



Vides pārraudzības valsts birojs
Environment State Bureau of the Republic of Latvia

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Riga

14.10.2024 No. 5-05/1185/2024

Ref. to: 04.09.2024. No D8(E)-4122

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Regarding the transboundary environmental impact assessment for Offshore wind park in the northern part of the Lithuania's Exclusive Economic Zone in the Baltic Sea

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, would like to express gratitude to the Ministry of Environment of the Republic of Lithuania for notification sent concerning the EIE for the Offshore wind park in the northern part of the Lithuania's Exclusive Economic Zone in the Baltic Sea (hereinafter – the Project) with reference to the Article 3 of the Espoo Convention¹.

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 of the Project as an affected party.

Please be informed that the Bureau published received information regarding the Project on the Bureau's webpage² on 10 September 2024 and sent information directly to the involved authorities.

¹ The Bureau's registration No 5-05/2465/2024 on 4 September 2024.

² <https://www.vpvb.gov.lv/lv/parrobezu-ietekmes-uz-vidi-novertejumu-projekti/atkrastes-veja-elektrostaciju-parka->

The Bureau received opinions regarding participation in the transboundary consultations within the scope of competence from the Ministry of Smart Administration and Regional Development, 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 Agriculture of the Republic of Latvia, the Ministry of Transport of the Republic of Latvia, the State Environmental Service, the Nature Conservation Agency, the Kurzeme Planning Region, the State Centre for Defence Military Objects and Procurement, the Dienvidkurzeme District Municipality. The Bureau has not received comments from the public.

Below mentioned authorities highlighted aspects that need to be stressed and foreseen in the transboundary EIA of the Project or provided more detailed comments regarding transboundary impact:

The Ministry of Smart Administration and Regional Development informs that, in its opinion, considering the distance of the planned construction site of the wind farm from the State border of Latvia and its potential impact on the natural values detected in the marine area, it is necessary to participate in transboundary consultations within EIA of the Project. The Ministry of Smart Administration and Regional Development is interested in obtaining information on the results of the EIA, in particular on the marine spatial data that would be useful for the intended updating of the Maritime Spatial Plan 2030 of Latvia³ and adverse transboundary impacts, if identified during the EIA. The Ministry of Smart Administration and Regional Development informs that in the LIFE19 NAT/LV/000973 REEF “Research of marine protected habitats in EEZ and determination of the necessary conservation status in Latvia”⁴ project (led by the Nature Conservation Agency, still ongoing this year) aerial surveys of birds, as well as underwater research (habitats, fish etc.) were carried out in the marine waters of the Exclusive Economic Zone of the Republic of Latvia, next to the development area of the Project. Data collected in the REEF project shows various natural values (birds, as little gulls (*Hydrocoloeus minutus*), protected habitats etc.) near the development area of the Project.

The Nature Conservation Agency provided the following comments:

1. The area of the Project is located approximately 0,9 km south of the Exclusive Economic Zone of the Republic of Latvia. The Project's area will be located 23,5 km from the *Natura 2000* protected marine area “Nida – Pērkone”⁵. The planned cable tracks are located 120 m from the *Natura 2000* territory of the nature park “Pape”⁶. The EIA programme does not indicate that the intended cable tracks and substations are located near the nature reserve of the *Natura 2000* area important for birds “Sventājas upes ieleja”⁷. The Nature Conservation Agency kindly asks to specify precisely the locations of the *Natura 2000* areas in Latvia in the EIA report, as well as to specify whether the construction of the cables and substation of the offshore wind park may affect the nature reserve “Sventājas upes ieleja”. Data on the natural values found in Latvia are open and available on the INSPIRE portal or by requesting the release of geospatial data to the Nature Conservation Agency^{8,9}.
2. The planned offshore wind park is located 1,5 km away from the biological diversity research area, where the Nature Conservation Agency, in cooperation with partners, has started research

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³ <https://www.varam.gov.lv/en/maritime-spatial-planning>

⁴ https://reef.daba.gov.lv/public/eng/about_the_project/

⁵ Nida – Pērkone LV0900100 NATURA 2000 - STANDARD DATA FORM
<https://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=LV0900100>

