

**NOTIFICATION under Article 10 of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context**

**to**

**The Zonal Urban Development Plan – “Wind Energy Park 48 (46) Wind Power Plants approx. 316,8MW (303,6MW), Transformer Stations, Electrical connection networks, construction and modernization of communication and access roads, loc. Cerchezu, Constanța County”**

Description of the information to be included	Info
<b>GENERAL INFORMATION ABOUT THE PLAN</b>	
Plan name	The Zonal Urban Development Plan – “Wind Energy Park 48 (46) Wind Power Plants approx. 316,8MW (303,6MW), Transformer Stations, Electrical connection networks, construction and modernization of communication and access roads, loc. Cerchezu, Constanța County”
Plan type and sector (e.g. local land use plan, national energy strategy)	Local level, energy sector
Territorial coverage	<p>Local territory.</p> <p>The park will be located in the western and eastern part of the administrative territory of Cerchezu commune, on the border of Chirnogeni, Independența, Dumbrăveni and Negru Voda communes.</p> <p>The proposed plan is located at a distance of approx. 410 m from the boundary of site BG0000569 Kardam (Bulgaria) and approx. 3.64 km from the boundary of BG0000570 Izvorovo - Kraishte.</p>
The main content and purpose of the plan (e.g. setting the framework for projects, determining land use) and its links to other plans or programs	<p>The Zonal Urban Development Plan was initiated in order to establish the conditions of location, sizing, technological compliance and urban planning regulation for the <i>Wind Energy Park 48 (46) wind power plants approx. 316,8MW (303,6MW), Transformer Stations, Electrical connection networks, construction and modernization of communication and access roads</i>”.</p> <p>The necessity and timeliness of the investment was based on the conclusions of the General Urban Plan of Cerchezu commune regarding the organization of the administrative territory of the commune.</p> <p>The implementation on the territory of Cerchezu municipality of the project for the Wind Energy Park totalling 316.8 MW (303.6MW), is based on national and international conventions on climate change, based on which Romania has developed the National Integrated Energy and Climate Change Plan 2021 - 2030.</p> <p>According to Romania' Energy Strategy 2022-2030, with a 2050 perspective approved by GD no.1215/2023, projects for the development of wind capacity are considered priority investments, those necessary investments throughout the energy system chain, which lead to the achievement of fundamental strategic objectives.</p>
If the Plan is binding	The Zonal Urban Development Plan is a project with the character of detailed specific regulation of the urban

	<p>development of an area. The Plan ensures the correlation of the complex urban development of that area with the provisions of the General Urban Development Plan of the neighbouring locality.</p> <p>This plan will establish urban planning regulations and action plans to be applied in the use of land and buildings in the area of Cerchezu.</p>
<b>Documents transmitted</b>	
<p>Draft plan or programme</p> <p>Environmental Report</p> <p>Other documents</p>	<p>The draft of the Zonal Urban Plan,</p> <p>Appropriate Assessment Study and its annexes,</p> <p>Environmental report and its annexes,</p> <p>Collision study,</p> <p>are enclosed to the Notification.</p>
Language into which documents have been or will be translated	The documents submitted are translated into English and Bulgarian.
