



REPUBLIC OF ESTONIA
MINISTRY OF THE ENVIRONMENT

To the Points of Contact for the Espoo
Convention in Finland, Latvia, Lithuania
and Sweden

Our ref. February 2022 No 16-3/21/1696-5

Notification in accordance with Article 3 of the
Convention on Environmental Impact Assessment in
a Transboundary Context concerning the Utilitas OÜ
Saare-Liivi 5 offshore wind farm project in the Gulf
of Riga

As the Party of origin, Estonia is hereby sending a notification in accordance with Article 3 of the
Environmental Impact Assessment in a Transboundary Context (Espoo Convention) of the project
plan by the developer Utilitas OÜ to construct an offshore wind farm in the Gulf of Riga.

Description of the project

The proposed Saare-Liivi 5 offshore wind farm will consist of up to 299 wind turbines with an approximate distance of 1 km between the turbines and will have a total capacity of up to 5,980 megawatts. The structure will be used for the production of electricity and/or hydrogen through offshore wind farm facilities. The planned offshore wind farm will include wind turbines with a total height of up to 400 m above sea level, with an electric wind turbine tower height of up to 250 m and a rotor diameter of up to 300 m. The nominal capacity of a wind turbine of this size is up to 20 MW. The final total installed capacity of the wind farm and the number of wind turbines will depend on the choice of wind turbine manufacturer and the location of the wind turbines in the wind farm. A schematic map illustrating the location of the proposed project is enclosed in Annex 1.

The proposed activity potentially results in significant environmental impact which may be transboundary. Therefore, the decision-maker (i.e. issuer of development consent) – the Consumer Protection and Technical Regulatory Authority – has asked the Ministry of the Environment to notify the potential affected Parties.

Environmental impact assessment (EIA) procedure

On 18 February 2021, the developer submitted an application for superficies licence to the decision-maker. The supplemented application for superficies licence was submitted on 5 July 2021. Pursuant to the Water Act, superficies licence is the right to encumber a delimited part of a public water body with construction works that are permanently connected to the bottom of the water body and are not permanently connected to the shore, for a specified term. The developer is applying for the superficies licence for a period of 50 years. Additional information regarding the

project and its potential impacts can be found in the main document of the supplemented application in English (unofficial translation) that is enclosed in Annex 2.

According to the Environmental Impact Assessment and Environmental Management System Act (hereinafter *the Act*), the decision-maker will make a decision to initiate or refuse to initiate environmental impact assessment (EIA) on the basis of an application for development consent. The Consumer Protection and Technical Regulatory Authority initiated the procedure for superficies licences, together with an EIA, by its decision no. 1-7/21-521 of 23 December 2021. The extract of the main part of the decision and notice of the initiation of the procedure in English (unofficial translations) are enclosed respectively in Annex 3 and Annex 4. Inter alia, the decision includes the list of different surveys that have to be carried out as part of the EIA.

According to the Act, after the initiation of EIA the leading expert or, an expert group under the supervision of the leading expert, will, jointly with the developer, prepare an EIA programme (scoping document). The decision-maker must ask for an opinion on the content of the EIA programme from all the authorities concerned and will organize the publication of the EIA programme (i.e. public display and public hearing). After the publication stage and taking account of results of the publication, the developer submits the EIA programme to the decision-maker for verification of its compliance with the requirements.

On the basis of the EIA programme that has been declared compliant, the EIA report is prepared. The EIA report stage includes similar proceedings as described as regards the EIA programme stage.

Upon making a decision to grant or refuse to grant development consent, the decision-maker must take into account of the results of EIA and the environmental measures contained in the EIA report. This also includes, where relevant, the results of transboundary consultations.

If the affected Party intends to participate in the EIA procedure, the draft EIA programme and EIA report will be forwarded to the affected state. Consultations are commenced concerning environmental impact resulting from the proposed activity and environmental measures to be taken.

Answer to the notification

Kindly send the answer to this notification to the Ministry of the Environment (keskkonnaministeerium@envir.ee) by 25 March 2022 and:

- acknowledge the receipt of the notification;
- indicate whether your country intends to participate in the EIA procedure;
- provide possible comments concerning the scope for the assessment of the environmental impacts of the project affecting your country.

Bilateral Agreement between Estonia and Finland

In relation to the Agreement between Estonia and Finland on environmental impact assessment in a Transboundary Context, we would like to draw Finland's attention to the 13th meeting of the joint Commission on EIA. Inter alia, the Commission discussed the EIA notification practice between the countries and in the current situation proposed to follow the present practice. However, in justified cases Finland has the possibility to make the decision on participating in the particular EIA procedure at the EIA programme stage.

