Effectiveness by Accident? SEA in Austria's High Level Transport Planning

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Success factors for SEA effectiveness

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Success Factor # 1: Legal Framework

One federal law – one process – one (environmental) report

Requirement for planning a high level transport network

Langtitel

Bundesgesetz über die strategische Prüfung im Verkehrsbereich (SP-V-Gesetz)
StF: BGBl. I Nr. 96/2005 (NR: GP XXII RV 995 AB 1002 S. 117. BR: AB 7368 S. 724.)
[CELEX-Nr. 32001L0042]

Änderung

BGBl. I Nr. 23/2014 (NR: GP XXV IA 261/A AB 59 S. 18. BR: AB 9163 S. 828.)

Text

Zweck

§ 1. (1) Zweck dieses Bundesgesetzes ist es, vorgeschlagene Netzveränderungen bereits vor Erstellung von Gesetzes- und Verordnungsentwürfen, die der Bundesminister/die Bundesministerin für Verkehr, Innovation und Technologie der Bundesregierung zur Beschlussfassung vorzulegen beabsichtigt und deren Gegenstand diese vorgeschlagenen Netzveränderungen sind, einer strategischen Prüfung zu unterziehen.

(2) Durch dieses Bundesgesetz wird die Richtlinie 2001/42/EG des Europäischen Parlaments und des Rates über die Prüfung der Umweltauswirkungen bestimmter Pläne und Programme, ABl. Nr. L 197/30 vom 21. Juli 2001, umgesetzt.

Begriffsbestimmungen

§ 2. (1) „Netzveränderung" bedeutet jede Änderung des bundesweiten hochrangigen Verkehrswegenetzes.

(2) Zum „bundesweiten hochrangigen Verkehrswegenetz" gehören:

1. Hochleistungsstrecken,
2. Wasserstraßen,
3. Bundesstraßen.

(3) „Umweltstellen" sind die Umweltanwälte der betroffenen Länder gemäß § 2 Abs. 4 des Umweltverträglichkeitsprüfungsgesetzes 2000 (UVP-G 2000), BGBl. Nr. 697/1993, die Landesregierungen der betroffenen Länder und der Bundesminister/die Bundesministerin für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft.

(4) Ein Land ist ein „betroffenes Land", wenn es von den direkten oder indirekten Auswirkungen einer Netzveränderung berührt werden kann.

(5) Unter „Öffentlichkeit" ist eine oder mehrere natürliche oder juristische Personen und deren Vereinigungen, Organisationen oder Gruppen zu verstehen.

(6) Initiator ist, wer eine Netzveränderung vorschlägt. Eine Netzveränderung vorzuschlagen sind berechtigt:

1. der Bund, vertreten durch den Bundesminister/die Bundesministerin für Verkehr, Innovation und Technologie,
2. die Länder,
3. die Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesellschaft,
4. die ÖBB-Infrastruktur Bau Aktiengesellschaft,
5. die via donau – Österreichische Wasserstraßen-Gesellschaft m.b.H.,
6. sonstige befugte Errichtungsgesellschaften.

(7) „Befugte Errichtungsgesellschaften" sind Gesellschaften, die entweder durch Bundesgesetz oder Staatsvertrag, oder auf Basis einer bundesgesetzlichen oder staatsvertraglichen Ermächtigung errichtet wurden und deren satzungsmäßiger oder gesellschaftsvertragsmäßiger Zweck es ist, Bundesstraßen,

Requirement for carrying out an SEA

Objectives for the high level transport network in the federal law

- *Provision of high quality infrastructure*
- *Connection to international network*
- *Benefit from comparative advantages*
- *Economic and social cohesion*
- *Favourable cost-benefit ratio*

Integrated network planning and SEA

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Success Factor # 1: Legal Framework

“Plan“ according to law: Node-edges-model

Text

Folgende Eisenbahnen (Strecken bzw. Streckenteile einschließlich der notwendigen Eisenbahnanlagen) werden zu Hochleistungsstrecken erklärt:

1. Salzburg - Wörgl
2. St. Michael - Klagenfurt - Villach
3. Wien - Eisenstadt - Oberwart - Graz - Klagenfurt - Villach - Staatsgrenze Österreich/Italien
4. Wien - Staatsgrenze bei Bernhardsthal
5. Parndorf - Staatsgrenze bei Kittsee

