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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

41st meeting
Strasbourg, 29 November – 3 December 2021

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Follow-up of Recommendation No. 98 (2002) on the project to build a motorway through the Kresna Gorge (Bulgaria)

- REPORT BY THE COMPLAINANT -

Document prepared by BALKANI Wildlife Society, Environmental Association "Za Zemiata" (For the Earth)/Friends of the Earth Bulgaria, Bulgarian Society for the Protection of Birds, Green Policy Institute, Vlahi Nature School, CEE Bankwatch Network.

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NGOs FOLLOW UP TO THE CASE

Document prepared by:
BALKANI Wildlife Society, Environmental Association "Za Zemiata" (For the Earth)/Friends of the Earth Bulgaria, Bulgarian Society for the Protection of Birds, Green Policy Institute, Vlahi Nature School, CEE Bankwatch Network.

The current NGO report describes recent developments in defining **Site Specific Conservation Objectives (SSCO)** for the Natura 2000 sites of Kresna Gorge area - "Kresna-Ilindentzi" BG0000366.

In addition, we welcome the forthcoming on-the-spot appraisal mission of the Bureau and invite representatives to visit the site physically as soon as the pandemic situation allows this. We further expect that the Committee will strongly encourage the Bulgarian authorities to prepare a new EIA in compliance with the Recommendation 98/2002 and Habitats Directive and following the recommendations of the Bern Convention.

The designation of adequate Site Specific Conservation Objectives (SSCOs) for NATURA 2000 in Kresna Gorge, according to Art. 4.4.[1] Directive 92/43 is key to carry out a quality Appropriate Assessment (AA) according to Art. 6.3. of Directive 92/43[2] on the Struma motorway and for an objective assessment of the various alternatives. This problem has been identified by the European Commission[3], which finds the AA committed in 2017 to be inconsistent with Art. 6.3 due to the lack of designated SSCOs.

Article 4.4 of Directive 92/43 is transposed by Art. 12.1 and 12.2 of the National Biodiversity Law (NBL)[4]. This article provides for the issuance of a special order for the designation of the NATURA 2000 sites, which also includes designation of the goals / priorities of the sites.

On May 18, 2021 the order for designation a NATURA 2000 site "Kresna-Ilindentzi" BG0000366[5] was published in the State Gazette. Point 3 of this order (see Appendix 1) indicates the site conservation objectives - a slightly more detailed repetition of the general objectives of the Directive 92/43 – the maintenance and restoration of the favorable conservation status. Such SSCOs do not meet the detailed requirements of Art. 4.4. The order does not take account of the priorities and role of the Kresna gorge for the coherence of the NATURA 2000 network as required by article 4.4. Specifically, the main and unique biogeographical role of the Struma valley in Kresna Gorge, as a narrow biocorridor and northern border of distribution for species and habitats. The biogeographical role of "Kresna-Ilindentzi" BG0000366 for the coherence of the NATURA 2000 network is described in point 4.1 of the Standard data form of the site (see Appendix 2). It can be summarized as follows:

- The main priority of the zone is the protection of the narrow biocorridor of Struma valley in the Kresna Gorge, which is also a highly vulnerable bottleneck and a northern boundary for distribution of many species and mediteranean communities;

[1] Art. 4.4 of Directive 92/43 states: "the Member State ….. shall designate that site as a special area of conservation ….. establishing priorities in the light of the importance of the sites for the maintenance or restoration, at a favourable conservation status, of a natural habitat type in Annex I or a species in Annex II and for the coherence of Natura 2000, and in the light of the threats of degradation or destruction to which those sites are exposed."
[2] Art. 6.3 of Directive 92/43 states: "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives."
[3] See NGO report to the 39 th meeting of Standing Committee, T-PVS/Files(2019)23, [files23e_2019.docx]: https://rm.coe.int/possible-file-follow-up-of-recommendation-no-98-2002-on-the-project-to/1680933f07
[4] Art. 12.1 and 12.2 of National Biodiversity Law state: 12.1 The Ministry of Environment and Water shall draw up a draft designation order for each and every special area of conservation included in the List referred to in Article 10 (4); 12.2 Any draft order referred to in Paragraph (1) shall state: .... 3. the subject of protection and objectives of the protected zone;
[5] http://natura2000.moew.government.bg/PublicDownloads/Auto/PS_SCI/BG0000366/BG0000366_PS_11_1.pdf

- The second biogeographical priority is the protection of the biocorridor and the ecological connection with the mountains at the border between Bulgaria and North Macedonia.

In February 2021, independent scientists and NGOs submitted to the Ministry of Environment and Waters (MoEW), the European Commission and the Bulgarian Academy of Sciences a proposal for SSCOs for the "Kresna-Ilindentzi" BG0000366 (see Appendix 3). The proposal reflects all requirements of article 4.4 Dir 92/43 and article 12 of National Biodiversity Law (NBL) – it provides the possibility of the proposed SSCOs to be included in the designation order and to be published in State gazette. The proposed SSCOs clearly reflect priorities and the role of the zone for NATURA 2000 coherence as described by the article 4.1 of the Standard Data Form. So far, this is the only proposal for the SSCOs, meeting at the same time the requirements of Art. 4.4, reflecting and prioritizing its role as a biocorridor and meeting the requirements of Art. 12 of the NBL. This is further, the only proposal made public for the purpose of public discussion and debate. Unfortunately, so far it has been ignored by the government and left without comment.

On 28 February 2020 the MoEW has opened a tender for development of SSCOs for "Kresna-Ilindentzi" BG0000366[6]. The contract was signed with the private company "Dikon". According to the official ToR, the aim of the contract is the development of the so-called "conservation objectives of 4th level" – terms and objectives without connection with and relevance to the legal requirements of Art. 12 of the National Biodiversity Law (NBL).There are no conservation objectives defined in the law, nor is there any connection between them and the designation of the zone and with Art. 12 of the NBL. The work under this assignment and the contract are not publicly available with no public access to any information.

