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

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Betriebssitz
Anhörungsbehörde u.
Planfeststellungsbehörde

Ihr Zeichen:
Ihre Nachricht vom:
Mein Zeichen: 409-622.228-16.1-1
Meine Nachricht vom: 1st September 2015

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24. June 2016

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Renewed 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, German approval section

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

By letter of 4th April 2014 Germany has started the transboundary consultation by consulting Finland, Denmark, Norway, Poland and Sweden, who had in the course of the notification procedure in June 2010 indicated their wish to participate in the EIA procedure for the German approval section of the fixed link whereas Estonia, Latvia and Lithuania only wanted to be informed.

Following up my last letter dated 1st September 2015 I would like to inform you that, as a result of the German national hearing procedure in 2014 and the hearing meetings in 2015, the applicants decided to update and modify their application papers for the German approval section of the tunnel. This also included a revision and modification of the Non-Technical Summary of the German EIA-report.

The applicants now have applied for a supplementary formal plan revision procedure and a second hearing period according to the German procedural rules which also requires a renewed transboundary consultation in accordance with the Espoo-Convention.

The German national plan revision procedure will take place in the period from 12th July to 26th August 2016. According to German procedural rules the EIA-documentation will locally be announced and will be presented to the German public from 12th July to 12th August 2016. The end of the objection period for the public is set by the expiration of the 26th August 2016. 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 on the modified application papers.

Once again all incoming written contributions (statements, comments and objections) will have to be assessed by the applicants in order to prepare a second phase of 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 so that you will have the chance to decide if you wish to take part in the hearing meetings. Please let us know in advance because in this case we will have to provide interpreters.

To facilitate this newly transboundary consultation, the previous consultation report consisting in the German non-technical summary of the German EIA-report (Annex 1) and the excerpt of section 3.6 – explanatory report – (Annex 2) has been updated and modified.

The report is available in Polish, English and Danish, as agreed on in 2014.

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 26th August 2016** (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, German approval section, is included in the plan approval procedure.

Germany, respectively the German plan approval authority, kindly asks you to collect all incoming objections or comments on the modified plan from your public and submit them together with the statements of your authorities no later than **30th September 2016**.

Please send them to: LBV-SH
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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 und Annex 2 (paper-copy and CD/DVD)**