

15 Transboundary environmental impact

The Federal Requirements Plan includes both projects within Germany's borders and projects that are close to or cross its borders. The possibility of projects close to or crossing borders having a significant environmental impact cannot be ruled out from the start.

Sections 54 to 63 of the Environmental Impact Assessment Act (UVPG) require that neighbouring countries are informed of any projects that could have a significant environmental impact on their territory and asked whether they wish to participate in the procedure. The relevant provisions of the UVPG primarily implement Articles 9 and 10 of the Act ratifying the Protocol of 21 May 2003 on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (Act ratifying the SEA Protocol) and the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention).

The Bundesnetzagentur is therefore informing neighbouring countries about the strategic environmental assessment (SEA) as part of the process of establishing requirements, as in previous years. The Federal Requirements Plan (annex to the Federal Requirements Plan Act – BBPlG) – for which this SEA is produced – contains projects that have been confirmed as necessary to meet energy supply requirements. Specific details concerning the construction or expansion (for example location and land use) of the grid facilities affected by the Federal Requirements Plan are decided on at later planning stages in the procedure. At the Federal Requirements Plan level, it is not possible to foresee which technology or which route a project will actually use.

Although determinations (pairs of points between which there is a need for grid expansion) are made in the Federal Requirements Plan, the specific environmental impact usually only becomes evident later in the planning process, when the project is more specific (route corridors, route, location of substations or converter stations). The environmental report thus only covers potential effects on Natura 2000 areas with a Natura 2000 assessment appropriate to the planning stage in accordance with section 36 sentence 1 para 2 and section 34(1) et seq of the Federal Nature Conservation Act (BNatSchG) (see section **Fehler! Verweisquelle konnte nicht gefunden werden.**). Focusing on the aim of the plan and the planning level, the Bundesnetzagentur initially only looks at whether and how likely it is that Natura 2000 areas located within the sub-areas under assessment could be affected. Whether there could actually be a significant impact on one or more Natura 2000 areas is only ascertained at the next planning levels, owing to the scale used and the fact that the specific area affected is not yet known. This is when the specific environmental impact for the corridors/routes that are developed by the responsible transmission system operators (TSOs) using the pairs of points from the Federal Requirements Plan is examined.

Later on in the procedure, once the BBPlG has been adopted, the countries are notified of the consent procedure for projects that are likely to have a significant environmental impact in this neighbouring country, or the affected neighbouring countries can request notification. If the neighbouring country then expresses a desire to participate in the procedure, the Bundesnetzagentur must carry out a transboundary participation. For the transboundary procedure, the participation of neighbouring

countries in the consent procedure takes place in close consultation with the respective neighbouring country.

The tables below show the BBPIG projects classed as transboundary as well as those included in the second draft of the Network Development Plan 2021-2035, in other words those that have one construction point of the assessment area on a national border and those measures and projects that are close to borders. Projects that are close to borders mean projects with an assessment area that touches the national border.

Table 1 : Transboundary projects:

No	Project	Project	Stage of procedure
M94b	P52	Point Neuravensburg – German border (Austria) (BBPIG No 40)	Federal sectoral planning procedure in preparation
M96	P74	Vöhringen – German border (Austria) (Not yet in BBPIG)	Preparatory work planning and consent procedures
M201	P112	Pleinting – German border (Austria) (BBPIG No 32)	Preparatory work planning and consent procedures
M380	P170	Uchtelfangen – Ens Dorf – German border (France) (Not yet in BBPIG)	Preparatory work planning and consent procedures
M387	P176	Eichstetten – German border (France) (BBPIG No 72)	Preparatory work planning and consent procedures
M430	P204	Tiengen – German border (Switzerland)	Not yet in BBPIG
M461a	P221	Sanitz/Dettmannsdorf – Sweden (Hansa PowerBridge II)	Not yet in BBPIG
M488	P313	Dahlem – German border (Belgium) (Not yet in BBPIG)	Preparatory work planning and consent procedures
M534	P328	Fedderwarden – UK (BBPIG No 80)	In/about to start planning approval procedure/consent procedure under Federal Immission Control Act (BImSchG)
M606	P406	Trier–Saarburg rural district – German border (Luxembourg) (BBPIG No 71)	Preparatory work planning and consent procedures
M741	P367	Emden/east – German border (Netherlands) (Eemshaven)	Not yet in BBPIG

