



To points of contact for Espoo Convention in:

Estonia, Finland, Germany, Latvia, Lithuania,
Poland, Russian Federation and Sweden
as per the enclosed list

Landskab og Skov

Ref. KAAPE

Den 9. oktober 2018

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 – Northwestern route in Denmark

In a letter dated 8 April 2013 Denmark notified your country, in accordance with Article 3 of the Espoo Convention, of the project by Nord Stream AG, at the moment Nord Stream 2 AG, to construct and operate a natural gas pipeline through the Baltic Sea linking Russia and Germany and crossing the sea area of Finland, Sweden and Denmark.

The letter stated that the gas pipeline project could be found as item 8 (large-diameter oil and gas pipe-lines) on the list of activities in Appendix I to the Espoo Convention that are likely to cause significant adverse transboundary environmental impact. Thus, an environmental impact assessment procedure had to be performed according to the Convention.

In this procedure, Germany, Denmark, Sweden and Finland considered themselves as Parties of Origin under the Convention. The Russian Federation is a signatory, but not a Party, to the Espoo Convention. However, Russia has acted and will continue to act as a Party of Origin in so far as it is possible according to its legislation. All nine Baltic Sea states, including Estonia, Latvia, Lithuania and Poland, were regarded as Affected Parties under the Espoo Convention.

In the letter your country was kindly asked to indicate whether you intended to participate in the EIA procedure, provide comments concerning the scope of the assessment of the environmental impacts of the project on your EEZ and territory, and submit any comments you might receive from the public in your country.

Denmark received your response where you indicated your wish to participate in the EIA procedure. The comments given by the Parties during the notification phase have been forwarded to Denmark's competent EIA authority.

For your information an Espoo consultation concerning a southeastern route crossing the territorial waters and EEZ of Denmark was conducted June – September 2017. On the 1 of January 2018 a new law entered into force in Denmark. The law covers amongst other transit pipeline projects, thereby also including the Nord Stream 2 project. According to the new law, a permit for a

transit pipeline project crossing Danish territorial waters cannot be issued, unless the project, in addition to the environmental and safety assessment, is compatible with Danish foreign, security and defense policy interests. As a result the Nord Stream 2 southeastern route in Denmark must be assessed with its compatibility with Danish foreign, security and defense policy interests before an eventual permit based on the environmental and safety assessment can be issued. The case process of this application and the EIA is at an advanced stage. There is no requirement for transit pipelines not entering Danish territorial waters to be compatible with Danish foreign, security and defense policy interests hence there is no requirement for an assessment of such.

The developer (the Nord Stream 2 AG) submitted an application and the relevant EIA-documentation for a northwestern route crossing the Danish EEZ August 10th 2018. Documents relevant for the transboundary environmental impact assessment, e.g. an assessment of the transboundary environmental impact from Denmark into other countries, a Non-Technical Summary, a Construction Permit Application Summary and a draft permit has been translated into your country's national language and English. As indicated in the letter of 8 April 2013, Denmark hereby – in accordance with the provisions of the Espoo Convention – sends the above mentioned assessment documentation to you in order to give you the opportunity for consultations and public participation (Articles 4 and 5). In annex 1 you can find information on the decisions and permits concerning transit gas pipelines to be established on the Danish continental shelf.

Denmark, as the Party of Origin would like to draw your attention to the obligation of the concerned parties to arrange for distribution of the documentation to the authorities and the public in the areas likely to be affected.

For your information, the general public, NGOs and the authorities in Denmark are entitled to comment on the EIA documentation from October 17th until December 12th 2018. A public information meeting with the participation of the Danish EIA-authority and the developer will take place at 5 PM on November 14th 2018 at the Hotel GSH in Rønne, Bornholm. The public information meeting will mainly be conducted in Danish with a possibility for English translation.

Denmark kindly asks you to submit your comments **no later than December 19th 2018** and to:

- provide comments concerning the assessment of the environmental impacts of the project affecting your country from Denmark,
- submit any comments you might receive from the public and the authorities in your country, and
- indicate preferably already before December 19th 2018 if you see a need for additional consultations.

Please send your comments to

Environmental Protection Agency
Ministry of the Environment and Food of Denmark

Karin Anette Pedersen
Haraldsgade 53, DK-2100 København Østerbro, Denmark
E-mail: kaape@mst.dk

Yours sincerely,



Karin Anette Pedersen

EIA documentation

1. Nord Stream 2 - Non-Technical Summary – Environmental Impact Assessment, Denmark, North-Western Route. August 2018.
2. Nord Stream 2 - Transboundary Impacts – Environmental Impact Assessment, Denmark, North-Western Route. August 2018.
3. Nord Stream 2 – Construction Permit Application Summary, Denmark North-Western Route. August 2018
4. “Draft Permit for Nord Stream 2 natural gas pipelines” – North-Western Route.

