

Dear Mrs Smith, dear Mr Clark, dear friends,

This letter is to inform you about a new case we have recently encountered - the **Iliyna SHPP** /an investment plan of the Rila Holy Cloister/, which will be financed by the Kozloduy Decommissioning Fund through the EBRD, unfortunately.

But, first of all, please find in the **HPP at the Iskar River.jpg** file a map, showing the existing and the future HPP along the Iskar River in Bulgaria.

You can download the file from the following link:

[http://dams.reki.bg/uploads/Docs/Files/HPP\\_at\\_the\\_Iskar\\_River.jpg](http://dams.reki.bg/uploads/Docs/Files/HPP_at_the_Iskar_River.jpg)

The map is extracted from the Danube River Basin Management Plan. It shows the beauty of the future river status with **35/thirty five/** HPP from Sofia to the Danube to be built. Do have in mind please, that each of the HPP lakes will be about three kilometers long...

The big blue dots are the operational HPP and the small yellow dots are the future ones. Maybe the map will help the EBRD reconsider the financing of the Sreden Iskar cascade third stage. Especially when no cumulative effect was taken into consideration in so far for all those HPP, within the Appropriate Assessments of the projects implications on a Natura 2000 Habitats directive site, designated for the protection of river habitats and species.

Actually we have to admit that, since the river will exist no more, there is no sense in taking into consideration any effects, cumulative or other.

Next - I recon you didn't have the time to read the two Complaints we have sent, neither did you have the time to visit our HPP monitoring platform. Otherwise you would have believed that hydropower is killing nature here, which might have helped the EBRD be a bit more cautious about any future fund rising for such projects, including the Iliyna HPP.

If you watch the following videos, showing some Bulgarian operational HPP water catchments in dry months, you will know what is going on here, and you will understand as well - why are we fighting the damn things and why wont we ever give up. The videos are very short - less than half a minute, but if you don't have the time to see them all, pick up any three at random order and watch them, please:

<https://www.youtube.com/watch?v=0mz1nGqJ4cw>

<https://www.youtube.com/watch?v=Fq4ZVHpjfyA>

<https://www.youtube.com/watch?v=7nlQp272qNs>

[https://www.youtube.com/watch?v=OJxOwJP\\_w50](https://www.youtube.com/watch?v=OJxOwJP_w50)

<https://www.youtube.com/watch?v=yPAskCMI8KI>

<https://www.youtube.com/watch?v=4ToGKuEINKY>

[https://www.youtube.com/watch?v=bXtPIM\\_9n\\_k](https://www.youtube.com/watch?v=bXtPIM_9n_k)

[https://www.youtube.com/watch?v=4ZcSDw\\_5cYY](https://www.youtube.com/watch?v=4ZcSDw_5cYY)

<https://www.youtube.com/watch?v=3UJOIONNOPY>

<https://www.youtube.com/watch?v=7ea2k7OrZJU>

[https://www.youtube.com/watch?v=zk8hcF\\_QiE0](https://www.youtube.com/watch?v=zk8hcF_QiE0)

We have hundreds of videos and pictures like these. All the water catchments displayed are located in Natura 2000 habitats directive sites.

One of these HPP was financed by the EBRD. Another dry one - the Kutra-Tvarditsa HPP we have only pictures of. Knowing all the other now, we promise to shoot them this year for you.

**And now - to the Iliyna SHPP case.** It will be located in the Rila Mountain. The last clip shows another river there, so, rest assured - the same will inevitably happen to the Iliyna River.

In the **WEZ\_Iliyna\_rev9.pdf** file you can find a letter of ours to all the Bulgarian authorities involved in the case.

You can download the file from the following link:

[http://dams.reki.bg/uploads/Docs/Files/WEZ\\_Yliyna\\_rev9.pdf](http://dams.reki.bg/uploads/Docs/Files/WEZ_Yliyna_rev9.pdf)

The letter is in Bulgarian, but it will be no problem for us to translate it, if you are interested. It contains a full study on the infringements of the Bulgarian environmental acts, the EU Habitats Directive and the WFD.

We would like to bring to your attention only a few important issues, which you can very easily check, simply by asking the Bulgarian authorities if they are true or not.

