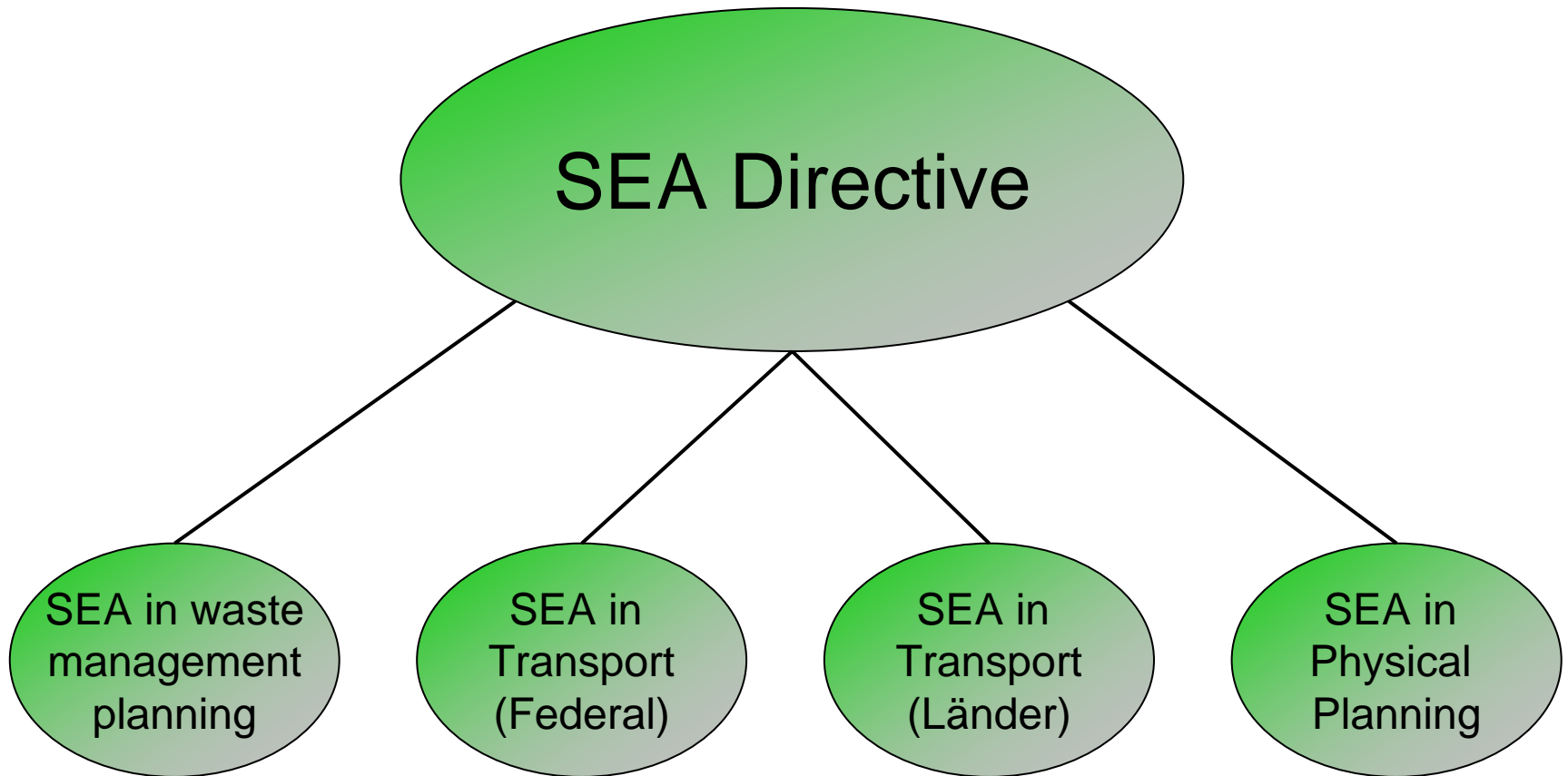


Dr. Fritz Kroiss

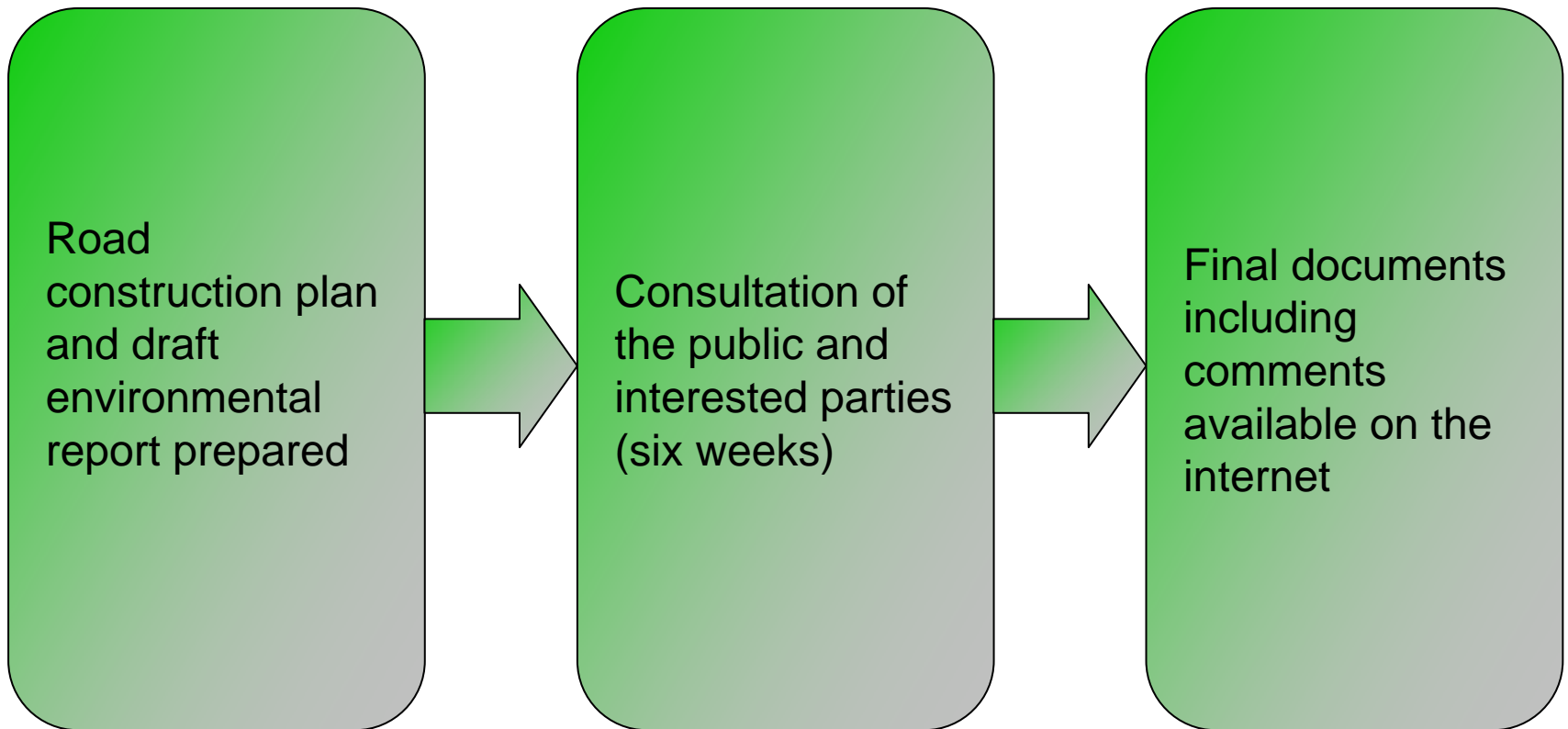
EIA and SEA for transport
infrastructure projects in Austria



SEA: Legal Transposition in Austria



SEA: Procedural steps



SEA: Who starts the procedure?

- Potential Initiators
 - Ministry of Transport
 - Länder
 - Federal Railways
 - Federal Road Administration
 - “Via Donau“

SEA: Public consultation

- The public, authorities in charge of environmental protection and other potential initiators are invited to give comments
- 6 weeks time
- The final draft and a detailed justification must be made public via Internet
- Conclusion: No substantial participation

SEA: shortcomings

- SEA is project based and not network based (unfortunately)
- Not the whole network is undergoing a SEA, only the new connection
- The General transport network plan is not subject of SEA

EIA: legislation in Austria

- EIA law from 2000 has been amended in 2004 to implement the Public Participation Directive
- EIA for federal transport infrastructure projects was changed fundamentally
- For transport infrastructure projects of the Länder a different procedure applies

EIA: procedural steps

- The initiator prepares the EIA study
- Consultation of the public & public hearing on the project
- The authority prepares their own assessment based on their experts' judgment
- EIA database maintained by UBA (Federal Environment Agency, www.umweltbundesamt.at)

EIA: permits & legal standing

- **Permitting procedures: Three permits are needed for the project:**
 - One by the Ministry of transport
 - At least two at the Länder level
- **Legal standing for citizens' groups over 200 people and for registered NGOs**
- **Complaint procedures can be filed before the Administrative and the Constitutional Court**

Conclusions

- Many ongoing or not yet started procedures for new roads in the Vienna region (SEA & EIA)
- Main shortcoming: the network is not checked as a whole under the new SEA procedures
- relationship between SEA and EIA procedures unclear