining project proposed by RMGC. A major part of the tourist resources are products of the “Alburnus Maior” National Research Program financed by RMGC. Some of these include:

### **1. Movable and immovable archaeological heritage assets**

The Mining Museum which is proposed at Roşia Montană might well be built during the development of mining activities. This museum would include artifacts discovered during archaeological excavations, items currently exhibited in the existing Mining Museum, as well as replicas of the galleries. Other plans include the re-opening of some of the galleries that have survived (e.g. the Cătălina Monuleşti gallery, where a Roman hydraulic system was uncovered; the ancient open-cast mining operation in the Văidoaia area). Specific projects for the development of this museum are described in the EIA Report. For further details on this matter, see the Environmental Impact Assessment Study, volume 32, chapter 4.3, pages 73-82

### **2. Buildings classified as historical monuments, the Protected Area Historical Centre of Roşia Montană and landscape elements within the lakes area**

As publicly stated in the Environmental Impact Assessment Study, if the Roşia Montană Mining Project is approved, all buildings that are classified as historical monuments in Roşia Montană and are the property of RMGC, will be included in a complex restoration and preservation program. Should there be any buildings classified as historical monuments that are owned by various institutions or individual persons, with the owners' consent, RMGC will finance their restoration, in full compliance with the standards issued by the Ministry of Culture and Religious Affairs. For further details please see the Environmental Impact Assessment Study – volume 33, chapter 3.2. pages 67-97.

The company does not plan to turn this entire area into a museum; this part of Roşia Montană will continue to be inhabited by local people, and in the case of the houses acquired by RMGC, by the company's staff who will work on the project. New job opportunities and tourism-related small businesses would develop in the area. Similarly, parts of the landscape around the historical centre of Roşia Montană can be included in a tourist circuit whilst other areas must remain inaccessible until completion of mining activities in the area.

### **3. Industrial heritage assets located within the former mining operation and assets located within the mining operation planned by RMGC**

Similar examples set by other mines around the world, such as - the Kennecott copper mine (Salt Lake City, Utah, USA); the Pemali tin mine in Indonesia; the Honister slate mine (Great Britain); the Martha mine (New Zealand) prove that tourist activities can be developed in close connection with works carried out as part of a large scale mining project.

Many local communities living in former mining areas have focused on developing their tourist potential – often by setting up and managing foundations – this process being supported by European level initiatives - such as the European Mining Heritage Initiative (MINTOUR), European Route of Industrial Heritage (ERIH), European Network of Mining Regions (ENRM).

Some of the most relevant examples of former mining areas converted into tourist attractions include: the Mining Park of Rio Tinto in Huelva, Spain (based on a former large scale copper mining operation); the Cap'Découverte Tourist Park from the Midi-Pyrénées region in France (based on a large scale coal mining operation); the Big Pit- National Coal Museum (Blaenafon, Torfaen, Wales, Great Britain); the Mining Museums in Příbram, Hradek - Kutna Hora, Okd Landez, Ostrava (the Czech Republic); the series of

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Mining Museums with underground tours in Predil, Velenje, Idrija, Mežica etc. (Slovenia); the series of Mining Museums with underground tours in Kupferberg, Goldkronach, Kali - Holungen/Schacht, Bad Ems, Frankenwald (Germany). These are only some of the many museums across Europe dealing with mining and the history of mining. Many similar museums also exist in the United States of America, in Canada and in Australia. RMGC has commissioned independent experts to prepare Tourism Proposals for Roșia Montană in order to assess how such a process can be started.

#### **4. Elements of Intangible Heritage – traditions and customs etc.**

A number of traditions practiced in the past by the local mining community have been preserved in Roșia Montană. These local traditions - many of them passed on orally from generation to generation - represent a substantial part of Roșia Montană's intangible cultural heritage. The oral history archive created between 2002 and 2003 includes over 100 hours of digitally recorded interviews. To date, this is the only archive of this type that includes references to the industrial heritage and the traditions of a mining community existing for a long time in Transylvania. The festivals and ceremonies from Roșia Montană are to a certain extent different from those practiced in the other Transylvanian rural areas. An explanation of this fact can be found in the ethnic and religious diversity existing in Roșia Montană, as different populations settled here, lured by gold reserves. All these cultural resources, coupled with a substantial collection of archive images, represent a significant potential that may be developed in the proposed Mining Museum from Roșia Montană. The volume called "Roșia Montană. Ethnological Study 2001" represents a synthesis of all the studies and researches conducted at Roșia Montană. This volume coordinated by Paula Popoiu, Ph.D. was published in 2004, as part of the "Alburnus Maior" National Research Program.

All these elements can be developed, at least to some extent, in parallel with the mining project. In order to make this possible, separate access roads will be developed, different from the industrial roads, so that the tourists would not enter the operations areas. Some of the potential tourism elements might not be fully developed until some of the mining activities phase out or stop completely. Nonetheless, these elements will serve, amongst others, as a starting point for a sustainable economic development.

All commitments that were publicly assumed by RMGC as regards the company's contribution to the development of the tourism potential based on the heritage assets of the area are described in detail within the Environmental Impact Assessment Study, vol. 33, Cultural Heritage Management Plan.

In response to the proposal made by those who consider that the whole site should be developed as a tourism circuit, RMGC has commissioned the famous British company Gifford to undertake an assessment of the costs necessary to develop the Cărnic galleries into a museum. The document prepared by Gifford in co-operation with the British companies Geo-Design and Forkers Ltd. is available in the annex called „Cost estimate for the development of the historic mining networks from Cărnic”. As estimated by the British experts, the amount required for the development would exceed 150 million euros, plus maintenance costs of more than 1 million euros per year. As these costs are prohibitive, other options need to be considered for museum development, that would be economically feasible.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	61
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 108604/28.07.2006 and No. 74224/AF/28.07.2006
RMGC internal unique code	MMGA_1065
Proposal	Local administration showed no interest in the archaeological and architectural heritage.
	<p>Prior to 2000, one could say that Roşia Montană was an area with an archaeological potential. A series of chance finds - epigraphic monuments, funerary architectural elements- had been found in the area of the Cetate, Cărnic, Jig and Orlea massifs, which were enough evidence to suggest the existence of some archaeological sites in the area. However, no archaeological excavations had been actually conducted, that would provide a detailed picture of the various site elements.</p> <p>But, in the context of the implementation of a new mining project in this area, the Ministry of Culture and Religious Affairs approved a series of studies to be conducted in order to research the archaeological and architectural heritage of the area. At the end of 2000, the Design Centre for National Cultural Heritage (now the National Institute for Historical Monuments - an institution reporting directly to the Ministry of Culture and Religious Affairs) presented the preliminary results of this research to the National Commission for Historical Monuments and of the National Commission of Archaeology (both are technical commissions of the Ministry of Culture and Religious Affairs). Based on these conclusions, in 2001, the Ministry of Culture and Religious Affairs initiated The "Alburnus Maior" National Research Program (the Order no. 2504 / 07.03.2001of the Minister of Culture and Religious Affairs) in compliance with the Law 378/2001 (as subsequently amended by Law 462/2003 and by Law 258/2006 and Law 259/2006). All the archaeological researches of the cultural heritage of Roşia Montană have been conducted by institutions of the Ministry of Culture and Religious Affairs, of the Romanian Academy and of the Ministry of Education and Research. Thus, since 2000, the central government, i.e. Ministry of Culture and Religious Affairs and its local agencies have fulfilled their duties with regard to the management of the issues related to Roşia Montană's heritage.</p>
Solution	<p>Moreover, representatives of the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County have visited Roşia Montană many times in order to collect information and to check the situation. The same administrative body was the intermediary for the acquisitions of historic buildings made by RMGC. The Ministry of Culture and Religious Affairs expressed its pre-emption right regarding the acquisition of these buildings.</p> <p><b>The main objectives of the „Alburnus Maior” National Research Program are as follows:</b></p> <ul style="list-style-type: none"> <li>• to undertake comprehensive research of the archaeological heritage, including the recording of all the results obtained from the archaeological surveys and diggings (archaeology and cartography databases, digital archives comprising images, etc.) and the publication of all the findings;</li> <li>• to undertake archaeological investigations of the Roman and medieval galleries found in this area; their inventory and proposal of solutions for the restoration/preservation of representative segments;</li> <li>• to delineate the boundaries of the archaeological and architectural reserve, which will include parts of the mining galleries and historic buildings;</li> <li>• to record and research the industrial heritage structures;</li> <li>• to undertake ethnographic research of the Roşia Montană -Abrud-Corna area;</li> <li>• to prepare a study on the area's specific oral history;</li> <li>• to implement the archaeological discharge procedure for the sites located in the project's impact area, in accordance with the legal provisions.</li> <li>• to draw up a project for the establishment of the future Museum dedicated to the mining</li> </ul>

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activities carried out throughout the centuries in the Apuseni Mountains.

The results of the archaeological research undertaken at Roșia Montană are briefly presented in the Chronicle of Archaeological Researches in Romania (2001-2007), in the „Alburnus Maior” monographic series (the first three volumes of this series have been published under the coordination of Paul Damian Ph.D) and in the Report of the Environmental Impact Assessment for the Roșia Montană project, volume 6, *passim*. The volume “Roșia Montană. Ethnological Study 2001” prepared under the coordination of Paula Popoiu Ph.D is a synthesis of the ethnographical research and studies undertaken at Roșia Montană. This study was published in 2004 as part of the “Alburnus Maior” National Research Program. The results of the architectural and urbanism studies conducted for the Roșia Montană area are included in the specialized documentations such as the PUG and the PUZ, which have been drawn up from 2000 to date.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	66, 150, 294, 3116, 3128
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 108609/28.07.2006 and No. 74229/AF/28.07.2006, No. 108760/02.08.2006 and No. 74335/02.08.2006, No. 109041/07.08.2006 and No. 74511/08.08.2006, No. 112140/25.08.2006, No. 112162/25.08.2006
RMGC internal unique code	MMGA_1067
Proposal	<p>The destruction of the historical, archaeological, cultural, landscape and ethnographical heritage of the area.</p> <p>The implementation of the mining project does not entail the destruction or abandonment of the heritage values from Roşia Montană. After considering the importance of cultural heritage from Roşia Montană and current legislation, S.C. Roşia Montană Gold Corporation S.A. allocated US\$ 10 million budget to conduct the archaeological researches between 2001 and 2006, and RMGC estimates it will invest US\$ 25 million to research, conserve and restore the cultural heritage of Roşia Montană in the future.</p> <p>Based upon the research and analyses of experts, the Roman galleries from Roşia Montană are considered to be important but not unique. An inventory of the Roman mining sites from the Transylvania and Banat regions was conducted for the Environmental Impact Assessment (EIA). This inventory shows that, from the perspective of history of Roman mining operations existing throughout the entire Roman Empire and especially in Dacia, Roşia Montană is not unique. There are at least 20 sites with similar characteristics to this site. From these 20 sites, the ones from Ruda Brad, Bucium – Vulcoi Corabia and Haneş – Amlaşul Mare areas have already provided definite data for an archaeological potential comparable to that of the ancient Alburnus Maior.</p> <p>Prior to 1999, the Roman galleries from Roşia Montană hadn't been surveyed by experts on mining archaeology, although they had been known for almost 150 years. Effectively, this type of archaeological remains had been rarely studied in Romania prior to 2000. Neither other archaeological remains from area do not benefit until 2000 by an adequate research, many from the information regarding this site originating from chance finds occasioned by works of agriculture, road constructions and mining infrastructure.</p>
Solution	<p>Today, after ample research developed during the last 8 years, the nature, specific features and the heritage assets distribution are well known – archaeological sites, historical monument buildings, as well as churches and cemeteries from Roşia Montană. The ample researches and heritage studies carried out during the period 2000-2006 allowed a comprehensive image of these assets belonging to the cultural national heritage and of the areas with spiritual significance, as well as the adoption of specific measures as regards their protection and enhancement.</p> <p>Starting in 1999 and still continuing, the mining archaeology researches conducted by a specific team from University Toulouse Le Mirail (France) coordinated by Beatrice Cauuet, PhD have been intended to establish for the first time in Romania a detailed study of these types of archaeological remains, of ancient mining galleries from Roman and later periods. Detailed heritage researches and studies conducted between 2000 and 2006 have allowed us to outline a comprehensive picture of these assets that belong to the national cultural heritage, and also to adopt several specific measures for their protection.</p> <p>The survey of these structures led to a better understanding of them and at the same time has led to several pertinent decisions on their conservation and enhancement. Based on the researches conducted so far (specifically for Cetate, Cârnic, and Jig, and currently in development for Orlea) the following decisions for conservation and development of the following sites have been taken:</p> <ul style="list-style-type: none"> <li>• Cătălina Monuleşti Gallery – a gallery located in the Historic Center of Roşia Montană, where a significant series of wax-coated tablets has been discovered together with an ancient mine dewatering system;</li> <li>• Păru Carpeni mining sector – located in the SE area of Orlea, where a system of overlapped</li> </ul>

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chambers has been discovered that was equipped with Roman wooden mine dewatering installations (wheels, channels, etc.);

- Piatra Corbului area – located in the SE area of Cărnic, where traces of mining operations excavated through the fire and water technique have been discovered dating to Roman and medieval times.
- Văidoaia area – within the NE area of Roșia Montană, where areas of open pit mining operations are maintained, dating as back as the Roman period.

Through the preventive archaeological researches conducted between 2001 and 2006, 13 archaeological sites have been outlined and researched, and for some of them, a decision regarding their archaeological discharge has been taken upon completion of exhaustive researches, and in other cases a decision regarding their in-situ conservation has been taken – for example the funerary monument from Tăul Găuri, the Roman remains existing at Carpeni Hill; and the Orlea area will be researched in detail between 2007 and 2012 through surface and underground investigations.

Reopening, consolidation and development works have been scheduled for the historic mining galleries that date to Roman times and have been discovered within the mining sectors of Cătălina Monulești and Păru Carpeni. These works will allow their in-situ conservation and development for tourist visits. This decision has considered the value and the significance of the exceptional archaeological remains surviving in these galleries, and the Roman wood installations that were created during Roman times for draining the mine waters (the so-called “Roman Wheels”). At the same time, Cătălina Monulești Gallery is the famous one where the most significant series of wax-coated tablets were discovered in the middle of 19th Century (according to historic archive resources, this refers to about 11 pieces from a total of 32 artifacts).

Most of the Roman mining works from Cărnic, (but also from other mining sectors) are only accessible under difficult conditions by experts; public access being practically impossible. Moreover, the safety requirements for the development of similar museum activities from the EU (that will become laws in Romania) are not compatible with the transformation of the Roman galleries that are permanently exposed to several serious risk factors within an area designated for tourism. We emphasize that major parts of the Roman galleries will be preserved in situ. As a measure of minimizing this impact, the experts have proposed establishing a three-dimensional computer model of these structures based on full research and publishing the results, as well as creating 1:1 replicas of these galleries within the proposed museum from Roșia Montană.

In Orlea, the researches conducted so far have been preliminary in nature. Orlea is the only area where currently there are antic mining vestiges, according to LMI 2004 Roman Mining Operations from Alburnus Maior, Orlea area (code LMI AB-I-m-A-00065.02). The detailed research of this area is scheduled for 2007 – 2012 and upon completion, all necessary measures may be taken as required by the law: either for in situ preservation of several parts or the application for the archaeological discharge procedure for some of the remains. Further details regarding chance archaeological discoveries and preliminary archaeological researches (surface and underground) conducted at Orlea have been published in the EIA of the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Report, Annex I, p. 231-234. It is important to mention that the report states: “*Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be investigated starting with 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded.*” (Cultural Heritage Baseline Report, vol. 6, p. 46).

Taking into account the results of the research, the opinions of experts, and the decisions of competent authorities, a budget of US \$25 million has been established by the company to conduct further researches, to preserve and restore the cultural heritage of Roșia Montană during the following years, as part of the implementation of the mining project, as stated by the EIA in May 2006 (see Report of the Environmental Impact Assessment Study, vol. 32, Cultural Heritage Management Plan for Roșia Montană area, p. 84-85). The proposals include the continuation of researches within the Orlea area; especially the creation of a **modern Museum of Mining** with exhibits of **geology, archeology, industrial heritage and ethnography**; the development of tourist access to the **Cătălina-Monulești Gallery**; and to the monument from **Tău Găuri**; together with the **conservation and restoration of the 41 historical monument buildings and of Roșia Montană Historic Center**.

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For a further synopsis on the researches and on the main discoveries related to the historic galleries from

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Roşia Montană, and to read the conclusions of experts on this matter, and also the assessments performed in order to establish a tourist route dedicated to historic mining structures from Cărnic, and the opinions issued by Mr. Edward O’Hara, General Rapporteur on the Cultural Heritage of the Parliamentary Assembly of European Council, please see the annexes entitled “Information on Roşia Montană Cultural Heritage and Related Management Aspects” as well as the annexed Romanian version of the O’Hara Report. Detailed information regarding the complex issues of surveying ancient mining works from Roşia Montană, the results and the potential subsequent developments is available in the EIA of Roşia Montană Project, vol. 6 – Baseline Conditions Report, p. 32, 35-58, 83-109.

To conclude, under no circumstances was the destruction of cultural heritage from Roşia Montană or mere replacement of some original remains with replicas discussed. The archaeological research performed at Roşia Montană, usually known as preventive/rescue archaeology, as well as the heritage related studies are conducted everywhere in the world in close connection with the economic interest for certain areas, and its related costs including the development or maintenance costs of the preserved areas are ensured by those who are making the prospective investment. Therefore, a public-private partnership is established to protect cultural heritage pursuant to the provisions of Malta Convention (1992) on the protection of archaeological heritage [1].

It must be emphasized that in addition to the commitments assumed by RMGC with respect to the protection and conservation of archaeological remains and historic monuments, an entire series of duties belong to local public authorities from Roşia Montană and Alba County, together with central public authorities, and Romanian Government respectively. The Cultural Heritage Management Plans included in the report on the EIA Study provide clarifications on these issues. (see Report on EIA Study, volume 32, Archaeological Heritage Management Plan for Roşia Montană area, p. 22-24, 49, 55-56, 71-72 and the Report on EIA Study, volume 33, Management Plan for Historic Monuments and Protected areas of Roşia Montană area, p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All of the commitments assumed publicly by the company are detailed in the report on EIA Study, volume 33, Cultural Heritage Management Plan.

**References:**

[1] The text of the Convention is available at the following web page:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1100
Proposal	<p>It has been acknowledged that "the opening of the surface mining quarry in 1970 has massively affected" the cultural landscape in Roşia Montana (vol.6, page 14 for the Romanian version and Section 5, Cultural Heritage Baseline report, page 71 for the English version), but let me ask you this: what will the impact on the cultural landscape be in case that four open pit exploitations will be opened?</p> <p>S.C. Roşia Montană Gold Corporation S.A. has considered the importance of the cultural heritage from Roşia Montană and the requirements of current legislation. Therefore, approx. US\$ 10 million has been budgeted for 2001-2006, to conduct research of the heritage. After considering the results of the researches, experts' opinions, and the decisions taken by competent authorities, a budget of US\$ 25 million has been estimated by the company to conduct further research, conservation and restoration works for the heritage from Roşia Montană during the following years, as it was made public within the Environmental Impact Assessment (EIA) in May 2006 (see Report on the Environmental Impact Assessment Study, volume 32, Archaeological Heritage Management Plan for Roşia Montană area, p. 84-85). In particular the proposed works include the creation of a <b>Modern Museum of Mining</b> with exhibits of <b>geology, archeology, industrial heritage and ethnography</b> establishing tourist access to <b>Cătălina-Monuleşti</b> Gallery and also to the monument at <b>Tău Găuri, conserving and restoring those 41 historic monument buildings</b> and of <b>Roşia Montană Historic Center</b>.</p> <p>The cultural landscape of Roşia Montană has been formed by almost 1900 years of mining history, and therefore it represents a special example of a mining community of the Carpathians Mountains and for Romania. The mining activity influenced all the aspects of the life from Roşia Montană, determining the occurrence of a mining culture which influenced a number of the features connected with the locality's evolution, as well as with its structure and its urban pattern, architecture, ethnography, economic and spiritual life and also the natural environment of this mountainous region. The existence of the gold ore deposit caused a transition from a rural way of life with a small density of population to a centralized community character that has continued from ancient periods until XIXth century when the town became a quasi-urban center.</p>
Solution	<p>The statement of the questioner refers to the opening of the Cetate pit by the Romanian Government in 1975. Starting with 1970s, during the communist era, open pit operations were developed at Cetate and Cărnic. These two pits and their associated industrial infrastructure have destroyed major remains without archaeological researches – especially the well known: "Roman Yards" and "Emperor's Window". As part of the documentation necessary for an Environmental Impact Assessment for the Roşia Montană Project, studies have included: a short history of historic and archaeological studies conducted before 2000 at Roşia Montană (see volume 6 – Cultural Heritage Baseline Report, Annex F, p. 161-165) and an inventory of chance archaeological discoveries found before 2000 (see volume 6 – Cultural Heritage Baseline Report, Annex G, p. 166-169).</p> <p>The concept of cultural landscape has received a special attention only since 1992 when identification and conservation instruments for such areas were adopted, although this concept was discussed in 1972 by the adoption of World Heritage Convention, and by the Venice Charta (1964, 1966), which mentioned the context and the setting of the historic monument. The term cultural landscape combines several manifestations of the interaction between humans and nature, which are representative for the evolution of the society under the influence of physical restraints, of the opportunities provided by the natural habitat, and of the social, economic and cultural factors.</p> <p>The cultural landscape reflects the way in which a certain community interacts with its environment. The cultural landscape often reflects specific techniques for the development of natural resources, by taking</p>

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into account the environment's characteristics and limits (see UNESCO – WHO Convention, 1996). The concept of cultural landscape was outlined in 1992, when the World Heritage Committee (WHC - UNESCO) used this concept with reference to the criterion of “exceptional value”, which led to several modifications of the 1972 UNESCO Convention. Thus, after several discussions among international experts of this field, the European Convention of Landscape was adopted (Florence Convention, 2000). This convention is intended to protect, manage and develop the territorial establishments of all landscapes, and also of the natural landscape. This European Convention of Landscape was adopted by the European Council and includes several recommendations referring to the protection, management, and development of all landscapes from Europe. The central administrations of the European countries are responsible for the effective implementation of these provisions and requirements. This convention was ratified by Romania through Law 451/2002.

Roşia Montană is not an ordinary village from Apuseni Mountains. This is obvious and it has been emphasized by the studies conducted by various research teams with respect to its architecture and urbanism or ethnography and ethnology studies.

The Roşia Montană landscape has, from a cultural point of view, two major components: the underground one that has been studied by the recent mining archaeology researches, and the surface one has been studied by the surface archaeological investigations, by the historic monument buildings from the historic center and by the natural monuments.

The nature and state of conservation of the underground mining remains from Cărnic have been established by exhaustive mining archeology research. These have proved the difficulty of access, the resulting high safety risk for visitors, their spatial dispersion and the enormous costs that would make their conservation and tourist development impossible. As previously mentioned within the specialty studies from the EIA documentation, many historic mining works can be found in sectors protected from the mining impact, such as the following areas Coş - Cătălina Monuleşti, Păru-Carpeni and Pietra Corbului. All these areas have both unique features and others that are representative and support a scientific decision for *in situ* preservation.

The surface archaeological remains have been significantly impacted by the recent mining operations – galleries, dumps, ore processing installations (wood stamps), by the associated industrial infrastructure (lakes, roads, water supply pipelines), as well as by the permanent habitation of Roşia Valley for the last 700 years. Three main categories of archaeological monuments have been studied: habitation areas with accompanying infrastructure (Hop-Găuri, Hăbad, Tăul Țapului, Carpeni hill), sacred areas with open air temples (Hăbad, Nanului valley, and possibly Carpeni) and last, but not least, funerary areas (cremation necropolis of Roman period colonists (discovered at Hop, Tăul Corna, Jig-Piciorag, Țarina, Pârăul Porcului – Tăul Secuilor and the graves from Nanului valley and Carpeni hill). After 7 years of archaeological research, two perimeters were identified and can be described as **“protected areas”**: **the Roman Funerary monument from Tău Găuri and Carpeni Hill where habitation areas with Roman buildings have been discovered**, as well as a funerary area and a sacred area.

The architectural assets are located in the upper part of the town, in the Square area. 35 of the 41 historic monument buildings are located here. All this architectural reservation, which has a particular charm, is included in the protected area Roşia Montană Historical Centre. In order to establish from a legal point of view the limits of the Protected Area, the company contracted the services of certified companies in order to elaborate a PUZ through which the urban regulations are imposed and which specifies activities that are allowed to be developed within its boundaries. This document is in the course of being developed.

Note that the Roşia Montană protected area will cover approx 130 ha and will include the architectural assets from this locality (restored and developed) but also other heritage assets, included in a modern mining museum that will have exhibits of geology, archeology, ethnography, (with an open air section), industrial heritage and an important underground section located around Cătălina Monuleşti Gallery. In the protected area, the company will promote traditional tourism (guest houses and small restaurants). Also within this area (E, SE of the ancient center) the historic lakes are located: Tăul Mare, Tăul Brazi and Tăul Anghel - where recreational tourism may be developed.

Under Law 5/2000 (March 6, 2000) on the approval of the National Territory Arrangement Plan- Section III- Protected Areas (published in the Official Gazette of Romania under no. 152/April 12, 2000), the

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Piatra Corbului and Piatra Despicată areas were included in the section: Natural Areas of National Interest Protected and Natural Monuments, points 2.8 (Piatra Despicată) and 2.83 (Piatra Corbului). Moreover, as a result of the archaeological investigations conducted at Roșia Montană within the “Alburnus Maior” National Research Program, the Piatra Corbului area was classified as historical monument, more precisely the Roman galleries from the Cărnic massif, the Piatra Corbului area. This research program has been financed by RMGC, as required by current legislation.

Another important element of the Roșia Montană landscape are the lakes, so some of them will be maintained - Tăul Mare, Tăul Anghel and Tăul Brazi which will be included in the tourism development plans anticipated for the Protected Area of Roșia Montană Historic Center. Tăul Găuri is included in the protection area of Roman funerary monument that will be restored *in situ*. Tăul Țarina will not be impacted by RMP. Tăul Corna will be impacted by the project's implementation.

Due to the preparation of the Roșia Montană PUG, and at the direct request of the National Commission of Historical Monuments from 2002 (permit: MCC – CNMI no. 61/14.02.2002), this urbanism documentation has been prepared by the S.C. Proiect Alba S.A., and completed by the S.C. OPUS – Atelier de arhitectură S.R.L., who have conducted an historic survey and a special survey on the elements of cultural landscape from Roșia Montană. This study has been approved by the National Commission of Historical Monuments from the Ministry of Culture and Religious Affairs, through the following permits: MCC nr. 177/20.06.2002 and 178/20.06.2002, and have approved the Roșia Montană PUG and accompanying urbanism documentations.

As a conclusion of the survey conducted by OPUS in 2002 – which completed the documentation prepared for Roșia Montană PUG – the following statements were included: *“the disappearance of the traditional mining industry during ‘50s together with the disappearance of the private property within gold mining industry, as well as the initiation of open pit mining operations during ‘70s have led to alterations of the landscape, of infrastructure and of the locals occupations, to the abandonment and degradation of several traditional industrial buildings, some of them with a genuine heritage significance. Also, this has led to the demolition, degradation, or ruin of several constructions or assemblies with a certain archaeological value. The unreasoned implantation of several collective dwellings (apartment buildings) has increased the alteration of several valuable areas of the urban assembly. According to the baseline report of the geological explorations developed at Roșia Montană prepared by Agraro-Consult S.A. together with the Institute of Research for Waste Water Treatment , S.C. Prospeccțiuni S.A., ICECHIM and Romanian Waters, the environment is strongly impacted by the historic mining activities with strong implications on the Roșia stream, Arieș River and soils. Moreover, all actions undertaken during this period have fully ignored the huge archaeological capital that exists and is known only documentary. This has led to the destruction of many remains, especially the ones related to the history and continuity of gold mining operations developed for almost two millennia. There are no roads between commune’s villages, urban transportation is rather rare, and the economic conditions are poor. All these contribute to the isolation of Roșia Montană from the national socio-economic context. The value of the site resides in the unique way of interaction of the relief with specific functions and with perfect adaptation of urban-architectural settlements. These characteristics have been sedimented along very long periods of time, and if the situation existent during ‘50s may have led today to fully enlist Roșia Montană as a site classified as having “cultural landscapes”. **As the current situation looks like, such framing is no longer possible.** Moreover, as it results from the inventory of national and local heritage values, from the sociological research and from field surveys, towns degradation is a progressive process and if the current conditions are maintained we will witness how the entire town and not only the valuable elements disappear.”* These conclusions of S.C. OPUS – Atelier de arhitectură S.R.L. have been presented in the documentation entitled “Completion of the necessary documentation for Roșia Montană PUG; Study prepared for restructuring Roșia Montană Historic Center”, which has been approved by the Ministry of Culture and Religious Affairs in 2002.

For further synopsis on the researches and survey conducted at Roșia Montană to research the cultural heritage, as well as to learn the conclusions of experts on this issue, please see the annex entitled “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects” aimed at completing the abovementioned information.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1101
Proposal	<p>It has been acknowledged that the relocation of Piatra Despăcată and Piatra Corbului on the slopes of Cetate and Cărnic open pits, characterized by excavations and waste rock, "minimizes their aesthetic quality"(vol. 6, page 15 for the Romanian version and Section 9, Non-technical summary, page 48 for the English version). But what will the situation be if they will be located on the edge of the two craters occurring as a result of the project?</p>
Solution	<p>The EIA Report (volume 6- <i>Cultural Heritage Baseline Report</i>, page 21) states that „<i>The appearance of these rock outcrops is relatively diminutive in the overall landscape and their setting on the degraded slopes of Cetate and Cărnic, which are characterized by excavations and waste rock, minimizes their aesthetic quality.</i>” Thus, the assessment of the baseline conditions points out that the aesthetic value of these natural monuments has already been diminished by the previous mining explorations.</p> <p>Piatra Corbului is located outside the future Cărnic pit. Consequently, it will not be impacted by RMGC's mining project. All the technical measures required will be undertaken in order to minimize the project's impact during the operational phases, which will be carried out in the proximity of this area. These measures are meant to avoid an impact on the integrity of this area.</p> <p>As for Piatra Despăcată, this is a block of andesite weighing roughly 2 tons. In 2000, based on the documentation submitted by the company S.C. Agraro Consult S.R.L., the Commission for the Protection of Natural Monuments of the Romanian Academy approved the relocation of Piatra Despăcată to another area, which will not be impacted by the mining operation. Therefore, the future location of Piatra Despăcată will be approved by the Romanian Academy and the Ministry of Culture and Religious Affairs. The relocation will be coordinated and monitored by specialists, this process involving the use of usual technical means that are specific for such large structures.</p> <p>Thus, Piatra Despăcată will not be located in the industrial area during the operational phase of the project, and Piatra Corbului will be surrounded by a protection area measuring 5.5 ha, which is enough to keep the monument away from the edge of a crater, as you fear.</p> <p>Under Law 5/2000 (March 6, 2000) on the approval of the National Territory Arrangement Plan- Section III- Protected Areas (published in the Official Gazette of Romania under no. 152/April 12, 2000), the Piatra Corbului and Piatra Despăcată areas were included in the section: Natural Areas of National Interest Protected and Natural Monuments, points 2.8 (Piatra Despăcată) and 2.83 (Piatra Corbului).</p> <p>Moreover, as a result of the archaeological investigations conducted at Roșia Montană within the “Alburnus Maior” National Research Program, the Piatra Corbului area was classified as historical monument, more precisely the Roman galleries from the Cărnic massif, the Piatra Corbului area (code LMI AB-I-s-A-20329), as published in the Official Gazette of Romania no. 646 bis/16.07.2004, Alba County, position 146). This research program has been financed by RMGC, as required by current legislation.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1102
Proposal	<p>How was it possible to carry out surface and underground preventive investigation works and rescue excavations on the 1300 ha surface covered by the industrial zone, in just 5 or 6 years, a couple of months per year, in order to issue the archaeological discharge certificate? One look at the figures is enough to realize that it would have been impossible to cover the whole area. And if excavation works were not carried out all over the area, how was it possible that the archaeological discharge certificate be issued for the whole area?</p>
Solution	<p>Preventive archaeological researches within the Roşia Montană mining project area have been undertaken based on specific techniques, specifically trial trenches in all accessible areas that are suitable for human habitation, taking into account the bibliographical information and the observations recorded during the archaeological survey campaigns, the geophysical studies and the analyses of the photogrammetric flights. In addition, surface investigations were undertaken, where appropriate. The archaeological researches at Roşia Montană covered a large surface and focused on the areas known to have archaeological potential. <u>THEREFORE, ALL AREAS THAT HAVE BEEN ARCHAEOLOGICALLY DISCHARGED HAD BEEN PREVIOUSLY INVESTIGATED.</u> All research programs, beginning with the 2004 campaign, have been undertaken in full compliance with the current legal requirements, i.e. Ministerial Order no. 2392 of 6 September 2004 on the establishment of the Archaeological Standards and Procedures by the Ministry of Culture and Religious Affairs.</p> <p>However, note that this type of research-known as preventive/rescue/contractual research- is conducted all over the world in relation to the economic interest for certain areas and the costs thereof as well as the costs for the enhancement and maintenance of the areas preserved are covered by the investors through a public-private partnership for the protection of the cultural heritage, in compliance with the provisions of the European Convention of Malta (1992) on the protection of the archaeological heritage [1].</p> <p>Pursuant to current legislation in Romania, RMGC has ensured the necessary financial resources for assessing and studying these remains. The Company provided the necessary resources to cover various expenses for installations, working equipments, safety equipments, labor costs, respecting the opinions and conclusions of researchers and observing the decisions issued by competent authorities like the Ministry of Culture and Religious Affairs – the National Commission of Archaeology, and the National Commission of Historic Monuments, as required by law.</p> <p>The concept of archeological research does not entail only archaeological excavations. This type of research is conducted by specific means and methodologies adapted to the conditions of every site researched, in our case, Roşia Montană. They consisted in:</p> <ul style="list-style-type: none"> <li>• archive studies;</li> <li>• archaeological surveys, trial trenches (test trenches);</li> <li>• aerial reconnaissance/survey and aerial photo interpretation; high resolution satellite images;</li> <li>• mining archaeology studies; underground topography and 3D modeling; geophysical surveys;</li> <li>• Thorough archaeological investigations in the areas with an identified archaeological potential- this implied carrying out archaeological excavations;</li> <li>• Interdisciplinary studies- sedimentology, archaeo-zoology, comparative palynology, archaeo-metallurgy, geology, mineralogy;</li> <li>• Radiocarbon dating and dendrochronology;</li> <li>• This research and its outcomes were included in an integrated database;</li> <li>• traditional and digital archaeological topography and development of the GIS project; generate a photo archive- both traditional and digital;</li> </ul>



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- restoration of artifacts;
  - an inventory and a digital catalogue of the artifacts;
  - studies conducted by specialists in order to enhance the outcomes of this research - publication of monographs / scientific books and journals, exhibitions, websites, etc.

All preventive archeological researches undertaken at Roşia Montană from 2000 to date have been conducted within a complex integrated research program, and the excavation permits have been issued in full compliance with current legislation. The researches have been coordinated from a scientific point of view by the National History Museum of Romania. 21 Romanian and 3 foreign specific institutions have participated in this research. All researches have been conducted in full compliance with the current legislation. The researches developed during each of the archeological campaigns have been authorized by the Ministry of Culture and Religious Affairs based on the annual plan of archeological research endorsed by the National Commission of Archaeology.

In accordance with current Romanian legislation (the Ministerial Order no. 2392 of 6. September 2004 on the establishment of Archaeological Standards and Procedures by Ministry of Culture and Religious Affairs), the authors of researches are not entitled to grant archaeological discharges. Following a complex research process, exhaustive documentation must be prepared for the study area, which will include the archaeologists' proposals. After considering this documentation, the National Commission of Archaeology will recommend or not the issuance of the certificate by the Ministry of Culture and Religious Affairs.

For further details related to the legal framework and duties of the Project titleholder that arise from the mandatory compliance with the legal requirements please see the Cultural Heritage Annex called "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects". Also, the annex includes further details with respect to the researches conducted within the "Alburnus Maior" National Research Program developed between 2001 and 2006.

References:

[1] The text of the convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	NO. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1103
Proposal	<p>Starting from 2000, ever since the National Town planning Documentation PATN III has been approved, the Roman galleries at Roşia Montana have been designated "monuments of exceptional national value" (vol. 33, II page 11); then how come most of them have been included in the industrial zone and how come an archaeological discharge has been issued? Why didn't the Ministry of Culture fight for their protection, since this was its role?</p>
Solution	<p>Only the areas which already obtained the archaeological discharge certificate have been included in the industrial development area. But also there are areas that are currently being researched in order to secure their archaeological discharge in future, following the legal procedures.</p> <p>S.C. Roşia Montană Gold Corporation S.A. has considered the importance of the cultural heritage from Roşia Montană and the current legislative requirements. Therefore, approx. US\$ 10 million has been allocated between 2001-2006 for necessary research and investigations of the heritage. Considering the results of the researches, experts' opinions, and the decisions taken by competent authorities, a budget of US\$ 25 million has been estimated by the company to conduct further research, conservation and restoration works for the heritage from Roşia Montană as part of the mining proposals, as published within the Environmental Impact Assessment (EIA) in May 2006 (see Report on the Environmental Impact Assessment Study, volume 32, Archaeological Heritage Management Plan for Roşia Montană area, p. 84-85). Therefore RMGC proposes to continue research and investigations in the Orlea area, and, especially, to create a <b>Modern Museum of Mining</b> with exhibits of <b>geology, archaeology, industrial heritage and ethnography</b>, to establish tourist access for <b>Cătălina-Monuleşti</b> Gallery and for the monument from <b>Tău Găuri</b>, but also to <b>conserve and restore the 41 historic monument buildings</b> and of <b>Roşia Montană Historic Center</b>.</p> <p>Prior to 1999, no mining archaeology researches had been conducted at Roşia Montană. The scientific investigation and assessment of these galleries had only then been initiated. To sum up, in the <i>Repertoriul Arheologic al judeţului Alba</i> (1995) (<i>The Archaeological Gazetteer of Alba County</i>), the following data regarding the Roman galleries were presented: during XVIII and XX centuries, several artifacts dating as back as Roman times have been identified during mining operations (note that their exact source was not known, they were only identified, and some have disappeared). Moreover, the Roman gold mining operations, especially considering where the wax-coated tablets were discovered, were identified around the civil settlements located on Cetate, Cărnic, Ecaterina Monuleşti Gallery (Cătălina-Monuleşti), and Letea (Lety) and Rotunda Mountains. Therefore, by 2000, one could say that Roşia Montană was a site of archaeological potential, as a Roman period mining site. No archaeological excavations have been performed to identify specific components or characteristics, or the location and spatial distribution of Roman period mining remains within the site.</p> <p>Despite this evidence, the gold and silver ore deposit from Roşia Montană was mined by the Romanian Government in the same manner even after the promulgation of the Law no. 5/2000 on the approval of the National Territory Arrangement Plan – Section III – protected areas, where the Roman galleries are also mentioned: Roşia Montană commune, Roşia Montană village, Alba County (Annex 3, section 1 – industrial architecture; establishment of access roads, position 1)1.), with no additional data on their location, characteristics or distribution.</p> <p>Due to the implementation of the new mining project, the preventive archaeological researches conducted at Roşia Montană were initiated in 2000 with the participation of archaeologists from National Union Museum from Alba Iulia and from the National Institute of Historic Monuments from Bucharest. For the mining galleries survey, the expertise of a team from Toulouse University has been employed. Taking into</p>

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account the conclusions of preliminary studies conducted in the previous year, in 2001 the “Alburnus Maior” national Research Program was established through the Ministerial Order no. 2504 from 07.03.2001, which was developed in full compliance with Government Ordinance no. 43/2000 regarding the archaeological heritage protection and the establishment of some archaeological sites as areas of national interest, subsequently modified. Its aims are to investigate the Roman and medieval galleries from this area, as well as conducting an inventory and proposing solutions for the conservation/restoration of representative parts. Thus, the central administration, (the Ministry of Culture and Religious Affairs) pursuant to its legal duties, was involved in the research of the Roman galleries from Roşia Montană from 2000 to date.

In accordance with Romanian current legal provisions, RMGC has ensured the necessary financial resources for assessing and studying these types of remains. RMGC provided the necessary resources to cover several expenses like facilities, working equipments, safety equipments, labor costs (to include a permanent team of miners that provides access and assistance to the mining archaeologists and performs maintenance works), thus fulfilling the opinions and conclusions of researchers and observing the decisions issued by competent authorities like the Ministry of Culture and Religious Affairs, the National Commission of Archaeology, and the National Committee of Historic Monuments. Therefore, a specific budget has been adopted for these works as part of the development of the project.

140 Km of underground works from all historical periods have been researched during 8 years of researches. Two thirds of these are located in the Cărnic and Cetate massifs, and almost 7 km of ancient (Roman) mining works excavated with iron tools (chisel and hammer) or with fire have been identified. Modern and recent works, identifiable after studying the galleries (blasting drill holes, their shape, comparison with ancient mining plans, etc.), have been dated to the XVII and early XX centuries by radio - carbon dating of wood or charcoal. The 7 km of galleries dated to the Roman period represent the total of this kind of works that have been identified and surveyed are dispersed over the entire area. Therefore, according to the conclusions of the research team, most of the ancient works have been revisited and partially reworked by miners over the centuries.

We must underline that an archaeological excavation that allows restoration, dating and interpretation, also increases the vulnerability of such galleries. To be more precise, if the old mining works are excavated in order to make them accessible, they will be consequently exposed to severe degradation. At the same time, if exhaustive archaeological works are conducted, then naturally the “archaeological deposit” disappears leaving only the empty structures behind (galleries and other works). All chronological information (artifacts) will be recovered during the excavations.

Detailed information regarding the chance archaeological discoveries and preliminary archaeological researches (both surface and underground) within Orlea area have been published in the EIA Report for Roşia Montană Project, volume 6 – Cultural Heritage Baseline Report, Annex I, p. 231-236.

Within the Baseline Heritage Report volume 6, p. 48 it is stated with respect to Orlea, that the archaeological research will be continued both at surface and underground, and in an area with an established archaeological potential. Moreover, it is emphasized that all researches conducted up to date within this area have been preliminary in nature. It is important to quote the study: *“Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be investigated starting with 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded.”* (Cultural Heritage Baseline Report, volume 6, p. 46).

RMGC, pursuant to the legal requirements, will finance a program of preventive archaeology research at Orlea that will be conducted by certified experts between 2007 and 2012. Based on an analysis of the results of these researches, the archaeological discharge procedure may be initiated or not. There are no legal requirements to forbid the development of preventive archaeological researches within areas with identified archaeological heritage as is the case at Orlea.

There are other small areas within the site, on the eastern slope of Cărnic at Piatra Corbului and Păru Carpeni that might be available for conducting a program to develop public access. A particular case is Piatra Corbului where Roman pits excavated with fire can be found. These are extraordinary remains, impressive on account of their large dimensions. Their location, in the close vicinity of the proposed pits

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needs to be considered in order to take all necessary and adequate protective measures in order to avoid their degradation due to open pit blasting.

The company has assumed the financial and logistic support necessary for the conservation and restoration of the protected areas as the French archeologists have stated that they have completed the research and outlined all existing mining works within the current protected areas of the Roşia Montană mining Project: Cătălina Monuleşti, Coş, Piatra Corbului and Păru Carpeni, and consequently for the other mining sectors that will be impacted by the mining project. RMGC will provide all necessary funds for the archaeological research that will continue within Păru Carpeni and for *in situ* preservation of the mining chambers equipped with hydraulic wheels, as well as for other hydraulic installations and auxiliary equipment that will be restored. Additionally, funds are anticipated by the company to construct several hydraulic wheels identical with the ancient ones. All these actions are anticipated by RMGC to increase the tourist attraction for the area.

To conclude, we must explain a certain paradox. The existence of the Roman galleries is threatened because researches are not conducted and because of their state of conservation and the nature of this type of remains. In turn any archaeological research entails the irreversible destruction of context in order to recover information.

In accordance with the requirements of the Ministry of Environment and Water Management, specific management plans have been included in the documentation prepared for the Report on Environmental Impact Assessment Study of Roşia Montană Project. These plans have been established to manage and conserve the heritage assets from the Roşia Montană area, within the context of implementing the mining project. These will include the historic mining galleries (see EIA Report, volumes 32-33, Plan M – Cultural Heritage Management Plan: part I – Management Plan for Archaeological Heritage from Roşia Montană area, part II – Management Plan for Historical Monuments and Protected Zone from Roşia Montană, part III – Cultural Heritage Management Plan). All duties and responsibilities of the company following the implementation of its mining project are included in these plans, according to the decisions of the central cultural administration. These duties and responsibilities cover the protection and conservation of heritage values from Roşia Montană area: surface and underground archaeological remains, historic monuments and buildings, protected areas, intangible heritage values, elements of cultural landscape, etc. It must be emphasized that in addition to the commitments of RMGC with respect to the protection and conservation of archaeological remains and historic monuments, there are many duties both for local public authorities from Roşia Montană and Alba County, and for central public authorities such as the Romanian Government. The Cultural Heritage Management Plans included in the EIA Report clarify these aspects (see the report on the EIA Study, volume 32, Management Plan for Archaeological Heritage from Roşia Montană area, p. 22-24; 49; 55-56; 71-72 and EIA Report, volume 33, Management Plan for Historical Monuments and Protected Zone from Roşia Montană, p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

Another aim of the “Alburnus Maior” National Research Program established through the Ministerial Order no. 2504 from 07.03.2001 and developed in full compliance with the provisions of the Government Ordinance no. 43/2000 regarding the archaeological heritage protection and the establishment of archaeological site as areas of national interest, subsequently modified, is to prepare a project for the development of a future mining museum within the Apuseni Mountains area. It is obvious that there is a significant component with respect to the development of the historic mining galleries. Considering the importance of the networks studied, the restoration works are going to be extensive and very expensive, and the long-term maintenance costs will have to be added.

To conclude, this kind of research – known as preventive/rescue archaeological research - is conducted in relation to the economic interest for certain areas and research and investigation costs, together with development and maintenance costs of the preserved areas, are ensured by those who make the investment. Therefore, a public-private partnership for the protection of cultural heritage is created pursuant to the provisions of Malta Convention (1992) on the protection of Archaeological heritage [1].

For further details related to the legal framework and duties of the Project titleholder that arise from the mandatory compliance with the legal requirements please see the Annex entitled “Information on Roşia Montană Cultural Heritage and Related Management Aspects”. Also, further details may be found there with respect to the researches conducted within the “Alburnus Maior” National Research Program

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developed between 2001 and 2006.

