



To the points of contact for the Espoo Convention
in: Germany, Sweden and the Russian Federation
as per the enclosed list

Consultation in accordance with Articles 4 and 5 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) for the Nord Stream 2 gas pipeline

Finland has received Nord Stream 2 AG's EIA documentation "Espoo Report and Espoo Atlas" from Germany, Sweden and the Russian Federation and has been given an opportunity as an affected Party to the Espoo Convention to comment on it by 30 June 2017. According to Finland's Act on Environmental Impact Assessment Procedure, the Ministry of the Environment is the competent authority for the Espoo Convention; therefore, the Ministry is responsible for coordinating Finland's reply in accordance with the procedure of the Espoo Convention.

A notification in accordance with the Espoo Convention concerning the project was given on 8 April 2013. In Finland's answer to this notification an indication of willingness to participate in the EIA procedures of Denmark, Germany, Sweden and the Russian Federation was presented (letter dated 14 June 2013). Included with the notification were a description of the project and the intended assessment of transboundary and environmental impacts (Nord Stream, Project Information Document, March 2013). Finland provided comments on this document in a separate letter (16 July 2013).

The Espoo Report and Espoo Atlas were put on public display and authorities and the public were given the opportunity to provide comments on the material from 7 April 2017 to 5 June 2017. During this same period, it was also possible to provide comments on the Finnish national EIA Report. Three information meetings were held to introduce the results of the EIA of the project: in the city of Kotka (3 May 2017), the city of Helsinki (9 May 2017) and the city of Hanko (10 May 2017). Altogether comments on the transboundary impacts were received from 15 authorities and other bodies. A summary of these is included here. The comments are also enclosed in their entirety; most of them are in Finnish, some are in English and one is in Swedish and besides comments on transboundary impacts statements also include comments on the Finnish national EIA Report.

The Ministry of the Environment wishes to bring the comments given to the attention of Germany, Sweden and the Russian Federation to take into consideration in the ongoing EIA procedure and in the permitting of the project.

Ministry of Agriculture and Forestry The Ministry of Agriculture and Forestry states that all legislation concerning the Baltic Sea and all the environmental agreements, programmes and guidelines that have been agreed or are under preparation should be taken into account during the Nord Stream 2 Gas Pipeline project. However, the Ministry states that most of these are addressed in the Espoo Report. The Ministry of Agriculture and Forestry states al-

so that in decision-making regarding the route of the pipeline the negative impacts on fish, fishery and marine mammals have to be considered.

Finnish Environment Institute. The Finnish Environment Institute concludes that the construction of the gas pipeline from Russia to Germany is an extensive project, which can have an impact on a wide area in the Baltic Sea. The Institute notes that munitions clearance operations in Russia have been estimated to cause negligible impacts on water quality and bathymetry in the Finnish marine areas. This estimation is based partly on the assumption that it is unlikely that munitions will be encountered close to the Finnish–Russian border. The estimation seems realistic, as long as the background assumptions are correct and the munitions clearance operations are carried out as planned. The Institute states that construction activities should be scheduled so that no harm will be caused to migrating birds and ringed seals in the area of the Kurgalsky Peninsula. Furthermore, technical solutions for reducing noise levels should be sought to minimise the impacts of underwater noise.

Finnish Meteorological Institute. The Finnish Meteorological Institute draws attention to the risk of oil spills during the construction phase and littering of the sea. The Institute notes that the Baltic Sea is a small but complex sea area; therefore, during the construction phase, particular attention must be paid to ensuring that no harmful substances end up in the Baltic Sea.

Geological Survey of Finland. The Geological Survey of Finland considers that the Nord Stream 2 Gas Pipeline project is not expected to cause transboundary impacts from the dispersal of sediments. The Geological Survey states that the EIA and Espoo Report address to a suitable extent topics concerning the geological parameters of the seabed.

