

**Guidelines on Mainstreaming of Environmental Policy and  
Climate Change Policy in CP, CAP and CFP Funds  
2014 - 2020**

**Phase: Programming of the Common Strategic Framework  
Funds**

**February, 2013**

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## LIST OF ABBREVIATIONS

<b>Abbreviation</b>	<b>Meaning</b>
<b>ATS</b>	Allowance Trading Scheme
<b>BHO</b>	Biodegradable Household Waste
<b>CAP</b>	Common Agricultural Policy
<b>CCP</b>	Climate Change Policy
<b>CEUFMC</b>	Council of EU Funds Management Coordination
<b>CF</b>	Cohesion Fund
<b>CFP</b>	Common Fisheries Policy
<b>CoM</b>	Council of Ministers
<b>CP</b>	Cohesion Policy
<b>CPE</b>	Cohesion Policy for Environment (Directorate)
<b>CSF</b>	Common Strategic Framework
<b>DWTP</b>	Drinking Water Treatment Plant
<b>EAFRD</b>	European Agricultural Fund for Rural Development
<b>EC</b>	European Commission
<b>EE</b>	Energy Efficiency
<b>EIA</b>	Environmental Impact Assessment
<b>EMFF</b>	European Maritime and Fisheries Fund
<b>EP</b>	Environmental Policy
<b>EQS</b>	Environmental Quality Standards
<b>ERDF</b>	European Regional Development Fund
<b>ESF</b>	European Social Fund
<b>EU</b>	European Union
<b>ExEA</b>	Executive Environment Agency
<b>FRMP</b>	Flood Risk Management Plan
<b>GDP</b>	Gross Domestic Product
<b>GHGE</b>	Greenhouse Gas Emissions
<b>IPPC</b>	Integrated Pollution Prevention and Control
<b>ITI</b>	Integrated Territorial Investments
<b>IURDP</b>	Integrated Urban Regeneration and Development Plans
<b>MA</b>	Managing Authority
<b>MAFP</b>	Maritime Affairs and Fisheries Programme
<b>MoEW</b>	Ministry of Environment and Water
<b>MP</b>	Management Plan
<b>MRDPW</b>	Ministry of Regional Development and Public Works
<b>MS</b>	Member State
<b>NMS</b>	National Marine Strategy
<b>NRP</b>	National Reform Programme
<b>OP</b>	Operational Programme(s)
<b>OPE</b>	Operational Programme Environment
<b>OPHRD</b>	Operational Programme Human Resources Development
<b>OPIE</b>	Operational Programme for Innovations and Entrepreneurship

<b>Abbreviation</b>	<b>Meaning</b>
<b>OPRD</b>	Operational Programme Regional Development
<b>OPT</b>	Operational Programme Transport
<b>OPTTI</b>	Operational Programme Transport and Transport Infrastructure
<b>PA</b>	Protected Area
<b>PAMP</b>	Protected Area Management Plan
<b>PA</b>	Partnership Agreement
<b>PAF</b>	Prioritised Action Framework
<b>PE</b>	Population Equivalent
<b>PZ</b>	Protected Zone
<b>PZMP</b>	Protected Zone Management Plan
<b>R&amp;B</b>	Research and Development
<b>RBMP</b>	River Basin Management Plan
<b>RDP</b>	Rural Development Programme
<b>RES</b>	Renewable Energy Sources
<b>SEA</b>	Strategic Environmental Assessment
<b>SEAO</b>	Strategic Environmental Assessment Opinion
<b>SF</b>	Structural Funds
<b>SME</b>	Small and Medium-sized Enterprises
<b>TFEU</b>	Treaty on the Functioning of the European Union
<b>TO</b>	Thematic Objective
<b>WWTP</b>	Waste Water Treatment Plant
<b>WWS</b>	Water Supply and Sewerage
<b>WG</b>	Working Group

## I. Introduction

The new requirements to the mainstreaming of environmental policy (EP) and climate change policy (CCP) in the EU funds for the next programming period call for changing the approach applied in the current programming period under which environmental actions were included in the different programmes at the discretion exclusively of other institutions, regardless of their priority for the implementation of environmental and/or climate change policies.

There is currently a recognition of the need of a document which will provide strategic guidance to the managing authorities of the future operational programmes (OP for innovations and entrepreneurship, OP for regional development, OP for transport and transport infrastructure, OP for human resources development, OP for science and education for intelligent growth, the Rural Development Programme and the Maritime and Fisheries Programme), while mainstreaming environmental policy and climate change policy in the programming process for the next programming period 2014-2020.

The design and implementation of Guidelines on Mainstreaming of Environmental Policy and Climate Change Policy in the Common Strategic Framework (CSF) Funds for the 2014-2020 programming period shall improve the coordination and efficiency of the environmental and climate change actions set out in the Partnership Agreement (PA) as well as in the separate operational programmes to be supported by the EU funds. It will also help the country fulfil the earmarking requirements laid down in the Common Provisions Regulation and the specific regulations on the different funds.

Pursuant to Order No. RD-OP-17/20.03.2012, as amended and supplemented by Order No. RD-OP-17-1/12.04.2012 of the Minister of Environment and Water, an inter-ministerial working group was set up and tasked to draft actions for mainstreaming of environment and climate change to be used in the programming of Cohesion Policy (CP), Common Agricultural Policy (CAP) and Common Fisheries Policy (CFP) Funds for the period 2014 – 2020.

The working group came up with a proposal for specific measures (tools) contributing to mainstreaming of environment and climate change **in the programming** of CP, CAP and CFP Funds for the period 2014 – 2020.

This paper aims to present at the earliest stage the requirements to be taken into account in the programming of CSF Funds for the period 2014-2020, with a view to mainstreaming environment and climate change in the major programming documents – OPs and PA.

MoEW, as the competent authority for the implementation of EP и CCP, took the initiative for the programming of the important environment and climate change actions in the OPs which will be supported by the five CSF Funds. The purpose is to ensure an integrated, systematic and coordinated approach, reporting and follow up of results and, ultimately, to come up with specific and measurable national targets consistent with the EU targets. Furthermore, this will also help achieve synergy and avoid overlapping of OPs, by determining accurately the demarcation between them.

Considering the dynamics of the programming of CSF Funds for the period 2014-2020 and the fact that key decisions at EU and national level are not yet available, these guidelines will be updated and supplemented on a regular basis throughout the programming process of OP and PA.

*These Guidelines will be updated on a regular basis with a view to reflecting important decisions at EU and national level on the programming of CSF Funds. The updated guidelines will be promptly distributed to the departments and institutions engaged in the programming of the Funds for the period 2014 – 2020*

This document has been prepared with the main purpose to identify and approve environment and climate change measures (groups of activities) to be taken into account by the institutions at national level responsible for the programming of the PA and the OPs and to be included in the relevant OP

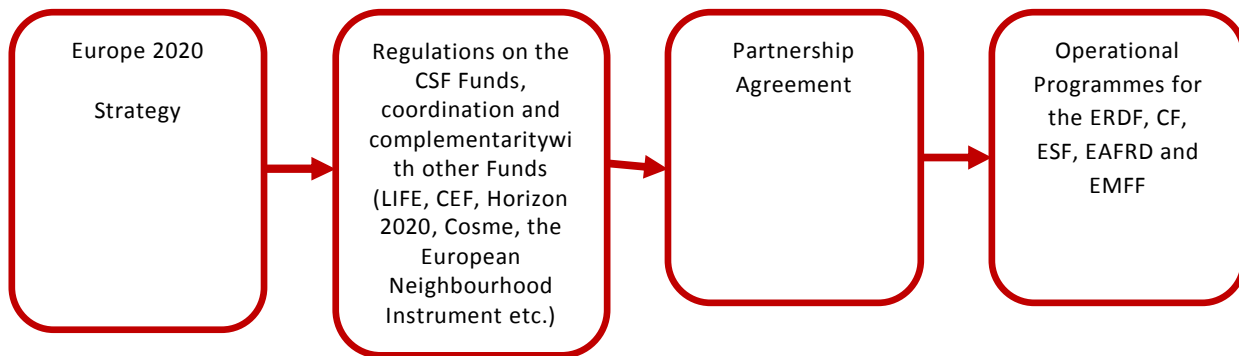
for direct support by the five CSF Funds in the period 2014 – 2020, as well as with a view to presenting MoEW's proposal for complementarity (demarcation) between the different CSF Funds.

These guidelines have been developed pursuant to the 2012 Action Plan Covering the Measures Ensuing from the Membership of the Republic of Bulgaria in the EU. This document (in particular item VI hereof, as a first step) was approved at a College within MoEW. It was also approved by the CEUFMC and will be submitted to the Council of Ministers for approval.

## II. CSF Funds Programming Architecture, 2014 - 2020

In 2011, the European Commission (EC) prepared and proposed for discussion a draft Regulation laying down common provisions on the European Regional Development Fund, (ERDF), the European Social Fund (ESF), the Cohesion Fund (CF), the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF). The draft Regulation (hereinafter "Common Provisions Regulation") covers the programming period 2014 – 2020.

Figure 1: CSF Funds Programming Framework, 2014 - 2020



### 1. Europe 2020 — the EU strategy for smart, sustainable and inclusive growth

According to Article 2 of the draft Common Provisions Regulation, "**Union strategy for smart, sustainable and inclusive growth**" means the targets and shared objectives guiding the actions of the Member States (MS) and the Union set out in:

- Communication of the Commission: Europe 2020<sup>1</sup> of 03.03.2010;
- Conclusions adopted by the European Council on 17.06.2010 as Annex I (New European Strategy for Jobs and Growth, EU Headline Targets);
- Council Recommendation of 13.07.2010 on broad guidelines on economic policies of the MS and the EU;
- Council Decision of 21.10.2010 on guidelines for the employment policies of the MS, and any revision of such targets and shared objectives.

The general budget of the EU for the 2014 - 2020 programming period should be focused on attainment of the objectives and targets of Europe 2020, implementation whereof is intended to deliver smart, sustainable and inclusive growth. This requires a combination of fiscal consolidation, structural reforms and investments that are not only aimed at increasing growth, but are also sustainable in terms of environment.

#### 1.1. Europe 2020 targets

Europe 2020 Strategy contains **5 headline targets for the period up to 2020:**

<sup>1</sup> Communication of the Commission: Europe 2020: A strategy for smart, sustainable and inclusive growth (COM (2010) 2020 final).

### **a) Employment**

- 75% of the 20-64 year-olds to be employed

### **b) R&D and innovation**

- 3% of the EU's GDP (public and private combined) to be invested in R&D and innovation

### **c) Climate change and energy**

- greenhouse gas emissions 20% lower than 1990
- 20% of energy from renewables (individual target for Bulgaria - 16%)
- 20% increase in energy efficiency

### **d) Education**

- reducing school drop-out rates below 10%
- at least 40% of 30-34-year-olds completing third level education

### **e) Poverty and social exclusion**

- at least 20 million fewer people in or at risk of poverty and social exclusion

These 5 EU-level targets are adapted and translated into national targets for each MS in accordance with its specific situation and circumstances. The targets for Bulgaria are the following<sup>2</sup>:

**Table 1: National targets in accordance with Europe 2020 Strategy**

Europe 2020 target	Bulgaria	
	Current situation	NRP 2020 target
3% of the EU's GDP to be invested in R&D	0.6% (2010)	Increase up to 1.5%
Greenhouse gas emissions 20% lower than 1990	-12% (estimated emissions in 2020 <sup>3</sup> 2005=100) +11% (emissions in 2010, 2005=100)	Increase by max 20% for non-ESTE sectors <sup>4</sup> (2005=100)
20% RES in final energy consumption (including 10% RES in final consumption in transport)	13.8% (2010)	Increase up to 16%
20% energy efficiency improvement	17.4 Mtoe (2010) <sup>5</sup>	Decrease by 3.2 Mtoe <sup>6</sup> = 15.8 Mtoe
75% of the 20-64 year-olds to be employed	63.9% (2011)	Increase up to 76%

<sup>2</sup> National Reform Programme (2011): <http://www.minfin.bg/bg/page/573>

<sup>3</sup> On the basis of existing measures, Commission Report "Progress towards achieving the Kyoto Objectives (2012)".

<sup>4</sup> According to Decision 406/2009/EC (the Effort Sharing Decision) laying down rules for determining the contribution of MS in meeting Community's commitments to reduce greenhouse gas emission from non-ETS sources (construction, agriculture, transport, waste) for the period 2013-2020.

<sup>5</sup> Gross consumption of primary energy less non-energy usages

<sup>6</sup> The figure 3.2 Mtoe is taken from the NRP, but the Second National Energy Efficiency Action Plan gives 5.8 Mtoe of estimated primary energy savings (bringing the level of primary energy consumption to 15.8 Mtoe).



Reducing school drop-out rates below 10%	12.8% (2011)	Decrease to 11%
At least 40% of 30-34 year-olds completing third level education	27.3% (2011)	Increase up to 36%
20 million fewer people in or at risk of poverty and social exclusion	41.6% of the population	Decrease by 260,000 (by 16%, 2008=100)

## 1.2. Smart growth

Smart growth means improving the EU's performance in:

- **education** (encouraging people to learn, study and update their skills);
- **research/innovation** (creating new products/services that generate growth and jobs and help address social challenges);
- **digital society** (using information and communication technologies);

There are 3 flagship initiatives for smart growth:

- Digital agenda for Europe
- Innovation union
- Youth on the move

## 1.3. Inclusive growth

Inclusive growth means:

- raising Europe's employment rate – **more and better jobs**, especially for women, young people and older workers;
- helping people of all ages anticipate and manage change through **investment in skills and training**;
- **modernizing** labor markets and welfare systems;
- ensuring the **benefits of growth reach all parts** of the EU;

There are two flagship initiatives for inclusive growth:

- Agenda for new skills and jobs
- European platform against poverty

## 1.4. Sustainable growth

Sustainable growth means:

- building a **more competitive low-carbon economy** that makes efficient, sustainable use of resources;
- **protecting the environment**, reducing emissions and **preventing biodiversity loss**;
- capitalising on Europe's leadership in developing **new green technologies** and production methods;
- introducing **efficient smart electricity grids**;
- harnessing **EU-scale networks** to give our business (especially small manufacturing firms) an additional competitive advantage;
- **improving the business environment**, in particular for SMEs;

- **helping consumers** make well informed-choices.

