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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. 778

Adopted 20 November 2007

## **Procedures for the Determination of the Amount of Such Losses for Users of Land, Which are Connected with Significant Damage Caused by the Specially Protected Non-hunttable Species and Migratory Species of Animals**

*Issued pursuant to  
Section 4, Clause 6 of the Law On the Conservation of Species and Biotopes*

### **I. General Provisions**

1. This Regulation prescribes the procedures by which the amount of such losses for users of land, which are connected with significant damage caused by the specially protected non-hunttable species and migratory species of animals, (hereinafter – losses) shall be determined.
2. The losses shall be indemnified by using the resources of the Latvian Environmental Protection Fund after establishing that the damage has been caused by specially protected non-hunttable species and migratory species of animals.

### **II. Submission for Indemnification of Losses**

3. A submission for indemnification of losses for the damage caused by specially protected non-hunttable species and migratory species of animals (hereinafter – submission) to crop farming (Annex 1), aquaculture, stock farming or bee-keeping (Annex 2) shall be submitted by the user of land (hereinafter – person requesting indemnification of losses) to the regional environmental board of the State Environmental Service according to the location of the respective land area. The submission shall be submitted within seven days after establishing the damage.
4. True copies of documents certifying the rights to use the land that has suffered the damage for which the indemnification of losses is being requested shall be appended to the submission.

### **III. Evaluation of Damage Caused to Crop Farming and Calculation of the Amount of Losses**

5. In order to evaluate the losses caused to crop farming, the regional environmental board of the State Environmental Service shall create a commission.
6. The commission shall include one representative from the regional environmental board of the State Environmental Service, the administration of the specially protected nature territory (if the land area is located in a specially protected nature territory that has its own administration), the State Forest Service (if the damage has been caused by migratory huntable animals) and the respective local government each, as well as a representative of the respective regional agricultural board appointed by the director of the Rural Support Service.
7. The commission shall evaluate the intensity of the damage (for example, if land has been treaded out, crop has been eaten, or the land has been dug up) in the respective land area within 14 days after receipt of the submission and determine the species of animals that caused the damage. If damage is established during the agricultural cultivated plant development phase in which it is impossible to determine the amount of losses, only the species of animals that caused the damage shall be determined, but the amount of losses shall be calculated after a repeat evaluation of damage before harvesting.
8. If it is not possible to determine the species that caused the damage, an expert of the respective field shall be asked to provide an opinion.
9. Costs related to the services of an expert shall be covered by the regional environmental board of the State Environmental Service.
10. The commission shall use a map of the land area to be inspected at the scale of 1 : 10000 and indicate the damage intensity evaluation route therein.
11. The total length of the damage intensity evaluation route may not be less than 640 m per one hectare. The route shall be evenly placed throughout the whole land area to be inspected.
12. The on-site inspection shall be carried out by moving along the chosen route. The damage intensity shall be evaluated after every five meters in a sampling area with the radius of 0.5 metres.
13. In each sampling area the damage intensity shall be determined by using a six-point scale and a deed on the damage caused to crop farming by specially protected non-huntable species and migratory species of animals shall be drawn up (Annex 3).
14. The damage intensity shall be marked by using a six-point scale as follows:
  - 14.1. 0 - no damage (0-10 % of the sampling area);
  - 14.2. 1 - 5 % damage (11-15 % of the sampling area);
  - 14.3. 2 - 25 % damage (16-35 % of the sampling area);
  - 14.4. 3 - 50 % damage (36-65 % of the sampling area);
  - 14.5. 4 - 75 % damage (66-95 % of the sampling area);
  - 14.6. 5 - 100 % damage (96-100 % of the sampling area).
15. On the basis of the acquired damage intensity data, the average damage intensity percentage of the land area to be inspected shall be calculated. The following formula shall be used for the calculation:

$$P = \frac{a_1 \times n_1 + a_2 \times n_2 + a_3 \times n_3 + a_4 \times n_4 + a_5 \times n_5}{N}, \text{ where}$$

P – the average damage intensity percentage;

$a_1 \dots a_5$  – damage intensity of the sampling area (5%, 25%, 50%, 75%, 100%);

$n_1 \dots n_5$  – the number of the damaged sampling areas;

N – the total amount of the sampling areas of the land area to be inspected.

