

Assessment of the Maritime Spatial Plan of Latvia

Alignment of Latvia's Maritime Spatial Plan with EU Environmental Objectives

June 2022





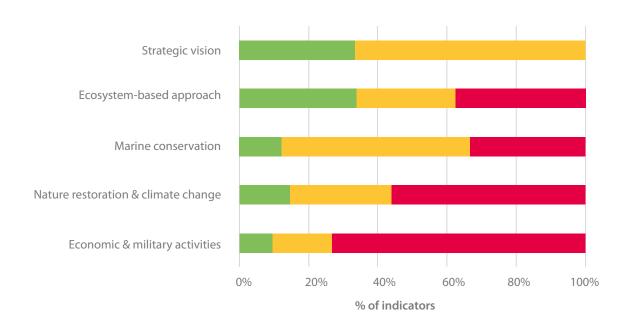


Summary of the assessment

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atvia's marine space is busy with substantial areas of current and potential future use. Latvia's marine ecosystems face substantial pressures due to the high density of activities in close proximity, particularly within coastal waters. There are some positive indications that elements of an ecosystembased approach to marine spatial planning have been applied. The use of a compatibility matrix to guide decision-making in situations of multiuse is also encouraging. Nevertheless, it must be regarded as a significant limitation that neither a systematic assessment of the cumulative impacts of current and projected activities, nor an analysis of ecological sensitivities has been undertaken as part of the preparation of the maritime spatial plan.

Large areas of marine space are given the status of areas of investigation of natural values. The maritime spatial plan also includes provision for extensive research areas for wind park development. These areas provide an indication of the location of future protected areas and offshore wind parks and reflect the need for further research prior to formal zoning designation. Existing protected areas, however, provide limited protection, and consideration of ecological connectivity beyond the boundaries of nature protection areas is very limited. The capacity of Latvia's maritime spatial plan to provide a framework for ecosystem-based marine management is dependent on ongoing monitoring and research efforts and the rigour of environmental impact assessments on a case-by-case basis.





Percentage of indicators under each area of the assessment that are satisfied/partially satisfied/not satisfied by the Maritime Spatial Plan

About this assessment

This assessment of the alignment of Latvia's Maritime Spatial Plan (MSP) with EU environmental objectives was commissioned by BirdLife Europe and Central Asia (BL ECA) and conducted by Dr Cormac Walsh Research and Consulting (independent consultant). Inputs were received from national experts familiar with the MSP. The assessment follows the methodology detailed in the report *Are EU Member State's Maritime Spatial Plans fit for nature and climate? Technical Report – Approach and Main Findings.* The assessment is indicator-based with each indicator accorded a 'traffic light' score.

Scoring system



Documents¹ included in the assessment

- Maritime Spatial Plan 2030: The Maritime Spatial Plan for the Marine Inland Waters, Territorial Sea and Exclusive Economic Zone Waters of the Republic of Latvia, Latvian Government, May 2019² (incl. Annexes 1, 2 and 3) (LV_MSP).
- Maritime Spatial Plan 2030: Environmental Report: Final version, Summary April 2019 (LV_ENV).

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^{1.} References to these documents in the assessment include the document reference shown above in brackets followed by the page number(s).

^{2.} Unofficial translation of the Maritime Spatial Plan and Environmental Report to English by Ministry of Environmental Protection and Regional Development. Reports available at: https://www.varam.gov.lv/en/maritime-spatial-planning

