

**Meeting of the Parties to the Convention on
Access to Information, Public Participation in Decision-making and
Access to Justice in Environmental Matters
Task Force on Access to Information – Seventh meeting –
Geneva, 15-16 December 2016**

***Obstacles, challenges and good practices in relation to public participation
in decision-making related to changes to or extensions of existing activities***

**Public information and consultation
at the EIA screening stage in case of changes and extensions to
existing projects/activities:
the experience of Italy**

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EIA screening

Projects listed in Annex II to the Directive are not automatically subjected to an environmental impact assessment.

Member States can decide to subject them to an assessment on a case-by-case basis or according to thresholds and/or criteria (for example size), location (sensitive ecological areas in particular) and potential impact (surface affected, duration).

The process of determining whether an assessment is required for a project listed in Annex II is called screening.

Annex II includes :

Any change or extension of projects listed in Annex I or this Annex, already authorised, executed or in the process of being executed, which may have significant adverse effects on the environment (change or extension not included in Annex I)

EIA screening

Concerns about environmental and health impacts

Citizens may have environmental concerns about changes or extension to existing activities/projects (especially project relating to energy, waste, water treatment...)

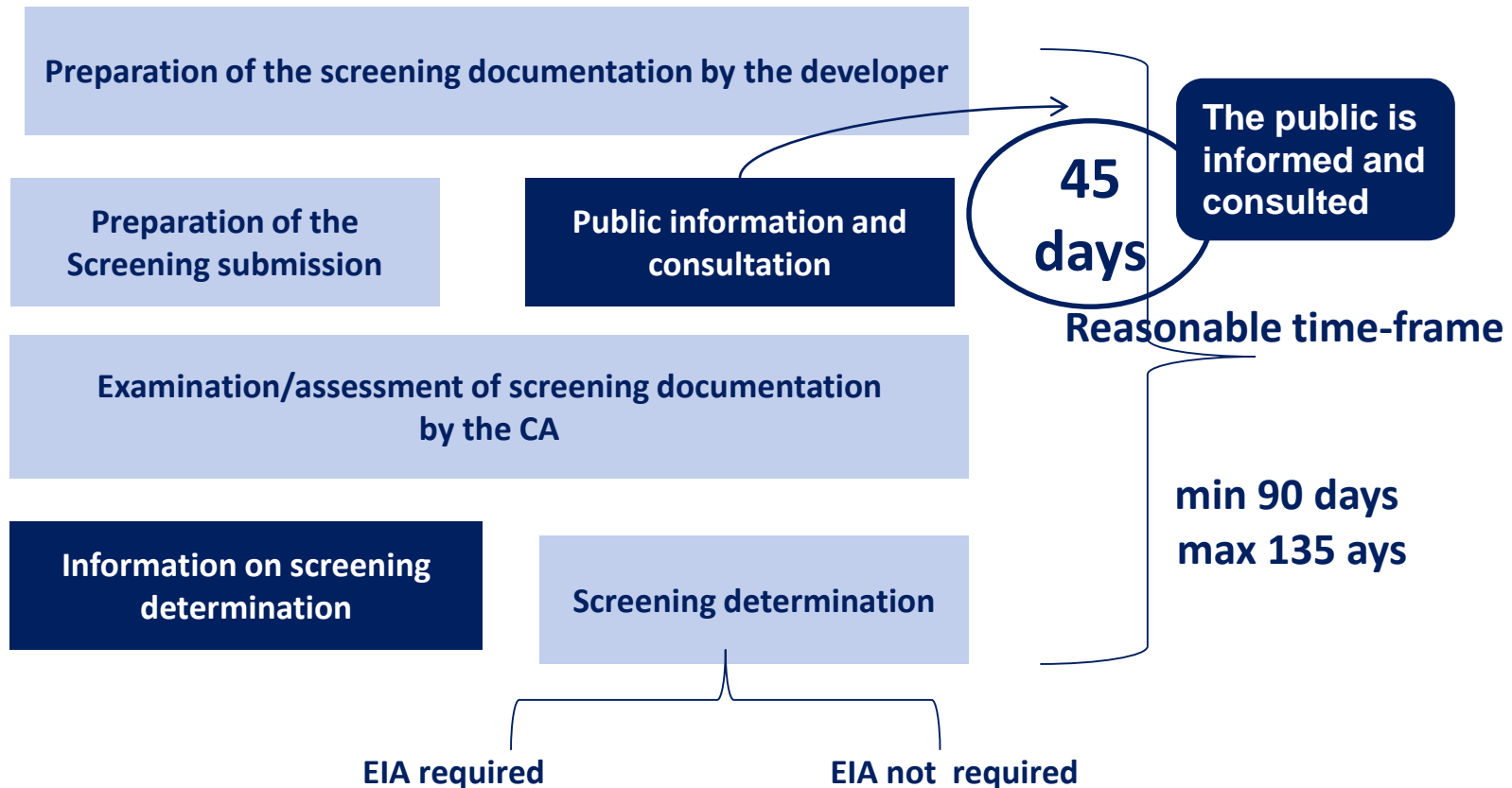
Benefit of Public consultation

- ▶ help the EIA screening to properly address relevant issues, including those perceived as being important by local communities and affected groups
- ▶ Help to address risk perceptions and public concerns:
The way the public – people with a generalized knowledge – perceive environment and health impact does not always align with the best estimates of the effect provided by scientific experts

EIA screening

Legislative Decree Law 152/2006 *Code on the Environment*

EIA Screening procedures pursuant to art. 20, paragraph 2 of Legislative Decree no. 152/2006 as amended by art. 15 of Decree Law 91 of 2014



The Ministry of the Environment, or the competent regional authorities, may decide to acquire and evaluate possible observations sent after the legal deadline, according to the time framework set by Legislative Decree 156/2006 as added or amended, for the implementation of preliminary and technical activities and for issuing the final proceeding.

