



Sixteen cases of Natura 2000 vandalism in Bulgaria

In September 2007 Bulgarian Society for the protection of birds (BSPB) submitted a complaint to the Commission concerning both the inadequate designation and protection of (SPAs) in Bulgaria generally under the EU Birds Directive. This included information about the damage occurring in many of the SPAs. In February 2008, BSPB submitted a second complaint on the specific case of Kaliakra potential SPA, which was supported by 12 other Bulgarian nature conservation NGOs. In late May we provided the Commission with further detailed information about the damage that has already taken place to Kaliakra and the further damage likely by developments in progress.

In 2008, NGOs sent another 4 complaints to the Commission about violations of the EU Habitats Directive in another 4 Natura 2000 sites. A key concern was projects authorized without any assessment of the impact on various priority species and natural habitats.

While the NGOs are pleased that the Commission are investigating the issues of inadequate site protection/site deterioration we are extremely concerned that the situation in Bulgaria is now so serious that unless the Commission takes further urgent action there will be widespread destruction of protected natural heritage for which Bulgaria has a European obligation. By the time the designation process has been completed many sites will have been seriously damaged. Given that it is now 22 months since Bulgaria joined the EU this is totally unacceptable and we are very worried that the situation in Bulgaria could be repeated in Romania and even in future member states such as Serbia and Macedonia.

Because of these serious concerns, a significant number of petitions about inadequate designation and protection of Natura 2000 sites in Bulgaria have been sent to the European Parliament as well. These petitions provide information about a number of cases where systematic breach of EU law is resulting in a lack of protection of Natura 2000 sites.

Bulgaria's actions are in direct conflict with assurances that the Bulgarian Environment Minister gave to the European Parliament on 14 September 2006 and are putting the coherence of the entire Natura 2000 network at risk. Given the considerable number of Parliamentary Questions that have already been asked about Bulgarian Natura 2000 designation this is clearly an issue also of interest to MEPs.

The main violations of the European environmental legislation are:

1. Breach of Articles 4(1) of the Birds Directive and Articles 4(1) of the Habitats Directive for not proposing a comprehensive list of scientifically accepted Natura 2000 sites, including 6 SPAs (“Kaliakra”, “Rila”, “Pirin”, “Central Balkan”, “Western Rhodopes” and Lomovete - reduced significantly) and one pSCI (“Rila-buffer” pSCI - not approved).
2. Breach of Article 4 (4) of the Birds Directive and Article 6 (2) and the general obligations of the Habitats Directive for not providing adequate protection of proposed Natura 2000 sites (Kaliakra, Rila, Pirin, Central Balkan SPAs and many pSCIs).
3. Breach of Articles 6(3)-6 (4) of the Habitats Directive, Article 4 of the EIA Directive and Article 3 (2) of the SEA Directive because:
 - Municipalities are authorizing projects without any Appropriate Assessment (AA)/EIA/SEA procedures (Western Rhodopes, Rila, Pirin, Strandja, etc.);
 - Investors are dividing projects in to small pieces to avoid the need for EIA procedures.
 - Ministry and regional inspectorates of environment are making decisions based on unsound AA/EIA/SEAs – of extremely poor scientific quality, without sufficient public participation and without taking into account cumulative effects of the thousands of projects in one and the same locality. Consequently almost all sites in the Black sea region are severely fragmented and even destroyed significant;
 - Statements of NGOs and scientists are not taken into account. There is a lack of any communication by authorities with the respondents of the Natura 2000 sites.
4. Article 9The Aarhus convention as implemented in the European Union¹ because of deliberately limited access to public information on the most problematic environmental issues (Rila, Kamchia, Pirin, etc.) and limited access to administrative or judicial procedures to challenge illegal authorization acts (Strandzha, Western Rhodopes, etc.).

A selection of examples of inadequate site protection/site deterioration are given below.

However, the problems are not restricted to these sites. Similar damage is occurring in at least 60 SPAs and pSCIs right across Bulgaria. Pressure on the approved SPAs/pSCIs from proposed investment projects continues to increase. In most of the cases the investment projects are related

¹ See <http://ec.europa.eu/environment/aarhus/>

to building of summer villages, hotels, golf-courses, ski-runs, extraction of sand, gravel, stones, wind farm and micro-hydropower stations construction.