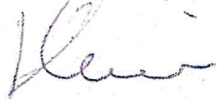
Contacts information

Developer: Utilitas OÜ – Mr Rene Tammist, rene.tammist@utilitas.ee.

Decision-maker: Consumer Protection and Technical Regulatory Authority – Ms Liina Roosimägi, liina.roosimagi@ttja.ee.

Transboundary EIA procedure: Ministry of the Environment of Estonia – Mr Rainer Persidski, rainer.persidski@envir.ee.

Sincerely Yours,



Kaupo Heinma
Point of Contact for the Espoo Convention

Enclosures:

- Annex 1 – schematic map of the location of the proposed project
- Annex 2 – application of the developer
- Annex 3 – extract of the initiation decision
- Annex 4 – notice of the initiation of the procedure

List of recipients (Points of Contact):

Finland: Ms Seija Rantakallio, seija.rantakallio@ym.fi
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For information:

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Consumer Protection and Technical Regulatory Authority, info@ttja.ee

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Annex 1 – schematic location of the proposed project (marked in blue)



Consumer Protection and Technical Regulatory Authority

Endla 10a, Tallinn 10142

info@ttja.ee

Updated version – 5/7/2021

Application for a superficies license to encumber a public water body with the Saare-Liivi 5 offshore wind park

OÜ Utilitas hereby submits an application for a building permit for the development of offshore wind farms in the Gulf of Riga. This is the construction of a structure which is not permanently connected to the public water body and therefore, in accordance with subsection 217 (1) of the Water Act, a building permit must be applied for from the Consumer Protection and Technical Regulatory Authority.

In accordance with the subsection 218 (2) of the Water Act, the application for the building permit must include the following data:

- 1) the purpose of use of the construction works;
- 2) the maximum height and depth of the construction works and other important technical data;
- 3) the number of construction works on the encumbered area, and the ground projection area;
- 4) the coordinates of the encumbered area of the public water bodies and the size in square metres of the encumbered area;
- 5) a description of the investigation specified in clause 219 (7) 3) of this Act if the competent authority requires the conduct such a survey;
- 6) the applied term of the superficies licence.

Subsection 218 (4) of the Water Act stipulates that a map of the location of the planned construction works and of the civil engineering works required for servicing the construction works, including submerged cable lines, and other documents relevant to encumbering a public water body with the construction works shall be annexed to the application for a superficies licence.

Subsection 218 (3) of the Water Act stipulates that if there are additional requirements for holders of superficies licences are provided by law, the application shall also include the confirmation of the applicant that he or she complies with the requirements. Documents certifying compliance with the requirements shall be annexed to the application

Subsection 92¹ (2) of the Electricity Market Act stipulates that in addition to information and documents required by the Water Act, a superficies licence application must include information concerning the potential capacity of the wind power plant and must be accompanied by an endorsement from the network operator regarding the technical conditions for connection to the transmission network.

Section 92² of the Electricity Market act stipulates that a superficies licence to build a wind power plant on a public water body may only be granted to an electricity undertaking for the purposes of this Act or to an undertaking which belongs to the same group with an electricity undertaking for the purposes of subsection 2 (3) of the Competition Act. OÜ Utilitas hereby confirms that OÜ Utilitas Tallinna Elektri jaam belongs to the same group and complies with the conditions referred to in section 92² of the Electricity Market Act and is an electricity undertaking within the meaning of section 6 of the Electricity Market Act (producer), holding electricity production licence ELT000028

Attached to this application are the site plan of the proposed offshore wind farm and other information relevant to the encumbering of the public water body. The further process will specify the technology and specific equipment to be used, as well as their dimensions and other technical specifications. After the environmental impact assessment decreed by the competent authority has been carried out, the applicant shall submit the environmental impact assessment report to the competent authority. The applicant shall resubmit the documents initially attached to the application if they have been clarified following the studies and the environmental impact assessment. The present application has been prepared in accordance with the requirements set out in subsection 218 (2) of the Water Act.

General information

The priority of OÜ Utilitas is to invest in renewable energy with a clear desire to help the Estonian State achieve its renewable energy goals. Accordingly, OÜ Utilitas is keen to establish an offshore wind farm in the Gulf of Riga to produce electricity and/or hydrogen in a sustainable way.