National legislation



National legislation on environmental impact is in continuous evolution

Legislative Decree 152/2006 , amended by

Law 4/2008

Law 128/2010

.....

Ministerial Decree 30/03/2015



2014/52/EU

The implementation of the new provisions of the new EIAD in the current Italian legislation

some provisions of the new EIA directive (2014/25/UE) on environmental information already on board in the Italian EIA – SEA legislation framework

EIA Directive, Art. 6

...public shall be informed electronically and by public notices or by other appropriate means

....Member States shall take the necessary measures to ensure that the relevant information is electronically accessible to the public, through at least a CENTRAL PORTAL

.....Reasonable time-frames for the different phases shall be provided for

Public information and consultation in EIA screening procedure

How?



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Relevant information for projects in public consultation is *electronically accessible to the public through CENTRAL PORTAL*

Environmental Assessment Department

<http://www.va.minambiente.it>

The comments can be submit as follows:

writing to the Ministry of the Environment Land and Sea – Direction- General for Environmental Assessments - Division II Environmental Assessment Systems

in electronic form, using the Certified E-mail

DGSalvaguardia.Ambientale@PEC.minambiente.it

The transmission will be considered certified, pursuant to existing rules, only if it comes from a Certified E-mail address.

Each citizen can activate its own certified mail to communicate with the public administration. The service is free of charge and can be activated at www.postacertificata.gov.it.

Relevant information electronically accessible online to the public

Environmental Assessment portal



The Environmental Assessment portal (www.va.minambiente.it) of the Ministry of the Environment provides real-time information about the progress of ongoing environmental assessments procedures

Information available on the Environmental Assessment Portal

- ❖ *administrative information*
- ❖ *technical documents concerning projects, plans and programs undergoing assessment, conclusive acts issued from 1989 to date,*
- ❖ *statistics, synthesis data of concluded assessments,*
- ❖ *operational guides,*
- ❖ *technical indications and forms,*
- ❖ *useful data and information to draft environmental studies.*

Relevant information electronically accessible online



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On-going EIAs

Reports refer to on-going procedures updated in real time.