There are 2 flagship initiatives for sustainable growth:

- Resource-efficient Europe
- An industrial policy for the globalised era

## **2. Major environment and climate change mainstreaming requirements of the regulations on the CSF Funds**

ERDF, ESF and CF are the funds for implementation of the Cohesion Policy (CP). The first two funds are also known as Structural Funds (SF). EAFRD is the fund for implementation of the Common Agricultural Policy (CAP), and EMFF - the fund for implementation of the Common Fisheries Policy (CFP). The five funds are called together "Common Strategic Framework Funds".

### **2.1 A need to mainstream environment and climate change into the CSF Funds.**

According to Article 6 of the draft Common Provisions Regulation, "*... operations financed by the CSF Funds shall comply with applicable Union and national law*".

According to Article 8 of the draft Common Provisions Regulation, "*... the objectives of the CSF Funds shall be pursued in the framework of sustainable development and the Union's promotion of the aim of protecting and improving the environment as set out in Article 11 of the Treaty, taking into account the polluter pays principle.*"

According to Article 8 of the draft Common Provisions Regulation "*... the Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management are promoted in the preparation and implementation of Partnership Agreements and programmes*".

According to Article 44 (3), OP annual implementation reports submitted in 2017 shall assess and report the implementation of the actions planned in the programmes to fulfil the requirements of Article 8 of the draft Common Provisions Regulation. According to Article 87 (7) of the draft Common Provisions Regulation, "*... each OP, except those which cover exclusively technical assistance, shall include, where relevant, a description of specific actions to take into account environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations for funding*".

### **2.2 Promotion of sustainable development**

According to Article 11 of the Treaty on the Functioning of the European Union (TFEU), "... environmental protection requirements must be integrated into the definition and implementation of the Union policies and activities, in particular with a view to promoting sustainable development".

Sustainable development requires compliance with the EU environmental acquis. The CSF Funds are a major funding source of the EU environmental policies and thus they are expected to contribute significantly to the improvement of the environment.

With a view to promoting sustainable development through the CSF Funds, Article 111 of the draft Common Provisions Regulation provides that the co-financing rates from the Funds to a priority axis may be modulated. One of the objectives (mentioned in Article 111(2)) states that in formulating, preparing and implementing an OP account should be taken of protection and improvement of the environment, principally through the application of the precautionary principle, the principle of preventive action and the polluter pays principle.

### 2.3 Climate change

According to the draft Common Provisions Regulation (recital 12) **at least 20% of the Union budget** for the period 2014 — 2020 should be devoted to support for climate change objectives.

According to Article 8 of the draft Common Provisions Regulation "... *Member States shall provide information on the support for climate change objectives using the methodology (based on categories of interventions or measures) adopted by the Commission. The Commission shall adopt this methodology by means of an implementing act*".

According to Article 14 of the draft Common Provisions Regulation, *the Partnership Agreement shall set out the indicative amount of support foreseen for climate change objectives.*

According to Article 24(3) of the draft Common Provisions Regulation: **„each OP, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change objectives"**.

In the light of these requirements, it will be critical that MS provide timely and comprehensive information on the amount of climate change expenditure, using the methodology specified in the draft Common Provisions Regulation. In addition to the abovementioned requirement of Article 87(7) of the draft Common Provisions Regulation (see item 2.1), account should be taken also of the requirement of Article 44(3) of the draft Common Provisions Regulation that the annual implementation reports on the OP to be submitted by the MS in 2017 shall set out and assess the support from CSF Funds used for climate change targets.

### 2.4 Thematic concentration of the CSF Funds

The draft Common Provisions Regulation for the period 2014 – 2020 introduces a requirement for thematic concentration.

According to Article 16 of the draft Common Provisions Regulation, support from the EU funds should be concentrated on interventions which:

- bring the greatest added value in relation to Europe 2020 (i.e. are in accordance with the 11 thematic objectives in Article 9 and in fulfilment of the national smart, inclusive and sustainable growth targets pursuant to the NRP);
- take into account the Common Strategic Framework;
- take into account the country-specific recommendations;
- take into account national and regional needs.

To that end, Article 9 of the draft Common Provisions Regulation **identifies 11 thematic objectives (TO)**, which MS must take into account in the programming process (discussions on draft regulations concerning the obligation of the 11 TO are still underway).

**Table 2: Thematic objective for the 5 CSF Funds**

	<b>Thematic objective for the 5 CSF Funds</b>	<b>Funds supporting the objective</b>
1.	<b>Strengthening research, technological development and innovation</b>	<b>ERDF</b>
2.	Enhancing access to, and use and quality of, ICT	ERDF, EAFRD
3.	Enhancing the competitiveness of SMEs, the agricultural sector	ERDF, EAFRD,

	<b>Thematic objective for the 5 CSF Funds</b>	<b>Funds supporting the objective</b>
	(for the EAFRD) and the fisheries and aquaculture sector (for the EMFF)	EMFF
<b>4.</b>	<b>Supporting the shift towards a low-carbon economy in all sectors</b>	<b>ERDF, CF, EAFRD, EMFF</b>
<b>5.</b>	<b>Promoting climate change adaptation, risk prevention and management</b>	<b>ERDF, CF, EAFRD</b>
<b>6.</b>	<b>Protecting the environment and promoting resource efficiency</b>	<b>ERDF, CF, EAFRD, EMFF</b>
7.	Promoting <b>sustainable transport</b> and removing bottlenecks in key network infrastructures	ERDF, CF
8.	Promoting employment and supporting labour mobility	ERDF, ESF, EAFRD, EMFF
9.	Promoting social inclusion and combating poverty	ERDF, ESF, EAFRD
10.	Investing in education, skills and lifelong learning	ERDF, ESF, EAFRD
<b>11.</b>	<b>Enhancing institutional capacity and an efficient public administration</b>	<b>ERDF, ESF, CF</b>

Under each thematic objective:

- a number of (more than 60 in total) investment priorities have been identified for ERDF, ESF and CF (fund-specific - in the relevant specific regulations)
- 6 priorities have been identified for EAFRD (in the specific regulation);
- 6 Union priorities have been identified for EMFF (in the specific regulation).

## **2.5 Earmarking**

Article 84 of the draft Common Provisions Regulation sets out some **new conditionalities for ESF, ERDF and CF** as regards the allocations to these 3 funds (earmarking conditionalities):

- Between 20% and 25% of the Structural Funds resources (i.e. of ERDF and ESF) shall be allocated to the implementation of thematic objectives 8, 9 and 10;
- EUR 10 billion of the CF resources shall be allocated to the Connecting Europe Facility;
- EUR 2,5 billion of the total SF resources shall be allocated to food for deprived people;
- 5% of the resources of the 3 Funds should be set aside as a performance reserve;
- 0,2 % of the ERDF resources for the Investment for Growth and Jobs goal shall be allocated to innovative actions at the initiative of the Commission in the area of sustainable urban development.

**The draft regulation on the ERDF** contains additional earmarking requirements:

- ERDF resources may be used to support activities contributing to all 11 thematic objectives.

- At least 50% of the ERDF resources at national level shall be allocated to activities contributing to one or more of the following thematic objectives: TO 1, TO 2<sup>7</sup>, TO 3 and TO 4.
- At least 10% of the ERDF resources at national level or at least 12% of the ERDF and CF<sup>8</sup> resources at national level shall be allocated to activities contributing to TO 4.
- At least 5% of the ERDF resources at national level shall be earmarked for integrated actions for sustainable urban development delegated to cities for management through ITI.

When allocating resources to actions and OP, account should be taken of the limitation set out in the regulation on ERDF, i.e. that ERDF shall not support investment in the reduction of greenhouse gas emissions in installations falling under Annex I<sup>9</sup> of Directive 2003/87/EC<sup>10</sup>.

**The draft regulation on the CF** contains further specific requirements:

- CF resources may be used to support activities contributing only to the following thematic objectives: TO 4, TO 5, TO 6, TO 7 and TO 11<sup>11</sup>.
- CF resources shall be allocated to investment in environment, sustainable development and energy and transport infrastructure (TEN-T). The draft regulation on the CF does not contain additional thematic concentration requirements (thus the main difference from the current programming period is that it is no longer guaranteed that 50% of the resources will be allocated to environmental investment).

The CF resources are also subject to the restriction that they may not be used to support investment in reduction of greenhouse gas emissions in installations falling under Annex I<sup>10</sup> of Directive 2003/87/EC<sup>11</sup>.

Member States should draft PAs and OPs on the basis of the thematic concentration formulated hereinabove.

### **III. Current situation and a need of a new approach**

#### **1. Current situation**

The programmes supported by the EU Funds in the current programming period include actions contributing directly to the protection of the environment as well as the requisite elements for ensuring the environmental compliance of investments.

In the current period the sustainable development principle in the implementation of programs and projects is applied mainly through compliance with the requirements of the existing legislation, in relation to the environmental impact assessment (EIA) of investment proposals and the strategic environmental assessment (SEA) of plans and programmes, as well as NATURA 2000 compliance assessment. In the current programming period, complete SEA procedures were conducted for all OPs, except for OP Human Resources development, OP Administrative Capacity and OP Technical Assistance, resulting in issuance of strategic environmental assessment opinions (SEAO) with which the OP projects were made consistent. Each opinion contains two major groups of actions:

- Actions to prevent and limit the impact on the environment and on human health, and
- Actions for monitoring and control of the environmental impact of the OP implementation. Specific monitoring and control indicators are created for the second group of actions.

<sup>7</sup> At this stage, there is still lack of full agreement at EU level as to whether this objective should be included in these 50%.

<sup>8</sup> At this stage, there is still lack of full agreement at EU level on this formulation of the requirement.

<sup>9</sup> See Annex II to this document.

<sup>10</sup> Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC.

<sup>11</sup> At this stage, there is still lack of full agreement at EU level as to whether this objective should be eligible for CF funding.

Every third year of the OP implementation, the MAs of OPs should prepare monitoring and control reports on the compliance with and implementation of the two groups of actions, analyse the environmental impact of the OP and propose as necessary corrective measures for protection of the environment. The implementation of these requirements faces some major challenges:

- As not all of the MAs of OPs have prepared and submitted their first monitoring and control reports, there is currently a lack of information, justification and considerations as to whether the actions and indicators provided in the SEA are relevant and adequate, whether and how they are implemented, whether there is a need to amend and/or delete any of them;
- Some of the MA (for example of OPRD) have prepared their first three-year reports containing a detailed analysis of the method of implementation of the two groups of measures set out in the SEA. Proposals have been made to amend, delete or include new indicators which are appropriate for following the environmental developments in the implementation of OP projects;

The EIA and SEA documents are major requirements for the approval of projects within the meaning of Article 39 of Regulation (EC) 1083/2006 in accordance with Annex XXI of Regulation (EC) 1828/2006. The information submitted to the European Commission for the evaluation of major projects within the meaning of Article 39 of Regulation (EC) 1083/2006 includes: non-technical summaries of the information provided in the EIA reports; non-technical summaries of the information provided in the SEA reports of plans and programmes, on the basis whereof the project has been developed (Urban Development Master Plan, Detailed Development Plan); a declaration by a competent authority for conducted compliance assessment (as per the form attached to Annex XXI of Regulation (EC) 1828/2006); map of the objects to be built and their location vis-à-vis nearby NATURA zones.

The requirement to submit EIA and SEA documents is set out also for other projects and programmes supported by the EU funds in the period 2007-2013. Some of the challenges encountered within the evaluation of project proposals include: cases of lack of correspondence between the scope and parameters (location, capacity, facilities) of EIA decisions and Integrated Permits, as well as of other key documents of the submitted projects (projects developed over a long time).

From the above, it is clear that the institutional mechanisms for mainstreaming of environment in the absorption of EU funds are mainly control mechanisms. Further additional, adequate and coordinated actions need to be taken to encourage the proactive integration of environmental policy in all phases of the process, starting from the programming process.

## **2. A need to mainstream environment and climate change into the CSF Funds**

The proposed legislative framework calls for the conclusion that in the next programming period all important environment and climate change elements and investments need to be adequately mainstreamed into the PA and into all OPs which will be developed and implemented in the country.

**It is important to note also that according to Article 8 of the draft Common Provisions Regulation, environment and climate change policies should be promoted in the preparation as well as in the implementation of the basic programming documents (PA and OP).**

**The programming phase covers:** preparation, coordination, approval of the PA and the OP, as well as ex-ante evaluation of the PA and the OP. The process of preparation of the PA and the OP includes:

- An analysis of the current situation (analysis of disparities and development needs with reference to the thematic objectives and key actions defined in the CSF and the targets set in the country-specific recommendations under Article 121 (2) of TFEU and the relevant Council recommendations adopted under Article 148 (4) of TFEU) (for the purposes of the PA);

- Preparing performance strategies (for the PA and the OPs) supported by the CP, CAP and CFP Funds, including identification of objectives, priorities, activities (or interventions), as well as indicators to measure their future implementation (at PA and OP level);
- Last but not least, the overall institutional framework for thorough preparation and subsequent implementation of the PA and the OP should be set out.

**The implementation phase covers** the actual implementation of the OP, including drafting of all documents needed to the separate OP for preparation, application, evaluation and selection of projects for funding, monitoring and reporting of the OP and PA performance, performance assessment of the OP and the PA.

**The present document refers only to the measures (tools) which can and should be implemented in the programming phase (the phase of the PA and the OP preparation).** Separate guidelines will be prepared for the next (implementation) phase because at present key information and/or decisions are still not sufficiently available and/or lack the required level of reliability.

