OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic

Meeting of the Working Group on the Environmental Impact of Human Activities (EIHA)

Lowestoft (United Kingdom): 4 – 7 November 2008

Contents of the Summary Record

Agenda Item 0 – Opening of the Meeting 3
Agenda Item 1 - Adoption of the Agenda 3
Agenda Item 2 – Assessment of human activities in the context of Annex II 4
Dumping of wastes 4
OSPAR Report on Dumping of Wastes at Sea in 2007 4
Assessment of dumping data 5
Reporting of dumping data for 2008 5
Review of the reporting format 5
JAMP Assessment 5
Force Majeure 6
Dumped chemical weapons and munitions 6
Update of the JAMP Assessment of dumped conventional and chemical munitions 6
Reporting on encounters 7
Sand and gravel extraction 7
Pollution caused by dredged material 7
Agenda Item 3 – Assessment of human activities in the context of Annex V 9
Underwater noise 9
Offshore wind-farms and wave and tidal power 11
Coastal defence structures 14
Placement of cables other than those for oil and gas activities 14
Mariculture 15
Artificial reefs 15
Litter 16
Socio-economic assessment 16
Agenda Item 4 – Information on progress on human activities dealt with directly by BDC 18
Maritime transportation 18
Management of ballast water 18
Fisheries 19
Agenda Item 5 – Assessment and monitoring and preparation of contributions to the QSR 2010 19
Cumulative and transboundary impacts 19
Agenda Item 6 – Marine Spatial Planning 21
Overview report on national marine spatial planning and control systems 21
Establishing a marine spatial planning perspective 22
Agenda Item 7 – Any other business 24
Agenda Item 8 – Adoption of the summary record 24

Annexes

List of participants ..... Annex 1

Agenda and list of documents ..... Annex 2

List of actions arising from the meeting ..... Annex 3

Draft revised format for annual reporting on dumping operations at sea ..... Annex 4

Draft OSPAR Guidelines for the Management of Dredged Material ..... Annex 5

Next steps for the finalisation of the BA-6 assessment ..... Annex 6

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Summary Record

Agenda Item 0 – Opening of the Meeting

0.1 The 2008 meeting of the Working Group on Environmental Impact of Human Activities (EIHA) was held from 4 – 7 November 2008 in Lowestoft at the kind invitation of the UK Government.

0.2 Ms Lindsay Murray, Director of Environment and Ecosystem Management at CEFAS, welcomed the delegates to Lowestoft on behalf of the UK Government and wished a successful meeting. She explained that CEFAS was an agency of DEFRA and worked for a range of governmental departments and industry bodies. CEFAS employed 550 staff in 2 laboratories, one in Lowestoft and one in Weymouth. The Burnham-on-Crouch laboratory was now closing down. CEFAS provides advice and underpinning research and monitoring to UK regulators on a range of human activities in the sea, for example construction of offshore renewables, fisheries, aggregate extraction, navigation dredging and disposal, and use of chemicals by the offshore industry. There are strong links between CEFAS and OSPAR and CEFAS staff members are part of UK delegations in many OSPAR groups and committees.

Representation at the meeting

0.3 The meeting was chaired by Mr Ralf Wasserthal (Germany) and was attended by representatives from the following:

a. **Contracting Parties**

Belgium, France, Germany, , Ireland, the Netherlands, Norway, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland (UK);

b. **Non-Governmental Observer Organisations**

The Central Dredging Association (CEDA), Local Authorities International Environmental Organisation (KIMO) and the International Association of Oil and Gas Producers (OGP).

Agenda Item 1 - Adoption of the Agenda

EIHA 08/1/1 Rev.1; EIHA 08/1/1 Add.1; EIHA 08/1/1 Add.2; EIHA 08/1/02; EIHA 08/1/Info.01

1.1 The draft agenda (EIHA 08/1/1 Rev.1) was adopted without amendment. The meeting noted that there were some documents which had been submitted very late, but agreed to discuss all the documents. A copy of the agenda and documents submitted to the meeting is at **Annex 2**. A list of actions arising from the meeting is at **Annex 3**.

1.2 EIHA took note of those items of the 2008/2009 Programme of Work for the Biodiversity Committee (EIHA 08/1/Info.1) that required action by the meeting.

1.3 EIHA noted that the OSPAR Commission had set up an Intersessional Correspondence group on Strategic Planning (ICG-Bergen) at the level of OSPAR Heads of Delegation, which was focussing on the development of issues for the OSPAR Ministerial Meeting in 2010 and the setting of strategic directions for the period after 2010 (EIHA 08/1/2). This work therefore took into account the coordination and cooperation for the implementation of relevant parts of the EC Marine Strategy Framework Directive (MSFD) together with the implementation of an ecosystem approach. EIHA further noted that ICG-Bergen would be considering scenarios on how OSPAR's work after 2010 could best be organised in terms of working structure and methods. ICG-Bergen would be seeking input on this issue and on ideas for revision of the OSPAR strategies from the OSPAR Committees. In the margins of the meeting, EIHA reflected upon its future role, but did not draw any conclusions on this issue due to time constraints. It was concluded that **EIHA delegations should feed into the discussions via their delegations to BDC 2009.**

1.4 José Buceta (Spain), as OSPAR contact point for the London Convention, reported about the outcome of the London Convention/London Protocol meeting, which was held 27-31 October 2008. EIHA noted in particular the following issues highlighted by Spain:

a. three OSPAR countries had not yet ratified the 1996 Protocol to the London Convention 1972 (London Protocol), which entered into force in March 2006;

b. the adoption of the LC/UNEP Guidelines for the Placement of Artificial Reefs represents significant progress for those organisations and those Guidelines could be used as a basis for any future review of the OSPAR Guidelines;

c. the adoption of Revised Specific Guidelines for the Assessment of Inert, Inorganic Geological Material;

d. the meeting agreed on a resolution on ocean fertilisation, which realised that there was not enough scientific knowledge to permit ocean fertilisation activities, but recognised that some scientific research could be conducted, assessed on a case-by-case basis under the assessment framework to be developed by the Scientific Group in the next session;

e. the adoption of a reporting format for CO_2 sequestration projects, similar to OSPAR's reporting format. The meeting discussed CO_2 sequestration in transboundary sub-seabed geological formations, and concluded that the Scientific Group should look into this and consider the need for measures in the next session;

f. a revised electronic format for reporting on dumping was adopted. LC will consider revising the format next year in light of the revision of the OSPAR reporting format. Furthermore work concerning the development of a web-based repository of dumping activities, i.e. database, will be taken forward in the next session.

1.5 EIHA thanked Spain for the information and invited Spain to continue as OSPAR contact point tasked with facilitating communication and exchange of information between the two frameworks.

