



Warsaw, 18 January 2008.

THE MINISTER OF THE ENVIRONMENT

Maciej Nowicki

DOOŚ-082/8412-3/08/IS

[to Espoo focal points]

In reply to your letter reference: YM5/5521/2006 of 7 November 2007 we would like to thank you for the possibility of commenting on the planned change of course of the Northern European gas pipeline between Russia and Germany. At the same time I take the liberty of pointing out that the document: "Status of the route of the Nord Stream gas pipeline through the Baltic Sea" has been made available in Poland for public scrutiny in the provinces: Warmińsko - Mazurski, Pomorski and Zachodniopomorski and released for comment to the interested public bodies.

The Minister of the Environment has received numerous comments on the planned investment from the organs of government administration and independent administration, institutions interested in maritime problems, universities, science and research units and nongovernmental organisations.

In the light of the great sensitivity of the ecosystem of the Baltic Sea and the fact that, irrespective of the location of the section of the suboceanic gas pipeline, the planned investment represents an interference in the environment of the Baltic Sea over a large distance (in two of its three principal basins), it must be said that despite the change of course the effect of the project can still be described as significant.

In relation to the above and on the basis of new information about the project and the comments and opinions expressed, I would like to say that **with respect to the required range of documentation for the assessment of the impact on the environment I maintain the position given in letter reference: DOOŚ-082/1339/2007/AK of 16 February 2007, in reply to the notification of the planned investment.** I would like to emphasise in particular that in this documentation **particular attention must be paid to the description of the land options for the gas pipeline as an alternative to its course on the bottom of the Baltic Sea** - these options should be compared in terms of the results of their effect for the environment. The comments received also indicate that it is essential to achieve a precise definition of the procedures for response to damage situations and to consider the question of the conditions

for safeguarding against possible negative results of the realisation of the project, mentioned in points 17 and 22 of the position paper of 16 February 2007.

I would also like to supplement the above mentioned position paper of 16 February 2007, as also to emphasise or broaden some of the issues raised in it, by making the following comments with a polite request for them to be considered in the documentation of the assessment of the impact on the environment:

1. General remarks

- in accordance with Directive 85/337/EEC and taking into consideration the definition of “impact” in article 1 of the Espoo Convention the documentation of the assessment of impact on the environment must not only contain the description of the impact on the separate elements of the environment (abiotic and biotic) but also the description of the foreseen results of the planned activities for the mutual influences between these elements
 - the tables at the end of the assessment document do not clearly indicate whether the documentation of the assessment of impact takes into consideration the mutual impact on the components of the ecosystem and the impact of the project on these correlations;
- the contents of the document: “Status of the route of the Nord Stream gas pipeline through the Baltic Sea” suggest that the concentration has so far been primarily on the immediate impact on the environment - whereas the documentation of the assessment of impact should also take into consideration the indirect impact and indicate the short and long-term results, and it should also consider the effect of the accumulation of influences;
- the assessment of impact should, where appropriate, to take into consideration the potential impact on the environment of land coastal areas;
- for the purpose of the facilitation of the reading of information on the subject of the project I propose, in the event of the illustration of the information by the use of maps, the inclusion of at least one of the references of the principal geographic coordinate system, to identify the points of the gas pipeline.

2. Alternatives:

- beyond the question of the assessment of the land options for the gas pipeline, it is necessary to define unambiguously the maritime options together with the indication of the reason for the choice of a specific solution, backed by the results of the research carried out - the description in the document: “Status of the route of Nord Stream gas pipeline through the Baltic Sea” is not in this respect sufficiently exhaustive (for example, the description in chapter 6 relates essentially only to route DK-02);
- in the examination of the option on which the gas pipeline is directed through the island of Uznam, bypassing the units included in the network Natura 2000 in Germany, the assessment of the impact should encompass in particular the socio-economic effects for the tourist locations situated on the West Coast of Poland (safety, quality of water and similar), but also the impact on the functioning and possibility of development of the port in Świnoujście;
- in view of the threat to the environment or the territory of the Republic of Poland caused by the variant passing through the island of Uznam, the Polish side expects an analysis of

the possibilities for coming aground in Germany on sites located to the west of variant DK-02/GER.

3. Stage of construction:

- the description of the individual works should contain information about the expected period of completion and time of their duration. At the same time the assessment of impact should take into consideration the question of the installation of a second section of the gas pipeline in the successive stage of the project in the light of the results of the repeated interference in the environment and in the assessment of the effect of the accumulation of the impact of the works carried out in an environment already subject to the impact of the installation of the first section but also the effects deriving from its operation;
- construction of the pipeline in the Swedish maritime area establishes passage through the area of Baltic cod (see paragraphs 11 and 13 of the position paper of 16 February 2007) in relation to which it is necessary to make an honest assessment of the impact of the planned investment on the population of this species, to provide appropriate means to minimise the prospective impact or compensate the damage to their habitat, but also to provide economic and legal instruments making it possible to compensate any negative economic results among others for Polish fishing (also with respect to negative results for other kinds of fish);
- with reference to point 10 of the position paper of 16 February 2007, I would like to emphasise the necessity of the stock-taking of chemical and conventional weapons, warehoused close to the planned investment on the currently envisaged variants of the gas pipeline, but also the terms of conduct in the event of the conflict and attacks on these units. The documentation of the assessment of the impact on the environment must include detailed analyses and maps of the sea bottom illustrating this problem. It is also necessary to assess the impact of released military chemicals on the ecosystem (including on the Polish sea areas) taking into consideration the range and the directions of their movement and the influences of a possible detonation of conventional weapons. The documentation should also outline the methods for monitoring the results of the installation of the gas pipeline and minimalization or compensation of any damage to the environment;
- it is necessary to estimate to what extent the construction of the gas pipeline could lead to the erosion of natural thresholds separating areas of the sea with differential salinity, with specific biological balances (among others in the area south west of Gotland, that could change the degree of the salinity of the water and the living conditions of organisms in the Polish maritime areas).

4. Permission for operation:

- it is necessary precisely to define the manner, time (date and time of duration) and place of the input of water used for the execution of pressure tests (paragraph 8 of the position paper of 16 February 2007), but also to assess the impact of this process with the regard to its direct and indirect effects. The assessment of the impact on the environment should refer among others to: the dynamics of this process, the possibility of the violation of the sea bottom and of the expansion of the sediments disturbed, but also to other physical interferences (including the emission of noise), impact of the pressure test carried out on the salinity of the water of the Baltic and on sea organisms with the regard to the

composition of bacteriological and chemical emitted water, but also any impact of the insertion of water on the migration and life cycle of fish (including the migration of herrings) and the impact on the quality of water in public swimming areas (especially on the Polish sea-coast).

5. Operation:

- in the documentation it is necessary to analyse thoroughly the safety of the gas pipeline on the sections on which its immersion is not planned with the regard to the analysis of the impact on sea currents, waves, seasons, storms, but also the freezing of flows in the period of winter.

6. Stage of liquidation:

- an element of the assessment of the impact on the environment (in accordance with paragraph 18 of the position paper of 16 February 2007) must be also the description of the procedure and the assessment of the impact on the environment of the disconnection of the gas pipeline from operation and its possible disassembly.

In making the above comments, we would like to express a hope for further successful co-operation in the area of the assessment of the environmental impact.

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Contacts of the parties as taken from the website of the Espoo Convention:

http://www.unece.org/env/eia/points_of_contact.htm

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