

E U R O P E A N E C O N O M I C A R E A
FORUM OF LOCAL AND REGIONAL AUTHORITIES

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FIFTH MEETING OF THE EEA EFTA FORUM

Ísafjörður

21-22 June 2012

Opinion on European Rules on Environmental Impact Assessment

Rapporteur: *Ms Ásgerður Halldórsdóttir*

The EEA EFTA Forum of Local and Regional Authorities:

- A. Noting the Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on the application and effectiveness of the EIA Directive COM(2009) 378 final.
- B. Noting the Opinion of the Committee of the Regions on Improving the EIA and SEA Directives CdR 38/2010 final.
- C. Noting the reinforced subsidiarity principle set out in the Lisbon Treaty and its explicit reference to the local and regional dimension and self-government.
- D. Noting the role of the Forum as a body in the EFTA structure.
- E. Acknowledging the impact of EU regulation on local and regional authorities in the EEA EFTA States through the EEA-agreement.
- F. Welcoming the codified EIA Directive, published on 28 January 2012 as Directive 2011/92/EU.
- G. Recognising that the Directive on Environmental Impact Assessment has proved to be a useful mechanism to minimize the risks for the environment in relation to major projects.
- H. Mindful that revision of the EIA Directive is underway;
 - 1. underlines that while Member States must address flaws in the implementation of the EIA Directive in national legislation, they must be mindful not to over-complicate planning legislation.
 - 2. notes that the overall period for planning and issuing building or construction permits under the current legislation is already long. Legislative proposals which could cause a prolongation of that period should be avoided.

3. asks the EEA EFTA States to avoid ‘gold-plating’ when transposing EU legislation on environmental impact assessment to avoid unnecessary administrative burdens and complexity and to safeguard the right to self-government at the local and regional level.
4. proposes that the EEA EFTA States consult the EFTA Surveillance Authority on whether entrusting municipalities with the task of screening minor projects on a case-by-case basis would meet the requirements of the EIA Directive.
5. recommends that the revision of the EIA Directive include, inter alia, simplification and clarification of the screening mechanism and clarification of the provisions on public participation and coordination between EIA and other Directives and policies.
6. urges the EEA EFTA States and local and regional authorities to follow closely the revision of the EIA Directive, calling, in particular for clearer provisions on the scope EIA Directive in relation to screening, in accordance with the principle of subsidiarity.