Agenda Item 2 – Assessment of human activities in the context of Annex II

EIHA 08/2/1-EIHA 08/2/4; EIHA 08/2/4 Add.1; EIHA 08/2/5 – EIHA 08/2/7; EIHA 08/2/7 Add.1; EIHA 08/2/8-EIHA 08/2/9; EIHA 08/2/9 Add.1; EIHA 08/2/Info.1

Dumping of wastes

OSPAR Report on Dumping of Wastes at Sea in 2007

2.1 EIHA examined the draft OSPAR Report on Dumping of Wastes at Sea in 2007 (EIHA 08/2/1). The Secretariat explained that Denmark, Iceland, Ireland, Norway, Portugal and the UK had not yet reported and

that Belgian data for table 1 were still lacking and stressed that these reports were urgently needed in order to finalise the dumping report and the JAMP assessment of environmental impacts of dumping operations at sea.

2.2 After discussion, EIHA agreed that:

a. **Contracting Parties should present their complete data for 2007 (including the maps of deposit sites) and corrections or comments on the draft OSPAR Report in EIHA 08/2/1 to the Secretariat by 15 December 2008 at the latest**, using the reporting format for dumping operations at sea (see OSPAR Agreement number 2004-05, available on the OSPAR website);

b. **the Secretariat should finalise the draft OSPAR Report on Dumping Operations at Sea in 2007 and submit it to BDC 2009** with a view to its adoption and recommendation to OSPAR 2009 for publication on the OSPAR website.

Assessment of dumping data

2.3 EIHA agreed not to prepare a separate assessment of dumping data 1995 – 2007, which was scheduled in the BDC Programme of Work for this meeting cycle in order to feed into the QSR, since the data up to and including 2007 would be assessed in the JAMP assessment. In line with the agreement at EIHA 2004 that dumping data should be assessed only every 3 years, EIHA agreed that the next assessment of dumping data, covering data reported in 2008, 2009 and 2010 and trend assessment for the period 1995-2010, should be presented to EIHA 2011 by the Expert Assessment Panel (EAP).

Reporting of dumping data for 2008

2.4 EIHA agreed that **Contracting Parties should submit their 2008 data on dumping of wastes at sea to the Secretariat by 1 October 2009**, in accordance with the Format for Annual Reporting on Dumping Operations at Sea in OSPAR Agreement number 2004-05 (as revised).

Review of the reporting format

2.5 EIHA examined a draft revised format for the annual reporting on dumping operations at sea, which had been prepared by the Netherlands, Sweden and the EAP (EIHA 08/2/3). The purpose of the revision was to update the format in the light of developments under the OSPAR Convention, the revised HELCOM reporting format, developments under the London Convention, the reporting on contaminants loads of dumped material, the application of Best Environmental Practice by Contracting Parties, and the review of the OSPAR Guidelines for the Management of Dredged Material.

2.6. The format was further developed in a drafting group. The main changes made were an update of the format in light of developments under OSPAR (such as not to report on dumping of ships and aircraft anymore) and to make the format clearer to understand and easier to use. The definitions of waste to be reported on were updated and elaborated. It was concluded not to include reporting on CO_2 sequestration in this format, since there was already a separate reporting format for this activity. It was also concluded that there was no need to include factors for converting volume to weight or to change the way of reporting of permits. Following discussion, EIHA agreed:

a. in principle on a revised format, subject to study reservations by Contracting Parties on the final edited clean version of the format, as at **Annex 4**;

b. that **the revised format should be presented to BDC 2009** for adoption and publication by OSPAR 2009.

JAMP Assessment

2.7 The Netherlands presented a revised draft JAMP BA-5 assessment of impacts of dumping operations at sea (EIHA 08/2/7 + Add.1) and explained that this had been further developed to take account of the updated national action levels, the review of the guidelines for the management of dredged

material and further input from Contracting Parties. The 2007 dumping data would be included as soon as they became available (see paragraph 2.2). EIHA noted that:

a. reporting of inert material versus dredged material needed to be clarified;

b. the reference to the Portuguese dumping of ships should be taken out, since it had been clarified that this was emergency dumping and therefore not in breach of the Convention;

c. reference should be made to the literature review on impacts of disposal of dredged material, published by OSPAR 2008;

d. Germany and the Secretariat would give editorial comments directly to the Netherlands;

e. the Reference to the daughter directive of the Water Framework Directive needed to be updated.

2.8 On this basis EIHA agreed that:

a. at present there was no need for further action by OSPAR;

b. **that Contracting Parties should send their final comments and corrections to the Netherlands by 30 November 2008**;

c. **the Netherlands would finalise the draft and circulate it to EIHA HODs for approval by the end of 2008;**

d. **the Netherlands should present the final draft JAMP assessment of dumping operations at sea to BDC 2009** for adoption with a view to its publication on the OSPAR website.

Force Majeure

2.9 EIHA noted that the UK at BDC 2008 had offered to develop OSPAR guidelines on *Force Majeure* and emergency powers for disposal of ships as part of a report to EIHA 2008 on lessons learned from the MSC Napoli, which would draw on information from the London Protocol. The rationale behind this proposal was that the incident of MSC Napoli highlighted difficulties in interpreting the current provision on *Force Majeure* under Annex II of the Convention. The UK regretted that they had not been able to prepare such guidance (EIHA 08/2/6). Following discussion, EIHA welcomed the offer by the UK to prepare draft guidance to EIHA 2009, and invited **Contracting Parties to supply information to feed into the process by 31st March 2009**.

Dumped chemical weapons and munitions

Update of the JAMP Assessment of dumped conventional and chemical munitions

2.10 Ireland reported on progress in assessing data submitted by Contracting Parties in the second round of reporting on encounters with dumped munitions as required by the OSPAR Recommendation 2003/2 on a framework for reporting encounters with marine dumped conventional and chemical munitions. Ireland explained that these data should be used for updating the JAMP assessment published by OSPAR 2008, and noted that a considerable number of new encounters had been reported. Ireland explained that probably some of these data were reflecting double reporting by Belgium and the Netherlands (EIHA 08/2/9).

2.11 EIHA noted that data reported late by the UK had not been received and invited the UK to resubmit their report. Following discussion, EIHA agreed:

a. **that reports from Contracting Parties who had not yet reported, and any comments on the draft assessment should be sent to the Secretariat by 30 November 2008**;

b. **that Ireland should finalise the update of the JAMP assessment and present it to BDC 2009** for adoption and publication on the OSPAR website.

Reporting on encounters

2.12 According to Recommendation 2003/2, a review of 5 years' experience of reporting on encounters should take place at EIHA 2008. Ireland regretted that they had received implementation report only from Germany and themselves, and therefore could not evaluate the experience. During the discussion, several Contracting Parties and KIMO International supported the continuous reporting on encounters, *inter alia* because the database could be useful to underpin assessments of noise pressure due to detonation of munitions found and to identify hotspots. It was also suggested to report annually instead of every 3 years. Following discussion, EIHA:

a. **invited Contracting Parties to report to Ireland their experience with 5 years of reporting on encounters and views on future reporting by 30 November 2008;**

b. agreed that **Ireland should present a report on the outcome to BDC 2009 for conclusions;**

c. noted that if annual reporting was agreed, **the Recommendation 2003/2 would need to be amended and that this should be done by BDC 2009.**

Sand and gravel extraction

2.13 Belgium regretted that they had not been able to examine the annual report from ICES on sand and gravel activities and noted that they would include the 2007 data in the JAMP assessment on sand and gravel extraction (see § 2.14). It was noted that reporting to ICES is an obligation and should not be dependent on the participation of Contracting Parties in the ICES WGEXT (Working Group on the Effects of Extraction of Marine Sediments on the Marine Ecosystem).

