

ENHANCING THE IMPLEMENTATION OF EIA Energy Community

**Green Shield - Safeguarding the environment in the Western Balkans
by the power of law**

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THE ENERGY COMMUNITY

Acquis on environment

- ✦ **GOAL (Article 2(1)d): Improve the environmental situation in relation with energy supply in the region and foster the use of renewable energy and energy efficiency;**
- ✦ **EIA Directive (2011/92/EU as amended by 2014/52/EU) – after entry into force**
- ✦ **SEA Directive (2001/42/EC) as of 1 January 2018**
- ✦ **Art. 4(2) of the Wild Birds Directive (79/409/EEC) – after entry into force**

PERMIT/DEVELOPMENT CONSENT



Activities listed in Annex I to the EIA Directive		Activity as per Annex I to the Code	
2a	Thermal power stations and other combustion installations with a heat output of 300 MW or more :	2.	Construction and operation of thermal power stations and other combustion installations with a heat output of 10 MW or more .
15	Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres .	21.	Construction and operation of dams and/or other structures designed for the holding back or permanent storage of water and where the amount of water held back or stored exceeds 50,000 cubic metres .
-	-	22.	Construction and/or operation of hydroelectric stations with a capacity of 5 megawatts or more
20	Construction of overhead electrical power	28.	Construction of overhead and/or underground electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.

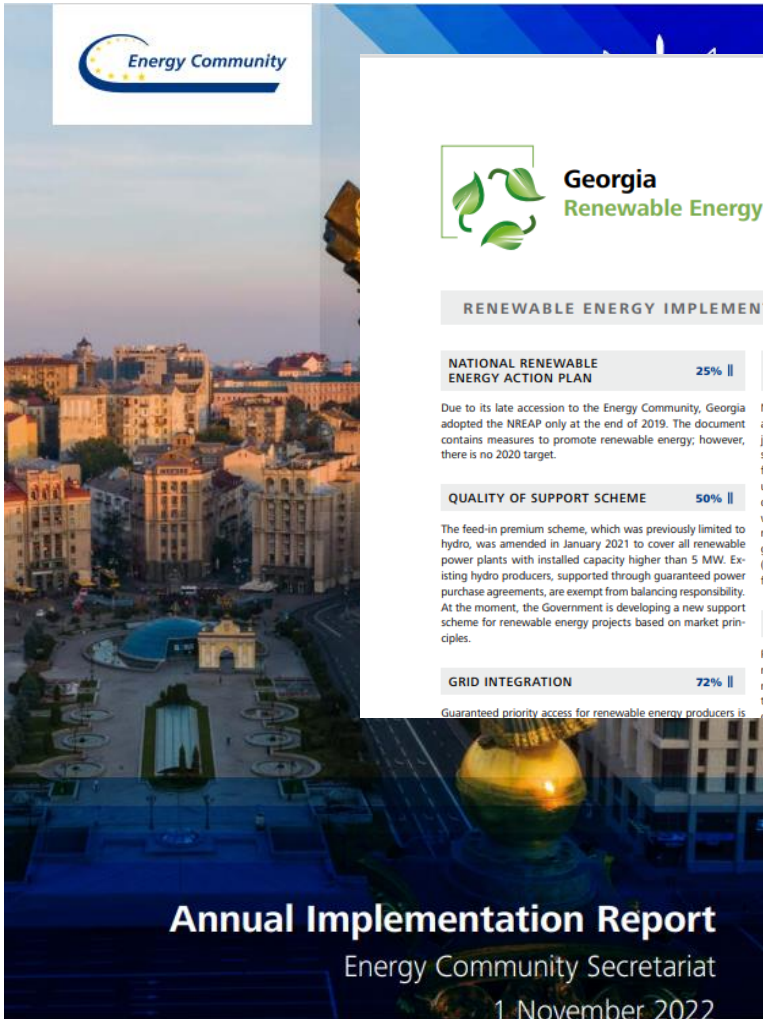


PERMIT/DEVELOPMENT CONSENT



Activities listed in Annex II to the EIA Directive		Activity as per Annex II to the Code	
3.a	Industrial installations for the production of electricity, steam and hot water (projects not included in Annex I);	3.1.	Combustion installations for the production of electricity with a capacity of 2 megawatts or more
		3.2.	Industrial installations for the production of steam and hot water (except for the steam and hot water installations related to oil and gas operations) where the area of development exceeds 0.5 hectares, and their production capacity exceeds 50 megawatts
3.b	Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables (projects not included in Annex I);	3.3.	Laying of pipelines with a length of 5 km or more for carrying gas, steam, and hot water
		3.4.	Construction of overhead and/or underground electrical power lines with a voltage of 35 kV or more, and construction of electric substations with a voltage of 110 kV or more
3.h	Installations for hydroelectric energy production;	3.8.	Construction and/or operation of hydroelectric stations with a capacity from 2 to 5 megawatts
10.g	Dams and other installations designed to hold water or store it on a long-term basis (projects not included in Annex I)	9.9.	Construction of dams and/or other structures/installations designed to hold water or store it on a long-term basis where the amount of water held or stored is more than 10 000 cubic metres