16. Within 14 days after evaluating the damage intensity of the land area the commission shall determine the amount of losses in financial terms on the basis of the average damage intensity calculated, using the following formula:

$$Z = \frac{C \times (A \times P)}{100}, \text{ where}$$

Z – crop loss in financial terms;

C – the average remuneration for the cultivated plant sowing or plantation creation and upkeep costs until the moment of suffering the damage;

A – inspected area;

P – the average damage intensity percentage.

#### **IV. Evaluation of the Damage Caused to Aquaculture and Determination of the Amount of Losses**

17. In order to evaluate the losses caused to aquaculture, the regional environmental board of the State Environmental Service shall create a commission.

18. The commission shall include one representative from the regional environmental board of the State Environmental Service, the administration of the specially protected nature territory (if the land area is located in a specially protected nature territory that has its own administration) and the Marine and Inland Waters Administration of the State Environmental Service each.

19. The commission shall carry out an on-site verification in order to establish the damage caused (for example, the presence of fish-eating birds, the average amount of birds of fish-eating bird species (nesting, feeding)) and the measures taken to prevent the damage within 14 days after receipt of the submission.

20. The person requesting indemnification of losses shall inform the regional environmental board of the State Environmental Service if the amount of fish-eating birds grows by at least 30% during the season in comparison to the initial amount of birds. The regional environmental board of the State Environmental Service shall conduct inspection at least once a month.

21. Each year until 15 October the person requesting indemnification of losses shall submit valid information regarding the damage caused by fish-eating birds (for example, the average amount of birds, the duration of their stay, the sales price of fish) necessary for the calculation of losses.

22. The amount of losses in financial terms shall be determined by summing up the losses caused by separate bird species – grey heron, cormorant, white-tailed eagle and osprey:

$$Z = Z_{y_1} + Z_{y_2} + Z_{y_3} + Z_{y_4}, \text{ where}$$

Z – losses caused in financial terms;

$$Z_y = P \times (D \times I) \times R, \text{ where}$$

Zy – losses caused by each bird species in financial terms;  
P – the number of birds;  
D – duration of stay of birds (days);  
I – fish consumption in kilograms per day for one subject (grey heron – 0.2 kg; cormorant – 0.5 kg; white-tailed eagle – 0.7 kg; osprey – 1.5 kg);  
R – the average wholesale price of fish (the publicly available information regarding the average wholesale price of fish in the previous month shall be used) euro/kg.  
*[20 August 2013]*

23. The regional environmental board of the State Environmental Service shall draw up a deed on the damage caused to aquaculture by specially protected non-hunttable species and migratory species of animals (Annex 4) on the basis of the calculation of losses submitted by the person requesting indemnification of losses and the results of on-site inspections.

#### **V. Determination of Losses Caused to Stock Farming or Bee-keeping**

24. In order to evaluate the losses caused to stock farming or bee-keeping, the regional environmental board of the State Environmental Service shall invite a representative from the State Forest Service and the administration of the specially protected nature territory (if the land area is located in a specially protected nature territory that has its own administration) and shall carry out an on-site inspection without delay.

25. The losses caused to stock farming shall be determined if farming animals have been killed or injured and thus have to be liquidated because of the damage suffered. On the basis of the signs found on the scene of incident (for example, signs of attack, bite marks, remains of the victim) the damage caused shall be recorded and material losses shall be determined according to the average market price of farming animals on the day of inspection.

26. The losses caused to bee-keeping shall be determined, if bee communities have perished or have to be liquidated because of the damage suffered. On the basis of the signs found on the scene of incident (destroyed bee-houses, eaten-out honey frames) the fact of the damage caused shall be recorded and material losses shall be determined according to valid calculations submitted by the person requesting indemnification of losses.