⁶ Pape LV0303500 NATURA 2000 - STANDARD DATA FORM
<https://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=LV0303500>

⁷ Sventājas upes ieleja LV0526400 <https://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=LV0526400>

⁸ 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>

⁹ The nature data management system OZOLS- public access version <https://ozols.gov.lv/pub>

with the aim of creating a new protected marine *Natura 2000* area (within the LIFE REEF¹⁰ project). Currently, information is available on protected marine habitats of European Union importance: *Reefs 1170* and *Sandbanks 1110*, as well as fish and birds. Based on the conducted research and the obtained results, a strictly protected marine area almost 10 km long is planned approximately 1,5 km away from the planned offshore wind park territory.

3. The presence of the protected *Hydrocoloeus minutus* in the post-nesting period was found in the aerial surveys of summering waterfowl in the study area in year 2022, 2023 and 2024 as part of the LIFE REEF project. Concentrations vary from year to year, but it is clear that this species uses wide areas of the Baltic Sea.
4. The Nature Conservation Agency is concerned that changes in the flow of waves, currents or drifts could occur during the construction and operation of the offshore wind park. For example, sand from the planned location of the offshore wind park would move to the north, and as a result the EU habitat *Reefs 1170* in Latvia could be flooded, because in the deep-water part of the Baltic Sea drifts move from the south-west (Poland) to the north and there is a typical annual drift deficit of 3 million m³, also along the flow of coastal debris from the Lithuanian-Latvian border is directed to the north direction¹¹.
5. Cumulative effects regarding birds and bats in connection with the construction of an offshore wind park on the territory of Latvia must also be taken into account^{12, 13}. The Nature Conservation Agency states that between the planned offshore wind farms in both countries, there are Ecologically or Biologically Significant Areas “Southeastern Baltic Sea Shallows”¹⁴. The Nature Conservation Agency also informs that the construction of an onshore wind park is planned in Rucava Parish in the south Kurzeme region¹⁵. Also, the Nature Conservation Agency asks to add cartographic material to the EIA report, which indicates the planned wind parks in the region.
6. When assessing the transboundary impact of planned offshore wind park construction on ornithofauna, consider a study conducted in the Baltic Sea region: Fox, A. D., & Petersen, I. K. (2019). Offshore wind farms and their effects on birds. *Dansk Ornitologisk Forenings Tidsskrift*, 113, 86-101¹⁶. Conclusions of the evaluation are following:
 - 6.1. In general, the threat of offshore wind parks to birds consists of three components: physical movement barrier, loss of habitat (feeding places), collision risks. None of these components would directly affect birds in the territory of Latvia, but since seabirds in the region are mainly outside the nesting season, all components affect the birds migrating through and wintering in the region, for the protection of which the countries of the Baltic Sea region are jointly responsible.

¹⁰ The Project “Research of marine protected habitats in EEZ and determination of the necessary conservation status in Latvia” LIFE19 NAT/LV/000973 LIFE REEF <https://reef.daba.gov.lv/public/eng/>

¹¹ Study materials: https://www.bef.lv/wp-content/uploads/2020/11/03_Sanesu-plusmas-un-ietekmes_U.Bethers_20.11.2020..pdf

¹² The EIA Programme and coordinates of the offshore wind park “ELWIND” (Latvia) <https://www.vpvb.gov.lv/lv/ietekmes-uz-vidi-novertejumu-projekti/atkrastes-veja-parka-elwind-un-ta-saistitas-infrastrukturas-buvnieciba-latvijas-republikas-jurisdikcija-esosajos-baltijas-juras-teritorialajos-udenos-kurzemes-piekraste-latvijas-investiciju-attistibas-agentura> un <https://www.vpvb.gov.lv/lv/media/6897/download?attachment>

¹³ ELWIND <https://elwindoffshore.eu/>

¹⁴ Ecologically or Biologically Significant Areas (EBSAs). Southeastern Baltic Sea Shallows https://chm.cbd.int/database/record?documentID=241818&_gl=1*17h1t43*_ga*MTYwMzI5MDg5NC4xNzI3NzcxMDkz*_ga_7S1TPRE7F5*MTcyNzc3MTA5My4xLjEuMTcyNzc3MTE3Ny41OS4wLjA