Following a similar pattern of non-transparency, the mission of the two experts nominated by the EC to support Bulgaria in setting SSCOs of "Kresna-Ilindentzi" BG0000366 is currently underway. The NGOs learned about this mission entirely thanks to the government's reports to the Bern Convention[7], and since, no further information has been shared. After a protest letter from NGOs to the EC in early 2021, an online meeting was held with the EC representatives - at this meeting the EC said that EC experts work only as consultants for the Bulgarian government, the EC is not responsible for them and the actions of the Bulgarian government related to this mission.

On June 29, 2021, the Ministry of Environment and Waters held a meeting to discuss the setting of specific conservation objectives for Bulgarian NATURA 2000 sites. During this meeting a partial result (1 species, 1 habitat) of setting the SSCOs "of 4th level" of "Kresna-Ilindentzi" BG0000366 for the first time was shown to the public. It was presented by the private company "Dikon" and it became clear that the two EC experts are advising the experts of Dikon. The presented results were tables with listed parameters for describing the characteristics of the conservation status of the respective species or habitat and measurable parameters for their monitoring. It further became clear that this is a method requested by the EC experts and that it corresponds to the method for setting goals in Ireland and Romania. What is immediately apparent, is that these objectives do not meet the requirements of Art. 4.4 of Dir 92/43, so of Art. 12 of the NBL – at least in the case of "Kresna-Ilindentzi" BG0000366. Specifically:

- This method does not reflect the importance of the area itself for the coherence of the network and hence, the prioritization of the objectives. The Kresna-Ilindentzi case BG0000366 is the clearest example - the documented priority of this area for the coherence of the network in point 4.1 of its Standard Data Form, namely the role of the Kresna Gorge as a biocorridor, is completely missing in these "conservation objectives".

- The European Commission insists on the definition of measurable indicators for monitoring of SSCOs. This is undoubtedly necessary, according to articles 11 and 17 of the Dir 92/43, but it is not part of any of the requirements of Art. 4.4 and not directly related to the designation of a site. Moreover, the only brief

[6] https://app.eop.bg/today/59828
[7] See governmental report to the 40 th meeting of Standing Committee, T-PVS/Files(2020)36, [files36e_2020.docx]: https://rm.coe.int/possible-file-follow-up-of-recommendation-no-98-2002-on-the-project-to/16809f6bfb

comment of the EC on the independent scientific SSCOs proposed in February 2021, is that the role of the zone as a biocorridor cannot be a SSCO according to Art. 4.4. because this cannot be measurable and monitored. In other words, in the case of site BG0000366 "Kresna-Ilindentzi " the EC interprets the process of establishing the objectives in violation of Art. 4.4. ignoring the requirement of this article in the act for designation of the site to indicate the priorities and in view of the role of the site for coherence of NATURA network. To conclude with, we believe that the proposed approach by the EC does not correspond to the principles set in the Bulgarian legislation.

As a result of the meeting in June 29th, 2021, the MoEW issued a policy document defining SSCOs for Bulgarian NATURA 2000 sites[8]. The document recognizes the designation of SSCOs under Art. 4.4.Dir 92/43 done under Bulgarian law through Art. 12 of the NBL (see Appendix 4) and the designation orders under this article. But this document does not clearly distinguish between conservation objectives in designation orders and the so-called and not legally based "objectives of 4th level".

It is unclear what will be the result of this document and whether the Bulgarian government will amend the incomplete SSCOs designation order of BG0000366 "Kresna-Ilindentzi" issued in 2021.

The position of NGOs on the issue is:

- **The developed conservation objectives for BG0000366 "Kresna-Ilindentzi" at the so-called "4th level" do not reflect all requirements of article 4.4 of the Habitats Directive and are not grounded on current Bulgarian legislation. However, these measurable parameters for defining the level of conservation of habitats and species on site level are very suitable for adoption and implementation in the Management plan of NATURA 2000 sites.**
- **Implementation of article 4.4 of the Habitats Directive is done in Bulgarian legislation by designation orders under article 12 of the National Biodiversity Law. The issued in 2021 designation order for BG0000366 "Kresna-Ilindentzi" however does not cover that requirements of article 4.4. Therefore, it needs serious amendment - particularly before amendments in AA of Struma motorway through the Kresna Gorge. The distributed in February 2021 national scientific proposal for SSCOs of BG0000366 "Kresna-Ilindentzi" is a good base for fast resolving the problem and fulfilling requirements of article 4.4 in this case.**

[8]https://www.moew.government.bg/static/media/ups/tiny/%D0%9D%D0%A1%D0%97%D0%9F/Kontseptsia_tseli_ZZ_N2000.pdf

APPENDIX 1

Article 3 of the designation order for "Kresna-Ilindentzi" BG0000366
State Gazette No41, May 18, 2021

3. The protected zone under point 1 shall be designated for the purpose of:

3.1. protection and maintenance of the types of natural habitats referred to in item 2.1, the habitats of the species referred to in item 2.2, their populations and distribution within the zone, in order to achieve and maintain their favorable conservation status in the respective biogeographical regions;

3.2. increasing the contribution of the protected zone in relation to the area of natural habitats with codes 6220 * and 8230 in the Alpine and Continental biogeographical regions;

3.3. improving the structure and functions of natural habitats with codes 6210 (* important orchid habitats), 6220 *, 6520, 9530 *, 91E0 * and 91M0 in both biogeographical regions;

3.4. improvement of the structure and functions of natural habitats with codes 5210, 9180 *, 9260, 9560 *, 91AA *, 91CA, 91Z0, 92A0, 92C0, 92D0 in the part of the protected zone falling within the Continental biogeographical region and natural habitat with code 9110 in the part of the protected zone falling within the Alpine biogeographical region;

3.5. improvement of habitat of species Myotis bechsteinii, Triturus karelinii, Elaphe quatuorlineata, Elaphe situla, Emys orbicularis and udo graeca for the part of the protected zone falling within the Continental biogeographical region;

3.6. if necessary, improvement of the conservation status or restoration of types of natural habitats, specified in item 2.1, habitats of the species and their populations specified in item 2.2;

3.7maintaining the connectivity of the habitats of the priority species for protection *Ursus arctos and *Canis lupus.

