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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 736

Adopted 23 December 2003

Regulation Regarding a Permit for the Use of Water Resources

*Issued pursuant to
Section 21, Paragraph two and three of
the Water Management Law*

I. General Provisions

1. This Regulation prescribes:

- 1.1. conditions for the use of water resources;
- 1.2. the procedures for the application and issue of a permit for the use of water resources (hereinafter – permit) and time periods;
- 1.3. the conditions for the control and monitoring of the requirements specified in a permit;
- 1.4. samples of the application for the receipt of a permit for the use of water resources (hereinafter – application) and permit forms; and
- 1.5. the criteria upon the observance of which a permit shall not be necessary.

2. A permit shall be necessary for the following activities:

- 2.1. for the abstraction of surface water or groundwater, if one of the following criteria shall apply:
 - 2.1.1. 10 m³ or more of surface water or groundwater is abstracted per day;
 - 2.1.2. more than 50 natural persons are provided with water supply services;
 - 2.1.3. mineral water or thermal waters are abstracted and used in economic activities;
 - 2.1.4. the abstraction of water resources may cause a significant effect on the environment;
- 2.2. for the operation of hydrotechnical structures (including hydrotechnical structures of hydroelectrical power stations), if structures are used for the adjustment of the water drainage regime and parameters necessary for the performance of economic activity (hereinafter – operation of hydrotechnical structures);
- 2.3. for the injection of water in order to raise the level of groundwater, also in order to replenish groundwater resources artificially;

2.4. for activities as a result of which an artificial or a heavily modified water body may be created (for example, exploitation of channels, ponds and water reservoirs or systems thereof, if ponds or water reservoirs, the area of which is more than 0.1 hectare, are filled from surface waters on a regular basis and if an artificial or heavily modified water body is not created on a water course); and

2.5. for other activities, which are connected with systematic changes of level, quality or surface water regime and groundwater regime.

[13 September 2005; 27 October 2009; 10 December 2013]

II. Procedures for Submission of a Submission

3. In order to receive a permit, a person who wants to perform or is performing the activities referred to in Paragraph 2 of this Regulation, shall submit a submission (Annex 1) in writing to the regional environmental board of the State Environmental Service (hereinafter – the Board).

[13 September 2005; 27 October 2009]

4. The submission shall be submitted not later than 60 days prior to the commencement of the intended activity.

[13 September 2005; 27 October 2009]

5. The submission shall have the following documents appended:

5.1. a map of the place of use of water resources with a scale of 1:25 000 and a map or scheme with a scale of 1:500, 1:1 000 or 1:5 000, where the layout of object structures shall be indicated and protection zones applicable to a particular object shall be outlined;

5.2. a document attesting to the land ownership rights or rights of use;

5.3. *[27 October 2009]*;

5.4. *[13 September 2005]*;

5.5. an expert opinion regarding permissible changes of the hydrological or hydro-geological regime;

5.6. *[13 September 2005]*;

5.7. *[13 September 2005]*.

6. In addition to the documents referred to in Paragraph 5 of this Regulation the submission shall be accompanied by the following documents or the following information shall be specified in a submission:

6.1. in order to receive a permit for the abstraction of surface water or groundwater:

6.1.1. information whether the technical inventory file or the technical passport of the external water supply networks and structures or the scheme of the water supply system, as well as water abstraction borehole passport or in the cases specified in regulatory enactments – a passport of groundwater deposit in compliance with Annex 1 to this Regulation, is at the disposal of the person;

6.1.2. *[13 September 2005]*;

6.1.3. *[13 September 2005]*;

6.1.4. information regarding the technical solution of such devices, which prevent fish from entering into technological equipment or the scheme of these devices (if it is intended to abstract surface water);

6.2. in order to receive a permit for the operation of hydrotechnical structures:

6.2.1. information regarding the technical solution of such devices, which prevent fish entering into technological equipment or the scheme of these devices;

6.2.2. an opinion of a fishery expert-examination regarding the impact of the activity on fish resources, losses incurred on them and compensation measures, as well

as regarding the recommended ecological flowrate, which ensures the natural reproduction of fish resources;

6.2.3. [13 September 2005];

6.2.4. a copy of an opinion of a person certified for geodesic works regarding the attachment of upstream water and downstream water level measuring devices (measuring battens) to the normal heights system of the Baltic States (1977);

6.2.5. a copy of the exploitation regulations of a water body;

6.2.6. an opinion of an expert or a specialist in the field of environment regarding impact of the activity on the state of the environment (hereinafter – expert opinion);

6.2.7. an opinion regarding possible engineering solutions determined in a fisheries expert-examination for the implementation of fish resources protection measures in compliance with the requirements specified in the Water Management Law (including the opening of sluices or construction of a fishpass); and

6.2.8. the safety programme of the hydrotechnical structures.

6.3. [27 October 2009].

[13 September 2005; 27 October 2009; 10 December 2013]

6.¹ An expert opinion regarding impact of the activity on the state of the environment shall include the assessment of the existing or potential impact of the particular activity on the state of the environment (including on the type of specially protected species and biotopes) and the recommended ecological flowrate which ensures the conservation and protection of ecosystems.

[13 September 2005; 27 October 2009]

7. The Board has the right to request information from a submitter of a submission regarding the quality of the surface water or groundwater at the body intended for use.

