



**LIETUVOS RESPUBLIKOS APLINKOS MINISTERIJA**  
**THE MINISTRY OF ENVIRONMENT OF THE REPUBLIC OF LITHUANIA**

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Compliance Committee  
Convention on Access to Information, Public  
Participation in Decision-making  
and Access to Justice in Environmental Matters  
(Aarhus Convention)  
United Nations Economic Commission for  
Europe  
Environment Division  
Palais des Nations  
CH-1211 Geneva 10, Switzerland

2017-08-31  
To 2017-08-15

No. (16-1)-D8-7951  
No. ACCC/C/2013/98

**REGARDING COMPLIANCE COMMITTEE'S ADDITIONAL QUESTIONS  
(COMMUNICATION ACCC/C/2013/98)**

The Ministry of Environment of the Republic of Lithuania received a letter from the Compliance Committee of the Aarhus Convention with additional questions addressed to the Party concerned in the procedure based on the communication ACCC/C/2013/98. Please find our answers to the questions provided below.

**Question No. 1**

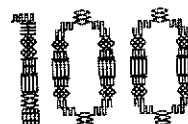
Compliance Committee asks whether the agreement between Lithuania and Poland referred to on page 13 of the judgement of Kaunas District Court of 5 July 2012 designate the border crossing points for the power line in a binding matter. The answer is negative.

Minutes No. D4-50 of 30 April 2010 of the coordination meeting to discuss issues related to the Lithuanian-Polish power transmission interconnection are provided in the Annex to this letter (Lithuanian and English versions).

**Question No. 2**

The Party concerned is asked to provide the relevant provisions of any agreements between Lithuania and the European Commission (or of any other relevant documents) which required that the decision on environmental protection conditions for the project should be issued by June 2012. Firstly, it should be noted, that there are no agreements between Lithuania and the European Commission which include such condition. Secondly, the letter mentioned in question 2 was sent by the "LitPol Link" – a limited liability company established on 19 May 2008. This company coordinated international Poland-Lithuania electric power grid preparatory and construction works. Fifty percent of LitPol Link shares belonged to Polskie Sieci Elektroenergetyczne S.A. (PSE S.A.) (Polish company), and the remaining fifty percent of shares were held by Litgrid AB (Lithuanian company). Neither Lithuanian authorities nor the Lithuanian company Litgrid AB has signed agreements with the European Commission which required that the decision on environmental protection conditions for the project should be issued by June 2012.

In addition to this, it should be highlighted that both – Lithuanian and Polish – companies



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Lietuvai



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applied and received financial support for the project from the funds of Trans-European Networks for energy (TEN-E) separately. All procedures (environmental impact assessment and others) were also carried out separately according to the national legislation. Lithuanian institutions and Litgrid AB do not possess requested document (-s).

***Question No. 4***

The General Plan of the Republic of Lithuania is a very complex document which sets grounds for the territorial planning of the whole country. According to the Law on Territorial Planning article 9 paragraph 2 (version valid at the time of approval of the General Plan), general plans are projected for a period of at least 20 years. The validity of these plans is unlimited. These plans are amended and supplemented according to the specific provision set in the national legislation. The main solutions of the 2002 General Plan were developed for the year 2020 and presented in the following main directions: common territorial structures, specialised territorial structures, spatial integration of the development of the territory of the state, reserving territories for the common needs of the state. Taking this into consideration, it is obvious that in the long term (10, 20 or even more years) certain social, economic, political and other circumstances can lead to territorial planning changes. As we see in our case, the 2002 General Plan already reserved territory for the 400kV power line. All planning procedures (SEA, EIA, etc.) regarding the project were carried out only in 2009-2011 (after 7-8 years). Some projects foreseen in 2002 General Plan are still in the planning phase. As it was mentioned above, it is natural that during such a long term due to the social, economic, political circumstances, related discussions, public opinion certain aspects of projects (location, technology and so on) can change.

Compliance Committee asks whether the decision-maker could have contradicted the 2002 General Plan and opted for the "underground alternative" instead of an overhead powerline? The answer is positive. If it was decided that the "underground alternative" is more reasonable, the decision-maker could opt for it. If such a decision would be taken, related changes of the 2002 General Plan should have been made in order to proceed further with the project.

The situation when decision-maker opts out for other alternative, but related legally binding acts (in our case – 2002 General Plan) are not changed (especially when we talk about such projects as discussed in our case – projects of national importance) is hypothetical only.

***Question No. 5***

A brief answer to this question is – if the decision-maker would have eventually decided to opt for the "underground alternative", the Decree No.1-190, issued by the Minister of Energy of 19 October 2009 would have been changed.

The situation when decision-maker opts out for other alternative, but related legally binding acts (in our case – the Decree No.1-190, issued by the Minister of Energy of 19 October 2009) are not changed (especially when we talk about such projects as discussed in our case – projects of national importance) is hypothetical only.

