



SOME ASPECTS OF THE SPATIAL PLANNING OF THE BLACK SEA COAST OF THE REPUBLIC OF BULGARIA

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ABSTRACT

The Bulgarian Black Sea coast is so magnificent as is rarely seen in the world. This is a favourable combination of unique natural scenery, the consequence of the unceasing struggle of land with water. The opportunities that the Bulgarian Black Sea coast offers are large: development of tourism and sea transport, development of fishing and fish processing industry, production of energy minerals (mostly oil and natural gas), etc.

Under Art. 3. of the Law on the Black Sea Coast Spatial Planning of the Republic of Bulgaria, the Black Sea Coast covers the part of:

- the territory of the country, included in the protected areas and islands in the internal sea waters and the territorial sea;
- the territorial waters of the Black Sea, with a width of 200 meters, measured from the coastline.

The coastal beach area is a distinct territory, consisting of separate beaches, part of the beach, adjacent to its territorial waters (Article 6. (1) of The Law on the Black Sea Coast Spatial Planning).

The sea beach is a territory, forming a distinct part of the coastal beach area, covered with sand, gravel and other sediment or rock formations as a result of natural or artificially induced, as a consequence of human activity, processes of the interaction of the sea with the mainland. The territory of the sea beach also includes the sand dunes, located right behind the beach area, or included in the sea beach (Art. 6. (2) of the Law on the Black Sea Coast Spatial Planning).

The spatial planning of the Bulgarian Black Sea coast today is a deliberate policy, resting on concrete regulations which seeks to optimize the territory in view of its utility and the opportunities that the Black Sea coast offers.

Key words: Black Sea coast, Planning of Black Sea coast, Coastal beach area, Sea beach, Black Sea, Sand dunes, Concession, Legislative base

INTRODUCTION

The Bulgarian Black Sea coast is so magnificent as is rarely seen in the world. This is a favourable combination of unique natural scenery, the consequence of the unceasing struggle of land with water. The opportunities that the Bulgarian Black Sea coast offers are large: development of tourism and sea transport, development of fishing and fish processing

industry, production of energy minerals (mostly oil and natural gas), etc. These opportunities have been appreciated since ancient times. Not surprisingly, cities like Varna (Odessos), Sozopol (Apollonia), Nessebar (Mesembriya) have experienced several peaks in their heyday: economic, architectural, etc., even in the remote past.

Under Art. 3. of the Law on the Black Sea Coast Spatial Planning of the Republic of Bulgaria (effective from 01.01.2008, promulgated in Issue 48 of June 15, 2007 of the State Gazette, amended in Issue 36 of April 4, 2008 of the State Gazette, amended in Issue 67 of July 29, 2008 of the State Gazette, amended in

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The spatial planning of the Bulgarian Black Sea coast today is a deliberate policy, resting on concrete regulations which seeks to optimize the territory in view of its utility and the opportunities that the Black Sea coast offers. In this regard, the purpose of this report is to examine some aspects of the spatial planning of the Bulgarian Black Sea coast, hence some practical problems that accompany the implementation of the legal framework.



1. The Black Sea coast – an overview



The Bulgarian Black Sea coast is one of physiogeographic zones and regions of Bulgaria. The zone includes the coast, representing the entire eastern border of the country, as well as the adjacent territorial waters.

The Bulgarian Black Sea coast begins from Cape Sivriburun at the border with Romania and ends up at the mouth of the Rezovska River at the border with Turkey. The length of the coastline is 354 km (200 km along the arc of the terrestrial spheroid), of which 200 km (120 miles) are a beach area, covered with sand. Physiogeographically, the whole area comprises the coast, including part of the shelf and the land area with a width of 10 to 40-50 km in the range of the Balkan mountains and the Strandja, respectively.

