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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

34th meeting
Strasbourg, 2-5 December 2014

Complaint in stand-by

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

REPORT BY THE COMPLAINANT

*Document prepared by
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COMMENTS ON THE LITPOL LINK PROJECT STATUS AFTER THE LETTER FROM THE BUREAU OF THE STANDING COMMITTEE TO THE BERN CONVENTION FROM APRIL 29TH, 2014

Dr. Ramūnas Valiokas, Association Rudamina Community

Rudamina, 3rd of September, 2014

On April 29th the Bureau of the Standing Committee to the Bern Convention addressed the Ministry of Environment of the Republic of Lithuania and informed about the outcomes of its meeting held on the 4th of April 2014 (the letter was also copied to the Complainant). The Bureau strongly recommended postponing the construction of the 400 kV overhead power line (OHL), which is a part of the Lithuanian-Polish electrical energy interconnector project (dubbed as LitPol Link), at least until the survey of species protected by the Convention is carried out and its results are analyzed. Also, the Bureau encouraged the Lithuanian authorities to consider the possibility of associating our NGO to the survey to be carried out by the Lithuanian Fund for Nature. Here we would like to outline briefly the recent development in the LitPol Link project after receiving the above mentioned letter.

1. SURVEY ON PROTECTED SPECIES

The promoter of the OHL construction AB LITGIRD and the Lithuanian authorities reacted to the recommendations of the Bureau by issuing a few press releases (PRs). According to the PR by AB LITGRID from April 30th, together with the Ministries of the Environment and Energy they “by August will provide all additional detailed information about continuously performed research and the applied measures to minimize the environmental impact”. Also, “during May-June on the route of the OHL there will be carried out a survey of the biological variety, an inspection of the route”. “The construction will be started from the Alytus substation side, whereas the fundamentals for the OHL pylons in the area close to the Polish border will be constructed during late autumn and the next year... During the construction of each fundament and each pylon, the experts from the Lithuanian Fund for Nature will carry out the ecological supervision.” This PR was followed by an article in the major news site Lrytas.lt from May 16th, which informed that “following the recommendation of the Bern Convention Bureau, the next week a survey will be started, which will be conducted by applying the special measures for searching the particularly rare, protected species- the pond turtle. The additional survey will be concluded till the end of June, [...], when turtle females finish laying eggs. The survey will be carried out by the Lithuanian Fund for Nature, also inviting representatives from the Regional Department for Protection of Environment, Bern Convention Committee and the local people. [...] The OHL construction work in Lazdijai district, where the survey will be carried out, will be started in October this year”. The Ministry of Environment on May 15th published a PR, in which they warned the public about “published encouragements of the private persons and village communities to collect the pond turtle”. We suspect that this was reaction of the Ministry to an interview with Dr. Ramūnas Valiokas published by the local newspaper “Lazdijų žvaigždė”, where he asked the local people to collect any evidence of the species in the disputed area. In its PR the Ministry also warned the public that it is “strictly forbidden to take and hold the pond turtles, even to photograph them in their habitats or in nesting sites.[...] For the activities that do harm to this species the fine is 1000 LTL”. This PR was broadly published in the local and national media in Lithuania, as we anticipate, with the aim of preventing the local people from helping our NGO and collecting new data.

Despite the above mentioned declarations and PR actions, our NGO was not provided with the opportunity to participate in the survey. The Ministry for Environment of the Republic of Lithuania informed us by letter 02.07.2014 that the Lithuanian Fund for Nature (LFN) has a contract with the OHL construction company and it is performing a survey on protected species. The CEO of the LFN Mr. Edmundas Greimas contacted Ramūnas Valiokas by phone 16.07.2014 with a suggestion to meet and to share the information about the potential habitats of the pond turtle. Our NGO appreciated the possibility to join the survey and asked the LFN to provide us an elaborated research plan and description of the methodology for the survey. Unfortunately, we never received this information, despite repeating the request three times (correspondence from July 21, August 13 and 19). **Instead, the LFN sent us a draft of the prepared report for the Bureau of the Bern Convention, from which we learned that the survey had been already performed during May-July, without informing us and, thus, without our participation.** Also, it was surprising to learn that the LFN checked only several spots directly in the area of forest clearance/OHL

construction works that had started in April this year (the species might already be affected by the noise and vibration of the heavy machinery), although we pointed out in our complaint that the migration range of the pond turtle is about 2 km, and area affected by the OHL is about 50 km². Notably, the report by the LFN had no information about the other species listed in our complaint. It is important to stress, that having a contract with the OHL construction company for ecological supervision of construction works services, the LFN is in a situation of a conflict of interests.

