

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(15.12.2024)

Projects to build an astronomical observatory are not listed in the Annexes of the Environmental Impact Assessment (EIA) Directive¹, but they or their associated works (such as roads) may be considered infrastructure projects². For such projects, Member States should determine if they are to be made subject to an assessment because of the likely significant effects on the environment taking into account the relevant selection criteria (such as size and design of the whole project, location, cumulation with other existing and/or approved projects) in Annex III of the Directive. If the Italian authorities conclude that the project will have significant effects on the environment, an EIA has to be carried out.

For projects subject to an EIA, Member States have to ensure that the public is informed and that consultations with the public concerned³ and local, regional and environmental authorities are carried out.

The Madonie natural park is designated as a Natura 2000 site, under the Habitats⁴ and the Birds⁵ Directives. Under Article 6.3 the Habitats Directive, any project likely to have a significant effect on a Natura 2000 site shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives. Italy transposed the above provisions⁶ and has adopted appropriate national guidelines⁷. Sicily has also adopted specific guidelines⁸.

The Commission is not aware of the details of the mentioned project. However, without prejudice to the Commission's role as guardian of the Treaties, national authorities, including the judiciary, are primarily responsible to ensure compliance with the relevant EU environmental law. It appears that judicial proceedings are currently ongoing⁹.

¹ Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2012, as amended by Directive 2014/52/EU, OJ L 124, 25.4.2014.

² EIA Directive, Annex II, point 10 (b) or (e).

³ Including environmental associations.

⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7–50.

⁵ Directive 2009/147/EC on the conservation of wild birds, OJ L 020 26.1.2010, p. 7.

⁶ <https://www.mase.gov.it/pagina/la-valutazione-di-incidenza-vinca#:~:text=Si%20tratta%20del%20processo%20d,di%20significativit%C3%A0%20di%20tali%20incidenze>
⁷ <https://www.mase.gov.it/pagina/linee-guida-nazionali-la-valutazione-di-incidenza-vinca-direttiva-92-43-cee-habitat-articolo>

⁸ <https://si-vvi.regione.sicilia.it/viavas/index.php/it/strumenti/linee-guida>

⁹ <https://www.legambientesicilia.it/2024/09/26-08-2024-ricorso-al-tar-per-salvare-la-mufara-nel-parco-delle-madonie-minacciata-dalla-realizzazione-di-un-osservatorio-astronomico-richiesto-il-blocco-dei-lavori/>