***Question No. 6***

Members of the public could have proposed an alternative route during: EIA scoping, special plan concept development, SEA hearing, EIA hearing. In addition to this, if members of the public would have wanted to propose completely different route of the project compared to the 'corridor' of territories reserved in the 2002 General Plan they could have proposed such alternative route during the preparation (public hearing procedures carried out during the preparation) of 2002 General Plan. Moreover, alternative route could have been proposed during the preparation of General Plan of Alytus County and General Plans of Lazdijai district municipality and Alytus district municipality.

***Question No. 7***

The information about project's route options (A, B and B1) was provided in the EIA and the SEA material. Public had all possibilities to get acquainted with this information, to raise related questions in writing. In addition to this, route options (A, B and B1) were discussed during the

public hearings:

1. The SEA procedure:

1.1. Information on special plan concept solutions of the project was published in local newspapers, national daily newspaper, websites of certain public authorities and AB Lietuvos energija and LitPol Link Sp. Z.o.o. Public was invited to get acquainted with SEA report and to give their comments and proposals. Public was also invited to the public hearings (in Alytus and in Lazdijai) (see page 3 of our response to the communication, 26-11-2014 letter No. (16-1)-D8-8740, for the exact dates and names of newspapers and public authorities and other detailed information).

1.2. Special plan's concept solutions were presented during the public hearings. Public had a possibility to comment and raise questions regarding different aspects of these concept solutions, including route options. For example, related question was raised during the presentation of concept solutions in Lazdijai district municipality: *"In what areas of the "routes" depicted in the concept solution maps can the electricity transfer line be planned?"* (see Annex 1 attached to our response to the communication, 26-11-2014 letter No. (16-1)-D8-8740).

2. The EIA procedure:

2.1. Information on the prepared project EIA programme, EIA report was published in local newspapers, national daily newspaper, on billboards and websites of certain public authorities, media and LitPol Link Sp. Z.o.o. Public was invited to get acquainted with EIA programme (scoping document), EIA report and to give their comments and suggestions. Public was also invited to the public hearings (see page 3, 4 of our response to the communication, 26-11-2014 letter No. (16-1)-D8-8740, for the exact dates and names of newspapers and public authorities, places where public hearings were held and other detailed information).

2.2. EIA report was presented during the public hearings. Public had a possibility to comment and raise questions regarding different aspects of the project (including route options) and its impact on the environment. For example, route options' related information was presented during the presentation of EIA report in Lazdijai district municipality (see Annex 3 attached to our response to the communication, 26-11-2014 letter No. (16-1)-D8-8740): *"The written version of the EIA report was available during the meeting. The B1 map of the optimal line sub alternative of the planned economic activity (EEPOL construction) was demonstrated"* (Annex 3, page 2), *"It is noted, that the environmental impact is assessed for two economic activities: three EEPOL line alternatives A, B and B1 and the reconstruction and expansion of Alytus TP", "V. Belickas presented the analysis of line alternatives. It was noted, that line sub alternative B1 had the highest relative value according to PEA impact on nature and social environment after the PEA's environmental impact assessment was made. The general outcome of the assessment is: line sub alternative B1 is the optimal alternative PEA's (EEPOL construction) if the technical alternatives of comparison of current 110 kV and the planned 400 kV voltage is selected. It is noted, that PEA is possible in other line alternatives A and B"* (Annex 3, page 3). Members of the public did not raise route options related questions. Representatives of the communicant were present in this meeting.

2.3. Public had also a possibility to send their comments on route options after the public hearings. Comments received were discussed during the meeting on the project's EIA report on 17-12-2010.

**Question No. 8**

24 pages long brochure was published in the beginning of 2010. These brochures were distributed during the public hearings of the special plan concept solution throughout 2010 and were additionally provided to 13 authorities for dissemination: Alytus County Governor's Administration, Alytus district municipality, Lazdijai district municipality, Alytus, Simnas, Miroslavas, Krokialaukis, Lazdijai city and Krosna, Šeštokai, Teizai, Būdviečio, Lazdijai elderships.

**Question No. 10**

Average number of copies distributed for a single edition of the following newspapers<sup>1</sup>:

<sup>1</sup> Information is published online on the home page of the Ministry of Culture of the Republic of Lithuania:

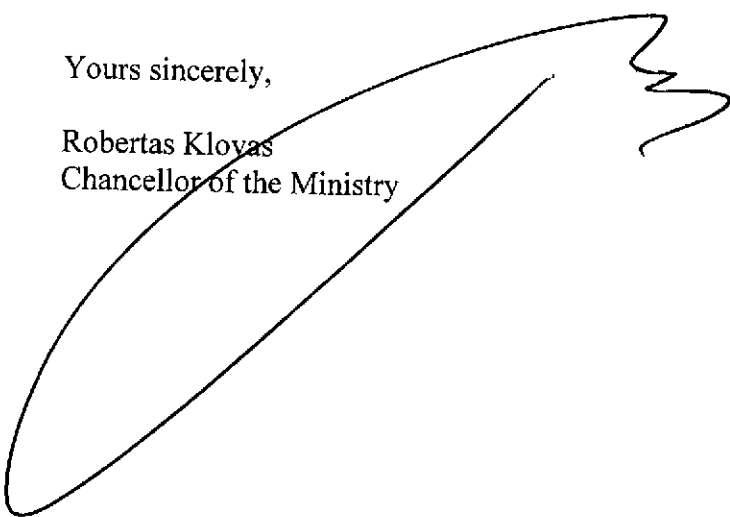
- a. "Alytaus naujienos" – 5078 copies;
- b. "Dzūkų žinios" – 4000 copies;
- c. „Lazdijų Žvaigždė“ – 4700 copies;
- d. „Miesto Laikraštis“ – 8500 copies;
- e. „Respublika“ – 21653 copies;
- f. „Lietuvos Žinios“ – 9926 copies.

After taking into consideration the complexity and specifics of some of the questions raised by the Compliance Committee and the short term given for the submission of the responses, the Ministry of Environment of the Republic of Lithuania asked Compliance Committee to extend the term for submission of answers to the questions 3, 9 and 11 until 1 October 2017. We are thankful to the Compliance Committee for the cooperation and the extension of the term.

ATTACHED. Minutes No. D4-50 of 30 April 2010 (Lithuanian and English versions), 8 pages.

Yours sincerely,

Robertas Kloyas  
Chancellor of the Ministry





**LIETUVOS RESPUBLIKOS APLINKOS MINISTERIJA**  
**KOORDINACINIO SUSITIKIMO ELEKTROS ENERGIJOS JUNGTIES LIETUVA-LENKIJA**  
**KLAUSIMAIS APTARIMO**  
**PROTOKOLAS**

2010 m. balandžio 30 d. Nr. D4-50

Aplinkos ministerija, Jakšto 4/9, Vilnius

Pasitarimas įvyko 2010 m. balandžio 20 d.

Posėdžio pirmininkas – Arūnas Remigijus Zabulėnas, LR aplinkos viceministras.

Posėdžio sekretorė – Banga Laurutėnaitė, LR aplinkos ministerijos Taršos prevencijos departamento Poveikio aplinkai vertinimo sk. vyr. specialistė.

Dalyviai:

Arūnas Remigijus Zabulėnas, LR aplinkos viceministras.

Vitalijus Auglys, LR aplinkos ministerijos Taršos prevencijos departamento direktorius.

Jonas Jakaitis, LR aplinkos ministerijos Teritorijų planavimo, urbanistikos ir architektūros departamento direktorius.

Gintarė Dubickaitė, LR aplinkos ministerijos Teritorijų planavimo, urbanistikos ir architektūros departamento Erdvinio planavimo ir regioninės plėtros skyriaus vyr. specialistė.

Banga Laurutėnaitė, LR aplinkos ministerijos Taršos prevencijos departamento Poveikio aplinkai vertinimo (toliau – PAV) skyriaus vyr. specialistė.

Michał Kielsznia, Generalinis aplinkos apsaugos direktorius, Lenkijos generalinė aplinkos apsaugos direkcija (toliau – GDOŚ).

Ryszard Zakrzewski – PAV departamento direktorius, GDOŚ.

Katarzyna Twardowska – PAV departamento direktoriaus pavaduotoja, GDOŚ.

Paulina Filipiak – PAV departamento specialistė, GDOŚ.

Jaroslav Neverovič – LitPol Link Valdybos pirmininkas.

Karolis Sankovski – LitPol Link Aplinkos skyriaus vadovas.

Artūras Vilimas – Strateginių projektų direktorius, AB „Lietuvos energija“.

Vidmantas Baliukonis – Aplinkosaugos grupės vadovas, AB „Lietuvos energija“.

Marek Ignaszewski, Projekto direktorius, LitPol Link koordinatorius, PSE Operator S.A.

Magdalena Miłow, EPC S.A. Infrastruktūros direktorė.

Aidas Vaišnoras, UAB „Sweco Lietuva“ viceprezidentas.

Vytautas Belickas, UAB „Sweco Lietuva“ PAV skyriaus vadovas.

Tomas Varneckas, UAB „Sweco Lietuva“ Planavimo skyriaus vadovas.

Darbotvarkė:

1. Viceministro Arūno Remigijaus Zabulėno išanginis žodis.

2. LitPol Link valdybos pirmininko Jaroslavo Neverovičiaus pristatymas apie bendrą Lietuvos ir Lenkijos pažangą projekte ir PAV tarpvalstybines konsultacijas.