2. STATUS OF OHL CONSTRUCTION WORKS

Around June 3rd the OHL construction works were started massively on the Polish side, in the municipalities of Punszk and Sejny. This is an extension of the environmentally sensitive area reported in our complaint. From frequent visits and contacts with the local Polish people we have learned that species like *Grus grus*, *Egretta alba*, *Bombina Bombina* and other are common in the OHL construction zone. The official Polish database also lists the pond turtle in this area. Note, that during the planning stage of the OHL, Lithuania and Poland signed an agreement on not performing an environmental impact assessment in a transboundary context according to the Espoo Convention. It is worth mentioning that the Polish companies have started the massive construction despite ongoing protests of the communities and legal cases with landlords along the OHL route, without having the issued permissions in all the municipalities (information from the Polish community of Bakalarzewo, see Annex VI). A view of a construction site of a pylon is shown in Figure 1.



Figure 1. Construction site of a pylon fundamnet in Sejny municipality, Poland, in late June 2014. The spot is about 1 km from the Lake Galadusys (Natura 2000 site PLH200007), whereas the OHL extends into the Lithuanian territory some 200 m from it, into the area with the protected species described in the complaint. Note, that a typical migration range of the pond turtle is around 2 km, according to the scientific data.

The construction works of the fundaments for the OHL pylons were started also in the vicinity of Rudamina village around July 15, see Figure 2, i.e. in the area reported in our complaint. Through a conversation with the workers in one of the construction sites, Ramūnas Valiokas learned that no ecologist was present in the field.



Figure 2. Construction site of a pylon fundamnet outside Rudamina village, in the area reported in the complaint, July 16, 2014.

3. NEW DATA ON PROTECTED SPECIES IN THE DISPUTED AREA

Ramūnas Valiokas in May twice inspected the most natural part of the OHL route right on the Polish border, in which most of the protected species described in the complaint were found the last year. During the first visit he could state that **the works of cutting the forest were performed in April, before any ecological supervision/survey services were signed by the project promoter/construction company and the LFN.** Species like *Bombina bombina* could be heard directly in the works site: https://www.dropbox.com/sh/hbmkveaiqxajv5t/AABg_fmXXmBwJJVwUN5Ktj7a

The fact that massive cutting of forest was performed during the season of migration and hatching indicates that the authorities and the project promoter are not serious about their own commitments, also expressed in their correspondence to the Bureau.¹

The second visit was organized on May 30th together with Mr Evaldas Snieškus, the pioneer of European pond turtle research in Lithuania. Mr. Snieškus chose a potential habitat site along the OHL route and he found a few turtle egg shells, see Figure 3. According to him, the egg shells were the remains of a pond turtle nest from the last year, with a total number of 10-12 eggs (explanation in correspondence from 2014.05.31). However, no more detailed investigation of the area could be performed as neither Mr. Snieškus nor our NGO had the permission from the authorities- the application by Rudamina Community was rejected in 2013. Moreover, the visit was interrupted by the environmental protection officers who suddenly appeared in the field (in a very remote area) and checked the car of Ramūnas Valiokas. This confirms our previous suspicions that the leaders of our NGO have been under surveillance by the Lithuanian authorities.



Figure 3. Egg shells of the pond turtle found on the OHL route close to the Polish border by Mr. Evaldas Snieškus, May 30, 2014.

Finally, as a result of the announcement in the local newspaper, in which our NGO asked the local people to help us in collecting any new evidences, Ms Vilma Danauskienė, journalist, has provided us with information about another habitat of the pond turtle, situated some 6 km from the OHL and linked into the ecosystem of Lake Galadusys (PLH200007).

4. Expansion of other infrastructure projects in the disputed area

In April the Lithuanian consult company Kelprojektas UAB announced it has started an environmental impact assessment for a new Lithuanian-Polish gas pipeline.² This information was later in June confirmed in the letter to Ramūnas Valiokas, who reminded the company and the Agency for the Environmental Protection under the Ministry of Environment that this heavy infrastructure project again occurs in the area under the complaint to the Bern Convention. The launch of the new project confirms the fears by our NGO that the OHL project will pave the way to even more radical changes in this till recently well preserved natural region, including destruction and fragmentation of the landscape and habitats for many species. The situation raises our concerns that the Lithuanian

¹ „EIA report conclusions specify that significant negative impact to fauna during the construction of the Power line can be reduced by choosing the time of the construction,...“ Letter to the Secretariat of the Bern Convention by the viceminister Mr. Linas Jonauskas, 4 September 2013, p. 10.

² The EIA programme and the maps of the gas pipeline route can be found on this site (in Lithuanian): <http://www.kelprojektas.lt/lt/content/informacija-apie-parengta-dujotiekiu-jungties-tarp-lenkijos-ir-lietuvos-dalies-lr>

authorities are providing inaccurate or misleading information to the Convention Bureau and to the public thus winning the time to move ahead with their plans.³

5. NEW COMPLAINT UNDER THE AARHUS CONVENTION

The UNECE Aarhus Convention Compliance Committee on June 27th informed that the communication by the Rudamina Community regarding construction of overhead powerlines in Lithuania has been on a preliminary basis determined to be admissible for investigation (case ACCC/C/2013/98). The response from the Party is due to 27 November 2014.

6. THE ROLE OF THE EUROPEAN UNION AND FUNDING ORGANIZATIONS

The OHL construction on the Polish side is co-funded by the European Commission via the Operational Programme Infrastructure and Environment by a sum of € 60M. The decision was signed by the EU Commissioner for Regional Policy Johannes Hahn on May 13th, 2014, and the construction works in the disputed area close to the Lithuanian-Polish border started immediately after allocation of the funds (Figure 1).

The European Union (EU) has provided a report for the BC Bureau meeting scheduled on September 10, 2014. The report contained a statement regarding funding of the EIA study for the LitPol Link OHL project, Page 4:

"The Lithuanian side of the project received EU funding under the TEN-E programme, aimed mainly at financing the feasibility studies to support faster implementation and prepare future works.1 This is still ongoing and scheduled to be finished by the end of 2014. The activities under the Action proposed for financial aid are the approval of designs and the obtaining of construction permits for the 400 kV overhead line between Alytus substation to the border, and the Alytus substation expansion including construction of the back-to-back converters. The preparation of an Environmental Impact Assessment (EIA) is not covered by the TEN-E Action."

This explanation might create impression that the EU has not supported the EIA activities. However, according to the recent press release by the LITGRID AB company (2014-08-07), which is the promoter of the LitPol Link project:

"The support of nearly LTL 15 million (€ 4,34 million) was received through the EU's trans-European energy networks (TEN-E) programme and the Ignalina International Decommissioning Support Fund to finance the preparatory works of LitPol Link. This funding provided for the environment impact assessment of the LitPol Link project as well as special planning and other preparatory works were completed in 2009-2012."

Thus, even if the TEN-E funds have not been used by Lithuania for the EIA, the EU may have supported the EIA process indirectly, via the Ignalina International Decommissioning Support Fund, as the EU is listed among its contributors.⁴

Currently, the OHL construction is financially supported by the Nordic Investment Bank (NIB).⁵ The decision to fund the LitPol Link project with an € 50 M loan was undertaken despite our NGO, following the NIB procedures for environmentally sensitive projects, provided the bank with the information regarding the complaints under the Bern and Aarhus Conventions, respectively, as well as we described potential conflicts of interests of the Lithuanian authorities and responsible officials. Notably, according to NIB's own Sustainability Policy and Guidelines⁶ they will not knowingly finance, directly or indirectly, projects involving the breach of international conventions and

³ "Finally, the report submitted by the authorities of Lithuania informed that there are no other development or infrastructure projects planned in the area other than the power line building works." p. 35, Summary of case files and complaints, April 2014.

⁴ <http://www.ebrd.com/pages/sector/nuclearsafety/ignalina.shtml>

According to the share table provided on the homepage of the Lithuanian Ministry for Energy (the page is in Lithuanian), the EU is the major contributor to the Ignalina International Decommissioning Support Fund with a payment of € M 736,8 out of € M 769,759 total:

http://www.enmin.lt/lt/activity/veiklos_kryptys/iae/fondai.php

⁵ http://www.nib.int/news_publications/1465/nib_finance_first_electricity_link_between_lithuania_and_poland

⁶ http://www.nib.int/filebank/56-Sustainability_Policy_Guidelines-2012.pdf

agreements, involving the Bern Convention. However, in his email from August 21, Mr. Jukka Ahonen, Director and Head of Communications of the NIB, refused to reveal how the NIB screened the compliance of the LitPol Link project with the Bern and Aarhus Conventions. He only referred to the published brief rationale and environmental summary of the project⁷ that mentions contacting “major international and national environmental NGOs in Poland for consideration.”