27. The regional environmental board of the State Environmental Service shall draw up a deed on the damage caused to stock farming or bee-keeping by specially protected non-hunttable species and migratory species of animals (Annex 5).

#### **VI. Taking a Decision on the Indemnification of Losses and the Procedures for Indemnification**

28. The regional environmental board of the State Environmental Service shall not draw up a respective deed after reviewing the submission if:

28.1. the submission has been submitted at a time when it is no longer possible to evaluate the nature of the damage;

28.2. the requirements laid down in the laws and regulations governing the sectors of crop farming, aquaculture, stock farming or bee-keeping have not been conformed to;

28.3. measures for scaring away or controlling the number of fish-eating birds have not been taken in aquaculture or the requirements laid down in the laws and regulations of environmental protection have been violated;

28.4. an unjustified or knowingly increased amount of losses has been indicated;

28.5. the amount of losses in crop farming does not exceed 10 per cent of the crop value;

28.6. the losses to stock farming or bee-keeping were foreseeable but no measures were taken in order to prevent them;

28.7. it is established that the losses caused have been knowingly allowed or facilitated.

29. Each year until 31 October the regional environmental board of the State Environmental Service shall submit one copy of the respective deed to the Latvian Environmental Protection Fund Administration and send the other copy to the person requesting indemnification of losses.

30. On the basis of the respective deed the Latvian Environmental Protection Fund Council shall take a decision to indemnify losses until 30 November of the current year.

31. The Latvian Environmental Protection Fund Administration shall announce the decision to indemnify losses to the respective regional environmental board of the State Environmental Service and the person requesting indemnification of losses in writing within five working days after taking of the decision.

32. The losses shall be indemnified by the Latvian Environmental Protection Fund Administration within 10 working days after taking of the decision.

## **VII. Closing Provision**

33. Cabinet Regulation No. 345 of 31 July 2001, Procedures for the Determination of the Amount of Losses for Users of Land, which are Connected with Significant Damage Caused by the Specially Protected Non-huntable Species and Migratory Species of Animals (*Latvijas Vēstnesis*, 2001, No. 115; 2005, No. 144), is repealed.

Prime Minister

A. Kalvītis

Minister for the Environment

R. Vējonis

**Submission**  
**for Indemnification of the Losses for Damage Caused to Crop Farming by Specially Protected Non-huntable Species and Migratory Species of Animals**

To the regional environmental board \_\_\_\_\_ of the State Environmental Service

The person requesting indemnification of losses \_\_\_\_\_  
(given name, surname,

personal identity number of a natural person or name, registration certificate number of a legal person)

\_\_\_\_\_  
(address, telephone number, contact information)

Given name and surname of the authorised person (if the person requesting indemnification of losses is a legal person)

1. Short description of the damage \_\_\_\_\_

2. Damaged land area (ha) \_\_\_\_\_

3. Name of the damaged cultivated plants \_\_\_\_\_

4. Species of specially protected non-huntable and migratory animals that caused the damage

5. Time of causing the damage \_\_\_\_\_

6. Location of the damaged land area \_\_\_\_\_

7. Additional information \_\_\_\_\_

8. Date \_\_\_\_\_

9. Signature of the submitter of the submission<sup>1</sup> \_\_\_\_\_

10. Registration number of the submission  
(filled in by the regional environmental board of  
the State Environmental Service) \_\_\_\_\_

\_\_\_\_\_ (date)

Official in charge \_\_\_\_\_  
(position, signature<sup>1</sup> and full name)

Note.

<sup>1</sup> The detail of the document “signature” shall not be completed if the electronic document has been prepared in compliance with the laws and regulations regarding the drawing up of electronic documents.