APPENDIX 2

Article 4.1 of the Standard data form of "Kresna-Ilindentzi" BG0000366

"Kresna-Ilindentzi" BG0000366 site is stated: „Unique biodiversity is concentrated in the site. Here the Rhodope Mountains has the best ecological connection with the mountains on the border between Bulgaria and Macedonia. Simultaneously, the Struma River is a biocorridor for the migration of species in south and north direction. Steep mountain slopes are a strong barrier for these migrations, and in the region of Kresna gorge a unique and highly vulnerable bottleneck biocorridor is formed. The area includes natural and semi-natural ecosystems of sub-alpine level in Pirin as well as areas with vegetation typical of the continental sub-Mediterranean and in the south of the meso-Mediterranean climate (according to Rivas - Martinez). There is exceptional climate gradation from north to south: for about 20 km in the valley the average annual temperature varies with 1 degree. There are representatives of preglacial Mediterranean vegetation and fauna in the site, as well as relict glacial species in the higher parts. The site includes the northern boundary of distribution of many species and mediteranean communities, including communities of Platanus orientalis, Querqus coccifera, Phyllirea media, Juniperus excelsa."

APPENDIX 3

Position and a Scientific Proposal

From BALKANI Wildlife Association and of the scientists from the National Museum of Natural History at BAS and scientists from other institutions

in the capacity of developers of the scientific proposal and respondents of the zone under the procedure under Art. 4.1 and Art. 4.2 of Dir 92/43

Conservation Objectives and Priorities of Special Area of Conservation (SAC)

BG0000366 Kresna-Ilindentsi according Article 4.4 of Directive 92/43

In memory of the climber, conservationist and defender of Kresna Gorge and biologist from NPMN-BAS

Boyan Petrov

This document aims to propose an approach to ordering protected zones with detailed and complete conservation objectives and priorities. It is entirely based on the already accumulated scientific knowledge in the field and the experience in formulating management parameters for NATURA 2000. But the approach of this document builds on this, striving to reflect both regulatory requirements and already accumulated scientific information. It recognizes the need for a systematic and structured approach in formulating such legally binding objectives, especially taking into account the complexity of NATURA 2000 sites in Bulgaria and the accumulation of multiple objectives, habitats and species in the same area. The document is at the beginning of its development and will follow the principle of the possibility of full involvement in editing and its creation by all interested scientists and institutions since the earliest stage. With this we hope to meet the requirements for ourselves, as public figures and as scientists. Our ultimate goal is one - protection of Bulgarian nature.

Contents

I. Description of the approach to the scientific proposal on conservation objectives and priorities of SAC BG0000366 Kresna – Ilindentsi at the stage of designation of the Area

The approach applied for Kresna – Ilindentsi SAC is an example proposed to be applied for the other SACs as well. The approach reflects:

- the regulatory requirements of Article 4.4 of Directive 92/43 and in relation with paragraphs 3, 4, 5, 8, 10 and 13 of the preamble and Articles 1a), 1d), 1i), 1k), 1l), 2.1, 2.2, 2.3, 3.1, 3.3, 4.1, 4.2, 6.1, 6.3, 6.4, 10, 11 of the same Directive
- European Commission[9] and the European Topic Centre on Biological Biodiversity (ETC/BD)[10] guidelines.

The conservation objectives and conservation measures must be detailed and address the characteristics of the SAC. They are long-lasting, quantitative and aimed at the conservation objectives in order to be the legal norm and basis for the implementation of Art. 6 of the Directive: i.e. for planning of conservation measures and regimes, management plans and preventing deterioration and the appropriate assessment. The objectives provide for the protection and restoration, wherever necessary, of the conservation status of the habitats and species at biogeographical level and coherence and connectivity of the network. They define the notion of integrity of the area and the requirements for protection and/or restoration of the status of conservation of each habitat and species in it.

I.1. Conservation priorities

According to Art. 4.4 of Dir. 92/43, the designation of Special Areas of Conservation (SACs) necessarily includes the establishing of their conservation priorities - ie. prioritized conservation objectives. The prioritisation aims to define the relative importance for the SAC management of each conservation objective. The highest priority is to be given to the objectives which are hard or impossible to be compensated in terms of different location or time - i.e. for which the SAC is crucial in order to achieve completeness and coherence of the NATURA 2000 network. It is necessary to prioritise all objectives and measures, i.e. to create a hierarchy of objectives in the specific SAC. For example:

- whether to protect the natural succession processes in natural habitat types or maintain semi-natural habitats;
- the alternative to be chosen, in appropriate assessment procedures and the justification of this choice (especially in case of art. 6.4 implementation).

In line with the requirements of the directive the prioritisation of the respective conservation objectives and conservation measures in the SAC is carried out simultaneously and in line with the following criteria and their relative importance:

- Their role for the protection/restoration of the favourable conservation status at biogeographical level and the state of conservation at site level of the habitats and species which are subject of protection;
- Their role for the protection of the representativity and sufficiency/coverage of the network (as part of its coherence);
- Their role for the protection of the network connectivity;
- Their role in the light of threats (existing and potential) of degradation or destruction of the SAC and the importance of the threats;
- All these criteria should be applied in view of essential processes and functions of the SAC important to achieve them.

[9] Hab. 97/2 rev. 4 18/11/97

[10] Criteria for assessing sufficiency of sites designation for habitats listed in annex I and species listed in annex II of the Habitats Directive https://www.eionet.europa.eu/etcs/etc-bd/activities/further_adapted_criteria.pdf

In the case of very complex and diverse SACs such as Kresna - Ilindentsi, the priorities for the conservation of different habitats and species also need to be integrated - as in each specific area of the site there are a large number of them that need to be protected.

