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In advance by e-mail with digital attachment
to the Espoo points of Contact in:

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04. April 2014

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Consultation in accordance with articles 4 and 5 of the Espoo Convention on Environmental Impact Assessment in a Transboundary Context and the EU Directive 2011/92/EU for the fixed link across the Fehmarnbelt

Consultation according to Article 8, 9a German EIA-Act (UVPG)

By letter of 21st June 2010 Germany notified your country according to Article 3 of the Espoo Convention of the project to construct and operate a fixed link across the Fehmarnbelt between Germany and Denmark crossing the Exclusive Economic Zone (EEZ) and the territorial waters of Germany and Denmark, respectively.

In this letter your country was kindly asked to indicate whether you intended to participate in the EIA procedure, submit comments concerning the scope for the assessment of the environmental impacts of the project on your EEZ and territory and submit any comments you might receive from the public in your country.



Germany received response from Finland, Denmark, Norway, Poland, and Sweden, who indicated their wish to participate in the EIA procedure. Germany has also received comments on the scope of the environmental impact assessment from these countries.

Estonia, Latvia and Lithuania have answered that they want to be informed.

The state-owned Danish company "Femern A/S" is appointed by the Danish Minister of Transport to be in charge of preparation, investigations and planning in relation to the establishment of a fixed link across the Fehmarnbelt.

For the German approval section of the fixed link (between Puttgarden and the national border between Germany and Denmark in the Baltic Sea) there are two applicants that apply for the combined approval of the plan for this tunnel-project in accordance with German national procedural acts. These two are the state-owned Danish company Femern A/S for the railwayplanning and the LBV-SH, Niederlassung Lübeck, (= State Authority for Road Construction and Transport Schleswig-Holstein, Regional Office Lübeck) for the roadplanning.

Because of the legislative and administrative differences in the requirements for an EIA documentation in Germany and Denmark, it had, as you know by the Danish consultation-letter of 28th June 2013, been decided to prepare two individual sets of EIA documentation, one for the Danish EIA procedure and one for the German EIA procedure. The Danish and the German EIA documentation are based on the same technical project description and on the same background material.

The applicants submitted an EIA-report for the Femern Belt Fixed Link Project to be used in the German national hearing procedure for the German section of the project.

The German national hearing procedure will take place in the period 5th May until 3rd July 2014. Just now German national authorities have been informed by letter on the opportunity to make their official statements.

According to German procedural rules the EIA-documentation has locally been announced and will be presented there to the German public from 5th May to 5th June 2014. The end of the objection period for the public is set by the expiration of the 3rd July 2014. All objections or comments that are not founded on special titles under private law are ruled out upon expiration of the set period. During the same period the German authorities have got the opportunity to submit their official statements.

All incoming statements, comments and objections will have firstly to be assessed by the applicants in order to prepare the German national hearing meetings that are conducted by the plan approval authority with participation of the applicants, the authorities, NGOs and private objectors. We will inform you in due time when the preparation work for the national procedural hearing meetings is done (prospectively in autumn 2014) so that you will have the chance to decide if you wish to take part in the hearings. Please let us know in advance because in this case we will have to provide interpreters.

To facilitate the transboundary consultation, a report containing the description of the Fehmarnbelt Fixed Link and the assessment of the potential environmental impacts has



been prepared consisting in the German non-technical summary of the German EIA-report (Annex 1) plus the excerpt of Chapter 3.6 – explanatory report – (Annex 2) in order to deliver further project information of relevance in accordance with the requirements of article 4 paragraph 2 and appendix II of the Espoo Convention, respectively article 9a paragraph 2 of the national German EIA Act.

./ This report is available in Polish, English and Danish.

According to article 8 and 9a of the German EIA Act (respectively art. 4 and 5 of the Espoo Convention) we kindly ask you to procure

- that the project is announced in a suitable manner on the basis of your national procedural rules for official announcements,
- that it is pointed out in your public announcement that in the transboundary procedure pursuant to Article 9 paragraph 1 of the German EIA Act all objections or comments that are not founded on special titles under private law are ruled out upon expiration of the set period which is in this case the **expiration of the 3rd July 2014** (see above),
- that your national authorities are informed on the opportunity to make an official statement.

The background reports which are the basis for the EIA-documentation for the German and the Danish EIA-report are available on the website www.femern.com.

In Germany, railway and road construction infrastructure projects have to be approved by the plan approval authority. The approval of the EIA for the Fehmarnbelt Fixed Link is included in the procedure.

Germany, respectively the German plan approval authority kindly asks you to collect all incoming objections or comments from your public and submit them together with the statements of your authorities no later than 10th July 2014.

Please send them to:

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With best regards


A. Gerhardt



In addition we would be grateful for an electronic copy of any message to the Federal Ministry for Environment that is the Point of Contact to the Espoo Convention in Germany:

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Enclosure: **Annex 1 and Annex 2 (paper-copy and CD)**