2.14 Belgium presented the draft JAMP assessment of impacts of sand and gravel extraction, which was based on the 2006 update of the 2003 ICES Cooperative Research Report on the effects of extraction of marine sediments, which is not yet published (EIHA 08/2/4). EIHA noted that MAQ(2) 2008 had examined the report and given a number of suggestions for further development of the report (EIHA 08/2/4 Add.1). Belgium explained that a map of the geographical extent of the activity was under preparation and that the data from Denmark still needed to be checked and the report needed to be edited.

2.15 Spain had some specific amendments to the information regarding their national regulations. Germany suggested that the mentioning of a recovery period > 7 years in paragraph 127 should be repeated in paragraph 210. Following discussion, EIHA agreed that:

a. **Contracting Parties should send any further comments to Belgium by 30 November 2008;**

b. Belgium, assisted by Spain and the UK (subject to confirmation), should further develop the assessment and circulate it to EIHA HODs for comments by end of the year;

c. Belgium should present a final draft assessment to BDC 2009 for adoption with a view to its publication on the website by OSPAR 2009.

Pollution caused by dredged material

EU Waste Directive

2.16 The United Kingdom informed the meeting that the draft Directive on Waste, revising the Waste Framework Directive, has been through the second reading in the European Parliament and that the Commission has accepted their amendments. The Directive is therefore expected to be published by the end of the year. The UK explained that the revised directive now included the text: “Without prejudice to obligations under other relevant Community legislation, sediments relocated inside surface waters for the purpose of managing waters and waterways or of preventing floods or mitigating the effects of floods and droughts or land reclamation shall be excluded from the scope of this Directive if it is proved that the sediments are non-hazardous”. It has been suggested that item H14 from Annex III of the Hazardous Waste

Directive 91/869/EEC that lists properties of wastes which render them hazardous will provide the basis for determining whether a dredged sediment is non-hazardous. The text of H14 is 'Ecotoxic': substances and preparations which present or may present immediate or delayed risks for one or more sectors of the environment'. However, how this can be applied to dredged sediments has yet to be determined. The UK suggested that one option could be to define hazardous waste as concentrations of hazardous substances above the action levels for dredged material. During the discussion the following points were made:

a. discussions were ongoing in some Contracting Parties on how to implement the Directive, and it would be useful with some guidance from other Contracting Parties in EIHA;

b. it was too early to include the suggested definition in the draft revised OSPAR guidelines for the management of dredged material;

c. the UK pointed out that this might also be considered by WG-E under the Common Implementation Strategy of the Water Framework Directive when developing sediment quality standards;

d. CEDA pointed out that dredged material is not necessarily classed as waste;

e. Germany offered to seek information from the European Commission on the status of their activities on interpretation of the directive.

2.17 EIHA invited the UK and Germany to inform EIHA next year of progress in the EC on interpretation of the Directive as appropriate.

Capping of dredged material

2.18 The UK informed the meeting that the report from the capping trial in off the River Tyne was not yet published, and that no information had been brought forward from other Contracting Parties on experience with similar projects. Therefore it was not possible to conclude on the need for any OSPAR guidance on techniques and strategies for the management of contaminated marine sediments.

2.19 During the discussion the question was raised whether capping of contaminated dredged material should be regarded as dumping. It was clarified that it is dumping, but that the capping could be seen as a management option for the dumped contaminated material.

2.20 Ireland, the Netherlands and Norway informed the meeting that they had or might have information from similar projects. EIHA therefore agreed that this item should be kept on the work programme and:

a. that **Contracting Parties who had any experience with similar projects should send this information to the UK as soon as possible;**

b. based on this and the experience from the River Tyne capping project, invited **the United Kingdom to present to EIHA 2009 draft conclusions on the need for any OSPAR action**.

National action levels

2.21 There were no further updates of national action levels for dredged material since it was updated by EIHA last year. EIHA agreed to revisit the need for update of the Overview of Contracting Parties' National Action Levels for Dredged Material (the 2008 update of publication number 211/2004) in 3 years, meaning that it will be a product in the BDC programme of work for 2011/2012.

Review of OSPAR Guidelines for the management of dredged material

2.22 EIHA examined draft revised guidelines for the management of dredged material, which had been prepared by Sweden as lead country, in cooperation with Germany and the Netherlands (EIHA 08/2/2). EIHA 2007 had agreed that Contracting Parties should report on their experiences with the use of the OSPAR Guidelines and any proposals for their amendment. Furthermore BDC 2008 invited the lead country to

consider additionally the application of Best Environmental Practice by Contracting Parties and the location of dredging sites when reviewing the guidelines. The lead country explained that little such information had been received, so it had not been possible to properly evaluate the experience in the use of the guidelines.

2.23 The draft revised guidelines were further developed in a drafting group. The main changes made were to update the guidelines in light of progress and to make them clearer. Following discussion, EIHA agreed:

a. in principle on the draft revised guidelines for the management of dredged material, subject to study reservations by Contracting Parties on the final edited clean version of the format, as at Annex 5;

b. **that the draft revised guidelines on management of dredged material should be presented to BDC 2009 for adoption** and publication by OSPAR 2009;

c. to invite Contracting Parties to report on their experience with the use of the guidelines (old and new) to EIHA 2009, including the application of Best Environmental Practice, as basis for reviewing Technical Annex III in the future.

Other issues

2.24 EIHA 2008:

a. noted an article on dredged material as a resource prepared by the Permanent International Association of Navigation Congresses (PIANC), presented by the UK (EIHA 08/2/5), and concluded that the information should be taken into account in the discussion of the revision of the guidelines on management of dredged material (see above);

b. noted the Synthesis report on the effects of dredged material disposal on the marine environment, submitted by Belgium (EIHA 08/2/Info.1);

c. agreed that the report presented by Belgium titled "Changes of sedimentological patterns and morphological features due to the disposal of dredge spoil and the regeneration after cessation of the disposal activities" should be used as basis for preparing a proposal for a case study for the QSR (see paragraph 5.9.a) (EIHA 08/2/8).

