



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - Implementation & Support to Member States
ENV.E.1 - Mainstreaming & Environmental Assessments
Head of Unit

Brussels,
ENV.E.1/

Dimitar Koumanov,
Senior Environmental Advisor
Balkanka Association, Sofia, Bulgaria

By e-mail only: dkoumanov@abv.bg

Subject: Your complaint CHAP(2015)02363 against Bulgaria

Dear Mr Koumanov,

I refer to our investigation, ref. EUP(2017)9183 based on your complaint ref. CHAP(2015)02363 relating to the planning, approval, construction and operation of small hydropower plants and river management in Bulgaria in general.

Let me start by expressing our gratitude for your commitment to the environment in Bulgaria and for alerting the Commission services on issues related to possible infringements of EU environmental law.

I have already had the opportunity to inform you that your complaint was part of a broader investigation, including another complaint revealing similar problems, and that we had approached the Bulgarian authorities on the matter.

The information provided by the Bulgarian authorities was thoroughly reviewed and we have decided to close investigation ref. EUP(2017)9183 for the following reasons:

1. **The approval of a number of HPPs with effect to Natura 2000 network in breach of Article 6.3 of the Habitats Directive is covered by a structural infringement procedure¹, addressing the systematic practice of Bulgarian authorities to authorise activities with effect on Natura 2000 sites without proper cumulative impact assessment and/or potentially damaging conservation objectives of such sites. We have included a special reference to such HPP authorisations as an example of the practice based also on the evidence provided by you.**
2. Regarding the possible breach of the Water Framework Directive (WFD), our conclusion was that the investigation ref. EUP(2017)9183 has played its role and clarified a number of issues. However, there are still some doubts as regards the justification of exemptions under the Directive and we have decided to streamline these remaining issues together with some other horizontal issues, related to the

¹ https://ec.europa.eu/commission/presscorner/detail/en/inf_20_2142

application of the WFD, which we have identified meanwhile on our own initiative.
This resulted in starting a new, structural investigation ref. EUP(2020)9721.

I therefore wish to inform you that it is intended to close your complaint with ref. CHAP(2015)02363 and the investigation based on it. However, should you have any new information that might be relevant for the re-assessment of your case, I invite you to contact us within four weeks of this letter, after which date the case might be closed.

Yours sincerely

(e-signed)

Sabine BOURDY
Head of Unit