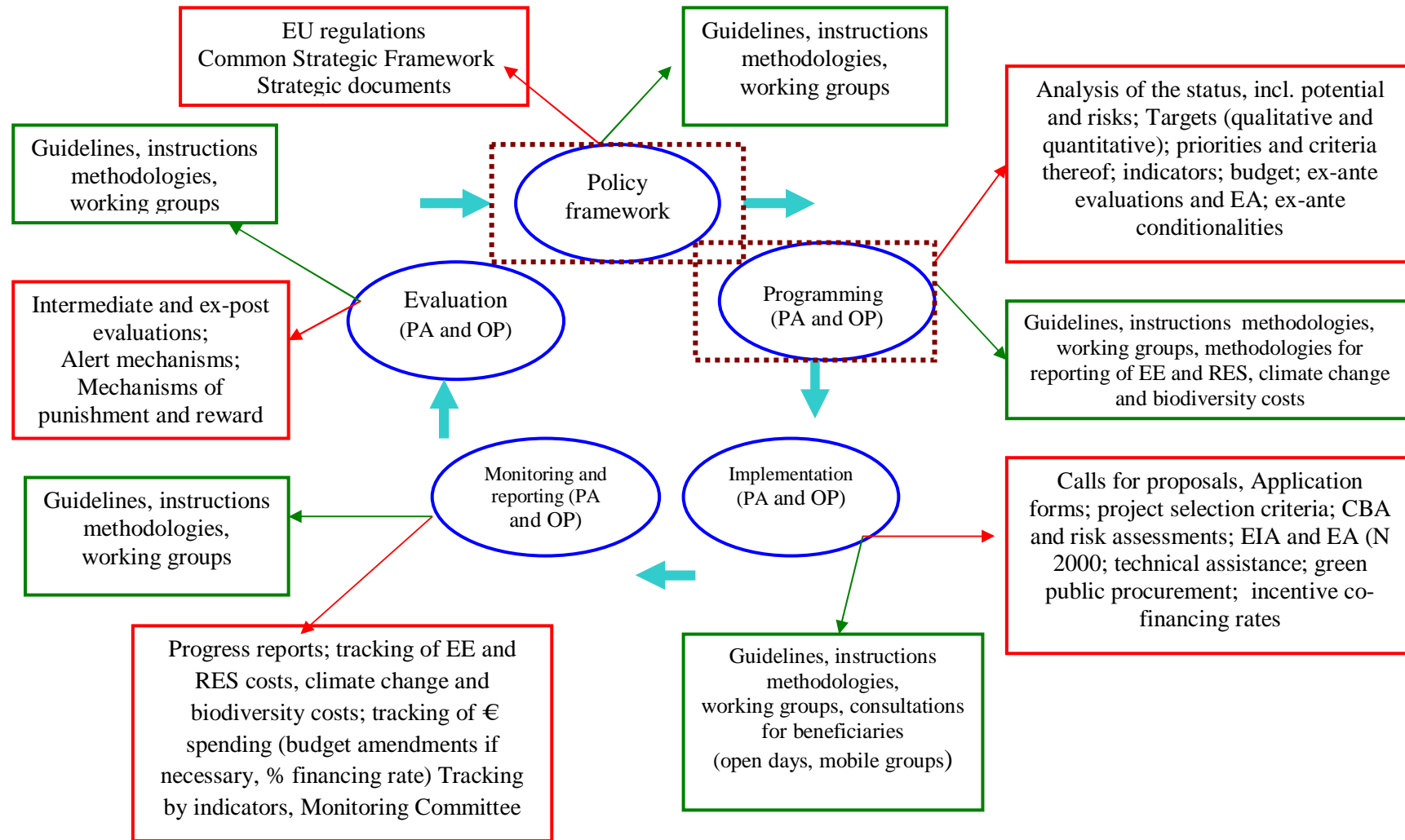
#### **IV. Tools for mainstreaming of environment and climate change into the programming of the CSF Funds, 2014 - 2020**

The comprehensive set of measures for mainstreaming of environment and climate change into the CSF Funds for the period 2014 - 2020 should represent an integrated, interrelated and consistent set of tools, including institutional tools. They should ensure that the requirements set out in the regulations are realized, analyzed and recognized for implementation by the different stakeholders throughout the programming process. Measures should be identified so as to:

- bring the greatest added value to the different stakeholders throughout the programming process;
- help improve the whole programming process and enhance its efficiency;
- help improve the efficiency of absorbing the CSF Funds.

Figure 2 presents the proposed comprehensive concept for mainstreaming of environment and climate change into the CSF Funds at national level in the period 2014 - 2020. It covers the whole programming cycle, given the close links between the different cycle phases and in order to bring better clarity to the overall proposal. Whereas key decisions and/or documents at EU and national level are not available yet, the present guidelines are confined to the programming phase. Equally, taking into account the parallel work on the EU regulations for the new programming period, CSF and other strategic documents at the EU level, as well as on the PA and OPs, the present guidelines cover 2 of the 5 phases of the overall mainstreaming cycle, namely (1) mainstreaming of environment and climate change in the formulation of the CP, CAP and CFP framework and (2) the programming for implementation of the CP, the CAP and the CFP.

**Figure 2: Proposed major types of measures for mainstreaming of environment and climate change into the CSF Funds for the next programming period**





Considering this, the next sections of the document describe only the measures applicable to the programming phase. Separate guidelines should be prepared for the other programming cycle phases.

As regards **thematic concentration**, the guidelines propose specific measures to be supported in the next programming period. They are identified so as to contribute to the implementation of priority legislative and/or strategic documents at EU and national level. The measures have been selected so as to ensure that environment and climate change mainstreaming concerns which require significant financial allocations will be given priority for subsequent implementation.

Given the diversity of the measures for tackling climate change and the fact that they could be supported by different OPs, a systematic and coordinated programming approach is obviously needed. The actions proposed for support should meet the so-called "earmarking" requirements, especially after the financial envelopes for the country and for the separate operational programmes are defined.

The integrated approach to the programming process should be applied so as to ensure that the environment and climate change mainstreaming concerns, which require significant financial allocations, will find their rightful place in the design and implementation of the integrated urban development plans, the joint action plans and other local initiatives to be supported by the EU Funds. This could be achieved through a continuous dialogue with the MRDPW as the contracting entity responsible for the design of the integrated plans.

**The performance orientation** requires that a coherent set of indicators which permits quality monitoring of the implementation of the objectives and priorities set out in the OP should be created. The indicators will be developed after the objectives of the PA and of the separate OPs are defined, with a view to including them in the OP which will implement actions for mainstreaming of environment and climate change in the 5 CSF Funds. Last but not least, for the preparation of appropriate indicators, the requirements to the EU legislative framework concerning the types of indicators and the other demands placed upon them need to be finalized. The actions for mainstreaming of environment and climate change in the CSF Funds will be elaborated and finalized in dialogue with the authorities responsible for the design of the OPs according to *CoM Decision 328/25.4.2012 on the approval of a list of thematic objectives to be included in Bulgaria's Partnership Agreement for the 2014-2020 programming period, a list of programmes and a leading institution for the design of each programme*, including within the programming WG set up under *CoM Decree 5/18.01.2012 on the development of Bulgaria's strategic and programming documents for management of the EU Common Strategic Framework Funds for the period 2014-2020*.

## **1. Analysis of the status of PA and/or OP**

The PA, as well as any future OP, should be analyzed in terms of its potential to contribute to the mainstreaming of environment and climate change, taking into account:

- the requirements of the regulations on the CSF Funds for the period 2014 - 2020,
- the defined scope of the different operational programmes,
- the allocations to the different OPs,
- the institutional framework and the division of competences for policy implementation,

- the legislative requirements applicable to the EP and CCP in the next programming period. The commitments ensuing from the transposing of European environmental and climate change legislation should be given priority in this analysis because failure to fulfill these will place additional burden on the country, including in a fiscal perspective.

Taking into account the requirements of Article 6 of the draft Common Provisions Regulation (operations financed by the CSF Funds shall comply with applicable Union and national law), MoEW (through an inter-service working group) analysed and summarized the legislative requirements applicable to EP and CCP for the period beyond 2013, fulfilment whereof requires further planning and securing of substantial financial resource which for objective reasons cannot be made available within national public funds alone. The information presented in Annex III of this document is based on the current situation in the relevant EP or CCP sector and refers only to those key sectors of the respective policies which are eligible for support by the CSF Funds. It should be supplemented, as necessary and/or possible, with any new legislative acts and commitments thereunder.

Within the programming process, after the scope of and allocations to each programme are defined, MoEW shall analyse the potential of each OP to fulfill the EP and CCP requirements. In parallel, possible risks of failure to fulfill the mainstreaming requirements (for example, institutional framework issues, lack of adequate administrative capacity) need to be identified.

The analysis of the status will inform the analysis of the current situation which, according to the requirements of the regulations for the new programming period, must be part of the PA (but not of the separate OPs).

Within the analyses, the PA, as well as any future OP, should include an analysis of the available to date independent evaluation reports prepared during the current period and addressing environmental protection aspects. The following examples show the direction of these analyses:

- The report of the mid-term evaluation of OPRD recommends that the indicator "jobs created" should be replaced by a new, more appropriate indicator, one of the proposals being "Satisfaction of affected population with urban and environmental developments". It establishes that the implementation of the measures envisaged in the strategic environmental assessment opinion (SEAO) is generally adequate and recommends that an environment expert should be involved in the consultation process of the applicable environmental measures for the schemes and projects.
- The general conclusion in the report of the interim evaluation of OPT is that all OPT projects meet the requirements of sustainable and environmental policy. On the other hand, it also mentions that some beneficiaries encounter problems with obtaining environmental permits.
- The report of the evaluation of progress on 6 OPHRD schemes recommends that other parallel measures should be taken, including creation of jobs for environmental protection activities.

## **2. OP strategy, objectives and priorities**

The following needs to be ensured (through the WG on the different OP and other mechanisms applicable to the state administration) during the formulation of the strategies, objectives and priorities of the separate OPs (according to the regulations for the new

programming period, the texts of the OP shall start directly with the strategy and not with an analysis of the current situation as in the current programming period):

1. Regarding the overall strategies and objectives of the separate OP:

- The overall **strategy and objectives** of the separate OP should be informed by an analysis of the status of EP and CCP, with a **main focus on the implementation of the priority legislative requirements demanding considerable investment**.

- **An adequate number of objectives contributing to fulfilment of the requirements for mainstreaming of environment and climate change into the 5 CSF Funds** should be identified for each OP.

- At this stage, it is important to ensure that **the objectives** (already identified as relevant to EP and CCP) of the OP and the PA are **clear, brief and explicit** (qualitative indicators) and that they **contain the necessary quantifiable indicators** (e.g. amount, year, rate) against which progress is then measured.

2. Regarding the priorities and actions/operations of the separate OP:

- The priorities and actions/operations set out in the separate OP must be consistent with the objectives defined for each OP. They must be **directly related to the financial resource necessary to implement the top-priority legislative requirements for mainstreaming of environment and climate change** into the 5 Funds.

- The priorities and actions/operations set out for each OP must be consistent with the requirements for **thematic concentration of the EU funds**. This process should also be geared towards the achievement of specific environment and climate change results, as well as towards simplification of systems, reduction of the administrative burden and harmonization of rules.

**Indicators will also be needed, both for the objectives and at priority level**, to ensure and support the mainstreaming of environment and climate change in the priorities and actions/operations of each OP.

**The main tools** include:

- Bilateral and/or multilateral expert-level and/or high-level meetings with the institutions responsible for the design of the PA and/or the OP for the next programming period according to CoM Decree 5/ 18.01.2012.

- Presentation of MoEW's proposals for mainstreaming of environment and climate change, including the quantitative and qualitative indicators which are important for the mainstreaming of these policies, within the WG on all OPs and PA, in accordance with CoM Decree No. 5/18.01.2012 and with the participation of representatives of the CPE Directorate of MoEW (MA of OPE).

- In order to fulfil the requirements for mainstreaming of environment and climate change in the CSF Funds, **groups of criteria need to be developed** in the programming phase **and applied in the selection of specific measures (actions)** under each priority of each OP. The criteria will be of the type "minimum requirements for the financing of specific measures (actions) of OP" (e.g. measures (activities) that do not generate new quantities of waste or measures (activities) with zero CO<sub>2</sub> emissions). The criteria will be developed with the active cooperation of MoEW after the national priorities and objectives (in the PA) and the objectives and priorities of the different OP are set out. MoEW is the competent authority at national level for the implementation of the environmental policy and climate change policy. In this capacity MoEW shall elaborate documents on the implementation of EP and

CCP on the territory of Bulgaria, incl. with regard to the management of the CSF funds. These documents will help the MAs of OPs as well as the CoM administration in the preparation and future implementation of the PA and the Ops. To that end, and considering the responsibilities of the units managing EU funds, the MoEW proposes that a national network of competent environmental authorities and MAs of future OPs should be established (such a network is operating successfully at the EU level (ENEA network)). The criteria can be analyzed, supplemented and improved also within the ex-ante evaluation and the Strategic Environmental Assessment of OP.

- In the light of the foregoing, **MoEW drafted specific interventions** necessary for mainstreaming of environment and climate change in the CSF Funds for the period 2014 – 2020 (to be supported under the OPs in the 2014 – 2020 programming period), which have priority on the side of implementation of the requirements (including mainly legislative) of these two policies. The identification of these interventions and their setting out in the different OP are the main tool for mainstreaming of environment and climate change into the CSF Funds. The proposal also contains explanations necessary to ensure **complementarity** of the different OP, the CSF Funds respectively. **The proposal** is presented in **Annex I** (see item VI) of this document.