<b>Description of the decision-making procedure and the SEA procedure in the Party of origin</b>	
Description of the steps in the planning process	<p>As a result of the notification submitted by South Wind SRL, following the framing stage, in the CAT/CSC meeting of 10.04.2024, the Constanta Environmental Protection Agency (hereinafter referred to as "APM Constanta") decided, following the framing stage, by the initial framing Decision no. 32/12.04.2024, that for this plan it is necessary to go through the environmental assessment procedure, the appropriate assessment procedure and the environmental assessment procedure in the transboundary context, considering the framing of the PUZ in the provisions of art.5, paragraph 2 of GD no. 1076/2004, the results of the assessment of the criteria set out in Annex no. 1 of GD no. 1076/2004 and the possible effects that it could have on protected natural areas.</p> <p>For the Appropriate Assessment Study, the provisions of the Methodological Guide on the adequate assessment of the potential effects of plans or projects on protected natural areas of community interest, approved by Order no. 1682/2023, subsequently amended and supplemented by Order no. 2.452/2023 and the provisions of the specific Guide (approved by Order no. 1679/2023 for the approval of the specific Methodological Guide on the appropriate assessment of the potential effects of plans/projects in the areas of interest) were respected, taking into account that the Plan in question is included in the field of Energy Production.</p> <p>To go through the environmental procedure, it was necessary to prepare the Environmental Report and the Appropriate Assessment Study, as well as the environmental assessment in a transboundary context taking into account the fact that the Plan is located at a distance of about 410 m from the protected natural area BG 0000569 Kardam (Bulgaria) and at a distance of about 3.64 km from the protected natural area BG0000570 Izvorovo - Kraiste, in order to comply with the requirements of the initial classification Decision no. 32/12.04.2024, issued by APM Constanta, namely „the</p>

	<p><i>Environmental Report and Appropriate Assessment Study must contain a detailed analysis of the potential impact on the conservation objectives of the natural areas on the territory of the Bulgarian side." Thus, for the analysis of the potential impact on the conservation objectives of the natural areas BG 0000569 Kardam and BG000000570 Izvorovo - Kraiste, correspondence was held with the Ministry of Environment and Water of Bulgaria in order to identify all the data necessary for the detailed assessment of the potential impact, namely address no. 99-00-243-1 dated 30.05.2024 and address no. 99-00-243-3 dated 13.06.2024 (documents attached to this notification).</i></p> <p>The stage of finalization of the draft plan and the drafting of the Environmental Report was carried out in compliance with the norms of Section 2 of GD no. 1076/2004 and the non-permanent Working Groups were organized at the headquarters of the Constanta Environmental Protection Agency, the Working Group being composed of representatives of the competent authority for environmental protection - Constanta Environmental Protection Agency, Constanta Public Health Department, interested authorities: the Water Basin - Dobrogea Administration Litoral, the Prefect's Institution of Constanta, Constanta County Council, Cerchezu Municipality Town Hall, ANANP, certified experts according to the legal provisions for the elaboration of the Environmental Report. The views expressed in the meetings Working Group were recorded in the minutes.</p> <p>Following the elaboration of the Appropriate Assessment Study which also contains a detailed analysis of the potential impact on the conservation objectives of the protected areas on the Bulgarian side of the Bulgarian territory, the APM Constanta informed us through the APM Constanta address no. 140/08.05.2025 that the public debate stage is to follow.</p> <p>The Ministry of Environment, Waters and Forests is the authority responsible for the SEA procedure in the transboundary context. By the present Notification, Romania applies the transboundary consultation procedure of the Parties that is likely to be affected by the implementation of the Plan (Bulgaria).</p> <p>If the notified country intends to participate in the SEA procedure, Romania is waiting for comments and views of the affected public and the authorities of the affected parties.</p> <p>After the conclusion of the SEA procedure, the Zonal Urban Development Plan "Wind Energy Park 48 (46) Wind Power Plants ca. 316,8MW (303,6MW) „Transformer Stations, Electrical connection networks, construction and modernization of communication and access roads, loc. Cerchezu, Constanța County" will be approved by the Decision of the Council Local of Cerchezu Commune, Council Constanța County.</p> <p>The planning procedure consists of the following steps:</p> <ul style="list-style-type: none"> <li>• Initiating the development of the Zonal Urban Plan;</li> </ul>
