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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

25th meeting
Strasbourg, 28 November – 1 December 2005

Draft Recommendation
on the plan to set up a wind farm near the town of Balchik,
on the Via Pontica route (Bulgaria)

Document
prepared by
the Directorate of Culture and Cultural and Natural Heritage

The Standing Committee is invited to examine and, if appropriate, adopt the draft recommendation.



Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Draft Recommendation No. ... (2005) examined on ... December 2005 on the plan to set up a wind farm near the town of Balchik, on the Via Pontica route (Bulgaria)

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting under the terms of Article 14 of the Convention;

Having regard to the aims of the Convention to conserve wild flora and fauna and their natural habitats;

Pointing out that Article 1, paragraph 2, of the Convention calls on the Parties to give particular emphasis to endangered and vulnerable species, including endangered and vulnerable migratory species;

Pointing out that, in pursuance of Article 3, paragraph 2, of the Convention, "Each Contracting Party undertakes, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild flora and fauna";

Recalling that Article 4 of the Convention stipulates that "Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats";

Recalling that Article 4 of the Convention also stipulates that "The Contracting Parties in their planning and development policies shall have regard to the conservation requirements of the areas protected under the preceding paragraph, so as to avoid or minimise as far as possible any deterioration of such areas";

Recalling that Article 4 of the Convention further stipulates that " The Contracting Parties undertake to give special attention to the protection of areas that are of importance for the migratory species specified in Appendices II and III and which are appropriately situated in relation to migration routes, as wintering, staging, feeding, breeding or moulting areas";

Referring to the other provisions of the Convention relating to the protection of habitats and the conservation of species;

Drawing attention to its Recommendation No. 109 (2004) on minimising adverse effects of wind power generation on wildlife;

Referring to BirdLife International's report: "Windfarms and Birds: An analysis of the effects of windfarms on birds, and guidance on environmental assessment criteria and site selection issues" [document T-PVS/Inf (2003) 12];

Referring to Mr Guy Jarry's report on the plan to establish a wind farm at Balchik, in Bulgaria, drawn up following a meeting with the Bulgarian authorities and a site visit [document T-PVS/Files (2005) 8];

Recognising the advantages of wind power in the fight against climate change, and noting with satisfaction that the Bulgarian Government has opted to follow this path;

Emphasising the need, before a decision is taken, to carry out sufficiently thorough and detailed studies to justify the selection of wind farm sites;

Considering that the site between Balchik and Albena is important to the implementation of the Natura 2000 Network;

Noting that the Via Pontica is a migratory route of major European importance;

Noting with concern that, as the chosen site lies on this route, it is inappropriate in view of its international importance to wildlife;

Aware of the foreseeable negative effects, especially for migratory species, of the plan to site a wind farm on the Via Pontica route;

Noting the inadequacy of the evaluation report and the supplementary report which informed the decision-taking process;

Recommends that the Bulgarian Government:

1. suspend implementation of the decision pending the conclusions of the supplementary studies covering all the aspects relating to biological diversity not hitherto covered;
2. take into account the existing scientific reports on flora and fauna drawn up by NGOs;
3. complete by means of supplementary studies a full overview of the state of flora on the site, taking into account species' heritage value and conservation status;
4. draw up a precise inventory of mammals, reptiles and amphibians;
5. complete this inventory with a quantitative assessment of the species present and a study of their ecology and biology, taking account of their dependence on adjacent environments;
6. carry out an inventory of insects and focus more particularly on those appearing in Annexes II and IV of Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;
7. possibly add to the fund of knowledge about nesting birds;
8. draw up an overview of the wintering of birds at the site and in the surrounding area, focusing on aspects of birds' dependence on the site, in whatever form;
9. collect the information needed to obtain a full picture in both qualitative and quantitative terms of bird migration in different circumstances, both by day and by night, encompassing both pre and post-mating migration, with the greatest attention being paid to birds' visits to locations within the site of the planned wind farm;
10. take care to study possible visits to the site by bats, whether during the breeding or the migration season, or even during other periods during which bats are active;
11. without prejudging the value of these findings, give thought at this early stage to seeking an alternative site which offers better guarantees of respect for the particular ecological value of the locality and for the concerns of the local population groups involved;
12. ensure that, henceforth, natural heritage studies are conducted for at least 12 months prior to environmental impact assessments;
13. make a strategic environmental assessment of all the country's plans and programmes for harnessing wind power, taking the greatest account, inter alia, of the risk of cumulative effects from different projects;
14. make provision, through studies complying with strict protocols and lasting at least one year, for monitoring of the effects of the establishment of wind farms on flora, fauna and natural habitats;
15. take all necessary measures to provide effective protection of the sites which belong to the Emerald /Natura 2000 Network.