

EN

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Answer given by Ms Roswall
on behalf of the European Commission
(9.12.2025)

The planned project¹ is to be situated in a Natura 2000 site, a Special Protection Area² designated under the Birds Directive³. The site is subject to conservation measures⁴. According to the Habitats Directive⁵, 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 its conservation objectives.

Energy installations are covered by the Environmental Impact Assessment (EIA) Directive⁶, which requires Member States to ensure that projects likely to have significant environmental impacts are subject to an assessment, before authorisation. For projects listed in Annex II of the Directive, such as the one referred to by the Honourable Member, it is for the competent national authorities to determine⁷ if the project needs to undergo an EIA. Moreover, the EIA Directive⁸ includes provisions on the implementation of the Aarhus Convention including on transparency, public engagement and access to justice.

Compliance with the Do No Significant Harm (DNSH) principle is a prerequisite for a measure to be included in a recovery and resilience plan (RRP)⁹. The Commission has assessed the Italian RRP according to the legal criteria¹⁰. It is for the Member State and local authorities to ensure that the DNSH requirements are respected in the implementation phase.

Finally, compliance with EU law falls primarily with the national authorities, including judicial ones, who are better placed to assess individual situations and intervene if necessary.

¹ Electrical substation consisting of a transformer with a capacity of 132/20 kV.

² Bassa Valnerina: Monte Fionchi – Cascata delle Marmore (IT5220025).

³ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26.1.2010, pp. 7 – 25.

⁴ https://www.regione.umbria.it/documents/18/1623440/DGR_180-2013.pdf/5978acde-5cab-4db2-b819-d07c197b3b62.jsessionid=BC92482745D20E92B2B8B5C5710EBF7E?version=1.0.

⁵ Under Article 6(3) of 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.

⁶ 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.

⁷ On a case-by-case basis, upon examination or according to thresholds or criteria.

⁸ As transposed in the Italian law.

⁹ Article 5(2) of Regulation 2021/241 of 12 February 2021.

¹⁰ Criteria laid down in Article 19 of Regulation 2021/241.