**References:**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1104
Proposal	<p>How is it possible that galleries be replicated and not preserved in their original form, given the fact that the ICOMOS charter recommends that archaeological resources be preserved for further archaeological investigations (The EIA report, Vol. 14, page 55 for the Romanian version and Chapter 4.9 Cultural and Ethnical Conditions, Cultural Heritage, page 56 for the English version) ?</p> <p>How can you be so sure that there are no other archaeological sites, besides the Alburnus Maior site that has been presented here?</p>
Solution	<p>In 2004, an ICOMOS official, Mr. <b>Mounir Bouchenaki</b>, visited Roşia Montană and interviewed all the parties concerned and involved in the project. He appreciated the high quality of the researches and their results. He concluded that encouraging the dialogue and cooperation might lead to the discovery of viable solutions for the coexistence of the industrial development and of the scientific development, or, if that might be the case, the conservation of the cultural heritage. In his view, improved media coverage of the works and achievements would counteract the existing misinformation among many European archaeologists, some of them being signatories of the protests usually claimed.</p> <p>ICOMOS is International Council on Monuments and Sites, a non-governmental organization of professionals, dedicated to the conservation of world's historic monuments and sites. The ICOMOS Charter has been edited based on the results of Venice Charter and ensures a global direction for approaching the archaeological heritage. According to this Charter, the archaeological heritage has the following meaning: "That part of the material heritage for which the archaeological researches provide the primary information. It includes all remains of human existence and consists of all human activities, abandoned structures and diverse remains (to include underground and aquatic sites), together with their associated cultural assets."</p> <p>This Charter underlines the role of a team of qualified professionals (including archaeologists and not only), in the process of assessment, investigation, and study conducted during the pre-construction stage, which constitutes the base for subsequent management measures. Another basic principle of the ICOMOS Charter is the recommendation to preserve archaeological resources for subsequent archaeological researches, in order to have the archaeological heritage known and appreciated by the public.</p> <p>With respect to the conservation of some parts of the site as an "archaeological" research reserve for future generations, note that the Carpeni protected area from Roşia Montană was outlined. This is the area where the most important Roman buildings from Roşia Montană have been discovered. This reserve covers 17 ha and meets the criteria established by the ICOMOS Charter. As regards the underground remains, the potential of the mining sectors of Cătălina Monuleşti and Piatra Corbului is known today. Thus, future "archaeological reserves" are likely to be identified within these sectors.</p> <p>With respect to the development of the Roman galleries of Roşia Montană as museums, Dr. Beatrice Cauuet, the head of the team of archaeologists that researched the underground mining remains said: 'with regard to the development of a site museum for the conservation and preservation <i>in situ</i> of mining remains it is much more advisable to choose outstanding areas comprising different types of mining works, which are characteristic for the ancient mines from Roşia Montană. With respect to the enhancement of the ancient mining works, the existing technical and financial means may be used to restore a smaller sector, which has been less impacted by modern and recent mining works (and therefore it has a higher degree of authenticity) and which is located in the proximity of the other historical monuments to be enhanced, such as the historical centre of the Rosia Montana commune. Finally, there are other smaller areas within the site, which are located outside the project's impact perimeter (e.g. the Eastern slope of the Cărnic massif-the Piatra Corbului and Păru Carpeni sectors), which are equally suitable to be arranged for public access. The Piatra Corbului sector, in particular, comprises Roman</p>

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mining sectors dug by the fire setting technique, outstanding remains, impressive by their large size; but their position in the proximity of the future pit must be considered in order to take the appropriate protection measures which are necessary in order to avoid it from being deteriorated by the blasting”.

Taking into account that the underground access of experts in the Cârnic massif is extremely difficult and public access is practically impossible, it has been decided that the only way of enhancing this type of mining works is to create exact replicas. Among other specialists works undertaken by the mining archaeologists of Toulouse le Mirail University (France), note the detailed topographic survey conducted for historic mining works and the establishment of a full photographic inventory of Roman underground mining remains. Moreover, the 3D model prepared by the French experts allowed the reconstruction of the initial morphology of the historic mine removing the destructions caused by time and subsequent mining works. These scientific results will be the base for the establishment of the replicas of the ancient mining works.

These replicas will be made by the French experts whose professionalism cannot be questioned by anyone (the company will contract the services of the teams who created the replicas of the painted caves Lascaux and Cosquer, France). In this case it is impossible to differentiate between the original and copy. The same is intended for Roşia Montană, i.e. to completely recreate the underground ambiance, but under safe conditions, fully compliant with the EU norms.

Unlike Romania, where the notion of “copy” implies something of poor quality, surrogate, in other countries like France (replicas of the painted caves Lascaux and Cosquer) or United Kingdom (lead mine from Killhope, Scotland), such copies are impossible to be differentiated from the original. Not only is the morphology of the underground area and the texture of the walls recreated, but also the overall ambiance, i.e. the humidity, temperature, reduced light, air draught, etc are also recreated. Moreover, these constructions, built on the surface or in the underground allow a thorough control of potential risk factors, like floods, failure, ventilation that cannot be maintained in an underground labyrinth of over 75km in length, disposed on a level difference of over 400 m as it is the case of the Roşia Montană mine.

As regards the development of replicas of some mining structures, such cases exist in several European countries, where restoration of the kind has been developed. We could mention here the **recreation of the Roman Mine at Rio Tinto** (in the Mining Museum at Rio Tinto, Huelva, Spain representing a 5,000 year long history of mining in the Iberian Peninsula; this is perhaps one of the closest analogies with the mining archaeological heritage of Roşia Montană, (a Roman Age mine drainage system similar to the two already identified in Roşia Montană at the mining sectors of Păru Carpeni and Cătălina Monuleşti was discovered here in the late 19<sup>th</sup> century).

As for the potential access of tourists in this system of galleries, we quote from the Report prepared by Mr. Eddie O’Hara MP (General Rapporteur on Cultural Heritage) and Mr. Christopher Grayson (Chief Secretary for Culture, Science and Education), both officials of the Parliamentary Assembly of the Council of Europe:

- “[...] Concern has been expressed by critics over the procedure (allegedly superficial archaeological discharges) and conservation ethics, involving the programmed destruction of Roman galleries. **This concern does not appear to be entirely justified.** The reworked galleries in the areas of the main pits Cârnic and Cetate appear empty of any archaeologically interesting remains. **Tourist access to most galleries would be impossible.** However the condition must clearly be imposed of continued archaeological excavation and monitoring of what is found [...]”

- “[...] Research does not necessarily imply the need for everything found to be preserved and the academic ideal of total *in situ* preservation is perhaps not always and altogether appropriate in a situation of rescue archaeology and a commercial world. This is certainly so in the case of *in situ* preservation of the Roman galleries at Roşia Montană. There are over 5 km of them, apparently with a limited variety of distinctiveness between them and few surviving remains in them. Most of them are inaccessible, indeed dangerous of access to tourists. Alternative proposals such as designation of the whole area as a cultural landscape to be developed for tourism lack viability [...]”

In conclusion, in response to your first question, note that the company does not plan to destroy the Roman galleries from Roşia Montană or to create replicas, without having a clear alternative in this

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respect. Complex specialized studies have been conducted during eight years and their conclusions served as a basis for the adoption of a series of specific measures which imply complex works for the conservation of certain original sectors of galleries and their development for public access, while others will be preserved for future research (the archaeological reserves), and replicas will be made for other segments of galleries. Note that we are now facing some sort of a paradox, specifically given the state of preservation and the nature of these remains, their physical existence would be threatened in the absence of archaeological research. On the other hand, any archaeological research implies, to a certain extent, the irretrievable loss of an archaeological context in order to recover the information. However, this type of research – known as rescue/preventive archaeological research – is conducted everywhere in the world in relation to the economic interest for certain areas. And the costs for this research as well as the costs for the enhancement and maintenance of the areas preserved are covered by the investors through a public-private partnership for the protection of the cultural heritage, in compliance with the provisions of the European Convention of Malta (1992) on the protection of the archaeological heritage [1].

We do not fully understand the notion of sub-site included in the second question. If you suggest that among the 13 sites identified within Roşia Montană perimeter there are other sites that you believe to be sub-sites, note that the definition of site sums up all remains of any kind and from any historical period located within the site limits. But, if you refer to the possibility that under the identified and researched archaeological structures there are other levels of culture, note that archaeology is a concrete science with specific and strict regulations and standards. Therefore, at present, after 6 years of comprehensive specific researches and studies conducted at Roşia Montană, the nature, characteristics and distribution of heritage values are very well known – all archaeological sites, historic monuments buildings, as well as churches and cemeteries of Roşia Montană, as well as its actual history. Comprehensive heritage researches and studies conducted between 2000 and 2006 have allowed us to draw a clear picture of the values that belong to the national cultural heritage and of the areas with spiritual significance, of its history, but also to adopt specific measures necessary for their protection.

Although the entire area has been subject to preventive archaeological investigations – in compliance with the national and European specific regulations- the specific management plans comprise additional measures for the mitigation of the potential impact on the archaeological remains, these measures refer to the archaeological monitoring during the construction and operation phases as well as to the preparation and implementation of a “Chance Finds Protocol”.

References:

[1] the text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1105
Proposal	<p>"It is difficult to distinguish, in the current stage of the investigations, the status of the settlement at Alburnus Maior in the juridical framework of municipal life in the province of Dacia" (Vol. 32, Page 17 for the Romanian version, Section 5 Cultural Heritage Baseline Report, page 69, for the English version). Why was then the archaeological permit issued, why was the project allowed, and at the same time plans were made for archaeological surveillance works and for the editing of the Alburnus Maior series up until 2014. Was it all done for MONEY?</p>
Solution	<p>The paragraph quoted in the question refers to the <b>juridical status</b> of the Alburnus Maior economic centre in the municipal life of the province of Dacia. The clarification of its juridical status will not necessarily arise from the archaeological researches, but from a possible discovery of an epigraphic document (e.g. an inscription) which could provide the necessary clarifications. The habitation structures identified at Alburnus Maior are referred to by two juridical forms: <i>vici and castella</i>.</p> <p>The discussion on the forms of civil habitation in the area of the ancient Alburnus Maior and their juridical status during the Roman period was based on the analysis of some epigraphic sources (e.g. wax tablets and certain formulas from the inscriptions found at Roşia Montană). Thus, the 25 wax tablets found in the last century refer to a series of toponyms attributed by experts to some adjacent habitation structures. Nine of these documents had been drafted at Alburnus Maior, two in the <i>canabae legionis XIII Geminae at Apulum</i>, while the remaining ones had been drafted in places that haven't been identified yet on the ground (<i>vicus Deusara - 2; Kartum - 1; Immenosum Maius - 1</i>).</p> <p>From this point of view, one can distinguish two main interpretations. The first theory tends to suggest that the generic toponym <i>Alburnus Maior</i> covers a series of permanent or temporary settlements related to the presence of Illyro-Dalmatian colonists, specialized in the mining and primary processing of the gold ore. This theory is supported by a series of detailed aspects of the epigraphic sources. Thus, the mention of a <i>vicus Pirustarum</i>, of the Ansim settlement, of a statio Resculum, the formula K(astellum) Baridustarum as well as the whole discussion on their location and on other toponyms mentioned on the wax tablets or inscriptions discovered so far all could suggest the presence of a conglomerate of autonomous settlements that had their administration, illustrating the "Dalmatine system" of organizing and exploiting gold mines.</p> <p>The second theory tends to view Alburnus Maior as an autonomous structure with a so far uncertain juridical status. And the toponyms at issue are names of the various districts or ethnic groups in the same unitary settlement. What is certain is that the information provided by the analysis of the epigraphic sources is indicative of a densely populated area, that concentrates a variety of <i>nationes</i> among which the Illyro-Dalmatian element was predominant followed by the Hellenistic one.</p> <p>On the other hand, the conclusions of the archaeological investigations conducted in the field coupled with previous information obtained from the analysis of the epigraphic sources have resulted in an overall picture of the ancient Alburnus Maior. Thus, 13 archaeological sites have been identified and investigated, three of which are the main massifs mined during the Roman period (Cetate, Cărnic and Orlea), while seven others correspond to some habitation areas dated to the Roman period.</p> <p>The archaeological discharge of the site was granted based on a comprehensive documentation drafted by the experts who conducted the researches in the area. All the preventive archaeological researches conducted at Roşia Montană since 2001 have been carried out within a complex research program; permits for preventive archaeological excavations being issued in compliance with the legislation in force. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National</p>

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Museum of History. All the researches have been undertaken in compliance with the existing legislation. The investigations conducted during each archaeological research campaign are authorized by the Ministry of Culture and Religious Affairs based on the Annual Archaeological Research Plan approved by the National Commission of Archaeology.

The specific techniques employed during the preventive archaeological investigations conducted on the project area consisted of a survey of all the areas, which are both accessible and suitable for human settlement. Bibliographical data and observations made during field surveys, geophysical surveys, as well as data resulting from the analysis of photogrammetric flights were also considered. Systematic investigations have been carried out where required by the archaeological conditions. The archaeological investigations conducted at Roşia Montană have covered large areas, and the areas with an archaeological potential have been thoroughly investigated. THUS, ALL THE AREAS THAT WERE ARCHAEOLOGICALLY DISCHARGED HAD BEEN PREVIOUSLY INVESTIGATED. All the investigations have been conducted in accordance with the current legislation, namely the Order of the Minister of Culture and Religious Affairs no. 2392/06.09.2004 on the establishment of Archaeological Standards and Procedures.

Under the same Romanian legislation in force, the researchers who have conducted the investigations are not authorized to grant the archaeological discharge of the sites. A comprehensive documentation including the archaeologists' conclusions and proposals is produced based on the findings of the complex archaeological investigations conducted in the area. Upon consideration of this documentation, the National Commission of Archaeology decides whether or not to recommend the issuance of the archaeological discharge certificate. The archaeological discharge certificate for the researches conducted in the period 2001-2006 was issued by the Ministry of Culture and Religious Affairs.

A significant amount of scientific material and specific information was collected during the six archaeological research campaigns. Once the preliminary phase of field investigation is completed, this information needs to be systematized, analyzed and scientifically exploited, but also disseminated by means of a publishing plan, in which the 14 years deadline is a very optimistic one. The presentation of the results of the archaeological researches is a long-lasting process, which does not depend on the granting of the archaeological discharge certificate. For instance, the volume comprising the results of the archaeological research conducted for the Bicz-Poiana Teiului hydro energetic complex (preventive archaeological excavations conducted in the '60s) was published only in 2003.

As for RMGC's financial contribution, note that the company has provided the financial means for the evaluation and research and enhancement of these types of archaeological remains, as required by current legislation in Romania and according to international guidance and best practice.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1106
Proposal	<p>The results of the preventive archaeological works carried out under the Alburnus Maior National Research Programme offer a basis for designating the site as being of great importance (Vol. 32, Page. 41). However, are you aware that, under article 11 paragraph (1) of the Mine Law no 85 issued in March 2003, it is clearly stipulated that "Carrying out mining activities on the lands on which are located historical, cultural and religious monuments, archaeological sites of important interest and natural reservations..., as well as instituting the legal lien for mining activities over such lands is strictly forbidden". Article 11 paragraph (2) adds: "Exceptions to the provisions of the paragraph (1) above shall be established by Governmental Decisions, with the acceptance of competent authorities in the respective fields and by establishing damages compensation measures"?</p>
Solution	<p>There are no legal requirements that forbid the development of preventive archaeological researches for areas with identified and classified heritage, i.e: the Roşia Montană area. However, the construction activities required for the development of the Project will not be initiated before the completion of archaeological researches developed within several areas in full compliance with Romanian legal requirements and international best practices. During 2001-2006, extensive preventive archaeological investigations have been undertaken in the Roşia Montană area. Based on their results, certain areas have been archaeologically discharged while other areas have been subject to preservation and protection measures.</p> <p>The Mining Law no. 85/2003, Art. 11 stipulates the following:  “(1) Carrying out mining activities on the lands on which are located historical, cultural and religious monuments, archaeological sites of outstanding importance, natural reserves, sanitary protection areas, hydrogeological protection perimeters to the water sources, as well as instituting the legal lien for mining activities over such lands is strictly forbidden.</p> <p>(2) Exceptions to the provisions of the paragraph (1) above shall be established by Governmental Decisions, with the acceptance of competent authorities in the respective fields and by establishing damages compensations measures”.</p> <p>Several comments need to be made with respect to the quoted piece of legislation and the plaintiff's allegation:</p> <ul style="list-style-type: none"> <li>• The Romanian legislation on the protection of the cultural heritage and of historic monuments does not define the notion “archaeological sites of outstanding importance”;</li> <li>• The legal notions that apply with regard to cultural heritage issues are described and defined by Law 258/2006, article 2, paragraph (1), including references and amendments to previous legislation, such as Governmental Ordinance 43/2000, Law 378/2001, Law 462/2003).</li> <li>• The legal notions used by the current legislation with regard to the historic monuments are described and defined by Law 259/2006 article 2 paragraph (1), amending Law 422/2001.</li> </ul> <p>Taking into account the definitions mentioned above, as well as the wording of the Mining Law, we consider that the plaintiff's comment is deprived of legal basis, especially since the expert opinion he has referred to has been taken out of context.</p> <p>The Mining Law does not forbid the use of the archaeological discharge procedure, but it allows that, in exceptional cases, the Government is empowered to issue a specific decision allowing the development of</p>

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mining activities without the need to follow the generally applied legal procedures, stipulated by GO 43/2000 on the protection of archaeological heritage and the designation of some sites as areas of national interest, as last amended, and Law 422/2001 on the protection of historical monuments, as last amended. Roşia Montană Project does not require such a decision, as RMGC follows the provisions and procedures stipulated by GO no. 43/2000, as last amended, and by Law no. 422/2001 for the archaeological discharge of the lands that are going to be impacted by mining activities, subsequently to be restored to their initial use, in full compliance with the current legislation. Moreover, with respect to the existing and classified cultural heritage assets within the Roşia Montană Perimeter, the project proposes the creation of certain protected areas where no mining activities will occur, as well as the “in situ” preservation of historical monuments outside this protected area.

Under the Mining concession license no. 47/1999, RMGC has been granted permission to carry out mining activities in the Roşia Montană area, including the Orlea massif, as well as in other protected areas. If the ban established by article 11 had been absolute in character, the Mining Law would have stipulated that it is forbidden to carry out mining activities in the protected areas.

But the law in question does not include such a ban. What is more, GO no. 43/2000 and Law no. 422/2001, republished, stipulate specific procedures for restoring the lands in question to their current use, through the process of declassification of historical monuments and of archaeological discharge, procedures that apply whenever a construction authorization is needed to carry out construction activities in a protected area. Under Law 422/2001, it is possible to apply the declassification procedures if the archaeological discharge certificate for the archaeological sites has been obtained, as approved by the National Commission of Archaeology within the Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use. Under GO 43/2000 ( article 7 point a)), amended by Law 378/2001, Law 462/2003 and Law 258/2006, “the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological investigations or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures”.

Therefore, in accordance with the current legislation, during 2000 and 2006 preventive archaeological investigations and associated studies with regard to the Roşia Montană heritage have been undertaken, so as to ensure the protection of the cultural and archaeological heritage in the area. This has entailed the understanding and research of the nature, characteristics and distribution of heritage assets-archaeological sites and historic monument buildings, as well as their protection and enhancement, in the context of the implementation of the project proposed by RMGC.

In compliance with the requirements of the Ministry of the Environment and Water Management and those of the Ministry of Culture and Religious Affairs, presented as part of the documentation regarding the Report on the Environmental Impact Assessment Study for the Roşia Montană project, specific plans have been prepared for the management and preservation of the heritage assets in the Roşia Montană area, in the context of the implementation of the mining project. (see the Report on Environmental Impact Assessment Study, vol. 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană area, part II – Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area, part III – The Cultural Heritage Management Plan).

In accordance with decisions of the central cultural administration, these management plans present in detail the obligations and responsibilities assumed by the company within the framework of the proposed mining project, with regard to the protection and the conservation of the Roşia Montană heritage sites (surface and underground archaeological remains), historical monument buildings, protected areas, intangible heritage, elements of cultural landscape etc.

All the protection and enhancement measures included in the Management Plan for the Archaeological Heritage of the Roşia Montană area will be submitted for approval to the Ministry of Culture and Religious Affairs, as part of the permitting procedure for the Roşia Montană project. The Ministry shall form an opinion on the proposed project, in accordance with the legal provisions and its responsibilities.

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For further details on the applicable legal framework, the responsibilities of the Project titleholder, or for a detailed description of the preventive archaeological researches undertaken to date and of the Cultural Heritage Management Plans, please see Annex “Information on Roşia Montană Cultural Heritage and Related Management Aspects”.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1108
<b>Proposal</b>	<p>Do you really believe that the funerary monument at Taul Gauri will resist the vibrations caused by 150 tons trucks, given the fact that it will be surrounded on three sides by access roads? (Exhibit 4.10.1)?</p> <p>The research team proposed the preservation <i>in situ</i> of the Tăul Găuri funerary monument based on the conclusions of the archaeological research conducted in 2002. This proposal was endorsed by the National Commission of Archaeology and the Ministry of Culture and Religious Affairs decided to include this monument on the List of Historical Monuments 2004 under the name „<i>Roman funerary monuments from the Hop-Găuri area</i>” (code LMI AB-I-m-A-00065.04). Moreover, a protection area measuring over 4.5 ha was established around this monument.</p> <p>In 2003, the company S.C. Opus – Atelier de arhitectură S.R.L drafted the plans for the restoration of this ancient funerary monument. This project was approved by the National Commission for Historical Monuments and consequently the Ministry of Culture and Religious Affairs issued the Permit no. 194/14.07.2004.</p> <p>Where required by the archaeological realities or where the historical monuments were located too close to the planned industrial facilities, the latter have been re-positioned so that no historical monument should be affected by the project. In the case of Tău Găuri, this consisted of the restoration and conservation <i>in situ</i> of the monument and in the re-designing of the industrial facilities proposed in their vicinity.</p> <p>Through the EIA Report-volume 32: the <i>Management Plan for the Archaeological Heritage from Roşia Montană Area</i> (pages 80-81) RMGC has committed to providing the necessary funds for the restoration and conservation of this monument.</p>
<b>Solution</b>	<p>Furthermore, note that in March 2006 a specialized study was conducted by IPROMIN and by the Bucharest Technical University of Civil Engineering, institutions with a broad expertise on constructions safety. This was an experimental study meant to measure the vibrations caused by the blasting procedures developed in the protected area of the historical centre and on the historic buildings located outside the protected area. Measurements were performed by simulating a major blasting with 3,000 kg of explosives being detonated under normal conditions, without any delay stages or the use some other state-of-the-art technologies, which are common practice in modern mining. Thus, the results of this study can also be applied to buried structures such as the Roman funerary monument, which will be first restored.</p> <p>A monitoring system will be implemented in order to quantify the impacts caused by blasting on buildings situated in the protected area as well as on other historic buildings located outside the protected area. This system will consist of a fixed network of digital seismographs with three components located on the main buildings to be protected and of a mobile network made up of three portable seismographs placed on a longitudinal profile between the objective to be protected and the detonations core. Thus, the blasting technologies and/or the vibrations generated by the facilities will constantly be adjusted in order not to exceed the maximum oscillation speeds allowed in the proximity of the buildings.</p> <p>The funerary monument at Tău Găuri will not be affected by the nearby industrial roads as these are located at the border of its protection area, far enough so as not to affect this structure. On the contrary, this structure can become an important tourist attraction point in the context of the sustainable development strategy for Roşia Montană.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	296
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109043/07.08.2006 and No. 74513/08.08.2006
RMGC internal unique code	MMGA_1109
<b>Proposal</b>	Do you really believe that Piatra Corbului area will resist vibrations, given the fact that it will be surrounded on four sides by access roads? (Exhibit 4.10.1)?
<b>Solution</b>	<p>Under Law 5/2000 regarding the approval of the National Territory Arrangement Plan - Section III – protected areas (published in the Official Gazette no.152 of April 12 2000), Piatra Corbului, is classified under section Natural Protected Areas of National Interest and Natural Monuments, point 2.83.</p> <p>At the same time, as a result of archaeological research performed at Roşia Montană through the Alburnus Maior National Research Program, financed in accordance with legal provisions by RMGC, the Piatra Corbului area has also been classified as a protected area from an archaeological point of view (Official Gazette No. 646 bis, from 16.07.2004, position 146).</p> <p>Within the project proposed by RMGC, Piatra Corbului is not affected and has a protection zone of over 5 hectares. The regulations regarding this protected area will be detailed in the Industrial Urbanism Plan. Also, all the technical measures for minimizing impact during the operational stages near this area will be taken, so that its integrity will not be affected.</p> <p>A monitoring system will be implemented in order to quantify the impacts caused by blasting on these objectives as well as on other historic buildings located outside the protected area. This system will consist of a fixed network of digital seismographs with three components located on the main buildings to be protected and of a mobile network made up of three portable seismographs placed on a longitudinal profile between the objective to be protected and the detonations core. Thus, the blasting technologies will constantly be adjusted in order not to exceed the maximum oscillation speeds allowed in the proximity of the buildings.</p> <p>For further details, please also see Annex “Review on the results of the Geo-mechanical Studies conducted to establish the impacts of blasting operations on the construction from protected area”.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	308
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 74537/09.08.2006
RMGC internal unique code	MMGA_1121
Proposal	<p>Proposal: transforming the Rosia Montana area into an archaeological reservation, since the Roman remains found here are unique in Europe.</p> <p>Proposal: the measure will have long-term advantages while underground resources will be kept for future generations.</p>
Solution	<p>The reports and studies published by experts in the field make clear that the Roşia Montană cultural heritage is significant, but not unique. Roşia Montană is probably the best known mining site on the Romanian territory, largely due to the “Alburnus Maior” National Research Program launched by the Ministry of Education and Religious Affairs and financed by RMGC, in accordance with the current legislation. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar characteristics and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>With respect to the development of the Roşia Montană area as an archaeological reserve, note that this place has been intensively inhabited, at least in the last 700 years, and its gold reserves have been extensively mined for more than one thousand years. Therefore, Roşia Montană is certainly not an area where archaeological remains are entirely preserved in a manner which resembles what those structures were in the 3<sup>rd</sup> century AD. The extensive preventive archaeology investigations undertaken in Roşia Montană in the last 8 years have led experts to conclude that the archaeological remains uncovered to date do not display spectacular constructive attributes but rather they <i>adapt to the natural environment</i> and suggest a series of elements that serve to create a general picture of the way the area looked in antiquity: with necropolises located on slopes or on plateaus facing the valleys, habitation areas and sacred areas located on heights and probably connected to the mining and primary ore processing areas. Note that representative elements of the archaeological heritage components of the area have been identified, and <i>in situ</i> preservation has been designed for them as well as inclusion in a future cultural tourism circuit.</p> <p>We believe that the development of the Roşia Montană area as a tourism destination can work in parallel with the mining project proposed by RMGC. In fact, a major part of the tourist resources are products of the Alburnus Maior National Research Program which is financed by RMGC. Some of these include:</p> <ol style="list-style-type: none"> <li><b>1. Movable and immovable archaeological heritage assets</b> <p>The Mining Museum which is proposed for Roşia Montană might well be built during the development of mining activities. This museum would include artifacts uncovered during archaeological excavations, items currently exhibited in the existing Mining Museum, as well as replicas of the galleries. Other plans include the development for public access of some of the galleries that have survived (i.e. Cătălina Monuleşti gallery where a wooden hydraulic system dating back to Roman times was found) and the ancient open-cast mine from the Văidoaia area. The project proposal for this museum is presented in the EIA report. For further details, please see the EIA Study, vol. 32, Management Plan for the Archaeological Heritage from Roşia Montană Area, chapter 4.3, pages 73-81.</p> </li> <li><b>2. Buildings classified as historical monuments, the Protected Area Historical Centre of</b></li> </ol>



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## **Roşia Montană and landscape features within the lakes area**

As stated publicly in the Environmental Impact Assessment Study, if the Roşia Montană Mining Project is approved, all buildings that are classified as historical monuments in Roşia Montană and are the property of RMGC, will go through a complex restoration and preservation program. In the case of buildings classified as historical monuments that are owned by various institutions or individual persons, with their consent, RMGC will finance the restoration of these buildings, too, in full compliance with the standards issued by the Ministry of Culture and Religious Affairs. For further details, please see the Environmental Impact Assessment Study, vol. 33, chapter 3.2, pages 67-74.

The company does not plan to turn this entire area into a museum; this part of Roşia Montană will continue to be inhabited by the local people, and in the case of the houses acquired by RMGC, by the company's staff who will work on the project. New job opportunities and tourism-related small businesses are proposed in the area. Similarly, some areas around the historical centre of Roşia Montană can be developed for public access or included in a tourist circuit while other areas must remain inaccessible until operations cease at the pit located nearby.

### **3. Industrial heritage assets located within the former mining operation and assets located within the mining operation planned by RMGC**

Similar examples set by other mines around the world, such as - the Kennecott copper mine (Salt Lake City, Utah, USA); the Pemali tin mine in Indonesia; the Honister slate mine (Great Britain); the Martha Mine (New Zealand) prove that tourist activities can be developed in close connection with works carried out as part of a large scale mining project.

We emphasize that many communities within former mining areas have focused their efforts, on many occasions by establishing foundations, to develop their tourist potential. This process is enhanced by European initiatives of the highest level – like for instance The European Mining Heritage Initiative (MINTOUR), European Route of Industrial Heritage (ERIH), European Network of Mining Regions (ENRM).

Some of the most relevant examples of former mining areas converted into tourist attractions include: the Mining Park of Rio Tinto in Huelva, Spain (based on a former large scale copper mining operation); the Cap'Découverte Tourist Park from the Midi-Pyrénées region in France (based on a large scale coal mining operation); the Big Pit- National Coal Museum (Blaenafon, Torfaen, Wales, Great Britain); the Mining Museums in Příbram, Hradek - Kutna Hora, Okd Landez, Ostrava (the Czech Republic); the series of Mining Museums with underground tours in Predil, Velenje, Idrija, Mežica etc. (Slovenia); the series of Mining Museums with underground tours in Kupferberg, Goldkronach, Kali - Holungen/Schacht, Bad Ems, Frankenwald (Germany). These are only some of the many museums across Europe dealing with mining and the history of mining. Many similar museums also exist in the United States of America, Canada and Australia. RMGC has commissioned independent experts to prepare Tourism Proposals for Roşia Montană in order to assess how such a process may be initiated.

### **4. Elements of Intangible Heritage – traditions and customs etc.**

A number of traditions practiced in the past by the local mining community have been preserved in Roşia Montană over the centuries. These local traditions - many of them passed on orally from one generation to another - represent a substantial part of Roşia Montană's intangible cultural heritage. An archive of oral history was prepared between 2002 and 2003, which includes over 100 hours of digitally recorded interviews. To date, this is the only archive of this type that includes references to the industrial heritage and the traditions of a mining community existing for a long time in Transylvania. The festivals and ceremonies specific to the Roşia Montană area are to a certain extent different from those practiced in other rural areas from Transylvania. An explanation of this fact can be found in the ethnic and religious diversity existing in Roşia Montană, as different populations settled here, lured by gold reserves. All these cultural resources, coupled with a substantial collection of archive images, constitute a significant potential that may be developed in the proposed Mining Museum from Roşia Montană. This study was also published as part of the "Alburnus Maior" National Research Program (Roşia Montană Ethnological Study (P. Popoiu, 2004).

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All these elements can be developed, to some extent, in parallel with the mining project. In order to make this possible, tourists pathways will be developed, away from the access roads, to ensure that tourists would not enter the operations area. Some of the potential tourism elements might not be fully developed until operations at some of the pits are phased out or cease altogether. Nonetheless, these elements will serve, among other things, as a starting point for a sustainable economic development.

The commitments assumed by the company, with respect to the enhancement and development of the cultural heritage potential of the area for tourism activities, are presented in detail in the Report on the Environmental Impact Assessment Study, volume 33, Cultural Heritage Management Plan.

In response to the suggestion that all mining remains in Cârnic could be enhanced and developed for public access, the respected British company, Gifford, was commissioned to undertake an assessment of the costs necessary to develop the Cârnic galleries into a museum (see Annex “Costs Estimate for the Development of ancient mining networks from Cârnic”, document prepared in collaboration with Geo-Design and Forkers Ltd.). The amount required would exceed 150 million euros, plus maintenance costs of more than 1 million euros per year. As these costs are prohibitive, other options need to be considered for museum development that would be economically feasible.

With respect to the developing of the Roşia Montană Roman galleries for public access, dr. Beatrice Cauuet, the coordinator of the research team of archaeological underground remains, said the following: “With regard to the development of a site museum for the conservation and preservation *in situ* of mining remains, it is much more advisable to choose outstanding areas comprising different types of mining works, which are characteristic for the ancient mines from Roşia Montană. With regard to the enhancement of the ancient mining works, the existing technical and financial means may be used to restore a smaller sector, which has been less impacted by modern and recent mining works (and therefore it has a higher degree of authenticity) and which is located in the proximity of the other historical monuments to be enhanced, such as the historical centre of the Roşia Montană commune. Finally, there are other smaller areas within the site, which are located outside the project’s impact area (e.g. the Eastern slope of the Cârnic massif-the Pietra Corbului and Păru Carpeni sectors), which are equally suitable to be arranged for public access. The Pietra Corbului sector, in particular, comprises Roman mining sectors dug by the fire setting technique, outstanding remains, impressive by their large size. However, their location in the proximity of the future pit requires appropriate protection measures which are necessary in order to avoid deterioration caused by blasting”.

For further details related to the legal framework and the obligations of the titleholder, as stipulated in the current legislation, please see Annex “Information on the Roşia Montană Cultural Heritage and Related Management Aspects”. The annex includes additional information with respect to the researches undertaken as part of the “Alburnus Maior” Research Program between 2001 and 2006.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	384
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109221/14.08.2006 and No. 74624/15.08.2006
RMGC internal unique code	MMGA_1126
Proposal	-The Roman galleries from Orlea and Carnic are unique in their exquisite design and conservation state;
	<p>Please note that the Orlea and Cârnic toponyms do not refer to localities, but to massifs within the Roşia Montană area.</p> <p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance. The Roşia Montană galleries, when considered in the larger context of the Apuseni Mountains area, are, indeed, significant, but not unique. Owing to the researches undertaken as part of the “Alburnus Maior” National Research Program, financed by RMGC, they are currently the best known mining galleries in Romania.</p> <p>With regard to the Orlea massif, since the proposed operations in this area are planned for a later date, preventive archaeological research will begin here in 2007. Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines.</p>
Solution	<p>With regard to the Cârnic area, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Ministry of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cârnic Massif, with the exception of an area of approximately 5 hectares, including Piatra Corbului area and the associated Roman mining remains. As part of the effort to minimize negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation as well as replicas of these structures (at a scale of 1:1). These will be included in the new mining museum that is proposed at Roşia Montană. Mention should be made that a lawsuit has been filed with regard to the archaeological discharge certificate and that the case is currently in progress.</p> <p>It should also be noted that there are other Roman mining structures at Cătălina Monuleşti and Păru Carpeni, similar to the ones uncovered at Orlea and Cârnic, that have been proposed for in situ preservation and development for public access.</p> <p>Given the significance of the Roşia Montana's cultural heritage, and the current legal requirements, S.C. Roşia Montană Gold Corporation S.A allocated more than US\$ 10 million for the archaeological investigations carried out between 2001-2006. The budget for the next years, allocated for the research, conservation and restoration of the Roşia Montană's cultural heritage amounts to more than US\$ 25 million.</p>
	The Cultural Heritage Baseline Study - Volume 6 p.48 - specifies that, with regard to the Orlea area,

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preventive surface and underground archaeological research is planned to continue in an area of identified archaeological potential. It also specifies that the research undertaken to date is preliminary in character. Also, please note that the EIA report mentions the following: given that mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is planned to start in 2007. "As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with the Romanian law and international best practice is concluded". (Cultural Heritage Baseline Report, vol. 6, p. 46).

In 2004, the preliminary underground investigations, undertaken in the Orlea Massif, have led to a significant discovery. The value of the discovery was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet uncovered a chamber equipped with a hydraulic wheel, and subsequently an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was dated to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation *in situ*. The discovery would not be affected by the future development of the Orlea open pit. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea- Țarina segment are planned to be undertaken between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 48.

In the 1980s, a mining museum was developed in the Orlea massif. The museum included a series of galleries in a good state of preservation, that have been separated from adjacent, access galleries by concrete walls. The Orlea galleries, as well as those in the Cărnic massif and in other mining areas in Roșia Montană, are trapezoidal in form. During the successive reworking of these galleries, part of the Roman remains have been destroyed. In addition, the galleries suffered further deterioration, especially due to the recent mining works using drilling-blasting techniques that caused cave-ins and deterioration of underground mining remains. The removal of mine waste in the course of archaeological research adds to the process of deterioration of the Roman galleries, further accentuated by the closure of mining operations at Minvest (1<sup>st</sup> June, 2006) –given that the mining activities have ensured a minimal level of mine dewatering. Under the existing legislation, shutting down mining activities requires a comprehensive set of conservation measures. However, at Roșia Montană the mine was abandoned without any other restoration works. Just a couple of months later, drainage channels inside the Sfânta Cruce gallery, the main drainage gallery, got clogged, which led to the flooding of a number of galleries, several kilometers long. Proper maintenance works are needed if the archaeological remains are to be preserved for future generations. In the absence of such measures, the result will be disastrous, and the parts of galleries that have been preserved will disappear as a result of cave-ins and flooding. The Roman steps at Brad (Roman mining remains covered by Law 5/2000) are illustrative in this respect-once maintenance works stopped, the galleries became inaccessible.

In accordance with the List of Historic Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).

Law 422/2001 on the protection of historical monuments, as last amended, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use (Law 258/2006, art. 5, paragraph 2). Consequently, it is true that RMGC plans to mine the gold-silver deposits located in the Orlea Massif area, in the second phase of the proposed mining project. Also, under the Governmental Ordinance no. 43/2000 on the protection of the archaeological heritage and the designation of some archaeological sites as areas of national interest, as last amended, "the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures".

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Consequently, the proposed mining operations in the Orlea Massif can be developed only after the

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completion of preventive, surface and underground archaeological researches, that will produce a comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Archaeological Site Record Card-9. Orlea Massif, p.231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be undertaken between 2007-2012 by an expert team. Based on the research findings, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal requirements that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

Most of the Roman mining works in the Cărnic massif and in other mining sectors are only accessible, and in difficult conditions, to specialists, and actually partially inaccessible to the public at large. Moreover, under the EU safety rules regulating similar activities in museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. Note that a number of other similar Roman gallery segments will be preserved *in situ*.

As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex "Costs Estimate for the Development of Ancient Mining Networks from Cărnic", prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).

Given the significance of the cultural heritage at Rosia Montana and in accordance with the legal requirements, the allocated heritage research budget for 2001-2006 by S.C. Roșia Montană Gold Corporation S.A. amounted to more than US \$10 million. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Rosia Montana in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment published in May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for the Rosia Montana area, p. 84-85). Therefore, the company plans to continue work in Orlea area, and, above all, as indicated in the National Research Program "Alburnus Maior", to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** exhibits, and the development of tourist access to the **Cătălina-Monulești** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roșia Montană Historic Center**.

After the approval of the Roșia Montană mining project, RMGC will provide the necessary funds for in situ preservation of representative structures ( The Cătălina Monulești Gallery, Pietra Corbului, Păru Carpeni), as well as for the creation of exact replicas of the mining works that have been deteriorated or of those that will be affected by the proposed operations. These activities will be developed as part of a new Mining museum, including replicas of galleries of Roman and later periods, and also displays of tools, working methods, mining techniques, metal smelting techniques. As a sign of its commitment, starting with October 2006, RMGC has initiated a maintenance program for the Sfânta Cruce Gallery in Orlea, although this is not the company's responsibility.

**For further information on the most important archaeological remains, as well as for a series of comments on their protection and on the special measures proposed in the Management Plans, please see Annex "Information on the Cultural Heritage of Roșia Montană and Related Management Aspects".**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	405
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109242/14.08.2006 and No. 74650/15.08.2006
RMGC internal unique code	MMGA_1132
Proposal	<p>The questioner does not agree with the promotion of the Roşia Montana Project and makes the following comments and observations:</p> <p>-The Roman galleries in Orlea si Carnic are unique in terms of their exquisite design and their preservation ;</p>
Solution	<p>Please note that the Orlea and Cârnic toponyms do not refer to localities, but to massifs within the Roşia Montană area.</p> <p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance. The Roşia Montană galleries, when considered in the larger context of the Apuseni Mountains area, are, indeed, significant, but not unique. Owing to the researches undertaken as part of the “Alburnus Maior” National Research Program, financed by RMGC, they are currently the best known mining galleries in Romania.</p> <p>With regard to the Orlea massif, since the proposed operations in this area are planned for a later date, preventive archaeological research will begin here in 2007. Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines.</p> <p>With regard to the Cârnic area, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Ministry of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cârnic Massif, with the exception of an area of approximately 5 hectares, including Pietra Corbului area and the associated Roman mining remains. As part of the effort to minimize negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation as well as replicas of these structures (at a scale of 1:1). These will be included in the new mining museum that is proposed at Roşia Montană. Mention should be made that a lawsuit has been filed with regard to the archaeological discharge certificate and that the case is currently in progress.</p> <p>It should also be noted that there are other Roman mining structures at Cătălina Monuleşti and Păru Carpeni, similar to the ones uncovered at Orlea and Cârnic that have been proposed for in situ preservation and development for public access.</p> <p>Given the significance of the Roşia Montana's cultural heritage, and the current legal requirements, S.C. Roşia Montană Gold Corporation S.A allocated more than US\$ 10 million for the archaeological investigations carried out between 2001-2006. The budget for the next years, allocated for the research, conservation and restoration of the Roşia Montană's cultural heritage amounts to more than US\$ 25 million.</p>

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The Cultural Heritage Baseline Study - Volume 6 p.48 - specifies that, with regard to the Orlea area, preventive surface and underground archaeological research is planned to continue in an area of identified archaeological potential. It also specifies that the research undertaken to date is preliminary in character. Also, please note that the EIA report mentions the following: given that mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is planned to start in 2007. "As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with the Romanian law and international best practice is concluded". (Cultural Heritage Baseline Report, vol. 6, p. 46).

In 2004, the preliminary underground investigations, undertaken in the Orlea Massif, have led to a significant discovery. The value of the discovery was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet uncovered a chamber equipped with a hydraulic wheel, and subsequently an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was dated to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation *in situ*. The discovery would not be affected by the future development of the Orlea open pit. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea- Țarina segment are planned to be undertaken between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 48.

In the 1980s, a mining museum was developed in the Orlea massif. The museum included a series of galleries in a good state of preservation that have been separated from adjacent, access galleries by concrete walls. The Orlea galleries, as well as those in the Cărnic massif and in other mining areas in Roșia Montană, are trapezoidal in form. During the successive reworking of these galleries, part of the Roman remains have been destroyed. In addition, the galleries suffered further deterioration, especially due to the recent mining works using drilling-blasting techniques that caused cave-ins and deterioration of underground mining remains. The removal of mine waste in the course of archaeological research adds to the process of deterioration of the Roman galleries, further accentuated by the closure of mining operations at Minvest (1<sup>st</sup> June, 2006) –given that the mining activities have ensured a minimal level of mine dewatering. Under the existing legislation, shutting down mining activities requires a comprehensive set of conservation measures. However, at Roșia Montană the mine was abandoned without any other restoration works. Just a couple of months later, drainage channels inside the Sfânta Cruce gallery, the main drainage gallery, got clogged, which led to the flooding of a number of galleries, several kilometers long. Proper maintenance works are needed if the archaeological remains are to be preserved for future generations. In the absence of such measures the result will be disastrous, and the parts of galleries that have been preserved will disappear as a result of cave-ins and flooding. The Roman steps at Brad (Roman mining remains covered by Law 5/2000) are illustrative in this respect-once maintenance works stopped, the galleries became inaccessible.

In accordance with the List of Historic Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).

Law 422/2001, as last amended by Law 259/2006, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use (Law 258/2006, art. 5, paragraph 2). Consequently, it is true that RMGC plans to mine the gold-silver deposits located in the Orlea Massif area, in the second phase of the proposed mining project. Law 258/2006, article 7, point a) also stipulates that "the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures".

Consequently, the proposed mining operations in the Orlea Massif can be developed only after the completion of preventive, surface and underground archaeological researches that will produce a

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comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Archaeological Site Record Card-9. Orlea Massif, p.231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be undertaken between 2007-2012 by an expert team. Based on the research findings, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal requirements that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

Most of the Roman and later period mining works in the Cărnic massif are only accessible, and in difficult conditions, to specialists, and actually partially inaccessible to the public at large. Moreover, under the EU safety rules regulating similar activities in museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. Note that a number of other similar Roman gallery segments will be preserved *in situ*.

As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex "Costs Estimate for the Development of Ancient Mining Networks from Cărnic", prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).

Given the significance of the cultural heritage at Roșia Montană and in accordance with the legal requirements, the allocated heritage research budget for 2001-2006 by S.C. Roșia Montană Gold Corporation S.A. amounted to more than US \$10 million. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roșia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment published in May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for the Roșia Montană area, p. 84-85). Therefore, the company plans to continue work in Orlea area, and, above all, as indicated in the National Research Program "Alburnus Maior", to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** exhibits, and the development of tourist access to the **Cătălina-Monulești** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roșia Montană Historic Center**.

After the approval of the Roșia Montană mining project, RMGC will provide the necessary funds for in situ preservation of representative structures ( The Cătălina Monulești Gallery, Piatra Corbului, Păru Carpeni), as well as for the creation of exact replicas of the mining works that have been deteriorated or of those that will be affected by the proposed operations. These activities will be developed as part of a new Mining museum, including replicas of galleries of Roman and later periods, and also displays of tools, working methods, mining techniques, metal smelting techniques. As a sign of its commitment, starting with October 2006, RMGC has initiated a maintenance program for the Sfânta Cruce Gallery in Orlea, although this is not the company's responsibility.

**For further information on the most important archaeological remains, as well as for a series of comments on their protection and on the special measures proposed in the Management Plans, please see Annex "Information on the Cultural Heritage of Roșia Montană and Related Management Aspects".**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1225
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110438/23.08.2006
RMGC internal unique code	MMGA_1136
<b>Proposal</b>	<p>The questioner does not agree with the development of the Rosia Montana project. He/she brings to public attention a statement on the Rosia Montana project and asks the following questions: How did the Ministry of Culture and Religious Affairs respond to the project, considering the fact that it is supposed to defend the cultural heritage and that the project will practically cause the destruction of the cultural heritage in the Rosia Montana area?</p>
<b>Solution</b>	<p>Prior to 2000, Roşia Montană was an area with an archaeological potential, but where no specific archaeological diggings had been conducted, which would have been necessary in order to provide a detailed picture of the various site elements. Practically, a series of chance finds - epigraphic monuments, funerary architectural elements - were found in the area of the Cetate, Cărnic, Jig and Orlea massifs in the upper part of the Roşia and Corna valleys within the Roşia Montană commune. Data provided by these elements were enough to suggest the existence of some archaeological sites in that area. Moreover, the 41 buildings were included on the List of Historical Monuments. That was all that was known about the Roşia Montană's archaeological heritage prior to the extensive archaeological investigations conducted within the "Alburnus Maior" National Research Program. In the absence of any other evidence on the ancient Alburnus Maior, the overall picture of this site/these sites was created based exclusively on the data collected from the epigraphic materials. This resulted in a rather distorted understanding of the area's significance.</p> <p>In the context of the implementation of a new mining project in this area, the Ministry of Culture and Religious Affairs approved a series of studies to be conducted in order to research the archaeological and architectural heritage of the area. At the end of 2000, the Design Centre for National Cultural Heritage presented the preliminary results of this research to the National Commission for Historical Monuments and of the National Commission of Archaeology. Based on these results, in 2001, the Ministry of Culture and Religious Affairs initiated the "Alburnus Maior" National Research Program (the Order no. 2504 / 07.03.2001 of the Minister of Culture and Religious Affairs) in compliance with the Law 378/2001 (as subsequently amended by Law 462/2003 and by Law 258/2006 and Law 259/2006). Thus, since 2000, the central government, i.e. the Ministry of Culture and Religious Affairs-directly or through its local agencies- has fulfilled its duties with regard to the management of the issues related to Roşia Montană's heritage.</p> <p><b>The main objectives of the „Alburnus Maior” National Research Program are:</b></p> <ul style="list-style-type: none"> <li>• to undertake comprehensive research of the archaeological heritage, including the recording of all the results obtained from the archaeological surveys and diggings (archaeology and cartography databases, digital archives comprising images, etc.) and the publication of all the findings;</li> <li>• to undertake archaeological investigations of the Roman and medieval galleries found in this area; their inventory and proposal of solutions for the restoration/preservation of representative segments;</li> <li>• to delineate the boundaries of the archaeological and architectural reserve, which will include parts of the mining galleries and historic buildings;</li> <li>• to record and research the industrial heritage structures;</li> <li>• to undertake ethnographic research of the Roşia Montană-Abrud-Corna area;</li> <li>• to prepare a study on the area's specific oral history;</li> <li>• to implement the archaeological discharge procedure for the sites located in the project's impact area, in accordance with the legal provisions;</li> <li>• to draw up a project for the establishment of the future Museum dedicated to the mining</li> </ul>

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activities carried out throughout the centuries in the Apuseni Mountains.