The Northern coast is the end of the Dobrudja plateau which, in its northern part has a low coastline. Around Dourankoulak and Shabla there are extensive sandy beaches and several coastal lakes. Near Tyulenovo, Kamen Bryag and Kaliakra Cape the coast is steep, formed by red-coloured hard sarmatian limestones and conglomerates that descend 70 meters down to the sea. Near Balchik and Kavarna the limestone rocks are cut by wooded valleys. The lay of the coast around the resorts of Albena and Golden Sands is hilly and has a typical landslide, terraced character. The dense forests at the

mouth of the Batova river are the beginning of the Frangensko plateau. South of Varna are the dense forests, typical of the northern part, especially thick at the mouth of the Kamchiya river.

The Balkan mountains descend into the Black Sea at Cape Emine, provisionally dividing the coast into southern and northern part. The southern coast is known for its wide and long beaches, unlike the northern one, which has a rockier lay.

In the Bulgarian territorial waters there are five Black Sea islands:

- St. Anastasia (old name Bolshevik) - area: 0,222 km² / 8.5 decares;
- St. John - area: 660 decares;
- St. Peter – area; 4-5 decares;
- St. Kirik and Julita (old name: St. Cyril) - area: 82,589 decares;
- St. Thomas (also known as Snake Island) - area: 3 decares / 10 decares.

In the geological structure of the different parts of the coast there is diversity. This includes the easternmost areas of two of the main morphostructures in the country: the Moesian plate and the Balkanides. From north to south alternate the structures, of different age and composition, of the Danubian Plain, the Fore Balkan mountains, the Burgas Plain, the Strandja mountain. To the north are common limestones and sandstones and to the south various volcanic rocks, mainly andesites and andesitic tuffs. The Burgas plain is covered with sea and river silt. The formation of the lay is the result of the development of the Black Sea basin. During the Quaternary period the rise of the coast led to the formation of six marine (abrasion) terraces. In places it sank and the mouths of some coastal rivers turned into estuaries – the Ropotamo river, the Veleka river and others. A characteristic shape of the lay are the coastal beach areas, comprising about 25% of the coast. Along some of them have formed dunes as high as 810 m (Nessebar). Landslides are characteristic of the northern coast: around Balchik, around the mouth of the Batova river, around Varna, etc. and of the southern one: near the village of Sarafovo, Bourgas district. Major landslides occurred in the spring of 1997 in the areas of of the resorts St. Constantine and Elena, the Golden

Sands and Albena. Rocky shores with steep slopes (cliffs) are typical of the areas of Cape Kaliakra, Cape Galata and around Cape Emine. Beautiful rock formations, reefs and caves are situated along the northern Black Sea coast in the areas of Tyulenovo, Kamen Bryag and others.

The minerals are associated with the geological structure and palaeogeographic development of the corresponding areas alongside the Black Sea coast. More significant are the coal deposits in Dobrudja basin, in the Bourgas district – lignite (in the village of Rudnik), natural gas at the mouth of the Kamchiya river, oil and natural gas around Shabla and Tyulenovo. Substantial deposits of manganese ores have been found in the district of Varna and the estuary of Batova river, copper ores in Medni Rid, Rosen Bair and Vurly Bryag (Burgas district), magnetite sands - between Burgas and Pomorie. Limestone is mined in Momino and Frangensko plateaus, quartz sands – around Beloslav, bulgarites – around Bulgarovo. From the Pomorie and Atanasovsko lakes salt is produced and from the Pomorie lake also lye (lixivium) from which toothpaste is produced. The medical mud from Balchishka Tuzla lake and the Pomorie lake is used for balneotherapy treatment.

The summer along the coast is relatively warm and the winter mild – (Table 1). The average January temperatures range from about 0,8 °C (Kaliakra) to 3,4 °C (Tsarevo). July temperatures are around 22 - 24 °C. The average annual amplitudes are relatively low – 20 – 21 °C. The period without frost along the coast is the longest one in the country – from April to November. Along the northern coast the average annual rainfall is the lowest in the country (Dourankoulak – 438 mm, Balchik – 440 mm). In the south the average annual rainfall reaches 500 – 600 mm, in places even more. In the north precipitation is with late spring and early summer maximum and in the south – with a winter maximum. In the south snowfall rarely covers the ground and it keeps short, for a few days. Winds throughout most of the year are west and northwest and often in winter and summer there appear north and northeast winds. Of the local winds the most characteristic ones are breezes which in the daytime blow from the sea to land and at night – vice versa. The climate

is favourable primarily for agriculture (vineyards, orchards, industrial crops, etc.) and tourism.