In parallel with setting out the strategy, objectives and priorities of each OP and PA, an **ex-ante evaluation needs to be conducted, which, according to Commission's Guidance Document, should incorporate a strategic environmental assessment** of these programming documents. This evaluation can be an essential tool for mainstreaming of environment and climate change into the CSF Funds. To that end, in addition to the EC guidance, it is advisable to have also specific guidelines on the theme developed at national level (the proposal is that they should be integrated into the present document), in order to take into account national specificities.

### **3. Financial allocations to OP**

**From the perspective of mainstreaming of environment and climate change into the CSF Funds, the general objective when determining the allocations to each OP should be to earmark appropriate resources for implementation of the OP objectives, priorities and measures (groups of activities).**

The tools to achieve this objective will depend on the mechanism for setting out the financial allocations to each OP established at the national level, but in any case the participation of MoEW representatives (CPE Directorate – MA of OPE) in the WG for the PA and the OP will play a leading role in the process.

As regards the earmarking elements proposed by the Commission (see item II, 2.5 Earmarking, hereinabove), it will be necessary to take, within the WG on design of the PA, the required **measures to provide tools (methodologies, guidance, methods, etc.) for future tracking of energy efficiency, RES, climate change and biodiversity (including NATURA 2000) costs, at any rate under all of the 5 Fund (as regards the precise scope, the outcome of the debates on the regulations on the CSF Funds needs to be taken into account).**

### **4. Strategic Environmental Assessment of OP**

Pursuant to the draft Common Provisions Regulation (Article 48), ex-ante evaluations, which are an element of the mandatory programming activities, shall be submitted to the

Commission together with the draft OP. According to paragraph 2 of the same article, the ex-ante evaluation shall incorporate the strategic environmental assessment. Annex I of Commission's guidance document on ex-ante evaluation of OP for the period 2014-2020 (June 2012 ) provides further guidance on SEA of OP. Compliance with this guidance during programming is a guarantee for the mainstreaming of environment and climate change. The EC is preparing guidance on mainstreaming the climate change and biodiversity into the EIA and SEA procedures.

The experience gained from the SEA procedures (strategic environmental assessment under *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*) of OPs for the 2007-2013 programming period showed that in order to improve the SEA efficiency and benefits for the programming documents to be designed for the next programming period, it is necessary to take steps to achieve:

- better coordination of activities between the competent environmental authorities (MoEW) and the institutions designing OPs;
- conducting SEA as early as possible, in parallel with the planning process (the strategic environmental assessment should be carried out within the ex-ante evaluation of the operational programme or in parallel and in coordination with the ex-ante evaluation of programmes).

Unlike the SEA procedures conducted for the existing OPs, the SEA procedure will integrate a NATURA 2000 compatibility assessment for the OPs for the period 2014 - 2020.

In order to maximize the positive environmental impact of OP, adequate measures to limit the effect of OP implementation on the environment and on human health, as well as adequate measures and indicators for monitoring and control of the environmental impact of OP implementation need to be set out during the SEA of OP. To be effective, these measures and indicators require operational mechanisms ensuring monitoring and control of the environmental impact of OP implementation. The above measures, indicators and mechanisms will be set out depending on the specifics of each OP and the SEA results. This will be done within the consultations between the MA of the OP and the competent environmental authority (Preventive Activity Directorate of MoEW), which are an element of the SEA procedure.

On the other hand, adequate OP-specific measures to prevent and limit the effect on the environment and on human health can be set out through the coordinated efforts of MA of the different OP and MoEW. The public procurement documents for SEA must lay down an obligation for the contractor to reflect all recommendations and comments made by the competent environmental authority, as well as Commission's comments which would have direct relevance to the priority axes of the OP and, accordingly, to the proposed measures to prevent and limit the effect on the environment and on human health.

Possible mechanisms at OP level to monitor and control the implementation of the measures ensuing from the SEA of the OP are:

- Including in the system of indicators for the relevant OP indicators to assess the impact of the measures ensuing from SEA of OP;
- Including indicators for the impact of the measures ensuing from SEA, to be tracked at national level by the ExEA ;

- Providing, in the evaluation plans of the OP, evaluations to control the implementation of the measures included in the SEA opinion for the respective OP:
  - o Measures to prevent and reduce the effect on the environment and on human health;
  - o Indicators to the measures for monitoring and control of the effect of OP implementation on the environment and on human health;
- Including measures to prevent and reduce the effect on the environment and on human health in the OP system of project selection criteria;
- Tracking the implementation of the measures to prevent and reduce the effect on the environment and on human health within on-the-spot checks and within verification of summaries and progress reports submitted by the beneficiary during the project implementation.

## **5. Ex-ante conditionalities for PA and OP**

The ex-ante conditionalities are additional tools for mainstreaming of environment and climate change in the 2014-2020 programming period. Pursuant to Article 17 of the draft Common Provisions Regulation, ex-ante conditionalities shall be defined for each CSF Fund in the Fund-specific rules described in Annex IV of the draft Common Provisions Regulation. Additional verification criteria are set out for each thematic objective and will be used to assess the correspondence of the interventions planned in PA and in all OPs to the applicable European legislation and the national strategic documents.

The Council of Ministers conducted, in cooperation with the line ministers, an ex-ante analysis of the fulfilment of the ex-ante conditionalities and adopted (CoM Decision No. 668/06.08.12) an action plan for the conditionalities identified initially as not fulfilled, including the responsible institutions and the timetable for their fulfilment. Directly relevant to EP и CCP are the ex-ante conditionalities under thematic objectives 1, 4, 5, 6 and 11 in table 2 of these guidelines and the general ex-ante conditionality "Environmental legislation relating to Environmental Impact Assessment (EIA) and Strategic Environmental Assessment of (SEA) of plans and programmes".

Considering the truly horizontal nature of the environment and climate change dimension in the policy for sustainable, smart and inclusive growth, MoEW is not the only institution responsible for the specific actions for implementation of ex-ante conditionalities 4, 5 and 6 and the general ex-ante conditionality "Environmental legislation relating to Environmental Impact Assessment and Strategic Environmental Assessment of plans and programmes". For example, for the implementation of ex-ante conditionality 4.1 under TO 4, a need of further action by the Ministry of Economy, Energy and Tourism as the lead institution, the Ministry of Regional Development and Public Works and the Sustainable Energy Development Agency has been identified.

The Ministry of Internal Affairs has been designated lead institution for ex-ante conditionality 5.1 under TO 5 and MoEW has identified a need to develop a framework document "Analysis, assessment and management of the risk of extreme climatic events and disasters with a view to climate change adaptation", which will provide the basis for development of the comprehensive National Climate Change Adaptation Strategy. The strategy will be necessary in order to satisfy the sub-criterion „Taking account, where appropriate, the national climate change adaptation strategies". Under ex-ante conditionality "6.1. Water Sector: The existence of a) a water pricing policy which provides adequate incentives for users to use water resources efficiently and b) an adequate contribution of the different water users to the recovery of the costs at a level defined in the approved river basin

management plans for investments supported by the programmes" to TO 6, MoEW has identified a need to carry out the following:

- Develop a Cost Recovery Analysis using the statistical data available for 2010
- Draft amendments to the Water Act setting out simple and workable mechanisms for calculation of the pollution charge;
- Make preparations for amendment of the Tariff of water abstraction, water body use and pollution charges, to: 1) set out higher charges for exceeded water use rates; 2) set out different charges for pollution of purified and non-purified water and 3) harmonize the Tariff with the amendments to the Water Act.

Additional actions by the State Energy and Water Regulatory Commission and the Ministry of Regional Development and Public Works under ex-ante conditionality 6.1 have been approved with Decision No. 668/06.08.2012.

Under ex-ante conditionality "6.2. Waste Sector: Promotion of economically and environmentally sustainable investment in the waste sector, in particular the development of management plans in accordance with Directive 2008/98/EC on waste and with the waste hierarchy" to Thematic Objective 6, MoEW has undertaken to develop a new National Waste Management Plan 2014-2020 incorporating the waste prevention programme.

MoEW is the lead institution for the implementation of the general ex-ante conditionality "Environmental legislation relating to Environmental Impact Assessment and Strategic Environmental Assessment of plans and programmes", but MAs of OPs are also responsible for the implementation of the ex-ante conditionality. MoEW has engaged additional external assistance for the provision of trainings and development of 3 manuals for the water, transport and waste sectors, as well as of guidelines for identification of potential transboundary effects.

The programming of CSF Funds will coincide with the preparation of several strategic documents which are necessary for the implementation of the ex-ante conditionalities proposed by the Commission (e.g. the requirement for development of national or regional research and innovation strategies for smart specialisation). With a view to fully mainstream environment and climate change into the CSF Funds, there is a need to provide at national level a mechanism that will guarantee that priorities and measures which are important for the environment and climate change dimension will be adequately addressed in these strategic documents.

## **V. Next phases of mainstreaming of environment and climate change**

It is critical for the proper mainstreaming of environment and climate change in the EU Funds for the next programming period to ensure coordination of the mainstreaming of these policies not only in the programming phase but also in the implementation phase of the different OPs. It has to be noted that setting out certain measures in the OP does not mean that the measures will be fulfilled. There is a need to strengthen the implementation of the measures playing the largest part for the implementation of the EP and the CCP by integrating them in the project evaluation process so that priority is given to those of them that make the most significant contribution to the achievement of the objectives of these policies.

In the spirit of **simplification and harmonization of rules**, MoEW will propose indicative environmental criteria, aligned with the specifics of other OPs, for evaluation of project

proposals for different groups of projects for financing which are not directly related to environment protection and climate change. The criteria will be unified at a maximum degree and the requirement **to reduce the administrative burden** will be taken into consideration (as far as possible) for all stakeholders in OP management. The criteria will be developed with the active participation of MoEW as a competent authority in the field of climate change and environmental policies, in close cooperation and coordination with the MA of the OPs. The national network of competent environmental authorities and the MAs of the future OPs (similar to the network at EU level - ENEA) would be an adequate tool for the development and tracking of these criteria.

In relation to the earmarking elements proposed by the Commission, MoEW will have to take, in coordination with other competent authorities, the necessary measures to make available the required tools (methodologies, guidance, methods, etc.) for future tracking of energy efficiency, RES, climate change and biodiversity costs.



**VI. Annex I – Interventions for mainstreaming of EP and CCP into the CSF Funds, 2014 – 2020 (for support by OP in the 2014 - 2020 programming period)**

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
<b>1. Interventions required for better water management to achieve better environmental status, higher efficiency of the resource and to address climate change effects</b>			
1.1. Construction of water supply and sewerage (WSS) infrastructure, in compliance with the Resource Efficiency Roadmap and the Blueprint to Safeguard Europe's Water Resources – wastewater treatment, drinking water treatment, WSS network, incoming water mains and pumping stations in agglomerations <b>above</b> 2000 PE.	<b>TO 6</b>	RDP – for agglomerations in the rural areas where the construction of the sewerage system has been completed. Assistance from this programme is rendered for the water supply component of the common network – water mains (including incoming water mains), pumping stations, energy efficient pumps and drinking water treatment. OPE – the programme covers everything else in agglomerations above 2,000 PE. The necessary interventions (according to the developed master plans) in agglomerations above 10,000 PE that currently do not fulfil the requirements of Directive 91/271/EEC, need to be funded with a priority in the next programming period. In order to meet the requirements of Directive 98/83/EC on the quality of water intended for human consumption, measures to reduce water losses will be financed. The water supply networks and facilities (incoming water mains and drinking water treatment) will only be financed in case of (completion of) design and (completion of) construction of an integrated water cycle. Priority is given to the regions with established or forecasted water stress (draught or water scarcity)	The following transitional periods for compliance with the requirements of Directive 91/271/EEC on urban wastewater treatment have been agreed in the Accession Treaty: <ul style="list-style-type: none"> <li>▪ Providing waste water treatment according to the directive in agglomerations above 10,000 PE – by December 31<sup>st</sup>, 2010;</li> <li>▪ Providing waste water treatment according to the directive in agglomerations between 2,000 and 10,000 PE – by December 31<sup>st</sup>, 2014.</li> </ul> New reporting under Directive 91/271/EEC is pending in 2013. It will include a review and update of the agglomerations above 2,000 PE.  It is necessary to undertake measures to implement the requirements of Directive 98/83/EC on the quality of water intended for human consumption.
1.2. Construction of WSS infrastructure – WS network, incoming water mains, pumping stations, drinking water treatment and waste water treatment – in case of constructed sewerage network, in agglomerations <b>below</b> 2,000 PE	<b>TO 6</b>	RDP – funding focused on the water supply component of the common network – water mains (including incoming water mains), levelers, pumping stations, energy efficient pumps and drinking water treatment. Priority is given to the regions with established or forecasted water stress (draught or water scarcity). Measures to reduce water losses will be financed. Exception is given	Completion of sewerage systems and provision of adequate treatment in agglomerations below 2000 PE - no deadline has been determined for this; the country has an obligation under the directive to ensure appropriate treatment (if a sewerage networks has already been constructed) regardless of the number of inhabitants, in order to fulfil the requirement for prevention of point source pollution.