Moreover, representatives of the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County have visited Roșia Montană many times in order to collect information and to check the situation. The same administrative body was the intermediary for the acquisitions of historic buildings made by RMGC. The Ministry of Culture and Religious Affairs expressed its pre-emption right regarding the acquisition of these buildings.

The results of the researches conducted at Roșia Montană are briefly presented in the Chronicle of Archaeological Researches in Romania (2001-2007), in the „Alburnus Maior” monographic series (the first three volumes of this series have already been published under the coordination of Paul Damian Ph.D.) and in the Report of the Environmental Impact Assessment for the Roșia Montană project, volume 6, passim. The volume “Roșia Montană. Ethnological Study 2001” prepared under the coordination of Paula Popoiu, Ph.D. is a synthesis of the ethnographical research and studies undertaken at Roșia Montană. This volume was published in 2004, also as part of the “Alburnus Maior” National Research Program. The results of the architectural and urbanism surveys are included in the specialized documentations prepared for Roșia Montană commune (e.g. PUG, PUZ) from 2000 to date.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1241
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109910/22.08.2006
RMGC internal unique code	MMGA_1141
Proposal	There are significant archaeological risks.
Solution	<p>The archaeological researches from Roşia Montană have begun in 2000 with the participation of archaeological teams from Alba Iulia Union National Museum and National Institute of Historical Monuments from Bucharest. In March 2001, the "Alburnus Maior" National Research Program was established through the Order of the Minister of Culture and Religious Affairs no. 2504. The scientific coordinator responsible for this research program is Dr. Paul Damian of the National History Museum of Romania. In fact, at Roşia Montană archaeologists' teams from more institutions (museums, research institutes, and universities) belonging to the Ministry of Culture, Romanian Academy or Ministry of Education and Research have participated. According to the legal provisions in force, the research teams proposed or not the granting of the Certificate of archaeological discharge for surfaces well delimited.</p> <p>Preventive archaeological researches at Roşia Montană have allowed the research of five Roman cremation necropolis (Tău Corna, Hop-Găuri, Țarina, Jig - Piciorag and Pârâul Porcului – Tăul Secuilor), two funerary areas (Carpeni, Nanului Valley), sacred areas (Hăbad, Nanului Valley), habitation areas (Hăbad, Carpeni, Tăul Țapului, Hop), the most significant being the Roman structures on the Carpeni Hill and the circular funerary monument at Tău Găuri. In addition, for the first time in Romania, surface investigations have been paralleled by underground investigations of Cetate, Cârnic, Jig and Orlea massifs, with important discoveries in the Piatra Corbului, area, Cătălina-Monulești gallery and the Păru Carpeni mining sector.</p> <p>The research consisted of aerial photo interpretation, archaeological magnetometric studies, electrical resistivity, palynology, sedimentology, geology studies, radiocarbon and dendrochronology dating. For a better management of the research units and of the archaeological findings, data bases were used, including text and photographs-among which 4 satellite images (an archive satellite image type SPOT Panchromatic (10m) from 1997; 2 satellite images LANDSAT 7 MS (30 m), dating from 2000 and 2003; a satellite image with priority programming SPOT 5 SuperMode color (2,5 m resolution-19 July 2004); all data have been included in a comprehensive GIS program, a first in the Romanian archaeological research.</p> <p>The archaeological investigation was performed through the research of all areas both accessible and suitable for human settlements, taking into account the bibliographic information and observations made during the campaigns of archaeological surveys, magneto-metric analyses, electric resistivity studies and the data of photogrammetry flights. The investigation was intensively developed where the archaeological results required it. At Roşia Montană, the archaeological researches were performed on ample areas, having an exhaustive character within the areas with archaeological potential. In the case of archaeological monuments that are located close to industrial facilities, plans have been redesigned to ensure that the archaeological remains in question will not be affected. Where appropriate, the archaeological monument was preserved in situ and restored, i.e. the circular funerary monument at Hop-Găuri (see The "Alburnus Maior" monograph series, volume II, Bucharest, 2004). Another example in this respect is the Carpeni Hill, designated an "archaeological " reserve, and the Piatra Corbului area. In 2004, after being thoroughly investigated, these areas have been included on the List of Historic Monuments. Add to this the areas where ancient mining remains will be preserved, such as the Cătălina Monulești gallery and the mining sector Păru Carpeni, as well as the protected area Roşia Montană Historic Center, including a number of heritage assets ( 35 historic monument houses).</p> <p>Other areas with archaeological potential have been subject to thorough preventive investigations. According to the same Romanian legislation in force applicable in the field of archaeological heritage</p>

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protection, the research authors are not entitled to grant the archaeological discharge, the procedure being as follows: after the complex process of research, the archaeologists elaborate a comprehensive documentation edited into a standard format regarding the investigated area. Upon consideration of the material submitted, the Archaeological National Commission decides whether to recommend or not the granting of the archaeological discharge certificate. This certificate was issued in the case of the researches from 2001 – 2006 directly by the Ministry of Culture and Religious Affairs or by its local departments, respectively by the Direction for Culture, Religious Affairs and National Cultural Heritage of Alba County.

Considering the importance of the cultural patrimony from Roşia Montană and current legal requirements, SC Roşia Montană Gold Corporation SA allocated a budget of over US\$ 10 million for heritage investigation for the period 2001-2006. Moreover, taking into account the research results, the specialists' opinions, and competent authorities' decisions, the budget estimated by the company for the research, preservation and restoration of the Roşia Montană cultural heritage during the project implementation, is US\$ 25 million, as was publicly announced within the Report on Environment Impact Study in May 2006 (see the Report on Environment Impact Study, vol. 32, Management Plan for Archaeological Patrimony from Roşia Montană Area, p. 84-85). In this way the establishment of a **Modern Mining Museum** with exhibitions of **geology, archaeology, industrial and ethnographic patrimony**, the development for public access of the **Cătălina Monuleşti** gallery and the **Tău Găuri** monument, the **preservation and restoration of the 41 buildings historical monument and protected area Roşia Montană Historical centre**, and the continuation of the researches in Orlea area, are all included in the proposals.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1261
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 11043622.08.2006
RMGC internal unique code	MMGA_1142
Proposal	<p>The questioner does not agree with the development of the Roşia Montana project and makes the following observations and comments: The project poses a major threat to the archaeological heritage;</p>
Solution	<p>The implementation of the mining project does not entail the destruction or abandonment of the heritage assets from Roşia Montană. Considering the importance of cultural heritage from Roşia Montană and current legislation, S.C. Roşia Montană Gold Corporation S.A. has allocated over US\$ 10 million for the archaeological researches conducted between 2001 and 2006. Moreover, RMGC plans to allocate US\$ 25 million for the research, preservation and restoration of the cultural heritage of Roşia Montană.</p> <p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>Prior to 1999, the Roman galleries from Roşia Montană hadn't been surveyed by experts on mining archaeology, although they had been known for almost 150 years. Practically, this type of archaeological remains was a great unknown from a scientific research point of view, before year 2000, and it was empirically mentioned. As regards the surface archaeological remains, these weren't better known as no proper archaeological research had been conducted there prior to 2000. The existing information came from artifacts uncovered by chance during agricultural activities or construction works, etc.</p> <p>Ever since 1999, the mining archaeology researches conducted by a specific team from University Toulouse Le Mirail (France) coordinated by Beatrice Cauuet, PhD aimed to establish for the first time in Romania a detailed study of these types of archaeological remains, i.e. ancient mining galleries from Roman and later periods. Comprehensive heritage researches and studies conducted between 2000 and 2006 have created an understanding of these sites that belong to the national cultural heritage, but also led to several specific measures for their protection.</p> <p>The survey of these structures has led to their better understanding and at the same time has led to several pertinent decisions on their conservation and enhancement. Based on the researches conducted so far (already completed for Cetate, Cărnic, Jig and in progress for Orlea) the decision of conservation and development of the following sites has been taken:</p> <ul style="list-style-type: none"> <li>• Cătălina Monuleşti Gallery – a gallery located in the Historic Center of Roşia Montană, where a significant set of wax tablets were discovered together with an ancient mine waters drainage system;</li> <li>• Păru Carpeni mining sector – located in the SE area of Orlea, where a system of overlapped chambers was discovered equipped with Roman wood-made mine dewatering installations (wheels, channels, etc.);</li> <li>• Piatra Corbului area – located in the SE area of Cărnic, where traces of mining operations dug by the fire setting technique have been discovered, dating to Roman and medieval times.</li> </ul>

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- Văidoaia area – within the NV area of Roșia Montană, where areas of open pit mining operations are known, dating to the Roman period.

The preventive archaeological researches conducted between 2001 and 2006 have led to the identification and research of 13 archaeological sites. For some of them, a decision regarding their archaeological discharge has been taken upon completion of exhaustive researches, and in some other cases, a decision regarding their *in-situ* preservation has been taken e.g. the funerary monument from Tăul Găuri, the Roman remains on the Carpeni hill; Orlea area will be researched in detail between 2007 and 2012.

Reopening, consolidation and development works have been scheduled for the Roman mining galleries discovered within the mining sectors of Cătălina Monulești and Păru Carpeni. These works will allow their *in-situ* preservation and development for public access. This decision has considered the value and the significance of the exceptional archaeological remains surviving in these galleries i.e. the Roman wood-made installations for mine dewatering installations (“Roman Wheels”). At the same time, Cătălina Monulești Gallery is famous as the place where the most significant set of wax tablets was found in the middle of XIXth Century (according to historic archive resources, these were 11 pieces from a total of 32 artifacts).

Most of the Roman mining works from Cărnic, but also from other mining sectors are accessible under difficult conditions only to experts, being practically impossible to be visited by the public. Moreover, the safety rules governing the development of similar activities in museums in the European Union (that will become law in Romania as well) are not compatible with the transformation of the Roman galleries that are inherently exposed to high risk factors in an area intended for tourism. However, major parts of the Roman galleries will be preserved *in situ*. As an impact mitigation measure, in addition to thorough research and publishing of the results, experts have considered it appropriate to develop a three-dimensional representation of these structures, as well as creating 1:1 replicas of these galleries within the proposed museum from Roșia Montană.

For Orlea, the researches conducted so far have been preliminary in nature. Orlea is the only area that includes Roman mining remains classified as historical monuments, i.e: LMI 2004 Roman Mining Operations from Alburnus Maior, Orlea area (code LMI AB-I-m-A-00065.02). The detailed research of this area is scheduled for 2007 – 2012, and upon their completion, all necessary measures will be taken as required by law: either *in situ* preservation of specific parts or the application of the archaeological discharge procedure for some of them. Further details regarding chance archaeological finds and preliminary archaeological researches (surface and underground) conducted at Orlea have been published in the EIA for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Report, Annex I, p. 231-234. Note that within the report the following statement is made: “Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be investigated starting 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded.” (Cultural Heritage Baseline Report, vol. 6, p. 46).

Taking into account the results of the researches, the experts’ opinions, and the decisions of competent authorities, the company has established a budget of US\$ 25 million for the research, preservation and restoration of the cultural heritage of Roșia Montană during the following years, as part of the implementation of the mining project, as stated by the EIA in May 2006 (see Report of the Environmental Impact Assessment Study, vol. 32, Cultural Heritage Management Plan p.80-81). Therefore, plans include the continuation of the researches within Orlea area, and especially to create a modern Museum of Mining with exhibits of geology, archeology, industrial heritage and ethnography, the development for tourist access of the Cătălina-Monulești Gallery and of the monument from Tău Găuri, together with the conservation and restoration of the 41 historical monument buildings and of the protected area Roșia Montană Historic Center.

For further information on the researches and on the main discoveries related to the historic galleries from Roșia Montană, as well as for the conclusions of experts on this matter, and also the assessments undertaken in order to establish a tourist circuit dedicated to historic mining structures from Cărnic or for the opinions expressed by Mr. Edward O’Hara, General Rapporteur on the Cultural Heritage of the Parliamentary Assembly of the Council of Europe, please see the annex called “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects” and the Romanian version of the O’Hara

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Report. Detailed information regarding the complex issues of the research of the ancient mining works from Roşia Montană, their results and the potential subsequent developments are available in the EIA for the Roşia Montană Project, vol. 6 – Cultural Heritage Baseline Report, p. 32, 36-55, 83-109.

To conclude, the company does not plan to destroy the cultural heritage of Roşia Montană or to replace with replicas without previous investigations. This archaeological research conducted at Roşia Montană, usually known as preventive/rescue archaeology and the related heritage studies are conducted everywhere in the world in close connection with the economic development for certain areas, and the related costs along with the development or maintenance costs of the preserved areas are provided by the investors. Therefore, a public-private partnership is established to protect cultural heritage, in accordance with the provisions of Malta Convention (1992) on the protection of archaeological heritage [1].

It must be noted that apart from the commitments assumed by RMGC with respect to the protection and conservation of archaeological remains and historic monuments, an entire series of duties lie with the local public authorities from Roşia Montană and Alba County, together with central public authorities, and Romanian Government respectively. The Cultural Heritage Management Plans included in the Report on the EIA Study bring forth clarifications on these issues. (see Report on EIA Study, volume 32, Management Plan for the Archaeological Heritage for Roşia Montană Area, p. 22-24; 49; 55-56; 71-72 and the Report on EIA Study, volume 33, Management Plan for Historic Monuments and Protected Zone from Roşia Montană, p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All of these commitments publicly assumed by the company regarding its contribution to the development of the tourist potential based on the heritage values of the area are detailed in the Report on EIA Study, volume 33, *Cultural Heritage Management Plan*.

**References:**

[1] The text of the Convention is available at the following web page:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1261
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 11043622.08.2006
RMGC internal unique code	MMGA_1144
<b>Proposal</b>	<p>The report has not been drawn up by "independent archaeologists";</p> <p>The legislative framework regarding the archaeological research carried out in Romania is currently governed especially by Government Ordinance no. 43/2000 regarding the archaeological heritage protection and the establishment of some archaeological sites as areas of national interest, modified by Law 258/2006. This law brings significant changes and amendments to the legislation for the period 2000-2004 on the protection of the archaeological heritage (i.e. the Government Ordinance 43/2000; Law 378/2001 and Law 462/2003). It should be noted that the notion "independent archaeologist" the questioner refers to is not mentioned in the text of any Romanian legislation.</p> <p>Under the legal provisions, the archaeological research is undertaken by specialized staff, certified and registered in the in the National Register of Archaeologists, in accordance with the provisions of the Romanian Regulations for Archaeological Excavations and with the provisions of the Standards and Procedures in Archaeology and the provisions of the Romanian Archaeologists' Code of Practice (Law 258/2006, article 3, paragraph 2).</p> <p>The Regulations of Archaeological Excavations in Romania were established in 2000 through the Order 2071/30.06.2000 of the Minister of Culture and Religious Affairs. The Register of Archaeologists in Romania was established in the same year through the Order 2072/03.07.2000 of the Minister of Culture and Religious Affairs. In 2004, the Romanian Ministry of Culture and Religious Affairs established the Standards and Procedures in Archaeology (through the Ministerial Order 2392/06.09.2004), which came to complete the existing regulations in the archaeological field.</p>
<b>Solution</b>	<p>Under the provisions of the Regulations for Archaeological Excavations in Romania:</p> <ul style="list-style-type: none"> <li>- Chapter III, article 8, point g). – the site manager is responsible for [...] drafting and keeping the site records/documentation (archaeological excavations report, plans, profiles, films, etc), which belong to the institution that organizes and finances the research;</li> <li>- chapter IV, article 1- The authors of archaeological excavations have the right and obligation to enhance the results thereof through publications and public disclosure;</li> <li>- Chapter IV, article 2 – The full enhancement of the archaeological finds is mandatory and it is carried out once the excavations are completed; it consists in the drafting of an overall report or of a monographic work, as appropriate. In the case of permanent or long-term archaeological sites, partial reports or studies shall be presented, every 3-5 years, and monographs shall be prepared for longer periods.</li> <li>- Chapter IV, article 5 – The results of the archaeological research can be presented to the public through exhibitions, publications, etc. in compliance with the intellectual copyrights of the researchers who conducted works on those sites.</li> <li>- Chapter V, article 7 – Every researcher's copyright on his/her scientific work, irrespective of its form, including designs, exhibits, graphic works, or any other materials resulting from an intellectual creation effort, is guaranteed and protected in accordance with the provisions of Law 8/1995 on copyright and neighboring rights. The scientific works created under an individual employment contract are governed by article 44 of Law 8/1996 on copyright and neighboring rights.</li> <li>- Chapter V, article 8 – The researcher's exclusive scientific property on the results of the excavations is guaranteed for a period of five years after the date the excavations are completed;</li> </ul>



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then the organizing institution can decide, upon consent of the National Commission of Archaeology, to transfer these rights to another researcher;

- Chapter VI, article 13 – Once it is prepared, the site documentation becomes the property of the institution that finances the archaeological research.

From this it is clear that the Romanian National Museum of History owns the intellectual property right for the research archive and for its management and publication of the results of the archaeological researches conducted on the archaeological site of Roşia Montană.

Given that the Romanian legislation on the environment does not comprise specific regulations regarding the drafting of heritage documentation required in the case of an Environmental Impact Assessment Study and that the archaeological researches are still in progress on the Roşia Montană site while the publication of the results of these archaeological researches is underway, the Romanian National Museum of History was responsible for contributing with detailed information and data to the preparation of such specific reports in co-operation with other competent institutions.

Thus, these reports were drawn up by authorized Romanian and French archaeologists, who worked in compliance with the Codes of Practice and professional customs as regards the practicing of this profession which has certainly a contractual perspective having in regard that the preventive archaeology is performed in connection with public or private economic interest.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1261
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 11043622.08.2006
RMGC internal unique code	MMGA_1146
Proposal	The report downplays the importance of the monuments from Rosia Montana;
Solution	<p>The Report on the Environmental Impact Assessment Study for the Roşia Montană Project does not underestimate the importance of the cultural heritage present in the area. S.C. Roşia Montană Gold Corporation S.A. has considered the importance of the cultural heritage at Roşia Montană and the current legal requirements, and allocated a heritage research budget for 2001-2006 that amounted to more than US \$ 10 million.</p> <p>After extensive research undertaken over the past seven years, the nature, characteristics and distribution of heritage assets are well known – including of archaeological sites, historical monument buildings, as well as churches and cemeteries of the Roşia Montană area. Extensive research and heritage studies undertaken during 2000-2006 helped outline a comprehensive understanding of these assets of the national cultural heritage and of the spiritually significant areas, and led to specific measures in regard to their protection.</p> <p>Based on the research results, the specialist opinions, and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roşia Montană provided the project is implemented, would be US\$ 25 million, as disclosed in the Environmental Impact Assessment in May 2006 (see the EIA Report, vol. 32, Management Plan for the Archaeological Heritage from the Roşia Montană area, p. 84-85). Therefore, the company plans to continue work in Orlea area, and especially to create a <b>modern Mining Museum</b> with <b>geological, archaeological, industrial and ethnographic heritage</b> displays, and the development of tourist access to the <b>Cătălina-Monuleşti</b> gallery and to the monument at <b>Tău Găuri</b>, as well as to <b>preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center.</b></p> <p>In accordance with the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religions, respectively, as part of the documentation developed under the Environmental Impact Assessment Study for the Roşia Montană Project, specific management plans have been developed for the management and conservation of the heritage assets of the Roşia Montană area in the context of the mining project implementation (see the Report on Environmental Impact Assessment Study, vol. 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană area, part II – Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area, part III – The Cultural Heritage Management Plan).</p> <p>Providing a very synthetic response to your opinions, please note the following:</p> <ul style="list-style-type: none"> <li>• the Roman galleries in the massifs located in the south part of Roşia Valley have been investigated in detail and specific conservation measures were proposed for the areas of Cătălina Monuleşti and Piatra Corbului;</li> <li>• the Roman galleries in the massifs located in the north part of Rosia Valley have been preliminarily investigated and, in the case of exceptional discoveries such as those of the Paru Carpeni mining sector, specific conservation measures were proposed; the Orlea-Tarina area will be investigated in detail during 2007-2012;</li> <li>• preventive archaeological research undertaken in 2001-2006 helped identify and research 13</li> </ul>

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archaeological sites, for some of which – once exhaustive research work was completed – the decision was to apply the archaeological discharge procedure, while others will be preserved in situ, i.e. the funerary precinct at Tăul Găuri, the Roman remains on Dealu Carpeni; Orlea area will be researched in detail during 2007-2012;

- the 41 historical monument buildings in Roșia Montană will not be affected by the development of the mining project; on the contrary they will be subject to extensive restoration and conservation measures.

In addition to the commitments made by RMGC regarding protection and preservation of the archaeological remains and historical monuments, there are numerous obligations and responsibilities for both the local public authorities in Roșia Montană and Alba county, and the central public authorities, i.e. the Romanian state. The cultural heritage management plans included in the Report on the Environmental Impact Assessment Study, clarify certain aspects on the matter (see the EIA Report vol. 32, Management Plan for Historical Monuments and Protected Zone from Roșia Montană, pages 22-23, 49, 55-56, 71-72 and, vol. 33, Management Plan for the Archaeological heritage from Roșia Montană area, pages 28-29, 67-68, p. 103 – Annex 1).

The commitments assumed by the company, with respect to the enhancement and development of the cultural heritage potential of the area for tourism activities, are presented in detail in the Report on the Environmental Impact Assessment Study, volume 33, Cultural Heritage Management Plan.

For further information on the most important archaeological remains, as well as on a series of comments on their preservation and on the special measures included in the management plans, please consult Annex "Information on the Cultural Heritage of Roșia Montană and Related Management Aspects".

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1261
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 11043622.08.2006
RMGC internal unique code	MMGA_1147
Proposal	<p>The Management Plan for the Archaeological Heritage from the Roşia Montana area is a groundless, propaganda document. The questioner suggests as an alternative solution to the project the development of an archaeological park.</p>
Solution	<p>Specific management plans for the management and conservation of heritage assets in the Roşia Montană area in the context of mining project implementation have been developed in accordance with the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religious Affairs, as part of the documentation developed under the Environmental Impact Assessment Study for the Roşia Montană Project..(see the Report on Environmental Impact Assessment Study, vol. 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană area, part II – Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area, part III – The Cultural Heritage Management Plan).</p> <p>In accordance with the decisions taken by the Ministry of Education and Religious Affairs, these management plans contain a detailed description of the obligations and responsibilities that the Company has assumed, as part of the mining project implementation, with regard to the protection and conservation of the Roşia Montană heritage assets, such as: surface and underground archeological remains, historic monument buildings, protected areas, intangible heritage items, cultural landscape elements, etc.</p> <p>The reports and studies published by experts in the field make clear that the Roşia Montană cultural heritage is significant, but not unique. Roşia Montană is probably the best known mining site on the Romanian territory, largely due to the “Alburnus Maior” National Research Program launched by the Ministry of Education and Religious Affairs and financed by RMGC, in accordance with the current legislation. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar characteristics and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p><b>We believe that the development of the Roşia Montană area as a tourism destination can work in parallel with the mining project proposed by RMGC. In fact, a major part of the tourist resources are products of the Alburnus Maior National Research Program which is financed by RMGC.</b></p> <p>With respect to the development of the Roşia Montană area as an archaeological reserve, note that this place has been intensively inhabited, at least in the last 700 years, and its gold reserves have been extensively mined for more than one thousand years. Therefore, Roşia Montană is certainly not an area where archaeological remains are entirely preserved in a manner which resembles what those structures were in the 3<sup>rd</sup> century AD. The extensive preventive archaeology research undertaken in Roşia Montană in the last 8 years have led experts to conclude that the archaeological remains uncovered to date do not display spectacular constructive attributes but, rather they <i>adapt to the natural environment</i> and suggest a series of elements that serve to create a general picture of the way the area looked in antiquity: with necropolises located on slopes or on plateaus oriented towards the valleys, habitation areas and sacred areas located on heights and probably connected to the mining and primary ore processing areas. Note</p>

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that representative elements of the archaeological heritage components of the area have been identified, and *in situ* preservation has been designed for them as well as inclusion in a future cultural tourism circuit.

Some of the potential tourist resources identified by the “Alburnus Maior” include:

### **1. Movable and immovable archaeological heritage assets**

The Mining Museum which is proposed for Roşia Montană might well be built during the development of mining activities. This museum would include artifacts uncovered during archaeological excavations, items currently exhibited in the existing Mining Museum, as well as replicas of the galleries. Other plans include the development for public access of some of the galleries that have survived (i.e. Cătălina Monuleşti gallery where a wooden hydraulic system dating back to Roman times was found) and the ancient open-cast mine from the Văidoaia area. The project proposal for this museum is presented in the EIA report. For further details, please see the EIA Study, vol. 32, Management Plan for the Archaeological Heritage from Roşia Montană Area, chapter 4.3, pages 73-81.

### **2. Buildings classified as historical monuments, the Protected Area Historical Centre of Roşia Montană and landscape features within the lakes area**

As stated publicly in the Environmental Impact Assessment Study, if the Roşia Montană Mining Project is approved, all buildings that are classified as historical monuments in Roşia Montană and are the property of RMGC, will go through a complex restoration and preservation program. In the case of buildings classified as historical monuments that are owned by various institutions or individual persons, with their consent, RMGC will finance the restoration of these buildings, too, in full compliance with the standards issued by the Ministry of Culture and Religious Affairs. For further details please see the Environmental Impact Assessment Study, vol. 33, chapter 3.2, pages 67-74.

The company does not plan to turn this entire area into a museum; this part of Roşia Montană will continue to be inhabited by the local people, and in the case of the houses acquired by RMGC, by the company's staff who will work on the project. New job opportunities and tourism-related small businesses are proposed in the area. Similarly, some areas around the historical centre of Roşia Montană can be developed for public access or included in a tourist circuit while other areas must remain inaccessible until operations cease at the pit located nearby.

### **3. Industrial heritage assets located within the former mining operation and assets located within the mining operation planned by RMGC**

Similar examples set by other mines around the world, such as - the Kennecott copper mine (Salt Lake City, Utah, USA); the Pemali tin mine in Indonesia; the Honister slate mine (Great Britain); the Martha Mine (New Zealand) prove that tourist activities can be developed in close connection with works carried out as part of a large scale mining project.

We emphasize that many communities within former mining areas have focused their efforts, on many occasions by establishing foundations, to develop their tourist potential. This process is enhanced by European initiatives of the highest level – like for instance The European Mining Heritage Initiative (MINTOUR), European Route of Industrial Heritage (ERIH), European Network of Mining Regions (ENRM).

Some of the most relevant examples of former mining areas converted into tourist attractions include: the Mining Park of Rio Tinto in Huelva, Spain (based on a former large scale copper mining operation); the Cap'Découverte Tourist Park from the Midi-Pyrénées region in France (based on a large scale coal mining operation); the Big Pit- National Coal Museum (Blaenafon, Torfaen, Wales, Great Britain); the Mining Museums in Příbram, Hradek - Kutna Hora, Okd Landez, Ostrava (the Czech Republic); the series of Mining Museums with underground tours in Predil, Velenje, Idrija, Mežica etc. (Slovenia); the series of Mining Museums with underground tours in Kupferberg, Goldkronach, Kali - Holungen/Schacht, Bad Ems, Frankenwald (Germany). These are only some of the many museums across Europe dealing with mining and the history of mining. Many similar museums also exist in the United States of America, Canada and Australia. RMGC has commissioned independent experts to prepare Tourism Proposals for Roşia Montană in order to assess how such a process may be initiated.

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#### 4. Elements of Intangible Heritage – traditions and customs etc.

A number of traditions practiced in the past by the local mining community have been preserved in Roşia Montană over the centuries. These local traditions - many of them passed on orally from one generation to another - represent a substantial part of Roşia Montană's intangible cultural heritage. An archive of oral history was prepared between 2002 and 2003 and includes over 100 hours of digitally recorded interviews. To date, this is the only archive of this type that includes references to the industrial heritage and the traditions of a mining community existing for a long time in Transylvania. The festivals and ceremonies specific to the Roşia Montană area are to a certain extent different from those practiced in other rural areas from Transylvania. An explanation of this fact can be found in the ethnic and religious diversity existing in Roşia Montană, as different populations settled here, lured by gold reserves. All these cultural resources, coupled with a substantial collection of archive images, constitute a significant potential that may be developed in the proposed Mining Museum from Roşia Montană. This study was also published as part of the "Alburnus Maior" National Research Program (Roşia Montană Ethnological Study (P. Popoiu, 2004).

All these elements can be developed, to some extent, in parallel with the mining project. In order to make this possible, tourists pathways will be developed, away from the access roads, to ensure that tourists would not enter the operations area. Some of the potential tourism elements might not be fully developed until operations at some of the pits are phased out or cease altogether. Nonetheless, these elements will serve, among other things, as a starting point for a sustainable economic development.

The commitments assumed by the company, with respect to the enhancement and development of the cultural heritage potential of the area for tourism activities, are presented in detail in the Report on the Environmental Impact Assessment Study, volume 33, Cultural Heritage Management Plan.

In response to requests that all mining remains in Cărnic could be enhanced and developed for public access, the respected British company, Gifford, was commissioned to undertake an assessment of the costs necessary to develop the Cărnic galleries into a museum (see Annex 1.3. "Costs Estimate for the Development of ancient mining networks from Cărnic", document prepared in collaboration with Geo-Design and Forkers Ltd.). The amount required would exceed 150 million euros, plus maintenance costs of more than 1 million euros per year. As these costs are prohibitive, other options need to be considered for museum development, that would be economically feasible.

With respect to the developing of the Roşia Montană Roman galleries for public access, dr. Beatrice Cauuet, the coordinator of the research team of archaeological underground remains, said the following: "With a view to establishing a site museum for the conservation and preservation *in situ* of mining remains, it is much more advisable to choose outstanding areas comprising different types of mining works, which are characteristic for the ancient mines from Roşia Montană. With a view to enhancing the ancient mining works, the existing technical and financial means may be used to restore a smaller sector, which has been less impacted by modern and recent mining works (and therefore it has a higher degree of authenticity) and which is located in the proximity of the other historical monuments to be enhanced, such as the historical centre of the Roşia Montană commune. Finally, there are other smaller areas within the site, which are located outside the project's impact area (e.g. the Eastern slope of the Carnic massif-the Piatra Corbului and Paru Carpeni sectors), which are equally suitable to be arranged for public access. The Piatra Corbului sector, in particular, comprises Roman mining sectors dug by the fire setting technique, outstanding remains, impressive by their large size. However, their location in the proximity of the future pit requires appropriate protection measures which are necessary in order to avoid deterioration caused by blasting".

For further details related to the legal framework and the obligations of the titleholder, as stipulated in the current legislation, please see Annex "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects". The annex includes additional information with respect to the researches undertaken as part of the "Alburnus Maior" Research Program between 2001 and 2006.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1349
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110352/24.08.2006
RMGC internal unique code	MMGA_1157
Proposal	<p>The questioner asks that an annex be added to the EIA report, with a clear presentation of the chance finds protocol. The document will be signed by the company and countersigned by the authorities in charge of the Roşia Montana cultural heritage conservation. This measure will later help us find out who was part of this and who signed for the destruction of the national history.</p>
Solution	<p>The chance finds protocol is an essential component of the Cultural Heritage Management Plan, which shows how RMGC will ensure proper identification and management of the archaeological remains that may be discovered throughout the Project's lifetime.</p> <p>Considering the nature of the site, there is a possibility that, during activities performed at various stages of the project, new archaeological assets may be discovered. This is why an archaeological surveillance program will be implemented, based on a Chance Finds Protocol: this document will be prepared to guide implementation of the Roşia Montană mining project by RMGC. The protocol aims at preventing any accidental destruction of archaeological heritage items, in the event they are discovered throughout the Project's lifetime, both on the surface and underground.</p> <p>Specific Project activities that may result in the accidental discovery of archaeological assets include the activities developed in connection with the open pit operations: road and other infrastructure building, earth moving, etc. The earth moving operations, necessary for the development of the TMF system and of the storage areas, will be accompanied by archaeological surveillance operations, in order to prevent any potential damage of the archaeological resources.</p> <p>A first step in preventing such situations has been the development of a comprehensive baseline study, which ensured that archaeological investigations have been carried out in all the areas of the Project footprint, for most of which the Ministry of Culture and Religious Affairs issued archaeological discharge certificates, and therefore RMGC fulfilled its obligations under the law. These include: providing the necessary resources for the preliminary investigation of potentially impacted areas, as well as for a number of studies and related activities in relation to the management of movable heritage assets, and the prevention to the maximum possible extent of the situations where significant discoveries may happen during project implementation.</p> <p>The baseline studies and preventive archaeological studies have identified areas of archaeological potential, and confirmed the existence, at Roşia Montană, of Roman mining operations in the 2<sup>nd</sup>-3<sup>rd</sup> centuries AD. Based on the results of this research, the Chance Finds Protocol will play an important role in the light of the environmental impact assessment process.</p> <p>As part of the project, RMGC has committed to identifying and recording any such finds that might be uncovered during excavation works. The Chance Find Protocol will be guided by the following principles:</p> <ul style="list-style-type: none"> <li>• Archaeological surveillance for the potential identification of archaeological remains;</li> <li>• Professional training, warning, preparedness and competence;</li> <li>• Rapid assessment of the importance of the uncovered artefact;</li> <li>• Adequate recording and documentation of chance finds;</li> <li>• Internal and external communication of chance finds;</li> <li>• Special procedures for the management of chance finds;</li> <li>• Reporting on non-compliance with the Protocol provisions and further corrective and preventive action; and Compliance with the applicable legal provisions in the case of chance finds as provided by Law 462/2003 on the protection of the archaeological heritage and the designation of certain</li> </ul>

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archaeological sites as areas of national interest, as last amended.

The specific approach to be followed with regard to the chance finds will be determined based on the nature of their significance. Such finds may imply the need of conducting rescue archaeological research, based on which decisions might be taken, in accordance with the current legislation.

The main purpose of the Chance Finds Protocol is to identify, assess the significance and conserve unique archaeological resources in an appropriate manner while causing minimal disturbance in the planning of structures and operations.

Based on the nature of such discoveries, on the assessment conducted by the independent archaeological surveillance team, and on the decision of the Ministry of Culture and Religious Affairs and of the County Directorate for Culture, Religions and Cultural Heritage Alba, the site manager may decide to suspend the mining activities on a certain site. Additionally, during site visits or controls conducted by competent authorities, the foreman in charge of coordinating activities on the respective site will ensure that all health and safety conditions for the visit are complied with.

In close cooperation with the archaeological surveillance team, RMGC will develop standard operating procedures in providing quarterly training courses for mine workers, foremen and supervisors. Such training will prepare the operating personnel of the mine to recognize the cavities with a potential archaeological interest. In particular, mine workers will be trained to recognize specific conditions, as they will be defined in the standard operating procedures to be developed. The areas where chance archaeological finds might occur may be exposed by routine mining excavations. Identification of such cavities is also important from the point of view of the personnel safety. Following identification of such a cavity or underground working, the operator must immediately inform the foreman in charge. The mining personnel will receive badges for their helmets that will certify attendance of the quarterly training sessions based on the implementation of the chance finds protocol.

Foremen will support the potential find of cavities that might contain heritage assets and increase the capacity of the department to assess safety conditions in authorizing non-mining personnel access for site assessment.

#### **Establishing priorities in surveillance activities**

Information collected for the baseline study, as well as information developed for the archaeological reports for the issuance of archaeological discharge certificates is a valuable information resource that may be consulted in determining the significance of chance finds. Understanding and knowledge of the historic cultural topography will allow for a classification of areas based on the potential of chance finds occurring within them. The areas will be classified as having a low, medium and high potential for archaeological chance finds, based on the following set of criteria:

- Low: Areas in which the potential occurrence of other archaeological remains, in addition to those already identified and researched is not considered likely, due to the current land use or where the soil had been disturbed prior to project implementation;
- Medium: Areas where a few archaeological remains have been found and where the soil had been disturbed by moderate intervention in the past;
- High: Areas where the archaeological remains have been documented by a competent authority and soil disturbance is minimal or none, and previous research was not possible for reasons independent of the stakeholders.

The archaeological surveillance team will be contracted to develop a distribution map of such areas, and this document will be used by the mining supervisors and foremen. The archaeological surveillance team will be present on the site for all the activities conducted in areas identified as having a “high” potential. The map will be regularly updated by the archaeological surveillance team, as they consider necessary to reflect any new information obtained during the project progress. All these procedures will be developed under the standard operating provisions to be developed and under the specific legal provisions included in GO no. 43/2000 on the protection of archaeological heritage and the designation of certain archaeological sites as areas of national interest, as last amended, and the Ministerial Order 2392/2004.

While all the sites will be under archaeological surveillance, irrespective of chance find potential classification, special measures will be implemented in the high potential areas. Meetings with contracted

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personnel will be organized before the start of excavation and earth moving operations, to inform them of the type of archaeological remains that might be discovered and how to identify them. Should any indication of an archaeological context be noticed, work will be immediately stopped in that area and the foreman will be notified.

In conclusion, the chance finds protocol will be prepared after all these protection and enhancement measures have been put in place, as presented in the Archaeological Heritage Management Plan for the Roșia Montană area, and after they have been submitted to the Ministry of Culture and Religious Affairs, as part of the permitting procedure for the Roșia Montană mining project. The Ministry will form an opinion on the proposed Protocol, in accordance with the legal provisions and its responsibilities. This document will also serve as a specific operational policy for the Roșia Montană mining operation, the first of its kind in Romania. Thus, before becoming applicable, the document will be discussed by specialists and submitted for approval to the National Archaeology Commission.

For further details on the applicable legal framework, the responsibilities of the Project titleholder, or for a detailed description of the preventive archaeological researches undertaken to date and of the Cultural Heritage Management Plans, please see Annex “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”. The annex also includes supplementary information with regard to the result of the researches undertaken as part of the “Alburnus Maior” National Research Program between 2001 and 2006.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1350, 1351, 1360
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110351/24.08.2006, No. 110350/24.08.2006, No. 110273/24.08.2006
RMGC internal unique code	MMGA_1161
<p data-bbox="97 539 422 629"><b>Proposal</b></p> <p data-bbox="97 629 422 1077"></p> <p data-bbox="97 1077 422 1574"><b>Solution</b></p>	<p data-bbox="422 539 1406 629">The protection areas for the six historical monuments located within the limits of the industrial zone-how were they set up and how will they be protected during the project implementation? ;</p> <hr/> <p data-bbox="422 629 1406 719">The six historical monument buildings that you mention are grouped around the current Town Hall. They are not located near any major industrial facility.</p> <p data-bbox="422 719 1406 965">In accordance with the current legislation, an Industrial Urbanism Plan is being currently developed. This document, in its regulations section, will establish protection areas for such historical monuments. Note that none of the historical monument buildings located within the footprint of the Project proposed by RMGC will be negatively affected; while all the 41 historical monument houses will be included in a complex restoration program (see Management Plan). This program is mandatory if these houses are not to disappear completely, whether the mining project is implemented or not, because of their current, advanced state of degradation.</p> <p data-bbox="422 965 1406 1256">In addition, a safety study of each and every historical monument building was conducted in March 2006. This study was performed by IPROMIN and the Technical University of Civil Engineering in Bucharest, two experienced institutions in the area of construction safety. The study proposed emergency measures for the consolidation of these structures. The institutions mentioned above also conducted an experimental study to measure vibrations caused by blasting operations in the protected area and for historical monument buildings located outside of the protection area. The measurements were made for a major blasting event involving 3000 kg of explosive, detonated under normal conditions, without delay steps or the application of modern mining technologies.</p> <p data-bbox="422 1256 1406 1503">In order to measure the impact of blasting operations on the buildings within the protected area and on other heritage buildings outside the area, a monitoring system involving a stationary network of digital seismographs will be used, with three components located near the main facilities that need to be protected and a mobile system with three portable seismographs located in a longitudinal profile between the protected facility and the explosion's core. Thus, the blasting techniques will be continuously modified so as not to exceed the maximum acceptable oscillation speeds allowed in the area surrounding the building.</p> <p data-bbox="422 1503 1406 1574">For better understanding, please see Annex "Review on the results of the Geo-mechanical Studies conducted to establish the impacts of blasting operations on the construction from protected area".</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1350, 1351, 1360
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110351/24.08.2006, No. 110350/24.08.2006, No. 110273/24.08.2006
RMGC internal unique code	MMGA_1162
<b>Proposal</b>	Further investigation on the cultural heritage existing in the Orlea area is needed;
<b>Solution</b>	<p>Under the legislation in force, the investor, whoever it may be, shall provide the necessary funds for the preventive archaeological investigations and related heritage surveys. As an investor, SC Roşia Montană Gold Corporation has assumed this legal obligation since 2000 on.</p> <p>RMGC's declared purpose is to ensure the necessary conditions for the investigation, registration, protection and public enhancement of the cultural heritage in the Roşia Montană area, in compliance with Law 378/2001, revised by Law 462/2003 and Law 258/2006 on the protection of the archaeological heritage and with Law 422/2001 revised by Law 259/2006 on the protection of historical monuments.</p> <p>All of the preventive archaeological researches undertaken at Roşia Montană since 2001 have been conducted within the "Alburnus Maior" National Research Program, and permits for preventive archaeological excavations have been issued, in compliance with current legislation. These archaeological investigations have been carried out by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. The significant contribution of the team of mining archaeologists from the University Le Mirail (Toulouse, France), led by Dr. Beatrice Cauuet should be noted. Mining archaeology studies are an innovation in Romania, Roşia Montană being in fact the first site in Romania where such investigations have been conducted by a team of qualified and experienced archaeologists. All archaeological investigations have been conducted in compliance with current legislation. Researches carried out during each archaeological campaign were authorized by the Romanian Ministry of Culture and Religious Affairs, on the basis of the annual archaeological research plan approved by the National Commission of Archaeology (NCA). The archaeological research implied a survey of all the areas, which are both accessible and suitable for dwellings and other human activities, and took into account preliminary data taken from archives and bibliographical data and observations made during field surveys, magnetometer and electrical resistivity surveys, as well as data collected during the photogrammetric flights.</p> <p>Detailed information on the chance finds and the preliminary archaeological investigations (at surface and in the underground) conducted in the Orlea massif was published in the EIA (Environmental Impact Assessment for the Roşia Montană Project, volume 6: <i>Cultural Heritage Baseline Report</i>, Annex I, pages 231-235.</p> <p>The Cultural Heritage Baseline Report (volume 6, page 46) states that archaeological investigations (both at surface and underground) will continue in the area of the Orlea massif, which is in an area with an identified archaeological potential. The report also mentions the fact that the investigations undertaken so far in the respective area were preliminary in nature. The following statement in the report is to be noted: "Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be researched starting 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded." (<i>Cultural Heritage Baseline Report</i>- page 46).</p> <p>In 2004, during these preliminary archaeological researches conducted in the underground, a significant discovery was made in the Orlea massif, whose archaeological value was confirmed in the summer of 2005. More precisely, the French team of archaeologists led by Dr. Beatrice Cauuet found a chamber equipped with a mine drainage wheel, and then a whole drainage system serving to discharge water from</p>

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the underground. This device identified in the Păru Carpeni sector was established to date to the Roman period, it has been thoroughly investigated, and special measures were taken for its preservation *in situ*. This item is not going to be affected by the construction of the future Orlea pit. Preventive archaeological investigations (on the surface) in the Orlea area and mining archaeological investigations (in the underground) are scheduled for the period 2007-2012, as stated in the *Cultural Heritage Baseline Report* (volume 16, page 48).

A Mining Museum was established in the Orlea Massif from Roșia Montană in 1980. In this mining perimeter a series of well preserved galleries were arranged and separated by concrete walls towards the mining works which assured the access. The Orlea galleries have a characteristic trapezoidal profile, similarly with the mining works from Cărnic and other mining sector from Roșia Montană. Also, these ancient works suffered in time successive “reshaping”, respectively the taking again having in regard the mining of new ore reserves. These mining works destroyed parts from these ancient remains. Moreover, their preservation state falls into disrepair due to the recent mining works which used drilling – blasting technology, a fact leading to the rock destabilization and destroying of the underground mining remains. The removal of the rockfill from the ancient mining works during the mining archaeological investigations represents another factor contributing to the degradation of the ancient mining works. The degradation of the preservation condition of the mining remains of all ages is accelerated also by the closure of the mining operation managed by Minvest (June 01 2006), which assured, at a minimum level, the global drainage of the system of galleries of the Roșia Montană mine. The closure of a mining activity, according to the national norms in force, implies an extremely wide range of preservation measures, but at Roșia Montană the extractive activity purely and simply was stopped, the mine being abandoned. After few months from abandon, the main gallery of the mine water drainage, namely the Sf. Cruce from Orlea gallery is in a critic condition. In fact, the mine water silted the drainage ways longer than several kilometers. In the case when this mining heritage will be only “frozen” without to take maintenance measures, having in regard their preservation for the next generations, the result will be disastrous. All still existing remains will disappear due to the underground falling and flood. An edifying example consists – unfortunately – from the “Roman steps” from Brad (Roman remains also listed by Law 5/2000) where these became inaccessible when the maintenance works ceased.

According to the List of Historical Monuments published in the Official Gazette of Romania no. 646 bis/ July 16th, 2004, the future industrial area from the Orlea massif comprises two archaeological sites classified as historical monuments: the Alburnus Maior Roman settlement, located in the Orlea area (code AB-I-m-A-00065.01) and the Roman mining operation at Alburnus Maior, the Orlea massif (code AB-I-m-A-00065.02).

Under Law 422/2001, amended by Law 259/2006, the declassification procedure can be legally initiated after the archaeological sites are discharged based on the permit issued by the National Commission of Archaeology within the Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the legislation in force, stipulates that a piece of land comprising archaeological remains can be returned to its habitual use (Law 258/2006, art. 5, paragraph 2). Therefore, it is true that in the second phase of the operations, RMGC plans to mine the gold-silver deposits located in the Orlea massif. Law 258/2006 also stipulates (article 7a) that “the investor is under the obligation to provide the necessary funds in order to ‘draw up a feasibility study and a technical project meant to establish the measures later to be presented in detail and the necessary funds for carrying out preventive archaeological investigations or archaeological monitoring (as appropriate), and also to finance the protection of the archaeological heritage or the archaeological discharge procedure (as appropriate) for the area impacted by works and the implementation of these measures”.