8. If the information indicated in the submission is incomplete or all the documents referred to in Paragraphs 5 and 6 of this Regulation have not been appended thereto, the Board shall notify in writing the submitter of the submission thereof within 15 working days after receipt of the submission and indicate which information is to be submitted additionally. If the submitter of the submission fails to provide all the information requested additionally within the period of time specified by the Board which is not less than 15 working days after sending of the request for the referred to information, the Board shall take a decision regarding refusal to issue a permit. The day of acceptance of the submission shall be considered the day when the Board has received all the necessary information.

[13 September 2005; 27 October 2009; 10 December 2013]

9. The Board shall send the copy of a submission within 7 working days from the day of acceptance of the submission electronically:

9.1. to the local government in the territory of which the use of water resources is being performed or is planned; and

9.2. to the Health Inspectorate (if it is planned to abstract drinking water or mineral water).

[13 September 2005; 27 October 2009]

10. The institutions referred to in Sub-paragraphs 9.1 and 9.2 of this Regulation, as well as also other interested authorities, associations and foundations, to which the Board sends a submission upon their written request to the indicated e-mail address, may get acquainted with the submission and documents appended thereto the Board.

[27 October 2009; 10 December 2013]

11. The authorities referred to in Sub-paragraphs 9.1 and 9.2 of this Regulation, as well as in Paragraph 10 of this Regulation, shall submit to the Board the proposals thereof regarding the issuance of a permit and the conditions thereof not later than within 15 working days after receiving the copy of a submission.

[13 September 2005; 27 October 2009]

III. Public Participation in Discussion of a Submission

12. The information included in a submission, including the submitted additional documents, except the information which is not to be published in accordance with the Personal Data Protection Law, shall be accessible to the public. If a submitter of a submission considers that a part of the information is restricted access information, such information shall be submitted separately and reasons for considering such information to be restricted access information shall be specified. The restricted access information may not be the water quality and quantity monitoring data, information regarding the impact of the intended activity on human health or the environment and information regarding the safety measures to be performed in order to reduce such impact.

[27 October 2009]

13. The Board shall, within seven days after acceptance of the submission, place the information regarding the submission (ensuring non-disclosure of restricted access information) on the Internet home page of the State Environmental Service, as well as shall indicate the date up to which it is possible to get acquainted with the submission and submit the relevant proposals. The time period for the submission of proposals may not be less than 30 days after the day of acceptance of the submission.

[13 September 2005; 27 October 2009]

14. If the Board determines that the planned activity may have essential negative impact on the environment, it shall within 7 working days after the acceptance of the submission assign the submitter of the submission to notify the public regarding the planned activity within 7 working days after the moment of the assignment:

14.1. to place a notification in the building of the local government, where the name of the intended activity, the place of operation (address), the owner of the land and installations, the place where it is possible to get acquainted with the submission, the time period, within which it is possible to get acquainted with the application, and the date, up to which the proposals in writing may be submitted to the Board, are indicated;

14.2. to send by post a registered letter containing the notification referred to in Sub-paragraph 14.1 of this Regulation to the owner or legal possessor, of the immovable properties, which are adjacent to the place of the planned activity or are situated in the zone of direct impact thereof.

[13 September 2005]

15. If the Board in accordance with Paragraph 14 of this Regulation has assigned the submitter of the submission to notify the public, the time period for submission of proposals specified by the Board may not be less than 45 days counting from the day of acceptance of the submission.

IV. Procedures for the Issuing of a Permit

16. The Board shall issue a permit (Annex 2) to a submitter of a submission not later than within 60 days after the day of acceptance of the submission or shall issue or send by post a motivated refusal to issue a permit within 30 days.

17. [13 September 2005]

18. In order to take a decision regarding the issuance of a permit or refusal to issue a permit, the Board shall take into account the information provided for in the submission, the proposals submitted by the relevant local government and other State and local government authorities, as well as representatives of the public.

19. Activities for the performance of which it is necessary to receive a permit for the use (licence) of subterranean depths, a permit shall be issued only after the receiving a permit (licence) for the use of subterranean depths.

20. For activities, for which the initial environmental impact assessment is performed in accordance with the Law on Environmental Impact Assessment, a permit shall be issued, if the Environment State Bureau (hereinafter – Bureau) has taken a decision that the environmental impact assessment is not necessary for the relevant activity.

[13 September 2005]

21. For activities, for which the environmental impact assessment is necessary, a permit shall be issued after the completion of the environmental impact assessment procedures and coordination of the activity in the local government or in the State authority.

22. The Board shall include in the permit the conditions (in accordance with Chapter V of this Regulation), which ensure the protection of surface water and groundwater from pollution and drying up and achievement of particular environmental quality objectives in the particular water body.

22.¹ If on the basis of an expert opinion and necessity to achieve the quality objectives referred to in Paragraph 22 of this Regulation, the more restrictive requirements shall be specified in a permit than in the existing exploitation regulations of a water reservoir, the Board shall include in a permit the condition that the amendments to the exploitation regulations of the water reservoir and the safety programme of the hydrotechnical structures are necessary, in order to ensure the compliance thereof with the requirements of the permit issued.

[13 September 2005]

23. The Board has the right to review the conditions laid down in a permit in the following cases:

23.1. if the Board or other competent authority related to water protection has determined that the conditions of the permit do not ensure the fulfilment of the requirements referred to in Paragraph 22 of this Regulation or deficiencies have been determined therein due to which sustainable and rational use of water resources are not ensured or flood risks are not prevented, or adverse impact related thereto is not minimised, and it is not possible to achieve the environmental quality objectives laid down in the Water Management Law;

23.2. if the amendments are made to the laws and regulations related to use of water resources.

