Republic of Latvia

Cabinet Regulation No. 1071 Adopted 23 November 2010

Requirements for the Assessment of the Marine Environmental Status, Determination of a Good Marine Environmental Status and the Development of the Marine Environment Targets

Issued pursuant to Section 8, Paragraph three, Section 9, Paragraph two and Section 10, Paragraph five of the Marine Environment Protection and Management Law

I. General Provisions

1. This Regulation prescribes:

1.1. the content and type of the information to be included in the assessment of the environmental status (hereinafter – marine assessment);

1.2. qualitative descriptors for determination of a good environmental status;

1.3. lists of features, pressures and impacts characterising environmental status; and

1.4. requirements for the development of marine environment targets and the indicators related thereto.

2. Upon the request of the Latvian Institute of Aquatic Ecology State authorities, local governments, State and local government capital companies, as well as other State authorities, without a payment or in accordance with the price list of paid services, shall submit thereto the available information, which is necessary for the development of a marine assessment and for the determination of marine environment targets, including:

2.1. geospatial information and digital maps;

2.2. monitoring of surface water, air and biological diversity, as well as other types of environmental monitoring data;

2.3. information which has been acquired in fulfilling the requirements prescribed in the regulatory enactments referred to in Section 13, Paragraph one of the Marine Environment Protection and Management Law;

2.4. nature protection plans for specially protected nature territories.

II. Content and Type of the Information to be Included in a Marine Assessment

3. A marine assessment shall be developed for the marine waters of Latvia in the Eastern Gotland Basin of the Baltic Sea and the Gulf of Riga.

4. When developing a marine assessment, an analysis shall be performed of the actual environmental status and the more important marine properties shall be characterised, taking into consideration the features referred to in Table 1 of Annex 1 to this Regulation, as well as other features characteristic to marine waters of the Baltic Sea Region, as well as their tendencies of change. When updating the marine assessment, tendencies which have been observed since the development of the previous marine assessment, shall be assessed separately.

5. When analysing the pressures created for the sea and their reciprocal impact, as well as the impact of human activities on the marine environment:

5.1. the size and extent of the anthropogenic pressures referred to in Table 2 of Annex 1 to this Regulation, and the consequences and changes caused thereby in the marine environment, as well as the possible tendencies shall be described qualitatively and quantitatively;

5.2. the damage caused to the marine environment shall be assessed, including an indication whether changes caused by physical, hydrological, chemical and biological disturbances or damages referred to in Table 2 of Annex 1 to this Regulation have been detected in the assessed marine waters and ecosystems, as well as the distribution and dimensions of such changes

5.3. the cumulative and synergetic (mutual) impact of the main pressures shall be assessed individually; and

5.4. the potential impact of the observed and forecasted climate change on marine waters and the marine ecosystem at large, as well as the changes in other pressures promoted by climate changes shall be described.

6. When performing an analysis of the impact of transboundary pollution, the transfer of transboundary air and water pollution shall be assessed, the sources of such pollution in the Baltic Sea catchment area, the amount and proportion thereof in the total marine pollution, as well as the tendencies for changes in transboundary pollution shall also be indicated.

7. When analysing the socio-economic aspects of the use of the sea, as well as the losses, which have resulted due to the possible gradual deterioration of the quality of the marine environment and due to the weakening of the capacity of the marine ecosystem, the following shall be prepared:

7.1. a description of the services and resources provided by the marine ecosystem, as well as of the users thereof and an assessment of the value of the relevant services, indicating the following:

7.1.1. the economic, social, cultural and ecological value of the services and resources;

7.1.2. the direct or indirect added value of the types of the use of the sea and employment;

7.1.3. the services and resources, which are affected by human activity;

7.2. a brief general socio-economic characterisation of Latvia. Within the context of the referred to characterisation those economic sectors shall be indicated, which cause the pressures referred to in Table 2 of Annex 1 to this Regulation, including engineering construction (for example, construction of hydrotechnical objects), activity of ports and port installations, marine transport and pipeline transport, fishing and fisheries, processing and extractive industries (extraction of mineral resources at sea), agriculture, energy, tourism, public utilities, characterising the current and projected development and growth potential of these sectors, as well as qualitatively and, if possible, quantitatively assessing the pressures caused by these sectors, socio-economic significance and the prospective development trends, main impact on the marine environment, the significance of a good marine environmental status and of the services and resources provided by the marine ecosystem to the activity and development of these sectors;

7.3. a summary on the pressures caused by the types of the use of the sea and the prospective development trends thereof, as well as the impact on the marine environment, assessing qualitatively and quantitatively the current and future results of gradual deterioration in the quality of the marine environment, if the pressures are not reduced, as well

as the losses caused as a result of the deterioration of the quality of the marine environment; and

7.4. a summary of the measures prescribed in the current regulatory enactments and development planning documents, which will have a positive impact on the quality of the marine environment, and the investment programmes related thereto, including the foreseeable effect of such measures and the resources necessary for the implementation of such measures.