The proposed offshore wind farm is planned to be located in the Gulf of Riga (Figure 1). The location of the proposed activity is in an area suitable for the development of wind energy in accordance with the regional plan for the maritime area bordering Pärnu County.

The number of wind turbines planned for the site will be up to 299, with a unit capacity of up to 20 MW per wind turbine, depending on technological developments. The final total installed capacity of the wind farm and the number of wind turbines will depend on the choice of wind turbine manufacturer and the location of the wind turbines in the wind farm.

The establishment of an offshore wind farm requires:

- A building permit for the construction in a public water body. The decision is made by the Consumer Protection and Technical Regulatory Authority.
- Environmental impact assessment (clause 6 (1) 5) of the Environmental Impact Assessment and Environmental Management System Act – installation of wind farms in water bodies).
- The environmental permit for special use of water (subsection 2 (2) of the Water Act). The decision is made by the Environmental Board.

If dredging is necessary, an assessment will be made of how much dredged soil remains and where it will be placed. The use or disposal of dredged soil remaining after construction must be in accordance with sections 96 and 97 of the Earth's Crust Act.

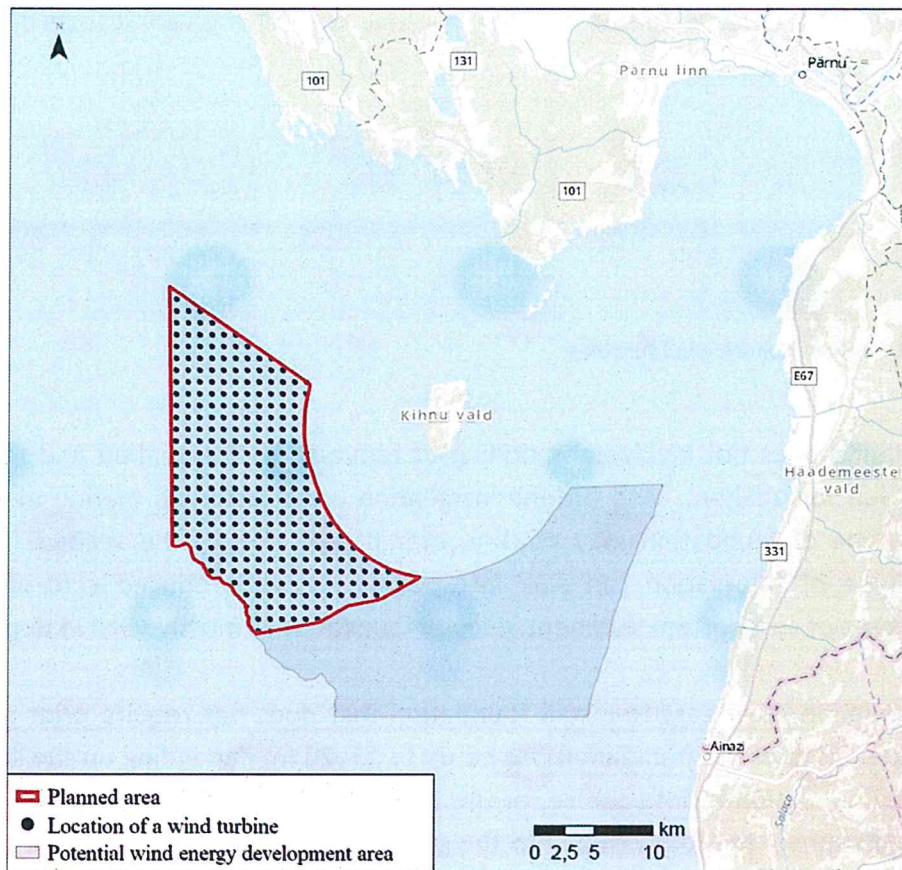


Figure 1. Location of the proposed offshore wind farm based on the regional plan of the maritime area bordering Pärnu County with the preliminary layout of the wind turbines.

1. Use of the building

The structure subject to the building permit is an offshore wind farm with up to 299 wind turbines. The use of the structure subject to the building permit is the production of electricity and/or hydrogen through offshore wind farm facilities.

2. Maximum height and depth of the building and other relevant technical data

The planned offshore wind farm will include wind turbines with a total height of up to 400 m above sea level, with an electric wind turbine tower height of up to 250 m and a rotor diameter of up to 300 m. The nominal capacity of a wind turbine of this size is up to 20 MW. The exact type of wind turbines to be used will be determined during the project design phase. As the depth of the sea in the planned area varies between 10 and 30 m, it is likely that different types of foundations will have to be used.

