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Į 2023-06-20 Nr. SR23-00771

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To addressees according to the list

### SELECTION CONCLUSION ON THE DEEPENING OF AQUATORIA AND STORAGE OF EXCAVATED SOIL ON THE LAND PLOT OF THE STATE SEA PORT OF KLAIPĖDA, KAIRIŲ ST. 19, KLAIPĖDA ENVIRONMENTAL IMPACT ASSESSMENT

2023-07-                      Nr. (30-2)-A4E-

**1. Organizer of the planned economic activity (name of legal entity, natural person, address, phone).**

AB „Klaipėdos valstybinio jūrų uosto direkcija“, J. Janonio g. 24, 92251 Klaipėda, tel. 8 46 499 799, email [info@port.lt](mailto:info@port.lt).

**2. Drafter of environmental impact assessment documents (name of legal entity, natural person, address, phone).**

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**3. The legal basis for the selection of planned economic activities for environmental impact assessment according to Article 7, paragraph 2 of the Law on Environmental Impact Assessment of Planned Economic Activities of the Republic of Lithuania, referring to point (s) of Annex 2 to this law.**

Selection for environmental impact assessment is carried out for planned economic activities (hereinafter - EIA) listed in Annex 2, Clause 14 of the Law on Environmental Impact Assessment of Planned Economic Activities of the Republic of Lithuania (hereinafter - EIA Law) - Change of planned economic activities included in the list of types provided in Appendix 1 of the EIA Law or expansion, not specified in point 11 of Annex 1 of the EIA Law, when the change or expansion of the planned economic activity may have a significant negative impact on the environment <...> and 10.9 of the EIA Law. subsection - dredging of seaport waters.

**4. Place of planned economic activity.**

The planned economic activity (hereinafter - PEA) - the dredging of the water area is planned to be carried out in the territory of the Klaipėda State Seaport, in the plot formed at Kairių st. 17, cad. No. 2101/0010:43 and in the plot cad. No. 2101/0010:61, Klaipėda city. The dredging of the water area will take place on an area of ~32 ha. Storage of excavated soil (~5 ha area) is planned in the plot at Kairių st. 19, Klaipėda city (cad. No. 2101/0010:44).

**5. A brief description of the planned economic activity.**

For the construction of the southern gate complex of Klaipėda State Seaport, Kairių st. 17, in Klaipėda, the Environmental Protection Agency has adopted decision No. 03/04/2019. (30.1)-A4-1585 "Regarding the improvement (deepening and widening) of the external and internal shipping

channel of Klaipėda State Seaport, reconstruction (construction) of the southern and northern breakwaters and the strengthening of part of the slope of the Curonian Spit and the construction possibilities of the southern harbor gate", which stipulates that the construction of the southern harbor gate is permitted according to alternative A presented in the report. The decision stipulates that the water area of the southern gate is planned to be deepened to a depth of 3 m. Currently, the planned solutions are slightly changing, it was decided to deepen the water area of the southern gate (~32 ha area) to -4.6 m in the ferry area, to -3.5 m in the area of small and recreational boats and from -1.5 to -4.6 m in the area of the southern and northern dams. In the part of the water area of the PEA territory, the depth is between 0.5 m and 2.0 m.

The soil excavated during dredging will be used for the construction of the southern gate of the port, forming the dike embankments. Tests of soil samples will be conducted to evaluate the suitability of excavated soil for backfilling. The soil suitable for the formation of the territory, which will not be used for the construction of the southern gate of the port, will be temporarily stored in a plot managed by AB "Klaipėdos valstybinio jūrų uosto direkcija" at Kairių st. 19, Klaipėda. The temporary soil storage area will occupy ~5 ha of the plot area. It is planned to pour the soil into two heaps (~0.80 ha and ~4.20 ha in area), the height of which would reach from 6 to 10 m.

It is tentatively planned to excavate 950,000 m<sup>3</sup> of soil, of which the preliminary amount of sludge (planned to be disposed of at sea) is up to 560,000 m<sup>3</sup>, and soil (temporarily stored at the site) - 390,000 m<sup>3</sup>.

