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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

35th meeting
Strasbourg, 1-4 December 2015

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

REPORT BY THE NGOS

*Document prepared by
BALKANI Wildlife Society, Wilderness Fund, Environmental Association "Za Zemiata" (For the
Earth), Bulgarian Society for the Protection of Birds, Green Policy Institute, Centre for
Environmental Information and Education, Association "ECOFORUM" and CEE Bankwatch
Network/Friends of the Earth International*

September 9th, 2015

Construction of the Struma motorway (Motorway E79: Sofia-Kulata) through the Kresna Gorge, Bulgaria.

Signal by the NGOs

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BALKANI Wildlife Society, Wilderness Fund, Environmental Association "Za Zemiata" (For the Earth), Bulgarian Society for the Protection of Birds, Green Policy Institute, Centre for Environmental Information and Education, Association "ECOFORUM" and CEE Bankwatch Network/Friends of the Earth International.

NGO signal on serious violations in implementation of Recommendation No 98 (2002) of the 23th Standing Committee after closing the open file on the case on construction of the Struma motorway (Motorway E79: Sofia-Kulata) through the Kresna Gorge, Bulgaria

1. Introduction

Wilderness Fund, Environmental Association "Za Zemiata" (For the Earth), Bulgarian Society for the Protection of Birds, BALKANI Wildlife Society, Green Policy Institute, Centre for Environmental Information and Education, Association "Ecoforum" and CEE Bankwatch Network/Friends of the Earth International, hereafter referred to as 'the NGO partners', call on the 35th Meeting of the Bern Convention's Standing Committee (1-4 December 2015), to:

- Re-open monitoring of the case
- Send strong signal to Bulgarian Government to strictly implement Recommendation No 98 (2002) of the 23th Standing Committee and to withdraw its recent decisions from 2014 to build the last section of the Struma motorway through the Kresna Gorge by rejecting the chosen in 2008 "Tunnel" alternative and replacing it by a "new" alternative – upgrading the existing road to a 4-line highway.

We ask the Committee to act urgently because of the recent negative decisions of the Bulgarian Government, which seriously violate the Recommendation 98 (2002) and the achieved in 2008 agreements and given environmental consents under the Habitats Directive (Appropriate Assessment made in 2007 and 2008), which envisage implementation of the requirements of Rec 98.

Meanwhile the construction of the Struma motorway has advanced, which was financed by the European Commission (after guarantees from the Bulgarian government given in 2012 that environmental engagements made in 2008 will be implemented) and now the increased traffic along the motorway has created a strong cumulative impact on the bottle neck ecological area of the Kresna Gorge. According to the monitoring data, the populations of a number of species decreased seriously, with some of them locally extinct in the vicinity of the road. The functions of the site are damaged, and the only possibility for remediation of the negative impacts arising from the motorway project is strict implementation of the prescribed mitigation measures of Recommendation 98 (2002) and the Appropriate Assessment report and the consent from 2007 -2008 from now on.

2. Short history of the case to the beginning of 2014

This case concerns a motorway construction project that forms part of the Trans-European transport corridor no. 4 linking Dresden, Budapest, Sofia and Istanbul with an additional Sofia-Thessaloniki link, and passing through the Kresna gorge in South West Bulgaria.

The 17 kilometer-long gorge is exceptional in terms of both biological and landscape diversity. It is a NATURA 2000 site designated under the Habitats and Bird Directives and aims protection of:

- 35 habitats from Annex 1 of the Dir 92/43 from which 9 priority habitats

- 47 species from Annex 2 of the Dir 92/43 from which 6 priority species
- 45 species referred to in Article 4 of Dir 2009/147 and listed in Annex II of Dir 92/43

Kresna Gorge has an unique bio-geographical role – it is the northern border for many Mediterranean species and the southern - for many northern range ones. The gorge is an area of bottleneck bio-corridor for southern species and habitats – many of them included into Annex 1 and 2 of Directives 92/43 and 2009/147. The Gorge is also a northern refugium for Mediterranean species and habitats of ice ages, but is connected by steep slopes and deep valleys with surrounding high mountains. All these factors together lead to – a very high compression of species and habitats diversity on a small area and to a high level of sensitivity of those species and habitats.

In 2001, a first signal on the case was sent to the Bern Convention Secretariat by Bulgarian NGOs. It signaled that the unique site is in danger of the planned construction of a motorway and that the Bulgarian Government had not regarded the unique nature of the Kresna Gorge and not studied and assessed any other alternatives of the motorway; but only one harmful for biodiversity alternative – construction of the motorway inside of the gorge.