Item 1- 4, documents relevant for the transboundary environmental impact assessment, can be downloaded from the Danish Energy Agency’s website <https://ens.dk/ansvarsomraader/olie-gas/offentliggoerelser-om-olie-gas/vvm-redegoerelsen-NS2-NV> in your country’s national language, Danish and English. The documentation is also provided to you from the Danish Energy Agency on a memory stick (USB) in English and your country’s national language. You will also receive the paper version directly from Nord Stream 2 AG on behalf of Denmark in English and your national language. The link to the Danish Energy’s website will first be activated October 17th 2018 9 a.m.

5. Environmental Impact Assessment, Denmark. Nord Stream 2 – North-Western Route. August 2018.
6. Atlas - Environmental Impact Assessment, Denmark – North-Western Route – Nord Stream 2. August 2018.

Item 5 – 6 which focuses on impacts within Denmark can be downloaded from the Danish Energy’s website <https://ens.dk/ansvarsomraader/olie-gas/offentliggoerelser-om-olie-gas/vvm-redegoerelsen-NS2-NV> in Danish and English. The link to the Danish Energy’s website will first be activated October 17th 2018 9 a.m.

7. Background paper “Detailed Maritime Assessment of NW pipeline routeing in Danish EEZ – SSPA”. August 2018.

8. Background paper “Nord Stream 2 - Offshore Pipeline Detail Design”. March 2018.
9. Background paper “Pipeline Construction Risk Assessment – including North of Bornholm option”. August 2018.

Item 7 – 9 can be downloaded from the Danish Energy’s website <https://ens.dk/ansvarsomraader/olie-gas/offentliggoerelser-om-olie-gas/vvm-redegoerelsen-NS2-NV> in English. The link to the Danish Energy’s website will first be activated October 17th 2018 9 a.m.

For more information about the project and the EIA

Developer

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EIA competent authority in Denmark

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ANNEX 1 - Main decisions and permits concerning transit gas pipelines to be established on the Danish continental shelf.

The main permits issued in the statutory permit granting procedure:

- Permit for the laying of the pipeline on the continental shelf (Construction permit), including acceptance of the environmental impact assessment, cf. Section 4 of the Danish Consolidated Act no. 1189 of September 21 2018 on the Continental Shelf and Section 2 (1) of Executive Order no. 1520 of December 15 2017.
- Operating permit for the pipeline, cf. Section 2 (1) of Executive Order no. 1520 of December 15 2017.

After completion of the authorisation process, it may still be necessary to obtain permits or approvals that are not essential as to whether the project can be undertaken.

Application and EIA

Before the Danish Energy Agency can issue a permit, an Environment Impact Assessment (EIA) must be conducted, if the project concerns the installation of pipelines for the transport of gas, oil or chemicals with a diameter of more than 800 mm and a length of more than 40 km. The EIA report is part of the documentation required in connection with the examination of the application and is drawn up by the developer. The EIA report contains impact assessments under the Habitat Directive and the Birds Directive, etc. When the EIA report is prepared, the Danish Energy Agency carries out a public consultation, which lasts a minimum of 8 weeks. With regard to the Nord Stream 2 project North-Western Route the public consultation starts October 17th 2018 and ends December 19th 2018. When the consultation period has ended and the comments from the public participation have been assessed, the EIA process is completed.

Based on the application and the results of the public consultation as well as possible responses from neighbouring countries, the Danish Energy Agency will decide whether a permit can be granted and which terms and conditions should be imposed in the permit. This decision will be published and can be appealed by anyone with a significant and individual interest in the decision. Local and national organisations can appeal the decision with regard to environmental issues. Any appeals must be submitted no later than 4 weeks after issuance of the permit to the Energy Board of Appeal, Toldboden 2, DK-8800 Viborg.

The installation of the pipeline cannot start before 4 weeks after the (Construction permit) of the pipeline has been made public.

Laying down and operation of the pipeline on the Danish continental shelf cannot commence before a permit has been issued by the Danish Energy Agency, cf. Section 4 of the Danish Consolidated Act no. 1189 of September 21 2018 on the Continental Shelf and Section 2 (1) of Executive Order no. 1520 of December 15 2017.