[10 December 2013]

23.¹ In order to update the conditions for operation of hydrotechnical structures in the cases referred to in Sub-paragraph 23.1 of this Regulation, the Board has the right to request the updated opinions referred to in Sub-paragraphs 6.2.2 and 6.2.6 of this Regulation from a user of water resources.

[27 October 2009; 10 December 2013]

24. If a user of water resources (hereinafter – a user of water) plans to perform essential changes in the existing activity or changes in the technological process due to which the amount of water use or the type of water use changes, or the hydrological or hydrogeological regime of the water body affected by the activity changes, the user of water shall, not later than 30 days prior to commencement of changes, notify the Board in writing thereof and substantiate the necessity of the changes. The Board shall evaluate the necessity to specify the conditions of the existing permit or issue a new permit and shall update the conditions of the existing permit or issue a new permit within 30 days after the receipt of the notification, or shall send a justified refusal to make the updates to the existing permit or issue a new permit within 15 working days, or shall notify the user of water, if a permit for the relevant activity is no longer necessary.

[13 September 2005; 27 October 2009]

25. Changes shall be considered essential, if:

25.1. due to them it is impossible to fulfil the requirements specified in the regulatory enactments regarding the water protection and conditions specified in a permit;

25.2. due to them a permit for the relevant activity is no longer necessary, because it does not comply with the criteria specified in Paragraph 2 of this Regulation; or

25.3. due to them the amount of used water in comparison with the average indicators of the previous year has been increased or decreased at least for one third and in the territory affected by the activity the impact on the environment of the relevant activity has been changed.

25.¹ If the user of water resources changes his or her name or performs reorganisation of the company, the Board shall, within 30 days upon receipt of the submission of the new user, correct the permit and re-register it, without changing the conditions of the permit. If the update of the conditions of the permit is not related to that specified in Paragraph 24 of this Regulation, the user of water resources shall submit only a submission, filling in those sections to which the changes apply.

[27 October 2009; 10 December 2013]

26. If the Board determines that the user of water has knowingly provided false or misleading information in the submission or notification regarding the use of water resources or the conditions specified in the permit are not observed, the board may take a decision to suspend temporarily or prohibit the activity not conforming to the requirements of the laws and regulations and causing negative changes in the environment or endangering human health or life.

[13 September 2005; 10 December 2013]

27. A permit shall be prepared in two copies in printed form or in the form of an electronic document. One copy of the permit shall be issued to the user of water, but the other shall be kept in the Board.

[27 October 2009]

28. The Board shall send, in electronic form, a permit or a decision regarding refusal to issue a permit within three working days after issue of the permit or taking of the decision to the relevant local government, the Health Inspectorate – regarding permits, which have been issued for the types of use of water resources within the competence of the Inspectorate, as well as the authorities referred to in Paragraph 10 of this Regulation which have provided written proposals.

[27 October 2009; 10 December 2013]

29. The Board shall register the permits issued and temporarily suspended, as well as permits to which the amendments have been made, and the refusals to grant a permit.

[10 December 2013]

30. A permit for the activities referred to in Paragraph 2 of this Regulation shall be issued for the whole period of time of the relevant activity. If the conditions referred to in Paragraphs 23 and 24 of this Regulation have not set in, the Board shall, every seven years, upon assessing the information at the disposal thereof regarding the activity of the user of water resources during the relevant period of time, if necessary, update the permit issued in accordance with the procedures specified in regulatory enactments.

[27 October 2009]

31. The user of the water or other interested persons are entitled to contest in the Bureau the decision of the Board regarding the issuance of a permit or refusal to issue a permit, as well as separate conditions specified in the permit.

32. If the Bureau concludes that the conditions specified in a permit fail to ensure the safety of human life, health or the environment or the requirements specified in this Regulation and other regulatory enactments have not been taken into account, it shall take a decision to cancel a decision of the Board or separate conditions specified in the permit, as well as assign the Board to issue a new permit or amend the permit conditions.

V. Conditions for Use of Water Resources

33. The Board shall develop conditions for the use of water resources to be included in the permit, taking into account:

33.1. the provision with water resources of the source of abstraction of water or the body of the use of water;

33.2. the activities of other users of the water resources in the relevant water body;

33.3. the quality of water resources at the moment of submission of a submission and the water quality objectives specified;

33.4. the type of use of the water resources;

33.5. the consumption rate of the water resources; and

33.6. the existing or planned technologies of use of the water resources.

34. The following conditions shall be included in the permit for abstraction of surface water and groundwater:

34.1. measures for the maintenance of protection zones of the places of water abstraction;

34.2. monitoring of groundwater (also measurements of static and dynamic water level in the exploitation bore holes of the sources of water and the measurements of the water level in the observation bore holes in compliance with the passport of groundwater deposit and water abstraction borehole passport);

34.3. sealing of wellheads of water abstraction, measuring of the water level and arrangement of places for sampling of water, maintaining of pump rooms in sanitary and technical order, as well as ensuring thereof against flooding; and

34.4. devices that prevent fish entering into the technological equipment and the maximum width of grooves of which is not more than 10 mm – if surface water is being abstracted.

[27 October 2009; 10 December 2013]

35. The following conditions shall be included in a permit for the injection of water in order to raise the level of groundwater (also in order to replenish resources of groundwater artificially):

35.1. monitoring of groundwater level in observation boreholes in compliance with water abstraction borehole passport in order to prevent increase or decrease of the water level which may affect deterioration of the state of aquatic ecosystems and the provision of inhabitants with water resources;

35.2. the quality control of water to be released and measures to be performed on a regular basis for provision of water quality in order to guarantee the fulfilment of the quality objectives specified for the relevant surface water, if the groundwater is being pumped out;

35.3. the quality of water to be injected, if groundwater resources are being replenished;

35.4. monitoring of surface water in order not to allow essential change in the surface water regime; and

35.5. measures to be performed on a regular basis in order to ensure the operation of the water drainage network.