The case was examined at the 21st meeting of the Standing Committee in 2001. The Committee decided to act on the Bulgarian authorities with a proposal to organise an on-the-spot appraisal, which was conducted from 30 May to 1 June 2002¹. The main findings and conclusions of the on-the-spot appraisal are (we are citing part of the conclusions):

- “The summary analysis of the regional ecological context clearly underlines that the site of the gorge of Kresna must be regarded as being a natural sanctuary, already partially degraded, which will not bear the additional impacts of a motorway building site, for the habitats and the species registered in appendices 1 and 2 of the " Convention on the conservation of the wildlife and the natural environment of Europe " are localised only in the gorge and not the upstreams and downstreams outlets of the latter, this for geomorphological, climatic and orographical reasons. The gorge of Kresna precedes of this fact as a single station for the Balkan area for its high biodiversity and the presence of many rare and endemic species, as well as their habitats.”
- “However, with my opinion of expert on studies of motorway projects and after discussion with the specialists in the Laboratory of the Lanes of the Polytechnic School of Lausanne (LAVOC-EPFL), such solutions appear credible and should allow to quickly find an acceptable solution by respecting the “CORINE-BIOTOPE” site in particular. The basic documentation and good specialists and naturalists exist in Bulgaria, which could help for a definition of an alternative path. “

At its 22nd meeting, in 2002, the Standing Committee was informed of the findings of the visit, which showed that the preliminary environmental impact assessment had not provided any decisive arguments allowing a choice of environmentally compatible alternatives. Efforts to identify alternative routes were to be pursued, with all the partners involved. Preference was to be given to the variant passing outside the gorge. The Standing Committee decided not to open a file and to leave the possibility of reconsidering this decision open to the Bureau, if it emerged that the decision on the route had been taken without a fuller, in-depth environmental impact assessment. It adopted Recommendation No. 98 (2002)². The most important points in this recommendation are:

“3. consider the possibility of abandoning the option of **enlarging the current road** since this would substantially increase damage to a unique site, without possible measures of compensation, and continue studying alternative routes located outside the gorge that would respect the natural constraints as far as possible and provide for the integration of engineering works and compensate for environmental impact;

6. provide for downscaling and rehabilitation of the existing road, restoring its initial status of a local road used by the farming community and tourists, and thus ease current pressure on the site, with suitable planning to revitalise damaged areas..”

¹ document T-PVS/Files (2002) 7

² Recommendation No. 98 (2002) on the project to build a motorway through the Kresna Gorge (Bulgaria) (adopted by the Standing Committee on 5 December 2002)

At its 24th meeting, in 2004, the Standing Committee decided to open a case file. The decision came after signals from NGOs that negative developments had taken place: motorway construction had started in the northern sections without full EIA of the whole motorway and cumulative impacts are expected; decision was made by the road authorities to plan and construct the motorway inside the Kresna Gorge, disregarding and ahead of future procedures of EIA.

In 2007 Bulgaria became a member of EU. Kresna Gorge was proposed as both: pSCI and SPA.

In order to achieve EU financing for the motorway construction, Bulgarian government took several steps to comply with the new EU requirements. To get the money for construction of the remaining lots of "Struma", Bulgarian government after talks with the campaign "Save Kresna Gorge" and with the agreement of the European Commission prepared a common application form for the entire route of the highway (all 4 lots). It was submitted to the Commission and approved, with the condition that during the period 2007 - 2013, there would be built Lot 1, 2 and 4, and Lot 3 (the gorge) would be designed in detail and built in 2014 – 2020. Thus Lot 3 - tunnel option is an integral part of the project and in its essence is a measure to reduce the harmful environmental impacts of the project (environmental mitigation measure) and a condition provided for the funding of all other lots.

On October 26th, 2007 an Appropriate Assessment report³ of Struma motorway (developed according article 6(3) Dir 92/43) was completed as part of a new EIA report. The conclusions of the authors of the assessments are unequivocal. All alternatives passing through the Kresna gorge have a devastating impact on protected species and habitats. The same applies to "zero" alternative "if the motorway is built in other sections due to the impact on the populations of the increased traffic - the prognosis is that a large number of species especially reptiles, bats and birds will suffer greatly if this is allowed. The report clearly stated the requirement for eligibility of the Struma motorway project NATURA 2000 - the construction of the tunnel – as an only permissible alternative and should precede the construction of the other sections in order to prevent cumulative impacts from increasing traffic.

