



GENERALNY DYREKTOR
OCHRONY ŚRODOWISKA

Krzysztof Lisowski

Warsaw, 7 February 2018 r.

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according to the distribution list

Notification pursuant to Article 3 of the Convention on Environmental Impact Assessment in a Transboundary context regarding the establishment of the Baltic Pipe Project

According to article 3 point 1 of the Espoo Convention affected countries shall be notified and consulted on projects that are likely to cause transboundary environmental impacts.

As a party of origin pursuant to article 1 of the Espoo Convention, Poland hereby notifies the following:

- Espoo point of contact for Sweden
- Espoo point of contact for Germany
- Espoo point of contact for Denmark

The pipeline project is covered by Annex I, no. 8 of the Espoo Convention "large diameter oil and gas pipelines".

Information on the project

The construction of a marine gas pipeline from Denmark to Poland is intended in the Baltic Sea. The offshore pipeline from Denmark to Poland has a total length of 250 - 280 km with landfall in Denmark in the Bay of Faxe and three options for landfall in Poland (Niechorze, Rogowo, Gaski).

The marine gas pipeline in the Baltic Sea is part of a project connecting the Norwegian-German gas pipeline located in the North Sea to the Eastern European market, thereby improving the security of supply in Eastern Europe, primarily Poland and lowering the emissions and stabilising the energy system by contributing to gas power generation growth.

The pipeline will be laid directly on the seabed by the S-lay method where possible. Where the seabed is not suitable for supporting a pipeline and where large free spans are foreseen due to bathymetry the seabed may be enforced by rock material. In shallow waters or in areas sensitive to the physical structure, the pipeline will be buried. The burial method is most likely trenching. It is anticipated that 2-3 km of pipeline is laid per day.

During the construction phase the construction works on the seabed will cause some under water noise and disturbance of the sediment and vessels will be visible and hearable at the sea surface. During the operation phase there will be a safety zone around the pipeline preventing fishery and anchoring. In appendix to this notification, the project is described in further detail together with the potential transboundary environmental impacts.

Transboundary impacts

The potential for transboundary impacts during the construction phase is limited and relevant only in an area where the pipeline route is planned in close vicinity to the Polish exclusive economic zone border, which means either the area where submarine pipeline crosses or runs parallel in a short distance to this border.

The transboundary impacts caused by the construction activities are suspension and sedimentation and disturbance of marine mammals and seabirds. The impacts are local, short term and reversible.

During the operation phase transboundary impacts are foreseen only for commercial fishery that takes place around the pipeline. According to Helcom data the majority of fishery in the area is German, Swedish, Danish and Polish.

Developer

The Baltic Pipe project is being developed by GAZ-SYSTEM S.A. and Energinet as a joint venture. GAZ-SYSTEM S.A. is responsible for the **Baltic Sea part** of the project (this part), Energinet is responsible for the tie-in to the existing pipeline in the North Sea and crossing Danish land and straits.

This **Baltic Sea part** of the project is notified by:

Gaz-System Mszczonowska St. 4

02-337 Warsaw Poland

Telephone: +48 22 210 18 00

Fax +48 22 220 16 06

Espoo Contact in Poland (party of origin)

Katarzyna Twardowska

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General Directorate for Environmental Protection

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The EIA Process in Poland

Conducting of an environmental impact assessment (EIA), including in a transboundary context, is regulated in Poland by *the Act of 3 October 2008 on the provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessments* (Journal of Laws of 2017, item 1405, as amended), hereinafter referred to as the *EIA Act*. Under the proceedings concerning the planned activity, an environmental decision will be issued in accordance with article 71 point (2)(1) of the *EIA Act*. It is an administrative decision that is mandatory before obtaining further investment decisions, and it is binding on the authorities issuing such decisions.

An environmental permit defines e.g. the following:

- project type and location,
- conditions for land use at the project construction and operation stage or at the project utilisation stage,
- environmental protection requirements to be included in the design documentation, in particular in the construction design,
- requirements for counteracting the effects of industrial accidents,
- requirements for reduction of the transboundary environmental impact with regard to projects for which a transboundary environmental impact assessment has been carried out,
- mitigation and compensation measures, if necessary,

- requirement to conduct environmental monitoring, if justified,
- requirement to conduct post-project analysis, if necessary,

Besides, the justification of the environmental permit should contain, among other things, the information about how and to what extent the findings contained in the documentation of environmental impact assessment have been included, as well as the results of the proceedings on transboundary environmental impact, if they were carried out, the comments and requests made in the context of public participation and the opinions of competent authorities.

The current stage of the EIA procedure for the BalticPipe in Poland

The investment in question is covered by the projects listed in Annex I to the *EIA Directive*, for which it is mandatory to conduct an environmental impact assessment. Because of the likelihood of occurrence of significant transboundary impacts within the territory of other states as a result of the implementation of that investment, the investor, by submitting a request for an environmental permit, has requested the competent authority, i.e. Regional Directorate for Environmental Protection in Szczecin (RDEP in Szczecin), to specify the scope of research and analyses necessary to be conducted in order to draw up the EIA documentation.

The scoping phase of the EIA documentation is currently underway. Having analysed the project information sheet, RDEP in Szczecin has decided it is necessary to carry out the procedure on transboundary impacts on the environment and to inform the states that are potentially exposed to the likely occurrence of significant transboundary impacts about the planned project in accordance with Article 3 of the *Espoo Convention*.

Please find enclosed the information sheet for the project in electronic and paper form along with Espoo scoping report of the Baltic Sea part of the project (Appendix 1) together with the necessary translation.

At this stage of the EIA, the Affected Parties, provided that they intend to participate in the EIA procedure, may also submit comments on the project information sheet, which will afterwards be considered when determining the scope of the EIA documentation by RDEP in Szczecin. Please be informed that in this procedure Affected Parties may send comments and suggestions on the information sheet of the Polish part of the project under Polish jurisdiction in the Baltic Sea.

If the Affected Party participates in the procedure, the next step will be to send the EIA documentation to them in accordance with Article 4 of the *Espoo Convention*. Afterwards, on the basis of this documentation, the Affected Party will ensure the participation of the public and present the position referred to in Article 4 of the *Espoo Convention*. If deemed necessary by the Affected Party, consultations will be conducted before issuing the decision, as referred to in Article 5 of the *Espoo Convention*. After issuing the environmental permit, it will be immediately sent to the Affected Party in accordance with Article 6 of the *Espoo Convention*.

Information and time schedule for the project, including Public Participation

Information regarding the project is publicly available from the project's website www.baltic-pipe.eu, where updates on the development of the project will be posted regularly.

The General Directorate for Environmental Protection, which is responsible for coordination of the EIA procedure in transboundary context, therefore kindly asks you to:

1. confirm receipt of this letter,
2. inform if you wish to take part in this procedure as an Affected Party,

3. let us know if you have specific remarks for content in the assessment of transboundary environmental impacts.

Time limit for participating in the process

Kindly send the answer for abovementioned points 1-3, **no later than 15 March 2018**, to this notification to the General Directorate for Environmental Protection, att.:

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Fax: + 48 22 579 2126
E-mail: katarzyna.twardowska@gdos.gov.pl
(with cc.: dorota.szumanska@gdos.gov.pl)

Yours sincerely,

GENERALNY DYREKTOR
OCHRONY ŚRODOWISKA

Krzysztof Lisowski

Send list:

Germany
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Federal Ministry for the Environment
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cc Mr. Nico Nolte
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Appendixes:

Information sheet for the project in electronic and paper form along with Espoo scoping report of the Baltic Sea part of the project together with the necessary translation.

