

Action and responses regarding the ESPOO-convention notification for the Nearshore Windfarm projects at Vesterhav Syd, Sæby, and Bornholm

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1. Introduction

In accordance with Article 3 of the Convention on Environmental Impact Assessment (EIA) in a Transboundary Context and Article 7 of the EU Directive 85/337 the Danish Nature Agency initialized an ESPOO-convention notification of the planned construction of offshore wind turbines at Vesterhav Syd, Sæby, and Bornholm with initial EIAs and related environmental surveys.

The EIA assessments will be compiled upon a comprehensive description of each of the technical projects encompassing wind turbines specifications, foundation strategy and installation methods for inter-array and export cables, respectively. However, the description will not be constrained to one exact definition of the project, but instead describe the boundaries and span of a project that incorporate the "most-likely" with a "worst-case" in mind. The reason for this approach is that the Danish Energy Agency has not yet assigned concession of construction and operation of the offshore wind farm at the Nearshore Windfarm projects and therefore preserves degrees of freedom in the technical aspects of the project. Concession is processed subsequently to finalization of the EIA.

The ESPOO-convention notification was distributed to Sweden, Poland and Germany in February 2014 with deadline of response March 27th 2014. Hereafter, responses from the notified countries was distributed by the Danish Energy Agency to Energinet.dk (the Transmission System Operator, TSO in Denmark), who is responsible for compiling the EIA-reports and thereby supporting Danish authorities in answering responses from the ESPOO-convention notification. The Danish Nature Agency has received responses from the Swedish Naturvårdsverket, the German BSH (Bundesamt für Seeschifffahrt und Hydrographie) as well as

the Polish Environmental Protection Agency (General Directorate for Environmental Protection) and passed on to Energinet.dk

Received responses from the notified countries have been examined thoroughly with respect to the planned scoping of the EIAs as well as related Danish legislations. In the following section 1.1 each received response is addressed individually to clarify how responses are encompassed in the respective EIAs or dealt with in any other relevant context.

The provisional time schedule for the EIA procedure and the OWF project is shown below and includes the key milestones for communication of comments.

Time schedule EIAs processes and construction of Nearshore Windfarms	2014	2015	2016	2017	2018	2019	2020
ESPOO notification	■						
1. preliminary consultation	■						
Preparation of EIAs and planning documents	■	■					
2. Public consultation phase, transmittal of comments		■					
Consultation responses and EIAs approval		■					
Design transmission systems onshore		■	■	■			
Tender process and licenses offshore		■	■	■			
Construction work onshore transmission systems				■	■	■	
Design of offshore wind farm				■	■	■	
Construction work offshore windfarm					■	■	■

As the projects of the Nearshore Windfarms at Vesterhav Syd, Sæby, and Bornholm develops, the Danish Nature Agency will notify Sweden, Germany and Poland according to the committed obligations and intentions of the ESPOO-clarification.

2. Replies to responses on the ESPOO notification

2.1 ESPOO-convention notification, response from Swedish stakeholders

Stakeholders	Response to notification	Reply to response
Naturvårdsverket (Swedish Environmental Protection Agency)	Due to short timeframe Naturvårdsverket has not been able to call in response from external stakeholders. It is the assessment of Naturvårdsverket that the response from stakeholders will comply with the response given in relation to the ESPOO notification on offshore wind farm project Kriegers Flak. Kriegers Flak ESPOO notification was distributed to Sweden, Poland and Germany in July 2012 with deadline of response September 2 nd 2012.	The methods and field studies implemented as documentation in the EIAs on the 6 offshore wind power projects in nearshore areas of Denmark will more or less comply to the methods and extent of field studies implemented in connection to the EIA on the offshore wind farm project at Kriegers Flak. Hence it is evaluated, that the EIA will cover the concerns that would have been raised as response from external stakeholders.
Naturvårdsverket	The offshore wind farm projects di-	These emphasized impact assessments

(Swedish Environmental Protection Agency)	rect and indirect effect on fish spawning and nursery grounds and on fish migration in particular related to direct effects on current regime, underwater noise, vibrations and electromagnetic fields should be covered by the EIA	are all a part of the EIA scoping and planned environmental surveys. Impacts on fish (both spawning and nursery) as well as fishery are a part of the EIA scope. Influences from electromagnetic fields on fish communities are a part of the EIA scope. Relevance of explicit description of measures to reduce impacts in the EIA will depend on the outcome of the impact assessment.
Naturvårdsverket (Swedish Environmental Protection Agency)	The offshore wind farm projects effects on Swedish business and recreational fisheries should be covered by the EIA	Mapping of fishery and spawning and nursery sites within the designated area for offshore wind farm construction at the Danish sites at Bornholm, Sæby and Vesterhav Syd and along the export cable corridors is a part of the EIA scope. However, for fishery on Danish territory the EIA will primarily assess impacts for Danish fishermen and not Swedish fishermen explicit. The same procedures will be implemented on the other near shore wind farm sites at Smålandsfarvandet, Sejerø Bugt and Vesterhav Nord (not included in the ESPOO)
Naturvårdsverket (Swedish Environmental Protection Agency)	Analysis of the impact on sediment transport regimes from the offshore wind farms and the effects on Swedish offshore geological conditions should be included in the EIA. Special focus on effects related to the near shore wind farm project at Bornholm.	Advanced modelling and cumulative impacts on current and sediment transport regimes at the near shore wind farm projects (including project at Bornholm) is included in the EIA.
Naturvårdsverket (Swedish Environmental Protection Agency)	Risk analysis of the near shore wind farm projects impact on maritime traffic should be included in the EIA in compliance to the UNCLOS (United Nations Convention on the Law of the Sea)	Risk assessments of potential environmental accidents recommendations to minimize and avoid accidents are included in the EIA scope and emergency action plans are compiled by the constructors on a later stage. The risk assessments are conducted in compliance with the IMO (International Maritime Organization) standards and hence in compliance with UNCLOS.