Detailed Assessment

1. Strategic Vision

1.1 Strategic Vision & Long-term Objectives

Criterion	1.1a Does the MSP set out a future vision with long-term objectives?
Score	Assessment
	The Latvian MSP does include a future vision with long-term objectives. They are defined as follows: SO1: Rational and balanced use of the marine space, preventing inter-sectoral conflicts and preserving free space for future needs and opportunities;
	SO2: The marine ecosystem and its ability to regenerate is preserved, ensuring the protection of biological diversity and averting excessive pressure from economic activities;
	SO3: Integrated use of marine and terrestrial areas by promoting development of maritime related businesses and the development of the required infrastructure (LV_MSP, 83).
	The strategic objectives set out above take the form of abstract principles, rather than concrete measurable goals. An element of prioritisation is, however, included. Marine biodiversity and national defence are accorded the highest level of priority, over and above economic objectives:
	The long-term vision for the use of the sea outlines the desired situation for 2030, reflecting the sustainable use of marine space and without endangering the existence of the marine ecosystem. The main priorities are a healthy marine environment and a stable ecosystem, as well as national defence. Maritime development and safe shipping, sustainable fisheries and tourism, as well as the use of [renewable energy sources] at sea have been identified as priorities in the sectors of the economy (LV_MSP, 81).
Criterion	1.1b Is the time period of the plan (usually 5 or 10 years)³ positioned within a longer timeframe?
Score	Assessment
₹	The long-term vision is set out in relation to the 'desired situation in 2030'. A longer timeframe or perspective is not evident.
Criterion	1.1c Does the MSP allow for the future expansion of Marine Protected Areas (MPAs) to meet the targets ⁴ set out in the EU Biodiversity Strategy for 2030?
Score	Assessment
 ✓-	Marine protected areas currently account for 15% of Latvian marine waters. There are references to research on potential future areas of nature protection, but no concrete objectives are specified. Latvian marine space generally may be regarded as crowded with limited scope for expansion of MPA coverage, particularly due to the high priority accorded to military activity.

^{3.} The time period of the plan refers to the period of validity (before the next revision/update is required). The longer timeframe refers to period of usually multiple decades within which the objectives of the plan may be set out. Not all plans will make reference to longer time frame.

^{4.} Protection of 30% of the sea in the EU with at least one third of protected areas being strictly protected.

2. Ecosystem-based Approach

2.1 Precautionary Principle

Indicator	2.1a Does the MSP make explicit reference to the precautionary principle as the basis of decision-making?
Score	Assessment
	Yes.
Indicator	2.1b Has the precautionary principle been applied to relevant MSP provisions?
Score	Assessment
- ∕∕-	The precautionary principle is interpreted in terms of applying best available scientific knowledge and avoidance of risk to environmental damage: Based on the precautionary principle, the available spatial data sets on the distribution of nature assets were used to designate appropriate locations for human activities and avoid the ones posing risk to cause significant damage (LV_MSP, 13). Due to the fact that the impact of fishing on marine ecosystems has not been fully established, EU fisheries are regulated in accordance with the precautionary principle. The precautionary principle has also been observed in the MSP (LV_MSP, 38). The first statement above indicates that appropriate locations for human activities were informed by an assessment of the marine ecosystem. This is in line with an ecosystem-based management approach. It is unclear whether, in cases where information on potential damage to marine ecosystems was incomplete, a decision was made to err on the side of caution as the precautionary principle would require. The above reference to the precautionary principle in relation to fisheries management is at a vague and abstract level. Further specification is not provided.
Indicator	2.1c Is there evidence that MSP zoning decisions and/or spatial policies have been substantially informed by the precautionary principle?
Score	Assessment
 ✓-	The MSP includes extensive areas for research on wind park development and separately for the investigation of natural values. This suggests a commitment to further research prior to conclusive decision-making on the expansion of certain activities. On other hand, there is a substantial overlap of functional zones and protected areas, indicating potential risks to the marine environment within those zones.

