



Vides pārraudzības valsts birojs

*Environment State Bureau of the Republic of Latvia*

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**The Ministry of the Climate of the Republic of Estonia**

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**Regarding the municipal designated spatial plan and strategic environmental assessment for the Tõrva Municipality**

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 and Protocol on Strategic Environmental Assessment and the competent authority on the strategic environmental assessment (hereinafter – the SEA) in Latvia, would like to express gratitude to the Ministry of Climate of the Republic of Estonia for information sent concerning the municipal designated spatial plan (hereinafter – the Planning document) and the SEA for the Tõrva Municipality and the SEA programme in Latvian.

Please be informed that the Bureau published received information regarding the Planning document on the Bureau's webpage<sup>1</sup> on 17<sup>th</sup> of July 2023 and send information directly to the involved authorities. The public concerned was given the opportunity to express opinions and comments from 17<sup>th</sup> of July till 25<sup>th</sup> of August. The Bureau has received opinions and comments regarding the Planning document and its potential transboundary impacts within the scope of competence from the Ministry of the Environment Protection and Regional Development of the Republic of Latvia, the Ministry of Foreign Affairs of the Republic of Latvia, the Ministry of Health of the Republic of Latvia, the Ministry of Interior of the Republic of Latvia, the Ministry of Defence of the Republic of Latvia, the Ministry of Climate and Energy of the Republic of Latvia, the Nature Conservation Agency, the State Environmental Service, the Valmiera District Municipality and the Valka District Municipality.

The Bureau has gathered and evaluated received opinions. Considering the nature and scope of the Planning document as well as location of the potentially suitable areas for building wind parks, we hereby confirm that Latvia intends to take part in the proceedings on the SEA and transboundary consultations of the Planning document.

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<sup>1</sup><https://www.vpvb.gov.lv/lv/jaunums/pazinojums-par-planosanas-dokumenta-tervas-torva-novada-specialais-planojums-izstradi-un-strategisko-ietekmes-uz-vidi-novertejumu-igaunija>.

The Ministry of the Environment Protection and Regional Development of the Republic of Latvia, the Nature Conservation Agency, the State Environmental Service, and the Valka District Municipality provided information that characterizes the border area as well as highlighted aspects that shall be stressed out and foreseen during development of the Planning document and the SEA.

Considering that the location of one of the potentially suitable areas for building wind parks borders with territory of Latvia (in particular with territory of the Valmiera District Municipality and the Valka District Municipality), we would like to draw your attention that according to the national legislation and in particular Cabinet Regulation No. 240 “*General Regulations for the Planning, Use and Building of the Territory*” (30.04.2013.) (hereinafter – the Regulation No 240) the following provisions shall be conformed upon planning the layout of wind power plants:

- for wind power plants with a capacity of 20 kW to 2 MW, the distance from the nearest planned wind power plant and wind park border to residential and public buildings must be at least 500 m (the Article 163.1.).
- for wind power plants with a capacity exceeding 2 MW, the distance from the nearest boundary of the planned wind power plant and wind park to residential and public buildings must be at least 800 m (the Article 163.2.).
- in order to protect bird species or natural values from impacts, conditions and the minimum allowable distance for the deployment of wind power plants shall be determined according to the environmental impact assessment (the Article 163.3.).
- the impact of wind power plants and wind parks on the landscape shall be assessed in the visual range of the State protected cultural monuments, considering the specific situation and the specificities of the cultural monument (the Article 163.4.).

The Ministry of Environment Protection and Regional Development noted that the nearest residential houses in the territory of the Valmiera District Municipality *Zeltkalni* and *Dzintari* are located approximately 0,26 km and 0,6 km from the territory of the Planning document. Although according to the map browser of the Geospatial Information Agency of Latvia<sup>2</sup>, the mentioned residential houses are uninhabited, the proximity of potential wind power plants may affect their occupancy in the future as well as the value of the properties. According to the measurements the nearest inhabited homesteads are located approximately 0,8 km and 0,87 km from the border (and from the territory of the Planning document). In addition, the Valka District Municipality informed, that the nearest settlements in their territory are *Omuļi* (distance from the border 3 km) and *Stāļi* (5 km), as well as the *Ērgeme* village (12 km). The nearest homesteads are *Vecunguri* (1,3 km), *Āpšiņas* (1,3 km), *Medņi* and *Strazdiņi* (2 km), *Kalnpiēbes* and *Lejaspiēbes* (2,2 km), *Rozas* (2,4 km), *Attekas* and *Andrēni* (2,5 km), *Kļavas* (2,2 km).

