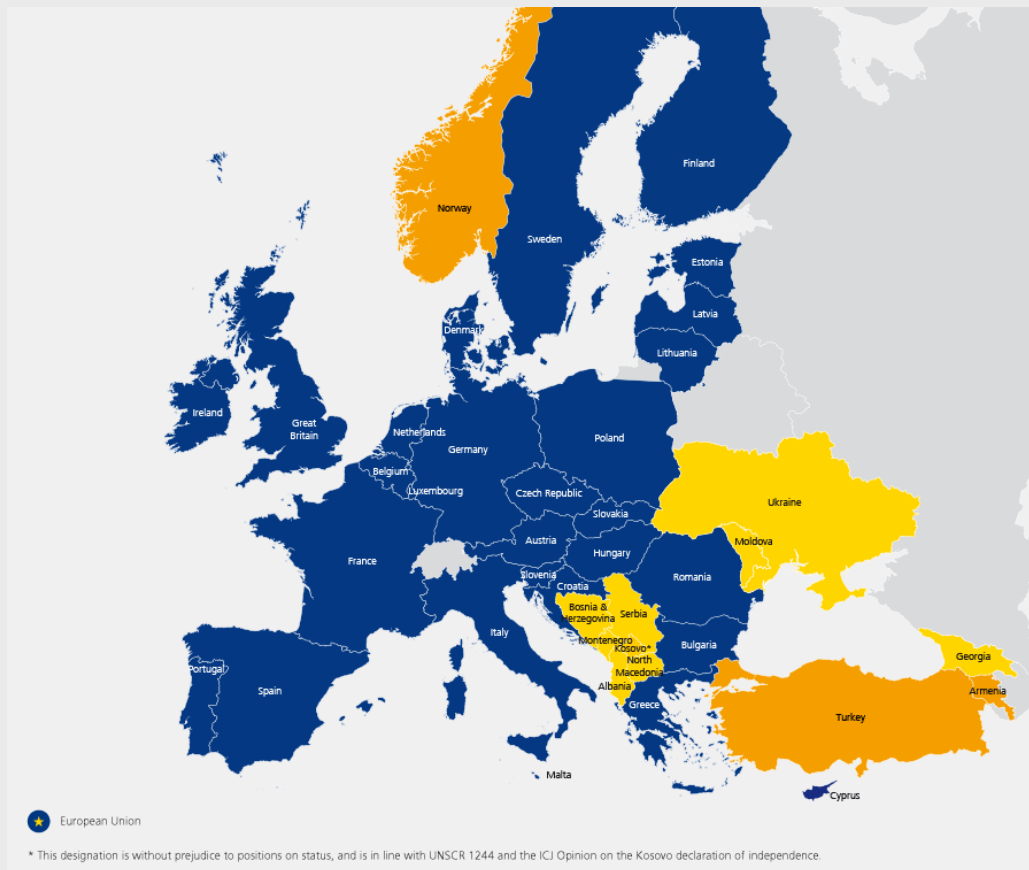


The background is a satellite-style image of the Earth at night, showing city lights. Overlaid on this are numerous glowing blue lines that represent energy transmission paths, connecting various points across the globe.

# *Environmental assessments of hydropower projects*

Peter VAJDA, Senior Environmental Expert, ECS

# Geographical Scope



# *Three pillars of the Energy Community*



- *Creation of a regional energy market /  
enhance regional competition*
- *Security of supply*
- *Sustainability of energy systems*





## 1) Title II: “ACQUIS of the EnC” → NETWORK ENERGY geographical scope: Contracting Parties

### *Environment*

- *Directive 2012/92/EU (EIA) – after entry into force*
- *Directive 2016/802 (SiF) – as of 1 January 2012*
- *Directive 2001/80/EC (LCP) – as of 1 January 2018*
- *Directive 2010/75/EU (IED) – as of 1 January 2018/2028*
- *Art. 4(2) Directive 79/409/EEC (Wild Birds) – after entry into force*
- *Endeavour to accede/implement: Kyoto Protocol; Directive 96/61/EC (IPPC)*
- *Construction and operation of new generating plants – after the entry into force of the Treaty and with compliance on the acquis on environment*
- *Climate acquis in development*