BSPB as part of the Bulgarian “For the nature” NGOs’ Coalition urges the Petitions Committee to put pressure on and ensure that the European Commission:

1. Opens a horizontal infringement procedure on the lack of protection of SPAs/pSCIs in Bulgaria to address the immediate danger to the integrity of a large number of sites (including those presented below) and the coherence of the Natura 2000 network as whole.
2. Speeds up the infringement procedure on insufficient designation of six SPAs – Kaliakra, Lomovete, Centralen Balkan, Rila, Pirin and Western Rhodopes.
3. Takes an immediate decision on designation of the scientific reserve Rila Buffer as pSCIs in order to ensure bear protection in the Alpine and Continental Bio-geographical regions.
4. Put pressure on the Bulgarian government to prevent further damages to Natura 2000 sites and to compensate for damage caused to sites after 1 January 2007 at which time Bulgaria should have been complying with EC nature laws.

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A. Six case studies providing examples of site deterioration, destruction of habitats and disturbance of species due to inadequate designation and protection of certain IBAs as SPAs and destruction of a pSCIs.

Kaliakra IBA (BG051): approved SPA with reduced area; part of Complex Kaliakra pSCI

Kaliakra is one of the most important wildlife sites in Bulgaria: a bottle neck for thousands of migratory birds traveling from Europe between Germany and the Urals to Africa and Middle East along the 'Via Pontica', one of the two most important migratory flyways into and out of Europe. The site contains the last remnants of the Great European steppe in Bulgaria with typical steppe birds and the largest coastal cliffs with the only colony of Shag in Bulgaria.

On 8 February 2008 the Bulgarian Society for the Protection of Birds submitted a new complaint to the European Commission against Bulgaria in respect of inadequate designation and protection of Kaliakra (EC ref. No. **2008/4260**). BSPB took this step after 5-years of national actions trying to stop harmful development in Kaliakra IBA. **The site is under direct threat from wind farm construction and mass-tourism development. A part of the important habitats for birds and priority natural habitats have already been destroyed or significantly deteriorated.**

On 4 December 2007 the Bulgarian authorities decreased the area of the candidate SPA (that overlaps with IBA) by 5286 ha (33% of the total area of the IBA) by excluding arable land with planned wind-farm development projects. The excluded area is part of an important migration corridor, where thousands of storks and raptors fly over the land often very low above the land surface. It is also a regular roosting site for migratory white stork, as well as a foraging area for migratory raptors and wintering geese, including the **globally threatened Red-breasted Goose**.

Between 2003 and April 2008 460 investment projects were proposed in Kaliakra IBA. Of these 364 investment projects were approved or proposed after 1 January 2007, most of them – without EIA. The projects that occupy the biggest area of the IBA are the 28 wind farm projects that together consist of 212 wind turbines. Other projects are mainly related to urbanization (houses, summer villages, resorts) and leisure activities – golf courses, speedways.

Large scale destruction of important habitats has already taken place in Kaliakra IBA. In total 278 ha of the bird habitats have already been destroyed after 1 January 2007 due to realization of projects initiated before the date of accession. All habitats, destroyed so far are situated in the approved SPA (5% of its land area).

Key habitats for breeding and migratory birds will be irreversibly damaged on 19% of the land area of the IBA if the planned projects go ahead. The remaining habitats will be fragmented and deteriorated to a large extent. The disturbance of birds will be very high. As most of the projects are mainly concentrated within the approved SPA, the direct loss of bird habitats is expected on 36.2% of the land area of the approved SPA. The EBRD and IFC recently approved to finance one of the three biggest windfarms in Kaliakra IBA (investor AES), situated in the area excluded from the SPA. Realisation of this project will cause not only a significant mortality risk

for migratory birds, but also damage of almost all of the foraging areas of Red-breasted goose in the IBA, and the roosting places for migratory white stork.

Three priority habitat types protected by the Habitats Directive have already been significantly affected or will be affected – between 30 and 100% of the areas of these habitats at Kaliakra. **The wind turbines of one of the three biggest windfarms (investor INOS1 and Mitsubishi) planned in the area have already been erected and about 270 ha of priority habitat Ponto-Sarmatian Steppes (about 12% of its coverage in Kaliakra IBA) has recently been almost destroyed by windfarm construction.** A further 20% will be destroyed by construction of other windfarm projects, 7% - by golf courses and 9% - by hotels and houses. In total this will cause loss of 10% of the national coverage of this priority habitat.

