Suomen ympäristökeskus
Finlands miljöcentral
Finnish Environment Institute

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Ministry of Climate
info@kliimaministeerium.ee

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Finland's response to the notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) for the submarine power cable EstLink 3 in Estonia

The Finnish Environment Institute acknowledges that Finland has received the notification dated 3 September 2024 and the consultation documents from Estonia. The notification is based on Article 3 of the Convention on Environmental Impact Assessment (EIA) in a Transboundary Context (Espoo Convention) regarding the submarine power cable EstLink 3 in Estonia.

The developer intends to install a high-voltage submarine power cable EstLink 3 in the Gulf of Finland. The planned capacity of the submarine power cable is a maximum of 700 megawatts at a direct current voltage up to 525 kilovolts. The length of the submarine cable corridor in Estonia is approximately 53 kilometres, and the area of the public water body to be loaded is approximately 212.296 square kilometers. The cable will be embedded in the seabed sediments at a depth of about 1–1.5 metres.

Consultation in Finland

In accordance with Section 30 (911/2022), Subsection 1 of the Finnish Act on Environmental Impact Assessment (252/2017), the Finnish Environment Institute is the competent authority and responsible for tasks under the Espoo Convention when a project in a party of the treaty or a Member State of the European Union may have significant transboundary impacts in Finland. The Ministry of Climate of Estonia requested an indication whether Finland intends to participate in the EIA procedure of the offshore windfarm ELWIND (Estonia), comments concerning the scope for the assessment of the environmental impacts of the project affecting Finland, and comments from the public and authorities in Finland.

In the notification Estonia made a reference to the Agreement between Estonia and Finland on environmental impact assessment in a Transboundary Context and to the discussions in the 13th meeting of the joint Commission on EIA pointing out that Finland has the possibility to make the decision on participation in the specific EIA procedure at the EIA programme stage. Therefore, the Finnish Environment Institute considers the received notification as a preliminary notification. However, in this individual EIA procedure, Finland makes the decision on its

participation in the EIA procedure at the preliminary phase given the project's proximity to Finland's exclusive economic zone and territorial waters.

The public and the authorities were given the opportunity to comment on the consultation documents from 19 September to 25 October 2024, which were available on the website of Finland's environmental administration and on the website of lausuntopalvelu.fi. Statements were also asked from relevant stakeholders.

Remarks received during the consultation

The Finnish Environment Institute has prepared an English summary of the ten (10) statements received in Finland. The original statements in Finnish and Swedish, which are enclosed to this letter, include important and detailed remarks which need to be examined and taken into consideration in their entirety in the EIA.

Centre for Economic Development, Transport and the Environment of Southwest Finland

The ELY Centre of Southwest Finland supports Finland's participation in the environmental impact assessment procedure for the planned project.

The project is also located in the area that is important for Finland's marine nature and related species interactions. Regarding transboundary impacts, special attention must be paid to coordination between countries, and it must be ensured that binding decisions on mitigation are made based on the results of the assessment. This includes, for instance, safeguarding sites of territorial importance and following international recommendations. Impacts should also be considered from the perspective of the wider Baltic Sea conservation network.

The EstLink 3 project extends to the Natura 2000 site of Nõva-Osmus Island (EE0040201). The area has been identified as an important migration and wintering area for birds, and it contains several protected terrestrial and aquatic habitats. Particularly important for birdlife are the possible impacts of the cable on bird habitats, nesting and foraging areas as well as their non-disturbance during migration. In terms of habitat types, the impacts concern species, their habitats and interactions. It must be ensured in the project that during the construction or operation of the cable, bird habitats are not disturbed, or habitats with conservation values are not degraded. This applies not only to the underwater parts of the cable, but also to its connection points to land where some of the habitats and species with conservation values of the Natura 2000 site are located.

The project may affect several protected seabed habitats, such as sandbanks and reefs, outside the Natura 2000 area. These areas are important for both marine ecosystems and their biodiversity. For example, sandbars provide important habitats for seabed biota and their conservation is essential for the functioning of the Baltic Sea marine ecosystem. The impact of the construction and operation of the cable on these habitats must be carefully assessed and it must be ensured that adequate measures are taken to protect them. Such measures may include, for example, placing the cable along routes that minimise impacts on protected habitats. Unnecessary seabed modification should be avoided, and the exact route of the cable should be designed to avoid the most important areas for marine nature.

