



Vides pārraudzības valsts birojs

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Swedish Environmental Protection Agency
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Regarding the transboundary environmental impact assessment of the planned offshore windfarm project “*Herkules*” in Sweden’s exclusive economic zone

The Environment State Bureau (hereinafter – the Bureau), acting as a Point of Contact regarding Notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter – the Espoo Convention) of Latvia and the competent authority on the environmental impact assessment (hereinafter – the EIA) in Latvia, thanks the Swedish Environmental Protection Agency for information concerning the planned offshore windfarm project “*Herkules*” in Sweden’s exclusive economic zone (hereinafter – the Project) with reference to Article 3 of the Espoo Convention.

The Bureau hereby acknowledges receipt of the notification and prepared documentation. Considering the nature and scope of the Project and the possibility of transboundary impacts, we hereby confirm that Latvia intends to take part in the proceedings on the EIA and transboundary consultations as an affected party.

Please be informed that the Bureau published received information regarding Project on Bureau’s webpage¹ on 14th of March 2023 and send information directly to the involved authorities. The Bureau received opinions and comments regarding the Project 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 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

¹<https://www.vpvb.gov.lv/lv/parrobezu-ietekmes-uz-vidi-novertejumu-projekti/atkrastes-veja-elektrostaciju-parks-herkules-buvnieciba-baltijas-jura-zviedrijas-ekskluzivaja-ekonomiskaja-zona>.

Latvia, the Ministry of Health of the Republic of Latvia, the Ministry of the Agriculture of the Republic of Latvia the Ministry of Interior of the Republic of Latvia, the Nature Conservation Agency, the State Environmental Service, the Latvian Institute of Aquatic Ecology and the Kurzeme planning region.

Below mentioned authorities highlighted aspects that need to be stressed and foreseen in the transboundary EIA of the Project:

- The Ministry of the Environment Protection and Regional Development of the Republic of Latvia (hereinafter – the Ministry of EPRD) pointed out that it is necessary to consider the Latvian Maritime Plan for Inland Sea Waters, Territorial Sea and Exclusive Economic Zone (hereinafter – the Latvian Maritime Spatial Plan) approved by the Cabinet of Ministers of Latvia Order No. 232 on 21 May 2019². The Ministry of EPRD draws attention to the fact that Latvian Maritime Spatial Plan identifies wider areas reserved for navigation (see Figure 5) than the Swedish national marine plan (see Figure 12 of consultation document), which may conflict with the interests of Latvian shipping. Considering that this area reserved for shipping passes through the planned offshore wind park “*Herkules*”, it is necessary to assess the impact on shipping – safety/regime of navigation, the potential impact on the Latvian port, in particular the accessibility of the Ventspils city port and the area reserved for shipping specified in the Latvian Maritime Spatial Plan, considering the impacts both during the construction of the offshore wind park and during its operation. In the context of transboundary impacts, it is also necessary to consider the map of bird distribution specified in Figure 25 of the Latvian Maritime Spatial Plan, assessing the potential impact on bird populations and their concentration in sea waters under the jurisdiction of Latvia. It is necessary to assess the cumulative impact in the context of the planned nearby development of Latvian and Lithuanian offshore wind parks as well.
- Having assessed the submitted information, the State Environmental Service concludes that area of the Project is located approximately 80 – 100 km from the coast of Latvia (and the nearest residential houses in Saka and Vērgale parishes, the South Kurzeme region), on the border with the exclusive economic zone of Latvia. The nearest special areas of conservation are *NATURA 2000* sites marine protected areas “*Akmensrags*” (sitecode – LV0900200, type – C; located approximately 75 km from the Project area) and “*Nida – Pērkone*” (sitecode – LV0900100, type – C; located approximately 85 km from the Project area). Mentioned marine protected areas have been established for the protection of the underwater reefs and habitats, as well as for the protection of bird species, whose populations in protected marine areas reach the criterion of an internationally important site. The State Environmental Service pointed out that provided documentation includes assessment on the potential impacts on flora and fauna (including bats, birds, etc.), landscape, cultural heritage, recreational resources, fishing etc. in the surrounding area. After evaluating the information submitted, the State Environmental Service concludes that the planned construction of the offshore windfarm “*Herkules*” may have impact on the maritime areas adjacent to the Latvian sea border and the exclusive economic zone. The State Environmental Service highlighted the need to pay particular attention to the studies of bird and bat migration routes, as well as to the best/greenest technical solutions (alternatives) for minimizing negative impacts and potential accident risks. The State Environmental Service also asks to evaluate the current practice of prevention of pollution risks (with oil products, etc.) in the construction and operation of wind farms in marine waters, establishing appropriate guidelines for the implementation of projects, as well as it would be necessary to assess the risks and consequences of accidents in the planned infrastructure, including in case of malicious damage.

