



Baltic Marine Environment Protection Commission

Working Group on the State of the Environment and Nature
Conservation

STATE & CONSERVATION
6-2017

Uppsala, Sweden, 15-19 May 2017

Document title	Information for the International Consultations on EIA of the Nord Stream II Project
Code	4N-6
Category	INF
Agenda Item	Agenda Item 4N – HELCOM network of coastal and marine Baltic Sea Protected Areas
Submission date	20.4.2017
Submitted by	Coalition Clean Baltic
Reference	ToR of the Group ; STATE & CONSERVATION 3-2015, documents 3N-4 , 3N-6 and Presentation 13 ; HOD 49-2015, document 4-18 ; HELCOM 37-2016, document 7-2

Background

CCB has repeatedly brought to the attention of the Contracting Parties the situation around HELCOM MPA – Kurgalskiy Nature Reserve in Leningrad Oblast. Since early 2000s, when the new port of Ust-Luga has emerged, the area remains under constant anthropogenic pressure in addition to such stress factors as uncontrolled tourism, poaching and poorly managed fisheries. The situation started to aggravate with draft Master Plan for Ust-Luga settlement that could potentially lead to significant conflict of urban development and nature protection. Partly due to international pressure, it was temporarily resolved by postponement of Master Plan's adoption. Meanwhile, yet another serious threat of anthropogenic pressure on the natural amenities has emerged – the proposed route of the Nord Stream II gas pipeline.

After the official launch of the [International Consultations on Environmental Impact Assessment in a Transboundary Context under the terms of the Espoo Convention](#), it became evident that Nord Stream II AG among three alternative routes has chosen **the route most harmful to the environment** that will tear apart Kurgalskiy MPA, a protected area of dual international importance – both under HELCOM and Ramsar Conventions. Therefore, CCB would like to highlight several points that should be considered by the Contracting Parties that can be affected by the proposed project when deciding about granting construction permits. Besides Russia, it mainly concerns Finland, Sweden, Denmark and Germany, but all HELCOM Contracting Parties should be aware of those facts. More detailed explanation is given in the attachment.

1. In accordance with Russian legislation, any construction of pipelines within Kurgalskiy nature reserve is prohibited. For this reason, unidentified 'interested party' actively lobbies for change of the statute and boundaries of Kurgalskiy Nature Reserve – both at Leningrad Oblast and federal levels. By coincidence, the process for changing the statute and boundaries has started at the same time as active development of the Nord Stream II Project.
2. The selection of the route across Kurgalskiy Peninsula and MPA that is claimed optimal from environmental, economic and social perspective, has been based on either falsified, incomplete or simply ignored scientific data. Vast amount of research findings prove the significance of the selected area from Baltic-wide nature conservation point of view, due to e.g. numerous protected and red-listed species of flora and fauna, being observed in the area. In spite of that, marking of the pipeline route on spot has commenced even before finalisation of EIA process and obtaining permits.
3. It is important to add that so-called Ingermanlandsky Marine Reserve that should have been established as a compensation measure for Nord Stream I pipeline has never come true. Even if established, the proposed route would be located just 3 km from its boundary. Hence, trust in

compensation for Nord Stream II environmental damage vanishes proportionally to ignoring public and scientific opinion and aggressive PR-campaign by the project developers.

4. In December 2016, a large area on and around the offshore banks in the Baltic Proper was designated by the Swedish government as a Natura 2000 area for the Baltic Proper harbour porpoise. We would like to express our concern with regards to underwater noise to be produced during pipe-laying and especially during trenching of the Nord Stream II pipeline. Should the project be permitted, given the biological features of harbour porpoise, we strongly recommend that no activities within recently designated protected area are allowed during May-December because of mating, breeding and nursing periods of this critically endangered and highly vulnerable population.

Action requested

The Meeting is invited to take note of presented information on violation of fundamental principles of the Helsinki Convention and use it as appropriate in the international consultations on the Nord Stream II Project.

Information for the International Consultations on EIA of the Nord Stream II Project *(based on inputs by Greenpeace Russia)*

The application documents for obtaining permits for the construction and operation of the Nord Stream II Pipeline were [made available](#) for public consultation at several locations in the affected countries. The corresponding documents [were sent](#) by the Ministry of Natural Resources and Ecology of Russia, as the country of origin to the focal points of the Espoo Convention in Estonia, Denmark, Finland, Germany, Latvia, Lithuania, Poland and Sweden.