[13 September 2005; 27 October 2009]

36. The following conditions shall be included in a permit for the operation of hydrotechnical structures:

36.1. the water level (in meters) in the water reservoir by the dam watercourse at the section above dam of hydrotechnical structure (hereinafter – upper water) in absolute marks:

36.1.1. the permissible water level in the water reservoir at normal exploitation circumstances of the hydroelectric station (hereinafter – the normal water impounding level);

36.1.2. the water level which is temporarily permissible in the water reservoir during high water or flood, releasing the flowrate through the outlet structure (hereinafter – highest (maximum) water impounding level);

36.1.3. the lowest water level in the water reservoir up to which the drawing down of water reservoir is permissible at normal exploitation circumstances of the hydroelectric station (hereinafter – the lowest (minimum) water impounding level);

36.1.4. the permissible level regime for daily, weekly or seasonal adjustment, permissible levels before ice drifting and in emergency or danger situations (a situation, when any of hydrotechnical structures lose their stability or strength and uncontrolled water leakage occurs or rapid, uncontrolled raising of the water level occurs in the water reservoir);

36.2. the permissible level fluctuations in the upstream water of water reservoir between the normal water impounding level and the lowest (minimum) water impounding level, which are not larger than 0.2 metres per day-and-night (if the total installed capacity of the hydroelectric station is 2 megawatts or less), level fluctuations during spawning periods, as well as permissible draw-down intensity (rate of draw-down in meters per hour or per day and night);

36.3. water flowrate and the technical provision thereof;

36.3.1. the average minimum flowrate of the summer period of 30 days with provision of 95% (hereinafter – the minimum flowrate to be guaranteed);

36.3.2. the ecological flowrate which is necessary for conservation and protection of natural biological resources of watercourse and the ecosystems;

36.3.3. water free flow at the section of the watercourse below the dam of the hydrotechnical structure (hereinafter – downstream water);

36.3.4. the calculated flowrate of turbines;

36.4. the operation regime of hydrotechnical structures during repair works (including procedures for the co-ordination and conditions for ensuring of continued flowrate in the river below the hydrotechnical structures);

36.5. the action plan in emergency situations and cases of danger;

36.6. fish protection structures and devices;

36.7. the conditions for the maintainance in order of the protection zone of a surface water body and the protection zone around dams;

36.8. Water level measuring devices in upstream water and downstream water and requirements for installation, height mark and precision thereof; and

36.9. conditions for exploitation of certain hydrotechnical structures and installations, including conditions for ensuring of continuous working condition of sluice-gates, fish protection and exploitation of transmission structures (also fishpasses).

[13 September 2005; 27 October 2009; 10 December 2013]

37. In addition to the conditions referred to in Paragraph 36 of this Regulation the following conditions shall be included in a permit for the operation of hydrotechnical structures of hydroelectric power stations (if the total capacity of the hydroelectric station installed is more than 2 megawatts):

37.1. water levels in meters at the downstream water by the turbines outflow in absolute marks at full load of the hydroelectric power station, at the flowrate to be ensured as the minimum, the levels at high water drainage with probability of excess of 0.1% and 0.01%; and

37.2. the water flowrate during high water with probability of excess of 0.1% and 0.01%.

[13 September 2005]

38. The following conditions shall be included in a permit for activities as a result of which an artificial or a heavily modified water body may be created (for example, exploitation of channels, ponds and water reservoirs or exploitation of the systems thereof, if ponds or water reservoirs are filled from surface waters on a regular basis, and if an artificial or heavily modified water body is not created on a water course):

38.1. the control of possible change of the surface water regime;

38.2. devices for fish protection, which prevent the entry of fish into technological equipment and the maximum width of grooves of which does not exceed 10 mm;

38.3. cleaning and maintenance of the water body and the protection zone thereof; and

38.4. exploitation regulations of the artificial or heavily modified water body.

[13 September 2005; 10 December 2013]

39. The following conditions shall be included in a permit for extraction of mineral resources from the bed of a water body, if as a result of the activity an artificial or heavily modified water body may be formed:

39.1. the permissible bed deepening;

39.2. the measures to be performed in order not to decrease the quality of the surface water and conserve especially valuable biotopes; and

39.3. the monitoring of surface water in order to prevent significant changes in the surface water regime and deterioration of the environmental quality.

40. In developing the conditions referred to in Paragraph 36 of this Regulation for the operation of hydrotechnical structures of hydroelectric power stations (if the total capacity installed for the hydroelectric station is 2 megawatts or less), the Board shall take into account the following requirements:

40.1. [10 December 2013];

40.2. it is necessary to ensure the minimum flowrate to be guaranteed within the limits of natural flow capacities of the watercourse water at the downstream water of hydrotechnical structures, as well as in the whole river section affected;

40.3. in the following cases it is necessary to ensure the ecological flowrate recommended in the opinion provided by a fishery expert-examination and in the opinion of the expert at the downstream of hydrotechnical structures, as well as in the whole river section affected:

40.3.1. if in accordance with the opinion provided by fishery expert-examination or the opinion of the expert there exist the risk, that the harm to fish resources, aquatic ecosystems and terrestrial ecosystems depending on them may be done;