According to the historical data of soil physical tests, soil contamination did not exceed soil contamination class II (all sand samples can be assigned to contamination class I, silt to contamination class II). The excavated clean soil will be transported by barges and pumped to the temporary storage site. Due to the small depth of the Curonian Lagoon at the sites of the PEA, a temporary "floating" soil pumping pipeline from the barge to the site can be used. The soil is temporarily stored in the sites for up to 4 years and is used in the implementation of Klaipėda State Seaport development projects. Later, the soil storage site is recultivated by leveling the site, spreading a layer of fertile soil, and sowing grass.

The sandy soil excavated in the water area will be wet, so when it is pumped to temporary storage sites on the shore, a certain amount (depending on the amount and moisture content of the soil) of wastewater (water that has flowed out of the soil) will be formed part of which will be absorbed into the surface soil, the other part will flow through the surface and enter the surface sewage collection ditches surrounding the site, through which it will be discharged into the Curonian Lagoon. Only uncontaminated sandy soil (classes I and II of contamination according to LAND 46A-2002) will be stored in the territory of PEA, therefore, the wastewater generated from the soil will be unpolluted, the qualitative condition will be analogous to the water condition of the water area of Klaipėda State Seaport.

## **6. Measures to avoid or prevent the expected significant negative impact on the environment and their implementation schedule.**

6.1. Before starting the dredging work, geochemical tests of the bottom sediment soils will be carried out, based on the results of which it will be determined which pollution class the subsiding soil belongs to, its distribution in the dredging area and the exact amount will be estimated. The soil is handled in accordance with the requirements of the environmental protection normative document LAND 46A-2002 "Soil excavation in the water areas of seas and seaports and rules for the disposal of excavated soil" (hereinafter - LAND 46A-2002).

6.2. During dredging of the water area, it will be ensured that the maximum emitted noise level of the equipment used will not exceed 91.4 dBA (at a distance of 1 m).

6.3. Upon receipt of motivated complaints about noise from persons living near the territory of the PEA, the PEA operator will perform noise measurements in accordance with the Lithuanian hygiene norm HN 33:2011 "Noise limit values in residential and public buildings and their surroundings", approved by the order of the Minister of Health Protection of the Republic of Lithuania on 13.06.2011 no. V-604 "Regarding the approval of the Lithuanian hygiene norm HN 33:2011

"Limited levels of noise in residential and public buildings and their surroundings" (hereinafter - the Lithuanian hygiene norm HN 33:2011) and taking into account the obtained results will control the working mode of the equipment so that would not violate the Lithuanian hygiene norm HN 33:2011.

6.4. The works will be carried out in accordance with the decision of the Klaipėda City Municipality Council of 21.12.2017 No. T2-321 approved by the requirements of Klaipėda city noise prevention rules in public places and Klaipėda City Municipal Council 2019-07-25 decision no. T2-241 approved noise prevention action plan of Klaipėda city municipality.

6.5. The dredging works will be carried out in accordance with the Order of the Ministry of Environmental Protection of the Republic of Lithuania of 1997-04-17 no. 67 "Regarding the assessment of the impact of Klaipėda harbor dredging works on fisheries" requirements. Due to different meteorological conditions, the periods of fish migrations in the territory of the EIA may differ in different years, therefore, during the EIA, monitoring of fish migrations will be carried out and work will be limited to the most intensive migration periods, which may be of a different duration than the theoretical periods specified in the legislation. In order to reduce the impact of dredging and dredging of the harbor area on the migration of passing fish species, during the dredging works, studies of the intensity of spawning fish migration and the impact of dredging on passing fish will be carried out in accordance with the Environmental Monitoring Program of Klaipėda State Seaport for the years 2021-2025 and according to their data and scientists recommendations, if necessary, are responded to promptly (within 24 hours) by correcting the progress of ongoing dredging works. The investigations will be carried out by specialists independent of the port. According to the environmental impact assessment report of the improvement (deepening and widening) of the external and internal shipping channel of the Klaipėda State Seaport, the reconstruction (construction) of the southern and northern breakwaters and the strengthening of part of the slope of the Curonian Spit and the construction of the southern port gate, and the decision of the Environmental Protection Agency on 03/04/2019 No. (30.1)-A4-1585, intensive fish migration is considered to take place when catches exceed 200 units during monitoring. halibut, 7.5 pcs. quails, 20 pcs. chives, 0.5 pcs. slag, 0.3 pcs. of salmon per standard net of 75 m length (17 and 21.5 mm porosity), averaged from two research stations (IS-3 (LKS-94: 319751; 6172578) and I-4 (LKS-94: 315850; 6182126)) catches. When planning dredging, cleaning or driving piles in the port water area during the migration periods specified in the environmental monitoring program of the Klaipėda State Seaport for the years 2021-2025 (January 01 - February 15; April 15 - June 30; August 15 . - October 31) monitoring will be started 3 days before the start of the works and repeated every 3 days during the works. Having recorded during the monitoring the values of the assessment criterion corresponding to intensive fish migration, the monitoring operators will immediately inform AB "Klaipėdos valstybinio jūrų uosto direkcija" for the adoption of a decision on dredging, cleaning or piling works in the port's bottom, and the Department of Environmental Protection, for the control of this decision. In the same manner, the monitoring operators will inform about the end of intensive fish migration. The work will be stopped within 1 day of receiving data on intensive migration, and monitoring will be carried out until the intensity of migration decreases to less than the previously indicated quantities of fish caught per net and it will be recommended to continue dredging without limiting.

