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Notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context

We hereby would like to notify you about initiation of environmental impact assessment (EIA) of construction plan of wind farms.

The developer OÜ Nelja Energia applies an application for the special use of water from the Ministry of the Environment. According to the application OÜ Nelja Energia plans to construct five offshore wind farms near to Hiiumaa (island located in the Western Estonia). The characteristics of the potential wind farms are: in total up to 200 windmills, the capacity of one windmill is 3-6 MW and the height of the mast of the windmill is approximately 125 m.

Project includes construction of a power transmission line. Based on the application for the special use of water it was planned that the cable should link to Harku (near to Tallinn), Finland and Sweden. During the process the plans of the developer have changed – vision of additional cable link to Finland has been withdrawn by the developer.

The translated application for the special use of water with the map of the possible location of the activity (annex 8 of the application) is annexed.

According to Article 6 point 5 of the Environmental Impact Assessment and Environmental Management System Act EIA is mandatory in case of installation of wind farms in water bodies.

Based on the EIA programme the experts will assess how the construction and future use of

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the wind farms and the power transmission line may impact the environment. Separate EIA may be carried out for the power transmission line in the range of Sweden waters and between the states.

The Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) states that the concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of, and be provided with possibilities for making comments or objections on, the proposed activity, and shall ensure the transmittal of these comments to the competent authority of the Party of origin, either directly to this authority or, where appropriate, through the Party of origin. According to Article 7 point 3 of the Agreement between the Government of the Republic of Estonia and the Government of the Republic of Finland on Environmental Impact Assessment in a Transboundary Context the competent authority of the affected Party shall respond to the competent authority of the Party of origin within two months of the receipt of notification and shall indicate whether it intends to participate in the EIA procedure. In addition, the competent authority of the affected Party shall provide a statement and comments, if any, on the scoping documentation within two months of the receipt of the notification.

While the public hearing of the programme will be held in Estonia (in Hiiumaa) on 26 February 2007 we kindly ask you to respond to this notification as urgently as possible but no later than by 20 April 2007 and:

- acknowledge receipt of this notification;
- indicate whether your country intends to participate in EIA;
- provide comments on the EIA programme (the scope for the assessment of the environmental impacts of the project);
- submit any comments you might receive from the public in your country.

The EIA procedure in Estonia:

EIA is regulated by the Environmental Impact Assessment and Environmental Management System Act. Environmental impact shall be assessed upon application for or application for amendment of a development consent if a proposed activity which is the basis for application for or amendment of the development consent potentially results in the significant environmental impact. Environmental impact shall be also assessed if activities are proposed which alone or in conjunction with other activities may potentially significantly affect a Natura 2000 site.

The developer shall submit the application for the development consent (a building permit, a permit for special use of water etc) to a decision-maker (the issuer of the development consent: municipalities, the Ministry of the Environment, County Environmental Departments etc) who shall make a decision to initiate or refuse to initiate EIA of the proposed activity. The decision shall be made available to a public.

The developer is responsible to organise EIA. After making a decision to initiate EIA of the proposed activity, the developer with the EIA expert shall prepare the EIA programme. The programme consists information on the proposed activity and the content of EIA – which alternatives will be assessed, information on the potential sources of impact, the size of the impact area and the affected environmental elements of the proposed activity and the

alternatives.

The EIA programme is published, everyone (authorities, the public and NGOs) has the opportunity to participate in the process – to access the EIA documentation and other relevant materials, submit proposals, objections and requests regarding the programme and obtain responses. The developer with the EIA experts have to make the necessary amendments to the programme on the basis of the proposals and objections submitted regarding the programme, explain why proposals and objections are taken into account or justify why they are not taken into account and respond to the questions. A supervisor of EIA shall consider the EIA programme after the publication the programme and consultation with the affected Parties.

Environmental impact of the proposed activity is analysed and the EIA report is composed on the basis of the EIA programme. The EIA report is also published.

Harry Liiv, Deputy Secretary General of the Ministry of the Environment of Estonia, is the Point of Contact of the Espoo Convention in Estonia. If the affected Party gives notification of its wish to participate in EIA, the Ministry of the Environment shall send information on the proposed activity (including application for the development consent), the EIA programme and report to the affected Party. The affected Party will have the opportunity to make comments on the EIA programme and report. Also at the request of the affected state, its representative is permitted to participate in the EIA proceedings and consultations are commenced concerning environmental impact resulting from the proposed activity and the measures for the mitigation or prevention of such impact. The Ministry of the Environment and the affected state shall agree on the necessary procedure and the actual schedule of the consultations, giving notification to the public and the agencies of the affected state and provision of sufficient time for the submission of options on the EIA programme and report for them. All received remarks have to be taken into account.

The Environmental Impact Assessment and Environmental Management System Act is available: <http://www.legaltext.ee/text/en/X90010.htm>.

Contact data:

For more information about the EIA procedures in Estonia please contact:

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For more information about the proceedings procedures of the application of the permit for special use of water please contact:

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For more information about the proposed activity please contact:

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Your sincerely,



Rein Randver
Minister

Annexes: Application for the special use of water
EIA programme

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