The following approach is applied here for the prioritisation:

- All objectives are listed according to their priority in several groups. There is also additional prioritisation inside the groups, as those with highest priority top the list. All objectives are groupped in 4 groups.
- The first group "A" is with highest priority, it includes all objectives related to the specific role of the SAC for the protection of the integrity, sufficiency and coherence of the Natura 2000 network (shortly "coherence of the network"), which, when damaged, cannot be compensated with the protection of another site. As example this can include:
    - role of the SAC for protection of the distribution border of species or habitats or another key biogeographical role;
    - role for the protection of important bio corridors either for seasonal migrations or for long-term spreading;
    - role for the protection of very rare, critically endangered or endangered habitats and/or species. Regarding their conservation status the National Red Data Book is used for reference, as the national Article 17 reports are not reliable[11];
    - role for the protection of specific types of habitats or subspecies and/or forms of the species;
    - role for the protection of highly representative or significant territories for the specific habitat types or species;
    - role for the protection of territories with key functionality – for example basic populations (source populations) of key importance for the preservation of viable populations of the species at biogeographic level.
- The second priority group "B" includes all objectives related to an important role of the SAC for the coherence of the network, which was the reasons, regarding Article 4, para. 1 and 2 and Appendix III of Directive 92/43 criteria, for delimiting the borders of the SAC, proposing and selection of the territory as a Site of Community Importance. This can include (the list is not exhaustive):
    - protection of significant relative surface of habitats and/or relative population of species;
    - highly representative habitats and populations of species;
    - role for the protection and restoration of habitats and populations of species in unfavorable conservation status;
    - biogeographical role, for example protection of important parts of the range in a certain region;
    - important role for the connectivity, for example protection of important stepping bio corridors/connecting populations (stepping stones);
    - other considerable structural and/or functional role.

[11] Position of the *National Museum of Natural History*
https://www.nmnhs.com/downloads/varia/stanovishte_17_nmnhs.docx

- The third priority group "C" comprises objectives allowing unification and integration of the sub-objectives within ecosystem or landscape types (in order to reduce the volume of the act), which are specific and important for the SAC. I.e., these are sort of basic objectives and common for all habitats and species subject to protection and related to these ecosystems or landscapes. It reflects also the conservation objectives for species and habitats subject to protection in the SAC according to the safeguard criterion for network sufficiency applied in the assessment under Art. 4.2 of Dir. 92/43 – i.e. those of importance for achieving the minimum coverage for the specific habitat or species in the biogeographic region (all other species and habitats in the standard data form).

- The last priorities group "D" is basic and aims to guarantee the legal certainty principle. These objectives repeat, but develop further the basic legal requirements and provide them with some quantitative and temporal criteria. It includes also other objectives common for the whole area, for example addressing threats, relevant for the whole territory of the SAC.

I.2. Formulating the content of conservation objectives

Each objective includes a general descriptive part and specified secondary objectives, including measurable parameters and related quantity and quality criteria. It should be noted that the measurability requirement does not mean the inclusion of specific values and units of measurement. Conservation priorities for the designation of the site should create a legal framework and security and be stable. Linking them at this stage to specific figures and units excludes the possibility of developing scientific knowledge and the relevant criteria, and may lead to limited interpretations of the requirements of the directive and non-compliance with its objectives. Therefore, there is a aspiration everywhere to formulate the sub-objectives / criteria as long-term norms that fully reflect the objectives of the directive in the specific site. The specific values and units of measurement should be determined in application of Art. 6, 12, 17, etc. of the Directive according to the best scientific information available at the time.

Essential sources for determining the conservation objectives and their prioritization are: the standard form of the zone at the stage of designation, the opinions and discussions for the zone under Art. 4.2 of Dir. 92/43 (if any), the motives of the developers / respondents of the scientific proposal for designation of the potential SCI, scientific publications, etc.

Conservation objectives should reflect fully and without omissions, according to the best available information the following:

- Biological characteristics of habitats and species in the specific site;
- Biotic, abiotic and landscape characteristics of the site directly related to the conservation and/or restoration of the state of conservation of habitats and species depending on their biological requirements;
- Processes and functions characteristic of the site directly related to the conservation and/or restoration of the state of conservation of habitats and species depending on their biological requirements (the site from the point of view of natural processes, not of static parameters);
- Description of species characteristic for the respective habitat types (should be distinguished from the typical species of the plant community), this could include species to be protected in the site, other species from the Standard Data Form, species from the Red Data Book etc, whereas the respective habitat type should have a role in the life cycle of the respective species (alone or together with other habitat types);
- Role of the SAC for every species and habitat type for protection of the range and other essential biogeographical characteristics;*
- Existing and/or potential threats for conservation or restoration of the state of conservation of habitats and species on the territory of the site;
- Specific characteristics of the special area of conservation, which are significant for the conservation of its representativity and coverage of every habitat and species and are significant for the connectivity of the network;

- In view of the requirement for connectivity, the specific characteristics of the ecosystems and landscapes in the site, which provide this connectivity;
- The requirements of art.1 of Directive 92/43 and its parameters for defining favourable conservation status at biogeographical level and parameters in the guidelines for defining this status;
- Reflect the aim of measures – conservation or restoration of the state of conservation of the respective habitat or species in the site. In this case "state of conservation" reflects the role and contribution of the site for the conservation status at Biogeographical level;

For all objectives, reflecting the quantity and time thresholds and criteria for their implementation.
All names of habitat types and species are in line with Annex 1 and 2 of the Biodiversity Act.