Agenda Item 3 – Assessment of human activities in the context of Annex V

EIHA 08/3/1-EIHA 08/3/4 Rev.1; EIHA 08/3/4 Rev.1 Add.1; EIHA 08/3/5 – EIHA 08/3/6 Add.1; EIHA 08/3/7-EIHA 08/3/8 Add.1; EIHA 08/3/9; EIHA 08/3/9 Add.1; EIHA 08/3/10-EIHA 08/3/13; EIHA 08/3/Info.1-EIHA 08/3/Info.3

Underwater noise

Background document and JAMP assessment

3.1 The UK on behalf of ICG-Noise presented an update on the status of development of the preliminary comprehensive overview of the impacts of underwater noise in the marine environment ("the background document") (EIHA 08/3/1). It was noted that draft texts for all eight modules had been prepared, but that commenting and revising was still ongoing. Comments had been received so far from the Netherlands, Germany and Spain and the modules (except for the module on sonar) had been revised as far as possible.

3.2 EIHA noted that due to the general delay in progress on the background document on noise, ICG-Noise had not been able to finalise the JAMP assessment on the environmental impacts of underwater noise for EIHA 2008, as originally envisaged. As a pragmatic way forward, the UK suggested to use the background document as a basis for the JAMP assessment and to include further information on noise pressures and trends identified through the matrices under development for the cumulative impact assessment (BA-6 assessment).

3.3 During discussion some Contracting Parties emphasised the need for further work on the modules and the background document and notified their intention to submit further comments to the convener of ICG-Noise. The following specific comments were noted:

a. further work is needed to combine the eight text modules in a coherent and well balanced document, including a summary and the development of overall conclusions;

b. some delegates saw the need to revise in particular module 2;

c. further information was needed for the preparation of the JAMP assessment, including on pressures, trends and actual environmental impacts in the different OSPAR regions. All five questions of the JAMP guidance should be answered by the JAMP assessment on noise, including conclusions on possible OSPAR measures and identification of priority actions;

d. attention was drawn to the fact that underwater noise was deliberately left out in most JAMP BA-5 assessments to avoid duplications with the JAMP assessment on noise. The contribution of the different human activities (except wind-farms) to the environmental effects of underwater noise should therefore be addressed in the JAMP assessment on noise.

3.4 A drafting group was convened in the side lines of EIHA that continued to work on the background document and revised six of the eight modules. Following the meeting of the drafting group and further discussion in plenary EIHA invited:

a. **the convener of ICG-Noise to contact the consultant who drafted module 2 of the background document in order to incorporate the comments made by Contracting parties;**

b. the UK, assisted by ICG-Noise, to finalise the background document taking into account comments by Contracting Parties for submission to BDC 2009;

c. **the UK, assisted by ICG-Noise, to prepare for submission to BDC 2009 a draft JAMP assessment on noise** on the basis of the background document, information on pressures and trends of underwater noise identified through the matrices under development for the JAMP BA-6 cumulative impact assessment, as well as other available information on pressures and trends of underwater noise. The assessment can only be provided in a condensed and summarised form. It should follow the Guidance on the preparation of JAMP thematic assessments intended to contribute to the QSR 2010.

ACCOBAMS Correspondence Working Group on Noise

3.5 The Secretariat informed EIHA about a request from ACCOBAMS for OSPAR to participate in their newly established Correspondence Working Group on Noise (EIHA 08/3/2). EIHA noted that the OSPAR Secretariat had nominated the Convenor of ICG-Noise, Dr Frank Thomsen (United Kingdom), and the Secretariat as contact points to ACCOBAMS. OSPAR Contracting Parties currently taking part in the working group are France and Spain.

3.6 The following points were noted during discussion:

a. Spain provided further background information on Resolution 3.10 (Guidelines to address the impact of anthropogenic noise on marine mammals in the ACCOBAMS area) and emphasised that noise would be an important parameter for the quality of marine habitats and that specific management objectives should be considered;

b. Germany provided an update on the work of the Convention on Migratory Species (CMS) on a resolution on ocean noise. It was noted that a draft was available on the CMS website: http://www.cms.int/;

c. OGP would plan side events at OIC and BDC on the industry's perspective and research on ocean noise as supported by the Joint Industry Programme on E&P Sound and Marine Life.

3.7 Following discussion EIHA welcomed the offer by ACCOBAMS to participate in the Correspondence Working Group on Noise and agreed:

a. to nominate Dr Frank Thomsen and the Secretariat as contact points to ACCOBAMS;

b. **to invite Germany to consider if they could function as OSPAR contact point on noise issues in the framework of the CMS.**

Ecological Quality Objective for underwater noise

3.8 The Secretariat on behalf of Seas at Risk presented a proposal for an Ecological Quality Objective (EcoQO) for underwater noise in the context of the Marine Strategy Framework Directive (MSFD) (EIHA 08/3/12). This proposal has been presented to MASH 2008 and the meeting has asked the Secretariat to forward the document to EIHA for further analysis. EIHA noted that MASH had welcomed the proposal and that the development of such an EcoQO would be relevant both to MASH and EIHA. In discussion EIHA:

a. noted that some Contracting Parties supported in principle the development of an EcoQO for underwater noise;

b. noted the scientific challenges associated with a possible EcoQO on underwater noise;

c. noted that a possible EcoQO on ocean noise should apply to the whole OSPAR Maritime Area and thereby contribute to the extension of the EcoQO system into the OSPAR maritime area beyond the North Sea; and

d. agreed that **further discussion of a possible EcoQO on underwater noise was necessary at BDC 2009 with regard to the development of the overall EcoQO framework and descriptors for Good Environmental Status as in the MSFD.**

Lighting of offshore platforms

3.9 The Netherlands provided a progress report on their project to establish further evidence for the impact of regular lighting of oil and gas offshore platforms on migrating birds (EIHA 08/3/3). It was recalled that both at BDC 2008 and OIC 2008 the Netherlands had given a presentation on the initiative "green light to birds" and that EIHA and/or MASH had been invited to consider possible actions on the basis of further evidence to be provided by the Netherlands. EIHA thanked the Netherlands for their initiative and noted the information.

Offshore wind-farms and wave and tidal power

Current state of knowledge

3.10 The United Kingdom informed the meeting that only limited new studies had come forward from Contracting Parties on the environmental impacts of wind-farms, but that more reports were in progress, including UK monitoring results. In light of this, EIHA agreed:

a. that there was no need to update the OSPAR report 278/2006 on Current State of Knowledge on the Environmental Impacts of the Location, Operation and Removal/Disposal of Offshore Wind-Farms at this time;

b. to keep this product in the programme of work of BDC, and invited Contracting Parties and Observers to send any new/updated information to the UK, as basis for consideration by EIHA 2009 of the need to update the publication.

Cumulative impacts

3.11 The question of the need for OSPAR guidance on how to address the cumulative impacts of offshore wind farms and other human activities with which they interact has been on the agenda for BDC since 2004. EIHA 2007 invited Contracting Parties who had authorised wind-farms and/or have wind-farms in operation to forward to the lead country (Germany) a description of the way in which they deal with cumulative impacts involving wind-farms, and that in light of information received, Germany would consider whether there was sufficient basis for preparing guidance on how to address cumulative impacts.