As noted above, because of the rate and extent of the damage to Kaliakra, in February 2008, BSPB submitted a specific complaint on Kaliakra potential SPA, which was supported by 12 other Bulgarian nature conservation NGOs. In late May BSPB provided the Commission with further detailed information about the damage that has already taken place to Kaliakra and the further damage likely by developments in progress. Because of the extent and severity of both the actual and anticipated damage at Kaliakra we would urge the Petitions Committee to press the Commission to open infringement proceedings as soon as possible.

Rila (BG055): approved SPA with reduced area; overlaps with Rila pSCI

Rila IBA holds the biggest breeding populations of Pygmy Owl, Tengmalm's Owl and Three-toed Woodpecker in Bulgaria. It is also among the most valuable areas in the country and all the European Union for the conservation of the White-backed Woodpecker. Bulgaria holds 5% of its breeding population of the EU27 and Rila IBA is one of the few sites where the species occurs. The IBA includes "Rila" National park (category II of IUCN) - a PANparks member, and "Rilski Monastery" Nature Park.

In violation of Art. 4 (1) of the Birds Directive (C-355/90, C-166/97, C-96/98, C-415/01) the Bulgarian government approved only Rila National Park as SPA – only 54% of the initially proposed SPA. As a result of the reduction of the area of this site at least 50% of the populations of White-backed Woodpecker, Three-toed Woodpecker, Pygmy Owl and Tengmalm's Owl, which occur in the IBA are excluded from the SPA network and therefore from the application of special protection measures for them. Other important species such as Golden Eagle, Black Stork and Capercaillie are also affected.

The Rila Mountain is proposed also for protection of threatened habitats and species (incl. bear and wolf) under the Habitats Directive through designation of three sites - pSCIs "Rila", "Rilski manastir" and "Rila-buffer". pSCI "Rila" coincides with the National Park and pSCI Rilski manastir" with the Nature Park. Only "Rila" and "Rilski manastir" were approved by the Government as pSCI. "Rila-buffer" pSCI, which largely overlaps with the area excluded from the "Rila" SPA, was rejected by the government. By not proposing the pSCI "Rila-buffer" due to economical considerations the Bulgarian government has failed to fulfil the obligations of Articles 4(1) of the Habitats Directive (C-371/98).

The reduction of areas of "Rila" SPA and the complete rejection of "Rila-buffer" pSCI for economical reasons **deprives** them from any protection according to the national and EU laws and leads to breaking both obligations: to have a list of sites relevant to requirements of both Directives and to provide those sites with protection according to Articles 6 (2), (3) and (4) of the Habitats Directive. **The destruction of these areas has already started as there are projects for development of 8 big ski resorts both in non-approved and approved Natura 2000 sites.** Some of the authorization procedures were started before 1.1.2007, however, **the realization of all projects started after 1.1.2007 but without EIA and/or Appropriate Assessments, without review of permits under Art. 6(2) of the Habitats Directive and in violation of Art 4(4) Birds Directive in the part of "Rila" IBA that is not-approved as SPA.**

Further, a big windfarm project is planned in one of the three breeding localities of the Golden Eagle in the part of Rila IBA excluded from the SPA.

Pirin (BG056): approved SPA with reduced area; overlaps with Pirin pSCI

This IBA is among the most valuable areas in the country for many mountain threatened birds - Hazel Grouse, Pygmy Owl, Tengmalm`s Owl, Three-toed Woodpecker, Golden Eagle, Capercaillie, Peregrine Falcon, Black Woodpecker, White-backed Woodpecker and Grey-headed Woodpecker, etc.

The site includes "Pirin" National park (category II of IUCN), UNESCO Natural Heritage site and approved pSCI according to the Habitats Directive. The Bulgarian government approved only "Pirin" National Park as SPA – **only 51% of the initially proposed SPA.** As a result of the reduction of the area of the proposed SPA more than 50% of the populations of White-backed Woodpecker, Hazel Grouse, Pygmy Owl and Tengmalm`s Owl, which occur in the IBA are excluded from the network and therefore from the application of special protection measures for them.