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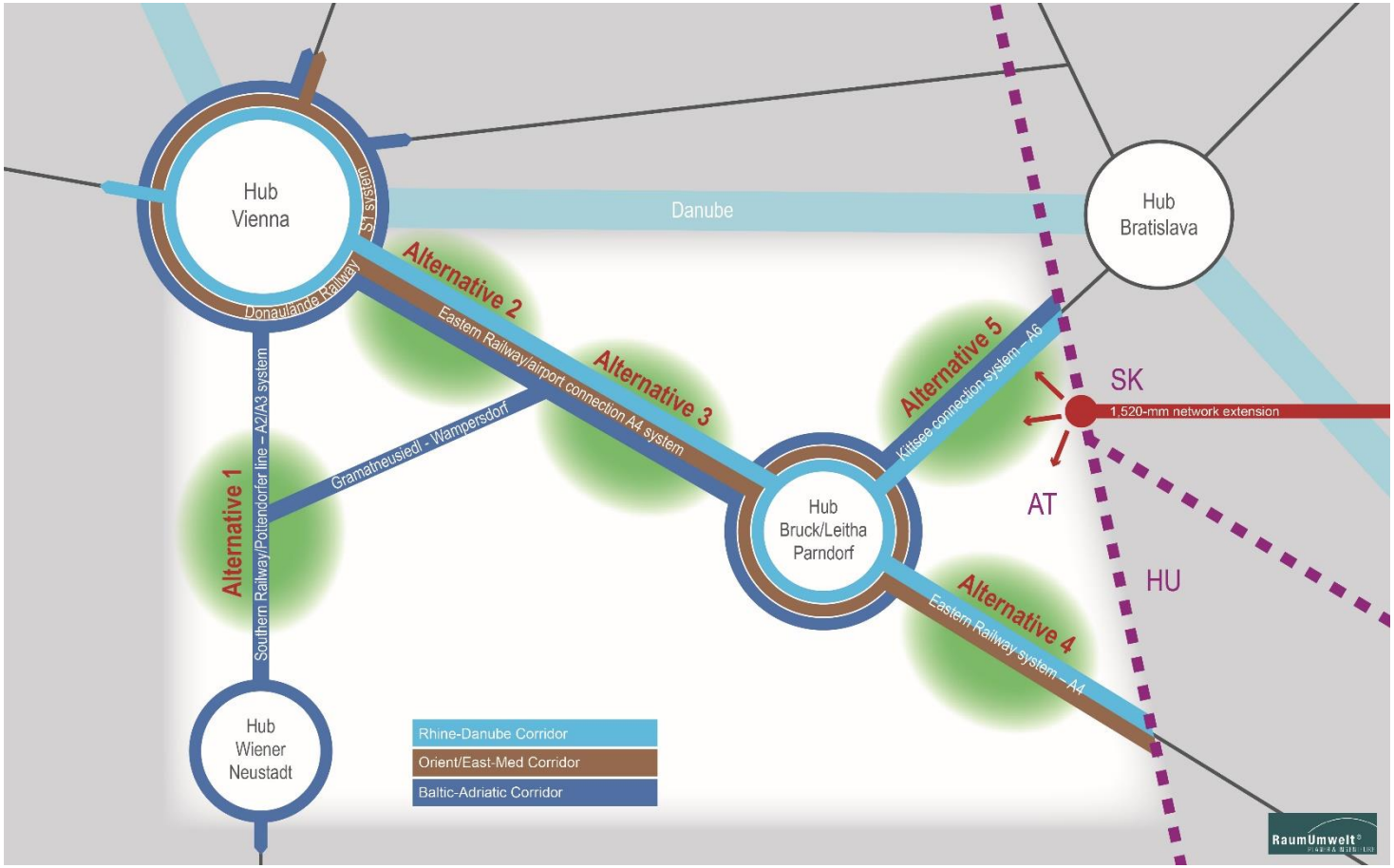
Success Factor # 2: Effective Guidelines