1. An Appropriate Assessment for the project's implications on Natura 2000 habitats directive site **Rilski Manastir BG0000496** has never been carried out, neither was any Environmental Impact Assessment ordered and prepared.
2. In the management plan of the Natura 2000 site, which is also announced protected territory "Rilski Manastir Natural Park", there is a ban on construction of water catchments, except for the abstraction of drinking water. There is also a ban on any kind of production or industrial activities, other than those, related to maintenance and restoration works in the forests, for the land and for the surface water bodies. Thus hydropower production is prohibited too.
3. Rilski Manastir Natural Park is a protected territory hosting priority natural habitat types and priority species, requiring a higher level of biodiversity protection in Bulgaria, than normal Natura 2000 sites are entitled to. For the Natural park and the Iliyna River in it, the following additional restrictions are applied:
  - Ban set by the West Aegean RBMP on construction of new HPP, concerning all HPP investment plans, the construction of which has not started.
  - Ban set by the Water Act, article 118j, on water abstraction from the rivers in such protected territories for hydropower production.

It should be noted that the construction of new HPP is prohibited even if the investment plan has all necessary permits, but construction has not started, no matter the reason why it hasn't. And water abstraction is prohibited even if the HPP is already built and ready to operate. Each ban is set in order protect priority natural habitats and to achieve or maintain good status of surface water bodies, or to avoid deterioration of the same acc. to the EU WFD.

There are numerous other infringements described in the attached letter of objection, concerning extensions and modifications of the old water permit, decisions of the environmental authorities, a. o.

But the above violations of the Bulgarian law, the Habitats directive and the WFD are undisputable. These are matters you can very easily check.

Just do not ask the abbot or the environmental authorities for statements or opinion, because they will keep on answering that everything is OK.

Ask them to submit a document - Environmental or Appropriate Assessment of any kind. Then check the regimes in the "Rilski Manastir Natural Park" Management Plan, as well as article 118j of the Water Act.

The only document, containing a decision about assessments of any kind you can receive, was issued in 2007 by the Ministry Of Environment and Waters /MOEW/. It claims that AA or EIA are not necessary... There are two other letters by MOEW, containing answers to the abbot of the Monastery, stating that other documents and assessments are not necessary, which is not true. If that was true, he wouldn't have asked, he would have known.

**Note:**

We realize that it will be very hard for you to believe that state environmental authorities can lie about such important matters. Especially if you live in a better world than ours - then it will be very hard to believe indeed.

But have you ever heard that there is rampant corruption going on here?

Here is a simple proof - if we lived in the same better world together - those videos above would have shown a minimum ecological water flow running in those cursed dead rivers.

However, the Bulgarian Biodiversity Act and the EU Habitats Directive /art.6.3/ require an Appropriate Assessment for the Iliyana HPP project, to assess the project's implications on Natura 2000 habitats directive site conservation objectives. Such an Assessment does not exist.

Moreover - the site concerned hosts priority natural habitat type, hence hydropower development there is unacceptable acc. to the same legal acts.

I think these are matters you should know better than us.

Maybe those two letters from MOEW, stating that everything is OK, were written upon a request by the EBRD during the check of the project's sustainability, maybe not.

Maybe the EBRD management wasn't able to believe that in a Natural Park hydropower production is permissible without an Appropriate Assessment and that is why those letters were written? Maybe not.

But then - is it possible that questions were asked to hear desired answers, rather than the truth in the well known legal framework? Maybe it is.

**Therefore, this letter is also to inform you about our future intentions.**

We will bring the case to the Supreme Administrative Court, in case the state authorities refuse to stop the project now. They will hopefully stop it upon our request, included in the attached letter of objection, since MOEW is pretty well aware now about the damage hydropower is causing to the rivers here. For the Iliyana HPP they are very well aware of the infringements of the law too.

In a previous letter from Mr Clark we were kindly informed that, acc. to the Bank's ESP and PRs, "*projects can be implemented in protected areas if an appropriate level of assessment of the impacts on the sites is undertaken...*" Well, for the Iliyana SHPP no level of assessment, other than the zero level, has been reached at all.

You must also have in mind, that there are some important social issues to be considered. In recent years local people here have started to fight against HPP Investment Plans, each and every time they hear of such. Just because they have

already witnessed the damage caused to nature and to the people's wellbeing by new HPPs in the neighboring villages and rivers.

This has already happened in the villages of Rebarkovo, Lyuti brod, Svode, Lakatnik - for a new small HPP at the Preboinitsa River tributary to the Iskar, the city of Samokov a. o.

It has also happened in Porominovo and Barakovo villages along the Rilska River which the Iliyna River is tributary to. In the cases of Barakovo and Samokov the local people have won the case in the Supreme Court, like we will easily win the Iliyna HPP case in the same court of law. In the other cases MOEW has stopped the projects, knowing that if they hadn't, they would have lost the case again.