At the same time destruction of habitats due to ski-resort and tourism developments are taking place both in the approved SPA/pSCI and in the excluded areas. Bansko ski-resort authorized by the Government has expanded its territory beyond the scope of the given permissions, which led to big scale forest cutting and strong erosion processes. Various infrastructure elements are authorized and built without any EIA and Appropriate Assessment according to the provisions of the Habitat Directive. The expansion has also led to vast hotel construction in Bansko village, which reaches the borders of the National Park. Two other big-scale ski resorts are planned completely within the National Park (approved SPA and pSCI) even touching strictly protected reserves.

In the southern slopes of the Pirin mountain, in the area excluded from the SPA, a big wind farm was approved for construction without taking into account the obligation for prevention protection under art. 4(4) of the Bird Directive.

Central Balkan (BG011): approved SPA with reduced area; overlaps both with Central Balkan pSCI; Central Balkan – buffer pSCI

The Central Balkan IBA holds the biggest population in the country of White-backed Woodpecker and thus plays a key role for conservation of the whole EU population of this species (Bulgaria holds 5% of its population in EU27). It is also one of the most valuable areas in the country for 13 other breeding species, including four globally threatened ones - Semi-collared Flycatcher, Imperial Eagle, Corncrake and Saker Falcon. The site is also one of the two breeding localities of the Ural owl in the country and one of the few breeding areas of Tengmalm`s Owl and Pygmy Owl.

The site includes “Central Balkan” National park (category II of IUCN), PANpark label, and “Bulgarka” Nature Park. The Bulgarian government approved only “Central Balkan” National Park as SPA – **only 43% of the initially proposed SPA**. As a result of the reduction of the area of the proposed SPA more than 50% of the population of the Semi-collared Flycatcher within the IBA remains without proper protection under Bird Directive. The exclusion of a big part of the national population from the SPA network is unfavourable for the conservation of the species in the whole European Union as Bulgaria holds 61% of the EU27 population of this globally threatened species. Similarly the reduction of the area excludes from proper protection big parts of the populations of other key species, including White-backed Woodpecker, Imperial eagle, Ural Owl, etc., and also excludes the whole of the populations of breeding corncrakes and black storks from SPA protection.

After accession in January 2007 vast development started in the areas excluded from the SPA (but still in “Central Balkan – buffer” pSCI), especially on the northern part of the mountain slopes. Most of the projects are related to mass-tourism development, which reaches the borders of the national park, similar to the cases of Pirin and Rila National parks. There are plans for development of ski resorts as well as construction of micro-hydropower plants.

The Government does not properly apply Art.4.4 of the Birds Directive, in order to prevent significant damage of habitats and disturbance of birds in areas that are proposed but not designated as SPA. Damage to habitats have already occurred . In violation of Art. 4 (4) of the Habitats Directive and Art. 6 (2)-6 (3) of the Habitats Directive permissions for construction continue to be issued by the authorities and in the near future big scale irreversible damages will take place, especially to meadows – the main breeding habitat for corncrake – and forest habitats.

Western Rhodopes (BG063): approved SPA with reduced area;

The Western Rhodopes SPA holds the biggest breeding population of Capercaillie in Bulgaria. It is also among the most valuable areas in the country for Hazel Grouse, Pygmy Owl, Tengmalm`s Owl, Black Woodpecker, White-backed Woodpecker and Honey Buzzard.

The Bulgarian government approved **only about 30% of the initially proposed SPA**, and the approved SPA has completely different boundaries and only partially overlaps with the IBA. The approved SPA has a different area and probably a different value for birds than the IBA, but this is difficult to assess because the scientific grounds for the boundary changes are not known. As a result of the reduction, more than 80% of the population of Capercaillie within the IBA remains without proper protection under the Birds Directive. About 80% of the population of White-backed Woodpecker, which occurs in the IBA also remains outside the SPA. The coverage of the national population of this species by the SPA network decreases to 52% just by the reduction of the territory of this IBA. The exclusion of a big part of the national population from the SPA network is unfavourable for the conservation of the species in the whole European Union, as Bulgaria holds 5% of the population of the EU27. Similarly the reduction of the area excludes from proper protection big parts of the populations of other key species, including Hazel Grouse, Pygmy Owl and Tengmalm`s Owl, which occur in the IBA.

The short term plans for ski-resorts and tourist development, construction of many micro-hydropower plants as well as intensive wood production are real and severe threats to this IBA, especially in the parts that are excluded from the SPA.