3. PAV eiga Lietuvoje, tarpvalstybinės konsultacijos, UAB „Sweco Lietuva“ pristatymas.

4. PAV eiga Lenkijoje, tarpvalstybinės konsultacijos, LitPol Link Aplinkos skyriaus vadovo pristatymas.

5. Strateginio pasekmių aplinkai vertinimo (toliau – SPAV) ir specialiojo plano rengimo eiga Lietuvoje, tarpvalstybinės konsultacijos, UAB „Sweco Lietuva“ pristatymas.
6. SPAV ir Elektros perdavimo tinklo šiaurės rytų Lenkijoje plėtros programos eiga Lenkijoje, tarpvalstybinės konsultacijos, EPC S.A. pristatymas.
7. Sienos kirtimo taško koordinavimas.
8. Tarpvalstybinės konsultacijos rezultatų apibendrinimas.
9. Kiti aktualūs šalims klausimai.

#### SVARSTYTA.

1. Viceministras Arūnas Remigijus Zabulėnas pasveikino tarpvalstybinių konsultacijų dalyvius, pažymėjo, kad dėl šio projekto įgyvendinimo vyksta antrasis susitikimas, kuriame bus aptarti projekto eigos klausimai, akcentavo, kad šis susitikimas yra pirmojo tarpvalstybinio pasitarimo (2009 m. vasario 17 d. Varšuva) tęsinys.

Lenkijos ir Lietuvos atstovai pristatė dalyvius.

2. Jaroslav Neverovič padėkojo abiem šalims už iniciatyvą bendradarbiauti, akcentavo elektros energijos jungties Lietuva–Lenkija projekto eigos pažangą, informuodamas, kad 2009 m. buvo parengta trasos parinkimo studija investiciniam projektui „400 kV jungties Elkas–Lenkijos Respublikos siena statyba“, kuri apima išsamią trasos analizę ir informacijos apie projektą dokumentą, parengtą poveikio aplinkai vertinimo tikslais. Informacijos apie projektą dokumentą nagrinėja Balstogės regioninė aplinkos apsaugos direkcija, kuri nustatys PAV ataskaitos apimtį, įskaitant gamtinius tyrimus. Išreiškė pageidavimą, kad būtų suformuota pozicija dėl sienos kirtimo vietos.

3. PAV dokumentų rengėjo – UAB „Sweco Lietuva“ atstovas Vytautas Belickas informavo, kad planuojamos ūkinės veiklos PAV programa parengta, apie ją visuomenei buvo paskelbta respublikinėje ir rajoninėje spaudoje, seniūnijose ir sudarytos sąlygos su ja susipažinti. PAV programa suderinta su PAV subjektais ir 2010 m. kovo 17 d. patvirtinta Alytaus RAAD. Atliekamas planuojamos ūkinės veiklos PAV, bioįvairovės tyrimai ir rengiama PAV ataskaita. Numatoma, kad parengta PAV ataskaita visuomenei bus pristatyta š. m. liepos mėnesį.

Išdėstė planuojamos veiklos PAV ir SPAV ryšį.

4. LitPol Link Aplinkos skyriaus vadovas Karolis Sankovski informavo apie PAV procesą Lenkijoje, pažymėjo, kad LitPol Link, įgaliotas PSE Operator S.A., pradėjo sprendimo dėl aplinkos sąlygų išdavimo procedūrą, Balstogės RAAD nustato PAV ataskaitos apimtį, pagal kurią bus rengiama PAV ataskaita. LitPol Link planuoja įvykdyti šių darbų pirkimus iki balandžio pabaigos–gegužės pradžios. Informavo, kad tarpvalstybinės konsultacijos dėl PAV sėkmingai įgyvendintos. Lenkijos GDOŠ 2010 m. vasario 17 d. laišku informavo Lietuvos Respublikos aplinkos ministeriją apie vykdomą PAV procedūrą, klausdama apie Lietuvos dalyvavimą tarpvalstybiniame vertinime. Lietuvos Respublikos aplinkos ministerija 2010 m. kovo 1 d. raštu pareiškė, kad Lietuva nedalyvaus PAV tarpvalstybiniame vertinime, GDOŠ pranešė Balstogės RAAD apie procedūros užbaigimą.

Lietuvos Respublikos aplinkos ministerija 2010 m. kovo 10 d. pateikė analogišką pranešimą Lenkijos GDOŠ, informuodama apie įgyvendinamas PAV procedūras ir klausdama, ar Lenkija dalyvaus tarpvalstybiniame vertinime ir pateikė AB „Lietuvos energija“ užsakymu UAB „Sweco Lietuva“ parengtą PAV informaciją.

Lenkijos GDOŠ, gavusi Balstogės RAAD nuomonę, 2010 m. balandžio 4 d. pranešė Lietuvos Respublikos aplinkos ministerijai, kad neketina dalyvauti PAV tarpvalstybiniame kontekste.

