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State Environmental Service of the Republic of Latvia

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Regarding the transboundary environmental impact assessment of the construction and operation of a wind farm in Joniškis District Municipality, Lithuania

The State Environmental Service of the Republic of Latvia (hereinafter – the Service), 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 for the environmental impact assessment (hereinafter – EIA) in Latvia, kindly thanks the Ministry of Environment of the Republic of Lithuania for the information provided regarding the notification of the proposed construction and operation of a wind farm in Joniškis District Municipality, Šiauliai County, Lithuania (hereinafter – the Project).

The Project involves the construction and operation of up to 21 wind turbines with a maximum installed capacity of up to 168 MW. The maximum total height of each wind turbine, including the blade tip in the upright position, will be up to 250 m. The Project is planned within the territories of Kriukai, Satkūnai and Saugėlaukis parishes of Joniškis District Municipality in the immediate vicinity of the Latvia–Lithuania state border, with the nearest project area located approximately 447 m from the border. The electricity generated by the wind farm is planned to be transmitted via underground cable lines to a transformer substation planned in Eleja Parish, Jelgava Municipality, Latvia, which will be developed under a separate project.

Latvia reaffirms its commitment to the Espoo Convention and to the principle of information exchange between Parties concerning activities that may potentially cause significant adverse transboundary environmental impact.

The Service hereby acknowledges the receipt of the notification and the prepared documentation. Please be informed that the Service published the received information regarding the Project on the Service's website¹ on 17 June 2026 and sent the information directly to the relevant authorities in accordance with the national procedure for environmental impact

¹ <https://www.eva.gov.lv/lv/parrobezu-ietekmes-uz-vidi-novertejumu-projekti/veja-elektrostaciju-parka-buvnieciba-jonisku-rajona-pasvaldibas-teritorija-lietuva>

assessment in a transboundary context.

The Service received opinions regarding the Project and its potential transboundary impacts within their respective fields of competence from the Ministry of Smart Administration and Regional Development of the Republic of Latvia, the Ministry of Climate and Energy of the Republic of Latvia, the Ministry of Health of the Republic of Latvia, the Ministry of Transport of the Republic of Latvia, the Ministry of Foreign Affairs of the Republic of Latvia, the Ministry of the Interior of the Republic of Latvia, the State Centre for Defense Military Sites and Procurement, the Nature Conservation Agency of the Republic of Latvia, National Cultural Heritage Administration, the Zemgale planning region, Bauska Municipality and Jelgava County Municipality. The Service has not received comments from the public.

Jelgava County Municipality (hereinafter – the Municipality) has reviewed the notification of the Ministry of Environment of the Republic of Lithuania entitled “Construction and operation of a wind farm in Joniškis District Municipality” regarding the activity planned by SIA “Utilitas Wind” – the construction of a wind power plant park in the territory of Joniškis District Municipality, Lithuania (hereinafter – the planned activity).

Based on the information submitted, it has been established that the planned activity is located at a distance of 447 metres from the state border of the Republic of Latvia and is situated in the immediate vicinity of the Latvian border, which may cause transboundary impacts on the territory of Jelgava County.

For the connection of the generated electricity to the grid, the construction of a transformer substation is planned in Eleja Parish, Jelgava County. Although the construction of the aforementioned substation is not assessed within the framework of this environmental impact assessment procedure, it is functionally linked to the planned activity and confirms the project’s direct connection with the territory of Latvia.

The document contains formulations that effectively anticipate conclusions before the necessary studies have been carried out, for example, regarding the absence of impacts on Natura 2000 sites and the insignificance of noise impacts. The logic of the environmental impact assessment process requires that such conclusions be based on modelling results and field studies rather than being made at the initial stage of the process.