In 2008, the Minister of Environment and Water issued EIA/AA Decision No 1-1/ 2008 for construction of Struma Motorway, which was actually a consent for further planning and construction of the Struma motorway implementing in one act both EU directives, EIA and Habitats article 6(3). The EIA/AA consent stipulates obligatory conditions for mitigations of impacts on NATURA 2000 site Kresna Gorge. From all assessed alternatives only "tunnel" alternative with 5 small viaducts/exits (up to 20-40 metres long) inside of the gorge was adopted as acceptable in terms of ecological impacts on NATURA 2000. The point 3.2. of the consent particularly stipulates that as a priority the route section in Kresna Gorge should be designed in order to avoid it remains in as a "zero alternative", while the rest of motorway entered service. The EIA/AA decision was taken after intensive process of communication with local community and NGOs.

This decision was reported by the Government at the 30th meeting of the Standing Committee in 2010 and after 6 of monitoring Kresna case file was successfully closed.

On June 9, 2009, at a meeting of the observation committee of the Transport Operational Programme it was decided the money provided by the programme for the construction of Struma Motorway in the financial period 2007-2014 to be reduced, and to exclude the Kresna Gorge section from the construction plans for this period. Thus, the amended construction plans envisaged for the period 2007-2014 to be built lots 1,2 and 4, but not lot 3 – the Kresna Gorge. With this decision Bulgarian government directly violated obligatory environmental mitigation measure of the EIA/AA consent issued according to the Article 6(3) of the Habitats Directive –to plan and to construct the Kresna Gorge section of the Struma motorway prior to other sections in order to avoid it remains in as a "zero alternative" while the rest of motorway entered service.

By letter ref number 148 / July 23, 2009 signed by Za Zemiata NGO and supported by several other NGOs (BALKANI Wildlife Society, Bulgarian Society for the Protection of Birds, Center for Environmental Information and Education, Green Policy Institute), the Directorates Regional Policy

³ October 26, 200. Appropriate Assessment report of project for construction of the Struma motorway, Sofia – Kulata in the section Dragichevo – Kulata, with the objectives and purpose of protection of the protected zones of the National Ecological Network. National Road Infrastructure Fund. 78 Pp. + 2 Annexes with color shemes

Directorate and Environment of the European Commission are informed by the NGOs that a new planning Operational Programme Transport was made. And that Lot 3 of Struma Motorway (Kresna Gorge section) were excluded from the financial period 2007-2014, but not lots 1,2 and 4. This meant that Kresna Gorge section was left to be planned and constructed last after all other sections of the motorway. The EU Commission was informed about this violation in July 23 2009, but the NGOs received only unclear answer from DG Regio from 7 September 2009 explaining how long the planning process of the tunnel "alternative" was.

The Decision № OPT-38 / 28.11.2011 of the Head of the Managing Authority of the Operational Programme "Transport" 2007-2013 (OPT) approved the provision of grant for construction of Lot 1, Lot 2 and Lot 4 of the Struma" motorway ". Contract № DOPT-18 / 01.12.2011 provided grant for project Struma" motorway " - Lot 1, Lot 2 and Lot 4. The project for the construction of the Struma motorway in OP Transport 2007 - 2013 was approved by the Managing Authority of OP Transport 2007-2013 in November 28, 2011 and by the European Commission on 27 February 2013. Meanwhile, on 11 July 2012 an application form for the construction of highway Lots 1 and 4 was drafted. The value of the grant for the project "" Struma ", Lot 1, Lot 2 and Lot 4, is 581 787 859 leva.

Also, meanwhile, in a document of the Directorate Regional Development of EC from 28 February 2012 ⁴ is said: "Commission services have serious reservations about providing a Commission approval to finance parts of the Motorway without having any legally binding assurance that the results of the EIA and of the Habitats Appropriate Assessment will effectively be implemented, i.e. that the tunnel will be built."

