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Standing Committee

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Closed file

**Presumed impact of a construction of Overhead
Power Line (OHL) in an environmentally
sensitive area in the Lithuanian-Polish
borderland**

- REPORT BY THE GOVERNMENT -

*Document prepared by
the Ministry of Environment of Lithuania*

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PROGRESS REPORT

**CLOSED FILE 2013/5: PRESUMED IMPACT OF A CONSTRUCTION OF OVERHEAD
POWER LINE (OHL) IN AN ENVIRONMENTALLY SENSITIVE AREA IN THE
LITHUANIAN – POLISH BORDERLAND**

Taking into account Recommendation No. 175(2015) of the Standing Committee, adopted on 4 December 2015, on the monitoring of agreement concluded in the frame of complaint No 2013/5 (Lithuania), the Ministry of Environment of the Republic of Lithuania provides the following information on the progress made to implement this recommendation.

1. Preparation of Monitoring programme of OHL

The procedures of preparation process of the Monitoring programme were organized by the electricity transmission system operator of the Republic of Lithuania LITGRID AB (hereinafter – LITGRID AB), in accordance with the national legislation.

The procurement procedure to prepare the Monitoring Programme of 400 kV overhead power transmission line from the Alytus Transformer Substation to the Lithuanian-Polish Border (hereinafter – Monitoring programme) was started on 18 January 2016. 2 potential suppliers took part in the procurement and submitted their suggestions. The participants were Lithuanian Fund for Nature and Open Access Centre for Marine Research of Klaipėda University. The agreement for developing the Monitoring programme was signed with the Klaipėda University on 2 February 2016. On 19 February 2016 Klaipėda University delivered the draft programme for comments to the Environmental Protection Agency. Interim institutional coordination took place until 11 May 2016, when the Environmental Protection Agency confirmed the Monitoring programme.

Publicity and stakeholders involvement

The information on the Monitoring programme to all related parties was first published on 7 June 2016 on LITGRID AB website (<http://www.litgrid.eu/index.php/news-events/news/environmental-impact-of-litpol-link-to-be-monitored-for-three-years/3199>). The whole document of the monitoring programme has been made public starting 17 June 2016 in the Lithuanian language (http://www.litgrid.eu/index.php?lang=1#litpol_top) and a few days later, in English (http://www.litgrid.eu/index.php/grid-development/-strategic-projects/-litpol-link/135#litpol_link_visual).

Additional announcement to the public about the ongoing preparation of the Monitoring programme was provided on Radio FM99, the largest regional radio station of the Southern part of Lithuania, by three broadcasts on 17 June 2016 (live air), on 28 June 2016 (<http://www.fm99.lt/litpol-link-gamtos-specialistai-sako-jog-labai-svarbu-stebeti-gamta-ir-surinkti-faktus/>) and 29 June 2016 (<http://www.fm99.lt/litpol-link-monitoringo-programa-vertins-itaka-gyvajai-gamtai-litgrid-elektromagnetiniu-bangu-poveiki/>).

The procurement procedures for implementation of the Monitoring programme were postponed until mid-July to ensure all interested parties were given sufficient time to read the draft programme and provide their comments and suggestions. The procurement procedures were announced on 1 August. It is expected to start the implementation of the Monitoring programme in autumn 2016, when the first interim results of the seasonal monitoring will be gathered.

The Ministry of Environment sent the Monitoring programme to Association Rudamina Community on 7 June 2016 and it was asked to provide comments on the programme until 7 July 2016. The Association Rudamina Community on 7 July 2016 provided response where it expressed general disagreement to the process of preparation of Monitoring programme. In its response Association Rudamina Community disagrees that the preparation of Monitoring programme was organized by LITGRID AB, as in this case it falls into conflict of interests. Association Rudamina Community notes, that it is unacceptable that the main responsibility for organization of monitoring implementation, for gathering and analysis of data, for submission of data to responsible institutions is given to LITGRID AB.

The Ministry of Environment informs the Secretariat and the Bureau that all the procedures of preparation of Monitoring programme were conducted in accordance with the requirements of national legal acts regulating this procedure. The Polluter Pays principle is a fundamental principle of environmental policy in Lithuania. This principle is included in many core environmental legal acts – the National Sustainable Development Strategy, the National Environmental Protection Strategy, the Law on Environmental Protection and other Laws. Following this principle the Law on Environmental Monitoring establishes the obligation for entities to prepare monitoring programme by themselves, the Law on Environmental Protection – the obligation for entities to conduct monitoring using their own means.

The process of preparation and approval of Monitoring programme is regulated by the Regulations on the Environmental Monitoring of Entities approved by Order of the Minister of Environment No D1-546 of 16 September 2009. These Regulations state that monitoring is to be conducted by entities (eg. LTGRID AB) according to the monitoring programme, approved by the Environmental Protection Agency.

These Regulations also specify that implementation of monitoring by entities, quality of monitoring data and conformity of monitoring methods to legal acts are controlled by Regional Environmental Protection Departments.

2. Content of Monitoring programme

The Monitoring programme is foreseen for three-year period from 2016 to 2018.

The environmental monitoring covers the following objects falling within the area of impact of the OHL route: valuable flora complexes (OHL route safety zone); birds (OHL route safety zone and adjacent areas); amphibians and reptiles (OHL route safety zone).