In addition to the above, we consider that the planned activity may also cause transboundary impacts on:

- the landscape and visual environment, taking into account that the construction of up to 21 wind turbines with a maximum height of up to 250 metres is planned, which will be visible across a wide area, including the territory of Jelgava County;
- bird and bat populations, as the project area is located in the immediate vicinity of the Latvian border and the impact zone includes several micro-reserves in Latvia established for the protection of specially protected bird species, including the lesser spotted eagle, black stork and white-backed woodpecker;
- the quality of the living environment in Latvian border areas, taking into account the potential impacts caused by noise, shadow flicker and aviation obstacle lighting during nighttime;
- cumulative impacts together with existing or planned wind energy projects located in the territory of Latvia.

In the Municipality’s view, the above-mentioned aspects are sufficiently significant for Latvia to exercise its rights under the Espoo Convention to participate in the transboundary environmental impact assessment procedure as an affected Party.

Taking into account the above, Jelgava County Municipality considers that the planned activity may cause significant transboundary impacts on the territory of Latvia and supports Latvia's participation in the transboundary environmental impact assessment procedure as an affected Party. At the same time, the Municipality calls for a comprehensive and sufficiently detailed assessment of transboundary impacts within the further environmental impact assessment process, covering the following aspects:

1. Prepare a detailed transboundary noise modelling assessment, including the territory of Jelgava County, and evaluate the potential noise impacts.
2. Carry out shadow flicker modelling for the territory of Latvia, with particular attention to the potential impacts on residential buildings and farmsteads in the border area.
3. Develop a detailed landscape and visual impact assessment, including the preparation of photovisualisations from the most significant public viewpoints in the territory of Latvia, including the surroundings of Jelgava city, Eleja, Blankenfelde and other populated areas of Jelgava County.
4. Conduct a comprehensive survey of birds and bats, also covering the territory of Latvia, with particular attention to migration routes, feeding areas, breeding sites and protected species micro-reserves.
5. Assess cumulative impacts together with existing and planned wind energy projects in the territory of Latvia, including an analysis of the overall effects on the landscape, biodiversity and the quality of life of residents.
6. Carry out a detailed assessment of the potential visual impacts of aviation obstacle marking and nighttime warning lighting on the territory of Latvia.
7. Provide detailed information on the infrastructure functionally connected with the planned activity within the territory of Latvia, including solutions for the construction of the transformer substation and electricity transmission infrastructure, as well as clearly describe the interconnection between the two projects and their potential cumulative impacts.
8. Include a clear assessment of transboundary impacts in the Environmental Impact Assessment Report in accordance with the requirements of the Espoo Convention, providing a separate section on impacts on Latvia's environment, natural values, residents and landscape.

The Nature Conservation Agency (Agency) on the Environmental Impact Assessment (EIA) Programme for the "Eleja" wind farm provides the following comments and recommendations:

1. The EIA report should include a comprehensive assessment of the cumulative transboundary impacts on birds, bats, microreserves, specially protected nature areas, including Natura 2000 sites and their ecological functions, as well as on the landscape, particularly considering that functionally interconnected wind energy projects are planned on both the Lithuanian and Latvian sides within the same cross-border area.
2. The EIA report should provide an integrated spatial analysis of both planned wind farm areas, including cartographic representation of wind turbine locations, specially protected nature areas (including Natura 2000 sites), microreserves, nesting sites of protected bird species, bird migration corridors, areas important for bats, as well as existing and planned wind farms within at least a 10 km radius of the proposed development area.
3. The Agency requests that the cartographic material be prepared in a clear, accurate and comprehensible manner, ensuring a high resolution of maps and figures so that identified natural values, the infrastructure of the planned "Eleja" wind farm, and the location of the

proposed activity in Lithuania can be viewed and assessed simultaneously. The Agency also requests that the EIA report be accompanied by geospatial data (*.shp or *.gdb format) containing the locations of the planned wind turbines, associated infrastructure, and natural values used in the impact assessment.

