



*Ministero dell' Ambiente e della Tutela del Territorio e del Mare*

DIREZIONE GENERALE PER LE VALUTAZIONI E LE AUTORIZZAZIONI AMBIENTALI

DIVISIONE II – SISTEMI DI VALUTAZIONE AMBIENTALE

REF.: EXAMINATION OF GENERAL AND SPECIFIC COMPLIANCE ISSUES FROM THE SECOND REVIEW OF THE IMPLEMENTATION OF THE PROTOCOL

**Concerning the first clarification requested** [(a) *Provide clarifications on implementation of article 7 (3) of the Protocol, particularly on how it ensured that reports were of sufficient quality*], the Italian legislation clearly indicates the contents that must be included in the Environmental Report (Article 13 paragraph 4 of Legislative Decree 152/2006 and Annex VI to the Second Part of Legislative Decree 152/2006).

Annex VI to the Second Part of the Legislative Decree 152/2006 indicated above also follows the contents listed in Annex IV of the SEA Protocol.

It should also be noted that the scoping phase of the SEA, provided for in the Article 13 paragraph 1 of Legislative Decree 152/2006, is functional precisely in defining the scope and the level of detail of the information to be included in the Environmental Report and therefore to ensure that the topics listed in Annex VI to the Second Part of Legislative Decree 152/2006 are adequately developed and analysed. The scoping phase involves a consultation between the SEA competent authority and the subjects competent in environmental matters. The scoping opinion concerns in particular the completeness and detail level of the information to be included in the Environmental Report, as well as the methodologies for the assessment of the environmental impacts.

The Italian Institute for Environmental Protection and Research, ISPRA, and the Ministry of the Environment Land and Sea, periodically prepare and disseminate technical manuals and guidelines, with the aim of expanding the knowledge base for the SEA procedures and update available data.

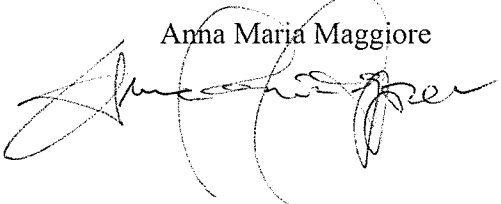
Similarly, at regional level, there are technical and procedural guidelines for the definition of the contents to be included in the Environmental Reports.

**Concerning the second clarification requested** [(b) *Clarify whether the procedure followed in practice met the requirements of the Protocol*] the Italian legislation transposes the EU Directive 2001/42/CE and details its scope harmonizing it with the Italian regulatory and administrative system.

The implementation of the SEA in Italy is therefore based on the same principles and criteria of the SEA Directive, and therefore of the Protocol, put in practice strictly in accordance with the EU requirements, ensuring the participation of the public and sharing information about all phases of the SEA procedure.

The same requirements also apply to the transboundary context, as provided for in Article 32 of the Legislative Decree 152/2006, which lays down detailed provisions to carry out both EIA and SEA procedures under Espoo Convention.

Anna Maria Maggiore

A handwritten signature in black ink, appearing to read 'Anna Maria Maggiore', is written over a faint circular stamp or watermark.

National focal point for the SEA Protocol to Espoo Convention  
Ministry of Environment, Land and Sea  
General Directorate for Environment Assessments and Authorizations