Unfortunately, the application documents by Nord Stream 2 AG contained only one route, through Kurgalskiy nature reserve. It means that they finally choose that route as the main to be applied for. According to these plans, the only one route of the gas pipeline will go through the territory of Kurgalsky Nature reserve, the unique natural object falling under jurisdiction of the Convention on the Protection of the Marine Environment of the Baltic Sea Area (it is inscribed in the List of Protected Areas of the Baltic Sea MPAs) and of the Convention on Wetlands of International Importance (Ramsar Convention).

Gas pipeline construction will inevitably lead to the destruction of the unique natural complexes including places of habitat of a big number of rare and endangered species of animals and plants that will represent the violation of as Russian legislation as the standards of the International Law. E.g. the ornitologists who worked for the Nord Stream-2 AG have published information about nestling of white-tailed sea eagle (*Haliaeetus albicilla*), IUCN Red listed raptor in the south part of the Kurgalsky reserve. According to Greenpeace Russia experts the nest is located within 50 meters from the marked route of the pipeline. According to the [NSP2 Espoo Report](#) the pipeline construction corridor (approximately 85 m wide and approximately 3.8 km in length) will pass across the southern part of Kurgalsky Nature Reserve and will inevitably destroy the habitat of that and the other rare species.

“The habitats with the highest bird species diversity are associated with the seaward edge of the old growth forest and the complex habitat mosaic between the relict dune crest and the Kader swamp. The nest of a white-tailed eagle (*Haliaeetus albicilla*) (listed as vulnerable in the Red Data Book of Leningrad region and as of least concern in the IUCN Red List) containing one nestling was recorded within the NSP2 footprint” ([NSP2 Espoo Report](#), p.230).

Another part of the Kurgalsky reserve that might be destroyed by the pipeline construction is the primary forest. “For primary forest and relict dune habitat within an 85 m wide working area, re-establishment of the original habitats may take much longer (potentially decades) due to the damage to soils, changes in the groundwater regime, mycorrhizae content and existing vegetation, and there is less certainty that original habitats will re-establish at all. In addition to the very long-term and uncertain recovery of these sensitive habitats, there will also be a small permanent loss of forest cover as re-growth of deep rooted trees will be prevented within 7.5 m above each pipeline and within 6 m of access road” ([NSP2 Espoo Report](#), p. 393).

These are evident and significant violations of Russian and international environmental legislation.

Nevertheless, Leningrad region authorities have initiated amendments to the statute of the Kurgalsky reserve for the permission the pipeline construction. According to unofficial information the Russian Government has mandated the Ministry of the Natural Resources and Ecology to prepare the amendments of the Russian legislation permitting the exclusion of pipeline route from the reserve area.

It should be noted that construction of Russian and German parts of the pipeline have different approaches:

“0.6.2.7 Onshore construction. In Russia, the base case construction method for the 4 km pipeline onshore section is conventional trenching methods utilising excavators. Side cranes will lower the welded pipeline sections into the trenches which are then backfilled and the work areas will be reinstated. The Nord Stream 2 pipelines will terminate at an above ground maintenance facility which will link with upstream feeder

lines and compressor facilities owned by a third party operator. In Germany, the pipeline installation at the shore crossing will be undertaken through the construction of twin micro tunnels which will house the onshore pipeline sections. The Nord Stream 2 pipelines terminate at a maintenance facility which will link with downstream feeder lines owned by a third party operator” ([NSP2 Espoo Report Non-Technical Summary](#), pp. 12-25).

Although plans have been drawn up for an alternative, though more costly pipeline route that avoids the protected areas, Gazprom has refused to consider these alternatives. If implemented according to the Gazprom’s plans, the Nord Stream 2 project will make the consumers of Russian gas in Germany, France, Great Britain and the Netherlands, indirectly liable for committing an environmental crime. They will share responsibility for the destruction of one of the most valuable natural area under the international protection, together with the Russian authorities and Gazprom.

So, Baltic environmental NGOs and scientific community demands that the Nord Stream 2 AG and Gazprom abandon their plans for pipeline construction through the Kurgalsky nature reserve. To make our voice heard we appeal to the Governments of the Contracting Parties of the Helsinki Convention to put forward conditions for the inadmissibility of pipeline construction through Kurgalskiy nature reserve and implementation of other relevant mitigation measures to avoid or minimize environmental impacts.