The influence of the Black Sea has determined the nature of the vegetation. Here are found a number of common thermophilic species. In the estuaries of the rivers Batova, Kamchiya, Ropotamo, Veleka and others are distributed unique dense forests. These include many tree species (ash trees, elm trees, alder trees, summer oaks, maple trees, etc.) and a number of climbing plants – wild vine, clematis, skripka, gurbach and others. Of bushes common are the spindle tree, viburnum and others. In the swamps of the dense forests grows leucojum. These forests are periodically flooded. In the lakes and swamps along the coast there are common reed, bulrush, ejova glavichka, duckweed, etc.. In the Strandja mountain is common the oriental beech, durmast, blagun, cerris oak, periwinkle, laurel, pontiisko bqsno durvo, colhid blueberry, asparagus fern, etc. In the coastal marshes grow water lilies, and on the sand dunes – sand lilies, vetrogon, sedges, tamariks and others. For the south coast characteristic are fig and almond trees.

Characteristic of the Bulgarian Black Sea coast are the species of the Euro-Siberian, Mediterranean and Iran-Turan faunal area. The fauna is represented by deers, wild boars, rabbits and others. Of the birds are found seagulls, herring gulls, snipes, herons, terns, swallows, plovers, ducks, partridges and others. Along the Bulgarian Black Sea coast passes the west Black Sea coast migration route – Via Pontica. Twice a year along it fly, in flocks or individually, pelicans, cranes, ducks, geese. From amphibians here are found tree frogs, Greek leggy frog and others. From reptiles here are distributed Montpellier snake, big sagittarius and others. In the south are found pheasants and turtles. The lakes are rich in fish.

The average summer temperatures at the seaside are 28° C of the air, and 25° C of the water. There are over 240 hours of sunshine in May and September and over 300 hours in July and August.

The Bulgarian coastal protected areas are "The Golden Sands" national park, Irakli, Pasha Dere, the Ropotamo river and others. The

overdevelopment of the Black Sea coast brought about opposition from civil society and gave rise to initiatives for the establishment of protected areas along the entire coast to preserve the environment from further urbanization.

For the purposes of nature conservation 12 reserves were created - the biosphere reserve "Kamchiya", Kaliakra, Atanasovsko Lake, Sand Lily, Ropotamo and others. The protected areas also include "Pobitite Kamuni", "Luvskata glava" in the mouth of the Ropotamo river and others. Netting dolphins and seals is prohibited. To fight the impact of the rough sea reinforcement facilities are being built. A special program for environmental restoration of the Bulgarian Black Sea Coast is also being implemented.



The "Golden Sands" Marina

At the Bulgarian Black Sea coast there are two major port complex – the port of Varna and the port of Burgas. There are regular ferry lines Varna – Ilichovsk - Varna, Varna – Ilichovsk – Poti/Batumi – Ilichovsk - Varna and Burgas - Poti-Novorossiysk - Burgas. Ports of regional importance have been built around most of the towns along the coast.

Both TheThrace and The Hemus motorway , currently under construction, will connect the capital of Sofia with the Black Sea coast. The Black Sea motorway, which is in the process of planning, will connect the two major cities on the Black Sea coast, Varna and Burgas.

Of the Black Sea towns railway connections have Varna, Burgas and Pomorie, the railroad of Pomorie being used for freight purposes only.

The international airports Varna Airport and Burgas Airport are the major centers of air

transport in the region. There are smaller airports near Balchik and Primorsko.



"Varna" Grand Hotel

The region is an important center for seaside holidays and tourism. It is visited mainly during the summer, both by Bulgarian and foreign tourists and is one of the main tourist destinations in the country. Some of the most popular Bulgarian Black Sea resorts are Albena, Ahtopol, Aheloi, Balchik, Duni, Elenite, Golden Sands, Kiten, Lozenets, Nessebar, Obzor, Pomorie, Primorsko, Ravda, Saint Vlas, Sinemorets, Sunny Beach, Sozopol, Tsarevo.