Ryszard Zakrzewski – PAV departamento direktorius, GDOŠ mano, kad visos procedūros vykdomos labai gerai, akcentavo dėl notifikacijos vykdytas procedūras, pažymėjo Lenkijos–Lietuvos sienos kirtimo vietos nustatymo svarbą.

Tomas Varneckas, UAB „Sweco Lietuva“ Planavimo skyriaus vadovas mano, kad labai tiksliai nustatyti sienos kirtimo vietą neatlikus PAV yra sudėtinga ir siūlė nustatyti tik sienos atkarpa, kuri būtų nagrinėjama ir vertinamas palankiausias kirtimo taškas.

Katarzyna Twardowska - PAV departamento direktoriaus pavaduotoja, GDOŠ mano, kad Lenkijos pusėje dabar labai svarbu nustatyti konkretų sienos kirtimo tašką, nes atliekami vertinimai.

5. UAB „Sweco Lietuva“ atstovas Vytautas Belickas pristatė Specialiojo plano strategini pasekmių aplinkai vertinimą (SPAV), informavo kaip rengtas SPAV apimties nustatymo dokumentas, kad apie tai buvo paskelbta visuomenei respublikinėje, rajoninėje spaudoje, SPAV apimties nustatymo dokumentas eksponuojamas visose seniūnijose, parengta informacija tarpvalstybinėms konsultacijoms. Informavo, kad LR aplinkos ministerija jau informavo Lenkijos GDOŠ apie SPAV apimties nustatymo dokumentą. Dėl SPAV apimties dokumento gautos atitinkamų subjektų išvados. Jau parengta SPAV ataskaita, apie kurią informuota visuomenė, sudarytos sąlygos susipažinti. Pasitarimo dalyviai supažindinti su SPAV rezultatais.

Vitalijus Auglys informavo, kad Lietuvos Respublikos aplinkos ministerija 2010 m. kovo 10 d. pranešė Lenkijos GDOŠ apie įgyvendinamas SPAV procedūras ir pateikė AB „Lietuvos energija“ užsakymu UAB „Sweco Lietuva“ parengtą SPAV informaciją. Lenkijos GDOŠ 2010 m. balandžio 4 d. raštu informavo Lietuvos Respublikos aplinkos ministeriją, kad neketina dalyvauti SPAV tarpvalstybiniame kontekste.

6. EPC S.A. Investicijų rengimo direktorė Magdalena Miłow pristatė SPAV dėl Elektros perdavimo tinklo šiaurės rytų Lenkijoje plėtros programos projektą, kurio vienas elementas yra „400 kV linija „Elkas–Lenkijos Respublikos siena“ projektas, kurį PSE Operator S.A. užsakymu rengia įmonė EPC S.A. Parengta pasekmių aplinkai vertinimo prognozė bus pateikta atitinkamų institucijų, visuomenės svarstymui ir bus informuota LR aplinkos ministerija.

7. Karolis Sankovski pastebėjo, kad 2009 m. vasario 17 d. koordinaciniame susitikime Varšuvoje buvo susitarta, kad sienos kirtimo zona bus nustatyta ir turi išaiškėti rengiant Elektros perdavimo tinklo šiaurės rytų Lenkijoje plėtros programą, SPAV ir PAV ataskaitas, o Lietuvos pusėje sienos kirtimo zona turi būti nustatyta rengiant specialųjį planą, SPAV ir PAV ataskaitas. Be to, GDOŠ 2010 m. kovo 19 d. raštu informavo Balstogės regioninę aplinkos apsaugos direkciją apie Lietuvos pageidavimą konsultuotis su Lenkija dėl sienos kirtimo vietos.

Vitalijus Auglys informavo, kad sienos kirtimo vietą norime aptarti konsultuojantis darbine tvarka, o ne pagal Espo konvencijos 5 straipsnį.

Pasitarimo metu sudaryta darbo grupė iš Lenkijos ir Lietuvos specialistų, kuri aptarė sienos kirtimo vietą ir pateikė siūlymus.

8. AM Taršos prevencijos departamento direktorius Vitalijus Auglys apibendrino tarpvalstybinės konsultacijos rezultatus.

9. Ryszard Zakrzewski – PAV departamento direktorius, GDOŠ informavo, kad Lenkijoje keitėsi teisės aktai ir dabar tarpvalstybines konsultacijas koordinuos ne Lenkijos aplinkos ministerija, o GDOŠ, todėl siūlė peržiūrėti 2004 m. gegužės 27 d. pasirašytą Lenkijos Respublikos Vyriausybės ir Lietuvos Respublikos Vyriausybės sutartį dėl Konvencijos poveikio aplinkai vertinimo tarpvalstybiniame kontekste, pabrėžė tarpvalstybinių SPAV konsultacijų aktualumą.

