

Public consultation on the Review of the Environmental Impact Assessment (EIA) Directive.

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Profile of the respondent.	
1. Status confirmation - I answer this questionnaire on behalf of:	an organization/company
B. If the reply to the question 1 is an organization/company what type of organisation do you represent?	Non-Governmental Organisation
B.1. Name of the organisation/company (max. 100 characters):	
Deutsche Gesellschaft für Ur- und Frühgeschichte e.V. (DGUF)	
B.2. Are you a Registered Organisation?	Yes
If Yes: please provide your Organisation's Register ID	
822 779 714 27-06	
B.3. What is the size of your company/organisation (number of employees or members)?	More than 250
B.4. What is the annual turnover of your company/organisation?	Not relevant
B.5. Have you been involved in an EIA process?	Yes
B.5.1. How much does an EIA process cost (including both direct and indirect costs)	Not relevant

on average in % of the total cost of the project:	
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B.5.2. What is the average time needed to obtain a screening decision (to determine whether a project will be subject to an EIA or not):	Not relevant
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B.5.3. What is the average time needed to conclude an EIA procedure (i.e. prepare an EIA report/study, consult with the administrations and the public, amend the EIA report/study,...):	Not relevant
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B.5.4. What is the average time needed to obtain the development consent (between the date when the application for consent was formally lodged and the date when the development consent was granted, including the EIA procedure)?	Not relevant
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2. Name of contact person	
Christian A. Möller	

3. E-mail address:	
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4. Country:	Germany
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Introduction to the main questionnaire

I. Overall view of the Directive

I.1. The EIA Directive contributes to effective protection of the environment and the quality of life.	Sometimes
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I.2. The EIA Directive is an efficient instrument to address environmental concerns in the design of projects.	Often
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I.3. In practice the EIA Directive contributes to modifying significantly projects to take into account environmental concerns.	Always
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I.4. Measures should be taken to improve the EIA process under the Directive?	Yes
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If you agree/"yes", at what level(s):	EU national regional/local
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I.5. The EIA causes considerable delays in the approval of projects.	Sometimes
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I.6. The EIA increases the costs (direct and indirect) of projects considerably.	Sometimes
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I.7. The EIA decreases the costs of projects	Sometimes
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considerably.	
I.8. The EIA contributes to the support of the project by the civil society.	Sometimes
Comments on part I. Overall view of the Directive (max. 400 characters)	
Verzögerungen im Projektablauf oder der Genehmigung von Projekten sind normalerweise durch unvollständige und/oder mangelhafte Studien und/oder unvollständiges Scoping verursacht. Insbesondere das kulturelle Erbe wird sehr oft gar nicht geprüft.	
II. Functioning of the Directive - Key stages	
II.1 Scope of the Directive – Projects categories	
II.1.1. The current structure of the Annexes, i.e. division between Annex I (projects subject to an EIA) and Annex II (projects subject to a screening to determine the need for an EIA) should remain as it stands.	Disagree
II.1.2. The scope of Annex I of the Directive should be broadened (e.g. add new categories of projects, lower the current thresholds).	Agree
II.1.3. Screening should be omitted and projects listed in Annex II should be moved to Annex I.	Agree
II.2. Screening	
II.2.1. Screening is an effective tool to ensure that only projects likely to have significant environmental effects are subject to an EIA.	Disagree
II.2.2. The current screening methods (i.e. a case by case examination or thresholds and criteria, or a combination of both) ensure that only projects likely to have significant environmental effects are subject to an EIA.	Disagree
II.2.3. The EIA Directive should set out common minimum Community thresholds for Annex II projects.	Agree
II.2.4. The current screening criteria listed in Annex III of the Directive should be replaced by a more detailed checklist.	Agree
II.2.5. The EIA Directive should set a maximum timeframe for the screening decision by the authorities.	Disagree
II.2.6. A negative screening decision should itself contain the reasons for which it was decided that an EIA was unnecessary.	Agree
II.2.7. Environmental authorities (authorities likely to be concerned by reason of their specific environmental responsibilities) should be	Agree

consulted before screening decisions.	
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II.3. Scoping

II.3.1. When an EIA is needed,	a scoping opinion/decision should always be issued.
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II.3.2. Environmental authorities (authorities likely to be concerned by reason of their specific environmental responsibilities) should systematically be consulted on the information to be supplied by the developer.	Agree
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II.4. Environmental information and quality of the EIA process

II.4.1. A mandatory assessment of reasonable alternatives should be part of the EIA information.	Agree
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II.4.2. A mechanism to ensure the quality of the environmental information supplied by the developer should be introduced.	Agree
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II.4.3. Maximum timeframes for the validity of the environmental information should be fixed.	Agree
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II.4.4. Maximum timeframes for the validity of the EIA decision should be fixed.	Agree
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II.4.5. The EIA Directive should include provisions on the monitoring of the significant environmental effects of the implementation of the projects.	Agree
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II.4.6. The role of the environmental authorities (authorities likely to be concerned by reason of their specific environmental responsibilities) in the EIA process should be strengthened.	Agree
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II.5. Consultation of the public

II.5.1. The possibilities given to the public to express its opinion are sufficient.	Never
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II.5.2. In practice, the opinions expressed by the public influence the final design of the project.	Sometimes
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II.5.3. The public should also be consulted prior to the decision on screening.	Agree
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II.5.4. The public should also be consulted prior to the decision on scoping.	Agree
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II.5.5. The EIA Directive should set minimum timeframes for the duration of the public consultation.	Agree
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II.5.6. The EIA Directive should set maximum timeframes for the duration of the public consultation.	Agree
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Comments on part II. Functioning of the Directive - Key stages (max. 400 characters)
Verbänden für kulturelles Erbe werden - entgegen den Vorgaben der UVP- und der Aarhus-Konvention - in Deutschland keine Beteiligungs- und Klagerechte gegeben. Dies ist ein entscheidender Grund, weshalb die UVP für das kulturelle Erbe in Deutschland wenig wirksam ist. Ein gestrafftes und obligatorisches Scoping ist erforderlich um die Untersuchungen auf das notwendige Maß zu begrenzen.