The official answer of the Bulgarian Government to these concerns was a letter signed by Tomislav Donchev (Minister of EU Funds Management), Lilyana Pavlova (Minister of Regional Development and Public Works), Ivaylo Moskovski (Minister of Transport and Information Technologies), Nona Karadjova (Minister of Environment and Waters) as a response to a letter sent by the Commissioner for Regional Policy Johannes Hahn from November 8th, 2012⁵. In this response the four ministers stated that: "The Commission needed assurance that Lot 3 of the Struma Motorway will be implemented in the 2014-2020 Programming Period and that the technical solution would be the so-called 'long tunnel' alternative. With its decision from August 2012, the Bulgarian Government stated that the completion of Lot 3 was considered the highest priority in the road sector and the project would be leading the list of Major Projects to be funded under the 2014-2020 Programming Period. This decision was based on a report by the Minister of Regional Development and Public Works, which described the historic efforts of the country to develop the Struma corridor, the present developments for Lots 1, 2 and 4, as well as the activities to prepare the construction of Lot 3, including the long tunnel prescribed by the 2008 EIA decision for the Kresna Gorge. The commitment of the Bulgarian Authorities to construct Lot 3 in accordance with the 2008 EIA decision is reflected by numerous actions and can be traced in documents such as the application for funding which details and justifies the tunnel solution, as well as provides funding for the preparation of Lot 3; the Environmental Strategy for the project (adopted in 2012); the tender dossiers for preliminary design of the tunnel; and others. We would like to take this opportunity to once again assure the European Commission of the commitment of the Bulgarian Authorities to implement Lot 3 during the 2014-2020 Programming Period in full compliance with the 2008 EIA decision."

3. The renewed violation of Recommendation 98 (2002) in 2014-2015 by the Bulgarian Government

After completion of several sections of the Struma motorway (lot1) and near finalised (lot 4) or started (lot2) construction in other sections and provided financing from the EC in the mid 2014, in Bulgaria began to rise a campaign to change the reached and confirmed decision for the "Struma" motorway.

⁴ Ref. Ares (2012) 226301 - 28/02/2012

⁵ Ref. Ares (2012) 1317341 - 08.11.2012

That campaign comes by two sources:

1. The Bulgarian road constructing business, which is concerned that
 - There are no needed resources– people, technique, experience, money to win a fair and open competition for large tunnel project;
 - Money for roads is going only for "Struma" motorway and there will not be funding for other road projects;
2. Representatives of Bulgarian political parties and members of the regular and caretaker governments who want to push more traffic projects, but cannot use money from the Structural and Cohesion Funds, due to the change in the goals and policies of the EU.

On April 17, 2014 a letter from the Bulgarian Branch Chamber "Roads" was sent to the Minister of Regional Development and Public Works, Desislava Terzieva, asking for the reopening of the debate on Struma motorway in the Kresna Gorge section and specifically on alternatives different from the chosen tunnel option. On April 28th, 2014, at a press conference held by the Bulgarian Construction Chamber, Bulgarian Branch Chamber "Roads", Faculty of Roads at the University of Architecture, Civil Engineering and Geodesy and others, an open letter was presented to the Prime Minister Plamen Oresharski, which suggested the development of alternative routes and rejection of the "tunnel" alternative.

On June 4th, 2014, at the monitoring committee of the OP Transport by the state National Company strategic infrastructure projects was reported the progress in Struma motorway development, and the development of only the "tunnel" alternative was reported to the committee. However, on the previous day, June 3, 2014, an official letter was sent to the company (reg No 92-00-163) by the Ministry of Regional Development and Public Works, which required the development of alternatives different from the tunnel option in the region of Kresna Gorge section citing the letter of the Ministry of Environment and Waters (92-00-163 / July 2, 2014), where it is stated that there are no regulatory and legal obstacles to develop new alternatives inside the Kresna gorge, and also citing the position of road branch organizations and their letter.

On 19-20 November 2014, at the seventeenth meeting of the Monitoring Committee of OP Transport 2007-2013, the National Company strategic infrastructure projects reported the development of a new "green" alternative" for Kresna Gorge – inside the Kresna Gorge and upgrading the existing road to highway! The project includes use in one direction of the 2 bands of the existing road with little spacing and a slightly larger height digging into the hillside still two lanes for the other direction, as in some places the entire route will be faced with short tunnels or places above two lanes will enter into short tunnels. Described are the "major environmental problems" in the construction of the tunnel because of the connecting infrastructure. **Thus, finally on 19-20 November 2014, implementing Struma motorway project Bulgarian agency started action directly conflicting Recommendation 98 (2002) of the Standing Committee of the Bern Convention!**

On 19 December 2014 and 24 March 2015 procedures for preliminary design of the new so-called "green" alternative and for the new EIA/AA assessment by the National Company strategic infrastructure projects are started. On 13 May 2015, a project proposal is submitted to the Ministry of Environment and Waters for starting of a new EIA/AA procedure. In 2015, the Minister of Regional Development and Public Works several times declared in the media that the tunnel variant had finally been rejected by the Bulgarian government.

