



21.12.2016

NOTICE TO MEMBERS

Subject: Petition 0745/2007 by Andrey Kovatchev (Bulgarian), on behalf of the Balkani Wildlife Society, on failure to implement the Natura 2000 network in Bulgaria

Petition 0997/2007 by Ivailo Ivanov (Bulgarian), on behalf of the Bulgarian Bird Protection Society, with six other signatures, on inadequate transposition of the Natura 2000 network in Bulgaria as a result of violation of the Wild Birds and Habitat Directives

Petition 1082/2007 by Cvata Hristova (Bulgarian), on behalf of 'Za Zemiata', an environmental protection association, concerning non-compliance by the Bulgarian authorities with EU environmental legislation in connection with an infrastructural project under way in the 'Rila National Park', a Natura 2000 area

Petition 1299/2007 by Marianna Perianova (Bulgarian), on investigation and actions regarding Natura 2000 sites and cessation of illegal building activities in Bulgaria and building activities legalized due to corruption

Petition 1494/2007 by Plamena Naydenova (Bulgarian), on building projects in protected nature reserves (Natura 2000)

Petition 1503/2007 by Lazov Yordan Stamenov (Bulgarian), on protection of the environment in Bulgaria

Petition 0526/2008 by Vera Pentkantchin (Bulgarian), on non implementation by the Bulgarian Government of Community legislation regarding the Natura 2000 network

Petition 1336/2008 by Andrey Kovatchev (Bulgarian), bearing 1 other signature, on failure to implement the Natura 2000 network in Bulgaria and the Commission's unsatisfactory treatment of a related complaint

Petition 1518/2008 by Irina Mateeva (Bulgarian), on behalf of the Bulgarian Society for the Protection of Birds, on non-implementation by the Bulgarian authorities of the provisions on special protection areas as set out in Council Directive 79/409/EEC on the conservation of wild birds

Petition 0640/2009 by Vladimir Ivanov Mihailov (Bulgarian), bearing 550 signatures, on an illegally constructed ski-lift in the Rila national park in Bulgaria

1. Summary of petition 0745/2007

The petitioner states that, under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, one of Bulgaria's most important accession obligations was to designate sites, and the habitats and native species occurring there, in accordance with the criteria of annex III. Bulgaria was supposed, before its accession, to submit a complete list of the national areas for inclusion in the Natura 2000 network. According to the petitioner this did not happen, and he states that many important areas are currently suffering irreparable damage. He therefore calls on the European Parliament to ensure that Bulgaria meets its obligations to designate specially protected areas without delay.

Summary of petition 0997/2007

The petitioners, who represent seven Bulgarian NGOs, complain about the inadequate and incomplete transposition by the Bulgarian authorities of Directive 79/409/EEC on the conservation of wild birds and Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. They claim that the Bulgarian government has not submitted a complete list of areas, and that there is consequently no coherent Natura 2000 network. Indeed, under pressure from private investors, several areas which were originally selected have been deleted from the list without any scientific reason, including three areas of EU interest. This means that the number and size of the protection areas has fallen below the bare minimum.

Summary of petition 1082/2007

On behalf of 'Za Zemiata', an environmental protection association, the petitioner is seeking action by the European Parliament to end the infrastructural project currently under way (ski lifts and access road) in the Rila National Park, a Natura 2000 area (BG0001188). The petitioner also maintains that no environmental impact assessment has been carried out.

Summary of petition 1299/2007

The petitioner appeals for the Parliament's involvement in protecting the Bulgarian public against the drastic encroachments upon Bulgaria's national natural heritage. The Black Sea coast in Bulgaria is threatened by over-development. The threats extend also to the sites from the European ecological network Natura 2000, hosting the protected seaside habitats- dunes, rocks, estuaries, lagoons, forests along with the protected species living there. The Bulgarian

government ignores completely its obligations about the protection of these sites as set down in the nature conservation directives. Consequently, the sites are on the way of being destroyed by thousands of small and large construction projects. The authorities are not concerned that public opinion supports these sites. The Bulgarian government also ignores the protests of its own citizens in defence of the Black sea coast and its unique mountains. Currently illegal roads and mega ski resorts are in the process of being built in the Bulgarian mountains, specifically Rila, which above 2000 m. altitude is a national park.. Rila mountain is the highest on the Balkans and houses a large number of protected species. The latest decision of the Bulgarian Parliament in November was to exclude parts of Rila from Natura 2000 list due to investor interests. The petitioner asked the European Parliament to insist that :

1. The European Commission immediately starts a rapid infringement procedure against Bulgaria similar to the Via Baltica case in Poland, as well as an official investigation of violations
2. the EU funding for regional development in municipalities with problematic Natura 2000 sites be stopped until the issues are resolved.

