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AND NATURAL HABITATS

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**Windfarms in Balchik and Kaliakra
– Via Pontica (Bulgaria)**

REPORT BY THE GOVERNMENT

*Document prepared by:
the Bulgarian Government*

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INFORMATION ON THE DEVELOPPEMENT OF WIND PARKS IN THE REGION OF KALIIACRA (BULGARIA)

The climate characteristics in the region of Kaliacra (Bulgaria) makes it into one of the most suitable sites in the country for construction of wind parks and the interest revealed by the investors is rather high. At the same time the usage of alternative electric resources is considered a priority in the energy policy of the country, following from the engagements that Bulgaria has undertaken under the Protocol of Kyoto.

Obligations regard to the renewable energy resources

Bulgaria as a member of EU has undertaken engagement to achieve the indicative EU goal of at least 12 % power from renewable energy resources until year 2010. During the last year electric power from renewable resources up to 6 % of the total electric power has been generated in our country.

Taking into account the long-term policy of EU for reducing carbon dioxide emissions after the acceptance by EC the obligatory goal to increase the generation up to 20 % of the total power consumption from renewable energy resources (RER) until year 2020 (*Directive COM (2008)19 on the promotion of the use of energy from renewable resources*), higher goals have been set to the EU member states incl. Bulgaria regarding the RER. In this connection it is necessary that the EU members should revise their national policies in order to utilize all the reserves for their realization. The defined additional contribution of Bulgaria for realization of the European goal concerning RER is up to 6.6 % by year 2020.

The following documents have been elaborated and adopted at national level: the Energy Strategy of Bulgaria, National Long-Term Programme to Encourage the Use of RER (2005 – 2015) and the National Short-Term Programme to Encourage the Use of RER (2007), all of them being in compliance with the defined indicative aims and thereby the means for their realization are determined.

The categorical stand of Ministry of Environment and Water is that under the fulfillment of all these undertaken engagements it is necessary to enforce all legislative mechanisms to guarantee the compatibility of the corresponding projects with the nature protection.

General Information about the development of the EIE procedures

As per information of RIEW – Varna in the period January 2007 – August 2008, three decisions for constructing wind generators on its territory have been issued comprising total number of wind generators - 95 with the following investors: Geopower Ltd.(53 generators), Eolika Bulgaria Ltd (32 generators) and Borko Ltd. (10 generators). All these wind generators are located out of NATURA 2000 network. One of the decisions (regarding wind generators with investor Geopower Ltd.) is appealed in the court.

Besides them, 266 decisions have been issued, thereby it has been decreed not to be carried out an EIA for the construction of 376 wind generators, situated singly (by one or two, rarely by three). Seven generators of them are in the NATURA 2000 network, the rest 369 of them are out of the NATURA 2000.

For all investment proposals for constructing wind generators, an Appropriate Assessment under art. 6 of the Habitats Directive is carried out. This assessment is carried out regardless of whether the wind generators are reallocated singly or they are wind-parks, as well as regardless of whether they are in/out of NATURA 2000.

So far 81 wind generators have been put into operation, 38 of them are in NATURA 2000 (one wind-park with 35 wind generators and three single generators), out of NATURA 2000 network are 43 generators – situated singly (by one or two, rarely by three).

The survey of the status of the projects for construction of wind-parks on the territory of RIEW – Varna, for which EIA Decisions have been issued in the period 2003-2008 reveals the following:

- Wind-park with investor Inos – 1 Ltd has been put into operation, 35 generators in the land-use area of the village of Bulgarevo, municipality of Kavarna (Decision № 2-2(101)2005)
- Only one from 3 wind generators has been put into operation, investor Vertical/Petkov Ltd., in the land-use area of the village of Bulgarevo, Decision № 1-2(101)2005
- The realization of the following investment proposals has not been started yet: Tessa Energy Ltd. (12 generators, in the land-use area of the town of Balchik, Decision № 3-3(95)2003); Universum Energy Ltd.(30 generators in the land-use area of the village of Bulgarevo and land-use area of the town of Kavarna, Decision № 3-2(101)2005); Vector Delta Ltd. (3 generators in the land-use area of the town of Kavarna, Decision № 1-2(105)2006) and Borko Ltd., (10 generators in the land-use area of the village of Shabla, Decision № BA-1/2008).
- At the stage design and coordination of documents: investor Geopower Ltd., (53 generators) in the land-use area of the villages of Bulgarevo, St Nikola, Poruchik Chunchevo, Hadji Dimitar, municipality of Kavarna, Decision № BA 1-2/114/2007); Eolika Bulgaria Ltd.,), in the land-use area of the village of Suvorovo

Analysis of the EIE Procedure

The Ministry of Environment and Water in compliance with the active legislation enforces the due mechanisms thereby to guarantee the necessary compatibility between the nature protection in the region and to prevent from eventual adverse impact on the biodiversity under realization of projects, related to the economical development in the region and in the country and those related to the corresponding defined engagements in respect to global climate change. Such kind of mechanism is the EIA procedure, therefore we would like to present an analysis of the information concerning the implemented EIA procedures regarding the wind park projects in the region of Kaliakra:

- The content of the EIA reports as well as the procedures on their elaboration, discussion, approval and appeal are fully harmonized with the EU legislation in this domain.
- The implemented EIA procedures are in compliance with the national legislation as well as with the Resolution 7.5 of the Bonn Convention, resolution 13 of the Agreement of Protection of the Migrating birds from Africa and Euro-Asia and Resolution 109 (2004) of the Bern Convention.
- The EIA reports are elaborated by experts registered in public register of MOEW, who meet the defined by the law conditions
- During the EIA procedure consultations have been carried out with the interested persons and public. A free public access to the report has been secured and a public discussion of the report has been also carried out.
- The prognosis and the assessment of the expected impact on the birds including degree of the risk of collision between birds and wind turbines, has been carried out based on monitoring data fulfilled in the region of construction of the investment proposals during the spring and the autumn migrations and other terrain information.
- The EIA decisions are issued taking into account the presented by EIA experts information, analyses and recommendations. In some cases an independent expert assessment of the available information under the project is assigned and the EIA decisions are issued based on the positive conclusion from the expert assessment and the concrete conditions are also specified which must be imperative followed under the realization of the projects.