II. Conservation objectives and priorities of SAC BG0000366 Kresna-Ilindentsi

A. Objectives of the highest priority related to the specific role of the SAC for protection of the integrity, sufficiency and connectivity of the NATURA 2000 network (briefly "network coherence"), which in case of damage cannot be compensated by protection elsewhere

A1. Preservation and restoration of the biological corridor along the Struma River in the Kresna Gorge which plays a role in the site of a narrow front for long-term migrations and / or biogeographical range border:

- Long-term distribution and natural range border for habitats 9560 * and 92C0 and for the species *Zamenis situla* and *Elaphe quatuorlineata*;
- Long-term distribution and ensuring the connectivity of the area for habitats 92D0 and 92A0 and for the species *Lycaena dispar, Emys orbicularis, Testudo hermanni boettgeri, Testudo graeca, Lutra lutra*.
- A place with a narrow front for seasonal migrations (*Barbastella barbastellus, Myotis bechsteini, Myotis emarginatus, Rhinolophus euryale, Rhinolophus hipposideros*);

The following specific sub-objectives and biotic and abiotic characteristics of the site are also covered:

- Preservation and restoration of the viability, connectivity and functionality of the riparian and slope habitats, not allowing, in relation to the reference area, their further direct damage and reduction of the area, further damage and deterioration of the connectivity between the two groups of habitat types
- Take measures to restore the connectivity of these habitats along the Struma River in the Kresna Gorge, damaged by the linear transport infrastructure already built in the gorge;
- Preservation and restoration of the areas covered by habitats 9560*, 92C0, 92A0, 92DO;
- Reduction of mortality and/or displacement of individuals in riparian and adjacent habitats caused by the operation of linear transport infrastructure.

A2. Preservation and restoration of the biological corridor through the valley of the river Struma in Kresna gorge, connecting the mountain massifs to the west and east of the gorge and playing the role of:

- Site of long-term migration and distribution of the species *Ursus arctos* * between areas of the current distribution of the species in the mountains east of the gorge, with areas of historical distribution in the recent past in the mountains to the west;
- Site of long-term migration and distribution of the species *Canis lupus* * between breeding areas of the current distribution of the species.

The following specific sub-objectives and biotic and abiotic characteristics of the area are also covered:

- Preservation of the area of afforested or overgrown areas suitable for dens (for both species for breeding, in case of *Ursus arctos** also for hibernation) and protection of low levels of human presence and impact so that they do not lead to avoidance of these areas by individuals of the species in all their phases of development and to the reduction of their functionality, as places suitable for dens;
- Maintenance of the area of natural habitats used for feeding and/or distribution of juvenile individuals and their characteristics important for the 2 species, incl. their natural food sources in these habitats and where restoration of these characteristics is required;
- Reduction and elimination of intentional poaching;
- Avoiding disturbance in breeding and wintering habitats (in *Ursus arctos* *);
- Taking measures to reduce the predator-human conflict with nature friendly and close to traditional methods;
- Maintaining the connectivity of the habitats in Kresna Gorge and on its slopes, considering the behaviour of the 2 species and the necessary characteristics to ensure migration.

A.3. Objectives related to conservation and restoration of habitats from Annex 1 of the Biodiversity Act (BA) and species from Annex 2 of the BA which conservation is of highest priority in the SAC:

- Habitat 9560 *, for which the area is the most important site in the whole country and the continental biogeographical region, protects areas with grade A of the national coverage, according to the standard data form, and at the same time is the northern limit of its distribution along the Struma River valley. The habitat is critically endangered according to the Red Data Book. The habitat is inhabited permanently or periodically by a number of animal species characteristic for it: species that are simultaneously in Annex 2 of the BA: *Eriogaster catax, Erannis ankeraria, Euplagia quadripunctaria, Zamenis situla, Elaphe quatuorlineata, Testudo hermanni boettgeri, Testudo graeca, Alectoris graeca graeca, Sylvia nisoria, Hippolais olivetorum, Lanius collurio, Lanius minor, Lanius nubicus, Ficedula semitorquata, Emberiza hortulana, Coracias garrulus, Picoides medius, Picoides syriacus, Caprimulgus europaeus*, или други видове: *Rana graeca, Dolichophis caspius, Vipera ammodytes, Podarcis erhardii, Podarcis tauricus, Lacerta trilineata, Lacerta viridis, Anguis fragilis, Xerotyphlops vermicularis, Eryx jaculus, Platyceps najadum, Zamenis longissimus, Malpolon insignitus, Telescopus fallax;*
- Habitat 92C0, for which the area is one of the most important in the whole country and within the continental biogeographical region, protects areas with grade A of national coverage, according to the standard data form, and at the same time is the northern border of its distribution along the Struma River valley. The habitat is in category *Endangered* according the Red Data Book. The habitat is inhabited permanently or periodically by a number of characteristic animal species: *Testudo hermanni, Testudo graeca, Elaphe quatuorlineata, Zamenis situla, Podarcis erhardii, Podarcis tauricus, Lacerta trilineata, Lacerta viridis, Anguis fragilis, Xerotyphlops vermicularis, Eryx jaculus, Platyceps najadum, Dolichophis caspius, Zamenis longissimus, Malpolon insignitus, Telescopus fallax, Vipera ammodytes, Ficedula semitorquata, Dendrocopos syriacus, Dendrocopus medius, Accipiter brevipes, Dryocopus martius, Picus canus, Coracias garrulus, Lanius minor, Otus scops, Jynx torquilla Parus lugubris, Turdus philomelos.Sitta neumayer, Lanius nubicus;*
- The plant species *Centaurea immanuelis-loewii,* for which the site is one of the five localities in the whole country and the continental biogeographical region, preserves a population with grade B of the national coverage, according to the standard form, occurs in small area and small populations. The species is endangered according the Red Data Book;
- The invertebrate species *Erannis ankeraria*, for which the site is one of the two localities in the whole country and the continental biogeographical region, preserves a population with grade A of the national coverage, according to the standard form, occurs in single known localities;
- The species or reptile *Zamenis situla,* for which the area is the most representative in the whole country and in the continental biogeographical region, preserves a population with grade B of the national coverage, according to the standard form, and at the same time is the northern border of its distribution along the Struma river valley. The species is categorized as Endangered according to the Red Data Book;

- The species of reptile *Elaphe quatuorlineata*, for which the area is the most representative in the whole country and in the continental biogeographical region, preserves a population with grade B of the national coverage, according to the standard data form, and at the same time is the northern border of its distribution along the Struma River valley. The species is categorized as Endangered according to the Red Data Book. Having in mind the limited range of the species in our country, reduced only to the southern part of the Struma Valley, this area is of particular importance for the species and at the same time is the northern border of distribution of the species in the Struma River valley and the species range in general;
- The bat species *Myotis emarginatus* for which the site preserves a representative breeding colony, protects a population with a grade B of the national coverage, according to the standard data form, the main breeding colony has a spotted distribution. The species is vulnerable according to the Red Data Book.

