

name	EIA-Directives	
official name	COUNCIL DIRECTIVE (85/337/EEC) on the Assessment of the effects of certain public and private projects on the environment; amended by Directive (97/11/EC) and amended by DIRECTIVE 2003/35/EC (Aarhus Convention Directive)	http://europa.eu.int/comm/environment/eia/eia-legalcontext.htm
legal foundation		
state of ratification European Union (entry into force)		
state of ratification in member states (entry into force)	Directive (97/11/EC): transposed by member states by 1999; DIRECTIVE 2003/35/EC 25 June 2005	
what's new/ what's special	based upon principle that best environmental policy is principle of precaution: preventing pollution rather than minimise it later. introduced to EU legislation public access to project information, public participation procedures	
main intention	draw a systematic assessment of a project's likely significant environmental effects and its effects on humans, fauna, flora, soil, water, air, climate, landscape, material assets, cultural heritage and their interaction. To ensure that public and authorities may value these before decision making.	
main instruments	EIA = Environmental Impact Assessment, a procedure followed during the authorisation process of projects. Additional the Aarhus-Rules introduce better public consultation.	
scope	Directive covers mainly procedures of evaluation of environmental impacts of certain projects (screening, scoping, mitigating) under participation of the "concerned public"; evaluation of alternatives and the setting of standards are not part of the directive	

<p>affected transport projects</p>	<p>Annex I (EIA required) : 7. (a) lines for long-distance railway traffic and of airports with a basic runway length of 2 100 m or more; (b) motorways and express roads; (c) new roads of four or more lanes, or realignment and/or widening of an existing road over 10 km length 8. (a) Inland waterways and ports for inland-waterway traffic for vessels of over 1 350 t; (b) Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1 350 t. Annex II (EIA dependent on further evaluation:”screening”): 10. Infrastructure projects (as far as not included in Annex I): (a) Industrial estate (development projects); (b) urban development projects (e.g. shopping centres and car parks); (c) railways and intermodal transshipment facilities, and of intermodal terminals; (d) airfields; (e) roads, harbours and port installations; (f) inland-waterways, canalization and flood-relief works; (g) dams and other installations designed to hold water or store it on a long-term basis; (h) passenger tramways, elevated and underground railways,</p>	<p>http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31997L0011:EN:HTML</p>
<p>legal results (authorities)</p>	<p>have to do the EIA, consider the information gathered during the public consultation procedures and take it into account in the development consent procedure. Whether EIA-results are binding for the consent depends on national systems.</p>	
<p>consequences on project planning/optimal planning models</p>	<p>participation of the affected public rather than just experts</p>	
<p>example</p>	<p>Extension of Billund airport (DK). The EIA contributed to extending the capacity of the airport and at the same time reducing the number of homes exposed to noise from 1,290 to 328, while concluding that an extension of the airport with a new runway was not necessary. It saved 300 million Kroner (40.4 million) – the cost of the planned new runway - and approximately 350 hectares of farm land, as well as preserving an ancient Danish forest.</p>	<p>http://europa.eu.int/comm/environment/eia/eia-billund-airport.htm</p>
<p>legal results (citizens)</p>		

legal results (organizations)	ENGOs are explicitly mentioned as "public concerned"	
possible use (ENGOs)	<p>ENGOs should use their rights within the scoping and participation procedures.</p> <p>Sometimes these are rather complicated and difficult issues and therefore early training is of importance.</p> <p>ENGOs must ensure monitoring of the implementation, upon insufficient implementation can file complaints</p>	
possibly negative effects and implications for ENGOs	<p>provisions only for procedures carries certain shortcomings: 1. Inconsistent screening dependent on member states, 2. Insufficient consideration of the cumulative effects of projects and use of "salami slicing" 3. Insufficient consideration of alternatives; 4. Poor quality control systems (ca. 50 % off all EIAs in the EU are faulty); 5. Inadequate incorporation of EIA in decision-making.</p> <p>ENGOs must ensure monitoring of the implementation, upon insufficient implementation can file complaints with the EU-Commission. Assessment only at stage when options for significant change are limited.</p> <p>Increased acceptance and ownership of public projects.</p>	
possible impact on transport policy	may only produce green-bridges or save the one and another habitat but no result on the basic decision about a project.	