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Wasser- und  
Schifffahrtsverwaltung  
des Bundes

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**The draft Danube River Basin Management Plan  
Update 2015 Report**

**Statement by Waterways and Shipping Directorate-General - branch  
office south**

To whom it may concern,

Thank you for extending the deadline by one month until 22 July 2015 for Public Participation.

I hereby would like to give a statement by order of the Waterways and Shipping Directorate-General – branch office south – regarding the draft Danube River Basin Management Plan (version 2015-05-15) published by International Commission for the Protection of the Danube River (ICPDR).

**General remarks:**

This statement does not replace the understanding in accordance with section 7 para. 4 Federal Water Act.

The Federal Waterways and Shipping Administration (WSV) is responsible for the operation, upgrading and construction of the federal waterways. This includes the maintenance of structures such as locks, weirs, bridges and ship lifts. One of our important tasks is to ensure smoothly flowing and safe shipping traffic.

Our leitmotif is: facilitate mobility and protect the environment! Therefore, in all our actions and activities, we take into account aspects of nature conservation as well as tourism.

Therefore, WSV is responsible for areas/measures which predominantly (or even thoroughly) serve public transport issues.

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Since the Federal waterway Danube is part of the Trans-European Transport Network (TEN-T), it has to be maintained and upgraded adequately.

Relevant purposes are confirmed by planning approval, permission or land use designation. Appropriate measures to enable or assure the intended function have to be continued and ensured for the common good. Vice versa, the designated use should not be endangered or hindered (grandfathering) by measures or regulations of any kind.

General, recurring maintenance works usually are no projects in terms of environmental law because these measures constantly (and similarly) restore the approved status. Generally, one can assume that such measures do not cause impairment of nature and landscape.

Responsible bodies or authorities of other measures at waterways have to respect their designated functionality as public transportation routes. The WSV has to take the necessary measures to ward off dangers as well as preventing dangers due to shipping in order to maintain the federal waterways in a condition required for unhampered navigation and to guarantee the safety and the smooth flow of traffic on the waterways. New construction and improvement measures, operation, maintenance and administration of waterways must not be worsened.

Therefore measures in accordance with the Water Framework Directive on a federal waterway require the approval of the WSV.

The WSV is in accordance with section 34 para. 3 Federal Water Act committed for restoring the patency of dams in federal waterways, which the WSV built or managed, to the extent necessary to achieve the objectives for the Water Framework Directive. To this end the WSV has developed in exercising this responsibility a prioritization plan for the construction of fishways, which is constantly updated. It is also a sovereign task of the Federal Government.

**Chapter 2.1.4.4, Map 15 and Annex 5 Future infrastructure project:  
Development of Danube between Straubing and Vilshofen: waterway +  
flood protection**

Midyear 2014 the Federal government of Germany and the Free State of Bavaria have finally agreed upon the development of the Danube section from Straubing to Vilshofen based on an EU-funded study (for details and background see below).

That means upgrading the waterway solely with stream control measures according to Variant A (without a lock/dam) and improving the flood protection measures with regard to a 100-year event.

The section from Straubing to Vilshofen is again divided into two subsections, namely Straubing–Deggendorf (subsection 1) and Deggendorf–Vilshofen (subsection 2).



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Following time schedule has been conjointly concerted for both subsections.

Subsection 1:

11/2013 Scoping

09/2014 Initiation of planning approval procedure

01-03/2016 scheduled hearing

Subsection 2:

07/2015 scheduled Scoping

07/2017 projected initiation of approval procedure

The planning contains engineering and accompanying landscape management measures. The latter are based on ecological obligations to compensate unavoidable impacts by the plan. Hence, motivation are the responsibilities under environmental law and not a river basin development in terms of Water Framework Directive / Habitat and Bird Directive.

EU-funded study "Variant-independent investigation on the development of Danube waterway between Straubing and Vilshofen":

The Danube river section from Straubing to Vilshofen is a major bottleneck in the Trans-European Transport Network (TEN-T) regarding loaded draught and nautical difficulties.

For many years, possible packages of measures have been discussed to establish homogenous shipping transport conditions and to reduce the risk of naval accidents. While the rest of the German waterway has been adapted to a draught depth of 2.5 m almost all-the-year, several restrictions arise frequently due to alternating water levels in the (free flowing) section between Straubing and Vilshofen. The possible loaded draught between Straubing and Vilshofen is only 1.6 m in case of low water. On average, a draught value of 2.50 m is only available 144 days p.a. At the same time the existing flood prevention system has to be consistently enhanced up to a 100-year flood event in due consideration of the waterway development.

After many years of interdisciplinary studies and political negotiations on the possibilities for improving shipping conditions including flood control and implementation of a regional planning procedure, there was no agreement about the variant to be used. Finally two remaining development variants in discussion (variant A and variant C2.80) with different benefit and different impacts were pursued in the course of a EU-funded study, as part of Priority Project 18 (Waterway axis Rhine/Meuse-Main-Danube).

The study provides the competent bodies of the Federal Republic of Germany and the Federal State of Bavaria with all necessary elements of evidence for taking their decision on the development of the Danube waterway between Straubing and Vilshofen.

At the same time planning results for both variants are now available in great detail. Final planning approval documents could be based thereupon when a political decision is taken. Therefore, planning had to be executed in great



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detail (planning approval depth). All impacts and decision-related aspects, especially with regard to navigation, engineering, economic feasibility and environmental compatibility (regionally and globally), had to be assessed. The main objective was to provide a secure basis for an informed political decision, but explicitly without forestalling anything and without giving any recommendation.

Based on this study both the Federal government of Germany and the State of Bavaria decided that Variant A had to be chosen even though it does not guarantee equal conditions (requested draught 300 d/a).

**Map 9 Alteration of River Continuity for Fish Migration - Reference Situation 2015:**

I am sorry, but the map 9 can not being read very well. In the federal waterway Danube are the following barrages, which are managed by WSV: Barrages Bad Abbach, Regensburg, Geisling, Straubing and Kachlet.

In the boat alleys of the barrages Bad Abbach, Regensburg and Straubing are brush fishpass already been installed. The barrage Kachlet has a pool fish ladder. The effectiveness of the measures will be reviewed by monitoring. The barrage Geisling has no fishway.

**Map 32 Alterations of River Continuity for Fish Migration - Expected Improvements by 2021:**

According to current planning status is intended to restore the continuity of the barrages Geisling, Kachlet and Straubing in management period by 2021 by further measures. The Continuity of barrages Regensburg and Bad Abbach will be restored by 2027.

Yours faithfully

By order of

Sabrina Betz