

For our Environment

7th Working Group on the Espoo Convention
and the SEA Protocol
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SEA in Germany

Basic information on SEA law - An introduction

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Environmental Assessments“
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Content

1. SEA in Germany – The Federal System
2. Federal Act on EIA and SEA of 2017
 - Field of application (plans with SEA)
 - SEA procedure
2. From plan to project - a tiered process

1. SEA in Germany – The Federal System

- Competencies for law-making and practical application of SEA

Federal level

- Sectoral law regulates SEA
- EIA/SEA Act as minimum standard
- Competent for plans of federal relevance

State level („Länder)

- Additional state law which amends federal law
- Competent authorities on state, regional or municipal level
- Planning procedure/SEA according to federal law and amending state law



1. Federal German Act on EIA/SEA of 2017

- Field of application (plans with SEA according to Annex 5)

Plans

federal competence (5 sectors)

- **Transport infrastructure**
➔ e.g. Federal Transport Infrastructure Plan
- **Energy grid onshore/offshore**
(extra high voltage energy grid)
➔ e.g. Federal Requirements Plan
- **Nuclear residuals storage**
- **Off-shore area**
(Spatial planning, Wind energy planning)
- **Action plan on nitrogen reduction**

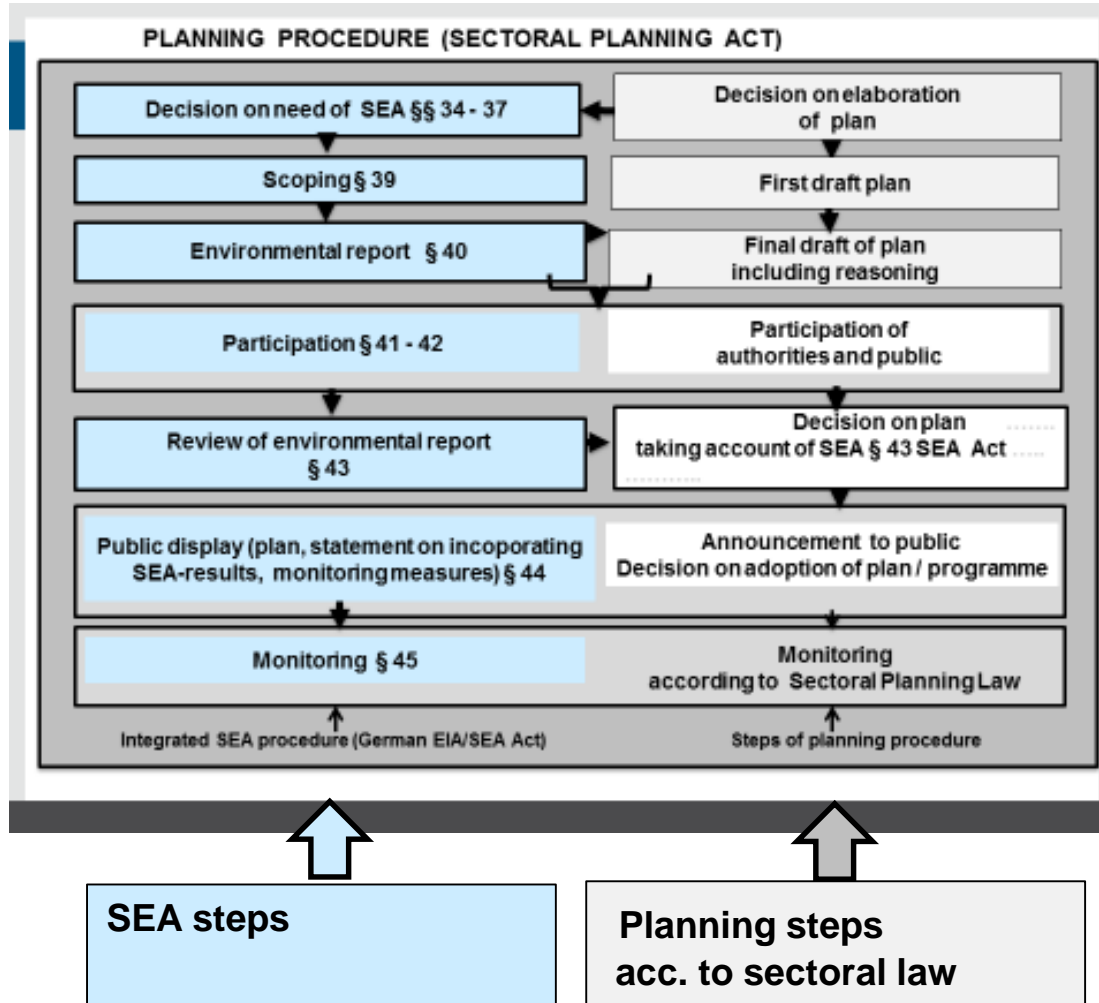
Plans

state and municipal competence

- **Spatial plans**
(state, region, municipality level)
- **Flood protection plans**
- **Water management plans**
- **Noise reduction plans**
- **Clean Air plans**
- **Waste management plans**
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-
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-

1. Federal German Act on EIA/SEA of 2017

- SEA procedure



Plans developed according to provisions of sectoral law

SEA fully integrated into planning process

→ one unique final decision on plan (approval of plan)

Figure: Planning process including SEA according to respective sectoral planning act

2. Federal German Act on EIA/SEA of 2017

- SEA procedure (2)

Decision on need of SEA § 34 - 37

Scoping § 39

Environmental report  § 40

Participation

- of environmental authorities § 41
- of public § 42

Review of environmental report in the light of any comments § 43

To be taken into account in the decision § 43

Public display (plan, reasoned conclusion on environmental impacts) § 44

Decision on elaboration of plan

- env. – health authorities - „must“
 - affected municipalities
 - environmental NGO´s
 - experts and others
- } „may“

Draft plan

time frame for comments:
„appropriate“, at least 1 month

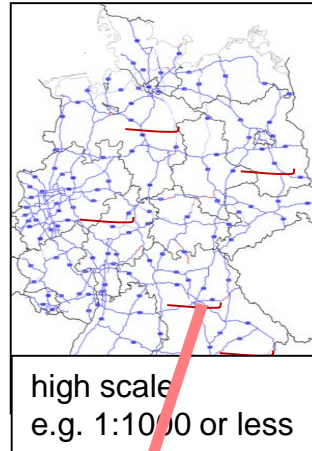
time frame for public display:
at least 1 month

time frame for comments:
at least 1 month after display

Decision on plan 

3. From plan to project - a tiered process

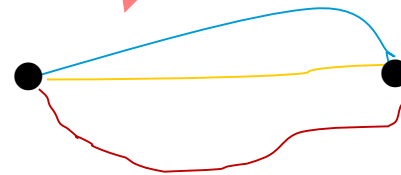
National plan
(national, SEA)



Is there a need for the project ?

„need“

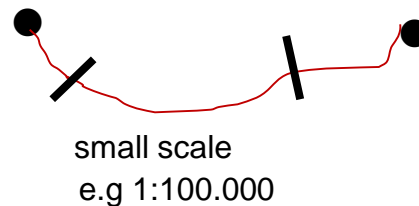
Route and alignment
determination (corridor)
(SEA or EIA)



What is the best route corridor within a wider area

„preferred route corridor“

Decision making
procedure (EIA)



Determination of final features of the project

„concrete route and technical details“

Thank you for your attention

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