Vitalijus Auglys informavo, kad Lietuvoje taip pat keičiasi teisės aktai, Aplinkos ministerija nepriiminės sprendimų dėl veiklos leistinumų, bet bus atsakinga už šalių informavimą ir tarpvalstybines konsultacijas.

Informavo, kad Lietuvoje š. m. ketvirtame ketvirtyje numatoma ratifikuoti SPAV protokolą, akcentavo, kad Europos Sąjungos narės gali bendradarbiauti ir pagal Direktyvos 2001/42/EB 7 str. nuostatas.

Buvo pasikeista informacija apie planuojamą Baltarusijos AE ir Kaliningrado AE.

Arūnas Remigijus Zabulėnas padėkojo visiems dalyvavusiems ir pasisakiusiems dėl PAV ir specialiojo plano SPAV procedūrų aptarimo rezultatų.

NUTARTA:

1. Konstatuoti, kad tarpvalstybinės PAV procedūros dėl LitPol Link elektros energijos jungties Lenkija–Lietuva nebus tęsiamos.

2. LR aplinkos ministerija, gavusi iš Lenkijos GDOŠ pranešimą ir SPAV apimties nustatymo informaciją, informuos, kad nedalyvaus tarpvalstybinėse SPAV procedūrose pagal Direktyvos 2001/42/EB 7 str.

3. Konsultacijos dėl sienos kirtimo vietos nebus vykdomos pagal Espo konvencijos 5 straipsnį. Darbinių konsultacijų metu sutarta, kad PSE Operator S.A. projekto direktorius per projektą koordinuojančią įmonę LitPol Link perduos AB „Lietuvos energija“ informaciją apie Seinų valsčiaus vietos teritorinio planavimo dokumentą (Uchwała NR VIII/28/99 Rady Gminy Sejny z dnia 23 kwietnia 1999 r. w sprawie: zmiany miejscowego planu zagospodarowania przestrzennego gminy Sejny). UAB „Sweco Lietuva“, rengdama PAV ir SPAV dokumentus sienos kirtimo vietoje ir specialųjį planą, stengsis suplanuoti sienos kirtimo tašką vietoje, kuri nurodyta minėtame plane, taip pat atsižvelgdama į Lietuvos teritorijoje galiojančius bendrojo planavimo dokumentų sprendinius.

4. Lenkija ir Lietuva iki š. m. liepos mėn. teiks viena kitai pasiūlymus dėl tarpvalstybinio bendradarbiavimo sutarties pakeitimo.

Posėdžio pirmininkas

Arūnas Remigijus Zabulėnas

Posėdžio sekretorė

Banga Laurutėnaitė



**MINISTRY OF ENVIRONMENT OF THE REPUBLIC OF LITHUANIA**  
**MINUTES OF THE COORDINATION MEETING TO DISCUSS ISSUES RELATED TO**  
**THE LITHUANIAN-POLISH POWER TRANSMISSION INTERCONNECTION**

30 April 2010, No. D4-50

Ministry of Environment, Jakšto St. 4/9, Vilnius

The meeting took place on 20 April 2010.

Chairman of the meeting – Arūnas Remigijus Zabulėnas, Vice-Minister of Environment of RoL;

Secretary of the meeting – Banga Laurutėnaitė, senior specialist at Environmental Impact Assessment Division, Pollution Prevention Department, Ministry of Environment of RoL;

Participants:

Arūnas Remigijus Zabulėnas, Vice-Minister of Environment of RoL,

Vitalijus Auglys, Director of Pollution Prevention Department, Ministry of Environment of RoL;

Jonas Jakaitis, Director of Territorial, Urban Planning and Architecture Department;

Gintarė Dubickaitė, senior specialist at Spatial Planning and Regional Development Division, Territorial, Urban Planning and Architecture Department, Ministry of Environment of RoL;

Banga Laurutėnaitė, senior specialist at Environmental Impact Assessment (hereinafter – EIA) Division, Pollution Prevention Department, Ministry of Environment of RoL;

Michał Kiełsznia, General Director for Environmental Protection, Polish General Directorate for Environmental Protection (GDOŚ);

Ryszard Zakrzewski, Director of EIA Department, GDOŚ;

Katarzyna Twardowska, Deputy Director of EIA Department, GDOŚ;

Paulina Filipiak, specialist at EIA Department, GDOŚ;

Jaroslav Neverovič – Board Chairman, LitPol Link;

Karolis Sankovskis – Head of Environmental Division, LitPol Link;

Artūras Vilimas – Director of Strategic Projects, AB „Lietuvos Energija“;

Vidmantas Baliukonis – Head of Environmental Protection Group, AB „Lietuvos Energija“;

Marek Ignaszewski – Project Director, LitPol Link coordinator, PSE Operator S.A.;

Magdalena Miłow – EPC S.A. Director for Infrastructure;

Aidas Vaišnoras – Vice-President of UAB „Sweco Lietuva“;

Vytautas Belickas – Head of EIA Division, UAB „Sweco Lietuva“;

Tomas Varneckas – Head of Planning Division, UAB „Sweco Lietuva“.

