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Consultation in accordance with Articles 4 and 5 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) for the Leirpollen waterway project in Tana, Norway

In a letter dated 15 June 2020, Norway invited Finland to join the consultation process for the Leirpollen waterway project and provided Finland with information on the project's EIA documentation. The Ministry of the Environment organised the public display of the EIA documentation and the other material received. The information and documentation was displayed in the municipality of Utsjoki and on the Ministry's website and was available for comment by both the authorities and the general public from 17 June to 14 August 2020. Seven comments were received. No comments were received from members of the public. The statements received are enclosed in their entirety.

Summary of the statements

The majority of the statements received note that carrying out extensive dredging in the River Tana delta during summer is problematic due to the potentially negative impacts on the local salmon and sea trout migrations. To minimise these negative impacts, especially those concerning the various salmon populations found in the Tana, the statements suggest that dredging should be carried out both periodically and in stages or, alternatively, in late summer. The project's EIA does not indicate whether dredging will be carried out continuously during the summer or intermittently throughout the project's implementation period.

The Ministry of Agriculture and Forestry notes that the impacts on salmon populations should have been examined in greater detail in the EIA, and that the risks related to dredging, including those concerning the timing and methods used, should have been assessed more specifically in order to minimise said impacts. For example, as the timing of the various salmon populations' migration up the Tana water system varies, it is possible that certain population(s) could be exposed to the dredging work and, consequently, be proportionately more negatively affected by the disruption caused. The Ministry finds that the EIA fails



to identify the ways in which the proposed dredging will affect the different salmon populations.

The Ministry of Agriculture and Forestry notes that a Finnish-Norwegian monitoring and research group records the status of the salmon populations in the Tana on a yearly basis. For monitoring purposes, data on different salmon populations and their characteristics, including migration times, has been collected in both countries. The Ministry is of the opinion that this data should be included in the project's EIA.

The Ministry also considers that the project should draw up a programme for monitoring its impacts on different fish populations, making it possible to investigate the effects on the management of migratory fish populations. A clear compilation of the numerous flow and turbidity measurements, as well as the sediment dispersion data, would also be useful.

The Centre for Economic Development, Transport and the Environment (ELY Centre) of Lapland finds that, from the perspective of water resources management, any effects extending to the Finnish side of the border would be associated with the negative impacts on the migration of the local salmon and sea trout populations. The ecological status of the lower reaches of the Tana on the Finnish side has been classified as 'high'. The status of the local fish stocks is also classified as 'high'. In the ELY Centre of Lapland's view, the project should be carried out in such a way as to ensure that the high ecological status of the Tana's lower reaches is not be put at risk.

The ELY Centre of Lapland highlights the fact that the EIA does not include a clear estimate or model showing the extent to which turbidity and/or noise will be caused in the area in which the dredging work will take place, and how these factors may potentially affect the migration behaviour of the local salmon and seatrout. The dredging site is located 1.5 to 2 kilometres to the north of the Tana delta, where the river bottom mainly consists of coarse sand. It may be assumed, however, that the turbidity caused during the work will mainly spread downstream towards the Tana Fjord and not affect the water quality on the Finnish side, upstream of the site.

In its capacity as a fisheries authority, the ELY Centre of Lapland considers that while data is available on the migration times of the different salmon populations in the Tana and their threatened status, this data has not been used in the EIA to assess how the adverse effects could be minimised. In the fisheries authority's view, the impact of dredging should be assessed separately for each salmon population in the Tana, and the best dredging times and practices should be identified in order to avoid the greatest risks.

The **Natural Resources Institute Finland** considers that the planned dredging work fully coincides with the migrations of both smolts and adult salmon. Extensive dredging, and the water turbidity and noise levels associated with it,



may have an adverse effect on salmon migration. The downstream migration of smolts is a critical stage in the salmon life cycle, and any disruptions to it may cause additional mortality and negatively impact on the different salmon populations in the Tana. The Natural Resources Institute notes that the status of some of the approximately 30 genetically different salmon populations in the Tana is currently estimated to be 'bad' and that all efforts should be made to avoid additional mortality among them.

In its statement, the Natural Resources Institute also proposes some corrections to Table 9-1 of the EIA report concerning the vulnerability of different species groups and the recommended timing of the dredging work.

In its statement, **the Sámi Parliament of Finland** assesses the project's impacts extending to Finland insofar as they may affect the cultural landscape of the Sámi in Finland and fishing as a traditional livelihood or otherwise infringe the rights of the Sámi to maintain and develop their language and culture. The Sámi Parliament views the physical, biological, and/or ecological impacts on fish migrating up the river, as well as the impacts on smolts migrating to the Arctic Ocean, and, in some respects, those on birds such as the bean goose, as the major impacts of the project on the Finnish side of the border.