6.6. When carrying out construction works in the water area, during which polyalyses are used, the provisions of the Order of the Ministry of Environmental Protection of the Republic of Lithuania of 04/17/1997 No. 67 or the limitation periods established during the monitoring of fish migration provided for in the environmental monitoring program of Klaipėda State Seaport.

6.7. During the operation of the port after the redevelopment, it is necessary to periodically clean the debris accumulated in the shipping channel and the territory of the PEA and restore the design parameters. When carrying out the cleaning of silt in such cases, reference will be made to the Order of the Ministry of Environmental Protection of the Republic of Lithuania of 1997-04-17 No. 67 specified periods of the year when the impact on the migrations of both passers-by and protected fish species will be the least and the works will not be carried out after intensive fish

migration has been recorded during the monitoring of fish migration provided for in the environmental monitoring program of the Klaipėda State Seaport. During intensive fish migration in the shipping channel, only unavoidable works that could not be planned in advance (sudden change of design parameters of the shipping channel after a storm or other extreme situations) could be carried out and only during daylight hours.

6.8. During dredging or other works, in the places of migratory birds, their disturbance will be avoided from 20:00 in the evening to 8:00 in the morning during the following periods: little swan (*Cygnus columbianus*) - in April, little gull (*Larus minutus*) - in August. In the months of March, October-December, during the noisy digging and excavation work in the PAST zone, the work will be monitored and, if necessary, restricted from 15:00 in the evening until 10:00 in the morning, protecting the populations of Great and Lesser Merganser (*Mergus merganser*, *M. albellus*), Pintail Duck (*Anas acuta*), Little Swan (*Cygnus columbianus*).

6.9. The soil layer excavated during the construction of the soil storage areas will be stored and used for recultivation of the territory. The soil (soil) layer of the same area will be used for recultivation of the area.

6.10. In case of long-term dry season and windy period, there is a possibility of local swelling of the surface layer of poured and stored sand. When such meteorological conditions occur, the surface layer of the sand piles will be periodically moistened with lagoon water (by spraying).

6.11. Other elements of the environment will be applied to all the Environmental Protection Agency in decision No. 03/04/2019. (30.1)-A4-1585 "Regarding the improvement (deepening and widening) of the outer and inner shipping channel of the Klaipėda State Seaport, the reconstruction (construction) of the southern and northern breakwaters and the strengthening of part of the slope of the Curonian Spit and the possibilities for the construction of the southern port gate" are provided for.

6.12. If it becomes clear during the performed activity that the impact on the environment is greater than the indicators presented in the selection information or established in legal acts, the operator must immediately apply additional measures to reduce the impact on the environment or reduce the scope of the activity/terminate the activity.

6.13. In all cases, the operator must comply with all relevant requirements of the legal acts regulating the activity, changing the performance indicators accordingly.

