Vides pārraudzības valsts birojs

Environment State Bureau of the Republic of Latvia

Rūpniecības iela 23, Rīga, LV-1045, Latvia, phone +371 67321173, fax +371 67321049, e-mail vpvb@vpvb.gov.lv, www.vpvb.gov.lv

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Espoo focal point:
Mr. Vitalijus Auglys
Director of Pollution Prevention Department
Ministry of Environment of the Republic of Lithuania
A. Jaksto St. 4/9
01105 Vilnius
vitalijus.auglys@am.lt

Territorial Planning, Urban Development and Architecture Department
Ministry of Environment of the Republic of Lithuania
A. Jakšto St. 4/9
01105 Vilnius
Lithuania
a.gordevicius@am.lt

Regarding the notification about strategic environmental impact assessment for the special territorial plan of the European-standard railway line Kaunas-Lithuanian/Latvian state border

As agreed on a bilateral meeting held in Riga on April 15, 2015 - Environment State Bureau (hereinafter – the Bureau) acting as a competent authority on the strategic environmental impact assessment (hereinafter – SEA) and environmental impact assessment in Latvia herewith sends opinion concerning the scope of assessment and related aspects for the SEA for the special territorial plan of the European-standard railway line Kaunas-Lithuanian/Latvian state border (hereinafter – Special Plan).

Our intention to enter into transboundary consultations before the adoption of Special Plan according to the Article 7 of the Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment and the Article 10 of the Protocol on strategic environmental assessment to the Convention on environmental impact assessment in a transboundary context was confirmed on April 7, 2015 with a letter No 7-01/825.

Having evaluated information included in the notification of the Ministry of Environment of the Republic of Lithuania regarding Special Plan, Latvia has established that the location alternatives of the European standard gauge railway line *Rail Baltica* and the location of crossing of Latvian-Lithuanian border substantially differ from the solutions defined as a result of the feasibility study carried out by the British company AECOM in 2011. Since the results of the above

mentioned feasibility study have served as a basis for the core principles of a further detailed technical study and territorial planning in Estonia, Latvia and Lithuania, Latvia hereby gives the following comments on the planned SEA and its scope:

1. It is necessary to develop solutions that would ensure connections of the location alternatives of the railway line included in the notification of the Ministry of Environment of the Republic of Lithuania with the route location alternatives advised during the environmental impact assessment (hereinafter – EIA) procedure organized by the Ministry of Transport of the Republic of Latvia. A due consideration should be given to the fact that, within the framework of the project "*Detailed technical study and environmental impact assessment of the Latvian section of the European standard gauge railway line Rail Baltica*", consultations with Bauska County local government regarding the possible route location alternatives of the *Rail Baltica* railway line in Bauska County, and the limiting and excluding criteria, were held already in 2014. As a result, alternatives A and B of the *Rail Baltica* route have been developed in co-operation with Bauska County local government, which are as such supported by the local government. A due consideration should be also given to the fact that in February and March 2015, the initial national-wide public consultation regarding these alternatives was already held within the framework of the EIA.
2. It is necessary to assess the solution included in the notification of the Ministry of Environment of the Republic of Lithuania with regard to the actual environmental impact, that would include at least the following aspects: noise and vibration spread, natural values, landscape, cultural and historical objects, hydrologic conditions, including land reclamation systems, geological and hydrogeological conditions, contemporary geological processes, agricultural land, forests, risks, probability of accidents and distribution of pollution caused thereof.
3. A comparison of all offered alternatives must be provided.
4. We express our willingness to cooperate in creating preconditions for the further successful bilateral cooperation in the field of SEA and EIA in the transboundary context. Regarding the question about the provisional dates and venues for public consultation and hearing procedures as well as prepared documents and their language we expect to come to the agreement in bilateral negotiation process. Nevertheless we draw your attention, that legal requirements for the public information and participation procedures in SEA process in Latvia are set out in the law on Environmental Impact Assessment and subordinate Regulations of cabinet of Ministers No 157, 23 February 2004. SEA includes involving of the public in the discussion of the environmental review prepared for the assessment of the planning document as well as consultations. Environmental review shall be made available and consulted with the public; the minimum period for consultations is 40 days. The requirement concerning public hearing is that it shall not be organized sooner than at least 7 days after initiation of consultation process (no sooner than at least 7 days after information on the planning document and the prepared environmental review have been made publicly available). Therefore it is necessary to ensure information to public and carry out public consultation process regarding the SEA for Special Plan and offered alternatives by organizing the necessary public hearings (Bauska County), as well as preparing documentation in English and all relevant information for public in the Latvian language, including information and the assessment of the offered alternatives, their potential environmental impact and comparison of such alternatives. Considering that relevant alternatives can influence infrastructure in the vicinity of border, it is evident already at this stage, that it will be necessary for Bureau to consult with Bauska County local government, as well as JSC "*Latvijas Valsts ceļi*" *(Latvian State Roads)*, JSC "*Latvijas gāze*" (Latvian Gas) and other infrastructure owners in order to take into consideration their requirements and conditions. After the public consultation period Bureau will compile the opinions,

proposals and comments submitted by the public concerned and the authorities and will send them to the Ministry of Environment of the Republic of Lithuania as early as possible.

5. Considering that currently bilateral negotiations are being held and are ongoing (meetings on April 15 and 21, 2015) regarding location of the border crossing that would be acceptable for both, Latvia and Lithuania, it must be ensured that this solution or another alternative, if it differs from the offered five alternatives in terms of location, is also included in the SEIA.

Looking forward to successful bilateral cooperation in the field of environmental assessments in the transboundary context, yours sincerely,

Arnolds Lukšēvics

Director of Environment State Bureau of the Republic of Latvia

I.Jegere, phone: +371 67770818, e-mail: iveta.jegere@vpvb.gov.lv