² Available in English: <https://www.varam.gov.lv/en/maritime-spatial-planning>.

- The Nature Conservation Agency noted when carrying out an environmental impact assessment, it is necessary to update information on wind park exploration areas in the marine areas of Latvia accordance with the Latvian Maritime Spatial Plan, the Land-Sea-Act³ project information, as well as the most up-to-date information on the designated wind energy auction areas. The Nature Conservation Agency informed that planned offshore wind park “*Herkules*” is located approximately 50 km from the LIFE programme project LIFE19 NAT/LV/000973 LIFE REEF “*Research of marine protected habitats and determination of the necessary conservation status in Latvia’s exclusive economic zone*” “*Papes kalva*”, where it is possible to create a new NATURA 2000 marine protected area located in an ecologically or Biologically Significant Marine Areas – the Southeastern Baltic Sea Shallows. In addition, the Nature Conservation Agency mentioned that the lines depicted in Figure 34 of the Scoping Report (page 59) that shows rotors and lights of wind turbines, stretch into the waters of the exclusive economic zone of the Republic of Latvia and may cause disturbances to birds. In 2021, air surveys of wintering seabirds in the zone bordering the planned offshore wind park have identified significant quantities of small peas *Hydrocoloeus minutus*. It is known that most seabirds fly around offshore wind parks when moving, so that the stretched shape of the planned wind park can be an important obstacle to the movement of birds in the western and eastern directions. As the species nesting on the Swedish coast are found in Latvian waters outside the breeding season, the movement of birds in this direction takes place, but the extent of the movement and its potential impact on it must be investigated.
- The Kurzemes planning region highlighted that there could be risks of the potential transboundary impact both during the construction of the offshore wind farm and its operation. The potential offshore wind farm can affect the navigation safety and there could be possible impacts on the navigation areas and regime, on accessibility of Latvian ports, as well as potential risks of marine pollution in the event of ship collisions accidents and possible impact on the Latvia’s marine and natural resources.
- The Ministry of the Transport of the Republic of Latvia transferred opinion of the Maritime Administration of Latvia, who draws attention that in the Figure 12 of the Scoping Report shipping routes from Latvia doesn’t match HELCOM shipping routes map (shipping routes VEN-04 and LIE -01 are not marked). The Maritime Administration of Latvia asks to correct the Figure 12 according to the HELCOM map⁴.

In addition, to promote effectiveness of participation of to the Latvian public and relevant authorities in the transboundary consultation process, we shortly give you an overview of the national requirements for the EIA procedures in the Republic of Latvia. We would like to draw your attention that Latvian legislation, in particular the Law on Environmental impact assessment, designates at least 30 days long term for the process of public consultation when elaborated EIA report is discussed. The time is being counted from the day a publication is published in a corresponding newspaper (national, regional, local) which will be ensured by the Republic of Latvia after receiving information. A public hearing meeting of the intended activity shall be held. According to the national legislation, a public hearing meeting shall be held no sooner than 7 days after publication is published and no later than 10 days before the end of the public consultation process. In this context we inform you that the public hearing meeting can be replaced with a video conference and video presentations. Afterwards the Bureau will compile the proposals submitted by the public and stakeholders and send them to the Swedish Environmental Protection Agency.

We kindly ask you to prepare the EIA summary that reflects information to the extent and scope

³ [LV | LAND-SEA-ACT Map Explorer \(arcgis.com\)](https://land-sea-act.lv/).

⁴ <https://helcomresurvey.sjofartsverket.se>.

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,

Yours sincerely,

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

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