7. THE REPUBLIC OF POLAND AND THE PRESENT COMPLAINT

In July 2014 our NGO was contacted by the representatives of an NGO of the local people of town Bakalarzewo (north-east of Poland, close to the Lithuanian-Polish border). The construction of the OHL also affects this local community, which also could witness multiple cases of the potential breach of the national and EU legislation in relation to the LitPol Link project. Currently, the Polish NGO and its members as private persons are disputing the OHL planning procedures and issued permissions in several legal cases. Notably, the municipality of Bakalarzewo had refused to accept the OHL route selected by the project promoters, a decision that was later replaced by permission issued at the county level. The Community of Bakalarzewo has also prepared a report on the negative effects of the OHL construction on the protected species on the Polish side (see Annex VI). Therefore, we would like to ask the Bureau to add the Republic of Poland to the current complaint.

⁷ http://www.nib.int/loans/agreed_loans/396/litgrid_ab

**CLARIFICATIONS ON THE PRESENCE OF THE
STRICTLY PROTECTED SPECIES IN THE CONSTRUCTION ZONE OF A 400 kV, 1000 MW
OVERHEAD POWER LINE IN THE LITHUANIAN-POLISH BORDERLAND**

Dr. Ramūnas Valiokas, Association Rudamina Community

March 10, 2014

Background

On September 8, 2013 Association Rudamina Community submitted a report with the original data on the presence of flora and fauna species protected under the Bern Convention that occur in the direct construction and impact zone of the 400 kV overhead power line (OHL) Alytus (Lithuania)-Elk (Poland). **The report was prepared in collaboration with a professional zoologist Mantas Zelevas, co-worker of the Zoology Museum of Vilnius University, who participated in the field survey of the terrain, interviews of the local people and personally attested a number of strictly protected bird, reptile and amphibian species.** According to the Environmental Impact Assessment (EIA) report prepared by private companies hired by the OHL project promoter, most of these species were misleadingly not identified in this area. The study performed by our NGO revealed that at least 9 amphibian, 2 reptile and 14 bird species protected under the Bern Convention and other treaties are found in the EIA assessment zone. **Most of these protected species were found immediately in an about 500 m-wide belt of the planned OHL construction and service works** (including the foreseen construction sites, transportation roads, storage lots, etc.). Also, according to the EIA report, the OHL will cross at least 5 plant habitats protected under the Directive 92/43/EEC. In addition, our own report stressed that the obvious negative impact of the OHL on the bird species protected in Natura 2000 sites Lake Žuvintas (LTALY0005), Lake Galadusys (PLH200007) and Meteliai Regional Park (LTALYB001 and LTLAZ0010) was not assessed during the EIA procedure. Our report referred to the official data on the existence of ecological corridors (important for migration and population sustainability) of the national and international importance, which were not analyzed in the EIA study at all.

In the present document our NGO provides additional information that supports the presence of the species that obviously has created most controversy in the dispute of our NGO and the Lithuanian Ministry for Environment- the European pond turtle (*Emys orbicularis*). Also, we include evidences about the recently started OHL project activities that have already created damage to the ecosystem.

Clarifications on *Emys orbicularis*

1. The habitat for *Emys orbicularis*, which was described in our previous report, is additionally confirmed by Evaldas Snieškus, one of the leading Lithuanian experts in research of this species (**Annex I**). In the spring 2013 he participated in a one day survey of the terrain around the village of Rudamina. **Evaldas Snieškus confirms the authenticity of the collected information and provides additional arguments for the importance of the entire area.** He stresses that **a habitat of a pond turtle can stretch up to 2 km around its regular living environment.** This statement is in agreement with a number of scientific publications, which conclude that *Emys orbicularis* is a semi-aquatic species⁸. Thus, a habitat of the pond turtle consists not only of ponds or lakelets, but also it includes shallow water bodies, surrounding terrestrial areas, and even uplands. In most of the cases described in our previous report **the pond turtles were found by the local people in spots situated less than 1 km from the OHL.** Thus, it can be concluded that the OHL will be located in the center of a habitat area and it will destroy it by the direct damage and fragmentation.
2. We provide additional data on the presence of *Emys orbicularis* in the region, and in particular, in several areas that physically border the described new habitat area identified by us. The Red List

