

Environmental and Social Data Sheet

Overview

Project Name:	HOCHWASSER-UND KUESTENSCHUTZ NIEDERSACHSEN
Project Number:	2014-0123
Country:	Germany
Project Description:	Financing of investments into flood and coastal protection measures in the Federal State of Lower Saxony
EIA required:	Yes - multiple projects, EIAs will be submitted to the EIB when required.
Project included in Carbon Footprint Exercise ¹ :	NO

Summary of Environmental and Social Assessment, including key issues and overall conclusion and recommendation

The project is justified through the need to comply amongst others with the EU Water Framework Directive 2000/60/EC, the Marine Strategy Framework Directive 2008/56/EU, and the Flood Directive 2007/60/EC and to some lesser extend to allow continued compliance with the EU Urban Wastewater Treatment Directive 91/271/EC as amended by Directive 98/15/EC and the Water Framework Directive 20/60/EC.

The Flood Directive 2007/60/EC on the assessment and management of flood risks entered into force on 26 November 2007. This Directive requires Member States to assess if all water courses and coast lines are at risk from flooding, to map the flood extent and assets and humans at risk in these areas and to take adequate and coordinated measures to reduce this flood risk. The directive also reinforces the rights of the public to access this information and to have a say in the planning process. Germany has transposed the Flood Directive 2007/60/EC on 1 March 2010 into national law through part 6 of article 72 ff. of the Wasserhaushaltsgesetz. The implementation of the resulting measures is the responsibility of the Bundesländer. Consequently the present project will be implemented by the Niedersächsischer Landesbetrieb für Wasserwirtschaft Küsten- und Naturschutz (NLWKN) under the overall responsibility of the Ministry of Environment as the relevant super-ordinated line Ministry.

The project does falls under the Strategic Environmental Assessment (SEA) Directive 2001/42/CE. SEAs have been prepared as part of risk management assessment required under the flood directive and can be accessed via the website of the Lower Saxony Ministry of Environment.

Some of the sub-projects fall under Annex I or II of the Environmental Impact Assessment (EIA) Directive 2011/92/EU. The EIA study and the public consultation will be carried out in compliance with the Directive.

Some of the sub-project fall under the Habitats and Birds Directives (92/43/CEE and 79/409/EC), as there are several Natura 2000 sites in the vicinity of sub-projects.

The project is therefore acceptable for Bank financing.

The promoter undertaking is the following:

No EIB funds shall be used for sub-projects that require an EIA prior submitting the relevant information produced by the Competent Authority to the Bank.

¹ Only projects that meet the scope of the Pilot Exercise, as defined in the EIB draft Carbon Footprint Methodologies, are included, provided estimated emissions exceed the methodology thresholds: above 100,000 tons CO₂e/year absolute (gross) or 20,000 tons CO₂e/year relative (net) – both increases and savings.

Environmental and Social Assessment

Environmental Assessment

The project concerns the investment programme of the Federal State of Lower Saxony into flood and coastal protection works, quality improvements to surface water and groundwater and support to nature conservation activities from 2014 to 2017. More specifically the sub-projects concern the rehabilitation and raising of dykes, the creation of retention areas, specific investments in innovative wastewater treatment and groundwater protection.

Environmental permitting procedures are well established. Based on the SEA that has been prepared by the Lower Saxony Ministry of Environment and the risk management assessment carried out under the Flood Directive investments to achieve a higher degree of protection of coastal and major inland waterways have been published on the ministry's website: (http://www.umwelt.niedersachsen.de/service/umweltkarten/hochwasserrisikomanagementrichtlinie_hwrml/HWRM-RL-121914.html). The documents and maps prepared comply with the requirements of the flood directive.

In line with German legislation The Ministry does not implement projects itself but delegates detailed planning and implementation to either sub-ordinated state agencies like NLWKN or municipalities as appropriate. No construction permit can be issued without the appropriate environmental screening procedure or, if and when required, an EIA.

Many of the proposed sub-projects are close to or in Natura 2000 sites. None of these Natura 2000 sites will be significantly affected by the proposed sub-project. If and when required and in line with any EIA that may be required, compliance with the Habitats and Birds Directives (92/43/CEE and 79/409/EC) will be ensured.

It can be concluded that construction and operation of the project will result in no unacceptable negative impact on protected resources. The project as a whole can therefore be described as environmentally sound.

Climate Change

In the absence of reliable information but based on apparent hydrological trends dykes and other coastal and inland waterway protection facilities are being built with an 0.25m additional height in order to anticipate a rise in sea level over the next 50 years. Authorities regularly review this method and the resulting flat top up of 0.25m. For the time being and in absence of any better approach the method appears to be acceptable.

Social Assessment

Negative social impacts during construction, demolition or rehabilitation works include the disruption to services, noise, and temporary occupation of public or private space, traffic disruptions, and safety hazards. All these impacts will require project management measures to minimise the negative disturbances, inconveniences and impacts.

Positive social impacts will result from an increased level of protection from floods.

Public Consultation and Stakeholder Engagement

Public consultations were carried out throughout the preparation of the SEA and (flood) risk management assessments between 2010 and 2014.

All material is easily accessible to the public through the Ministry's website.