¹⁵ The construction of the wind park and connected infrastructure in the Dienvidkurzeme District, the Rucava Parish (SIA Impona) <https://www.vpvb.gov.lv/lv/ietekmes-uz-vidi-novertejumu-projekti/veja-parka-un-ta-saistitas-infrastrukturas-buvnieciba-rucavas-pagasta-dienvidkurzemes-novada-sia-impona>

¹⁶ Offshore wind farms and their effects on birds https://www.researchgate.net/publication/335703152_Offshore_wind_farms_and_their_effects_on_birds

- 6.2. The impact of offshore wind farms on seabirds that stay near them does not extend beyond the boundaries of the wind farm. The picture below shows the trajectories of birds detected by radar and the wind park, where the points represent individual turbines. Thus, the direct impact of the planned offshore wind park on local seabirds in the territory of Latvia (wintering birds, plumes, and birds that feed in the sea during the nesting period) can be ruled out. However, it should be considered that the barrier effect created by the wind park forces birds to make an additional effort to fly around it during migration, and the territory that was previously used as a feeding place may be lost.

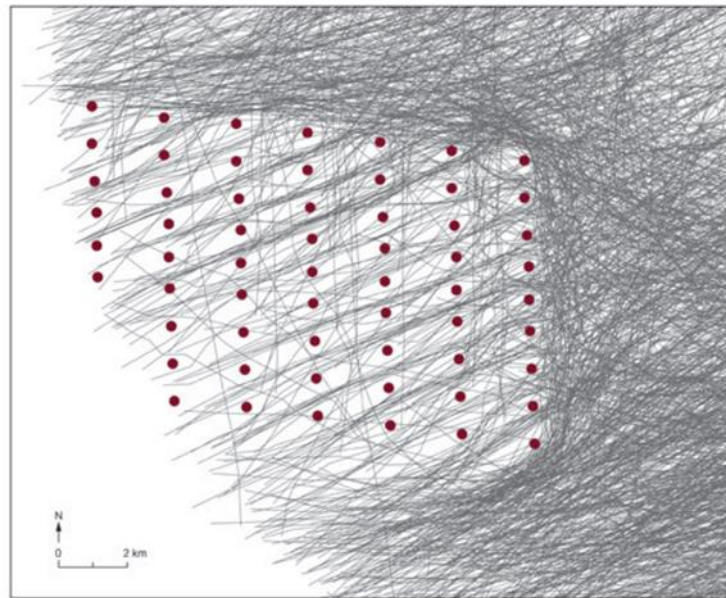


Figure 1. The trajectories of birds detected by radar and the wind park.

- 6.3. It has been observed that birds change their feeding behaviour and are reluctant to feed in the territories of the wind parks, but this effect is also described as similar to the borders of the wind parks - the buffer zone reaches approximately half of the distance between individual turbines. Hereby, it cannot be applied to the territory of Latvia.
- 6.4. The wind parks act as an environmental attractor for migrating birds of prey, which are at high risk of collision with turbines. Since the west coast of Latvia is an important bird migration corridor, this impact can be significant, considering the location of the planned offshore wind park relatively close to the coast.
- 6.5. The impact of the offshore wind farm on migratory sparrow-like birds is unknown, considering the location of the activity on a migration corridor, the potential negative impact should not be ignored, and appropriate research should be carried out. Since visual observations of sparrow-like birds at sea are difficult, it is recommended to use bird radar as a data acquisition method.
- 6.6. The offshore wind park research areas in the territory of Latvia determined in the Maritime Spatial Plan 2030 of Latvia and the planned area for development of the offshore wind parks in the marine area of Lithuania would form barriers if all the planned offshore wind parks were built. Given the migratory behaviour of birds, such barriers would have unpredictable effects on seabird migration. It should be noted that very significant parts of the seabird population pass through this region during migration. According to aerial surveys of wintering waterfowl in the sea (2016-2024), *Uria aalge* and *Cephus grylle* are concentrated only near Pape and in front of Liepaja. Likewise, *Clangula hyemalis*, *Larus*

minutus, *Mergus serrator*, *Mergus merganser*, *Gavia* sp., *Melanitta nigra*, *Melanitta fusca*, etc. gather in the sea in front of Pape and Liepāja. Historical accounting data is available on the website www.putni.lv¹⁷.

