

NOTIFICATION TO AN AFFECTED PARTY OF A PROPOSED PLAN UNDER ARTICLE 10 OF THE PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT TO THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT	
General information on the plan or programme	
Name of the plan or programme	Draft maritime spatial plan for the German exclusive economic zone
Type and sector of plan or programme (e.g., local land-use plan, national energy strategy)	Federal Plan for German exclusive economic zone (EEZ)
Territorial coverage (e.g., regional, national)	German EEZ
Main content and purpose of the plan or programme (e.g., framework setting for projects, determination of use of land) and its links with other plans or programme	<p>The draft plan sets the framework for human activities in the German EEZ in the North Sea and Baltic Sea by means of spatial and textual designations, in particular for economic activities. The focus is on regulations for shipping, economic uses, research and marine nature protection. Sustainability with regard to ecological, economic and social concerns will be decisive in order to avoid exceeding the limits of the ecosystem's carrying capacity. The plan represents an essential overarching decision-making basis for the approval of projects and activities at sea, in particular for the construction of fixed infrastructure.</p> <p>The draft plan also takes into account the adjacent MSPs of the neighbouring countries as well as those of the German coastal seas.</p>
Whether the plan or programme is binding	Legally binding for German Government and decision making authorities; depending on specific content of the plan
Submitted documents	
Draft plan or programme	Draft maritime spatial plan
Environmental report	Environmental report on German EEZ for the North Sea Environmental report on German EEZ for The Baltic Sea
Other documents (with description)	-
Languages into which documents are or will be translated	German, English, Danish, Polish
Description of the decision-making procedure and of the strategic environmental assessment (SEA) procedure in the Party of origin	

Description of the phases of the planning procedure



Procedural steps

- National notification (June 2019)
- International notification (March 2020)
- National and international consultation of concept (three planning options) and draft of the framework for the environmental reports (SEA)
- National consultation of the draft of the maritime spatial plan and the environmental reports; 5 November 2020 end of comments period for national consultation
- 24. and 25. November 2020 national consultation meeting (online)
- Dezember 2020 – January 2021 International consultation, ESPOO process
- January 2021 international consultation meeting
- January to March 2021 inter-ministerial coordination of the plan
- Revision and finalisation of 2nd draft MSP until end of March 2021
- end of (national) commenting period second draft April 2021
- Further international consultation if necessary (until end of April)

	<ul style="list-style-type: none"> Q3 2021 Adoption of MSP
Legal basis for the planning procedure (quoting the regulation or other legal basis)	<ul style="list-style-type: none"> International law European law National law (e.g. Raumordnungsgesetz and Bundesnaturschutzgesetz)
Present phase of the planning procedure and of the SEA procedure	International consultation of the draft maritime spatial plan for the German EEZ and environmental reports (North Sea and Baltic Sea) for the Strategic Environmental Assessment
Time schedule of the foreseen continuation of the planning procedure and of the SEA procedure	Q3 2021
Information on the public participation process in the Party of origin	
Opportunities for the public to participate:	
Start and end dates for the public to provide comments on the environmental report and draft plan or programme	Start date: 4 December 2020 End date: 15 January 2021
How the public is informed of the public participation process	Website https://www.bsh.de/EN/TOPICS/Offshore/Maritime_spatial_planning/Revision/revision_node.html Blog with current information
Whether a public hearing is organised and, if so, when	27 January 2021 Online meeting
Expected time schedule for transmittal of comments and questions by the public of the affected Party on the draft plan or programme and on the full environmental report	15 January 2021
Affected Parties	
List of Parties to which notification has been sent	See list
Point of contact for the transboundary procedure	
Authority responsible for coordinating activities relating to the transboundary SEA	Official ESPOO contact: Ms. Alice KINNE Federal Ministry for the Environment, Nature Conservation and Nuclear Safety Division G I 2 Stresemannstraße 128-130 D-10117 BERLIN Telephone: +49 30 18 305 6437 E-mail: alice.kinne@bmu.bund.de
procedure: name, address, e-mail, telephone and fax numbers	Bundesamt für Seeschifffahrt und Hydrographie On behalf of Bundesministerium des Innern, für Bau und Heimat Bernhard-Nocht-Str. 78 20359 Hamburg Germany EingangOdM@bsh.de
Deadlines for response to the notification	

Deadline for responding to indicate whether the affected Party wishes to participate	15. January 2021
Deadline for transmission of comments on the draft plan or programme and the full environmental report by authorities of the affected Party (if different from above)	15. January 2021
Means of communication	
Means by which letters from the Party of origin are sent (e.g., e-mail, fax, post, via embassy)	e-mail: EingangOdM@bsh.de Bundesamt für Seeschifffahrt und Hydrographie On behalf of Bundesministerium des Innern, für Bau und Heimat Bernhard-Nocht-Str. 78 20359 Hamburg Germany
Means by which affected Parties are asked to send their letters	e-mail: EingangOdM@bsh.de Bundesamt fuer Seeschifffahrt und Hydrographie (BSH) Bernhard-Nocht-Str. 78 20359 Hamburg Germany On behalf of Bundesministerium des Innern, für Bau und Heimat

PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT TO THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

Article 10

TRANSBOUNDARY CONSULTATIONS

1. Where a Party of origin considers that the implementation of a plan or programme is likely to have significant transboundary environmental, including health, effects or where a Party likely to be significantly affected so requests, the Party of origin shall as early as possible before the adoption of the plan or programme notify the affected Party.

2. This notification shall contain, inter alia:

(a) The draft plan or programme and the environmental report including information on its possible transboundary environmental, including health, effects; and

(b) Information regarding the decision-making procedure, including an indication of a reasonable time schedule for the transmission of comments.

3. The affected Party shall, within the time specified in the notification, indicate to the Party of origin whether it wishes to enter into consultations before the adoption of the plan or programme and, if it so indicates, the Parties concerned shall enter into consultations concerning the likely transboundary environmental, including health, effects of implementing the plan or programme and the measures envisaged to prevent, reduce or mitigate adverse effects.

4. Where such consultations take place, the Parties concerned shall agree on detailed arrangements to ensure that the public concerned and the authorities referred to in article 9, paragraph 1, in the affected Party are informed and given an opportunity to forward their opinion on the draft plan or programme and the environmental report within a reasonable time frame.

SEA Resource Manual pag 90

A4.5.2 Possible practical arrangements

106. At the latest, transboundary effects may be identified during preparation of the environmental report, but if identified earlier then notification would best be begun earlier as well, during scoping; doing so may reduce delays in reaching the decision-making stage. However, such early notification would necessarily be informal, as the formal notification has to include, among other things, the environmental report. The following paragraphs provide additional suggestions on transboundary consultations, adapted from the EC Guide (paras. 7.26–7.29).