- Regarding the building site, this assessment is conformed with the concrete parameters of the environment, biological characteristics and the ecological requirements of the migratory and native birds as well as the technical characteristics of the wind generators.
- The EIA decision is the specific instrument for enforcement of the requirements for the environment protection.
- The EIA decision includes as obligatory conditions measures for decreasing of the adverse impact, which must be kept during the construction and the exploitation of the object:
 - Decreasing of the number of turbines and reducing their total high.
 - Reallocation of the turbines as far as possible along straight lines and following direction Nord – South, which is the dominating direction of the bird migration.
 - Reallocation of some of the turbines to more appropriate sites, including reallocation at a certain distance away from the borders of forest range and landscape elements playing a role of ecological corridors.
 - The construction activities are to be completed during the daylight of the day and out of the period of autumn migration in order to decrease the disturbance on the birds and the other vespertine fauna.
 - Giving instructions to the builders regarding the protection of the fauna and flora during the construction of the wind generators.
 - Limitation of the speed of the vehicles during the construction activities aiming protection of the low-mobile representatives of the fauna.
 - Installation of protective elements, preventing alighting of the birds on the power lines connecting the substation to the power transmission network.
 - Providing with RADAR systems
 - Continuous work of the RADAR systems and switching off the generators under bird passing over the sites.
 - Disassembling of the risk generators under proved high bird death-rate.
 - Appropriate painting of the generators
 - Securing unimpeded movement of the small animals
 - The construction should be performed out of the bird breeding period
 - Carrying out of annual ornithological monitoring
 - Completing of basic and following monitoring on the ornithological fauna on the site and around it, and if necessary a prescription of measures in order to reduce the adverse impact of the constructions.
 - determination, if necessary of special regime of generator operation, conformed with the results from the bird monitoring.
 - Submission of the monitoring reports to RIEW – Varna for information, realization of control and methodical assistance under the prescription of the most suitable measures.
 - Recuperation of the soil after construction of the wind farm park
- Under non-fulfillment of the conditions stipulated in the EIA decision, due administrative - punitive measures are envisaged in compliance with the Environment Protection Act.
- All EIA procedures required by Bulgarian legislation have been carried out in compliance with the law.
- The court has confirmed all appealed EIA decisions and it has ascertained that there is no infraction of the legal procedure under their issue.

Information for the wind-park already in exploitation

Wind-park with investor Inos – 1 Ltd consist of 35 turbines reallocated in the land-use area of the village of Bulgarevo, municipality of Kavarna. It has been put into operation on 17.06.2008.

Under the inspection by RIEW – Varna it has been ascertained that the conditions stipulated by the EIA Decision are fulfilled including a re-cultivation of the terrain has been completed and the recuperation of the soil cover and the natural steppe vegetation is assessed as a good.

A RADAR system for early registration of bird flights has been installed.

The implementation of one-year monitoring on the birds has already started. The first monthly report has been submitted to RIEW - Varna. In fulfillment of the plan for own bird monitoring in the region of the wind-park, an agreement has been contracted between the investor and the Institute of Zoology, Bulgarian Academy of Sciences. The goal is to assess the real impact of the wind generators on the birds under the process of turbine exploitation. The period is out of the active bird migration. During the carried out monitoring no dead or injured birds in the region of the site have been detected.

SEA of the National long-term program for encouragement of the renewable energy resources (2004-2015)

As per the overall policy for utilization of RER, already in 2004 the Minister of MOEW by his Assessment № EO-7/2004 has decreed an SEA of the National long-term program for encouragement of the renewable energy resources (2004-2015).

In the beginning of June 2008 a letter has been sent to the Ministry of Economy and Energy with the proposal for opening an actualization procedure regarding the National long-term program for encouragement of the renewable energy resources (2004-2015) and submission to MOEW a request/documentation for Assessment of the necessity of SEA and Appropriate Assessment under art. 6 of the Habitats Directive for actualization of the program.

The general requirements have been also pointed-out in the letter, which should be taken into account under the actualization of the program including all corresponding items of Recommendations 117(2005) and 130(2007) accepted by the Standing Committee of the Bern Convention having attitude to the long-term planning and realization of projects for utilization of RER under observing the principle of cautiousness, conformity to the specific conditions of Bulgarian Black sea coast and the concrete requirements for birds protection and their habitats, taking into consideration the whole cumulative effect, using sufficient and correct information from scientific and specialized sources and monitoring as well as an overall vision regarding the parameters of the program is to be presented, related to the reallocation, number and technical characteristics of the wind generators.

Conclusions

As far as the impact of the wind generators on the nature is concerned, in particular on the birds as well as regarding the necessary measures for preventing from eventual adverse consequences, there is no unambiguous and incontrovertible opinion among the scientific and ornithological society. Similar is the situation with the applied scientific methodic and interpretation of the acquired data. This fact considerably impedes the practical approaches to the solution of the problem. The application of the good practices, the principle of cautiousness and following up monitoring on the impacts by using contemporary technical means is of primary importance in this case. This is the stand which the Ministry of Environment and Water keeps to in its practice.

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