The four main types of offshore windmill foundations in use today (Figure 2) are:

1. Gravity foundation
2. Monopile foundation
3. Tripod foundation
4. Jacket foundation

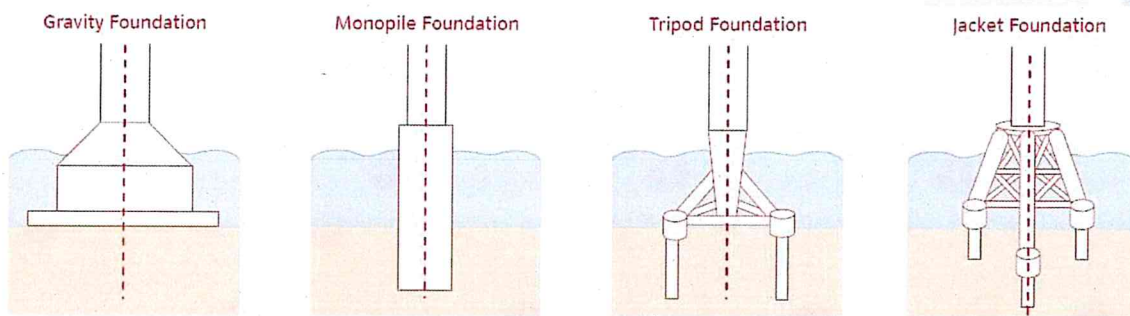


Figure 2. Types of foundations for offshore wind turbines

- 1) Gravity foundation does not involve any drilling or ramming of the seabed and it is the preferred solution for offshore wind turbine installation under Estonian marine planning. However, this type of foundation may require prior preparation of the seabed. That is because this type of foundation can sink into sediments with reduced controllability (askew) in the case of soft bottom sediment. Gravity foundation is mostly used in depths up to 30 m.
- 2) Monopile foundation is an easy-to-install foundation that does not require prior seabed preparation. The depth of the foundation can be up to 15–20 m, depending on the seabed, but this type of foundation is not suitable for use in areas where the seabed is covered by large boulders. Ramming the foundation into the ground may not be feasible in the case of hard bottom sediment, nor is the foundation technically suitable for use in regular ice conditions. Traditionally, monopile foundation is used in areas where the sea depth is up to 25 m.
- 3) Tripod foundation is suitable for use in deeper waters – up to 35 m – and it needs minimal seabed preparation. The ‘legs’ of the tripod foundation are rammed into the seabed in depths of up to 10 m. This type of foundation is not suitable for use in areas where the seabed is covered by large boulders.
- 4) Jacket foundation foundations are anchored to the seabed by steel piles and this type of foundation is used in areas where the sea depth exceeds 40 m. It is the more complex of the above foundation types and is generally not preferred in regular ice conditions.

As with the type of wind turbines, the type of foundation to be used for the proposed wind turbines will be determined after more detailed studies have been carried out and will depend in particular on the geology of the seabed.

In order to feed the electricity produced into the grid, a cable route will have to be built – the possible locations of which are shown in Figure 3. In addition, the Estonian Maritime Spatial Plan defines tentative locations for the cable route, which will be followed where possible, but the exact location of the cable route will also be determined after the surveys. The locations of the substation(s) and the system of internal submerged cable lines within the offshore wind farm will be specified during the process.