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
		<p>for financing of sewerage and waste water treatment with regard to the requirement for prevention of point source pollution:</p> <ul style="list-style-type: none"> <li>- waste water treatment – financing will be provided only in agglomerations below 2,000 PE with a high percentage of constructed sewerage network (constructed at between 90% and 100%) and/or where the wastewater is discharged in a water body intended for drinking water supply or a sanitary protection zone;</li> <li>- Completion of the sewerage network – the construction will only be funded in agglomerations below 2,000 PE with provided waste water treatment.</li> </ul>	<p>It is not obligatory to build WWTP in such agglomerations because "appropriate water treatment" does not mean only construction of WWTP. From economic point of view, there are more efficient options, such as building wetland with sufficient self-purification ability for small agglomerations or connection via a sewerage system to a nearby WWTP of another agglomeration. Such alternative solutions may be applied in agglomerations below 2,000 PE where the sewerage network is built at less than 90% and 100%.</p>
<p>1.3. Construction of WSS infrastructure for enterprises - production WWTP and/or incoming facilities to existing sewerage systems</p>	<p><b>TO 6</b></p>	<p>OPIE – assistance to enterprises starting up a new business, which generates waste water - financing for construction of WWTP and/or incoming facilities (sewerage) to an existing sewerage system.</p>	<p>Assistance is provided for implementation of water-saving technologies, waste water recycling and use of treated wastewater, reconstruction and modernization of production technologies to reduce priority substances discharge, release and losses, introduction of energy efficient pumps, etc. The specific parameters will be determined during the programming of the OPIE.</p>
<p>1.4. Reduction of the water consumption and losses, solving existing or future water scarcity problems:</p> <ul style="list-style-type: none"> <li>1.4.1. Measures to reduce the water losses from hydromelioration systems;</li> <li>1.4.2. Measures to improve and restore the irrigation infrastructure;</li> <li>1.4.3. Measures to drain the irrigable areas.</li> </ul>	<p><b>TO 5 and 6</b></p>	<p>RDP</p>	<p>Implementation of the sub-sector strategy and hydromelioration programme measures (see para.7.6.). They aim to improve the hydromelioration infrastructure, including in the irrigable areas. The implementation of modern technologies and equipment will be aimed at introducing economically efficient changes in the agricultural practices, since the agriculture remains a main water consumer. The construction, modernisation, or reconstruction of the irrigation, drainage or double acting infrastructure will include the water catchment systems to its irrigation sections. The use of modern technologies in the irrigation offers better opportunities for higher water economies and the water distribution and use monitoring and control (through water metering devices) - for limitation of the water losses.</p>
<p>2. Construction/ rehabilitation/ reconstruction of sludge treatment facilities from WWTP and</p>	<p><b>TO 5 and 6</b></p>	<p>OPE</p>	<p>The sludge measures are also necessary to implement the requirements to MS on reducing the emissions of</p>

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
provision of the necessary equipment, incl. already constructed WWTP, with priority on improving their quality indices, in view of their subsequent use for energy purposes (as fuel from biomass);			CO <sub>2</sub> .
2.1. Planning, design and construction of the water monitoring system, including investment in equipment.	<b>TO 6</b>	OPE	There is a need of interventions to expand (optimise) the water status monitoring networks: building points and stations, providing equipment and purchasing technical devices for monitoring purposes (for status assessment, assessment of the effect of the measures, impact survey).
<p>2.2. Flood prevention/protection:</p> <p>2.2.1. Implementation of the FRMP investment measures on a basin principle (e.g. green infrastructure, drainage systems, protective equipment along the rivers, river corrections).</p> <p>2.2.2. Planning, design and construction of early warning systems and information systems, including improving the flood risk projection.</p>	<b>TO 5 and 11</b>	<p>OPRD – implementation of para.2.2.1 – for FRMP measures in urban areas as part of the IURDP, which will be eligible for funding under OPRD.</p> <p>RDP – implementation of para.2.2.1 – for FRMP measures in areas (settlements), which will be eligible for funding under RDP, as well as in areas outside the settlements. The measures and the beneficiaries will be in accordance with the EAFRD Regulation.</p> <p>OPE – implementation of 2.2.2.</p>	<p>As required by Directive 2007/60/EC on the assessment and management of flood risks, the Member States should prepare flood risk assessments, maps of the regions exposed to flood and flood risk and risk management plans (2015), which cover all aspects of the flood risk management, focusing in particular on the prevention, protection and preparedness. Currently the Ministry of Environment and Water is preparing the above-mentioned documents (funding has been provided). After their preparation the measures will be reviewed and those that may be funded by the EU funds will be assessed.</p> <p>According to the preliminary assessments of the MoEW (Water Management Directorate) EUR 1.250 billion are needed for flood risk activities.</p>
<p>2.3. Adaptation of agriculture to the climate change:</p> <p>2.3.1. Design and construction of rainwater storage reservoirs;</p> <p>2.3.2. Prevention of water pollution caused by nitrates, phosphates and pesticides;</p> <p>2.3.3. Development and implementation of better soil cultivation technologies / practices;</p> <p>2.3.4. Creation and maintenance of buffer zones (in the river areas);</p> <p>2.3.5. Construction of drainage systems for transfer (and use) of excess water from regions with excess water to regions with permanent water scarcity.</p>	<b>TO 5 and 6</b>	RDP	Necessity: Water Framework Directive and Directive 91/676/EEC concerning the protection of water against pollution caused by nitrates from agricultural sources (Nitrates Directive). The measures taken should be preventive – they should prevent the source pollution and should be in line with the Nitrates Directive. The measures should be in accordance with the Action Programmes (under the Nitrates Directive). Moreover, the agriculture is an important diffuse and point pollution source (fertilizers, pesticides) and also causes hydro-morphological changes. Support will be provided for activities related to the construction of small scale infrastructure for storage of water from over-moistured

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
			areas and the water supply for irrigation of agricultural products in drought period. This approach may be used also for storage also of rain water from the intense rainfall in small water bodies. This water may be used for irrigation through systems for micro irrigation.
2.4. More efficient water use, including ecoinnovations, new water technologies and methods for status assessment, monitoring and management, water treatment	<b>TO 1 and 6</b>	OPRD – interventions in buildings, which repair works and/or reconstruction will be funded under the OPRD. OPIE – interventions targeting enterprises RDP – interventions in the agriculture OPE – pilot scheme for water innovations	Interventions to encourage lower water consumption in public and private (multi-dwelling) buildings, in enterprises and in the agriculture: water saving appliances (including in parallel with the energy efficiency measures and using financial instruments), introduction of other water-saving methods, development and implementation of water recycling and reuse technologies; development and implementation of water use standards in different sectors; "water-saving culture" measures; The measures are in line with Europe 2020 Strategy and the policy on promotion of innovations based on smart technologies. They envisage development and implementation of applied science methods related to effective water use and management.
2.5. Implementation of the National Marine Strategy (NMS), marine environment monitoring programme and the programme of the measures for achievement of good environmental status of the marine environment.	<b>TO 1, 4, 5 and 6</b>	MAFP - (eco) innovative and other solutions decreasing the impact of the fisheries and aquacultures on the marine environment. OPE – other measures in the strategic documents for implementation of the NMS related to the status of the marine environment.	Investments in (eco) innovative and other solutions decreasing the impact of the fisheries and aquacultures on the environment.
2.6. Creation of information systems and systems introducing the modelling in the water management, including models for projection and assessment of the water amounts and projection of floods and drought	<b>TO 6</b>	OPE	The water management improvement and the enhancement of the "water" administration's efficiency require wider implementation of information systems and modelling programmes, which aim to improve: - the objectivity of the assessments in the development of RBMP and FRMP; - the collection and systematization of information concerning the water management in a data base; - the upgrade of the existing information systems and develop their interconnectivity; - the issuance of permits under the Water Act; - the provision of the overall support to the decision formulation and making process.
<b>3. Interventions required for better waste management in accordance with the waste management hierarchy with a view to achieving higher efficiency of this resource</b>			

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
<p>3.1. Completion and renewal of the waste management systems:</p> <p>3.1.1. Expanding/ renewal of the household waste collection systems, with priority to municipal biodegradable waste collection systems;</p> <p>3.1.2. Construction of centers for preparation for waste reuse;</p> <p>3.1.3. Construction of facilities for preliminary treatment (sorting, separation) of municipal waste, incl. improvement of constructed sites for free disposal of separately collected municipal waste by households;</p> <p>3.1.4. Construction of anaerobic and/or composting installations for biodegradable waste and of anaerobic and/or composting installations for green waste;</p> <p>3.1.5. Construction of installations for preliminary treatment (sorting, separation) of hazardous waste from the municipal waste stream (only on sites where installations for preliminary treatment are located or at the sites for free disposal of separately collected waste by households);</p> <p>3.1.6. Construction of other installations for recovery and/ or disposal of municipal waste;</p> <p>3.1.7. Construction of installations for biogas recovery at regional municipal landfills and in old municipal landfills for non-hazardous waste, through the generation of electricity or through capture and burning;</p> <p>3.1.8. Construction of adjoining infrastructure to the installations (e.g. power supply, road, water supply) servicing only the constructed installations;</p> <p>3.1.9. Phased closure and recultivation of municipal landfills for non-hazardous waste that do not comply with the legislative requirements</p>	<p><b>TO 1, 6 and 5</b></p>	<p>OPE</p>	<p>In the implementation of the legislative requirements there is a need to have in place properly and efficiently operating municipal waste management systems and to take measures to increase the quantities of the recycled and used waste.</p> <p>The measures are related to the initiated in April 2012 infringement procedure against Bulgaria under Art. 258 of the Treaty on the Functioning of the EU (at the present moment at the stage of reasoned opinion) for failure to fulfill the requirements of Directive 1999/31/EC.</p> <p>Installations for separation of <b>municipal waste</b> will be constructed in the regions generating more than 30, 000 tons of waste per year.</p> <p>Construction of installations for composting of <b>biodegradable waste</b> is envisaged for the regions generating more than 25, 000 tons of waste per year.</p>
<p>3.2. Improving the management of the construction, hazardous and other specific waste flows:</p> <p>3.2.1. Installations/facilities for <b>recovery/disposal</b></p>	<p><b>TO 6</b></p>	<p>OPIE - (through financial instruments (engineering). The specific parameters will be set out during the programming of OPIE.</p>	<p>In order to implement the legislative requirements there is a need to have available properly and efficiently operating systems for the management of these waste flows.</p>

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
<p><b>of construction or hazardous waste</b></p> <p>3.2.2. Installations/facilities for <b>recovery/disposal of packaging waste</b> (paper, plastic, cardboard, glass), <b>End-of-Life Vehicles, Spent Batteries and Accumulators, Discarded Electrical and Electronic Equipment, pneumatic tyres, waste oils</b></p> <p>3.2.3. The waste as a resource: more efficient waste management, including waste packaging (resource efficiency of the waste)</p>			<p>Hazardous waste installations should be built in particular for SMEs, which cannot afford to build hazardous waste treatment installations and/or export the generated amount of such waste. Moreover, measures to increase the amount of the recycled and recovered waste should be taken.</p>
<p>3.3. Improving the management of the agricultural (farm) waste:</p> <p>3.3.1. <b>manure</b> - improving the management and recovery, including its more efficient use;</p> <p>3.3.2. <b>waste wood and waste plant</b> - improving the management and recovery, including their more efficient use;</p> <p>3.3.3. Environmentally sound disposal of <b>pesticides and other crop protection agents</b> unfit for use</p>	<b>TO 5 and 6</b>	RDP	<p>In relation to the implementation of the legislative requirements. Part of the interventions will help also to prevent the water pollution in the farms caused by the nitrates, phosphates and pesticides.</p>
<p>3.4. Prevention and decrease of waste generation</p>	<b>TO 6</b>	<p>OPIE - interventions targeting companies. The specific parameters will be set out during the programming of OPIE.</p> <p>OPE - interventions targeting public bodies and the population, for pilot waste ecoinnovation scheme.</p>	<p>In relation to the implementation of the legislative requirements.</p> <p>The prevention interventions will be in line with the National Waste Generation Prevention Plan (which is to be developed and approved).</p>
<b>4. Climate change interventions: Energy Efficiency and RES</b>			
<p>4.1. Energy efficiency improvement and replacement of the fuel in:</p> <p>4.1.1. Public buildings (state and municipal);</p> <p>4.1.2. Multifamily residential buildings.</p> <p>4.1.3. Health and social institutions (commercial companies);</p> <p>4.1.4. Productions - enterprises (commercial companies)</p>	<b>TO 4</b>	<p>OPRD - 4.1.1; 4.1.2 and 4.1.3</p> <p>OPIE - 4.1.4. The specific parameters will be set out during the programming of OPIE.</p>	<p>The energy efficiency (EE) interventions in the public buildings, residential buildings, health and social institutions - commercial companies, are necessary also to improve the energy savings and to contribute to the achievement of the Europe 2020 objective related to 20% primary energy savings by 2020.</p> <p>The achievement of the national 2020 objectives undertaken within the "Climate - Energy" package also depends on the implementation of the EE interventions in the commercial companies (district heating companies), including modernization of the facilities/equipment intended for the reduction of the CO<sub>2</sub> emissions.</p> <p>The main challenge is the improvement of the ambient air quality (in terms of the pollutants). The analysis of the</p>

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
			municipal programmes for reducing the levels of the pollutants and achieving the established standards under Art.27 of the Clean Air Act shows an emphasis on the pollution from solid fuels residential heating and transport pollution (see also 5.1 below).
4.2. Interventions to implement Directive 2010/75/EC on the industrial emissions	<b>TO 4</b>	RDP – for measures related to a wide range of sources to obtain renewable energy, incl. biomass  OPIE – the rest of the enterprises covered by the directive.	These interventions are necessary to reduce the industrial emissions and to improve the quality of the environment (including the emissions of sulphur dioxide, nitrogen oxide and dust from the large combustion installations to improve air quality). The particulate pollution is a serious problem, which features traditionally high levels throughout the country (see also 5.1 below).
4.3. RES	<b>TO 4</b>	RDP – for biomass-related interventions OPRD – for geothermal water related measures within the urban areas as a part of the Integrated Urban Regeneration and Development Plans, which will be eligible for funding under OPRD, in case the energy audit is included.	The biomass related interventions will serve farms, food industry enterprises and SMEs in the rural regions.
<b>5. Climate change interventions: Improvement of the ambient air quality and reduction of the greenhouse gas emissions</b>			
5.1. Implementation of measures for improvement of the ambient air quality: 5.1.1. Renewal and extension of the sustainable urban transport systems; 5.1.2. Other measures under the municipal programmes for reducing the levels of air pollutants and achieving the established standards; 5.1.3. Development of the railway system (TEN-T railway network)	<b>TO 5 and TO 7</b>	OPRD - 4.1.1 and 4.1.2. The interventions concern mainly the sustainable and integrated urban transport, which meets the European legislation on the harmful emissions from the engines and the use of alternative energy sources in the urban transport (vehicles, which do not emit or emit smaller amount of particulates, thus reducing the energy consumption). They should be combined with other measures laid down in the municipal programmes (such as creation of suitable traffic control models in the urban areas, where appropriate). OPTTI - 4.1.3 (and the measures related to the metropolitan in Sofia, where they should be funded by the OPTTI).	The air quality in the cities should be improved (in terms of the pollutants). The fine particulate matters (FPM) pollution is a serious problem, which features traditionally high levels throughout the country. In 2010 an infringement procedure was launched against Bulgaria under Art. 258 of the TFEU for failure to fulfill the threshold for fine dust particles in 29 municipalities in the country. In January 2013 the EC expanded the time period of the infringement for the period 2007 – 2011. Despite the measures taken so far, there is no trend to their reduction. The analysis of the municipal programmes for reducing the levels of the pollutants and achieving the established standards under Art.27 of the Clean Air Act shows an emphasis on the pollution from residential heating with SOLID fuels and from the transport. The typical regional background of the FPM <sub>10</sub> , also contributes significantly to the excessive concentrations of this pollutant.