III. Other areas of the Directive that could be improved or amended

III.1. Synergies should be improved between the EIA and other EU policies and Directives.	Yes
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If yes, please specify:	SEA Directive Habitats Directive Water Framework Directive Marine Framework Directive The Espoo Convention on Environmental Impact Assessment in a Transboundary Context
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III.2. The EIA Directive should play the role of an overarching Directive bringing together the existing environmental assessments.	Agree
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III.3. When, for a given project, the obligation to carry out assessments of the effects on the environment arises from several Directives:	a joint procedure (providing for a single assessment) should be established
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For questions III.4 to III.7

III.4. Maximum timeframes for the validity of the development consent should be fixed by the EIA Directive.	Agree
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III.5. The EIA decision and the development consent should take the form of a single decision (separate decisions first on EIA and then on development consent should be avoided).	Agree
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III.6. The EIA Directive should foster better coordination of the permitting procedures required under sectoral environmental legislation.	Agree
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III.7. The EIA Directive should fix maximum timeframes for the decision to grant or refuse development consent.	Agree
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For questions III.8 and III.9

III.8. The Directive should further specify the consultation arrangements to be made in case of EIA procedures for projects with transboundary impacts (e.g. translation, timeframes...).	Agree
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III.9. The Directive should establish a specific framework with regard to development consent procedures for large-scale transboundary projects involving more than one country.	Agree
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Comments on part III. Other areas of the Directive that could be improved or amended (max. 400
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characters):
 Die EU-Richtlinien sollten harmonisiert werden, insbesondere der Begriff "Umwelt". Das kulturelle Erbe muss (!) deutlicher als bisher als Bestandteil der Umwelt beschrieben werden. Widrigenfalls hat die Durchführung einer UVP aufgrund von Belastungsverlagerungen die stärkere Beeinträchtigung des kulturellen Erbes zur Folge. Nach Art. 167,4 AEUV muss die EU helfen, das kulturelle Erbe zu bewahren.

IV. Options for reviewing the EIA Directive

IV.1. The EIA Directive should not be modified. Disagree

IV.2. The Annexes of the EIA Directive should be updated and clarified (technical adaptation). Agree

IV.3. A comprehensive modification of the EIA is required (both the Annexes and the provisions of the Directive should be amended). Disagree

IV.4. A comprehensive modification of the EIA is required (both the Annexes and the provisions of the Directive should be amended), as well as the introduction of provisions fostering the coordination of sectoral environmental assessments required under other EC Directives (e.g. SEA, nature protection (Habitats and Birds Directives), Water Framework Directive, assessment required as part of the integrated pollution prevention and control (IPPC) permit application process...).

IV.5. The EIA Directive should be repealed and replaced by a single environmental assessments Directive or Regulation covering all the existing elements of sectoral environmental assessments required under other EC Directives (e.g. SEA, nature protection (Habitats and Birds Directives), Water Framework Directive, assessment required as part of the integrated pollution prevention and control (IPPC) permit application process...).

IV.6. The EIA Directive should be repealed and replaced by a Regulation, directly applicable in all the Member States. Disagree

IV.7. The EIA Directive should be merged with the Directive 2001/42/EC (OJ L 197, 21.7.01, p.30) on the assessment of the environmental effects of certain plans and programmes (known as Strategic Environmental Assessment Directive - SEA). Agree

IV.8. In relation to the review of the EIA Directive, which of the following options do you support? The EIA and SEA should be merged.

Comments on part IV. Options for reviewing the EIA Directive (max. 400 Characters):

Im Moment werden zu viele separate Prüfungen durchgeführt, z. B. UVP, FFH-RL und Vogelschutz-RL etc., die kaum miteinander verknüpft sind und häufig von verschiedenen Umweltprüfern durchgeführt werden. UVP und SUP sollten zu einem gemeinsamen Verfahren weiterentwickelt werden. Ein neues Verfahren wäre dagegen mit dem Risiko einer Schwächung erreichter Standards für die UVP verbunden.

Other comments with regard to the Review of the EIA Directive (max. 500 characters):

Erwägungsgründe ergänzen: - Entschließung 2000/2036(INI) des EP: Umsetzung der UNESCO-Welterbekonvention über die UVP-RL und SUP-RL. - European Treaty Series 121, 143, 176 (Europarat). Minderungsmaßnahmen, Alternativensuche, Monitoring und Qualitätsprüfung müssen obligatorisch werden. Regelungen zur Verfahrensbeschleunigung sind erforderlich, da hiermit häufig versucht wird, die Durchführung von UVP zu umgehen.