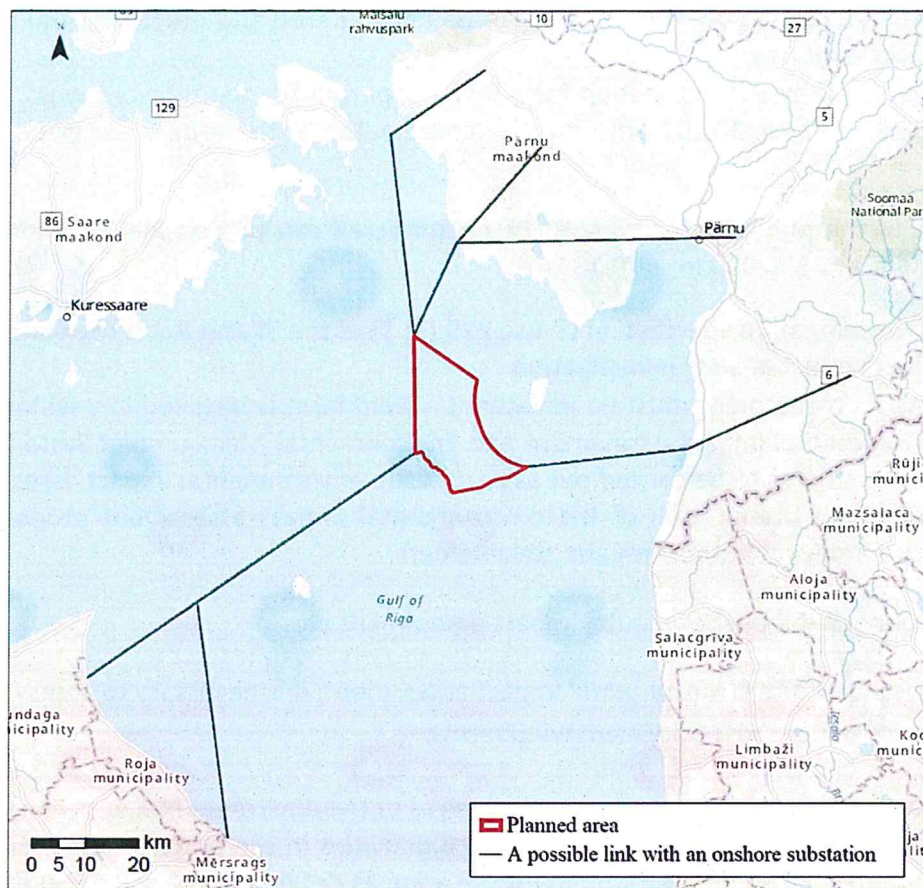


Figure 3. Possible links between the planned area and onshore substations

3. Number of structures in the area to be encumbered and their surface area

The proposed complex will consist of up to 299 wind turbines, with a distance of 1 km between the turbines. The exact location, siting, and spacing of the wind turbines will depend on the exact type and size of the wind turbines and the outcome of the environmental impact assessment, once the environmental measures to be implemented and the capacity of the site and the affected sites to withstand the environmental pressures are known. The total number of wind turbines and the size of the site area may also change as a result of the environmental impact assessment if it becomes clear that it is not feasible to develop the desired scale of activity on the sites. If necessary, the layout will be modified in accordance with the needs of the site and the associated constraints or environmental conditions.

In addition to the wind turbines, the offshore wind farm will also include a substation on a platform on a foundation similar to that of the wind turbines. From the wind turbines to the substation, a system of submerged cable lines will be installed inside the offshore wind farm. The electric cables inside the wind farm will be buried in the seabed, if necessary.

The foundation of each wind turbine is currently estimated to have an area of around 500 m². Consequently, the area of seabed covered by up to 299 wind turbines is 149,500 m², plus the construction area of the substation, which is 500 m² on a foundation similar to that of the wind turbine. The total initial construction area is therefore 150,000 m², or 0,15 km².

4. Coordinates of the area of the public water body to be encumbered and the size of the area to be encumbered in square metres

The maximum area covered by the application for a building permit for the offshore wind farm is estimated at 301,008.373 m² or 301,01 km² and the coordinates of the area were given on 30 March .2021.

The size of the area of the public water body to be encumbered can be considered as the area under construction, which is 150,000 m² or 0,15 km².

5. Description of the investigation specified in clause 219 (7) 3) of the Water Act if the competent authority requires the conduct of such investigation

An environmental impact assessment must be initiated if a wind farm is installed in a water body (section 6 of the Environmental Impact Assessment and Environmental Management System Act). The list and scope of the studies to be carried out as part of the environmental impact assessment will be specified during the preparation of the environmental impact assessment programme, based on feedback from relevant authorities and stakeholders.