Guidelines require “strategic” alternatives assessment



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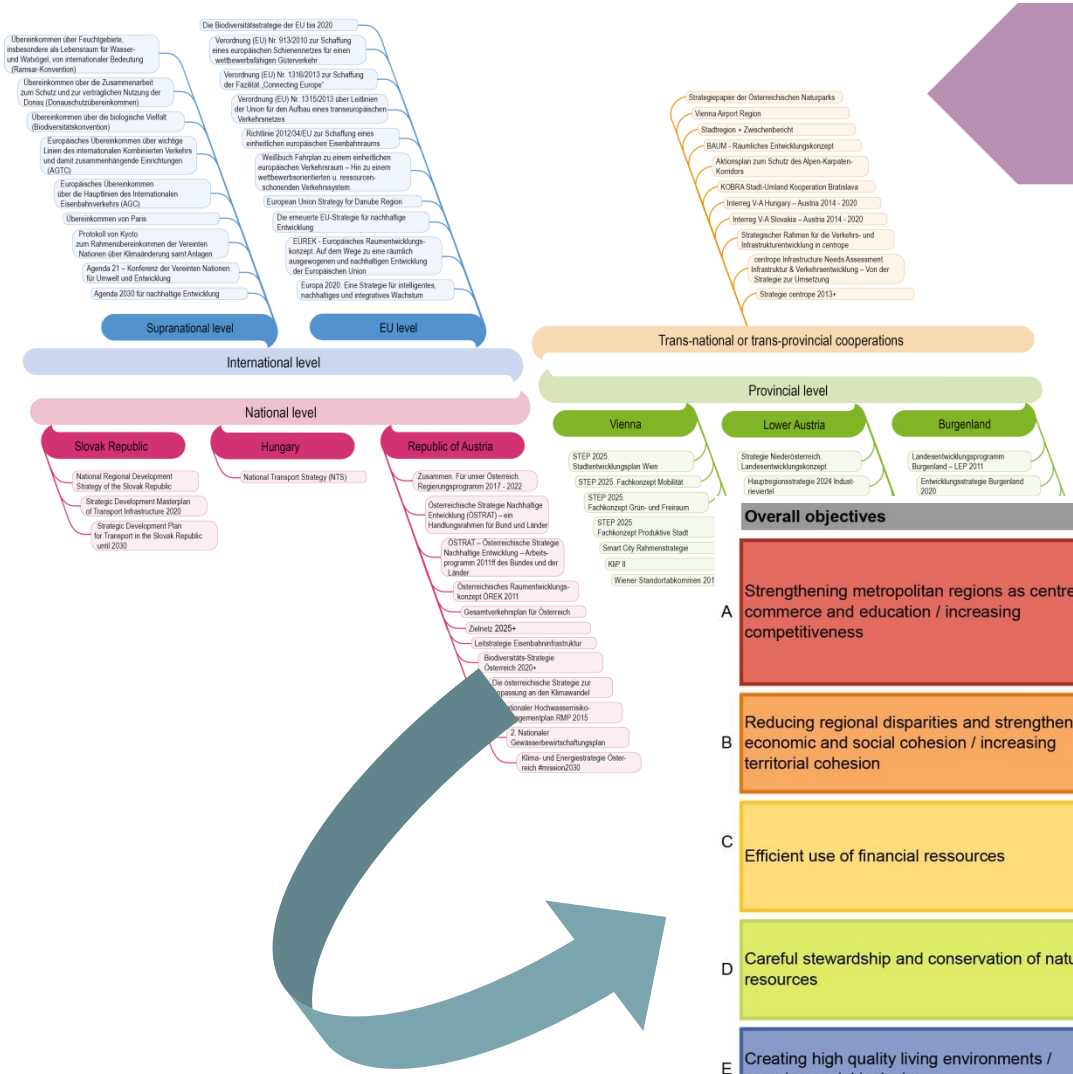
Success Factor # 2: Effective Guidelines

Guidelines require an evaluation framework which is generated from plans and programmes.



