

LBV-SH

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21. Juni 2010

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Notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context and Article 7 of the EU Directive 85/337/EEC for a fixed link across the Femarnbelt

As Party of Origin Germany hereby notifies, according to Article 3 of the Espoo Convention and Article 7 of the EU Directive 85/337/EEC, of the Danish project to construct and oper-

ate a fixed link across the Fehmarnbelt between Germany and Denmark crossing the Exclusive Economic Zone (EEZ) and the territorial waters of Germany and Denmark.

Germany and Denmark have signed a treaty on a fixed link across the Femarnbelt dated 3rd September 2008. The treaty has been ratified by both countries in 2009. Germany has transmitted a Circular Note regarding the Fixed Link across the Fehmarnbelt dated 14th January 2010 to you.

Denmark has established a company, Femern A/S, fully owned by the Danish Government in charge of the planning and design of the fixed link across Femarnbelt.

The Danish Parliament will decide on establishing a state-owned company in charge of the construction, financing and operation of the fixed link, in a future construction act. It is expected that the bill for the construction act will be presented in 2012.

The fixed link across the Fehmarnbelt shall be constructed between Puttgarden and Rødbyhavn. The distance between Puttgarden and Rødbyhavn is 19 km. The fixed link shall be constructed as a combined rail and road link consisting of an electrified, double-track railway and four-lane road with technical quality of a motorway.

Germany and Denmark regard themselves as Parties of Origin under the Espoo Convention as well as affected parties. All other Baltic Sea States, Finland, Sweden, Estonia, Latvia, Lithuania, Poland, Russia, and Norway as well are regarded as Affected Parties under the Espoo Convention.

The transboundary EIA procedure (environmental impact assessment procedure) will be carried out in accordance with the provisions of the Espoo Convention and as well as with the provisions of the EU Directive 85/337/EEC.

The Espoo Convention states that the concerned Parties shall ensure that the public in the areas likely to be affected is informed of and provided with possibilities for making comments or objections on the proposed activity and shall ensure the transmittal of these comments to the competent authority of the competent Party of origin (Articles 2.6 and 3.8 of the Espoo Convention).

Referring to Article 3.3 of the Espoo Convention, Germany kindly asks the addressed Parties to respond **by 6th September 2010** at the latest and

- acknowledge the receipt of the notification,
- indicate, whether your country intends to participate in the EIA procedure,
- provide comments concerning the scope for the assessment of the environmental impacts of the project on your EEZ and territory
- submit any comments you might receive from the public in your country

Subsequent to the notification, Femern A/S, plans to prepare an EIA documentation, which will then - according to the provisions of the Espoo Convention and the EU Directive 85/337/EEC - be sent by Germany to the Affected Parties, who have indicated their wish to participate in the environmental impact procedures.

Then the Affected Parties will have the opportunity for consultation of authorities and public participation (Article 4.1 and 4.2 of the Espoo Convention).

The LBV-SH (Landesbetrieb Straßenbau und Verkehr Schleswig-Holstein), Planfeststellungsbehörde = State Authority for Road Construction and Transport Schleswig-Holstein, Plan Approval Authority, is responsible for coordinating the activities related to the EIA.

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For your information, a scoping-hearing based on German law with the participation of Femern A/S, German authorities and German environmental NGOs will take place at the Kreishaus Ostholstein-Saal, Zimmer Nr. 242, Lübecker Straße 41, D-23701 Eutin, on 25th August 2010, starting at 09.30 A. M. The hearing will be conducted in German. If you wish so, you are kindly invited to participate.

Please, let us know **by 20th July 2010** if you want to participate in the German scoping-hearing and if interpretation into English is needed.

Kindly send the answer to this notification to:

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In addition we would be grateful for an electronic copy of any message to the Federal Ministry for Environment (matthias.sauer@bmu.bund.de).

Yours sincerely

Andrea Gerhardt

For more information about the project itself please contact:

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Enclosures/attachments:

For additional information please refer to the enclosed/attached documents

- Scoping-Report, June 2010
- Summary of the Scoping-Report, June 2010
- The Treaty signed 3rd September 2008
- Circular Note 14th January 2010

Mailing list:

Points of contact from: http://www.unece.org/env/eia/points_of_contact.htm

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