The additional conditions of the environmental impact assessment are:

1. As part of the studies and environmental impact assessment, it is necessary to assess the interactions with the proposed adjacent wind farms.
2. When determining the area of influence in the course of the environmental impact assessment, consideration must be given to the planned activities in the potential development area of wind energy in the entire Pärnu maritime area, as defined in the MP, including the interactions of the development activities in the area, the areas affected by substations and cables, visual effects, etc. The anticipated area of impact should be identified at the stage of the environmental impact assessment programme.
3. The environmental impact assessment concerns the area of submerged cables, especially in locations where they are buried in the soil. The environmental impact assessment process will identify the indicative volumes of dredging, filling, and placement of solids to also enable an assessment of the impact of the special use of water.
4. In addition to the location of the proposed marine wind park and its area of impact, where appropriate, the area where submerged cables connecting the wind turbines to the onshore electricity grid are installed will be considered an area of impact as well. As an area of impact, including as an area of survey, the effects of constructing power lines onshore, where protected species live and protected areas are also present, must also be considered.
5. The environmental impact assessment will include, where appropriate, an assessment of the impacts of onshore substations and power lines.
6. Impacts on nearby nationally protected areas must be identified within the environmental impact assessment: the Pärnu Bay SPA, the Sorgu Nature Reserve, the Kihnu Nature Reserve, the Manija Landscape Reserve, the Kihnu Islets Nature Reserve; Natura 2000 network sites: the Pärnu Bay Bird Area, the Sorgu Nature Reserve, the Kihnu Nature Reserve, the Manilaiu Hanilaiu Nature Reserve. For Natura 2000 network sites, a preliminary Natura assessment must be carried out in the environmental impact assessment programme and, depending on its results, an appropriate Natura assessment in the environmental impact assessment report.

7. The assessment of the state of the marine environment has to take into account the state of the marine environment data provided in the various reports of the Estonian Marine Strategy (<https://www.envir.ee/et/eesmargid-tegevused/merekeskkonnakaitse/merestrategie>).
8. The environmental impact assessment will assess the impacts during construction (on fish and fisheries, birdlife, vessel traffic, etc.), including the impacts of onshore activities (transport of wind turbines and foundations to and from the harbour, installation of cables, construction of the substation), the impacts during operation (including maintenance) and develop appropriate mitigation measures. For the construction of the wind farm, the best possible realistic solution must be chosen, including the exclusion of any potential damage to fish stocks from the submarine cables (e.g. the electrical field above the cables on the seabed must be without negative impact – close to zero).
9. A submarine archaeological survey must be carried out in the area of the offshore wind farm, the cable corridor and their areas of impact as a part of the environmental impact assessment.
10. In order to facilitate the assessment of visual impacts during the environmental impact assessment, the study 'Guidance material on methodological recommendations for visual impact assessment to promote the development of marine parks', or at least an equivalent methodology, will be used.
11. The socio-economic impacts (including on fisheries) will be assessed and the necessary mitigation measures will be proposed.

Possible surveys needed:

1. Bird survey. As regards the bird fauna, a migration analysis and a survey of migratory and offshore birds (feeding areas, migration corridors, etc.) is necessary. A radar survey of birds (covering at least two years of migration periods) must be carried out in parallel with visual surveys.
2. Seabed engineering geological survey
3. Seabed biota survey
4. Benthic habitat survey
5. Artificial substrate colonisation tests survey
6. Fish survey. Fish surveys need to map fish stocks in the area, fish nursery areas, seabed biota and habitats, fish migration routes, and the impact of the wind farm on fish populations. The impact of the proposed activities on fish migration and spawning (by specifying the possible locations of the deep-set breeding grounds identified in the Pärnu Marine Area Plan within the wind farm development area and determining the conditions for maintaining the breeding grounds), birds (including specifying the habitats of the long-tailed duck and the scoter) will be studied. An analysis of the construction and operational impacts will also be carried out, including an examination of the potential impact of the electromagnetic field of the submarine cable on fisheries. The impact of wind turbine operating noise on the movement of Atlantic herring shoals will also need to be investigated as part of the fisheries survey.
7. Marine mammal survey
8. Seawater quality survey
9. Marine sediment survey

10. Modelling of the distribution of infrasound and suspended sediment to assess the impact of the wind farm on fish spawning areas, spawning, and migration.
11. Survey on bats and their migration (corridor). In consultation with a bat expert, the effects on bats must be clarified in the light of the scale, exact location, and technical design of the proposed activity.
12. Navigation risk assessment analysing the impact of the wind farm on vessel traffic and possible mitigation measures. Issues to be addressed should include, e.g. locations and widths of possible shipping corridors, the impact of the wind farm on marine communication systems, AIS equipment, ship radars, and the potential impact on shipping traffic due to changes in ice conditions.
13. Aviation safety expertise-risk analysis on the width of the air traffic corridor to be left in the centre of the wind farm, taking into account different possible weather conditions, aircraft types and airspeeds.
14. In the case of operations in the vicinity of the wreck, assess the impact on the cultural heritage, carrying out surveys if necessary. Prior to the relocation of wrecks, carry out a preliminary underwater archaeological survey to determine the condition of the wreck, the extent of the archaeological layer and the feasibility of removal.
15. If there is a party interested in the development of aquaculture, the co-development of the wind energy development site with aquaculture will be considered/analysed at their initiative.
16. Assess the impacts on seals at the local level, including potential impacts from ice breaking, and identify any necessary mitigation measures.