Metsähallitus (State-owned enterprise responsible for the management of state-owned forests and water areas). Metsähallitus is concerned about the planned route of the pipelines and the impacts of the Nord Stream 2 Gas Pipeline project on ringed seals in the Gulf of Finland. Metsähallitus is pleased that the seals have been taken into account in the timing of the construction work. However, Metsähallitus states that the underwater noise caused by construction work and munitions clearance remains a major risk, especially for the ringed seal population of the Gulf of Finland. Metsähallitus considers that the project, if carried out as planned, puts the seal population of the Gulf of Finland at risk of decline.

National Board of Antiquities. According to the National Board of Antiquities, cultural heritage sites are physical landmarks or areas which are found in a certain restricted area. Conservation or research activities directed at them does not cause actual transboundary impacts. The Espoo Report gives general information about cultural heritage. The National Board of Antiquities states that the Espoo Report has fulfilled its purpose in this regard and it does not have any remarks about the Report.

City of Helsinki. The City of Helsinki notes that Finland should take into account the planned route of the pipelines in the conservation area of the Kurgalsky Peninsula. The City of Helsinki recommends that the alternatives to the pipeline route should be considered. If this is not possible, further assessments of mitigation and compensation measures should be done.

Municipality of Lemland (Åland). The Municipality of Lemland states that the project involves both direct and indirect environmental impacts on the sensitive marine environment during the construction and operational phases. The Municipality of Lemland also points out that the project means that fossil fuel consumption increases at the expense of renewable en-

ergy sources and that the project involves a greater dependence on energy from Russia. Lemland is concerned about a greater military presence in the neighbouring region of the project. Furthermore, the municipality notes that the project does not overall support sustainable social development.

WWF Finland. WWF Finland does not support the Nord Stream 2 Gas Pipeline project, but rather would like to remind European countries about the climate pledges given under the Paris Agreement and encourages European countries to use climate-friendly energy that is based on renewable resources. In addition, WWF Finland is particularly concerned that the planned route of the pipelines passes through a valuable area of the Kurgalsky Peninsula. This area contains both a wetland conservation area under the Ramsar Convention and a marine protected area under the Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area.

Uusimaa District Organisation of the Finnish Association for Nature Conservation. The Uusimaa District Organisation of the Finnish Association for Nature Conservation considers that the planned route of the pipelines in Russia is problematic, because the route passes through the Kurgalsky Peninsula, where conservation areas listed under the Ramsar and HELCOM conventions are located. The Kurgalsky region is also relevant in terms of the Finland–Russia green belt. Therefore, the Uusimaa District Organisation states that the alternatives to the planned route and also mitigation and compensation measures should be further examined and considered. In addition, the Uusimaa District Organisation notes that the new harbour porpoise conservation area in Sweden should be taken into account during the Nord Stream 2 Gas Pipeline project.

Port of Helsinki, Ltd. Port of Helsinki, Ltd notes that the EIA was conducted in an appropriate manner, except with regard to the impacts on the anchoring areas during an emergency. Limitations on anchoring during emergency situations should be clearly marked on the nautical charts.

Finnish Association of Professional Fishermen. The Finnish Association of Professional Fishermen is concerned about the impacts of the Nord Stream 2 Gas Pipeline project on commercial fisheries. The planned second pipeline will create more free spans between the pipes and therefore increases the risk of accidents. Fishing vessels (trawlers) have to be very careful when they cross the pipelines or they have to try to avoid the pipelines entirely. As the pipeline area expands, fishing in the Baltic Sea will become more difficult. The Finnish Association of Professional Fishermen notes that fishing grounds can change depending on the fish stocks and the fishing quotas, so it is not possible to state unequivocally where the main fishing grounds will be located in the Baltic Sea.

Federation of Finnish Fisheries Association. The Federation of Finnish Fisheries Association notes that a survey of commercial fishermen shows that the planned pipeline runs through commonly used trawling areas. Therefore, the Nord Stream 2 Gas Pipeline project has an effect on the fishermen's livelihood. Fishermen should get full compensation for any loss caused by the project. The construction phase must be carried out in such a way that damage is minimised.

