

**Convention on the Conservation of
European Wildlife
and Natural Habitats**



COMPLAINT FORM

NB: Complaint forms must be submitted in electronic word format, and not exceed 3 pages, including the first administrative page. A maximum 5-page report can be attached. The Secretariat will request additional information on a case-by-case basis.

Please, fill in this form and send it to the attention of:

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On behalf of (if applicable): **Bat Study Group Macedonia, Birdprotection Macedonia**

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Date : 5 February 2015

Electronic Signature

1. Please state the reason of your complaint (refer also the Contracting Party/es involved and the Articles of the Convention which might be violated).

In 2014 in Macedonia is constructed and put into operation first Wind Farm (WF) of 16 x 2.3 MW wind turbines without appropriate birds and bats baseline study as the most affected fauna groups from this type of project. The WF is located in SE Macedonia close to the vil. Bogdanci (fig 1). WF Bogdanci is investment of JSC Macedonian Power Plants (ELEM) under the Western Balkans Infrastructure Projects Facility. A total nominal capacity of the WF is 36.8 MW, and will generate a total of 89,500 MWh per year.

The ESIA prepared (only in Macedonian language) does not contain anything regarding bats but also what is done for birds is far from relevant and appropriate. Additionally preconstruction inventory of birds or bats was missing and nowadays there is not any operational monitoring due to the fact that in the ESIA study stays that no bats are present in the area?

Having in mind that in that area (Micevski at all, 2014) are find 15 bat species, all of them on Bern convention annex II, and 7 of them on Annex I (*Rhinolophus hipposideros* , *Rhinolophus ferrumequinum*, *Rhinolophus Euryale*, *Rhinolophus blasii*, *Myotis capaccinii*, *Myotis emarginatus*, *Miniopterus schreibersii*) it is obvious that monitoring should be obligatory.

From birds we do not know exactly which one would be most affected but certainly many water birds, among them pelicans (White and Dalmatian) inhabiting Dojran lake (Ramsar site) which is only on several km afar from the WF. Also being in several km from the main migratory pathway for birds it is possible obstacle and threat from collisions for considerable nr of birds of pray which were not relevantly studied in the existing ESIA study and again without operational monitoring, for what is happening and what in reality means WF Bogdanci for the most affected groups of animals.

2. Which are the specific specie/s or habitat/s included in one of the Appendices of the Bern Convention potentially affected? (Please include here information about the geographical area and the population of the species concerned, if applicable)

In this case the most affected are two group of species- birds and bats.

Bats are legally protected in all European countries by the Habitat Directives (HD) , Bern and Bonn Convention; all species are listed in Annex IV of HD (Member States are required to take the requisite measures to establish a system of strict protection for them in their natural range) and some of them additionally in Annex II (species of community interest whose conservation requires the designation of special areas of conservation). In addition, most species are red listed in one or more countries in Europe and on the IUCN Red List (IUCN 2014)/ in Macedonia 6 species are red-listed: *Barbastella barbastellus*, *Myiopterus schreibersii*, *Myotis capaccinii*, *Rhinolophus blasii*, *Rhinolophus euryale*, *Rhinolophus mehelyi* and have a status like natural heritage of Macedonia- and potentially all of them could be met in the area of Wind Farm Bogdanci. In the moment it is not possible to predict population status of these species as the study done in the region in vicinity was with completely different aim- mainly for status of different bat species in the region.

Birds are fauna group which is legally protected by many international treaties like Bonn Convention, Hag Agreement, Cites, Bern Convention, HD etc. All of them are ratified by Macedonia too, what means they are part of Macedonian environmental legislation.

List of species listed on Bern convention would be quite a long but again without relevant preconstruction study it is not possible to make a real list.

3. What might be the negative effects for the specie/s or habitat/s involved?

Wind turbines have been described as a problem for birds for many years (Winkelman 1989, Phillips 1994, Reichenbach 2002).

More recently, many studies have established that wind turbines can have negative impacts on bats (e.g., Arnett *et al.* 2008, Baerwald & Barclay 2014, Rydell *et al.* 2010a, Lehnert *et al.* 2014). Bat mortality at wind turbines occurs due to collision and/or barotrauma (Arnett *et al.* 2008, Baerwald *et al.* 2008, Grodsky *et al.* 2011, Rollins *et al.* 2012). Adequate **avoidance** and **mitigation** measures taking these risks into account should be included in the environmental impact assessment and in the permit delivered by authorities before the operating phase what was not the case with the Bogdanci Wind farm.

Taking into account this information, impact assessments for bats should be carried out for all sites in order to identify if the proposed site location is appropriate, to adjust the site layout if necessary, to develop site-specific *mitigation* or *compensation* measures and to plan appropriate post-construction monitoring. This obligation was confirmed in the resolutions 5.6, 6.12 and 7.5 of the respective 5th, 6th and 7th sessions of the meeting of parties of Eurobats.