RENEWABLE ENERGY IMPLEMENTATION

NATIONAL RENEWABLE ENERGY ACTION PLAN 25% ||

Due to its late accession to the Energy Community, Georgia adopted the NREAP only at the end of 2019. The document contains measures to promote renewable energy; however, there is no 2020 target.

QUALITY OF SUPPORT SCHEME 50% ||

The feed-in premium scheme, which was previously limited to hydro, was amended in January 2021 to cover all renewable power plants with installed capacity higher than 5 MW. Existing hydro producers, supported through guaranteed power purchase agreements, are exempt from balancing responsibility. At the moment, the Government is developing a new support scheme for renewable energy projects based on market principles.

GRID INTEGRATION 72% ||

Guaranteed priority access for renewable energy producers is

ADMINISTRATIVE PROCEDURES AND GUARANTEES OF ORIGIN 49% ||

No progress was made to simplify administrative procedures and establish a one-stop shop in the reporting period. Georgia joined the Energy Community initiative to establish a regional system for guarantees of origin. The national electronic registry for guarantees of origin in Georgia was created and can be utilized as soon as Georgian State Electrosystem (GSE), as the designated issuing body, signs a direct agreement with the service provider. As preparation for the agreement, GSE is finalizing rules on use of the registry. On 23 December 2021, the Georgian National Energy and Water Supply Regulatory Commission (GNERC) adopted Rules for Issuance of a Certificate of Origin for Electricity Received from Renewable Sources.

RENEWABLE ENERGY IN TRANSPORT 0% ||

Provisions related to the sustainability of biofuels are still not transposed and the legal framework remains completely non-compliant with Directive 2009/28/EC. Acts are planned to be drafted under the Georgian Energy Sector Reforms Programme.



ENVIRONMENT IMPLEMENTATION

ENVIRONMENTAL ASSESSMENTS 60% ↑

Georgia complied with its reporting obligations under the Large Combustion Plants Directive in April 2022. There are in total five gas-fired installations: two existing and two new plants falling under the scope of the Large Combustion Plants Directive, and one new plant under the Industrial Emissions Directive. The average emissions of all plants are compliant with the emission limit values of the respective Directives. The new Law on Industrial Emissions, introducing the integrated permit system and the concept for the use of the best available techniques, is prepared and to be submitted for parliamentary approval.

In 2022, Georgia developed the draft Law on Biological Diversity that sets rules and procedures for the identification and extension of the Emerald Network as well as provisions on project permit and monitoring procedures. The Law will also prohibit the deliberate killing or capture of strictly protected or protected

LARGE COMBUSTION PLANTS 73% ↑

NATURE PROTECTION 40% ↓

The SEA for the National Energy and Climate Plan (NECP) was initiated, however, the scope of the SEA report, obligatory by Article 5(4) of the SEA Directive and a critical phase in preparing the SEA report, was not determined despite that the draft was updated after the NECP's public consultation meetings in