7. The EIA programme states that “*The OWF in the Lithuanian Baltic Sea and its connection to the onshore power grid, along with related infrastructure, will have an inevitable impact on various environmental components. It is therefore important to conduct environmental monitoring. The monitoring programme draft will be prepared during the EIA process covering the construction and operation phases. The monitoring programme is expected to include monitoring of the WTGs and TS construction impacts, as well as cabling impacts on the seabed, water quality, and biodiversity*”. The Nature Conservation Agency kindly asks to include in the EIA programme that the post analyses report shall be submitted to the Nature Conservation Agency as well.
8. The Nature Conservation Agency requests, when planning the construction of the offshore wind park and its infrastructure, to envisage mitigation measures; to carry out turbine construction works in the summer months (April - November) not to disturb the wintering waterfowl, while the laying of cables should be carried out in compliance with the birds sensitive nesting period.

The Ministry of Health of the Republic of Latvia presupposes that the construction and operation of the planned offshore wind park will not have a direct impact on the territory of the Republic of Latvia in terms of human health. However, taking into account the proximity to the territory of Latvia, there could be different risks of potential pollution in the construction process and, in general, it is important that Latvia participates in the process of the transboundary EIA.

The Ministry of Agriculture of the Republic of Latvia concludes that planned offshore wind park could affect the interests of Latvian fishermen, since they also fish in the waters of the Exclusive Economic Zone of the Republic of Lithuania, as well as use the same fish resources. The Ministry of Agriculture of the Republic of Latvia believes that it would be useful for the Republic of Latvia to participate in transboundary EIA procedure. As a part of the EIA process, it would be necessary to evaluate the impact of the construction of offshore wind farms on marine habitats; fish migration; fish spawning grounds.

The Ministry of Transport of the Republic of Latvia concludes that according to the EIA Programme the area intended for planned the offshore wind park will be located approximately 0,9 km south of the Exclusive Economic Zone of the Republic of Latvia. It is also planned the construction of the internal cable network and one or two substations. The offshore wind park will be connected to the existing onshore electricity transmission grid, in connection site of the 330 kV Darbēnai Switchyard, Kretinga district municipality. The offshore wind park will be located outside the established international shipping routes, roadstead or anchorage sites. The distance from the eastern border of the OWF to the nearest international shipping corridor is approx. 340 metres.

Taking into account that the planned territory of the offshore wind park will be located approximately 0,9 km to the south of the Exclusive Economic Zone of the Republic of Latvia in the Baltic Sea, the Ministry of Transport of the Republic of Latvia ask to ensure that the safety zone around the fixed structures of the offshore wind park, including wind turbines and sub-

¹⁷ For example, for the bird *Clangula hyemalis*, historical spring migration record data in the sea near Pape:
Pape, March 21 - May 20, 1988: 60714 specimens;
Pape, March 21 - May 20, 1990: 53506 specimens;
Pape, March 21 - May 20, 1989: 45140 specimens;
Clangula hyemalis specimens counted in one day:
Pape, March 23, 1990: 7667 specimens;
Pape, 1989. April 24: 6520 specimens;
Pape, April 10, 1988: 6235 specimens;

stations, referred to in Article 60 of the UN Convention on the Law of the Sea (UNCLOS), does not extend beyond the area provided for by the offshore wind park.

In addition, the Ministry of Transport of the Republic of Latvia asks to ensure that the protection zones of the offshore wind park underwater cables, including the connection of the offshore wind park with the terrestrial 330 kV power transmission network at the Darbeni distribution connection point, in Kretinga district, are located in the territorial sea and Exclusive Economic Zone of the Republic of Lithuania, in order to ensure, on a parity basis, the possibility of developing the similar offshore wind park project in the Exclusive Economic Zone of the Republic of Latvia, which could be located approximately 0.9 km from the Exclusive Economic Zone of the Republic of Lithuania, in the Baltic Sea.