2.2 Cumulative Impact Assessment

Indicator	2.2a Was a cumulative impact assessment ⁵ conducted as part of the preparation of the MSP?
Score	Assessment
×	A cumulative impact assessment has not been conducted as part of the preparation of the Latvian MSP.
Indicator	2.2b Is the MSP designed accordingly, recognizing ecological limits and cumulative impacts?
Score	Assessment
×	There is no mention of ecological limits. Cumulative impacts shall be considered before licensing areas for offshore energy. This implies that an assessment of cumulative impacts will be required in the course of decision-making on individual applications for renewable energy developments. For this to be effective, it will be necessary that such assessments take due consideration of all existing, planned and proposed developments including those where decisions on consent are outstanding. When issuing licences and permits for the use of renewable energy resources, the cumulative impact thereof is also evaluated and an incommensurable burden on the marine ecosystem and landscape or the cultural heritage is not allowed, nor does it interfere significantly with the navigational and coastal surveillance system operations (LV_MSP, 81).
Indicator	2.2c Is there evidence that MSP zoning decisions and/or spatial policies have been substantially informed by an assessment of cumulative impacts?
Score	Assessment
×	There is no explicit evidence that zoning decisions have been informed by an assessment of cumulative impacts.

2.3 Ecological Limits

Indicator	2.3a Does the MSP include an explicit calculation of ecological limits or carrying capacity?
Score	Assessment
×	The MSP does not include an explicit calculation of ecological limits or carrying capacity.

Indicator	2.3b Is there evidence that MSP zoning decisions and/or spatial policies have been substantially informed by an assessment of ecological limits (e.g., safe biological limits for commercially exploited fish and shellfish)?
Score	Assessment
×	There is no evidence of this.

2.4 Ecosystem Services

Indicator	2.4a Does the MSP explicitly identify ecosystem services?
Score	Assessment
	Ecosystem services are addressed in detail. A distinction is made between supply services (e.g., commercial fishing), environmental regulating services (e.g., water purification, flow management, climate change mitigation) and cultural services (e.g., amenity value of coastal/marine landscape, recreation activities, marine tourism, cultural heritage and traditions). It is stated the relationships between ecosystem processes and their societal benefits should be made explicit: it is necessary to apply a concept that would assess both the impact of new eco-
	nomic activities or measures on the marine ecosystem and the quality of the environment in general, while at the same, the use of ecosystem values to ensure human wellbeing. At present, the evaluation of ecosystem services has been introduced as an ecosystem approach in the maritime spatial planning process to facilitate the analysis of diverse uses, impacts and conflicts and compromises (LV_MSP, 75).
	In the context of maritime spatial planning and ecosystem approaches, the relationship between ecosystem processes, functions, services, societal benefits and their value must be clearly visible (LV_MSP, 80).
Indicator	2.4b Is there evidence that MSP zoning decisions and/or spatial policies have been substantially informed by an assessment of ecosystem services?
Score	Assessment
- ∕-	The Environmental Report includes analyses of ecosystem services, including mapping of the impact of economic activities on specific ecosystem services (provisioning, regulating and cultural) (LV_ENV_36-39). Some but not all areas with a high intensity of regulating ecosystem services are designated as protected areas or areas for research on natural values. There is some overlap apparent between areas of high nature value and fishing.

2.5 Ecosystem Sensitivity Analysis

Indicator	2.5a Does the MSP include an ecosystem sensitivity analysis, assessing in particular sensitivity to human-induced changes or influences?
Score	Assessment
×	No, an explicit ecosystem sensitivity analysis is not included.

Indicator	2.5b Is there evidence that MSP zoning decisions and/or spatial policies have been substantially informed by an assessment of ecosystem sensitivity?
Score	Assessment
×	There is no evidence of this.

