

EU ENERGY INFRASTRUCTURE AND ENVIRONMENTAL ASSESSMENT PROCEDURES: OPTIONS AND CHALLENGES



JOINT INITIATIVE CELS AND EUROPEAN COMMISSION

WORKSHOP - 18TH JANUARY 2013, h. 10.00

Venue: Faculty of Law, University of Cambridge, 10 West Road, Cambridge, UK

All are welcome to attend, but registration is required at cels@law.cam.ac.uk

Background

On the 19th October 2011 the European Commission proposed a Regulation on Guidelines for trans-European Energy infrastructure to be adopted by the European Parliament and the Council and repealing Decision No 1364/2006/EC [Ref. COM(2011) 658 final]. The proposed Regulation lays down rules for the timely development of trans-European energy networks and identifies 12 strategic priority corridors and geographic areas for energy infrastructure with a trans-european /cross border dimension.

A key point in the Commission's proposal is the streamlining of permit granting procedures and the reduction of administrative burdens for the implementation and development of the energy infrastructure projects in order to significantly reduce their duration. Article 11 of the Proposal sets up to three years maximum the duration of the permit granting process. In order to meet this time limit, article 8(4) concerning the implementation of "projects of common interest" calls upon the Member States to take the necessary measures to streamline the environmental impact assessment procedures. To this purpose, the Commission is tasked with the definition and adoption of specific guidelines for the Member States concerning the simplification of the environmental assessment procedures.

Jointly organised by CELS and the European Commission this workshop aims at discussing the question of streamlining environmental assessment and permit procedures for priority energy infrastructure projects. It intends especially to address the challenge of meeting the simplification and time-reduction requirements imposed by the Regulation with the need to ensure respect for environmental concerns, preserve the quality of the environmental impact assessment process, and achieve "the highest possible standards of transparency and public participation for all relevant issues in the permit granting process for projects of common interest".

The following aspects require special attention:

- how to ensure the quality of environmental impact assessments in a 'streamlined' manner in terms of both procedure and substance;
- how to guarantee early and effective opportunities for public consultation in streamlined situations;

- how to ensure full respect of the different environmental directives requiring environmental assessment in streamlined situations and avoid litigation;
- the possible synergies with the on-going revision of the Environmental Impact Assessment (EIA) Directive (adopted by the Commission on 26th October 2012);
- the opportunity of creating synergies with the other TENs (TEN-Transport, eTEN for broadband);
- Learning from streamlining applied to other sectors (e.g. transport infrastructure projects);
- how to ensure effective cross-border coordination and cooperation.

Programme

- 10.00-10.10: Welcome and introduction - *Emanuela Orlando*
- 10.10-10.30: "The European Commission's Energy Infrastructure Package", Jonathan Parker, European Commission, DG-Environment
- 10.30-11.00: "Good practices in streamlining environmental assessments and the applicability across the EU Member States" - Jennifer McGuinn, Milieu Ltd - Law and Policy consulting, Brussels
- 11.00-11.20: "Streamlining grid expansion without compromising environmental protection: an NGO view of the challenges" - Ivan Scrase, RSPB.
- 11.20-11.40: Discussion

11.40-12.00: coffee break

Chair: Prof. Maria Lee

- 12.00-12.20: "Using advanced scientific information to improve the timing and coverage of risk-based decisions on energy systems" - Douglas Crawford Brown, Cambridge Center for Climate Change Mitigation Research, University of Cambridge
- 12.20-12.40: "Streamlining tools in Netherlands and quality control of EA in brief" - Sjoerd Harkema, Netherlands Commission for Environmental Assessment (NCEA), Netherlands
- 12.40-13.00: Discussion

13.00-14.00: lunch

Chair: Dr Markus Gehring

- 14.00-14.20: "Energy projects - environmental assessment and its implications" - Hector Pearson, National Grid, UK
- 14.20-14.40: "NCEA experiences with streamlining and EA of energy projects (case North South pipeline)" - Sjoerd Harkema (NCEA)
- 14.40-16.00: Roundtable discussion

16.30: end of the workshop

For further information, please contact Dr Emanuela Orlando: eo251@cam.ac.uk