Summary of petition 1494/2007

The petitioner maintains that Bulgaria is infringing EU legislation and is breach of the Directives on nature protection. She says that Bulgaria is deliberately applying European legislation incorrectly, is not complying with the applicable standards and principles in the planning and execution of major building projects, and is not prosecuting offenders. The Black Sea coast in particular is under threat from overdevelopment. The development extends to recognised Natura 2000 reserves containing protected coastal habitats such as areas of dunes and rocks, river estuaries, lagoons, woodland and many protected species of animal. According to the petitioner, illegal roads and a massive ski resort have been built in the Bulgarian mountains. Specifically on the Rila mountain, the highest peak in the Balkans and a protected nature reserve above 2000 metres. This mountain area is home to various protected animal species and the mountain is a sacred site for different religions. The petitioner claims that illegal roads and a ski lift are currently being built beside the mountain's lakes. Furthermore, the public are being forcibly kept away from public areas by building companies and protected public areas are being declared private property through illegal agreements with corrupt authorities. The petitioner wants the European Union to initiate infringement procedures against Bulgaria.

Summary of petition 1503/2007

In the first part of the petition, the petitioner claims that there have been delays in the designation of a natura 2000 site (directive 92/43/EC) in the Rila valley. It is alleged that the delay is due to a problem with defining the limits of the area to be protected, because there are competing interests for the use of the land. The implication is that the area to be designated will be smaller than it should be. The regulatory deadline for communication of the designated area to the Commission (1/1/2007) has allegedly been missed, as has a June deadline under biodiversity provisions. The petitioner lists the protected species which would suffer from an inappropriate implementation of the Bulgarian 10 year forestry plan. In the second part of the petition, it is alleged by the "Green Balkans" association that riverbank excavations on the Djerman river disturb an important resting place for migrant birds. Although this problem is not new, it needs to be addressed now in view of Bulgaria's

obligations of membership. There is a related problem of effects on the groundwater aquifer.

Summary of petition 0526/2008

The petitioner maintains that the Bulgarian Government is failing to provide any real protection for Natura 2000 conservation areas, and that urgent measures are necessary to prevent the destruction thereof. The petitioner outlines the basic problems and recommends solutions, identifying specific areas where Community law regarding the Natura 2000 network is not being implemented.

Summary of petition 1336/2008

The petitioner points out that, under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, one of Bulgaria's most important mandatory requirements for accession was to designate areas and the natural habitats and native species to those areas. Bulgaria was to have submitted, before accession, a complete list of the national areas to be incorporated in the Natura 2000 network. In the petitioner's view, that has not happened and he points out that many important areas, including the Irakli beach on the Black Sea coast, are currently suffering irreparable damage. The petitioner also complains about the way in which the Commission has dealt with the complaint submitted in March 2008 by the association of NGOs, 'Save Bulgarian Nature', and he therefore calls on the European Parliament to ensure that the Commission intercedes with the Bulgarian authorities to make plain to them that they must immediately fulfil their obligation to designate specially protected areas.

Summary of petition 1518/2008

The petitioner states that Bulgaria has not designated a sufficient number of special protection areas and that the Bulgarian authorities are also welcoming applications for development projects in the areas which should be so designated. She refers in this connection in particular to the localities of Kaliakra and Kamchia on the Black Sea coast. In spite of the complaints submitted by the Bulgarian Society for the Protection of Birds to the relevant Bulgarian authorities and the Commission's written warning of June 2008, the Bulgarian authorities are continuing to approve development projects, including tourist buildings, a wind farm in Kaliakra, and a holiday site called the Kamchia Resort. The petitioner therefore calls on the European Parliament and the Commission to ensure that the Bulgarian authorities designate without delay special protection areas pursuant to Council Directive 79/409/EEC on the conservation of wild birds, and restore the natural areas spoilt since 1 January 2007, when Bulgaria joined the EU and should consequently have complied with EU environmental legislation. The petitioner also calls for EU funding to be withheld if Bulgaria fails to comply correctly with the environmental directives.

