



## SUMMARY OF GOVERNMENT REPORT

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# BULGARIA - WIND FARMS IN BALCHIK AND KALIAKRA (VIA PONTICA)

Strasbourg, 2 December 2015



# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

- ✘ Following the Standing Committee Recommendation the Environmental Impact Assessments (EIA) and Appropriate assessment (AA) reports were significantly improved, thanks to the development of knowledge, methodology, capacity and corresponding policy in this area.
- ✘ The quality and quantity of the available information, the scope of the requirements, content of the reports were considerably improved as well the methodological basis related to the preparation and evaluation of such reports.
- ✘ Appropriate assessment has become an integral part of the procedures preceding the authorization for such project.





# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

- ✘ Since 2009, all wind generators, including single ones planned to be constructed in Natura 2000 sites, are subject to mandatory EIA/AA. The attention is paid to the location of each individual turbine and where appropriate, their arrangement is changed, which is reflected in the EIA/AA decision
- ✘ The change in the legislation allowed repealing of several decisions for construction of wind power generators, and some of them lost its legal effect.
- ✘ The most important measure taken for reduction of the wind farms impact was introduced by National Action Plan on Renewable Energy. The plan prohibits the construction of wind farms in the Important Birds Areas covered Natura 2000, protected sites under Natura 2000 as well as in neighboring areas, forming practically buffer zones around them.



# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

- ✗ **Bulgarian Energy Strategy by year 2020 – valid since 2011**
- Fundamental document of the national energy policy that is approved by the Council of Ministers and passed by the National Assembly of the Republic of Bulgaria.
- Reflects the political vision of the Government of European Development of Bulgaria pursuant to the European energy policy
- The condition of the protected areas had been analyzed in the strategy in respect to the implemented investment proposals and/or investment proposals in process of evaluation, plans and projects for construction of new renewable energy power plants (mainly Wind Farms).





## APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

- ✗ The increased concentration of such investment proposals in the protected areas was taken under consideration and the following had been proposed:
  - complex measures, mitigating and decreasing the adverse impact on the natural habitats and habitats of the species, including birds subject on protection in the respective sites;
  - specific measures for the sites, taking into account the possible adverse effect, arising from the character of the investment intentions.



# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

## × **Legislative measures**

- Amendments of the Environmental Protection Act (July 2012) introduces regulatory measure - 5 years validity of environment permits (EIA decisions/screening decisions). A retroactive effect was given to the measure, thus covering the existing environmental permits.
- With the introduction of this measure more than 90% of the approved projects have been eliminated.



# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

- ✕ **National Action Plan on Energy from the Renewable Energy Sources 2012-2020 (NAPERES 2012-2020):**
- contains measures and conditions in order to eliminate, reduce and as fully as possible offsets any significant adverse effects of its implementation in the Natura 2000 sites;





# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

## ✦ Strategic Environment Assessment on NAPERES 2012-2020

### Results:

- certain ban for construction of Wind Farms was imposed for 26 Natura 2000 sites designated under the Birds Directive;
- distance limits for construction of Wind Farms was sets up at 2 or 6 km from the borders of 54 Natura 2000 sites;
- ban for conduction of new assessment procedures for Wind power generators was introduces in several regions including Dobrudzha (but the procedures already started will be completed).





# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

## ✦ Strategic Environment Assessment on NAPERES 2012-2020:

### Results:

- allows preliminary implementation applied since August 8, 2012,
- since then no construction of Wind Farms is approved in the areas covered by the prohibitions listed in the Assessment.