⁸ Mitrus S., „Is the European pond turtle *Emys orbicularis* strictly aquatic? –Habitats where the turtle lives in central Europe“, *Acta Herpetologica* 5 (1): 31-35, 2010;
Ficetola G.F. and De Bernardi F. „Is the European "pond" turtle *Emys orbicularis* strictly aquatic and carnivorous?“, *Amphibia-Reptilia* 27 (3): 445–447, 2006.

of Lithuania⁹ indicates that the state-protected habitats of this species are in Lake Žuvintas Reserve, physically bordering the OHL route, and also in the regional parks of Meteliai and Veisiejai, respectively. The latter are about 15 km away from the habitat area crossed by the OHL. **Annex II** is a Master's thesis (in Lithuanian), previously cited in our report. This thesis was prepared under supervision of Prof. Gediminas Brazaitis, Lithuanian Agricultural University, the expert in forest ecosystems. It reveals 11 new habitats of the pond turtle in an area directly interlinked with the habitat described in our report. The habitats described in the thesis provide an obvious link between the officially protected ones and the habitat area found by us. Further on, **Annex III** is an excerpt of the on-line database on the amphibians and reptiles in Poland, managed by the Institute for Nature Protection, Polish Academy of Science. It indicates a confirmed habitat in the western part of the Polish Natura 2000 site PLH200007, while the habitat described by us (and the OHL route) border the eastern part of the same Natura 2000 site (see below). In addition, the database reveals one more habitat that directly borders the OHL route in Poland, south of the town of Punszk. The data about the occurrence of *Emys orbicularis* in the eastern part of site PLH200007 and listing of the suitable vs. damaged habitats in the water system linked to Lake Galadusys is provided in **Annex IV**, a letter sent to our NGO by Grzegorz Górecki, the expert at the University of Warsaw. This letter also stresses, that the Polish-Lithuanian border area needs detailed scientific investigation.

The data provided in the four Annexes is compiled in a map shown in Figure 1. It reveals that the new habitat area discovered by our NGO forms compact part of a much bigger region of preserved habitats of *Emys orbicularis*. It stretches both in Poland and in Lithuania interlinking several Natura 2000 sites. As pointed out by Evaldas Snieškus, the habitat area between Lakes Galadusys and Rimietis is particularly valuable because of the hilly landscape with lots slopes with the southern exposure to the sunlight that are suitable for laying eggs. The danger of destroying this habitat area of the pond turtle is caused not only by the OHL construction but also by spontaneous urbanization of the eastern shores of Lake Galadusys (**Annex V**) and other recently started economical activities described in our complaint and the attached report.