4. Although the information submitted by the Republic of Lithuania foresees bird surveys, the EIA report should specifically assess potential impacts on microreserves and protected bird populations located in Latvia, including *Clanga pomarina*, *Ciconia nigra* and other sensitive and protected bird species. It should be noted that two microreserves designated for the protection of the *Clanga pomarina* are located between the planned wind farm in Lithuania and the planned “Eleja” Wind Farm in Latvia and therefore require particular attention within the transboundary impact assessment.
5. A detailed analysis should be carried out regarding bird flight corridors between nesting and feeding areas, transboundary migration routes, and the potential barrier effect that may be created by the continuous chain of planned wind farms in Latvia and Lithuania.
6. The EIA report should provide for the development and implementation of a joint monitoring programme for birds and bats across the entire functionally connected project area. Furthermore, the EIA report should establish specific and measurable monitoring criteria, the achievement of which would trigger additional mitigation or compensation measures, including, where necessary, restrictions on the operation of wind turbines.
7. The EIA report should include specific bat protection measures, including seasonal operational restrictions on wind turbines during periods of increased bat activity, such as migration periods.
8. The EIA report should assess the impact of the planned wind farm and its cumulative effects together with the “Eleja” wind farm on the landscape and cultural-historical environment within the territory of Latvia. Particular attention should be paid to nationally protected cultural heritage sites and landscape values in the Eleja area, including “Elejas muižas parks”, “Elejas aleja” un “Blankenfeldes muižas aleja”.

The Ministry of Health notes that, according to the information provided, the nearest residential property in Latvia is located approximately 1.2 km from the nearest planned wind turbine. However, the documentation does not identify all residential properties located within at least a 2 km radius of the planned wind turbines or indicate their distances from the Project area. If no other residential properties are located within this area, this should be explicitly stated in the EIA documentation.

The Ministry further notes that the notification indicates that significant adverse transboundary impacts on the residential environment in Latvia are unlikely and that the EIA report will assess impacts on the residential environment within 2 km of the border, including cumulative impacts with wind farms planned in Latvia. Nevertheless, the Ministry considers that the EIA report should assess the potential impacts on human health in relation to residential areas in Latvia, including isolated farmsteads located within a 2 km radius of each planned wind turbine. The assessment should address acoustic noise and low-frequency noise, electromagnetic fields (including those associated with electricity transmission lines), vibration, shadow flicker and cumulative impacts arising from other planned wind energy projects. The assessment should ensure that noise levels do not exceed 45 dB in accordance with the World Health Organization Guidelines or comply with the requirements of Cabinet Regulation No. 16 of 7 January 2014 "Procedures for Noise Assessment and Management"; indoor low-frequency noise should not exceed 20 dB(A) in accordance with Danish guidelines; shadow flicker should not exceed 30 hours per year in accordance with German guidelines; electromagnetic field exposure should comply with Cabinet Regulation No. 637 of 16 October 2018 "Regulations Regarding the Assessment and Restriction of Exposure of the Population to Electromagnetic Fields"; and vibration should comply

with internationally recognised good practice guidelines. The Ministry also recommends selecting wind turbine models that minimise adverse impacts on human health and the environment.

The Ministry considers that significant adverse transboundary impacts on human health are not expected, provided that the above requirements are met. It also requests that Latvia be informed of the results of the EIA, including any identified adverse transboundary impacts.

Bauska Municipality considers Latvia's participation in the transboundary EIA procedure as an affected Party under the Espoo Convention to be justified and necessary due to the potential significant adverse impacts of the Project on the Municipality's residents and the environment. In particular, the Municipality emphasizes the need to assess the cumulative impacts of the Project together with the planned "Eleja" wind farm in Latvia, given the close proximity of both projects to the Latvia–Lithuania border. The Municipality also highlights the potential impacts on human health and the living environment, taking into account the planned height of the wind turbines (up to 250 m), including the possible transboundary effects of noise, including low-frequency noise, and shadow flicker on border areas in Latvia. Furthermore, the Municipality considers that the Project may significantly affect the traditional Zemgale rural landscape and bird migration corridors. It also notes that, due to the prevailing south-western winds, Bauska Municipality may potentially be affected by transboundary noise and visual impacts originating from the Lithuanian side.