With these two measures (the legislative amendments and the SEA of NAPERES) a certainty has been established that there will be no excessive construction in the region



# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

- ✗ **Zoning map for Wind power generators capacity and Guidance for planning**
- elaborated as part of the project named 'Mapping and Determination of the Conservation Status of the Habitats and Species (Phase 1)' conducted by the Ministry of Environment and Water and funded by Environment Operational Program 2007-2013.
- prepared by the Bulgarian Society of Protection on Birds
- with purpose to show the suitable areas for construction of Wind Farms





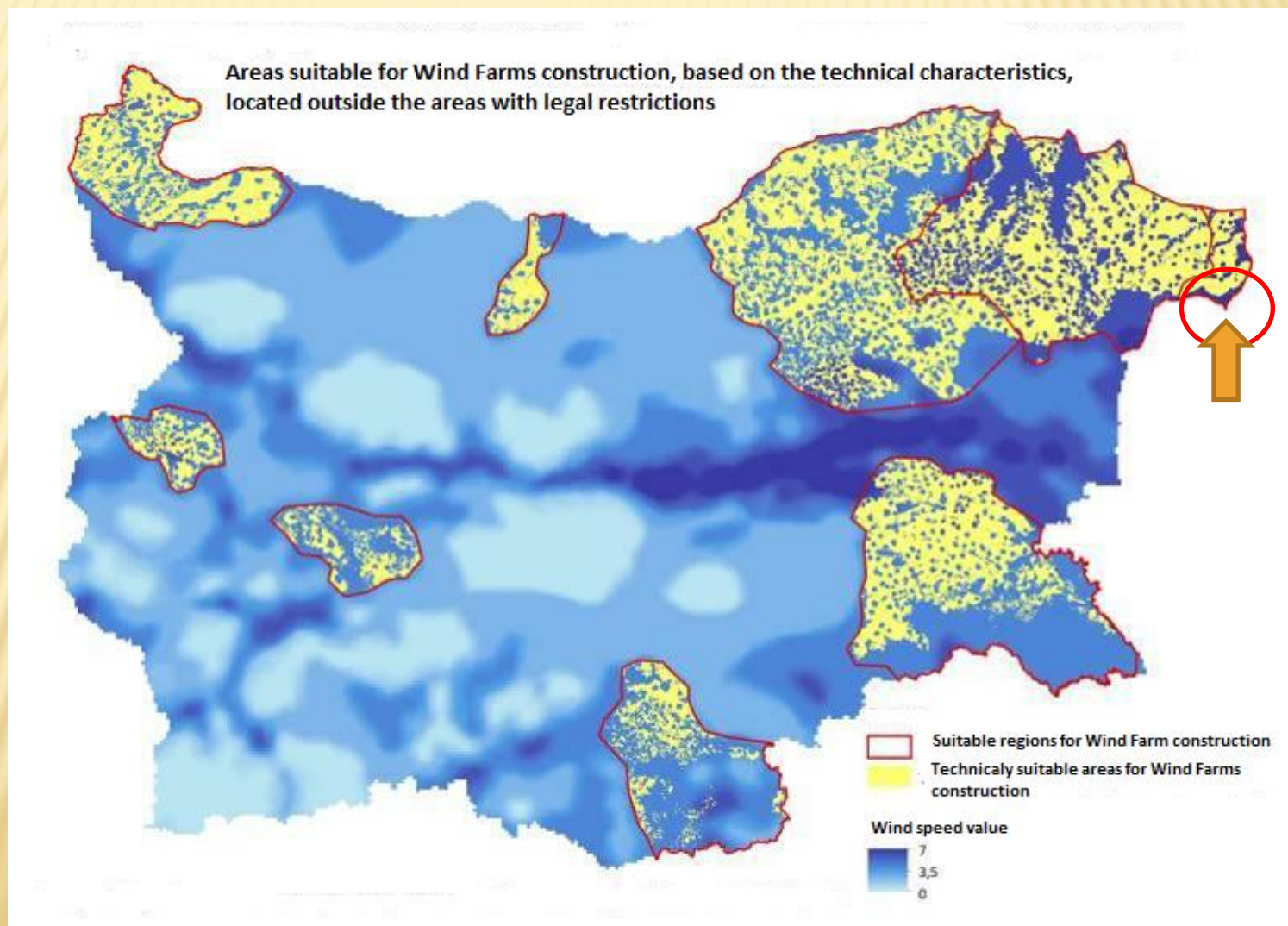
# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