#### **6<sup>1</sup>. Proposals of interested society, conclusions and proposals of EIA subjects.**

The Klaipėda Department of the National Public Health Center under the Ministry of Health, according to Article 6, Part 5, Clause 1 of the EIA Law, is responsible for assessing the potential impact of EIA factors influencing public health, on 05/17/2023 letter no. (3-11 14.3.5 Mr)2-23439 proposed to accept the selection conclusion that the environmental impact assessment of the EIA is not mandatory.

The Klaipėda territorial department of the Department of Cultural Heritage under the Ministry of Culture, according to Article 6, Paragraph 5, Clause 2 of the Law on EIA, is responsible for the possible impact of EIA on immovable cultural heritage, by letter No. 2023-03-21 no. (9.38-KI E)2KI-251 informed that had no comments on the selection information and did not request an environmental impact assessment.

The Klaipėda Fire Protection and Rescue Board of the Department of Fire Protection and Rescue under the Ministry of the Interior, according to Article 6, Part 5, Clause 3 of the Law on EIA, is responsible for potential events, extreme events, emergency situations, expected measures to prevent or mitigate them and liquidate their consequences during the implementation of the EIA, 2023-03 -23 in letter no. 9.4-3-1001 /2023(11.3.135 E) stated that has no comments or suggestions for the selection information and did not request an environmental impact assessment.

Klaipėda city municipality administration, according to Article 6, paragraph 5, Clause 5 of the Law on EIA, is responsible for the environmental impact assessment of EIA and the potential impact of this activity on the environment, taking into account the decisions of approved and valid territorial planning documents, the possibility of changing them in accordance with the requirements of legal acts regulating territorial planning, the potential impact for the protected areas

established by the municipality and data of municipal environmental monitoring (monitoring) carried out in accordance with the Environmental Monitoring Law of the Republic of Lithuania, 2023-03-29 letter no. (4.36E)-R2-790 informed that the selection has no comments regarding the environmental impact assessment and proposed to accept the conclusion of the selection that the environmental impact assessment of the EIA is not mandatory.

The State Office of Protected Areas under the Ministry of the Environment, according to Article 6, Part 5, Clause 4 of the Law on EIA, is responsible for the impact of EIA implementation on state protected areas, including areas of the European ecological network "Natura 2000", areas of specially protected landscape defined in the general plan of the territory of the Republic of Lithuania approved by the Government, and especially did not submit an assessment of expressive landscape complexes, woodlands or vegetation of protected species, comments on the selection information, according to which this selection conclusion is adopted, and proposals that the EIA needs to perform an environmental impact assessment.

In accordance with the procedure set in Article 7, Part 4 of the EIA Law, the public did not submit proposals for the selection information and/or environmental impact assessment of the EIA to the Environmental Protection Agency from the date of receiving the provided information and the date of publication of the information and did not participate in the selection process for environmental impact assessment.

## **7. Reasons for the selection decision.**

7.1. The territory of PEA does not belong to the protected or European ecological network "Natura 2000" territories. The Curonian Spit National Park is about 80 m away. The Curonian Lagoon biosphere polygon and Natura 2000 territory - the Curonian Lagoon, which is important for the protection of habitats and birds, borders the boundaries of the EIA works. When implementing the EIA and taking measures to avoid significant impacts, the significant impact of the EIA on the protected areas and the biodiversity protected in them is not likely.

7.2. PChemical, radioactive, dangerous substances will not be used and stored during the PEA, dangerous processes will not be carried out, and odor pollution will not be foreseen. The nearest public building is more than 1000 m away, a residential building is ~964 m away, a residential plot (no residential building) is 246 m away from the PEA. Chemical and physical pollution of the environment in the residential and public environment due to the activities of PEA will not exceed the permissible norms.

7.3. Water area dredging works and handling of excavated sludge and soil will be carried out in accordance with the requirements of the normative document LAND 46A-2002. Only uncontaminated (I-III contamination class) soil will be stored in the storage area.