In the opinion of the Ministry of Transport of the Republic of Latvia, the distance from the eastern border of the offshore wind park territory to the nearest international shipping corridor of 340 m might be insufficient.

The document “White Paper on Offshore Wind Energy”, available at the Vision and Strategies Around the Baltic Sea (VASAB) website, recommends establishing a safety distance between the shipping lanes and the wind farm of 2 nautical miles. We propose to consider a possibility to take this recommendation into account and to establish a safety zone between the shipping corridor and the wind farm of 2 nautical miles.

The State Environmental Service concludes that the offshore wind park is planned approximately 37 km from the Latvia's coast (and the nearest residential houses in the Rucava Parish, Dienvidkurzeme District), and approximately 0,9 km from the Exclusive Economic Zone of Latvia, as well as ~ 24 km (in the case of an underwater electric cable up to ~ 6 km) from the specially protected nature territory (including *NATURA 2000*) – the protected marine territory “Nida-thunder”, established for the protection of underwater reefs and habitats, as well as bird species whose population sizes in the area meet the criterion of an internationally important site. The intended activity from the Latvian coast could be visible. Construction of a large wind park could also affect sea territories located in territorial waters of Latvia.

The State Environmental Service considers necessity for assessment of the Project in the context of the long-term spatial development planning document of the national level “Maritime Plan 2030 of Latvia” (which has been approved by Cabinet of Ministers order No. 232 of 21 May 2019)¹⁸ Particular attention should be paid to the impact on birds and bats (including exploration of their migratory routes), fish and marine mammals (including exploration of their feeding and breeding sites), as well as to find the best/most conservative technical solutions (alternatives) for minimising the risks of negative impacts and possible accidents. The State Environmental Service also asks to evaluate previous practice in prevention of pollution risks (with petroleum products, etc.) in offshore waters of wind parks during construction and operation, determining appropriate guidelines for implementation of projects, as well as it would be necessary to evaluate the risks and consequences of planned infrastructure accidents, including in case of malicious damage.

The Kurzeme Planning Region indicates that the following should be taken into account in the EIA procedure:

1. the assessment of the potential cumulative impacts of the offshore wind park to the research areas (E1 and E2) identified in the Maritime Spatial Plan 2030 of Latvia.
2. the direct and long-term impacts of the Project on the areas of national defence interest of the Republic of Latvia identified in the Maritime Spatial Plan 2030 of Latvia.
3. the potential risks and impacts on the existing Latvian Marine Protected Area and Natura 2000

¹⁸ <https://likumi.lv/ta/id/306969-par-juras-planojumu-latvijas-republikas-ieksejiem-juras-udeniem-teritorialajai-jurai-un-ekskluzivas-ekonomiskas-zonas>

site “Nida-Pērkone”.

4. the potential risks and impacts on the potential biodiversity research area (B1) “Papes kalve”, which is currently being studied as part of the LIFE REEF project¹⁹ and is designated in the Maritime Spatial Plan 2030 of Latvia.
5. the potential risks and impacts on the current safety of shipping, shipping zones and regimes in the Baltic Sea, accessibility to/from Latvian harbours.
6. the potential pollution risks during the construction and operation of the offshore wind park.
7. the Maritime boundary agreement between the Republic of Latvia and the Republic of Lithuania is currently not *de jure* in force, and separate international consultations between the Foreign affairs ministries of the two countries would probably be required in the event of further development of the offshore wind park.

The Dienvidkurzeme District Municipality provided opinion that the military sector as an important factor shall be considered in the EIA of the Project. The current EIA programme does not include a detailed study of the potential impact on military training zones, such as Jūrmalciems, where the National Armed Forces conduct exercises. This must be studied in more detail, especially considering potential radar and communication disruptions, to ensure that the Project does not pose problems in the context of national security.

Considering that the Project area borders with the potential wind park exploration zone in Latvia according to Maritime Spatial Plan 2030 of Latvia (see Figure 2) the Dienvidkurzeme District Municipality finds it essential to examine and assess the full potential cumulative impact on the Baltic Sea area, habitats, biotopes, and protected natural areas, including the potential wind energy exploration zone in the territorial waters of the Republic of Latvia.

