



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 8. maj 2019

### **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 project – South-Eastern 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.

#### Information concerning different routes / applications in Denmark

#### **1 Route South-East of Bornholm in territorial waters and on the continental shelf**

On April 3, 2017, the Danish Energy Agency received an application from Nord Stream 2 AG for permission to construct transit pipelines in the territorial waters and on the continental shelf southeast of Bornholm. Public consultation and Espoo consultation of the environmental impact assessment for this route was carried out July - September 2017. On January 1, 2018, a new law came into force, which includes transit pipelines, and thus also the Nord Stream 2 project. The law means that before a permit for a transit pipeline in the territorial waters can be issued, the Foreign Minister must assess if the project is compatible with Denmark's foreign, security and defense policy interests. The case process for the route which was applied for on April 3, 2017, is at an advanced stage, but not yet completed.

### **2 Route North-West of Bornholm on the continental shelf**

On August 10, 2018, the Danish Energy Agency received an application for permission to construct transit pipelines on the continental shelf North-West of Bornholm. A public consultation and Espoo consultation for this route was carried out October - December 2018. The case processing of this application is at an advanced stage, but is now awaiting an assessment of the new South-Eastern routes on the continental shelf, see below.

### **3 Route South-East of Bornholm on the continental shelf**

Denmark and Poland has made an agreement concerning the border south of Bornholm between the two countries. This means, among other things, that the area will now be available for pipeline construction and thus for a new route for the Nord Stream 2 project on the Danish continental shelf area.

In March 2019, the Danish Energy Agency requested Nord Stream 2 AG to investigate a South-Eastern route on the continental shelf. The reason for this request was that the Danish Energy Agency must ensure that a permit to the most optimal route in relation to environment and safety is granted. The immediate assessment is that a south-eastern route is more appropriate based on a number of environmental and safety parameters such as impact on shipping and Natura 2000 areas.

April 15th 2019 the developer (the Nord Stream 2 AG) submitted an application and the relevant EIA-documentation for a south-eastern route crossing the Danish EEZ. 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.

### **General**

Only one permit can be granted for the project.

In relation to the routes on the continental shelf, a permit can only be issued when it has been clarified which of the routes is the most optimal from an environmental and safety perspective.

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 May 15th until July 10th 2019. A public information meeting with the participation of the Danish EIA-authority and the developer will take place at 5 p.m. (CET) on May 28th 2019 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 July 17th 2019** 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 July 17th 2019 if you see a need for additional consultations.

Please send your comments to

Environmental Protection Agency  
Ministry of the Environment and Food of Denmark  
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Yours sincerely,



Karin Anette Pedersen

## **EIA documentation**

1. Nord Stream 2 - Non-Technical Summary – Environmental Impact Assessment, Denmark, South-Eastern Route. April 2019
2. Nord Stream 2 - Transboundary Impacts – Environmental Impact Assessment, Denmark, South-Eastern Route. April 2019
3. Nord Stream 2 – Construction Permit Application Summary, Denmark South-Eastern Route. April 2019
4. “Draft Permit for Nord Stream 2 natural gas pipelines” – South-Eastern Route

Item 1- 4, documents relevant for the transboundary environmental impact assessment, can be downloaded from the Danish Energy Agency’s website [ens.dk/vvm-redegoerelsen-NS2-SE](https://ens.dk/vvm-redegoerelsen-NS2-SE) in your country’s national language, Danish and English. You will also receive paper versions and memory-sticks directly from Nord Stream 2 AG’s consultant Rambøll, on behalf of Denmark in English and your national language. The link to the Danish Energy’s website will first be activated May 15th 2019 2 p.m. (CET).

5. Nord Stream 2 - Environmental Impact Assessment, Denmark. South-Eastern Route. April 2019
6. Atlas - Environmental Impact Assessment, Denmark – South-Eastern Route. Nord Stream 2, April 2019

Item 5 – 6 which focuses on impacts within Denmark can be downloaded from the Danish Energy’s website [ens.dk/vvm-redegoerelsen-NS2-SE](https://ens.dk/vvm-redegoerelsen-NS2-SE) in Danish and English. The link to the Danish Energy’s website will first be activated May 15th 2019 2 p.m. (CET).

## **For more information about the project and the EIA**

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### EIA competent authority in Denmark

The Danish Energy Agency  
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### Espoo Convention’s Point of Contact 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 Environmental 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 South-Eastern Route the public consultation starts May 15th 2019 and ends July 10th 2019. 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.