- ✦ **Zoning map for wind power generation capacity and Guidance for planning**
- 9 suitable regions were determined as well as the current state of the national power grid and the plans for development until 2020.
- forecasts of electricity consumption was made, as well as an evaluation of different scenarios for limiting of the construction of Wind Farms was undertaken.
- guidance for planning was developed taking into account the risk that the Wind Farms could impose on birds. The guidance is published on the internet site of the MOEW.

These documents are good basis for the strategic planning for the region and assessing its carrying capacity in order to protect the birds and their habitats.



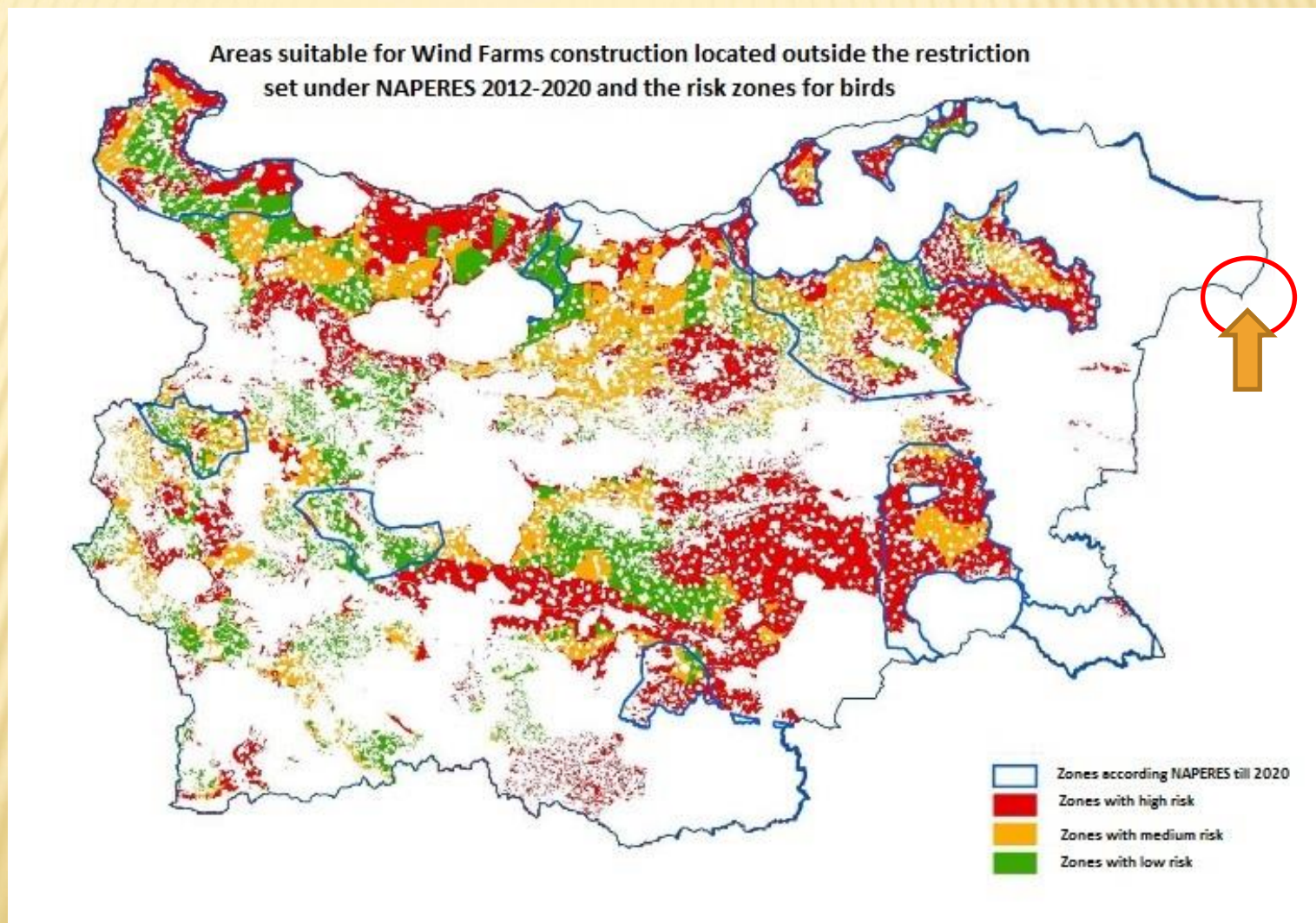
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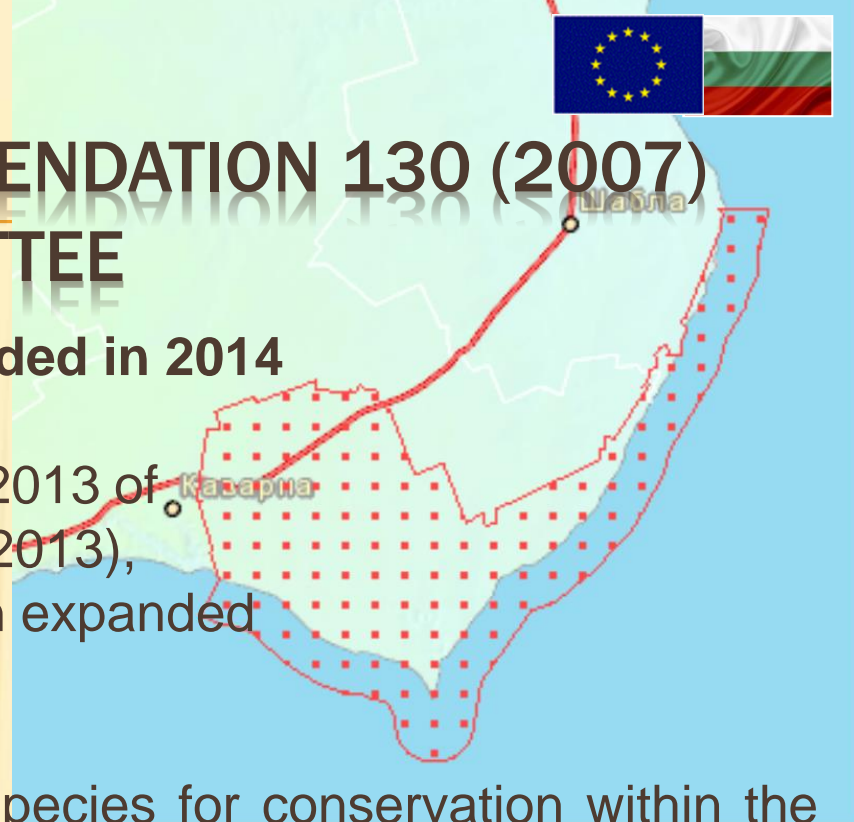




# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

## ✖ 1. SPA BG0002051 Kaliakra - expanded in 2014

- Expanded by Decision No 678/07.11.2013 of the Council of Ministers (SG, No. 99/2013), the boundaries of the area have been expanded to the borders of IBA - Kaliakra.
- The certain regimes and the target species for conservation within the extended site is set up by order No 97/06.02.2014 (SG, No.15/2014) of the Minister of Environment and Water;
- Within the new area, a prohibitions set for SPA Kaliakra (before its expansion) are introduced, incl. ban on construction of wind generators and photovoltaic installations on agricultural land (except for projects where procedure are already completed).



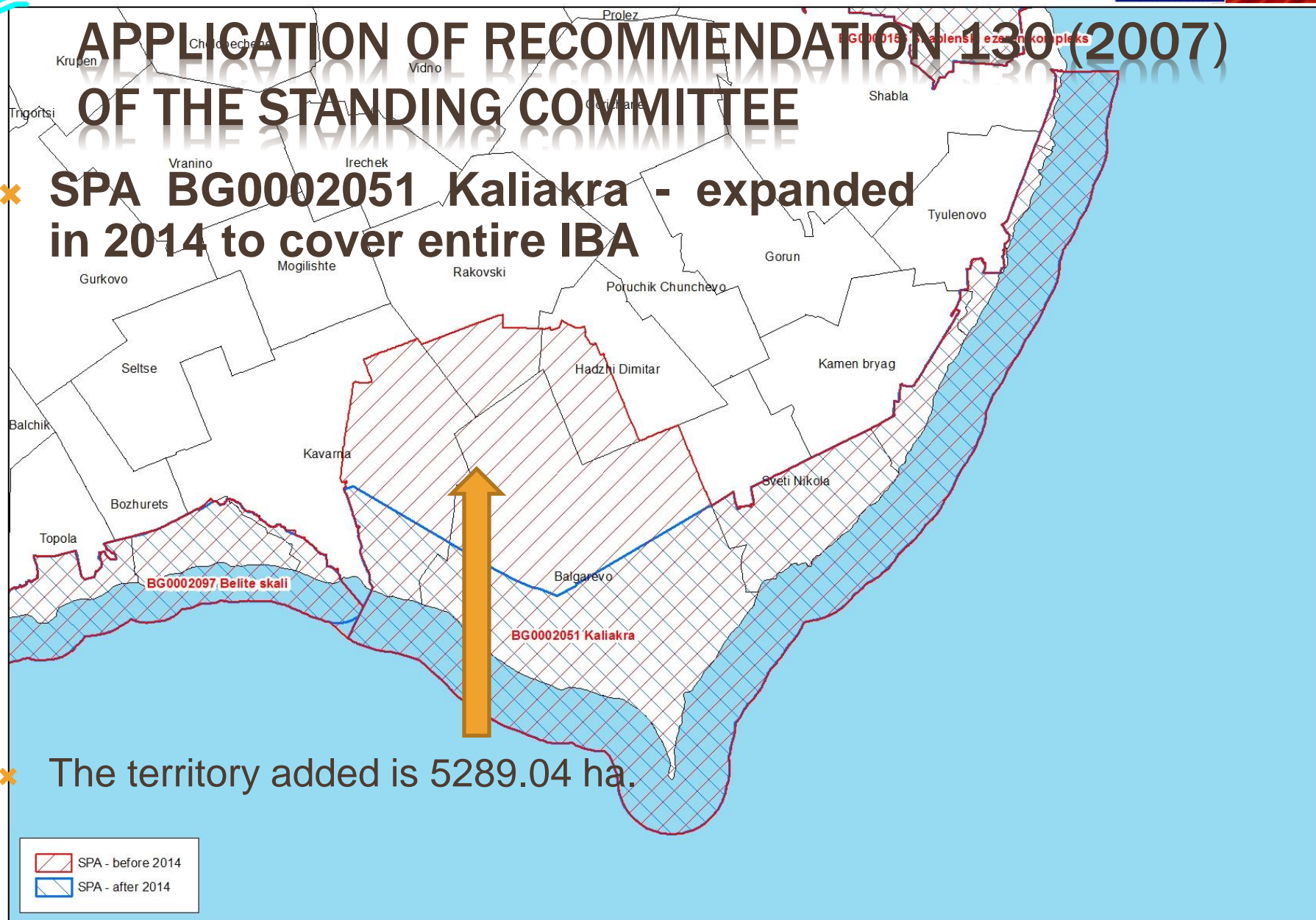




# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

✧ **SPA BG0002051 Kaliakra - expanded  
in 2014 to cover entire IBA**

✧ **The territory added is 5289.04 ha.**





# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

## Additional measures taken

### ✘ **Management Plan of Natura 2000 sites in Dobrudzha region**

The Ministry of Environment and Water commissioned the elaboration of Integrated

Management plan for 3 Natura 2000 sites:

- BG0000573 Complex Kaliakra
- BG0002151 Kaliakra
- BG0002097 Belite skali

### ✘ The draft Management Plan includes analysis of activities with impact on the targeted species and habitats.

### ✘ In order to reduce the wind turbines impact on the birds, the main measures foreseen are related to:

- risk management on collisions of migratory birds
- monitoring of bird mortality

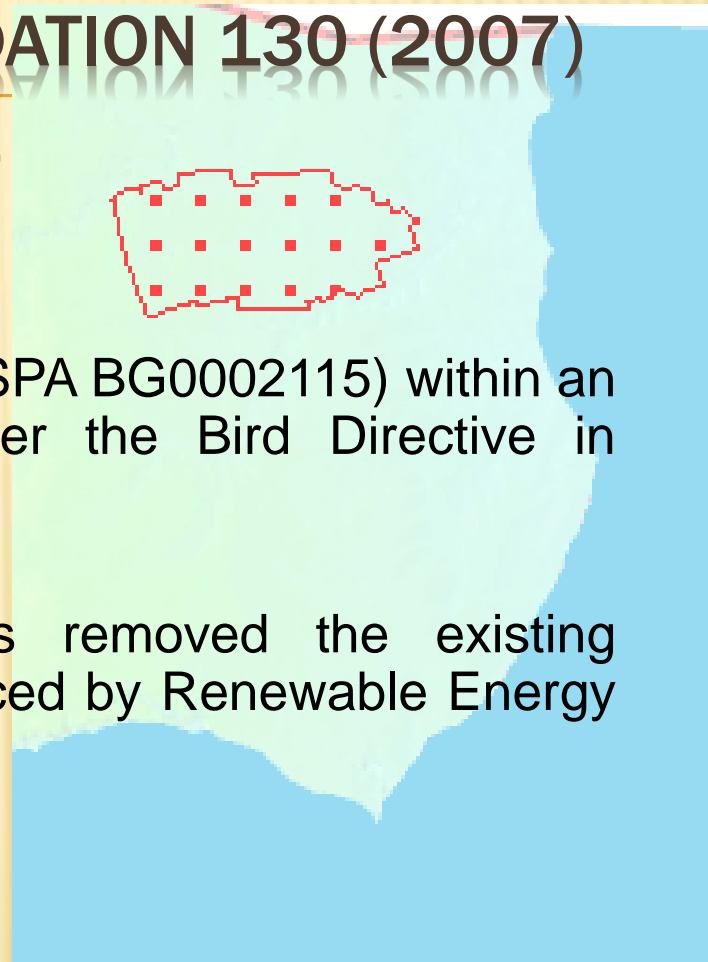




# APPLICATION OF RECOMMENDATION 130 (2007) OF THE STANDING COMMITTEE

## Additional measures taken

- ✗ Additional Natura 2000 site named “Bilo” (SPA BG0002115) within an area of 8620.06 ha is designated under the Bird Directive in Dobrudzha region
- ✗ In 2015 the Council of Ministers has removed the existing preferential prices for the electricity produced by Renewable Energy Sources.





## CASE C-141/14

# EUROPEAN COMMISSION VS BULGARIA

- ✗ On going case in the European court of justice with regard to the Kaliakra region
- ✗ **Nevertheless the court case Bulgaria manages** to find the balance between the nature protection and social and economic development, without giving priority to the one for the expense of the other.
- ✗ Bulgaria set strict regulations and have found the proper management regimes for the protected sites.





# CONCLUSION

- ✗ All measures taken are already contributing to our common ultimate goal - the establishment of a long-term sustainable protection of Kaliakra and the conservation of its valuable species and habitats.

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# THANK YOU FOR THE ATTENTION