Locations of monitoring have been selected in the area of impact of the OHL route, in the territories in which valuable habitats or sites of rare plant species have been mapped before construction and which are crossed by the OHL. Monitoring programme also describes monitoring methodologies and assessment criteria for monitored objects.

Monitoring of birds includes monitoring of accumulation of migrating birds and monitoring of OHL-related bird deaths.

The European pond turtle (*Emys orbicularis*) monitoring locations have been selected within the OHL safety zone at places where habitats suitable for the species are present, as well as taking into account the information received from the Association Rudamina Community.

Monitoring of Amphibians and Reptiles includes monitoring of European fire-belied toad (*Bombina orientalis*), the Northern Crested Newt (*Triturus cristatus*) and monitoring of other 11 protected amphibian species that are indicated in the EIA Report and were found or could be present in the OHL safety zone and adjacent areas. These species are: Common toad (*Bufo bufo*), Natterjack toad (*Bufo calamita*), European green toad (*Bufo viridis*), Moor frog (*Rana arvalis*), European

common frog (*Rana temporaria*), Edible frog (*Rana esculenta*), Pool frog (*Rana lessonae*), Marsh frog (*Rana ridibunda*), Garlic toad (*Pelobates fuscus*), Smooth newt (*Triturus vulgaris*), European tree frog (*Hyla arborea*).

For the detailed information on monitoring locations, methodologies and assessment criteria please see the attached Monitoring programme (unofficial English translation).

3. Implementation of other measures indicated in the EIA report

The territory restoration and maintenance works were finished by 1 June 2016 in the areas where the pylons of the OHL had been constructed.

According to EIA documentation by the end of December 2015, in the vicinity of towns Krokialaukis, Simnas in Alytus district and close to the lake Rimietis in Lazdijai, in a territory of approx. 20 km 1362 special reflectors for birds were installed in order to make the power lines better visible to the migrating birds.

4. Gas interconnection Poland-Lithuania pipeline (GIPL). Progress report.

The special plan conception and The Strategic Environmental Assessment of Construction of Gas Interconnection Poland – Lithuania in Territory of the Republic of Lithuania was confirmed on 26 November 2015 by the of Amber Grid AB General Director Order No.1-94.

The special plan of Construction of Gas Interconnection Poland – Lithuania in territory of the Republic of Lithuania was confirmed on 22 June 2016 by the Governmental Decision No. 629.

Environmental management and monitoring plans for construction and post-construction period of GIPL were prepared on 22 July 2016.

These plans for construction and post-construction period of GIPL were made public on website <https://www.ambergrid.lt/lt/news/naujienos/dujotiekiujungtiestarpnenkijosirlietuvosstatybosirpostatybi niolaikotarpioaplankosapsaugosvaldymoirmonitoringoplanas> on 28 July 2016. Interested parties and stakeholders were invited to provide comments to Amber Grid AB until 26 August 2016.

The Ministry of Environment took additional action and informed Association Rudamina Community on 28 July 2016 that Environmental management and monitoring plans are placed on website and invited to provide comments to AB “Amber Grid” and the Ministry of Environment until 26 August 2016.

5. Other conservation measures for protected species in Alytus and Lazdijai districts.

Within a special project (LIFE Birds on Electrogrid, website <http://www.birds-electrogrid.lt/en/>) implemented together with the Lithuanian Ornithological Society 23 nesting-boxes for kestrels were constructed on the pylons of 110 kV OH lines in Alytus and Lazdijai districts; special reflectors and spirals, special forks and other bird diverting measures are being constructed on the OH lines pylons. In the particular territory of Alytus and Lazdijai districts, 491 special forks are installed on the OH lines constructions to prevent birds dangerously nesting on the lines. By October 2016 a total of 1970 spirals will be attached to these lines to improve visibility of the OH lines.

Conservation plan for European pond turtle (*Emys orbicularis*) was approved by the Order of the Minister of Environment No D1-255 on 12 April 2016. The plan provides for evaluation of the status of species and its habitats, indicates main threats to population and describes measures for improvement and conservation of species and its habitats. In 2017 it is planned to continue collecting eggs taken from unsafe nesting places (such as roadsides and arable land) and hatching them in Lithuanian zoo. Later individuals of European pond turtle will be released to suitable habitats in Southern Lithuania. In 2016 year 118 individuals were successfully hatched in Lithuanian zoo and released into natural habitats.

Draft Conservation plan is prepared also for Common Tree Frog (*Hyla arborea*) and it is planned to be approved by the end of 2016.

In 2017 it is planned to prepare and approve Conservation plans for European fire-bellied toad (*Bombina orientalis*) and for the Northern Crested Newt (*Triturus cristatus*) and 3 action plans for each

species in specific area. It is foreseen to start implementation of these action plans in Southern Lithuania in 2017. In 2017 it is also planned to start ex-situ breeding of European fire-bellied toad (*Bombina orientalis*) with the aim to release individuals into their natural habitats and reinforce its natural population.

ATTACHMENT:

Monitoring programme of 400 kV overhead power transmission line from the Alytus Transformer Substation to the Lithuanian-Polish Border, 50 pages.

Vice-Minister

Linas Jonauskas