Meanwhile, none of the official project documents at the European Commission had been changed so far, where the only option for construction of lot 3 in Kresna Gorge was a "tunnel" option, as it is required by the 2008 article 6 (3) consent.

4. The cumulative impact on biodiversity in Kresna Gorge and violations of the Recommendation 98 (2002)

Recommendation 98 (2002) clearly states to provide for downscaling and rehabilitation of the existing road, restoring its initial status of a local road, and, regarding the motorway project, to consider the possibility of abandoning the option of **enlarging the current road**, since this would

substantially increase damage to a unique site, without possible measures of compensation, and continue studying alternative routes located outside the gorge. In line with this, the Appropriate Assessment consent given with EIA/AA Decision No 1-1/ 2008 clearly requires the motorway to be planned and constructed by tunnel option outside the Kresna Gorge and to start planning and construction of this section prior to other sections of the motorway, in order to prevent leaving to existing road as “zero” option, while other sections are already constructed and operating.

The last requirement is reflecting the Appropriate Assessment report from 2007 where forecast is made that growing traffic coming from motorway construction in other sections outside the Kresna Gorge will endanger populations of reptiles, bats and birds species under protection of Habitats and Birds Directives in the Kresna Gorge NATURA 2000 site. The Appropriate Assessment report from 2007 and assessment made on population of species (different of birds) is mainly based on field data from the monitoring of road kills made in 2003 and 2004 by scientific team initiated by 3 NGOs – Bulgarian Herpetological Society, BALKANI Wildlife Society, Environmental Society Tetida together with scientists from National Museum of Natural History of Bulgarian Academy of Sciences and Regional Museum in Blagoevgrad, Nature Directorate. The first results of this monitoring were reported to the 23th Standing Committee of the Bern Convention and spread to the participants of the Committee during its session⁶. From April to October 2003 in 17 long sections of road in Kresna Gorge 3056 individuals of big number of vertebrate species (more than 80 species) were reported killed, including protected ones. Here we will again analyse this data in the table below with the recent monitoring applied the same methodology and carried out by the National Company strategic infrastructure projects.

This significant increase in the traffic in Kresna Gorge is caused by several cumulatively acting factors:

- Upgrading of a significant part of the international road E 79 from Sofia to Thessaloniki to motorway standard and financed by EU funds (started prior to 2004 with Liulin Motorway and Dragichevo-Daskalovo section, and Lots 1,2 and 4 after 2012 under the OP Transport);
- Political changes and Bulgaria’s EU accession, and the opened borders between Bulgaria and Greece and the increased tourist and freight traffic;
- Lack of any policy of the Bulgarian Government to develop to this moment any other alternative modes of transport (like high-speed railway, intermodal transport terminals, etc.) along the Struma valley transport axis;
- And last but not least – no implementation of mandatory requirements of Recommendation 98 (2002) and AA consent from 2008 – and leaving the existing international road in a stage of a “zero alternative” and not downscaling it to local for a period of already 8 years, while in other sections the motorway has already been operating and combined with other factors has led to increased traffic.

In the table below, a short analysis of the cumulative impact of the increased traffic on the population of various species or groups of species is made. The analysis concerns Kresna Gorge along the 18 km long road E-79 – the area coinciding with the ecological bottle neck migration corridor for those species. The assessment is made based on comparison of the relative frequency of observation/ road kills of individuals of that species. The monitoring is conducted in 2003 and 2013-2014 using similar methodology – every week field observation along the road and encountering of all road kills and their locality.

⁶ November 2003. Monitoring mortality of vertebrates along the existing international road E-79 passing through the Kresna Gorge, Emerald and future Natura 2000 site, Bulgaria. Information of Non-governmental organizations regarding the Recommendation N ° 98 (2002) on the project to build a motorway through the Kresna Gorge (Bulgaria) to the 23th Standing Committee of the Bern Convention. 3 Pp.

