

“Balkanka” Association, Sofia, Bulgaria
“Nature has all the time in the world, we do not”.


NOTIFICATION

Ref. No 02 / 2023
TO
THE COMMISSION OF THE EUROPEAN COMMUNITIES
CONCERNING CORRUPT WASTE OF EUROPEAN FUNDS



Photo credit BG NES

Representative for this complaint:



dipl.eng. Dimitar Koumanov,
Member of the board

Sofia, Bulgaria
28.04.2023

INTRODUCTION

The information in this document is following our previous communication, **Ref. No 01/2023** shared with the European Commission on **04.02.2023**. The aim is just the same - to keep the EC informed of what is actually going on in the field of water and flood protection in Bulgaria.

Without any expectations from any of the European institutions, this time the focus is on the development of our "new" River Basin Management Plans/RBMPs/ 2025-2027 and our new Flood Risk Management Plans /FRMP/ 2024-2027 /the years are not mistaken/, because a huge amount of European funding is being wasted for the delayed preparation of these plans, while the result so far is less than Zero.

To our knowledge, the combined cost of both plans is roughly 18.5 million Euro /12 for the RBMPs and 6.5 for the FRMPs/, 80% of which are coming from the good old Europe only to be split in the usual corruption schemes our country is famous of everywhere around the Globe.

The real costs are actually much, much bigger, because 18.5 million Euro were paid by our Ministry of Environment and water only to the "Consultant" for the plans - the International Bank for Reconstruction and Development, which is part of the World Bank Group. Apart from the "consultancy" services, a lot of work is supposed to be done by our national authorities for their usual wages, paid by the taxpayers, and the costs for the preparation of the SEA and the AA for the plans are not included as well. So those 18.5 million are only for consultancy services of the World Bank team of "experts"...

The contract was signed somewhere in June 2018 and nearly five years later the RBMPs are at the earliest stage of published *Interim Review of the Significant Problems in Water Management*, while the FRMPs have been published for public consultation in December 2022 and the first meeting with stakeholders was held in Sofia in the middle of April 2023.

For five years of preparation and the huge amount of cash we were expecting the best FRMPs in the world, but the result so far is largely disappointing to say the least. For example - the Stryama River catchment area where one of the most devastating floods has happened in September 2022 /see the pictures on the front page/, was not included in the Flood Risk maps, even after the stakeholders' insistence and solicitation. We were also informed during the public consultation that not a single of the proposed by Balkanka Association measures for flood prevention will be included in the Programmes of Measures listed in the FRMPs - the reasons are described in the document below.

At this point we also need to underline again that based on our previous experience in our contacts with the European Commission we strongly believe that there is absolutely no sense in complaining, because our complaints lodged with DG ENV have proven only to be a huge waste of time. Therefore we will keep sending notification letters, rather than complaints, only to inform DG ENV of what is going on, without any expectations at all. We do not expect any kind of the usual, ineffective actions to justify DG ENV staff wages, neither do we want to receive any correspondence, unless there is some positive Result from whatever DG ENV has done or will be doing.

If DG ENV still happens to find that we are not following some not working /from our point of view/ administrative procedure in our contacts, there should be no panic at all - we do not expect anything but positive news and our notification letters may be freely thrown in DG ENV's Trash without hesitation or any further ado, having in mind of course that in this particular case a lot of EU funding has been wasted for *Nothing*.

Hence, it becomes clear that in the document below we have chosen to share the latest developments of the Bulgarian strategic "new", outdated already RBMPs and FRMPs, but first of all - here is the mandatory contact data:

I. IDENTITY AND CONTACT DETAILS

1. Name:

"Balkanka" Association, Sofia, Bulgaria

2. Sector / field of activity and location(s) where active:

"Balkanka" Association is a non-profit, non-governmental organization, registered in Bulgaria for action in public benefit, on 07 August 2013, company file 203/2013 of the Sofia City Court, UIC 176566443. The main objectives of "Balkanka" are protection and conservation of river biodiversity, with a focus on conservation and restoration of indigenous Balkan brown trout /*Salmo trutta*/ populations in Bulgarian rivers.

3. ADDRESS OR REGISTERED OFFICE

3.1. Surname and forename of complainant:

Ivan Pandukov, Chairman of the board

3.2. Where appropriate, represented by:

Dipl.eng. Dimiter Koumanov, member of the board

3.3. Nationality:

Bulgarian

3.4. Address:

Petko Todorov blvd, bl.8, en.D, app.87

3.5. Town: Sofia

3.6. Post code: 1408

3.7. Country: Bulgaria

3.8. Mobile telephone:

+359 887 931 241

3.8. E-mail: dkoumanov@abv.bg

4. Correspondence from the Commission can be sent to Balkanka Association - only good news and results, remember.

5. Member State or public bodies alleged not to have complied with Community law:

The Bulgarian Ministry of Environment and Waters (MOEW) and all the River Basin Directorates (RBDs) with MOEW, together with the International Bank for Reconstruction and Development - part of the World Bank Group.

II. DESCRIPTION OF THE INFRINGEMENT OF UNION LAW

First of all it should be noted that we refuse to understand how is it possible for someone to finance something, not requiring results with the best quality on time. The European Union is financing both the RBMPs and the FRMPs in our country through the Operative Programme Environment and the delay is obviously reaching two years for the FRMPs and three years for the RBMPs...

In every normal human activity and in every normal contract the parties involved always agree on some kind of penalties in case the timeframe of the contract is broken. The Commission started an infringement procedure for the delay all right, but this is not the way for such problem to be dealt with. Penalties should be imposed directly from the first day of the registered delay, without any hesitation and without any other legal proceedings. Otherwise the breach will only grow to the extent that the future in the past RBMPs 2025-2027 will not be ready and enforced before the time when the preparation of the next cycle of plans will have to start.

So the good old EU is giving the money without a guarantee for anything. And if this is applicable to the violation of the timeframe, the more it should be applicable to the quality of the final product. This is a good example of corruption inspired by the Commission itself, because the money will be paid regardless of the delay and of the extremely poor quality of the plans we will discuss in the following chapters hereafter.

1. River Basin Management Plans 2025-2027.

Current status - the Interim Review of the Significant Problems in Water Management was published somewhere at the beginning of 2022 and the same Review was approved and adopted by our national authorities in April 2022 regardless of the stakeholders' objections, and that is it. Nothing else happened for more than a year since. At the beginning of 2023 the minister of environment promised that the new RBMPs, together with all supporting documents, like guides, methodologies etc. will be published in the end of March 2023, but one month later nothing happens and our sources of information claim that in the best case the plans will be published not earlier than the end of 2023 and the following year will be used for a six months public consultation on the plans themselves, together with the SEA and AA preparation and the necessary public consultation on these strategic assessments... The infringement procedure is obviously working and the national authorities are suffering tremendous goosebumps in fear and despair, you know.

As for the Interim Review itself, the quality for all the River Basins is less than Zero, but it was still approved by the Ministry of Environment and Waters, regardless of our protests. The importance of the Review is indisputable because the Programmes of Measures depend on the problems identified in the Review. When there is no problem, which also is supposed to sound well in the ears of the Commission, no measures are needed to address the non existing problem and everybody's happy ever after.

However, the real situation is showing something different and very wrong. Whatever our national authorities are reporting to the Commission, in the implementation period of the current RBMPs 2016-2023 the objectives laid down in the EU WFD are not getting any closer to be met, but on the contrary. Summary of the problems not identified and addressed in the Interim Review by the World Bank team of "experts" can be found in our objection on the same issue in the following statement:

https://dams.reki.bg/uploads/Docs/Files/STATEMENT_INTERIM_REVIEW_RBMP2022-2027_DRAF2.pdf

The contents of the above statement show huge amount of problems not identified in the Interim Review, as well as some symptomatic for the expert level mishaps like the Yastrebinsko dam being placed in both the Danube and the Black Sea River Basins...

Since the public consultation on the Interim Review took place, other problems in water management have emerged, such as the catastrophe with the drinking water sources of the Municipality of Svoge and the village of Brestovitsa, and the devastating flood in the Stryama River Basin.

Other old problems like the ongoing loss of groundwater drinking water sources all over the country, the constant drying to the bottom of the rivers under all kind of hydropower intakes, the increased pollution of the surface and groundwater bodies caused by the mining industry, the destruction of our rivers caused by the crazy logging of riverside forests and by the extraction of sediments for construction materials - sand and gravel, masked by the authorities and their closely associated companies as "cleaning" of the riverbeds, etc. etc. have only grown, and there is not a single word about these issues in the Interim Review!

However, full description of the mishaps in the Interim Review can be found in the statement above. We will point out here only one frightening copy-paste statement of the "experts" of the World Bank hired by our national authorities and paid with EU money, namely that:

"The third cycle of RBMP development provides an opportunity to take the lessons learnt from the first and second cycles and to develop a Programme of Measures that is more balanced with respect to specific environmental objectives and to a greater extent integrated with local and regional socio-economic aspects"

How does this "opportunity" sound - like everything is perfect with the water protection and the protective measures in the previous RBMPs are way too stringent, because that is what it means, you know? Well, here is our invitation to the competent DG ENV staff - get out of your cozy cabinets, come here only for a week and we will take you to some rivers or to many villages and towns to talk to local people and to get the slightest idea of what is actually going on here, but if you have some cordial issues or high blood pressure, don't forget to take your pills!

Regardless of whatever our authorities are reporting to the Commission, the "sustainable" implementation of the previous RBMPs 2016-2025 has led to a total degradation of the ecological status of a lot of our rivers, and to a huge loss of many drinking water sources, while the "experts" of the World Bank are so arrogant to find these RBMP measures stringent? There is an explanation of this phenomenon based on the conflict of interests the chosen by the WB experts are suffering, but we will discuss this special issue in the next section.

By the way, the WB experts' conflict of interests comes to explain WHY the results from the implementation of the previous RBMPs are not discussed in the Interim Review at all, and there is not a single proof for the need of a new *Programme of Measures that is more balanced...* The lack of such implementation assessment is the biggest mishap in the poor Review!

In the end of this section we will underline that, judging from the extremely low quality of the already published Flood Risk Management Plans and by the swept under the carpet issues with the water management and protection - our expectations for the future RBMPs when they become public, are based on a very simple principle: No Problem - No Measures! For just 18.5 /eighteen and a half/ million Euro can we expect a better result?

In fact, we are ready to believe that this is a strategy invented and adopted by DG ENV itself, because prior to our accession in the good old EU with all its beautiful Directives, our surface and ground water bodies were in much better condition than they are today, and this is applicable not only to the water sources, but to all the other

components of the environment, except for the air! The EU is paying for the quality described here and we have a very suitable saying for the case: "The one who pays, he orders the Music"!

Maybe that is why the Commission will still be ready to pay for the extremely low quality, regardless of any future, reasonable or not, delay!

And if you think that there are problems with the RBMPs, just wait to see what's happening with the FRMPs in the following section!

2. Flood Risk Management Plans 2024-2027.

2.1. Conflict of interests of the Bulgarian "experts" hired by the World Bank

Although it may sound like slander, we will take the risk to start with this special issue, because the conflict of interests is an important matter and it will explain all the other mishaps in the FRMPs described in the next sections. Experts that have financial interests in artificial and costly measures against floods cannot prepare flood risk plans - it is as simple as that, and the results are inevitable.

In every single EIA or AA report, for even the smallest and insignificant undertaking, a list of the participating experts should be included in the end, together with their declarations for the lack of conflict of interests, proving that they will not gain any kind of profit from their conclusions and recommendations.

However, for an unknown reason in the published for public consultation strategic FRMPs 2024-2027 such a list of experts does not exist, regardless of the fact that the territory of the whole country will be affected positively or negatively, depending on the quality of the planning. So the personality of the experts, bearing such a huge responsibility for the wellbeing of the population, stays hidden from the public and the FRMPs are anonymous. This is done for two reasons:

- To avoid bearing responsibility
- To hide the potential conflict of interests of the "experts" from the public

We believe that it should be a matter of normal human pride and dignity for every expert to participate in the preparation of such extremely important, strategic planning, because this is an acknowledgment of his/her potential and skills. However, the personalities of the FRMP experts remained hidden from the society until the meeting for public consultation in Sofia, when we were quite surprised to find that they are some good old acquaintances of ours - assistants from the Department of Hydraulics and Hydrology of the Hydrotechnical Faculty at the University for Architecture and Engineering in Sofia.

Some names remained unknown, but some personalities we managed to identify at the meeting. We also happen to know from their presentation on the Faculty website that they are taking active part in the preparation of projects for riverbed alterations and corrections, dykes, artificial retrofitting and protection of the riverbanks with engineering methods and so on.

So these "experts" are earning money from the preparation of individual plans and projects, concerning the implementation of the usual artificial measures - senseless, but costly as they are. The good old engineering solutions usually cope with the potential consequences of floods, rather than with the prevention. This fact comes to explain the total denial and rejection of all our preventive measures, proposed and aiming to reduce the impact at the source of floods in the torrential mountain areas, but we will come back to this issue later again.

Leading "experts" for the presentation were two unknown to us Englishmen, hired by the WB in the last minute, but the people from Bulgaria who did the actual job are not interested in early prevention at the source, but on the contrary.

Therefore it's obvious that by rejecting any possible preventive measures proposed by the stakeholders, the authors from Bulgaria are in the deepest possible conflict of interests and the result is clear, expected and inevitable.

2.2. Areas of Significant Potential Risk of Floods /ASPRF/

Here we have to admit that a lot of work was done for the preparation of the ASPRF maps and they are looking really good.

There is, however, only one small detail - in the last 10 years new floods have never happened in the areas identified with high risk. New floods somehow manage to disregard the proud strategic planning and to occur everywhere else, but never in the officially identified potential areas...?

The reason for the phenomenon is simple - only the areas with registered in the past floods are drawn in the ASPRF maps. These maps do not take into account the potential new areas where new human activities, like extreme logging and deforestation in the torrential mountain areas for example, are taking place - these cases are never assessed in the light of the potential risk they pose, and this is a problem of the EU Flood Directive itself.

We've had a symptomatic case like that in September 2022 - never seen before devastating flood in the catchment area of the Stryama River when the villages of Bogdan, Slatina and Karavelovo were covered and clogged with tons of mud and rubbish of logging residue, abandoned above the villages at the logging clearings in the mountain. The pictures on the front page of this document show the devastating final impact, and here is a short video of the flood itself:

<https://www.youtube.com/watch?v=U4YxscVeVNM>

And here is another video in which local people say that the reason for the flood is the immense logging in the mountain above their village:

<https://btvnovinite.bg/predavanja/tazi-sutrin/spored-zhiteli-na-selo-karavelovo-edna-ot-prichinite-za-navodnenieto-e-izsichaneto-na-gorata.html>

Funny thing is that, regardless of the scale of the destruction, the experts of the WB refused to include the Stryama River catchment area in the ASPRF maps without any explanation at all. Since September 2022 they have had all the time in the world to do that, but they didn't...

2.2. Implementation of the previous RBMPs

At the meeting for the public consultation in Sofia, the current chief of the Water Management Department at the Ministry declared that only **10%** of the measures in the actual FRMPs were implemented. To our opinion this statement is highly optimistic and no more than **2%** were actually implemented, but we will not argue on small numbers.

The reason for the miserable performance of the current FRMPs and the current set of measures is that they are too costly and/or unacceptable to the society, but exactly the same type of measures are the only ones listed in the new plans and their fate will be the same.

There is, however, a measure that was not officially included in the current FRMPs, but it was applied everywhere in the last ten years. It is the so called "cleaning" of the riverbeds we will discuss as the No1 problem in the next section.

2.3. Problems not identified and missing in our brand new FRMPs.

- Problem No1:

Masked behind a "cleaning" of the riverbeds to prevent flooding in the adjacent areas, riverside deforestation and extraction of sediments to be used as raw materials - sand and gravel in the construction industry, has become a national sport. The companies hired to do that are taking the materials for free, splitting part of the money with the "competent" authorities..., and everybody's happy.

So far this "measure" was applied everywhere in the classical "salami slicing" manner, when relatively small sections of the rivers are given one after the other to connected with the authorities companies to carry out the "cleaning". This kind of classical theft of natural resources is entirely covering almost every river system in the Southern part of the country, in both Aegean River Basins, but it was not identified as a problem and preventive measures were not listed in the new FRMPs, thus avoiding the necessary SEA and AA for such a widespread activity.

We insisted on the new FRMPs all these "cleanings" in the past and all the new ones currently in progress to be taken into consideration, but this proposal of ours was rejected too. In the new FRMPs for all the river basins only 3 /three/ small river sections are identified for "cleaning" and only these three pieces will undergo the necessary for the plans SEA and AA procedures... This is how cumulative effects are taken care of in our country - by sweeping the problems under the carpet and hiding them from the public, because Her Majesty - the Corruption is involved. The World Bank "experts" are an interested party, remember!

The impact of the theft is devastating. The bottom of the riverbeds goes down, the level of groundwater is sinking, adjacent wells, including groundwater drinking water sources, are drying up, houses in the villages along the rivers are suffering uneven settlement of foundations and cracks, natural river habitats are being destroyed, the natural bottom substrate, which acts as a filter preventing river pollutants from entering the groundwater bodies is being removed with the subsequent pollution of the ground waters, the rivers self cleaning abilities are totally compromised, etc. etc....

Just one example out of many is the fate of the village of Mirovo along the Maritsa River:

<https://btvnovinite.bg/predavanja/tazi-sutrin/protest-v-parvmajsko-zaradi-podkopan-most-nad-marica.html>

The biggest victims of the fraud are the Maritsa and the Struma River Basins which are designated Natura 2000 Habitats Directive sites, of course. This very short video shows how exactly the Maritsa River is being "cleaned" in Natura 2000, and this is not a problem for the WB "experts":

https://www.youtube.com/watch?v=XVS_mw7IPJg

However, in terms of the Flood Risk management there is a very dangerous situation with the safety of the technical infrastructure situated in, or crossing the riverbeds transversely, especially with the safety of the bridges. The whole territory of Bulgaria is designated with high seismicity according to the National Annex to Eurocode EN 1998-1, while the Maritsa and Struma River basins are defined as areas with the highest seismic hazard possible. When the bottom of the rivers goes down, the foundations of the bridges emerge in the air - clearly showing where the natural bottom was during the construction of the foundations and there are cases in which the foundations of the bridges are hanging 2-3 meters above the level of the water today.

<https://bnt.bg/news/zashto-11-mosta-okolo-plovdiv-sa-s-podkopani-osnovi-301184news.html>

In any future seismic situation, or during floods, the bridges may collapse in the river, block the current and take the water out of the riverbed into the fields, bringing it to the nearby settlements. The consequences will be devastating and this is a huge potential Risk of floods that shouldn't be ignored so easily, as it was done in our brand new FRMPs.

Measures to address the problem and to stop the theft are mandatory of course, but they were rejected by the World Bank "experts". The reason is simple - the projects for such "cleaning" are prepared by the same kind of experts like the ones that have produced the beautiful new FRMPs, therefore all the measures we proposed to stop the theft were thrown in the trash. In fact, this particular problem wasn't even identified at all and this is still another proof of what is happening due to the conflict of interests.

Another problem is that the state authorities never check the "cleaning". Usually the intentions include engineering methods for the protection of the riverbanks, which are never implemented in the end, but the money from the sand and gravel are split and nobody cares for other minor details.

Of course, this huge problem didn't cross our sorry minds for no reason. Such a catastrophe happened in the past during the biggest flood the town of Sofia has suffered in 1983, when people died. Back then the very small Drenovishka River managed to take down a bridge in the South Park, the bridge blocked the river, the crazy water got out of its bed and drowned the city in front of the eyes of the author of this document.

- Problem No2:

Intense logging in the torrent mountainous areas is another issue to be dealt with and maybe it is even No1. And it is not only about the logging itself, it is also about the haulage roads and the treatment of the rubbish from the logging residue - branches for example that are left over at the logging clearings. These are the reasons for the catastrophe in the Stryama River catchment area described above.

We have also proposed a set of measures to address these issues and they were also thrown in the trash of our brand new FRMPs.

- Problem No3:

Man-caused, engineering mishaps, artificial and other risks, arising from careless human ignorance:

In the light of Flood risks in a territory with high seismicity the safety of large and small artificial reservoirs, such as dams and tailings ponds for the mining industry is of crucial importance. The bigger the reservoir, the bigger the risk, of course, but someone has to tell this both to the WB "experts" and to our national authorities, because there is not a single word about big dams and tailings ponds in the useless papers of the World Bank. State of the art studies, including new modeling of the dam walls with the best modern methods and software must be carried out and wherever found necessary reinforcement measures must be undertaken, starting with the biggest dams and tailings ponds of course.

There are a few measures here and there in the FRMPs but only for some unknown small dams, no one has ever heard of, but our proposed measure for prioritization, starting with the biggest dams and tailings ponds which will affect more people was rejected once again.

At the public consultation we were told that "*small dams matter most*" and big dams have their owners to take care of their problems. In this way we have thousands of the smallest dams currently inspected, but the big ones remain in an unknown state, because their owners need money for the studies they don't have. That is why we thought that when a reasonable measure is listed in the FRMPs, it will go together with a mandatory for the owner action, together with the financial source identified, but we were told that we were wrong again.

It seems that both our national authorities and the "experts" of the World Bank have never heard of the Risk Assessment Components everybody knows of, one of which is the scale of the potentially exposed population, of course. Neither have they heard of the **environmental pollution as a consequence of floods**. So it is obvious that in terms of man caused floods small dams matter, but big dams, hanging above big cities, matter more, but who are we to tell this to a bunch of such eminent "professionals"?

As for the tailings ponds, currently we have a huge problem, because most of their walls were overbuilt with tailing through the years. The champion is the wall of the Assarel mine tailings pond, intended to reach 150 meters height in an area with high seismic hazard... In Bulgaria we have a case of a tailings pond collapse in the past, when the Zgorigrad village was wiped out of the planet, followed by an ecocatastrophe second to none.

Another big issue of the same kind is the current state of old open pit mines, abandoned long time ago. We have a symptomatic case here with the Medet mine open pit, which is full of toxic water at the moment. Small parts of the slopes surrounding the pit have collapsed already twice, but what is going to happen when a big piece of slope goes down and the poisons splash out of the pit, flooding the areas along the Medetska River down the pit? Here is a short video showing the pit, full of beautiful blue water:

<https://www.youtube.com/watch?v=QjbyR-aP88g>

Our proposed measures for dealing with this problem were rejected once again, of course. In fact the problem was not even identified, which is no surprise at all.

- Problem No4:

Floods in urban areas and big cities are addressed to some extent, but the most important issues are missing once again. Green areas, gardens and parks should be protected and preserved at all costs together with the still existing wetlands, lakes and swamps, because they can absorb a lot of water when it comes. Another big issue is the proper maintenance of the rainwater sewage systems, pipes and shafts. We shared some nice measures to address these issues and they were rejected again, of course.

- Problem No5:

Old riverbed restoration - to be or not to be? There is such kind of measure written down in the Programmes of Measures all right, but it is useless. Mission Impossible, because all our rivers have sunk thanks to the "measures" taken by the predecessors and the teachers of our "experts" in the past for straightening and putting every river between dykes, thus increasing the water speed, and the rivers have self-dug themselves through the years, on one hand. On the other, our proud nowadays "experts" find the meaning of their existence in the riverbed "cleaning", which has led to the intensive sinking in the last decade described above! That is why there is no way for the current water courses to be brought back to their original tracks.

There is no need to panic again, because regardless of the fact that this measure is assigned with high priority, there is no timeframe, neither is there money for it to be implemented. It seems that the measure is written down just for coloration, proving that our "experts" have heard somewhere that such a thing exists.

2.4. Programmes of measures

2.4.1. FRMP measures

At the beginning here it should be noted that the measures included by the WB "experts" in the new FRMPs are estimated to cost 324 million EURO. Most of them are artificial, aiming to reduce the damage when the crazy water reaches lowland areas. The most popular measure is - *Construction of new retaining walls or dykes, including sliding control mechanics, if necessary.*

New dykes in the 21st Century, as if the good old Socialism didn't build enough? These WB "experts" are obviously living in the 20th century, but their kind is going to benefit financially from the implementation of such artificial measures and that is the reason why they are most widely recommended, which is yet another manifestation of the conflict of interests.

The closest to prevention measure listed in the FRMPs is: *Afforestation and forest management in the upstream watersheds*, which is really not bad if someone gets to know what is the meaning of *forest management*., of course

However, our favorite measure in the new FRMPs concerning the safety of large dams is: **Application of the dam safety legislation**. **6.5 million EURO** for the FRMPs and they are proudly telling us that the legislation should be followed, missing to point out which part exactly should be applied?

So, apart from the *Construction of new retaining walls or dykes*, most of the other measures listed in the new FRMPs are only big words, with no specifics at all.

2.4.2. Our proposed measures

As an answer to the **324 million EURO** of the World bank, we've come up with our set of preventive measures proposed, which would have cost **Zero million EURO**, if they were accepted. The most important of them were:

1. *Ban on the extraction of river sediments and alluvial deposits, if the "cleaning" is not assessed and listed as a measure in the FRMP for the given section of the river, except in cases of proven emergency accumulation of sediments as a result of floods*

The reason - except for floods, in normal situations the accumulation of sediments is a slow process which can wait until the next cycle of planning.

2. *Ban on the extraction of river sediments and alluvial deposits without a project with longitudinal and transverse profiles.*

3. *Confirmation and approval of the project implementation in situ by designers and competent authorities.*

4. *Ban on logging of riverside forests and on the removal of riparian vegetation in the riverbeds and floodplains*

5. *Ban on clear cut logging in areas located less than 500 meters from the borders of the lands belonging to the rivers*

6. *Regular cleaning of the city rainwater drainage shafts twice a year - in the end of autumn and at the beginning of the spring.*

7. *Ban for changes in the designation of urban green landscapes, designated as such in the city spatial plans, and of the properties in which there are natural swamps, lakes and wetlands in the urban territories!*

8. *Ban on the accumulation of logging residue at the clearings. The residue should be taken care of in such a way that it cannot get into the rivers during torrential rains.*

9. *In ASPRF the logging residue should not be abandoned on the hauling roads in mountainous areas with inclination of the territory more than 30°.*

10. *Ban on the construction of new dams, tailings ponds, sludge and other pollutant storage facilities, as well as on the overbuilding of existing similar storage facilities, where faults are present in the area affected by the construction and the storage.*

11. *Safety verification of the existing dams and pollutant storage facilities with modern assessment methods and calculations, including studies on the seismic response to the reference peak ground acceleration for the area concerned according to the actual national seismic hazard map. Prioritization.*

Reason - most of our dams and tailings are old timers, built during the old socialist times. Currently there is a much better knowledge on the seismic behavior, the seismic hazard maps have been updated several times, the referent accelerations were magnified, etc.

