



Vides pārraudzības valsts birojs
Environment State Bureau of the Republic of Latvia

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

Environment State Bureau (hereinafter referred to as Bureau), acting as a competent authority in the field of environmental impact assessment (hereinafter referred to as EIA) in the Republic of Latvia (hereinafter referred to as Latvia) would like to thank Denmark for sending EIA documentation regarding the development project Nord Stream 2. Having previously received EIA documentation regarding Nord Stream 2 project from other parties of origin, Latvia has sent a letter containing comments to Sweden, Germany, Finland and Russian Federation on June 30, 2017. After receiving the letter of consultations from Denmark, information about the project and its EIA documentation was repeatedly distributed to relevant ministries, environmental institutions and society.

Nord Stream 2 is a project which intends to build and operate a new twin pipeline through the Baltic Sea, in order to transport natural gas from Russian Federation to the European Union's internal gas market. Since the provisional pipeline route is not situated in the territorial waters or EEZ of Latvia as well as this route and discussed marine alternatives are not in the direct vicinity of these waters, possible direct impacts to Latvia are comparably less severe than those identified in the countries of origin. Nevertheless, taking into account the size and nature of proposed project, the potential environmental impacts during construction and operation phases as well as potential emergency situations, Latvian experts have carefully evaluated the EIA documentation with particular focus on the potential impacts to Latvia, in order to ensure that the principle of environmental integrity is fully upheld.

Latvia has drawn the attention of the project developers to the issues of its particular interest with a letter of Bureau on 18 June, 2013. For the reason EIA of the first development project Nord Stream 1 was carried out in previous years - many of the concerns in relation to the scope and scale of the project have already been addressed through extensive public and transboundary consultation efforts. Nevertheless attention was drawn to several significant issues that shall be addressed in sufficient depths:

- a) the possible impact of the gas pipe line on fishery, including the impacts on fish, their spawn grounds and food resources, pollution transfer, restrictions concerning construction and operation;
- b) potential incidents and domino effects of potential gas pipe line accidents including mutual and connected risk and accident aspects in relation to already existing infrastructure during construction and operation;
- c) the aspects of possible future developments of the gas pipeline, - probability, plans and conditions for possible construction of side connections and connection lines; whether they are planned, technically possible and what are the estimated impacts on the environment.

Having assessed the EIA documentation we conclude that most of the issues raised by Latvia have been addressed satisfactorily in the report. According to results of the study, there is no high concern regarding possible transboundary pollution or other impacts on Latvian territorial waters or EEZ. Nevertheless we draw your attention to several important aspects regarding transboundary impacts and their assessment, that we hold an opinion should still be considered prior to the project acceptance and development:

1. EIA report concludes that Latvia shares EEZ borders with Sweden and could thus be subject to transboundary impacts arising from activities in Sweden (the closest distance from the Latvian EEZ to the Nord Stream 2 alignment is approximately 25 km). The report also states that although there is a potential for the release of sediment into the water column (and the associated spread of contaminants/sedimentation) and generation of underwater noise within Swedish waters as a result of seabed intervention works, the large distances between these activities in Swedish waters and the Latvian EEZ is such that no transboundary impacts have been identified. Our opinion is that even if the disturbance of sediments during the construction of the pipeline is not planned in the territory or vicinity of Latvia, the release of toxic substances from sediments into the water column, their transportation and accumulation into marine organisms and food chains causes overall concern because of the possible impact scale and long-term effects in the Baltic region. Therefore, the evaluation, prevention and monitoring of these threats should be done in a way that strongly ensures that the realization of the project will not bear any accountable contamination and health risk for living organisms including human.
2. Another separate issue with great importance is the establishing and ensuring of early warning system for accidents, awareness and possibility of rescue services in the case of emergency to deal with potential accidents. Environmental vulnerability mapping and ranking has been carried out as a part of the project "*Sub-regional risk of spill of oil and hazardous substances in the Baltic Sea (BRISK)*". Maps covering environmental vulnerability in relation to oil spills have been determined and drift simulations were carried out to determine the likelihood of an area being contaminated by spilled oil. We conclude that even though with low probability, the simulation of the probability of oil after two days shows, that to some extent oil spills can reach Latvian waters. We agree that the HELCOM countries have adopted a recommendation on the development of national ability to respond to accidental spills of oil and other harmful substances. The specified response times for combating oil spills are that within six hours the spill location shall be reached in the response region of the respective country; an adequate and substantial on-site response action must be implemented within 12 hours; countermeasures against a spill of oil or hazardous substances should be initiated within two days. Nevertheless we consider that EIA report should not only refer to these provisions, but should also contain a notification model or chart, identifying the actions and time frames in state of an emergency for notification of responsible institutions in the affected countries.

3. We consider it is crucial to use dynamically positioned vessels during the building stage to diminish necessity for mine blasting and possible impacts of anchoring in the territory where mine risk is high. It is of utmost importance especially taking into consideration several places in the Baltic Sea, where mines or chemical ammunition objects are found during investigations, which asks for very precise laying of pipeline to avoid unnecessary additional accidents. It is necessary to find best compromise between necessity to ensure safe laying of pipeline by blasting or removing dangerous objects (founded in the vicinity of pipeline route) and the negative effects of blasting as such. Necessary mitigation measures before and during blasting have to be ensured to minimize the possible negative effects.
4. We remain precautionous that during construction of the Nod Stream 2 pipeline the historical chemical munitions dumping sites may be affected. It is important that specific measures are envisaged in order to ensure that construction of the pipeline will not affect the historical chemical munitions dumping sites and, consequently, will not produce destructive environmental impact. It is also important that in case such impact occurs, full liability of the damages is taken and the losses of various entities, engaged in the activities in the Baltic Sea as well as in damage liquidation, shall be compensated. Necessary conservation measures for chemical munitions dumping sites in the provisional pipeline route should be assessed.
5. In order to achieve a safe and smooth supply chain, the Nord Stream 2 project plans on using onshore facilities comprising two weight coating plants in Kotka, Finland, and Mukran, Germany, and four pipe storage yards located in Finland, Sweden and Germany. However, as stated in the EIA report, - the logistics concept is subject to further optimisation, and the possibility to use the Freeport of Ventspils in Latvia as an additional pipe storage yard is being considered. It was concluded in the public meeting that was held in Riga on 6th of June 2017, that the use the Freeport of Ventspils in Latvia is no longer being considered, because it does not meet the necessary criteria required for the involvement in the Nord Stream 2 project. We kindly ask the project developers to amend the EIA report accordingly and to remove references to Freeport of Ventspils from the text of EIA documentation.
6. EIA documentation shall be developed, discussed and consulted as well as final decision taken in a fully transparent and objective manner, ensuring involvement of various stakeholders, among them nongovernmental organizations and environmental institutions. EIA documentation and final decision shall contain information on clear mechanisms how members of the public concerned can have access to a judicial review procedure and principle of access to justice shall be ensured throughout the respective procedures.

Concluding the assessment, Latvia expresses deep concerns that Nord Stream 2 project is not in line with the objectives of European Union set in the field of diversification of energy sources, as well as aims in the field of measures against climate change.

We kindly ask to take into account our comments and make necessary amendments in EIA documentation prior development consent is given and project is realized. We also kindly ask you to submit the final EIA report and to keep us informed about the further developments in EIA process.

Please, submit the final EIA report to Espoo focal point of the Republic of Latvia:

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