

Summary of National Consultation Responses

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Subsoil Resources
and Risk Preparedness

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Consultation Responses, Public Consultation – 15 May – 10 July 2019			
No.	Consultation response	Response - Nord Stream 2 AG	Response - Danish Energy Agency
Danish Working Environment Authority			
1	The Danish Working Environment Authority wishes to announce that we have no remarks to make regarding the environmental impact report and the atlas in the case; see below.	-	This has been noted.
Regional Municipality of Bornholm			
2	<p>Commercial fisheries</p> <p>Fisheries restriction zones are required by law in connection with the establishment of subsea cables and pipelines. In the fisheries restriction zones, which extend 200 metres either side of the cable (i.e. a 400-metre wide belt across Danish territorial waters with intensive fisheries activities), bottom-trawling amongst other things is prohibited. The environmental impact report does not consider the consequences of the fisheries restriction zones for commercial fisheries, with the justification that Nord Steam 2 AG will apply for dispensation to have them removed. Consolidated Act No. 939 of 27 November 1992 - Executive Order on the protection of subsea cables and pipelines - does not include any provision for such dispensation. The Regional Municipality of Bornholm wishes to be informed whether dispensation from fisheries restriction zones is feasible. Reference could for example be made to similar cases where dispensation has been granted. If dispensation cannot be granted, the impact on commercial fisheries may be far greater.</p>	<p>The Danish Maritime Authority may grant dispensation from a ban on the use of bottom-trawling gear in protection zones pursuant to Executive Order No. 939 of 27 November 1992 on the protection of subsea cables and pipelines. The dispensation may be granted upon submission of a declaration that the pipeline will not be damaged as a result of the use of bottom-trawling equipment. See the information on the Danish Maritime Authority's website: https://www.soefartsstyrelsen.dk/SikkerhedTilSoes/Sejladssikkerhed/EntrepreneroergaverSoes/Sider/SoekablerRoerledningerHavbunden.aspx (see "Tab af fiskerimuligheder" (Loss of fisheries opportunities))</p> <p>The Nord Stream 2 pipelines are designed to be resistant to stresses caused by fishing gear. Nord Stream 2 AG will therefore apply for dispensation from the ban on the use of bottom-trawling equipment in protection zones in Danish territorial waters, so that fisheries activities can be permitted during operation of the pipeline.</p> <p>For information purposes, the Danish Maritime Authority granted dispensation from the ban on the use of bottom-trawling gear in protection zones for the existing Nord Stream pipelines in Danish territorial waters.</p>	The Danish Energy Agency has no further remarks regarding the matter.
Danish Ministry of Defence Estate Agency			
3	<p>Following the consultation of relevant authorities under the Ministry of Defence, the Danish Defence Estates and Infrastructure Organisation is able to state that it has no remarks regarding the environmental impact report.</p> <p>However, it is noted that recommendations and instructions given in connection with previous correspondence and meetings which are not referred to in the environmental impact report still apply.</p> <p>Any enquiries regarding the matter should be addressed to executive officer Inge Haugaard Nielsen via e-mail: fes-nps24 or via telephone on +45 728 13289.</p>	-	During the consideration of the case concerning the project, the Danish Energy Agency has ensured that previous statements from the Danish Defence either form the basis for the Danish Energy Agency's conclusions, have been incorporated into the permit or are included as a condition in the permit.

GazSystem SA			
4	Operator Gazociągów Przesyłowych GAZ-SYSTEM SA (Gas Transmission Operator GAZ-SYSTEM SA (hereinafter 'GAZ-SYSTEM')), which is responsible for the Baltic Pipe Project (in collaboration with Energinet SOV), has an ongoing dialogue with all relevant parties to ensure that crossing agreements are in place in accordance with the requirements of the project plan for the Offshore Pipeline Denmark - Poland. The negotiations conducted to date have been constructive and all parties have had a positive approach.	-	This has been noted.
5	For this reason, GAZ-SYSTEM is endeavouring to establish a crossing agreement with Nord Stream 2, possibly in 2019, covering the future crossing, including the design, construction and operation of the pipeline. It is not clear at the present time which pipeline will cross the other party's pipeline or which will be crossed. Both scenarios are being discussed by the parties on an equal footing.	-	This has been noted.
6	The parties have not yet discussed the third route proposed by Nord Stream 2, which is currently the subject of public consultation. The crossing design in relation to the new route has not yet been discussed, but GAZ-SYSTEM and Nord Stream 2 are continuing their dialogue and are planning to discuss the matter over the coming weeks.	-	This has been noted.
7	If no crossing agreement is established, it is recommended that the Danish Energy Agency and the Danish Environmental Protection Agency consider incorporating conditions into the permit to ensure that the crossing design, investigations (particularly munitions screening) and installation method safeguard the integrity of the Baltic Pipe pipeline offshore.	-	It is noted that it is the Danish Energy Agency that is the responsible authority for offshore transit pipelines. It is furthermore noted that it is a standard condition for establishing permits for transit pipelines, i.e. both Nord Stream 2 and Baltic Pipe, that the developer establishes an agreement with the owners of cable and pipeline installations that are crossed by the pipeline(s). The aim of this agreement will be to ensure that the owners are indemnified in respect of the crossing.
OMV Gas Marketing Trading & Finance B.V			
8	OMV Gas Marketing Trading & Finance B.V has decided to be a financial investor in the Nord Stream 2 project, as this new infrastructure, combined with the existing gas import infrastructure, will be vital for Europe's long-term gas supply security. Widely acknowledged energy specialists, such as those from IHS (the Institute for Advanced Science), expect gas imports to rise by more than 30 percent over the coming decades - driven by the decline in European gas production, but also in order to achieve the climate targets such as the phasing	-	This remark does not require a response.