40.3.2. if the status of aquatic ecosystems and environment has deteriorated below the location of hydrotechnical structures, as well as in the whole river section affected and in accordance with the opinion provided by the fishery expert-examination or with the opinion of the expert the minimum flowrate to be guaranteed fails to ensure natural reproduction of fish resources and good surface water status;

40.4. if the values of the ecological flowrate recommended in the opinion provided by the fishery expert-examination or in the opinion of the expert differ in respect to one river section affected, the board shall take the larger one of them as the basis;

40.5. the hydrotechnical structure may not operate in the water collection regime during the periods when the river's natural flowrate is less than the flowrate to be lead through the hydrotechnical structure (minimum to be guaranteed or ecological) that is specified by the Board. If the water level in the water reservoir during this period matches with the lowest (minimum) mark of the water level, it is permissible that the flowrate to be lead through the hydrotechnical structure is equal to the total flow of the river without the losses due to evaporation;

40.6. if the water of water reservoir created by the dam is released to the hydroturbine, the water supply device shall be equipped with a device which prevents the entry of fish in technological equipment and the width of grooves of which is 20-35 mm. This requirement shall not apply to hydrotechnical structures which are equipped with a hydroturbine of the Archimedean screw type;

40.7. special requirements for the operation of hydroelectric power stations in the field of protection of fish resources (including during fish spawning) and the measures specified in the opinion referred to in Sub-paragraph 6.2.7 of this Regulation;

40.8. when including in a permit conditions for water level measuring devices in upstream water and downstream water, the expert opinion referred to in Paragraph 6.¹ of this Regulation and the control results of a particular activity shall be complied with, as well as the necessity to install measuring devices of continuous recording of water level and lay down the requirements for the verification thereof shall be assessed; and

40.9. for a hydrotechnical structure, which causes flood risks to its adjacent territory and the outlet sluice-gates of which are not operated mechanically, the requirements for the reconstruction of the sluice-gates shall be determined for the ensuring of continuous and unimpeded operation.

[13 September 2005; 27 October 2009; 10 December 2013]

41. [10 December 2013]

VI. Data Record of Use of Water Resources and Monitoring of Requirements Specified in a Permit

42. The user of water shall perform the data recording of use of water resources in accordance with the following procedures:

42.1. if water meters are installed at the place of water abstraction, the user of water shall measure the amount of water used by using instruments and the data obtained shall be entered in the instrumental recording journal (Annex 3);

42.2. if the water meters are not installed at the place of water abstraction, the user of water shall use the calculation and the relevant data shall be entered in the indirect recording journal of water abstraction (Annex 4);

42.3. [10 December 2013];

42.4. in accordance with the data registered in the relevant recording journal the user of water shall submit in writing or by computerised means upon request of the Board to the State statistics report regarding abstraction of water resources.

[13 September 2005; 10 December 2013]

43. The parameters and indices specified in a permit, the frequency of recording thereof, sampling sites and procedures for submission of reports shall be determined by the Board taking into account the requirements for surface water and groundwater specified in regulatory enactments and the monitoring requirements specified in the passport of groundwater deposit.

44. The amount of water shall be recorded separately in each place of water abstraction. The amount of water abstracted shall also be measured using instruments at each place where water is taken from another user of water resources or transferred to another user of water resources. In measuring the amount of water resources using instruments, the metric system shall be used.

45. If the record is computerised, the user of water shall make printouts each month regarding the amount of water abstracted.

46. In order to submit a report regarding the amount of water abstracted and to control the usefulness of use of water resources, the user of water shall prepare the balance sheet for the water supply system.

47. The record of use of water resources shall not be performed, if water is used repeatedly and there is no independent additional water supply (also for supplementing the working cycle). If the water is used repeatedly (in manufacturing processes, in which the water (treated or non-treated previously) is used repeatedly or recurrently), the water consumption of the system per year shall be determined as the amount of fresh water supplied to the system during the entire year.

48. If the user of water may substantiate why it is impossible to use instrumental methods for obtaining data necessary for records, the Board may allow the user of water to perform the record of use of water, using calculation. The Board shall determine the period of time, regarding which the record shall be performed, using calculation data.

49. In recording the operation data of hydrotechnical structures, the user of water shall observe the following special requirements for data recording:

49.1. a journal for the data recording of the operation of hydrotechnical structures shall be used for recording of the operation of hydrotechnical structures (Annex 5);

49.2. readings of water level at upstream water of the structure near the dam (if the total capacity set for the hydroelectric station is more than two megawatts – also at the downstream water) shall be performed using measuring device of continuous recording of water level, if it is attached to the normal heights system of the Baltic States (1977) accepted in the State or manually with a measuring batten. Manual reading of the water level shall be performed once a day (during flood, continuous rain and in other emergency situations – more frequently);

49.3. all operations performed with the outlet sluice-gates shall be noted in the journal for the recording of the operation of hydrotechnical structures;

49.4. the flowrate record shall be ensured. If the flowrate record is performed by means of calculations, the data shall be entered in the journal for recording once a month;

49.5. if at hydroelectric power stations the total capacity of which is set to two megawatts or less, the readings of the water level at the upstream water of the hydrotechnical structure are performed using a measuring device of continuous recording of the water level, it is allowed not to perform the flowrate record.

[10 December 2013]

VII. Closing Provisions

50. Cabinet Regulation No. 155 of 22 April 1997, Regulations regarding Permits For Use of Water (*Latvijas Vēstnesis*, 1997, No. 108/109; 1998, No. 16/17, 349; 2002, No. 15, 50) is repealed.

51. Permits for the use of water issued up to the day of coming into force of this Regulation shall be valid up to the end of the term of validity thereof.