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	<ul style="list-style-type: none"> <li>• The conduct of the SEA procedure at national and cross-border level;</li> <li>• Taking into account the results of national and transboundary consultations;</li> <li>• Finalize the SEA procedure and issue the environmental permit;</li> <li>• Approval of the Zonal Urban Development Plan within the Technical Commission for Spatial Planning and Urbanism of Constanta County Council;</li> <li>• Approval of the Zonal Urban Plan by the Decision of the Local Cerchezu Commune.</li> </ul>
Legal basis for the planning process (citation of the regulation or other legal basis)	<p>Law no. 350/2001 on spatial planning and urbanism with all subsequent amendments and additions.</p> <p>On extravilan territories, after the approval of the General Urban Development Plan, investments in construction, technical and utilities works, as well as any other urban investments may be realized only on the basis of a Zonal Urban Development Plan approved according to the law and in compliance with the General Urban Development Regulation, with the exceptions provided for by Law no.350/2001, as well as other normative acts in force.</p>
Description of the SEA procedure, including participation of the Affected Party	<p>In accordance with the national legislation in force (Governmental Decision no. 1076/2004 transposing Directive 2001/42/EC), SC South Wind SRL has realized the first version of the Zonal Urban Plan and Presentation Memorandum according to the requirements of Annex 3A, respectively Annex 6C of Order no. 1682/2023 for the approval of the Methodological Guide on the appropriate assessment of the potential effects of plans or projects on protected natural areas of community interest and submitted them to Constanta Environmental Protection Agency.</p> <p>Following the framing stage, in the CAT/CSC meeting of 10.04.2024, the Constanta Environmental Protection Agency (hereinafter referred to as "APM Constanta") decided, following the framing stage, by the <i>initial framing Decision no. 32/12.04.2024</i>, that the environmental assessment procedure, the appropriate assessment procedure and the environmental assessment procedure in a transboundary context must be followed for this plan, taking into account the framing of the PUZ in the provisions of art.5, paragraph 2 of GD no. 1076/2004, the results of the assessment of the criteria set out in Annex no. 1 of GD no. 1076/2004 and the possible effects that it could have on protected natural areas.</p> <p>For the Appropriate Assessment Study, the provisions of the Methodological Guide on the adequate assessment of the potential effects of plans or projects on protected natural areas of community interest, approved by Order no. 1682/2023, subsequently amended and supplemented by Order no. 2.452/2023 and the provisions of the specific Guide (approved by Order no. 1679/2023 for the approval of the specific Methodological Guide on the appropriate assessment of the potential effects of plans/projects in the areas of interest) were respected, taking into account the fact</p>

	<p>that the Plan in question is included in the field of Energy Production.</p> <p>To go through the environmental procedure it was necessary to prepare the Environmental Report and the Appropriate Assessment Study, as well as the environmental assessment in a transboundary context taking into account the fact that the Plan is located at a distance of about 410 m from the protected natural area BG 0000569 Kardam (Bulgaria) and at a distance of about 3.64 km from the protected natural area BG0000570 Izvorovo - Kraiste, in order to comply with the requirements of the initial classification Decision no. 32/12.04.2024, issued by APM Constanta, namely „The Environmental Report and Appropriate Assessment Study must contain a detailed analysis of the potential impact on the conservation objectives of the natural areas on the territory of the Bulgarian side." <u>Thus, for the analysis of the potential impact on the conservation objectives of the natural areas BG 0000569 Kardam and BG000000570 Izvorovo - Kraiste, correspondence was conducted with the Ministry of Environment and Water of Bulgaria in order to identify all the data necessary for the detailed assessment of the potential impact, namely address no. 99-00-243-1 dated 30.05.2024 and address no. 99-00-243-3 dated 13.06.2024</u> (documents attached to this notification).</p> <p>The stage of finalization of the draft plan and the drafting of the Environmental Report was carried out in compliance with the norms of Section 2 of Governmental Decision no. 1076/2004 and the non-permanent Working Groups were organized at the headquarters of the Constanta Environmental Protection Agency, the Working Group being composed of representatives of the competent authority for environmental protection - Constanta Environmental Protection Agency, Constanta Public Health Department, interested authorities: the Water Basin Administration - Dobrogea Litoral, the Prefect's Institution of Constanta, Constanta County Council, Cerchezu Municipality Town Hall, ANANP, certified experts according to the legal provisions for the elaboration of the Environmental Report. The views expressed in the Working Group meetings were recorded in the minutes. Also, as a result of the discussions within the Working Groups, the Collision Study also carried out.</p> <p>Following the elaboration of the Appropriate Assessment Study and the Environmental Report, which also contains a analysis of detailed the potential impact on the conservation objectives of the protected areas on the Bulgarian side, by APM Constanta address no. 140/08.05.2025 it was communicated that the public debate stage is to follow, being communicated the obligations of the Beneficiary to continue the SEA procedure, according to the provisions of the legislation in force.</p> <p>All above-mentioned documents have been made available to the public on the website of the Constanta Environmental Protection Agency.</p>