Summary of petition 0640/2009

The petitioner complains about the Bulgarian government's official opening on 24 April 2009 of an - in his opinion - illegal ski-lift between Pionerska and Rilski Ezera in the Rila national park. The petitioner claims that no environmental impact assessment was carried out for this project and that there was no complete inspection of the ski-lift's technical equipment. As the

petitioner believes that the ski-lift is contrary to applicable EU legislation and that the safety of users is at risk, he asks the European Parliament to intervene.

2. Admissibility

0745/2007: Declared admissible on 20 December 2007.

0997/2007: Declared admissible on 5 March 2008.

1082/2007: Declared admissible on 14 March 2008

1299/2007: Declared admissible on 30 April 2008.

1494/2007: Declared admissible on 02 June 2008.

1503/2007: Declared admissible on 2 June 2008.

0526/2008: Declared admissible on 30 September 2008

Information requested from Commission under Rule 192(4).

1336/2008: Declared admissible on 23 February 2009

1518/2008: Declared admissible on 16 March 2009

0640/2009: Declared admissible on 16 September 2009

Information requested from Commission under Rule 216(6).

3. Commission reply for 0745/2007, received on 7 March 2008.

The petitioner states that, under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora¹, one of Bulgaria's most important accession obligations was to identify Sites of Community Importance in accordance with the criteria set out in Annex III of the above directive, for the conservation of natural habitat types and species of Community Interest. Bulgaria was supposed, at the latest by accession+, to submit a complete national list of the potential sites for inclusion in the Natura 2000 network.

According to the petitioner this did not fully happen and he states that many important areas not included in the proposed list, are currently suffering irreparable damage. He claims that some of the proposed sites do not even have the required protection regime. He, therefore, calls on the European Parliament to ensure that Bulgaria meets its obligations to designate specially protected areas without delay.

The Commission has been aware of the problems surrounding the identification and designation of the sites of the Natura 2000 network in Bulgaria, not only the Sites of Community Interest under the Habitats Directive, but also the Special Protection Areas under the Birds Directive², the other components of the network. The Commission has been receiving many signals from citizens and non-governmental organisations concerning the completeness of the network as first proposed by Bulgaria (received by the Commission on 15 March, 2007), including correspondence and personal visits from the petitioner's organisation. Commissioner Dimas also received personally a group of NGOs from Bulgaria where the same arguments were presented.

The Directorate-General for Environment has been closely following these issues in Bulgaria, not only through meetings of high-level officials but also frequent exchanges of correspondence (including "pre-226 letter" for bad application of the directives). As a result

¹ OJ L 206, 22.7.1992, p. 7-50.

² Council Directive 79/409/EEC on the conservation of wild birds, OJ L 103, 25.4.1979, p. 1-18.

of this dialogue, since the date of the petition Bulgaria has submitted two further sets of proposed Sites of Community Importance under the Habitats Directive and Special Protection Areas under the Birds Directive (the required documentation was received on 8th November, 2007, and 22nd January, 2008, respectively).

The national list of Sites of Community Importance from Bulgaria is now in the process of being evaluated in accordance with the criteria set out in Annex III of the Habitats Directive. This is being done by the EEA European Topic Centre on Biological Diversity, which provides technical assistance to the European Commission to judge the completeness and coherence of the proposed network. Their preliminary assessments will be discussed at a technical meeting called a biogeographic seminar, where Commission officials and experts on behalf of the Commission, Member States officials and their experts and representatives of stakeholder groups will examine the scientific soundness of the proposed network.

In light of the fact that Bulgaria has made substantial improvements to their initial list of proposed Sites of Community Importance, the Commission is proceeding with the established practice of examining the list of sites in the so-called bio-geographic process. The Commission will inform the Committee on Petitions of the outcome of this process.