Agenda:

1. Introductory remarks by Vice-Minister Arūnas Remigijus Zabulėnas.
2. Presentation by Board Chairman of LitPol Link Jaroslav Neverovič on common Lithuanian-Polish progress in project implementation and EIA transboundary consultations.
3. The course of EIA in Lithuania, transboundary consultations, presentation by UAB „Sweco Lietuva“.
4. The course of EIA in Poland, transboundary consultations, presentation by the Head of EIA Division, LitPol Link.

5. The course of drafting the strategic environmental assessment (SEA) plan and special plan in Lithuania, transboundary consultations, presentation by UAB „Sweco Lietuva“.

6. The course of SEA and programme for the development of the power transmission grid in north-eastern part of Poland, transboundary consultations, presentation by EPC S.A.

7. Coordination of border crossing point.

8. Summary of the results of transboundary consultations.

9. Any other business.

DISCUSSED:

1. Vice-Minister Arūnas Remigijus Zabulėnas welcomed the participants of transboundary consultations, noting that it was a second meeting of this kind dedicated to discuss the project implementation, more specifically, the progress in project implementation. He also added that it was a follow-up meeting to the first transboundary coordination meeting (which took place on 17 February 2009 in Warsaw).

Polish and Lithuanian representatives introduced the participants.

2. Jaroslav Neverovič thanked both countries for showing initiative to cooperate, focusing on the progress achieved so far in the implementation of the power transmission interconnection project between Lithuania and Poland, informing the participants that in 2009 a study was conducted for the purpose of selecting the route for the investment project 400kV interconnection *Elk-border of the Republic of Poland* which included an extensive analysis of the route and a document containing information on the project developed for the purpose of environmental impact assessment. Currently, the document containing project information is being analysed by Bialystok's regional environmental protection directorate which will define the scope of EIA report, including any natural tests. He expressed his wish to have the position on the border crossing point formulated.

3. Vytautas Belickas, representative of UAB „Sweco Lietuva“ – the company which drafted the EIA documents – informed the participants that the EIA programme of planned economic activity has been conducted, the public was informed about the programme in national and regional press, in neighbourhoods, and was given access to the document for self-information purposes. EIA programme was coordinated by EIA entities and on 17 March 2010 was approved by Alytus regional environmental protection agency (REPA). The EIA of planned economic activity, biodiversity analyses and EIA report are underway. According to the plans, the completed EIA report will be presented to the public in November this year.

He also presented the relation between EIA of the planned economic activity and SEA.

4. Head of Environmental Division of LitPol Link Karolis Sankovski informed about the EIA process in Poland, noting that LitPol Link, acting under authorisation of PSE Operator S.A., initiated the procedure for issuing a decision on the environmental conditions, Bialystok's REPA defines the scope of EIA report, on the basis of which an EIA report will be drafted. LitPol Link is planning to launch public procurement for works by the end of April–beginning of May. He informed that transboundary consultations on EIA have been completed successfully. By its letter of 17 February 2010 the Polish GDOŚ informed the Ministry of Environment of the Republic of Lithuania about the on-going EIA procedure, inquiring about Lithuania's involvement in transboundary evaluation. In its reply of 1 March 2010 the Ministry of Environment of the Republic of Lithuania notified that it was not planning to participate in the transboundary EIA evaluation, GDOŚ informed Bialystok's REPA about the completion of the procedure.

On 10 March 2010 the Ministry of Environment of the Republic of Lithuania sent an identical notification to the Polish GDOŚ informing it about the EIA procedures under implementation and inquiring whether Poland was planning to participate in the transboundary

evaluation; it also submitted EIA information elaborated by UAB „Sweco Lietuva“ that had been commissioned by AB „Lietuvos energija“.

Upon receipt of opinion from Bialystok's REPA, Polish GDOŚ informed the Ministry of Environment of the Republic of Lithuania on 4 April 2010 that it was not planning to participate in EIA in transboundary context.

Ryszard Zakrzewski – Director of EIA Department, GDOŚ, believes that all procedures are being conducted very well; he also underscored the procedures implementing for notification purposes, emphasising the importance of determining the site for the border crossing point.

Tomas Varneckas, Head of the planning division of UAB „Sweco Lietuva“, believes that it is rather difficult to determine, with a high degree of precision, the site of the border crossing point without having done the EIA first, hence, he suggested identifying only a stretch of the border which should be examined and evaluated so as to identify the best border crossing point.

Katarzyna Twardowska, Deputy Director of EIA Department, GDOŚ, believes that it is very important for the Polish side to identify a specific border crossing point because the evaluations are on-going.

