

APPENDIX 1: DEVELOPMENT OF THE NAANTALI HARBOR

Project description: The project to develop the Naantali harbor originally involved 1) expanding the harbor by creating a dock in the northwestern part of the harbor and dredging soft sediments in the fill area (about 70,000 m³ in the development plan), 2) construction of a new dock in the Luonnonmaa harbor area including filling works and dredging the local clay mass (about 310,000 m³) and 3) deepening of the channel to the Turku repair dockyard and dredging out a basin to accommodate a floating dock (planned mass to be dredged approximately 180,000 m³). Dumping of the dredged masses was to take place at the previously used dumping site, a deep area at the center of the harbor water area. Part of dredging of the channel to the repair dockyard and dredging of the area below the floating repair dock (altogether 57,000 m³) was completed under an existing dredging permit so that dockyard employment would not be disrupted.

Original 1994 project cost estimate: 7 million euros (including docks), of which about 0.2 million for the dredging that was completed under the existing permit.

Planned project start: 1996

Permitting phases: Harbor development plan and negotiations 1994–1995

Submission of application for water rights permit in accordance with dredging plan: May 8, 1995

Agreement with the West Finland Environment Centre on sediment sampling and studies: Nov. 7, 1995

Sediment sample studies completed, Feb 2, 1996

Decision of Western Finland Water Court (considering ten claims and demands): Aug. 28, 1996

Permit is granted for the dredging operations as planned.

Petitions on decision were filed with the Appeals Court for Water Issues. There four appellants: 1) the Southwestern Finland Environment Centre, 2) the City of Turku Environmental Protection Board, 3) the Turku Rural Board of Commerce, and 4) representatives of the fishing areas around Airisto. Grounds for appeal: need for additional studies, determination of levels of the hazardous substances PCB and DDT and its derivatives (based on interpretation of the HELCOM dumping guideline). Appellants 3 and 4 also sought a hike in their compensation for damage to fishing areas near the harbor. The Appeals Court largely upheld the decision of the West Finland Water Court in its decision of June 19, 1997

The City of Turku environmental protection board, The Southwestern Finland Employment and Economic Development Centre and the representatives of the Airisto fishing area sought to appeal further to the Supreme Administrative Court. To get a hearing, they requested from the Ministry of the Environment a statement on their initial grounds for appeal and further appeal. The Ministry issued its statement on Nov. 23, 1998. The statement included a

separate statement from the Finnish Environment Institute. The Finnish Environment Institute's statement called for the Supreme Administrative Court to issue an injunction to prevent commencement of dredging operations until studies that it considered necessary under the HELCOM dumping guideline could be completed. The Supreme Administrative Court granted a temporary injunction on Nov. 26, 1998.

Part of the channel dredging and the dredging of the basin under the harbor floating dock was done under the existing dredging permit between Dec. 4, 1998 and Apr. 30, 1999 on the basis of a negotiated agreement with the harbor and the Southwestern Finland Environment Centre. The Southwestern Finland Environment Centre at the behest of the Finnish Environment Institute, however, added new terms to the existing permit's requirement of a dredging follow-up study by also calling for studies on the content of PAH compounds, tin compounds, and organotin compounds in sediment samples as well as a study of the currents around the dumping area.

On Aug 15, 2000, the Supreme Administrative Court returned the matter of the new permit to the West Finland Regional Environment Center noting only that the Water Court had failed to clarify the impacts of TBT and PAH compounds on the affected areas, the extent of the impact and the suitability of the dumping site.

Permitting costs through 2000

Expert statements on plan and procedures: 40,000 euros

Water studies, including monitoring and reports, required by environmental officials: 30,000 euros

Fishery studies: 35,000 euros

Costs to the City of Nantaali and harbor for permitting process and study oversight (including repair dock): 85,000 euros

Total: 190,000 euros

Needs and circumstances change, harbor and city scale down the project

Western Finland environmental permit office grants permit for maintenance dredging of 50,000 m³: Apr. 5, 2004.

The Southwestern Finland Environmental Center and the fisheries unit of the Southwestern Finland Employment and Economic Development Centre file complaints on the new permit.

Vaasa administrative court grants dredging permit on Oct. 5, 2006