

EIA-Procedure for Federal Roads in Austria



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Dynamik mit Verantwortung

EIA Procedure

- 1993 directive 85/337/EEC implemented in Austria with effect from 1.7.1994 (2011/92/EU newly issued and amended by directive 2014/52/EU)
- since then ca. 46 Road Projects, ca. 250 km of motorways and 18 junctions
- no separate proceeding
- intensive investigations
- approval for projects subject to an assessment for environmental compatibility only after conclusion of the EIA

Competences

BMVIT
 (Federal Ministry for
 Transport, Innovation
 and Technology)
 1st Partly
 Concentrated Approval
 Procedure

Environmental compatibility according to the EIA Act
 Specification of the alignment according to the Federal Roads Act
 Approval of forest related work according to the Forest Act
 Approval according to the Road Tunnel Safety Act
 Approval according to the Water Act
 Approval according to the Railways Act
 Approval according to the Monument Protection Act
 Approval according to the Aviation Act
 Approval according to the Waste Management Act

Provincial Government
 2nd Partly Concentrated
 Approval Procedure

Approval according to the Nature Conservation Act
 In some cases approval according to the Provincial Road
 Acts
 Additional permissions by regional law

Process Sequence for Federal Roads and High Capacity Rail Lines

Project Applicant

Authority

Public

Preliminary Procedure (optional)

Application for approval to the BMVIT, project documentation

Examination of documents, so necessary an instruction to improve the application directed to the Project Applicant

Submission of documents to the participating authorities and the communities, the UA for comment

Public Display of all documents in the involved communities

6 weeks deadline for inspection and written comments and for setting up Citizen Initiatives

*BMVIT: Federal Ministry for Transport, Innovation and Technology
 BMLFUW: Federal Ministry for Agriculture, Forestry, Environment and Water Management
 UA: Environmental Ombudsman*

Process Sequence for Federal Roads and High Capacity Rail Lines

Project Applicant

Authority

Public

Preparation of the Environmental Impact Audit respectively the summarising assessment

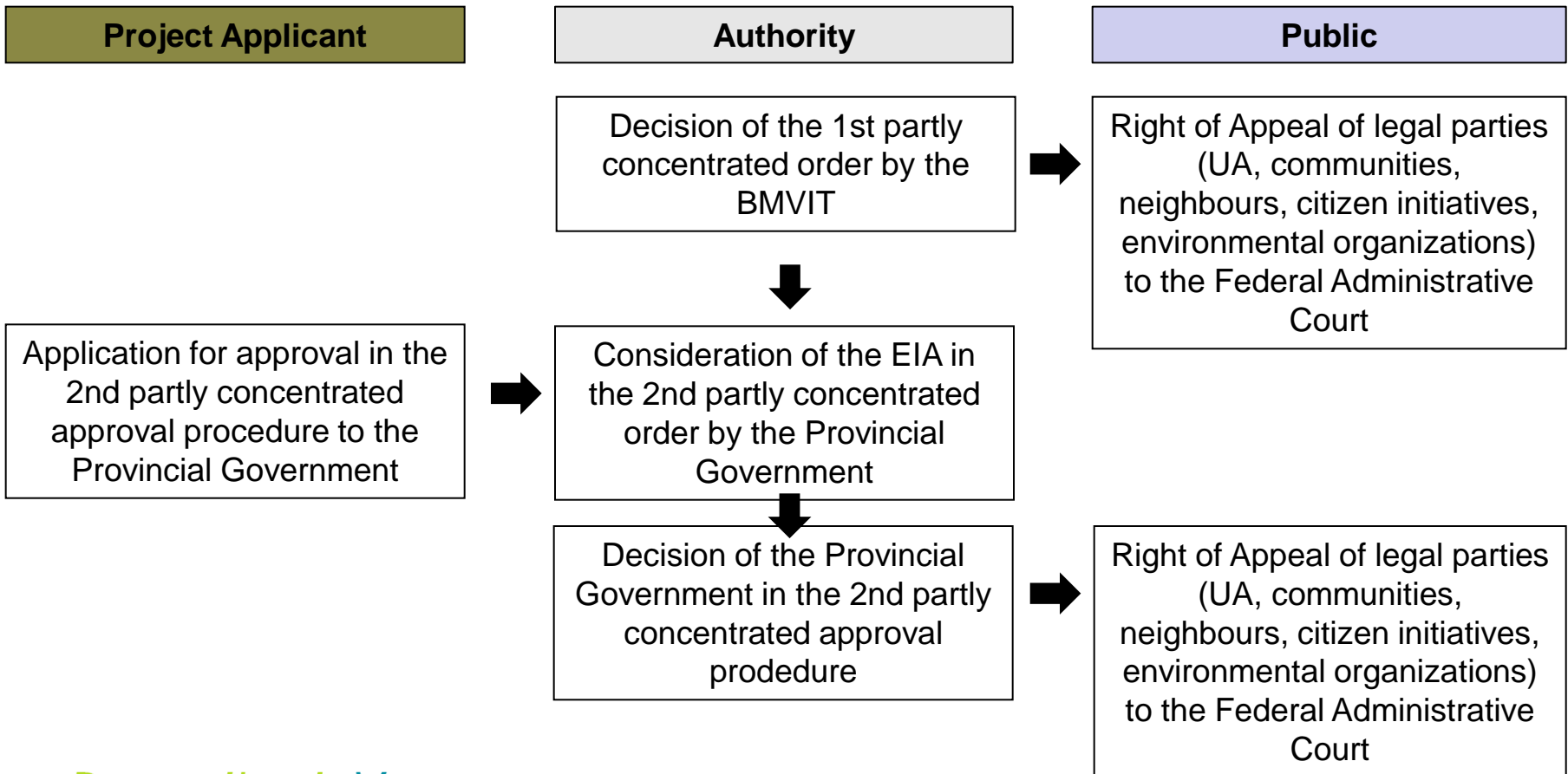
Public Display of the Environmental Impact Audit in the involved communities and submission to the Project Applicant, the participating authorities, BMLFUW and UA