To assess the impacts on nature mentioned above, a comprehensive survey of the current state of nature in the area is needed. The studies to be carried out are described very briefly in the

Suomen ympäristökeskus | Finlands miljöcentral | Finnish Environment Institute
Latokartanonkaari 11 | 00790 Helsinki | FINLAND
+358 295 251 000 | mailto: kirjaamo@syke.fi | Y-tunnus 0996189-5 | syke.fi

application and the adequacy of the studies cannot necessarily be assessed based only on the descriptions. For example, the studies do not include any surveys that would be relevant to the assessment of the impact on birds. These surveys would be essential for the species that winter or nest in the area. For this project, it is essential to conduct studies to ensure that the installation and operation of the cable do not negatively impact the area's nature values. Additionally, the project's studies, along with their results and methodologies, should be thoroughly presented.

In addition, Maritime spatial plan for Finland 2030, which is not a binding land use plan, should be considered. In the case of transboundary impacts, it should be examined whether there are any markings in the maritime spatial plan for activities or connections that are adversely affected by the project. On the Finnish side, there is one marking, for instance, for ecological connection across the Gulf of Finland, close to the border of the exclusive economic zone.

Metsähallitus

Metsähallitus states that Finland should participate in the EIA procedure of the EstLink 3 project, as the entire marine area of the Gulf of Finland is particularly sensitive and polluted, and the project has been assessed to have transboundary environmental impacts. In addition, the cable corridors will be extended to the Finnish side by Fingrid Oy, making the total length of the electricity cable approximately 130 km. Metsähallitus believes that this is another reason why Finland should participate in the Estonian EIA procedure, so that, for example, underwater impacts in the Estonian maritime area can also be considered in Finland.

The EstLink 3 power cable project is expected to have significant environmental impacts, for example, because of dredging during the project. Dredging may release harmful substances from the seabed and nutrients, in particular phosphorus. Dredging will also contribute to the mixing of bottom sediment with the water column, clouding the water, which may have an impact on seabed habitats. When the exact location of the EstLink 3 power cable route is known, it will be easier to assess the impact of the project on underwater habitats in Finnish territorial waters, such as benthic habitats characterised by *Monoporeia affinis* and/or *Pontoporeia femorata* and reefs.

The Finnish Border Guard

In the view of the Border Guard Headquarters, Finland should participate in the environmental impact assessment procedure in the areas directly related to Finland's sea areas, as well as in projects related to critical underwater infrastructure in Finland. Although the EIA procedure in this case only concerns Estonia's territorial waters and exclusive economic zone, the Finnish Border Guard, as the competent supervisory authority for the Finland's exclusive economic zone, as well as other Finnish authorities, will receive essential information at an early stage, which may affect the direction of the authorities' activities later during the construction and completion phases.

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The Finnish Transport and Communications Agency Traficom

The planned cable route will pass under the traffic separation scheme of the Gulf of Finland and through the Tallinn Traffic and Helsinki Traffic GOFREP control areas towards Finland's sea area and the Inkoo substation.

If the planned cable project proceeds to implementation, the construction of the cable on the Finnish side will have an impact both on Traficom, the authority responsible for maritime traffic mapping in the project area and acting as the competent authority under the Finnish Vessel Traffic Service Act, and on maritime traffic in the Gulf of Finland and the routes of the traffic, for example, due to the protection area to defined around cable-lying vessel. Traficom is the competent authority in Finland under the Finnish Vessel Traffic Service Act (623/2005), is responsible for safety radio operations and, as a maritime mapping authority, is responsible for keeping nautical charts up to date and for informing vessel traffic of important maritime measures. The purpose of the vessel traffic service and the maritime mapping services is to increase the safety of vessel traffic.

To ensure general maritime safety and smooth cooperation, negotiations and dialogue on the exchange of information and traffic arrangements is required for the project between the project manager and the Estonian and Finnish maritime authorities (Traficom, Finnish Border Guard and Fintraffic) are necessary well in advance before beginning the construction work.