The following specific sub-objectives and biotic and abiotic characteristics of the area are covered:

- Preservation of all specific localities and / or areas occupied by these habitats and / or habitats of species from damage, reduction of the area of specific habitats in the localities and change of their natural character and processes taking place in them. With regard to habitats 9560 * and 92CO, this means, including but not limited to, lack of silviculture/forest protection and forestry activities, except for purely restoration purposes;
- Restoration of the areas of habitat 9560 * on territories in the site with degraded to pseudo-maquis, shrubs or garrigue of Mediterranean vegetation or in forest monocultures/plantations of black pine, etc. Inclusion of the restored areas in the reference area for the site;
- Restoration of the habitats of 92CO on territories in the site with degraded riparian vegetation or on territories occupied by plantations of hybrid poplars, etc. Inclusion of the restored areas in the reference area for the site;
- Restoration of habitats of reptile species by restoring natural shrub and forest vegetation at the place of plantations of coniferous species;
- Preservation and restoration of the artificial shelters of *Myotis emarginatus* in Kresna Gorge - the building of the railway canton hosting a breeding colony, artificial bunkers and underground galleries, other buildings.

B. Other high priority objectives:

Objectives related to:

- Conservation of representative habitat types or representative localities/populations of species and especially of priority ones according the law;
- Conservation and/or restoration of areas of habitats / populations of species, significant at national or biogeographical level;
- Conservation of significant areas of the habitat types protected in the SAC, which are at the same time important habitats of characteristic species, also subject to protection;
- Other significant roles of the SAC for the coherence of the NATURA 2000 network;
- Those in the SAC are:

  natural habitat types from Annex 1 of BA: 6210*, 6220*, 6520, 8220, 8230, 9110, 9130, 9260, 91AA*, 91E0*, 91M0, 92A0, 9530*, 95A0.

  species from Annex 2 of the BA: *Austropotamobius torrentium**, *Eriogaster catax*, *Triturus ivanbureschi*, *Testudo graeca*, *Testudo hermanni*, *Emys orbicularis*, *Rhinolophus ferrumequinum*.

The Kresna _ Ilindentzi as an SAC has the following specific sub-objectives and biotic and abiotic characteristics of the area:

- Natural processes of succession leading to development of forest habitats 9110, 9130, 9260, 91AA *, 91E0 *, 91M0, 92A0, 9530 *, 95A0, including those of forest plantation transformation, are of higher

priority over the protection of other protected forest habitats. Changes in habitat areas covered due to such successions are reflected in the reference areas accordingly;

- In case of successions, habitat 9530* is maintained in order to prevent succession to another type of forest habitat;
- Support of natural successions from habitats 9110, 9130, 91CA to habitat 91BA. Changes in habitat areas covered due to such successions are reflected in the reference areas accordingly;
- Management of all habitats with code 95A0, as old-growth forests, as well as the complexes of this habitat with other forest habitats;
- Protection of all habitats in the *Eriogaster catax* localities from changes in their area and natural condition, from the use of pesticides in these habitats and protection of shrub and tree vegetation from the species of wild pear (*Pyrus*), thistle (*Prunus spinosa*), hawthorn (*Crataegus*), oak (*Quercus*), poplar (*Populus*) from clear felling and other destruction;
- Restoration of *Austropotamobius torrentium* populations in river currents that are potential habitats;
- Protection of water bodies with localities of *Triturus ivanbureschi* and/or *Emys orbicularis* and their coastal zones from changes in the natural state and hydrological regime, including from construction, change in land use leading to change in the habitat characteristics, except those restoring their natural character. Maintenance of artificial water bodies with such populations. Restoration of populations of both species in suitable habitats in the area;
- Conservation of populations of *Testudo graeca* and *Testudo hermanni* from poaching.
- Protection from fire of grasslands and overgrown areas, extensive agricultural lands and light or sparse forests representing habitats of *Testudo graeca* and *Testudo hermanni*;
- Preservation and maintenance of the bunkers and artificial galleries in the area of Kresna Gorge, suitable for maintaining bat colonies. Creation of new artificial shelters in suitable places;
- Protection of riparian areas and adjacent slopes, which are the main food habitat of bats, from direct damage, use of pest control chemicals, other pollution, including noise pollution.

C. Objectives related to the protection of landscapes specific for the site and their abiotic and biotic characteristics, essential for the conservation of habitats of Annex 1 of the BA and species and their habitats of Annex 2 of the BA or complexes thereof.

C.1. Conservation of grassland habitats (pastures and shrubs, mosaics of shrubs, trees and grasses, meadows, permanently abandoned and / or agricultural lands overgrown with shrubs, highly sparse woodlands), extensive orchards, vineyards and shrub habitats in the SAC.

Preservation and restoration of the following characteristics:

- Preservation of the area of natural grassland habitat types from Annex 1 and their natural characteristics in SCA;
- Not less than 90% of the total area of each grass or shrub habitat in the area shall have the following characteristics
    - projective coverage of the dominant and typical plant species (only for areas covered with grass vegetation and excluding the bare areas and those overgrown with shrubs) characteristic for the habitat type;
    - for habitats 6110, 6220*, 62A0, 6420 - protection of mosaics of grasses and bare areas (stones, rocks, etc.) as the grass vegetation covers the % of the area characteristic for the respective habitat type (excluding areas overgrown with shrubs);
    - when forming complexes or mosaics with grasslands and shrub vegetation, the natural processes and structure of such habitats are preserved;

- lack or low level of ruderalisation and low participation of ruderal species in projective coverage of the area of each specific habitat;
- lack or low level of participation of invasive species in the projective coverage of the area of each specific habitat;
- maintaining the type and intensity of grazing, which does not damage the structure and functions of grassland habitats and at the same time allows prevention of succession to purely shrub or forest ecosystems;
- annual mowing for habitat types 6510 and 6520 and first mowing after ripening of the seeds of the dominant species (for all types);
- protection of the natural soil and hydrological conditions and characteristics for these habitats;
- protection against land reclamation, which may lead to changes in these natural characteristics, including the artificial introduction of nutrients or other contaminants; protection of grassland habitats and their natural boundaries from fragmentation;
- protection against fragmentation and in relation to protection of their characteristic species, including as a result of fencing, construction of neighbouring areas, etc.

