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**Session II
Water – transboundary co-operation**

and

**Session III
Good Governance in managing natural resources**

Please find attached the written contribution by Mr. Boyko Peev, Chief Expert, Ministry of Environment and Water/Directorate, Bulgaria.

*Water Management Policy in Bulgaria.
Implementation of the Water Framework Directive.
Cross boundary cooperation*

Bulgaria is a member of the EU and tries to implement the requirements of the European Directives including and in the field of the water, which are transposed in to National Legislation.

The main target of the water management policy is the implementation and use of the water management of the natural River Basin basis principle.

The National legislation in the field of the waters is presented from the Water act and his secondary legislation - Regulations.

Last year the Bulgarian Water Act was updated, in order to meet the requirements of Council Directive 2000/60/EC.

The Water Directive is the milestone for EU water policy and is also important for other areas as it provides a framework and a tool for integrated river basin management.

The aim of this Directive is to prevent “further deterioration” and to achieve “good ecological and chemical status” in all EU water resources by December 2015.

Bulgarian Water Act ensures contemporary water management. According to the Water Act “water management” includes the activities for water usage, protection and restoration as well as the activities for prevention of the harmful impact of the water.

The water management policy on national level is implemented by the Ministry of Environment and Water, which is responsible for the management of water resources and their distribution among the consumers.

The Ministry is the competent authority responsible also for the following main areas:

- development of the national policy for water management, as well as the drafting of national legislation in the area of water protection, including pollution by urban wastewater;
- approval of river basin management plans;
- issuing permits for water use and permits for discharge of treated waste water into the respective water body;
- preparation of annual report on the environmental situation, including water, with the aim of providing information to the public.

The river basins are the basic units for the integrated water management. There are four river basin districts in the country. For these districts **4 River Basin Management Directorates** are established within the structure of MOEW and these are the bodies that implement the water management policy on local level.

The River Basin Management Directorates perform the following main functions:

- organizing the development of river basin management plans and conducting public discussion of these plans;
- jointly with the municipalities defining the boundaries of waters and water bodies, constituting public state property;
- issuing permits for discharge of waste water, keep registers and controlling the observance of the terms and requirements of the issued permits;
- maintaining the National System for Water Monitoring at basin level;

- organizing and managing the collection and control of the results from the internal monitoring of the enterprises;
- updating the controlling-information system for the condition of the wastewater; developing measures for improvement, protection and maintenance of the water conditions.

The first River Basin Management Plans under the Water Framework Directive should be finalized by 2009, with the first set of measures starting to apply in 2012. Bulgaria has not requested any transition periods for complying with the requirements of the WFD with regards to this aspect.

Pursuant to the Water Act:

- **Ministry of Regional Development and Public Works** - responsible for the state policy related to design, construction and operation of the water supply and sewerage systems in the country. The Minister is responsible for the exercises of the rights of state ownership in the water companies wherein the state holds a share of the capital exceeding 50%.
- **Ministry of Agriculture and Forestry** - responsible for irrigation and land-reclamation systems and facilities and for protection against water-related damage and loss beyond the boundaries of settlements;
- **Ministry of Economy and Energy** - responsible for hydro-energy systems and facilities;
- **Ministry of Health** - responsible for the exercise of control on the quality of drinking water;
- currently in force is that (commercial) water supply and sewage companies (WSSC) operate the facilities.

The municipal administrations play an important role in the implementation of the environmental policy in the water sector. Their basic tasks are related to:

- development of programmes for protection of the environment;
- construction, maintenance and operation of UWWTP;
- providing public information regarding the state of the environment;
- control on the implementation of the legal requirements in small facilities of local importance.

Currently the ownership of the water management systems and facilities is regulated by the Water Act, along the State Property Act and Municipal Property Act.

The entire infrastructure for water supply and sewerage in the settlements is owned either the municipalities or the water companies.