2. Legal basis for the spatial planning of the Black Sea coast of Bulgaria



The legal basis for the spatial planning of the Black Sea coast includes a number of laws, the implementation of which aims both at the sustainable development of the Black Sea coast and at the creation of an adequate environment and a balance between the urbanized areas, the protected areas and cultural heritage. Here we can mention the following laws:

- The Law on Spatial Planning;
- The Law on the Spatial Planning of the Black Sea Coast of the Republic of Bulgaria;
- The Law on Concessions;
- The Law on Cadastre and Property Register;
- The Law on State Property;
- The Protected Areas Act;
- The Cultural Heritage Act;
- The Law on Regional development;
- The Tourism Development Act, etc.

For the purposes of this report we will dwell on some highlights of the Law on the Black Sea Coast Spatial Planning, the references of these highlights to some of the above mentioned laws, as well as some problems, relevant to the application of certain legal provisions.

A/ Spatial planning of the coast

For the purposes of the efficient spatial planning of the Black Sea coast, Bulgarian legislation has provided specific matter in the Law on the Black Sea Coast Spatial Planning, concerning spatial coastal protection.

Within the meaning of Chapter 3 of the above mentioned law, on the the territory of the Black Sea coast the following protected zones are established: Zone "A" with a regime of special spatial planning and zone "B" with specific characteristics of the territory and a special regime for the protection of territorial and aquatic resources.

Zone "A" covers the part of the territorial waters of the Black Sea, the coastal beach area and part of the territory, falling within an area with a width of 100 m, measured horizontally from the borders of the sea or beaches.

The following activities are not allowed in zone "A": the placement of fences, restricting free pedestrian access; the prospecting, exploration and exploitation of natural resources, with the exception of the activities, connected with the production of medical mud, salt, mineral water and the construction of geoprotective and coast protective facilities and fortifications; the discharge of untreated wastewater, the quantity and quality of treated water meeting the requirements for individual emission restrictions, specified in the discharge permit, issued in accordance with the requirements of the Waters Act; the construction and operation of depots and other facilities for the recovery and disposal of waste; the use of plant protection products and fertilizers, with the exception of registered biological plant protection products and fertilizers and the development of industries emitting the pollutants, listed in Annex I of the Convention on the Protection of the Black Sea against Pollution.

In Zone "A" outside the beaches are permitted: the construction of ports and port facilities, coast protective facilities and fortifications, as well as of geoprotective facilities, of water treatment stations and other facilities of the technical infrastructure, necessary to serve urban areas; the construction of other facilities, subject to certain specific standards for each landed property, etc.

On the territory of the beaches are permitted: the putting of beach accessories, providing no less than 50 % of the active beach area for the free placement of beach accessories by visitors; the placement of movable objects and facilities for health and sanitary purposes, for lifeguard services and sports activities, for fast food places and for the maintenance of beaches; the construction of technical infrastructure, necessary for the needs of the national security and the defense of the country and to ensure the safety of shipping; the construction of coast protective facilities, fortifications and geoprotective facilities; the implementation of landscape development and park development activities; the implementation of specific activities for the conservation of individual and group cultural values; the carrying out of research, related to environmental protection; the

construction of underground pipelines, networks and facilities of the technical infrastructure, etc. The territories in Zone "A", falling within the borders of protected territories or protected areas, maintain their regimes for conservation, use and management, as defined under the Protected Areas Act and the Biodiversity Act. Zone "B" covers the territories, falling within the area with a width of 2 km from the border of Zone "A", with the exception of the urban settlements, established as at the date of entry into force of the law.

In Zone "B" are prohibited: the construction and operation of depots and other facilities and equipment for the recovery and disposal of waste; the discharge of untreated wastewater, the quantity and quality of treated water meeting the requirements for individual emission limitations, specified in the discharge permit, issued according to the requirements of the Waters Act; the use of plant protection products and fertilizers, with the exception of the registered biological plant protection products and fertilizers; the development of industries that produce the pollutants, referred to in Annex I of the Convention on the Protection of the Black Sea Against Pollution, etc.