Inspection of the Environmental Impact Audit during at least 4 weeks

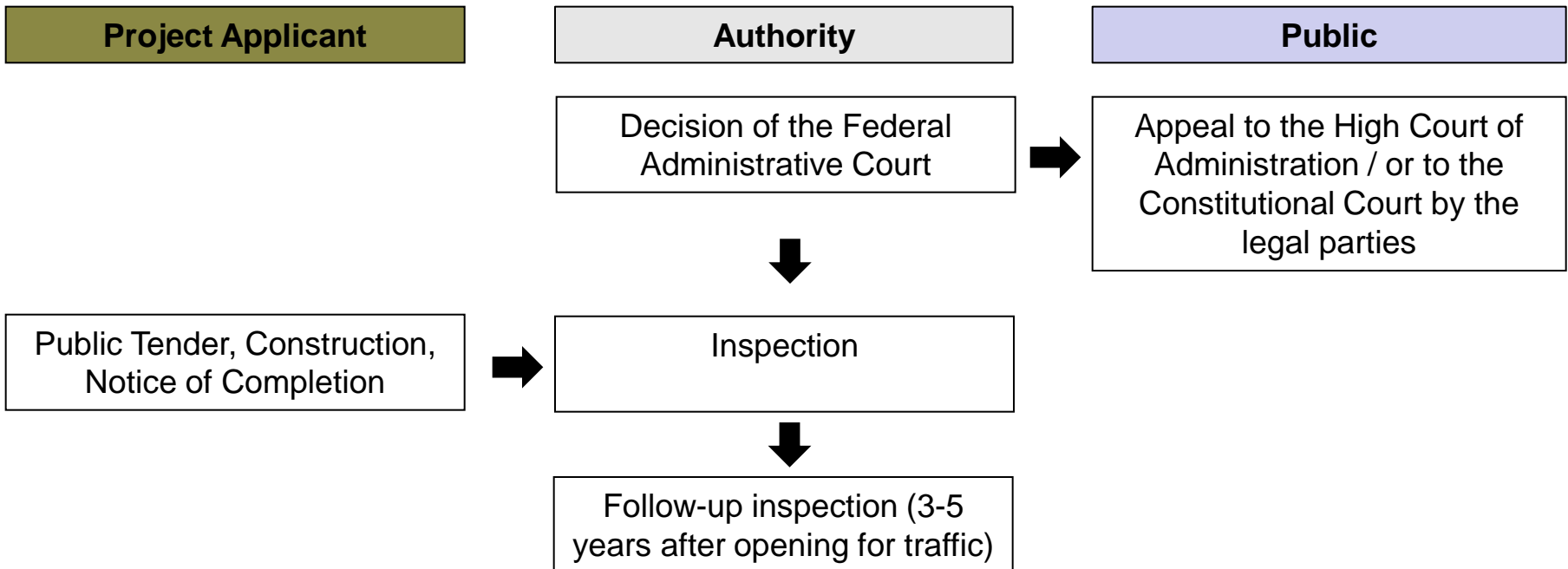
Public Inquiry into the Project (only in large proceedings, optional)

Public Hearing

Process Sequence for Federal Roads and High Capacity Rail Lines



Process Sequence for Federal Roads and High Capacity Rail Lines



Challenges

In times of austerity

- Well prepared projects – when possible by-passing sensitive areas
- Cooperation with the Federal Administrative Court
- Also in the future passing decisions accepted by the High Courts

Article: „EIA for Federal Roads in the light of **Public Governance**“; Christine Rose, Oliver Frank. In: „Gutes Regieren: Konzepte - Realisierungen – Perspektiven“; Helfried Bauer, Peter Biwald, Elisabeth Dearing

Online:

http://www.bmvit.gv.at/service/publikationen/verkehr/strosse/downloads/uvp_rosefrank.pdf



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