4. Further Commission reply, received on 7 July 2009.

The Commission's reply of 7/3/2008 indicated that the Commission had put pressure on Bulgaria to propose further sites, which did happen in late 2007 and early 2008. The Commission also stated that the completeness of the list would be examined in the context of the biogeographic analyses as provided for in the Habitats Directive.

The biogeographic seminar for Bulgaria was held in June 2008, when a number of habitat types and species were found to be insufficiently represented in the national list. The petitioner himself helped with these analyses because he was one of the representatives of the NGOs who participated in the discussions.

Based on the findings of the seminar, the first, as yet incomplete, lists of Sites of Community Importance adopted by the Commission are contained in Commission decisions 2009/91/EC¹ (for the Alpine region), 2009/92/EC² (for the Black Sea region) and 2009/93/EC³ (for the Continental region).

Following the biogeographic seminar, the Commission agreed with Bulgaria that the gaps in the proposed network would be filled by 1st of September 2009.

¹ Commission Decision 2009/91/EC of 12 December 2008 adopting, pursuant to Council Directive 92/43/EEC, a second updated list of sites of Community importance for the Alpine biogeographical region (notified under document number C(2008) 7973). OJ L 043 , 13.02.2009 p.21 – 58.

² Commission Decision 2009/92/EC of 12 December 2008 adopting, pursuant to Council Directive 92/43/EEC, an initial list of sites of Community importance for the Black Sea biogeographical region (notified under document number C(2008) 7974). OJ L 043 , 13.02.2009 p. 59 -62.

³ Commission Decision 2009/91/EC Commission Decision of 12 December 2008 adopting, pursuant to Council Directive 92/43/EEC, a second updated list of sites of Community importance for the Continental biogeographical region (notified under document number C(2008) 8039). OJ L 043, 13.02.2009 p.63 –244.

The Commission does not see any reason to act upon this petition because of the recent progress in adopting the first Community lists of Sites of Community Importance for Bulgaria. The Commission will work with the Bulgarian authorities to complete the national list of Sites of Community Importance.

5. Further Commission reply, received on 11 May 2010.

Insufficient designation of Sites of Community Importance

The analysis of the current situation shows that Bulgaria has up to now designated approximately 34% of its territory for the Natura 2000 network which to a large extent allows for coverage of the habitats and the species protected by both the Birds¹ and Habitats² Directives.

The results of the Biogeographical Seminar held in June 2008 concluded that there are still a number of minor and moderate insufficiencies as well as a number of "scientific reserves". No major insufficiencies were reported. Bulgaria filled in the minor insufficiencies by 1 September 2008. Furthermore, mainly due to the relatively large number of "scientific reserves" for which additional studies are currently undertaken by Bulgaria, the Commission agreed with the national authorities to extend the deadline so that the remaining gaps are addressed properly. Bulgaria is now expected to address the remaining insufficiencies by autumn 2010. The Commission is closely monitoring the situation and is actively working with Bulgaria to finalize the remaining gaps.

Lack of protection of Sites of Community Importance

The Commission addresses as a matter of priority the protection of Natura 2000 sites in Bulgaria and has launched a number of infringement procedures tackling specific developments in Sites of Community Importance (such as Rila³, Pirin⁴ and Emine-Irakli⁵).

The Commission considers that progress has been achieved following the adoption of the first Community lists of Sites of Community Importance for Bulgaria and the further commitments by the country to address the remaining insufficiencies.

The Commission has also addressed the problems of lack of protection of Natura 2000 sites by means of an active dialogue with the Bulgarian authorities and, where necessary, by launching infringement procedures.

