



**WSV.de**

Wasser- und  
Schifffahrtsverwaltung  
des Bundes

Generaldirektion Wasserstraßen und Schifffahrt  
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in advance via teletype

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Ihr Zeichen

Mein Zeichen  
3600P-141.5/8

Datum  
22. Juli 2015

## Flood Risk Management Plan for the Danube River Basin District

### Statement by Waterways and Shipping Directorate-General - branch office south

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To whom it may concern,

Thank you for extending the deadline by one month until 22 July 2015 for Public Participation.

I hereby would like to give a statement by order of the Waterways and Shipping Directorate-General – branch office south – regarding the draft Flood Risk Management Plan for the Danube River Basin District (version 4.5, 2015-05-28) published by International Commission for the Protection of the Danube River (ICPDR).

#### General remarks:

This statement does not replace the understanding in accordance with section 7 para. 4 read in conjunction with section 75 para. 1 sentence 2 Federal Water Act.

The Federal Waterways and Shipping Administration (WSV) is responsible for the operation, upgrading and construction of the federal waterways. This includes the maintenance of structures such as locks, weirs, bridges and ship lifts. One of our important tasks is to ensure smoothly flowing and safe shipping traffic.

Our leitmotif is: facilitate mobility and protect the environment! Therefore, in all our actions and activities, we take into account aspects of nature conservation as well as tourism.

Therefore, WSV is responsible for areas/measures which predominantly (or even thoroughly) serve public transport issues.

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Since the Federal waterway Danube is part of the Trans-European Transport Network (TEN-T), it has to be maintained and upgraded adequately.

Relevant purposes are confirmed by planning approval, permission or land use designation. Appropriate measures to enable or assure the intended function have to be continued and ensured for the common good. Vice versa, the designated use should not be endangered or hindered (grandfathering) by measures or regulations of any kind.

General, recurring maintenance works usually are no projects in terms of environmental law because these measures constantly (and similarly) restore the approved status. Generally, one can assume that such measures do not cause impairment of nature and landscape.

Responsible bodies or authorities of other measures at waterways have to respect their designated functionality as public transportation routes. The WSV has to take the necessary measures to ward off dangers as well as preventing dangers due to shipping in order to maintain the federal waterways in a condition required for unhampered navigation and to guarantee the safety and the smooth flow of traffic on the waterways. New construction and improvement measures, operation, maintenance and administration of waterways must not be worsened.

Therefore measures in accordance with the Flood Risk Management Directive on a federal waterway require the approval of the WSV.

### **Chapter 5.3.2**

Individual buildings of the WSV also contribute to flood protection or were built for federal waterway, in order to avoid adverse effects of flooding and to reduce the part of the expansion.

The traffic-maintenance of federal waterways in accordance with sections 7 and 8 Federal Waterways Act includes the maintenance of the buildings. The concrete form of maintenance of those buildings and the adaptation of these technical requirements are based on the specifications of the Federal Ministry of Transport and digital infrastructure (BMVI) under its own administrative rules and decrees.

As part of the traffic-related maintenance the relevant management objectives in accordance with sections 27 to 31 Federal Water Act are taken into account and more than a negligible impact on flood protection should be avoided.

In addition, the WSV maintains in accordance with section 35 Federal Waterways Act a water level and flood warning service, as far as is possible and reasonable.





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Annex 2:

Measures in accordance with the Flood Risk Management Directive on a federal waterway require the approval of the WSV, especially measures involving physical interventions to regulate flows, such as the construction, modification or removal of water retaining structures (e.g., dams or other on-line storage areas or development of existing flow regulation rules), and which have a significant impact on the hydrological regime.

Yours faithfully

by order of

Sabrina Betz