



Vides pārraudzības valsts birojs

Environment State Bureau of the Republic of Latvia

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Regarding the Notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context regarding proposed activity PLLC “*Vėjo pašvaistė*” park of up to 6 wind turbines at Zarasai District Municipality, Zarasai ward, Bernatkai, Kavoliškės, Riešutinės I, Šapaukos, Kalinauka villages

The Environment State Bureau (hereinafter – the Bureau), acting as a Point of Contact of Latvia regarding Notification in accordance with Convention on Environmental Impact Assessment in a Transboundary Context (hereafter – the Convention) and the competent authority on the environmental impact assessment (hereinafter – the EIA) in Latvia, would like to thank the Ministry of the Environment of the Republic of Lithuania for information sent concerning the notification of the proposed activity PLLC “*Vėjo pašvaistė*” park of up to 6 wind turbines at Zarasai District Municipality, Zarasai ward, Bernatkai, Kavoliškės, Riešutinės I, Šapaukos, Kalinauka villages (hereinafter – the Project) with reference to Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter – the Espoo Convention).

The Bureau hereby acknowledges the receipt of the notification and prepared documentation.

Please be informed that the Bureau published received information regarding Project on Bureau`s webpage¹ on 1st of February 2023 and send information directly to the involved

¹<https://www.vpvb.gov.lv/lv/parrobezu-ietekmes-uz-vidi-novertejumu-projekti/veja-parku-izbuve-lietuvas-republikas-teritorija-zarasu-un-birzu-rajonu-pasvaldibas>.

stakeholders. The Bureau received opinions and comments regarding the Project and its potential transboundary impacts within the scope of competence from the Ministry of the Climate and Energy of the Republic of Latvia, the Ministry of Foreign Affairs of the Republic of Latvia, the Ministry of Economics of the Republic of Latvia, the Ministry of Transport of the Republic of Latvia, the Ministry of Health of the Republic of Latvia, the Ministry of Interior of the Republic of Latvia, the Nature Conservation Agency, the State Environmental Service, the Latgale planning region, the Augšdaugava Municipality.

The Augšdaugava Municipality and the Nature Conservation Agency provided information that characterizes the border area and the Bureau suggest adding this information to the Project's screening documentation:

1. According to the in-force Daugavpils municipal spatial plan for 2012 – 2023² the dominant functional zones of the permitted usage on the mentioned Impact area are *Agricultural Territory (L)* and *Forest Territory (M)*. A small area (3,36 ha) is allocated for *Public building area (P)*. At the same time the Impact area is in so called *Valuable Landscape Area (TIN5)*, which includes some cultural heritage sites of municipal significance as well. There are approximately 29 homesteads in the Impact area with 71 permanent residents. The Impact area also includes summer cottage settlement *Ozolaine* (functional zone *Private house building territory DzSI*) consisting of 123 land plots with seasonal individual residential houses, some of which are permanently used. According to the Register Database of Rural Support Service of Latvia, most of the agricultural lands of the Impact area is registered for agricultural activity³.
2. According to the in-force Daugavpils municipal spatial plan for 2012 – 2023 the permitted usage of the functional zone *Agricultural Territory (L)* is as well as:
 - a. Residential building and land use – Country estate building as one of general use (according to the Annex 3 of the Cabinet Regulation No 240 “*General Regulations for the Planning, Use and Building of the Territory*” (30.04.2013.) (hereafter – the Regulation No 240) – it means Separate building in a rural area consisting of one or several individual residential buildings with household buildings and subsidiary buildings necessary for household or economic activity).
 - b. Residential building and land use – Summer cottage building (according to the Annex 3 of the Regulation No 240 building consisting of seasonal individual residential houses provided for residence in the status of the second houses, outside the permanent place of residence, with the necessary subsidiary buildings and facilities) and Garden house building (according to the Annex 3 of the Regulation No 240 building which mainly consists of family gardens with the structures provided for seasonal use, including living).
 - c. Public building and land use as an addition use, including Buildings of tourism and recreational establishments, Building of cultural institutions, Sport building etc.

In this case the Bureau draws your attention that according to the Screening Summary, nearest homestead is located 1,11 km from the wind turbine Z5 and 1,17 km from wind turbine Z6. But mentioned permitted usage of the functional zone *Agricultural Territory (L)* allows residential and public buildings closer to the border. According to the Article 163.2. of the Regulation No 240 in planning the deployment of wind power plants and

² approved by Regulation of the Daugavpils Municipal Council No 13 of 02.07.2014. “*Daugavpils municipality spatial plan for 2012-2023 Regulations for the Use of the Territory and Construction and Graphic part*” <https://www.augšdaugavasnovads.lv/pasvaldiba/attistiba-planosana-uznemejdarbiba/attistibas-planosanas-dokumenti/teritorijas-planojumi/>.