The surveyed area shall include, where appropriate and relevant, the area where the submerged cables connecting the wind turbines to the onshore electricity grid will be installed.

6. Duration of the building permission applied for

OÜ Utilitas is applying for a building permit for a period of 50 years.

Appendices

Appendix 1. Coordinates of the encumbered area.

Appendix 2. Technical conditions of Elering AS.

Decision

On the basis of the foregoing, subsection 216 (1), subsections 219 (1) and (7) of the Water Act; clause 3 (1) 1), clause 6 (1) 5), subsections 11 (3), (8), and (11), subsection 12 (1), subsection 18 (7), and section 30 of the Environmental Impact Assessment and Environmental Management System Act; Minister of Economic Affairs and Infrastructure's decree no. 62 of 7 December 2018 'Statute of the Consumer Protection and Technical Regulatory Authority' clause 4 (1) 8) and subsection 10 1), I hereby decide:

1. To initiate the procedure for a superficies licence for the construction of the proposed Saare-Liivi 5 offshore wind farm in the Gulf of Riga on the basis of the application for a superficies licence submitted by Utilitas OÜ on 18 February 2021 and supplemented on 5 July 2021.
2. To initiate an environmental impact assessment, including a cross-border environmental impact assessment, to assess the potential short- and long-term, indirect and direct effects of the establishment of the offshore wind farm referred to in point 1 in a public water body. The proposed activity is likely to have cross-border impacts, so the impact assessment should identify potential cross-border impacts during the construction and operation of the wind farm.
3. To carry out a preliminary Natura assessment in the case of Natura 2000 network sites within the EIA programme and, depending on its results, an appropriate Natura assessment in the EIA report.
4. To carry out at least the following surveys on the location of the offshore wind farm and its area of impact, and on the location and area of impact of the water cable lines to be installed for connecting to the main grid:
 - 1) a vessel navigation risk analysis, which addresses the impact of the wind farm on vessel traffic and possible mitigation measures. The issues to be addressed shall include e.g. the locations and widths of possible shipping corridors, the impact of the wind farm on marine communication systems, AIS equipment, ship radars, and the possible impact on shipping traffic due to changes in ice conditions;
 - 2) an aviation safety expertise-risk analysis on the width of the air traffic corridor to be left in the centre of the wind farm, taking into account different possible weather conditions, aircraft types, and flight speeds;
 - 3) seabed engineering geological survey;
 - 4) seabed sediment survey;
 - 5) visualisation from different points of the land, taking into account the study commissioned by the Ministry of Finance and the Ministry of Economic Affairs and Communications on 'Guidance material on methodological recommendations for visual impact assessment to promote the development of marine parks', or any other at least equivalent methodology for which the conditions are applicable in Estonia;
 - 6) assess the impact on the cultural heritage of shipwrecks in the case of working in the vicinity of the wrecks, carrying out surveys if necessary. Prior to any relocation of wrecks, carry out a preliminary underwater archaeological survey to determine the condition of the wreck, the extent of the archaeological layer and the feasibility of removal;

7) seawater quality surveys in the area of the wind farm and in the marine area likely to be affected by the construction activities;

8) seabed biota survey – identification of qualitative and quantitative parameters of benthic flora and fauna in the development area and potentially affected area;

9) a study on the potential impact of the electromagnetic field of the submerged cable on fish fauna (construction and operational impacts);

10) a survey of bird migration and feeding areas. For bird fauna, a migration analysis and a survey of migratory and offshore birds (feeding areas, migration corridors, etc.) are necessary. A radar survey of birds (covering at least two years of migration periods) must be carried out in parallel with visual surveys;

11) a survey on bats as well as their feeding areas and their migration (corridor);

12) a fish survey – map fish stocks in the area, fish nursery areas, seabed biota and habitats, fish migration routes and the impact of the wind farm on fish populations. The impact of the proposed activities on fish migration and spawning, birds (including specifying the habitats of the long-tailed duck and the scoter) must be surveyed and an analysis of the construction and operational impacts must be done. The impact of wind turbine operating noise on the movement of Atlantic herring shoals will also need to be investigated as part of the fisheries survey. Map fish stocks in the area, fish nursery areas, seabed biota and habitats, fish migration routes, and the impact of the wind farm on fish populations;