The territories of Zone "B" within the borders of protected territories or protected areas, also maintain their regimes of preservation, use and management, as defined under the Protected Areas Act and the Biodiversity Act.

In zone "B" the following activities are permitted: the establishment of new or the expansion of the boundaries of settlements, resorts and resort complexes in compliance with the standards, set by law for each regulated plot of land; the establishment of new or the expansion of the boundaries of holiday resorts, subject to the regulations, stipulated by the law for each plot of land; the establishment of new or the expansion of the boundaries of holiday areas in accordance with the norms, stipulated by the law for each regulated plot of land; the construction of facilities, networks and equipments of the technical infrastructure, etc.

The spatial planning and development of plots of land, parts of which fall in both protected Zones "A" and "B" are specified by a detailed spatial plan - a plan for regulation and development.

According to the spatial zone, within which falls the plot of land, the plan for regulation and development sets a sub-zone within the boundaries of protected Zone "A" with limited parameters for development and a subzone within the boundaries of protected Zone "B" with limited parameters for development. The permissible development in each of the zones is determined based on the area of the plot of land, falling within the corresponding subzone.

Construction permits for developing the approved construction sites in Zone "A" and Zone "B" are issued, subject to the availability of the necessary technical infrastructure for electricity supply, water supply, sewerage and wastewater treatment and the collection and disposal of household and construction waste.

The spatial planning and development of the Black Sea coast are based on:

- the concepts and spatial development schemes under the Regional Development Act;
- the general spatial plans for the whole territory of the municipalities;
- the detailed spatial plans of municipalities for the existing urban areas and new urban areas, planned in the respective general spatial plan, including areas of Zones "A" and "B";
- specialized detailed spatial plans.

The scope and content, as well as the terms and conditions for the awarding, development, approval and implementation of the concepts and schemes for spatial development are specified in the Regional Development Act.

The development of the general spatial plans and their alterations is awarded by the Minister of Regional Development and Public Works or by the mayor of the municipality after consultations with the Minister of Regional Development and Public Works.

General spatial plans are approved by the National Panel of Experts for Spatial Planning and Regional Policy on the suggestion of the corresponding municipal council and approved by an order of the Minister of Regional Development and Public Works, which is promulgated in the "Official Gazette". The order

approving the plan is final and is not subject to appeal.

The drawing up, coordination, communication, acceptance and approval of the detailed spatial plans, as well as of their modifications, are carried out under the terms and provisions of the Law on Territory Planning.

The plans are approved after conducting the procedures for environmental assessment under the Law on Environmental Protection. Environmental assessment is part of the relative plan.

Through the general spatial plans for the territories of municipalities, as well as through the rules and regulations for their implementation, the following are defined:

- the general structure of the territory and the spatial requirements for the development of the territory and territorial sea;
- the territories for conducting business;
- the parts of the technical infrastructure of national and regional importance;
- the activities for protection of the environment, biodiversity, natural resources and cultural values;
- the territories and territorial waters with restrictive regimes of spatial planning and development;
- the general conditions for the use of water, forest, land and recreational resources;
- the permissible recreational capacities of resort settlements, resorts, resort complexes, holiday villages and villa areas according to the criteria, specified by an order of the Minister of Health, the Minister of Regional Development and Public Works, the Minister of Environment and Waters and the Minister of Economy, Energy and Tourism;
- the necessary activities for coastal protection, preservation, restoration and improvement of the aesthetic characteristics of the territories, the measures for the conservation and restoration of the nature of the landscape and the cultural values;

- the territories and areas that do not allow new development and expansion of the development boundaries of existing urban areas;
- the territorial rules and regulations for the development of existing and future urban areas;
- the urban, agricultural, forest and disturbed areas;
- the territories that are to become coastal parks and gardens;
- the specific requirements, rules and regulations for spatial planning of the territory and territorial sea.