Consequently, the proposed mining operation in the Orlea massif can become operational only once preventive (above and under the ground) archaeological investigations are completed. These investigations are designed to provide comprehensive data on the Roman site located in the Orlea area. As it is well-known (see the archaeological site record card included in the Cultural Heritage Baseline Report of EIA Report, i.e. Annex I –archaeological record cards produced for the archaeological state of Roșia Montană identified sites, site record card no. 9 – Orlea (page 219-222 Romanian variant/page 231-235 English variant) – this area has not been yet subject to archaeological investigations or expert studies meant to establish in detail the characteristics and spatial distribution of the archaeological remains located in this area. Therefore, RMGC has committed to financing a program of preventive archaeological investigations to be conducted by specialists, program that will be developed between 2007 and 2012. A

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decision as to the approval of the archaeological discharge of the area will be made based on the results of these preventive investigations. There are no laws to prohibit preventive archaeological investigations for areas where cultural heritage artifacts have been identified, as is the case for the Orlea area.

Given that the development of the Orlea pit is scheduled for a later date, starting from 2007, this area will be subject to preventive archaeological investigations. Therefore, the construction works required for the development of the project in this area will not be initiated before the completion of the archaeological investigations conducted in accordance with the national legislation and the international best practices.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1350, 1351, 1360
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110351/24.08.2006, No. 110350/24.08.2006, No. 110273/24.08.2006
RMGC internal unique code	MMGA_1163
Proposal	A zonal urban plan for Piatra Corbului area should be drawn up.
Solution	<p>The Project proposed by RMGC does not affect Piatra Corbului, which has a protection zone of more than 5 hectares. The Industrial Urbanism Plan will include specific regulations for this protected area. Also, all technical impact mitigation measures during the operational stages of the project in this area will be adopted so that the integrity of the site would not be affected.</p> <p>Piatra Corbului is classified under Law 5/2000 on the approval of the national territory arrangement plan – Section III – Protected Areas (published in the Official Gazette No. 152 of 12 April 2000) under the section including Protected Areas of National Interest and Natural Monuments, item 2.83. At the same time, as a result of archaeological research conducted at Roșia Montană under the Alburnus Maior National Research Program, funded by RMGC in accordance with the legal provisions, Piatra Corbului has also been declared a protected area from an archeological point of view (Official Gazette No. 646 bis, of 16.07.2004, item 146).</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1353
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110311/24.08.2006
RMGC internal unique code	MMGA_1164
Proposal	<p>The questioner does not agree with the development of the Rosia Montana project and points out the fact that RMGC has made use of distorted and incomplete documentation when drafting The Cultural Heritage Management Plan for the Historic Centre of Rosia Montana.</p>
Solution	<p>Several comments need to be made with respect to the opinion expressed by the plaintiff with regard to the document prepared by SC OPUS – Atelier de Arhitectură Ltd.</p> <p>According to the scoping guidelines for the Report on Environmental Impact Assessment sent to S.C. Roşia Montană Gold Corporation S.A (RMGC) by the Ministry of Environment and Water Management (MEWA) under register number 8070/24.05.2005, the project titleholder was asked to present a Management Plan for Historic Monuments and Protected Areas, as an annex to the Environmental Impact Assessment Study for the Roşia Montană Project.</p> <p>Taking these requirements into account, the project's titleholder contracted the National History Museum of Romania (NHMR), pursuant to the provisions of the Ordinance issued by the Ministry of Culture and Religious Affairs no. 2504/07.03.2001.</p> <p>As indicated in the services contract concluded between RMGC and the National History Museum of Romania (NHMR), in its quality as expert consultant, and having Paul Damian, PhD, Deputy Scientific Director as its representative, the institution was committed "to preparing a specific documentation to be included in the Environmental Impact Assessment for Roşia Montană Project, Cultural Heritage section". This specific documentation was to be prepared "in compliance with applicable Romanian, European and international standards for the environmental impact assessment studies".</p> <p>In its turn, NHMR subcontracted SC OPUS - Atelier de Arhitectură S.R.L. for the development of "a documentation exclusively prepared for the Study Area of Roşia Montană Historic Centre"; more specifically for only a section of the entire document requested by MEWM through the official letter regarding the assessment's scoping guidelines. Within this framework, OPUS prepared the document called "The Historic Center of Roşia Montană - Cultural Heritage Management Plan. Draft I. A document for stakeholders consultation".</p> <p>We must emphasise the fact that the final version of the "Management Plan for the Protected Areas and Historic Monuments of Roşia Montană Area" has been prepared in accordance with editing standards and instructions formulated by the EIA certified team of experts, coordinated by Mrs. Marilena Pătraşcu, overall expert reviewer, in order to meet all legal requirements that were included in the official letter no. 8070/24.05.2005, which had been issued by MEWM.</p> <p>Note that the Environmental Impact Assessment Study for Roşia Montană mining Project was prepared by "natural persons and legal entities that were independent of the project's [...] titleholder", and "certified by environmental competent authority" [1]. "Liability for the accuracy of information submitted to the environmental competent authorities and public lies with the project's [...] titleholder", and the liability regarding the accuracy of the Environmental Impact Assessment lies with its authors [2].</p> <p>Chapters 1 (<i>Introduction</i>) and 9 (<i>Non Technical Summary</i>) include the list of all certified natural and legal entities who participated to the development of the Report on Environmental Impact Assessment Study. As a sign of recognition, uncertified natural and legal entities that have assisted the certified specialists, have also been listed.</p>

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Responsibility for the development of the Environmental Impact Assessment and for the accuracy of the interpretation of the information included in the report lies **only** with “highly competent certified natural persons” and with “certified legal entities” [3], which have participated in the development of the Environmental Impact Assessment based on the agreement concluded with the titleholder, and not with the assistant or consultants. **Therefore, the decision regarding the selection and use of information provided by the assistant consultants rests with the certified experts.**

Signing the Report on Environmental Impact Assessment Study (or its “chapters”) by certified experts is not a legal requirement [4].

For all necessary clarifications related to the changes made to the content of the documentation prepared by SC OPUS - Atelier de Arhitectură S.R.L., please find enclosed an annex that includes a comparison of the text submitted by OPUS through the official report no. 1007/09.05.2006 to the National History Museum of Romania, and the final published version of the Report on Environmental Impact Assessment, specifically volume 33 – Management Plan for the Protected Areas and Historic Monuments of Roșia Montană Area, which was submitted in May 2006 to the Ministry of Environment and Water Management.

References:

[1] In accordance with the provisions of Governmental Emergency Ordinance no. 195 of 22 December 2005 on environmental protection, published in the Official Gazette of Romania, part I, no. 1.196 of 30 December 2005, amended by Law no. 265 of 29 June, 2006 published in the Official Gazette of Romania no. 586 of 6 June 2006, art. 21, point (a).

[2]. Idem 1, art. 21, point (d).

[3]. in accordance with article (5) from the Ministerial Ordinance issued by the Ministry of Agriculture, Forestry, Waters, and Environment, no.97 of 18 May 2004 with regard to the amendment of the Ordinance issued by the Ministry of Agriculture, Forestry, Waters, and Environment no. 978/2003 on the Regulations for the certification of natural and legal entities that prepare environmental impact assessment studies and environmental balances, published in the Official Gazette no. 504 of June 4<sup>th</sup>, 2004.

[4] The provision regarding the liability of the expert coordinator with regard to the “quality of the studies and the reports submitted”, as stipulated in article 5 (2) of the Ordinance issued by the Ministry of Agriculture, Forestry, Waters, and Environment, no. 978 of December 2<sup>nd</sup>, 2003 (published in the Official Gazette no. 3 of January 5<sup>th</sup>, 2004) **has been cancelled by** the Ministerial Ordinance no. 97 of May 18<sup>th</sup>, 2004 amending the Ordinance issued by the Ministry of Agriculture, Forestry, Waters, and Environment no. 978/2003 regarding the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environment balances, published in the Official Gazette no. 504 of June 4<sup>th</sup>, 2004).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1356, 1357
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110300/24.08.2006, No. 110302/24.08.2006
RMGC internal unique code	MMGA_1180

**Proposal** What will be the costs of loosing the archaeological remains of unique importance?

The Roman galleries at Roşia Montană are important, but, as a number of specialist scientific studies have proved, they are not unique. Indeed, owing to the "Alburnus Maior" Natural Research Program funded by RMGC under the law, the galleries of Roşia Montană are among the best known to date.

The specialist point of view on the archaeological site in Roşia Montană is summarized in the *Cultural Heritage Baseline Report*, included in the EIA Report, *Section 5.5.2 Roman Gold Mining Context*, which includes a discussion on the unique character of the Roşia Montană area. In Romania there are a number of sites (47) with similar characteristics, few of which have been investigated. Of these, 14 (Ruda-Brad, Stănişia, Bucium – Vulcoi Corabia area, those in Băiţa – Fizeş, in the Certej –Săcărâmb area, or in Baia de Criş, and Haneş – Almaşul Mare) have already provided good data for an archaeological potential comparable to the one of ancient Alburnus Maior, i.e. proof of gold extraction operations, habitation structures and associated infrastructure elements. While some sites have been impacted by recent developments during the past 200 years, others contain promising indications that should encourage future archaeological investigation. In the light of all these aspects, we believe that the Roşia Montană archaeological remains are not unique, given the Romanian and international context.

Also, it should be noted that the implementation of the mining project does not involve the destruction or abandonment of heritage assets in the area of Roşia Montană commune. It is difficult to understand, in this context, why the petitioner has mentioned the cost of losses.

**Solution**

Prior to 2000, it could be said about Roşia Montană that it was an area of archaeological potential, where no proper archaeological research had been conducted as would be required for a detailed identification of various site components. In practice, in the areas of Cetate, Cărnic, Jig, and Orlea, located in the upper Roşia and Corna Valleys, in the jurisdiction of Roşia Montană Commune, a number of chace finds had been recorded – such as epigraphic monuments, funerary architecture items - that provided enough evidence to suggest the presence of archaeological sites. The other heritage assets of Roşia Montană – the lakes, the historical monument buildings, traditions and customs – were generally known, but only in 2001 did the Ministry of Culture and Religious Affairs decide to approach this complex issue in a consistent manner.

After extensive research conducted for the past 8 years, the nature, characteristics and distribution of heritage assets are well known – including archaeological sites, historical monument buildings, as well as churches and cemeteries of the Roşia Montană area. Extensive research and heritage studies conducted during 2000-2006 helped outline a comprehensive image of these assets of the national cultural heritage and spiritually significant areas, and to adopt specific measures in regard to their protection.

Thus, according to the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religious Affairs, as part of the documentation developed under the Environmental Impact Assessment Study for the Roşia Montană Project, specific management plans have been developed for the management and conservation of the heritage assets of the Roşia Montană area, in the context of the mining project implementation (see the Report on Environmental Impact Assessment Study, vol. 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană area, part II – Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area, part III – The Cultural Heritage Management Plan).

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Providing a very synthetic response to your comments, please note the following:

- the Roman galleries in the massifs located in the south part of Roşia Valley have been investigated in detail and specific conservation measures were proposed for the areas of Cătălina Monuleşti and Pietra Corbului;
- the Roman galleries in the massifs located in the north part of Roşia Valley have been preliminarily investigated and, in the case of exceptional discoveries such as those of the Păru Carpeni mining sector, specific conservation measures were proposed; the Orlea-Tarina area will be investigated in detail during 2007-2012;
- preventive archaeological research undertaken in 2001-2006 helped identify and research 13 archaeological sites, for some of which – once exhaustive research work was completed – the decision was to apply the archaeological discharge procedure for some sites, while others will be preserved in situ, i.e. the funerary precinct at Tăul Găuri, the Roman remains on Dealu Carpeni; Orlea area will be researched in detail during 2007-2012.

**For further information on the most important archaeological remains, as well as on a series of comments on their preservation and on the special measures included in the management plans, please consult the Annex “Information on the Cultural Heritage of Roşia Montană and Related Management Aspects”.**

Given the significance of the cultural heritage at Roşia Montană and in accordance with the legal requirements, the allocated heritage research budget for 2001-2006 by S.C. Roşia Montană Gold Corporation S.A. amounted to more than US \$10 million. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roşia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment published in May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for the Roşia Montană area, p. 84-85). Therefore, the company plans to continue work in Orlea area, and, above all, to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** exhibits, and the development of tourist access to the **Cătălina-Monuleşti** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center**.

In addition to the commitments made by RMGC regarding protection and preservation of the archaeological remains and historical monuments, there are numerous obligations and responsibilities for both the local public authorities in Roşia Montană and Alba county, and the central public authorities, i.e. the Romanian state. The cultural heritage management plans included in the Report on the Environmental Impact Assessment Study, clarify certain aspects on the matter (see the EIA Report vol. 32, Management Plan for Historical Monuments and Protected Zone from Roşia Montană, pages 22-23, 49, 55-56, 71-72 and, vol. 33, Management Plan for the Archaeological heritage from Roşia Montană area, pages 28-29, 67-68, p. 103 – Annex 1).

The commitments assumed by the company, with respect to the enhancement and development of the cultural heritage potential of the area for tourism activities, are presented in detail in the Report on the Environmental Impact Assessment Study, volume 33, Cultural Heritage Management Plan.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1359
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110274/24.08.2006
RMGC internal unique code	MMGA_1189

**Proposal** The questioner does not agree with the promotion of the project as it will impact archaeological sites;

The implementation of the mining project does not involve the destruction and abandonment of archaeological heritage assets in the area of the Roşia Montană commune. Prior to 2000, Roşia Montană was an area of archaeological potential, where no archaeological research had been conducted as would be required for a detailed identification of various site components. In effect, in the areas of Cetate, Cărnic Jig, and Orlea, located in the upper Roşia and Corna Valleys, in the jurisdiction of Roşia Montană Commune, a number of chance finds had been recorded – such as epigraphic monuments, funerary architecture items - that provided enough evidence to suggest the presence of archaeological sites. The other heritage assets of Roşia Montană – the lakes, the historical monument buildings, traditions and customs – were generally known, but only in 2001 did the Ministry of Culture and Religious Affairs decide to approach this complex issue in a consistent manner.

After extensive research during the past 8 years, the nature, characteristics and distribution of heritage assets are well known – including the archaeological sites, historical monument buildings, churches and cemeteries of the Roşia Montană area. Extensive research and heritage studies conducted during 2000-2006 helped outline a comprehensive image of these national cultural heritage assets and spiritually significant areas, and adopt specific measures in regard to their protection. Based on the results, the potential impact on the archaeological sites could be assessed and mitigation strategies and specific measures could be developed.

**Solution** Thus, according to the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religious Affairs, as part of the documentation developed under the Environmental Impact Assessment Study for the Roşia Montană Project, specific management plans have been developed for the management and conservation of the heritage assets of the Roşia Montană area in the context of the mining project implementation (see the Report on Environmental Impact Assessment Study, vol. 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană area, part II – Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area, part III – The Cultural Heritage Management Plan).

Providing a very synthetic response to your comments, please note the following:

- The Roman galleries in the massifs located south of Roşia Valley have been investigated in detail and specific conservation measures have been proposed for the areas of Cătălina Monuleşti and Piatra Corbului;
- The Roman galleries in the massifs located north of Roşia Valley have been preliminarily investigated and in the case of exceptional discoveries such as those of the Păru Carpeni mining sector specific conservation measures were proposed; the Orlea-Ţarina area will be investigated in detail during 2007-2012;
- preventive archaeological research conducted in 2001-2006 helped define and research 13 archaeological sites, for some of which – once exhaustive research work was completed the decision was to apply the archaeological discharge procedure for some sites, while others will be preserved in situ, i.e. the funerary precinct at Tăul Găuri, the Roman remains on Dealu Carpeni the Orlea area will be researched in detail during the 2007-2012 period.

**For further information on the main archaeological remains, and a number of considerations on how**

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to protect them, and the specific measures included in the Management Plans, please see Annex “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”.

Considering the importance of the cultural heritage at Roșia Montană and current legislation, the heritage research budget allocated for 2001-2006 by S.C. Roșia Montană Gold Corporation S.A. amounted to more than US\$ 10 million. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roșia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment of May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for Roșia Montană area, p. 84-85). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum with geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the **Cătălina-Monulești** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roșia Montană Historic Center**.

In addition to the commitments made by RMGC regarding the protection and preservation of the archaeological remains and historical monuments, there are numerous obligations and responsibilities for both the local public authorities in Roșia Montană and Alba county, and the central public authorities, i.e. the Romanian state. The cultural heritage management plans included in the Report on the Environmental Impact Assessment Study, include further information on the matter (see the EIA Report vol. 32, Management Plan for Historical Monuments and Protected Zone from Roșia Montană, pages 22-23, 49, 55-56, 71-72 and, vol. 33, Management Plan for the Archaeological heritage from Roșia Montană area, pages 28-29, 67-68, p. 103 – Annex 1).

All the commitments assumed publicly by the Company are detailed in the EIA Report, volume 33, Cultural Heritage Management Plan.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1359
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110274/24.08.2006
RMGC internal unique code	MMGA_1190
<b>Proposal</b>	The chance finds protocol;
<b>Solution</b>	<p>The chance finds protocol is an essential component of the Cultural Heritage Management Plan, which shows how RMGC will ensure proper identification and management of the archaeological remains that may be discovered throughout the Project's lifetime.</p> <p>Considering the nature of the site, there is a possibility that, during activities performed at various stages of the project, new archaeological assets may be discovered. This is why an archaeological surveillance program will be implemented, based on a Chance Finds Protocol: this document will be prepared to guide implementation of the Roşia Montană mining project by RMGC. The protocol aims at preventing any accidental destruction of archaeological heritage items, in the event they are discovered throughout the Project's lifetime, both on the surface and underground.</p> <p>Specific Project activities that may result in the accidental discovery of archaeological assets include the activities developed in connection with the open pit operations: road and other infrastructure building, earth moving, etc. The earth moving operations, necessary for the development of the TMF system and of the storage areas, will be accompanied by archaeological surveillance operations, in order to prevent any potential damage of the archaeological resources.</p> <p>A first step in preventing such situations has been the development of a comprehensive baseline study, which ensured that archaeological investigations have been carried out in all the areas of the Project footprint, for most of which the Ministry of Culture and Religious Affairs issued archaeological discharge certificates, and therefore RMGC fulfilled its obligations under the law. These include: providing the necessary resources for the preliminary investigation of potentially impacted areas, as well as for a number of studies and related activities in relation to the management of movable heritage assets, and the prevention to the maximum possible extent of the situations where significant discoveries may happen during project implementation.</p> <p>The baseline studies and preventive archaeological studies have identified areas of archaeological potential, and confirmed the existence, at Roşia Montană, of Roman mining operations in the 2<sup>nd</sup>-3<sup>rd</sup> centuries AD. Based on the results of this research, the Chance Finds Protocol will play an important role in the light of the environmental impact assessment process.</p> <p>As part of the project, RMGC has committed to identifying and recording any such finds that might be uncovered during excavation works. The Chance Find Protocol will be guided by the following principles:</p> <ul style="list-style-type: none"> <li>• Archaeological surveillance for the potential identification of archaeological remains;</li> <li>• Professional training, warning, preparedness and competence;</li> <li>• Rapid assessment of the importance of the uncovered artefact;</li> <li>• Adequate recording and documentation of chance finds;</li> <li>• Internal and external communication of chance finds;</li> <li>• Special procedures for the management of chance finds;</li> <li>• Reporting on non-compliance with the Protocol provisions and further corrective and preventive action; and Compliance with the applicable legal provisions in the case of chance finds as provided by Law 462/2003 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, as last amended.</li> </ul>

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The specific approach to be followed with regard to the chance finds will be determined based on the nature of their significance. Such finds may imply the need of conducting rescue archaeological research, based on which decisions might be taken, in accordance with the current legislation.

The main purpose of the Chance Finds Protocol is to identify, assess the significance and conserve unique archaeological resources in an appropriate manner while causing minimal disturbance in the planning of structures and operations.

Based on the nature of such discoveries, on the assessment conducted by the independent archaeological surveillance team, and on the decision of the Ministry of Culture and Religious Affairs and of the County Directorate for Culture, Religions and Cultural Heritage Alba, the site manager may decide to suspend the mining activities on a certain site. Additionally, during site visits or controls conducted by competent authorities, the foreman in charge of coordinating activities on the respective site will ensure that all health and safety conditions for the visit are complied with.

In close cooperation with the archaeological surveillance team, RMGC will develop standard operating procedures in providing quarterly training courses for mine workers, foremen and supervisors. Such training will prepare the operating personnel of the mine to recognize the cavities with a potential archaeological interest. In particular, mine workers will be trained to recognize specific conditions, as they will be defined in the standard operating procedures to be developed. The areas where chance archaeological finds might occur may be exposed by routine mining excavations. Identification of such cavities is also important from the point of view of the personnel safety. Following identification of such a cavity or underground working, the operator must immediately inform the foreman in charge. The mining personnel will receive badges for their helmets that will certify attendance of the quarterly training sessions based on the implementation of the chance finds protocol.

Foremen will support the potential find of cavities that might contain heritage assets and increase the capacity of the department to assess safety conditions in authorizing non-mining personnel access for site assessment.

#### **Establishing priorities in surveillance activities**

Information collected for the baseline study, as well as information developed for the archaeological reports for the issuance of archaeological discharge certificates is a valuable information resource that may be consulted in determining the significance of chance finds. Understanding and knowledge of the historic cultural topography will allow for a classification of areas based on the potential of chance finds occurring within them. The areas will be classified as having a low, medium and high potential for archaeological chance finds, based on the following set of criteria:

- Low: Areas in which the potential occurrence of other archaeological remains, in addition to those already identified and researched is not considered likely, due to the current land use or where the soil had been disturbed prior to project implementation;
- Medium: Areas where a few archaeological remains have been found and where the soil had been disturbed by moderate intervention in the past;
- High: Areas where the archaeological remains have been documented by a competent authority and soil disturbance is minimal or none, and previous research was not possible for reasons independent of the stakeholders.

The archaeological surveillance team will be contracted to develop a distribution map of such areas, and this document will be used by the mining supervisors and foremen. The archaeological surveillance team will be present on the site for all the activities conducted in areas identified as having a “high” potential. The map will be regularly updated by the archaeological surveillance team, as they consider necessary to reflect any new information obtained during the project progress. All these procedures will be developed under the standard operating provisions to be developed and under the specific legal provisions included in GO no. 43/2000 on the protection of archaeological heritage and the designation of certain archaeological sites as areas of national interest, as last amended, and the Ministerial Order 2392/2004.

While all the sites will be under archaeological surveillance, irrespective of chance find potential classification, special measures will be implemented in the high potential areas. Meetings with contracted personnel will be organized before the start of excavation and earth moving operations, to inform them of

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the type of archaeological remains that might be discovered and how to identify them. Should any indication of an archaeological context be noticed, work will be immediately stopped in that area and the foreman will be notified.

In conclusion, the chance finds protocol will be prepared after all these protection and enhancement measures have been put in place, as presented in the Archaeological Heritage Management Plan for the Roşia Montană area, and after they have been submitted to the Ministry of Culture and Religious Affairs, as part of the permitting procedure for the Roşia Montană mining project. The Ministry will form an opinion on the proposed Protocol, in accordance with the legal provisions and its responsibilities. This document will also serve as a specific operational policy for the Roşia Montană mining operation, the first of its kind in Romania. Thus, before becoming applicable, the document will be discussed by specialists and submitted for approval to the National Archaeology Commission.

For further details on the applicable legal framework, the responsibilities of the Project titleholder, or for a detailed description of the preventive archaeological researches undertaken to date and of the Cultural Heritage Management Plans, please see Annex “Information on the Cultural Heritage of Roşia Montană and Related Management Aspects”. The annex also includes supplementary information with regard to the result of the researches undertaken as part of the “Alburnus Maior” National Research Program between 2001 and 2006.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1450
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110504/25.08.2006
RMGC internal unique code	MMGA_1196
Proposal	<p>The questioner is against the development of the Roşia Montana project as it represents a violation of the law stipulating that mining activities are not permitted on areas with historical, cultural, religious monuments or with archaeological sites and natural reservations.</p>
Solution	<p>The Romanian legislation does not forbid carrying out preventive archaeological investigations in areas with an identified and classified archaeological potential, such as the Roşia Montană area. Construction activities for project implementation cannot start until archaeological investigations are completed, in accordance with the Romanian legal requirements and the international guidelines and practices. During 2001-2006, extensive preventive archaeological investigations have been undertaken in the Roşia Montană area. Based on their results, certain areas have been archaeologically discharged while other areas have been subject to preservation and protection measures.</p> <p>Article 11 of Law no. 85/2003 (The Mining Law), stipulates that:  “(1) Carrying out mining activities on the lands on which are located historical, cultural and religious monuments, archaeological sites of outstanding importance, natural reserves, sanitary protection areas, hydrogeological protection perimeters to the water sources, as well as instituting the legal lien for mining activities over such lands is strictly forbidden.  (2) Exceptions to the provisions of the paragraph (1) above shall be established by Governmental Decisions, with the acceptance of competent authorities in the respective fields and by establishing damages compensations measures”.</p> <p>Several comments must be made with respect to the quoted piece of legislation and the petitioner's allegation:</p> <ul style="list-style-type: none"> <li>• The Romanian legislation on the protection of the cultural heritage and of historic monuments does not define the notion of “archaeological sites of outstanding importance”;</li> <li>• The legal notions that apply with regard to cultural heritage issues are described and defined by law 258/2006, article 2, paragraph (1), including references and amendments to previous legislation, such as GO 43/2000, Law 378/2001, law 462/2003);</li> <li>• The legal notions used by the current legislation with regard to the historic monuments are described and defined by Law 259/2006 article 2 paragraph (1), amending Law 422/2001;</li> <li>• Taking into account the definitions mentioned above, as well as the wording of the Mining Law, we consider that the plaintiff's comment is deprived of legal basis, especially since the expert opinion he has referred to has been taken out of context.</li> </ul> <p>The Mining Law does not forbid the use of the archaeological discharge procedure, but it allows that, in exceptional cases, the Government is empowered to issue a specific decision allowing the development of mining activities without the need to follow the generally applied legal procedures, stipulated by GO 43/2000 and Law 422/2001. Roşia Montană Project does not require such a decision, as RMGC follows the provisions and procedures stipulated by GO no. 43/2000, as last amended, and by Law no. 422/2001 for the archaeological discharge of the lands that are going to be impacted by mining activities, subsequently to be restored to their initial use, in full compliance with the current legislation. Moreover, with respect to the existing and classified cultural heritage assets within the Roşia Montană Perimeter, the project proposes the creation of certain protected areas where no mining activities will occur, as well as the “in situ” preservation of historical monuments outside this protected area.</p> <p>Under the Mining concession license no. 47/1999, RMGC has been granted permission to carry out mining activities in the Roşia Montană area, including the Orlea massif, as well as in other protected areas.</p>



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If the ban established by article 11 had been absolute in character, the Mining Law would have stipulated that it is forbidden to carry out mining activities in the protected areas.

But the law in question does not include such a ban. What is more, GO no. 43/2000 on the protection of the archaeological heritage and the designation of certain archaeological sites as areas of national interest, as last amended, and Law no. 422/2001 on the protection of the historical monuments, republished, stipulate specific procedures for restoring the lands in question to their current use, through the process of declassification of historical monuments and of archaeological discharge, procedures that apply whenever a construction authorization is needed to carry out construction activities in a protected area. Under Law 422/2001, amended by Law 259/2006, it is possible to apply the declassification procedures if the archaeological discharge certificate for the archaeological sites is obtained, as approved by the National Commission of Archaeology within the Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use (Law 258/2006, art. 5, paragraph 2). Under GO 43/2000 (article 7 point a)), amended by Law 378/2001, Law 462/2003 and Law 258/2006, “the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological investigations or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures”.

Therefore, in accordance with the current legislation, during 2000 and 2006 preventive archaeological investigations and associated studies with regard to the Roşia Montană heritage have been undertaken, so as to ensure the protection of the cultural and archaeological heritage in the area. This has entailed the understanding and research of the nature, characteristics and distribution of heritage assets-archaeological sites and historic monument buildings, as well as their protection and enhancement, in the context of the implementation of the project proposed by RMGC.

In compliance with the requirements of the Ministry of the Environment and Water Management and those of the Ministry of Culture and Religious Affairs, presented as part of the documentation regarding the Report on the Environmental Impact Assessment Study for the Roşia Montană project, specific plans have been prepared for the management and preservation of the heritage assets in the Roşia Montană area, in the context of the implementation of the mining project. (see the Report on Environmental Impact Assessment Study, vol. 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for the Archaeological Heritage from Roşia Montană area, part II – Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area, part III – The Cultural Heritage Management Plan).

In accordance with decisions of the central cultural administration, these management plans present in detail the obligations and responsibilities assumed by the company within the framework of the proposed mining project, with regard to the protection and the conservation of the Roşia Montană heritage sites (surface and underground archaeological remains), historical monument buildings, protected areas, intangible heritage, elements of cultural landscape etc.

All the protection and enhancement measures included in the Management Plan for the Archaeological Heritage of the Roşia Montană area will be submitted for approval to the Ministry of Culture and Religious Affairs, as part of the permitting procedure for the Roşia Montană project. The Ministry shall form an opinion on the proposed project, in accordance with the legal provisions and its responsibilities.

For further details on the applicable legal framework, the responsibilities of the Project titleholder, or for a detailed description of the preventive archaeological researches undertaken to date and of the Cultural Heritage Management Plans, please see Annex “Information on the Cultural Heritage of Roşia Montană and Related Management Aspects”.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1496
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110627/25.08.2006
RMGC internal unique code	MMGA_1202
Proposal	Underground mining remains and those developed at the surface, through the archaeological investigation programme, will be destroyed;
Solution	<p>From the very beginning, note that the implementation of the mining project does not involve the destruction and abandonment of archaeological heritage assets in the area of the Roşia Montană commune. Prior to 2000, Roşia Montană was an area of archaeological potential, but where no archaeological research had been conducted as would be required for a detailed identification of various site components. In effect, the areas of Cetate, Cărnic Jig, and Orlea, located in the upper Roşia and Corna Valleys, respectively, in the jurisdiction of Roşia Montană Commune, a number of chance archaeological finds had been recorded – such as epigraphic monuments, funerary architecture items - that provided enough evidence to suggest the presence of archaeological sites. The other heritage assets of Roşia Montană – the lakes, the historical monument buildings, traditions and customs – were generally known, but only in 2001 did the Ministry of Culture and Religions decide to approach this complex issue in a consistent manner.</p> <p>After extensive research during the past 8 years, the nature, characteristics and distribution of heritage assets are now well known – including the archaeological sites, historical monument buildings, churches and cemeteries of the Roşia Montană area. Extensive research and heritage studies conducted during 2000-2006 helped outline a comprehensive image of these national cultural heritage assets and spiritually significant areas, and adopt specific measures in regard to their protection. Based on these results, the potential impact on the archaeological sites could be assessed and mitigation strategies and specific measures could be developed.</p> <p>Thus, according to the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religious Affairs, respectively, as part of the documentation developed under the Environmental Impact Assessment Study for the Roşia Montană Project, specific management plans have been developed for the management and conservation of the heritage assets of the Roşia Montană area in the context of the mining project implementation (see EIA Report vol. 32-33, Plan M – Cultural Heritage Management Plan, Part I – Management Plan for the Archaeological Heritage for Roşia Montană Area, Part II – Management Plan for the Historical Monuments and Protected Zone from Roşia Montană, Part III –Cultural Heritage Management Plan).</p> <p>A summary of results includes the following:</p> <ul style="list-style-type: none"> <li>- The Roman galleries of the mountains located south of Roşia Valley have been investigated in detail and specific conservation measures were proposed for the areas of Cătălina-Monuleşti and Piatra Corbului;</li> <li>- The Roman galleries of the mountains located north of Roşia Valley have been preliminarily investigated and in the case of exceptional discoveries such as those of the Păru Carpeni mining sector specific conservation measures were proposed; the Orlea-Ţarina area will be investigated in detail during 2007-2012;</li> <li>- preventive archaeological research conducted in 2001-2006 helped define and research 13 archaeological sites, for some of which – once exhaustive research work was finalized – the decision was to apply the archaeological discharge procedures, while for others it was decided to be preserved <i>in situ</i> (e.g. the funerary precinct at Tău Găuri, the Roman remains on the Carpeni hill) the Orlea area will be researched in detail during the 2007-2012 period.</li> </ul>
<b>For detailed information on the main archaeological remains, and a number of considerations on</b>	

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how to protect them and the specific measures designed in the Management Plans, please see the annex "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects".

Considering the importance of the cultural heritage at Roşia Montană and the current legislation, the heritage research budget allocated for 2001-2006 by S.C. Roşia Montană Gold Corporation S.A. amounted to more than 10 million US\$. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roşia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment of May 2006 (see EIA Report vol. 32, Management Plan for the Archaeological Heritage from Roşia Montană area, p. 83-85). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum** with **geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the **Cătălina-Monuleşti** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center**.

Note that, apart from the obligations RMGC has committed to in protecting and preserving archaeological remains and historic monuments, there are a number of obligations that relate to both the local government authorities in Roşia Montană and Alba County and to the central government authorities, i.e. the Romanian State. The Cultural Heritage Management Plans included in the EIA Study Report provide clarifications of such aspects (see EIA Report, vol. 32, Management Plan for the Archaeological Heritage from Roşia Montană Area p. 22-24; 49; 55-56; 71-72 and EIA Report, vol. 33, Management Plan for the Historical Monuments and Protected Zone from Roşia Montană p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All these publicly assumed commitments of the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1834
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110969/25.08.2006 and No. 165089/07.09.2006
RMGC internal unique code	MMGA_1224
Proposal	<p>The Roman galleries from the Orlea and Carnic massifs are unique and due to the RMGC's project these will be destroyed – illegal action according to the art.9 and art.10 from the Law 422/2001</p>
Solution	<p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>Most of the ancient mining works in the Cărnic massif, as well as in other mining sectors, are only accessible, and in difficult conditions, to specialists, and actually partially inaccessible to the public at large. Moreover, under the EU safety rules regulating similar activities in museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. Note that a number of other similar Roman gallery segments will be preserved in situ.</p> <p>Consequently, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Ministry of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cărnic Massif, with the exception of an area of approximately 5 hectares, including Piatra Corbului. As part of the effort to minimize negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation as well as replicas of these structures (at a scale of 1:1). These will be included in the mining museum that is proposed at Roşia Montană. A lawsuit has been filed with regard to the archaeological discharge certificate and the case is currently in progress.</p> <p>As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex "Costs Estimate for the Development of Ancient Mining Networks from Cărnic", prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).</p> <p>Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines. (Cultural Heritage Baseline Report, vol. 6, p. 46). Under the Government Ordinance no. 43/2000 on the protection of the cultural heritage and the designation of some archaeological sites as areas of national interest, as last amended, "the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures".</p>

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With regard to the Orlea area, the Cultural Heritage Baseline Study - Volume 6 p.46 - specifies that preventive surface and underground archaeological research is planned to continue in an area of identified archaeological potential. It also specifies that the research undertaken to date is preliminary in character. Also, please note that the EIA report mentions the following: given that mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is planned to start in 2007.

In 2004, the preliminary underground investigations, undertaken in the Orlea Massif, have led to a significant discovery. The value of the discovery was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet uncovered a chamber with a hydraulic wheel, and subsequently an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was dated to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation *in situ*. The discovery would not be affected by the future development of the Orlea open pit. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea- Țarina segment are planned to be undertaken between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 48.

In the 1980s, a mining museum was developed in the Orlea massif. The museum included a series of well-preserved galleries that have been separated from adjacent, access galleries by concrete walls. The Orlea galleries, as well as those in the Cărnic massif and in other mining areas in Roșia Montană, are trapezoidal in form. During the successive reworking and mining of these galleries, part of the Roman remains have been destroyed. In addition, the galleries suffered further deterioration, especially due to the recent mining works using drilling-blasting techniques that caused cave-ins and deterioration of underground mining remains. The removal of mine waste in the course of archaeological research adds to the process of deterioration of the Roman galleries, further accentuated by the closure of mining operations at Minvest (1<sup>st</sup> June, 2006) –given that the mining activities have ensured a minimal level of mine dewatering. Under the existing legislation, shutting down mining activities requires a comprehensive set of conservation measures. However, at Roșia Montană the mine was abandoned without any other restoration works. Just a couple of months later, drainage channels inside the Sfânta Cruce gallery, the main drainage gallery, got clogged, which led to the flooding of a number of galleries, several kilometers long. Proper maintenance works are needed if the archaeological remains are to be preserved for future generations. In the absence of such measures the result will be disastrous, and the parts of galleries that have been preserved will disappear as a result of cave-ins and flooding. The Roman steps at Brad (Roman mining remains covered by Law 5/2000) are illustrative in this respect-once maintenance works stopped, the galleries became inaccessible.

In accordance with the List of Historic Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).

Law 422/2001 on the protection of historic monuments, as last amended, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use. Therefore, it is true that RMGC plans to mine the gold-silver deposits located in the Orlea Massif area, in the second phase of the proposed mining project.

Consequently, the proposed mining operations in the Orlea Massif can be developed only after the completion of preventive, surface and underground archaeological researches, that will produce a comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Archaeological Site Record Card-9. Orlea Massif, p.231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be undertaken between 2007-2012 by an expert team. Based on the research findings, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal

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provisions that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

Given the significance of the Roşia Montana's cultural heritage, and the current legal requirements, S.C. Roşia Montană Gold Corporation S.A allocated more than USD 10 million for the archaeological investigations carried out between 2001-2006. What is more, based on the research results, on the experts' opinions and on the decision of competent authorities, the budget for the next years, allocated for the research, conservation and restoration of the Roşia Montană's cultural heritage, undertaken as part of the project development, amounts to more than USD 25 million, as indicated in the Environmental Impact Assessment Study, published in May 2006 (see the EIA Report, vol. 32, Management Plan for the Archaeological Heritage from the Roşia Montană area, p. 84-85). Archaeological research in the Orlea area is to be continued, and a **Modern Mining Museum** will be opened, including **geology, archaeology, ethnographic and industrial heritage exhibitions**. Other plans include the development for public access of the **Cătălina-Monuleşti gallery and the Tău Găuri monument, as well as the restoration of the 41 historical buildings and of the protected zone Roşia Montană Historic Centre**.

For further information on the most important archaeological remains, as well as on a series of comments on their preservation and on the special measures included in the management plans, please consult the Annex "Information on the Cultural heritage of Roşia Montană and Related Management Aspects"

In conclusion, with regard to your question, it is important to say that the company does not wish to destroy the Orlea and Cărnic massifs. Based on the research results, on the international guidelines and best practices in the field, it has been decided that the most effective solution for enhancing this type of cultural heritage is to preserve in situ the most significant underground mining archaeological remains uncovered at Roşia Montană, and to create exact replicas of the galleries that cannot be opened for public access, either due to safety reasons or because of the state of preservation of the remains.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	298, 1446, 1920
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109049/07.08.2006 and No. 74515/08.08.2006, No. 110508/25.08.2006, No. 110904/25.08.2006
RMGC internal unique code	MMGA_1240
Proposal	<p>The questioners do not agree to the Roşia Montana gold and silver mining operation proposal formulating the following remarks and comments: The project implementation would cause the destruction of the Orlea and Carnic massifs;</p>
Solution	<p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>Most of the Roman mining works in the Cărnic massif, as well as in other mining areas can only be accessed by specialists, in very difficult conditions, being partially inaccessible to the public. Moreover, under the EU safety rules applying to similar museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. It should be noted that extensive portions of comparable Roman galleries will be preserved in situ.</p> <p>Consequently, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Minister of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cărnic Massif, with the exception of a 5 ha area, including Piatra Corbului. As part of the effort to minimize negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation as well as replicas of these structures (at a scale of 1:1). These will be included in the mining museum that is proposed at Roşia Montană. A lawsuit has been filed with regard to the archaeological discharge certificate and the case is ongoing.</p> <p>As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex "Costs Estimate for the Development of Ancient Mining Networks from Cărnic Massif", prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).</p> <p>Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines. (Cultural Heritage Baseline Report, vol. 6, p. 46).</p> <p>Under the Government Ordinance no. 43/2000 on the protection of the cultural heritage and the designation of the archaeological sites as areas of national interest, as last amended, "the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the</p>

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area affected by works. The investor shall finance the enforcement of such measures”.

Surface and underground preventive archaeological researches will continue in the Orlea area, that is in an area with identified archaeological potential (as mentioned in The Cultural Heritage Baseline Report, vol. 6, page 48). In addition, it has been stated here that the researches undertaken so far in this massif are preliminary in character. The following aspect, mentioned in the report, should be noted: “given that the mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is to be carried out starting with 2007”.

The preliminary underground investigations, undertaken in the Orlea Massif, have led to the uncovering, in 2004, of a significant discovery. The value of the discovery was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet uncovered a chamber with a hydraulic wheel, and subsequently an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was dated to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation *in situ*. The discovery would not be affected by the future development of the Orlea open pit exploitation. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea- Țarina segment are planned to be undertaken between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 48.

In the 1980s, a mining museum was developed in the Orlea massif. The museum included a series of well-preserved galleries that have been enhanced and separated from adjacent, access galleries by concrete walls. The Orlea galleries, as well as those in the Cârnic massif and in other mining areas in Roșia Montană, are trapezoidal in form. During the successive reworking and mining of these galleries, part of the Roman remains have been destroyed. In addition, the galleries continue to deteriorate, especially due to the recent mining works using drilling-blasting techniques that cause cave-ins and deterioration of underground mining remains. The removal of mine waste in the course of archaeological research, adds to the process of deterioration of the Roman galleries, further accentuated by the closure of mining operations at Minvest (1<sup>st</sup> June, 2006) –given that the mining activities have ensured a minimal level of mine dewatering. Under the existing legislation, shutting down mining activities requires a comprehensive set of conservation measures. At Roșia Montană the mine was abandoned without any other restoration works. Just a couple of months later, drainage channels inside the Sfânta Cruce gallery, the main drainage gallery, got clogged, which led to the flooding of a number of galleries, several kilometers long. Proper maintenance works are needed, with a view of preserving the archaeological remains for future generations. In the absence of such measures the result will be disastrous, and the segments that still exist will disappear as a result of cave-ins and floods. The Roman steps at Brad (Roman mining remains also covered by Law 5/2000) are illustrative in this respect-once maintenance works stopped, the galleries became inaccessible.

In accordance with the List of Historic Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).

Law 422/2001 on the protection of historic monuments, as last amended, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Minister of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use (Law 258/2006, art. 5, paragraph 2). Consequently, it is true that RMGC plans to mine the gold-silver deposits located in the Orlea Massif area, in the second phase of the proposed mining project.

Consequently, the proposed mining operations in the Orlea Massif can be developed only after the completion of preventive, surface and underground archaeological researches, that will produce a comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Archaeological Site Record Card-9. Orlea Massif, p.231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be

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undertaken between 2007-2012 by an expert team. Based on the research findings, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal provisions that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

Given the significance of the Roşia Montana's cultural heritage, and the current legal requirements, S.C. Roşia Montană Gold Corporation S.A allocated more than USD 10 million for the archaeological investigations carried out between 2001-2006. What is more, based on the research results, on the experts' opinions and on the decision of competent authorities, the budget destined for the research, conservation and preservation of the Roşia Montană's cultural heritage, undertaken as part of the project development, amounts to more than USD 25 million, as indicated in the Environmental Impact Assessment Study, published in May 2006 (see the EIA Report, vol. 32, Management Plan for the Archaeological Heritage from the Roşia Montană area, p. 84-85). Archaeological investigations in the Orlea area are to be continued, and a **Modern Mining Museum** will be opened, including **geology, archaeology, ethnographic and industrial heritage exhibitions**. Other plans include the development for public access of the **Cătălina-Monuleşti gallery and the Tău Găuri monument, as well as the restoration of the 41 historical buildings and of the protected zone Roşia Montană Historic Centre**.

For further information on the most important archaeological remains, as well as on a series of comments on their preservation and on the special measures included in the management plans, please consult the Annex "Information on the Cultural Heritage of Roşia Montana and Related Management Aspects".

In conclusion, with regard to your question, please note that under no circumstances will the Roman galleries at Roşia Montană be destroyed or replaced with replicas without being first investigated and studied.

Taking into consideration the research findings, the international guidelines and best practices in the field, it has been decided that the most effective solution for enhancing this type of cultural heritage is to preserve *in situ* the most significant underground mining archaeological remains uncovered at Roşia Montană, and to create exact replicas of the galleries that cannot be opened for public access, either due to safety reasons or because of the state of preservation of the remains.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	1922
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110902/25.08.2006
RMGC internal unique code	MMGA_1251
<b>Proposal</b>	<p>In this area there are gold mines from Roman period with an exceptional cultural value which resisted till now and the project implementation would lead to their destruction</p> <hr/> <p>Although their presence was known for more than 150 years, the Roșia Montană Roman galleries had never been archaeologically investigated prior to 1999. Basically, prior to 2000, this type of archaeological remains have never been subject to a specialized research.</p> <p>Mining archeology research undertaken – since 1999 – by a multidisciplinary specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed at developing (for the first time in Romania) a detailed study of this type of archeological remains, i.e. old mining galleries of Roman and later periods.</p> <p>The study of these structures entailed better understanding and, at the same time, making pertinent decisions regarding their preservation and enhancement. Based on the results of the research conducted to date (completed for Cetate, Cârnic, Jig but ongoing in Orlea), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monulești Gallery – located in the Historic Center of Roșia Montană, where the most important collection of wax tablets and an ancient mine drainage system had been found in the past;</li> <li>- the Păru Carpeni mining area – located in the south-eastern part of the Orlea massif, where a system of overlapped chambers equipped with Roman wooden installations (wheels, channels, etc.) was discovered;</li> <li>- the Piatra Corbului area – located in the south-western part of the Cârnic massif, this area bears traces of the ancient and medieval galleries dug by the fire setting technique;</li> <li>- the Văidoaia massif area – located north-west of the Roșia Montană village, including segments of surface mining exploitations from the Roman period.</li> </ul>
<b>Solution</b>	<p>The preventive archeological research undertaken between 2001-2006 led to the identification and research of 13 archeological sites. Once extensive researches have been completed, it has been decided that some of these sites can be archaeologically discharged, and in other cases, the option for in situ preservation has been chosen – (e.g. the Tău Găuri funerary precinct, the Roman remains on the Dealul Carpeni hill); the Orlea area will be researched in detail between 2007 and 2012.</p> <p>As for the Roman mining galleries discovered in the mining sectors of Cătălina Monulești and Păru Carpeni, comprehensive rehabilitation, consolidation and development works have been planned, in order to allow their in situ preservation and their development for tourism. This decision was based on the value and significance of the exceptional archeological remains preserved in the galleries, i.e. the wooden Roman installations designed for dewatering the mines (the so-called Roman wheels). At the same time, the gallery at Cătălina Monulești is famous because – in mid 19<sup>th</sup> century – the most significant set of waxed tablets was discovered here (according to archive sources, more than 11 such pieces were discovered, out of a known total of 32 such artifacts discovered to date).</p> <p>Most of the ancient mining works in the Cârnic massif, as well as in other mining sectors, are only accessible, and in difficult conditions, to specialists, and actually partially inaccessible to the public at large. Moreover, under the EU safety rules regulating similar activities in museums all over Europe, rules that will be transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. Note that a number of other similar Roman gallery segments will be preserved <i>in situ</i>.</p>

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Apart from the full research and conservation, specialists have considered it appropriate to develop a 3D graphic model and 1:1 replicas of these structures, to be included in the mining museum proposed to be developed at Roşia Montană.