Fishermen like us have recently started to fight too, like in the Svode HPP and the Rumyantsevo 2 HPP cases. You can see some pictures from a recent protest in the following link:

[https://www.facebook.com/balkanka.bg/photos/ms.c.eJxFz9ENxDAIA9CNTpiAgf0XOxUa~\\_vtkmwSCdEE4nIfpPwxUph45mi~\\_owLJYpQvVCcQFTEW2ghioCxq9QS5wEnLheCc8P3gSWrhg2pC2EP10nIUc0A961O7nINKJ7yxniDtKG9gNcmArwWfD0~;6n2UBi.bps.a.1018501731563687.1073741836.124285184318684/1018501751563685/?type=3&theater](https://www.facebook.com/balkanka.bg/photos/ms.c.eJxFz9ENxDAIA9CNTpiAgf0XOxUa~_vtkmwSCdEE4nIfpPwxUph45mi~_owLJYpQvVCcQFTEW2ghioCxq9QS5wEnLheCc8P3gSWrhg2pC2EP10nIUc0A961O7nINKJ7yxniDtKG9gNcmArwWfD0~;6n2UBi.bps.a.1018501731563687.1073741836.124285184318684/1018501751563685/?type=3&theater)

Those people are getting angry now, with many more to come.

We were authorized by the gathering of fishermen to ask the EBRD management two questions and to deliver a message as well.

**The first question is** - why are the EU funds used to support environmentally harmful subsidies, together with a State aid for the same? Why was the funding not refused by phasing out of environmentally harmful subsidies, neither were any measures undertaken to avoid EU or State aid leading to environmental harm /see the "*Guidelines on State aid for environmental protection and energy 2014-2020*" 2014/C 200/01 - articles (6) and (7)/

**The second question is** - why is the *Decision by the European Court of Justice on 01.07.2015* about the interpretation of Article 4(1)(a)(i) to (iii) of Directive 2000/60/EC [the WFD] constantly disregarded, since the necessary measures to prevent deterioration of the status of such bodies of surface water like the Iliyna River, are not implemented even by the EU and the EBRD, which unfortunately tend to finance environmental harm, rather than to avoid it?

**Note** - for the Rumyantsevo 2 HPP MOEW itself, has brought the case in the Supreme Administrative Court, asking the court to overrule previous decisions of the Danube River Basin Directorate and the Regional Inspectorate of Environment and Waters

This means that the new MOEW management and the Minister are finally and thankfully starting to work in the right direction to protect nature, knowing pretty well that most of those old decisions are illegal, just like they are in the Iliyna HPP case.

The decision of MOEW from 2007 stating that an Appropriate Assessment for the Iliyna HPP is not necessary was also brought in court by another NGO at the time,

but the objection was overruled then. Maybe you can count on that decision of the court, maybe not, having in mind that we are in 2016 now and we will attack all other decisions and permits issued since 2007. And the wind has changed, you know.

**Last but not least** - the vicinity around the Rila Monastery is a holy area for the Bulgarian people.

Causing to the river and its inhabitants the same damage, like the displayed in the above videos, will be considered an everlasting Sin.

Is it worth, for the only reason that the current abbot of the Monastery is obsessed by the self esteem of a big manager, or businessman, or... anything but a man of God? After all the Rila Monastery was established, survived through the ages and became what it is now, without a drop of electricity...

We also do declare that, if the Iliyana HPP is built and set into operation /in case we do not manage to stop it on time/, the EBRD will receive ongoing reports from us, displaying the dead river, every dry month.

Best regards

## **PS**

If you are really interested in, and if it will really help the EBRD reconsider the financing of the damn thing - please do not hesitate to contact us. We will be glad to translate the full Study in the **Objection\_IliyanaHPP.pdf** file for you.

A copy of this e-mail was sent to the Bulgarian office of the EBRD too. You can hopefully ask them to read the Objection and verify it for you.

Best

## **PPS**

Sorry, forgot the message from the fishermen's gathering. Here it is:

*"Dear friends from the EBRD,  
For all we know, the EBRD operates with the public resources of the European Union, collected among all the European taxpayers. It means that part of those finances come out of our pockets hence we have the right to an opinion  
You have financed several hydropower plants here alright, killed the life in several rivers, where the damage caused is irreparable.  
If you are in such a need for hydropower, look for it in your own countries, please!  
If there are no rivers to kill anymore at home, look for it everywhere else, but not in our country! Here you are not welcome anymore.  
If you can't help it - check as thorough as you can for every case the legal viability, before you try to kill a single river here again. Otherwise we'll meet in court, every time you try to kill the next!*

*Stay Away From Our Rivers! "*

End of message

Best

*Dimitar Koumanov*

**Balkanka Association, Sofia, Bulgaria**