3.12 EIHA noted that only the Netherlands had provided some more general information, so Germany concluded that the information available was still insufficient to develop guidance on cumulative impacts. If was suggested that this might be looked into by the ICG on development of a method to assess cumulative impacts (ICG-C). Following discussion, EIHA agreed:

a. to shelve this task for the moment and include it as a memorandum item in the programme of work of BDC, which can be taken up again when a sufficient scientific basis and more practical experience becomes available for the estimation of cumulative impacts;

b. to invite ICG-C to consider cumulative impacts of wind-farms at a general level in their work.

Update of wind-farms database

3.13 The Secretariat presented the draft Annual update of the OSPAR Database on Offshore Wind-farms (EIHA 08/3/4 Rev.1). EIHA noted that this year updates had been submitted only from Germany, the Netherlands and Norway, and that Ireland had informed the Secretariat that they had no updates. The Secretariat also explained that it was a problem that Contracting Parties did not report by the annual deadline, but sent updates throughout the year. Also, Germany, who is preparing the corresponding maps on wind-farm locations, explained that the production of the maps was hampered by the fact that some Contracting Parties did not report in line with the agreed format.

3.14 In order to ensure the synchronized publication of the database and the maps by OSPAR 2009, EIHA agreed on the following procedure for finalising the 2008 round of update:

a. **Contracting Parties should check and confirm that their data are correct and complete and send to the Secretariat any additions and corrections to the 2008 update by 15 December 2008;**

   i. **in particular, Norway was invited to clarify their category "notification", and to send corner coordinates for the following locations: NO 5, NO 6, NO 8, NO 9 and NO 13;**

   ii. **any updates received after 15 December 2008 will be included in the 2009 update**.

b. **the Secretariat to send the updated database to Germany by the end of the year;**

c. **Germany to prepare maps and send to the Secretariat by the deadline for documents to BDC, 30 January 2009;**

d. **the Secretariat to submit the draft updated database with the maps to BDC 2009 for adoption** and publication on the website by OSPAR 2009.

3.15 Contracting Parties should send to the Secretariat by 1 October 2009 their updated entries on the OSPAR Database on Wind-farms for preparing the next (2009) annual update.

Wind-farms website

3.16 The UK updated the meeting on the further experience on use of the website on exchange of information on environmental impacts of offshore renewable energy www.environmentalexchange.info, which was developed by Cefas and has been given a trial since 2006 (EIHA 08/3/13). The UK had monitored the

website usage over these years and this had demonstrated a lot of usage with visitors from all over the world spending time exploring the site.

3.17 At EIHA 2007, the Secretariat agreed to consider taking over the hosting and maintenance of the website. Following preliminary discussions between the UK and the OSPAR Secretariat regarding the take over, the UK suggested how the website could be updated and maintained. The Secretariat emphasised that in order for the website to be useful, Contracting Parties needed to commit themselves to sending updated information. Following discussion, EIHA agreed on the following arrangements for updating and keeping the website:

a. the website will be incorporated on the OSPAR website with a link from the OSPAR home page, keeping for the time being the existing design and domain;

b. the contact list of experts will be removed from the website since it is difficult to keep up-to-date;

c. hyperlinks to reports in the reference list will be removed since it has proven difficult and time consuming to ensure that these are up-to-date;

d. in summary, the website should consist of:

   i. a list of references to reports on offshore wind farms and other marine renewable energy sources (e.g. wave and tidal power devices, such as the report from Spain in EIHA 08/3/Info.2). Relevant reports would be from studies and research into environmental impacts and technologies. References to reports not available in English are also relevant, as long as the titles and/or executive summaries are in English. Pictures would also be welcome;

   ii. the latest version of the OSPAR database of offshore wind farms and its maps;

   iii. a page of related web addresses to be checked and updated by the Secretariat;

e. **the Secretariat, in cooperation with the UK, would update and transfer the website by the end of November and send out an invitation to Contracting Parties (EIHA HODs) to check and update the information by the end of the year.**

3.18 EIHA further agreed that Contracting Parties should submit new reports to the Secretariat prior to EIHA every year.

Wave and tidal power

3.19 Information on impacts of wave and tidal power is foreseen for the QSR, but because this activity is small scale, it was not included in the JAMP and so OSPAR has no qualitative or quantitative information on which to base an assessment. BDC 2008 invited the UK to consider options for data reporting for wave and tidal power. The UK presented initial ideas for an information collection system, based around the existing reporting format for offshore wind farms, suggesting to trial a reporting system and build in a review procedure so that the feasibility and practicality of collecting this type of data could be tested and the contents of the database evaluated before OSPAR adopts a formal routine reporting requirement.

3.20 During discussion the following points were made:

a. several Contracting Parties questioned the meaningfulness of such information collection, taking into account how limited this activity was compared to other activities where there was no information collection (such as land reclamation and cables);

b. information collection might be complicated because such data would not be held by environmental authorities;

c. the Secretariat mentioned that for the QSR it would be helpful if Contracting Parties could send information on plans (how many installations are planned and where);

d. as an alternative to the proposed information collection system, it was suggested that a simple spreadsheet could be set up for reporting on the website.

3.21 Following discussion, EIHA invited:

a. **Contracting Parties to report information on plans for wave and tidal power installations to the Secretariat before BDC 2009**;

b. **the Secretariat to prepare a collation of information on existing wave and tidal power installations for further consideration at BDC 2009.**

Other information

3.22 EIHA noted information about:

a. a Strategic Environmental Study for Offshore Wind Farm Installation in Spain (EIHA 08/3/Info.1);

b. the first project in Europe for the construction of a wave energy plant (EIHA 08/3/Info.2);

c. a framework for Appropriate Assessments for offshore wind farms (EIHA 08/3/Info.3).

Coastal defence structures

3.23 Belgium presented the draft assessment of coastal defence structures (EIHA 08/3/5). It was noted that this assessment had already been presented to BDC 2008 and MAQ(1)2008 and that the draft had been further developed on the basis of comments made by those meetings.

3.24 During discussion Germany, the Netherlands and the United Kingdom made some specific comments that would be provided in writing directly to the task manager.

3.25 Following discussion EIHA agreed:

a. **to invite Contracting Parties to send any comments to Belgium at the latest by 30 November 2008;**

b. to invite Belgium to finalise the draft assessment by the end of this year for circulation to EIHA HOD and subsequent submission to BDC 2009 (document deadline 30 January 2009).

Placement of cables other than those for oil and gas activities

3.26 The Secretariat presented the draft assessment of environmental impacts of cables on behalf of the German authors (EIHA 08/3/8). It was noted that the draft was still subject to consultation in Germany. The draft assessment had been presented to MAQ(2)2008 and MAQ's comments were presented in EIHA 08/3/8 Add.1.

3.27 During discussion Belgium and the Netherlands made some specific comments that would be provided in writing directly to the task manager.