Lomovete IBA (BG025): approved SPA with reduced area; overlaps Lomovete pSCI

Lomovete holds the biggest breeding population in the country of the Ruddy Shelduck. It is also one of the most important sites in the country for Egyptian Vulture, recently recognized as globally endangered from extinction, Long-legged Buzzard and Black Kite, etc. The Valley of Russenski Lom River is the western most part of the *Via Pontica* migration route, which is used mainly by raptors. It is one of the main corridors where migrating Lesser Spotted Eagle enter Bulgaria on its way south.

As a result of the decision of the Council of Ministers the whole area that does not form part of the existing protected areas (“Rusenski Lom” Nature Park and “Beli Lom” Reserve) is excluded from the SPA although this area by its character and habitats is an indivisible part of the “Lomovete” IBA. In addition, the excluded area contains different habitats and therefore holds both species typical for the forested river valleys and species typical only for grasslands and arable land. Thus the Government approved **only about 12% of the initially proposed SPA**. As a result of the reduction of the area of “Lomovete” approved SPA, a significant part of the breeding populations of Black Kite, Roller, Tawny Pipit, Ortolan Bunting, Barred Warbler and Red-backed Shrike in the IBA were excluded from the SPA. The bigger part of the populations of Black Stork, Egyptian Vulture and Lesser Spotted Eagle within the IBA also remain outside the SPA. The Egyptian Vulture and Roller are recognised as globally threatened species, thus the reduced population coverage has an impact on conservation of these species at the global level as well. By excluding part of this IBA from the SPA network, one of the most important migratory corridors and a stopover site for Lesser Spotted Eagle is not properly protected.

Windfarm development, open mining industry, as well as tourism development are the main direct threats to the area, which could cause significant damage in the short term.

B. Ten case studies providing examples of destruction of habitats and sites due to delays in the designation process of approved SPAs and pSCIs

Belite skali IBA (BG097): approved SPA; part of Complex Kaliakra pSCI

One of the most important IBAs in the country as a breeding area for steppe birds such as Calandra Lark, Pied Wheatear, etc. Bottle neck of global importance for migratory birds along the Via Pontica flyway; raptors often overnight in the area. The site is also part of "Complex Kaliakra" pSCI, because of its value for preservation of unique steppe habitats that are priority habitats for the EU.

Habitat destruction caused by a golf course and hotel construction.

Two projects, related to construction of golf course and summer villages (investors: "Tracian cliffs golf & SPA resort" Ltd.,) started to be implemented before 1 January 2007 and irreversibly damaged 60 ha of the priority habitat type - Ponto-Sarmatic Steppe, which is also the main breeding habitat for steppe bird species within the SPA. There are a further 65 projects, formally initiated before accession at different stages of approval or realization, where all the constructions were started after 1 January 2007. Due to the ongoing realization of projects by the summer of 2008 a bigger part of the steppe habitat was already irreversibly destroyed. **Because of the ongoing approval of projects it is expected that almost all of the steppe habitats will be completely destroyed and other key bird habitats also irreversibly damaged. This a clear violation of the EU law, which is leading to damage to EU natural heritage that cannot be compensated.**

For the period 2003 to 2008 a total of 263 projects were initiated within Kaliakra Complex pSCI (it include both Belite skali and Kaliakra SPAs), covering 43% of the its land area.

About 968 ha of the area taken by different investment projects is covered by priority habitat type Ponto-Sarmatic steppes and 3 ha by priority habitat Pannonic Loes steppes. This represents 36% of the Ponto-Sarmatic steppes habitat type and 100% of the Pannonic Loes steppes habitat. Six projects have already been realized and destroyed a total of 245 ha of the Ponto-Sarmatic steppes (36 %).

Chelopechene Fishponds IBA (BG114): approved SPA

SPA for Little Crake and one of the most important breeding areas in Bulgaria for the globally threatened Ferruginous Duck.

Ongoing construction of sandpit before finalization of the EIA procedure. The concession for extraction of sand was given before the approval of the site as an SPA and covers more than 60% of the fishponds. The problem of destruction of a significant part of the candidate SPA was identified in the beginning of 2006 by BSPB and a lot of discussions were held with the investor. Despite all

the recommendations given to the investor, as well as in contradiction with the Bulgarian and EU² legislation in force after 1 January 2007 the investor started to destroy the area. The prescriptions by the Regional Inspectorate of Environment and Water (RIEW) to terminate illegal construction activities did not stop him. Despite the complaints during the EIA procedure in May 2008 the Ministry of Environment and Water gave permission for the project and thus allowed further destruction of the area. Officially the fishponds were designated as SPA in autumn 2008.