2.6 Future Scenarios

Indicator	2.6a Have alternative future scenarios informed the preparation of the MSP?
Score	Assessment
	Yes. Scenarios and alternatives were developed during the drafting of the MSP and the SEA. They aimed: i) to identify the possible alternatives of maritime spatial solutions; ii) to carry out the strategic evaluation of them; iii) to create optimal and the most acceptable spatial solutions for stakeholders and public (LV_ENV, 9). The following alternatives have been prepared: • Four radically different development scenarios (developed within drafting 1st version of MSP); • 1st version of the MSP and its spatial solutions; • Shipping and Energy Development Solutions (in the frame of Baltic LINes project) • 2nd version of the MSP and its spatial solutions (LV_ENV, 9).
Indicator	2.6b Is there evidence that MSP zoning decisions and/or spatial policies have been substantially informed by an assessment of alternative scenarios?
Score	Assessment
- ∕-	There is no direct evidence that specific zoning decisions have been informed by the assessment of alternative scenarios. At a broad level, it may be assumed that the comparison of alternative scenarios has informed the approach to zoning.

2.7. Monitoring and Adaptation

Indicator	2.7a Does the MSP make arrangements for ongoing monitoring of marine ecosystems?
Score	Assessment
	Reference is made to ongoing monitoring of the marine ecosystem, for the purpose of updating "information regarding ecologically significant areas and distribution and condition of biotopes/species, based on the latest studies and monitoring data" (LV_MSP, 101). Current monitoring efforts are conducted in accordance with the EU MSFD. The preparation of a set of marine environmental indicators is planned (LV_MSP, 167).

Indicator	2.7b Does the MSP make provision for adaptive modification of the MSP in response to identified changes in the marine environment, or new information pertaining to pressures on the marine environment?
Score	Assessment
- ∕-	There is no explicit provision for modification of the MSP in response to changes in the marine environment. There is a general commitment to ongoing updating and revision.

2.8 Good Environmental Status

Indicator	2.8a Does the MSP make explicit reference to the requirements of the Marine Strategy Framework Directive (MSFD) ⁶ in relation to the achievement of Good Environmental Status (GES)?
Score	Assessment
	Yes, explicit reference is made to the requirements set out under the MSFD to achieve Good Environmental Status and the role of the Helsinki Convention on the Baltic Sea in coordinating the efforts of Baltic Sea states (LV_MSP, 10).
Indicator	2.8b Does the MSP indicate how the MSFD implementation process has informed the MSP?
Indicator Score	

^{6.} Marine Strategy Framework Directive.

3. Marine Conservation

3.1 Location of Conservation Areas and Economic Activities

Indicator	3.1a Is the location of protected areas founded on a clear and transparent scientific rationale?
Score	Assessment
 ✓-	Existing protected areas have been established based on scientific monitoring. A correspondence of potential future protected areas with the spawning and nursery grounds of several fish species, areas with high densities of birds and areas of potential biotope reefs is evident from the maps provided (LV_MSP, 58-66). This suggests that future protected areas may be aligned with areas of high nature value which are not yet afforded adequate protection.
Indicator	3.1b Do conservation areas explicitly exclude the following from taking place within or adjacent to their boundaries: commercial fishing; wind energy development; shipping; sand and gravel extraction; military use?
Score	Assessment
- ∕-	 The following activities are prohibited in nature reserve areas: perform activities that cause mechanical damage to a specially protected biotope (rocky seabed) the installation of wind energy parks the extraction of mineral resources installation of new disposal sites industrial extraction of algae and mussels (LV_MSP, 64). Commercial fishing, shipping and military use are not explicitly prohibited in the nature reserves.
Indicator	3.1c Does the MSP include buffer zones to ensure sufficient distance between protected areas and wind energy zones?
Score	Assessment There is no mention of or provision for buffer zones.
Indicator	3.1d Does the MSP provide a clear and transparent scientific rationale for the colocation (multi-use) of conservation areas and economic activities?
Score	Assessment
	Yes. A compatibility matrix is included with the MSP (LV_MSP, Annex 2, Table 1 ⁷). This matrix allows for the identification of compatible and incompatible uses.