3.28 Following discussion EIHA agreed:

a. to rename the assessment to Assessment of the environmental impacts of cables;

b. **to invite Contracting Parties to send any comments to Germany at the latest by 30 November 2008. In particular, Contracting Parties should check the map showing cables in the OSPAR Maritime Area and provide lacking information on the location of cables to the task manager;**

c. to invite Germany to finalise the draft assessment by the end of this year for circulation to EIHA HOD and subsequent submission to BDC 2009 (document deadline 30 January 2009).

Mariculture

3.29 Ireland presented the draft assessment of the environmental impacts of mariculture (EIHA 08/3/6). It was recalled that the draft assessment had been presented to MAQ(2)2008 and MAQ's comments were presented in EIHA 08/3/6 Add.1.

3.30 It was noted that the assessment was still work in progress. The aim was also to include a case study on the pacific oyster. To complete the assessment, information from Contracting Parties was requested as follows:

a. coordinates distinguishing finfish and shellfish culture locations and their production volume. This is essential to map the spatial distribution and intensity of mariculture activities in the OSPAR maritime area;

b. national data on the escape of salmons (§ 32 of the report);

c. national data on sealice burden (§ 50 of the report);

d. dissolved oxygen data, or model data that show how aquaculture activities can reduce dissolved oxygen (§ 70 of the report);

e. figures for illustrating the zones of impact under a salmon farm which are more representative for the OSPAR maritime area than those included in Figure 6;

f. national finfish nutrient output (N & P) data for Table 5;

g. national data on actual current (and past) substitution rates for fish meal / oil in commercial feeds (§ 78 of the report);

h. complete Table 6 with national data on chemicals used in finfish farming;

i. confirm use or non-use of dichlorvos (Table 7);

j. check and validate the data in Tables 1 and 2.

3.31 During discussion Belgium noted that they had recently started mariculture and that they would provide the related information to Ireland. Also Germany, the United Kingdom and Spain made some specific comments that would be provided in writing directly to the task manager.

3.32 Following discussion EIHA invited:

a. **Contracting Parties to send the missing information as specified above (a-j) as well as any further comments to Ireland at the latest by 30 November 2008;**

b. **Ireland to include the case studies on pacific oysters in the draft assessment;**

c. **Ireland to finalise the draft assessment by the end of this year for circulation to EIHA HOD and subsequent submission to BDC 2009 (document deadline 30 January 2009);**

Artificial reefs

3.33 The Secretariat presented the draft assessment of the construction and placement of artificial reefs (EIHA 08/3/7), which had been prepared by a consultant, Dr Lynette Jackson, assisted by Spain and the Secretariat.

3.34 During discussion the following comments were noted:

a. Germany questioned the conclusion that the benefits of the reefs would outweigh the negative impacts (paragraph 36) as well as the related sentence "Despite the potential benefits of artificial reefs" (paragraph 8) and requested a revision;

b. some Contracting Parties expressed the view that some of the recommendations in the conclusions were not appropriate and suggested deleting the words “legal” (paragraph 37, chapeau) and “compulsory” (paragraph 37, second bullet) as well as a revision of the third bullet in paragraph 37 (“shortcomings in the legal provisions of the Convention”);

c. Norway would give to the Secretariat some updated text in light of progress for the case study on the Hammerfest reef.

3.35 Following discussion EIHA agreed:

a. **to invite Contracting Parties to check and complete as necessary the information in tables 1 and 2 and send any comments to the Secretariat at the latest by 30 November 2008;**

b. to invite the Secretariat, assisted by Spain, to finalise the draft assessment by the end of this year for circulation to EIHA HOD and subsequent submission to BDC 2009 (document deadline 30 January 2009).

Litter

3.36 The Netherlands gave an update on the work of ICG-Marine Litter. EIHA noted that the annual progress report and the assessment of the implementation of the OSPAR Marine Beach Litter Monitoring Programme would be presented as planned to BDC 2009 (Products 34 and 36). Also the conclusion on an EcoQO for marine litter would be presented to BDC 2009 (Product 33). It was noted that the development of a methodology for the assessment of the environmental impact of marine litter would still cause difficulties.

3.37 EIHA also noted that the next meeting of ICG-Marine Litter would take place from 29-30 November 2008 in the offices of the Marine Conservation Society in Ross-on-Wye (UK). The Netherlands invited all Contracting Parties to participate in that meeting. KIMO International emphasised that marine litter was also covered by the MSFD and that OSPAR’s work would help to deliver the requirements. The Netherlands urged all Contracting Parties to participate in OSPAR’s Voluntary Beach Litter Monitoring Programme that provided a very cost effective way to assess the marine litter situation in the North East Atlantic.

3.38 EIHA noted that the Operational Guidelines for marine litter survey and monitoring had now been finalised as part of the global UNEP project on marine litter and that OSPAR via ICG-Marine Litter had contributed to this project.

3.39 EIHA noted that BDC HODs in a written procedure had recently adopted the *UNEP/OSPAR Assessment of the Marine Litter Problem in the North-East Atlantic Maritime Area and Priorities for Response* and recommended its publication on the OSPAR website as soon as possible. The Netherlands raised the question whether this assessment would at the same time serve as JAMP BA-5 Assessment on marine litter. EIHA warmly thanked KIMO International for the preparation of the comprehensive assessment and agreed:

a. that the UNEP/OSPAR Assessment would live up to the requirements of a JAMP assessment although, due to the joint product with UNEP, it followed a different structure;

b. to invite **KIMO International to prepare an executive summary for the UNEP/OSPAR Assessment,** following the Guidance on the preparation of JAMP thematic assessments intended to contribute to the QSR 2010 **for submission to BDC 2009**.

Socio-economic assessment

3.40 The Secretariat presented a discussion paper on the socio-economic assessments of the marine environment (EIHA 08/3/9). EIHA noted that the Marine Strategy Framework Directive (MSFD) includes an obligation for EU Member States to carry out an economic and social analysis of the use marine waters and the cost of degradation as integral part of the initial assessments by 2012 (Article 8). It was recalled that BDC

2008 and OSPAR 2008 had initial discussion on socio-economic assessments and both concluded that this would be an important area for OSPAR for future work.

3.41 EIHA took note of a presentation by Sweden on a work towards the integration of environmental and socio-economic assessments and objectives (the power point presentation is available at the EIHA 2008 meeting folder on the OSPAR website). The project *Economic Marine Information* was initiated by the Swedish Government and has been carried out in collaboration with HELCOM. Its aims were to collect and compare available information on economic costs and benefits of action and inaction with regard to improving the environmental status of the Baltic Sea Area and Skagerrak. As part of the project seven thematic reports were under preparation, including on ecosystem goods and services, and a synthesis report would be finalised by 1 December 2008. Sweden also reported that Finland was working in parallel on a stern-like report for the Baltic Sea (Baltic Stern). Sweden offered to inform EIHA as soon as the reports are available for download on the internet.