6. Further Commission reply (REV. III), received on 18 July 2011.

In April 2011, the Commission services conducted a fact-finding mission to Bulgaria in order to collect further information and to update or verify existing information with regard to the

¹ Directive 2009/147/EC, OJ L 20, 26.1.2010

² Directive 92/43/EEC, OJ L 206, 22.7.1992

³ Link to the Commission's press release:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1793&format=HTML&aged=0&language=EN&guiLanguage=en>

⁴ Link to the Commission's press-releases:

<http://europa.eu/rapid/pressreleasesaction.do?reference=ip/09/1484&format=html&aged=0&language=en&guiLanguage=en>

⁵ Link to the Commission's press-releases:

<http://europa.eu/rapid/pressreleasesaction.do?reference=ip/09/1484&format=html&aged=0&language=en&guiLanguage=en>

ongoing infringement procedures initiated by the Commission against Bulgaria for non-compliance with EU environmental law, including insufficient designation of Special Protection Areas (SPAs) under the Birds Directive and of Sites of Community Importance (SCIs) under the Habitats Directive as well as the authorisation of economic development projects in the Natura 2000 network of protected sites.

The Commission services visited a number of economic development projects in the Rila and Pirin Mountains and had a series of technical meetings with the competent Bulgarian authorities and Bulgarian environmental NGOs. The Commission services have requested additional information and clarification with regard to certain issues. The Bulgarian authorities and NGOs promised to provide the requested technical information as soon as possible.

The Commission services would point out that the cases concerned involve a high degree of factual and technical analysis. Because the Commission bears the burden of proof in any infringement procedure, the Commission services need to check and analyse all the available information very carefully. Further steps could be expected after summer 2011.

7. Further Commission reply, received on 16 December 2011 (REV. IV)

for Petitions 745/2007, 997/2007, 1082/2007, 1299/2007, 1494/2007, 1503/2007, 526/2008, 1336/2008, 1518/2008 and 640/2009

With regard to the ongoing infringement procedures initiated by the Commission against Bulgaria for non-compliance with EU environmental law, including the insufficient designation and protection of Special Protection Areas (SPAs) under the Birds Directive¹ and Sites of Community Importance (SCIs) under the Habitats Directive² as well as the authorisation of economic development projects in the Natura 2000 network of protected sites, in September 2011, the Commission sent an additional Letter of Formal Notice (LFN) to the Bulgarian Government with regard to sites BG051 "Kaliakra" Important Bird Area (IBA), BG0002051 "Kaliakra" SPA, BG0002097 "Belite Skali" SPA, and BG0000573 "Kaliakra complex" SCI.

This additional LFN addresses two groups of issues:

- The insufficient designation of "Kaliakra" SPA;
- The impact of a number of economic development projects on "Kaliakra complex" SCI, and/or "Kaliakra" SPA, and/or "Belite Skali" SPA, and/or the area that should have been designated as a SPA according to the IBA inventory but was not.

Furthermore, the Commission is actively pursuing its investigations with regard to the insufficient protection of - and the authorisation of economic development projects in sites BG0001004 "Emine-Irakli" SCI, BG0000495 "Rila" SCI, and BG0001188 "Rila Buffer" candidate SCI.

¹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26/01/2010, pp. 7–25.

² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22/07/1992, pp. 7–50.

**8. Further Commission reply, received on 30 August 2012 (REV. V)
for Petitions 745/2007, 997/2007, 1082/2007, 1299/2007, 1494/2007, 1503/2007,
526/2008, 1336/2008, 1518/2008 and 640/2009**

With regard to the insufficient designation of the Kaliakra SPA and the authorisation of economic development projects in sites BG051 "Kaliakra" Important Bird Area (IBA), BG0002051 "Kaliakra" SPA, BG0002097 "Belite Skali" SPA, and BG0000573 "Kaliakra complex" SCI, the European Commission sent a reasoned opinion on 21 June 2012. Bulgaria has two months to comply with the reasoned opinion¹.

With regard to the 4 other insufficiently designated SPAs, the territories of Pirin, Lomovete, Central Balkan, and Western Rhodopes have been enlarged due to intensive dialogue with the authorities. The Bulgarian Council of Ministers Decision No. 335 of 26/05/2011 for the extension of the SPAs network was officially published in the State Gazette, Issue 41 of 31/05/2011. The data was submitted to the Commission in September 2011.

The insufficient designation of the Rila SPA has been discussed during the package meeting in May 2012 between the Commission services and the Bulgarian authorities. The Commission services are now expecting new information to be submitted by the competent Bulgarian authorities.