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	<p><b>Conclusions of the Appropriate Assessment, the potential impact on the Bulgarian territory.</b></p> <p>The plan area does not intersect any Natura 2000 sites in Bulgaria, but borders 2 Natura 2000 sites in Bulgaria: BG0000569 Kardam, BG0000570 Izvorovo - Kraishte.</p> <p>These sites have been analysed in the appropriate assessment study, in terms of the impact of the Plan on their integrity and on the conservation status of species.</p> <p><b>The conclusions of the Appropriate Assessment Study showed that for the 2 protected areas in Bulgaria, there is no risk of loss of favourable habitats of the declared species of Community interest within the site,</b> but potential habitats of species that are present within the area studied by the PUZ and that are also declared at the area level may be affected. The plan is not likely to cause habitat fragmentation or disruption of connectivity for species characteristic of this site.</p> <p>During the construction period, there is a risk that the Plan may lead to disturbance of species due to reduced food resources, noise and vibration or atmospheric emissions, especially for <i>Spermophilus citellus</i>, <i>Mesocricetus newtoni</i>, <i>Mustela eversmanii</i>, <i>Vormela peregusna</i>.</p> <p>The most important potential form of impact associated with the plan is the reduction in faunal populations, which may occur during the construction (<i>Spermophilus citellus</i>, <i>Mesocricetus newtoni</i>, <i>Mustela eversmanii</i>, <i>Vormela peregusna</i>) and operational phases, as a result works, collisions of fauna with construction traffic and mainly collisions with wind turbines (<i>Rhinolophus mehelyi</i>). The reduction in population numbers is likely to have a significant impact on the populations of fauna species and affect the parameters population size of the specific conservation objectives set for these species.</p> <p><b>However, by implementing the measures proposed in this study as well as by implementing a strict monitoring program during both the construction and operation phases, the residual impact will become insignificant. The proposed impact mitigation measures and monitoring measures are an integral part of the proposed plan.</b></p> <p>The Ministry of Environment, Waters and Forests notifies the country likely to be affected by the implementation of the Plan (Bulgaria) and submits the summary of the Plan with the invitation to participate in the SEA consultation procedure before the adoption of the Plan.</p> <p>If notified Parties wish to start consultations on possible transboundary environmental, including health, effects, they are obliged to make the documents received available to its own public and their own authorities for comments and views.</p> <p>All comments and views, if possible, in editable format, will be forwarded to the Ministry of Environment, Water and Forests for consideration in the SEA procedure.</p>
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	The final decision on the Zonal Urban Plan will be made available to the authorities of the affected parties.
Legal basis for the SEA procedure (Regulation citation or other legal basis)	Government Decision no. 1076/2004 for setting up the environmental assessment procedure of certain plans and programs.
Current stage of the planning process and SEA procedure	<p>The SEA procedure was initiated in August 2023.</p> <p>Pursuant to the SEA procedure for going through the categorization stage, the Presentation Memorandum was drafted according to the requirements of Annex 3A and Annex 6C of Order no. 1682/2023 for the approval of the Methodological Guide on the appropriate assessment of the potential effects of plans or projects on protected natural areas of Community interest, the Environmental and the Appropriate Assessment Study which also contains a detailed analysis of the potential impact on the conservation objectives of protected areas on the territory of the Bulgarian side by the APM Constanta address no. 140/08.05.2025 was communicated that, the public debate stage is to follow.</p> <p>For the Appropriate Assessment Study, the provisions of the Methodological Guide on the appropriate assessment of the potential effects of plans or projects on protected natural areas of community interest, approved by Order no. 1682/2023, subsequently amended and supplemented by Order no. 2.452/2023 and the provisions of the specific Guide (approved by Order no. 1679/2023 for the approval of the specific Methodological Guide on the appropriate assessment of the potential effects of plans/projects in the areas of interest) were respected, taking into account the fact that the Plan in question is included in the field of Energy Production.