3.42 Germany presented an overview on the *Economics of Ecosystems and Biodiversity* study (TEEB) on the economic consequences of ecosystem decline (EIHA 08/3/9 Add.1). It was noted that preliminary findings of Phase I had been presented to the 9th Conference of the Parties to the Convention on Biological Diversity (CBD COP9) by economist Pavan Sukhdev. The European Commission is currently asking interested stakeholders to submit evidence on the economic consequences of biodiversity loss for Phase II (opened until March 2009) and the final results would be presented at COP-10 in 2010. The study is available online at:

http://ec.europa.eu/environment/nature/biodiversity/economics/index_en.htm

3.43 EIHA further noted:

a. the WWF report *Value of our Oceans - The Economic Benefits of Marine Biodiversity and Healthy Ecosystems* (EIHA 08/3/10). The study is also available online at: http://www.wwf.de/fileadmin/fm-wf/pdf_neu/WWF_Studie_The_value_of_our_oceans.pdf ;

b. the UK's *An introductory guide to valuing ecosystem services,* work undertaken by CEFAS on socio-economic indicators, cost-benefits analysis and valuation of ecosystem goods and services in the context of the new Marine Bill.

3.45 During discussion the following points were made:

a. the future work on socio-economic assessments should take into account the obligations by the MSFD and the initial assessment by 2012;

b. some Contracting Parties have already undertaken considerable work on socio-economic assessments that should form the basis for future work by OSPAR;

c. KIMO noted that during next year further information on the socio-economic impacts of litter would be available;

d. projects of HELCOM Contracting Parties such as on the *Economic Marine Information* project and the Baltic Stern could be interesting examples for OSPAR;

e. OSPAR's work on socio-economic assessments should be driven by EIHA, however, national experts of Contracting Parties need to attend EIHA to allow for informed discussions and progress.

3.46 EIHA concluded that OSPAR's work on socio-economic assessments should help to deliver the requirements of the MSFD and the initial assessment by 2012 and that Contracting Parties should in future directly involve their national experts in EIHA. Subsequently EIHA agreed:

a. to invite the **UK, assisted by Sweden and the Secretariat**, on the basis of information sent by Contracting Parties, **to prepare an overview of existing projects and available methodologies for economic and social analysis of the use marine waters and the cost of degradation and to prepare options on how to progress work on socio-economic assessments of the North-East Atlantic for submission to EIHA 2009**;

b. to invite ICG-Bergen to consider how to address the issue of socio-economic assessments at the Ministerial Meeting in 2010 in Bergen and in OSPAR's work post 2010 (revision of the strategies).

Agenda Item 4 – Information on progress on human activities dealt with directly by BDC

Maritime transportation

4.1 The Secretariat presented an update on the status of preparation of the JAMP assessment on the environmental impacts of shipping. It was noted that the first draft had been presented by the task manager (United Kingdom) for commenting to MAQ(2) 2008 and that the draft text contribution for Section 8.of the QSR 2 was not yet available. The aim was to prepare the final assessment and Section 8.2 by 30 January 2009 for submission to BDC 2009. EIHA noted the current status of the work and emphasised its importance for the preparation of the BA-6 assessment (see § 5.4), including the timely delivery of the requested information to the BA-6 assessment *(i.e.* maps and completed spreadsheets).

Management of ballast water

4.2 The Secretariat informed the meeting about progress made on the further implementation of the Regional Management Strategy for Ballast Water Management of the North-East Atlantic. It was noted that the General Guidance on the Voluntary Interim application of the D1 Ballast Water Exchange Standard was agreed by all 20 HELCOM and OSPAR Contracting Parties, together with the European Community, and entered into force on 1 April 2008. The Guidance had been officially submitted to the IMO as IMO-Circular and an OSPAR press release had been issued in the context of MEPC 58 (the Guidance and press release are highlighted and easy accessible on the OSPAR website). Outstanding issues included the identification of areas within the OSPAR Region where additional measures might be necessary to control ballast water, possibly based on regional risk assessments and a limited number of invasive priority species.

4.3 The UK noted that their task manager for the implementation of the regional management strategy for ballast water had now started to work for European Maritime Safety Agency (European Commission) and it was therefore unclear if they could continue to act as task manager on ballast water.

4.4 The Secretariat informed EIHA about the EMSA workshop on implementing the IMO Ballast Water Management Convention in the EU, 10-11 November 2008 in Lisbon. The Secretariat had asked the former UK task manager, Brian Elliott, to present OSPAR's work on ballast water to the workshop as it was unable to participate due to other meeting commitments.

4.5 EIHA welcomed the progress made so far on ballast water and the offer by Brian Elliot to present OSPAR's work to the EMSA workshop and invited the **Secretariat to contact the EC (EMSA) and the UK to explore options for further work on ballast water, including the nomination of a task manager for further work on this issue.**

Fisheries

4.6 EIHA noted a brief update by the Secretariat on the development of a draft assessment on impacts of fisheries and the related Section 8.1.1 of the QSR. It was noted that the drafting group, lead by the UK, should complete a draft of Section 8.1.1 in the first week of February 2009 for BDC 2009 and written comments from MAQ HODs (within ten days) and that the UK should finalise the assessment and draft Section 8.1.1, based on comments received from BDC and MAQ HODs, by 9 March 2009 for review by MAQ(1) 2009.

4.7. Noting the late finalisation of the fisheries section EIHA emphasised the importance of this work for the preparation of the BA-6 assessment (see § 5.4), including the timely delivery of the requested information to the BA-6 assessment (*i.e*. maps and completed spreadsheets).

Agenda Item 5 – Assessment and monitoring and preparation of contributions to the QSR 2010

EIHA 08/5/1-EIHA 08/5/8 Add.1; EIHA 08/5/9; EIHA 08/5/Info.1

Cumulative and transboundary impacts

5.1 The Netherlands reported on progress in the preparation of the JAMP BA-6 trend analysis of all the human activities listed in Appendix 3 of the JAMP and their collective impacts for each of the five OSPAR Regions. EIHA noted the results of the first workshop for the preparation of the BA-6 assessment (ICG-BA6 2008), held 15-16 September 2008 in Dublin on the kind invitation or Ireland (EIHA 08/5/9).

5.2 The second workshop for the preparation of the BA-6 assessment (ICG-BA6(2) 2008) was held on 3 November 2008, the day before EIHA in Lowestoft. It was noted that the workshop was attended by 15 participants, including the task managers of 14 JAMP BA-5 assessments. EIHA welcomed the progress made so far and noted that the assessment was very much a “learning by doing” process and that the development of new methodologies was required. During the workshop one working group further described the pressures of different human activities and entered the information in spreadsheets. Another working group established the spatial relationship of activities and their pressures (pressure “dispersivity” factors). Case studies on cumulative impact assessments were presented by Norway (Norwegian Sea) and the Netherlands (Dutch EEZ). A detailed workshop report, including next steps for the finalisation of the assessment, a first outline of the structure of the assessment, a list of the main pressures identified and a list of the pressure dispersivity factors, was circulated to participants and is available in the meeting folder ICG-BA6(2) 2008 on the OSPAR website. EIHA noted that the whole BA-6 process is largely based on best expert judgement and that careful checking of the results (i.e. the information contained in the spreadsheets, dispersivity factors) by BA-5 task managers would therefore be required.