3.2 Ecological Corridors

Indicator	3.2a Does the MSP provide for protected ecological corridors ⁸ ensuring connectivity between conservation areas?
Score	Assessment
₹	It is noted that the suggested criteria for the unified development of the Baltic Sea include 'blue corridors' (LV_MSP, 14) but there is no mention of such corridors in the remainder of the document.
Indicator	3.2b Does the MSP take explicit account of the life-cycles ⁹ of mobile marine species (birds, bats, fish and marine mammals)?
Score	Assessment
×	The MSP does not take explicit account for the life-cycles of birds, bats or marine mammals. There are regulations for fishing to not disturb the life-cycles of several fish populations in accordance with national laws: "The marine territory between the deep-water section of the Baltic Sea in the central part and the coastal belt is considered to be an important site for cod and flounder stocks, where the spawning of these species takes place in favourable hydrological conditions. A sensitive and important site in Latvia for fish stocks is considered to be the coastal belt until the 10 m isobaths providing spawning ground for herring, turbot and flounder. In accordance with the national laws and regulations, trawling is prohibited in the coastal zone up to 20 m, and other fishing restrictions are determined in order to protect certain fish populations, their nursery grounds and significant habitats. The entire coastal zone of the Baltic Sea and Gulf of Riga has significant nursery grounds for many species of fish. The coast of the Gulf of Riga is the most significant nursery area for herring, and the high sea area is the most
	significant nursery area for flounder and turbot" (LV_MSP, 62).
Indicator	3.2c Are migratory routes for birds protected by the provisions of the MSP ¹⁰ ?
Score	Assessment
- ∕-	The MSP does include provisions for the protection of migratory routes for birds. The level of protection is, however, weakened through the inclusion of the provision 'where possible'. Migratory birds shall be considered when planning offshore wind parks: In order to mitigate conflicts between offshore wind parks, other industries and existing uses, for example, shipping, fishing, extraction of mineral resources, tourism, landscape quality, as well as bird and bat migration, on issuing a licence in a research area for wind park development, the following aspects shall be considered (LV_MSP, 87). Where possible, [wind parks] should also be located outside the wintering grounds of migratory birds (loons, long-tailed ducks, common scoters, velvet scoters, black guillemots, little gulls), their migration routes, as well as their resting and feeding places during migration (LV_MSP, 87).

^{8.} EU Biodiversity 2030.

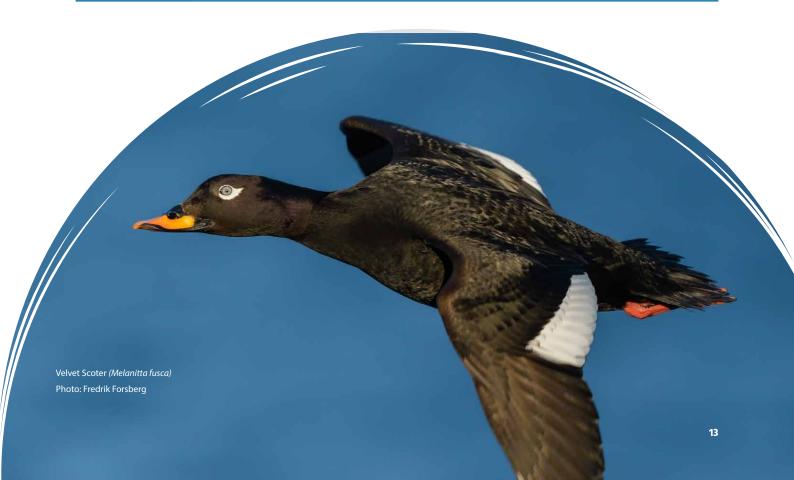
^{9.} E.g. reference to breeding grounds.

^{10.} AEWA Art. 2.1, Annex 3.2.4, CMS Art. 1.

Indicator	3.2d Does the MSP make provisions to minimise the disruption or fragmentation of ecological corridors due to the following activities: shipping; sand and gravel extraction; seismic exploration; offshore wind (and related servicing infrastructure)?
Score	Assessment
×	There is no mention of ecological corridors, but as noted above offshore wind parks shall not interfere with migratory birds and their migration routes.

