



To the Espoo Point of Contact in:

Finland
Germany
Norway
Poland
Sweden

Jura
Ref. THINI
Den 2. marts 2016

as participating parties in the Espoo procedure, and

Estonia
Latvia
Lithuania

as parties who wants to be informed according to the Espoo Convention

Information regarding the final Danish decision on the Fehmarnbelt Fixed Link project in accordance with Article 6 of the Espoo Convention

The Fehmarnbelt Fixed Link is an infrastructure project that requires approval in both Denmark and Germany. In Denmark, the infrastructure project has been approved by a law passed in the Danish Parliament in April 2015. In Germany, authorization for the establishment of a fixed link across the Fehmarnbelt will be granted on the basis of an administrative approval process. This process is not concluded.

Notification

In accordance with Article 3 of the Espoo Convention, Germany and Denmark on 21 June 2010 notified to the countries that were regarded as potentially affected parties. The notified countries were Sweden, Poland, Finland, Estonia, Latvia, Lithuania, the Russian Federation and Norway. In this step of the notification Germany and Denmark invited the notified countries to participate in the EIA procedure for the Fehmarnbelt Fixed Link. A proposal for the Scoping Report for the environmental investigation programme for the Fehmarnbelt Fixed Link (coast-to-coast) was included.

Responses were received from Estonia, Finland, Latvia, Lithuania, Norway, Poland and Sweden. Finland, Poland, Norway and Sweden responded that they wished to participate in the EIA documentation process and were therefore invited to participate in the Espoo consultation process.

The received comments are published on the Femern A/S website, www.femern.com and have been evaluated and taken into account by the Danish Ministry of Transport and Building and Femern A/S in consultation with the Danish Ministry of the Environment. The received comments are addressed in the Espoo report (Transboundary Environmental Impact Assessment, Fehmarnbelt Fixed Link (coast-coast) June 2013), which is also available on www.femern.com.

Consultation

The Danish Espoo Consultation of the Baltic Sea countries including Germany and Norway as potential affected Parties has been performed in accordance with the Espoo Convention during the period from 28 June to 4 October 2013.

To facilitate the transboundary consultation an Espoo report (Transboundary Environmental Impact Assessment, Fehmarnbelt Fixed Link (coast-coast) June 2013) containing the description of the Fehmarnbelt Fixed Link Project and the assessment of the potential transboundary environmental impacts, was prepared. The Espoo Report addresses all potential impacts, including cumulative impacts, in nearby countries around the Baltic Sea.

After carefully assessing all of the comments submitted in the public hearing a consultation response report (Espoo consultation response report October 2014) was prepared. The report constitutes and documents the result of the Danish Espoo Consultation Process of the transboundary environmental impact assessment (EIA) for the Fehmarnbelt Fixed Link performed by the Danish Ministry of Transport and the Danish Espoo Point of Contact, the Danish Nature Agency. The consultation response report was sent to the consulted affected Parties on 24 November 2014 by the Danish Nature Agency.

Final Danish decision

In Denmark, railway and motorway infrastructure projects can be approved by a law passed in the Danish Parliament. This is the case for the Fehmarnbelt Fixed Link project. The Act on construction and operation of a Fixed Link across the Fehmarnbelt and the hinterland connections in Denmark was passed by the Danish Parliament 28 April 2015. The final decision in relation to the Espoo Report in accordance with Article 6 of the Espoo Convention and the approval of the EIA for the Fehmarnbelt Fixed Link in Denmark was included in the legislative procedure in accordance with Article 1.4 of EU Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

According to article 6 of the Espoo Convention the Party of origin shall provide to the affected Party the final decision on the proposed activity along with the reasons and considerations on which it was based.

The Parties shall ensure that, in the final decision on the proposed activity, due account is taken of the outcome of the environmental impact assessment, including the environmental impact assessment documentation, as well as the comments thereon received pursuant to Article 3, paragraph 8 and Article 4, paragraph 2, and the outcome of the consultations as referred to in Article 5.

Enclosed please find a copy of the final Danish decision of the project in accordance to article 6 of the Espoo Convention: The Act on construction and operation of a Fixed Link across the Fehmarnbelt and the hinterland connections in Denmark passed by the Danish Parliament. Enclosed please also find a copy of the bill with explanatory notes containing the reasons and considerations on which the final decision is based.

For information only an unofficial courtesy translation into German and English of the Act on construction and operation of a Fixed Link across the Fehmarnbelt and the hinterland connections in Denmark, as well as the bill with explanatory notes, has been prepared. Enclosed

please find the translated documents. In the event of discrepancies between these translations and the original Danish version, the latter shall prevail.

When a German approval for the construction of a Fixed Link across the Fehmarnbelt is granted on the basis of an administrative approval process, the final German decision will be provided to the affected parties by the German authorities.

Best Regards,

Thilde Flindt
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Danish Ministry of Environment and Food
Nature Agency
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Denmark

Attachments:

- The Act on construction and operation of a Fixed Link across the Fehmarnbelt and the hinterland connections in Denmark (Danish original)
- The bill on construction and operation of a Fixed Link across the Fehmarnbelt and the hinterland connections in Denmark (Danish original)
- Translation into German and English of the Act on construction and operation of a Fixed Link across the Fehmarnbelt and the hinterland connections in Denmark (For information only)
- Translation into German and English of the bill on construction and operation of a Fixed Link across the Fehmarnbelt and the hinterland connections in Denmark (For information only).