The Orlea massif is the only area that includes archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01). The archaeological research undertaken to date in this area is preliminary in character. Detailed researches are proposed for the period 2007-2012, and, based on their results, a decision will be made whether to preserve in situ certain segments of galleries or to apply the archaeological discharge procedure in other segments.

Detailed information on the chance finds and on preliminary archaeological researches (surface and underground) in the Orlea Massif has been published in the Environmental Impact Assessment Study for the Roşia Montană Project, volume 6 – Cultural Heritage Baseline Report, Annex I, page 231-236. Note that the EIA Study states the following: given that the mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is planned to start in 2007. “As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded.” (Cultural Heritage Baseline Report, vol. 6, p. 46).

In the 1980s, a mining museum was developed in the Orlea massif. The museum included a series of well-preserved galleries that have been separated from adjacent, access galleries by concrete walls. The Orlea galleries, as well as those in the Cărnic massif and in other mining areas in Roşia Montană, are trapezoidal in form. During the successive reworking and mining of these galleries, part of the Roman remains have been destroyed. In addition, the galleries suffered further deterioration, especially due to the recent mining works using drilling-blasting techniques that caused cave-ins and deterioration of underground mining remains. The removal of mine waste in the course of archaeological research adds to the process of deterioration of the Roman galleries, further accentuated by the closure of mining operations at Minvest (1<sup>st</sup> June, 2006) –given that the mining activities have ensured a minimal level of mine dewatering. Under the existing legislation, shutting down mining activities requires a comprehensive set of conservation measures. However, at Roşia Montană the mine was abandoned without any other restoration works. Just a couple of months later, drainage channels inside the Sfânta Cruce gallery, the main drainage gallery, got clogged, which led to the flooding of a number of galleries, several kilometers long. Proper maintenance works are needed if the archaeological remains are to be preserved for future generations. In the absence of such measures the result will be disastrous, and the parts of galleries that have been preserved will disappear as a result of cave-ins and flooding. The Roman steps at Brad (Roman mining remains covered by Law 5/2000) are illustrative in this respect–once maintenance works stopped, the galleries became inaccessible.

The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient *Alburnus Maior* site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.

The comments and long-term strategies mentioned in the present document have been prepared by a team of mining archaeology experts from the Toulouse University, France, that have worked at Rosia Montana since 1999.

As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. In this respect, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex “Costs Estimate for the Development of Ancient Mining Networks from Cărnic”, prepared by the

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With regard to the proposed replicas of certain mining structures, it should be mentioned that there are various such examples throughout Europe. To mention just two: the Mining museum at Rio Tinto, Huelva, Spain, where a Roman mining exploitation has been developed for public access ( the museum is illustrative for a 5000 years history of mining in the Iberian Peninsula; with regard to the mining cultural heritage, this site resembles the best the Roşia Montană site, as a mine dewatering system from Roman times was discovered here in the 19<sup>th</sup> century, similar to the ones discovered at Păru Carpeni and Cătălina Monuleşti). Another example is the recreation of the lead mine at Killhope, Wales, Great Britain.

For further information on the history of the research and the main findings related to the historic galleries at Roşia Montană, as well as for the specialists' conclusions on the matter, and assessments of a potential tourist circuit including the historic mining structures at Cărnic, or for the opinions formulated in 2004 by Edward O'Hara, General Rapporteur on the Cultural Heritage of the Parliamentary Assembly of the Council of Europe, please consult the annex entitled "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects", as well as the Romanian version of the O'Hara Report. Detailed information on the complex issue of the mining works at Roşia Montană, on their results and on their potential for enhancement, are available in the EIA Report, vol. 6, Cultural Heritage Baseline Report (pages 32, 36-55, 83-109).

Given the significance of the Roşia Montana's cultural heritage, and the current legal requirements, S.C. Roşia Montană Gold Corporation S.A allocated more than USD 10 million for the archaeological investigations carried out between 2001-2006. What is more, based on the research results, on the experts' opinions and on the decision of competent authorities, the budget for the next years, allocated for the research, conservation and restoration of the Roşia Montană's cultural heritage, undertaken as part of the project development, amounts to more than USD 25 million, as indicated in the Environmental Impact Assessment Study, published in May 2006 (see the EIA Report, vol. 32, Management Plan for the Archaeological Heritage from the Roşia Montană area, p. 84-85). Archaeological research in the Orlea area is to be continued, and a **Modern Mining Museum** will be opened, including **geology, archaeology, ethnographic and industrial heritage exhibitions**. Other plans include the development for public access of the **Cătălina-Monuleşti gallery and the Tău Găuri monument, as well as the restoration of the 41 historical buildings and of the protected zone Roşia Montană Historic Centre**.

Based on the research results, on the international guidelines and best practices in the field, it has been decided that the most effective solution for enhancing this type of cultural heritage is to preserve *in situ* the most significant underground mining archaeological remains uncovered at Roşia Montană, and to create exact replicas of the galleries that cannot be opened for public access, either due to safety reasons or because of the state of preservation of the remains.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	2431
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112110/25.08.2006
RMGC internal unique code	MMGA_1254
Proposal	Rosia Montana is the most important historical monument from Romania;
Solution	<p>The comment formulated by the plaintiff represents a particular and subjective consideration, not supported by expert opinion. The following will include a series of objective, scientific remarks.</p> <p>Roşia Montană is not one of the oldest towns in Romania, as it has been often stated, but it is a settlement with a special historical tradition and cultural heritage. Expert consideration of the Roşia Montană archaeological site is summarized in the Cultural Baseline Report included in the EIA Report, section 5.5.2 <i>Roman gold mining context</i>, which includes a discussion on the unique features of the site.</p> <p>As indicated in the conclusions of the archaeological studies that have been jointly conducted by the National Cultural Heritage Design Centre (which became in 2002 the National Institute for Historic Monuments, a public body under the direct subordination of the Ministry of Culture and Religious Affairs) and the Toulouse University, Archaeological and history department (UTAH) in 2000:</p> <ul style="list-style-type: none"> <li>• All the archaeological sites which have been identified within Roşia Montană area are totally or partially impacted by previous human activities or by a series of natural factors;</li> <li>• The great majority of the remaining Roman mining works have been altered by modern works, but there are parts that are in a better state of preservation where traces of Roman mining can be seen.</li> </ul> <p>Since the XVth century there has been an obvious interest for the Roşia Montană Roman remains. The epigraphic and sculptural material, known or discovered by chance, in the area of the Alburnus Maior mining exploitation, is significant when compared to the limited geographic area where it came from. Moreover, it is important for the documentary contributions it makes to the social and economic history of the Dacia province. Ever since the discovery of the first Roman archaeological remains at Roşia Montană, in the late Humanism, these heritage items have been subject to historiography researches.</p> <p>Based on the information mentioned above and on the research of the wax coated tablets, an image about the ancient Alburnus Maior had been established by the middle of the 20<sup>th</sup> century. The image was formed mainly on the basis of theoretical information, although several attempts of archaeological topography did exist. Based on the information available in the 1990s, Roşia Montană was known to be an area with an archaeological potential, where no proper archaeological excavations had been performed, that would be necessary to identify the various elements of the site.</p> <p>Data collected during the archaeological research campaigns undertaken between 2001-2006 have greatly changed the theory according to which Alburnus Maior had been an urban settlement with elements similar to that of an urbis from the Roman provincial world. A picture of the situation slowly emerges: the image of a dwelling system lacking the native element (as it results from the information gathered up to the present moment), in which the different gentes of mostly south-danubian origin behaved according to the organization and custom brought from their homeland. The analysis of the ancient sources, combined with the study of the epigraphic material as well as new information offered by the systematic archaeological research undertaken in recent years, support the hypothesis according to which the generic toponym Alburnus Maior covers a series of permanent or temporary settlements linked to the presence of Illyrian-Dalmatian settlers, as well as colonists from Hellenized areas, all specialized in the extraction and primary processing of the gold ore.</p> <p>In conclusion, the archaeological remains uncovered to date, do not display spectacular constructive</p>

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attributes but, rather they *adapt to the natural environment* and suggest a series of elements that serve to create a general picture of the way the area looked in antiquity: with necropolises located on slopes or on plateaus facing the valleys, habitation areas and sacred areas located on heights and probably connected to the mining and primary ore processing areas. Note that representative elements of the archaeological heritage components of the area have been identified here:

- Tău Găuri area includes a well preserved *circular funerary monument*;
- in the area of Dealu Carpeni two public structures have been investigated that were constructed from stones bounded with mortar, each equipped with a *hypocaustum* installation and a funerary area. A Roman mining area has been confirmed in the Păru Carpeni underground sector, equipped with a hydraulic wheel in a good state of conservation;
- traces of Roman and medieval mining sites have been identified in the Piatra Corbului area;
- the galleries where the famous wax coated tablets had been found during the 18-19<sup>th</sup> centuries are located in the Historic Centre. Cătălina Monulești gallery is the most famous- this is the place where the largest number of wax coated tablets had been discovered, as well as an ancient mine dewatering system. Văidoaia massif, located nearby, also shows traces of Roman surface mining works.

The seven necropolis and funerary areas which have been archaeologically identified to date, and which are located within the areas of Tăul Corna, Hop-Găuri, Carpeni, Valea Nanului, Țarina, Jig-Piciorag and Pârâul Porcului (Tăul Secuilor) are major proof of the dynamics, diversity and the increased size of the ancient population from Alburnus Maior. Research undertaken in the galleries dating from Roman and later periods, specifically the extensive archaeological excavations in the massifs located in the Roșia Montană area, help create an overall image of the Roman site. Recent archaeological investigations of the ancient Alburnus Maior mining site have produced new evidence that redefines the already known Orlea mining sector that has been turned into a museum in the 1970s, as well as evidence on the Cetate massif and its impressive Roman yards. The Orlea, Carpeni, Cârnic, Lety massifs show traces of Roman galleries, with sectors that are in a good state of preservation. As a general characteristic of the underground mining system, it is important to note the repetitive distribution and form of the researched mining works. Also, the archaeological research that allows the understanding, dating and interpretation of the galleries also contributes to their deterioration. Therefore, based on the research findings, the international guidelines and best practices in the field, it has been decided that the most effective solution for enhancing this type of cultural heritage is to preserve *in situ* the most significant underground mining archaeological remains, and to create exact replicas of the galleries that cannot be opened for public access, either due to safety reasons or because of the state of preservation of the remains.

In conclusion, Roșia Montană is probably the most researched mining site in this part of Europe. The company plans to continue supporting the research and conservation of the sites of archaeological interest, identified by experts. Thus, we believe that the mining project can be developed in parallel with the protected areas including cultural heritage assets (The Roșia Montană Historic centre includes 35 historical monument houses, the proposed mining museum with a special underground tourist circuit, the funerary monument at Tău Găuri, Piatra Corbului area, Carpeni Hill, Păru Carpeni mining sector).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	2984
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 111777/25.08.2006
RMGC internal unique code	MMGA_1285
Proposal	The questioners do not agree to the relocation of the "Piatra Despicata"
Solution	<p>Piatra Despicață is a volcanic "bomb" located in a secondary position at the base of the Cărnic massif, few meters above an industrial-communal road. This is in fact an andesite block weighing roughly 2 tons which can at any time roll down the valley. In 2000, based on the documentation submitted by the company S.C. Agraro Consult S.R.L., the Commission for the Protection of Natural Monuments of the Romanian Academy approved the relocation of Piatra Despicață to another area, which will not be impacted by the mining project.</p> <p>Therefore, the future location of Piatra Despicață will be approved by the Romanian Academy and the Ministry of Culture and Religious Affairs, preferably in the Protected Zone Roșia Montană. The relocation will be coordinated and monitored by specialists, this process involving the usual technical means that are specific for such large structures.</p>

MMDD's item no. for the question  
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RMGC internal unique code

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**Proposal**

From archeological point of view, the area proposed to be occupied by project was not legally investigated; SEE THE CONTENT OF THE TYPE 1 CONTESTATION  
Also, the questioner sends a letter and two points of view of some independent specialists

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Preventive archaeological researches within the Roşia Montană mining project area have been undertaken based on specific techniques, specifically trial trenches in all accessible areas that are suitable for human habitation, taking into account the bibliographical information and the observations recorded during the archaeological survey campaigns, the geophysical studies and the analyses of the photogrammetric flights. In addition, surface investigations were undertaken, where appropriate.

The archaeological researches at Roşia Montană covered a large surface and focused on the areas known to have archaeological potential. THEREFORE, ALL AREAS THAT HAVE BEEN ARCHAEOLOGICALLY DISCHARGED HAD BEEN PREVIOUSLY INVESTIGATED. All research programs, beginning with the 2004 campaign, have been undertaken in full compliance with the current legal requirements, i.e. Ministerial Order no. 2392 of 6 September 2004 on the establishment of the Archaeological Standards and Procedures by the Ministry of Culture and Religious Affairs.

**Solution**

The proposed gold mining project at Roşia Montană has raised a series of issues related to the rescue of the historical-archaeological heritage within the area, as well as issues related to its scientific development and also the enhancement of heritage within a museum. Given the complex difficulties encountered in this respect, the Ministry of Culture and Religious Affairs decided to initiate the "Alburnus Maior" National Research Program.

The company's role was to provide the necessary financial resources for the assessment, research and enhancement of the archaeological remains, in full compliance with the Romanian current legislation. The development of the research and of the archaeological discharge works has been conducted through specific means and methodologies that have been adjusted to the realities of every site researched, in our case, Roşia Montană. They consisted in:

- Archives studies;
  - Archaeological surveys; trial trenches;
  - aerial reconnaissance/survey and aerial photo interpretation ; high resolution satellite images;
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- mining archaeology studies; underground topography and 3D modeling;
  - geophysical surveys;
  - extensive archaeological investigations in the areas with an identified archaeological potential- this implied carrying out archaeological excavations;
  - Interdisciplinary studies- sedimentology, archaeo-zoology, comparative palynology, archaeo-metallurgy, geology, mineralogy;
  - Radiocarbon dating and dendrochronology;
  - This research and its results were included in an integrated database;
  - traditional and digital archaeological topography and development of the GIS project; generate a photo archive- both traditional and digital;
  - restoration of artifacts;
  - an inventory and a digital catalogue of the artifacts;
  - studies conducted by specialists in order to enhance the research results - publication of monographs/scientific books and journals, exhibitions, websites, etc.

All the preventive archaeological researches undertaken at Roşia Montană since 2000 have been carried out as part of a complex research program; permits for preventive archaeological excavations being issued in compliance with the current legislation. These archaeological investigations have been undertaken by representatives of 21 specialized institutions from Romania and 3 others from abroad, under the scientific coordination of the Romanian National Museum of History. All archaeological researches have been conducted in full compliance with the existing legislation. The investigations undertaken during each archaeological research campaign have been approved by the Ministry of Culture and Religious Affairs based on the Annual Archaeological Research Plan approved by the National Commission of Archaeology.

Under the current legislation (Ministerial Order no. 2392 of 6 September 2004 on the establishment of the Archaeological Standards and Procedures by the Ministry of Culture and Religious Affairs) the archaeologists who have conducted the research may ask that an archaeological discharge certificate be granted. Based on a complex research program, the archaeologists prepare comprehensive documentation with regard to the researched area. Upon consideration of the submitted documentation, the National Commission of Archaeology makes a decision as to whether to recommend or not the granting of the archaeological discharge certificate. In the case of the research conducted in the period 2001-2006, the archaeological discharge certificate was issued directly by the Ministry of Culture and Religious Affairs or by its local agencies.

Preventive archaeological researches at Roşia Montană have allowed the research of five Roman cremation necropolis (Tău Corna, Hop-Găuri, Țarina, Jig - Picioară and Pârâul Porcului – Tăul Securilor), two funerary areas (Carpeni, Nanului Valley), sacred areas (Hăbad, Nanului Valley), habitation areas (Hăbad, Carpeni, Tăul Țapului, Hop), the most significant being the Roman structures on the Carpeni Hill and the circular funerary monument at Tău Găuri. In addition, for the first time in Romania, surface investigations have been paralleled by underground investigations of Cetate, Cârnic, Jig and Orlea massifs, with important discoveries in the Piatra Corbului, area, Cătălina-Monuleşti gallery and the Păru Carpeni mining sector.

The research consisted of aerial photo interpretation, archaeological magnetometric studies, electrical resistivity, palynology, sedimentology, geology studies, radiocarbon and dendrochronology dating. For a better management of the research units and of the archaeological findings, data bases were used, including text and photographs-among which 4 satellite images (an archive satellite image type SPOT Panchromatic (10m) from 1997; 2 satellite images LANDSAT 7 MS (30 m), dating from 2000 and 2003; a satellite image with priority programming SPOT 5 SuperMode color (2,5 m resolution-19 July 2004); all data have been included in a comprehensive GIS program, a first in the Romanian archaeological research.

In the case of archaeological monuments that are located close to industrial facilities, plans have been redesigned to ensure that the archaeological remains in question will not be affected. Where appropriate, the archaeological monument was preserved in situ and restored, i.e. the circular funerary monument at Hop-Găuri (see The "Alburnus Maior" monograph series, volume II, Bucharest, 2004). Another example in this respect is the Carpeni Hill, designated an "archaeological " reserve, and the Piatra Corbului area. In 2004, after being thoroughly investigated, these areas have been included on the List of Historic Monuments. Add to this the areas where ancient mining remains will be preserved, such as the Cătălina Monuleşti gallery and the mining sector Păru Carpeni, as well as the protected area Roşia Montană

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Historic Center, including a number of heritage assets (35 historic monument houses).

We emphasise in this respect that the identified and researched structures have been published in preliminary form in the Archaeological Research Chronicle of Romania, after every archaeological research campaign, as well as in volume 1 of the Alburnus Maior monographic series. We mention here the areas where Roman habitation structures have been identified and researched, as well as the references to be consulted for further information: Hop-Găuri, Carpeni, Tăul Țapului (CCA 2001 (2002), p. 254-257, no. 182; 261-262, No. 185; 264-265, no. 188; 265-266, no. 189. Alburnus Maior I, 2003, p. 45-80; 81-122; 123-148; CCA 2001 (2002), 257-261; CCA 2003 (2004) ,280-283; Alburnus Maior I, 2003, p. 387-431, 433-446, 447-467).

For further details related to the applicable legal framework, the responsibilities of the Project titleholder, or for a detailed description of the preventive archaeological researches undertaken to date and of the Cultural Heritage Management Plans, please see Annex called "Information on the Cultural heritage of Roșia and Related Management Aspects". In addition, the annex includes supplementary information with regard to the result of the researches undertaken as part of the "Alburnus Maior" National Research Program between 2001 and 2006.

In conclusion, the area mentioned by the questioner has been researched in accordance with the Romanian legal requirements, as well as with European standards and practices in the field.

Note that the type of research undertaken at Roșia Montană, known as preventive/rescue archaeological research, as well as other related heritage studies, are done everywhere in the world in close connection with the economic development of certain areas. Both the costs for the research and for the enhancement and maintenance of the preserved areas are provided by investors, in a public-private partnership set up in order to protect the cultural heritage, as per the provisions of the European Convention on the Protection of the Archaeological Heritage (Malta-1992) [1].

References:

[1]The text of the Convention is available at the following address:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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RMGC internal unique code

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Proposal

The questioner contests the protection of the architectural and spiritual monuments with the responsibility of the state institutions for the protection operation.

SEE THE CONTENT OF THE TYPE 1 CONTESTATION

Also, the questioner sends a letter and two points of view of some independent specialists

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Solution

In 2000, in the context of the proposal of a new mining project in the Roşia Montană area, the Ministry of Culture and Religious Affairs approved a series of studies to be conducted in order to research the archaeological and architectural heritage of the area. And at the end of that year, the Design Centre for National Cultural Heritage (now the National Institute for Historical Monuments) presented the preliminary results of these researches to the National Commission for Historical Monuments and of the National Commission of Archaeology. Based on these results, in 2001, the Ministry of Culture and Religious Affairs initiated the “Alburnus Maior” National Research Program (the Order no. 2504 / 07.03.2001 of the Minister of Culture and Religious Affairs) in compliance with the Law 378/2001 (as subsequently amended by Law 462/2003 and by Law 258/2006 and Law 259/2006). Thus, since 2000, the Ministry of Culture and Religious Affairs – directly or through its subordinate institutions - has fulfilled its duties with regard to the management of the issues related to Roşia Montană’s heritage.

Thus, the preventive archaeological researches have been conducted by the representatives of 21 national institutions and 3 others from abroad under the scientific coordination of the National Museum of History of Romania. They have been carried out based on the annual approval of the National Commission of Archaeology of the Ministry of Culture and Religious Affairs. In accordance with the legislation in force, this research program is carried out with the financial support provided by RMGC (the company that plans to expand and continue to mine the gold-silver deposit in Roşia Montană). Thus, large-scale preventive investigations have been conducted or are underway in the RMP impact area. A proposal will be made based on the results thereof either for the archaeological discharge of some researched perimeters from the project perimeter or the preservation *in situ* of certain representative structures and monuments, in compliance with the legislation in force. In the case of the areas proposed for conservation and the ones for which the archaeological discharge measure was applied, the decision was made based on the surveys conducted by specialists and on the analysis of the National Commission of Archaeology. In the period 2000-2005, the mining project underwent a series of modifications designed to promote the implementation of the decision regarding the conservation of the local heritage. Examples of these include: extending the duration of the field investigations on several years (e.g. Ţarina, Pârâul Porcului, Orlea) and changing the location of some elements of infrastructure in order to allow the conservation of the archaeological remains found in the Carpeni, Tău Găuri and Pietra Corbului areas.

**The architectural and town-planning surveys** have been conducted, in accordance with the legislation in force, by companies certified by the Ministry of Culture and Religious Affairs, while the town-planning documentations drafted by these companies and the restoration and conservation works undertaken so far have been approved by the National Commission for Historical Monuments. Thus, the town-planning documentations have been approved and implemented in accordance with current legislation, and the company has agreed to these decisions and modified the mine development plans accordingly:

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**Extensive ethnographic research** was conducted in the Roşia Montană-Abrud-Corna area in the period 2001-2004 coordinated by a team of specialists for the Romanian Village Museum „Dimitrie Gusti” (a National Museum directly under the coordination of the Ministry of Culture and Religious Affairs). Moreover, a broad series of oral history interviews was conducted in the period 2001-2002 by the Romanian Radio Broadcasting Company through the „Gheorghe Brătianu” Oral History Centre, Bucharest (SRR - CIO).

In compliance with the requirements of the Ministry of Environment and Waters Management and the Ministry of Culture and Religious Affairs, specific management plans have been drawn up for the management and conservation of the heritage remains from the Roşia Montană area, in the context of the implementation of the mining project. These plans have been included in the documentation prepared for the Report on the Environmental Impact Assessment Study. (see EIA Report, volume 32-33, *Plan M-Cultural Heritage Management Plan*, part I –*Management Plan for the Archaeological Heritage from Roşia Montană Area*; part II-*Management Plan for the Historical Monuments and Protected Zone from Roşia Montană*; part III- *Cultural Heritage Management Plan*).

These management plans comprise detailed presentations of the obligations and responsibilities regarding the protection and conservation of the heritage remains from the Roşia Montană area, which the company has assumed in the context of the implementation of the mining project, according to the decision of the central government. These heritage remains include: archaeological remains above and under the ground, historic buildings, protected areas, intangible heritage assets, cultural landscape items, etc. In this context, it should be noted that besides the works for the protection and preservation of the archaeological heritage, works are being carried out for the rehabilitation and conservation of the protected area Historical Centre Roşia Montană (comprising 35 historic buildings, and projects for the restoration of 11 of these buildings are currently being drafted), Tăul Mare, Tăul Brazi and Tăul Anghel as well as remains of the surface mining works from the Vaidoiaia area and the creation of a modern museum dedicated to the history of mining in the Apuseni Mountains area. This museum will be established in the coming years and it will include exhibitions of geology, archaeology, industrial and ethnographic heritage as well as an underground section organized around the Cătălina Monuleşti gallery.

Moreover, representatives of the Directorate for Culture, Religious Affairs and National Cultural Heritage of Alba County have visited Roşia Montană many times in order to collect information and to check the situation. The same administrative body was the intermediary for the specific stages of acquisitions of historic buildings made by RMGC. The Ministry of Culture and Religious Affairs expressed its pre-emption right regarding the acquisition of these buildings.

Note that apart from the obligations undertaken by RMGC as regards the protection and conservation of the archaeological remains and historical monuments, there are a whole series of obligations, which rest with the local public authorities from Roşia Montană and from Alba County and with the central public authorities, namely the Romanian Government.

These aspects are further detailed in the Cultural Heritage Management Plans included in the EIA Report (see EIA Report, volume 32, *Management Plan for the Archaeological Heritage from Roşia Montană Area*, pages 21-22, 47, 52-53, 66-67-Romanian version/ 22-24; 47; 55-56; 71-72 English version) and the EIA Report, volume 33- *Management Plan for the Historical Monuments and Protected Zone from Roşia Montană* pages 28-29, 48-50, 52-53, 64-65, page 98 – Annex 1- Romanian version/ 28-29; 47-50; 51-53; 65-66; 103- Annex 1- English version).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3020
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112893/25.08.2006
RMGC internal unique code	MMGA_1302
Proposal	<p>The questioner does not agree to the Rosia Montana gold and silver mining project formulating the following remarks and comments: Destruction of the Orlea and Carnic massifs, flora, fauna and historical vestiges;</p>
Solution	<p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>Most of the Roman mining works in the Cărnic massif, as well as in other mining areas can only be accessed by specialists, in very difficult conditions, being partially inaccessible to the public. Moreover, under the EU safety rules applying to similar museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. It should be noted that extensive portions of comparable Roman galleries will be preserved in situ.</p> <p>Consequently, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Ministry of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cărnic Massif, with the exception of a 5 ha area, including Piatra Corbului. As part of the effort to minimize negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation as well as replicas of these structures (at a scale of 1:1). These will be included in the mining museum that is proposed at Roşia Montană. A lawsuit has been filed with regard to the archaeological discharge certificate and the case is currently in progress.</p> <p>As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex “Costs Estimate for the Development of Ancient Mining Networks from Cărnic Massif”, prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).</p> <p>Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines. (Cultural Heritage Baseline Report, vol. 6, p. 46).</p> <p>Under the Government Ordinance no. 43/2000 on the protection of the cultural heritage and the designation of some archaeological sites as areas of national interest, as last amended, “the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the</p>

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area affected by works. The investor shall finance the enforcement of such measures”.

Surface and underground preventive archaeological researches will continue in the Orlea area, that is in an area with identified archaeological potential (as mentioned in The Cultural Heritage Baseline Report, vol. 6, page 48). In addition, it has been stated here that the researches undertaken so far in this massif are preliminary in character. Also, please note that the EIA report mentions the following: given that mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is planned to start in 2007. “As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with the Romanian law and international best practice is concluded”. (Cultural Heritage Baseline Report, vol. 6, p. 46).

In 2004, the preliminary underground investigations, undertaken in the Orlea Massif, have led to a significant discovery. The value of the discovery was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet uncovered a chamber with a hydraulic wheel, and subsequently an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was dated to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation *in situ*. The discovery would not be affected by the future development of the Orlea open pit. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea- Țarina segment are planned to be undertaken between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 48.

In the 1980s, a mining museum was developed in the Orlea massif. The museum included a series of well-preserved galleries that have been separated from adjacent, access galleries by concrete walls. The Orlea galleries, as well as those in the Cărnic massif and in other mining areas in Roșia Montană, are trapezoidal in form. During the successive reworking and mining of these galleries, part of the Roman remains have been destroyed. In addition, the galleries suffered further deterioration, especially due to the recent mining works using drilling-blasting techniques that caused cave-ins and deterioration of underground mining remains. The removal of mine waste in the course of archaeological research adds to the process of deterioration of the Roman galleries, further accentuated by the closure of mining operations at Minvest (1<sup>st</sup> June, 2006) –given that the mining activities have ensured a minimal level of mine dewatering. Under the existing legislation, shutting down mining activities requires a comprehensive set of conservation measures. However, at Roșia Montană the mine was abandoned without any other restoration works. Just a couple of months later, drainage channels inside the Sfânta Cruce gallery, the main drainage gallery, got clogged, which led to the flooding of a number of galleries, several kilometers long. Proper maintenance works are needed if the archaeological remains are to be preserved for future generations. In the absence of such measures the result will be disastrous, and the parts of galleries that have been preserved will disappear as a result of cave-ins and flooding. The Roman steps at Brad (Roman mining remains covered by Law 5/2000) are illustrative in this respect-once maintenance works stopped, the galleries became inaccessible.

In accordance with the List of Historic Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).

Law 422/2001 on the protection of historic monuments, as last amended, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use (Law 258/2006, art. 5, paragraph 2). Consequently, it is true that RMGC plans to mine the gold-silver deposits located in the Orlea Massif area, in the second phase of the proposed mining project.

Consequently, the proposed mining operations in the Orlea Massif can be developed only after the completion of preventive, surface and underground archaeological researches, that will produce a comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Archaeological Site Record Card-9. Orlea Massif, p.231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would

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determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be undertaken between 2007-2012 by an expert team. Based on the research findings, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal provisions that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

Given the significance of the Roșia Montană's cultural heritage, and the current legal requirements, S.C. Roșia Montană Gold Corporation S.A allocated more than USD 10 million for the archaeological investigations carried out between 2001-2006. What is more, based on the research results, on the experts' opinions and on the decision of competent authorities, the budget for the next years, allocated for the research, conservation and restoration of the Roșia Montană's cultural heritage, undertaken as part of the project development, amounts to more than USD 25 million, as indicated in the Environmental Impact Assessment Study, published in May 2006 (see the EIA Report, vol. 32, Management Plan for the Archaeological Heritage from the Roșia Montană area, p. 84-85). Archaeological research in the Orlea area is to be continued, and a **Modern Mining Museum** will be opened, including **geology, archaeology, ethnographic and industrial heritage exhibitions**. Other plans include the development for public access of the **Cătălina-Monulești gallery and the Tău Găuri monument, as well as the restoration of the 41 historical buildings and of the protected zone Roșia Montană Historic Centre**.

For further information on the most important archaeological remains, as well as on a series of comments on their preservation and on the special measures included in the management plans, please consult the Annex called "Information on the Cultural Heritage of Roșia Montană and Related Management Aspects".

In conclusion, with regard to your question, please note that under no circumstances will the Roman galleries at Roșia Montană be destroyed or replaced with replicas without being first investigated and studied.

Based on the research results, on the international guidelines and best practices in the field, it has been decided that the most effective solution for enhancing this type of cultural heritage is to preserve *in situ* the most significant underground mining archaeological remains uncovered at Roșia Montană, and to create exact replicas of the galleries that cannot be opened for public access, either due to safety reasons or because of the state of preservation of the remains.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3027
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 111774/25.08.2006
RMGC internal unique code	MMGA_1335
Proposal	There is no real protection of the cultural heritage
Solution	<p>Until 2000, Roșia Montană was considered to be an area having archaeological potential, where no archaeological excavations have been performed. These excavations were necessary to outline in detail the diversity of the component elements of the site.</p> <p>In fact in the area of Cetate, Cârnic, Jig and Orlea Massifs, which are located in the upper part of the Roșia Valley and Corna Valley respectively, in the administrative radius of Roșia Montană commune, there have been known a series of random archaeological discoveries – epigraphic monuments, funerary architecture items – which were providing enough clues to assume the existence of some archaeological sites.</p> <p>The other heritage values from Roșia Montană – ponds, historic monument buildings, traditions and habits – have been known in general, but only in 2001 the Ministry of Culture and Religious Affairs has decided to deal with this complex issue in an unified manner.</p> <p>Nowadays, after ample research works that have been developed during the last 7 years, their nature, characteristics and the distribution of the heritage values are well known – archaeological sites, historic monument buildings, as well as churches and cemeteries from the Roșia Montană area. Ample researches and heritage studies that have been developed between 2000-2006 have allowed to outline an image that incorporates these values belonging to the national cultural heritage and to the areas having spiritual value, as well as adopting some specific measures with regard to their protection.</p> <p>Therefore, in compliance with the requirements of the Ministry of Environment and Water Management, and the Ministry of Culture and Religious Affairs in the framework of the Report on Environmental Impact Assessment Study for the Roșia Montană Project, specific management plans have been prepared in order to manage and conserve the heritage values from the Roșia Montană area, in the framework of the implementation of the mining project (see the Report on Environmental Impact Assessment, volume 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for Archaeological Heritage from Roșia Montană area, part II – Management Plan for Historic Monuments and Protected Areas from Roșia Montană, part III – Cultural Heritage Management Plan).</p> <p>In order to provide a very synthetic answer to the opinions formulated by you, we state the followings:</p> <ul style="list-style-type: none"> <li>- Roman galleries located in the massifs from the southern half of the Roșia Valley have been researched in detail and specific conservation measures have been recommended for the Cătălina Monulești and Piatra Corbului areas;</li> <li>- Roman galleries located in the northern half of the Roșia Valley have been preliminary researched and in the case of several exceptional discoveries as those from the mining sector Păru Carpeni, specific conservation measures have been proposed; Orlea area – Țarina is going to be researched in detail between 2007-2012;</li> <li>- Through the preventive archaeological researches from 2001-2006 there have been outlined and researched 13 archaeological sites, for some of these – after the closure of the exhaustive researches – the decision to implement the archaeological discharge procedure has been made, and for other cases the in situ conservation has been agreed upon – the funerary monument from Tău Găuri, Roman vestiges from the Carpeni Hill, Orlea area is going to be minutely researched between 2007-2012.</li> </ul>

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Taking in to account the importance of the cultural heritage from Roşia Montană and the applicable legal provisions, SC Roşia Montană Gold Corporation SA has funded between 2001-2006 a budget of more than \$ US 10 million for the heritage research works.

Moreover, considering the results of the researches, the experts opinions and the decisions formulated by relevant authorities, during the next years, the company is about to allocate a budget of US\$25 million for the research, conservation and restoration of the Roşia Montană cultural heritage, if the mining project is going to be implemented; as it has been made public in the Environmental Impact Assessment Study in May 2006 (see the Report on Environmental Impact Assessment Study, volume 32, Management Plan for Archaeological Heritage from Roşia Montană area, page 84-85).

Therefore, it is taken into account the continuation of the researches in the Orlea area, but especially the creation of a **Modern Mining Museum with geology, archaeology, industrial and ethnographic heritage exhibitions**, as well as setting up tourists' access in the **Cătălina-Monuleşti** gallery and at the monument from **Tău Găuri** as well as the **conservation and restoration of those 41 historic monument buildings and of the protected area Roşia Montană Historic Centre**.

All these commitments publicly assumed by Company are minutely presented within the Report on the Environment Impact Study, vol. 33, Cultural Heritage Management Plan.

We underline the fact that besides the liabilities assumed by RMGC, with regard to the protection and conservation of the archaeological vestiges and historic monuments, there is an entire suite of obligations for the local public authorities from Roşia Montană and Alba county, as well as for central authorities, the Romanian Government respectively.

Management plans for cultural heritage included in the Report on Environmental Impact Assessment Study have been created in order to set the most responsible approach of the project, in such a manner to ensure the protection and conservation of the cultural heritage (see the Report on Environmental Impact Assessment study, volume 32, Management Plan for Archaeological Heritage from Roşia Montană area, page 22-24, 49, 55-56, 71-72 and Report on Environmental Impact Assessment study, volume 33, Management Plan for Historic Monuments and Protected Areas from Roşia Montană area, page 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1)

**As far as the detail information is concerned regarding the main cultural heritage values, as well as a series of considerations related to the protection and the specific anticipated measures within the Management plans, please be so kind and read the annex entitled "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects"**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3030
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112171/25.08.2006
RMGC internal unique code	MMGA_1341
Proposal	<p>The international and national legislation on cultural patrimony preservation is not observed. The infringements of the legislation regarding the cultural patrimony are presented within the annex to the contestation.</p>
Solution	<p>There are no legal provisions that might prohibit the conduct of preventative archeological research in the case of identified and classified archeological heritage areas, as is the case at Roşia Montană. However, the building activities involved in Project implementation can not be initiated on the various sites before archeological investigations carried out under the Romanian legal provisions and international recommendations and practice have been finalized. Thus, during 2001-2006, comprehensive preventative archeological research was conducted at Roşia Montană, and the results supported either the archeological discharge decision or a decision on the necessary measures to preserve and protect certain areas.</p> <p>Based on the mining license No. 47/1999, RMGC obtained the rights to conduct mining activities in the Roşia Montană area, including Orlea mountain, as well as in other areas subject to a protection regime according to the applicable legislation regarding the cultural heritage protection. If the ban imposed by Article 11 had been absolute, the Mining Law would have provided the legal obligation not to allow mining sites in areas where a protection regime has been enforced.</p> <p>However, Government Ordinance No. 43/2000 on the protection of the archeological heritage and the establishment of certain archeological sites as national interest areas, as further amended ("GO No. 43/2000") and Law No. 422/2001 on the protection of historical monuments, as republished ("Law No. 422/2001") provides specific procedures for the reclamation of the respective sites for current human activities by the declassification of historical monuments and the removal of the archeological discharge obligation, these procedures being the applicable rule in any situation involving works that require a building permit for the development of land subjected to a protection regime. Under Law 422/2001, it is possible to apply the legal declassification procedure in case of archeological discharge of for archeological sites, as approved by the National Archeology Commission of the Ministry of Culture and Religious Affairs. Under the law, the archeological discharge is the procedure which confirms that a site where archeological heritage has been identified may be reclaimed for current human activities (Law No. 258/2006). Under GO 43/2000, amended by Law 258/2006, Law 462/2003, and Law 258/2006, Article 7, letter a), the investor has the obligation to finance the "establishment, based on the investment feasibility study and the technical project, of the measures to be detailed and the necessary funds for preventative research or archeological surveillance, as applicable, and the protection of the archeological heritage or, as applicable, archeological discharge of the area affected by the works and the implementation of the said measures."</p> <p>The Mining Law does not ban the use of such procedures, allowing that, under exceptional circumstances, the Government may be empowered, based on the Mining Law, to establish by Decision the cases where the conduct of mining activities may be possible without following the generally applicable procedures provided by GO No. 43/2000 and Law No. 422/2001. Such Government Decision is not necessary in the case of the Roşia Montană Project, as RMGC is following the decisions and procedures provided in GO 43/2000 and Law No. 422/2001 for the removal of the archeological duty of care obligation for the sites that will be impacted by mining activities, which will be returned to current human activities under the law. Also, for the existing cultural heritage assets on the Roşia Montană site that have been classified under the law, the Project provides for the establishment of protected areas within which no mining activities will be conducted, and the on-site conservation of the historical monuments outside such areas.</p> <p>All the <b>preventive archeological research</b> conducted at Roşia Montană from 2001 to the present has</p>



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been developed under the “Alburnus Maior” National Research Program, under the relevant laws, and preventative archeological digging permits. Archeological research is under the scientific coordination of the National History Museum of Romania, and involves 21 Romanian and 3 foreign specialist institutions, with the notable essential contribution of the mining archeology team from the University of Toulouse Le Mirail, led by Dr. Beatrice Cauuet. The research conducted during each archeological campaign is permitted by the Ministry of Culture and Religious Affairs based on the annual archeological research plan approved by the National Archeology Commission. The investor’s obligation – RMGC in this case – to finance the “,...] a) establishment, based on the investment feasibility study and the technical project, the measures to be detailed and the necessary funds for preventative research or archeological surveillance, as applicable, and the protection of the archeological heritage or, as applicable, archeological discharge of the area affected by the works and the implementation of the said measures; b) archeological surveillance activity, throughout the operations, aiming to protect the archeological heritage and change archeological finds; c) any change in the project, necessary for the protection of archeological finds[...], and “,...] the costs of archeological research required for environmental permitting are to be borne by the investment titleholder [...]” (cf. GO 43/2000 as further amended by Law 378/2001, Law 462/2003 and Law 258/2006, Article 2 – para.(11) and Article 7) were fully complied with, with the mining company allocating during 2000-2006 a budget of about US\$10 million to this purpose, while in regard to the obligations assumed by this investor in the implementation of the mining project, RMGC has presented management proposals in detail in the Report on the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 32 and 33, i.e. Management Plan for the Archeological Heritage in Roșia Montană, Management Plan for the Historic Monuments and Protected Areas in Roșia Montană, and Cultural Heritage Management Plan, respectively.

As for international legislation, World Bank operational policy note 11.03 is the most often quoted action directive considered by the international financial institutions in relation to archeological resources. The United Nations definition of cultural heritage was adopted in the light of this policy, i.e. “Cultural Property” includes archaeological (prehistoric) assets, palaeontological, historical, religious, and unique natural features. Therefore, cultural property will include both relics of previous human habitation (such as landfills, altars, battlegrounds) and unique natural values such as canyons or waterfalls.” The objective of operational policy note 11.03 is to avoid or mitigate any adverse impact on the cultural resources in the context of any World Bank funded project development. Although RMGC does not necessarily aim to obtain funding from the World Bank, this directive has become a standard approach for responsible industrial development projects. Therefore, RMGC will adhere to the definition given to Cultural Property by the World Bank and to the requirements deriving from this directive as a means to ensure multilateral, world standard management of the cultural resources at Roșia Montană.

Currently, the World Bank is developing its Operational Policy 4.11 on Cultural Property, which will include the World Bank definition of cultural property as well as policies and procedural guidance.

ICOMOS is the International Council of Monuments and Sites, a non-governmental professional organization dedicated to the conservation of world heritage monuments and sites. The ICOMOS Charter was drafted based on the results of the Venice Charter and provides a global approach to the archeological heritage. According to this Charter, archeological heritage means the following: “The part of material heritage for which archeological research provides primary information. It includes all the relics of human existence and consists of the places related to any aspect of human activity, abandoned structures, and diverse relics (including underground and underwater structures), as well as the mobile cultural goods associated thereto”.

The Charter highlights the role played by a team of qualified professionals, not limited to archeologists, in the process of assessing, investigating, and studying conducted during the pre-construction stage and which forms the basis for further management measures.

In 2004, **Mounir Bouchenaki**, the ICOMOS official, on a fact gathering mission at Roșia Montană, heard all the parties involved in the project. He appreciated the high quality standard of the research and results, and concluded that only by encouraging dialog and cooperation may viable solutions be found for the co-existence of necessary industrial development and scientific capitalization, or, if necessary, conservation of the cultural heritage. In his opinion, better advertising of work and results will aim to counteract the current misinformation of many European archeologists, some of which signed the often invoked protests.

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RMGC has financed to date – under the law – a 6 year archeological research program placed under the scientific coordination of the National History Museum of Romania, and which is presented in detail in the Environmental Impact Assessment Report for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Report. This work was conducted in full compliance with the provisions of the above protocols, and RMGC has assumed the commitment to ensure further adherence to these protocols during the archeological research work described in this plan.

Another basic principle of the ICOMOS Charter is the recommendation that archeological resources should be preserved for further archeological research and that the archeological heritage should be known and appreciated by the public.

In practice, where necessary, on-site conservation and restoration of the archeological assets was preferred, as in the case of the circular Funerary Monument at *Hop-Găuri* (monographical volume *Alburnus Maior II*, Bucharest 2004), or the area was established as an archeological reserve, as in the case of Carpeni Hill. There are also cases when protected areas were established as that one from Piatra Corbului (south – east of Cărnic massif) or the area of the Roșia Montană historic centre which contains historical architectural assets (35 historical monument houses), archaeological remains or elements of landscape. On the other hand, in the case of all identified areas as having archaeological potential resulted from evaluation, the archeological research was exhaustive, and on the basis of the reports elaborated by the archeological teams and of the conclusions formulated by specialists and after the advice of the National Archaeological Commission, the Ministry of Culture and Religious Affairs decided the issuance of the archeological discharge certificate.

In conclusion, it is useful to recall a few findings listed in the Information Report drafted for the Committee on Science, Culture and Education of the Parliamentary Assembly of the Council of Europe by Edward O'Hara, General Rapporteur on the Cultural Heritage, in late 2004, regarding the cultural heritage research program for the Roșia Montană area:

[...] 10. The RMGC project would appear to provide an economic basis for sustainable development of the whole area with positive benefits on environmental and social as well as cultural grounds. From the cultural heritage point of view, it might be seen as an exemplary project of responsible development. The funds currently made available by RMGC for research (archaeological, ethnological, and architectural) are many times what could be expected from the Government. This has revived the international renown of the site.

11. The RMGC project would appear to provide an economic basis for sustainable development of the whole area with positive benefits on environmental and social as well as cultural grounds. From the cultural heritage point of view it might be seen as an exemplary project of responsible development. The funds currently made available by RMGC for research (archaeological, ethnological, architectural) are many times what could be expected from the Government. This has revived the international renown of the site. Further significant finds may still be made.

12. Concern has been expressed by critics over the procedure (allegedly superficial archaeological discharges) and conservation ethics, involving the programmed destruction of Roman galleries. This concern does not appear to be entirely justified. The reworked galleries in the areas of the main pits Cărnic and Cetate appear empty of any archaeologically interesting remains. Tourist access to most galleries would be impossible. However, the condition must clearly be imposed of continued archaeological excavation and monitoring of what is found.

[...] 16. Opposition to the RMGC project is substantial. It is not altogether easy to explain. It has been linked to profiteering on local property values. It is very much fuelled by outside bodies, presumably well-meaning but possibly counter-productively. It seems in part at least exaggerated. The supposed environmental risks do not take account of modern mining techniques and in fact, the RMGC project will help to clear up existing pollution caused by Minvest. The academic arguments are possibly correct in principle, but appear excessively fundamentalist.

17. [...] Thus, fundamental principles should be balanced against practical realities. Research does not necessarily imply the need for everything found to be preserved and the academic ideal of total in situ preservation is perhaps not always and altogether appropriate in a situation of rescue archaeology and a commercial world. This is certainly so in the case of *in situ* preservation of the Roman galleries at Roșia

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Montană. There are over 5 km of them, apparently with a limited variety of distinctiveness between them and few surviving remains in them. Most of them are inaccessible, indeed dangerous of access to tourists. Alternative proposals such as designation of the whole area as a cultural landscape to be developed for tourism lack viability. The only available source of funding for this is from the company, which wishes to exploit the mineral resources. Certainly there is a need to determine and preserve a representative sample of galleries accessible for tourists, at Cătălina Monulești and/or Orlea, and certainly there is a need for continuous monitoring to ensure the preservation of anything of distinctive archaeological value, which is revealed in the course of mining or archaeological exploration. This is the responsibility of the Ministry of Culture [...].

For details of the applicable legislative framework, the legal obligations of the project titleholder and a detailed and complementary description of the preventive archaeological researches performed until now and of the cultural heritage management plans, the annex entitled “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects” may be consulted. It also contains additional information on the research conducted under the “Alburnus Maior” National Research Program during 2001-2006.

In conclusion, we mention that there is no destruction of the archaeological remains from Roșia Montană. This type of research – known as preventive / rescue archaeological research is performed all over the world, in connection with the economic interest for certain areas, and its costs as well as the enhancement and maintenance costs of the preserved areas are assured by investors, through a public – private partnership in order to protect the cultural heritage according to the provisions of the European Convention from Malta (1992) regarding the Archaeological heritage protection [1].

