

**Question for written answer E-001817/2026
to the Commission**
Rule 144
Gaetano Pedulla' (The Left)

Subject: Management of cross-regional wind farms – SPA-SAC site Capanne di Marcarolo

Site IT 1180026¹ is a vital migratory route between Piedmont and Liguria for protected bird species. Although its managing authority rejected a project to install wind turbines, applying the construction ban in the buffer zone provided for in the duly approved site-specific measures – a one-kilometre area from the site's perimeter along the regional border – Ligurian authorities chose to bypass the environmental impact assessment (EIA) process for that project. Their reasoning was that the Piedmont-approved conservation measures did not apply outside the administrative boundaries and that the buffer zone could not extend into Ligurian territory.

The Council of State² ruled that the site-specific measures were perfectly valid.

The Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC) mandate protection and ecological integrity in Natura 2000 sites beyond regional borders.

In view of the above, can the Commission answer the following:

1. Should special areas of conservation (SAC) measures also be considered binding for neighbouring regions whose territory falls within the buffer zone?
2. Is the bypassing of the EIA for wind turbines in areas adjacent to protected migration routes – simply because of regional administrative boundaries – a breach of Article 6 of Directive 92/43/EEC?
3. Does the Commission believe that administrative fragmentation can legitimise the circumvention of EU environmental constraints, making it possible to build infrastructure with an impact on Natura 2000 areas simply by moving projects across a regional border?

Submitted: 5.5.2026

¹ Designated by means of Decision 2006/3261/EC.

² Judgment of the Council of State, Section IV, 7 January 2025, No 68:
<https://www.studiolegalemescia.com/wp-content/uploads/2025/06/Consiglio-di-Stato-Sezione-Quarta-Sentenza-07-gennaio-2025-n.-68.pdf>.