



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**

[info@kliimaministerium.ee](mailto:info@kliimaministerium.ee)

**Regarding the municipal designated spatial plan and strategic environmental assessment for the Valga Rural 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 notification sent regarding the Municipal designated spatial plan of wind farms for the Valga Rural Municipality (hereinafter – the Planning document) and the SEA.

Please be informed that the Bureau published received information regarding the Planning document on the Bureau`s webpage<sup>1</sup> on 29<sup>th</sup> of April 2024 and send information directly to the involved authorities. The public concerned was given the opportunity to express opinions and comments from 29<sup>th</sup> of April till 31<sup>st</sup> of May. 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 Health of the Republic of Latvia, the Ministry of Interior of the Republic of Latvia, the Ministry of Foreign Affairs of the Republic of Latvia, the Ministry of Transport of the Republic of Latvia, the Ministry of Climate and Energy of the Republic of Latvia, the Nature Conservation Agency, the State Environmental Service and the Valka District Municipality.

The Bureau has gathered and evaluated received opinions. Considering the nature and scope of the Planning document, 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/par-valgas-novada-teritorijas-planojumu-un-ta-strategisko-ietekmes-uz-vidi-novertejumu-igaunija>.

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.)<sup>2</sup> 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.).

Evaluating information regarding location of the potentially suitable areas for building wind parks, we agree with initial estimation regarding possible significant transboundary impacts included in the Chapter 2.5.14 “*Probability of transboundary environmental impact*” of the “*Initial positions for pre-selection of a location for the municipal designated special plan of wind farms of Valga rural municipality, and impact assessment, including the strategic environmental assessment programme*”. In addition, the Nature Conservation Agency provided information that characterizes nature conservation values in the border area as well as highlighted aspects that shall be stressed out and foreseen during development of the Planning document and the SEA.

The Nature Conservation Agency noted that provided documents contain indications of the possible impact on important places of natural values, including identifying that there will be a possible impact on the green network. In this context, the Nature Conservation Agency asked to include an assessment of how the development of these territories can affect the green networks in a transboundary context, considering the places important for natural diversity on the Latvian side. Data on species and habitats are open data and are available on *the INSPIRE Geoportal* or by requesting the release of geospatial data to the Nature Conservation Agency<sup>3</sup>.

The Nature Conservation Agency draw attention that an assessment should include not only the possible effects on the ornitho-fauna on the Estonian side, but also on the bird species present on the territory of Latvia, taking into account the fact that priority areas for protection have been determined on the border of Latvia for the boreal owl *Aegolius funereus*, the Eurasian eagle – owl *Bubo bubo* and the Ural owl *Strix uralensis*. Attention should be paid to the impact of noise pollution on owls, and since there are several micro-reserves of the western capercaillie *Tetrao urogallus* on the Latvian side, an assessment of the possible impact on the preservation of this species in the border area should be given. The construction of wind farm can have an impact on migratory species – it is necessary to evaluate this aspect in a transboundary context.

In addition, the Nature Conservation Agency Cumulative highlighted that impacts on birds and bats in connection with the construction of other wind farms both on the territory of Latvia and Estonia should be considered. The Nature Conservation Agency informs that as in a straight air line, approximately 17 km to the south of the planned territory No. 4 (zone 2 areas), SIA “*Latvijas*

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<sup>2</sup> Available in Latvian (in English without latest amendments) <https://likumi.lv/ta/id/256866-visparigie-teritorijas-planosanas-izmantosanas-un-apbuves-noteikumi>.

<sup>3</sup> Use of geospatial data sets in the natural data management system <https://www.daba.gov.lv/en/services/use-geospatial-data-sets-natural-data-management-system>.

*vēja parki*” is planning the wind park “*Valmiera – Valka*”<sup>4</sup>. Therefore, cumulative impacts on birds can be expected if both the planned wind farm in the territory of Latvia and one or more wind farms in potential areas in the Republic of Estonia are built. The Nature Conservation Agency also points out that the lesser spotted eagle *Clanga pomarine* micro-reserve is located between the planned wind farms in both countries.

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

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

*\*Document is sign with secure electronical signature and contains a time stamp*

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<sup>4</sup> The environmental impact assessment procedure for wind park “*Valmiera – Valka*” <https://www.vpvb.gov.lv/lv/ietekmes-uz-vidi-novertejumu-projekti/veja-parka-valmiera-valka-un-ta-saistitas-infrastrukturas-projekta-istenosana-valmieras-novada-planu-pagasta-un-valkas-novada-vijciema-un-valkas-pagastos-sia-latvijas-veja-parki>; SIA “*Latvijas vēja parki*” official website <https://vejaparki.lv/lv/#ivn>.