Water Supply and Sewerage sector (WSS) needs three basic laws:

- WSS Services Regulation,
- Water Act,
- Water Supply and Sewerage.

According to **the National Strategy for Management and Development of the Water Sector 2004 – 2015** (adopted by the Council of Ministers in 2004) the ownership of the water management systems and facilities shall be regulated in separate legislative acts which are currently under preparation by the Ministry of Regional Development and Public Works.

Since 2005 the price policy of the water supply and sewerage companies (WSSC) is regulated by the adopted **Water Supply and Sewerage Services Regulation Act**. The Act establishes the legal basis for the regulation of prices and quality of water supply and sewerage services provided by the water supply and sewerage companies, which operate the facilities. It defines the drinking water as a basic necessity of life and the activities for water-supply and sewerage services as activities of public interest.

A State Energy and Water Regulatory Commission to the Council of Ministers (under the Water Supply and Sewerage Services Regulation Act) regulates the water supply and sewerage services. The Commission regulates the prices and the quality of water-supply and sewerage services provided by the water supply and sewerage companies (WSSC), regardless of the forms of ownership and management of the water-supply and sewerage systems.

The legislation in the country also introduces economic instruments, which regulate and guide the conduct of the water users and water bodies. The following economic instruments - **consumer fees, fees for use of resources, concessions for natural resources, sanctions and market mechanisms** ensuring investment and operational costs for achieving and maintaining the environmental standards - are effectively applied.

Strategies and Programmes for the Construction of UWWTP

The basic documents , guiding the waste water management policy in Bulgaria:

- National program for construction of sewerage systems in settlements over 10.000 inhabitants, adopted by the Council of Ministers in 1999;
- Program for implementation of requirements of Directive 91/271/EEC for construction of sewerage systems in settlements with over 2.000 inhabitants, elaborated in 2003
- Operational Programme “Environment 2007 – 2013” (draft developed during the past year)
- National Strategy for Management and Development of the Water Sector 2004 – 2015 (adopted by the Council of Ministers in 2004)

One of the main challenges of the country in the period 2007-2013 is **implementation of the requirements of Directive 91/271/EEC**. For the purposes of implementation of Directive 91/271/EEC, **National programme for priority construction of urban waste water treatment plants** was developed by the Ministry of Environment and Water, which aims at setting priorities for construction of UWWTP at watersheds for all settlements in the country with more than 10 000 PE.

Bulgaria has declared all water resources on its entire territory as being sensitive zones /except Mestas River with its river valley and Dobrudza’s rivers and gullies/. For agglomerations with PE over 10 000, which discharge in sensitive zones, elimination of nitrogen and phosphorus is required.

In the accession to the EU, Bulgaria made the commitment for:

- Construction of sewerage networks and urban waste water treatment plants in the settlements with **more than 10 000 PE – by 31.12.2010;**
- Construction of sewerage networks and urban waste water treatment plants in the settlements with **PE between 2 000 and 10 000 – by 31.12.2014.**

In 2003 Bulgaria has developed an **Implementation Programme for the Requirements of Directive 91/271/EEC for urban wastewater treatment**. According to this directive it has been determined that 430 agglomerations (settlements or group of settlements,

resorts, country sites, districts of big cities) require the construction of entire sewerage infrastructure, completion or reconstruction of the existing sewerage networks and WWTP.

The above mentioned 430 agglomerations include:

20 agglomerations with PE above 100 000, 101 agglomerations with PE between 10 000 and 100 000 and most of the agglomerations (309) are in the category 2 000 – 10 000 PE. 68 WWTPs have been constructed and put in operation by the end of 2006:

14 - with mechanical treatment and 54 – with mechanical and biological treatment.

The total estimated investment costs of the Implementation programme are 4 337 million BGL (2 300 million Euro)

A significant prerequisite for the successful implementation of the objectives under priorities defined in the field of UWWTP is the establishment and implementation of adequate new legislation, which shall regulate the ownership of the water management systems and facilities. This is also a condition for the realization of various forms for the provision of the needed investments (for instance the public–private partnership).