52. For operations commenced up to the coming into force of this Regulation and for which in accordance with this Regulation a permit is required, a permit shall be received until 1 January 2006.

53. A permit is not required, if the operation fails to comply with the specified in Paragraph 2 of this Regulation.

54. In respect to activities referred to in Sub-paragraph 2.2 of this Regulation which have been commenced before the day of coming into force of this Regulation and for which, in receiving a permit for use of water resources, the conditions for use or operation of water resources specified previously in technical regulations or in building design are changed, the period of time shall be indicated in the permit, which shall not be longer than up to 1 May 2006, up to which the performer of activity shall submit the action plan to the Board for introduction of conditions put forward in the permit. The term for introduction of conditions may not exceed the term of validity of a permit.

[13 September 2005]

55. Sub-paragraph 6.2.6 and Paragraph 6.¹ of this Regulation shall come into force on 1 January 2006.

[13 September 2005]

56. In respect to activity which has been commenced and for which a permit with a fixed term of validity has been issued, a new permit referred to in Paragraph 30 of this Regulation shall be issued in accordance with the following procedures:

56.1. a user of water resources shall, at least 30 days prior to the expiry of the term of validity of the permit, submit a submission to the Board regarding issue of a new permit and attest that the essential changes referred to in Paragraph 24 of this Regulation are not intended in the activity;

56.2. the opinion referred to in Sub-paragraph 6.2.7 of this Regulation shall be appended to a submission regarding the operation of hydrotechnical structures;

56.3. the Board shall, on the basis of a submission of a user of water resources, assess the information at the disposal thereof in relation to the permit issued previously and amendments made thereto (if any have been made) and issue a new permit within 30 days after receipt of the submission.

[27 October 2009; 10 December 2013]

57. The term for the implementation of the special measures referred to in Sub-paragraph 40.7 of this Regulation (in relation to the construction of a fishpass by the dam of water reservoirs) may not exceed the first term of review of the conditions of a permit received in Paragraph 30 of this Regulation.

[27 October 2009]

Informative Reference to European Union Directive

[13 September 2005]

This Regulation includes norms arising from Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy.

Prime Minister

E. Repše

Minister for Environment

R. Vējonis

[13 September 2005; 27 October 2009]

Annex 1
Cabinet Regulation No. 736
23 December 2003

Sample of a Submission for the Receipt of a Permit for the Use of Water Resources

To the regional environmental board of _____ the State Environmental Service

(the name of the legal person or the given name and surname of the natural person)

(the legal address of the legal person or declared place of residence of the natural person, phone number, fax number and e-mail address)

(the registration date and number in the Register of Enterprises for a legal person or the personal identity number for a natural person)

Submission for the Receipt of a Permit for the Use of Water Resources

1. Justification for the use of water resources _____
2. Characterisation of the intended activity _____
3. Planned specific water consumption (in cubic meters for one inhabitant per 24 hours and/or in cubic meters for 1 production unit per 24 hours) _____
4. Sources for the abstraction of water resources, the amount and types of use of water resources _____

| No. | Name of the body (for groundwater – horizon) | Total amount of water intended to be abstracted | | Water consumption (m ³ per 24 hours and year) | | | |
|-----|--|---|----------------------------|--|------------|-------------|--------------------|
| | | (m ³ /per 24 hours) | (m ³ /per year) | for supply of drinking water | production | agriculture | for other purposes |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

5. Abstraction of water resources and use:

5.1. abstraction of surface waters

| No. | Identification number of the water abstraction source ⁽¹⁾ | Water abstraction source (water body) | | | | | Amount of water (m ³) | | Efficiency of assemblies installed | Abstraction regime (days per year and hours per 24 hours) | Notes |
|-------|--|---------------------------------------|-------------------------|-------------|-------------------------------------|-----------------------|-----------------------------------|--------|------------------------------------|---|-------|
| | | name and location (address) | geographic co-ordinates | | code of the water resources section | code of the territory | per 24 hours | (year) | | | |
| | | | N latitude | E longitude | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| Total | | | | | | | | | | | |

Note.

⁽¹⁾ In accordance with classification of the State limited liability company “Latvian Environment, Geology and Meteorology Centre”.

5.2. groundwater abstraction

| No. | Classification number of water abstraction source ⁽¹⁾ | Water abstraction (borehole) | | | | | | | Amount of water (m ³) | | Abstraction regime (days per year and hours per day) | Notes |
|-------|--|------------------------------|------------------------|-------------|-------------------|--|---|--|-----------------------------------|--------|--|-------|
| | | name and location (address) | geographic coordinates | | code of territory | the year when the borehole was created | operational horizon, debit (l/per hour) | depth of the borehole, screen interval (m) | per 24 hours | (year) | | |
| | | | N latitude | E longitude | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| Total | | | | | | | | | | | | |

Note.

⁽¹⁾ In accordance with classification of the State limited liability company “Latvian Environment, Geology and Meteorology Centre”.

5.3. use of water resources

| No. | Water body used | | | | Water amount (m ³ per day and year) | | | | |
|-----|-----------------------------|-------------------------|-------------------------------------|-----------------------|--|------------------------------------|---|------------------|--|
| | name and location (address) | geographic co-ordinates | code of the water resources section | code of the territory | operation of hydrotechnic structures | change of the level of groundwater | activities as a result of which an artificial or a heavily modified water body is created | other activities | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | |
| | | | | | | | | | |
| | | | | | | | | | |

5.4. characterisation of the intended regime of use of water _____

6. Characterisation of recorded data of use of water for each place of the use of water (abstraction and use):

6.1. abstraction of surface and groundwater

| No. | Identification number of water abstraction source ⁽¹⁾ | Type of records ⁽²⁾ | Frequency of records |
|-----|--|--------------------------------|----------------------|
| | | | |

Note.