As fishing in the Tana is one of the main traditional Sámi industries, the Sámi Parliament notes that maintaining viable stocks of Tana salmon, which can be fished sustainably, is particularly important for the culture of the Sámi living on the river. Similarly to other traditional Sámi industries, salmon fishing is associated with specific elements of the Sámi language. Consequently, securing the preconditions for salmon fishing is the only way to preserve these aspects of the Sámi language and the environment in which the language is used. Salmon fishing also plays an important role in passing on traditional knowledge from one generation to another. In addition, salmon fishing provides materials such as skins and vertebrae, which are used in Sámi crafts.

The Sámi Parliament of Finland notes that the Sámi Parliament of Norway issued a statement on the project on 31 July 2020 and on the planning procedures under way in Norway as a result of the project on 10 August 2020. The Sámi Parliament of Norway calls on the authorities to follow a precautionary principle when considering the project to improve the Leirpollen waterway and to refrain from utilising environmentally disruptive measures such as dredging and the disposal of dredge spoil. As justifications for these concerns, the Sámi Parliament of Norway cites the project's potential impacts on salmonids and the uncertainties associated with assessing these impacts, as well as the impacts on key practices of the Sámi culture in the Tana Fjord. The Sámi Parliament of Finland endorses the view expressed by the Sámi Parliament of Norway.

In its statement, **the Saami Council** objects to the proposed dredging project in the Leirpollen Fjord, as it may have dire consequences for the nature, ecosystem, and Sámi culture in the area. The Saami Council is particularly concerned about



the adverse impacts of dredging on the salmon population in the area. Salmon fishing in the Tana is an important industry for the Sámi and the foundation of the Sámi culture in the River Tana area. The Saami Council also finds that the noise caused by dredging may have negative impacts on reindeer husbandry in the area, especially if work is carried out during the calving season.

The Saami Council considers that the project's EIA has, in practice, completely failed to take into account the traditional knowledge of the Sámi. Additionally, the EIA does not sufficiently address the impacts of dredging on the ecosystems of the water bodies in the project area.

The Saami Council also notes that Tana River Delta Nature Reserve, which was designated a Ramsar Site in 2002, is located in the project area. The Leirpollen Fjord area is home to numerous bird species, some of which are endangered (including the ruff, bean goose, and velvet scoter). The Saami Council also draws attention to the fact that a Chinese-owned mining company, which operates in the Leirpollen Fjord area, is planning to expand its operations to the Varanger Peninsula nearby. In the view of the Saami Council, it would appear that the proposed dredging work in the Leirpollen Fjord fairway is linked to this expansion.

WWF Finland notes that Leirpollen Fjord is an area with highly important ecological value and that particular caution should be exercised in any human activity in this area. WWF Finland considers that the best way of carrying out the project would be option 0B, in which maintenance dredging would take place in the area every ten years in order to maintain the current minimum depth of 5.6 metres. WWF Finland finds that it would be practically impossible to carry out a more extensive dredging project without having significant impacts on either bird life or fish stocks.

In WWF Finland's view, a Finnish version of the risk analysis concerning the Leirpollen Fjord fairway (Madsen, C. S. Fjørtoft, H. Hassel, M. (2016) Risikoanalyse Innseiling Leirpollen) should have been attached to the EIA documents. In terms of the implementation of the project, it would be essential to know how vessel traffic in the area is expected to change over the coming year, among other things. Furthermore, the EIA should include additional information on the harms caused by the disposal of dredge spoil. In addition, WWF Finland raises the view whether the main purpose of the project is to expand mining operations in the area. However, this aspect is not raised in the EIA documents of the project.

On the basis of the comments received and in reflecting its own views **the Ministry of the Environment** would like to highlight the vulnerability of the ecosystem of the Tana River. Changes in sand eel populations may have wide-ranging effects on the ecosystem of the Tana area, and these effects are especially notable in relation to salmon stocks. The Ministry deems it important that follow-up studies and other monitoring methods be carried out to gather



information on the effects of dredging on sand eel, salmon and sea trout populations, and on the ecosystem as a whole.

Taking into consideration the importance of Tana River, Finland wishes to continue the consultations, and requests the following additional information, connected with the given comment, on

- the intended timing of dredging work
- measures to mitigate adverse effects of dredging
- monitoring programme and its possible extension to the Finnish side
- the project's impact on the Sámi culture

Finland also requests additional information how indigenous knowledge and local knowledge have been taken into account in the project (reference: Arctic Council 2019. Good Practice Recommendation for Environmental Impact Assessment and Public Participation in the Arctic).

The Ministry of the Environment wishes to bring the aforementioned statements received to the attention of Norway, for further consideration in the ongoing EIA procedure and in the granting of approval for the project. In the Ministry's view, it is especially important that consideration is given to the statements provided by the Sámi Parliament of Finland and the Saami Council regarding, for example, their concerns relating to the project's impact on Sámi culture and traditional sources of livelihood.

Permanent Secretary

Juhani Damski

Senior Specialist

Essi Römpötti

Enclosures

Statements received

For information (without enclosures)

Norwegian Coastal Administration (Kystverket)



The Ministry of Foreign Affairs

The Ministry of Agriculture and Forestry

Centre of Economic Development, Transport and the Environment of Lapland

The Sámi Parliament of Finland