<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
5.2. Air monitoring system, including investment in the equipment	<b>TO 6</b>	OPE	Necessary to meet the legal obligations and requirements.
5.3. Greenhouse gas emission inventory system, including the studies to identify country-specific emission factors and indicators	<b>TO 5</b>	OPE	Requirement of the United Nations Framework Convention on Climate Change and the Kyoto Protocol
5.4. Gasification of facilities financed under the OPRD, when it is included in the energy efficiency survey.	<b>TO 5</b>	OPRD – gas supply of facilities funded under the OPRD, where laid down in the energy efficiency audit. OPIE, RDP - in each of these operational programmes pursuant to the decision on their scope	Necessary to meet the obligations and requirements to the Member States for improvement of the air quality.
5.5. Reconstruction and modernization of the road and street network and the pavements in the urban areas, construction of bike lanes	<b>TO 6</b>	OPRD – within the IURDP, only in the construction boundaries of the city and in the zones of influence. RDP - in each of these operational programmes pursuant to the decision on their scope	Necessary to meet the obligations and requirements to the Member States for improvement of the air quality.
5.6. Construction of facilities for utilization of the emitted biogas (waste water treatment plants, landfills)	<b>TO 5</b>	OPE	Requirement under the Waste Framework Directive 2008/98/EC. Necessary to meet the obligations and requirements to the Member States for reduction of the CO <sub>2</sub> emissions.
<b>6. Interventions required for Protection and restoration of the biodiversity, including the NATURA 2000 Network.</b>			
6.1. Studies and mapping of the distribution and status and protection of species and habitats in the NATURA 2000 protected areas in the Black Sea aquatic environment	<b>TO 6</b>	OPE	Necessary for provision of research and analyses for determination of the future national strategies and programmes, including the fieldwork: creation of complete information database about the protected areas, including national estimates of the distribution of species and habitats, and the benchmarks for their favourable conservation status at national, biogeographical and local level. Currently mapping is being carried out and determination of the conservation status of the habitats and species in the protected areas in the country, as required by Directive 92/43/EEC (the Habitats Directive) - this is the basis for the conservation, monitoring and sustainable use of the natural resources in the country.
6.2. Development of: 5.2.1. Protected area management plan related to the protection of types of habitats and species habitats 5.2.2. Protected area management plan related to	<b>TO 6</b>	OPE	Directive 92/43/EEC Art. 6, para.1 on the conservation of natural habitats and of wild fauna and flora. The Member States shall determine the conservation measures, which, if necessary, shall involve appropriate management plans and appropriate statutory,



<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
birds conservation			administrative or contractual measures corresponding to the environmental requirements of the types of natural habitats referred to in Appendix I and the species referred to in Appendix II, typical for these areas. Directive 2009/147/EC, Art, 3, para.2 (b) and Art. 10. Moreover, the Member States shall be encouraged to take actions for the conservation, management and use of the birds.
6.3. Biodiversity monitoring system, including investment in equipment	<b>TO 6</b>	OPE	Directive 92/43/EEC on the habitats and species sets mandatory requirements to the Member States for (1) monitoring of the habitats and species conservation status (according to Art. 11) and (2) reporting of the results thereof (according to Art. 17)
6.4. Implementation of the measures laid down in the National Prioritised Action Framework under NATURA 2000 (PAF)	<b>TO 6</b>	OPE and RDP / MAFP	To achieve the objectives of the EU Biodiversity Strategy to 2020 (mainly objective 1) restoration, maintenance and infrastructure activities in the NATURA 2000 protected areas (according to the Protected Area Management Plan) should be implemented. The measures (including the investment measures and purchase of equipment) may be, as follows: <ul style="list-style-type: none"> <li>- Protected area management and achievement of favourable conservation status of the habitats and species therein;</li> <li>- Sustainable use of the resources in the protected areas (RDP).</li> </ul> The measures may include the construction of “green infrastructure” in order to maintain and improve the state of the ecosystems and the services offered by them.
6.5. Monitoring, evaluation and updating of the National Prioritised Action Framework under NATURA 2000 (PAF)	<b>TO 6</b>	OPE	In implementation of Art. 8 of Directive 92/43/EEC.
6.6. Development / updating of the Protected Area Management Plan and implementation of the measures set therein	<b>TO 6</b>	OPE	Protected Area Act, Art. 50 and Art. 55. Protected areas will be a subject to development of management plans. The directors of the regional authorities of the Ministry of Environment and Water shall: (para.3) apply the Protected Area Management Plan; (para.4) outsource the supporting, guiding, regulating or recreational activities and the tourist activities in the protected areas; (para.11) organise the operation of the

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
			visitor centres in the protected areas covered by their regions.
6.7. Measures to promote employment for the population in the NATURA 2000 protected areas, including rendering assistance to the employers therein through payment (at least partially) of the costs for salaries, social insurance contributions, etc. within the financial package of the CP for the period 2014 -2020	<b>TO 6</b>	OPHRD - to promote employment for the population in NATURA 2000 protected area, including rendering assistance of the employers therein. The measures will include acquisition and improvement of the qualification of employed and unemployed people for better realization on the labour market; provision of new jobs and keeping the existing jobs; training of the new companies on meeting the challenges of the coming changes; support for businesses willing to adapt their production process by introducing "green" technologies; training in the acquisition of new knowledge and skills of entrepreneurs and employees in the enterprises, who introduce and / or implement "green" technologies; adaptation of the knowledge, skills and qualifications of the labour force to the changing conditions and support in the creation of "green" jobs and acquisition of new skills for their occupation in accordance with the latest trends in the field of the environmental protection; campaigns to raise the public awareness in the integration of the environmental policies, etc/.  RDP – payments under NATURA 2000 and the Water Framework Directive.	The efforts to conserve and protect the areas of NATURA 2000 network should be accompanied by the measures to be financed in other sectors / policies aimed at increasing the support of the population living in these areas for the NATURA 2000 network itself, as well as those to improve its status. The measures should be coordinated, scheduled and implemented in parallel within the different financial items of the Multiannual Financial Framework 2014 - 2020 (e.g. in parallel with the Common Agricultural Policy funds) in order to improve the conditions of the population in the NATURA 2000 protected areas and to create conditions for sustainability of the habitat restoration measures.
6.8. Implementation of the measures laid down in the National Communication Strategy on NATURA 2000	<b>TO 6</b>	OPE	Directive 92/43/EEC, Art. 22, promotes the educational measures and disseminates general information about the need for protection of wild flora and fauna species and conservation of their natural habitats. Moreover, the National Communication Strategy contains measures for raising the awareness of the municipalities and the population of the NATURA 2000 network.
6.9. Implementation of the measures laid down in the Invasive Species National Strategy	<b>TO 6</b>	OPE	Achievement of the objectives set in the EU Biodiversity Strategy to 2020 in relation to the invasive species.
6.10. Development of genetic resources information system and traditional knowledge about the	<b>TO 6</b>	OPE	Achievement of the obligations under the Nagoya Protocol for the development of an information genetic

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
genetic resources			resources system.
<b>7. Interventions required for capacity building and technical assistance</b>			
7.1. Measures for the implementation of OPE (planning and preparation of investment projects, provision and strengthening the capacity of the structures implementing the operational programme, including the beneficiaries)	<b>TO 6 and TO 11</b>	OPE	Necessary to improve the administrative capacity and the terms and conditions for the implementation of the operational programme.
7.2. Measures to promote adequate publicity of the operational programme	<b>TO 6 and TO 11</b>	OPE Alternatively – Operational programme for technical assistance and / or administrative capacity (depending on the decision of the existence and the scope of any future operational programme (s)).	Necessary to improve the administrative capacity and the terms and conditions for the implementation of the operational programme.
7.3. Measures for the development and implementation of sectoral policy documents (strategies, plans, programmes, methodologies, etc.) on the policy planning in the environmental sector, including those on the climate actions	<b>TO 6 and TO 11</b>	OPE, OPTTI, RDP etc. - in each of these operational programmes depending on the competence and the documents required for the development. Alternatively – Operational programme for technical assistance and / or administrative capacity (depending on the decision of the existence and the scope of any future operational programme (s)).	Necessary due to the entry into force of new EU legislative requirements or any change in the existing ones and due to the need to achieve objectives and implement priorities / actions on the implementation of various policies in the environmental sector (water, air, waste, noise, biodiversity, soils, etc.) and the climate change policy.
7.4. Development and implementation of plans on the investment in skills, internship schemes and communication about the resource efficiency best practices in the industries, which may have the greatest resource efficiency added value	<b>TO 6</b>	OPHRD - training of SMEs, new companies and businesses willing to adapt their production process by introducing "green" technologies, training in the acquisition of new knowledge and skills of entrepreneurs and employees in the enterprises, who introduce and / or implement "green" technologies, adaptation of the knowledge, skills and qualifications of the labour force to the changing conditions.	Resource efficiency roadmap: specific policies are required. These policies should encourage the SMEs (which constitute the majority of the construction companies) to acquire knowledge in the field of the resource efficient methods and practices in the construction and to invest in them.
7.5. Implementation of institutional measures for strengthening the administrative capacity in order to prevent flood risk	<b>TO 5 and TO 11</b>	OPE	As required by Directive 2007/60/EC on the assessment and management of flood risk, the Member States should prepare flood risk assessments, maps of the regions exposed to flood and flood risk and risk management plans (till 2015), which cover all aspects of the flood risk management, focusing in particular on the prevention, protection and preparedness. Currently the Ministry of Environment and Water is preparing the above-mentioned

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
			documents (funding has been provided). After their preparation the measures will be reviewed and those that may be funded by the EU funds will be assessed.
<p>7.6. Development of new strategic / programme documents and the relevant implementing documents (manuals, methodical instructions, etc.) regarding:</p> <p>7.6.1. Update of the River Basin Management Plans (RBMP) (the third RBMPs, to be developed in the period 2016 - 2021 and related to the period 2022 - 2027);</p> <p>7.6.2. Update of the Flood Risk Management Plans (FRMP) (second FRMPs).</p> <p>7.6.3. 6.6.3. Implementation of the National Maritime Strategy in relation to status of the marine environment.</p>	<b>TO 6</b>	OPE	<p>As required by Directive 2000/60/EC the RBMPs will be reviewed and updated every six years. The update requires collection and assessment of additional information, new environmental conditions (due to the development), further development of the monitoring and assessment methods and systems, implementation of the measures laid down in the programme, assessment of new measures for achievement of the good water status, integration of new requirements (such as Directive 2008/105/EC on the priority substances), climate change policy, drought and water deficit, requirements resulting from the legislative requirements for NATURA 2000, etc. The FRMPs must be updated every 6 years (i.e. the second FRMPs will be updated in the period 2016 – December 22<sup>nd</sup>, 2021 and will cover the period 2022 - 2027) by following all stages of the Directive:</p> <ul style="list-style-type: none"> <li>- Review and update of the preliminary flood risk assessment - by December 22<sup>nd</sup>, 2018;</li> <li>- Review and update of the maps of the regions exposed to floods and the maps of the regions exposed to flood risk – by December 22<sup>nd</sup>, 2019;</li> <li>- Review and update of the objectives set in the programme of the measures and the Flood Risk Management Plan - by December 22<sup>nd</sup>, 2021.</li> </ul> <p>For example, (1) an overall strategy for implementation of three Directives (the Water Framework Directive (WFD), Floods Directive and the Marine Strategy Framework Directive) should be developed. Furthermore, a common strategy for joint implementation of the WFD, Habitats Directive and the Birds Directive should be developed. The National Water Sector Strategy contains 4 sub-sector strategies (as some of them are already being developed): water supply and sewerage, protection of the water from harmful effects, hydromelioration and hydropower.</p>

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
7.7. Development and implementation of information and communication measures for the managing authorities, including measures to train and inform the public, businesses and educational institutions.	<b>TO 6</b>	OPE	In connection with the implementation of the legislative requirements.
7.8. Development and implementation of specific measures for support of the "green" growth in the priority axes of the OPHRD.	<b>TO 8, TO 9 and TO 10</b>	OPHRD	<p>In implementation of the objectives set in the environmental and climate change policies the new OPHRD will assist in the integration of the environmental protection requirements, resource efficiency, climate change mitigation and the adaptation hereto, resilience to natural disasters and the risk prevention and management at a horizontal level in the selection and implementation of the projects under the OPHRD.</p> <p>The measures will relate to:</p> <ul style="list-style-type: none"> <li>- The acquisition, improvement and adaptation of the knowledge and skills of the labour force to the new requirements and opportunities of the environmental and climate change policies;</li> <li>- The support for creation of "green" jobs and acquisition of new skills for their occupation in accordance with the latest trends in the field of environmental and climate change policies (resource efficiency, mitigating the effects of the climate change and the adaptation hereto, resilience to natural disasters and risk prevention and management);</li> <li>- The incentives for the employers, who introduce innovative, more productive and "greener" models of work organisation in their enterprises;</li> <li>- The support for the businesses willing to adapt their production by introducing "green" technologies;</li> <li>- The support for the unemployed people wishing to start a business in the field of environmental protection("green" entrepreneurship);</li> <li>-The promotion of the exchange of information and experience, peer learning, capacity building and dissemination of the results, including in the area of the human resources, for an easier transition to a "green" economy and considering the requirements imposed by the transition to an economy, which is low-carbon,</li> </ul>

<u>Intervention - description</u>	<u>TO (under Article 9 of the draft CPR)</u>	<u>Distribution of the intervention in the future OPs</u>	<u>Additional information</u>
			sustainable to climate change, ecologically sustainable and resource efficient.

