

A Question of Significance

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SEA Directive (2001/42/EC)

“[...] an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme [...] are identified, described and evaluated.”

Habitats Directive (92/43/EEC)

“Any plan or project [...] likely to have a significant effect [on a Natura 2000 site] shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.”

“[T]he competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned [...].”

Federal system and legal framework

- Adoption primarily on regional and municipal level
- SEA Directive: Planning Acts, partly Road Acts
- Habitats Directive concerning plans: Planning Acts

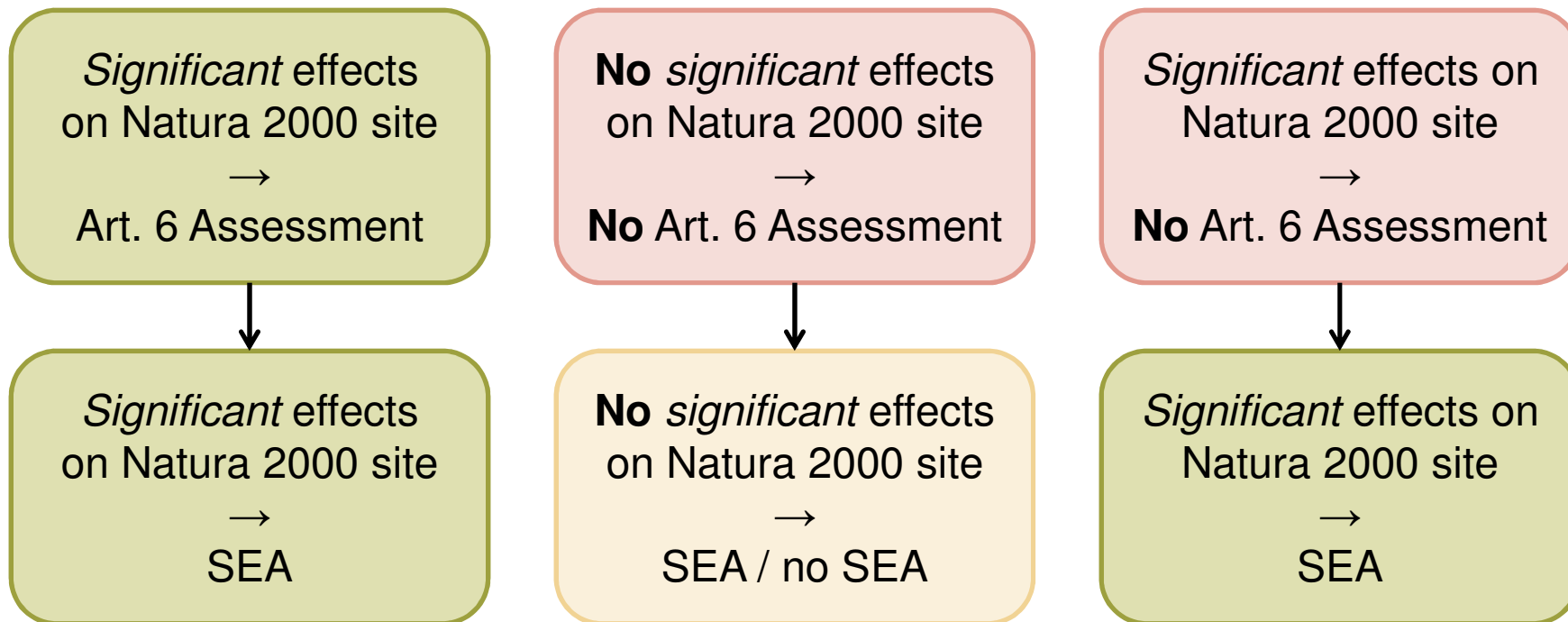
Urban and regional planning

- SEA integrated in planning process
- Article 6 Assessment integrated in planning process (or even as a part of the SEA)
- Competent authorities for approving plan (+ SEA + Article 6 Assessment)



Conditioning

- SEA for PP that are determined for Article 6 Assessment



Significant effects?

- Significant effects according to both Directives
- Significant effects only according to SEA Directive

Practical problem of assessment

- Role of technical experts
- Best-case vs. worst-case assessment
- Compensatory measures

Examples

- Zoning for wind farms
- Zoning of corridors for future roads

Change Directive 2001/42/EC?

- Delete interlink between Directive 2001/42/EC and Directives 92/43/EEC and 85/337/EEC?

Change semantics?

- Replace term “significant“ in one of the two Directives?

Change nexus in practical work?

- Make SEA and Article 6 Assessment two independent procedures?

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