POLICY GUIDELINES

by the Energy Community Secretariat

on small hydropower projects in the Energy Community

PG 02/2020 / 17 September 2020

State Aid for
Energy 2022

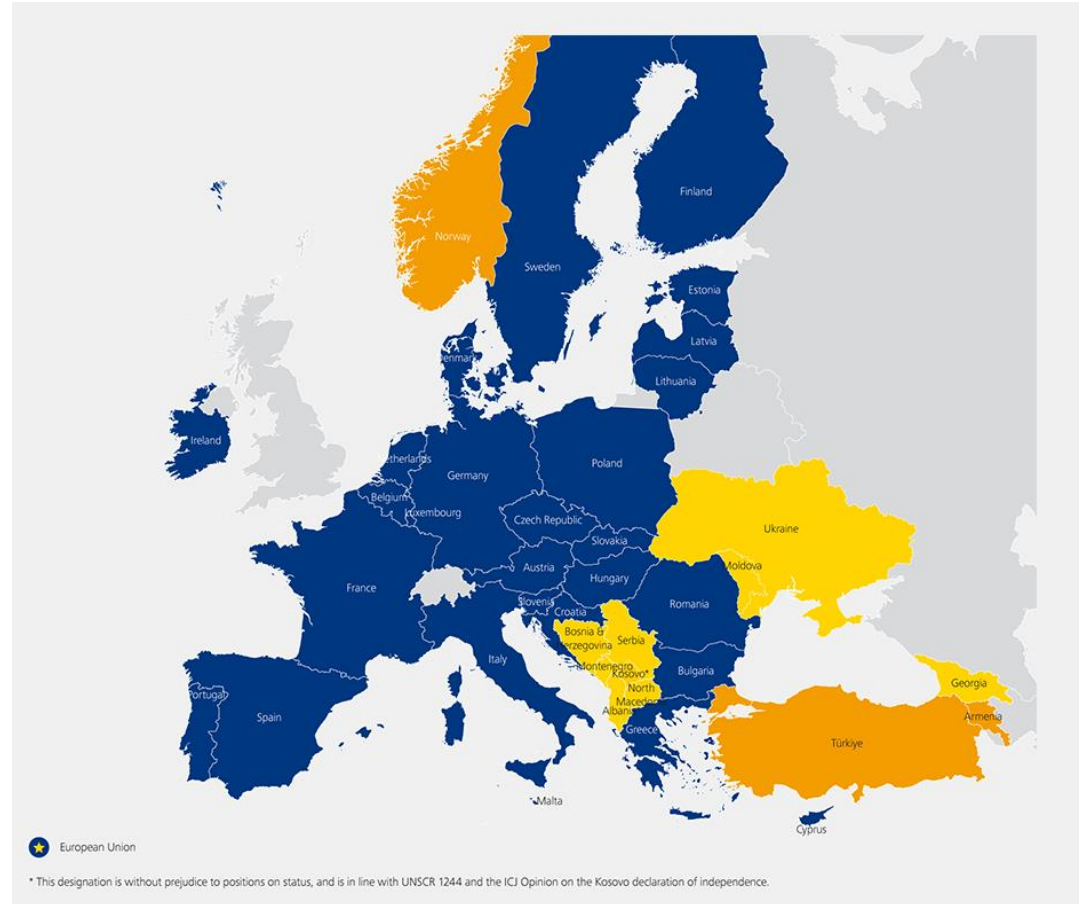


THE ENERGY COMMUNITY

Policy guidelines on planning and permit-granting procedures for energy projects in the Contracting Parties – *in preparation.*

POLICY GUIDELINES on planning and permit-granting

Assessment of the environmental impact assessment (EIA) and permit-granting procedures for energy projects (with a focus on renewable energy projects), in each of the Contracting Parties (CP) of the Energy Community (EnC)



Task 1

SURVEY

Development of a specific questionnaire for each of the main stakeholder groups (government, business sector, civil society) to gather input information on the practical implementation of EIA and the permit-granting procedures for energy projects, with a focus on renewable energy projects.



POLICY GUIDELINES

<https://s.surveyplanet.com/c>

Dear participant,

We would like to thank you for Your participation in the present survey which aims to provide valuable information for the assessment of procedures related to environmental impact assessment (EIA) and permit granting for energy projects (with a focus on renewable energy projects), in Your Country as Contracting Party (CP) of the Energy Community (EnC).

The estimated time for the survey is 6 minutes.

We are honored to be able to count on your expertise. The received information will be used to develop CP-specific guidelines and recommendations on the implemented procedures allowing to improve and streamline the assessment processes.

Please address each of the posed questions and insert Your answer in a requested format.

We also kindly ask you to submit Your answers **no later than May 15th 2023**.

We thank you for your valuable contribution!

Sincerely,

Consultant Consortia:

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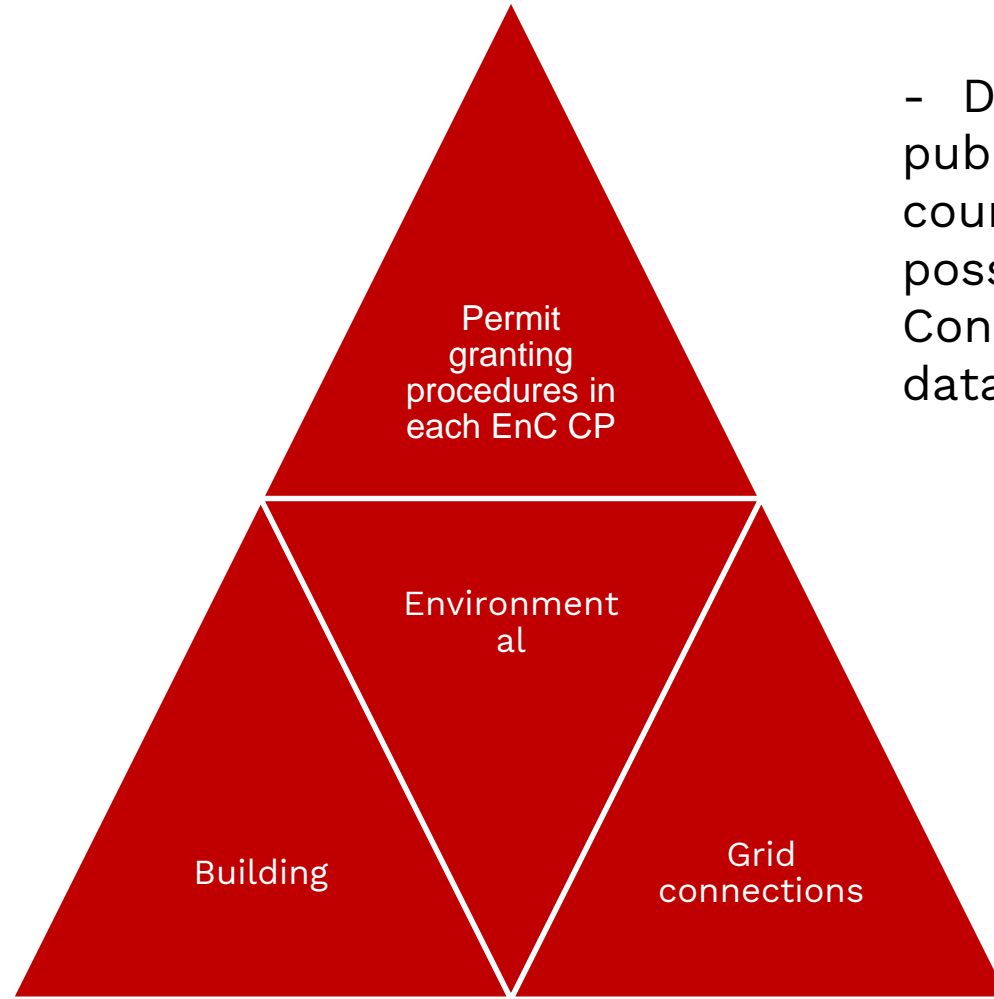
Task 2

DESKTOP AND EVIDENCE ANALYSIS

Analyse the input from relevant stakeholder groups and identify gaps, barriers, bottlenecks; assess the options and practices for streamlining and “One-stop-shop”; analyse the planning and programming of energy projects



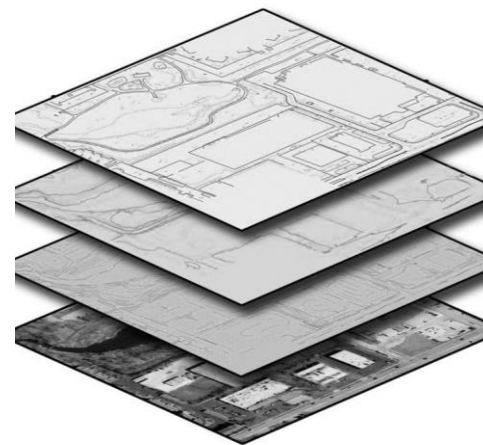
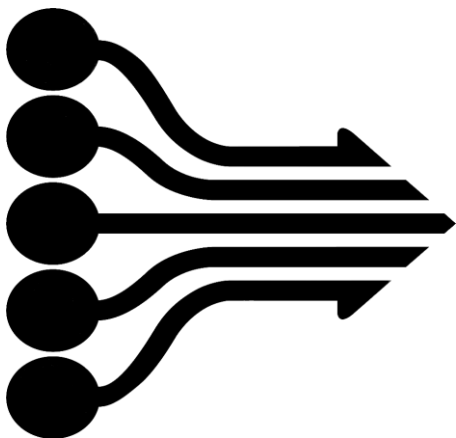
POLICY GUIDELINES



- Different sources: public databases in CP countries; info already in possession to the Consultant; EU databases etc)

Task 3

GUIDELINES AND RECOMMENDATIONS

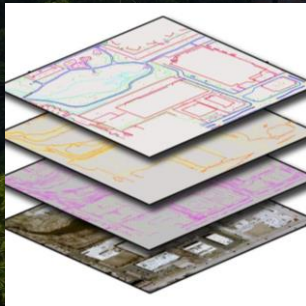
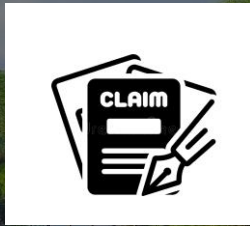




COUR DE JUSTICE
DE L'UNION
EUROPÉENNE

Dispute Resolution and Negotiation Centre

Mediation is a voluntary and confidential process in which a neutral third party, known as a mediator, facilitates communication and negotiation between the parties to a dispute.



scoping



impact analysis




decision-making



THANK YOU FOR YOUR ATTENTION

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