Greenpeace Nordic, ClientEarth Prawniczy dla Ziemi, (a foundation registered in Poland).

The statements of Greenpeace Nordic and ClientEarth Prawniczy dla Ziemi are consistent in their content. Greenpeace Nordic and ClientEarth Prawniczy dla Ziemi state their firm oppo-

sition to the Nord Stream 2 Gas Pipeline project and to any decision that brings its construction closer to completion.

Greenpeace Nordic and ClientEarth Prawnicy dla Ziemi consider that the NS2 project will have serious adverse implications for the environment of the countries in the Baltic Sea basin, and that these serious implications have not been taken into account sufficiently in the EIA Report and in the Espoo Report. They are concerned about the impact of the project on the Natura 2000 sites and the lack of an appropriate Natura 2000 assessment. They note that the EIA Report lacks an analysis of the indirect effects on climate and air quality. Furthermore, they consider that the planned route through the Kurgalsky Peninsula is problematic. In addition, they state that approval of the project will constitute a violation of the Marine Strategy Framework Directive, because it will make it more difficult to attain or maintain a good environmental status of the waters of the Baltic Sea.

On the basis of the comments received, and reflecting its own views, the Ministry of the Environment would like to state that protection of the Baltic Sea is one of the top environmental priorities of the Government of Finland. It is evident from the scientific data and from field observations that the state of the Baltic Sea is alarming. Human activities in both the entire catchment area and the sea area have increased and this imposes lots of pressure on the Baltic's ecosystems. Finland is committed to achieving good status of its marine waters in accordance with the EU Marine Strategy Framework Directive and the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention). The planned construction of the Nord Stream 2 gas pipeline from Russia to Germany is a major project. Finland considers it vital that it is ensured that the project will not cause adverse effects on the state of the Baltic Sea as a whole or on a regional or local level.

The Ministry of the Environment considers that in general the overall data and knowledge basis for the environmental impact assessment of the project is rather good because of the monitoring data collected from the existing Nord Stream pipeline. Based on the monitoring data, it can also be indicated that the transboundary environmental impacts caused by the existing Nord Stream pipeline have been minor. On the other hand, the seabed underlying the proposed route of the Nord Stream 2 pipeline is less favourable than for the existing Nord Stream pipeline since more intervention work on the seabed is needed, e.g. dredging and rock placement. This could lead to greater environmental impacts.

The EIA considered two options for the pipeline route in Russian waters along the southern coast of the Gulf of Finland. The Narva Bay alternative was found to be the preferred option by the developer. It is mentioned in the Espoo Report that detailed discussion and an assessment of alternatives are included in the Russian EIA and in an Assessment of Alternatives report that will be available for public viewing as part of the national procedure. Finland would appreciate receiving the detailed discussion and the assessment of alternatives mentioned for information.

This preferred route crosses the southern section of the regional Kurgalsky nature reserve. The nature reserve is a wetland of international importance, i.e. a Ramsar site, and is included on the list of Baltic Sea areas protected under HELCOM (Marine Protected Area). The nearby Important Bird and Biodiversity Area (IBA) of the Kurgalsky Peninsula is one of the most important staging and feeding areas for waterfowl, including Arctic goose species, in the Gulf of Finland. A main migration route over the Baltic for migratory Arctic wetland bird species crosses this region. Furthermore, the Kurgalsky Peninsula forms an important resting area for the endangered Baltic ringed seal in the Gulf of Finland. Construction in the

water near the Kurgalsky Peninsula also can have indirect effects on the seal population, for example, by affecting the spawning habitats of fish preyed on by the seals.

Finland considers it important that, in accordance with Article 6 of the Espoo Convention, in the final decision on the proposed project and its route in the Russian waters, due account is taken of the outcome of the environmental impact assessment, including the environmental impact assessment documentation, as well as the comments received and the outcome of the consultations. Finland also considers it important that the scheduling of the construction work is done in a way that seals and migratory birds are not exposed to harmful effects.

