

**Priority question for written answer P-002466/2021  
to the Commission**

Rule 138

**Heidi Hautala** (Verts/ALE)

Subject: Environmental impact assessments and identifiable effects

In reply to question P-000741/2020, in which I asked whether the right to public participation requires essential information on environmental impacts to be brought to the attention of the participants during the EIA, when different options for the project remain open, the Commission referred to Article 6(3)(c) of Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment, via which the EU endeavoured to bring Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment up to the level required under the Aarhus Convention.

The Commission also made reference to the judgment in Case C-201/02 (paragraphs 52-53), stating that where a project's authorisation comprises several stages and the project's impacts become apparent in the course of a later stage, they have to be assessed and taken into consideration when finally authorising the project.

However, paragraph 52 states that it is only if those effects are not identifiable until the time of the procedure relating to the implementing decision that the assessment should be carried out in the course of that procedure.

Paragraph 53 makes the specific point that in a consent procedure comprising several stages, that assessment must, in principle, be carried out as soon as it is possible to identify and assess all the effects which the project may have on the environment.

I would ask the Commission to clarify the following points: Does 'identifiable effects' mean, for example, the combined effects of a project with another project that the authority responsible for an EIA has established as probable when evaluating a report, which can therefore be predicted during the assessment procedure?

Can an EIA be approved with such gaps in the reports on predictable effects being addressed later at the consent procedure stage, when the 'options' are no longer 'open', there is no chance to look at the other options and the consent procedure is focused on just the one?