In the viewpoint of Traficom, it would be justified for Finland to participate in the EIA procedure for the planned project, as the project, if implemented, could have an impact on maritime traffic to and from Finland.

The Finnish Heritage Agency

As the authority responsible for the protection of the underwater cultural heritage in Finland, the Finnish Heritage Agency states that power cable projects several tens of kilometres in length requiring modification of the seabed are large-scale water construction projects, which must be prepared with sufficient information on the underwater cultural heritage in the project area, both in territorial waters and in the exclusive economic zone.

Impacts on cultural heritage must be assessed and, if necessary, adverse impacts mitigated, for example by re-routing the cable route to avoid cultural heritage sites identified in the underwater heritage mapping.

In the experience of the Finnish Heritage Agency, the underwater cultural heritage sites related to a construction project farther from the coast and on the bottom of the Gulf of Finland between Finland and Estonia are mainly shipwrecks or parts of wrecks that may have historical connections to different countries. The international exchange of information on wrecks and their protection and study is a prerequisite for understanding the background of the sites and advantages their protection. However, underwater cultural heritage sites are physical remains located in a certain limited area, and according to the Finnish Heritage Agency, mapping, protection and research activities do not have concrete transboundary environmental impacts.

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From the viewpoint of the underwater cultural heritage, there is no need for Finland to participate in the environmental impact assessment procedure for the EstLink 3 project in the water areas of Estonia.

In projects located in the territorial waters and/or the exclusive economic zone of different countries, the protection of the underwater cultural heritage is the responsibility of the cultural environment authorities of each country. In the EstLink 3 -project, the Finnish Heritage Agency will ensure that the protection of the underwater cultural heritage in the Finland's exclusive economic zone of and territorial waters is considered. The Estonian cultural environment authorities will ensure the protection of underwater cultural heritage in Estonian territories.

The Government of Åland

The Government of Åland considers that the project does not have direct effects on Åland and therefore sees no need to participate in the environmental impact assessment.

Finnish Safety and Chemicals Agency, Centre for Economic Development, Transport and the Environment of Southwest of Finland - Fisheries Authority, Finnish Meteorological Institute and Regional Council of Southwest Finland did not have any comment on the matter.

Participation in the transboundary EIA procedure

Based on the received statements and reflecting its own views, the Finnish Environment Institute states in accordance with Article 3, Paragraph 3 of the Espoo Convention that Finland intends to participate in the transboundary EIA procedure of EstLink 3.

Conclusions

The Finnish Environment Institute considers that all provided statements should be considered in the EIA programme. As the EIA procedure is not yet in the EIA programme stage, it is not possible to evaluate in detail the comprehensiveness of the planned impact assessment and the adequacy of the assessment methods based on the information received from Estonia. Therefore, the potential impacts and the assessment methods must be presented in the EIA programme.

The Finnish Environment Institute views that the project has potential significant impacts, for instance because of dredging, on the marine ecosystem, such as benthic habitats. It is important to assess the project's impact on the marine ecosystem and identify assessment needs for marine habitat types and species. The project's impacts on birds and their habitats as well as wintering and foraging areas should also be assessed. The impact assessment on marine ecosystem and birds must be based on sufficient surveys to comprehensively identify the project's impacts on different habitats and species. In addition, mitigation measures for adverse effects should be explored.

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To conclude, as the power cable is a joint project between Finland and Estonia, the Finnish Environment Institute states that a joint impact assessment should be carried out if the EIA procedure will be applied in the project in Finland as well.

Head of Services — Jenni Juslén

Senior Officer,
Point of Contact to the Espoo Convention and the Protocol on SEA — Wilma Poutanen

This document has been electronically signed. The electronic signatures can be verified from the register office of the Finnish Environment Institute.

Appendices Statements received in Finland

For information
Ministry of Foreign Affairs
Ministry of Environment
Centre for Economic Development, Transport and the Environment of Southwest Finland
Metsähallitus
The Finnish Border Guard
The Finnish Transport and Communications Agency Traficom
The Finnish Heritage Agency
The Government of Åland
Finnish Safety and Chemicals Agency
Centre for Economic Development, Transport and the Environment of Southwest of Finland - Fisheries Authority
Finnish Meteorological Institute
Regional Council of Southwest Finland