8. Geospatial information characterising the marine environmental status of Latvia and the marine environment condition and digital maps shall be included in the marine assessment, indicating at least the following:

8.1. the marine borders of the Republic of Latvia on a common map of the Baltic Sea;

8.2. topography of the seabed, the bathymetry and salinity of the marine waters;

8.3. marine protected areas, including protected marine habitats;

8.4. the marine territories impacted by the main pressures, as well as the economic activities and other types of pressures; and

8.5. a characterisation of the marine environmental status obtained as a result of analysis (including presenting information regarding eutrophication, biological diversity, pollution).

III. Qualitative Descriptors for the Determination of a Good Marine Environmental status and the Requirements for the Development of Marine Environment Targets

9. In determining a good marine environmental status, the marine assessment shall be taken into account, which has been developed in accordance with Chapter II of this Regulation, as well as the following from this Regulation:

9.1. the features characterising the marine environmental status referred to in Table 1 of Annex 1 and the pressures and impacts referred to in Table 2 of Annex 1; and

9.2. the qualitative descriptors referred to in Annex 2.

10. Marine environment targets (hereinafter – targets) and the indicators related thereto shall be determined, taking into account the marine assessment developed in accordance with Chapter II of this Regulation, and observing the following requirements:

10.1. the pressures and impacts referred to in Table 2 of Annex 1 to this Regulation shall be taken into account;

10.2. the targets shall be determined in such a way that:

10.2.1. the targets indicate the preferable situation, which complies with the features of a good marine environmental status;

10.2.2. the targets and the indicators related thereof are measurable and allow the performance of marine environment monitoring and marine assessment;

10.2.3. the targets of activities specified for specific measures to be implemented for achieving a good marine environmental status or maintenance thereof stimulate the fulfilment thereof;

10.3. the marine environmental status to be achieved or maintained shall be indicated. The relevant status shall be expressed with measurable values, which comply with the features characterising the marine environmental status of Latvia;

10.4. consistency of all targets shall be ensured and absence of conflicts between them shall be provided;

10.5. the resources needed for the achievement of targets shall be specified;

10.6. the timescale for achievement of targets, also interim targets, shall be specified;

10.7. the indicators intended to monitor the progress of achieving the targets and to promote achieving thereof shall be specified;

10.8. if necessary, the base level or reference conditions (for targets and limit values) shall be specified;

10.9. when setting targets, social and economic concerns shall be taken into consideration;

10.10. in order to achieve a good marine environmental status and to implement the objectives specified in the Marine Environment Protection and Management Law, compatibility of the objectives with the targets specified by the European Union and the Member States thereof in accordance with the Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area and other relevant international agreements shall be ensured.

11. After determination of the targets and the set of indicators related thereof, as well as the base level or reference conditions (for targets and limit values) a complex assessment shall be performed, comparing them with the objectives specified in the Marine Environment Protection and Management Law, in order to assess if the achievement of the targets will ensure an adequate marine environment status.

Informative Reference to a European Union Directive

This Regulation contains legal norms arising from Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive).

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Indicative Lists of Characteristics, Pressures and Impacts on the Marine Environment Status

Table 1

No.	Characteristics	
1.	Physical and chemical features:	
1.1.	topography and bathymetry of the seabed	
1.2.	annual and seasonal temperature regime and ice cover, direction and velocity of the main currents, upwelling, wave exposure, mixing characteristics, turbidity, residence time of the water	
1.3.	spatial and temporal distribution of salinity	
1.4.	spatial and temporal distribution of biogens (dissolved inorganic nitrogen, total nitrogen (N_{tot}), dissolved inorganic phosphorous, total phosphorous (P_{tot}), dissolved inorganic silicon, total organic carbon) and oxygen	
1.5.	pH, pCO ₂ profiles or equivalent information used to measure marine acidification	
2.	Habitat types:	
2.1.	the predominant seabed and water column habitat types with a description of the characteristic physical and chemical features, such as depth, water temperature regime, currents and other water movements, salinity, structure and substrata composition of the seabed	
2.2.	specific habitats and the locations thereof, especially those recognised or identified under the regulatory enactments regarding the protection of species and habitats or international conventions as being of special scientific or biodiversity preservation interest	
2.3.	habitats in territories, which by virtue of their characteristics, location or strategic importance merit a particular reference, for example, areas subject to intense or specific pressures or areas which merit a specific protection regime (marine protected areas)	
3.	Biological features:	
3.1.	the biological communities associated with the predominant seabed and water column habitats, including information on the phytoplankton and zooplankton communities, the species which compose them and their seasonal and geographical variability	
3.2.	composition of the phytobenthos, macro-algae and macrozoobenthos species, biomass, annual and seasonal variability and other relevant information	
3.3.	information on the structure of fish populations, including the abundance, distribution and age and size structure of the populations	
3.4.	the population dynamics, natural and actual range and status of the marine mammals and reptiles occurring in the marine waters of Latvia and the Baltic Sea Region	
3.5.	the population dynamics, natural and actual range and status of the species of seabirds occurring in the marine waters of Latvia and the Baltic Sea Region	
3.6.	the population dynamics, natural and actual range and status of other species occurring in the marine waters of Latvia and the Baltic Sea Region, which are subject to the legislation of Latvia and the European Union or international agreements	
3.7.	the temporal occurrence, abundance and spatial distribution of non-indigenous, exotic species or genetically distinct forms/populations of native species in the marine waters of Latvia and the Baltic Sea Region	

