



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:

Iva OBRETENOVA

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First name: Oleksii.....

Surname(s): Vasyliuk

On behalf of (if applicable): NGO «UKRAINIAN NATURE CONSERVATION GROUP»....

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Date : 29.03.2018.

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).

There is a project of building a wind power plant (75 wind turbines with total power of 300 megawatts) very close to the Emerald network area of Ukraine – “Zatoky” (number UA0000214), which is situated on the Karkinitzka and Dzharylgatska bays of Black sea in Herson region of Ukraine (see attached map). The procedure of Environmental Impact Assessment on this project is lately over.

The Report on EIA of this project are based on poor data from field ornithological research (only several days of observations were conducted, in winter – only 1 day (!)).

The Report on EIA of this project has received numerous comments from the public, among them from several environmental NGOs (and UNCG also), the main from them was proposition to move location of wind turbines away from the Black sea coast and its bays, because the Planned Activity are placed at the intersection of two transboundary migration routes of many birds species and near their wintering places (many of these bird species are listed in Resolution 6 of Berne Convention) and the territory of Planned Activity are the nesting place of 30% of Ukrainian population of *Glareola pratincola* – rare bird species, listed in Resolution 6 of Berne Convention and in Red book of Ukraine. The territory of planned activity are partially placed in IBA territory and Ramsar site (see attached map) and it is situated in place, actively used by numerous of birds during seasonal migration, wintering and nesting.

Violating Ukrainian Law "On Environmental Impact Assessment" by not taking into account these comments, the Department of Ecology of Herson Regional State Administration, on 11.02.2019 gave a conclusion which recognizes the Planned Activity as permissible. EIA number of this case in national register of EIA is 20181021829 <http://eia.menr.gov.ua/places/view/1829>

Articles of the Bern Convention, which might be violated: 2, 3, 4, 5, 6, 7, 10.

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)

Emerald area “Zatoky” (number UA0000214) is a place for birds species, listed in Resolution 6 of Berne Convention (from SDF):

A396 *Branta ruficollis* (wintering 50-200 individuals),
A027 *Casmerodius albus* (concentration 50-200 individuals),
A231 *Coracias garrulus* (reproducing 10-20 pairs),
A038 *Cygnus cygnus* (wintering 200-500 individuals),
A026 *Egretta garzetta* (concentration 100-300 individuals),
A127 *Grus grus* (concentration 100-300 individuals),
A075 *Haliaeetus albicilla* (wintering 5-20 individuals).

More information on numbers of birds species on this area are available in the description of IBA area “Karkinitz'ka and Dzharylgats'ka bays” (number UA067), situated here: <http://datazone.birdlife.org/site/factsheet/karkinitzka-and-dzharylgatska-bays-iba-ukraine/details>

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

Construction of wind power plant which will consist from 75 wind turbines and 35 km long air power transmission line with voltage of 150 kv nearby the Emerald network area of Ukraine – “Zatoky” (number UA0000214) will negatively affect the conservation of birds species, which come during migration periods and for wintering in this Emerald network area, because of the mortal collisions with blades of windmills, which will be located very close to the boundaries of this Emerald network area.

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?

Planned Activity are placed back to back to the area of the Emerald network in Ukraine - “Zatoky” (number UA0000214) and partially on the IBA territory “Karkinit'ska and Dzharylgats'ka bays” (number UA067) <http://datazone.birdlife.org/site/factsheet/karkinit'ska-and-dzharylgatska-bays-iba-ukraine> and Ramsar site Karkinit'ska and Dzharylgatska Bays (number 114): <https://rsis.ramsar.org/ris/114>

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

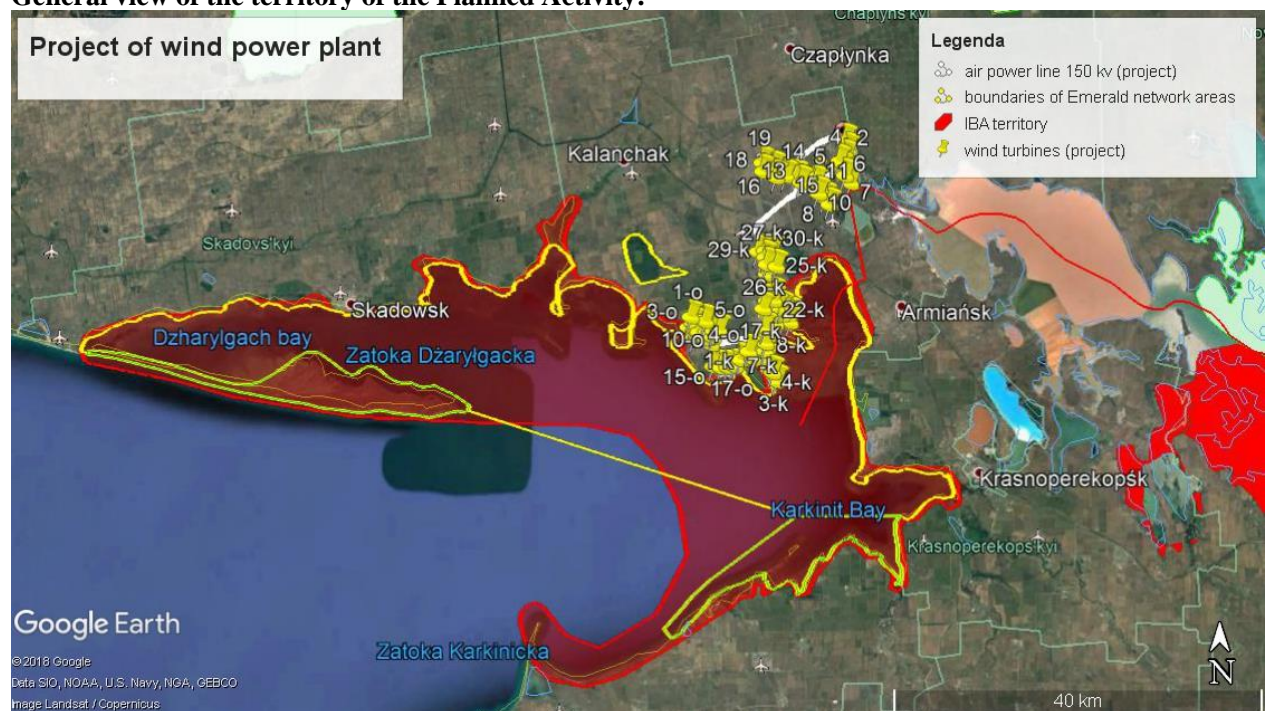
We think, that conclusion on EIA of this project should be canceled, and that the other territorial alternatives of the Planned Activity should be considered, as well as properly ornithological observations during all season of the year and all periods of the day should be performed during 2-year period.

At this time, generally, the boundaries of Emerald sites of Ukraine are not reflecting in urban planning documentation, which causes the planning of such activities on their areas, as described in this complaint.

Also it is worth to mention here, that the public environmental initiative “Emerald – Natura 2000 in Ukraine” have stressed couple of years ago in their list to the Secretariat of the Berne Convention, that the boundaries of Emerald areas of Ukraine, which include only the water surface, should include also nearby coastal areas, and also cannot be smaller than the boundaries of IBA areas. So we also think, that boundaries of the Emerald network area “Zatoky” (number UA0000214) should be enlarged to boundaries of IBA territory “Karkinit'ska and Dzharylgats'ka bays” (number UA067).

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

General view of the territory of the Planned Activity:



More close view of the territory of the Planned Activity:

