**Appendix 2**

# Interreg VI-A Romania-Bulgaria Programme

# SEA procedure and consultation PROCESS IN BULGARIA

1. **Overview of SEA Procedure in Bulgaria**

Strategic Environmental Assessment (SEA) is carried out in accordance with the provisions of Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (SEA Directive), as transposed into national legislation.

The first step of the SEA procedure is screening, that is the stage where a decision is taken for the necessity of environmental or appropriate assessment.

According to Article 81, Para 1, Item 1 of the Bulgarian EPA[[1]](#footnote-1), SEA have to be elaborated for *„plans and programs which are in a process of preparation and/or approval by central and local executive authorities, local government and the National Assembly”*. An Appropriate Assessment (AA) report shall be prepared as a part of the SEA report, if needed. According the requirements of the Biological Diversity Act and the provisions of the AA Ordinance if a project/programme is likely to have a significant effect on any Natura 2000 site, this project/programme is subject to Appropriate Assessment.

According to Article 4, Para 1 of the EA Ordinance[[2]](#footnote-2) the competent authority for the “programs which are approved by the central executive authorities and the National Assembly” is the Ministry of the Environment and Water (MoEW). The SEA Report to be prepared by independent team of experts with a head of the team, with a strong professional experience according to the requirements of art. 83, paragraph 1 of the EPA and art.16 of the EA Ordinance.

The second step of the SEA procedure is to define the scope of the environmental assessment. According to the EA Ordinance, consultations on the scope of the SEA Report shall be carried out with the Ministry of Environment and Water in Bulgaria, as well as with other key competent authorities.

The next step is to develop the environmental report, including analysis of the baseline, determination of the likely impacts and outline mitigation measures. The draft environmental report should be disclosed to public for a period of 30 days.

According to art. 14, para 2. of the Resolution of the Council of Ministers of June 7, 2019, for the development of strategic and program documents of the Republic of Bulgaria for management of European Union funds for the programming period 2021-2027, each National Authority (Lead institution) organizes at least one public discussion of the respective programme, which can also be conducted remotely. Remote discussion is carried out in an electronic environment in real time.

The public discussion is organized as part of the consultation process under the EA Ordinance, after the 30-days of public access to the documents.

After integrating the comments within the consultations with competent authorities and general public, incl. those received during the public discussion, the final version shall be submitted to MoEW for approval.

Schematic overview of the SEA stages is given in the following figure.

Screening of the Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA)

Is the SEA report needed?

NO

YES

Competent authority (CA) on environmental issues (Ministry of the Environment and Water in Bulgaria)

Is the AA report needed?

Preparation of scope of the Strategic Environmental Assessment (and Plan for consultations-Bulgaria)

Consultations on the scope of the Strategic Environmental Assessment with competent authority, stakeholders, third parties (and public – in Bulgaria)

Preparation of the SEA Report

Consultations on the programme and SEA report (including AA report) with competent authority, stakeholders, third parties and population

Incorporation of the results from consultations and preparation of the final SEA report and its Appendix (AA) report)

Submission of the SEA deliverables to the Ministry of Environment and Water for statement

Statement (BG) issued by the CA on the SEA report

Monitoring and control measures during the programme implementation

NO

YES

Assessment of the probable level of negative impact on protected Natura 2000 sites

Consultations on the scope of the AA report as Appendix to the Strategic Environmental Assessment with the population, stakeholders and third parties

Submission of the AA report to MoEW for statement

Preparation of scope of the AA report as part of EIA report

Preparation of AA report (as Appendix to the SEA)



A summary report on the compliance of the programme with the main results and recommendations of the SEA documentation

Approval of the Summary Report by the CA

**Consultation of public and authorities concerned about the programme**

* 1. **Screening**

Notification to Bulgarian Competent Authority (CA) sent on 13-Aug-2021

Reply by CA received on 17-Sept-2021

Result: Screening is mandatory for the Interreg V-A Romania-Bulgaria Programme

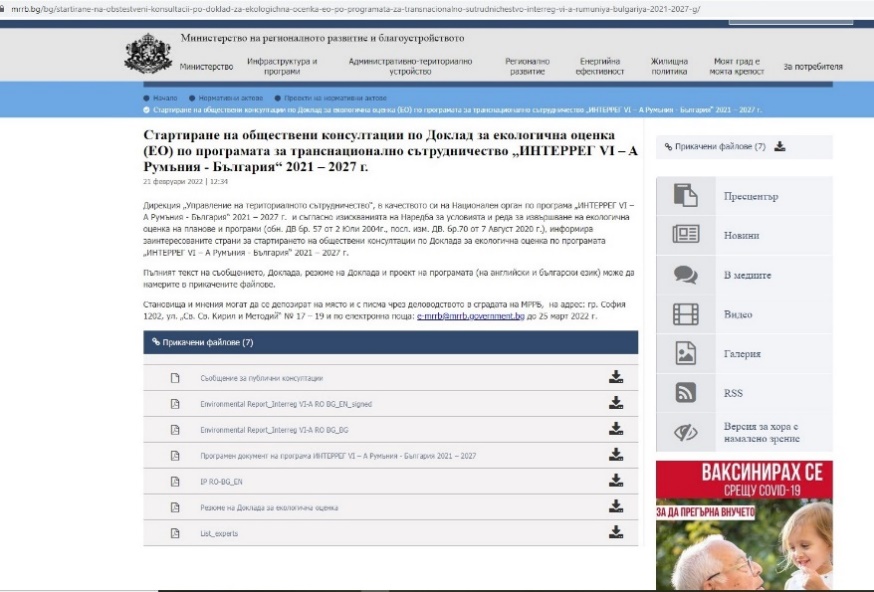
* 1. **Scoping**

Scoping Report sent to CA and key stakeholders for consultation on 13-08-2021

Last comment received on 17-Sept-2021. The comments and recommendations received are set out in Annex 1.

* 1. **Environmental Assessment**

Draft Environmental Report submitted to CA and key stakeholders for consultation and disclosed to public on 21-Feb-2022



Last comment received on 28.04.2022.

A public debate was organized online on 25.03.2022.

* 1. **Integration** of comments from the consultation into the programme and/ or Environmental Report

The comments and recommendations received are set out in Annex 1.

Annex 1 Recommendations - public consultation

Table 1 Recommendations - public consultation

| No | Consultations performed / municipality / mayoralty / control body / department / NGO, etc. organizations | Quotations of the expressed opinions, recommendations / notes, etc. | Accepted / Not Accepted and Motives |
| --- | --- | --- | --- |
| SCOPING REPORT | | | | |
| 1 | Ministry of Environment and Water No. EO - 30 / 17.09.2021. | 1. Regarding the requirements of Chapter Six of the Environmental Protection Act (EPA):   According to the presented information, the geographical scope of the program is: seven districts in the southern part of Romania (Mehedinti, Dol, Olt, Teleorman, Eyurgevo, Calarasi and Constanta) and eight districts in the northern part of Bulgaria (Vidin, Vratsa, Montana, Veliko Tarnovo, Pleven, Ruse, Dobrich and Silistra). All 15 NUTS3 regions are located along 630 km of the Romanian-Bulgarian border.  The following goals, priorities and specific goals are set.   1. Policy Objective 3 - "A More Connected Europe - Mobility and Regional ICT Connectivity    1. " Priority 1 "Well-connected region"   Specific objective 1.1 "Develop and strengthen sustainable, climate-resistant, intelligent and intermodal national, regional and local mobility, including improved access to TEN-T and cross-border mobility".   1. Policy Objective 2 - A greener, lower-carbon Europe    1. Priority 2 " A green region"  * Specific objective 2.1 "Promoting adaptation to climate change and preventing the risk of disasters and sustainability, taking into account ecosystem approaches"; * Specific objective 2.2 "Improving the protection and conservation of nature, biodiversity and green infrastructure, including in urban areas, and reducing all forms of pollution".  1. Policy Objective 4 - "A more social and inclusive Europe (implementation of the European Pillar of Social Rights)" 2. Priority 3 "Educated region   "Specific objective 3.1" Improving equal access to inclusive and quality services in education, training and lifelong learning by developing accessible infrastructure, including by promoting sustainability in distance and online learning ".  The Interreg VI-A Romania-Bulgaria Cross-Border Cooperation Program (PTC) 2021-2027 concerns areas within the scope of Art. 85, para. 1 of the EPA. The activities and measures set out in the program outline a framework for future development of investment proposals under Annexes № 1 and № 2 of the EPA. In view of this, on the grounds of Art. 2, para. 1, item 1 of the Ordinance on the terms and conditions for carrying out environmental assessment of plans and programs (EC Ordinance) the program is subject to mandatory EC.  In case the CBC program Interreg VI-A Romania-Bulgaria 2021-2027 will be approved at national level by the Council of Ministers of the Republic of Bulgaria, pursuant to Art. 4, item 1 of the EC Ordinance, the competent body for conducting the EC procedure is the Minister of Environment and Water.  According to Art. 82, para. 1 of the EPA, the EC procedure is fully compatible with the current procedures for preparation and approval of the program. The environmental assessment of the CBC Program 2021-2027 is carried out simultaneously with its preparation. The EC opinion is a mandatory condition for its subsequent approval. The authorities responsible for approving and implementing the program need to comply with the EC Opinion and the conditions, measures and restrictions set out therein.  We would like to inform you that the Ministry of Environment and Water has sent a letter to the Danube Region Basin Directorate (DB) and the Black Sea Region DB, requesting opinions under Art. 155, para. 1, item 23 of the Water Act (WA), as well as the admissibility of the draft program to the regimes under the WA and in the approved River Basin Management Plans and Flood Risk Management Plans. They will be provided to you when they are received by the MoEW.   * + 1. With regard to the requirements of Art. 31 of the Biodiversity Act (BDA):   Given that the TCP Interreg VI-A Romania - Bulgaria 2021-2027 is subject to mandatory EC, it also falls within the scope of Art. 2, para. 1, item 1 of the Ordinance on the terms and conditions for conducting an assessment of the compatibility of plans, programs, projects and investment proposals with the subject and objectives of protection of protected areas (Ordinance on the General Assembly, SG, issue 73/2007 "amended and add.) and is subject to an assessment procedure for the compatibility with the subject and objectives of protection of protected areas under Art. 31, para. 4, in connection with para. 1 of the BDA.  During the inspection for admissibility within the meaning of Art. 36, para. 2 of the Ordinance on the General Assembly established that the TCP Interreg VI-A Romania - Bulgaria 2021-2027 is admissible in compliance with the resulting plans, programs, projects and investment proposals with:   * the regimes of the protected territories, determined by the Law on the Protected Territories, the orders for their declaration and with the approved management plans, * the regimes of the protected zones, determined by the orders under art. 12 of the BDA and their management plans.   After reviewing the submitted documentation and on the grounds of Art. 36, para. 3 of the Ordinance on the General Assembly, based on the criteria under Art. 16 of the same, an assessment was made of the probable degree of negative impact, according to which the TCP Interreg VI-A Romania - Bulgaria 2021-2027 "is not likely to have a significant negative impact on natural habitats, populations and habitats of species protected in protected areas due to the following reasons:   1. TCP Interreg VI-A Romania - Bulgaria 2021-2027 is being prepared for the scope of eight districts on the territory of our country, and the level of it envisages is limited to determining measures and priorities through which to meet the main specific objectives:   Development and strengthening of sustainable, climate-resistant, intelligent and intermodal national, regional and local mobility, including improved access to TTM and cross-border mobility; Promoting adaptation to climate change and disaster risk prevention and sustainability, taking into account ecosystem approaches; Improving the protection and conservation of nature, biodiversity and green infrastructure, including in urban areas, and reducing all forms of pollution; Improving equal access to inclusive and quality services in education, training and lifelong learning by developing accessible infrastructure, including by promoting sustainability in distance and online learning; Promoting integrated and inclusive social, economic and environmental local development, culture, natural heritage, sustainable tourism and security in rural areas, therefore not likely to have a direct or indirect negative impact on key elements of protected areas, including structure, number and density of the populations of the species protected in the protected areas, including birds.   1. The TCP Interreg VI-A Romania - Bulgaria 2021-2027 envisages activities for: improving connectivity and mobility across the Danube; improving navigation and safety conditions along the Danube and the Black Sea (non-exhaustive list); disaster risk and sustainability prevention actions; action on climate change; reduction of environmental pollution; support for the development of green infrastructures; improving the conservation of biological diversity, the restoration and sustainable use and protection of the natural heritage, including Natura 2000 and Ramsar; improving the quality of education and training services and increasing employment opportunities; building the sustainability of the local economy and increasing its competitiveness; The development of a EuroVelo 6 cycle path that will not lead to significant negative impacts on Natura 2000 sites. 2. Regarding the Terms of Reference for the scope and content of the EC:   The assignment has been prepared in principle in compliance with the requirements to the content and scope of the EC report, according to the provision of Art. 86, para. 3 of the EPA. According to the information presented in the assignment, we have the following notes and recommendations:   1. We draw your attention to the fact that the municipalities of Ruse, Silistra, Veliko Tarnovo, Pleven, Montana, Vratsa and Vidin have developed and are implementing municipal programs for air quality management under Art. 27 of the Clean Air Act (SAA) and this information should be taken into account when preparing the EC report. 2. Daily, quarterly and annual bulletins on air quality are published on the website of the Executive Environment Agency and in this regard the sentence on page 49 of the early for air pollutants for the Bulgarian cross-border region are taken from the published monthly and quarterly bulletins of the Executive Agency. on the environment and from the daily reports on the state of the environment of the Regional Inspectorates for Environmental Protection and Water ... “should be corrected as follows: the early ones for air pollutants for the Bulgarian cross-border region are taken from the published daily, quarterly and annual bulletins of the Executive Environment Agency and of the daily environmental reports of the Regional Inspectorates for Environmental Protection and Water ... "and these data should also be taken into account in the preparation of the EC report. 3. Page 49 of the scope and content statement states: "Implications for poor air quality in Bulgaria include thermal power plants, food processing and vehicle emissions." We note that the source of this statement - the International Association for Medical Assistance to Travelers, covers the entire territory of the country, and not specifically for the cross-border area in question. Therefore, such claims, should they remain in the EC report, should be based on region-specific information. 4. Page 63 of the scope and content assignment states the following.   "Air pollution in the area of ​​implementation of the Interreg VI-A Romania-Bulgaria program is a problem that needs to be carefully considered, as the current analysis reveals the challenge of missing data, which may indicate a lack of monitoring or transparency regarding quality monitoring and ensuring the availability of data is a good starting point. We believe that this statement is not justified, moreover, that the expression "may show" has been used. It is not clear what data are missing regarding the quality of the atmospheric air for the territory of the considered Bulgarian cross-border region. In addition, this text contradicts the text on page 49 and mentioned in item III, item 2 of the letter. The text should be refined, based on specific and accurate information or dropped.   1. The text reveals many omissions in the translation, incorrect use of terms, including non-existent words that need to be eliminated, e.g:  * - In item 2.4.2. "Environmental Protection Act (EPA) - Prom SG. 91/25 September 2002, last amended SG. 36/3 May 2019. " * In item 2.4.4 “Ordinance for CEO on the terms and conditions for implementation of environmental assessment of plans and programs - prom. SG 57/2 July 2004 last amended SG 67/23 August 2019” to be amended as follows: Ordinance on the terms and conditions for carrying out environmental assessment of plans and programs - prom. SG no. 57 of 2 July 2004 “took over. ed. SG no. 70 of 7 August 2020. " * „ Projection stage” to the point of reference for scope and content on page 9, “item 2.2 The Geographical Framework for the Sea” on page 10, “the school population” on page 16; * - There is text that has been left in track change mode, e.g. DRAFT MAY AUGUST 2021 on page 10;   3.1. FRAMEWORK OF ENVIRONMENTAL POLICY;   * + - 1. 3.3. ENVIRONMENTAL OBJECTIVES AND GUIDELINES;       2. 5.1.8. LANDSCAPE AND LAND COVERAGEВ. т.3.1   Environmental policy framework:  - The title of the document is "Convention on Cooperation for the Protection and Sustainable Use of the Danube River"  - Danube River Basin Management Plan of ICPDR ICORD (International Commission for the Protection of the Danube River)  - Guiding Principles for Sustainable Hydropower - 2013” (httDs: // \ Yww. Icpdr.org/main/activities-Droiects/hydropower)  - The -ICPDR -a-Sustainable-Flood Protection Program for Flood Risk Management Plan in the International Danube River Basin  7. In item 3.2, in the table on page 17, part Water, in the last sentence and everywhere in the text of the document "nutrients" to be replaced by "nutrients".  8. Editing of:  R.E.0.4.2 Promoting the sustainable use of water resources, including the identification and protection of potential sources of fresh drinking water supply.  R.E.0.4.3 Prevention of accidental pollution incidents, reduction of pollution with organic, nutrient and hazardous substances.   1. The following paragraph should be reworded: "Develop flood protection structures and address all aspects of flood prevention management, focusing on mitigating the effects of climate change, including flood forecasts and early warning systems such as improvements of bridges and railway tracks infrastructure, improvement of rehabilitation of dam facilities, construction / consolidation strengthening of river banks, construction of green "buffer areas" in urban areas to allow drainage, mobilization of cross-border stakeholders by: ". 2. To clarify the translation of the next paragraph on page 31, actions in RO 3 "Supporting water and land management through environmental solutions (eg:) plasters, river restoration and nature landscaping, urban drainage systems, naturalized rainwater pond and others.) 3. Revision of item 5.1.4 WATERS (SURFACE WATERS AND GROUND GROUNDWATER)   We offer the following edits and corrections in the text about the waters on pages 46-47 Bulgaria   1. Water management in the Republic of Bulgaria is carried out at national and basin level. In the area of ​​the transboundary program there are two regions for water management at the basin level, namely the Basin Directorate for Parental Management - the Danube Region Danube Basin Management Region (DRBU) (including about 87 surface water bodies under the program) and Black Sea Basin Directorate for Water Management Black Sea Basin Management Region (CRBM) (7 surface water bodies within the scope of the program).   The main water flows in the scope of the Program are:   * Within the Danube Basin Management Region (DRBU) with center in Pleven: Danube, Iskar, Vit, Osam, Ogosta, rivers west of Ogosta, Yantra, Rusenski Lom, Danube Dobrudzha rivers; * Within the Black Sea Basin Directorate (BSBD) Black Sea Basin Management Region (BSDB) with center in Varna: Black Sea streams Dobrudzha, Black Sea Dobrudzha rivers.   The water from the rivers to the DRBD in the DRBU is used mainly for irrigation and drinking purposes. The most important are the waters of the Danube are used for transport, fishing and irrigation. In the Dobrudzha part there are a large number of ravines, which are filled with water only in the spring, when the snow melts and the rainfall is greater, the rains are heavier.  In recent years, there has been a trend towards improving the overall ecological status of water bodies. The upper reaches of the rivers are characterized by good to moderate ecological status of water bodies. unpolluted to slightly - contaminated-water. In some areas, there has been a decrease in the number of echgeneral water bodies in a state below "good" and no new species of water bodies with impaired hydrobiological status have been identified. Despite the above positive trend in recent years, a number of some points and river sections o-t-rivers have been registered with severely deteriorating quality of environmental parameters.  The only rivers in the BSBD flows within the BSBD, taking into account the program, are the Dobrudja rivers on the Black Sea and the Black Sea Dobrudzha rivers. The analyzed area is the poorest of freshwater resources in the country.  The Black Sea Dobrudzha streams of Dobrudzha rivers are located in the (upper) northeastern part of Bulgaria. Unlike other rivers in Bulgaria, starting from the steep slopes of high mountains and gradually descending to the plains, Dobrudzha river streams begin to originate from the vast plains of the high parts of the Dobrudzha plain, flow through river valleys and have surface runoff only in their upper currents; due to the high permeability of the soil and the small slope, the water downstream gradually sinks and disappears long before the mouths of the rivers.  It is typical for the Dobrudzha rivers that they exist at a certain distance after their source and then sink into the loess formations of Dobrudzha and the lower dry valleys downstream and do not form a surface runoff to the Black Sea.  The Bulgarian scope of the program includes 47 groundwater bodies, which are formed in the geological environment of tectonic units and imposed structures from the Triassic to the Quaternary, including, of which 41 bodies in the Danube basin region and 6 units of groundwater bodies in the Black Sea. sea Water management region Black Sea basin management region.  According to the results of the monitoring carried out according to Order № RD-715 / 02.08.2010 [to use data from the current order] of the Minister of Environment and Water, 34 groundwater bodies in the Danube region and six bodies in the Black Sea region are in "Good" quantitative status, while 7 groundwater bodies in the Danube region are in "poor" quantitative status.  Groundwater bodies in "poor" chemical status are predominantly pressure-free from pressure less aquifers and shallow, low-water, fueled by rainfall and temporary surface water flows. They are not or are poorly protected from the penetration of pollutants - mainly from diffuse sources: agricultural activities (agriculture and animal husbandry) related to the application of fertilizers and pesticides and disposal of waste (solid and liquid manure) from livestock farms, settlements without sewerage system, landfills that do not meet European requirements, inefficient operating facilities for treatment of livestock farms. The most important among them are agricultural activities and settlements without sewerage, which emit mainly nitrates and ammonium compounds. Source of pollution of groundwater with sodium and chloride in the coastal strip, registered crane Krapets, is the penetration of salty seawater near Krapets.  The main water flows in the territory of Interreg VI-A RO-BG are presented in the figure below.   1. In item 5.2 on page 65 regarding the waters to make the following edits:   Important points of stress:   * lack of adequate infrastructure for wastewater collection and treatment; * pollution of surface and groundwater (organic, nutrient, hazardous substances) * Hydromorphological changes (disruption of the continuity of rivers and habitats, disconnection of neighboring floodplains / wetlands, hydrological change). * Add a new point: "excessive groundwater abstraction"  1. Table No. 7-1 "Water Management Basin Directorates" to be replaced by "Water Management Basin Directorates"; 2. In item 7.5 the name of the convention should be written "Convention on cooperation in the protection and sustainable use of the Danube river" 3. In section 7.5. In connection with other relevant plans and programs, the following strategic documents should be considered:  * Proposal for a Decision of the European Parliament and of the Council on the European Union Joint Program of Action for the Environment to 2030 (Eighth Program of EU Environment Action to 2030) (COM (2020) 652); * Communication from the European Commission: "Building a climate-resilient Europe - the EU's new strategy for adapting to climate change" (COM (2021) 82); * Communication from the European Commission: "Towards a healthy planet for all. EU Action Plan: Zero Air, Water and Soil Pollution” (COM (2021) 400); * Danube River Basin Management Plan; * Flood risk management plan for the international river basin Danube; * River Basin Management Plan in the Danube Region (2016-2021); * River Basin Management Plan in the Black Sea region (2016-2021); * Flood Risk Management Plan for the Danube Region (2016-2021); * Please note that no information is provided on strategic * Documents at national level to be included in the analysis under this section.   The text Possible goals of the CEO on page 19 should be changed as follows:  R.E.0.1.1 Conservation of natural habitats and species of wild fauna and flora, including maintenance of existing and development, where necessary, of new national networks of protected areas integrating ecological corridors.  RE0.1.2 Aid to reduce the fragmentation of habitats or species (both aquatic and terrestrial), prevent population depletion and eliminate / mitigate threats and risk factors, promote green infrastructure, restore river continuity, wetlands areas associated with aquifers.  R.E.0.1.3 Promoting common and effective management of transboundary natural habitats and species in need of conservation.  R.E.0.1.4 Restoration of degraded ecosystems and management of invasive alien species, as well as their reduction.  With regard to a specific objective, / Improving the protection and conservation of nature, biodiversity and green infrastructure, including in urban areas, and reducing all forms of pollution ", the types of actions listed in column 4 are listed, to which it is necessary to add and, Implementation of direct conservation measures for the conservation of species and habitats”.  The following measure "Promoting, facilitating and promoting the participation of citizens in the conservation of biological diversity, including its conservation and sustainable use" should be amended as follows: non-governmental organizations, as well as the active participation of civil society. Ensuring the sustainable use of biodiversity and access to genetic resources. "  The reason for the change is that at the moment only "citizens" are recognized as a target group in this and other measures for biodiversity conservation, which is not enough as a responsible group.  The following measure “Protection of nature and biodiversity located near settlements by creating new access passages / green infrastructure, etc. “To change as follows: “Protection and restoration of nature and biodiversity located within and near settlements through appropriate solutions, incl. and by creating new access passages / green infrastructure, etc. ".  The reason for the change is that it gives a greater scope to the measure.  To amend the following measure "Promotion and use of ecological construction materials and services, for example by developing guidelines, promoting best practices, adopting green principles in public procedures, promoting the principle of ecological urbanism, etc.", as follows: “Promoting and implementing sustainable social and economic solutions with regard to habitats and biodiversity. including. integration of biodiversity, such as the use of ecological building materials and services, for example through the development of guidelines, the promotion of best practices, the adoption of green principles in public procedures, the promotion of the principle of ecological urbanism '.  The reason for the change is that it gives a greater scope to the measure.  With regard to item 5.1.1 Biodiversity, flora and fauna and the text, the Natural Protected Areas and Natura 2000 sites, which are located on the territory of Interreg VI-A RO-BG, are presented in the figures below ", we believe that it is inaccurate and needs to be changed to "National Protected Areas as well as NATURA 2000 areas for birds and habitats located on the territory of Interreg VI-A RO-BG are presented in the figures below", as the map is adjusted accordingly.   1. Please note the text on page 61. In 2013, Bulgaria introduced a law requiring waste collection fees to be calculated on the basis of generated waste (pay-as-you-go principle) instead of real estate value. It was supposed to enter into force on January 1, 2015, but this was postponed several times, with the last target date being January 1, 2018. In October 2017, an amendment to the Local Taxes and Fees Act clarified the methods for calculating costs and waste collection fees, but further postpone the application of the polluter pays principle until the beginning of 2022, which should comply with the following:  * The mechanism for financing the implementation of the obligations of the municipalities for municipal waste management, assigned by the Waste Management Act (WMA), is regulated by the Local Taxes and Fees Act (LTFA). A fee for "household waste" has been introduced, which is paid for the services of: * collection and transportation of waste to landfills and other treatment facilities; * research, design, construction, maintenance, operation, closure and monitoring of landfills for household waste or other installations or facilities for disposal, recycling and recovery of household waste; * maintaining the cleanliness of the territories for public use.   By law, the fee must include the full cost of the services. Revenues from the fee are earmarked and cannot be spent on financing other public services provided by municipalities.  The fee is determined annually for each settlement by a decision of the municipal council on the basis of an approved plan-account for each activity, including the necessary costs for the provision of services. The amount of the fee is determined for each service separately. At present, this mechanism does not comply with the "polluter pays" principle and leads to disparities in the fee that individuals pay per unit amount of waste generated, which is unfair. This has led to changes in the Local Tax Act in order to implement the "polluter pays" principle and achieve great justice.  With the Act on Amendments and Addenda to the EPA, adopted in 2017, new requirements come into force regarding the determination of the amount of the fee for municipal waste. The date of entry into force of the new ones. The requirements have been changed several times due to the inability of municipalities to build capacity and information security to implement these requirements. According to the latest amendments to the Law on Amendments to the Law on Amendments to the Law on Measures and Actions during the State of Emergency, declared by a decision of the National Assembly of March 13, 2020, and to overcome the consequences of February 17, 2021, these requirements enter into force for the second year following the publication of the results of the census of population and housing in the Republic of Bulgaria in 2021.   1. On page 50 to clarify the 4th paragraph, as the text "Data on air pollutants for the Bulgarian cross-border region are taken from the published monthly and quarterly bulletins of the Executive Environment Agency and from the daily reports on the state of the environment of the Regional Inspectorates on Environment and Water Protection (RIEPW), located in the Danube Basin - Riese Rousse, which controls three districts: Ruse, Razgrad and Schistra; RIEPW - Veliko Tarnovo, responsible for Veliko Tarnovo and Gabrovo (Gabrovo is not in the program area); R1EPWPleven for Lovech and Pleven (Lovech is not in the program area); RIEW Vratsa is responsible only for Vratsa, RIEW - Montana - responsible for Montana and Vidin and Regional Inspectorate - RIEW - Varna, responsible for Varna and Dobrich. “To acquire the species: 2. The data on air pollutants for the Bulgarian border region are taken from the published monthly and quarterly bulletins of the Executive Environment Agency and from the information from the air quality monitoring points (AAC) for the districts, published on the websites of the respective Regional Inspectorates. on protection of the environment and waters (RIEW / RIEW) according to their territorial scope of action - RIEW Montana (for districts Vidin and Montana), RIEW Vratsa, RIEW Pleven, RIEW Veliko Tarnovo, RIEW Ruse (for districts Ruse and Silistra) and RIEW Varna (for Dobrich district). “ 3. With regard to item 7.4 Process of consultation in strategic environmental assessment, it is necessary for the scheme for consultations with the public, the interested bodies and third parties to comply with the requirements of Art. 19, para. 3 of the EC Ordinance. IV Guidance on the next steps to be taken under the EC procedure: Following the removal of the comments set out in point III of this letter, the next steps to be taken under the EC TCP Interreg VI-A Romania-Bulgaria 2021-2027 will include consultations on the EC report, in incl. and the appendices to it and to the draft program within the meaning of Art. 20 of the EC Ordinance. For this purpose, it follows:  * Preparation and publication of a notice for holding consultations, containing the information under Art. 20, para. 1, item 1 of the EC Ordinance; * Ensuring access to the EC report and the program, adoption of the opinions expressed in time by the order of art. 20, para. 1, item 2 of the EC Ordinance; * Consultations with the public, the interested bodies and third parties in ways according to art. 20, para. 2 of the EC Ordinance; * Submission of the EC report with all appendices to it, on paper and electronic media in the MoEW, for conducting consultations on the grounds of art. 20, para. 3 of the EC Ordinance. The communication for consultations should be attached to the documentation, taking into account the requirements of Art. 20, para. 4 of the EC Ordinance; * Sending the notice for conducting consultations to all departments and organizations indicated in the scheme for consultations, as well as announcing on the website and / or in another publicly accessible way, according to the provision of art. 20, para. 4 of the EC Ordinance. * We inform you that pursuant to Art. 7a, para. 5 of the EC Ordinance, the EC procedure shall be terminated if more than 12 months from the receipt of this letter the given instructions have not been followed. | The information is taken into account. Reflected in item 3.1.6. "Air" from the SEA Report.  The quoted sentence is not included in the SEA REPORT. These data are taken into account in the development of item 3.1.6 "Air" of the SEA REPORT.  This statement is not included in the SEA REPORT.  This statement is not included in the SEA REPORT.  These inaccuracies do not appear in the SEA REPORT.  The documents are discussed in Table 14.1 of the SEA REPORT.  The environmental objectives of the EC Terms of Reference are only a proposal. They are not included in this form in the SEA REPORT.  The environmental objectives presented in the SEA REPORT are formulated on the basis of objectives derived from strategic documents in Bulgaria and Romania.  The proposal is already reflected in the Program, as the newly proposed activity is covered by the existing ones in the Program. It is not intended to provide an exhaustive list of all possible activities. The specific measures will be further specified in the Guidelines for Applicants.  Reflected in part - "Conservation of biodiversity and habitats through best practices from government agencies, research institutes, NGOs and active participation of civil society  Reflected.  The recommendation was not accepted. On the recommendation of the EC, the original measure was dropped, given that her proposal for amendment was not reflected.  The quoted text does not appear in the SEA REPORT.  The cited text is not included in the SEA REPORT, therefore the recommendation is not reflected.  The text is reflected in section 3.1.6. Atmospheric air.  A scheme has been prepared in accordance with the requirements of Art. 19, para. 3 of the EC Ordinance. It shall be provided to the competent authority together with this SEA REPORT. |
| 2 | Ministry of Health  Ex. №99-00-2-362 / 13.08.2021 | In connection with your letter received from the Ministry of Health regarding consultations on a report on the scope of environmental assessment (EC) of the Cross-Border Cooperation Program Interreg VI-A Romania - Bulgaria 2021 - 2027, we inform you the following:  According to the presented proposal for the scope and content of the Environmental Assessment of the Cross-Border Cooperation Program Interreg VI-A Romania - Bulgaria 2021 - 2027, it is planned in different sections to analyze and assess the impact on individual factors and components of the environment. h and the health and hygiene aspects of the environment and the possible beneficial or negative effects on human health. These issues will be considered as in the implementation of the so-called "zero alternative", ie. in case of non-implementation of the plan, as well as in case of its implementation and implementation of the set strategic and specific goals and proposed priorities.  We suggest that the following aspects be developed and considered in detail when addressing human health issues:  1. Carrying out an analysis of the health and demographic status of the population in the municipalities included in the scope of the program on the basis of current data on demographic status (indicators of births, deaths, natural increase, child mortality, etc.) and morbidity by level and structure. Compare the data with those for the country as a whole. To make an estimated assessment of the impact on the health and demographic status of the population in the implementation of the program.  2. To analyze the existing environmental problems and their impact on the health of the population in the territories included in the program.  3. When considering possible significant impacts on environmental factors and components, to identify and characterize the possible risk factors and the degree of their adverse impact on human health as a result of the implementation of the Cross-Border Cooperation Program for the individual objectives and priorities.  When analyzing the possible impact on water, the possibilities for adverse or positive impact on the quality of drinking water and bathing water during the implementation of the program should be considered in detail.  4. If specific investment proposals are identified in the program, an assessment should be made (as far as possible at this stage) to identify the affected population, areas and sites subject to health protection, depending on the territorial scope of possible adverse effects on the environment and the environment. and the degree of health risk.  5. Propose health protection and risk management measures, if needed. | Reflected in item 3.1.3 of the SEA REPORT.  Reflected.  Reflected.  Reflected,  No specific investment proposals have been identified in the program.  No need for such has been identified. |
| 3 | Black Sea Basin Directorate  Issue №04-00-98 / 01.08.2021 | In connection with a letter for Consultations on the Report on the Scope of Environmental Assessment of the Interreg Cross-Border Cooperation Program Interreg Vl-A Romania Bulgaria 2021-2027, according to Art. 19a, item 3 of the Ordinance on the terms and conditions for carrying out environmental assessment of plans and programs and after reviewing the submitted report I express the following opinion:  1. The EC Report should provide information on its relationship with the current River Basin Management Plan (RBMP 2016 - 2021) for the Black Sea region, according to WFD 2000/60 / EU, Flood Risk Management Plan (RUR 2016 - 2021), according to Directive 2007/60 / EU and the Maritime Strategy of the Republic of Bulgaria and the program of measures (Council of Ministers 2016 - 2021) and the Program of measures to it and their updates. The programming period Interreg Cross-border Cooperation Program Vl-A Romania Bulgaria 2021-2027 coincides with the period of updating, preparation and implementation of the third RBMP 2022-2027, the second RBMP 2022-2027 and the Council of Ministers 2022-2027. The draft of the updated Preliminary Flood Risk Assessment for the Black Sea Basin Management Area with significant potential flood risk has been published in the section "PURN" / "PURN 2022-2027 /" "Preliminary Flood Risk Assessment".  2. The description and analysis of the components of the environment in the "Waters" section should be prepared in accordance with the information on water and water bodies in the Black Sea River Basin Management Plan. On page 65 it is necessary to provide information on coastal marine bodies within the scope of the program.  3. The EC report should cover all possible impacts on the quantity and quality of surface, coastal, groundwater and water protection zones (WPZ), defined under Art. 119a of the Water Act.  4. To present information about the Black Sea, within the scope of the CRBU. The management of coastal waters in order to achieve good environmental and chemical status is carried out within the River Basin Management Plan 2016 - 2021 (required by the Water Framework Directive 2000/60 / EU), and the management of territorial waters and the exclusive Economic Zone (EEZ) of the Republic of Bulgaria and the achievement of good state of the marine environment according to 11 descriptors (characteristics) is carried out through the developed Maritime Strategy (requirement of the Marine Strategy Framework Directive 2008/56 / EC). The scope of the strategy also includes coastal waters, in the presence of aspects of their management not covered by the RBMP.  5. It is necessary to assess the probable negative impacts on the waters, resulting from the implementation of all planned activities and intentions on the territory of the country, as well as the cumulative effect of them. The activities and measures set in the SEA REPORT of the program should be in line with the objectives and measures in the River Basin Management Plan for the Black Sea region, in order to prevent deterioration of ecological and chemical status of surface waters, coastal marine waters and quantitative and chemical status of groundwater., according to the level of detail of the program.  6. When preparing the SEA REPORT to take into account the objectives set in the RBMP for the protection of water bodies covered by the plan area, as well as programs of measures to prevent and reduce significant adverse effects on surface and groundwater. The report should set out measures for implementation in the implementation of the Program in order to prevent or reduce the negative impacts on surface and groundwater bodies and the PIA, in terms of achieving its environmental objectives, the measures for achieving good status set out in the RBMP 2016-2021. It is necessary for each individual activity to consider all possible negative impacts on surface and groundwater in detail, as well as to indicate the specific objectives and measures to achieve good water status, according to the level of detail of the program.  7. The preparation of the SEA REPORT should take into account the identified areas with significant flood risk (NRF) on the territory of the program, the prepared threat maps and flood risk maps and the Program of Measures, part of the RMP 2016-2021. The RMP needs to take into account the projections in line with the analyzed and modeled scope in the 20-year probability scenario and to fulfill the fulfillment of this condition in the SEA REPORT. The report should describe measures to prevent or reduce the negative impacts, in terms of achieving the objectives and measures for protection against the harmful effects of water set in the RMP 2016-2021, according to the level of detail of the program.  8. To reflect the need to comply with the relevant prohibitions and restrictions in the zones of the POPs, regulated in Ordinance № 3 / 16.10.2000. of the Ministry of Environment and Water, the Ministry of Regional Development and Public Works and M3 (SG No. 88/2000) on the terms and conditions for research, design, approval and operation of sanitary protection zones around water sources and facilities for drinking and domestic water supply and around mineral water sources used for medical, prophylactic, drinking and hygienic needs.  The current River Basin Management Plan (RBMP 2016-2021) for the Black Sea region, according to WFD 2000/60 / EU, the Flood Risk Management Plan (RUR 2016-2020) and the Maritime Strategy of the Republic of Bulgaria and the program of measures 2016 - 2021, with the available information and analysis are published on the website of BDHR: www.bsbd.org and can be used in the preparation of the Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg Vl- And Romania Bulgaria 2021-2027. | Reflected.  Reflected.  Reflected.  Reflected.  Reflected.  Reflected.  Reflected. |
| 4 | Danube Region Basin Directorate  Izh.№ PU - 01 -652 - (I) /23.08.2021g. | The Danube Region Basin Directorate (BDDR) has received your letter with ref. № 99-00-2-364 / 09.08.2021, our ent. № PU-01-652 / 16.08.2021 with a request for an opinion on a report on the scope of environmental assessment of the environment of the above program. After reviewing the prepared report, I express the following opinion on the scope of environmental assessment of the Interreg VI-A Romania-Bulgaria Cross-Border Cooperation Program 2021-2027.  The vision of the Interreg VI-A Romania-Bulgaria 2021-2027 program focuses on strengthening the socio-economic structure of the Romania-Bulgaria cross-border area through development and retention of human capital, creating opportunities for personal and professional development, providing attractive, a safe and sustainable living environment and support for innovation and entrepreneurship.  The Interreg VI-A Romania-Bulgaria 2021-2027 strategy strategy includes the following policy objectives: A more connected Europe - mobility and regional connectivity with information and communication technologies; Greener. low carbon Europe; Social Europe; A Europe closer to the citizens.  Interreg VI-A Romania-Bulgaria from 2021-2027 is based on NUTS III and includes seven Romanian counties (Mehedinti. Dolj. Olt. Teleorman. Giurgiu. Calarasi and Constanta) and eight Bulgarian districts (Vidin, Vratsa. Montana, Veliko Tarnovo, Pleven, Ruse, Dobrich and Silistra). The total area of ​​the program is 69,285 km2, with two thirds located in Romania and one third in Bulgaria, thus covering 19.8% of the total area of ​​the two countries and with more than 4 million inhabitants. The border between Romania and Bulgaria is represented for the most part (470 km by 630 km) by the Danube River, with only the Dobrich District of Bulgaria and the Constanta County of Romania connected by land and the rest separated by the Danube.  The programming period of the Interreg VI-A Romania-Bulgaria 2021-2027 program coincides with the period of implementation and updating / preparation of the second and third River Basin Management Plans (RBMPs) for the period 2016-2021 and 2022-2027., as well as the implementation and updating / preparation of the first and second Flood Risk Management Plans (RMPs) for the period 2016 - 2021 and 2022-2027.  The coverage report will include basic information on: the content of the program; the relevant geographical area and timeframes; general information on the field of implementation and identification of environmental factors and problems related to them; the legal basis and the identification of environmental problems; the relevant plans, programs and objectives for environmental protection; appropriate environmental indicators that will be the basis of the evaluation; the approach and methods of evaluation; consultations.  The environmental assessment report is planned to:  - Make an analysis of the compliance and coherence of the program's provisions with the Danube River Basin Management Plan and the ICPDP Sustainable Flood Protection Action Program;  - Identification of the relevant environmental issues applicable to the program, incl. and in terms of water (surface and groundwater) and the risk of floods. According to Eurostat, water and wastewater equipment and infrastructure in the cross-border area are insufficient compared to other regions of Europe: household and industrial waste is a major pressure on the aquatic environment due to loads of organic matter and nutrients, as well as hazardous substances. The following environmental changes have been identified: lack of adequate infrastructure for wastewater collection and treatment; pollution of surface and groundwater (organic, nutrients, hazardous substances); hydro morphological changes (interruption of the continuity of rivers and habitats, severance of connections with neighboring floodplains / wetlands. hydrological change);  - In this regard, it is necessary to take these issues into account in the framework of policy development and spatial planning in the program area. In the cross-border area, according to historical data, there is a 1% probability of floods, which can occur on average once every 100 years in areas included in the program and especially along the Danube in both Romania and Bulgaria;  - Possible targets are planned, such as the improvement of the ecological and chemical status / ecological potential of water bodies and the maintenance of their ecological functions with regard to the "water" component; promoting the sustainable use of water resources, including the identification and protection of potential sources of fresh water supply: the prevention of accidental pollution incidents, the reduction of organic, nutrient and hazardous pollution; improving wastewater treatment and reducing nitrate pollution (eg nitrates from agricultural sources or industrial charges); risk prevention and reduction.  Given the above-described planned scope of the environmental assessment of the Interreg Vl-A Romania-Bulgaria Cross-Border Cooperation Program 2021-2027, I recommend that the environmental assessment report of the program:  - Consider and analyze the stages of updating the RBMP and PURN for the international river basin of the Danube, respectively. the stages of the update of the plans to be valid from 2022 to 2027, namely the Report on Intermediate Problems in Water Management and the Preliminary Flood Risk Assessment / Threat and Flood Risk Maps.  - Whereas the implementation of projects and intentions that provide for the use and / or abstraction of surface and groundwater resulting from the implementation of the program will be agreed on eligibility for environmental objectives and planned measures to achieve good water status in the RBMP, as well as and the objectives of flood risk management and the measures provided for in the RMP for the relevant period of action. The planned infrastructure projects for implementation, within the scope of the program, may create potential additional pressure on surface and groundwater bodies, as well as on water protection zones, in cases when their implementation requires water abstraction and / or use of surface and groundwater bodies. , or their location is close to water bodies and water protection zones. | Reflected.  Reflected.  Reflected.  Reflected. |
| 5 | Black Sea Region Basin Directorate  Ex. № EC-30 / 02.09.2021. | Interreg VI-A Romania-Bulgaria Cross-border Cooperation Program 2021-2027, covers seven counties in the southern part of Romania (Mehedinţi, Dol, Olt, Teleorman, Giurgiu, Călăra (i and Constanцаa) and eight districts in the northern part of Bulgaria (Vidin, Vratsa, Montana, Veliko Tarnovo, Pleven, Ruse, Dobrich and Silistra). The territorial scope of BDCR includes part of Dobrich district. All 15 N regions are located along 630 km of the Romanian-Bulgarian border.  The following priorities and specific goals are set:  Priority 1: A well-connected region with a specific objective of Developing and strengthening sustainable, climate-resistant, intelligent and intermodal national, regional and local mobility, including improved access to TTM and cross-border mobility.  Priority 2: A greener region with specific objectives to Promote adaptation to climate change and disaster risk prevention and sustainability, taking into account ecosystem approaches: and Improving the protection and conservation of nature, biodiversity and green infrastructure, including in urban areas , and reduce all forms of pollution.  Priority 3: Educated region with a specific objective to Improve early access to inclusive and quality services in education, training and lifelong learning by developing accessible infrastructure, including by promoting sustainability in distance and online learning;  Priority 4: An integrated region with a specific objective of promoting integrated and inclusive social, economic and environmental local development, culture, natural heritage, sustainable tourism and security in rural areas.  Pursuant to the requirements of Article 12, paragraph 6 of the Ordinance on the terms and conditions for assessing the compatibility of plans, programs, projects and investment proposals with the subject and objectives of protection for protected areas (Ordinance on the General Assembly, prom. DB, issue 73/2007, amended and supplemented) and after reviewing the submitted Terms of Reference of the Program for cross-border cooperation Intepper VI-A Romania - Bulgaria 2021 - 2027, I express the following opinion under Article 15. al. 1, item 23 of the Water Act:   1. With regard to the Black Sea River Basin Management Plan 2016-2021 (RBMP): 2. Information on the status of the affected water body, the objectives set and the measures envisaged in the RBMP relevant to the specific investment proposal.   The Black Sea River Basin Management Plan (RBMP) is a strategic document that regulates water management in the basin management area and has been prepared in accordance with the requirements of Art. 155, para. 1, item 2 of the Water Act (WA) and Art. 13 of the Water Framework Directive (WFD - Directive 2000/60 / EU), which has been transposed into the Water Act. The RBMP for the period 2016-2021 and the National Program for its implementation were adopted by Decision № 1107 / 29.12.2016 of the Council of Ministers. The programming period of the Cross-Border Cooperation Program Interreg Vl-A Romania Bulgaria 2021-2027 coincides with the period of updating, preparation and implementation of the third RBMP 2022-2027.  The program for cross-border cooperation Interreg Vl-A Romania - Bulgaria 2021-2027 covers surface and groundwater bodies and the territory falling within the Black Sea Basin Management Area (CRBM). Information on the status of the affected water bodies is available in Section 4 of the River Basin Management Plan (RBMP) in the Black Sea Basin Water Management Region (2016-2021).  The Program of Measures of the RBMP 2016-2021 does not include specific measures at the water body level with specific actions related to the Cross-Border Cooperation Program Interreg Vl-A Romania - Bulgaria 2021-2027.  The program of measures for CBRN is presented in Section 7 of the RBMP 2016-2021, available on the website of BDCR.   1. Existence of zones for water protection under Art. 119a of the Law, POPs and specific requirements and measures in the RBMP:   Interreg Vl-A Romania-Bulgaria Cross-border Cooperation Program 2021-2027: covers the designated water protection zones under Art. 119a of the Water Act, as well as the defined sanitary protection zones, according to Ordinance № 3/2000 on POPs on the territory falling within the scope of the Black Sea Basin Management Region (CRBD). Information on the latest annual assessment of the status of the water body according to data from the conducted water monitoring and conclusion on the availability of data for deterioration or improvement of the condition of the water body compared to the one assessed in the RBMP.   1. Information on the latest annual assessments of the status of the affected water bodies is available on the BDHR website in the Eco information Section, Subsections Bulletins and Reports. on the affected surface water body and / or bodies in the area of the investment proposal.   Up-to-date information on existing and permitted impacts is available in the section "Registers on the BDHR website" (<https://www.bsbd.org/bg/register.html>).  4.1. Assessments under Article 2b of Ordinance No. 1 of October 10, 2007 on research, use and protection of groundwater.  Not applicable for the specific Program for cross-border cooperation Interreg Vl-A Romania - Bulgaria 2021-2027.  Information on the free water resources in the part of the groundwater body from which water abstraction is envisaged (through existing or new facilities), the danger of groundwater pollution in the process of construction of new tubular (drilling) wells and requirements for pollution prevention.  The presented Program for cross-border cooperation Interreg Vl-A Romania - Bulgaria 2021-2027 does not envisage water abstraction from groundwater bodies.  Motivated assessment of the significant impact on waters and aquatic ecosystems.  Interreg Vl-A Romania-Bulgaria Cross-Border Cooperation Program does not envisage water abstraction from surface or groundwater; use of groundwater bodies, discharge of wastewater into surface water bodies, discharge of wastewater into facilities that may create a risk of groundwater pollution.  Interreg Vl-A Romania-Bulgaria Transboundary Cooperation Program 2021-2027 will not have a significant impact on waters and aquatic ecosystems, provided that:   * the regulatory requirements and measures set out in items I, II and II of this opinion are complied with; * water pollution and deterioration of water bodies are not allowed.   Conclusion on the applicability of Art. 93, para 9, item 3 of the EPA  For the considered Program for cross-border cooperation Interreg Vl-A Romania - Bulgaria 2021 - 2027. Art. is not applicable. 93, para. 9, item 3 of the EPA. The implementation of the planned activities is not expected to lead to new physical changes in surface water bodies and negative changes in the quantity and chemical status of groundwater bodies.   * Conclusion on the admissibility of the RBMP.   Interreg Vl-A Romania-Bulgaria Cross-border Cooperation Program 2021 - 2027 are framework documents, which by their nature and level of detail do not contain specific activities at this stage, but outline the main framework of implementation (territorial scope) goals and priorities that should be achieved for sustainable socio-economic development of the affected area. The activities and investment intentions arising from the implementation of the Cross-Border Cooperation Program Interreg Vl-A Romania - Bulgaria 2021-2027 should be submitted to the BDHR for an opinion on their admissibility in relation to the current RBMP for CRBU.  Interreg Vl-A Romania-Bulgaria Cross-border Cooperation Program 2021 - 2027 according to their level of detail, are admissible in relation to the Management Plan for 2016-2021 "subject to the measures and legal requirements set out in this opinion.  II. Regarding the RMP for the Black Sea region 2016-2021:   1. 1. Information on a Significant Potential Flood Risk Area (NRMP) as defined in the current RMP   The Black Sea Basin Risk Management Plan (RMP) is prepared in accordance with Art. 146o, para. 3 of the Water Act, coordinated with the update of the RMP for the period 2016-2021. and the program for its implementation have been adopted with Repenia №1103 / 29.12.2016. of the Council of Ministers.  The programming period of the Cross-Border Cooperation Program Interreg Vl-A Romania - Bulgaria 2021-2027 coincides with the period of updating, preparation and implementation of the second RMP 2022-2027 "according to the update of the APSFR for the period 2022-2027 and Order № RD-803 / 10.08.2021 of the Minister of Environment and Water.  Interreg Vl-A Romania-Bulgaria Cross-Border Cooperation Program 2021-2027 covers areas with significant potential flood risk and in the territory falling within the Black Sea Basin Management Area (CRBD).   1. Measures in the PURN concerning the investment proposal.   The program of measures to the RMP 2016-2021 does not include specific measures at the level of the APSFR, related to the Cross-border Cooperation Program Interreg Vl-A Romania - Bulgaria 2021-2027.  The program of measures to the RMP is presented in the section “RUR”, Annex №18 Program of measures for PRSP and Annex №26 Measures for implementation in the implementation of the RMP, according to the Opinion on Environmental Assessment № 2-1 / 2016 of the MoEW, published on the BDHR website.   1. Assess whether the implementation of the investment proposal has the potential to increase the risk of floods.   The level of detail of the presented Program for cross-border cooperation Interreg Vl-A Romania - Bulgaria 2021-2027. does not allow to assess the possibility of increasing the risk of floods.   1. Conclusion on the admissibility of the RMP.   The Interreg Vl-A Romania-Bulgaria 2021-2027 Cross-Border Cooperation Program "are framework documents which, by their nature and level of detail, do not contain specific activities at this stage, but outline the main framework for implementation (territorial scope), objectives and priorities, which should be achieved for sustainable socio-economic development of the territory affected by them. The activities and investment intentions arising from the implementation of the Cross-Border Cooperation Program Interreg VI-A Romania - Bulgaria 2021-2027. should be submitted to the BDHR for an opinion on their admissibility in relation to the current RMP for the CNBD.  Cross-border Cooperation Program Interreg Vl-A Romania - Bulgaria 2021-2027, according to their level of detail, are eligible under the Flood Risk Management Plan 2016-2021 "subject to the measures and legal requirements set out in this opinion  III. Regarding the requirements of the Water Act and the bylaws:   1. 3 prohibitions and requirements in the JSA and the bylaws on its implementation, concerning the implementation of the Project:   In the presented Terms of Reference for the scope and content of the report on environmental assessment of a project of the Cross-Border Cooperation Program Interreg Vl-A Romania - Bulgaria 2021-2027. does not provide for water abstraction from surface or groundwater, discharge of wastewater into surface water bodies or facilities that may pose a risk of groundwater contamination, and is not directly related to water abstraction and / or use of a water body within the meaning of item 7 and item 25 of the additional provisions of the Water Act.   1. Conclusion on the admissibility of the investment proposal in accordance with the Law and the bylaws on its implementation:   In the implementation of the Cross-Border Cooperation Program Interreg Vl-A Romania - Bulgaria 2021-2027, with regard to water bodies, the prohibitions and restrictions arising from the Water Act should be observed. It is necessary for each individual activity to consider all possible negative impacts on surface and groundwater in detail, as well as to agree with the BDHR. The activities arising from the implementation of the Program must comply with and comply with the restrictions and prohibitions regulated in:   1. Ordinance № 3 of 16.10.2000 on the terms and conditions for research, design, approval and operation of POPs around water sources and facilities for drinking and domestic water supply and around water sources of mineral waters used for therapeutic, prophylactic, drinking and hygienic needs. 2. Art. 118a of the Water Act - for protection of groundwater from pollution, direct and indirect discharge of pollutants into groundwater is prohibited. 3. In accordance with the provisions of Article 116 of the Water Act, all waters and water bodies should be protected from pollution and damage. When implementing the plan to provide measures to prevent deterioration of surface and groundwater. 4. Art. 131 of the Water Act - in case of emergency, creating preconditions for water pollution, the owner or the person operating the site - source of pollution, including tailings, sludge and embankments, is obliged to take the necessary measures to limit or eliminate the consequences of pollution, according to a pre-prepared emergency plan and immediately notify the basin directorates. 5. According to Art. 7, para 1 of the Water Act, apart from the principle in relations related to the ownership of water bodies is the exercise of property without allowing violation of the integrity and unity of the hydrological cycle and the natural water system.; 6. The requirements of Article 134 of the Water Act to prohibit the construction of farm and residential buildings and the disposal, storage, disposal and treatment of waste in the coastal floodplains and the lands belonging to the reservoirs. 7. The requirements of Art. 143, according to which in order to protect against the harmful effects of water it is prohibited to disturb the natural condition of beds, river banks and coastal floodplains, reduce the conductivity of river beds, use river beds as landfills, land and rock masses, as well as construction over covered river sections. 8. The prohibitions of Art. 146 of the Water Act for construction in the flooded terraces of the rivers and the easement of the hydrotechnical facilities; 9. The requirements of Art. 125 of the Water Act that the inclusion of new quantities of wastewater should take into account the capacity and efficiency of the existing sewerage system; 10. In the absence of a sewerage system, given Art. 132 of the Water Act, the persons from the economic activity of which wastewater is formed, are obliged to build treatment facilities in accordance with the requirements for discharge into a water body; 11. The requirements of Art. 44 and Art. 46 of the Water Act, in case of water abstraction and / or use of a water body, including art. 46, para 4 with regard to the discharge of domestic sewage. 12. For activities falling within properties bordering or close to a Black Sea coast, it is necessary to comply with the relevant prohibitions and restrictions arising from the Black Sea Coast Development Act (LMAA) on wastewater discharge. Do not obstruct the free access to the water body - the Black Sea. 13. The prohibitions and restrictions of art. 11, para. 2 and Art. 10, para 2 of the LCA; 14. In case of activities falling within certain APSFR in the scope of flooding, measures should be taken to protect against the harmful effects of water. The National Catalog of Flood Risk Management Measures can be used when planning measures.   In the implementation of the Program for cross-border cooperation Interreg Vl-A Romania - Bulgaria 2021-2027, it is necessary to implement the applicable measures in the Programs of Measures to RBMP - 2016 - 2021, PURN 2016 - 2021. and opinions on their Environmental Assessments. | These recommendations are reflected in item 9 of the SEA REPORT. |
| 6 | Danube Region Basin Directorate  Ex. ЮПУ - 01 - 652 (3) / 09.09.2021г. | 1. Conclusion on the admissibility of the Second Option of the TCP 2021 - 2027, compared to the measures for achieving good water status, set RBMP 2016 - 2021, and RDP 2016 - 2021, in the Danube region:   According to the information provided:  The geographical scope of the program is seven counties and the southern part of Romania (Mehedinti, Dolj. Olp. Teleorman, Giurgiu, Calarasi and Constaitsa) and eight districts in the northern part of Bulgaria (Vidin, Vratsa, Montana, Veliko Tarnovo, Pleven, Ruse, Dobrich and Silistra). All 15 NUTS3 regions are located along 630 km of the Bulgarian-Romanian border.  The following goals, priorities and specific goals are set:   1. Policy Objective 3 - "A More Connected Europe - Mobility and Regional ICT Connectivity" 2. Priority 1 "Well-connected regions"  * - Specific objective 1.1. "Develop and strengthen sustainable, climate-resistant, intelligent and intermodal national, regional and local mobility, including improved access to TTM and cross-border mobility; * Policy Objective 2 - A greener, lower-carbon Europe.  1. Priority 2 "Greener region"  * Specific objective 2.1 "Promote adaptation to climate change and prevent disaster risk and sustainability, taking into account ecosystem approaches" * Specific objective 2.2. "Improving the protection and conservation of nature, biodiversity and green infrastructure, including urban areas, and reducing all forms of pollution."  1. Policy Objective 4 - "A more social and inclusive Europe / implementation of the European Pillar of Social Rights".    1. Priority 3 “Region established“  * Specific objective 3.1. "Improving early access to inclusive and quality services in education, training and lifelong learning by developing accessible infrastructure, including by promoting sustainability in distance and online learning - a contribution to SC 4.5 ESF +"  1. Policy objective 5. A Europe closer to its citizens    1. Priority 4 “Integrated region“  * Specific objective 4.1. "Promoting integrated and inclusive social, economic and environmental local development, culture, natural heritage, sustainable tourism and security in rural areas.   River Basin Management Plan (RBMP) in the Danube Basin Management Region (RBMP) 2016 – 2021.  Currently, activities are underway to update the RBMP, which will be valid from 2022 to 2027. At each stage of the update of the RBMP, stakeholders and the general public are consulted. The information and documents from the different stages of the RBMP update are publicly available and are published on the BDDR website: www.bd-dunav.org. Water Management Section, Subsection River Basin Management Plan 2022-2027.  The activities and projects arising from Interreg VI-A Romania-Bulgaria 2021-2027 must not have a negative impact on the condition of surface and groundwater bodies and water protection zones and should contribute to the achievement of the set conservation objectives. of the waters for the respective planning period. Through the set goals of Interreg VI-A Romania-Bulgaria 2021-2027, the improvement of the ecological and chemical condition / ecological potential of the water bodies and the maintenance of their ecological functions is encouraged; promoting the sustainable use of water resources, including the identification and protection of potential sources of fresh water supply; prevention of accidental pollution incidents, reduction of organic, nutrient and hazardous pollution, improvement of wastewater treatment and reduction of nitrate pollution (eg nitrates for agricultural sources or industrial charges).  Conclusion: Given the above Interreg VI-A Romania-Bulgaria 2021 - 2027. is eligible in relation to the environmental protection objectives and the measures for achieving good water status set in the RBMP 2016-2021.  1.2. Flood Risk Management Plan (RMP) in DRBU 2016 - 2021  Currently, activities are underway to update the RMP, which will be valid from 2022 to 2027. As part of the process of updating the RDP, a final version of the Preliminary Flood Risk Assessment (PRDP) has been prepared in the DRBU. As a result of the revision and updating of the PFMP, 35 areas with significant potential flood risk (RRDP), including the Danube River, have been identified in the DRBU. The APSFR were approved by the Minister of Environment and Water with Order RD-804 10.08.2021. All eight districts and the northern part of Bulgaria (Vidin. Vratsa. Montana, Veliko Tarnovo Dobrich and Silistra) fall under the APSFR and in those under 2016 - 2021 and in the updated. Detailed information can be found on the BDDR website, section "Water Management" / "Flood Risk Management Plan 2022 - 2027" - "Update of PORN".  Objectives of the program Interreg VI-L Romania-Bulgaria 2021 - 2027 are aimed at reducing the damage and impact of floods and preventing their occurrence.  Conclusion: Given the above. Interreg Vl-A Romania-Bulgaria 2021-2027 is admissible compared to PURN 2016 - 2021  Given the scope of the program, projects and deposits under it should not contradict and contribute to achieving the objectives of the RBMP and RBMP of the International Danube Basin. The stakeholder consultation process is underway but the International Danube River Basin - Update 2021 and the Second Flood Risk Management Plan for the Inter-National Danube River Basin Update 2021. Detailed information can be hinted at on the website (BDDR section Water Management International Danube River Basin).   1. 2. Regarding the prohibitions and restrictions provided in the Water Act with regard to this type of investment proposals and / or impacts as a result of their implementation.   Projects and intentions arising from Interreg VI-A Romania-Bulgaria 2021 - 2027 should be compliant with the requirements of the Law, incl. Art. 143. 146. 149. al. 2 and para 3 Activities related to water abstraction and use of a water body are subject to a permit regime according to Art. 44 and Art. 46 of the Law. Permits for water abstraction and use of a water body are issued in compliance with the requirements of Chapter Four "Permit regime" and Chapter Eight "Protection of waters and water bodies" of the Water Act and the normative acts on its implementation.  The implementation of activities within the boundaries of sanitary protection zones should be in accordance with the regime of operation in the zones, regulated in the annexes to Ordinance №3 16.10.2000 on the terms and conditions for research, design, approval and operation of sanitary protection zones around the water sources and the facilities for drinking and household water supply and around the water sources of mineral waters, used for medical, prophylactic, drinking and hygienic needs.   1. Information on existing or permitted impacts on the water body in the area, which must be taken into account in the subsequent procedure under Chapter Six of the EPA.   Up-to-date information on existing or permitted impacts on water is available in the Registers of Permits Issued, published on the website of the Danube Region Basin Directorate. http://www.bddunav.6rg/Content/registri/razreshitelni-i- resheniia.   1. Information on the free water resources in the part of the groundwater body from which water abstraction is envisaged (through existing or new facilities), the risk of groundwater pollution in the process of construction of new pipe (drilling) wells and pollution prevention requirements.   Not subject to Interreg VI-A Romania-Bulgaria 2021-2027. Motivated assessment of the significant impact on waters and aquatic ecosystems.  Projects and intentions arising from Interreg VI-A Romania-Bulgaria 2021-2027, envisaging water abstraction and / or use of groundwater and surface water, are subject to independent assessment of eligibility for environmental objectives and planned measures to achieve good water status, defined in the RBMP and in relation to the objectives of flood risk management and the measures envisaged in the RBMP for the respective planning period.  The implementation of Interreg VI-A Romania-Bulgaria 2021-2027 will not have a significant impact on waters and their protection zones, in compliance with the legal requirements and measures set out in the management plans for the respective period, could contribute to upgrading the implementation of measures in the RBMP 2016-2021 and the RBMP 2016-2021 in the Danube region. |  |
| 7 | Regional Inspectorate for Environment and Water - Vratsa  Ex. №OVOS - EC - 220 (1) /26.08.2021 | In connection with conducting consultations, in accordance with the requirements of Article 19a. item 3 of the Ordinance on the terms and conditions for carrying out environmental assessment of plans and programs. We inform you:  RIEW - Vratsa has no comments and suggestions on the thus presented terms of reference for the scope and content of the Environmental Assessment Report of the draft Program for  Cross - border cooperation Interreg VI-A Romania Bulgaria 2021-2027 | The opinion does not contain any comments or recommendations. |
| 8 | Regional Inspectorate for Environment and Water - Ruse  Ex. № M - 3351 / 30.08.2021. | The report on the scope and content of the environmental assessment of the Cross-Border Cooperation Program "Interreg VI-A Romania Bulgaria 2021-2027" was developed by ERS Consultanta de Mediu SRL on behalf of the Managing Authority of the program - Ministry of Development, Public Works and Administration, Romania and is presented by the Ministry of Regional Development and Public Works - Ministry of Regional Development and Public Works, Bulgaria as the National Program Authority. consultations. The report has been prepared within the procedure for environmental assessment of the program and is submitted for consultations in compliance with the requirements of Art. 19a of the Ordinance on the terms and conditions for carrying out environmental assessment of plans and programs.  After getting acquainted with the content of the report and with the working version of the program published on the website of the Ministry of Regional Development and Public Works, I would like to inform you that RIEW-Ruse has no suggestions, comments and recommendations to the submitted documentation. | The opinion does not contain any comments or recommendations. |
| 9 | Regional Inspectorate of Environment and Water - Montana  Ex. №2748 / 30.08.2021 | In connection with the report submitted to the RIEW - Montana (entry № 4477 / 16.08.2021) for determining the content of the scope of environmental assessment of the Interreg Cross-border Cooperation Program Interreg VI-A Romania - Bulgaria 2021 - 2027, I have the following remarks n suggestions:  - In item 2.4.2 Legislative framework in the Interreg VI-A Program Romania - Bulgaria, Participating countries the normative acts of the Bulgarian environmental legislation are incorrectly written - - Environmental Protection Act (EPA) n Ordinance on the terms and conditions for environmental evaluation of program plans (EC Ordinance).  - In item 5 Characteristics of the current state of the environment to use the terminology according to the Bulgarian ecological legislation regarding the protected areas within the meaning of the Biodiversity Act (BDA) and the different categories of protected areas within the meaning of the Protected Areas Act park, natural landmark, maintained reserve, nature park, protected area).  - The territorial scope of RIEW - Montana includes a total of 38. protected areas and 38 pcs. Protected Areas. The full list of them is available on the website of the inspectorate at: https://www.riosv-montana.com Biodiversity Areas / Register of Protected Areas.  - The activities and measures under the Cross-Border Cooperation Program related to the construction of infrastructure sites need to comply with the existing enterprises with high / low risk potential on the territory of the Republic of Bulgaria, within the scope of the program. In this regard, the environmental assessment report should include information on these enterprises and on the measures envisaged to prevent the risk of major accidents and to limit their consequences. I would like to draw your attention to the fact that the Electronic Database (Public Register) of Enterprises with Low and High Risk Potential, falling within the scope of Chapter Seven, Section 1 of the EPA is published at the following address: https://public-seveso.moew.government.bg / enterprises. | Reflected.  Reflected.  Reflected. |
| 10 | Regional Inspectorate for Environment and Water - Varna  Ex. № 04 - 00 -6747 / A3 / 03.09.2021 | The RIEW-Varna has received your letter requesting on the grounds of Art. 19a. Item 3 of the Ordinance on the terms and conditions for environmental assessment of plans and programs expressing an opinion on the Report on determining the content and scope of environmental assessment of the Cross-Border Cooperation Program Interreg Vl-A Romania-Bulgaria 2021-2027 as you inform us about notifying the competent body for the environmental assessment procedure of the Ministry of Environment and Water.  In this regard, and in accordance with my competences, I express the following opinion:  According to the norm of art. 19a, item 3 of the Ordinance on the terms and conditions for environmental assessment of tones and programs, the contracting authority assigns the preparation of an assignment to determine the content and scope of the assessment, which consults with other specialized agencies and the public under the scheme under Art. 19. para. 3 of the same ordinances.  The submitted Report on the scope of environmental assessment of the Interreg VI-A Romania-Bulgaria Cross-Border Cooperation Program 2021-2027 is accepted as a term of reference for the scope and content of the environmental assessment report with the competent body of the MoEW.  The proposed terms of reference comply with the requirements of the EC legislation. The scope of the assignment is consistent with the nature, subject and provisions of the plan and overlaps with the requirements of Art. 86. para. 3 of the EPA. concerning the content of the Environmental Assessment Report.  The terms of reference for scope and content consider all components and factors of the environment, according to the requirements of Art. 4 and 5 of the EPA, which are likely to be affected by the program.  The presented information on components and factors of the environment covers the main aspects of the current state and projections for the impact on the program.  The terms of reference set out the policy objectives of the program with specific objectives and types of actions towards them.  In conclusion of the above described RIEW-Varna has no comments on the proposed terms of reference for the scope and content of the environmental assessment report. | The opinion does not contain any comments or recommendations |
| 11 | Regional Inspectorate for Environment and Water - Pleven  Ex. № 4909 (1) /14.09.2021. | The presented Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg VI - A - Romania - Bulgaria 2021 - 2027, in principle in structure and content meets the requirements of Art. 17, para. 1 of the Ordinance on the terms and conditions for the implementation of the EC.  1. In the section "Atmospheric air" and "Harmful physical factors":  We accept the presented Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg VI - A - Romania - Bulgaria 2021 - 2027, by air component, due to the following reasons:   * The scope report provides for the identification of environmental issues that may be affected by the Interreg VI-A Romania-Bulgaria 2021-2027 program. * The set goal “P02. A greener, lower-carbon Europe "includes improving the protection and conservation of nature, including reduction of all forms of pollution. Measures are envisaged to improve pollution control by supporting investment in the monitoring and collection of air pollution data, especially in urban areas, including the creation of instruments for measuring air, soil and water quality and the provision of real-world data. time. * When identifying environmental problems by air component is envisaged as a possible specific objective: “R.E.O.5.1. Maintaining and improving ambient air quality within the limits set by legal norms ". * In the proposed scheme of the program area, in section 5.1.1 an overview of the air quality in the transboundary eligible area and of the main observed pollutants for both the Bulgarian and the Romanian section is made. * Section 6 provides an assessment of the likely significance of the program's impact on components and environmental factors.   We recommend that when identifying environmental problems regarding air quality, take into account regional problems, monitoring data and the results of the implementation of the project launched in 2005 under the PHARE Program "Preparation of joint programs for air quality management in the Bulgarian-Romanian border towns on the Lower Danube”. The quarterly reports prepared by the respective RIEWs are published on the EEA website in the bulletins section: http: // eea. government. bg / bg / output / bd- ro / index. Html.   1. In the "Waste" section:   We accept the presented Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg VI - A - Romania - Bulgaria 2021 - 2027 "by waste factor, due to the following reasons:  The future requirements arising from the European Commission are considered, which include:   * - A common EU target for the recycling of 65% of municipal waste by 2030 * - A common EU target for the recycling of 75% of packaging waste by 2030 * - Reduction of landfilled waste to a maximum of 10% of municipal waste by 2030. * - Prohibition on landfilling of separately collected waste. * - Specific measures to encourage re-use and stimulate industrial symbiosis - turning the by-product of one industry into a raw material for another industry * - Economic incentives for manufacturers to place greener products on the market and to support schemes for recovery and recycling of packaging, batteries, electrical and electronic equipment, vehicles, etc.  1. In the section “Soils”:   We accept the presented Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg VI - A - Romania - Bulgaria 2021 - 2027, by soil and subsoil component, without remarks.   1. In the part "OHV":   We accept the presented Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg VI - A - Romania - Bulgaria 2021 - 2027, in the part of hazardous chemicals (OHV), without remarks.   1. In the part "Waters":   We accept the presented Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg VI - A - Romania - Bulgaria 2021 - 2027, by water component, without remarks.  In the part on "Biodiversity protected areas":  In the presented Report on the scope of environmental assessment of the Cross-Border Cooperation Program Interreg VI - A - Romania - Bulgaria 2021 - 2027, there are many ambiguities and inaccurate terms, which most likely stems from the translation of the program text and complicates compliance assessment. of the submitted document with the requirements of the EPA regarding the content of the SEA REPORT.  Protected areas (PAs) within the meaning of the Protected Areas Act (PAA) are not distinguished from protected areas (33) within the meaning of the Biodiversity Act (PAA) within the territorial scope of the program.  The natural parks (PP) in Bulgaria, which are within the scope of the cross-border region for which the program is considered, are indicated. The EC report should reflect all categories of protected areas covered by the Interreg VI-A Romania-Bulgaria Cross-border Cooperation Program, 2021-2027.  Page 40 states that Persina Nature Park is a wetland on the Bulgarian side of the Danube, established on December 4, 2000. Located in three municipalities (Nikopol, Belene and Svishtov), ​​it covers 21,762 ha. The definition of the park aims to protect and restore the Danube wetlands. The information is incorrect.  Persina National Park was declared by Order № RD-684 / 04.12.2000 of the Ministry of Environment and Water, SG no. 105/2000. By Order № RD-771 / 24.09.2020 of the Ministry of Environment and Water (SG, issue 89/2020) the area of ​​the protected territory was changed and is 21 618.1046 ha. Also, the program erroneously claims that Persina National Park is a wetland. The protected area has been declared in order to protect, restore and maintain the diversity of local ecosystems and landscapes, local species of wild plants and animals, as well as local varieties and breeds, restoration of floodplain forests and wetlands in Svishtov-Belen lowland and neighboring Danube islands. , evident from the declaring order.  The likely significant impacts expected on biodiversity (as a component of the environment) in the program area are not specified.  The terms of reference of the SEA REPORT do not contain measures that are intended to prevent, reduce and fully compensate for the adverse effects of the implementation of the program on the environment.  In connection with the above, the following:   1. In the part of the EC report examining the impact on biodiversity, to distinguish points: "Flora and fauna", assessing the impact of the program on species from Annex № 3 of the Biodiversity Act (BDA /); "Protected areas" (within the meaning of the Protected Areas Act / PAA /); "Protected areas" (within the meaning of the Biodiversity Act / BDA /), reflecting all categories of protected areas within the scope of the Cross-Border Cooperation Program Interreg VI-A Romania - Bulgaria, 2021 - 2027; 2. To clarify the text on the Persina Nature Park (on page 40 of the SEA REPORT task), taking into account the above remarks; describe the measures envisaged by the program to prevent, reduce and fully compensate for the adverse effects of the program on the environment (in particular on the biodiversity within the territorial scope of the program). | The recommendation has been taken into account.  The ambiguities and inaccuracies have been removed. |
| Strategic Environmental Assessment Report | | | | |
| 1. | Ministry of Environment and Water  Ref. No ЕО-ЗО/ 28.04.2022 г | On page 98-99, item 3.1.6.1. Atmosphere Air Quality in the programme territory, in relation to the text for the air quality monitoring system on the territory of Bulgaria, we note that official information on the National Atmosphere Air Quality Monitoring System (NAAQMS) is published on the website of the Environment Executive Agency: <http://eea.government.bg/bg/nsmos/air> | The text in item, 3.1.6.1. was revised using the recommended source of information. |
| In relation to item 3.1.6.1. *Atmosphere* *Air Quality in the programme territory* and the information contained therein regarding the territory of Bulgaria, in order to correctly refine and interpret the information on Atmosphere Air Quality ( AAQ ), we note that on the website of the Environment Executive Agency at: <http://eea.govemment.bg/bg/soer/2019>, is published the National report on the condition and the protection of the environment for 2019, adopted by the Council of Ministers in 2021.  Information and data on AAQ are also published in the annual atmospheric air quality bulletin for 2019, 2020 and 2021: <http://eea.government.bg/bg/dokladi/God_bul_KAV/index> | The text in item, 3.1.6.1. was revised using the recommended source of information. |
| On pages 106, 107, 193, in the text regarding the Bulgarian part of the programme territory, the word 'region' (област) shall be replaced by 'municipality' (община). | Reflected. |
| In connection to the sentence on page 107: "The municipalities of Ruse, Silistra, Veliko Tarnovo, Pleven, Montana, Vratsa and Vidin have developed and implemented municipal air quality programs according to Art. 27 of the Atmosphere Air Purity Law”, taken in account from statement with exit number No EO-30/17.09.2021 of MoEW, we would like to pay attention that in each of the listed municipal programs, an analysis of the atmosphere air for the respective municipality has been carried out. We believe that the data and analyses dome in the scope of these programmes should be used in the development of the EA report. | The analysis was made in Section 3. Air. |
| On page 250, in item *14. Sources of information* there are 4 repetitions of position 76*. "Regional Report on the State of the Environment in 2020 for the following Regional Environment and Water Inspections (REWI): Pleven; Vratsa; Ruse; Varna; Veliko Tarnovo; Montana."* | Reflected in item 14. |
| In the Table to item *15.1. Relation to other relevant plans, programmes and strategies* in section *15 Annexes*;   * the name of the National Air Pollution Control Programme (2020-2030) (Национална програма за контрол на замърсяването на въздуха (2020-2030 г.)) is not correct and should be corrected (item 14 in the table); * item 5 "Danube Basin Management Plan” (updated 2015) to be replaced by the current version: "Danube Basin Management Plan 2022-2027" (updated 2021); * item 6 'Flood risk management plan in the Danube Basin (updated 2015)' to be replaced by the 'Flood risk management plan in the Danube Basin 2022-2027 (updated 2021)' by making the relevant updates of the remaining information in the table, according to the content of the two updated plans;   + item 29 "Maritime Strategy of the Republic of Bulgaria and a programme of measures thereto" – to add in addition to the period 2016-2021, the period “2022-2027 - under development” | Reflected in item 15.1. |
| With regard to the information provided in item 3.1.5 on waters condition, sources of impact, monitoring points and water protection areas in the Danube and Black Sea region, submission of opinions from the two basin directorates is needed.  In item 3.1.5 Areas for water protection, D) Areas for the conservation of commercially valuable fish species - the legislation in Romania is presented in detail, while for Bulgaria analogical information is missing the text needs to be supplemented.  With regard to item 3.19 Flood risk management, Table 3-4 provides information on designated areas with a significant potential risk of flooding in Romania and the information is illustrated by a map. No map is presented for Bulgaria and needs to be added. The text above Table 3-5 about designated Regions with significant potential flood risk (RSPFR) needs to be corrected: THE RSPFR are part of the Flood Risk Management Plan (FRMP) rather than the River Basin Management Plan (RBMP). The text below Table 3-5 presents information from the 2016-2021 FRMP. It is necessary to be updated with the published information from the Preliminary Flood Risk Assessment for the 2022-2027 FRMP, which is available on the websites of the relevant Basin Directorate and of the MoEW, in section “Waters”. | The information was revised and supplemented. |
| In Table 3-14 Current State of Environmental Problems and Alternative 0 - Bulgaria Bathing Water - the information does not correspond to the information presented above that, 8 bathing areas are in good condition and 12 are in excellent condition. The information should be corrected. It is noticeable that the information presented individually for Bulgaria includes bathing areas in addition to water and drinking water, while for Romania the information is for water only. We believe that information on water needs to be submitted relevantly to both countries.  Separately, the text on water needs to be supplemented and clarified by adding the bolded quoted text, and removing the stricken-through text: Surface Water: Some of the surface water bodies are in bad chemical condition **“and worse than good ecological condition/ potential”**. ~~The Durankulak Lake is in very bad ecological condition~~.  Regarding Groundwater, information needs to be presented on the causes for poor chemical condition, similar to that presented for surface water. Regarding drinking water and water protection areas, information about Bulgaria has been given, but is not presented for Romania. The information needs to be similarly precise for both countries. | Reflected in Table 3-14.  The information regarding the Romanian territory, including on the water, was drafted, discussed and agreed within the national group set for SEA procedure (the Romanian Ministry of Environment, Water and Forests is part of this group). Moreover all the information related to Romania side was agreed and approved by the Romanian Ministry of Environment, Water and Forests.  As such, the proposal regarding the Romanian territories is not accepted. |
| In Table 5-1 *Existing ecological problems*, relevant to the "INTERREG VI-A Romania-Bulgaria 2021-2027 Programme":  In the information on “Water”, only problems related to the chemical status of surface and groundwater bodies are presented for Bulgaria. The lack of good ecological condition/potential for all surface water is not presented as a problem. We propose to revise the text as follows:  The text: "Some surface water bodies are in poor chemical condition" to be replaced by **"Presence of surface and groundwater bodies, which are not in good chemical condition’’**.  The text: "With regard to chemical status, 20 of the groundwater bodies have been assessed as being in poor chemical condition." to be replaced with "Presence of surface water bodies, which are not in good ecological condition/ ecological potential."  In "Risk Management" we propose: "The territory is at risk of flooding" to be supplemented by the text: “and is vulnerable to drought". | Reflected in Table 5-1. |
| In Table 7-3 Types of actions proposed in the INTERREG VI-A Romania-Bulgaria Programme 2021-2027 in regard to priority 2 A greener region, 4. Promoting climate change adaptation, disaster risk prevention, resilience, taking into account the ecosystem approaches:   * Action A3 – we propose to add the bolded quoted text: "Prevention of disaster risk and resilience, taking into account ecosystem-based approaches" * Enhancing intervention and response capacity through investments in equipment and vehicles, IT systems, “monitoring equipment”, etc. * Action A4 - we propose to add the bolded quoted text: Actions to adapt to climate change (solutions to reduce disaster risk, based on ecosystems (Eco-DRR))   Support water and land management through green solutions (e.g. waves, restoration of rivers and landscaping of nature, "construction of polders and creating opportunities for flooding of riparian forests", green solutions for drainage systems, naturalized rainwater lakes, etc.). It is necessary to clarify the text on "waves" and to refine if necessary. We propose to clarify the text "Supporting water and land management” as follows: "Water and land use management". | The Interreg VI-A Romania-Bulagria was drafted by the Programme structures, in consultation with the relevant stakeholders in the area. Moreover, the Programme document was approved by the Romanian (in March, 31st) and Bulgarian Government (April).  However, the definition of the types of actions are covering the proposals.  Therefore, the proposal the redefine to the types of actions is not accepted considering the advanced stage of programming process.  The Programme structure are well aware that it is essential to be able to adapt to the fast-changing needs of the territory and of the target groups, by giving beneficiaries enough opportunities to bring on innovation in their projects and by not limiting their possible actions excessively.  This is why the Programme was developed in order to provide a clear picture in respect to what the programme intends to support, how and in what conditions, while also ensuring the necessary flexibility.  To this end, the IP contains the types of actions supported, together with concrete examples and sometimes explanations.  Nonetheless, the Programme structures will take into consideration the recommendations when drafting the calls for proposals and/or when delivering further guidance to potential applications, including concrete examples, so that the future projects are well developed, reflecting the needs from the territory. |
| In Table 7-4 Assessment of action types, Action A3 was not assessed to have a positive effect on a relevant environmental objective 5. Improving and maintaining the ecological status/ecological potential and chemical status of surface and groundwater bodies, rational use of water resources and stopping of pollution. | The recommendation has been integrated in Chapter 7.2.4 |
| In Table 7-5 Justification for the environmental and human health impact assessment carried out for the types of activities proposed by the programme for A2 action, it has been assessed, that projects to improve shipping conditions on the Danube are not expected to lead to a deterioration in the condition of surface water bodies and groundwater bodies as they do not require large-scale construction work. We consider this assessment to be incomplete due to effects on the physical characteristics of the water bed and shores, as well as possible effects on biological quality elements as part of the ecological condition/ potential. In this respect, it cannot be argued that no impact on the surface water is to be expected, and there is a risk of deterioration of ecological condition/ potential and should therefore be subject to a more careful assessment for each project.  A Strategic project “Fast Danube” is currently being implemented, which has not been completed and for which an assessment of the need to apply exceptions is necessary under Article 4.7 of Directive 2000/60/EC due to the expected impact of the implementation of the project on the ecological condition/ potential of the surface water body - Danube. | The action involves only the installing and use of signaling and safety equipment to improve navigation conditions.  Dredging activities that could have generated a potentially significant adverse effect on water bodies were excluded from this type of action.  However, the development and the implementation of the project shall be done in line with the legal provisions in force, applicable in this case.  This type of action and the Fast Danube Project involve different activities and different intensities. |
| In Table 9-1 Measures to prevent and mitigate expected negative impacts, actions to mitigate the impact on water by projects related to improving navigation conditions need to be added, including procedure for the need to apply exceptions under Article 4.7 of Directive 2000/60/EC.  With regard to the compliance of the projects with the Water Law, it is also necessary to take into account the requirements of Art. 156e of this Law. | The recommendation has been integrated in Chapter 9. |
| In Table 7-4, Assessment of the types of actions, on page 221 we propose to clarify, change and add to the texts as follows:  In A2 in column No2 Action/environmental objectives, after the text "... improving mobility and connectivity in the cross-border area', to add the text 'in compliance with the specific objectives and conservation measures'.  In A3, in column No2 Action/ Environmental Objectives, the text: "Disaster risk prevention and resilience, taking into account ecosystem-based approaches' to change as follows: 'Disaster risk prevention, taking into account approaches, based on solutions, based on nature and ecosystem principles'.  In A4, in column No2 Action/environmental objectives, the text “Actions for climate change adaptation (solutions to reduce disaster risk, based on ecosystems) to change as follows: “Actions for climate change adaptation (solutions to reduce disaster risk, based on solutions, based on nature and ecosystem principles).”  In A5, in column No2 Action/ environmental objectives, the text "Reducing all forms of pollution by supporting investments in monitoring and collection data of air, soil and water pollution” should be amended as follows: "Reducing all forms of pollution by supporting investments in monitoring, collection and analysis of data of air, soil and water pollution”.  In A6, in column No2 Action/Environmental objectives, after the text "Support for the development of green infrastructures, including through the development and conservation of green areas in populated areas, and raising awareness of the benefits of green areas' to be added the following text "taking into account the ecological status of ecosystems and the conservation condition of habitats and species in Natura 2000, including Tourism Law.  We note that by formal letter, the European Commission , through Bulgaria's Permanent Representation in Brussels, informed the MoEW that the National framework for priority actions for Natura 2000 for the 2021-2027 programming period of Bulgaria (NFPA 2021-2027) has been approved and encourages the Bulgarian authorities to ensure that all identified funding programmes, including the Cross-Border cooperation programme "INTERREG VI-A Romania-Bulgaria 2021-2027" =appropriately reflect the needs and priorities set out in the Natura 2000 NFPA.  In this relation, in A7, column No2, Actions/ Environment objectives, after the text “Strengthening the protection, recovery of biodiversity and the sustainable and conservation of the natural heritage, including Natura 2000 and Ramsar sites" to be added: "in line with NFPA 2021-2027 and the need for cross-border corridors".  In order to fulfil Bulgaria's commitments under the EU Biodiversity Strategy by 2030 and the objective of the Legal Protection Strategy of at least 30% of terrestrial and sea territories and strict protection of at least 1/3 of EU protected areas (10%) for the protection of biodiversity and the improvement of the conservation status of habitats and species, it has to cooperate with measures from NFPA 2021-2027 for protected areas included in the EA report.  In regard to ecological objective REO 1 being linked to the keeping and conservation/ improvement of the conservation status of species and habitats, we consider that in Table 9-1 " Measures to prevent and mitigate the expected negative impacts' (p. 233), in addition to actions for implementation of A1, those concerning Natura 2000 sites and areas referred to in A7 should also be added. | The Interreg VI-A Romania-Bulgaria was drafted by the Programme structures, in consultation with the relevant stakeholders in the area. Moreover, the Programme document was approved by the Romanian (in March, 31st) and Bulgarian Government (April).  The types of actions and the information is in line with the specific objectives definitions and scope.  Moreover, the development and the implementation of the projects shall be done in line with the legal provisions in force.  In the same time, the information included in the Programme promotes the contribution and synergies with national and EU strategic documents, especially the EU Biodiversity Strategy for 2030 and the EU Nature Restoration Plan. Moreover, the projects should be in the benefit of the entire area of the Programme and should focus also on the Green Deal objectives in respect to supporting the preservation of biodiversity, safeguarding protected areas and promoting green urban spaces and protection of ecosystems.  Therefore, the proposal to redefine the text in the Programme is not accepted considering the advanced stage of programming process.    As regards the synergies with the National Framework for Priority Actions for Natura 2000 for the programming period 2021-2027 of Bulgaria, please see the SEA Report. |
| On page 234, measure M3, environmental objective REO 1, to be amended as follows: after the expression "Before the start of construction work”, place a comma and add "at the earliest stage possible", and in row 11 of the same measure, after the expression "until the end of the nesting/ raising period", add “/hibernation”, further continuing the measure without other changes to the text. | Reflected. |
| On page 235, measure M5/ REO 4 "Projects aimed at construction and landscaping will ensure the implementation of these alternatives to the project, which provide a minimum level of artificial processing of soil surfaces and maximum level of maintenance/development of green areas” to be amended as follows "Projects aimed at construction and landscaping will ensure the implementation of these alternatives of the project, which provide a minimum level of artificial treatment of soil surfaces and a maximum level of maintenance/development of green areas, including ensuring environmental connectivity between different parks/green spaces and non-urban spaces, as well as enabling the maintenance of pollinators”.  “Minimum level of artificial treatment of soil surfaces” in construction should be defined. | Reflected. |
| On page 235/236, measure M8, REO 1 "All projects envisioning the planting of grasses, shrubs or tree species will take into account the exclusive use of non-invasive native species, characteristic of natural habitat types in the implementation areas” should be amended as follows: “All projects envisioning the planting of grasses, shrubs or tree species will take into account the exclusive use of non-invasive native species, characteristic of natural habitat types in the implementation areas, including taking in account and complying with available and/or possible (park) fauna.” | Reflected. |
| On page 236, measure M9, REO 12 "The project aimed at the rehabilitation of existing buildings and/or the construction of new buildings will consider the implementation of solutions to improve energy efficiency, as well as the use of renewable sources of electricity/ heat energy” to be amended as follows "Projects aimed at rehabilitation of existing buildings and/ construction of new buildings, will consider implementing solutions to improve energy efficiency, the use of renewable sources of electricity/ heat energy, as well as include solutions for external vertical landscaping of buildings or structures for the purpose of providing ecosystem services, such as habitat for pollinators, mitigation of atmospheric pollution and carbon emissions. | Reflected. |
| The report (p. 293) needs to clarify that the 2021-2027 NFPA has been prepared based on art. 8, para 1 of the Directive 92/43/EEC of the Council on the conservation of natural habitats and of wild fauna and flora (the Directive on habitats), but also includes measures aimed at implementing Directive 2009/147/EO on the conservation of wild life. | Reflected. |
| In the statement of the EA report (p.342), the Natura 2000 sites falling within the scope of the “INTERREG Vl-A Romania-Bulgaria Programme” are listed, for which activities and measures have been given for improving the conservation condition of habitats and species and their implementation regime relative to their impact in protected areas in NFPA, which the EA report should take into account. | The recommendation has been integrated in Chapter 9. |
| We recommend that the information presented in item 15.3, related to Seveso enterprises be organised by areas, which are in the scope of the programme (Vidin, Vratsa, Montana, Veliko Tarnovo, Pleven, Ruse, Dobrich and Silistra). | Reflected. |
| In the Seveso list, the following mistakes are present:   * Point 2, the operator is Agrochemicals Ltd. and not Agrokemicles EOOD; Bulgarian - Агрохимикали ООД, not Агрокемикълс ЕООД. (warehouse for plant protection products with operator "AGROKEMIC" Ltd. is located in Pazardzhik municipality, Velichkovo village, property with no. 000865 in the land of the village. Velichkovo, Hagelian Thorns area); * Point 12, the operator of is Videx AD, not Widex AD (Bulgarian – “Видекс“ АД, not “Уидекс“ АД); * Point 31, "Reservoir park for storage of petroleum products" with operator "PLAMNA REFINERY" AD is already classified as an enterprise with low risk potential; * Point 35, Warehouse for plant protection substances with operator "999-IV. ASENOV EOOD is already classified with high risk potential; * Point 37, the operator of the enterprise is “Ida Trading EOOD” and not “Videx Engineering EAD”; * Point 50, the operator of an enterprise is “Bulmarket DM” Ltd. and not "Bbulmarket DM" Ltd. („Булмаркет ДМ“ ООД, not „Вбулмаркет ДМ“ ООД); * To municipality of Veliko Tarnovo, “BULARMAS EOOD” should be added, with operator "BULARMAS" EOOD, classified with low risk potential and with address: Veliko Tarnovo, Hotnitsa village, property with identifier 77356.165.5; * The following enterprises should be included for the Pleven municipality: * "Reservoir park for storage of petroleum products (boiler fuel)” with operator “Phoenix Oil Trade" EOOD, classified with low risk potentials and with address: municipality Pleven, Pleven, Western Industrial Zone, Plama Refinery territory; * "Reservoir park for storage of petroleum products" with operator "LOTUS OIL TRADE" Ltd. classified with low risk potential and with address: Pleven municipality, Pleven, Industrial zone in land property with identifier 73674.204.260, Turnene village, post code 5882, Obrashta area.   The above mentioned notes should also be reflected in Figure 3-41 Location of SEVESO enterprises falling within the territorial scope of the programme, on page 130 in the EA report. | The errors were corrected. The SEVESO map was updated. |
| II. Proposal for measures to monitor and control the effects on the environment and human health of the implementation of the “INTERREG VI-A Romania-Bulgaria Cross-Border Cooperation Programme 2021-2027":  In the draft programme, indicators are proposed for the priorities - starting indicators and output indicators. In addition, in item 11, Measures for monitoring the significant effects of the implementation of the programme, in Table 9-2 are proposed impact monitoring indicators according to the forecasts of expected impacts on environment and human health in the implementation of the programme, but no indicators are provided for monitoring the relevant environmental objective 5. Improving and maintaining the ecological status/ecological potential and chemical condition of surface water bodies and groundwater bodies, rational use of water resources and stopping the pollution, and such need to be provided.  The annual reports, in which should include the data on environment and human health impact monitoring indicators in the implementation of the programme should be submitted to the Ministry of Environment and Water for approval pursuant to Art. 30, para 1 of the EA Ordinance. | Please also see above the replay regarding the navigation action.  A monitoring indicator for water bodies was no proposed due to the fact that no negative effects were identified for this relevant environmental objective. |
|  | III. On the consultation scheme:  In general, the consultation scheme for the public, interested institutions and third parties has been made in accordance with art. 19, para 3 of the EA Ordinance, but you should keep in mind that pursuant to Art. 20, para 3, item 1 of EA Ordinance, the competent environmental authority or an officially authorized person should request a statement from the Ministry of Health on the documentation. In this regard, please correct the text of item 1.4. on page 9 of the scheme. | Reflected. |
| 2. | Ministry of Health  Ref. No 04-15-40/ 06.04.2022 | The documentation provided shows that the SEA report is compliant with the regulatory requirements regarding the content, structure and scope of this type of reports, as well as the proposals set out in our letter regarding the Scoping of the report. In view of the above, the Ministry of Health considers that the Program for cross-border cooperation INTERREG VI-A Romania - Bulgaria 2021-2027 can be realized in compliance with the following conditions, which should be recorded as mandatory in the administrative act to be issued by the competent authority:  1. When designing and building new sites, their location to be determined in accordance with the areas and territories provided for this activity, according to the current zoning plans and to take into account the proximity of settlements and their areas and territories subject to health protection (residential, quiet areas, etc.) and sites subject to health protection as well as areas and zones where such sites are located, water sources for drinking and household water supply, with or without sanitary protection zones established by order;  2. Each specific investment proposal should be evaluated at conducting a procedure under Chapter 6 of the Environmental Protection Act (EPA) (EIA procedure and SEA procedure), to carry out a specific assessment of the degree of possible risk to the health of population, the possible impact on health demographics and the impact on urban areas and in particular settlements and sites subject to health protection.  3. All measures proposed by the authors of the SEA Report should be implemented by the Contracting Authority. | The opinion does not contain any comments or recommendations for the Environmental Report. |
| 3. | Danube River Basin Management Directorate,  ПУ-01-652 (5)/25.03.2022 | 1. To be reflected in the report that according to §6 of the Transitional and Final Provisions to the Law on Amendment and Supplement to the Water Act (Promulgated SG No. 20 of 11 March 2022) The flood risk management plans for the period 2016- 2021 and the River Basin Management Plans for the period 2016-2021 shall be applied until the adoption of updated plans under Art. 146o, para. 3 of the Water Act.   2. To correct technical errors - River Basin Management Plan (RBMP) to be replaced by Flooding Risk Management Plan (FRMP) in:  - p. 135 - Results of the risk assessment for the APSFR as part of the RBMP (2016-2020) for the Danube River show that within the defined flood limits of floods with a low probability (0.1%) ..  - p. 296 The programming period of PCPC coincides with the update period, the preparation and implementation of the second RBM for the period 2022-2027. | The recommendations were accepted and integrated into the Environmental Report. |
| 4. | Black Sea River Basin Management Directorate  Ref. No 04-01-923(A7)/04.03.2022 | The Black Sea River Basin Management Directorate has no remarks on the Strategic Environmental Assessment Report on the Programme Interreg VI-A Romania-Bulgaria 2021-2027. | The opinion does not contain any comments or recommendations. |
|  | Regional Inspectorate of Environment and Water – Varna  Ref. No 04-00-6747/A5 | Regional Inspectorate of Environment and Water – Varna has no remarks on the Strategic Environmental Assessment Report on the Programme Interreg VI-A Romania-Bulgaria 2021-2027, incl. its Annexes. | The opinion does not contain any comments or recommendations. |
|  | Regional Inspectorate of Environment and Water – Veliko Turnovo  Ref. No 750(6)/ 24.03.2022 | There are 2 SEVESO enterprises located in the city of Svishtov that have to be added to *Figure 3-65 SEVESO location in the programme area.*  To add in Section 9 a general measure to prevent and mitigate the expected negative impacts, covering all activities and measures envisaged to achieve the relevant environmental objectives thus set, with the following text:  Investment projects / project proposals under the Cross-border Cooperation Program INTERREG VI-A Romania - Bulgaria 2021-2027, outlining a framework for future development of investment proposals / plans, programs or projects for which an EIA / SEA procedure is required (in accordance with the Environmental Protection Act) and / or the procedure for Appropriate Assessment with the subject and objectives of protection in protected areas (under the Biodiversity Act), to be approved by the Managing Authority of the Program and under the relevant special law only after ruling by an act for coordination by the competent environmental authorities and with the conditions and measures in the respective act. | The SEVESO sites map has been updated.  All subsequent projects RO-BG 2021-2027 will be selected and implemented in full compliance with the requirements of the environmental legislation in force. |
|  | Regional Inspectorate of Environment and Water – Montana  Ref. No 919/14.03.2022 | Regional Inspectorate of Environment and Water – Montana has no remarks, proposals and recommendations for amendment or supplement of the SEA Report. | The opinion does not contain any comments or recommendations. |
|  | Regional Inspectorate of Environment and Water – Ruse,  Ref. No M-1240/23.03.2022 | Regional Inspectorate of Environment and Water – Ruse has no objections, remarks and additions to the submitted SEA documentation. | The opinion does not contain any comments or recommendations. |
|  |  | Public consultation and public debate |  |
|  |  | There are no recommendations received during the public debate. |  |

1. Environmental Protection Act – *promulgated in State Gazette No. 91 /2002, last amendments promulgated in State Gazette No.22 / 2014*. [↑](#footnote-ref-1)
2. Ordinance on the terms and procedures for environmental assessment of plans and programmes – *promulgated in State Gazette No. 57/2004, last amendments promulgated in State Gazette No.94 / 2012.* [↑](#footnote-ref-2)