	Overall objectives		Sub-objectives
A	Strengthening metropolitan regions as centres for commerce and education / increasing competitiveness	A1	Integrating the transport network into a trans-european, multimodal transport system
		A2	Securing economic competitiveness and high quality locations within a global, interconnected economic system
		A3	Improving access to education, R&D and innovation centres
		A4	Improving connections between states
B	Reducing regional disparities and strengthening economic and social cohesion / increasing territorial cohesion	B1	Improving access and accessibility for passenger transport and commercial locations
		B2	Improving access to essential locations and central places
		B3	Strengthening economic regions and local economic cycles
C	Efficient use of financial ressources	C1	Developing cost-efficient, high performance transport systems
		C2	Providing needs-based transport infrastructure
		C3	Optimizing total expenditures for transport services
		C4	Securing systemic adequacy
D	Careful stewardship and conservation of natural resources	D1	Climate protection and energy efficiency
		D2	Conserving biodiversity
		D3	Protecting soil and water and their function as basis of human livelihood / reducing barriers, avoiding habitat fragmentation and soil sealing
E	Creating high quality living environments / securing social inclusion	E1	Reducing harmful immissions and increasing traffic security
		E2	Conserving cultural and natural heritage and preserving regional identity
		E3	Promoting social security and equality

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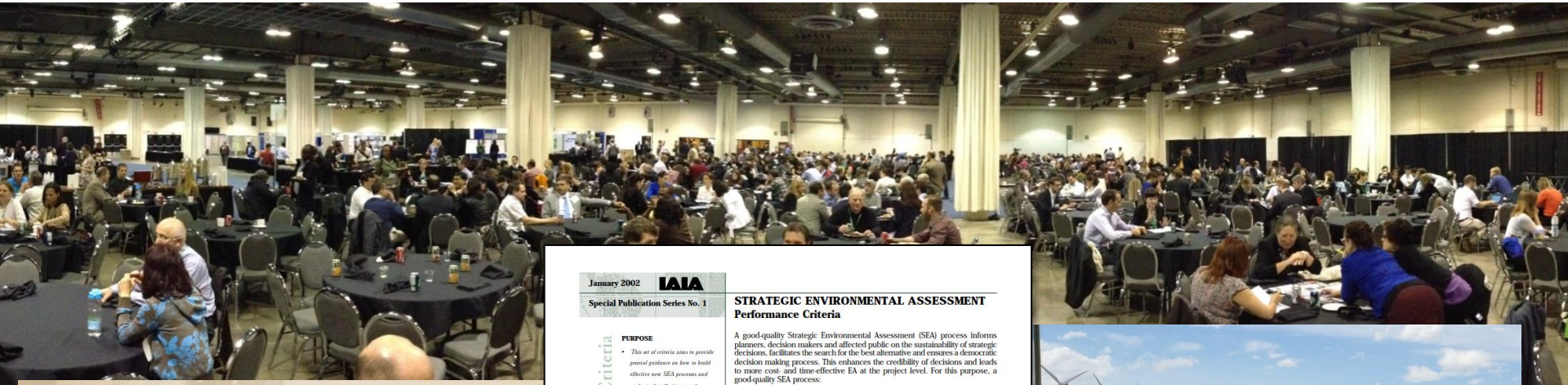
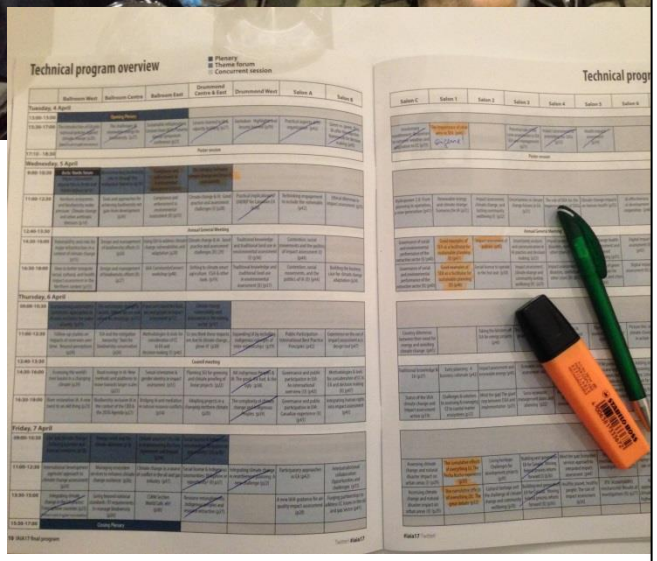
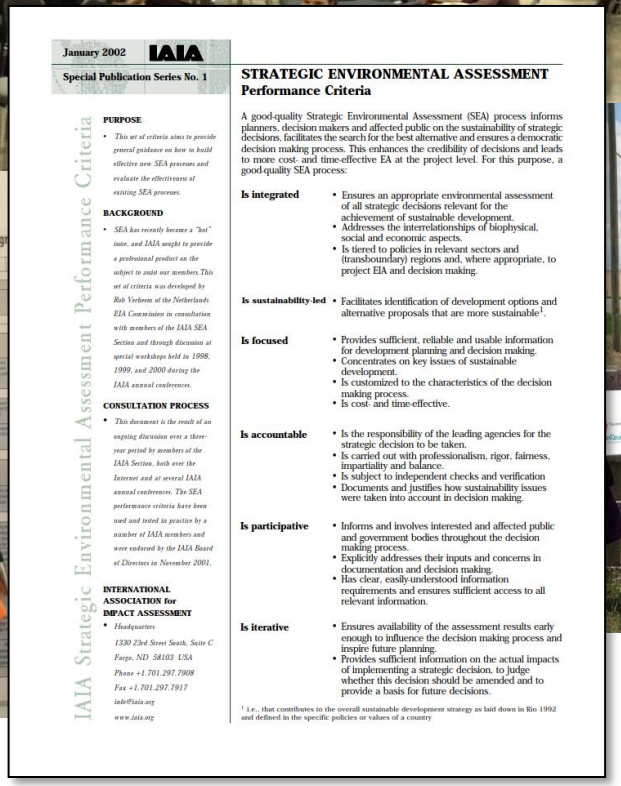
Success Factor # 3: Devoted Protagonists