Minister for the Environment

R. Vējonis

**Submission**  
**for Indemnification of the Losses for Damage Caused to Aquaculture, Stock Farming or**  
**Bee-keeping by Specially Protected Non-huntable Species and Migratory Species of**  
**Animals**

To the regional environmental board \_\_\_\_\_ of the State Environmental Service

The person requesting indemnification of losses \_\_\_\_\_  
(given name, surname,

\_\_\_\_\_  
personal identity number of a natural person or name, registration certificate number of a legal  
person)

\_\_\_\_\_  
(address, telephone number, contact information)

Given name and surname of the authorised person (if the person requesting indemnification of  
losses is a legal person)

\_\_\_\_\_

1. Short description of the damage \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Area of ponds (ha) or number of animals or bee communities \_\_\_\_\_

3. Species of animals that caused the damage \_\_\_\_\_

4. Time of causing the damage \_\_\_\_\_

5. Location of the damaged area \_\_\_\_\_

6. Additional information \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Date \_\_\_\_\_

8. Signature of the submitter of the submission<sup>1</sup> \_\_\_\_\_

9. Registration number of the submission (filled  
in by the regional environmental board of the  
State Environmental Service) \_\_\_\_\_

\_\_\_\_\_ (date)



Official in charge

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(position, signature<sup>1</sup> and full name)

Note.

<sup>1</sup> The detail of the document “signature” shall not be completed if the electronic document has been prepared in compliance with the laws and regulations regarding the drawing up of electronic documents.

Minister for the Environment

R. Vējonis

**Deed**  
**on the Damage Caused to Crop Farming by Specially Protected Non-huntable Species**  
**and Migratory Species of Animals**

Drawn up on \_\_\_\_\_

\_\_\_\_\_  
(regional environmental board)

1. The person requesting indemnification of losses \_\_\_\_\_  
(given name, surname,

personal identity number of a natural person or name, registration number of a legal person)

Taxpayer registration number \_\_\_\_\_

Account number \_\_\_\_\_ Bank \_\_\_\_\_ Code \_\_\_\_\_

2. Name of the farm \_\_\_\_\_

3. Address of the farm \_\_\_\_\_

4. Documents appended to certify the rights of the person requesting indemnification of losses to use the land \_\_\_\_\_

5. Damaged (inspected) area (ha) \_\_\_\_\_

6. Agricultural cultivated plants \_\_\_\_\_

7. Evaluation of material losses caused to crop farming:

7.1. damage measurement:

No.	Number of the calculation line	Damage measurement						Amount of sampling areas
		a <sub>0</sub> (0%)	a <sub>1</sub> (5%)	a <sub>2</sub> (25%)	a <sub>3</sub> (50%)	a <sub>4</sub> (75%)	a <sub>5</sub> (100%)	
	Total	n <sub>0</sub>	n <sub>1</sub>	n <sub>2</sub>	n <sub>3</sub>	n <sub>4</sub>	n <sub>5</sub>	N

7.2. calculation of the average damage intensity:

$P = \frac{a_1 \times n_1 + a_2 \times n_2 + a_3 \times n_3 + a_4 \times n_4 + a_5 \times n_5}{N}$	%
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a<sub>1</sub>–a<sub>5</sub> – damage intensity of the sampling areas (5 %.....100 %);

$n_1$ – $n_5$  – number of sampling areas with the respective damage intensity;

$N$  – total number of sampling areas;

7.3. calculation of material losses caused to crop farming:

$Z = \frac{C \times (A \times P)}{100}$		euro
C – average remuneration for the cultivated plant sowing or plantation creation and upkeep costs until suffering the damage		euro/ha
A – inspected area		ha
P – average damage intensity		%

Person who drew up the deed \_\_\_\_\_

(position, given name, surname, signature<sup>1</sup>)

Note.

<sup>1</sup> The detail of the document “signature” shall not be completed if the electronic document has been prepared in compliance with the laws and regulations regarding the drawing up of electronic documents.