With regard to the insufficient designation of the SCI part of the network, in November 2010, Bulgaria designated three new sites and extended 25 already existing sites. Through this substantial step, territories of more than 47 000 ha in total were added to the Natura 2000 network through a Council of Ministers' decision promulgated in the State Gazette 96/7.12.2010. The relevant data was subsequently submitted to the Commission and has been assessed by its services. The Commission is organising a bilateral biogeographic seminar in October 2012 in Sofia in order to discuss the sufficiency of the network with the authorities.

**9. Further Commission reply, received on 28 February 2014 (REV. VI)
for Petitions 0745/2007, 0997/2007, 1082/2007, 1299/2007, 1494/2007, 1503/2007,
526/2008, 1336/2008, 1518/2008 and 640/2009**

With regard to the completion of the Natura 2000 network of Special Protected Areas (SPAs) under the Birds Directive², from the 6 sites subject to infringement procedure 2007/4850 Bulgaria has designated additional territories for 4 of them - Pirin, Lomovete, Central Balkan, and Western Rhodopes. After careful analysis of these designations the Commission concluded that the 4 sites are sufficiently designated and meet the requirements of the Birds Directive. With regard to the Kaliakra SPA on 6/11/2013 Bulgarian government decided to extend the site to the boundaries corresponding to the IBA Kaliakra. The national procedure for designation is currently ongoing. An extension of Rila SPA was expected to be completed

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<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/654&format=HTML&aged=0&language=EN&guiLanguage=en>

² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, *OJ L 20*, 26.1.2010, p. 7–25

by the end of September 2013, but was not. The Commission is therefore considering taking further steps under the ongoing infringement case.

With regard to the completion of the Natura 2000 network of Sites of Community Interest (SCIs) under the Habitats Directive¹, following the conclusions made in 2008 at the first biogeographic seminar, in 2011 Bulgaria has designated three new SCIs and enlarged 25 existing ones. As a result Bulgarian Natura 2000 network currently covers 34% of the national territory. In order to make its final conclusions on the sufficiency of these designations, the Commission organised a bilateral biogeographic seminar on 09/10/2012. It appeared that despite the fact that Natura 2000 network is well established and has a very good coverage in Bulgaria, with regard to two species listed in Annex II of the Habitats Directive (Brown bear (*Ursus arctos*) and the European Bullhead (*Cottus gobio*)), the territories in Rila mountain designated as SCI, are not sufficient. Bulgaria was therefore requested to designate additional territories in Rila Mountain as soon as possible but no later than 30 September 2013. As there is still no designation proposal submitted by Bulgaria, the Commission is now considering taking further action.

**10. Further Commission reply, received on 21 December 2016 (REV. VII)
for , 1082/2007, 1299/2007 and 640/2009**

Construction of ski infrastructure near the Rila lakes and particularly the so called 'Rila lift (petitions 1082/2007 and 640/2009):

The infringement procedure dealing with this issue was closed because the Bulgarian authorities adopted a substantive plan with measures to protect the site. In addition, as requested by the Commission services, the Bulgarian authorities report regularly on the implementation of this plan. In the last information received in October 2016, the competent Bulgarian authorities reported that the measures continue to be applied according to schedule.

Construction activities in the Black Sea coast area (1299/2007):

The Commission investigation showed that a large number of projects have indeed been authorised, but this was done before the accession of Bulgaria to the EU, except in one case - clearing the bed of the Vaya River. Therefore, the issue was not pursued, except as regards the project for clearing the bed of the Vaya River. The exchange with the Bulgarian authorities under this infringement procedure showed that the project to clear the riverbed was a measure to prevent flooding. However, the authorities undertook a number of measures to protect the site, including the planting of suitable species on the affected riverbanks. Consequently, the infringement procedure was closed. Furthermore, the Bulgarian authorities provided a report in August 2016 on the implementation of the continuing measures in the area showing positive developments.

Conclusion

On the 'Rila Lift', the Commission has not identified any breach by Bulgaria of its obligations under EU environmental law in relation to this matter.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, *OJ L 206*, 22.7.1992, p. 7–50

On the construction activities in the Black Sea coast area, the Commission services have concluded that the Bulgarian authorities took the necessary measures to fulfil their obligations under the EU environmental law and the case will not be pursued further.