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	out of coal-fired power stations. Depending on the technology used, gas-fired power stations produce approximately 50 percent less CO2 than coal-fired power stations. If gas were to be used for electricity generation instead of coal, the 55 billion cubic metres of gas in Nord Stream 2's annual capacity alone could save approximately 160 million tonnes of CO2 per year. This is equivalent to around 30 million cars a year!		
9	Additional gas imports to Europe require the establishment of additional infrastructure. It should be noted that all major gas pipelines from Russia are already in constant and heavy use. Hundreds of millions of European gas consumers expect us, the European oil and gas industry, to supply them with affordable and reliable gas both today and in the future. Together with other pipeline infrastructures and LNG facilities, the Nord Stream 2 project will enable us to do just that.	-	This remark does not require a response.
10	The secure operation of Nord Stream 1 and the successful permit processes for Nord Stream 2 along the pipeline route demonstrate the project company's ability to carry out and operate this project to the highest European standards, and OMV Gas Marketing Trading & Finance BV strongly believes that Nord Stream 2 fulfils all the criteria for being granted a permit. We trust the Danish Energy Agency to ensure that the decision-making process is expeditious and in accordance with Danish and international law in order to protect the investors.	-	This remark does not require a response.
11	If there are any further questions, please do not hesitate to contact us. We would be open to meeting you in order to discuss the problems that are considered in our statement in more detail.	-	This has been noted.
Agency for Culture and Palaces			
12	In this regard, the Agency for Culture and Palaces wishes to state that cultural heritage is described in an excellent manner in the consultation documents. In the same way, the documents also present a good review of how the cultural heritage will be located, investigated and protected. In the document entitled: "O1_NSP2 SØ-rute- Miljøkonsekvensrapport. April" (O1_NSP SE route Environmental impact report. April), the cultural heritage is referred to and considered in the following sections: 7.17 (p.234/s.248). 9.16 (p.374/s.388). 15.6 (p.472/s.486). The Agency for Culture and Palaces has no remarks regarding these three sections.	-	This has been noted.
13	The consultation documents also contain a draft version of the Danish Energy Agency's decision. The Agency for Culture and Palaces proposes the following wording in: 4.7.10 Cultural heritage Nord Stream 2 AG shall ensure that the Viking Ship Museum in Roskilde is given the necessary opportunity to carry out a geophysical review and check seismic data, carry out preliminary marine archaeological investigations and any actual marine archaeological excavations/investigations/recovery along and adjacent to the alignment. Finally, the Agency for Culture and Palaces will adopt a stance on what is done, including giving written approval of the release of cultural heritage.	-	The proposed text has been inserted in the permit.

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Danish Maritime Authority			
14	<p>The Danish Maritime Authority has no further remarks to make regarding the environmental impact report for the Nord Stream 2 route variants southeast of Bornholm.</p> <p>In the draft permit, a reference to the enclosed (Danish and English) executive order and assessment form is requested under conditions 4.7.3, 4.7.5 and 4.7.6.</p>	<p>-</p>	<p>Reference will be made in the relevant places in the permit to the executive order and the assessment form, which is enclosed with the consultation response.</p>
Wintershall DEA			
15	<p>Germany has recently approved a staged phasing-out of coal-fired electricity generation through to 2038. The last German nuclear power station will be decommissioned at the end of 2022. Renewable energy sources will not be able to fill the resultant gap. Natural gas can. However, this will only work if the necessary infrastructure and capacity are available. Denmark's decision concerning Nord Stream 2 is extremely important in this regard. Even in the short term, the increased use of natural gas in electricity generation can help to minimise emissions and protect the climate. Through natural gas, both Germany and the EU will boost their efforts to achieve their climate goals in a cost-effective manner by 2030. However, this can only succeed if natural gas is transported to Europe. Nord Stream 2 has been planned for this purpose. This modern, effective new infrastructure will also reduce greenhouse gas emissions during operation.</p>	<p>-</p>	<p>This remark does not require a response.</p>
16	<p>As the leading independent European oil and gas company, Wintershall DEA's commercial activities are aimed at securing competitively priced natural gas for all European consumers, and of course our most important shareholder BASF, which uses as much gas as Denmark every year.</p>	<p>-</p>	<p>This remark does not require a response.</p>
17	<p>Together with Gazprom, we therefore produce gas in Siberia, are one of the shareholders in Nord Stream (1) and support the establishment of Nord Stream 2 as a financial investor. One of our subsidiaries is also constructing the European Gas Pipeline Link (EUGAL), the pipeline link which crosses Germany. All our plans and activities are based on commissioning this pipeline at the end of 2019. In order to achieve this, the final piece in the jigsaw is a decision granting permission to lay the pipelines in Danish territorial waters.</p>	<p>-</p>	<p>This remark does not require a response.</p>
18	<p>The United Nations Convention on the Law of the Sea (UNCLOS) and the two conventions, Espoo and HELCOM, are decisive for the approval process in order to establish offshore pipelines in the Baltic Sea. We believe that Nord Stream 2 fulfils all relevant requirements for being granted a permit.</p> <p>We have recently asked Danish consultancy firm INCENTIVE to analyse the impact on any delay to Nord Stream 2. In brief: Each year's delay will have substantial negative consequences for security of supply and entail additional costs for EU and Danish consumers, and unnecessary CO2 emissions. This supports our opinion on the matter. Please see the enclosed study from INCENTIVE.</p>	<p>-</p>	<p>When the Danish Energy Agency processes the case, the Agency will consider the environmental and safety aspects, along with the impacts associated with the specific project in Denmark. In the opinion of the Danish Energy Agency, this remark is not relevant in this context.</p>