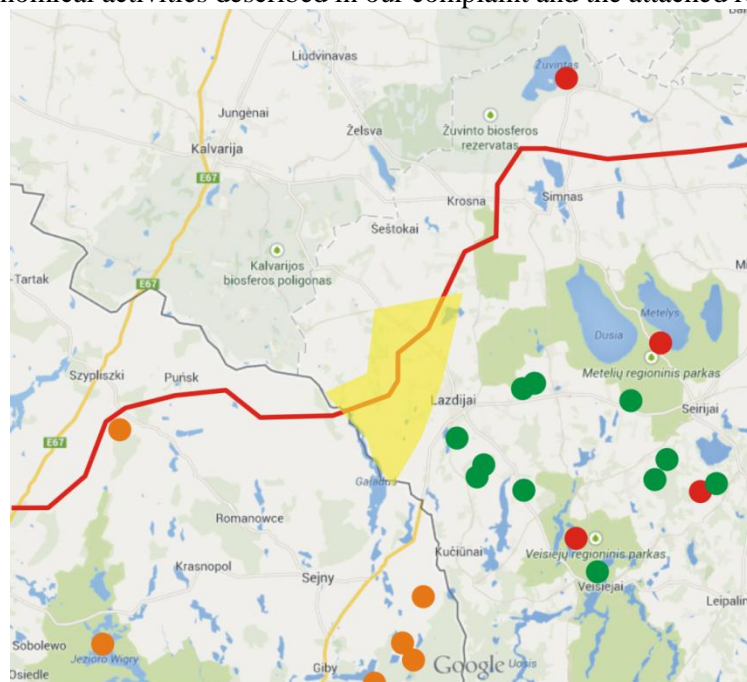


Figure 1. Compilation of the data on *Emys orbicularis* habitats provided in the Annexes of this document. Red line- the OHL route. Yellow area- the previously unknown habitat area described in the complaint and in the attached report. Red dots- officially protected habitats listed in the Red List of Lithuania. Green dots- new habitats identified in the Master's thesis defended at the Lithuanian Agricultural University in 2009 (Annex II). Orange dots- habitats listed in the on-line database on the amphibians and reptiles in Poland (Annex III) and in the letter by Grzegorz Górecki (University of Warsaw), Annex IV.

⁹ On-line edition of the Red List of Lithuania, Data on *Emys orbicularis*, page 173, retrieved in March 2014 from http://g2.dcdn.lt/gr/rk/3_stuburiniai_gyvunai.pdf.

Annex I

Report received 03-03-2014 by email from Mr. Evaldas Snieškus, leading Lithuanian herpetologist

(unofficial translation)

***EMYS ORBICULARIS* AROUND RUDAMINA**

Recently, different European programs also in Lithuania have stimulated the interest in European pond turtle (*Emys orbicularis orbicularis* L.) – a rare, relic species from the post-glacial period. A lot of resources and environmentalists' work time has been devoted to already established protection reserves of these turtles: "Kuculiškės", "Juodabalė" and "Stračiūnai". Thanks to the co-workers of the Lithuanian Fund for Nature and Meteliai Regional Park, information about these exotic animals now is extending to other remote corners that have not been spoiled by the agriculture yet. There have been an increasing number of reports about found adult individuals as well as about eggs destroyed by predator animals. Unfortunately, the data is random, and, without an in-depth analysis, it is rather useless. It only provides information that close to these spots there might be waterbodies, in which the turtles can eat, breed and hibernate. By learning more about the local biotope, it is still possible to learn more about their population size, sex ratio, and viability. Also, it is important to figure out, how the biotopes have changed during the last few hundreds of years. This is because these animals can live up to 100 years.



Figure 1. European pond turtle: a) adult, b) hatchling.

Rudamina village and its surroundings are bordered by several areas important to this species (see the map in Figure 2). The most important one is Lake Rimietis (where the turtles had been seen before) and its wetland and creek/channel system that also connects to Lake Meteliai. A short excerpt from the description of Meteliai Regional Park: *The following reptile species are found in the Park: Lacerta vivipara, Lacerta agilis, Natrix natrix, Anguis fragilis, Vipera berus and Emys orbicularis. Right beyond Trakas forest, in the very southern part of the Park, there is an area with a few marshes and lakelets that are very important to biologists. It is called Juodabalė, one of the very few reserves in Lithuania for protection of European pond turtle (Figure 1).*

On the other hand, there is data from Polish zoologists that the turtles live around Lake Galadusys. However, the larger area suitable for hatching is located on the Lithuanian side of the border. The reason is that these animals need for breeding southern slopes with the sunlight exposure. Also, the changes of the biotope throughout hundreds of years changed the behavior of these animals so that they can move to the hatching sites up to 1,5 - 2 km (M. Zemanek).

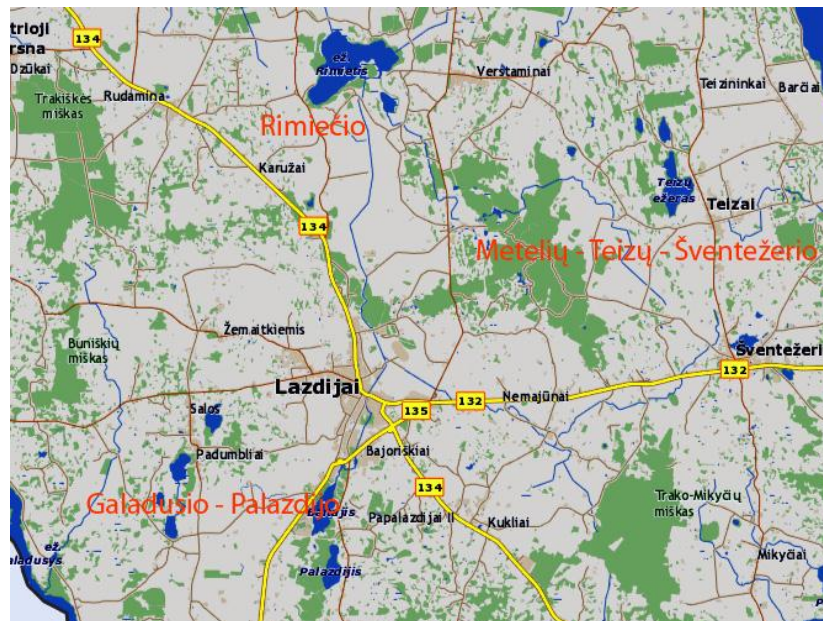


Figure 2. Areas of interest.