The general spatial plans for the territories of municipalities reflect:

- the boundaries of the coastal beach area;
- the boundaries of the zones;
- the areas of protected and recreational forests;
- the areas of protected territories and protected areas;
- the areas and parts of the territorial sea with the status of cultural values;
- the boundaries of the areas with restrictive regime, subject to the requirements for the security and defense of the country, including the security and control of the state border.

With the general and detailed spatial plans are drawn up the schemes for the adjacent territorial sea.

The schemes specify the areas for:

- sanitary security;
- development of water sports;
- underwater archeology and underwater tourism;
- fortifications, coast and geoprotective facilities and other facilities and entities, related to the tourism function of the coast and the fisheries;
- carrying out of activities, related to the national security and the defense of the country.

The schemes are accepted and approved as part of the general and detailed spatial plans.

B/ Beaches and their concessions

Within the meaning of Art. 6 (3) of the Law on the Black Sea Spatial Planning, beaches are exclusive state property.

Public state property, which cannot be declared private are: beaches, fortifications and coast protective systems and facilities for protection from the harmful effects of water, built up on property - state property outside the settlements; lakes, adjoining the sea, lagoons, estuaries and wetlands, sand dunes, islands, including the ones, created as a result of human activity.

The state and the municipalities provide transport connections with the republican or local roads, as well as pedestrian and bicycle paths to the beaches, in accordance with the provisions of the Road Traffic Act.

The places for transport connections and pedestrian and bicycle traffic are specified by a detailed spatial plan for the relevant territory of the municipality.

The owners of real estate property, for which the detailed spatial plan envisages to be crossed by pedestrian traffic sites, establish right of way in favor of the relevant municipality (under the Law on Territory Planning)

In case of refusal of the owners to establish the right of way in the relevant period, the property or part of it is expropriated in favour of the municipality under the terms and conditions of the Municipal Property Act.

Under Art. 7 (1) of the Law on the Black Sea Coast Spatial Planning, beaches with the adjoining territorial sea can be maintained and managed through the granting of a service concession under the terms and provisions of this Act for a period of 15 years. The width of the adjacent territorial sea, included in the concession site, cannot be more than 200 m.

The concession is granted against the requirement that the concessionaire is obliged to make concession payments to the concession grantor, to provide free access to the sea beach, to carry out mandatory activities and to place signboards with the schemes of the different zones and the terms and conditions of the concession.

The beaches, for which concession is not granted, are managed by the Minister of Regional Development and Public Works, by means of leasing them under the terms and conditions of the Regulations for Implementation of the Law on State Property for a period of 5 years against the tenant's obligation to pay rent and carry out the mandatory activities.

The Minister of Regional Development and Public Works by an order may grant his powers to the relevant district governor.

The beaches, for which concession has not been granted or which have not been leased, are declared, by an order of the Minister of Regional Development and Public Works, unguarded beaches, annually by May 31st. The order is published on the official website of the Ministry of Regional Development and Public Works.

The beaches with the adjacent territorial sea within the protected areas, included in Annex № 2 of the Protected Areas Act (PAA), can be maintained and managed through the granting of a concession, or leased under the Implementing Regulations for the State Ownership Act, provided that the management plans, approved by the Protected Areas Act, allow the carrying out of activities, related to their use for recreational purposes.

Under the Law on Concessions, concessions are granted for the building of artificial beaches on state-owned property.

3. Some new amendments to the Law on the Black Sea Coast Spatial Planning

A/ Amendments, related to the concession of beaches

Under Art. 8a. of the Law on the Black Sea Coast Spatial Planning, a beach concession is granted by holding a procedure - competition for the selection of a concessionaire.

The activities for the granting of concession include: development of rationale for the concession; holding a procedure for granting the concession and signing a concession agreement.

The procedure for granting a beach concession includes: rendering a decision to open a procedure for granting the concession; holding a competition for the selection of a concessionaire and rendering a decision on the selection of a concessionaire.

The concession period commences from the date of entry into force of the concession agreement and cannot be extended.