Besaparski Hills IBA (BG057): approved SPA; overlaps with pSCI

Besaparski Hills is of exceptional importance for the conservation of globally threatened Imperial Eagle and one of the most valuable sites for breeding Tawny Pipit, Long-legged Buzzard, Saker Falcon, and Calandra Lark. As the area is rich in food it holds also significant breeding populations of many raptor species. More than 30 endemic and relict plant species occur in the area. Part of the site is designated as protected area under national legislation.

The most serious threat to the conservation of threatened biodiversity and sustainable local development is the operation and continuous expansion of open stone-pits for extraction of building materials. To date thirteen stone-pits have been established within the SPA, both legal and illegal ones, covering more than 136,23 ha. Three of the stone-pits are of a considerable area and the rest are much smaller, part of them used by the local people as a source of inert materials. The vastest stone-pit is situated just near the protected area and the concession area of the stone-pit includes habitats of high conservation value. At present the Ministry of Environment and Water has approved the realization of investigations for the opening of new stone-pits. This resolution is a violation of both national and EU legislation.

In addition an investment proposal for the construction of a waste processing works, situated in Natura 2000 site is planned recently.

Both threats are in contradiction also to the concept of sustainable development within the Natura 2000 network. They have direct negative effects on the farmers, as they destroy the territories used by the farmers for cattle-breeding, also worsen the production conditions and the qualities of agricultural production. All these deprive the farmers of the possibility to add an additional value to their production as a result of biological production. The business of some small enterprises in the region, connected with vine and fruit production is also threatened. The work of the stone-pits contributes to the significant water pollution in the region, because they do not have any installations for catching and purifying the water that wash the extracted material. Thus the polluted water flows unpurified into the river system.

² In contradiction of article 4.4 of the Bird Directive

Emine IBA(BG043): approved SPA; overlaps with Emine-Irakli pSCI

Emine is one of the most important breeding sites in the country for the Olive-tree warbler, Woodlark, Semi-collared Flycatcher, Middle Spotted Woodpecker, and many other species threatened in the EU. The rocky cliffs and the marine area of Emine are one of the few in Bulgaria where the Mediterranean Shearwater regularly occurs. The territory of Emine has global importance as a typical migration bottleneck on the *Via Pontica* migration flyway for more than 270,000 the pelicans, storks and birds of prey that use it. The forest is used by migrants – mainly birds of prey – as a roosting and feeding place.

Just between 2005 and 2008 vast mass-tourism development took place in the southern part of the Emine Mountain around the existing resort “Sunny Beach”. **As a result all the coastal area was completely urbanized by hotels and the sand dunes and coastal forests and grasslands completely destroyed.**

Such destructive development started also in the northern part of the mountain, close to the coast, in the area of Irakli. **After the destruction of priority forest habitats**, one of the projects was temporarily stopped by the authorities under pressure of civil groups, but the damaged areas have not been restored and the future of the area is still not secured against further tourism development.

Kamchia Complex IBA (BG045): approved SPA; overlaps with Kamchia pSCI

Kamchia complex SPA/Kamchia pSCI holds the best preserved flooded forest (code 91F0) along the Black Sea coast, named ‘longoz”, which is a unique representative example of such habitat in the whole of Europe. The site also includes the largest sand dune complex (grey dunes with wet dune slacks; forested dunes) along the Bulgarian Black Sea Coast, which is also priority habitat for conservation in the European Union. The longoz forest within the SPA holds the densest population of the globally threatened Semi-collared Flycatcher in Bulgaria. Over 60% of the population of this small bird in the European Union breeds in Bulgaria and Kamchia complex SPA is the best site for it in the whole country. The site holds 1 of 3 remaining vital populations of Hermann’s Tortoise in the coastal Black Sea habitats in the middle section of the region (between towns of Varna and Burgas). The forest is designated as a reserve, and the area between the forest and the sea as protected area “Kamchiiski pyasatsi”. In 2006 the investors succeeded to remove the protection status of “Kamchiiski pyastasi” and now the regime of the area is unsecure.