Characteristics of Marine Waters

4.	Other features:
4.1.	the situation with regard to chemical substances or substance groups, including dangerous and harmful chemicals and compounds, sediment contamination, hotspots, health issues caused to living organisms and pollution (especially biota meant for human consumption)
4.2.	any other features or characteristics typical of or specific to the marine waters of Latvia, marine ecosystem and the Baltic Sea Region

Table 2

Pressures and Their Impact on the Sea

No.	Type of pressure and impact	
1.	Physical loss (permanent or long-term changes):	
1.1.	smothering, e.g. by man-made constructions and structures or dredge spoil disposal sites	
1.2.	sealing of the seabed, e.g. by permanent constructions	
2.	Physical damage (changes, which deteriorate the marine environmental status)	
2.1.	changes in siltation, translocation and distribution processes (e.g. by outfalls, increased river run-off, dredging or the disposal of dredge spoil)	
2.2.	abrasion (e.g. impact on the seabed of commercial fishing, boating and anchoring)	
2.3.	selective extraction of natural resources from their natural environment (e.g. exploration and exploitation of living and non-living resources on the seabed and subsoil)	
3.	Other physical disturbances:	
3.1.	underwater noise, e.g. from shipping or noise created by underwater acoustic equipment	
3.2.	marine litter	
4.	Interference with hydrological processes	
4.1.	significant changes in the thermal regime, e.g. at outfalls from power stations and other production units	
4.2.	significant changes in salinity regime, e.g. by constructions impeding water movements, and water abstraction	
5.	Contamination by hazardous substances	
5.1.	introduction of synthetic compounds, e.g. priority substances under the enactments regarding characterisation of types of surface water bodies, qualification, quality criteria and the procedures for determining anthroprogenic loads, harmful to the marine environment, including pesticides, antifoulants, pharmaceuticals that enter the sea from diffuse pollution sources, pollution by ships, with atmospheric deposition, as well as biologically active substances	
5.2.	introduction of non-synthetic substances and compounds, e.g. heavy metals, hydrocarbons, which enter the sea from ships, as a result of oil, gas and mineral exploitation or exploration, with atmospheric deposition and riverine inputs	
5.3.	introduction of radio-nuclides	

6.	Systematic or intentional release of substances	
6.1.	introduction of solid, liquid or gaseous substances in marine waters, resulting from their systematic or intentional release into the marine environment, as permitted in accordance with the regulatory enactments or international conventions	
7.	Eutrophication and organic matter enrichment	
7.1.	inputs of fertilisers and other nitrogen and phosphorus-rich substances, e.g. from point and diffuse pollution sources, including agriculture and aquaculture objects and atmospheric deposition	
7.2.	inputs of organic matter, e.g. sewers, mariculture objects, or riverine inputs	
8.	Biological disturbances:	
8.1.	introduction of microbial pathogens and the potential effect of toxins of toxic algae on living organisms	
8.2.	introduction of non-indigenous species and translocations	
8.3.	selective extraction of species, including incidental non-target catches (e.g. by commercial fishing and recreational fishing)	

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No.	Qualitative descriptors	Description
1.	Biological diversity	Biological diversity is maintained. The quality and occurrence of habitats, as well as the distribution and diversity of species are in line with prevailing physiographic and climatic conditions
2.	Non-indigenous species	Non-indigenous species introduced by human activities do not adversely alter the ecosystem
3.	Commercially exploited species	The biological indicators characterising populations of commercially exploited fish, shellfish and molluscs are within safe biological limits, the population age and size distribution is indicative of a healthy stock of fish, shellfish and molluscs
4.	Food webs	All elements of the known marine food webs occur at normal abundance and diversity to the extent ensuring the long-term abundance of the species and the retention of their full reproductive capacity
5.	Eutrophication	Human-induced eutrophication and the adverse effects thereof is minimised, for example, losses in biodiversity, ecosystem degradation, harmful algae blooms and oxygen deficiency in bottom waters
6.	Sea-floor integrity	Sea-floor integrity is at the level that ensures that the necessary structure and functions of the ecosystem are safeguarded and benthic ecosystems are not adversely affected
7.	Hydrographical conditions	Permanent alteration of hydrological conditions does not adversely affect marine ecosystems
8.	Contaminants and compounds	Concentrations of contaminants and compounds do not give rise to pollution effects
9.	Contaminants and compounds in organisms for human consumption	Contaminants and compounds in fish and other seafood for human consumption do not exceed the levels established in regulatory enactments
10.	Litter	Properties and quantities of marine litter do not cause harm to the coastal and marine environment
11.	Energy	Energy introduced into the sea, including underwater noise, is at a level that does not adversely affect the marine environment

Qualitative Descriptors for Determining Good Marine Environmental Status

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