Latin name	Conservation status	Monitoring - number of killed animals			Impact of traffic increase of species populations
		April 2003- October 2003 – 7 warm months ¹	March 2013- February 2014 - 8 warm months ⁷	March 2014- January 2015 - 8 warm months ⁸	
Bombina variegata	EU Habitat II; BERN II	2	0	1	No impact
Bufo bufo	BERN III	22	1	24	<i>Data not clear (inconsistent data for 2013 and 2014)</i>
Bufo viridis	EU Habitat IV; BERN II	173	0	5	Drastic decline in population between 2003 and 2014-2015
Hyla arborea	EU Habitat IV; CITES III; BERN II	13	0	0	Drastic decline in population between 2003 and 2014-2015
Pelobates syriacus	EU Habitat IV; BERN II;	2	0	0	No impact
Rana dalmatina	EU Habitat IV; BERN II	3	0	4	No impact
Rana graeca	EU Habitat IV; BERN III	1	0	0	No impact
Pelophylax ridibundus (Rana ridibunda) or Pelophylax balcanica ?	EU Habitat V; BERN III	24	2	5	Drastic decline in population between 2003 and 2014-2015
Rana sp.		76	10	0	Drastic decline in population between 2003 and 2014-2015
Salamandra salamandra	BERN III	0	1	1	No impact
Emys orbicularis	EU Habitat II; CITES III; BERN II; IUCN RedList 2000: Lower Risk - near threatened (LR/nt -)	2	1	4	No impact
Testudo graeca ssp. ibera	EU Habitat II; CITES II; BERN II; IUCN RedList 2000: Vulnerable (VU - A1cd)	14	2	4	Drastic decline in population between 2003 and 2014-2015.

⁷ March 2014, "Monitoring, analysis and assessment of the mortality of the species in the section of road E-79 (I-1), passing through the protected zones" Kresna"and" Kresna - Ilindentsi – Final Report, Period March 2013 – February 2014", National Company strategic infrastructure projects, 86 Pp. + 7 Ap.

⁸ March 2015, "Monitoring, analysis and assessment of the mortality of the species in the section of road E-79 (I-1), passing through the protected zones" Kresna"and" Kresna - Ilindentsi – Final Report, Period March 2014 – January 2015", National Company strategic infrastructure projects, 118 Pp. + 3 Ap.

Eurotestudo hermanni ssp. boettgeri (Testudo hermanni ssp. Boettgeri)	EU Habitat II; CITES II; BERN II; IUCN RedList 2000: Lower Risk - near threatened (LR/nt -)	2	1	4	Drastic decline in population between 2003 and 2014-2015
Testudo sp.	EU Habitat II; CITES II; BERN II; IUCN RedList 2000	41	9	16	Drastic decline in population between 2003 and 2014-2015
<i>Dolichopius caspius</i> (<i>Coluber caspius</i>)	EU Habitat IV; BERN II	50	3	4	Drastic decline in population between 2003 and 2014-2015
Platyceps najadum (<i>Coluber najadum</i>)	EU Habitat IV; BERN II	32	1	14	Drastic decline in population between 2003 and 2014-2015
Zamenis longissimus (<i>Elaphe longissima</i>)	EU Habitat IV; BERN II	11	1	0	Drastic decline in population between 2003 and 2014-2015
Elaphe quatuorlineata ssp. quatuorlineata	EU Habitat II; BERN II;	5	0	0	Drastic decline in population between 2003 and 2014-2015. Species seem to be extinct along the road.
Elaphe situla	EU Habitat II; BERN II;	12	0	10	Decline in population. Data not clear (inconsistent data for 2013 and 2014, 3 findings for 2014 are from 1 day and close locality?)
Malpolon monspessulanus	BERN III	21	0	1	Drastic decline in population between 2003 and 2014-2015
Natrix natrix	BERN III	8	1	7	
Natrix tessellata	EU Habitat IV; BERN II	525	12	142	Drastic decline in population between 2003 and 2014-2015
Telescopus fallax	EU Habitat IV; BERN II;	50	2	2	Drastic decline in population between 2003 and 2014-2015
Typhlops vermicularis	BERN III;	150	0	17	Drastic decline in population between 2003 and 2014-2015
Vipera ammodytes	EU Habitat IV; BERN II	29	4	7	Drastic decline in population between 2003 and 2014-2015
Serpentes ssp..		0	25	0	No impact
Anguis fragilis	BERN III	5	0	5	No impact
Lacerta trilineata	EU Habitat IV; BERN II	1	0	1	No impact
Lacerta viridis	EU Habitat IV; BERN II	837	9	86	Drastic decline in population between 2003 and 2014-2015
Podarcis erhardii	EU Habitat IV; BERN II	2	0	0	No impact

