



LAPIN  
YMPÄRISTÖKESKUS

# Environmental Impact Assessment, Natura and Environmental Permit Processes for Mining Projects

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- Purpose of the presentation

- Overall picture of the process for initiating a mining project
  - Observing environmental issues
- Some central selection criteria for the process
- Three processes
  - Environmental Impact Assessment
  - Natura 2000 Impact Assessment
  - Environmental Permit Process

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- Environmental Impact Assessment

- Regulated by EU Directive 85/337/ETY, so-called EIA Directive
- Implemented in Finland by the Act on Environmental Impact Assessment Procedures 468/1994
  - The model chosen for EIA implementation in Finland is an independent assessment procedure
- Obligation to conduct the environmental impact assessment primarily based on the project inventory
  - The EIA is to be conducted in almost all mining projects



## EIA Procedure

- Two authority managed document stages
- The procedure is not a conventional administrative procedure
  - No application made
  - Procedure does not end with decision
- Procedure is a dialogue between the body responsible for the project (mining operator) and EIA authority (contact authority)
  - This perspective should be given attention
  - Citizens also participate in the dialogue
- The EIA procedure is a mandatory initial stage of the process
  - No permit decisions may be made prior to completion of the EIA procedure



- Stages of the EIA procedure

- First stage

- Compiling the EIA programme
- Foundation for the entire process
- Conducted as early as possible
- In discussions with the EIA contact authority
- Contact authority provides its statement on the programme

- Second stage

- Compiling the EIA report
- Assessment of the project and its implementation alternatives
- Public hearing
- The procedure ends with the statement from the contact authority

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- Legal effects of the EIA procedure

- To be taken into account
  - EIA does not include any permits or comments on actual permitting of activities
  - EIA report is a prerequisite for the decision-making of the permit stage
  - The permit decision should mention how the EIA report has been taken into consideration
  - Permit conditions are stipulated according to acts relating to the specific sector (e.g. environmental conservation and water acts)

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- Experiences and perspectives obtained from the EIA procedure in mining projects
  - A quality EIA facilitates the actual permit process
  - A quality EIA speeds up the permit process
  - The changing nature of the project should be taken into account
    - The mining project can still take form in the EIA stage
    - Basic solutions and scope of activities would be good to specify as early as possible
  - Attention should be given to the standard of reports
    - In discussions with the contact authority
  - An EIA process controlled and managed by the project operator normally gives a better outcome



## Natura 2000

- Central legal effects of the Natura 2000 network
  - Significant impacts over protected sites leads to an impact assessment
  - If there are no significant impacts, e.g. the environmental permit may be awarded, if the prerequisites for such otherwise exist
  - If significant impact is observed
    - Degradation injunction on Natura values
    - Permit authority shall take into account
    - Special exemption possible from Council of State



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- Natura 2000 as a process

- Two alternatives
- 1. Natura assessment conducted as part of the EIA procedure
- 2. Natura assessment conducted separately
  - Participation and hearing realised better if part of the EIA procedure
  - In practice, the project operator can choose the procedure for implementation
- Procedure
  - The project operator assesses impacts on conservation values
  - Nature conservation authorities (Regional Environment Centre and holder of area) issue a statement



## • Experiences and perspectives of the Natura 2000 procedure

- Natura assessments have been conducted as part of the EIA process and separately
  - Clearer and easier to perform the Natura assessment as part of the EIA procedure
- Attention should be paid to the quality of assessment
  - Experience and knowledge level put to the test
  - Need for dialogue and improving knowledge level
- Focusing on the essential issues is important
  - Grounds for protection of a Natura 2000 area denote what requires special attention



## ● Environmental permit process

- The environmental permit process often includes permits according to the Nature Conservation Act and Water Act
- Environmental permit process stages
  - Application
  - Public hearing
  - Decision
- The environmental permit process may include a permit for the initiation of work despite appeal
- The process emphasises
  - Official principles
  - Public hearing
  - Consideration of the matters of law



## • Environmental permit application and processing

- A necessary report for permit consideration
- Report on EIA and Natura 2000 processes (statements)
- Reports on
  - Activities
  - Impact of operations
  - Parties involved
- Supervisory authority (regional environment centre) is the supervisor of public (environmental) interests in the environmental permit process that issues the statement
- The permit authority is independent in respect to the statement

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- Experiences and perspectives relating to the environment permit procedure in mining projects

- A quality application appended with reports speeds up the permit processing
- The permit authority, regional environment centre and applicant negotiations improve the quality of reports
  - Equality should be considered, i.e. private parties involved shall have the opportunity to influence through public hearings
- Large-scale projects should reserve 1 – 1½ years processing time



## ● Summary

- The integration of three processes is challenging
  - Other processes (e.g. planning and Mining Act related procedure) may be managed simultaneously
  - Successful completion of the mining project permit process requires input and multidisciplinary expertise
- Legislation specifies the boundary conditions relatively accurately (consideration of laws)
  - These do not have much room for discretion
- A permit decision with sufficient reports is a favourable and sustainable basis for implementing activities
- The environmental authority undertakes to process the matter with equality, flexibility and in reasonable time



Thank you for listening – picture of Lake Perunkajärvi, Rovaniemi