According to the in-force Valka District Municipality spatial plan<sup>3</sup> the dominant functional zone of the permitted usage within area located near the border territory is *Forest Territory (M)*, but according to the in-force Naukšēni District Municipality spatial plan<sup>4</sup> the main functional zones are *Forest Territory (M)*, *Agricultural Territory (L)* and *Water Territory (Ū)*. Considering above mentioned conditions related to the deployment of the wind power plants we draw your attention that according to the in-force Naukšēni District Municipality spatial plan the permitted usage of the functional zone *Agricultural Territory (L)* is as well as:

- Residential building and land use – Country estate building as one of general use (according to the Annex 3 of the the Regulation No 240) – it means Separate building in a rural area consisting of one or several individual residential buildings with household

<sup>2</sup> <https://kartes.lgia.gov.lv/karte/?x=420035.80&y=603961.21&zoom=9&basemap=topokarte>

<sup>3</sup> [https://geolatvija.lv/geo/tapis#document\\_22074](https://geolatvija.lv/geo/tapis#document_22074)

<sup>4</sup> [https://geolatvija.lv/geo/tapis#document\\_64](https://geolatvija.lv/geo/tapis#document_64)

buildings and subsidiary buildings necessary for household or economic activity).

- Public building and land use as an additional use, including Buildings of tourism, Buildings of cultural institutions, Sport buildings, Health, and social care institutions etc.

Therefore it should be taken into account that mentioned permitted usage of the functional zone *Agricultural Territory (L)* allows to deploy residential and public buildings closer to the Latvian-Estonian border.

The Nature Conservation Agency generally welcomes the quality of the information included in the SEA Programme. However, the Nature Conservation Agency notes that it would be necessary to include more extensive data of Latvia in the planning document regarding natural values (data requests to the Nature Conservation Agency can be made according to the instructions published on the website: <https://www.daba.gov.lv/en/services/use-geospatial-data-sets-natural-data-management-system>). According to the information provided in Latvian natural data management system *Ozols*, in the territory adjacent to the planning territory on the Latvian side, there are micro-reserve for the *northern goshawk Accipiter gentilis* (Micro-reserve code: 2609) and the *western capercaillie Tetrao urogallus* (Micro-reserve code: 2185) – when planning wind farm development territories, it is necessary to observe at least a 2 km buffer zone around these micro-reserves. There are also several habitats of European importance, which are related to a constant moisture regime (as “*Western taiga*” (9010\*), “*Fennoscandian hemiboreal natural old broad-leaved deciduous forests (Quercus, Tilia, Acer, Fraxinus or Ulmus) rich in epiphytes*” (9020\*), “*Bog woodland*” (91D0\*), “*Tilio-Acerion forests of slopes, screes and ravines*” (9180\*), “*Fennoscandian herb-rich forests with Picea abies*” (9050), “*Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-padion, Alnion incanae, Salicion albae*” (91E0\*)) and the micro-reserve for “*Wet black alder forest habitat*” (Micro-reserve code: 1857). When planning the development of wind farms, it is necessary to assess the possible impacts on specially protected habitat, include. impact on the hydrological regime. In addition, the planning territory borders with the specially protected nature territory “*North Vidzeme Biosphere Reserve*” and its landscape protection zone.

The Environment State Service asks to pay special attention to the possible effects of the Planning document on the preservation of the environmental quality of residential houses near the border (noise disturbance, vibration, electromagnetic radiation, flickering effect and other aspects), landscape changes (in the research, finding solutions for reducing the impact), impact on the green network on the Latvian side of the border and for the study of migration routes of birds and bats (in research, showing the best/most sparing technical solutions/alternatives for minimizing negative impacts).

The Bureau informs that according to the national Law on Environmental Impact Assessment and the Cabinet Regulation No 157 adopted on 23 March 2004 “*Procedures for Carrying Out a Strategic Environmental Impact Assessment*” – the time period within which the public concerned, and the authorities may submit written opinions, proposals and comments regarding the draft planning document and environmental report is at least 30 days from the publication day of the notification. Considering the time necessary for the publication, compiling the opinions received and translation, we kindly ask you to schedule a time frame of at least 6 weeks for the transboundary public consultation in Latvia. We kindly recommend holding a public hearing as additional public information form.

We kindly ask you to prepare summary of the SEA Report that reflects information to the extent and scope necessary for the transboundary EIA (including graphical materials and maps in relation to the transboundary impact aspects) in Latvian.

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

Enclosure: graphical material from in-force Valka District Municipality spatial plan and the in-force Naukšēni District Municipality spatial plan.

Sincerely yours,

Daiga Avdejanova (signature\*) Director of Environment State Bureau of the Republic of Latvia

*\*Document is sign with secure electronical signature*

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