Consideration of environmental aspects in projects at German waterways

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The transport policy challenges become apparent in the forecasts for the current transport infrastructure planning in Germany. As a consequence of the economic and social development of Germany and Europe, the enlargement of the EU to the East as well as the globalisation of the markets, the demand for transport services will continue to increase.

The inland waterway mode as an indispensable element of the German and the European transport system will play an important part for mastering the traffic growth. For this purpose, the system waterway - vessel must be economically efficient and competitive.

In Germany the overall economic assessments carried out to determine the necessity and urgency of a project are the factors underlying the decisions on investments into the transport infrastructure. In this connection, environmental concerns have gained more and more in importance.

The environmental responsibility in connection with the realisation of waterway projects is no longer restricted to the limitation of emissions but covers to a high extent aspects of nature conservation and water management.

In order to take these new requirements into account, the federal transport infrastructure planning, designed at the strategic planning level, was revised in terms of an integrated transport policy. A key element of the work was the modernisation of the methodology of the overall economic assessment procedure. That means above all the strengthening of the ecological, regional planning and urban development components.

For the first time, Environmental Risk Assessments and Habitats Directive Assessments have been prepared for the road, rail and inland waterway transport modes. This early assessment of the environmental and nature conservation conflicts is an important contribution to minimise the procedural risks. This environmental risk assessment and the Habitats Directive assessment do not replace the by far more detailed environmental impact assessment and the Habitats Directive impact assessment during the subsequent planning process.

At the next planning level, extensive legal requirements governing water protection and nature conservation have to be considered for improvement and maintenance measures at federal waterways. As a rule, the abstract legal requirements are regularly operationalised for their practical application in the sector of the German Federal Waterways and Shipping Administration. Guidance material and instructions are to facilitate their efficient implementation for the persons responsible on the ground and are easy tools to optimise the procedures to follow.

The most essential guidance material for environmental issues in connection with federal waterways which has met with approval even beyond its actual scope of application is briefly described in the following.
With the entry into force of the Environmental Impact Assessment Act already, the Federal Ministry of Transport, Building and Housing has developed a set of rules for the handling of environmental impact assessments, oriented especially at the issues in connection with federal waterways. This set of rules also includes the *Guideline for the Performance of Environmental Impact Assessments at Federal Waterways*, issued in 1994 and is currently being revised.

The report “Environmental Impact of Inland Shipping and Waterway Development”, initiated by the European Conference of Ministers of Transport and designated as a reference paper for the workshop refers by way of example to this German guideline.

The Habitats Directive was implemented into German law in 1998. This made it also necessary to define the new requirements with regard to contents and form, especially for projects at federal waterways, which has now led to a *Guideline for the Performance of Habitats Directive Impact Assessments at Federal Waterways*. Up to now, a guideline elaborated for the sector of road construction has also been applied to the performance of Habitats Directive impact assessments for measures at federal waterways.

Further examples of such guidance material are:

- *Instructions for Consideration of Nature and Landscape Conservation in Connection with Maintenance Measures*,
- *Guidelines for Handling of Interactions in the Environmental Impact Assessment*,
- *Instructions for Handling of Dredged Material in Inland Waterways*,
- *Instructions for Handling of Dredged Material in Coastal Waterways*.

The aim of all this guidance material is to appropriately take environmental concerns into consideration in construction measures to be realised at federal waterways and to facilitate and shorten the procedural mechanisms.

At the moment, our main task is to bring the requirements of navigation into line with the objectives of the European Water Framework Directive. In Germany, the Federal States are responsible for the implementation of this directive. It is, however, also in the interest of the Federal Government to identify conflicts as early as possible and to find consensual solutions.

For all improvement and maintenance measures at the German waterways the significant water management objectives have to be taken into consideration. That means, the requirements of the European Water Framework Directive have to be included in the appraisal when deciding on maintenance and improvement measures. This does, however, not involve the extension of the competencies of the Federal Waterways and Shipping Administration.

Provided that the implementation of the European Water Framework Directive affects any administrative competencies of the Waterways and Shipping Administration of the Federal Government, the water management agencies have to obtain the approval of the waterways and shipping administration for programmes of measures and management plans.

Guidance material providing advice for the consideration of the requirements resulting from the implementation of the European Water Framework Directive, both for improvement and maintenance measures, are being prepared in the sphere of competence of the Federal Ministry of Transport, Building and Housing.
The *Guideline for the Performance of Environmental Impact Assessments at Federal Waterways* which is currently being revised will in the future also include the consideration of the European Waterway Framework Directive for new construction and improvement projects at federal waterways.

The “*Principles for the Technical Concept of the Maintenance of the Elbe between the Czech Republic and Geesthacht with Explanations*” which was co-ordinated with the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety show, taking the River Elbe as an example, how the issues of the European Waterway Framework Directive can be taken into consideration when performing maintenance measures at federal waterways. It is intended to apply this concept to further German waterways.

To sum it up, we can state that the results achieved in Germany are an important step towards the weighing and reconciliation of the various interests.

The special political challenge for the future is the balanced and sustainable reconciliation of interests between the requirements governing the use of inland navigation on the one hand and the water management and nature conservation interests on the other.

It is, therefore, of special importance to the Federal Ministry of Transport, Building and Housing:

- to guarantee the preconditions for an economically efficient and competitive navigation while at the same time taking environmental concerns into consideration,
- to extend the positive environmental effects of inland waterway vessels to communicate them to politicians and the public,
- to support the integration of the shipping interests into the different sectors of environmental policy,
- to promote the dialogue between the representatives of the shipping sector and the representatives of environmental protection at national and at European level.

In that respect, the results achieved in Germany are an important step towards the reconciliation of the various interests.