In 2008 a vast project for construction of summer resort “Kamchia Park” in the transition area between the flooded forest and the sand dunes threatens to completely destroy the unique habitats, and to cause extinction of the Semi-collared Flycatcher and the coastal tortoise population from the area. The destruction of the sand dunes complex will mean loss of 100% of the national area of wet dunes slacks and nearly 50% of the national area of grey and forested dunes. The project is **authorized without environmental impact assessment and appropriate**

assessment or any public consultations - another violation of the EU Directives. The forests and the dunes in the ex-protected area were acquired by the investors after a swap deal with the state which constituted a state aid of 200 million Euros.

Pomorie Lake (BG037): approved SPA

Includes protected area which is also Ramsar Site IBA for waterbird congregations, Black-winged stilt. Sandwich tern.

There is ongoing urbanization at the banks of the lake, just to the border of the SPA

Shabla Lake Complex (BG049) and Durankulak Lake: approved SPAs] overlap with pSCIs

Both sites are of strategic importance for the Red-breasted Goose in winter, as they hold almost the entire global population of this globally endangered species. Great concentrations of the White-fronted Goose and single individuals of the Lesser White-fronted Goose are also recorded at this sites in winter. The lakes are important stop-over sites for thousands of migratory birds. Large sand dune complexes within the sites are priority habitats for conservation at the EU level. Both lakes within the Natura 2000 sites are designated as national protected areas and Ramsar sites.

The mass-tourism development is threatening these sites as well - large-scale projects for summer villages, resorts, houses and golf courses. Most of the projects are approved without EIA or appropriate assessment as small scale projects. Such development will cause destruction of coastal sand dunes, foraging places for geese around the lakes, as well as enormous disturbance to roosting and breeding waterbirds.

Batova IBA (BG082): approved SPA

This site is a breeding area for forest and grassland birds and a bottle neck for migratory birds along the Via Pontica flyway. Batova is one of the most valuable sites in the country for the Middle-spotted Woodpecker and Semi-collared Flycatcher. The second biggest coastal flooded forest along the Black Sea coast is situated here, protected by law as a managed reserve.

The SPA includes "Baltata" managed reserve and "Golden sands" Nature Park, which ensure stricter legal protection for a small part of the SPA.

Since 2006 to 2008 more than 490 investment projects for construction of houses, summer villages and resorts were approved for realization in the SPA. Most of them were initiated after January 2007 as small scale individual projects and consequently approved without EIA and

Appropriate assessment under Art. 6(3) of the Habitats Directive. **If the process continues with the same speed and at the same scale a big part of the area of this large SPA will be damaged before its official designation.** The managed reserve “Baltata” will be completely isolated from the surrounding areas which will cause extinction of the Semi-collared Flycatcher and other threatened birds from that key part of the SPA.

In addition to this development there are projects for open mining and wind farm development.

Strandja IBA (BG040): approved SPA and pSCI

Strandja is a ‘Nature Park’ and the biggest protected area in Bulgaria. It is one of the five European representative areas recognized within the ‘Environment for Europe’ initiative as containing unique oak forests.

In 2007, the civil movement pressures the authorities to restore the protection status of the park after that it was cancelled by the Supreme administrative court under pressure of illegal constructors within the park’s territory,

In 2008, the Government authorized a spatial master plan designating for urbanization 85% of the Strandja SPA/pSCI’s coastal habitats and despite the negative statements of the scientific experts working on the plan?: “According to the impact assessment of the plan 25 % of the populations of priority species will be damaged.”³ This violation of Art. 6 (3) of the Habitats Directive is accompanied by violation of the Aarhus Convention because there is no possibility for the general public to appeal the authorization procedure.

Trigrad – Mursalitsa IBA (BG113): approved SPA; part of Western Rhodopes pSCI

This is one of the most important sites in the country for the conservation of Golden Eagle, Peregrine Falcon, Capercaillie, Black Woodpecker, *etc.* Western Rhodopes pSCI approved according to the Habitats Directive is the largest site in Bulgaria to protect the populations of priority species such as bear, wolf, Balkan chamois.

Despite that fact, in 2007 the Municipality of Smolyan adopted a plan to enlarge the Perelik ski resort (10 000 ha) without any SEA/AA again demonstrating the total disregard for the Habitats and SEA Directives in Bulgaria.

³ cited from the Appropriate assessment, 98 p.