14) assess the impacts during construction (on fish and fisheries, birdlife, vessel traffic, etc.), including the impacts of onshore activities (transport of wind turbines and foundations to and from the harbour, installation of cables, construction of the substation), the impacts during operation (including maintenance), and develop appropriate mitigation measures;

15) modelling of the distribution of infrasound and suspended sediment to assess the impact of the wind farm on fish spawning areas, spawning, and migration;

16) artificial substrate colonisation tests survey;

17) benthic habitat survey;

18) marine mammal survey;

19) assess the impacts on seals at the local level, including potential impacts from ice breaking, and identify any necessary mitigation measures;

20) the assessment of the state of the marine environment has to take into account the state of the marine environment data provided in the various reports of the Estonian Marine Strategy (<https://www.envir.ee/et/eesmargid-tegevused/merekeskkonnakaitse/merestrategie>);

21) identify the indicative volumes of dredging, dumping and the placement of solids;

22) a socio-economic analysis (including for fisheries), and propose the necessary mitigation measures. On the basis of the socio-economic analysis, to assess the quality of electricity and the possibilities for improving it on the island of Kihnu and to cooperate in this respect with other developers planning wind farms in the same development area (AS Elering, AS Eesti Energia);

23) other surveys to be defined in the EIA programme.

Studies to be carried out within five years of approval of the EIA programme.

5. Cooperate with the relevant authorities in the selection of the exact locations and parameters of wind turbines to identify possible constraints and suitable locations.

6. Co-operate with other wind farm developers planning wind farms in the same area to assess the environmental impact, carry out studies, and select the transmission line route.

7. Assess interactions with proposed adjacent wind farms.

8. The planning of the wind farm and the assessment of its environmental impact must take into account the conditions of the regional planning of the maritime area bordering Pärnu County established by Order No. 1-1/17/152 of Pärnu County Mayor of 17 April 2017 and the conditions of the regional planning of the maritime area bordering Pärnu County approved by the Government of the Republic on 25 May 2017. The basic analyses carried out and additional information received during the procedure of the national marine area planning, which is currently being prepared, initiated by the European Parliament in May 2017, covering the entire Estonian marine area, including Pärnu County (e.g. seal survey, bird stopover survey, guidance material for the assessment of visual impacts).

9. When defining the scope of the environmental impact assessment, the activities planned in the potential wind energy development area defined in the planning of the entire maritime area bordering Pärnu County must be taken into account, including the combined effects of the developments there, the areas affected by the placement of substations and cables, visual effects, etc. The anticipated area of impact should be identified at the stage of the EIA programme.

10. Utilitas OÜ to submit the environmental impact assessment programme for the verification of compliance with the requirements of the Consumer Protection and Technical Regulatory Authority no later than 18 months from the date of the decision to initiate this environmental impact assessment, unless the deadline has been extended in accordance to Section 24 of the Environmental Impact Assessment and Environmental Management System Act.

11. Environmental assessment procedures are not aggregated.

12. The procedure of the application of Utilitas OÜ for a superficies licence will be suspended until the environmental impact assessment report is declared to be in compliance with the requirements or the circumstances set out in subsection 18 (7) of the Environmental Impact Assessment and Environmental Management System Act.

13. Utilitas OÜ will bear the costs of the environmental impact assessment and other surveys.

The initiation of the environmental impact assessment of an application for a superficies licence is notified within 14 days in the *Ametlikud Teadaanded* and the persons concerned and other parties to the procedure are notified by a separate letter.

The Consumer Protection and Technical Regulatory Authority immediately notifies the Ministry of Environment of the initiation of a cross-border environmental impact assessment.

A person who considers that their rights have been infringed by this administrative act has the right to lodge a complaint with the Director General of the Consumer Protection and Technical Regulatory Authority (Endla tn 10a, 10122 Tallinn, e-mail info@ttja.ee) within 30 calendar days of becoming aware of the administrative act in accordance with the procedure laid down in the Administrative Procedure Act or to lodge an appeal with the Administrative Court in accordance with the procedure laid down in the Code of Administrative Court Procedure.

(signed digitally)

Teele Tohver

Head of the Administrative Department
acting as Director-General

Compiled: Liina Roosimägi