



- **Introduction to AF (Section F)**
- **Project consistency with environmental policy**

**Extra joint session**  
**Preparation and appraisal of major projects**  
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# Environmental requirements for major projects (Application Form)

## **Section F. An analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience**

F.1. Consistency of the project with environmental policy

F.2. Application of the SEA Directive (2001/42/EC)

F.3. Application of the EIA Directive (2011/92/EU)

F.4. Application of the Habitats Directive (92/43/EEC)

**F.5. Application of the Water Framework Directive (2000/60/EC)**

**F.6. Compliance with other environmental directives (where applicable)**

F.7. Cost of measures to mitigate and/or compensate negative env. impacts

**F.8. Climate change adaptation and mitigation, and disaster resilience**

## General observations

- ❑ **Compliance with EU ENV legislation and consistency with the ENV/SD policy** – main prerequisite for FAV.
- ❑ Compliance with EU ENV legislation:
  - a compliance check takes into account the specificity of the MS legal system, provided it is in conformity with the relevant Directive(s)
  - if an infringement/EU Pilot more attention
  - treating individual projects on their own merit:
    - ❖ if not directly affected (e.g. closing compliance gap)
    - ❖ if necessary measures taken that the project is compliant (direct application of the Directive)

## **F.1. Consistency of the project with environmental policy**

*F.1.1 Describe how the project contributes and takes into account the environmental policy objectives including climate change (as guidance, please consider the following: resource efficiency, preservation of biodiversity and ecosystem services, reduction of GHG emissions, resilience to climate change impacts etc.).*

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*F.1.2 Describe how the project respects the precautionary principle, the principle of preventive action, the principle that environmental damage should as a priority be rectified at source and the 'polluter pays' principle.*

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- OP level considerations: policy considerations are taken into account at the programming stage (SEA, ex ante conditionalities, guiding principles for the selection of operations, ...)
- Project level considerations: info from environmental assessments, other studies, etc.

## F.1. Consistency of the project with environmental policy

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- Some terms explained
- Preventive action principles: review and summary of key preventive actions resulting from the EIA, the Natura 2000 and water assessments, etc.
- Polluter Pays Principle: information based on other sections of the Application Form and/or other documents (e.g. feasibility study, CBA).

## Some terms ...

### Ex-ante

implemented by EIA, SEA,  
Art. 6(3) HD, ...)

### Precautionary principle

- risks of danger but cannot be scientifically est. with certainty so protective measures cannot be appropriately determined
- "to be on the safe side", more general preventive/abatement measures, or a planned activity should not even go ahead.

### Preventive action principle

- the risk of damage can be determined with certainty
- it enables to develop and take concrete measures to avoid or abate (reduce or remove) damage/pollution.



## in simple words

### Ex-post

(implemented by the Env. Liability  
Directive, Art. 6(4) HD, ...)

### Polluter Pays Principle

- one who has caused the damage or the pollution should also bear the costs for the clean-up, remediation, etc. in order to avoid that the general tax payer bears the costs or that the damage or pollution remains un-remedied.

### Damage should be rectified at source

- related to PPP (cost)
- requires that the damage should be restored at the site (action)