³ <https://karte.lad.gov.lv/>

wind parks, it must be ensured that the distance from the nearest planned wind turbines with a capacity exceeding 2 MW and wind park to residential and public buildings shall be at least 800 m. In addition to the provided information in the Screening Summary the Bureau identified that distance from nearest wind turbines Z5 and Z6 is accordingly approximately 825 m and 835 m from the border. In addition to the provided information regarding noise limits, the Bureau informs that according to the Annex 2 of the Cabinet Regulation No 16 “*Procedures for Noise Assessment and Management*” (07.01.2014.) the noise limit for residential area of individual houses ((mansions, small floors or single houses), child institutions, medical treatment, health and social care institutions) is L_{day} (7:00 – 19:00) 55 dB(A), L_{evening} 19:00 – 23:00 50 dB(A) and L_{night} 23:00 – 7:00 45 dB(A).

3. The Natura 2000 territory – the Specially Protected Landscape Area “*Augšzeme*” (sitecode – LV0600300, type – C) is located in the border territory. According to the Article 3 of the Cabinet Regulation No 221 “*Individual Regulations for Protection and Use of Protected Landscape Area “Augšzeme”*”⁴ (08.04.2021.) (hereafter – the Regulation No 221), Protected Landscape Area “*Augšzeme*” has been created to preserve the cultural landscape and natural values of the Augšzeme Upland, to protect Latvia's specially protected habitats and habitats of European Union importance, particularly the habitats of lakes, forests and grasslands and the specially protected species associated with them, and to promote their natural development by balancing the interests of society, recreational opportunities and tourism infrastructure. According to the Annex 1 “*Functional zone scheme for Protected Landscape Area “Augšzeme”*” of the Regulation No 221 mainly the functional zone – the Landscape Protection Zone is determined in the border territory, except for separate territories of the Nature Park Zone and the Nature Reserve Zone. Approximately 120 m from the border nesting place of Whooper Swan (*Cygnus cygnus*) is registered. The Nature Conservation Agency stated that there isn't expected potential negative effect on the protected trees and habitats of the European Union importance, as well as the localities of specially protected vascular plant, invertebrate and amphibian species in the 2 km zone of influence of the wind farm in the territory of the Republic of Latvia.

The Augšdaugava Municipality, the Nature Conservation Agency and the State Environmental Service provided the following proposals to be considered when carrying out the screening:

1. The Augšdaugava Municipality suggests an in-depth evaluation of the transboundary impact of the Project on the valuable landscape areas of the Impact area.
2. In according to the screening, physical pollution will be generated: environmental noise, flashing effect, infrasound and low frequency sound, electromagnetic emissions. The provided assessment considers that the impacts are not expected. The Augšdaugava Municipality notes that the assessment does not give any assurance that the impacts concerned are assessed in qualitative or quantitative terms also in relation to the Impact area. As the wind power plants are a significant source of low-frequency noise, this kind of pollution should be assessed in more detail in the residential areas of the Impact area.
3. The Nature Conservation Agency pointed that special attention should be paid to how the wind park will affect migrating and nesting birds, including large birds of prey, and bats in the environmental impact assessment process. In addition to the planned bird and bat monitoring program and remote telemetry studies, the Nature Conservation Agency recommends installing the bird deterrent systems at wind turbines to prevent death of the birds, especially large birds of prey. It is also recommended to consider the possibility of painting one blade of the wind turbine black to increase the chances of birds noticing the

⁴<https://likumi.lv/ta/id/322334-aizsargajamo-ainavu-apvidus-augszeme-individualie-aizsardzibas-un-izmantosanas-noteikumi>

wind turbines and avoiding them. We inform that the State Environmental Service also pointed out the need to pay particular attention to the study of migratory routes for birds and bats, as well as to find the best/greenest technical solutions (alternatives) for minimizing negative impacts and possible accident risks for further planning and evaluation.

In addition, most of the involved authorities asked to provide information on the results of the screening of the Project, including assessment of the transboundary impacts, if identified.

In the view of the above mentioned the Bureau informs that Latvia does not intend to participate in the environmental impact assessment procedure in accordance with the Convention as an affected party. Nevertheless, we would be grateful for an opportunity to observe the process and to receive information about the results of the screening. We draw your attention to the mentioned proposals and national regulatory requirements.

Looking forward to a further constructive and effective bilateral cooperation in the transboundary context,

Yours sincerely,

Daiga Avdejanova (signature*)

Director of Environment State Bureau of the Republic of Latvia

**Document is sign with secure electronical signature*

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