284	On-going Procedures
26	EIA Screening
0	Scoping
111	Environmental Impact Assessment
79	EIA Compliance
12	Environmental Impact Assessment (Strategic works Law 443/2001)
4	EIA Compliance (Strategic works Law 443/2001)
50	EIA Follow-up (Strategic works Law 443/2001)
2	Unsubstantial project changes (Strategic works Law 443/2001)

WebGIS service - On-going EIAs



On-going SEAs

On-going EIAs

Notices to the public - EIA Screening

Submit Comments

Decisions

Transboundary consultation

Integrated and coordinated procedures

Statistics

Environmental Observatori

✓ **What? Short description**



The project involves the construction of a 380 kV double circuit power line with an overall length of 172.6 km from the electrical station of Chiamonte Gulfi (RG) to the electrical station of Ciminna (PA) in order to improve the quality and continuity of electricity supply in the central region of Sicily.

✓ **Where? Map/webGIS service**



Transboundary consult

SEA

Flood Risk Management Plan of the hydrographic district of the River Po

Framework Plan and Programme for Exploration and Production of Hydrocarbons in the Adriatic of the Republic of Croatia

EIA

Rationalization of the high voltage electricity grid in the area of Val Formazza and Interconnector Italy-Switzerland

Top integrated and coordinated procedures

SEA - Appropriate Assessment

National Electricity Transmission Grid 2013, 2014 and 2015 Development Plans

EIA - Appropriate Assessment

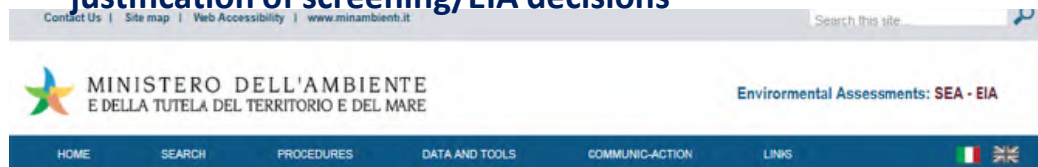
✓ **More information? Non-technical summary**

Information on screening determination

Decision take due account comments from the public
justification of screening/EIA decisions



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Motorway A14 Bologna - Bari - Taranto: extension to the fourth lane in the Bologna San Lazzaro section - Ravenna Branch

Text to search Launch search

Documents

* Filed documentation for public participation

Public Comments

* EIA Decision

The public is informed
and consulted

(n.18) Documents of the Environmental Impact Assessment procedure started on 04/07/2011

	Title	Section	Code	Date	Scale	Size
	Osservazione della Sig.ra Nadia Dalmonico in data 21/09/2011	Public Comments	DVA-00-2011-0023652	21/09/2011	-	1305 Kbytes
	Osservazione del Sig. Ferniani Claudio Domenico in data 29/09/2011	Public Comments	DVA-00-2011-0024609	29/09/2011	-	319 Kbytes
	Osservazione del Sig. Martini Domenico in data 29/09/2011	Public Comments	DVA-00-2011-0024611	29/09/2011	-	544 Kbytes
	Osservazione dell'Azienda Agricola Branchini in data 09/11/2011	Public Comments	DVA-00-2011-0027967	09/11/2011	-	61 Kbytes
	Osservazione della Società Sunny Village S.r.l. in data 04/04/2012	Public Comments	DVA-00-2012-0008202	04/04/2012	-	246 Kbytes
	Osservazione del Sig. Martini Domenico in data 11/04/2012	Public Comments	DVA-00-2012-0008630	11/04/2012	-	549 Kbytes
	Osservazione del Sig. Ferniani Claudio Domenico in data 11/04/2012	Public Comments	DVA-00-2012-0008632	11/04/2012	-	238 Kbytes
	Osservazione del Sig.ri Dall'Olio Vito, Dall'Olio sauro in data 12/04/2012	Public Comments	DVA-00-2012-	12/04/2012	-	3967 Kbytes

EIA decision

"The EIA decision shall take into account the comments received considering them simultaneously, individually or in groups"

EIA decision includes
comments received

Attestato A14 Bologna Bari Taranto Aggiornamento alla quarta corso del trivio Bologna San Lazzaro Dimensione per Ravenna

integratori forniti dalla DVA, acquisite al prot. CTVA/2012/659 del 23 febbraio 2012;

FRESCO ATTO che con nota prot. PG.2011.6261.543 del 23/10/2010 la Regione Emilia Romagna, acquisita al prot. CTVA/2011-3366 del 07/11/2011 ha comunicato di ritenere necessarie alcune integrazioni alla documentazione presentata;

