



# COM proposal for inclusion of the Environmental Impact Assessment (EIA) Directive, as amended

PHLG

22 June 2016

## Developments with regard to the EIA Directive

- Directive 85/337/EEC has been further amended by Directive 2009/31/EC in order to include projects related to the geological storage of carbon dioxide. That amendment has not yet been incorporated in the legal framework of the Energy Community.
- Directive 2011/92/EU codified Directive 85/337/EEC and its amendments and repealed it with effect from 17 February 2012.
- Directive 2011/92/EU was amended by Directive 2014/52/EU with a view to simplify and improve environmental impact assessment procedure. Directive 2014/52/EU is already in force; deadline for transposition by Member States - 17 May 2017.

# Proposed amendments to the ECT - 1

- in Article 16, point (i) is replaced by the following:  
“(i) Directive 2011/92/EU [...] as amended by Directive 2014/52/EU,”
- in Annex II, point 1 is replaced by the following:  
"1. Each Contracting Party shall implement Directive 2011/92/EU [...] by xxx *[date of the entry into force of the Decision]*. Each Contracting Party shall implement Directive 2014/52/EU by **1 January 2019**, with the exception of the provisions referring to Directives not covered by Article 16 of this Treaty."

# Proposed amendments to the ECT - 2

- In case of projects of Energy Community interest, the Contracting Party in whose territory the project is intended to be carried out shall send the following information to the Secretariat as soon as possible and no later than when informing its own public:
  - (a) a description of the project, together with any available information on its impacts on the environment;
  - (b) information on the nature of the decision which may be taken for authorisation of the project.
- The Secretariat shall ensure that the environmental impact assessments of the projects referred to in paragraph 1 of this Article fulfil the requirements of Directive 2011/92/EU as amended by Directive 2014/52/EU.

# Proposed amendments to the ECT - 3

- **ECT deadlines for complying:**
  - ✓ 2011/92/EU - date of the entry into force of the Decision;
  - ✓ 2014/52/EU – **1 January 2019.**