Minister for the Environment

R. Vējonis

**Deed**  
**on the Damage Caused to Aquaculture by Specially Protected Non-huntable Species and Migratory Species of Animals**

Drawn up on \_\_\_\_\_ (date)

\_\_\_\_\_  
(regional environmental board)

1. Person requesting indemnification of losses (submitter of the loss calculation)

\_\_\_\_\_  
(given name, surname,

personal identity number of a natural person or name, registration number of a legal person)

Taxpayer registration number \_\_\_\_\_

Account number \_\_\_\_\_

Bank \_\_\_\_\_

Code \_\_\_\_\_

2. Name of the aquaculture undertaking \_\_\_\_\_

3. Address of the aquaculture undertaking \_\_\_\_\_

4. Total area of the pond farm (ha) \_\_\_\_\_

5. Bird species that caused the damage \_\_\_\_\_

6. Species bred in the aquaculture \_\_\_\_\_

7. Time of causing the damage \_\_\_\_\_

8. Loss prevention measures taken \_\_\_\_\_

9. Results of on-site inspections \_\_\_\_\_

10. Loss calculation submitted to the regional environmental board (date) \_\_\_\_\_

11. Information appended to the deed \_\_\_\_\_

12. Calculation of material losses caused to aquaculture:

$Z = Z_{y1} + Z_{y2} + Z_{y3} + Z_{y4}$		euro
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Z – losses caused (euro)

Z<sub>y</sub> – losses caused by separate bird species (euro)

Z <sub>y1</sub> (grey heron) – P x (D x 0,2) x R		euro
Z <sub>y2</sub> (cormorant) – P x (D x 0,5) x R		
Z <sub>y3</sub> (white-tailed eagle) – P x (D x 0,7) x R		
Z <sub>y4</sub> (osprey) – P x (D x 1,5) x R		
P – number of birds		subjects
D – bird stay (feeding)		days
R – average sales price of fish		euro

Person who drew up the deed \_\_\_\_\_

(position, given name, surname, signature<sup>1</sup>)

Note.

<sup>1</sup> The detail of the document “signature” shall not be completed if the electronic document has been prepared in compliance with the laws and regulations regarding the drawing up of electronic documents.

Minister for the Environment

R. Vējonis

**Deed  
on the Damage Caused to Stock Farming or Bee-keeping by Specially Protected Non-huntable Species and Migratory Species of Animals**

Drawn up on \_\_\_\_\_ (date)

\_\_\_\_\_  
(regional environmental board)

1. The person requesting indemnification of losses \_\_\_\_\_

(given name, surname,

personal identity number of a natural person or name, registration number of a legal person)

Taxpayer registration number \_\_\_\_\_

Account number \_\_\_\_\_ Bank \_\_\_\_\_ Code \_\_\_\_\_

2. Name of the farm \_\_\_\_\_

3. Address of the farm \_\_\_\_\_

4. Farming animals (breed) \_\_\_\_\_

5. Species of animals that caused the damage (also information regarding the features by which the species were identified) \_\_\_\_\_

6. Amount of the killed (eliminable) animals or perished (eliminable) bee communities \_\_\_\_\_

7. Time of causing the damage \_\_\_\_\_

8. Results of the on-site inspection (short description of the situation) \_\_\_\_\_

9. Loss calculation submitted to the regional environmental board (only for bee-keeping) \_\_\_\_\_

10. Information appended to the deed (bee-keeping loss calculation and other information) \_\_\_\_\_

11. Calculation of losses caused to stock farming<sup>1</sup>:

$Z = C \times S$		euro
Z – losses caused to stock farming		euro
S – number of animals		subjects
C – the average market price of the respective farming animal on the day of inspection		euro

12. Calculation of losses caused to bee-keeping<sup>2</sup>:

Amount of the loss calculation submitted by the person requesting indemnification of losses		euro
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Person who drew up the deed \_\_\_\_\_

(position, given name, surname, signature<sup>3</sup>)

Notes.

<sup>1</sup> To be filled in if the calculation is submitted in relation to material losses caused to stock farming.

<sup>2</sup> To be filled in if the calculation is submitted in relation to material losses caused to bee-keeping.

<sup>3</sup> The detail of the document “signature” shall not be completed if the electronic document has been prepared in compliance with the laws and regulations regarding the drawing up of electronic documents.

Minister for the Environment

R. Vējonis