**VII. Annex II – Text of Annex I to Directive 2003/87/EC (text according to Directive 2009/29/EC amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emissions allowance trading scheme of the Community)**

ANNEX I

CATEGORIES OF ACTIVITIES TO WHICH THIS DIRECTIVE APPLIES

1. Installations or parts of installations used for research, development and testing of new products and processes and installations exclusively using biomass are not covered by this Directive.
2. The threshold values given below generally refer to production capacities or outputs. Where several activities falling under the same category are carried out in the same installation, the capacities of such activities are added together.
3. When the total rated thermal input of an installation is calculated in order to decide upon its inclusion in the Community scheme, the rated thermal inputs of all technical units which are part of it, in which fuels are combusted within the installation, are added together. These units could include all types of boilers, burners, turbines, heaters, furnaces, incinerators, calciners, kilns, ovens, dryers, engines, fuel cells, chemical looping combustion units, flares, and thermal or catalytic post-combustion units. Units with a rated thermal input under 3 MW and units which use exclusively biomass shall not be taken into account for the purposes of this calculation. “Units using exclusively biomass” includes units which use fossil fuels only during start-up or shut-down of the unit.
4. If a unit serves an activity for which the threshold is not expressed as total rated thermal input, the threshold of this activity shall take precedence for the decision about the inclusion in the Community scheme.
5. When the capacity threshold of any activity in this Annex is found to be exceeded in an installation, all units in which fuels are combusted, other than units for the incineration of hazardous or municipal waste, shall be included in the greenhouse gas emission permit.
6. From 1 January 2012 all flights which arrive at or depart from an aerodrome situated in the territory of a Member State to which the Treaty applies shall be included.

Activities	Greenhouse gases
Combustion of fuels in installations with a total rated thermal output exceeding 20 MW (except in installations for the incineration of hazardous or municipal waste)	Carbon dioxide
Refining of mineral oil	Carbon dioxide
Production of coke	Carbon dioxide
Metal ore (including sulphide ore) roasting or sintering, including pelletisation	Carbon dioxide
Production of pig iron or steel (primary or secondary fusion) including continuous casting, with a capacity exceeding 2,5 tonnes per hour	Carbon dioxide
Production or processing of ferrous metals (including ferro-alloys) where combustion units with a total rated thermal input exceeding 20 MW are operated.	Carbon dioxide

Activities	Greenhouse gases
<p>Processing includes, inter alia, rolling mills, re-heaters, annealing furnaces, smitheries, foundries, coating and pickling</p> <p>Production of primary aluminium</p> <p>Production of secondary aluminums where combustion units with a total rated thermal input exceeding 20 MW are operated</p> <p>Production or processing of non-ferrous metals, including production of alloys, refining, foundry casting, etc., where combustion units with a total rated thermal input (including fuels used as reducing agents) exceeding 20 MW are operated</p>	<p>Carbon dioxide and perfluorocarbons</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p>
<p>Production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or in other furnaces with a production capacity exceeding 50 tonnes per day</p> <p>Production of lime or calcinations of dolomite or magnesite in rotary kilns or in other furnaces with a production capacity exceeding 50 tonnes per day</p> <p>Manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day</p> <p>Manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a production capacity exceeding 75 tonnes</p> <p>Manufacture of mineral wool insulation material using glass, rock or slag with a melting capacity exceeding 20 tonnes per day</p> <p>Drying or calcinations of gypsum or production of plaster boards and other gypsum products, where combustion units with a total rated thermal input exceeding 20 MW are operated</p>	<p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p>
<p>Production of pulp from timber or other fibrous materials</p> <p>Production of paper or cardboard with a production capacity exceeding 20 tonnes per days</p> <p>Production of carbon black involving the carbonization of organic substances such as oils, tars, cracker and distillation residue, where combustion units with a total rated thermal input exceeding 20 MW are operated</p> <p>Production of nitric acid</p> <p>Production of adipic acid</p> <p>Production of glyoxal and glyoxylic acid</p> <p>Production of ammonia</p> <p>Production of bulk organic chemicals by cracking, reforming, partial or full oxidation or by similar processes, with a production capacity exceeding 100 tonnes per day</p> <p>Production of hydrogen (H<sub>2</sub>) and synthesis gas by reforming or partial oxidation with a production capacity exceeding 25 tonnes per day</p> <p>Production of soda ash (Na<sub>2</sub>CO<sub>3</sub>) and sodium bicarbonate (NaHCO<sub>3</sub>)</p> <p>Capture of greenhouse gases from installations covered by this Directive for the purpose of transport and geological storage in a storage site permitted under Directive 2009/31/EC</p> <p>Transport of greenhouse gases by pipelines for geological storage in a storage site</p>	<p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide and nitrous oxide</p> <p>Carbon dioxide and nitrous oxide</p> <p>Carbon dioxide and nitrous oxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p> <p>Carbon dioxide</p>



Activities	Greenhouse gases
<p>permitted under Directive 2009/31/EC</p> <p>Geological storage of greenhouse gases in a storage site permitted under Directive 2009/31/EC</p>	Carbon dioxide
<p><b><u>Aviation</u></b></p> <p>Flights which depart from or arrive in an aerodrome situated in the territory of a Member State to which the Treaty applies. This activity shall not include:</p> <p>a) flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers, of a country other than a Member State, where this is substantiated by an appropriate status indicator in the flight plan;</p> <p>b) military flights performed by military aircraft and customs and police flights;</p> <p>c) flights related to search and rescue, fire-fighting flights, humanitarian flights and emergency medical service flights authorised by the appropriate competent authority;</p> <p>d) any flights performed exclusively under visual flight rules as defined in Annex 2 to the Chicago Convention;</p> <p>e) flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made;</p> <p>f) training flights performed exclusively for the purpose of obtaining a license, or a rating in the case of cockpit flight crew where this is substantiated by an appropriate remark in the flight plan provided that the flight does not serve for the transport of passengers and/or cargo or for the positioning or ferrying of the aircraft;</p> <p>g) flights performed exclusively for the purpose of scientific research or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based;</p> <p>h) flights performed by aircraft which a certified maximum take-off mass of less than 5 700 kg;</p> <p>i) flights performed in the framework of public service obligations imposed in accordance with Regulation (EEC) No. 2408/92 on routes within the outermost regions, as specified in Article 299 (2) of the Treaty, or on routes where the capacity offered does not exceed 30 000 seats per year;</p> <p>j) flights which, but for this point, would fall within this activity, performed by a commercial air transport operator operating either:</p> <ul style="list-style-type: none"> <li>• fewer than 243 flights per period for three consecutive four-month periods, or</li> <li>• flights with total annual emissions lower than 10 000 tonnes per year.</li> </ul> <p>Flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers of a Member State may not be excluded under this point."</p>	Carbon dioxide

**VIII. Annex III – Environment and climate change legislative commitments needing support in the period 2014 – 2020, and final dates for their implementation**

**1. Water Sector**

Legislative act	Ensuing national legislative commitment	Final date for implementation
Directive 2000/60/EC establishing a framework for Community action in the field of water policy	Article 4 Achieving good surface water, underground water and protected area status by 22.12.2021, except in justified cases pursuant to Article 4 (4), (5), (6) and (7).	22.12.2021
	Article 5 Updating the characteristics of the river basin district, review of the environmental impact of human activity and economic analysis of water use.	22.12.2019
	Article 8 Efficiency evaluation and update of the programmes for monitoring of water status under Directive 2000/60/EC.	22.12.2019
	Article 9 Setting out the recovery of costs for water services, including resource and environment costs, having regard to the economic analysis conducted according to Annex III of the Directive, and in accordance in particular with the polluter pays principle (update).	22.12.2019
	Article 11 Establishment of a programme of measures, taking account of the results of the analyses under Article 5, the objectives under Article 4, in accordance with Annex VI of the Directive. The implementation of all measures under the above plan should have started by 22.12.2018 Development of the Programme of Measures in the Third Plan (evaluation of measures' efficiency and update of the programme).	22.12.2020 22.12.2018 22.12.2021
	Article 13 Development of RBMP in accordance with Annex VII of the Directive (update of RBMP (development of third RBMP)). Transboundary coordination is required for the development of the relevant RBMP in the international river basin.	22.12.2021 22.12.2021
	Article 14 Public information and consultation about: - a timetable and work programme for the production of the plan; - review of significant water management issues; - draft copy of the river basin management plan	22.12.2018 22.12.2019 22.12.2020
	Article 15 Reporting on third RBMP	22.03.2022

Legislative act	Ensuing national legislative commitment	Final date for implementation
Directive 91/271/EEC concerning urban waste water treatment	<p>1. Building collecting systems for urban waste water and urban waste water treatment plants for agglomerations with a population equivalent of between 2000 and 10 000.</p> <p>2. Building collecting systems for urban waste water and urban waste water treatment plants for agglomerations with a p.e. of up to 10 000</p>	<p>1.12.2014 and according to the provisions of RBMP, under a mechanism developed by the Commission for the new MS (EU 12)</p> <p>Under item 2 – the derogation for Bulgaria is 31 December 2014</p>
Directive 2008/105/EC on EQS in the field of water policy (daughter directive of Directive 2000/60/EC)	<p>Article 1</p> <p>Applying EQS with the aim of achieving good surface water chemical status and in accordance with the provisions and objectives of Article 4 of Directive 2000/60/EO (establishing methodologies and capacity for monitoring of surface water EQS).</p>	2015
	<p>Article 4</p> <p>MS <b>may</b> designate mixing zones adjacent to points of discharge where concentrations of one or more substances listed in Part A of Annex I of the Directive may exceed the relevant EQS (Establishing and including in the second RBMP approaches and methodologies for defining mixing zones)</p> <p>Such zones were not set out in the first RBMP. For their designation, MS must establish appropriate approaches and methodologies as well as the measures for reducing the extent of these zones. In the next programming period, approaches and methodologies that have not been previously established should be supported first.</p> <p>Article 5</p> <p>Inventory of emissions, discharges and losses. MS establish and update their inventory (the updated inventory is required for the second RBMP.)</p>	<p>22.12.2013 for preparation of the first inventory – upon adoption of an amendment of OPE, the activity will be eligible in the current programming period</p>
Directive 2007/60/EC on the assessment and management of flood risks	<p>Article 14 (1)</p> <p>Review and update of the preliminary flood risk assessment or the assessment and decisions referred to in Article 13 (1).</p>	22.12.2018
	<p>Article 14 (2)</p> <p>Review and update of the flood hazard maps and the flood risk maps.</p>	22.12.2019
	<p>Article 14 (3)</p> <p>Review and update of the flood risk management plans</p> <p>Implementation of the measures set out in the first FRMP</p>	<p>22.12.2021</p> <p>22.12.2021</p>
Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)	<p>Article 11</p> <p>Establishing and implementation of coordinated monitoring programmes for the ongoing assessment of the environmental status of marine waters.</p>	15.06.2014
	<p>Article 13 (1-3)</p> <p>Establishment of a Programme of Measures in order to achieve good environmental status in marine waters.</p>	31.12.2014
	<p>Article 13 (4-5)</p> <p>MS shall make publicly available information on the areas (marine protected areas or the so-called marine NATURA 2000) referred to in Article 13, paragraphs 4 and 5.</p>	1.06.2015

Legislative act	Ensuing national legislative commitment	Final date for implementation
	Article 5 (2) Making the programme of measures operational by 2016 at the latest, in accordance with Article 13, paragraph 10.	31.12.2015
	Article 1 (2) Implementation of the necessary measures to achieve or maintain good environmental status in the marine environment	from 01.01.2016 up to 2020
Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources	Article 3 (4) Review, revise or add to the designation of vulnerable zones as appropriate	31.12.2017
Directive 98/83/EC on the quality of water intended for human consumption	Article 6 Take measures, including appropriate treatment techniques, to change the nature or properties of the water before it is supplied so as to reduce or eliminate the risk of the water not complying with the parametric values after supply	On-going (MS are obliged to implement it according to Art. 6, as from 25 December 2000)

## 2. Waste Sector

Legislative act	Ensuing national legislative commitment	Final date for implementation
Directive 2008/98/EC on waste and repealing certain Directives	Article 11 (1) third indent MS shall set up separate collection for at least the following waste materials: paper, metal, plastic and glass.	by 2015
	Article 11 (2) a) MS shall achieve the following target: - by 2020, the preparing for re-use and the recycling of waste materials such as at least paper, metal, plastic and glass from households and possibly from other origins as far as these waste streams are similar to waste from households, shall be increased to a minimum of overall 50 % by weight.	According to Waste Management Act: 1. by 1.01.2016- minimum of overall 25% by weight 2. by 1.01.2018- minimum of overall 40% by weight. 3. by 1.01.2020- minimum of overall 50% by weight.
	Article 11 (2) b) MS shall achieve the following target: - by 2020, the preparing for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, of non-hazardous construction and demolition waste excluding naturally occurring material defined in category 17 05 04 in the list of waste shall be increased to a minimum of 70% by weight;	01.01.2020
	Article 29 MS shall establish waste prevention programmes not later than 12.12.2013	12.12.2013