At the 2013 HELCOM Ministerial Meeting, the Ministers, in the Declaration of their meeting, paid attention to the ringed seal whose population is severely depleted in the Gulf of Finland and agreed to protect the seal. Concerning the protection of the eastern population of the endangered ringed seal in the Gulf of Finland, construction work during winter time should not be carried out. Ringed seals depend on the ice cover, especially during the pupping and moulting seasons. Pups are born in lairs on the pack ice in late February to early March and after that moulting takes place from mid-April to the beginning of May.

The detonation of underwater munitions should be avoided due to the harmful effects on ringed seals' hearing, foraging behaviour and stress levels and consequently on their fitness and overall survival in the Gulf of Finland. Underwater explosions are one of the strongest sources of anthropogenic noise and the sound can travel great distances. Possible detonations of wartime munitions will also cause dispersal of seabed sediments and thus increase the environmental load in the Baltic Sea.

The developer should demonstrate its commitment to alternatives to detonation and other mitigation measures and must confirm before any clearance activities that there are no marine mammals, large shoals of fish or diving birds within reach of the impact. If there is a need to use explosives, none should be used during the time periods mentioned above, and none should be used in important foraging areas for ringed seals. To mitigate the effects of explosions, the most effective mitigation measures for protecting marine mammals seems to be the presence of marine mammal observers and use of acoustic deterrent devices to establish safety zones. Bubble curtains can also significantly reduce the risk of injury to the fish that seals feed on. Further mitigation measures to consider include reducing blasting activities to an absolute minimum, and in those situations where blasting cannot be avoided, to use small focused charges. The suitability of different mitigation measures must be investigated. Furthermore, technical solutions to reduce noise levels should be found to minimise the impacts of underwater noise during the construction work (rock placement, munition clearance) and also during the operational phases of the pipeline because of similar harmful effects.

Information on munitions found in Russian waters is not included in the material provided. Finland requests that information be provided on mitigation measures to be used in munitions clearance and that data be provided on the locations where the proposed detonations of munitions in Russian waters will be carried out in the vicinity of the border.

For the critically endangered Baltic Sea harbour porpoise, all underwater construction work, including that which produces noise, can have negative effects. Especially work near the Midsjöbanken area should be avoided, because this area is highly important for the protection of the Baltic Sea harbour porpoise population.

In the vicinity of the proposed pipeline route there are several important Natura 2000 sites designated as Special Protection Areas (SPA) and Sites of Community Interest (SCI)/ Special Area of Conservation (SAC) by Germany and Sweden. These sites have a special importance beyond national borders throughout the Baltic Sea since they are key wintering and staging sites for a large variety of waterfowl, sea birds and waders. This whole area is also the most important part of the Baltic Sea for the harbour porpoise population. Finland emphasises the importance of appropriate Natura 2000 assessments and of the mitigation measures presented in the EIA and underlines the need to take them fully into account in the permit procedures.

Because of its brackish conditions, the diversity of fish in the Baltic Sea is low but the sea supports a number of species of commercial and conservation interest. Impacts on Baltic Sea fish stocks and fisheries from the construction and operation of the pipeline are one of Finland's concerns regarding the project. The impacts from the presence of vessels and safety zones around construction, inspection and maintenance vessels are assessed to be negligible but the presence of pipeline structures can have some impacts on commercial fisheries.

The Ministry of the Environment considers that if the project is implemented the monitoring of the impacts related to construction and operation is important and should be done according to the same principles as with the existing Nord Stream pipeline. Transboundary impacts must also be monitored. In addition, monitoring should include verification of the environmental impact assessment. The results of monitoring should be shared with all Baltic Sea countries.

Finland requests that the complimentary material be provided that is referred to in the text. Finland would like to reserve the possibility to comment on this additional material after it has been provided.

Permanent Secretary


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Enclosure

Comments given on the transboundary impacts

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