

FEDERAL JUDICIARY POWER  
JUDICIAL SECTION OF THE STATE OF PIAUÍ  
JUDICIAL CENTER FOR CONCILIATION  
CENTER FOR PUBLIC POLICY CONCILIATION  
LAWSUITS CASES  
26540-94.2013.4.01.4000  
8474-32.2014.4.01.4000

MINUTES OF RECONCILIATION HEARING

On the sixteenth day of October of the year two thousand and eighteen at nine o'clock, in the Hearing Room of Public Policies of CEJUC of the judicial section of Piauí, located in the main building, at Av. Miguel Rosa, n ° 7315 - Neighborhood: Redenção Teresina-Pi - Zip Code: 64018-55Q/phone: (86) 2107-2800 / 2801, present at Hon. Federal Judge Coordinator of the Conciliation Center in Public Policies- Federal Justice/PI, MARINA ROCHA CAVALCANTI BARROS MENDES, with the designated conciliator, hereinafter nominated, at the appointed time, the present hearing session was declared open.

Present: The Federal Prosecutor - INCRA, Dr. FLAVIO MACEDO FERREIRA, the representatives of INCRA, Mr. FRANCISCO DILSON ALVES VIANA, Mr. JANKEIL DA ROSA MOREIRA and Mr. DAMASIO IBIAPINA TAPETY; the representative of SETRANS, Mrs. MARIA CRISTINA LAGES REBELLO CASTELO BRANCO and Mr. EDSON TELES DE ALENCAR; The Prosecutor of the State of Piauí, Dra. KÁTIA MARIA DE MOURA VASCONCELOS; The representative of the Federal Prosecutor's Office, Mr. MARCO AURÉLIO ADÃO; the representative of SEMAR, Mr. DANIEL MENDES RODRIGUES; the representative of SDR, Mrs. LIZ ELIZABETH DE CARVALHO MEIRELES; the representatives of AGRIFASNE Mr. FRANCISCO DA COSTA PAZ and Mr. ANTÔNIO CARLOS DE CAMPOS, representatives of OASIS, Mrs. HEDELMA DE SOUSA ALMEIDA; the representative of FETAG, Mrs. ALYNE BEATRIZ LIMA SOARES; the representatives of ASTRASNE, Mr. MARCOS SÉRGIO DE SOUSA and the attorneys Dr. RUI LOPES DA SILVA and Dra. IAIÁ DE SIQUEIRA BALDOINO.

After the proceeding had begun, the State of Piauí informed that had studied each of the loan funds and referred the study to the State Secretary of Rural Development, which, on the other hand, presented a project for the usage of four of the twenty four loan funds for fish farming and also the usage of a building structure in the settlement of Santana Nossa Esperança for poultry farming. As for the remaining twenty loan funds, there was no proposal to use them. It was also pointed out that the State's investment in mitigation actions also involves land subdivision, as well as the recovery of the river's sources and riverbed, as established in the Environmental Recovery Plan. It expresses that all this investment should be considered.

INCRA requested a time-period to analyze the presented project by the State of Piauí. He also pointed out that the usage of loan funds should also be considered in subdivision of individual lots project.

The Federal Prosecutor's Office considered that environmental compensation under the responsibility of the State shall have a guideline regarding the loan funds, which must be the cost of the material that was removed from the settlement giving cause to this specific damage. The amount of land removed has already been studied by INCRA.

The settler Celma Maria Pereira da Silva requested that her lot would not be rearranged and informed that she accepts a loan fund within her area. In this regard, INCRA explained that the modification was necessary because it was decided that all loan funds shall remain in public areas to enable mitigation measures to bring improvement to the entire community.

After the matter was discussed, it was agreed that:

1) The loan funds located within an individual area, according to the December planning, may continue, as long as the settlement expressly agrees and relinquish an eventual environmental compensation.

2) Will only be considered as compensatory measures the loan funds located in common areas.

In the Settlement of Santana Nossa Esperança, there are two individual lots with loan funds, attributed to Celma Maria Pereira da Silva and Raimundo José de Pinho, who shall be summoned to personally attend the next hearing session regarding the subdivision of the area. The duty of summoning them is of the associations.

Faced with this scenario, at the end of the hearing, the following arrangements were established:

1) INCRA must join to the case file and send it to the State of Piauí (The Secretary of Transportation) and for the Federal Prosecutor's Office the study on the cost of the material removed from the loan funds during the construction work, within 15 (fifteen) days;

2) The Secretary of Transportation will forward to INCRA the technical study of each of the loan funds, that subsidized the proposal of utilization, within 5 (five) days;

3) The State Secretary of the Environment shall submit to this Court, within thirty (30) days the final study of the PRAD, with the proposed changes regarding fish farming. Moreover, should be estimated the value of any environmental compensation to be paid by the State. Presented the conclusions by the Secretary of the Environment, with the opinions of the Federal and State Prosecutor's Office, State of Piauí and INCRA.

The next hearing session is scheduled for January 15, 2019, at 9:30 am, with the following agenda:

- presentation of the conclusions of the Secretary of the Environment regarding PRAD and the environmental compensation.

- conclusive evaluation from INCRA and the Federal and State Prosecutors Offices about the sufficiency of the implemented and proposed measures by the State of Piauí to bring this to an end;

- setting a timetable for the implementation of the measures which may be the subject matter of the agreement.

The present parties of this session are considered summoned. Proceedings by the Secretariat. I, \_\_\_\_\_ ÉRIKA PINHEIRO CARVALHO, designated conciliator, have typed this term which, if read and found to be correct, is signed.

Federal Judge MARINA ROCHA CAVALCANTI BARROS MENDES

Federal Prosecutor MARCO AURÉLIO ADÃO

Federal Prosecutor- INCRA FLÁVIO MACEDO FERREIRA

REPRESENTATIVE OF INCRA FRANCISCO DILSON ALVES VIANA

DAMASIO IBIAPINA TAPETY

JANKEIL DA ROSA MOREIRA

REPRESENTATIVE OF SETRANS MARIA CRISTINA L. R. CASTELO BRANCO

EDSON TELES DE ALENCAR

PROSECUTOR OF THE STATE OF PIAUÍ KÁTIA MARIA DE MOURA VASCONCELOS

REPRESENTATIVE OF SEMAR DANIEL MENDES RODRIGUES

REPRESENTATIVE OF SDR LIZ ELIZABETH DE CARVALHO MEIRELES

REPRESENTATIVE OF AGRIFASNE FRANCISCO DA COSTA PAZ

ANTONIO CARLOS DE CAMPOS

REPRESENTATIVE OF OASIS HEDILMA DE SOUSA ALMEIDA

REPRESENTATIVE OF FETAG ALYNE BEATRIZ LIMA SOARES

REPRESENTATIVE OF ASTRASNE MARCOS SERGIO DE SOUSA

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