- Restoration of grassland habitats from Annex 1 on abandoned agricultural lands through support for the development of dominant and typical species and the respective management;
- Preservation or restoration of the viability of populations of the animal species characteristic for these habitats:
  - for pastures and pastures with shrubs from the low mountain belt and habitats 5210, 6110, 6210*, 6220*, 62A0 – the following species *Lanius collurio, Lanius nubicus, Hippolais olivetorum, Sylvia nisoria, Caprimulgus europaeus, Emberiza hortulana, Testudo graeca, , Elaphe quatuorlineata, Zamenis situla*;
  - for pastures and pasture meadows in the middle and high mountain belt and habitats 4060, 6230*, 62D0 - the following species *Lullula arborea, Anthus campestris, Crex crex*;
  - for hay meadows and habitats 6510, 6520 - the following species *Lullula arborea, Melanocorypha calandra, Anthus campestris, Crex crex, Testudo hermanni, Testudo graeca, Elaphe quatuorlineata, Zamenis situla*;
  - for the riparian grass communities and habitats 6420, 6430 - *Crex crex,Ciconia ciconia, Ciconia nigra, Triturus ivanbureschi, Bombina variegata, Emys orbicularis, Testudo hermanni, Testudo graeca, Elaphe quatuorlineata, Zamenis situla*.
- Maintaining management practices as close as possible to the traditional ones in these areas and supporting maintenance of the natural balance between grassy areas and areas overgrown with shrubs; the species structure of plant communities; the viability of populations of the characteristic species.

C.2. Conservation of forest habitats in the SAC.

Preservation and restoration of the following characteristics:

- Maintaining a canopy characteristic for particular forest habitat;
- Species composition and dominant tree species characteristic of the respective habitat;

- Weighted average age for the whole SAC of the forests should be at least 60 years for habitats 91AA*, 91MO, 9180*, 91ZO; at least 80 years for habitats 9110, 9130, 9150, 9170, 9260, 91E0*, 91CA, 91BA, 9410;
- Not less than 60% of the area of each forest habitat should meet the following minimum parameters per unit area specific to the respective habitat:

  dead wood, as stock/volume of the plantation;

  number of standing dead trees;

  number of old trees with at least one class of age above the average;
- Not less than 10 % of the area of each forest habitat to be protected as old growth forests. For habitats 9410, 91CA, 91BA not less than 30%;
- Preservation or restoration of the viability of the populations of animal species characteristic for these habitats in the SAC:
  - for the forests of the slopes in low-mountain oak belt and habitats 91AA*, 91M0, 91Z0 – the following species *Barbastella barbastellus, Myotis bechsteinii, Caprimulgus europaeus, Dendrocopos medius, Hieraeetus pennatus, Circaetus gallicus, Testudo hermanni, Testudo graeca, Elaphe quatuorlineata, Zamenis situla, Lucanus cervus, Morimus asper funereus, Cerambyx cerdo;*
  - for the forests of the slopes in the lower part of the middle-mountain hornbeam-sessile oak belt and habitats 9150, 9170, 9180*, 9260 - *Barbastella barbastellus, Myotis bechsteinii, Caprimulgus europaeus, Dendrocopos medius, Ficedula semitorquata, Lucanus cervus, Morimus asper funereus, Cerambyx cerdo*;
  - for the forests of the slopes in the high part of the middle mountain beech and beech-fir belt and habitats 9110, 9130, 91BA, 9180* - *Barbastella barbastellus, Myotis bechsteinii, Ficedula semitorquata, Dryocopus martius, Picus canus, Dendrocopos leucotos, Bonasa bonasia, Bombina variegata, Morimus asper funereus, Rosalia alpina*;
  - for the slope forests of black and white pine in the middle mountain belt and habitats 91CA, 9530* - *Dryocopus martius, Picus canus, Dendrocopos leucotos, Pernis apivorus / Muscicapa striata,Accipiter nisus, Accipiter gentilis*;
  - for the slope forests of the high-mountain coniferous and sub-alpine zone and habitats 4070*, 91CA, 9410, 95A0 - *Aegolius funereus, Dryocopus martius, Glaucidium passerinum, Tetrao urogallus, Bonasa bonasia*;
  - for the riparian forests of the low and middle mountain belt and habitats 91E0*, 92A0, 92C0, 92D0 - *Barbastella barbastellus, Myotis bechsteinii, Ficedula semitorquata, Accipiter brevipes, Dendrocopos syriacus, Picus canus, Dendrocopos medius, Triturus ivanbureschi, Bombina variegata, Emys orbicularis, Testudo hermanni, Testudo graeca, Elaphe quatuorlineata, Zamenis situla, Lanius nubucus*;
- Restoration of forest habitats 9110, 9130, 9260, 91AA*, 91E0*, 91M0, 92A0, 9530*, 95A0 on territories now occupied by forest plantations of Scots pine, Black pine, Black locust, hybrid poplars, etc. according to the type of habitat and the vegetation belt in which the respective forest habitats occur naturally.

Barbastella barbastellus, Myotis bechsteinii,

C.3. Conservation of river and riparian habitats in the SAC.

Preservation and restoration of the following characteristics:

- Preservation and / or restoration of the natural hydrological regime of the river currents and water bodies: for unaffected sections as of January 1, 2007 maintain the natural hydrological regime and water quantities, and for those with modified hydrological regime restoration as much as possible of the natural regime and water quantities minimum;
- Preservation and restoration of the natural degree of saprobity and prevention of other pollution, including such coming outside the water body or the SAC;
- Conservation of the:
    - natural character of the river bottom and bank;
    - river sections with fast currents suitable for rheophilic species especially against pooling;
    - river from migration barriers of anthropogenic character and restoration of their conductivity where such barriers are existing before 1 January 2007;
    - natural riparian forests and especially those of plane tree, black alder, white poplar, black poplar, willows and protection from direct destruction or felling.