Podarcis sp.	EU Habitat IV; BERN II	1	0	0	No impact
Class Aves		212	38	65	Drastic decline in population between 2003 and 2014-2015
Class Mammalia, Order Chiroptera		185	6	22	Drastic decline in population between 2003 and 2014-2015
Erinaceus concolor	BERN III	29	3	17	Decline in population between 2003 and 2014-2015
Soricidae	BERN III	10			-
Talpa sp.		1		1	No impact
Apodemus sp. (Sylvaemus sp.)		365	42	102	Drastic decline in population between 2003 and 2014-2015
Mus sp.		25	1	1	Drastic decline in population between 2003 and 2014-2015
Rattus sp.		9	1	3	No impact
Dryomys nitedula	BERN III	2		1	No impact
Glis glis	BERN III	66	3	0	Drastic decline in population between 2003 and 2014-2015
Sciurus vulgaris	BERN III	0	2	0	No impact
Rodentia ssp.		16		0	-
Felis sylvestris	EU Habitat IV; CITES II; BERN II	1	1	0	No impact
Martes foina	BERN III	14	6	8	Decline in population between 2003 and 2014-2015
Mustella nivalis	CITES III; BERN III	2		0	Decline in population between 2003 and 2014-2015
Mustella putorius	EU Habitat V; BERN III	2		0	Decline in population between 2003 and 2014-2015
Vulpes vulpes		3	5	7	No impact
Summariased number of Mammalia		0	2	0	
Summariased umber of all vertebrates found (included some unidentified and domestic animals)		3056	213	875	

It is visible from the table, that species that are rare migrants were not affected or slightly increased their mortality in parallel with growing traffic intensity. Typical species of this type is for example *Emys orbicularis* (EU Habitat II; BERN II) – it has no breeding habitats in the gorge, but regularly use the Struma river to migrate. The migrating individuals become victims on the adjacent international road.

However, for all common breeding species in the gorge inhabiting the narrow and steep slopes above the Struma river increased traffic had more than a harmful effect, leading to a drastic decrease in their population abundances (measured as a frequency of observations). Some of them are species with a high conservation value:

- *Elaphe quatuorlineata* ssp. *quatuorlineata* (EU Habitat II; BERN II) – in 2003 relatively rare species, in 2013-2014 extinct in habitats along the road
- *Elaphe situla* (EU Habitat II; BERN II) – in 2003 relatively rare species, in 2013 and 2014 data are not very consistent, with some obscure data such as 3 localities of the species from one date and one point. But they are showing decline in population compared with the 2003 data at least twice.
- *Testudo graeca* ssp. *ibera* and *Eurotestudo hermanni* ssp. *boettgeri* (EU Habitat II; BERN II) – in 2003 abundant species, now in 2013-2014 relatively rare in habitats along the road, the frequency of observation dropped down between 2 and 5 times compared to 2003.
- *Dolichopus caspius*, *Zamenis longissimus*, *Telescopus fallax*, *Typhlops vermicularis* (EU Habitat IV; BERN II) - in 2003 all of them common species, in 2013-2014 very rare near extinct in habitats along the road.
- Even very abundant species like *Lacerta viridis* and *Natrix tessellata* (EU Habitat IV; BERN II), which were quite abundant at 2003 now are showing drastic decrease of 5-10 times in abundance of their populations.

The same observation is recorded for groups like breeding birds and bats.

The final conclusion is that the increased traffic after 2007 for 7-8 period had detrimental effect on species populations, and if this impact will continue or will increase - then in the foreseeable future the conservation status of these affected species could not be restored.

5. Future steps requested by NGOs

The NGO Partners call on the 35th meeting of the Standing Committee to:

- a) Re-open the monitoring of the case and to re-open the case file in order to assist Bulgaria to fulfil its obligations regarding protection of the Kresna gorge and to encourage Bulgarian Government to enforce implementation of Recommendation No 98 (2002).
- b) Send strong signal to Bulgarian Government to strictly implement Recommendation No 98 (2002) of the 23th Standing Committee and to withdraw recent decisions from 2014 of the Bulgarian Government to build the last section of the Struma motorway through the Kresna Gorge by rejecting the chosen in 2008 “Tunnel” alternative and replacing it with a “new” alternative – upgrading the existing road to 4-line highway.

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