According to **the National Strategy for Management and Development of the Water Sector 2004 – 2015** (adopted by the Council of Ministers in 2004) the ownership of the water management systems and facilities shall be regulated in separate legislative acts which are currently under preparation by the Ministry of Regional Development and Public Works.

On the basis of the analysis of the current situation in water sector in Bulgaria and water Operational Programm “Environment” 2007-2013 has been elaborated in the Ministry of Environment and water.

The Programme sets the priority areas of the country for sector environment to be implemented and financed within this period

In the fields of “water” the Programme identifies the priorities, which will be financed by the European Union Funds.

- **As a first priority shall be financed:**

(1)The construction /reconstruction/ modernization of wastewater treatment plants including the introduction of tertiary treatment, where necessary, for agglomerations of settlement with **more than 10000 PE**, and

(2) construction/extension/reconstruction/ of sewage networks within the same agglomerations

- **As a second priority shall be financed:**

1) the construction/reconstruction/modernization of wastewater treatment plants, where necessary, for agglomerations of settlement with PE between 2000 and 10000 and

(2) construction/extension/reconstruction/ of sewage networks within the same agglomerations.

- **As third priority** financing could receive operations, which contain only part (s) of the following components:

- construction/reconstruction/modernization of wastewater treatment plants as well as extension/reconstruction of sewage networks in agglomerations of settlements with (1) more that 10000 PE and (2) with PE between 2000 and 10000.

- Construction/reconstruction/extension of water supply networks, new water storage tanks, main water supply pipes connecting the water supply networks with

the water sources for ensuring provision of required water quantity and/or quality, pumping stations, as well as construction/reconstruction/modernization of drinking water treatment plants in agglomerations of settlements with (1) more than 10000 PE and (2) with PE between 2000 and 10000.

Environmental security and sustainable development depends significantly on trans boundary co-operation.

A good example for trans boundary co-operation concerning water in the OSCE area is the coordination between Greece and Bulgaria.

Report based on findings in the period Feb-April 2007 has been elaborated. The report comprises meetings with working groups, meetings with different institutions, retrieved information from local experts and the key experts of the project team.

The report is intended for further discussion with the beneficiaries, the joint Technical Working group for cooperation between Bulgaria and Greek authorities as well as other stakeholders. The results of the meetings is expected to lead to a common approach for preparation of “Program of measures”, which is the next step in the preparation of a draft basin management plan for **Mesta/Nestos River Basin**

Mesta/Nestos is an international river basin district where Bulgaria and Greece must ensure coordination with the aim of producing a single international river basin management plan or one covering the Bulgarian part and one covering the Greek part of the river basin (Article 13 of WFD) It is anticipated that two separate River Basin management Plans will be elaborated and the coordination of work will be facilitated by signing of the Memorandum of Understanding between Hellenic Republic and the Republic of Bulgaria on the implementation of two projects, concerning the integrated water resources management in the Nestos/Mesta River Basin.

A comprehensive amount of data is required to elaborate the RBMP. The only uncertainty with respect to data is related to the requested data from “Dams and Cascades” Enterprise on the deviation of water out of the catchment of Mesta.

Negotiations with “Dams and Cascades” Enterprise on the availability of data are at present is on going. The data is needed to assess the water stress and environmental effect of the export of water.

In addition of this, the assessment of future use of water to the various sectors like hydropower, irrigation, household, and industry demand a clear picture of the month to month water balance in the river.