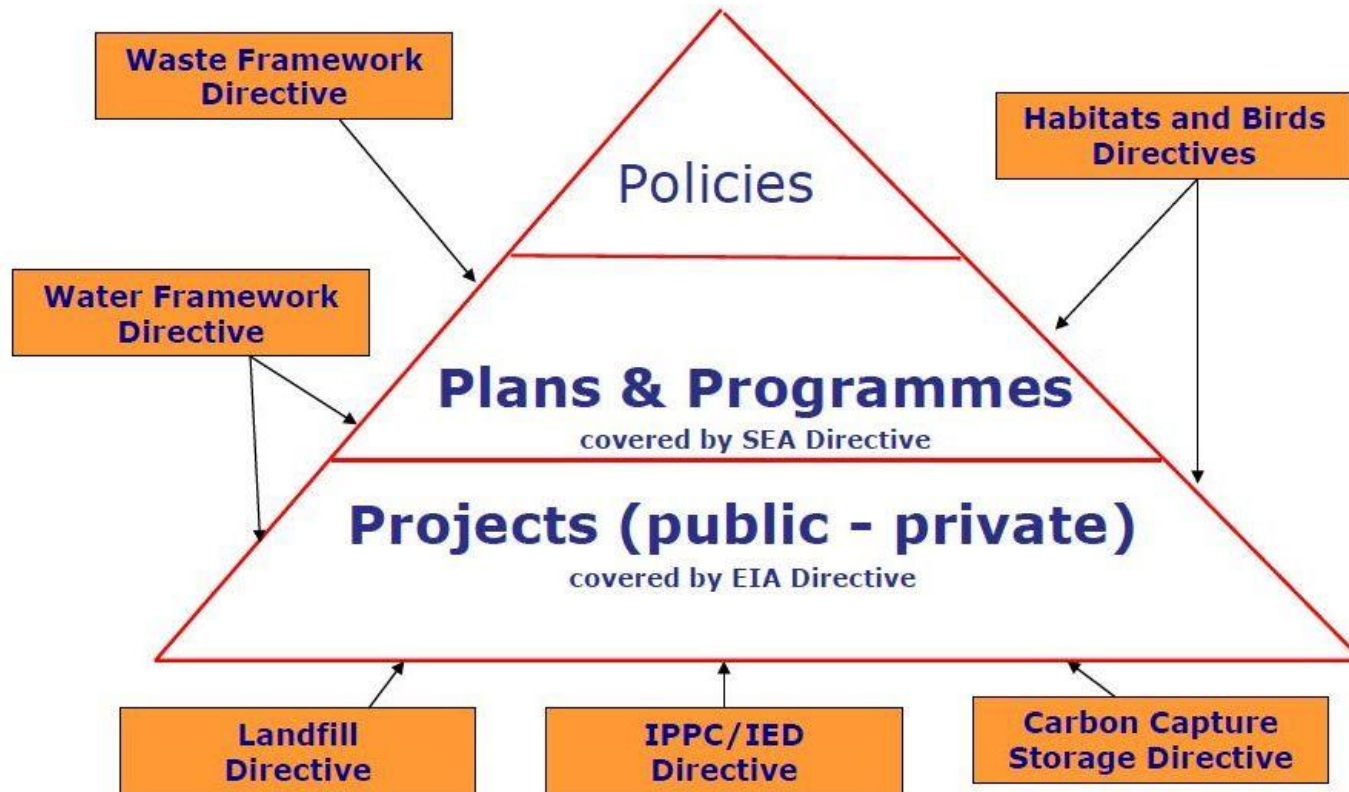


## **ENVIRONMENTAL COMPLIANCE**

- ***Environmental assessments – project and strategic level***
- ***Emissions abatement → a possible contribution to climate goals***
- ***Large Combustion Plants (fossil fuel-fired installations)***
- ***Sulphur content of liquid fuels***
- ***Energy efficiency and renewables***
- ***Climate targets***
- ***Hydropower projects – where do they fit in***

- *Hydropower projects in the region*
- *Public opposition / complaints*
- *Podgorica Ministerial meeting and conclusions / sustainability principles*
- *Sustainability Forum on 27 June*
- *EnC Policy Guidelines*

## Environmental Assessments



# Dispute settlement



- ***Mechanism established by the Treaty***
- ***3-step procedure: Opening Letter, Reasoned Opinion, Reasoned Request***
- ***Final instance: Ministerial Council***
- ***Role of the Advisory Committee***
- ***Treaty amendments***



## **Required Procedure under Energy Community Law**

### **Relationship between EIA/SEA**

### **Scope of the SEA Directive**

### **Scope of the EIA Directive**

HPP projects in Annex I and Annex II

Screening

Scoping

Compliance with screening obligation (Art. 4)

- Case-by-case examination
- Threshold by the Contracting Party

### **Required Procedure Environmental Impact**

### **Assessment Report (Art. 5)**

Overview of the content

Assessment of the EIA Report

### **Public Participation/Consultation in Decision Making (Art. 6)**

Reasonable procedure (best practices)

Process of informing the public

Access to review procedure (Art. 11)

### **Margin of Assessment of the Direct and Indirect Effects (Art. 3)**

Population and human health

Biodiversity

Landscape

Climate change

### **Transboundary Effects of the**

### **Project (Art. 7)**

Basis for the procedure

Steps to be carried out

### **Decision to Approve/Deny the Project**

Threshold in decision-making (Annex III – screening criteria)

The content of the decision (Art. 8a)

Publishing the information

### **Role of the EnC in Complying with the EIA Directive**

Monitoring

The Dispute Resolution Mechanism



*Thank you  
for your attention!*

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