3.3 Protected Species

Indicator	3.3a Does the MSP include explicit measures to ensure the protection of species in accordance with EU legislation and international commitments?
Score	Assessment
- ∕-	The only mention of any species in accordance with EU legislation are reefs. There are, however, no explicit measures included to ensure the protection or restoration of reefs: In accordance with the classification of the protected biotopes of EU importance which combines the most detailed types of habitats on hard beds, one biotope can be found in the Latvian Territorial Sea of the Baltic Sea and EEZ waters – 1170 Reefs Its current conservation status is evaluated as unfavourable – poor (LV_MSP, 57).



4. Nature Restoration and Climate Change

4.1 Nature Restoration

Indicator	4.1a Does the MSP make specific provisions for the restoration of ecosystems ¹¹ ?
Score	Assessment
×	The MSP does not include specific provisions for ecosystem restoration.
Indicator	4.1b Does the MSP explicitly take account of the likely impacts of climate change on the marine ecosystem?
Score	Assessment
	The MSP does list likely impacts due to climate change while noting uncertainties as research is ongoing: Climate change is already affecting and will continue to affect the following parameters and processes: increase in average air temperature, decrease in the duration of an ice cover, increase in days of rain and total rainfall decrease in salinity of water, increase in water levels and increased coastal erosion temperature increases and changes in nutrient intake may affect changes and increases in the composition of microscopic algae and phytoplankton species (LV_MSP, 72-73). In the period to 2030, climate change is considered to have a "relatively small but negative" impact on the stability of the marine ecosystem and the distribution of species and habitats, "which may necessitate a reassessment of the existing and planned network of marine protected areas" (LV_MSP, 75).
Indicator	4.1c Does the MSP include specific measures to mitigate the impacts of climate change on the marine ecosystem and allow for adaptation (e.g., migration of species)?
Score	Assessment
 ✓-	The MSP does not include specific measures to mitigate the impacts of climate change on the marine ecosystem. In the Environmental Report, it is stated that climate change adaptation measures are addressed in Latvia's long-term thematic programming for the Baltic Sea coast (LV_ENV, 13).

Indicator	4.1d Does the MSP identify suitable areas for compensation, or does it have relevant provisions to support the implementation of compensation measures in the marine environment (e.g., for infrastructure projects on land or at sea)?
Score	Assessment
×	The MSP does not contain such provisions.

4.2 Climate Change Mitigation

Indicator	4.2a Does the MSP make reference to the role of marine ecosystems as carbon sinks ¹² ?
Score	Assessment
- ∕-	General reference is made to the role of the marine ecosystem in 'climate stabilisation'. This is considered one of the environmental regulating services provided by the marine environment. Environmental regulating services cover the benefits of the self-regulation of the ecosystem to society, such as water purification, flow management, and the maintenance of various natural processes and conditions, including the role of climate stabilisation (LV_MSP, 78). Further detail is not provided.
Criterion	4.2b Does the MSP quantify the contribution of marine carbon sinks to climate mitigation?
Score	Assessment
×	No.
Criterion	4.2c Does the MSP include explicit measures to safeguard the contribution of marine carbon sinks?
Score	Assessment
8	No.