But from where do we get our devotion?







January 2002 IAIA

Special Publication Series No. 1

IAIA Strategic Environmental Assessment Performance Criteria

PURPOSE

- *This set of criteria aims to provide general guidance on how to build effective new SEA processes and evaluate the effectiveness of existing SEA processes.*

BACKGROUND

- *SEA has recently become a "hot" issue, and IAIA sought to provide a professional product on the subject to assist our members.This set of criteria was developed by Rob Verheem of the Netherlands EIA Commission in consultation with members of the IAIA SEA Section and through discussion at special workshops held in 1998, 1999, and 2000 during the IAIA annual conferences.*

CONSULTATION PROCESS

- *This document is the result of an ongoing discussion over a three-year period by members of the IAIA Section, both over the Internet and at several IAIA annual conferences. The SEA performance criteria have been used and tested in practice by a number of IAIA members and were endorsed by the IAIA Board of Directors in November 2001.*

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STRATEGIC ENVIRONMENTAL ASSESSMENT
Performance Criteria

A good-quality Strategic Environmental Assessment (SEA) process informs planners, decision makers and affected public on the sustainability of strategic decisions, facilitates the search for the best alternative and ensures a democratic decision making process. This enhances the credibility of decisions and leads to more cost- and time-effective EA at the project level. For this purpose, a good-quality SEA process:

Is integrated
- Ensures an appropriate environmental assessment of all strategic decisions relevant for the achievement of sustainable development.
- Addresses the interrelationships of biophysical, social and economic aspects.
- Is tiered to policies in relevant sectors and (transboundary) regions and, where appropriate, to project EIA and decision making.

Is sustainability-led
- Facilitates identification of development options and alternative proposals that are more sustainable[1].

Is focused
- Provides sufficient, reliable and usable information for development planning and decision making.
- Concentrates on key issues of sustainable development.
- Is customized to the characteristics of the decision making process.
- Is cost- and time-effective.

Is accountable
- Is the responsibility of the leading agencies for the strategic decision to be taken.
- Is carried out with professionalism, rigor, fairness, impartiality and balance.
- Is subject to independent checks and verification
- Documents and justifies how sustainability issues were taken into account in decision making.

Is participative
- Informs and involves interested and affected public and government bodies throughout the decision making process.
- Explicitly addresses their inputs and concerns in documentation and decision making.
- Has clear, easily-understood information requirements and ensures sufficient access to all relevant information.

Is iterative
- Ensures availability of the assessment results early enough to influence the decision making process and inspire future planning.
- Provides sufficient information on the actual impacts of implementing a strategic decision, to judge whether this decision should be amended and to provide a basis for future decisions.

[1] i.e., that contributes to the overall sustainable development strategy as laid down in Rio 1992 and defined in the specific policies or values of a country

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