5. Representative of UAB „Sweco Lietuva“ made a presentation of the strategic environmental assessment (SEA) of the special plan, informed on the steps taken to define the scope of SEA, that the news on SEA was made public in national and regional press, that the document defining the SEA's scope is on public display in all municipalities, that information was made ready for transboundary consultations. He informed that the Ministry of Environment of RoL already notified the Polish GDOŚ about the documents defining the scope of SEA. As regards the SEA's scope, conclusions thereupon have been received from competent entities. A report on SEA has already been drawn and was made public and access thereto is provided for the society for information purposes. Participants of the meeting were briefed on the results of SEA.

Vitalijus Auglys informed that on 10 March 2010 the Ministry of Environment of the Republic of Lithuania sent a letter to the Polish GDOŚ on the SEA procedures being implemented and submitted information drafted by UAB „Sweco Lietuva“ that had been commissioned by AB „Lietuvos energija“. On 4 April 2010 the Polish GDOŚ informed the Ministry of Environment of the Republic of Lithuania that it was not planning to participate in SEA in transboundary context.

6. Magdalena Miłow who is in charge of investment development at EPC S.A. made a presentation on SEA for the project aimed at developing the power transmission interconnection in the north-eastern part of Poland, one element of which is 400kV line *Elk-border of the Republic of Poland* which is being developed by EPC S.A. upon commissioning of PSE Operator S.A. The forecasts on environmental impact assessment which have been elaborated will be presented for deliberation to relevant competent authorities, for public consultation; the Ministry of Environment will be informed as well.

7. Karolis Sankovski noted that during the coordination meeting which took place in Warsaw on 17 February 2009, it was agreed that the border crossing zone should be identified and become clear during drafting of the power transmission grid development programme in north-eastern part of Poland, during drafting of SEA and EIA reports, whereas on the Lithuanian side the border crossing zone shall be identified during the drafting of the special plan, SEA and EIA reports. Moreover, in its letter of 19 March 2010 the Polish GDOŚ informed the Bialystok regional environmental protection directorate that Lithuania was willing to hold consultations with Poland regarding the border crossing zone.

Vitalijus Auglys informed that we were willing to discuss the border crossing site through consultation under normal working procedure rather than under Article 5 of Espoo Convention.

During the meeting a working group was made from Polish and Lithuanian specialists which discussed the issue of border crossing site and submitted its proposals.

8. Vitalijus Auglys, Director of Pollution Prevention Department of the Ministry of Environment, summarised the results of transboundary consultations.

9. Ryszard Zakrzewski, EIA Department Director, GDOŚ, informed of legislative amendments in Poland, resulting in the change of coordination of transboundary consultations – it is no longer the Polish ministry of environment, but GDOŚ, which had been made in charge. Therefore, he suggested reviewing the Agreement between the Government of the Republic of Poland and the Republic of Lithuania on Implementation of the Convention on Environmental Impact Assessment in Transboundary Context signed on 27 May 2004, he stressed also the importance of transboundary SEA consultations.

Vitalijus Augys informed that legislation is subject to amendment in Lithuania as well – the Ministry of Environment will no longer adopt decisions on admissibility of activity, but will be in charge of information of the parties and transboundary consultations.

He informed that in the fourth quarter this year in Lithuania the SEA protocol was planned to be ratified, underlining that EU member states may cooperate in accordance with the provisions of Article 7 of Directive 2001/42/EC.

Then followed an exchange of information about plans to build a nuclear power plant in Belarus and Kaliningrad.

Arūnas Remigijus Zabulėnas thanked all the participants and speakers on EIA and results of the special plan for SEA procedures.

RESOLVED:

1. To note that the transboundary consultations on EIA procedures with regard to LitPol Link power transmission interconnection between Poland and Lithuania will no longer be continued.

2. The Ministry of Environment of RoL, upon receipt from notification from GDOŚ and information on the scope of SEA will inform that it would not participate in SEA procedures under Article 7 of Directive 2001/42/EC.

3. Consultations on the border crossing site will not be carried out under Article 5 of the Espoo Convention. During working-level consultations it was agreed that project director of PSE Operator S.A. through LitPol Link acting as the project-coordinator will forward to AB „Lietuvos energija“ information on territorial planning document of Sejny county (Uchwala NR VIII/28/99 Rady Gminy Sejny z dnia 23 kwietnia 1999 r. w sprawie: zmiany miejscowego planu zagospodarowania przestrzennego gminy Sejny). When drawing up EIA and SEA documents as well as the special plan on the border crossing site, UAB „Sweco Lietuva“ will attempt to plan the border crossing point on the site indicated on the said plan, with due consideration of general master plan's documentary solutions valid in the territory of Lithuania.

4. By July of the current year Poland and Lithuania shall exchange proposals on amendments to the transboundary cooperation agreement.

Chairman of the meeting            /signature/

Arūnas Remigijus Zabulėnas

Secretary of the meeting            /signature/

Banga Laurutėnaitė