[1] The convention text is available on web:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3030
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112171/25.08.2006
RMGC internal unique code	MMGA_1342
Proposal	<p>The financing sources in order to point out the central zone from Roşia Montana are actually EU financing sources. The infringements of the legislation regarding the cultural patrimony are presented within the annex to the contestation</p>
Solution	<p>The funds to be provided by RMGC for the enhancement of the central zone of Roşia Montană, should the Roşia Montană project (RMP) be implemented, will come from the company's own sources and not from EU funds. This is presented in the EIA Report for the RMP, volumes 32, 33- the Management Plan for the Archaeological Heritage from Roşia Montană Zone, Management Plan for Historical Monuments and Protected Zone from Roşia Montană and the Cultural Heritage Management Plan.</p> <p>Under the provisions of the modified Government Ordinance no. 43/2000 regarding the archaeological heritage and the establishment of some archaeological sites as national interest areas, an investor should provide the necessary funds for the preventive archaeological investigations and related heritage surveys, in the case when intends to realize a project within the areas with archaeological potential. As an investor, SC Roşia Montană Gold Corporation has assumed this legal obligation since 2000 on and committed a budget of approximately US\$ 10 million for this purpose.</p> <p>Under the legislation in force on the protection of the heritage, the investor - here RMGC - is under the obligation to finance:</p> <ul style="list-style-type: none"> <li>- „[...] a). the draw up of a feasibility study and an engineering design meant to establish the measures later to be presented in detail and the necessary funds for carrying out preventive archaeological investigations or archaeological monitoring (as appropriate), and also to finance the protection of the archaeological heritage or the archaeological discharge procedure (as appropriate) for the area impacted by works and the implementation of these measures;</li> <li>- b). the archaeological monitoring undertaken throughout the duration of the archaeological works, in order to protect the archaeological heritage and the archaeological chance finds;</li> <li>- c). any changes in the project, necessary for the protection of the archaeological finds [...];</li> </ul> <p>“( [...] The project titleholder shall bear the costs of the archaeological researches required for the environmental permit [...]” (according to the Government Ordinance 43/2000 regarding the archaeological heritage protection and establishing of archaeological site as areas of national interest as subsequently amended and completed by Law 378/2001, Law 462/2003 and Law 258/2006, article 2, paragraph (11) and article 7).</p> <p>RMGC's declared purpose is to ensure the necessary conditions for the investigation, registration, protection and public enhancement of the cultural heritage in the Roşia Montană area, in compliance with Law 378/2001, revised by Law 462/2003 and Law 258/2006 on the protection of the archaeological heritage, and with Law 422/2001 regarding the historical monuments protection modified by Law 259/2006.</p> <p>Thus, the funds to be provided by the company in the coming years –should the RMP be implemented- for research, preservation, restoration, enhancement and maintenance of the cultural remains (including those archaeological) from the central zone of Roşia Montană amount to over US\$ 13 million.</p>

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The budget planned for the period 2007-2022 is structured on three main components: research, conservation and restoration. This budget is available for consultation in the EIA Report, volume 32, Management Plan for the Archaeological heritage from Roşia Montană Zone (pages 84-85).

As published in the EIA Report, once the Roşia Montană Mining Project is approved, all historic buildings in Roşia Montană, owned by RMGC, will be included in a comprehensive restoration and conservation program. Should any historical monument buildings remain under the ownership of various institutions or natural persons, upon their consent, RMGC will finance the restoration of the buildings in full compliance with the specific guidelines issued by the Ministry of Culture and Religious Affairs.

The funds to be provided by the company in the coming years –should the RMP be implemented- for research, preservation, restoration, enhancement and maintenance of the cultural remains from the central zone of Roşia Montană amount to over US\$ 3.3 million.

Thus, RMGC has fulfilled its current legal obligations as owner of historic buildings. By assuming the responsibilities detailed in the Management Plan for Historical Monuments and Protected Zone from Roşia Montană, the company aims to continue with this responsible approach and to ensure the necessary funds for the restoration and conservation of historic buildings and of the historical centre of Roşia Montană. All the interventions on these buildings will be carried out in compliance with current legal provisions and with the conclusions of the specialized study conducted by the Bucharest Technical University of Civil Engineering and the National Centre for Seismic Engineering and Vibrations on the historic buildings from Roşia Montană in the period 2005-2006.

It should be mentioned, however, that apart from the obligations undertaken by RMGC as regards the protection and conservation of the archaeological remains and historical monuments, there are also a series of obligations which rest with the local public authorities from Roşia Montană and from Alba County and with the central public authorities, specifically the Romanian Government.

These aspects are further detailed in the Cultural Heritage Management Plans included in the EIA Report (see EIA Report, volume 32, Management Plan for the Archaeological Heritage from Roşia Montană Zone, pages 22-24, 49, 55-56, 71-72 EIA Report, volume 33- Management Plan for the Historical Monuments and Protected Zone from Roşia Montană pages 28-29, 47-50, 51-53, 65-66, page 103– Annex 1). In this context, Annex 2 to the Management Plan for the Historical Monuments and Protected Zone from Roşia Montană, page 99, comprises a presentation of a series of potential sources of financing for the implementation of this strategy and it is clearly identified that these sources are additional to those already publicly ensured by the company.

In conclusion, it should be noted that all these measures of protection and enhancement, synthesized in the Management Plan for the Archaeological Heritage from Roşia Montană Zone would be analyzed by the Ministry of Culture and Religious Affairs within the permitting process established by the procedure for the issuance of the environmental agreement for the Roşia Montană Project. Based on this analysis, the Ministry of Culture and Religious Affairs will express its point of view in compliance with the legal provisions and with its competences.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3040
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112911/25.08.2006
RMGC internal unique code	MMGA_1356
Proposal	<p>The impact which will be caused by the four open pits on the protection area was not sufficiently evaluated</p>
Solution	<p>The project's impact on the protected areas was assessed in the March 2006 study of the preservation status of the historic buildings in Roşia Montană. This study was conducted by IPROMIN and by the Bucharest Technical University of Civil Engineering, institutions with a broad expertise in mine engineering and constructions safety. This study proposes safety measures for the consolidation of these buildings. The same institutions also conducted an experimental study to measure the vibrations caused by the blasting procedures in the protected area of the historical centre and on the historical buildings located outside the protected area. Measurements have been performed by simulating a major blasting with 3,000 kg of explosives detonated under normal conditions, without any delay stages or the use some other state-of-the-art technologies, which are common practice in modern mining. This study established measures for mitigating the potential impact generated by the four open-pits, and more specifically the effects caused by blasting on historic buildings.</p> <p>RMGC has publicly committed - in the EIA - to undertaking a comprehensive program for the rehabilitation and restoration of the historical monuments and of the Protected Area Historical Centre Roşia Montană. Thus, the company plans to spend significant amounts of money in this direction on the basis of having taken all the technical and safety measures required in order to prevent these structures from being affected by the future mining operation.</p> <p>In Roşia Montană the following areas comprise archaeological remains that are included in the List of Historical Monuments 2004: the Alburnus Maior archaeological site – Roşia Montană (with no other details as to its location and limits), with its components; the Roman settlement located at Alburnus Maior in the Orlea area; the Roman mining operation at Alburnus Maior located in the Orlea massif; the Roman remains at Alburnus Maior located in the Carpeni area; the Roman funerary precinct from the Hop-Găuri area, the Cătălina Monuleşti gallery located in the protected area Historical Centre of Roşia Montană; the Roman galleries from the Cârnic massif in the Piatra Corbului area.</p> <p>The Historical Centre of Roşia Montană is also included on the List of Historical Monuments 2004. The following details are mentioned with regard to its location: the „Village Fair” („Târgul Satului”); the Square („Piaţa”); the Berg area; Brazilor Street and the area located upstream of the Square, towards the lakes. According to Law 5/2000 (article 5, paragraphs 2-3), local public authorities, with the support of central public authorities competent in this field, were under the obligation to establish the boundaries of the protection areas for the cultural heritage assets stipulated in Annex III to the above-mentioned law. This measure should have been taken within 12 months of the date when Law 5/2000 came into effect, and the protection areas should have been based on specific studies. For this purpose, the local public authorities had to prepare the town planning documentation and its related regulations. This documentation, developed and approved in accordance with the law, should provide the necessary protection and conservation measures for the national cultural heritage assets located in the area.</p> <p>In accordance with the legal provisions, in 2001, RMGC initiated the drafting of these town-planning documentations, specifically the General Urbanism Plan and the Zonal Urbanism Plan. These plans were developed by Romanian certified companies and they followed all the stages legally established for approval. The permit for the establishment of the protected area Historical Centre of Roşia Montană was issued by the Ministry of Culture and Religious Affairs in 2002 (permits no. 61/14.02.2002 and no. 178/20.06.2002) as part of the procedure for the approval of the town planning documentations. On the</p>

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basis of these permits, the Ministry of Culture and Religious Affairs requested the company to develop a Zonal Urban Plan for the Historical Centre of Roşia Montană. Out of the 41 historical buildings in Roşia Montană, 35 are located in the protected area Historical Centre of Roşia Montană, including the Catholic church. The extent of this area has been increased upon recommendation of the National Commission for Historical Monuments. According to these Plans, this area would be restored and conserved in its entirety and a Mining Museum would be established there which would comprise several sections: an open-air exhibition (which will include all the traditional -historical households and industrial heritage items), an exhibition on the history of mining in this area, an underground tourist circuit focused on the Cătălina Monuleşti gallery (where most of the wax tablets were found). However, the company does not plan to turn this area into a museum. On the contrary, all the houses in the area, including the restored historic buildings will continue to be inhabited by the local residents. As for those who decide to relocate, their houses will be used by the staff working for the RMP.

RMGC desires to protect and promote all these elements by means of special measures proposed both within the protected area Historical Centre Roşia Montană (restoration-consolidation-conservation) and in the industrial area (e.g. use of special blasting techniques, creation of buffer areas between the two perimeters; ongoing monitoring of the vibrations and blasting adjusted to the wave propagation speed, etc.).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3046
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112982/25.08.2006
RMGC internal unique code	MMGA_1362
Proposal	<p>The project will affect gravely the cultural patrimony and archeological vestiges unique in Europe – Roman galleries will be destroyed</p>
Solution	<p>As experts' reports and publications demonstrate, the Roman galleries from Roșia Montană are important but not unique. Therefore an inventory of the ancient mining sites from the territory of Transylvania and Banat – prepared in the framework of the development of the Environmental Impact Assessment Study for the Roșia Montană Project – supports the statement that the Roșia Montană site cannot be considered unique, at least out of the history of the roman mining operations within the Empire and in the province of Dacia in particular. There are at least 20 sites having almost similar characteristics – out of which some like Ruda Brad, Bucium – the area of Vulcoi Corabia and Haneș – Almașul Mare, have already offered concrete data on a archaeological potential that may be comparable to the ancient <i>Alburnus Maior</i> – all these contradict the idea of declaring this site unique.</p> <p>Roman galleries at Roșia Montană haven't been researched by experts in the field of mining archaeology until 1999 even if their existence had been known for more than 150 years. In fact, before 2000 these kind of archaeological vestiges have been scientifically unknown, the references in connection with these being in most of the times empirical. Neither the surface archaeological remains were better known prior to 2000. No archaeological researches were carried out here in the true sense of the word, but only information originating from chance finds occasioned by agricultural or construction activities.</p> <p>Archaeological mining researches that have been developed - starting with 1999 and up to now – by an expert multidisciplinary team from the University of Toulouse Le Mirail (France) coordinated by Beatrice Cauuet PhD have considered – for the first time in Romania – a detailed study on this kind of archaeological vestiges, namely ancient mining galleries, of ancient ages and not only. Ample researches and patrimony studies have been developed between 2000 and 2006 and have allowed to outline a comprehensive image of these values belonging to national cultural heritage, as well as the implementation of several specific measures with regard to their protection.</p> <p>Therefore, the study of these structures has represented their better insight and has also entailed making some relevant decisions with respect to their conservation and development. Based on the results of the researches that have been developed until now (concluded for Cetate, Carnic Jig Massifs and in development for Orlea Massif) it has been decided to conserve and develop the following areas hosting ancient mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monulești gallery - a gallery that is situated in the Historic Centre of Roșia Montană village, where the most significant set of wax coated tablets has been discovered together with an ancient drainage system for mine waters;</li> <li>- the Păru Carpeni mining area – situated in the south-eastern area of Orlea Massif where it has been discovered a system of superposed chambers having Roman wooden installations (wheels, channels etc.) for drainage;</li> <li>- the area Piatra Corbului – is situated in the south-western part of the Cărnic Massif; here have been kept traces of mining operations that have been developed using fire and water from the ancient and medieval ages;</li> <li>- the area of Văidoaia Massif – in the north-western part of the Roșia Montană village, where open pit mining areas are preserved even since the ancient era;</li> </ul> <p>The preventive archaeological researches developed during 2001-2006, have outlined and investigated 13 sites; for some of these – after the end of exhaustive researches – the decision to implement the archaeological discharge procedure has been made, and in other cases the in situ conservation has been agreed upon – the funerary monument at Tăul Găuri, the roman vestiges from the Carpeni hill; the Orlea</p>



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area is going to be minutely researched during 2007-2012.

Ample reopening, consolidation and development works have been provided for the historic mining galleries dating from Roman times and which have been discovered within the mining areas of Cătălina Monulești and Păru Carpeni. These works would allow their conservation *in situ* and the development of a circuit for public access. This decision has taken into consideration the value and the importance of exceptional archaeological vestiges conserved within these galleries, namely Roman wooden installations, developed during Roman times for discharging the mine waters (the so called “roman wheels”). Meanwhile, the gallery Cătălina Monulești is known as the one where - during the middle of the 19<sup>th</sup> century - it has been discovered the most important set of wax coated tablets (according to historic sources, out of a total of 32 known artefacts, 11 items have been found).

Most of the ancient mining works from Cărnic Massif, but also from other mining areas, are being accessible, under very difficult conditions, only to experts and are actually inaccessible for public. Moreover, the safety norms governing the development of certain similar activities in the museums from European Union and which are also going to become letter of the law in Romania are not compatible with the integral transformation of the Roman galleries, which are permanently exposed to elevated risk factors, in a space for tourists. We mention that there will be segments of Roman galleries which will be preserved *in situ*. Besides complete research and conservation, the experts have considered that the development of a three-dimensional model of these structures, as well as establishing 1:1 replicas in the framework of the future mining museum which is going to be built very soon at Roșia Montană.

As an alternative, the elaboration of a specialty study was taken into account in order to evaluate the costs needed for the integral preservation and introduction into the tourism circuit of the galleries situated in Cărnic massif. Thus, the necessary investments in order to arrange and maintain the public tourism in this massif rise at an amount unjustified from economic point of view (see the informative brochure entitled *Costs Estimate for the Development of Ancient Mining Networks from Cărnic* elaborated by British companies Gifford , Geo-Design and Forkers Ltd).

As far as the area of the Orlea Massif is concerned (the only area where ancient mining vestiges are being classified, namely cf. LMI 2004 Roman mining operations from Alburnus Maior, Orlea area (cod LMI AB-I-m-A-00065.02) the researches developed up to the present have had preliminary character. The detail research of this area is planned for the period 2007-2012, and -according to the legislation in force- measures can be undertaken -after completing these researches - either *in situ* conservation of certain sections, or the archaeological discharge procedure is going to be put into practice for some of them. Detail information on the random archaeological discoveries and on preliminary archaeological researches (at surface and underground) from the area of Orlea Massif have been published in the Environmental Impact Assessment Study for the Roșia Montană Project, volume 6 – Cultural Heritage Baseline Conditions, Annex I, page 219-222. We mention that the following explanatory note is stated: “Site development plans for the Project will not result in impacts or construction activities in the Orlea area, which will be investigated starting 2007. As a result, construction activities will not begin in these areas until proper archaeological investigation consistent with Romanian law and international best practice is concluded.”(Cultural Heritage Baseline Conditions, volume 6, page 46).

Within the Orlea Massif from Roșia Montană, a Mining Museum was established in 1980. In this mining perimeter a series of well preserved galleries were arranged and separated by concrete walls towards the mining works which assured the access. The Orlea galleries have a characteristic trapezoidal profile, similarly with the mining works from Cărnic and other mining sector from Roșia Montană. Also, these ancient works suffered in time successive “reshaping”, respectively the taking again having in regard the mining of new ore reserves. These mining works destroyed parts from these ancient remains. Moreover, their preservation state falls into disrepair due to the recent mining works which used drilling – blasting technology, a fact leading to the rock destabilization and destroying of the underground mining remains. The removal of the rockfill from the ancient mining works during the mining archaeological investigations represents another factor contributing to the degradation of the ancient mining works. The degradation of the preservation condition of the mining remains of all ages is accelerated also by the closure of the mining operation managed by Minvest (June 01 2006), which assured, at a minimum level, the global drainage of the system of galleries of the Roșia Montană mine. The closure of a mining activity, according to the national norms in force, implies an extremely wide range of preservation measures, but at Roșia Montană the extractive activity purely and simply was stopped, the mine being abandoned. After few

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months from abandon, the main gallery of the mine water drainage, namely the Sf. Cruce from Orlea gallery is in a critic condition. In fact, the mine water silted the drainage ways longer than several kilometers. In the case when this mining heritage will be only “frozen” without to take maintenance measures, having in regard their preservation for the next generations, the result will be disastrous. All still existing remains will disappear due to the underground falling and flood. An edifying example consists – unfortunately – from the “Roman steps” from Brad (Roman remains also listed by Law 5/2000) where these became inaccessible when the maintenance works ceased.

Taking in to account the importance of the cultural heritage from Roşia Montană and the applicable legal provisions, SC Roşia Montană Gold Corporation SA has funded between 2001-2006 a budget of more than US\$ 10 million for the research of the heritage. Moreover, considering the results of the researches, the experts opinions and the decisions formulated by relevant authorities, during the next years, the company is about to allocate a budget of US\$25 million for the research, conservation and restoration of the Roşia Montană cultural heritage, provided that the mining project is implemented; as it has been made public in the Environmental Impact Assessment Study in May 2006 (see the Report on Environmental Impact Assessment Study, volume 32, Management Plan for Archaeological Heritage from Roşia Montană area, page 78-79). Therefore, it is taken into account the continuation of the researches in the Orlea area, but especially the creation of a **Modern Mining Museum with geology, archaeology, industrial and ethnographic heritage exhibitions**, as well as setting up tourists’ access in the **Cătălina-Monuleşti** gallery and at the monument from **Tău Găuri** as well as **the conservation and restoration of those 41 historic monument buildings and of the protected area Roşia Montană Historic Centre**.

In order to get some information on the historic of the researches and of the main discoveries related to historic galleries at Roşia Montană, as well as to get to know the conclusions of the experts regarding this issue, and also the assessments for a tourist route dedicated to historic mining structures from the Cărnic Massif or the opinions formulated in 2004 by Edward O’Hara – rapporteur for heritage issues within the Parliamentary Assembly of Europe Council; we ask you to read the annexes entitled “Information on the Cultural Heritage of Roşia Montană and Related Management Aspects” and “Costs Estimate for the Development of Ancient Mining Networks from Cărnic”, as well as the annexed version in Romanian language of the O’Hara report. Detail information regarding the complex issue of the study on ancient mining activities from Roşia Montană, of the results of these researches and their development perspectives, they are all available in the Environmental Impact Assessment Study for the Roşia Montană Project, volume 6 – Baseline conditions page 26, 32-53, 79-105.

In conclusion, we want to underline the fact that the destruction of archaeological vestiges from Roşia Montană is out of the question. This kind of research – known under the title of preventive/rescue archaeological research – is made, however, all around the world, together with the economic interest for certain areas, and its costs, as the costs for the development and maintenance of the preserved areas, are guaranteed by those who are making the investment. Therefore, a public-private partnership is going to be developed for the protection of the cultural heritage, in compliance with the provisions of the European Convention from Malta (1992) on the protection of archaeological heritage [1].

It is worth stressing that, apart from the obligations RMGC has committed to in protecting and preserving archeological remains and historic monuments, there are a number of obligations that relate to both the local government authorities in Roşia Montană and Alba County and to the central government authorities, i.e. the Romanian State. The Cultural Heritage Management Plans included in the EIA Study Report provide clarification of such aspects (see EIA Report, vol. 32, Management Plan for the Archeological Heritage at Roşia Montană p. 22-24, 49, 55-56, 71-72 and EIA Report, vol. 33, Management Plan for the Historic Monuments and Protected Areas at Roşia Montană p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All these publicly assumed commitments of the Company are described in detail in the EIA Report, vol. 33 Cultural Heritage Management Plan.

References:

[1]You can find the text of the Convention at:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3065
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 111729/25.08.2006
RMGC internal unique code	MMGA_1364
<b>Proposal</b>	<p>Rosia Montana possesses remarkable archeological vestiges which will be destroyed due to the project implementation</p> <p>Based on the specialist reports and publications, the Roman galleries at Roşia Montană are considered important, but not unique. Thus, a catalog of ancient mining works in Transylvania and Banat – developed as part of the Environmental Impact Assessment Study for Roşia Montană – states that it is difficult to justify a claim that the Roşia Montană site is unique, at least in the context of Roman mining operations throughout the Empire, and particularly in Dacia Province. There are at least 20 other sites of relatively similar characteristics – some of which, including Ruda Brad, Bucium – the Vulcoi Corabia and the Haneş – Amlaşul Mare areas, have already provided real data on archeological remains comparable to the ancient <i>Alburnus Maior</i> and discount claims for the uniqueness of the site.</p> <p>Prior to 1999, the Roman galleries at Roşia Montană were not researched by mining archeology specialists, although their existence had been known for over 150 years. In practice, before 2000, this type of archeological remains was unknown from scientific research, the references connected to these being in most of the times empirical. Neither the surface archaeological were better known the real sense of the word, but information originated from chance finds occasioned by agricultural and construction works.</p> <p>Mining archeology research conducted – since 1999 – by a multi-disciplinary specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed to develop – as a first in Romania – a detailed study of this type of archeological remains, i.e. old mining galleries of Roman and later periods. Extensive research and heritage studies conducted during 200-2006 helped create a comprehensive image of these the national cultural heritage assets, and to adopt specific measures in regard to their protection.</p>
<b>Solution</b>	<p>The study of these structures therefore meant better knowledge and documented decision making in regard to their conservation and enhancement. Based on the results of research conducted to date (and finalized for Cetate, Cârnic, Jig and ongoing in Orlea), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monuleşti Gallery – located in the Historic Center of Roşia Montană, where the most important cache of wax tablets and an ancient mine drainage system had been found in the past;</li> <li>- mining sector Păru Carpeni – located in the south-eastern part of Orlea, where a successive chamber drainage system equipped with Roman wooden installations (wheels, channels, etc.) was discovered;</li> <li>- the Piatra Corbului area – located in the south-western part of Cârnic, and preserving traces of fire and water mining operations of ancient and medieval age;</li> <li>- the Văidoaia area – north-west of Roşia Montană village, preserving areas of ancient open cast mining.</li> </ul> <p>Preventive archeological research conducted in 2001-2006 helped define and research 13 archeological sites, for some of which – once exhaustive research work was finalized – the decision was to apply the archeological duty of care removal procedures, while for others it was decided to apply on site conservation – the funerary precinct at Tăul Găuri, the Roman relics on Dealu Carpeni; Orlea area will be researched in detail during the 2007-2012 period.</p> <p>As for the historic mining galleries of the Roman period discovered in the mining sectors of Cătălina Monuleşti and Păru Carpeni, comprehensive rehabilitation, reinforcement and development works have</p>

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been planned, in order help preserve them in situ and develop them for tourism. This decision was based on the value of the archeological remains preserved in the galleries, i.e. the wooden Roman installations built for the drainage of mine water during the Roman Age (the so-called Roman wheels). At the same time, the gallery at Cătălina Monulești is renowned for being the one where – in mid 19<sup>th</sup> century – the most significant cache of waxed tablets was discovered (according to the sources in the historical archives they were 11 of the 32 artifacts of this kind known to date).

Most of the ancient mining works in Carnic mountain, as well as other mining sectors, are only accessible in difficult conditions, to specialists, and are partly inaccessible to the public at large. Moreover, safety regulations governing similar activities in the museums of the European Union, and which will become law for Romania as well, are not compatible with the conversion of the Roman galleries, inherently exposed to high risk factors, to a space available to tourists. Note that there will be comparable Roman gallery sections that will be preserved on site. As an impact mitigation measure, apart from the full research and publication of research results, the specialists considered it appropriate to develop a 3D graphic model of these structures, and 1:1 replicas within the proposed mining museum at Roșia Montană.

As an alternative, the elaboration of a specialty study was taken into account in order to evaluate the costs needed for the integral preservation and introduction into the tourism circuit of the galleries situated in Cărnic massif. Thus, the necessary investments in order to arrange and maintain the public tourism in this massif rise at an amount unjustified from economic point of view (see the informative brochure entitled *Costs Estimate for the Development of Ancient Mining Networks from Cărnic* elaborated by British companies Gifford , Geo-Design and Forkers Ltd).

For the Orlea area (the only one where ancient mining relics have been classified to date, i.e. under HML 2004 Roman mining operations at Alburnus Maior, Orlea area cod LMI AB-I-m-A-00065.02), research has only been of a preliminary nature so far. Detailed research of this area is planned for 2007-2012, and when this research is finalized the necessary measures under the law will have to be taken, either to conserve some sections on site, or to apply the archeological duty of care removal procedure for others. Detailed information on random archeological discoveries and preliminary archeological research (both above and underground) in the area of Orlea Hill was published in the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Study, Annex I p. 231-236. Also note that the study further states: “As Project development in Orlea area has been scheduled for a later date, as of 2007, surface archeological investigations will focus on this area. Thus, the building activities involved in Project implementation can not be initiated before archeological investigations carried out under the Romanian legal provisions and international recommendations and practice have been finalized. (Cultural Heritage Baseline Study, vol. 6, p. 46).

Within the Orlea Massif from Roșia Montană, a Mining Museum was established in 1980. In this mining perimeter a series of well preserved galleries were arranged and separated by concrete walls towards the mining works which assured the access. The Orlea galleries have a characteristic trapezoidal profile, similarly with the mining works from Cărnic and other mining sector from Roșia Montană. Also, these ancient works suffered in time successive “reshaping”, respectively the taking again having in regard the mining of new ore reserves. These mining works destroyed parts from these ancient remains. Moreover, their preservation state falls into disrepair due to the recent mining works which used drilling – blasting technology, a fact leading to the rock destabilization and destroying of the underground mining remains. The removal of the rockfill from the ancient mining works during the mining archaeological investigations represents another factor contributing to the degradation of the ancient mining works. The degradation of the preservation condition of the mining remains of all ages is accelerated also by the closure of the mining operation managed by Minvest (June 01 2006), which assured, at a minimum level, the global drainage of the system of galleries of the Roșia Montană mine. The closure of a mining activity, according to the national norms in force, implies an extremely wide range of preservation measures, but at Roșia Montană the extractive activity purely and simply was stopped, the mine being abandoned. After few months from abandon, the main gallery of the mine water drainage, namely the Sf. Cruce from Orlea gallery is in a critic condition. In fact, the mine water silted the drainage ways longer than several kilometers. In the case when this mining heritage will be only “frozen” without to take maintenance measures, having in regard their preservation for the next generations, the result will be disastrous. All still existing remains will disappear due to the underground falling and flood. A relevant example consists – unfortunately – from the “Roman steps” from Brad (Roman remains also listed by Law 5/2000) where

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these became inaccessible when the maintenance works ceased.

Considering the importance of the cultural heritage at Roşia Montană and current legislation, the heritage research budget allocated for 2001-2006 by S.C. Roşia Montană Gold Corporation S.A. amounted to more than 10 million US\$. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roşia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment of May 2006 (see EIA Report vol. 32, Archeological Heritage Management Plan for Roşia Montană area, p. 84-84). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum** with **geological, archeological, industrial and ethnographic heritage** displays, and the development of tourist access to the **Cătălina-Monuleşti** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center**.

**For summary information on the history of the research and the main discoveries related to the historic galleries at Roşia Montană, as well as for specialist conclusions in the matter, and assessments of a potential tourist trail of the historic mining structures at Cărnic, or for the opinions formulated in 2004 by Edward O'Hara, General Rapporteur on the Cultural Heritage for the Parliamentary Assembly of the European Council, please consult the annexes entitled "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects" and "Costs Estimate for the Development of Ancient Mining Networks from Cărnic", as well as the annexed version in Romanian language of the O'Hara report. Detailed information on the complex issues involved in the study of old mining works at Roşia Montană, on the results of this research and the prospective capitalization options is available in the Environmental Impact Assessment Study for the Roşia Montană Project, vol. 6 – Baseline Study, p. 26, 32-53, 79-105.**

In conclusion, we note that there is no question of destroying the archeological remains at Roşia Montană, or of merely replacing them with replicas. Research of this type – known as preventative/rescue archeological research – is done everywhere in the world in relation to economic development of areas, and the costs thereof, as well as the costs of enhancing and maintaining the preserved areas, have to be provided by the investors, which leads to the establishment of a public private partnership in the protection of cultural assets, as provided by the European Convention of Malta (1992) on the protection of the archeological heritage [1].

It is worth stressing that, apart from the obligations RMGC has committed to in protecting and preserving archeological remains and historic monuments, there are a number of obligations that relate to both the local government authorities in Roşia Montană and Alba County and to the central government authorities, i.e. the Romanian State. The Cultural Heritage Management Plans included in the EIA Study Report provide clarification of such aspects (see EIA Report, vol. 32, Management Plan for the Archeological Heritage at Roşia Montană p. 22-24; 49; 55-56; 71-72 and EIA Report, vol. 33, Management Plan for the Historic Monuments and Protected Areas at Roşia Montană p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All these publicly assumed commitments of the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

References:

[1] - The text of this Convention is available on website:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3115
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112129/25.08.2006
RMGC internal unique code	MMGA_1394
<b>Proposal</b>	<p>The Roman galleries, which will be destroyed during exploitation, are not specified within the cultural patrimony administration.</p> <p>The following segments of Roman galleries are going to be impacted by the implementation of the Roșia Montană project:</p> <ul style="list-style-type: none"> <li>-in the Cărnic massif – parts from the ancient mining galleries from the area known as the Big Network, which is located on the Southern slope of this massif;</li> <li>- in the Cetate massif – remains of the ancient mining works conducted at surface in the Găuri area, in the South-Western part of this massif;</li> <li>- in the Orlea massif – the area in under research until 2012 and consequently in this case there is no a conclusive point of view.</li> </ul> <p>In order to mitigate this impact on some segments of Roman galleries, the following areas are going to be conserved <i>in situ</i>:</p>
<b>Solution</b>	<ul style="list-style-type: none"> <li>-in the Cărnic massif- ancient mining works above and under the ground in the Pietra Corbului area, located in the South-Western part of the massif;</li> <li>-in the Lety-Cos massifs- the Cătălina Monulești gallery, including a Roman mine dewatering system;</li> <li>-in the Văidoaia massif – remains of the ancient mining works found at surface in the Central-South part of the massif;</li> <li>-in the Orlea massif- the Păru Carpeni mining sector, including a Roman mine dewatering system and the parts of the mining works served by this system.</li> </ul> <p>Moreover, it is proposed to turn the the Cătălina Monulești gallery into a part of the future museum respectively as a tourism route for underground visit organized on the basis of some segments of Roman galleries preserved in situ. In addition, as is done in many European museums (reconstitution of mines as Rio Rinto in Spain or Kilhope in Wales-Great Britain), segments from the galleries whose specific characteristics do not occur in the Cătălina Monulești gallery will be reconstructed as reconstitutions at a scale of 1:1.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3135
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 112122/25.08.2006
RMGC internal unique code	MMGA_1407
Proposal	Within area there are archeological vestiges
Solution	<p>We underline the fact that the implementation of the mining project doesn't imply the destruction and the abandonment of the archaeological heritage values from the Roșia Montană area and that the existence of these vestiges has been fully considered. Till 2000, Roșia Montană could have been described as an area having archaeological potential where no archaeological excavations have been developed. These works would have been necessary to outline in detail various components of the site. In fact in the area of Cetate, Cărnic, Jig and Orlea Massifs, which are located in the upper part of the Roșia Valley and Corna Valley respectively, in the administrative radius of Roșia Montană commune, there have been known a series of random archaeological discoveries – epigraphic monuments, funerary architecture items – which were providing enough clues to assume the existence of some archaeological sites. The other heritage values from Roșia Montană – ponds, historic monument buildings, traditions and habits – have been known in general, but only in 2001 the Ministry of Culture and Religious Affairs has decided to deal with this complex issue in a consistent manner.</p> <p>Nowadays, after ample research works that have been developed during the last 7 years, their nature, characteristics and the distribution of the heritage values are well known – archaeological sites, historic monument buildings, as well as churches and cemeteries from the Roșia Montană area. Ample researches and heritage studies that have been developed during 2000-2006 have allowed the delineation of an image that incorporates these values belonging to the national cultural heritage and to the areas having spiritual value, as well as adopting some specific measures with regard to their protection.</p> <p>Therefore, in compliance with the requirements of the Ministry of Environment and Water Management, and the Ministry of Culture and Religious Affairs in the framework of the Report on Environmental Impact Assessment Study for the Roșia Montană Project, specific management plans have been prepared in order to manage and conserve the heritage values from the Roșia Montană area, in the framework of the implementation of the mining project (see the Report on Environmental Impact Assessment, volume 32-33, Plan M – Cultural Heritage Management Plan, part I – Management Plan for Archaeological Heritage from Roșia Montană area, part II – Management Plan for Historic Monuments and Protected Areas from Roșia Montană, part III – Cultural Heritage Management Plan).</p> <p>In order to provide a synopsis to the opinions formulated by you, we state the followings:</p> <ul style="list-style-type: none"> <li>- Roman galleries located in the massifs from the southern half of the Roșia Valley have been minutely researched and specific conservation measures have been recommended for the Cătălina Monulești and Piatra Corbului areas;</li> <li>- Roman galleries located in the northern half of the Roșia Valley have been preliminary researched and in the case of several exceptional discoveries as those from the mining sector Păru Carpeni, specific conservation measures have been proposed; Orlea area – Țarina is going to be researched in detailed between 2007-2012;</li> <li>- Through the preventive archaeological researches from 2001-2006 there have been outlined and researched 13 archaeological sites, for some of these – after the closure of the exhaustive researches – the decision to implement the archaeological discharge procedure has been made, and for other cases the in situ conservation has been agreed upon – the funerary monument from Tău Găuri, Roman vestiges from the Carpeni Hill, Orlea area is going to be researched in detail between 2007-2012.</li> </ul>

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Taking in to account the importance of the cultural heritage from Roşia Montană and the applicable legal provisions, SC Roşia Montană Gold Corporation SA has funded between 2001-2006 a budget of more than US\$ 10 million for the research of the heritage. Moreover, considering the results of the researches, the experts opinions and the decisions formulated by relevant authorities, during the next years, the company is about to allocate a budget of US\$25 million for the research, conservation and restoration of the Roşia Montană cultural heritage, provided that the mining project is implemented; as it has been made public in the Environmental Impact Assessment Study in May 2006 (see the Report on Environmental Impact Assessment Study, volume 32, Management Plan for Archaeological Heritage from Roşia Montană area, page 84-85). Therefore, it is taken into account the continuation of the researches in the Orlea area, but especially the creation of a **Modern Mining Museum with geology, archaeology, industrial and ethnographic heritage exhibitions**, as well as setting up tourists' access in the **Cătălina-Monuleşti** gallery and at the monument from **Tău Găuri** as well as the **conservation and restoration of those 41 historic monument buildings and of the protected area Roşia Montană Historic Centre**.

We underline the fact that besides the liabilities assumed by RMGC, with regard to the protection and conservation of the archaeological vestiges and historic monuments, there is an entire suite of obligations for the local public authorities from Roşia Montană and Alba county, as well as for central authorities, the Romanian State respectively. Management plans for cultural heritage within the framework of the Report on Environmental Impact Assessment Study have been created in order to set the most responsible approach of the project, in such a manner to insure the protection and conservation of the cultural heritage (see the Report on Environmental Impact Assessment study, volume 32, Management Plan for Archaeological Heritage from Roşia Montană area, page 22-24, 49, 55-56, 71-72 and Report on Environmental Impact Assessment study, volume 33, Management Plan for Historic Monuments and Protected Areas from Roşia Montană area, page 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

**As far as the detail information is concerned regarding the main archaeological vestiges, as well as a series of considerations related to the protection and the specific anticipated measures within the Management plans, we kindly ask you to read the annex entitled "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects"**

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3252, 3253, 3254, 3255, 3256
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 111108/25.08.2006, No. 111136/25.08.2006, No. 111135/25.08.2006, No. 111129/25.08.2006, No. 111128/25.08.2006
RMGC internal unique code	MMGA_1439
Proposal	The Roman galleries from the Orlea and Carnic massifs are unique in world and will be destroyed
Solution	<p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat-prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is unique importance if we consider the history of mining in the Roman Empire, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, similar to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>Most of the Roman mining works in the Cărnic massif, as well as in other mining areas can only be accessed by specialists, in very difficult conditions, being partially inaccessible to the public. Moreover, under the EU safety rules applying to similar museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. It should be noted that extensive portions of comparable Roman galleries will be preserved <i>in situ</i>.</p> <p>Consequently, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Minister of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cărnic Massif, with the exception of a 5 ha area, including Piatra Corbului. As part of the effort to minimize negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D representation as well as replicas of these structures at a scale of 1:1. These will be included in the mining museum that is proposed at Roşia Montană. A lawsuit has been filed with regard to the archaeological discharge certificate and the case is ongoing.</p> <p>As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cărnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex "<u>Costs Estimate for the Development of Ancient Mining Networks from Cărnic Massif</u>", prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).</p> <p>Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines. (Cultural Heritage Baseline Report, vol. 6, p. 46). Under the Government Ordinance no. 43/2000 on the protection of the cultural heritage and the designation of some archaeological sites as areas of national interest, as last amended, "the investor shall finance a feasibility study and a technical proposal, describing the measures to be taken (later to be presented in detail) and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures".</p>

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Surface and underground preventive archaeological researches will continue in the Orlea area, which is in an area with identified archaeological potential (as mentioned in The Cultural Heritage Baseline Report, vol. 6, page 48). In addition, the report mentions the fact that the researches undertaken so far in this massif are preliminary in character. It also says that, since mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is to be carried out starting with 2007.

The preliminary underground investigations, undertaken in the Orlea Massif, have led to the uncovering, in 2004, of a significant discovery. The value of the discovery was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet uncovered a chamber with a hydraulic wheel, and subsequently an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was dated to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation *in situ*. The discovery would not be affected by the future development of the Orlea open pit exploitation. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea - Țarina segment are planned to be undertaken between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 48.

In the 1980s, a mining museum was developed in the Orlea massif. The museum included a series of well-preserved galleries that have been separated from adjacent, access galleries by concrete walls. The Orlea galleries, as well as those in the Cărnic massif and in other mining areas in Roșia Montană, are trapezoidal in form. During the successive reworking and mining of these galleries, parts of the Roman remains have been destroyed. In addition, the galleries suffered further deterioration, especially due to the recent mining works using drilling-blasting techniques that caused cave-ins and deterioration of underground mining remains. The removal of mine waste in the course of archaeological research adds to the process of deterioration of the Roman galleries, further accentuated by the closure of mining operations at Minvest (1<sup>st</sup> June, 2006) – given that the mining activities have ensured a minimal level of mine dewatering. Under the existing legislation, shutting down mining activities requires a comprehensive set of conservation measures. However, at Roșia Montană the mine was abandoned without any restoration works. Just a couple of months later, drainage channels inside the Sfânta Cruce gallery, the main drainage gallery, got clogged, which led to the flooding of a number of galleries, several kilometers long. Proper maintenance works are needed if the archaeological remains are to be preserved for future generations. In the absence of such measures, the result will be disastrous, and the parts of galleries that have been preserved will disappear as a result of cave-ins and flooding. The Roman steps at Brad (Roman mining remains covered by Law 5/2000) are illustrative in this respect—once maintenance works stopped, the galleries became inaccessible.

In accordance with the List of Historic Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments – the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).

Law 422/2001 on the protection of historic monuments, as last amended, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Minister of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use (Law 258/2006, art. 5, paragraph 2).

Consequently, the proposed mining operations in the Orlea Massif can be developed only after the completion of preventive, surface and underground archaeological researches, which will produce a comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Archaeological Site Record Card-9. Orlea Massif, p.231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be undertaken between 2007-2012 by an expert team. Based on the research findings, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal provisions that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

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Given the significance of the Roşia Montană's cultural heritage, and the current legal requirements, S.C. Roşia Montană Gold Corporation S.A allocated more than USD 10 million for the archaeological investigations carried out between 2001-2006. What is more, based on the research results, on the experts' opinions and on the decision of competent authorities, the budget destined for the research, conservation and preservation of the Roşia Montană's cultural heritage, undertaken as part of the project development, amounts to more than USD 25 million, as indicated in the Environmental Impact Assessment Study, published in May 2006 (see the EIA Report, vol. 32, Management Plan for the Archaeological Heritage from the Roşia Montană area, p. 84-85). Archaeological investigations in the Orlea area are to be continued, and a **Modern Mining Museum** will be opened, including **geology, archaeology, ethnographic and industrial heritage exhibitions**. Other plans include the development for public access of the **Cătălina-Monuleşti gallery and the Tău Găuri monument, as well as the restoration of the 41 historical buildings and of the protected zone Roşia Montană Historic Centre**.

For further information on the history of the research and the most important discoveries related to the historic galleries at Roşia Montană, as well as for the specialists' conclusions on the matter, and assessments of a potential tourist circuit including the historic mining structures at Cărnic, or for the opinions formulated in 2004 by Edward O'Hara, General Rapporteur on Cultural Heritage of the Parliamentary Assembly of the Council of Europe, please consult the annexes entitled "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects" and "Costs Estimate for the Development of ancient mining networks from Cărnic", as well as the Romanian version of the O'Hara Report. Detailed information on the complex issue of the mining works at Roşia Montană, on their results and on the potential subsequent developments, are available in the EIA Report, vol. 6, Cultural Heritage Baseline Report (pages 32, 36-55, 83-109).

In conclusion, with regard to your question, please note that under no circumstances will the Roman galleries at Roşia Montană be destroyed or replaced with replicas without being first investigated and studied. It should be mentioned that this type of research, known as preventive/rescue archaeological research is done everywhere in the world in close connection with the economic development of certain areas. In addition, both the costs for the research and for the enhancement and maintenance of the areas conserved are provided by investors, in a public-private partnership set up in order to protect the cultural heritage, as per the provisions of the European Convention on the Protection of the Archaeological Heritage (Malta-1992) [1].

Based on the research findings, the international guidelines and best practices in the field, it has been decided that the most effective solution for enhancing this type of cultural heritage is to preserve *in situ* the most significant underground mining archaeological remains uncovered at Roşia Montană, and to create exact replicas of the galleries that cannot be opened for public access, either due to safety reasons or because of the state of preservation of the remains.

Reference:

[1]The text of the Convention is available at the following address:  
<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3262
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 111343/25.08.2006
RMGC internal unique code	MMGA_1446
Proposal	The project will destroy the churches and memorial houses from area
	<p><b><u>Memorial houses:</u></b></p> <p>At Roşia Montană, there are at present a series of houses that are considered to be memorial houses. First of all there is the church house (no. 137, code LMI AB-II-m-B-00271) of the „Adormirea Maicii Domnului” church in Roşia Montană. The memory of the priest Simeon Balint, one of the most prominent figures of the 1848 Transylvanian Revolution is related to this house. A second one also not formalised , is located in the Protected Area, where there is evidence to link this house to Bogdan Petriceicu Haşdeu and his family, or more precisely to his wife Iulia Fălcu (who came from the Roşia Montană area) and to their daughter, Iulia Haşdeu. However, the building has been significantly altered and it has lost its original appearance, consequently its original aspect is not preserved.</p> <p>Another memorial house belonged to Maria Botiș Ciobanu, „the poetess of the Moți” (Moți - the inhabitants of the Apuseni Mountains) - a personality deeply rooted in the Roşia Montană area. The house was located in the Roşia valley, west of present administrative centre of the commune and near the Greek-Catholic church, but disappeared many years ago.</p> <p>The ethnographic and oral history research conducted within the “Alburnus Maior” National Research Program resulted in a series of testimonies provided by the local inhabitants with regard to the past of their village. Moreover, a comprehensive study was conducted in the period 2000-2001 to make an inventory of Roşia Montană’s architectural heritage. On that occasion, historical researches were also conducted on each house.</p>
Solution	<p>The buildings significant for the collective memory of the village (not limited to ones in the Piața and Berg-Tău Brazi areas) will be preserved in the Protected Area Historical Centre Roşia Montană, and they will not be affected by the implementation of the mining project. At present, the designing process in order to restore 11 of historical monument buildings from Piața area are currently being prepared, but all the historic houses in Roşia Montană will be included in a restoration/conservation program in the next years.</p> <p><b><u>Churches</u></b></p> <p>RMGC does not wish to destroy churches, monuments or cemeteries, the company’s principles do not imply offering economic benefits (jobs, high living standards, etc.) in exchange of community giving up its core moral values. It is the company’s principle that economic development should not come into conflict with spirituality and traditional values.</p> <p>Based on these principles, from 10 churches and prayer houses existing within the Roşia Montană and Corna perimeter, the project will affect the two churches and the two houses of prayer from the Corna village. None of these buildings is classified as historical monument. All the options have been taken into account so far and the industrial facilities locations have been changed where this was possible, so that their impact on churches and houses is the lowest possible. In the case of the two churches, having in regard their dismantling, a series of measures to minimize the impact will be taken, namely the preventive archaeological research of their locations and a detailed inventory of all religious assets in order to relocate them according to the religious traditions.</p> <p>The churches built on the Corna valley are going to be affected by the construction of the TMF.</p>

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Consequently, the necessary measures will be taken for their relocation and reconstruction on a new site established by the members of the respective religious congregations. The Greek-Catholic church from Corna was abandoned by its parishioners many years ago, with religious services currently being held only on special occasions. Under these circumstances, and considering that they will no longer be available for religious services, the construction of new churches within the new village of Piatra Albă locality is being considered, according to the needs and desires of the parishioners. As for the two prayer houses (of which one is currently used by the parishioners, while the other one hasn't been used for a long time), the company has reached an amicable agreement with the representatives of these congregations with regard to the relocation conditions and the compensation to be paid by the company. None of the other churches and houses of prayer on the Roşia valley will be affected by the development of the mining project.