FRESCO ATTO che le integrazioni presentate, per i Beni e le Attività Culturali, sono state acquisite al prot. CTVA/2011-3366 del 07/11/2011;

FRESCO ATTO che le integrazioni presentate, per la pubblica consultazione, è avvenuta in data 07/11/2011 sui quotidiani "Corriere della Sera" e "Il Resto del Carlino";

CONSIDERATO che le integrazioni prodotte e nella stessa tempo chiariscono le varie problematiche inerenti le principali componenti ambientali interessate dalla realizzazione del progetto;

FRESCO ATTO che sono pervenute osservazioni e commenti ai sensi del comma 1 dell'art. 20 del D.Lgs. n.152/2006 e s.s.m. II.

Attestato	Protocollo di trascrizione DVA	Data protocollo DVA	Protocollo di acquisizione CTVA	Data protocollo CTVA	Note
VA-Div. II - sig. Dalmonico	DVA/2011/2438	27/09/2011	CTVA/2011-3366	28/09/2011	
VA-Div. II - sig. Martini - e. Ferniani	DVA/2011/25276	06/10/2011	CTVA/2011-3366	06/10/2011	
VA-Div. II - Comune di San Lazzaro	DVA/2011/25418	06/10/2011	CTVA/2011-3366	06/10/2011	per favore le con...
VA-Div. II - Comune di San Lazzaro	DVA/2011/26196	17/10/2011	CTVA/2011-3366	17/10/2011	per favore le con...
VA-Div. II - Comune di San Lazzaro	DVA/2011/26584	24/10/2011	CTVA/2011-3366	25/10/2011	deliberazione n. 156
VA-Div. II - Comune di San Lazzaro	DVA/2011/26781	24/10/2011	CTVA/2011-3366	25/10/2011	per favore le con...
VA-Div. II - Comune di San Lazzaro	DVA/2011/27348	03/11/2011	CTVA/2011-3366	03/11/2011	per favore le con...
VA-Div. II - sig. Branchini	DVA/2011/27350	11/11/2011	CTVA/2011-3366	14/11/2011	
VA-Div. II - sig. Dalmonico	DVA/2012/7730	29/03/2012	CTVA/2012-1437	30/03/2012	
VA-Div. II - sig. Martini - e. Ferniani - Sunny Village	DVA/2012/7534	19/04/2012	CTVA/2012-1437	20/04/2012	
VA-Div. II - sig. Dall'Olio - e. Dall'Olio - e. Dall'Olio - e. Dall'Olio	DVA/2012/7675	28/04/2012	CTVA/2012-1437	23/04/2012	
VA-Div. II - sig. Dall'Olio - e. Dall'Olio - e. Dall'Olio - e. Dall'Olio	DVA/2012/7681	28/04/2012	CTVA/2012-1437	23/04/2012	
VA-Div. II - Gruppo Basso	DVA/2012/11240	19/05/2012	CTVA/2012-1437	11/05/2012	
VA-Div. II - Comune di San Lazzaro	DVA/2012/11238	19/05/2012	CTVA/2012-1437	11/05/2012	per favore le con...

Monitoring the effectiveness



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The inclusion of the views of the affected and interested public helps to ensure the decision making process is *equitable and fair* and leads to *more informed choice* and *better environmental outcomes*.

Public involvement in key early stage of the EIA process:
screening
determining the need for, and level, of the EIA process

take account of the
information and views
that may be useful for
decision making

reduce conflict
through the early
identification of
contentious issues

improve transparency
and accountability of
decision-making

increase public confidence in the EIA
process

Monitoring the effectiveness



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take account of the
information and
views that may be
useful for decision
making

**gain a better understanding of the
nature and significance of the likely
impacts**

reduce conflict
through the early
identification of
contentious issues

**the early identification of affected parties and their
concerns provides information that can be
incorporated into the scoping stage of EIA and
assists future planning for public involvement**

improve
transparency and
accountability of
decision-making

**the information can assist in determining if an EIA is
required and at what level**

***projects with significant environmental impacts
should not escape the EIA !***



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Thank you for kind attention!