Interviews with the elder people in this area have revealed that all of them had seen the turtles in their childhood. And possibly the European tree frog too, a species that is even more rare in Lithuania. Thus, in my opinion, the Rudamina-Rimietis region is sufficiently important for protection of this rare fauna.

Evaldas Snieškus,
Biologist

I have been investigating the European pond turtle, a species listed in the Lithuanian Red List of Species, since 1978. I graduated from the Faculty of Natural Science of Vilnius University. While working at the Faculty, I collected the material for my doctoral thesis in different countries, from Turkmenistan to Lithuania. I have participated in a number of international conferences. I have 20 years' experience of observing the pond turtles in "Kuculiškės" nature reserve and around it.

Annex II

EMYS ORBICULARIS IN THE WESTERN PART OF NATURA 2000 SITE PLH200007

Data retrieved from the on-line database on the amphibians and reptiles in Poland:

<http://www.iop.krakow.pl/PlazyGady/>

Institute for Nature Protection, Polish Academy of Science, Al. Mickiewicza 33, 31-120
Kraków, Poland

The data for *Emys orbicularis* was retrieved on March 6, 2014.

Annex III

(Unofficial translation)

Mikołajki 26.02.2014

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EMYS ORBICULARIS IN THE EASTERN PART OF SEJNY LAKE REGION (SITE PLH200007)

The data about the occurrence of the European pond turtle in this region is limited. It correlates mainly with the surroundings of the Reserve Łempis and Lake Zelwy. However, all this data is from before 2006. I had the opportunity to stay a few days there in 2008 and could conclude that in that area the terrain is extensively getting occupied by constructions, in particular, in the area around Lake Zelwy. Additionally, the area of the Reserve Łempis during the last few decades got intentionally (or spontaneously) afforested, a loss of potential sites for the turtles for laying eggs. In my opinion, in that area there is rather no hope for any larger and stable population of the pond turtle. The southern shores of Lake Zelwy got completely urbanized. In that area, still remain interesting and wild places in the valley of creek Kuniszanka near the village Wigrance. I have not got any information about the occurrence of the pond turtle exactly there, but the area is wild and it comprises a lot of good habitats for the pond turtles. The other area where one finding of a pond turtle, also around 2005, was reported is the surroundings of Lake Pilwie. The case of finding a turtle is one, but the area seems to be more interesting and much wilder than that around Lake Zelwy. However, the entire region is very poorly investigated and all the discussed statements require confirmation and detailed research.

(signed)
Grzegorz Górecki, MSc

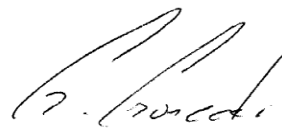
Mikołajki 26.02.2014

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Litwa

EMYS ORBICULARIS WE WSCHODNIEJ CZĘŚCI POJEZIERZA SEJNENSKIEGO
(OBSZAR PLH200007)

Informacji o występowaniu żółwia błotnego w tym rejonie jest niewiele. Większość skupia się w okolicy rezerwatu Łempis i Jeziora Zelwy. Wszystkie te informacje są sprzed 2006 roku. Byłem tam kilka dni w roku 2008 i stwierdziłem, że w tym rejonie teren jest intensywnie zabudowywany - szczególnie okolica jeziora Zelwy. Dodatkowo w okolicy Rezerwatu Łempis w ciągu ostatnich kilkudziesięciu lat zalesiono (lub same zarosły) dużo potencjalnych łęgówisk. Według mnie w tym miejscu raczej już nie można się spodziewać jakiejś większej i stałej populacji żółwia błotnego. Południowe stoki jeziora Zelwy zostały całkowicie zabudowane. W tym rejonie jest jeszcze ciekawe i dzikie miejsce w dolinie rzeczki Kuniszanka w okolicy wsi Wigrańce. Dokładnie w tym miejscu nie miałem informacji o występowaniu żółwia błotnego ale rejon jest dziki i jest tam bardzo dużo dobrych siedlisk dla żółwia błotnego. Drugim rejonem z którego miałem informacje o jednym spotkaniu żółwia błotnego również około roku 2005 jest okolica Jeziora Pilwie. Obserwacja jest jedna ale okolica wydaje się ciekawsza i dużo dziksza niż okolica Jeziora Zelwy. Jednak cały ten rejon jest bardzo słabo zbadany i wszystkie te stanowiska wymagają potwierdzenia i dokładnego zbadania.