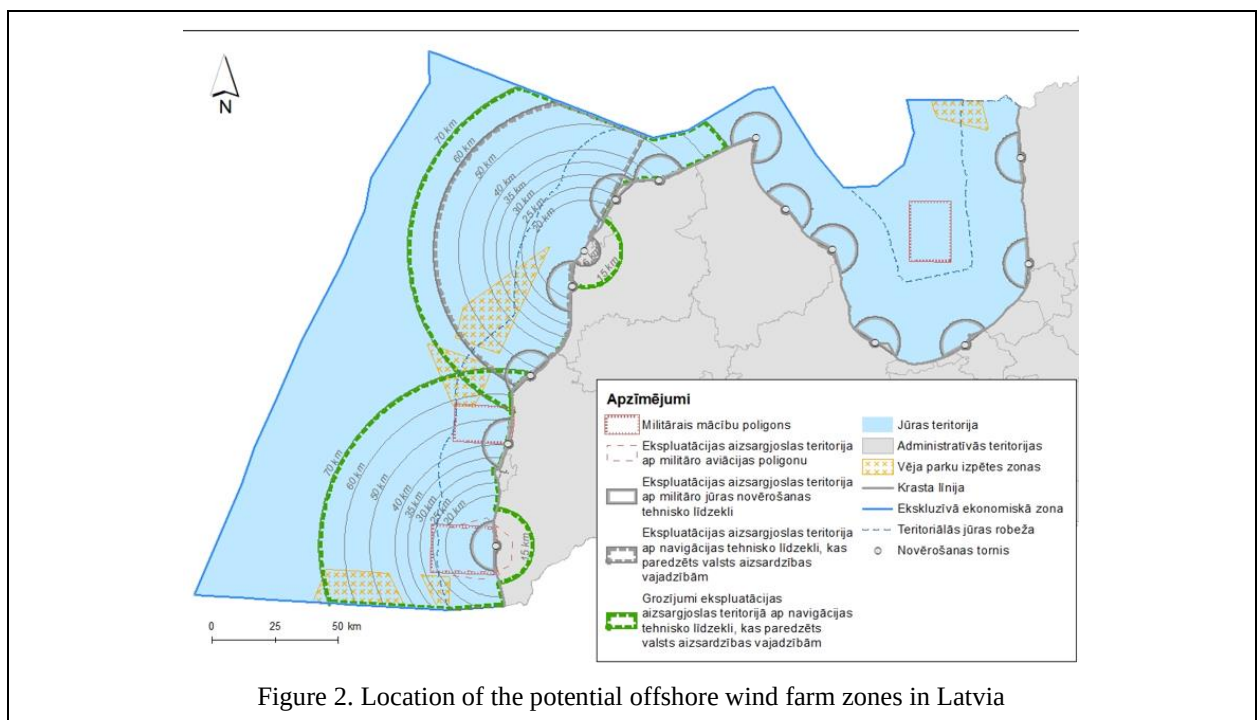


Figure 2. Location of the potential offshore wind farm zones in Latvia

The State Centre for Defence Military Objects and Procurement informs that the construction of the planned offshore wind park does not directly affect the management and management of immovable property in the possession of the Ministry of Defence of the Republic of Latvia,

¹⁹https://reef.daba.gov.lv/public/eng/activities_and_deliverables/c_1_development_of_proposals_for_new_mpa_for_natura2000_network/

including State military defence objects and State forest land. The State Centre for Defence Military Objects and Procurement draws attention to the fact that the planned offshore wind park is so close to the Exclusive Economic Zone of Latvia and the border of the Republic of Latvia, it may affect the operation of the Maritime Observation system of Latvia and cause an impact on the performance of the tasks of the National Armed Forces and the Defence Intelligence and Security Service. The State Centre for Defence Military Objects and Procurement believes that the EIA shall include an assessment of the impact of the planned offshore wind park on the activities of the Maritime Observation system of Latvia.

Regarding technical issues we kindly ask you to prepare summary of the EIA 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. 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 hearing as additional public information form.

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

Yours sincerely,

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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