Naturvårdsverket (Swedish Environmental Protection Agency)	The offshore wind farm projects effects on birds should be covered by the EIA. In particular the effects on wintering seabirds at the wind farm sites at Sejerø Bugt and Smålandsfarvandet should be assessed.	The EIA will assess the effects on birds with focus on wintering seabirds, breeding birds potentially foraging in the areas and migrating routes of birds potentially in conflict with the wind farm areas. These assessments are implemented at near shore wind farm areas at Sæby, Bornholm and Vesterhav Syd included in the ESPOO but also at the sites at Vesterhav Nord, Sejerø Bugt and Smålandsfarvandet.
Naturvårdsverket (Swedish Environmental Protection Agency)	Emergency plans concerning aerial transport safety aspects and information about the offshore wind farm parks should be registered in maps and databases relevant to aerial administration and planning.	Risk assessments of potential accidents involving aerial transport and recommendations to minimize and avoid accidents are included in the EIA scope and emergency action plans and safety regulations concerning visual markings of wind farms are compiled by the constructors on a later stage.
Naturvårdsverket (Swedish Environmental Protection Agency)	The offshore wind farm projects effects on marine mammals should be covered by the EIA. In particular the effects on harbour porpoise and seals.	The EIA will assess the effects on marine mammals with focus on harbour porpoise, harbour seal and grey seal. The assessments will be based on the comprehensive existing data on marine mammals supplemented by collection on local data by deployment of C-PODS on most sites.

2.2 ESPOO-convention notification, response from German stakeholders

Stakeholders	Responses	Reply
Bundesamt für Seeschifffahrt und Hydrographie (BSH) Federal Maritime and Hydrographic Agency	Germany has indicated interest and wishes to participate in the public consultation procedure concerning the Ronne bank project near Bornholm and North sea (south). Updated standard on environmental impact assessment which is used in EIA procedures for wind farms in the German EEZ has been sent. http://www.bsh.de/en/Products/Books/Standard/index.jsp	BSH has indicated interest and intend to participate in the EIA procedure.

2.3 ESPOO-convention notification, response from Polish stakeholders

Stakeholders	Responses	Reply
<p>General Directorate for Environmental Protection</p>	<p>Poland's authorities have indicated interest and intend to participate in transboundary EIA procedure for the Near-shore Wind farm at Bornholm.</p>	<p>Poland's authorities have indicated interest and intend to participate in the EIA procedure. All aspects of interest emphasized by General Directorate for Environmental Protection are included in the EIA scope.</p>
	<p>1. The EIA for Bornholm Wind farm should include an assessment of the impact on the NATURA 2000 network especially on the impacts of the area PLB990003 "Zatoka Pomorska" from the wind turbines and during the construction phase as well as the cumulative impacts from other projects.</p>	<p>Assessment of impact of NATURA 2000 areas is included in the EIA scope for Bornholm Wind farm. The EIA will however not focus on the PLB990003 area.</p>
	<p>2. Risk of significant negative impact on individual environmental aspects with regards to birds, bats, aquatic organisms as marine mammals occurring in the area or migrating. Particularly migrating birds and bats protected by the NATURA 2000 PLB990003 area.</p>	<p>Assessments of impact of birds (incl. migrating), bats and marine mammals are included in the EIA scope Bornholm Wind farm. The EIA will however not focus on the PLB990003 area.</p>
	<p>3. Cumulative assessment for Bornholm Wind farm with other projects should be included in the EIA (fx. Other offshore wind-farms, North Stream gaspipe, etc.)</p>	<p>Assessments of cumulative impacts are included in the EIA scope.</p>
	<p>4. Bornholm Wind farm will impact the vessel traffic in the area. Hence, the EIA should include assessment of the impact on vessel</p>	<p>Assessment of impact vessel traffic is included in the EIA scope for Bornholm Wind farm.</p>

	traffic also during construction phase.	
	5. Impact on the marine environment in regard to maintenance.	The assessment of impact in regard to maintenance will be included in the EIA. The exact level of detail will depend on the specific location of the project and the analysis of the relevant parameters.