The ecological flow requirements and the needed dilution capacity of the river require a minimum flow at all times. Modeling tools will be applied by both JICA project (Hydrodynamic model MIKE 11) and the present Mesta II project (Water resource model MIKE Basin) to assess the flow in the river and the related ecological and environmental effects. The main data providers are:

- Ministry of Environment and water
- Executive Environmental Agency
- Regional Branch of the executive Agency for Fisheries and Aquacultures
- National Meteorological and Hydrological Institute
- The Regional Branch of the executive Agency for Hydro melioration
- Dams and Cascades Enterprise
- The Ministry of Agriculture and Forestry

The water management plan is defined within the border of the catchment area of Mesta and Dospat, and is developed on a water basin district level not corresponding with administrative borders. Besides being cross boundary between Bulgaria and Greece, where national plans and activities have to be coordinated, the water management plan will also have to be related to the regional plans, district plans and municipality plans (9 municipalities located within the Mesta River Basin.

Program of measures and an action plan for the Mestos/nestos River Basin.

The forthcoming river basin management plans are new in Bulgaria as they are in some other EU member states. It is a frame work plan with a cross cutting effect on local and regional planning initiatives. For full implementation of the Directive and River Basin Management Plan it is needed that the plan is made operational through adoption in other regional and local planning documents.

Technical assistance for water quality management of **Arda River** - project PHARE BG 2003/005-630.05 is **another good example** for cross border cooperation in the region.

The Ministry of Regional Development and Public Works in Bulgaria awarded an 18 months Service Contract to an international consortium led by ARCADIS Euroconsult (the Netherlands) on November 30 2005. The consortium furthermore comprises ARCADIS Ruimte en Milieu and includes BB&T as a Bulgarian partner

An Inception Report has been elaborated to provides a detailed description of the assignment, which aims to contribute to integrated management and pollution prevention of the Arda River Basin by establishing a working partnership between the stakeholders from Bulgaria and Greece and by providing Technical Assistance in assessing the existing status of Arda river and recommend improvements of monitoring systems both based on European WFD principles.

Chapter 2 of this Inception Report contains an analysis of the project's content.

It starts with describing the Objectives and expected Results from the Terms of Reference. Then relevant WFD topics (Good Water Status, Monitoring and Assessment, River Basin Management Planning, and Public Participation) for the project are briefly described, followed by a rationale on the main project tasks:

Establishing and training of a transboundary Arda River Basin Board comprising of representatives from all relevant stakeholders in Bulgaria and Greece;

Assessment of the status of the surface water within the Arda Basin including additional investigations with a focus on reservoirs within the Basin;

Assessment of the present Monitoring Systems and development of an approach for putting of the Arda River water quality monitoring network into compliance with the requirements of the WFD; Training on biological monitoring; Raising Awareness on WFD related issues amongst stakeholders and the general public within the Arda basin; Modern Arda Basin Board website providing information and facilitating public access to databases with updated monitoring data.

The Terms of Reference (ToR) indicate the overall project objectives, being:

- To promote co-operation between the affected border regions and thereby to contribute to the establishing of co-operation networks among counterpart organisations and entities on both sides of the border.
- To continue implementation of the acquis with particular emphasis on water quality in respect of the Directive 2000/EEC for the establishing of framework for Community action in the field of water policy; Convention on protection and use of

- the cross-border water currents and the international lakes signed on 13.03.1992 with a decision of the Council of Ministers
- To establish a working partnership between the stakeholders of Bulgaria and Greece based on European standards for integrated management and pollution prevention of Arda River waters in the affected border regions in compliance with: the requirements of the EU Water Framework Directive 2000/60/EC and other EU water directives; Bilateral agreements between Bulgaria and Greece in the field of water management and national legislation.
 - To continue strengthening administrative, monitoring and enforcement capacity at the regional and local level.

Four specific objectives are formulated:

1. To lead and ensure the process of developing partnership between the Bulgarian and Greek stakeholders from Arda River region.
2. To make impartial assessment of the existing status of Arda River and existing systems of monitoring and based on it to recommend the scheme for future monitoring, including bio-monitoring.
3. To increase the capacity of stakeholders and to lead the process of strategic planning for improvement of the quality of Arda River.
4. To train local people for bio-monitoring.