7.4. Physical pollution (noise) is possible during the EIA from the dredger or dredger and barge (dredge) used during the dredging of the water area. Calculated totals of the existing background and forecasted environmental pollution indicators in the immediate residential environment using CadnaA Version 2023 software: near the residential plot Priekulės sen., Kairių k., Draugystės st. 65, the planned noise level will reach up to 46-50 dBA (the lowest limit value is 55 dBA, at night), near the nearest residential building in the resort area, Alksnynė st. 1, Neringa's planned noise level will reach up to 36-42 dBA (the minimum threshold value is 50 dBA, at night). According to the calculated results of noise modeling, the noise level caused by PEA will not exceed the permitted limit values in the nearest living environments, established in the Lithuanian hygiene standard HN 33:2011. During the operation of the excavated soil storage site, no significant change in the noise level is expected due to the large distances to residential houses and residential plots and the expected four-year operation period.

7.5. A temporary increase in air pollution is possible in the EIA area due to the use of mobile devices that use fuel during the EIA. During the mathematical modeling of the dispersion of environmental air pollutants, the calculated air pollution due to PPE near the nearest residential buildings, after evaluating the background air pollution, will amount to: carbon monoxide 0.401 mg/m<sup>3</sup> for 8 hours (norm - 10 mg/m<sup>3</sup>); nitrogen dioxide hourly 18.05 µg/m<sup>3</sup> (norm - 200 µg/m<sup>3</sup>), annual 9.35 µg/m<sup>3</sup> (norm - 40 µg/m<sup>3</sup>); daily PM10 of solid particles 12.74 µg/m<sup>3</sup> (norm - 50

$\mu\text{g}/\text{m}^3$ ), calendar year  $12.22 \mu\text{g}/\text{m}^3$  (norm –  $40 \mu\text{g}/\text{m}^3$ ); solid particles PM<sub>2.5</sub> for the calendar year  $7.11 \mu\text{g}/\text{m}^3$  (norm -  $20 \mu\text{g}/\text{m}^3$ ); hydrocarbons (VOC) half an hour  $0.057 \text{ mg}/\text{m}^3$  (norm -  $1 \text{ mg}/\text{m}^3$ ). Modeled concentrations of air pollutants both without background and with background will not reach or exceed the limit values set for the protection of human health in the ambient air. No significant impact on ambient air quality is expected.

7.6. During the dredging of the water area, a short-term local increase in water turbidity and the spread of chemicals potentially accumulated in the sediments in the water column are possible. The impact is expected only during the period of the works and in a limited part of the dredged water area, so it will be temporary and local.

7.7. In 2023 Dr. of the Lithuanian Energy Institute J. Kriauciūnienė carried out hydrodynamic and digital modeling of cargo transport in the waters of the southern gate of Klaipėda port, with different number and placement of culverts in the southern dam (3 alternatives) and evaluated the changes in water circulation in the marina for small and pleasure boats, compared to the current situation. After evaluating both the increased depth of the water area and the aforementioned culverts, it was found that the water exchange between the Curonian Lagoon and the water area of the southern gate is small, so it is likely that suspended sediments (sludge) will form in the water area of the marina. This allows us to say that the increased depth in the water area of the southern gate will in no way affect the inflow of salty water into the Curonian Lagoon. From the results of the simulation of hydrodynamic and carrier processes, it was found that with higher flows from the Curonian Lagoon to the Baltic Sea through the Klaipėda Strait, the carrier will mostly accumulate in the marina inlet channel. Therefore, after larger floods, there may be a need to clean the marina inlet channel so that there are no obstacles to navigation. Insignificant changes in permeability will not change the water balance of the Curonian Lagoon and will not affect the hydrological regime. The impact of PEA on the hydrodynamics of the Klaipėda Strait and its permeability will be insignificant.

7.8. According to the general plan of the territory of the Klaipėda State Seaport, approved by the Resolution of the Government of the Republic of Lithuania 2019-12-19 No. 1278, the territory of PEA falls into the zone for engineering infrastructure, service territory in waters. According to the general plan of the city of Klaipėda, approved by the decision of 2021-09-30 No. T2-191, decisions, the territory of PEA falls into the zone of engineering infrastructure corridors. The implementation of the EIA does not contradict the valid decisions of the territorial planning documents.