In the case of the Orthodox and Greek-Catholic Churches from Roşia Montană, substantial changes have been made regarding the location of the industrial facilities in the project in order to avoid direct impacts by the mining project and measures proposed to preserve them in good conditions during the life of the project. Moreover, proposals for agreements with the religious communities for public access to these churches will be developed. As for the prayer house of the Pentecostal community of Roşia Montană, RMGC have also reached an agreement with the community regarding the compensation to be paid by the company.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3252, 3253, 3254, 3255, 3256, 3593, 3594, 3595, 3596, 3816
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 111108/25.08.2006, No. 111136/25.08.2006, No. 111135/25.08.2006, No. 111129/25.08.2006, No. 111128/25.08.2006, No. 111127/25.08.2006, No. 111126/25.08.2006, No. 111125/25.08.2006, No. 111124/25.08.2006, No. 111121/25.08.2006
RMGC internal unique code	MMGA_1451
Proposal	<p data-bbox="268 539 1418 607">Proposal to place Rosia Montana on the UNESCO World Heritage List. See the enclosed copy of Contestation no. 3595.</p> <p data-bbox="268 629 1418 763">The proposals for the classification of monuments on the World Heritage List-the UNESCO List- are made by the Government and by its institutions competent in this field, here the Ministry of Culture and Religious Affairs, the National Institute for Historical Monuments and the National Commission for Historical Monuments (in accordance with the legal provisions, see below).</p> <p data-bbox="268 786 1418 875">We mention that UNESCO (<b>UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION</b>) is not an institution that replaces/substitutes for the national institutions competent in the cultural heritage field.</p> <p data-bbox="268 898 1418 1032">The national and governmental institutions in Romania competent, according to the law, to manage the monuments included on the World Heritage List (the UNESCO monuments respectively) are the Ministry of Culture and Religious Affairs, the National Institute for Historical Monuments and the National Commission for Historical Monuments.</p> <p data-bbox="268 1055 1418 1122">The competences of these institutions are defined by the Romanian legislation on historical monuments, namely Law 259/2006 as follows:</p> <ul data-bbox="363 1144 1418 1279" style="list-style-type: none"> <li>-article 28, paragraph (1)-25- The Ministry of Culture and Religious Affairs [...] co-operates with interested international bodies and participates together with them to the financing of programs for the protection of historical monuments, including the monuments included on the World Heritage List [...]</li> </ul> <p data-bbox="97 1256 183 1301">Solution</p> <ul data-bbox="363 1301 1418 1413" style="list-style-type: none"> <li>-article 29, paragraph (3), letter d). – The main responsibilities of the National Institute for Historical Monuments are: [...] d). Prepare the documentation for the historical monuments proposed for inclusion on the World Heritage List [...]</li> </ul> <ul data-bbox="363 1435 1418 1570" style="list-style-type: none"> <li>-article 35, paragraph (1), letter l). The National Commission for Historical Monuments has the following responsibilities/competences: [...] proposes the historical monuments to be included on the World List of Natural and Cultural Heritage and on the List of World Heritage Sites in Danger, drawn up by UNESCO; [...]</li> </ul> <p data-bbox="268 1592 1418 1727">According to the legal provisions, the local public authorities also have competences in this respect, namely they draft annual plans for the management and protection of historical monuments located within their administrative territorial unit, including any inscribed on the World Heritage List and ensure their monitoring by their own staff (according to Law 259/2006 article 46, paragraph (1), letter i).</p> <p data-bbox="268 1749 1418 1955">The Environmental Impact Assessment Study for the Roşia Montană area, submitted to the Ministry of Environment and Waters Management in May 2006, was drawn up from the perspective of the implementation of the mining project proposed by RMGC. The EIA was not meant to include on the World Heritage List a very vast area, that the questioner generically calls „Țara Moţilor”. Upon assessment of this document, the competent authorities in the cultural heritage field will have a grounded point of view regarding the approval or dismissal of the Roşia Montană Project.</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	4016
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 113014/25.08.2006
RMGC internal unique code	MMGA_1458
Proposal	<p>The impact of the four open pits on the protected area and historical monuments preserved in situ is not clearly estimated.SEE CONTESTATION COPY</p> <p>In the case of Roşia Montană, the following areas with archeological remains are classified in the List 2004 of Historical Monuments: - Alburnus Maior archeological site; - Roşia Montană (without other placement or delimitation specifications) with its components: Roman settlement from Alburnus Maior, Orlea area; Roman mine from Alburnus Maior, Orlea Massif; Roman vestiges from Alburnus Maior, Carpeni area; Roman funerary precincts from "Hop-Găuri" area; "Cătălina Monuleşti" gallery from protected area of the historical center of the locality; Roman galleries from Cârnic massif, "Piatra Corbului" location.</p> <p>The historical centre of the Roşia Montană locality is also classified in the List 2004 of Historical Monuments, with the following locational details: "Targul satului", Market place, Berg district, Brazilor Street and the area upstream to market place towards lakes. According to the provisions of the Law 5/2000 regarding the approval of the National Territory Arranging Plan – Section III - Protected Areas (Art. 5, paragraphs 2-3), the local public administration authorities, with the support of the competent central public authorities, had the obligation to delimit on the basis of specialty studies, in a period of 12 months from the date of the Law 5/2000 (the protection area of the cultural patrimony values as mentioned in annex no. III of the respective law) specifically the historical centre of the Roşia Montană locality. In order to establish the protected areas, the local public administration authorities had to develop the urbanism documentation and the related regulations, defined and approved according to law, which had to contain the necessary protection and preservation measures for the national cultural patrimony values from area.</p>
Solution	<p>On the basis of these legal provisions, beginning in 2001 RMGC has initiated the development process of these specific urbanism documents – General Urbanism Plan and Zonal Urbanism Plan. These were developed by certified Romanian companies who followed the legal procedures for approval. The approval for the establishment of the Roşia Montană Protected Area-Historical Centre was issued by the Ministry of Culture and Religious Affairs in 2002 (approvals no. 61/14.02.2002 and no.178/20.06.2002) as part of the authorization procedure for the urbanism documentation. Based on these approvals, the Ministry of Culture and Religious Affairs solicited the development of the Zonal Urbanism Plan for the Central Historical area. Out of 41 buildings that are historical monuments, 35 are situated within the Roşia Montană Protected Area-Historical Centre, of which one is the Catholic Church. According to the recommendations of the National Commission of Historical Monuments, the surface of this area was considerably increased. This area will be restored and preserved in its totality, including a mining museum comprising several sections – an open air exposition with all traditional-historical households and industrial patrimony elements, an exposition regarding the mining history of Roşia Montană and Apuseni Mountains, an underground museum circuit around the Cătălina Monuleşti historical gallery in which most of the waxed plates were discovered many years ago (centuries XVIII – XIX). The company does not intend to transform this area into a museum, taking into account the fact that all houses including the restored building historical monuments will be occupied by locals, or by people working at the Roşia Montană Project in the case when the locals will choose the relocation.</p> <p>As regards to potential impacts on protected areas, in March 2006 a specialist study was developed regarding the preservation state of each building historical monument. This study was developed by IPROMIN and the Technical University of Constructions from Bucharest, institutions with great expertise in the field of mining design and construction safety. This study identifies measures for the reinforcing of all these buildings. Also, the same institutions devised an experimental study to measure the vibrations</p>

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induced by blasting activities within the protected area of the historical centre and inside the area of this group of historical monument houses situated outside the protected area. The measurements have been performed by the simulation of a large blasting of 3,000 kg of explosive, detonated in normal conditions without delay stages or the application of other modern technologies, used currently in the modern mining activity. The mitigation measures for the potential impact generated by blasting in the four open pits on the historical monuments have been designed on the basis of this study.

RMGC has publicly committed to an ample rehabilitation and restoration program of the historical monuments and Roşia Montană Protected Area-Historical Centre within the Environment Impact Study, based on the technical and safety measures in order that the future mining operation would not affect these structures. These special technical and safety measures will be implemented both within the protected area Roşia Montană Historical Centre (restoration-reinforcement-preservation) and industrial perimeter (utilization of special blasting techniques, establishment of buffer areas between the two perimeters, ongoing monitoring of vibrations and blasting adjustment depending on wave propagation speed, etc.).

For the funerary precinct at Tăul Găuri, on the basis of conclusions of archeological researches from 2002, the research team proposed the preservation of this monument *in situ*. The National Archeology Commission gave the approval and the Ministry of Culture and Religious Affairs disposed its including into the List 2004 of Historical Monuments. This monument was included under the name of *Roman funerary monument from Hop-Găuri area* (Code LMI AB-I-m-A-00065.04). The funerary monument from Tău Găuri will not be affected by the industrial roads from its vicinity, these being situated at the edge of its protection area, at a great enough distance so that this structure will not be affected and may become an important tourism objective within the strategic context of sustainable development of Roşia Montană. Through the Report on the Environmental Impact Study vol. 32, respectively the Archeological Heritage Management Plan from Roşia Montană Area, p.84-85, RMGC company committed to provide the funds necessary to restore and preserve this heritage.

As regards Piatra Corbului and Piatra Despicață, these are classified according to Law 5/2000 regarding the approval of the National Territory Arranging Plan - Section III – protected areas at section Natural Protected Areas of National Interest and Natural Monuments, points 2.8 (Piatra Despicață) and 2.83 (Piatra Corbului).

At the same time, as a result of archeological researches performed at Roşia Montană through the Alburnus Maior National Research Program, financed in accordance with legal provisions by RMGC, the Piatra Corbului area has been classified as historical monument, as the Roman galleries from Cărnicești massif and "Piatra Corbului" area (code LMI AB-I-s-A-20329), (according to Official Gazette No. 646 bis, from 16.07.2004, Alba County, position 146).

The project proposed by RMGC will not affect Piatra Corbului, which is situated outside the proposed Cărnicești open pit. All the technical measures of minimizing impact will be taken during the operational stage near this area, so that its integrity will not be affected.

As regards Piatra Despicață, this is an andesite block with a weight of about two tons. In 2002, the Commission for Natural Monument Protection of the Romanian Academy, as a result of the documentation submitted by SC Agraro Consult SRL, approved its relocation to another site unaffected by the future operations. Consequently, by means of normal technical equipment for objects of this size, and under coordination and supervision, Piatra Despicață will be relocated to a placement approved by Romanian Academy and Ministry of Culture and Religious Affairs. Through the Report on the Environment Impact Study, Vol. 32 particularly the Management Plan for Archeological Patrimony from Roşia Montană area, p. 84-85, RMGC committed itself to provide the necessary funds for restoration and preservation of this monument.

In conclusion, where the archeological realities required, or where the historical monuments were situated too close to proposed industrial facilities, the development plans were reconsidered in order to relocate some elements of infrastructure so that no historical monument would be affected by project. In practical terms, the preservation and restoration *in situ* of several archaeological remains and of all historical buildings were chosen, so that these monuments could become the basis of the modern tourism from Roşia Montană in the context of mining project development. Taking into account the importance of the

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cultural patrimony from Roşia Montană and current legislation, SC Roşia Montană Gold Corporation SA allocated during the period 2001-2006 a budget of over USD 10 million for patrimony investigation. Moreover, considering the research results, the specialists' opinions, and the competent authorities' decisions, the budget estimated by the company for research, preservation and restoration of the Roşia Montană cultural patrimony during the future years of project implementation, is USD 25 million, as was publicly announced within the Report on Environment Impact Study in May 2006 (see the Report on Environment Impact Study, vol. 32, Management Plan for Archeological Patrimony from Roşia Montană Area, p. 78-79). In this way, the establishment of a **Modern Mining Museum** with exhibitions on **geology, archeology, industrial and ethnographic patrimony is planned**, as is the tourism routes to the **Cătălina Monuleşti** gallery and to **Tău Găuri** monument, and also the **preservation and restoration of the 41 buildings historical monument and protected area Roşia Montană Historical Centre plus** the continuation of the researches in Orlea area.

As regards the detailed information on the main archeological remains, historical monuments, churches and cemeteries, as well as a series of considerations regarding their protection and the specific measures foreseen by management plans, please consult the annex entitled "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects".

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	3/D;5458/B
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 114721/28.08.2006
RMGC internal unique code	MMGA_1461
Proposal	Destruction of historical sites
	<p>Based on the specialist reports and publications, the Roman galleries at Roşia Montană are considered important, but not unique. Thus, a catalog of ancient mining works in Transylvania and Banat – developed as part of the Environmental Impact Assessment Study for Roşia Montană – states that it is difficult to justify a claim that the Roşia Montană site is unique, at least in the context of Roman mining operations throughout the Empire, and particularly in Dacia Province. There are at least 20 other sites of relatively similar characteristics – some of which, including Ruda Brad, Bucium – the Vulcoi Corabia and the Haneş – Amlaşul Mare areas, have already provided real data on archaeological remains comparable to the ancient <i>Alburnus Maior</i> and discount claims for the uniqueness of the site.</p> <p>Prior to 1999, the Roman galleries at Roşia Montană were not researched by mining archeology specialists, although their existence had been known for over 150 years. In practice, before 2000, this type of archaeological remains was unknown from scientific research, the references connected to these being in most of the times empirical. Neither the surface archaeological were better known the real sense of the word, but information originated from chance finds occasioned by agricultural and construction works.</p> <p>Mining archeology research conducted – since 1999 – by a multi-disciplinary specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed to develop – as a first in Romania – a detailed study of this type of archaeological remains, i.e. old mining galleries of Roman and later periods. Extensive research and heritage studies conducted during 200-2006 helped create a comprehensive image of these the national cultural heritage assets, and to adopt specific measures in regard to their protection.</p>
Solution	<p>The study of these structures therefore meant better knowledge and documented decision making in regard to their conservation and enhancement. Based on the results of research conducted to date (and finalized for Cetate, Carnic, Jig and ongoing in Orlea), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monuleşti Gallery – located in the Historic Center of Roşia Montană, where the most important cache of wax tablets and an ancient mine drainage system had been found in the past;</li> <li>- mining sector Păru Carpeni – located in the south-eastern part of Orlea, where a successive chamber drainage system equipped with Roman wooden installations (wheels, channels, etc.) was discovered;</li> <li>- the Piatra Corbului area – located in the south-western part of Cărnici, and preserving traces of fire and water mining operations of ancient and medieval age;</li> <li>- the Văidoaia area – north-west of Roşia Montană village, preserving areas of ancient open cast mining.</li> </ul> <p>Preventive archaeological research conducted in 2001-2006 helped define and research 13 archaeological sites, for some of which – once exhaustive research work was finalized – the decision was to apply the archaeological duty of care removal procedures, while for others it was decided to apply on site conservation – the funerary precinct at Tăul Găuri, the Roman relics on Dealu Carpeni; Orlea area will be researched in detail during the 2007-2012 period.</p> <p>As for the historic mining galleries of the Roman period discovered in the mining sectors of Cătălina Monuleşti and Păru Carpeni, comprehensive rehabilitation, reinforcement and development works have</p>

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been planned, in order help preserve them in situ and develop them for tourism. This decision was based on the value of the archaeological remains preserved in the galleries, i.e. the wooden Roman installations built for the drainage of mine water during the Roman Age (the so-called Roman wheels). At the same time, the gallery at Cătălina Monulești is renowned for being the one where – in mid 19<sup>th</sup> century – the most significant cache of waxed tablets was discovered (according to the sources in the historical archives they were 11 of the 32 artifacts of this kind known to date).

Most of the ancient mining works in Cărnic mountain, as well as other mining sectors, are only accessible in difficult conditions, to specialists, and are partly inaccessible to the public at large. Moreover, safety regulations governing similar activities in the museums of the European Union, and which will become law for Romania as well, are not compatible with the conversion of the Roman galleries, inherently exposed to high risk factors, to a space available to tourists. Note that there will be comparable Roman gallery sections that will be preserved on site. As an impact mitigation measure, apart from the full research and publication of research results, the specialists considered it appropriate to develop a 3D graphic model of these structures, and 1:1 replicas within the proposed mining museum at Roșia Montană.

As an alternative, the elaboration of a specialty study was taken into account in order to evaluate the costs needed for the integral preservation and introduction into the tourism circuit of the galleries situated in Cărnic massif. Thus, the necessary investments in order to arrange and maintain the public tourism in this massif rise at an amount unjustified from economic point of view (see the informative brochure entitled *Costs Estimate for the Development of Ancient Mining Networks from Cărnic* elaborated by British companies Gifford, Geo-Design and ForkersLtd).

For the Orlea area (the only one where ancient mining relics have been classified to date, i.e. under HML 2004 Roman mining operations at Alburnus Maior, Orlea area cod LMI AB-I-m-A-00065.02), research has only been of a preliminary nature so far. Detailed research of this area is planned for 2007-2012, and when this research is finalized the necessary measures under the law will have to be taken, either to conserve some sections on site, or to apply the archaeological duty of care removal procedure for others. Detailed information on random archaeological discoveries and preliminary archaeological research (both above and underground) in the area of Orlea Hill was published in the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Study, Annex I p. 219-222. Also note that the study further states: “As Project development in Orlea area has been scheduled for a later date, as of 2007, surface archaeological investigations will focus on this area. Thus, the building activities involved in Project implementation can not be initiated before archaeological investigations carried out under the Romanian legal provisions and international recommendations and practice have been finalized. (Cultural Heritage Baseline Study, vol. 16, p. 46).

Within the Orlea Massif from Roșia Montană, a Mining Museum was established in 1980. In this mining perimeter a series of well preserved galleries were arranged and separated by concrete walls towards the mining works which assured the access. The Orlea galleries have a characteristic trapezoidal profile, similarly with the mining works from Cărnic and other mining sector from Roșia Montană. Also, these ancient works suffered in time successive “reshaping”, respectively the taking again having in regard the mining of new ore reserves. These mining works destroyed parts from these ancient remains. Moreover, their preservation state falls into disrepair due to the recent mining works which used drilling – blasting technology, a fact leading to the rock destabilization and destroying of the underground mining remains. The removal of the rockfill from the ancient mining works during the mining archaeological investigations represents another factor contributing to the degradation of the ancient mining works. The degradation of the preservation condition of the mining remains of all ages is accelerated also by the closure of the mining operation managed by Minvest (June 01 2006), which assured, at a minimum level, the global drainage of the system of galleries of the Roșia Montană mine. The closure of a mining activity, according to the national norms in force, implies an extremely wide range of preservation measures, but at Roșia Montană the extractive activity purely and simply was stopped, the mine being abandoned. After few months from abandon, the main gallery of the mine water drainage, namely the Sf. Cruce from Orlea gallery is in a critic condition. In fact, the mine water silted the drainage ways longer than several kilometers. In the case when this mining heritage will be only “frozen” without to take maintenance measures, having in regard their preservation for the next generations, the result will be disastrous. All still existing remains will disappear due to the underground falling and flood. An edifying example consists – unfortunately – from the “Roman steps” from Brad (Roman remains also listed by Law 5/2000)

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where these became inaccessible when the maintenance works ceased.

Considering the importance of the cultural heritage at Roşia Montană and current legislation, the heritage research budget allocated for 2001-2006 by S.C. Roşia Montană Gold Corporation S.A. amounted to more than 10 million US\$. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roşia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment of May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for Roşia Montană area, p. 84-85). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum with geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the Cătălina-Monuleşti gallery and to the monument at Tău Găuri, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center.**

For summary information on the history of the research and the main discoveries related to the historic galleries at Roşia Montană, as well as for specialist conclusions in the matter, and assessments of a potential tourist trail of the historic mining structures at Cărnic, or for the opinions formulated in 2004 by Edward O'Hara, heritage rapporteur of the Parliamentary Assembly of the European Council, please consult the annexes entitled "Information on the Cultural Heritage of Roşia Montană and Related Management Aspects" and "Costs Estimate for the Development of Ancient Mining Networks from Cărnic", as well as the annexed version in Romanian language of the O'Hara report. . Detailed information on the complex issues involved in the study of old mining works at Roşia Montană, on the results of this research and the prospective capitalization options is available in the Environmental Impact Assessment Study for the Roşia Montană Project, vol. 6 – Baseline Study, p. 26, 32-53, 79-105.

In conclusion, we note that there is no question of destroying the archaeological remains at Roşia Montană, or of merely replacing them with replicas. Research of this type – known as preventive/rescue archaeological research – is done everywhere in the world in relation to economic development of areas, and the costs thereof, as well as the costs of enhancing and maintaining the preserved areas, have to be provided by the investors, which leads to the establishment of a public private partnership in the protection of cultural assets, as provided by the European Convention of Malta (1992) on the protection of the archaeological heritage [1].

It is worth stressing that, apart from the obligations RMGC has committed to in protecting and preserving archaeological remains and historic monuments, there are a number of obligations that relate to both the local government authorities in Roşia Montană and Alba County and to the central government authorities, i.e. the Romanian State. The Cultural Heritage Management Plans included in the EIA Study Report provide clarification of such aspects (see EIA Report, vol. 32, Management Plan for the Archaeological Heritage at Roşia Montană p. 22-24, 49, 55-56, 71-72 and EIA Report, vol. 33, Management Plan for the Historic Monuments and Protected Areas at Roşia Montană p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All these publicly assumed commitments of the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

References:

[1] The text of this Convention is available on website:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	4/D;5459/B
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 114716/28.08.2006
RMGC internal unique code	MMGA_1462
Proposal	<p>The questioners do not agree to the Rosia Montana gold and silver mining operation proposal formulating the following remarks and comments:  The rescue of our national patrimony and archeological site of universal importance from Rosia Montana;</p> <p>Based on the specialist reports and publications, the Roman galleries at Roşia Montană are considered important, but not unique. Thus, a catalog of ancient mining works in Transylvania and Banat – developed as part of the Environmental Impact Assessment Study for Roşia Montană – states that it is difficult to justify a claim that the Roşia Montană site is unique, at least in the context of Roman mining operations throughout the Empire, and particularly in Dacia Province. There are at least 20 other sites of relatively similar characteristics – some of which, including Ruda Brad, Bucium – the Vulcoi Corabia and the Haneş – Amlaşul Mare areas, have already provided real data on archaeological remains comparable to the ancient <i>Alburnus Maior</i> and discount claims for the uniqueness of the site.</p> <p>Prior to 1999, the Roman galleries at Roşia Montană were not researched by mining archeology specialists, although their existence had been known for over 150 years. In practice, before 2000, this type of archaeological remains was unknown from scientific research, the references connected to these being in most of the times empirical. Neither the surface archaeological were better known the real sense of the word, but information originated from chance finds occasioned by agricultural and construction works.</p> <p>Mining archeology research conducted – since 1999 – by a multi-disciplinary specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed to develop – as a first in Romania – a detailed study of this type of archaeological remains, i.e. old mining galleries of Roman and later periods. Extensive research and heritage studies conducted during 200-2006 helped create a comprehensive image of these the national cultural heritage assets, and to adopt specific measures in regard to their protection.</p>
Solution	<p>The study of these structures therefore meant better knowledge and documented decision making in regard to their conservation and enhancement. Based on the results of research conducted to date (and finalized for Cetate, Carnic, Jig and ongoing in Orlea), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monuleşti Gallery – located in the Historic Center of Roşia Montană, where the most important cache of wax tablets and an ancient mine drainage system had been found in the past;</li> <li>- mining sector Păru Carpeni – located in the south-eastern part of Orlea, where a successive chamber drainage system for underground water, equipped with Roman wooden installations (wheels, channels, etc.) was discovered;</li> <li>- the Pietra Corbului area – located in the south-western part of Carnic, and preserving traces of fire and water mining operations of ancient and medieval age;</li> <li>- the Vaidoaia area – north-west of Roşia Montană village, preserving areas of ancient open cast mining.</li> </ul> <p>Preventive archaeological research conducted in 2001-2006 helped define and research 13 archaeological sites, for some of which – once exhaustive research work was finalized – the decision was to apply the archaeological duty of care removal procedures, while for others it was decided to apply on site conservation – the funerary precinct at Tăul Găuri, the Roman remains on the Carpeni hill; Orlea area will be researched in detail during the 2007-2012 period.</p> <p>As for the historic mining galleries of the Roman period discovered in the mining sectors of Cătălina</p>

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Monulești and Păru Carpeni, comprehensive rehabilitation, reinforcement and development works have been planned, in order help preserve them in situ and develop them for tourism. This decision was based on the value of the archaeological remains preserved in the galleries, i.e. the wooden Roman installations built for the drainage of mine water during the Roman Age (the so-called Roman wheels). At the same time, the gallery at Cătălina Monulești is renowned for being the one where – in mid 19<sup>th</sup> century – the most significant cache of waxed tablets was discovered (according to the sources in the historical archives they were 11 of the 32 artifacts of this kind known to date).

Most of the ancient mining works in Crânic mountain, as well as other mining sectors, are only accessible in difficult conditions, to specialists, and are partly inaccessible to the public at large. Moreover, safety regulations governing similar activities in the museums of the European Union, and which will become law for Romania as well, are not compatible with the conversion of the Roman galleries, inherently exposed to high risk factors, to a space available to tourists. Note that there will be comparable Roman gallery sections that will be preserved on site. As an impact mitigation measure, apart from the full research and publication of research results, the specialists considered it appropriate to develop a 3D graphic model of these structures, and 1:1 replicas within the proposed mining museum at Roșia Montană.

As an alternative, the elaboration of a specialty study was taken into account in order to evaluate the costs needed for the integral preservation and introduction into the tourism circuit of the galleries situated in Cârnic massif. Thus, the necessary investments in order to arrange and maintain the public tourism in this massif rise at an amount unjustified from economic point of view (see the informative brochure entitled *Costs Estimate for the Development of Ancient Mining Networks from Cârnic* elaborated by British companies Gifford, Geo-Design and ForkersLtd).

For the Orlea area (the only one where ancient mining relics have been classified to date, i.e. under HML 2004 Roman mining operations at Alburnus Maior, Orlea area cod LMI AB-I-m-A-00065.02), research has only been of a preliminary nature so far. Detailed research of this area is planned for 2007-2012, and when this research is finalized the necessary measures under the law will have to be taken, either to conserve some sections on site, or to apply the archaeological duty of care removal procedure for others. Detailed information on random archaeological discoveries and preliminary archaeological research (both above and underground) in the area of Orlea Hill was published in the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Study, Annex I p. 231-236. Also note that the study further states: “As Project development in Orlea area has been scheduled for a later date, as of 2007, surface archaeological investigations will focus on this area. Thus, the building activities involved in Project implementation can not be initiated before archaeological investigations carried out under the Romanian legal provisions and international recommendations and practice have been finalized. (Cultural Heritage Baseline Study, vol. 6, p. 46).

Within the Orlea Massif from Roșia Montană, a Mining Museum was established in 1980. In this mining perimeter a series of well preserved galleries were arranged and separated by concrete walls towards the mining works which assured the access. The Orlea galleries have a characteristic trapezoidal profile, similarly with the mining works from Cârnic and other mining sector from Roșia Montană. Also, these ancient works suffered in time successive “reshaping”, respectively the taking again having in regard the mining of new ore reserves. These mining works destroyed parts from these ancient remains. Moreover, their preservation state falls into disrepair due to the recent mining works which used drilling – blasting technology, a fact leading to the rock destabilization and destroying of the underground mining remains. The removal of the rockfill from the ancient mining works during the mining archaeological investigations represents another factor contributing to the degradation of the ancient mining works. The degradation of the preservation condition of the mining remains of all ages is accelerated also by the closure of the mining operation managed by Minvest (June 01 2006), which assured, at a minimum level, the global drainage of the system of galleries of the Roșia Montană mine. The closure of a mining activity, according to the national norms in force, implies an extremely wide range of preservation measures, but at Roșia Montană the extractive activity purely and simply was stopped, the mine being abandoned. After few months from abandon, the main gallery of the mine water drainage, namely the Sf. Cruce from Orlea gallery is in a critic condition. In fact, the mine water silted the drainage ways longer than several kilometers. In the case when this mining heritage will be only “frozen” without to take maintenance measures, having in regard their preservation for the next generations, the result will be disastrous. All still existing remains will disappear due to the underground falling and flood. An edifying example

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consists – unfortunately – from the “Roman steps” from Brad (Roman remains also listed by Law 5/2000) where these became inaccessible when the maintenance works ceased.

Considering the importance of the cultural heritage at Roşia Montană and current legislation, the heritage research budget allocated for 2001-2006 by S.C. Roşia Montană Gold Corporation S.A. amounted to more than 10 million US\$. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roşia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment of May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for Roşia Montană area, p. 84-85). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum with geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the Cătălina-Monuleşti gallery and to the monument at Tău Găuri, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center.**

**For summary information on the history of the research and the main discoveries related to the historic galleries at Roşia Montană, as well as for specialist conclusions in the matter, and assessments of a potential tourist trail of the historic mining structures at Cărnic, or for the opinions formulated in 2004 by Edward O’Hara, General Rapporteur on Cultural Heritage of the Parliamentary Assembly of the European Council, please consult the annexes entitled “Information on the Cultural heritage of Rosia Montana and Related Management Aspects” and “Costs Estimate for the Development of Ancient Mining Networks from Cărnic”, as well as the annexed version in Romanian language of the O’Hara report.. Detailed information on the complex issues involved in the study of old mining works at Roşia Montană, on the results of this research and the prospective capitalization options is available in the Environmental Impact Assessment Study for the Roşia Montană Project, vol. 6 – Baseline Study, p. 32 36-58, 85-109.**

In conclusion, we note that there is no question of destroying the archaeological remains at Roşia Montană, or of merely replacing them with replicas. Research of this type – known as preventative/rescue archaeological research – is done everywhere in the world in relation to economic development of areas, and the costs thereof, as well as the costs of enhancing and maintaining the preserved areas, have to be provided by the investors, which leads to the establishment of a public private partnership in the protection of cultural assets, as provided by the European Convention of Malta (1992) on the protection of the archaeological heritage [1].

It is worth stressing that, apart from the obligations RMGC has committed to in protecting and preserving archaeological remains and historic monuments, there are a number of obligations that relate to both the local government authorities in Roşia Montană and Alba County and to the central government authorities, i.e. the Romanian State. The Cultural Heritage Management Plans included in the EIA Study Report provide clarification of such aspects (see EIA Report, vol. 32, Management Plan for the Archaeological Heritage at Roşia Montană p. 22-24, 49, 55-56, 71-72 and EIA Report, vol. 33, Management Plan for the Historic Monuments and Protected Areas at Roşia Montană p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All these publicly assumed commitments of the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

References:

[1] The text of this Convention is available on website:

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	33
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 110003/28.08.2006
RMGC internal unique code	MMGA_1473
Proposal	Degradation of the historical monuments from Rosia Montana area.
Solution	<p>Please note the fact that none of the buildings classified as historical monuments, within the Roşia Montană Project area will be affected; all 41 historical buildings will be included in an extensive rehabilitation and restoration program (see the Environmental Impact Assessment Study, vol. 33, Plan M, Management Plan for the Historical Monuments and the Protected Zone of the Roşia Montană area, pages 76-94). The undertaking of such program is mandatory, irrespective of the project's implementation, or else the houses will completely deteriorate, given their current dilapidated state.</p> <p>RMGC currently owns 14 buildings classified as historical monuments. These buildings have been acquired in accordance with the provisions of Law 422/2001 on the protection of historical monuments, as last amended. They were in different conditions when acquired, this aspect being reflected in the sale-purchase agreements and documented by photographic records taken at their acquisition and up to the present day. It should be noted that between 2000 and 2002 the Design Centre for the National Cultural Heritage (CPPCN), currently known as The National Institute for Historical Monuments and, later on, S.C. OPUS S.R.L., an architecture company, undertook a comprehensive inventory of all archaeological heritage assets within the Roşia Montană commune. The process involved updating the analytical record cards of each building classified as historical monument, as well as making observations on their state of preservation.</p> <p>Law 422/2001, article 38 stipulates the obligations of owners of buildings classified as historical monuments, both natural and legal persons. Further information on the owners' duties, to which RMGC is fully committed, are included in the annex to this document. It is the owner's immediate duty to maintain the historical building in good condition. Therefore, in 2003, as soon as the acquisition process began, the company created a team made up of 10 people with construction-related qualifications. This team is in charge of the permanent maintenance of these houses. The people employed have been trained on the job, so as to become acquainted with the legislation in the field and with the interventions allowed in the case of historical monuments. So far the team has taken all the necessary legal measures to ensure the preservation of the historical monuments owned by RMGC within the Roşia Montană commune or at least to maintain them in their original state, when bought by the company. As a first measure, the historic buildings acquired by RMGC have been subjected to remedial works such as: roof repair works (meant to prevent deterioration caused by rain infiltration), installation of downpipes and gutters to prevent rainwater from infiltrating into the building's foundation or walls, usual repair works, repair works to the surrounding fences and "moors" (ancient walls traditional in Roşia Montană) and disposal of domestic waste piled up over the years. This team performs an ongoing and sustained activity. The specific activities conducted to date include:</p> <ul style="list-style-type: none"> <li>– the erection of a supportive scaffolding outside the historic building no. 372 so as to prevent it from tilting (Approval no. 142/2004);</li> <li>– historic building no.392, initially used as a habitation area, has been turned into an office space (Approval no. 453/2004)</li> <li>– the building authorization for the house no. 325 was obtained (Approval no. 25/27.10.2006), in accordance with law 422/2001. Although the building has not been classified as a historical monument, it is situated in the centre of the Roşia Montană protected area (permit). This building will be restored in accordance with the legal provisions of the Romanian Ministry of Culture and Religious Affairs and will host an</li> </ul>



Mention should be made that the company has nearly completed the engineering documentation necessary for the restoration of 11 historic buildings within the Roşia Montană area, prepared in accordance with the regulations issued by the Ministry of Culture and Religious Affairs, to be submitted for approval by the Local Commission for Historical Monuments.

As for the Protected Zone from Roşia Montană, it will cover over 130 ha and will include 35 historical monuments and other local architectural assets (restored and enhanced). A modern mining museum is proposed to be established at Roşia Montană. The museum will include geology, archaeology, ethnography exhibitions (including an open-air section), industrial heritage exhibitions, as well as a significant underground part organized around the Cătălina Monuleşti gallery. In this part of Roşia Montană, the company plans to promote the development of traditional tourism activities (e.g. guest houses; small pubs). East and south-east of the historical centre there are a number of historic lakes: Tăul Mare, Tăul Brazi and Tăul Anghel. This area is suitable for modern, recreational tourism. However, any proposal submitted by the company in this respect should be endorsed by the local community and approved by the authorities.

The company does not want to turn this area into a museum; the overall plan is that this part of the community continues to be lived in by local people or, in the case of the buildings purchased by RMGC, by the company's employees involved in the future mining operations. Job opportunities and tourism-related small businesses are to be developed in the area.

The company wants to protect and promote all these heritage assets. Therefore, special measures will be taken both inside the protected area Historical Centre of Roşia Montană (restoration-consolidation-conservation) and in the industrial area (special blasting techniques, buffer zones between the 2 areas, permanent monitoring of vibrations and the blasting adjusted to the waves' propagation speed, etc.). As publicly stated in the EIA Report, once the Roşia Montană Mining Project is approved, all historical monument buildings in Roşia Montană, owned by RMGC, will be included in a comprehensive restoration and conservation program. Should any historic buildings remain under the ownership of various institutions or individuals, upon their consent, RMGC will finance the restoration of the buildings, in full compliance with the specific relevant regulations issued by the Ministry of Culture and Religious Affairs. In the coming years, if the Roşia Montană project is implemented, the company plans to allocate USD 3,385,000 for conservation, restoration and maintenance works to be undertaken in the Protected Zone Historical Centre of Roşia Montană as well as for the historical buildings located outside this area.

To date, RMGC has complied with all its legal obligations as owner of historical monument buildings. By taking into account the data and conclusions set out in the Management Plan for the historical monuments and protected zones within Roşia Montană, included in the EIA Report, RMGC plans to continue this responsible approach and to ensure the financial resources necessary for the conservation and restoration of the historic buildings and of the Rosia Montană Historic Centre. All interventions on these buildings will be carried out in compliance with the current legal provisions, based on the conclusions set out in the technical review of the historic buildings within Roşia Montană, undertaken by the Bucharest Technical University of Civil Engineering - the National Centre for Earthquake Engineering and Vibrations, between 2005 and 2006.

For further information on the studies and modeling conducted by the Bucharest Technical University of Civil Engineering and IPROMIN with regard to the special measures necessary for the mitigation of the impacts caused by blasting on the historic buildings, please consult the corresponding annex.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	34
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 114516/13.09.2006
RMGC internal unique code	MMGA_1478
<b>Proposal</b>	The project affects the archeological area unique in world and of a great historical and cultural value;
<b>Solution</b>	<p>Note that the implementation of the mining project does not involve the destruction or abandonment of archaeological heritage assets in the area of Roşia Montană commune and full consideration has been given to their existence there. Based on the specialist reports and publications, the Roman galleries at Roşia Montană are considered important, but not unique. Thus, a catalog of ancient mining works in Transylvania and Banat – developed as part of the Environmental Impact Assessment Study for Roşia Montană – states that it is difficult to justify a claim that the Roşia Montană site is unique, at least in the context of Roman mining operations throughout the Empire, and particularly in Dacia Province. There are at least 20 other sites of relatively similar characteristics – some of which, including Ruda Brad, Bucium – the Vulcoi Corabia and the Haneş – Amlaşul Mare areas, have already provided real data on archaeological remains comparable to the ancient <i>Alburnus Maior</i> and discount claims for the uniqueness of the site.</p> <p>Prior to 1999, the Roman galleries at Roşia Montană were not researched by mining archeology specialists, although their existence had been known for over 150 years. In practice, before 2000, this type of archaeological remains was unknown from scientific research, the references connected to these being in most of the times empirical. Neither the surface archaeological were better known the real sense of the word, but information originated from chance finds occasioned by agricultural and construction works.</p> <p>Mining archeology research conducted – since 1999 – by a multi-disciplinary specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed to develop – as a first in Romania – a detailed study of this type of archaeological remains, i.e. old mining galleries of Roman and later periods. Extensive research and heritage studies conducted during 200-2006 helped create a comprehensive image of these the national cultural heritage assets, and to adopt specific measures in regard to their protection.</p> <p>The study of these structures therefore meant better knowledge and documented decision making in regard to their conservation and enhancement. Based on the results of research conducted to date (and finalized for Cetate, Cârnic, Jig and ongoing in Orlea), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monuleşti Gallery – located in the Historic Center of Roşia Montană, where the most important cache of wax tablets and an ancient mine drainage system had been found in the past;</li> <li>- mining sector Păru Carpeni – located in the south-eastern part of Orlea, where a successive chamber drainage system equipped with Roman wooden installations (wheels, channels, etc.) was discovered;</li> <li>- the Piatra Corbului area – located in the south-western part of Cârnic, and preserving traces of fire and water mining operations of ancient and medieval age;</li> <li>- the Văidoaia area – north-west of Roşia Montană village, preserving areas of ancient open cast mining.</li> </ul> <p>Preventive archaeological research conducted in 2001-2006 helped define and research 13 archaeological sites, for some of which – once exhaustive research work was finalized – the decision was to apply the archaeological duty of care removal procedures, while for others it was decided to apply on site conservation – the funerary precinct at Tăul Găuri, the Roman relics on Dealu Carpeni; Orlea area will be researched in detail during the 2007-2012 period.</p>

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As for the historic mining galleries of the Roman period discovered in the mining sectors of Cătălina Monulești and Păru Carpeni, comprehensive rehabilitation, reinforcement and development works have been planned, in order help preserve them in situ and develop them for tourism. This decision was based on the value of the archaeological remains preserved in the galleries, i.e. the wooden Roman installations built for the drainage of mine water during the Roman Age (the so-called Roman wheels). At the same time, the gallery at Cătălina Monulești is renowned for being the one where – in mid 19<sup>th</sup> century – the most significant cache of waxed tablets was discovered (according to the sources in the historical archives they were 11 of the 32 artifacts of this kind known to date).

Most of the ancient mining works in Cărnic mountain, as well as other mining sectors, are only accessible in difficult conditions, to specialists, and are partly inaccessible to the public at large. Moreover, safety regulations governing similar activities in the museums of the European Union, and which will become law for Romania as well, are not compatible with the conversion of the Roman galleries, inherently exposed to high risk factors, to a space available to tourists. Note that there will be comparable Roman gallery sections that will be preserved on site. As an impact mitigation measure, apart from the full research and publication of research results, the specialists considered it appropriate to develop a 3D graphic model of these structures, and 1:1 replicas within the proposed mining museum at Roșia Montană.

As an alternative, the elaboration of a specialty study was taken into account in order to evaluate the costs needed for the integral preservation and introduction into the tourism circuit of the galleries situated in Cărnic massif. Thus, the necessary investments in order to arrange and maintain the public tourism in this massif rise at an amount unjustified from economic point of view (see the informative brochure entitled *Costs Estimate for the Development of Ancient Mining Networks from Cărnic* elaborated by British companies Gifford, Geo-Design and ForkersLtd).

For the Orlea area (the only one where ancient mining relics have been classified to date, i.e. under HML 2004 Roman mining operations at Alburnus Maior, Orlea area cod LMI AB-I-m-A-00065.02), research has only been of a preliminary nature so far. Detailed research of this area is planned for 2007-2012, and when this research is finalized the necessary measures under the law will have to be taken, either to conserve some sections on site, or to apply the archaeological duty of care removal procedure for others. Detailed information on random archaeological discoveries and preliminary archaeological research (both above and underground) in the area of Orlea Hill was published in the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Study, Annex I p. 219-222. Also note that the study further states: “As Project development in Orlea area has been scheduled for a later date, as of 2007, surface archaeological investigations will focus on this area. Thus, the building activities involved in Project implementation can not be initiated before archaeological investigations carried out under the Romanian legal provisions and international recommendations and practice have been finalized. (Cultural Heritage Baseline Study, vol. 6, p. 46).

Within the Orlea Massif from Roșia Montană, a Mining Museum was established in 1980. In this mining perimeter a series of well preserved galleries were arranged and separated by concrete walls towards the mining works which assured the access. The Orlea galleries have a characteristic trapezoidal profile, similarly with the mining works from Cărnic and other mining sector from Roșia Montană. Also, these ancient works suffered in time successive “reshaping”, respectively the taking again having in regard the mining of new ore reserves. These mining works destroyed parts from these ancient remains. Moreover, their preservation state falls into disrepair due to the recent mining works which used drilling – blasting technology, a fact leading to the rock destabilization and destroying of the underground mining remains. The removal of the rockfill from the ancient mining works during the mining archaeological investigations represents another factor contributing to the degradation of the ancient mining works. The degradation of the preservation condition of the mining remains of all ages is accelerated also by the closure of the mining operation managed by Minvest (June 01 2006), which assured, at a minimum level, the global drainage of the system of galleries of the Roșia Montană mine. The closure of a mining activity, according to the national norms in force, implies an extremely wide range of preservation measures, but at Roșia Montană the extractive activity purely and simply was stopped, the mine being abandoned. After few months from abandon, the main gallery of the mine water drainage, namely the Sf. Cruce from Orlea gallery is in a critic condition. In fact, the mine water silted the drainage ways longer than several kilometers. In the case when this mining heritage will be only “frozen” without to take maintenance measures, having in regard their preservation for the next generations, the result will be disastrous. All

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still existing remains will disappear due to the underground falling and flood. An edifying example consists – unfortunately – from the “Roman steps” from Brad (Roman remains also listed by Law 5/2000) where these became inaccessible when the maintenance works ceased.

Considering the importance of the cultural heritage at Roșia Montană and current legislation, the heritage research budget allocated for 2001-2006 by S.C. Roșia Montană Gold Corporation S.A. amounted to more than 10 million US\$. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roșia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment of May 2006 (see EIA Report vol. 32, Archaeological Heritage Management Plan for Roșia Montană area, p. 84-85). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum with geological, archaeological, industrial and ethnographic heritage** displays, and the development of tourist access to the Cătălina-Monulești gallery and to the monument at Tău Găuri, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roșia Montană Historic Center**.

In order to get some information on the historic of the researches and of the main discoveries related to historic galleries at Roșia Montană, as well as to get to know the conclusions of the experts regarding this issue, and also the assessments for a tourist route dedicated to historic mining structures from the Carnic Massif or the opinions formulated in 2004 by Edward O’Hara – General Rapporteur on Cultural Heritage within the Parliamentary Assembly of Europe Council; we ask you to read the annexes entitled “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects” and “Costs Estimate for the Development of Ancient Mining Networks from Cărnic”, as well as the annexed version in Romanian language of the O’Hara report. Detail information regarding the complex issue of the study on ancient mining activities from Roșia Montană, of the results of these researches and their development perspectives, they are all available in the Environmental Impact Assessment Study for the Roșia Montană Project, volume 6 – Baseline conditions page 32, 35-58, 83-109.

In conclusion, we note that there is no question of destroying the archaeological remains at Roșia Montană, or of merely replacing them with replicas. Research of this type – known as preventive/rescue archaeological research – is done everywhere in the world in relation to economic development of areas, and the costs thereof, as well as the costs of enhancing and maintaining the preserved areas, have to be provided by the investors, which leads to the establishment of a public private partnership in the protection of cultural assets, as provided by the European Convention of Malta (1992) on the protection of the archaeological heritage [1].

It is worth stressing that, apart from the obligations RMGC has committed to in protecting and preserving archaeological remains and historic monuments, there are a number of obligations that relate to both the local government authorities in Roșia Montană and Alba County and to the central government authorities, i.e. the Romanian State. The Cultural Heritage Management Plans included in the EIA Study Report provide clarification of such aspects (see EIA Report, vol. 32, Management Plan for the Archaeological Heritage at Roșia Montană p. 22-24, 49, 55-56, 71-72 and EIA Report, vol. 33, Management Plan for the Historic Monuments and Protected Areas at Roșia Montană p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All these publicly assumed commitments of the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

References:

[1] The text of this Convention is available on website:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=143&CM=8&DF=7/6/2006&CL=ENG>

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	35
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 116015/08.12.2006
RMGC internal unique code	MMGA_1486
<b>Proposal</b>	Why is the decision of the Alba Iulia law court, which renders void the archeological discharge certificate, not observed?
<b>Solution</b>	<p>We assume that the question refers to the decision of the Court of Appeals of Alba Iulia on the annulment of the archaeological discharge certificate for Cărnic massif. This was not a final decision. The case was referred to the High Court of Cassation and Justice of Romania, which sent it to the Court of Appeals of Braşov for review. Consequently, the case is currently on the roll of the Court of Appeals of Braşov.</p> <p>We would like to complete this juridical information stating that ample preventive archaeological investigations and connected specialty studies were carried out so far in the Cărnic massif, and the its integrity is not threatened.</p> <p>Most of the ancient mining works in Cărnic mountain, as well as other mining sectors, are only accessible in difficult conditions, to specialists, and are partly inaccessible to the public at large. Moreover, safety regulations governing similar activities in the museums of the European Union, and which will become law for Romania as well, are not compatible with the conversion of the Roman galleries, inherently exposed to high risk factors, to a space available to tourists. Note that there will be comparable Roman gallery sections that will be preserved on site. As an impact mitigation measure, apart from the full research and publication of research results, the specialists considered it appropriate to develop a 3D graphic model of these structures, and 1:1 replicas within the proposed mining museum at Roşia Montană.</p> <p>As an alternative, the elaboration of a specialty study was taken into account in order to evaluate the costs needed for the integral preservation and introduction into the tourism circuit of the galleries situated in Cărnic massif. Thus, the necessary investments in order to arrange and maintain the public tourism in this massif rise at an amount unjustified from economic point of view (see the informative brochure entitled <u><i>Costs Estimate for the Development of Ancient Mining Networks from Cărnic</i></u> elaborated by British companies Gifford, Geo-Design and ForkersLtd).</p>

Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	54
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 114731/25.09.2006
RMGC internal unique code	MMGA_1499
<b>Proposal</b>	The archeological area of great historical and cultural value will be destroyed.
<b>Solution</b>	<p>Note that the implementation of the mining project does not involve the destruction or abandonment of archeological heritage assets in the area of Roșia Montană commune and full consideration has been given to their existence there. Based on the specialist reports and publications, the Roman galleries at Roșia Montană are considered important, but not unique. Thus, a catalog of ancient mining works in Transylvania and Banat – developed as part of the Environmental Impact Assessment Study for Roșia Montană – states that it is difficult to justify a claim that the Roșia Montană site is unique, at least in the context of Roman mining operations throughout the Empire, and particularly in Dacia Province. There are at least 20 other sites of relatively similar characteristics – some of which, including Ruda Brad, Bucium – the Vulcoi Corabia and the Haneș – Amlășul Mare areas, have already provided real data on archeological remains comparable to the ancient <i>Alburnus Maior</i> and discount claims for the uniqueness of the site.</p> <p>Prior to 1999, the Roman galleries at Roșia Montană were not researched by mining archeology specialists, although their existence had been known for over 150 years. In practice, before 2000, this type of archeological remains was unknown from scientific research, the references connected to these being in most of the times empirical. Neither the surface archaeological were better known the real sense of the word, but information originated from chance finds occasioned by agricultural and construction works.</p> <p>Mining archeology research conducted – since 1999 – by a multi-disciplinary specialist team from the University of Toulouse Le Mirail (France), and coordinated by Dr. Beatrice Cauuet aimed to develop – as a first in Romania – a detailed study of this type of archeological remains, i.e. old mining galleries of Roman and later periods. Extensive research and heritage studies conducted during 200-2006 helped create a comprehensive image of these the national cultural heritage assets, and to adopt specific measures in regard to their protection.</p> <p>The study of these structures therefore meant better knowledge and documented decision making in regard to their conservation and enhancement. Based on the results of research conducted to date (and finalized for Cetate, Cârnic, Jig and ongoing in Orlea), it was decided to preserve and enhance the following areas of old mining works:</p> <ul style="list-style-type: none"> <li>- the Cătălina Monulești Gallery – located in the Historic Center of Roșia Montană, where the most important cache of wax tablets and an ancient mine drainage system had been found in the past;</li> <li>- mining sector Păru Carpeni – located in the south-eastern part of Orlea, where a successive chamber drainage system equipped with Roman wooden installations (wheels, channels, etc.) was discovered;</li> <li>- the Piatra Corbului area – located in the south-western part of Cârnic, and preserving traces of fire and water mining operations of ancient and medieval age;</li> <li>- the Văidoaia area – north-west of Roșia Montană village, preserving areas of ancient open cast mining.</li> </ul> <p>Preventive archeological research conducted in 2001-2006 helped define and research 13 archeological sites, for some of which – once exhaustive research work was finalized – the decision was to apply the archeological duty of care removal procedures, while for others it was decided to apply on site conservation – the funerary precinct at Tăul Găuri, the Roman relics on Dealu Carpeni; Orlea area will be researched in detail during the 2007-2012 period.</p>

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As for the historic mining galleries of the Roman period discovered in the mining sectors of Cătălina Monulești and Păru Carpeni, comprehensive rehabilitation, reinforcement and development works have been planned, in order help preserve them in situ and develop them for tourism. This decision was based on the value of the archeological remains preserved in the galleries, i.e. the wooden Roman installations built for the drainage of mine water during the Roman Age (the so-called Roman wheels). At the same time, the gallery at Cătălina Monulești is renowned for being the one where – in mid 19<sup>th</sup> century – the most significant cache of waxed tablets was discovered (according to the sources in the historical archives they were 11 of the 32 artifacts of this kind known to date).