In line with the WFD, the monitoring network should be designed so as to provide a coherent and comprehensive overview of ecological and chemical status within the Arda river basin and permit classification of water bodies into five classes consistent with the normative definitions. An important part of this project component will be elaboration and implementation of joint programme for monitoring between Bulgaria and Greece concerning water quality and quantity, sediments and riverine ecosystems as a basis for the assessment of trans-boundary impacts such as trans-boundary pollution. Whenever possible, existing data supported by a sound analytical quality control programme will be used together with newly obtained results in order to enable a long-term view of the surface water quality trends in the basin and create a good informational basis for the decision makers in the region.

Danube and Black Sea basins both are unique and diverse in terms of ecological and cultural heritage, hence our common challenging task for building effective partnerships for integrated water management.

The Danube countries have achieved a lot in the process of improving water quality in the Danube River Basin. We hope that the work ahead and in particular the Joint Danube Survey – 2 will back up with figures the positive trends in Danube water quality which also contributes to the signs of recovery observed in the Black Sea ecosystem. What is most optimistic, however, is that Danube countries use the river basin management approach as the guiding principle of their national water management policies.

The platform provided by the ICPDR backed up by valuable assistance of the Danube Regional project have allowed the Danube countries to make constant progress towards a Danube River Basin Management Plan. Results are visible, and the Danube seems to have become a world recognised “trade mark” when it comes to international river basin management. While this process is in progress there are some issues which deserve more

attention by the riparian countries. The transboundary nature of key water management issues, such as ensuring economic growth while continuing the trend of reducing pollution; adequate flood prevention measures and minimization of risks from accidental pollution particularly accidents with transboundary effect need more focused joint and coordinated efforts.

The Danube Basin is shared by countries with different economic potential where the issue of funding continues to be a key element of the strategy for achieving basin wide objectives. In the pre-accession period Bulgaria has designated its entire Danube and Black Sea catchments sensitive areas. This entails extra financial costs but is particularly important for us being a Danube and a Black Sea country at the same time. Since 1 January 2007 the Black Sea has become an EU sea and we all should focus on the restoration of its ecosystem. We therefore call upon all countries concerned and also the financial institutions to invest in pollution reduction in the wide Black Sea basin. DABLAS is a good example and a good basis for bringing together priorities in the Black Sea and one of its big tributaries. We should not forget however that the Danube River is not the only large tributary of the Black Sea and experience from this basin could be transferred in other parts of the wider Black Sea basin. Another focus of our investment strategies should be on flood and risk prevention measures, the latter being equally important as proper pollution reduction measures basin-wide.

Bilateral and regional cooperation is another key element of success that we consider should be further developed. This also includes intensified cooperation between the Danube and the Black Sea countries and the two respective Commissions on the basis of the Memorandum of Understanding. In this respect, Bulgaria shall continue now with even stronger commitment and energy to be one of the countries bringing closer the Danube and the Black Sea in terms of water management policies and measures, the Danube and the Black Sea which are otherwise part of one challenging international basin that we all share.

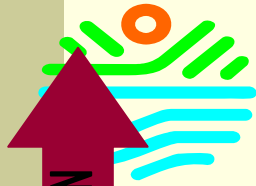
ATTACHED ARE :

- ⇒ Administrative delineation of Bulgaria
- ⇒ Chart for Water Management in Bulgaria
- ⇒ Map of River basin Districts in Bulgaria



ADMINISTRATIVE DELINEATION OF BULGARIA
28 Administrative districts, 264 municipalities, 6 regions for planning

WATER MANAGEMENT



NATIONAL LEVEL

Council of Ministers

Ministry of Environment and Water

High Council of Water

Water Directorate

Danube River Basin Directorate

Black Sea River Basin Directorate

East Aegean River Basin Directorate

West Aegean River Basin Directorate

River Basin District Council

River Basin District Council

River Basin District Council

River Basin District Council

BASIN LEVEL

REPUBLIC of BULGARIA

4 River basin Districts, based on the catchment areas of the main rivers