12. *Ban on the extraction of sediments and alluvial deposits from the riverbeds less than 1000 meters away from bridges and under- or above- ground elements of the linear and technical infrastructure such as gas pipelines, water pipelines, power lines, etc.*

There are some other measures of similar value proposed and rejected, but these are enough to prove our point, namely that our new FRMPs are worth nothing.

NOTE:

We were told at the meeting in Sofia, that our measures can be found somewhere in the legislation which is not true for most of them. For example - the Water Act requires not a ban on logging, but "protection" of the riverside forestation, whatever that means. The urban legislation requires cleaning of the rainwater shafts only once a year, not twice... and so on.

On the other hand, there are indeed some legal bans we are repeating - like the ban on clear cut logging, or the ban on building reservoirs on geological faults, but these bans are never taken into consideration by our environmental and water authorities, because they are not listed in the legal acts within their competence, but somewhere else in other acts.

The best example is the Yadenitsa dam, which received green light regardless of the ban in the Seismic design code due to the huge fault under the dam wall, not taking into account that the collapse of the dam wall will lead to a catastrophic flood.

In terms of flood risks all our measures are more specific and/or more stringent than the relevant similar limitations in the legal framework, and that is the very meaning of the FRMPs - to clarify and complement the legal framework!

2.5. The meaning of the public consultations

By the World Bank refusal to include a single proposal coming from the affected local people and the stakeholders involved in the process, the very meaning of the public consultations has been compromised. Experienced in the field of water management and protection organizations were totally ignored and this predetermines the extremely low quality of the final plans, which are worth less than the paper they are written on.

We have never witnessed such an arrogant behavior on behalf of any expert anywhere on planet Earth and the only possible explanation is hidden behind the fact that the money from the good old Europe will still come, regardless of the huge delay and the low quality of the final plans.

Therefore we keep believing that it is just about time for the Commission to stop financing the corruption in our country!

3. Union laws (e.g. Treaties, regulations, directives, decisions) or principles underpinning Union law that we believe to have been breached by the authorities of the country

- **Directive 2007/60/EC of the European Parliament and of the Council**

- **Treaty on the Functioning of the European Union /TFEU/** - that part of article 191 about the environmental harm that should be rectified at source.

NOTE:

If any of the DG ENV officials has difficulties to find the exact preamble paragraphs or articles of Directive 2007/60/EC that have been breached by the rejection of all our preventive measures, please don't hesitate to get in contact and we will clarify this issue in its depth with pleasure.

4. Does the EU country concerned receive EU funding relating to the issue, or may it receive such funding in future?

Yes, a lot.

5. LIST OF DOCUMENTS / EVIDENCE

All the evidence to prove our point is shared above with links,

6. APPEALS/LEGAL ACTIONS/ OTHER ACTIONS

We have tried to contact EU Institutions to request help on the same issues many times already - one original complaint and numerous consecutive appendixes so far. As described above, the result so far is less than zero.

This is not a complaint and we do not believe that SOLVIT is better placed to deal with this problem at all.

7. CONFIDENTIALITY – DATA PROTECTION

We authorize the Commission to disclose the identity of Balkanka Association and/or the identity of our representative in its contacts with the Bulgarian state authorities on the problems described here.

FINAL NOTE:

We will repeat it again - **this is not an official complaint, but only a notification.** We expect no answers from any of the EU institutions, unless they take some actions leading to a positive result and only then we will be happy to hear about them!

No new numbers, CHAPs, EUPs and so forth, and do not bother to answer in advance, please.

Our next communication will be focused on the huge loss of drinking water sources in our country, or on the poor RBMPs when they become public somewhere in the next decade.

Thank you all for your kind understanding and cooperation.

“Nature has all the time in the world, we do not”.

Place, date and signature of representative:

Representative for this notification:



/dipl.eng. Dimiter Koumanov/
Member of the board

Sofia, Bulgaria
29.04.2023