The object of a concession, granted under the Law on the Black Sea Coast Spatial Planning, are the beaches with the adjacent territorial sea, which has a width of 200 m.

The object of a concession may also include facilities, specified in the decision to open the procedure for granting the concession.

Concessionaire is the person who, by signing the concession agreement, is granted the concession. The concession is granted to the successful bidder who is selected for a concessionaire.

When the participant, selected for a concessionaire, is a legal person or a company, which is not a trader, the concession is granted to a newly established trading company, in which the legal person is the sole holder of the capital, the participants in the company have all the capital in the ratio of their articles of incorporation. When the participant, selected for a concessionaire, is a trader, the concession agreement can be signed with the newly established company, in which the participant holds the entire capital, if this is provided in the competition documentation.

When the participant, selected for a concessionaire, is a physical person, the concession is granted to a newly established trading company, in which the participant is a sole holder of the capital or to a newly registered by him sole proprietor.

The Minister of Regional Development and Public Works provides the preparation of a rationale for the concession and puts forward to the Council of Ministers a proposal for granting a concession for the beach.

The Minister of Regional Development and Public Works, or his authorized officer, orders the preparation of a rationale for a beach

concession to experts from the Ministry of Regional Development and Public Works and/or experts from other ministries and departments, according to their competence and/or to external consultants.

The concession rationale for a beach contains: objectives and term of the concession; legal basis for granting the concession; major technical and other characteristics of the object of the concession, including a description of its facilities; a description of the services and activities that can be carried out through the object the concession and the terms and conditions for their implementation; an analysis of the efficiency of the concession from the point of view of the concession grantor; other characteristics of the object of the concession; conclusions and recommendations, as well as applications, on the basis of which the rationale has been prepared.

Б/ Amendments as a result of construction on dunes

Under § 1 Item 4 of the Additional Provisions of the Law on the Black Sea Coast Spatial Planning, sand dunes are formations, formed by piling up sands under the influence of wind. The main types of dunes are emerging shifting dunes, shifting (white) dunes, stationary dunes with herbaceous vegetation (gray dunes) and wooded dunes.

As it has already been mentioned, under Art. 6 (2) of the Law on the Black Sea Coast Spatial Planning, the area of the sea beach also includes the sand dunes, located just behind the beach, or within the beach.

Sand dunes have also been declared public state property that cannot be private.

The boundaries of dunes and other sites that are public state property are set by direct geodetic measurements which are reflected on the cadastral map and in the property register under the Law on Cadastre and Property Register.

For these sites are prepared specialized maps, register and information system, under the Law on Cadastre and Property Register. The terms and conditions and the procedure for the assigning, drawing and maintenance of the

specialized maps, the register and the information system are specified by an order of the Minister of Regional Development and Public Works.

For the beaches with concession agreements in force, which include sand dunes, the dune area remains within the concession area until the termination of the concession agreement.

CONCLUSION

The Bulgarian Black Sea Coast should certainly be planned so as to preserve both its uniqueness and its charm. Therefore the adequate application and improvement, where necessary, of the legal matter, dealing with the problems of the spatial planning of the Black Sea Coast, are preconditions for:

- providing conditions for the preservation, sustainable integrated development and planning of the Black Sea Coast;
- providing free access to the beaches;
- the protection, conservation and wise use of natural resources;

- the prevention and reduction of the pollution of the Black Sea Coast;
- the protection of the coast from erosion, abrasion and landslides;
- the restoration and preservation of the natural landscape and cultural heritage.

This can be done through the joint efforts of the state, central and local authorities, business and civil society.

REFERENCES

1. Velkovska G., Glossary of terms on planning & territorial development- second revised edition, „Valdes – VV - GV“, Publishing house, S., 2013
2. Velkovska G., Spatial Planning – a course of lectures, published by „Valdes – VV - GV“, S., 2011.
3. The Law on Concessions.
4. The Spatial Planning Act.
5. The Law on the Black Sea Coast Spatial Planning.
6. <http://www.bg.wikipedia.org>
7. <http://www.lex.bg>