No	Project	Project	Stage of procedure
M754	P505	Niederstedem – Bauler – German border (Luxembourg)	Not yet in BBPIG

Table 2: Projects close to borders:

No	Project	Project	Stage of procedure	Neighbouring countries likely to be affected
Projects already included in the BBPIG:				
DC25	DC25	Heide/west – Polsum (BBPIG No 48)	Preparatory work planning and consent procedures	Netherlands
M212	P112	Branch Pirach (BBPIG No 32)	Preparatory work planning and consent procedures	Austria
M417	P206	Herbertingen – Konstanz district – Beuren – Waldshut-Tiengen (BBPIG No 23)	Preparatory work planning and consent procedures	Switzerland
M491	P315	Hanekenfähr – Gronau (BBPIG No 63)	Preparatory work planning and consent procedures	Netherlands
M14	NOR-3-2	North Sea Cluster 3 – border corridor II – Hanekenfähr (BBPIG No 78)	Consent procedure begun	Netherlands, exclusive economic zone
M29	NOR-6-3	North Sea Cluster 6 – border corridor II – Hanekenfähr (BBPIG No 79)	Consent procedure begun	Netherlands, exclusive economic zone
M32	NOR-7-2	North Sea Cluster 7 – border corridor IV – Büttel (BBPIG No 80)	Project currently in award process	Exclusive economic zone
Projects not yet in the BBPIG:				

No	Project	Project	Stage of procedure	Neighbouring countries likely to be affected
M34	DC34	Ovelgönne/Rastede/Wiefelstede/Westerstede – Bürstadt	Not yet in BBPIG	Netherlands
M599	P355	Neuenhagen – Heinersdorf – Eisenhüttenstadt – Preilack	Not yet in BBPIG	Poland
M234	NOR–9–1	North Sea Cluster 9 – border corridor III – Unterweser	Preparatory work planning and consent procedures	Exclusive economic zone
M236	NOR–9–2	North Sea Cluster 9 – border corridor II – Friesland rural district/Wilhelmshaven town 2	Preparatory work planning and consent procedures	Exclusive economic zone
M231	NOR–10–1	North Sea Cluster 10 – border corridor III – Unterweser	Preparatory work planning and consent procedures	Exclusive economic zone
M39	NOR–11–1	North Sea Cluster 11 – border corridor II – Westerkappeln	Preparatory work planning and consent procedures	Netherlands, exclusive economic zone
M242	NOR–11–2	North Sea Cluster 11 – border corridor II – Wehrendorf	Preparatory work planning and consent procedures	Netherlands, exclusive economic zone
M243	NOR–12–1	North Sea Cluster 12 – border corridor III – Voerde/Wesel	Not yet in BBPIG	Netherlands, exclusive economic zone
M233	NOR–12–2	North Sea Cluster 12 – border corridor III – Ovelgönne/Rastede/Wiefelstede/Westerstede	Not yet in BBPIG	Exclusive economic zone
M43	NOR–13–1	North Sea Cluster 13 – border corridor V – Heide/west	Not yet in BBPIG	Exclusive economic zone
M248	NOR–x–1	North Sea Zone 4 – border corridor III – Ovelgönne/Rastede/Wiefelstede/Westerstede	Not yet in BBPIG	Exclusive economic zone
M73	OST–1–4	Baltic Sea Cluster 1 – border corridor I – Brünzow/Kemnitz	Preparatory work planning and consent procedures	Exclusive economic zone

For the projects in the Federal Requirements Plan, the federal sectoral planning/consent procedure usually first assesses whether the project is likely to have a significant impact on the environment in the neighbouring country. If a significant environmental impact is to be expected, the neighbouring countries will be informed of the result. They can also request to be informed, after which any further steps will be initiated in line with the UVPG.

For projects that come under the responsibility of the federal states, the responsible states will involve neighbouring countries in the procedure where necessary.