C.4. Conservation of rock habitats, screes and caves in the site

Conservation and restoration of the following characteristics:

- Protecting these habitats from direct destruction;
- Protecting nesting bird species and bats using rock crevices as shelters from disturbance;
- Protecting bat colonies in caves, underground galleries and bunkers from disturbance and direct damage of the natural conditions in these caves;
- Conservation or restoration of the population vitality of these animal species within the whole site and mostly the following species from Annex 2 of the Biodiversity Act:
    - Siliceous screes 8110 - *Alectoris graeca, Testudo hermanni, Testudo graeca, Elaphe quatuorlineata, Zamenis situla*;
    - Calcareous rocky slopes 8210 - *Falco peregrinus, Falco biarmicus, Alectoris graeca,Aquila chrysaetos,Gyps fulvus,Bubo bubo, Buteo rufinus,Ciconia nigra, Falco cherrug, Sitta neumayer*;
    - Siliceous rock 8230 - *Falco peregrinus, Falco biarmicus, Aquila chrysaetos, Alectoris graeca, Bubo bubo, Buteo rufinus, Ciconia nigra, Falco cherrug*;
    - Caves 8310 - *Miniopterus schreibersi, Myotis blythii, Myotis capaccinii, Myotis emarginatus, Myotis myotis, Rhinolophus blasii, Rhinolophus euryale, Rhinolophus ferrumequinum, Rhinolophus hipposideros, Rhinolophus mehelyi.*

D. General objectives for all habitat types from Annex 1 of the Biodiversity Act (BA) and species from Annex 2 of the BA

D. 1 Maintain the area of all habitat types from Annex 1 of the BA and the habitats of species from Annex 2 to be protected in the site, and restoring the area where needed

D.2 Reference areas for achieving the objective should be defined according to their area at the date of submission of the scientific proposal for designation of the site, but not later than 1 January 2007 and including the areas with restored habitats at a later stage. Natural succession to other protected habitats, which have higher priority should be also reflected in the reference area.

D.3 Conservation and restoration of the characteristic structure and functions of habitats from Annex 1, as well as the vitality of the populations of their characteristic species.

D.4 Conservation and restoration of the quality of the habitats of BA Annex 2 species, as well as the vitality of their populations within these habitats.

D.5 Protection from damaging the characteristic and typical species in areas with habitats from Annex 1 and habitats of species from Annex 2 of the BA from pollution or use of pesticides.

D.6 Addressing climate change through measures, aiming at reducing its impact or at assisted natural migration and translocation of habitats and species. In case of inevitable changes in the territories and areas of the habitats from Annex 1 and of species from Annex 2 of the BA, due to climate change, restoration should be sought on damaged areas of other habitats and species from the Annexes of the BA.

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Appendix 4
Excerpt (chapter 2) from
"Concept for development of specific and detailed nature protection objectives at the level of protected zone for NATURA 2000 ecological network areas"
Ministry of Environment and Waters, July 2021

2. Current legislation in the Republic of Bulgaria and main sources of information

In Bulgaria, the objectives of protection of protected zones are part of the orders for designation under Art. 12, para. 1 of the NBL:

Art. 12. The Ministry of Environment and Waters shall prepare a draft order for designating each protected zone, included in the list under Art. 10, para. 4.

(2) In the draft of the order no para. 1 shall be indicated.

1. the grounds for its issuance,

2. the name and the location of the protected zone,

3. the object and objectives of the protected zone, '

4. the total area, as well as the list of the properties, included in the protected zone, and / or coordinate register of the borders of the protected zone;

5. prohibitions or restrictions of activities, contradicting the objectives for protection of the protected zone.

The specific protection objectives of the protected zones of HATYPA 2000 are developed for each protected zone and are included as a mandatory part of the orders for designating the protected zones - by their approval by the Minister of Environment and Water. Landowners and local communities need to be well informed and have an understanding of conservation objectives at all levels, in particular at the level of "protected zone" and the ways they are expected to contribute to their implementation, as the specific objectives become mandatory for implementation with the orders approved by the Minister of Environment and Water.

According to Art. 27 of the NBL, management plans can be developed for the protected zones of the NATURA 2000 ecological network in Bulgaria. According to the EC's instructions, in order to help ensure that protected zones are managed in a clear and transparent manner, it strongly encourages Member States to develop NATURA 2000 management plans in close cooperation with local stakeholders. The preparation of NATURA 2000 management plans is the responsibility of the competent NATURA 2000 authorities. The management plan provides a stable and effective framework for the implementation and follow-up of conservation measures. Although, according to the Habitats Directive, NATURA 2000 management plans are not mandatory, they are very useful tools, as they provide complete data on the conservation objectives and the ecological status and requirements of the protected zones of habitats and species, analyze social the economic and cultural context of the region and the interactions between the different types of land use and the available species and habitats; provide a framework for open debate between all stakeholders and help to reach a coherent view on the long-term management of the protected zone, as well as to create a sense of shared ownership of the end result; assist in finding practical retentions in management links that are appropriate and better integrated into other land use practices; provide means for determining the respective responsibilities of the various socio-economic stakeholders, bodies and non-governmental organizations in the implementation of the identified necessary conservation measures. NATURA 2000 management plans may be specifically designed for the protected zone or integrated into other development plans, provided that the NATURA 2000 conservation objectives are clearly included in those plans.

The Management Plans allow for updating every 10 years, and for protected zones, which are mostly wetlands - every 5 years.

Notwithstanding the above-mentioned positive aspects of the protected zone management plans for the mandatory implementation of the specific objectives of the protected zones of the NATURA 2000 network, taking into account the delay of the overall process of setting specific objectives, **Bulgaria gives priority to of a given protected zone in the respective designation order, as an integral part of it**.