

Subject: Request to CCDR-N <CR_24272021
From: Celia Ramos <celia.ramos@ccdr-n.pt>
Date: 12.02.21, 16:11
To: "nik@miningwatch.pt" <nik@miningwatch.pt>

Dear Sirs,

With reference to your request, the response to which has been the subject of a complaint to the Commission of Access to Administrative Documents, we would like to clarify the following

1. there are two different environmental impact assessment (EIA) processes relating to projects with the same location.
2. Both projects refer to mining operations and both EIA procedures are coordinated by the Agência Portuguesa do Ambiente, I.P. (APA), as the EIA Authority (AAIA), in accordance with the provisions of article 8(1) of Decree-Law no. 151-B/2013, of 31 October, as amended -- which is why only this entity is in possession of all the elements that comprise them. CCDRN only has the documents inherent to its participation in the respective procedures.
3. One of the procedures in question is already concluded, i.e. has already been the subject of an environmental impact statement, and its most relevant elements may be consulted at <https://siaia.apambiente.pt/AIA1.aspx?ID=1258>.
4. The other procedure is still underway, at the stage of instruction and prior appraisal of the Environmental Impact Study (EIA), referred to in article 14 of the above-mentioned Decree-Law.

In accordance with the above, should your request relate to an EIA procedure already concluded and you are not satisfied with the documents made available on the APA website via the above link, nor do you intend to address your request directly to this entity, CCDRN may provide the respective EIA, insofar as this document is available for consultation under the terms of paragraph 4 of article 30 of Decree-Law no. 151-B/2013.

If the request refers to an EIA procedure in progress, this CCDR does not have all the "documents associated with the process" for the reason indicated above, nor do the conditions that would allow access to those documents in its possession have been met, in accordance with article 30(3) of the law already invoked. This points out that consultation of documents from these specific processes, outside the cases of disclosure provided for in the previous paragraphs of the same article, should only take place after the end of the respective procedures (as provided for in paragraph 3 of article 6 of the Law on Access to Administrative Documents). The fact that the APA website does not allow access to the documentation relating to this procedure (<https://siaia.apambiente.pt/AIA1.aspx?ID=3353>) indicates that this entity will follow the understanding that we have now set out.

Yours faithfully,

Célia Ramos
VICE-PRESIDENTE
COMISSÃO DE COORDENAÇÃO E DESENVOLVIMENTO REGIONAL DO NORTE
NORTE PORTUGAL REGIONAL COORDINATION AND DEVELOPMENT COMMISSION
TEL +351 226 086 380 | www.ccdr-n.pt | www.norte.2020.pt | AVISO LEGAL
Rua Rainha D. Estefânia, 251, 4150-304 PORTO, Portugal