⁽¹⁾ In accordance with classification of the State limited liability company “Latvian Environment, Geology and Meteorology Centre”.

⁽²⁾ If instrumental methods are used for records, the make of measuring equipment shall be indicated.

6.2. the use of water

| Type of use | Parameter to be measured | Type of records and measurements and devices | Frequency of records |
|--|--------------------------|--|----------------------|
| 6.2.1. operation of the hydrotechnical structures | | | |
| | | | |
| 6.2.2. change of the level of groundwater | | | |
| | | | |
| 6.2.3. activities due to which an artificial water body may be created | | | |
| | | | |
| 6.2.4. other activities | | | |
| | | | |

6.¹ Information regarding the water supply system and deposits of mineral resources (groundwater)

| No. | Document | Date of development | Note regarding existence of a document |
|-----|---|---------------------|--|
| 1. | Technical inventory file of the external water supply networks and structures | | |
| 2. | Scheme of the water supply system | | |
| 3. | Technical passport | | |
| 4. | Water abstraction borehole passport | | |
| 5. | Passport of mineral resources (groundwater) deposit | | |

7. Description of water treatment and disinfection devices (for the supply of drinking water)

8. Planned measures in emergency situations and during epidemics

Submitter of the submission _____

(signature and full name)

Date _____

Place for a seal

Note. The document details “signature”, “date” and “place for a seal” shall not be filled in if the electronic document is prepared in accordance with the regulatory enactments regarding drawing up of electronic documents.

Minister for Environment

R. Vējonis

[13 September 2005; 27 October 2009]

Annex 2
Cabinet Regulation No. 736
23 December 2003

Permit for the Use of Water Resources No. _____

Regional environmental board of _____ the State Environmental Service

Address _____

Telephone number _____

(the name of the legal person or the given name and surname of the natural person)

(the legal address of a legal person or declared place of residence of a natural person)

(the registration date and number in the Register of Enterprises of a legal person or the personal identity number of a natural person)

Mode of use of the water resources _____

NACE code (codes) _____

Date of acceptance of the submission _____

A permit issued for a new activity

A permit issued for an existing activity

A permit issued for substantial changes in the existing activity

Extension of the term of the permit

| |
|--|
| |
| |
| |
| |

The following Annexes have been attached to the permit:

1. Conditions for abstraction of the water resources

2. Conditions for the use of the water resources

| |
|--|
| |
| |

Permit issued on _____ 20 ____ and is valid up to _____ 20 ____

Date of issuance _____

Place of issuance _____

Director _____

(signature and full name)

Place for a seal

Abstraction of Water Resources

Table 1

| No. | Identification number of water abstraction source ⁽¹⁾ | Water abstraction source (water body of borehole) | | | | Permitted amount of water (m ³) | | Conditions for water abstraction regime | |
|---------------------|--|---|------------------------|-------------|---------------------------------|---|--------------|---|--------|
| | | name and location (address) | geographic coordinates | | code of water resources section | code of territory | per 24 hours | | (year) |
| | | | N latitude | E longitude | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |
| | | | | | | | | | |
| Total groundwater | | | | | | | | | |
| Total surface water | | | | | | | | | |
| Total | | | | | | | | | |

Note.

⁽¹⁾ In accordance with classification of the State limited liability company "Latvian Environment, Geology and Meteorology Centre".

1. Conditions for the abstraction of water resources

2. Conditions for the records of abstraction of water resources (also the frequency for verification of the accuracy of records and conformity of the measuring equipment with indicators)

Table 2

| No. | Record parameter | Frequency of records |
|-----|------------------|----------------------|
| | | |
| | | |

3. Conditions for water quality control

This Annex is an integral part of Permit for Use of Water Resources No. _____.

Date _____

Director

(signature and full name)

Use of Water Resources

Table 1

| No. | Water body used | | | | | Water amount permitted (m ³ per 24 hours and year) | | | |
|---------------------|-----------------------------|------------------------|-------------|--|-----------------------|---|------------------------------------|---|------------------|
| | name and location (address) | geographic coordinates | | code of the water resources section ⁽¹⁾ | code of the territory | operation of hydrotechnic structures | change of the level of groundwater | activities as a result of which an artificial or a heavily modified water body is created | other activities |
| | | N latitude | E longitude | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Total surface water | | | | | | | | | |
| Total groundwater | | | | | | | | | |
| TOTAL | | | | | | | | | |

Note.

⁽¹⁾ In accordance with the classification of the State limited liability company “Latvian Environment, Geology and Meteorology Centre”.

1. Conditions for use of water resources

2. Conditions for records of use of water resources

Table 2

| No. | Record parameter | Frequency of records |
|-----|------------------|----------------------|
| | | |

3. Conditions for the quality control of water resources

This Annex is an integral part of the Permit for the Use of Water Resources No. _____.

Date _____

Director _____
(signature and full name)

Note. The document details “signature”, “date” and “place for a seal” shall not be filled in if the electronic document is prepared in accordance with the regulatory enactments regarding drawing up of electronic documents.