The Municipality recommends that the EIA report include detailed modelling of noise and shadow flicker covering residential properties and populated areas in the border parishes of Bauska Municipality, particularly Viesturi Parish. It further recommends the preparation of landscape visualisations from significant viewpoints within the territory of Latvia in order to assess impacts on the border area's cultural and rural landscape. The Municipality also requests an assessment of potential impacts on surface water and groundwater within the Lielupe river basin, taking into account that rivers in the region flow from Lithuania into Latvia. Finally, the Municipality emphasises the importance of ensuring the availability and accessibility of the EIA documentation for the Municipality and the public in accordance with the requirements of the Espoo Convention.

The Ministry of Smart Administration and Regional Development has reviewed the notification submitted by the Ministry of Environment of the Republic of Lithuania and the accompanying documentation within the scope of its competence. Taking into account the scale of the Project, including the construction of up to 21 wind turbines with a maximum height of up to 250 m and a total installed capacity of up to 168 MW, as well as the fact that the nearest planned wind turbine is located approximately 447 m from the Latvia–Lithuania state border, the Ministry considers that it would be appropriate to organise a public consultation meeting, providing an opportunity for representatives of the affected municipalities and the public to participate and express their views on the proposed activity. Furthermore, the Ministry requests to be informed about the further progress of the EIA procedure, any changes to the Project, and the timing and location of future public consultation meetings, should such meetings be organised.

The Ministry of the Interior considers, that in regard to the proposed activity of Utilitas Wind Ltd., during the implementation of the project, it is necessary, from the perspective of border security and border surveillance, to ensure that the construction of the wind farm infrastructure (roads and power lines) does not damage the State border zone or State border signs and that unobstructed access to the State border line is maintained.

In carrying out its statutory functions and tasks, the State Border Guard employs technical assets, including light-class helicopters and unmanned aircraft systems. In order to ensure effective aerial surveillance of the State border, minimum operational requirements have been established in practice. Specifically, within a 500-metre zone measured from the State border line towards the interior of the State, structures (buildings and other engineering structures) must not exceed a height of 35 meters (in the case of wind turbines, the highest point of the rotor blade). In certain

cases, this limit may be adjusted, taking into account the design documentation, the actual location of the State border line on the ground, the terrain, and other relevant circumstances.

The restrictions on the height of structures, including wind turbines, are primarily based on considerations related to ensuring the safety of aerial border surveillance operations and the safe operation of aircraft:

1. Aircraft are operated at such altitudes as to enable, in the event of an emergency, a safe landing while minimising risks to human life and property on the ground. Given that helicopters conducting State border surveillance typically operate at an altitude of approximately 150 meters to ensure effective observation and maintain a safety margin from the State border line (for example, approximately 350 meters), any tall obstacle in the vicinity of the State border creates a situation in which the helicopter must either increase its altitude or deviate from its flight path to avoid the obstacle. Where an obstacle is located 500 meters from the State border line and the flight path is approximately 350 meters from the border, the distance to the base of the obstacle is only approximately 150 meters. This effectively constitutes the threshold value in relation to the aforementioned 150-metre safety criterion and leaves virtually no margin for navigational deviations or errors.

2. Wind turbines generate wake turbulence, which decreases by approximately 90% at a distance equal to five rotor diameters. Consequently, where the rotor diameter of a wind turbine is 100 meters or more, the prescribed 500-metre distance does not provide a sufficient safety margin for helicopter operations between the wind turbine and the State border line.

3. As the 500-metre restriction is measured from the State border line to the base of the wind turbine, the turbine rotor must not be positioned perpendicular to the State border line, as this would reduce the available safe separation distance.