7.9. Pursuant to the National Landscape Management Plan, approved by Order No. 2015-10-02 of the Minister of the Environment of the Republic of Lithuania. According to the D1-703 "On the National Landscape Management Plan" map of the visual aesthetic potential of the landscape, the territory of PEA does not fall into the areas and areas of the country's specially protected visual aesthetic potential. The territory of PEA falls into the landscape area of very low visibility (V0H0-a type of visual structure), the dredging water area is in lagoons, the sandy soil storage area belongs to a flat landscape with one-level videotops, the landscape of forested or built-up spaces prevails. EIA has a possible short-term and local impact on the landscape due to the two 10 m high soil storage areas. The land will be used in seaport development projects in the perspective of several years and the territory will be recultivated. The EIA will not affect the change of the landscape elements of the adjacent neighborhoods, the general structure and aesthetic value of the landscape will not change.

7.10. According to the map of the inventory of natural habitats of European Community importance, the territory of PEA falls into the natural habitat of waters - 1150 Lagoons. The dredging part of the water area (~32 ha) constitutes 0.1% of the total area of this habitat. The underwater vegetation is very poorly developed in the territory of the EPA, the plants do not form large wetlands, there are no protected plant species, only species tolerant to anthropogenic factors grow. The impact of the EIA on the habitat will be temporary, the fauna and flora will recover after the dredging works.

7.11. According to the data of the Register of Immovable Cultural Values, PEA does not cross or approach immovable cultural heritage objects and their protection zones or visual protection sub-zones. The nearest immovable cultural values: the Alksnynė homestead building complex (unique object code 2070) is 820 m away, the King Wilhelm Canal building complex (unique object code 25965) is 910 m away. Due to the sufficiently large distance, a negative impact on immovable cultural values is not foreseen.

7.12. The structures of the southern gate complex of the Klaipėda State Seaport are not intended for the direct needs of the seaport (shipping or loading), but have an environmental function intended to prevent the possible effects of the planned solutions (deepening and widening of the shipping channel) of the seaport (changes in water permeability, saltwater dispersion) and minimize it. After the implementation of maximum solutions, a port for small and pleasure boats could be located in the closed water area between the dams, with the infrastructure and urban expression characteristic of such objects.

#### **8. Selection conclusion accepted.**

Pursuant to Article 7, Part 5 of the Law on EIA and taking into account the stated reasons, the selection conclusion is accepted that AB "Klaipėdos valstybinio jūrų uosto direkcija" PEA - for the dredging of the water area and the storage of excavated soil on the plot of land of the Klaipėda State Seaport, Kairių st. 19, Klaipėda city – environmental impact assessment is optional.

The conclusion of the selection is accepted according to the submitted selection information, which is placed on the Agency's website <https://aaa.lrv.lt/> in the section Activities > Environmental Impact Assessment (EIA) > 2023 > 3. Selection information for environmental impact assessment in 2023. > Klaipėda county (20) and is a component of the selection conclusion.

#### **9. The procedure for appealing the selection conclusion is specified.**

You have the right to appeal this decision to the Lithuanian Administrative Disputes Commission (Vilniaus St. 27, 01402 Vilnius) in accordance with the procedure established by the Law of the Republic of Lithuania on the Procedure for Pre-Trial Administrative Disputes or to the Administrative Court of the Vilnius District (Žygimanto St. 2, 01102 Vilnius) in accordance with the Law of the Republic of Lithuania Administrative Cases procedure within one month from the date of its publication or delivery.

Deputy director



**ENVIRONMENTAL PROTECTION AGENCY SELECTION FINDINGS  
REGARDING THE ENVIRONMENTAL IMPACT ASSESSMENT OF THE  
DEEPENING OF THE AQUARIUM AND THE STORAGE OF EXCAVATED  
SOIL ON THE LAND PLOT OF THE STATE SEA PORT OF KLAIPĖDA,  
KAIRIŲ ST. 19, KLAIPĖDA  
LIST OF ADDRESSES**

Klaipėda city municipality administration  
*Sent via e-mail delivery*

National Public Health Center under the Ministry of Health  
*Sent via e-mail delivery*

Fire Protection and Rescue Department under the Ministry of Internal Affairs  
*Sent via e-mail delivery*

Department of Cultural Heritage under the Ministry of Culture  
*Sent via e-mail delivery*

State Service of Protected Areas under the Ministry of Environment  
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Department of Environmental Protection under the Ministry of Environment  
*Sent via e-mail delivery*

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