Most of the ancient mining works in Carnic mountain, as well as other mining sectors, are only accessible in difficult conditions, to specialists, and are partly inaccessible to the public at large. Moreover, safety regulations governing similar activities in the museums of the European Union, and which will become law for Romania as well, are not compatible with the conversion of the Roman galleries, inherently exposed to high risk factors, to a space available to tourists. Note that there will be comparable Roman gallery sections that will be preserved on site. As an impact mitigation measure, apart from the full research and publication of research results, the specialists considered it appropriate to develop a 3D graphic model of these structures, and 1:1 replicas within the proposed mining museum at Roșia Montană.

As an alternative, the elaboration of a specialty study was taken into account in order to evaluate the costs needed for the integral preservation and introduction into the tourism circuit of the galleries situated in Cărnic massif. Thus, the necessary investments in order to arrange and maintain the public tourism in this massif rise at an amount unjustified from economic point of view (see the informative brochure entitled *Costs Estimate for the Development of Ancient Mining Networks from Cărnic* elaborated by British companies Gifford , Geo-Design and ForkersLtd).

For the Orlea area (the only one where ancient mining relics have been classified to date, i.e. under HML 2004 Roman mining operations at Alburnus Maior, Orlea area cod LMI AB-I-m-A-00065.02), research has only been of a preliminary nature so far. Detailed research of this area is planned for 2007-2012, and when this research is finalized the necessary measures under the law will have to be taken, either to conserve some sections on site, or to apply the archeological duty of care removal procedure for others. Detailed information on random archeological discoveries and preliminary archeological research (both above and underground) in the area of Orlea Hill was published in the Environmental Impact Assessment Study for the Roșia Montană Project, vol. 6 – Cultural Heritage Baseline Study, Annex I p. 219-222. Also note that the study further states: “As Project development in Orlea area has been scheduled for a later date, as of 2007, surface archeological investigations will focus on this area. Thus, the building activities involved in Project implementation can not be initiated before archeological investigations carried out under the Romanian legal provisions and international recommendations and practice have been finalized. (Cultural Heritage Baseline Study, vol. 6, p. 46).

Within the Orlea Massif from Roșia Montană, a Mining Museum was established in 1980. In this mining perimeter a series of well preserved galleries were arranged and separated by concrete walls towards the mining works which assured the access. The Orlea galleries have a characteristic trapezoidal profile, similarly with the mining works from Cărnic and other mining sector from Roșia Montană. Also, these ancient works suffered in time successive “reshaping”, respectively the taking again having in regard the mining of new ore reserves. These mining works destroyed parts from these ancient remains. Moreover, their preservation state falls into disrepair due to the recent mining works which used drilling – blasting technology, a fact leading to the rock destabilization and destroying of the underground mining remains. The removal of the rockfill from the ancient mining works during the mining archaeological investigations represents another factor contributing to the degradation of the ancient mining works. The degradation of the preservation condition of the mining remains of all ages is accelerated also by the closure of the mining operation managed by Minvest (June 01 2006), which assured, at a minimum level, the global drainage of the system of galleries of the Roșia Montană mine. The closure of a mining activity, according to the national norms in force, implies an extremely wide range of preservation measures, but at Roșia Montană the extractive activity purely and simply was stopped, the mine being abandoned. After few months from abandon, the main gallery of the mine water drainage, namely the Sf. Cruce from Orlea gallery is in a critic condition. In fact, the mine water silted the drainage ways longer than several kilometers. In the case when this mining heritage will be only “frozen” without to take maintenance measures, having in regard their preservation for the next generations, the result will be disastrous. All

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still existing remains will disappear due to the underground falling and flood. An edifying example consists – unfortunately – from the “Roman steps” from Brad (Roman remains also listed by Law 5/2000) where these became inaccessible when the maintenance works ceased.

Considering the importance of the cultural heritage at Roşia Montană and current legislation, the heritage research budget allocated for 2001-2006 by S.C. Roşia Montană Gold Corporation S.A. amounted to more than 10 million US\$. Moreover, based on the research results, the specialist opinions and competent authority decisions, the budget estimated by the Company for the research, conservation and restoration of the cultural heritage at Roşia Montană in future years, provided the Project is implemented, will be US\$ 25 million, as disclosed in the Environmental Impact Assessment of May 2006 (see EIA Report vol. 32, Archeological Heritage Management Plan for Roşia Montană area, p. 84-85). Therefore, the intention is to continue work in Orlea area, and especially to create a **modern Mining Museum** with **geological, archeological, industrial and ethnographic heritage** displays, and the development of tourist access to the **Cătălina-Monuleşti** gallery and to the monument at **Tău Găuri**, as well as to **preserve and restore the 41 historic monument buildings and the protected area of Roşia Montană Historic Center**.

In order to get some information on the historic of the researches and of the main discoveries related to historic galleries at Roşia Montană, as well as to get to know the conclusions of the experts regarding this issue, and also the assessments for a tourist route dedicated to historic mining structures from the Carnic Massif or the opinions formulated in 2004 by Edward O’Hara – General Rapporteur on Cultural Heritage within the Parliamentary Assembly of Council of Europe; we ask you to read the annexes entitled “Information on the Cultural Heritage of Roşia Montană and Related Management Aspects” and “Costs Estimate for the Development of Ancient Mining Networks from Cărnic”, as well as the annexed version in Romanian language of the O’Hara report. Detail information regarding the complex issue of the study on ancient mining activities from Roşia Montană, of the results of these researches and their development perspectives, they are all available in the Environmental Impact Assessment Study for the Roşia Montană Project, volume 6 – **Baseline conditions page 32, 35-58, 85-109**.

In conclusion, we note that there is no question of destroying the archeological remains at Roşia Montană, or of merely replacing them with replicas. Research of this type – known as preventative/rescue archeological research – is done everywhere in the world in relation to economic development of areas, and the costs thereof, as well as the costs of enhancing and maintaining the preserved areas, have to be provided by the investors, which leads to the establishment of a public private partnership in the protection of cultural assets, as provided by the European Convention of Malta (1992) on the protection of the archeological heritage [1].

It is worth stressing that, apart from the obligations RMGC has committed to in protecting and preserving archeological remains and historic monuments, there are a number of obligations that relate to both the local government authorities in Roşia Montană and Alba County and to the central government authorities, i.e. the Romanian State. The Cultural Heritage Management Plans included in the EIA Study Report provide clarification of such aspects (see EIA Report, vol. 32, Management Plan for the Archeological Heritage at Roşia Montană p. 22-24, 49, 55-56, 71-72 and EIA Report, vol. 33, Management Plan for the Historic Monuments and Protected Areas at Roşia Montană p. 28-29, 47-50, 51-53, 65-66, p. 103 – Annex 1).

All these publicly assumed commitments of the Company are described in detail in the EIA Report, vol. 33, Cultural Heritage Management Plan.

References:

[1] The text of this Convention is available on website:

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	63
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 165302/12.09.2006
RMGC internal unique code	MMGA_1513
Proposal	<p>The questioner does not agree to the Roşia Montana project implementation formulating the following remarks and comments: The report includes only partially the "Cultural Patrimony Management Plan regarding Historical Centre of the Roşia Montana locality".</p> <p>There are several stipulations we have to make considering the point of view expressed by the questioner with regard to the document prepared by SC OPUS – Atelier de Arhitectură Ltd.</p> <p>Pursuant to the scoping guidelines for the Report on Environmental Impact Assessment sent by the Ministry of Environment and Water Management (MEWA) under register number 8070/24.05.2005 ("Guidelines") to S.C. Roşia Montană Gold Corporation S.A (RMGC), the project titleholder was asked to present a Management Plan for Historic Monuments and Protected Areas, as an annex to the Environmental Impact Assessment Study for the Roşia Montană Project.</p> <p>Taking these requirements into account, the project's titleholder contracted this work to the National History Museum of Romania (NHMR), pursuant to the provisions of the Ordinance issued by the Ministry of Culture and Religious Affairs no. 2504/07.03.2001 certifying this institution as the coordinator of all heritage research and studies associated with the Roşia Montană Project.</p> <p>Through the professional services agreement concluded between RMGC and the National History Museum of Romania (NHMR), the latter being an expert consultant, and having Paul Damian, PhD, Deputy Scientific Director as its representative, the institution was committed "to prepare a specific documentation to be included in the Environmental Impact Assessment for Roşia Montană Project, Cultural Heritage section". This specific documentation was to be prepared "in compliance with applicable Romanian, European and international standards for the environmental impact assessment studies".</p>
Solution	<p>In its turn, NHMR subcontracted SC OPUS - Atelier de Arhitectură Ltd. for the development of "a documentation exclusively prepared for the Study Area of Roşia Montană Historic Centre"; to be precise only a section of the entire document requested by MEWM through the official letter regarding the assessment's scoping guidelines. Within this framework, OPUS prepared the document called "The Historic Center of Roşia Montană - Cultural Heritage Management Plan. Draft I. A document for public disclosure".</p> <p>We must emphasise the fact that the final version of the "Management Plan for the Protected Areas and Historic Monuments of Roşia Montană Area" underwent several phases of editing according to instructions formulated by the EIA certified team of experts, coordinated by Mrs. Marilena Pătraşcu, overall expert reviewer, in order to meet all legal requirements that were included in "Guidelines".</p> <p>We note that the Environmental Impact Assessment Study for Roşia Montană mining Project was prepared by "natural and legal entities that were independent of the project's [...] titleholder", and "certified by environmental competent authority" [1]. "The liability regarding the accuracy of information disclosed to the environmental competent authorities and public lies with the project's [...] titleholder", and the liability regarding the accuracy of the Environmental Impact Assessment lies with its authors. [2]</p> <p>Chapters 1 (<i>Introduction</i>) and 9 (<i>Non Technical Summary</i>) include the list of all certified natural and legal entities who participated to the development of the Report on Environmental Impact Assessment Study. In order to express the gratitude for all their efforts, a list of uncertified natural and legal entities that have assisted the certified specialists, was been added to the respective list. The liability for the development of the Environmental Impact Assessment and for the accuracy of the interpretation of the</p>

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information included in the report lies **only** with “highly competent certified natural and legal entities” and with “certified legal entities” [3], which have participated in the development of the Environmental Impact Assessment based on the agreement concluded with the titleholder, and not with the assistant (or sub-) consultants. **Therefore, the decision regarding the selection and use of information provided by the assistant consultants rests with the certified experts.**

Signing the Report on Environmental Impact Assessment Study (or its “chapters”) by certified experts is not a legal requirement [4].

For all necessary clarifications related to the detailed changes made to the content of the documentation prepared by SC OPUS - Atelier de Arhitectură Ltd., please find enclosed an annex that includes a comparison of the text submitted by OPUS through the official report no. 1007/09.05.2006 to the National History Museum of Romania, and the final published version of the Report on Environmental Impact Assessment, specifically volume 33 – Management Plan for the Protected Areas and Historic Monuments of Roşia Montană Area, which was submitted during the month of May 2006 to the Ministry of Environment and Water Management.

Reference:

[1] In compliance with the provisions of Governmental Emergency Ordinance no. 195 of December 22<sup>nd</sup>, 2005 on environmental protection, published in the Official Gazette of Romania, part I, no. 1,196 of December 30<sup>th</sup>, 2005 endorsed with all of its amendments by Law no. 265 of June 29<sup>th</sup>, 2006 which in its turn has been published in the Official Gazette of Romania no. 586 of June 6<sup>th</sup>, 2006, art. 21, letter (a).

[2]. Idem 2, art. 21, letter (d).

[3]. According to the 5<sup>th</sup> article from the Ministerial Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no.97 of May 18<sup>th</sup>, 2004 with regard to the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 on the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environmental balances, published in the Official Gazette no. 504 of June 4<sup>th</sup>, 2004.

[4] The provision on the liability of the expert coordinator “**upon their signing**”, regarding the “quality of the studies and the reports submitted” mentioned within article 5 (2) of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no. 978 of December 2<sup>nd</sup>, 2003 (published in the Official Gazette no. 3 of January 5<sup>th</sup>, 2004) **it has been removed** through the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 97 of May 18<sup>th</sup>, 2004 (for the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 regarding the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environment balances, published in Official Gazette no. 504 of June 4<sup>th</sup>, 2004).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	19/D;5474/B, 20/D;5475/B, 21/D;5476/B, 22/D;5477/B, 23/D;5478/B, 24/D;5479/B, 25/D;5480/B, 26/D;5481/B, 27/D;5482/B, 28/D;5483/B, 29/D;5484/B, 5606, 5607, 5608, 5609, 5610, 32/D;5611/B, 36, 42, 43, 44, 45, 49, 51
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 114726/31.08.2006, No. 114727/31.08.2006, No. 114731/31.08.2006, No. 114736/15.09.2006, No. 114274/28.08.2006, No. 114717/28.08.2006, No. 114723/31.08.2006, No. 114275/28.08.2006, No. 114278/28.08.2006, No. 114277/28.08.2006, No. 114276/28.08.2006, No. 109583/18.08.2006, No. 112960/25.08.2006, No. 112959/25.08.2006, No. 112943/25.08.2006, No. 112945/25.08.2006, No. 115103/13.10.2006, No. 116056/11.12.2006, No. 169324/06.11.2006, No. 169323/06.11.2006, No. 169322/06.11.2006, No. 169321/06.11.2006, No. 114373/169078/10.10.2006, No. 114903/05.10.2006
RMGC internal unique code	MMGA_1520
Proposal	- It disputes the spiritual and architectural monuments, including the responsible involvement of the Institutions of the State in the protection program. PLEASE SEE CONTESTATION FORM 2
Solution	<p>In 2000, in the context of the proposal of a new mining project in the Roşia Montană area, the Ministry of Culture and Religious Affairs approved a series of studies to be conducted in order to research the archaeological and architectural heritage of the area. At the end of that year, the Design Centre for National Cultural Heritage (now the National Institute for Historical Monuments) presented the preliminary results of these researches in front of the National Commission for Historical Monuments and of the National Commission of Archaeology. Based on these results, in 2001, the Ministry of Culture and Religious Affairs initiated the “Alburnus Maior” National Research Program (the Order no. 2504 / 07.03.2001 of the Minister of Culture and Religious Affairs) in compliance with the Law 378/2001 (as subsequently amended by Law 462/2003 and by Law 258/2006 and Law 259/2006). Thus, since 2000, the Ministry of Culture and Religious Affairs has fulfilled its duties – directly or through its subordinated institutions - with regard to the management of the issues related to Roşia Montană’s heritage.</p> <p>The preventive archaeological researches have been conducted by the representatives of 21 national institutions and 3 others from abroad, with a broad expertise in the field. They have been carried out based on the annual approval of the National Commission of Archaeology of the Ministry of Culture and Religious Affairs. In accordance with current legislation, this research program is carried out with financial support provided by RMGC, i.e. the company that plans to expand and continue to mine the gold-silver deposit in Roşia Montană. Thus, large-scale preventive investigations have been conducted or are underway in the RMP impact area. A proposal will be made based on the results of these investigations, either for the archaeological discharge of some researched areas or the preservation in situ of certain representative structures and monuments, in compliance with current legislation. For areas proposed for conservation or for archaeological discharge measures the decision was made based on the surveys conducted by specialists and on the analysis of the results by the National Commission of Archaeology. In the period 2000-2005, the mining project underwent a series of modifications designed to promote the conservation of the local heritage. Examples of this include extending the duration of the field investigations (e.g. in Tarina, Pârâul Porcului, Orlea) and changing the location of some elements of mining infrastructure in order to allow the conservation of the archaeological remains found in the Carpeni, in the Tău Găuri and Pietra Corbului areas.</p> <p><b>The architectural and town-planning surveys</b> have been conducted, in accordance with current legislation, by companies certified by the Ministry of Culture and Religious Affairs, while the town-planning documentation drafted by these companies, and the restoration and conservation works undertaken so far, have been approved by the National Commission for Historical Monuments. Thus, the town-planning documentation has been approved and implemented in accordance with current legislation, and the company has agreed to these decisions and modified the mine development plans accordingly:</p> <p><b>Extensive ethnographic research</b> was conducted in the Roşia Montană-Abrud-Corna area in the period 2001-2004 coordinated by a team of specialists for the Romanian Village Museum „Dimitrie Gusti” (a National Museum directly under the coordination of the Ministry of Culture and Religious Affairs).</p>

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Moreover, a broad series of oral history interviews was conducted in the period 2001-2002 by the Romanian Society of Radio broadcasting through the „Gheorghe Brătianu” Oral History Centre, Bucharest (SRR - CIO).

In compliance with the requirements of the Ministry of Environment and Waters Management and the Ministry of Culture and Religious Affairs, specific management plans have been drawn up for the management and conservation of the heritage remains from the Roşia Montană area, in the context of the implementation of the mining project. These plans have been included in the documentation prepared for the report on the Environmental Impact Assessment Study. (see EIA Report, volume 32-33, Plan M-Cultural Heritage Management Plan, part I –Management Plan for the Archaeological Heritage from Roşia Montană Zone; part II-Management Plan for the Historical Monuments and Protected Zone from Roşia Montană; part III- Cultural Heritage Management Plan).

These management plans comprise detailed presentations of the obligations and responsibilities for the protection and conservation of the heritage remains from the Roşia Montană area, which the company has assumed as part of the mining project, in accordance with the decision of the central government. These heritage remains include: archaeological remains above and under the ground, historic buildings, protected areas, intangible heritage assets, cultural landscape items, etc. In this context, it should be noted that besides the works for the protection and preservation of the archaeological heritage, works are also being carried out for the rehabilitation and conservation of the protected area Historical Centre Roşia Montană (comprising 35 historic buildings, and projects for the restoration of 11 of these buildings are currently being drafted) and at Tăul Mare, Tăul Brazi and Tăul Anghel, plus remains of the surface mining works from the Văidoaia area, and the creation of a modern museum dedicated to the history of mining in the Apuseni Mountains area. This museum will be established including exhibitions of geology, archaeology, industrial and ethnographic heritage as well as an underground section organized around the Cătălina Monuleşti gallery.

Moreover, representatives of the Directorate/Department for Culture, Religious Affairs and National Cultural Heritage of Alba County have paid a number of visits to Roşia Montană in order to collect information and to check the situation. The same administrative body was the intermediary for the acquisitions of historic buildings made by RMGC. The Ministry of Culture and Religious Affairs expressed its pre-emption right regarding the acquisition of these buildings.

It should be mentioned, however, that apart from the obligations undertaken by RMGC as regards the protection and conservation of the archaeological remains and historical monuments, there are also a series of obligations which rest with the local public authorities from Roşia Montană and from Alba County, and with the central public authorities, specifically the Romanian Government. These aspects are detailed in the Cultural Heritage Management Plans included in the EIA Report (see EIA Report, volume 32, Management Plan for the Archaeological Heritage from Roşia Montană Zone, pages 22-24, 49, 55-56, 71-72 and the EIA Report, volume 33- Management Plan for the Historical Monuments and Protected Zone from Roşia Montană pages 28-29, 47-50, 51-53, 65-66, page 103 – Annex 1).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	749
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109706/21.08.2006 and No. 75023/21.08.2006
RMGC internal unique code	MMGA_1532
Proposal	<p>the Report doesn't mention anything in relation to what benefits the interested public would have by Internet watching the Roman galleries of Orlea and Carnic which are to be blasted.</p> <p>The reports and studies published by experts in the field make clear that the Roman galleries at Roşia Montană are significant, but not unique. As indicated in the gazetteer of the Roman mining sites from Transylvania and Banat, prepared as part of the Environmental Impact Assessment Study for the Roşia Montană project, it is difficult to justify the claim that the Roşia Montană site is of unique importance, at least if we consider the history of mining in the Roman Empire territory, and especially in the province of Dacia. There are at least 20 other sites with relatively similar features and some of them (Ruda Brad, Bucium – the Vulcoi Corabia area and Haneş – Amlaşul Mare area) have already produced concrete evidence proving that their archaeological potential is, to a certain extent, comparable to that of the ancient <i>Alburnus Maior</i> site. This aspect should also be taken into consideration when claiming that Roşia Montană is a site of unique importance.</p> <p>Construction activities in the Orlea area, necessary for the development of the proposed mining project, cannot start until the archaeological investigations have been completed, in accordance with the Romanian legal provisions and international practices and guidelines. (Cultural Heritage Baseline Report, vol. 6, p. 46). Under the Government Ordinance no. 43/2000 on the protection of the cultural heritage and the designation of the archaeological sites as areas of national interest, as last amended, “the investor shall finance a feasibility study and a technical project, describing the measures to be taken, later to be presented in detail, and the funds necessary for conducting preventive archaeological researches or, as the case may be, archaeological surveillance. Also, the investor shall finance the necessary works for the preservation of the archaeological heritage or, where appropriate, for the archaeological discharge of the area affected by works. The investor shall finance the enforcement of such measures”.</p>
Solution	<p>Surface and underground preventive archaeological researches will continue in the Orlea area, which is in an area with identified archaeological potential (as mentioned in The Cultural Heritage Baseline Report, vol. 6, page 48). In addition, it has been stated here that the researches undertaken so far in this massif have had a preliminary character. The following aspect, mentioned in the report, should be noted: “given that the mining activities in the Orlea area are to be developed at a later stage, surface archaeological research in this area is to be carried out starting with 2007”.</p> <p>The preliminary underground investigations, undertaken in the Orlea Massif, have led to the uncovering, in 2004, of a significant discovery, whose value was confirmed in the summer of 2005. The French team led by Dr. Beatrice Cauuet has uncovered a chamber with a hydraulic wheel, and later an entire mine dewatering system. This complex, uncovered in the Păru Carpeni area, was found to date to Roman times and has been subject to extensive archaeological investigations, while special measures have been taken to ensure its preservation <i>in situ</i>. The discovery would not be affected by the future development of the Orlea open pit exploitation. Surface preventive archaeological research in the Orlea area, as well as underground archaeological research in the Orlea-Ţarina segment are planned to be conducted between 2007 and 2012, as indicated in the Cultural Heritage Baseline Report, vol. 6, p. 45.</p> <p>In accordance with the List of Historic Monuments published in the Official Gazette nr. 646 bis of 16 July 2004, the industrial area that is to be developed in the Orlea Massif includes 2 archaeological sites classified as historic monuments –the Roman settlement at Alburnus Maior, the Orlea area (code LMI AB-I-m-A-00065.01), and the Roman mining exploitation at Alburnus Maior, the Orlea Massif (AB-I-m-A-00065.02).</p>

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Law 422/2001 on the protection of historical monuments, as last amended, provides for the declassification of archaeological sites, once the archaeological discharge certificate has been granted, as approved by the National Archaeological Commission within The Ministry of Culture and Religious Affairs. The archaeological discharge procedure, as defined by the law, is the procedure by means of which an area of archaeological interest may be restored to its current use. Therefore, it is true that RMGC plans to mine the gold-silver deposits located in the Orlea Massif area, in the second phase of the proposed mining project.

Consequently, the proposed mining operations in the Orlea Massif can be developed only after the completion of preventive, surface and underground archaeological researches, which will produce a comprehensive body of data on the Roman site located in the Orlea area. As shown in Annex I to the Cultural Heritage Baseline Report (Archaeological Site Record Card no. 9- Orlea Massif, p. 231-236), no archaeological investigations have been undertaken in this area, nor any expert studies that would determine in detail the characteristics and the spatial distribution of the archaeological remains in the area. RMGC has, therefore, committed to financing a preventive archaeological research program, to be undertaken between 2007 and 2012 by an expert team. Based on the research results, a decision will be made as to whether the archaeological discharge procedure should be applied. There are no legal provisions that would prohibit conducting preventive archaeological researches in the areas with an identified archaeological heritage, such as the Orlea area.

Most of the Roman mining works in the Cârnic massif, as well as in other mining areas can only be accessed by specialists, in very difficult conditions, being partially inaccessible to the public. Moreover, under the EU safety rules applying to similar museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. It should be noted that extensive portions of comparable Roman galleries will be preserved *in situ*.

As for the Roman galleries located in the Cârnic massif, it should be noted that most of the Roman and later mining works, can only be accessed by specialists, in very difficult conditions, being partially inaccessible to the public. Moreover, under the EU safety rules applying to similar museums all over Europe, rules that have been transposed into Romanian legislation, Roman galleries that pose safety risks cannot be opened for public access. It should be mentioned that extensive portions of comparable Roman galleries will be preserved *in situ*.

Consequently, based on the scientific report submitted by French experts, on the proposal by the National Archaeology Commission, the Ministry of Culture and Religious Affairs has granted the archaeological discharge certificate for the Cârnic massif, with the exception of an area of approximately 5 ha, including Piatra Corbului. As part of the effort to mitigate negative impacts, in addition to the thorough investigation of the area and publication of its results, specialists have deemed it appropriate to make a 3-D model as well as replicas of these structures (at a scale of 1:1). These will be included in the mining museum which is proposed at Roşia Montană. The creation of a 3D model of the Roman mining remains located in the Cârnic area required approximately 3 years (2004-2006) of detailed topographical surveys, computerized graphic processing and digital graphic design. The 3D model can be used for education and demonstration purposes, as part of the museum and tourist circuit that is proposed for development in the Historic Centre of Roşia Montană. The 3D model can also be posted on an internet website dedicated to promoting the Roşia Montană cultural heritage and to creating interactive CD-ROMs showing the 3D model.

As an alternative, the company considered the preparation of a specialized study comprising financial estimates for the conservation in their entirety of the galleries from the Cârnic massif and for opening them to tourists. Moreover, note that the costs for the development and maintenance of a public circuit in this massif are prohibitive and such an investment would not be economically feasible (see Annex "*Costs Estimate for the Development of Ancient Mining Networks from Cârnic Massif*", prepared by the UK-based companies Gifford, Geo-Design and Forkers Ltd).

The research of these structures has led to their better understanding and determined some well-grounded decisions with regard to their conservation and enhancement. Based on the results of the research conducted to date (which has been already completed for Cetate, Cârnic, Jig massifs and is in the course of being completed for the Orlea massif), a decision was made for the conservation and enhancement of the following areas comprising Roman mining works:

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- the Cătălina Monulești gallery - located in the Historical Centre of the Roșia Montană village. This gallery is the place where most of the wax tablets and an ancient mine dewatering system have been found;
  - the Păru Carpeni mining sector - located in the south-eastern part of the Orlea massif, where a system of overlapped chambers was found, equipped with Roman wood drainage devices (wheels, channels, etc.);
  - the Pietra Corbului area - located in the south-western part of the Cărnic massif; this area bears traces of the ancient and medieval galleries dug by the fire setting technique;
  - the Văidoaia massif area - located in the north-western part of the Roșia Montană village, containing portions of open-cast exploitations dating back to the Roman times.

Given the significance of the Roșia Montană's cultural heritage, and the current legal provisions, S.C. Roșia Montană Gold Corporation S.A allocated more than USD 10 million for the archaeological investigations carried out between 2001-2006. What is more, based on the research results, on the experts' opinions and on the decision of competent authorities, the budget estimated for the research, conservation and preservation of the Roșia Montana's cultural heritage, undertaken as part of the project development, amounts to more than USD 25 million, as indicated in the Environmental Impact Assessment Study, published in May 2006 (see the EIA Report, vol. 32, Cultural Heritage Management Plan, p. 84-85). Archaeological investigations in the Orlea area are to be continued, and a Modern Mining Museum will be opened, including geology, archaeology, ethnographic and industrial heritage exhibitions. Other plans include the development for public access of the **Cătălina-Monulești gallery and the Tău Găuri monument, as well as the restoration of the 41 historical buildings and of the protected zone Roșia Montană Historic Centre.**

In conclusion, note that the protection and enhancement measures included in the Management Plan for the Archaeological Heritage of the Roșia Montană area will be submitted for approval to the Ministry of Education and Religious Affairs, as part of the permitting procedure for the Roșia Montană project. The Ministry shall form an opinion on the proposed project, in accordance with the legal provisions and its responsibilities.

For further information on the most important archaeological remains, as well as on their protection and on the special measures mentioned in the management plans, please consult the annex „Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”.

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	750BIS
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109708/21.08.2006
RMGC internal unique code	MMGA_1546
Proposal	<p>The Company submits to the MEWM a "Management Plan for the Cultural Heritage - Rosia Montana historical centre", addressing the following observations: The EIA Report includes only a part of the "Management plan for cultural heritage regarding the historical centre of Rosia Montana".</p>
	<p>There are several stipulations we have to make considering the point of view expressed by the questioner with regard to the document prepared by SC OPUS – Atelier de Arhitectură SRL.</p> <p>Pursuant to the scoping guidelines for the Report on Environmental Impact Assessment sent by the Ministry of Environment and Water Management (MEWA) under register number 8070/24.05.2005 ("Guidelines") to S.C. Roşia Montană Gold Corporation S.A (RMGC), the project titleholder was asked to present a Management Plan for Historic Monuments and Protected Areas, as an annex to the Environmental Impact Assessment Study for the Roşia Montană Project.</p> <p>Taking these requirements into account, the project's titleholder contracted this work to the National History Museum of Romania (NHMR), pursuant to the provisions of the Ordinance issued by the Ministry of Culture and Religious Affairs no. 2504/07.03.2001 certifying this institution as the coordinator of all heritage research and studies associated with the Roşia Montană Project.</p> <p>Through the professional services agreement concluded between RMGC and the National History Museum of Romania (NHMR), the latter being an expert consultant, and having Paul Damian, PhD, Deputy Scientific Director as its representative, the institution was committed "to prepare a specific documentation to be included in the Environmental Impact Assessment for Roşia Montană Project, Cultural Heritage section". This specific documentation was to be prepared "in compliance with applicable Romanian, European and international standards for the environmental impact assessment studies".</p>
Solution	<p>In its turn, NHMR subcontracted SC OPUS - Atelier de Arhitectură Ltd. for the development of "a documentation exclusively prepared for the Study Area of Roşia Montană Historic Centre"; to be precise only a section of the entire document requested by MEWM through the official letter regarding the assessment's scoping guidelines. Within this framework, OPUS prepared the document called "The Historic Center of Roşia Montană - Cultural Heritage Management Plan. Draft I. A document for public disclosure".</p> <p>We must emphasise the fact that the final version of the "Management Plan for the Protected Areas and Historic Monuments of Roşia Montană Area" underwent several phases of editing according to instructions formulated by the EIA certified team of experts, coordinated by Mrs. Marilena Pătraşcu, overall expert reviewer, in order to meet all legal requirements that were included in Guidelines.</p> <p>We note that the Environmental Impact Assessment Study for Roşia Montană mining Project was prepared by "natural and legal entities that were independent of the project's [...] titleholder", and "certified by environmental competent authority" [1]. "The liability regarding the accuracy of information disclosed to the environmental competent authorities and public lies with the project's [...] titleholder", and the liability regarding the accuracy of the Environmental Impact Assessment lies with its authors. [2]</p> <p>Chapters 1 (<i>Introduction</i>) and 9 (<i>Non Technical Summary</i>) include the list of all certified natural and legal entities who participated to the development of the Report on Environmental Impact Assessment Study. In order to express the gratitude for all their efforts, a list of uncertified natural and legal entities that have assisted the certified specialists, was been added to the respective list. The liability for the</p>



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development of the Environmental Impact Assessment and for the accuracy of the interpretation of the information included in the report lies **only** with “highly competent certified natural and legal entities” and with “certified legal entities” [3], which have participated in the development of the Environmental Impact Assessment based on the agreement concluded with the titleholder, and not with the assistant (or sub-) consultants. **Therefore, the decision regarding the selection and use of information provided by the assistant consultants rests with the certified experts.**

Signing the Report on Environmental Impact Assessment Study (or its “chapters”) by certified experts is not a legal requirement [4].

For all necessary clarifications related to the detailed changes made to the content of the documentation prepared by SC OPUS - Atelier de Arhitectură SRL., please find enclosed an annex that includes a comparison of the text submitted by OPUS through the official report no. 1007/09.05.2006 to the National History Museum of Romania, and the final published version of the Report on Environmental Impact Assessment, specifically volume 33 – Management Plan for the Protected Areas and Historic Monuments of Roșia Montană Area, which was submitted during the month of May 2006 to the Ministry of Environment and Water Management.

Reference:

[1] In compliance with the provisions of Governmental Emergency Ordinance no. 195 of December 22<sup>nd</sup>, 2005 on environmental protection, published in the Official Gazette of Romania, part I, no. 1,196 of December 30<sup>th</sup>, 2005 endorsed with all of its amendments by Law no. 265 of June 29<sup>th</sup>, 2006 which in its turn has been published in the Official Gazette of Romania no. 586 of June 6<sup>th</sup>, 2006, art. 21, letter (a).

[2]. Idem 2, art. 21, letter (d).

[3]. According to the 5<sup>th</sup> article from the Ministerial Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no.97 of May 18<sup>th</sup>, 2004 with regard to the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 on the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environmental balances, published in the Official Gazette no. 504 of June 4<sup>th</sup>, 2004.

[4] The provision on the liability of the expert coordinator “**upon their signing**”, regarding the “quality of the studies and the reports submitted” mentioned within article 5 (2) of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no. 978 of December 2<sup>nd</sup>, 2003 (published in the Official Gazette no. 3 of January 5<sup>th</sup>, 2004) **it has been removed** through the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 97 of May 18<sup>th</sup>, 2004 (for the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 regarding the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environment balances, published in Official Gazette no. 504 of June 4<sup>th</sup>, 2004).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	750BIS
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 109708/21.08.2006
RMGC internal unique code	MMGA_1547
Proposal	<p>OPUS doesn't take responsibility for the conclusions presented in the Cultural heritage management plan, as presented in the EIA Report.</p> <p>There are several stipulations we have to make considering the point of view expressed by the questioner with regard to the document prepared by SC OPUS – Atelier de Arhitectură SRL.</p> <p>Pursuant to the scoping guidelines for the Report on Environmental Impact Assessment sent by the Ministry of Environment and Water Management (MEWA) under register number 8070/24.05.2005 (“Guidelines”) to S.C. Roşia Montană Gold Corporation S.A (RMGC), the project titleholder was asked to present a Management Plan for Historic Monuments and Protected Areas, as an annex to the Environmental Impact Assessment Study for the Roşia Montană Project.</p> <p>Taking these requirements into account, the project’s titleholder contracted this work to the National History Museum of Romania (NHMR), pursuant to the provisions of the Ordinance issued by the Ministry of Culture and Religious Affairs no. 2504/07.03.2001 certifying this institution as the coordinator of all heritage research and studies associated with the Roşia Montană Project.</p> <p>Through the professional services agreement concluded between RMGC and the National History Museum of Romania (NHMR), the latter being an expert consultant, and having Paul Damian, PhD, Deputy Scientific Director as its representative, the institution was committed “to prepare a specific documentation to be included in the Environmental Impact Assessment for Roşia Montană Project, Cultural Heritage section”. This specific documentation was to be prepared “in compliance with applicable Romanian, European and international standards for the environmental impact assessment studies”.</p>
Solution	<p>In its turn, NHMR subcontracted SC OPUS - Atelier de Arhitectură Ltd. for the development of “a documentation exclusively prepared for the Study Area of Roşia Montană Historic Centre”; to be precise only a section of the entire document requested by MEWM through the official letter regarding the assessment’s scoping guidelines. Within this framework, OPUS prepared the document called “The Historic Center of Roşia Montană - Cultural Heritage Management Plan. Draft I. A document for public disclosure”.</p> <p>We must emphasise the fact that the final version of the “Management Plan for the Protected Areas and Historic Monuments of Roşia Montană Area” underwent several phases of editing according to instructions formulated by the EIA certified team of experts, coordinated by Mrs. Marilena Pătraşcu, overall expert reviewer, in order to meet all legal requirements that were included in Guidelines.</p> <p>We note that the Environmental Impact Assessment Study for Roşia Montană mining Project was prepared by “natural and legal entities that were independent of the project’s [...] titleholder”, and “certified by environmental competent authority” [1]. “The liability regarding the accuracy of information disclosed to the environmental competent authorities and public lies with the project’s [...] titleholder”, and the liability regarding the accuracy of the Environmental Impact Assessment lies with its authors. [2]</p> <p>Chapters 1 (<i>Introduction</i>) and 9 (<i>Non Technical Summary</i>) include the list of all certified natural and legal entities who participated to the development of the Report on Environmental Impact Assessment Study. In order to express the gratitude for all their efforts, a list of uncertified natural and legal entities that have assisted the certified specialists, was been added to the respective list. The liability for the development of the Environmental Impact Assessment and for the accuracy of the interpretation of the</p>

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information included in the report lies **only** with “highly competent certified natural and legal entities” and with “certified legal entities” [3], which have participated in the development of the Environmental Impact Assessment based on the agreement concluded with the titleholder, and not with the assistant (or sub-) consultants. **Therefore, the decision regarding the selection and use of information provided by the assistant consultants rests with the certified experts.**

Signing the Report on Environmental Impact Assessment Study (or its “chapters”) by certified experts is not a legal requirement [4].

For all necessary clarifications related to the detailed changes made to the content of the documentation prepared by SC OPUS - Atelier de Arhitectură Ltd., please find enclosed an annex that includes a comparison of the text submitted by OPUS through the official report no. 1007/09.05.2006 to the National History Museum of Romania, and the final published version of the Report on Environmental Impact Assessment, specifically volume 33 – Management Plan for the Protected Areas and Historic Monuments of Roşia Montană Area, which was submitted during the month of May 2006 to the Ministry of Environment and Water Management.

Reference:

[1] In compliance with the provisions of Governmental Emergency Ordinance no. 195 of December 22<sup>nd</sup>, 2005 on environmental protection, published in the Official Gazette of Romania, part I, no. 1,196 of December 30<sup>th</sup>, 2005 endorsed with all of its amendments by Law no. 265 of June 29<sup>th</sup>, 2006 which in its turn has been published in the Official Gazette of Romania no. 586 of June 6<sup>th</sup>, 2006, art. 21, letter (a).

[2]. Idem 2, art. 21, letter (d).

[3]. According to the 5<sup>th</sup> article from the Ministerial Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no.97 of May 18<sup>th</sup>, 2004 with regard to the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 on the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environmental balances, published in the Official Gazette no. 504 of June 4<sup>th</sup>, 2004.

[4] The provision on the liability of the expert coordinator “**upon their signing**”, regarding the “quality of the studies and the reports submitted” mentioned within article 5 (2) of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment, no. 978 of December 2<sup>nd</sup>, 2003 (published in the Official Gazette no. 3 of January 5<sup>th</sup>, 2004) **it has been removed** through the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 97 of May 18<sup>th</sup>, 2004 (for the alteration and amendment of the Ordinance issued by the Minister of Agriculture, Forestry, Waters, and Environment no. 978/2003 regarding the Regulations governing the certification of natural and legal entities that prepare environmental impact assessment studies and environment balances, published in Official Gazette no. 504 of June 4<sup>th</sup>, 2004).

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Domain	ARCHAEOLOGY
MMDD's item no. for the question which includes the observation identified by the RMGC internal code	922
MMDD's identification no. for the question which includes the observation identified by the RMGC internal code	No. 4277/SB/17.08.2006 and No. 75216/23.08.2006
RMGC internal unique code	MMGA_1577

**Proposal** Why the Romanian authorities destroy, consciously, the historical vestiges of the Romanians?

Prior to 2000, the only thing that could be said about Roşia Montană was that it was an area of archaeological potential. In the areas of Cetate, Cârnic Jig, and Orlea, a number of random archaeological discoveries had been recorded – such as epigraphic monuments, funerary architecture items - that suggested the presence of archaeological sites, but there had been no excavations necessary to provide a detailed understanding of the site components.

However, in the context of implementing a new mining project in the region, the Ministry of Culture and Religious Affairs authorized the assessment the of archaeological and architectural assets, and in late 2000 the National Cultural Heritage Design Center (an institution directly reporting to the Ministry of Culture and Religious Affairs) presented these preliminary results to the National Historical Monuments Commission and the National Archeology Commission, also technical commissions of the MCR. In 2001, based on these results, the "Alburnus Maior" National Research Program was established under Order No. 2504 of 07.03.2001, as provided by Law 378/2001 (further amended by Law No. 462/2003 an Law No. 259/2006, respectively) All research involved in the study of the cultural heritage was conducted by institutions of the Ministry of Culture and Religious Affairs, the Romanian Academy, and the Ministry of Education and Research. Thus, since 2000, the central government, i.e. the Ministry of Culture and Religious Affairs, has been involved in the management of heritage assets issues at Roşia Montană, in accordance with its legal responsibilities.

**Solution**

**Preventive archaeological research** is under the scientific coordination of the National History Museum of Romania, and has been undertaken by 21 national and 3 foreign institutions of recognized competence in this area, as annually approved by the National Archeology Commission of the Ministry of Culture and Religious Affairs. The program has been run with the financial support S.C. Roşia Montană Gold Corporation S.A., i.e. of the mining Company that aims to extend and continue surface mining operations on the gold and silver deposits at Roşia Montană. Thus, extensive preventive archaeological research work has been conducted in the Roşia Montană Project impact area, and based on its results, proposals have been made either to remove the archaeological duty of care obligations for certain investigated sites in the investor's impact area, or to preserve representative structures and monuments on site, as provided by the law. The areas proposed for conservation, as well as those where archaeological duty of care removal has been applied, were investigated by specialists and it was based on this expert study and its review by the National Archeology Commission that those decisions were made. During 2000-2005, the mining project underwent a number of changes specifically in order to allow the implementation of heritage conservation decisions. Some examples in this regard include: extension of the archaeological work on the site over several years (e.g. Țarina, Pârâul Porcului, Orlea), reconsideration of the location of infrastructure elements of the project to accommodate archaeological relic preservation in the areas of Carpeni, Tău Găuri, Piatra Corbului.

**Architecture and urbanism studies** were developed according to the legal provisions, by companies certified by the Ministry of culture and Religiuos Affairs, and the developed urbanism documents, as well as the restoration and conservation work conducted to date, were approved by the National Commission for Historical Monuments, and Regional Historical Monument Commission No.7, respectively. Thus, approval and implementation of urbanism documentation was done under the law, and the Company assumed these decisions by changing the mine development plans accordingly:

- all the 41 historic monument buildings will be preserved and rehabilitated;

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- a protection area was established in 2002 and further on, its delimitation was considerably extended - reaching a surface of about 130 ha – in the context of PUZ elaboration;
  - archaeological reserve areas were defined – Carpeni, Tău Gauri, Piatra Corbului, and classified on the List of Historical Monuments in 2004;
  - the restoration project for the Roman funerary site at Tău Gauri was approved and primary monument conservation measures were adopted.

During 2002-2004, under coordination of the specialists from “Dimitrie Gusti” Village Museum (a national ranking museum institution, subordinated to the Ministry of Culture and Religious Affairs), an **comprehensive ethnographical research program** of the Roșia Montană – Abrud – Corna area was conducted and further supported during 2001-2002 by a number of verbal history interviews by the Romanian Radio Broadcasting Company through the “Gheorghe Brătianu” Verbal History Center in Bucharest (SRR – CIO).

According to the requirements of the Ministry of Environment and Waters Management, and of the Ministry of Culture and Religious Affairs, respectively, as part of the documentation developed under the Environmental Impact Assessment Study for the Roșia Montană Project, specific management plans have been developed for the management and conservation of the heritage assets of the Roșia Montană area in the context of Project implementation. (see EIA Report vol. 32-33, Plan M – Cultural Heritage Management Plan, Part I – Management Plan for the Archaeological Heritage in Roșia Montană, Part II – Management Plan for the Historic Monuments and Protected Areas in Roșia Montană, Part III – Management Plan for the Cultural Heritage). These management plans contain a detailed description of the obligations and responsibilities that the Company has assumed, according to the decisions of the central cultural administration, throughout the implementation of its mining project, specifically in regard to the protection and conservation of heritage assets in Roșia Montană area: surface and underground archaeological relics, historic monument buildings, protected areas, non-material heritage items, cultural landscape elements, etc. In this context, note that heritage conservation and protection activities are supported by those involved in the rehabilitation and conservation of the Historic Center Protected Area of Roșia Montană (including 35 historic monument buildings, Tăul Mare, Tăul Brazi and Tăul Anghel, and relics of surface mining operations in the Văidoaia area) and by the establishment, during project implementation, of a modern museum complex dedicated to mining history in the Apuseni Mountains, which will include geology, archeology, industrial and ethnographic heritage displays, as well as an underground section organized around the Cătălina Monulești Gallery. These are in addition to the protection and conservation of the 6 historic monument buildings located within the future industrial development area.

For the same purpose, the County Directorate for Culture, Religious Affairs and National Cultural Heritage Alba has conducted numerous information gathering and inspection visits on site. Also under this administrative body, the Company conducted the legal procurement of historic monument buildings. Preemptive acquisition rights over these buildings were expressed by the central authority, i.e. the Ministry of Culture and Religious Affairs.

In conclusion, please read the annex entitled “Information on the Cultural Heritage of Roșia Montană and Related Management Aspects”, with a brief presentation of both the main objectives and the characteristics of the national research program targeting the cultural heritage of Roșia Montană and the main results obtained in the 7 years of research and heritage studies developed for the area and a synthesis with the specific measures of management of these heritage assets. This is evidence of the efforts – and implicitly of the progress - made in investigating and understanding the cultural heritage assets of the area, and demonstrates the intention of RMGC to protect, rather than destroy them.

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