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Dear Madam/Sir,

Thank you for your letter of 1 August 2019 concerning the alleged ongoing deterioration of the Natura 2000 sites located in the “Kresna Gorge”, which has been registered under CHAP(2017)02186. First Vice-President Timmermans has asked me to reply on his behalf.

It is uncontested that the E79 road constitutes the most important pressure for these Natura 2000 sites, as the intense traffic causes significant mortality of EU protected species and deteriorates the Natura 2000 sites.

In light of this, the Commission has several times urged the Bulgarian authorities to put in place the conservation objectives and the necessary conservation measures for the sites while taking appropriate steps to avoid habitat deterioration and significant disturbance of the concerned species. As explained during the meeting of 7 May 2019, the Commission services have suggested to the Bulgarian authorities to put in place mitigating measures such as the establishment and strict enforcement of speed limits, noise reduction, ensuring the effectiveness of the defragmentation measures in place and establishing new ones. This should take place immediately, irrespectively of the option chosen for the Lot 3.2 of the Struma motorway, which will in any case take several years to implement.

In addition, it is critical that the construction of Lot 3.2 of the Struma motorway avoids any further deterioration or disturbance of the protected habitats and species.

Regarding your concerns on the shortcomings of the EIA/AA procedure related to the Lot 3.2 of the Struma motorway, following the submission of an application for funding by Bulgaria, the Commission services are currently assessing the project's compliance with EU legislation. I would like to reiterate that the Commission will only approve the application for co-financing if the project is in line with the provisions of EU legislation.

I would also like to recall that there are two ongoing infringement procedures, which address very important systemic issues in Bulgaria in the field of nature protection.

First, in July 2018, Bulgaria received a warning for systematically disregarding cumulative impacts of existing and authorised plans and projects and for authorising developments representing major threats to Natura 2000 sites.

Second, in January 2019, the Commission warned Bulgaria because it did not designate Sites of Community Interest (SCI) under the Habitats Directive¹ as Special Areas of Conservation (SAC) and because it did not establish the necessary conservation objectives and measures for these sites. Both cases are relevant for the two Natura 2000 sites located in the Kresna Gorge. The Commission will pursue these structural implementation failures as a priority and assess the need for any additional action to ensure irreversible damage to the Kresna Gorge is prevented in line with the precautionary principle. This assessment will be carried out and considered irrespective of the above-mentioned project assessment.

Yours sincerely,



¹ Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (OJ L 206 of 22.7.1992, p. 7).