mgr. Grzegorz Górecki

Annex IV**DAMAGE ALREADY CAUSED BY THE OHL CONSTRUCTION AND OTHER ACTIVITIES**

Figure 1. Top- forest clearing for the OHL in sector 36 (numbering according to the EIA report) in March 2014- destruction of habitats classified as 91E0 Alluvial forests, 9080 Fennoscandian deciduous swamp woods according to the Council Directive 92/43/EEC. Bottom- the same area in summer 2013.



Figure 2. Top- forest clearing for the OHL in sector 43 (numbering according to the EIA report) in March 2014. In the wetland seen to the right (150 m away from the spot of taking the picture), the following species were found during the survey in the summer 2013: *Bombina bombina*, *Triturus cristatus*, *Crex crex*, *Egretta alba*, *Porzana parva*, *Tringa glareola*. Such a density of the rare species found in one spot confirms the high ecological value of the area. Bottom- *Grus grus* at a summer house 300 m away from the forest clearance (OHL construction) zone. The forest clearance is being carried out despite the ongoing bird migration (and nesting for some species).



Figure 3. A picture of *Lynx lynx* taken by a forester in Kalniškė Forest in January 2014 (sector 22 or nearby, numbering according to the EIA report)¹⁰. Most likely, the animal was scared by the forest clearance activities.



Figure 4. Construction of a new asphalt road and preparation of land lots for house construction on Lake Galadusys in 2013- destruction of the natural shores of the lake, close to a site where a shell of a young pond turtle was found in 2011.

¹⁰ Taken from the online edition of the local newspaper Lazdijų žvaigždė, retrieved in March 2014, <http://lt.lazdijuzvaigzde.lt/content/view/2699/266/>

Annex V

POTENTIAL IMPACT OF 400 KV 1000 MW OVERHEAD POWER LINE ON BIRD SPECIES PROTECTED UNDER BERN CONVENTION IN LAKE ŽUVINTAS NATURE RESERVE

Bird species listed in the Convention that will be affected during construction/operation of the power line

Great Bittern (*Botaurus stellaris*)
Little Bittern (*Ixobrychus minutus*)
Black Stork (*Ciconia nigra*)
Ferruginous Duck (*Aythya nyroca*)
White-tailed Eagle (*Haliaeetus albicilla*)
Montagu's Harrier (*Circus pagargus*)
Greater Spotted Eagle (*Aquila clanga*)
Corncrake (*Crex crex*)
Great Snipe (*Gallinago media*)
Common Crane (*Grus grus*)
Black-tailed Godwit (*Limosa limosa*)
Aquatic Warbler (*Acrocephalus paludicola*)

Type and scale of damage

Strong interference with the bird migration corridor of international importance, risk for change of the entire migration pattern in the area.

Electrocution and collisions

Drastic reduction of important resting and feeding areas for waders and waterfowl

Disturbance by the construction and regular service works, emergency repairs during breeding and migration

Disturbance by special blinking plates and other anti-collision equipment

Suggested solutions

Partial undergrounding of the new power line sections closest to the biosphere nature reserve, combined with the correction of its route.

Removal of the already existing 110 kV power line from the nature reserve.

Optimizing the infrastructure, for example, along the existing railroad.

About UŽ GAMTA

The leader of this movement is an ornithologist dr. Algirdas Knystautas, well-known internationally, author of numerous books and scientific publications.

Deatails of the organization: www.uzgamta.com

Annex VI

**A COMPLAINT TO THE BERN CONVENTION CONCERNING EXECUTION OF A
PROJECT OF DOUBLE -CIRCUIT 400KV OVERHEAD POWER LINE BETWEEN
ELK AND BORDER OF THE REPUBLIC OF POLAND**