



REPUBLIC OF ESTONIA
MINISTRY OF CLIMATE

Environment State Bureau of Latvia
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Our ref 21.06.2024 6-3/24/2872-3

Notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context concerning the Rail Baltica railway line section „Kabli–Estonia-Latvia border“

As the Party of origin, hereby Estonia is sending a notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) regarding the Rail Baltica railway line section „Kabli–Estonia-Latvia border“ in Pärnu county.

Description of the project

Rail Baltica is a fast, conventional double-track electrified railway line with maximum design speed of 249 km/h (the maximum operational speed of 234 km/h) on the route from Tallinn through Pärnu–Rīga–Panevėžys–Kaunas to the Lithuanian-Polish border. The railway line will be designed with 1435 mm gauge. In Estonia, the new railway line with the total length of 213 km passes three counties (Harju, Rapla and Pärnu).

On 18 June 2019, by letter No 7-12/19/1964-5 Estonia notified Latvia in accordance with Article 3 of the Espoo Convention regarding the Rail Baltica railway line section „Pärnu–Estonia-Latvia border“. Latvia indicated its intention to participate in the environmental impact assessment (EIA) procedure of the project (19 July 2019 letter No 5-01/601).

In 2019, the developer RB Rail AS applied for the initiation of EIA in eight sections of the Rail Baltica railway line in Estonia, including the section „Pärnu–Estonia-Latvia border“. The decision-maker (i.e. issuer of development consent) – the Consumer Protection and Technical Regulatory Authority – initiated the EIAs on 29 March 2019. The assessment of environmental impacts of the proposed activities takes place in the course of preparation of building design documentation. However, we would like to inform you about the following. The developer has explained that due to the partial annulling of the Pärnu Rail Baltica 1435 mm railway route county plan¹ (hereinafter Pärnu County Plan) in the “Pärnu–Estonia-Latvia border“ section, the developer was not able to submit the “Pärnu–Estonia-Latvia border“ EIA programme within the prescribed time, and thereof, the procedure did not reach to the EIA programme and report stages.

¹ See also the notification that Estonia has sent to Latvia (29 June 2020 letter No 7-15/20/2641-4). Latvia has sent the answer to the notification on 24 August 2020 (letter No 4-01/794).

On 7 May 2024, the developer has submitted a new application for the initiation of EIA regarding the railway line in Pärnu county (Annex 1). Taking into account the ongoing partial renewal of the Pärnu County Plan, and acceleration of the proceedings and implementation of the Rail Baltica project in Estonia, the developer applied that the former section „Pärnu–Estonia-Latvia border“ is divided into two sections/EIAs: „Pärnu–Kabli“ and „Kabli–Estonia-Latvia border“. Regarding the „Pärnu–Kabli“ section, the Pärnu County Plan is in the renewal process and initiation of EIA is possible after its approval. Concerning the „Kabli–Estonia-Latvia border“ section, the Pärnu County Plan (including strategic environmental assessment) is in force and initiation of EIA is already possible. On 7 June 2024, by decision nr 1-7/24-184 the Consumer Protection and Technical Regulatory Authority has initiated the EIA of the section „Kabli–Estonia-Latvia border“ (Annex 2). The environmental impact of the proposed activity is assessed before the submission of an application for a development consent (i.e building permit). Maps illustrating the railway line sections/EIAs in Pärnu county in 2019 and in 2024 are enclosed (Annex 3).

Regarding the railway line section „Kabli–Estonia-Latvia border“ in Pärnu county, the proposed activity potentially results in significant environmental impact which may be transboundary. In particular, the Rail Baltica railway route passes close to the Mernieku dumbraji nature reserve (which is part of the Natura 2000 network) in the territory of Latvia. Therefore, the Consumer Protection and Technical Regulatory Authority has asked the Ministry of Climate to notify Latvia.

EIA procedure

According to the Environmental Impact Assessment and Environmental Management System Act, the decision-maker will make a decision to initiate or refuse to initiate EIA on the basis of an application for development consent. However, the environmental impact of the proposed activity may be assessed on the basis of the application for the initiation of an EIA submitted by the developer before the submission of an application for a development consent.

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 EIA report is prepared on the basis of the EIA programme. The EIA programme and report stages include also publication (i.e. public display and public hearing). Upon making a decision to grant or refuse to grant development consent, the decision-maker must take into account 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 report are forwarded to the affected state. Consultations are commenced concerning environmental impact resulting from the proposed activity and environmental measures to be taken. In addition, regarding the timeframes and translation of documentation the agreed approach of the joint Commission on Transboundary EIA between Estonia and Latvia is followed.

Answer to the notification

Kindly send the answer to this notification to the Ministry of Climate (info@kliimaministeerium.ee) by 16 August 2024 at the latest, and:

- acknowledge the receipt of the notification;
- indicate whether your country intends to participate in the transboundary EIA procedure;
- provide possible comments concerning the scope for the assessment of the environmental impacts of the project affecting your country;
- submit any comments you might receive from the public and authorities in your country.

Contacts information

Developer: RB Rail AS – Mr. Andrus Paat, andrus.paat@rbe.ee.

Decision-maker: Consumer Protection and Technical Regulatory Authority – Ms. Raili Kukk, raili.kukk@ttja.ee.

Transboundary EIA procedure: Ministry of Climate – Mr. Rainer Persidski, rainer.persidski@kliimaministeerium.ee.

Sincerely Yours,

(signed electronically)

Birgit Parmas

Point of Contact for the Espoo Convention

Enclosures:

Annex 1 – application of the developer

Annex 2 – EIA initiation decision

Annex 3 – illustrating maps

For information: Rail Baltic Estonia OÜ, Consumer Protection and Technical Regulatory Authority

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