</p> <p><b>Conclusions of the Appropriate Assessment:</b></p> <p>For BG0000569 Kardam a significant impact is foreseen on chiroptera species such as: Rhinolophus mehelyi (Méhely's horseshoe bat), Rhinolophus hipposideros (Small horseshoe bat), Rhinolophus ferrumequinum (Large horseshoe bat), Rhinolophus euryale (Mediterranean horseshoe bat), Rhinolophus blasii (Blasius' horseshoe bat), Miniopterus schreibersii (Long-winged bat), Myotis myotis (Common bat), Myotis emarginatus (Hollow-eared bat), Myotis capaccinii (Long-legged bat), Myotis blythii (Small common bat), Myotis bechsteinii (Big-eared bat), Barbastella barbastellus (Sausage bat).</p> <p>Also for BG0000570 Izvorovo - Kraishte a significant impact is expected for chiroptera species: Rhinolophus mehelyi (Méhely's horseshoe bat), Rhinolophus hipposideros (Small horseshoe bat), Rhinolophus ferrumequinum (Large horseshoe bat), Rhinolophus euryale (Mediterranean horseshoe bat), Rhinolophus blasii (Blasius' horseshoe bat), Miniopterus schreibersii (Long-winged bat), Myotis myotis (Common bat), Myotis emarginatus (Hollow-eared bat), Myotis capaccinii (Long-legged bat), Myotis blythii (Small common bat), Myotis bechsteinii (Big-eared bat), Barbastella barbastellus (Sausage bat).</p> <p>As regards the analysis of mortality risk for chiroptera species, this was carried out using NatureScot's Bats</p>

	<p>and onshore wind turbines - survey, assessment and mitigation, which takes into account both the risk of collision of bat species and the risk of barotrauma due to pressure differentials generated by wind turbine operation, the vulnerability of the species, their activity in the project area (assessed based on field observations), the location of the project and the types of interventions proposed.</p> <p>Based on the methodology described, the site project presents a moderate-value habitat, i.e. an area with buildings, trees or other structures with moderate-high potential to serve as roosts, which could be widely used by foraging bats. In terms of the size of the project it fits in with larger projects (&gt; 40 turbines) with other wind energy projects under development within radius 5km of it, with turbines greater than 100m in height. Analysing the initial risk assessment matrix the project site falls into the high-risk category.</p> <p>Taking into account the information listed above as well as the monitoring data and using the general risk assessment matrix, the site project has a high risk of collision and mortality for chiroptera.</p> <p>However, existing methodologies do not allow the calculation of a potential number of casualties for bat species, as is done for bird species.</p> <p>The impact will only manifest itself during the operational period, <b>but this impact becomes insignificant after mitigation measures such as:</b></p> <ul style="list-style-type: none"> <li>• <i>Conduct regular training for all staff involved in construction/decommissioning works on general environmental issues, protected habitats and species and measures to avoid and minimize impacts. Particular attention will be given to issues relating to the prohibition of the collection of plants and animals or the deliberate injuring/killing of protected species.</i></li> <li>• <i>Construction and erection works must be planned so that they take place outside the breeding and rearing periods of the broods of the species of Community interest, irrespective of the presence or absence of nests on the site. The planning of activities shall take into account the biological calendar of the species concerned in order to prevent any negative impact on them.</i></li> <li>• <i>Regular mowing of vegetation around turbines to maintain a low abundance of insect species that are a food source for both chiropteran and bird species.</i></li> <li>• <i>To reduce the risk of mortality it is proposed to limit the turbines (T47, T46, T35, T36, T34) to a wind speed of 6.5 m/s during the sensitive period (migration), from half an hour before sunset until sunrise, and bat protection systems that emit ultrasonic deterrent acoustic signals to remove bats from the rotor swept area. The measure will apply from the wind farm's first year of operation.</i></li> <li>• <i>Installation of radar systems and day and night video cameras (on turbines T8, T18, T29, T32</i></li> </ul>
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	<p><i>and T37) to detect and prevent the risk of chiroptera collision with wind farm structures. The diversion signalling system must be installed from the first year of wind farm operation.</i></p> <p><i>The detailed analysis of the impact of the project on the biodiversity components has been done in the Appropriate Assessment Study as well as in the appendices of this study.</i></p>
Time schedule of the foreseen continuation of the planning procedure and of the SEA procedure	Estimated date for completion of the SEA procedure: Quarter 3, 2025.