Legislative act	Ensuing national legislative commitment	Final date for implementation
Directive 1999/31/EC on the landfill of waste	<p>Article 5</p> <p>MS shall set up a national strategy for the implementation of the reduction of going into landfills.</p>	<p>§ 2 (2) of TFA of Ordinance No. 8:</p> <ul style="list-style-type: none"> <li>- by 2013 the quantities of BHO going to landfills must be reduced to 50% of the total amount (by weight) of BHO produced in 1995;</li> <li>- by 2020 the quantity of BHO going to landfills must be reduced to 35% of the total amount (by weight) of BHO, produced in 1995</li> </ul> <p>Par. 16 of the Transitional and final provisions of the Waste Management Act:</p> <ol style="list-style-type: none"> <li>1. By 1 January 2016 – at least 35 % (by weight) of waste;</li> <li>2. By 1 January 2018 – at least 55 % (by weight) of waste;</li> <li>3. до 01.01.2020 г. - най-малко 70 (by weight) of waste.</li> </ol>
	<p>Article 5 (3) a) and b) and Annex I , item 2, second indent</p> <p>Bulgaria shall ensure gradual reduction of the quantity of waste going to 14 existing landfills, which do not meet the requirements, in accordance with the following maximum annual :</p> <ul style="list-style-type: none"> <li>— by 31 December 2012 : 1 919 000 tonnes;</li> <li>— by 31 December 2013 : 1 159 000 tonnes;</li> <li>— by 31 December 2014 : 1 039 000 tonnes</li> </ul>	<p>Transitional period up to 31.12.2014</p>
	<p>Article 14</p> <p>MS shall take measures in order that landfills which do not comply with the requirements of the Directive may not continue to operate.</p>	<p>16.07.2009</p>
Directive 94/62/EC on packaging and packaging waste	<p>Article 6 (1) b)</p> <p>MS shall achieve the following target covering the whole of their territory: no later than 31.12.2008 60 % as a minimum by weight of packaging waste shall be incinerated at waste incineration plants with energy recovery. Bulgaria should achieve (by derogation up to 31.12.2014) the general target for reuse or incineration of waste at waste incineration plants in accordance with the following midway targets:</p> <ul style="list-style-type: none"> <li>- 50 % by weight in 2011,</li> <li>- 53 % in 2012, and</li> <li>- 56 % in 2013</li> </ul>	<p>Derogation up to 31.12.2014</p>

Legislative act	Ensuing national legislative commitment	Final date for implementation
	<p>Article 6 (1) d)</p> <p>MS shall attain the following target: no later than 31.12.2008: between 55% as a minimum and 80% as a maximum by weight of packaging waste must be recycled. Bulgaria should achieve (by derogation up to 31.12.2014) the general recycling target in accordance with the following midway targets:</p> <ul style="list-style-type: none"> <li>- 52 % in 2012 and</li> <li>- 54,9 % in 2013</li> </ul>	Derogation up to 31.12.2014
	<p>Article 6 (1) e) (i)</p> <p>MS must attain not later than 31.12.2008 the following recycling target for materials contained in packaging waste under the Directive: 60% as a minimum by weight for glass. Bulgaria should achieve (by derogation up to 31.12.2013) the general target for recycling of glass contained in packaging waste no later than 31 December 2013 in accordance with the following midway targets:</p> <ul style="list-style-type: none"> <li>- 59,6 % in 2012</li> </ul>	Derogation up to 31.12.2013
	<p>Article 6 (1) e) (iv)</p> <p>MS must achieve no later than 31.12.2008 the following minimum recycling target for materials contained in packaging waste: 22,5% as a minimum by weight for plastics, counting exclusively material that is recycled back into plastics. Bulgaria should attain (by derogation up to 31.12.2013) the general target for recycling of plastics contained in packaging waste, counting exclusively material that is recycled back into plastics, in accordance with the following midway targets:</p> <ul style="list-style-type: none"> <li>- 22% in 2012</li> </ul>	Derogation up to 31.12.2013
Directive 2000/53/EC on end-of-life vehicles	<p>Article 7 (2) b)</p> <p>MS shall attain the following target: no later than 1 January 2015, for all end-of-life vehicles, the reuse and recovery shall be increased to a minimum of 95 % by an average weight per vehicle and year. Within the same time limit the reuse and recycling shall be increased to a minimum of 85 % by an average weight per vehicle and year.</p>	1.01.2015
Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC	<p>Article 10 (1)</p> <p>Bulgaria shall take the necessary steps to calculate the collection rate for the fifth full calendar year following the entry into force of this Directive for the country (2012).</p>	31.12.2012
	<p>Article 10 (2) a)</p> <p>Bulgaria shall achieve minimum collection rate of 25% by 26.09.2012</p>	26.09.2012
	<p>Article 10 (2) b)</p> <p>Bulgaria shall achieve minimum collection rate of 45% by 26.09.2016</p>	26.09.2016

### 3. Biodiversity Sector

Legislative act	Ensuing national legislative commitment	Final date for implementation
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Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora	Implementation of measures set out in the National Priority Action Framework (NPAF)	by 2020
	Article 4 (3) Establishing areas of conservation of habitats	December 2014
	Article 11, Article 17 Surveillance of the conservation status of habitats and species and reporting of results	Every 6 years First final date: July 2013 (for Bulgaria)
Protected Areas Act	Article 55 Management plans shall be elaborated for PA under terms and according to a procedure established by a regulation endorsed by CoM.	A need of regular update after expiry of MP
	Article 50 The directors of the regional authorities of MoEW on the WG: - apply PAMP (item 3) - commission the execution of maintaining, steering, controlling or restorative activities, tourism activities within PA (item4); - organize the functioning of visitor service centres (item 11)	On-going
Biological Diversity Act	Article 35, item 4 The plant, animal and fungal species of wild flora, fauna and mycota of the Republic of Bulgaria shall be conserved in-situ by means of elaboration and application of action plans for species facing a varying degree of threat	On-going

#### 4. Climate Sector

Legislative act	Ensuing national legislative commitment	Final date for implementation
Directive 2003/87/EC establishing ATS for GHGE within the Community and amending Directive 96/61/EC	Article 1 The Directive establishes a scheme for greenhouse gas emission allowance trading (ATS for GHGE) within the Community in order to promote reductions of GHGE. It also provides for the reductions of GHGE to be increased so as to contribute to the levels of reductions that are considered scientifically necessary to avoid dangerous climate change. The Directive also lays down provisions for assessing and implementing a stricter Community reduction commitment (exceeding 20%) for GHGE: EU will reduce GHGE by 30% upon the approval by the Community of an international agreement on climate change leading to GHGE reductions exceeding 20%	2020

Legislative act	Ensuing national legislative commitment	Final date for implementation
	<p>Article 10</p> <p>From 2013 onwards, MS shall auction all allowances which are not allocated free of charge. MS shall determine the use of revenues generated from the auctioning of allowances. The revenues should be used for one or more of the following:</p> <ul style="list-style-type: none"> <li>- to develop RES to meet the commitment of the Community to using 20% RES by 2020 as well as to develop other technologies contributing to the transition to a safe and sustainable low-carbon economy,</li> <li>- to help meet the commitment to increase energy efficiency by 20% by 2020</li> </ul>	2013 - 2020
<p>Directive 2009/30/EC amending Directive 98/70/EC<sup>12</sup> and introducing a mechanism to monitor and reduce GHGE and amending Directive 1999/32/EC<sup>13</sup> and repealing Directive 93/12/EEC<sup>14</sup></p>	<p>Article 7a (2)</p> <p>MS shall require suppliers to reduce as gradually as possible life cycle GHGE per unit of energy from fuel and energy supplied by up to 10 % by 31.12.2020, compared with the fuel baseline standards referred to in paragraph 5(b).</p>	31.12.2020
<p>Decision No. 406/2009/EC on the effort of MS to reduce their GHGE to meet the EU's GHGE reduction commitments up to 2020</p>	<p>Article 3</p> <p>Each MS shall, by 2020, limit its GHGE at least by the percentage set for that MS in Annex II to the Decision in relation to its emissions in 2005</p> <p>Subject to paragraphs 3, 4 and 5 of this Article and Article 5, each MS with a positive limit under Annex II shall ensure, including by making use of the flexibilities provided for in this Decision, that its GHGE in 2013 do not exceed a level defined by a linear trajectory, starting in 2009, on its average annual GHGE during 2008, 2009 and 2010, as reported and verified pursuant to Directive 2003/87/EC and Decision No. 280/2004/EC, ending in 2020 on the limit for that MS as specified in Annex II.</p> <p>Subject to paragraphs 3, 4 and 5 of this Article and Article 5, each MS shall annually limit its GHGE in a linear manner, including by making use of the flexibilities provided for in this Decision, in order to ensure that its emissions do not exceed its limit in 2020 as specified in Annex II.</p>	2013 - 2020

<sup>12</sup> As regards the specification of petrol, diesel and gas-oil

<sup>13</sup> As regards the specification of fuel used by inland waterway vessels

<sup>14</sup> Relating to the sulphur content of certain liquid fuels





Legislative act	Ensuing national legislative commitment	Final date for implementation
	<p>Article 32 Transitional National Plan</p> <p>During the period from 1.01.2016 to 30.06.2020, MS may draw up and implement a transitional national plan covering combustion plants which were granted the first permit before 27.11.2002 or the operators of which had submitted a complete application for a permit before that date, provided that the plant was put into operation no later than 27.11.2003. For each of the combustion plants covered by the plan, the plan shall cover emissions of one or more of the following pollutants: nitrogen oxides, sulphur dioxide and dust. For gas turbines, only nitrogen oxides emissions shall be covered by the plan.</p> <p>Article 32 (3) paragraph 2</p> <p>The ceiling for the year 2016 shall be calculated on the basis of the relevant emission limit values set out in Annexes III to VII to Directive 2001/80/EC or, where applicable, on the basis of the rates of desulphurization set out in Annex III to Directive 2001/80/EC. In the case of gas turbines, the emission limit values for nitrogen oxides set out for such plants in Part B of Annex VI to Directive 2001/80/EC shall be used.</p> <p>The ceilings for the years 2019 and 2020 shall be calculated on the basis of the relevant emission limit values set out in Part 1 of Annex V to this Directive or, where applicable, on the basis of the relevant rates of desulphurization set out in Part 5 of Annex V to this Directive. The ceilings for the years 2017 and 2018 shall be set providing a linear decrease of the ceilings between 2016 and 2019.</p>	<p>01.01.2013</p>
<p>Directive 2008/50/EC on ambient air quality and cleaner air for Europe</p>	<p>Article 13</p> <p>MS shall ensure that, throughout their zones and agglomerations, levels of sulphur dioxide, PM<sub>10</sub>, lead, and carbon monoxide in ambient air do not exceed the limit values laid down in Annex XI.</p> <p>For nitrogen dioxide and benzene: the limit values set out in Annex XI may not exceed the values specified therein. The measures for achievement of the limit values set out in the municipal programmes need to be implemented.</p>	<p>1.01.2007</p> <p>There is a serious problem with the achievement of the limit value on the PM<sub>10</sub> indicator. All zones for the purposes of air quality assessment and management are with impaired air quality on this indicator.</p> <p>1.01.2010</p> <p>Problems with the achievement of the limit value on the nitrogen dioxide indicator exist in two assessment and measurements zones - Sofia and Plovdiv. With its Decision of 5 September 2012, the Commission approved for Bulgaria extension of the time limit for achievement of nitrogen dioxide limit values up to 31.12.2013.</p>

Legislative act	Ensuing national legislative commitment	Final date for implementation
	<p>ANNEX VI</p> <p>Reference methods for assessment of concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM<sub>10</sub> and PM<sub>2,5</sub>), lead, benzene, carbon monoxide, and ozone</p> <p>Introduction of new equipment. All new equipment purchased for implementation of this Directive must comply with the reference method or equivalent by 11.06.2010.</p> <p>All equipment used in fixed measurements must comply with the reference method or equivalent by 11.06.2013.</p>	<p>11.06.2010</p> <p>11.06.2013</p>
	<p>ANNEX XIV</p> <p>National exposure reduction target, target value and limit value for PM<sub>2,5</sub></p> <p><i>A. Average exposure indicator (AEI)</i></p> <p>The AEI for the year 2015 shall be the three-year running mean concentration averaged for all those sampling points for the years 2013, 2014 and 2015. The AEI is used for the examination whether the exposure reduction target is met.</p> <p>The AEI for the year 2020 shall be the three-year running mean concentration averaged for all those sampling points for the years 2018, 2019 and 2020. The AEI is used for the examination whether the national exposure reduction target is met.</p> <p><i>B. National exposure reduction target relative to the AEI in 2010</i></p> <p>Initial concentration in µg/m<sup>3</sup> - Reduction target in percent</p> <p>&lt; 8,5 = 8,5 0 %</p> <p>&gt; 8,5 — &lt; 13 10 %</p> <p>= 13 — &lt; 18 15 %</p> <p>= 18 — &lt; 22 20 %</p> <p>≥ 22 All appropriate measures to achieve 18µg/m<sup>3</sup></p> <p><i>C. Exposure concentration obligation</i></p> <p>Year by which the obligation value of 20 µg/m<sup>3</sup> is to be met - 2015</p> <p><i>D. Limit value</i></p> <p>STAGE 1</p> <p>Calendar year - 25 µg/m<sup>3</sup> - 20 % on 11.06.2008, decreasing on the next 1 January and every 12 months thereafter by equal annual percentages to reach 0 % by 1.01.2015</p> <p>STAGE 2 <sup>(1)</sup></p> <p>Calendar year 20 µg/m<sup>3</sup> - 01.01.2020</p>	<p>1.01.2015</p> <p>1.01.2020</p> <p>2020 is the year by which the exposure reduction target should be met</p> <p>1.01.2015</p> <p>1.01.2015</p> <p>1.01.2020</p>