5. Economic and Military Activities

5.1 Shipping

Indicator	5.1a Does the MSP include specific measures to ensure marine ecosystems are not negatively impacted by shipping activity?
Score	Assessment
※	There are no specific measures beyond technological standards for ships to ensure safe travel. The Environmental Report mentions that shipping safety was determined to not be a part of the MSP. Shipping is organised effectively in the time and space along safe and economically viable routes, using modern and environmentally friendly technology, automated identification systems (AIS) and marine surveillance systems, thereby ensuring safe traffic and reducing/preventing the negative impact on the marine ecosystem (LV_MSP, 82). During the development of the MSP, environmental issues related to ship-source marine pollution were examined. It was concluded, however, that the corresponding measures are to be included in the Marine strategy (LV_ENV_13).
Indicator	5.1b Does the MSP include an assessment of the potential risks posed by shipping accidents (e.g., spillages of hazardous substances) to marine ecosystems?
Score	Assessment
×	No.
Indicator	5.1c Does the MSP include explicit measures to mitigate the risks posed by shipping accidents to marine ecosystems?
Score	Assessment
8	No explicit measures are included.
Indicator	5.1d Does the MSP include seasonal restrictions on shipping, such as speed restrictions or re-routing (e.g., during the breeding season of protected and vulnerable species)?
Score	Assessment
×	No.

5.2 Commercial Fishing

Indicator	5.2a Does the MSP include restrictions on commercial fishing methods (e.g., bottom-trawling) to minimise damage to marine ecosystems?
Score	Assessment
 ✓-	The MSP makes reference to national restrictions regarding commercial fishing: In accordance with the national laws and regulations, trawling is prohibited in the coastal zone up to 20 m, and other fishing restrictions are determined in order to protect certain fish populations, their nursery grounds and significant habitats (LV_MSP, 62).
Criterion	5.2b Does the MSP include additional restrictions on commercial fishing activity (e.g., vessel size, seasonal constraints) to minimise damage to protected and vulnerable ecosystems and habitats and to achieve healthy populations of commercial fish species?
Score	Assessment
×	No.

5.3 Extractive Activities

Indicator	5.3a Does the MSP include restrictions on extractive activities (e.g., oil, gas, deep-sea mining, sediment extraction) to minimise damage to protected and vulnerable ecosystems and habitats?
Score	Assessment
	Currently, there are no extractive activities, and such activities should not occur in the period to 2030. They are prohibited within nature reserves. Any proposal for mineral resource extraction would require an environmental impact assessment, including an assessment of cumulative impacts.
	extraction of petroleum would not be permissible in areas developed for the protection of birds and underwater biotopes (especially the wintering sites of loons, long-tailed ducks, common scoters, velvet scoters, black guillemots, little gulls), in the biological diversity research zones until the research is carried out, as well as fish spawning and nursery grounds (especially in the coastal areas up to 10 m in depth). Moreover, the extraction of petroleum on the coastal belt would also negatively impact leisure activities on the beach, incl. a risk of polluting the bathing waters, thereby incurring losses to the tourism sector (LV_MSP, 96).
	there are no planned sites for the extraction of mineral resources until 2030. However, if any particular merchant shows an interest regarding the extraction of these resources, an environmental impact assessment would be required for the proposed activities, also considering the cumulative effect and preventing a decrease in the condition of protected underwater biotopes (LV_MSP, 97).

5.4 Military activity

Indicator	5.4a Does the MSP include restrictions on military activities (e.g., seasonal, time of day, noise restrictions) to minimise damage to protected and vulnerable ecosystems and habitats?
Score	Assessment
×	Military activity is accorded a high priority within Latvian marine space. Military activities are coordinated with ornithologists and other conservation experts to ensure the seasonal distribution of species is taken into account in decision-making: In order to prevent damage to the biological diversity of the sea, when planning military operations, the seasonal aspects of the distribution of species are taken into account and activities are coordinated with ornithologists and other nature protection specialists (LV_MSP, 82).

5.5 Noise and Light Pollution

Indicator	5.5a Does the MSP include an assessment of the impacts of noise pollution on the marine ecosystem?
Score	Assessment
 ✓-	A systematic assessment of noise pollution has not been conducted. The MSP does reference noise pollution as a significant human impact on the marine environment.
Indicator	5.5b Does the MSP include specific and concrete measures to ensure that noise pollution is minimised?
Score	Assessment
8	No.
Indicator	5.5c Does the MSP include specific measures to minimise the impact of light pollution (e.g., from shipping and harbour activities)?
Score	Assessment
×	No.