Process and timetable for the possible adoption of the Plan	Estimated date for approval of the Plan by Constanta County Council: 3rd quarter, 2025.
<b>INFORMATION ON THE PUBLIC PARTICIPATION PROCESS IN THE PARTY OF ORIGIN</b>	
<b>Opportunities for public participation:</b>	
Start and closing dates for public comment on the draft Plan	The public can provide comments on the documents in accordance with the legal basis for the SEA procedure. The public may submit comments during the public hearing. The public hearing is envisaged to take place according with the legal basis of the SEA procedure (GD no. 1076/2004).
How the public is informed about the public participation process	The public is informed at different stages of the SEA procedure through public announcements in the mass-media and also on the website of the Constanta Environmental Protection Agency and on the website of the Beneficiary project and at the City Hall of the Municipality in the area where the project is proposed to be carried out. The public announcements include the time, date, place of the public hearing and the documents that can be consulted and on which comments can be submitted.
If and when a public debate is organized	The public debate will be organized on 26.06.2025 and announced in due time, in accordance with the legal basis on the SEA procedure.
The manner in which the public is informed of the adoption of the plan and the manner in which the information specified in Article 11, paragraph 2 is made available to the public	<p>At the adoption of the Plan, the Romanian public and authorities will be informed.</p> <p>The Plan will be made available to the public together with statement summarizing how the environmental considerations, including health considerations, have been integrated into the Plan, how the comments received have been taken into account and the reasons for adoption in the light of the reasonable alternatives considered.</p>
Expected time period for public comments and questions from affected Party public on the draft Plan	<p>Romania expects comments and questions from the public and the authorities of the Affected Party (Bulgaria) on the submitted documents until 26<sup>th</sup> of June 2025.</p> <p>The comments and questions transmitted must be presented in English language.</p>
Authority/institution responsible for the planning procedure Plan	SC South Wind SRL.
Authority responsible for	Constanta Environmental Protection Agency

SEA decision	Ministry of Environment, Waters and Forests - Romania.
<b>AFFECTED PARTIES</b>	
List of parties that have been submitted Notification	Bulgaria
<b>Contact point for the cross-border procedure</b>	
Authority responsible for coordinating activities relating to the transboundary SEA procedure	Ministry of Environment, Water and Forests Romania General Directorate for Impact Assessment, Pollution Control and Climate Change 12, Blvd. Libertatii, Sector 5 RO - 040129 Bucharest Phone: +40 21 408 9595 Fax: +40 21 316 0421 E-mail: dorina.mocanu@mmediu.ro
<b>Deadline for reply to the Notification</b>	
Deadline for reply indicate whether the Affected Party wishes to participate	The affected Parties will inform Romania if they intend to participate in the SEA procedure for the Plan until 10 <sup>th</sup> of June 2025.
Deadline comments on the draft Plan by the authorities of the affected Party (if different from above)	Romania expects comments from possibly affected Parties on the Plan and the documents (Environmental report and its annexes, Appropriate Assessment Study and its annexes, Collision study) by 26 <sup>th</sup> of June 2025.
<b>Means of communication</b>	
Means by which they are sent letters from the Party of origin (e.g. e-mail, fax, post, through the embassy)	By e-mail to the following SEA Protocol Focal Points <b>Bulgaria</b> <b>Ms. Maya GANDZHOVA</b> <b>Chief Expert</b> Ministry of Environment and Water, Strategic Environmental Assessment and Environmental Impact Assessment Department, Strategic Environmental Assessment, Environmental Impact Assessment and Pollution Prevention Directorate 22 Mariya Luiza Blvd Sofia Telephone: +359 2 940 6269 Ministry of Environment and Water Email: mgandzhova@moew.government.bg; edno_gishe@moew.government.bg g.alieva@moew.government.bg.
Means by which the parties affected are asked to forward letters	By e-mail to the following Focal Points in Romania: <b>Ms. Dorina MOCANU</b> <b>General Director</b> General Directorate for Impact Assessment, Pollution Control and Climate Change 12, Blvd. Libertatii, Sector 5 RO - 040129 Bucharest Phone: +40 21 408 9595 Fax: +40 21 316 0421 E-mail: dorina.mocanu@mmediu.ro