



Atanas Rusev

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EUROPEAN COMMISSION

Avenue de Beaulieu 5/Beaulieustraat 5
1160 Bruxelles/Brussel
Belgique

Attention: Mr. Janez Potočnik

European Commissioner for the Environment

Dear Mr. Potočnik

SAVE KORAL BEACH IN BULGARIA

I would like to present myself: I am Atanas Rusev, an authorized official representative of **SAVE KORAL BEACH** civil association. I am addressing to you an ***appeal for support and monitoring***.

We were informed by Bulgarian press about ***European Court of Justice actions against Bulgaria*** for failure to fulfill obligations to protect endangered habitats and species of importance at Kaliakra as this area has been granted for the construction of a large number of wind turbines and other facilities.

The case has been brought before the European court on your recommendation as European Commissioner for the Environment.

We greatly appreciate your efforts to protect our country unique habitats and species of great importance!

Unfortunately, we know that Bulgarian officials are failing to fulfill their obligations according to the relevant EU directives authorizing projects of different variety without adequate assessment of their impact on the environment.

We, in Save Koral, are in the same situation. Koral is truly the *last place* on our ruined seacoast, still untouched by the immature investor's hand and the irresponsible local administration.

The area is endangered by a *monstrous construction project*. The authorities are *trying to legalize* the outrageous 2500 apartments and 1800 underground parking places *in the swamp and on the sand dunes!* The *irregularity of the permits*, the *missing infrastructure*, and, above all, the disgraceful lack of *environmental effect assessment official report* is unfortunately a well known fact about this project.

According Directive 2011/92/EU of 13 December 2011 the consent for public and private projects which are likely to have a significant impact on the environment should *be given only after the assessment of the environmental impact of these projects*. This assessment should be done on the basis of relevant information provided by the developer, which can be supplemented by the authorities and the public likely to be affected by the project.

Such an evaluation never took place!

Under Article. 3 - The impact on the environment, identify, describe and assess in an appropriate manner to each case and in accordance with Articles 4 to 12, the direct and indirect effects of a particular project on the following factors:

a) the people, flora and fauna **b)** soil, water, air, climate and landscape **c)** material assets and the cultural heritage **d)** the interaction between the factors referred to in points **a), b) and c).**

In all cases, the project will irreparably affect factors in a / and b /, and the interaction between them.

Given this highly disturbing fact is clear that the purpose of the Directive can not be sufficiently achieved by Bulgaria as a Member States. Therefore, the scope and effects

of the action, these objectives can be better achieved by the competence of the EU.

We call upon the EU to take urgent steps towards saving Koral in accordance with the principle of subsidiarity.

Endangering of Koral is happening on the previously ‚arranged‘, deliberately and manipulatively as ***no longer protected area*** by order RD - 1030 by the Ministry of Environment and Water on **11 August, 2003**.

Still, a large population of the ***extremely valuable*** spring marsh snowdrop grows there! Many ***wild bird species*** naturally live on the territory of the endangered forest and sand dunes.

Undoubtedly, the ***European Commission*** already monitors the issue of the dubious number of ***illegal construction permits*** for the land of former camping **Koral as far as** our complaint to the Commission has been registered under reference number **CHAP(2013)00755**.

We hope our letter on 25 July, 2013 and documents we have presented to your colleague Mr. Cashman, will be sufficient for the EU Commission ***to open a formal infringement procedure*** and to implement strict legal means. We believe ***illegal construction permits case*** must remain the focus of prosecution and law enforcement under EU commission strict monitoring. Whereas the contractor as a third party, Iberdrola Inmobiliaria, should receive state compensations and redirect its investment intentions elsewhere.

Dear Mr. Potočnik,

We appeal to you and your Direction in particular asking for support!

Save Koral directed their actions toward ***reestablishing Koral as a protected area***.

Our team prepared two expert reports at an academic level, accompanied by the mapping of habitats of protected species and a large number of up-to-date pictures. On 28 May, 2012 Save Koral officially submitted the above documentation to the Ministry of Environment and Water with a request for declaring Koral protected area, registered under reference number № 48-00-598/28.05.2013.

To date, we haven't received any reply!

According Article 191 of the Treaty on the Functioning of the European Union policy on the environment shall be based on the precautionary principle and preventive action.

Your involvement is crucial for the implementation of EU policy in the field of environment. According to Art. 191 TFEU, it contributes to achieving the following objectives:

- Preserving, protecting and improving the quality of the environment;
- Protection of human health;
- Prudent and rational utilization of natural resources;
- Promoting measures at international level, measures to deal with regional or worldwide environmental problems, and in particular combating climate change.

Saving of Koral affects directly each of these goals.

We appeal to you determined by the desire to protect the last remaining natural resources on our destroyed seacoast, trusting the principles and objectives of the European Union and the Charter of Fundamental Rights of the European Union and in particular Article 37 - Protection of Environment – ***"The high level of environmental protection and the improvement of its quality must be integrated into the policies of the Union and ensured in accordance with the principle of sustainable development"***

As we all know, we have borrowed the land of our children. The importance of the matter especially in the last days of new political situation in Bulgaria demands your support and monitoring, which would be an immeasurable help to the process of ***saving of the last piece on the Bulgarian seacoast!***

Please, feel free to contact me for any further information, documentation, and unique photographic material.

We believe in your support. We hope you will be urgently acquainted with the case and will order within its jurisdiction all appropriate action.

I shall be grateful for a quick reply.

Best regards,

Atanas Rusev

Save Koral

Encl

1. Documentation to the Ministry of Environment and Water with a request for declaring Koral protected area

Expert Reports incl.

2. Photographic materials