4. Do you know if potentially affected species or habitats also fall under the scope of other international Conventions, (for instance: RAMSAR, CMS, ACCOBAMS, Barcelona Convention, etc) or if the area has been identified as a NATURA 2000/Emerald network site?

Birds also fall under Ramsar, CMS , AEW, CITES etc.

Bats fall only under Bonn Convention and all of them are on its appendix II. This part where the wind farm is operating is not identified like Emerald site but in the vicinity (10 km distance only) of that site is located Important Bird area, Ramsar site, CORINE biotope and Emerald site (Dojran Lake) – and Demir Kapija which is very important site for bats) (Micevski et al, 2014).

In that region were registered 15 bat species among them majority on Bern II list: *Rhinolophus hipposideros*, *Rhinolophus ferrumequinum*, *Rhinolophus euryale*, *Rhinolophus blasii*, *Myotis capaccinii*, *Myotis mystacinus*, *Myotis emarginatus*, *Nyctalus noctula*, *Pipistrellus pipistrellus*, *Pipistrellus pygmaeus*, *Pipistrellus kuhlii* , *Pipistrellus kuhlii/P.nathusii*, *Eptesicus serotinus*, *Miniopterus schreibersii*, *Tadarida teniotis* and 7 species on Bern I.

5. Do you know if there are any pending procedures at the national or international level regarding the object of your complaint?

No, there is no pending procedure, and in the meantime nobody relevantly respond to our complaints.

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc)

Indeed, ESIA exist, only in Macedonian language, apart of the fact that this project was under the Western Balkans Infrastructure Projects Facility, and English version should exist too!

Inside that ESIA bats are nearly not mentioned or mentioned that no bat was found??? Without using any specific bat-research equipment/methods (mist netting or bat detectors).

For birds the study is very weak and not tackling relevant issues regarding migration of endangered bird species especially due to the fact that the area is on the main migratory route for birds but also bats- Morava-Vardar migratory pathway.

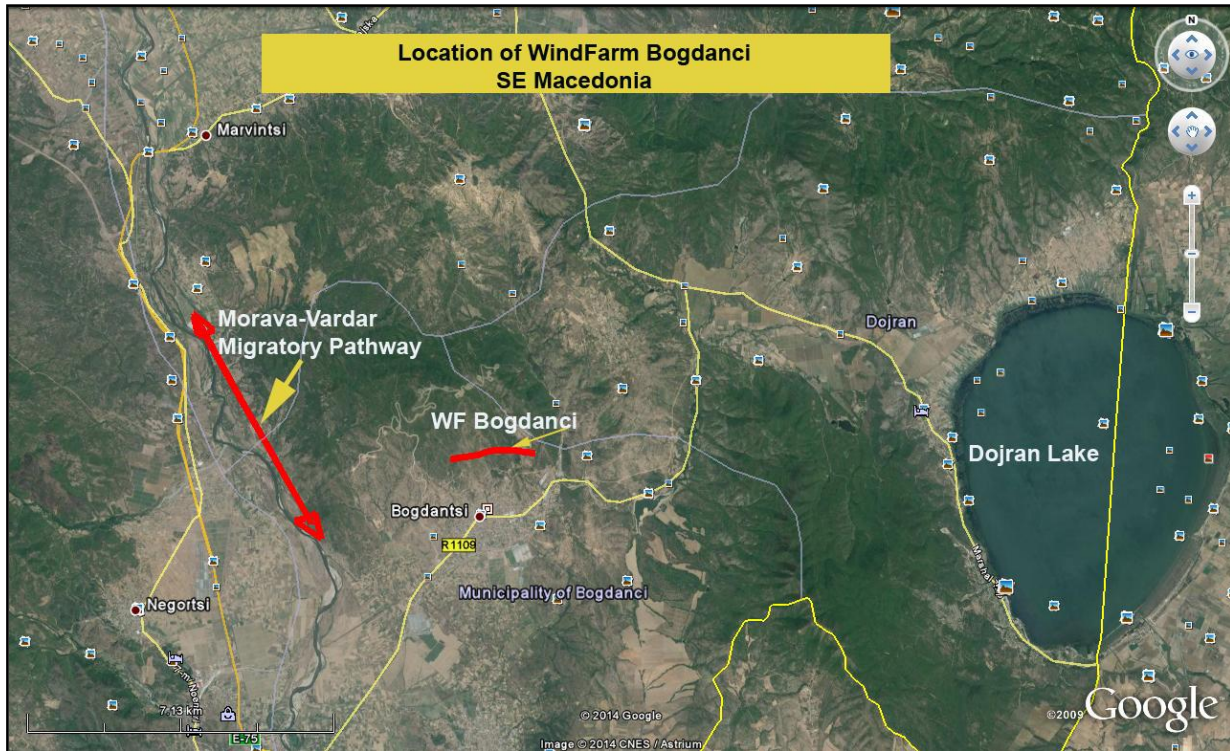


Fig.1. Location of the WF Bogdanci, migratory corridors and Emerlad /Ramsar site Dojran lake (SE Macedonia)