Minister for Environment

R. Vējonis

Sample of the Instrumental Record Journal of Abstraction of Water Resources

1. User of water resources _____
(the name of the legal person or the given name and surname of the natural person)
2. Number of the permit for use of water resources number _____
3. Date of issuance of the permit for use of water resources _____
4. Place of abstraction of water resources:
 - 4.1. geographic coordinates _____
 - 4.2. code of the water resources section _____
 - 4.3. code of the territory _____
5. Address of the location of the journal _____
6. Equipment for recording of water resources, the type of measuring instrument (make) and number _____
7. Certification certificate number of the measuring instrument and the date of issuance _____
8. Type and name of installations for the abstraction of water _____

Journal started _____ 20 _____

Journal finished _____ 20 _____

| No. | Date and time of measurement | Reading and unit of measurement of the measuring instrument | Time period for operation of the measuring instrument (days) | Water amount utilised (m ³ per day and per month) | Mark of the level of groundwater (absolute marks above sea level, m) | Given name and surname of the performer of measurements | Notes and marks regarding inspections performed and the metrological control of measuring instruments |
|-----|------------------------------|---|--|--|--|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

I approve the correctness and conformity of the entries and calculations with indications on the measuring instruments

(signature and full name of responsible official)

Date _____

Instructions for Completing of a Journal

1. The time of readings (measurements) shall be indicated with hour accuracy.
2. At the end of each month the amount of water consumed during a month shall be entered in Column 5 of the journal, but at the end of the year – total water consumption per year.

3. If measurements are performed with water flow measuring device, which is supplemented with secondary registration device, the order number of diagram of the measuring instrument shall be entered in Column 3 of the journal. After secondary registration device the water consumption per 24 hours (m^3 per day) shall be indicated in Column 5 of planimentering record book. The total water consumption per month and year shall be indicated in thousands of cubic meters,

4. If the measuring devices are damaged or they undergo technical maintenance, it is allowed to temporarily record the use of water resources in the indirect recording journal.

Minister for Environment

R. Vējonis

Sample of Indirect Recording Journal of Abstraction of Water Resources

1. User of water resources _____
(the name of the legal person or the given name and surname of the natural person)
2. Number of the permit for the use of water resources _____
3. Date of issuance of the permit for the use of water resources _____
4. Place of abstraction of the water resources: _____
 - 4.1. geographic coordinates _____
 - 4.2. code of the water resources section _____
 - 4.3. code of the territory _____
5. Address of the location of the journal _____
6. Type and name of installations for the abstraction of water _____

Journal started _____ 20 _____
Journal finished _____ 20 _____

| No. | Date and time of measurement | Water (m ³) or electricity (kWh) consumption on one production unit or productivity of water pumps (m ³ /h) or electricity consumption for pumping of 1 m ³ of water | Amount of production produced (t, units, m ³) or electricity consumption (thousand kWh, or time of operation of pumps (hours per day), or gauge readings (atmospheres) | Amount of water abstracted during assessment period (thousand m ³) | Given name and surname of the performer of measurements | Notes |
|-----|------------------------------|--|--|--|---|-------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

I approve the correctness and conformity of the entries and calculations with indications on the measuring instruments

(signature and full name of the responsible official)

Date _____

Instructions for Completing of a Journal

1. If records are performed on the basis of the electricity consumption necessary for pumping of 1 cubic meter (Column 3 of the journal), total consumption of electricity shall be indicated in Column 4 of the journal in a reference period (month, year).
2. If pumping stations are used for the abstraction of water, the amount of water abstracted shall be calculated on the basis of the pump capacity and the number of hours worked. the pump capacity shall be determined in accordance with the technical documentation of the

pumps. The time when a pump is switched on and switched off shall be indicated in Column 4 of the journal additionally.

3. If records are performed on the basis of the amount of production produced or services provided, the amount of production produced per day shall be indicated in Column 4 of the journal (in the appropriate units of measurement), but in Column 3 of the journal – the amount of water required for the production of 1 production unit (processing, providing of service).

4. The amount of water abstracted (Column 5) shall be determined by multiplying the data of Column 3 and 4.

Minister for Environment

R. Vējonis

[13 September 2005]

Annex 5
Cabinet Regulation No.736
23 December 2003

**Sample of a Journal for the Data Recording of the
Operation of Hydrotechnical Structures**

1. User of water resources _____
(the name of the legal person or the given name and
surname of the natural person)
2. Number of the permit for the use of water resources _____
3. Date of issuance of the permit for the use of water resources _____
4. Place of abstraction of the water resources:
 - 4.1. geographic coordinates _____
 - 4.2. code of the water resources section _____
 - 4.3. code of the territory _____
5. Equipment for recording of water resources, the type of measuring instrument (make)
and number _____
6. Certification certificate number of the
measuring instrument and date of issuance _____

Journal started _____ 20 _____
Journal finished _____ 20 _____

Table 1

Water level readings

| No. | Date and time of performance of measurement | Water level (absolute meters) | | Given name and surname of the performer of measurement | Notes regarding the examinations performed |
|-----|---|----------------------------------|-------------------------------|---|--|
| | | in the upper water | in the downstream water | | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

Table 2

Activities with locks of outlet sluice-gate

| No. | Date and time | Characterisation of the activity performed | Given name and surname of the performer of the activity | Notes regarding the examinations performed |
|-----|---------------|---|---|--|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

Recording of river flowrate

| No. | Date, time and place of measurement | Unit of measurement | Flowrate | Signature of the performer of the measurements | Notes and marks regarding the examinations performed and the metrological control of measuring instruments |
|-----|-------------------------------------|---------------------|----------|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

I approve the correctness and conformity of the entries and calculations with indications on the measuring instruments

(signature and full name of the responsible official)

Date

Minister for Environment

R. Vējonis