4. The glide ratio of the State Border Guard helicopter is approximately 4:1 to 5:1. Accordingly, when conducting patrol flights at an altitude of approximately 150 meters, the theoretical gliding distance in the event of engine failure is at least approximately 600–750 meters. This means that, in the event of an emergency (engine failure), even a 500-metre buffer zone does not necessarily provide an adequate safety margin. Consequently, a distance of 500 meters should be regarded only as the minimum separation distance for low-rise structures and may objectively be insufficient in the case of modern wind turbines.

As Utilitas Wind Ltd. plans to construct up to 21 wind turbines within the proposed wind farm, with a maximum tip height of up to 250 meters, the nearest of which is located approximately 447 meters from the Latvia–Lithuania State border, the above considerations relating to the safety of aircraft operations should be duly taken into account during the planning and construction of the wind farm.

The Environmental Impact Assessment report should include general information on potential accident risks at the site that may arise during the construction and operation of the wind farm, including fires, lightning strikes, failures of electrical equipment, structures and other technical components, as well as risks associated with hazardous chemical substances.

The report should include information on the planned preventive and protective measures, including lightning protection, fire protection, emergency response and other safety systems.

The report should assess potential transboundary impacts in the event of accidents, including the possible implications for the organisation of rescue operations.

The Zemgale Planning Region supports the application of the transboundary EIA procedure and Latvia's participation in the further EIA process, taking into account the proximity of the Project to the Latvia–Lithuania state border. Although it has no additional comments or proposals regarding the scope of the EIA at this stage, it considers that the transboundary assessment should examine potential impacts on the development of border areas, the landscape,

quality of life and other environmental aspects, where relevant. The Zemgale Planning Region also expressed its interest in following the further progress of the procedure and participating in future transboundary consultations and public consultation events.

The National Cultural Heritage Administration, the Ministry of Foreign Affairs of the Republic of Latvia, the Ministry of Climate and Energy of the Republic of Latvia, the Ministry of Transport of the Republic of Latvia and the State Centre for Defense Military Sites and Procurement informed the Service that, within the scope of their respective competence, they have no substantial comments or additional proposals regarding the proposed scope of the EIA.

The Service has gathered and evaluated the opinions expressed by the above-mentioned authorities regarding the need for Latvia to participate in the transboundary EIA procedure. Taking into account the proximity, scale and characteristics of the Project, as well as the opinions received from the competent authorities and municipalities, the Service considers that the Project may have the potential to cause significant adverse transboundary environmental impact on the territory of Latvia.

Therefore, the Service hereby informs the Ministry of Environment of the Republic of Lithuania that Latvia intends to participate in the transboundary environmental impact assessment procedure for the Project as an affected Party in accordance with Article 3 of the Espoo Convention. The Service would appreciate it if, during the public participation stage of the EIA procedure, a public consultation meeting on the EIA report could be organised, providing an opportunity for the competent authorities and the public of Latvia to participate.

The Service kindly requests the Ministry of Environment of the Republic of Lithuania to take into account the comments and proposals provided above when preparing the EIA report. The Service would appreciate being informed in due course of the timetable for the subsequent stages of the transboundary EIA procedure, in order to facilitate the participation of the competent authorities and the public of Latvia.

We are looking forward to our successful bilateral cooperation in the field of environmental assessment in the transboundary context.

Enclosed documents: 13 files (*Bauska Municipality_Joniski.pdf*, *Jelgava Municipality_Joniski.pdf*, *Ministry of Climate and Energy_Joniski.pdf*, *Ministry of Foreign Affairs_Joniski.pdf*, *Ministry of Health_Joniski.pdf*, *Ministry of Interior_Joniski_ENG.pdf*, *Ministry of Interior_Joniski_LV.pdf*, *Ministry of Transport_Joniski.pdf*, *National Cultural Heritage Administration_Joniski.pdf*, *Nature Conservation Agency_Joniski.pdf*, *VAMOIC_Joniski.pdf*, *VARAM_Joniski.pdf*, *Zemgale Planning Region_Joniski.pdf*).

Sincerely yours,

Acting Director of the Permitting Board, Deputy Director

Armands Veliks

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