5.3 EIHA noted that so far no input had been received from the BA-5 assessment on the impacts of fisheries, shipping and the oil and gas sector and emphasised that the assessment would depend on adequate information on those major activities and input from the task managers.

5.4 Recalling that the BA-6 assessment would become an important building block for QSR Chapter 11 of the QSR and that strict adherence to the agreed deadlines was essential, EIHA agreed:

a. **to urge the task managers of the shipping and fisheries assessments (the UK) as well as the oil and gas assessment (Norway) to send the requested information (*i.e*. completed spreadsheets, activity maps and dispersivity factors) as soon as possible but at the latest by 30 November 2008 to the conveners of ICG-BA-6 (the Netherlands and Ireland);**

b. **to endorse the next steps for the finalisation of the assessment for submission to BDC 2009** as at **Annex 6**;

c. **to include the case studies on cumulative impact assessment from Norway (Norwegian Sea) and the Netherlands (Dutch EEZ) in the BA-6 assessment**.

5.5 With regard to the further development of methods to assess cumulative and transboundary impacts of human activities in the maritime area (BDC Programme of Work, Product 69), EIHA noted that the Progress report of ICG-C (adopted by OSPAR 2008 for publication on the OSPAR website) covered most of the issues and agreed that further work should be carried out by ICG-BA-6/ICG-C as appropriate.

QSR Chapter 8, human uses

5.6 The Secretariat informed about the outcome of MAQ(2) 2008, in particular drawing attention to the feedback on the draft QSR texts for sections of Chapter 8 which had been presented to MAQ (EIHA 08/5/8 and Add.1, EIHA 08/5/Info.1).

5.7 Draft texts for the all the sections of Chapter 8 which were relevant to EIHA were available at the meeting. These texts were further developed in two parallel drafting groups during the meeting and compiled into one working document. EIHA noted that further development of the various sections was needed before the whole chapter could be presented to BDC, including:

a. Section 8.0, introduction: to be drafted by the Secretariat;

b. section 8.1.2, mariculture, could not be revised during the meeting since the underlying data on pressures are not yet available (see Agenda Item 3, mariculture JAMP assessment). Ireland will develop it further towards BDC;

c. section 8.3, tourism: Insert the case study on Arctic tourism, subject to some factual corrections from Norway. The figure on subregion V, which has a different scale from the other graphs should be deleted and instead mentioned in the text;

d. section 8.6, land reclamation, coastal defence, artificial reefs and artificial islands, was split in two and needs to be further developed;

e. section 8.9.2, litter: Further data will come;

f. section 8.10, collective impact of human activities, based on the BA-6. No decision is made yet on whether to keep this section or whether it will be covered by Chapter 11;

g. section 8.11, Conclusions and recommendations (lessons learnt and what do we do next): The Secretariat will draft an outline, taking into account some general conclusion text deleted from section 8.8 (dredging and dumping);

h. Subtitles, the number of words allocated and used, and task manager should be kept in the document during the drafting phase;

5.8 EIHA agreed on the following procedure for further developing the QSR text before BDC:

a. The further formatted and edited working document will be sent out to the EIHA participants along with the draft Summary Record;

b. **comments and inputs on any of the sections, including also views and suggestions on the overall structure and page allocation of chapter 8, should be sent to the Secretariat by 30 November 2008 for onward transmission to the task managers;**

c. **task managers will further develop their sections and return revised sections to the Secretariat by end of the year;**

d. the Secretariat will circulate to EIHA HODs a revised version by 12 January 2009, inviting comments to the Secretariat by 20 January 2009;

e. **the Secretariat will present the final draft Chapter 8 to BDC 2009, and then it will be sent to MAQ(1) 2009.**

Case studies

5.9 EIHA noted the case studies short listed by MAQ for the QSR and comments from MAQ, including on those shortlisted for chapter 8 (EIHA 08/5/8 Add.1). Noting that there were no case studies available on dredging and dumping, EIHA considered options for preparing a case study for the QSR based on an article on effects of disposal of dredged spoil and regeneration after cessation of disposal activities, submitted by Belgium (EIHA 08/2/8).

5.10 EIHA concluded that:

a. a case study on effects of dumped dredged material should be developed and proposed to MAQ for inclusion in the QSR. EIHA invited **Belgium to prepare a draft for consideration by BDC and MAQ(1) 2009;**

b. ICG-MSP under the lead of **Ireland should prepare a case study on marine spatial planning for consideration by BDC and MAQ(1) 2009** (see also paragraph 6.10b);

c. **the Secretariat would in consultation with the task managers, work up the short-listed case studies so that they are fit for uptake in the printed QSR before MAQ(1) 2009.**

Agenda Item 6 – Marine Spatial Planning

EIHA 08/6/1-EIHA 08/6/3; EIHA 08/6/Info.1

Overview report on national marine spatial planning and control systems

6.1 Ireland presented a draft overview report on national marine spatial planning and control systems relevant to the OSPAR Maritime Area (EIHA 08/6/1). It was recalled that BDC had adopted related Terms of Reference for an Intersessional Correspondence Group on Marine Spatial Planning (ICG-MSP). Ireland, as the convenor of ICG-MSP, had circulated a questionnaire to Contracting Parties and collated all available information in the report. It was noted that responses to the questionnaire had been received from Denmark, Germany, Iceland, Ireland, the Netherlands, Norway, Spain, Sweden, and the UK.

6.2 During discussion the following points were noted that:

a. Spain commented on some figures and suggested the inclusion of further maps (e.g. on the location of NATURA 2000 sites, Pan-European marine ecosystems) and, if available, spatial information on threatened and/or declining species and habitats (e.g. breeding and migrating birds), taking into account the document about the application of European Directives in marine areas ("Guidelines for the establishment of the Natura 2000 network in the marine environment July 2007" and "European atlas of Seas and Oceans".

b. with regard to the comment made by Spain, the Secretariat noted ongoing work on biodiversity monitoring and assessment by MASH and emphasised the need for a close cooperation between MASH and EIHA on this matter;

c. several Contracting Parties made comments on national information and noted that they would submit their changes directly to the task manager;

d. it was suggested to go a step further from only exchanging information and to develop an international vision for MSP

6.3 Following discussion EIHA agreed:

a. **to invite all Contracting Parties to send comments on the draft overview report to Ireland by 30 November 2008;**

b. to recommend to BDC 2009, subject to the inclusion of comments made by Contracting Parties, to adopt the report for publication on the OSPAR website.

Establishing a marine spatial planning perspective

6.4 The Secretariat presented an introductory discussion paper on how to take forward OSPAR's work on Marine Spatial Planning (MSP), including the development of an MSP perspective and work in OSPAR Region V and areas beyond national jurisdiction (ABNJ) (EIHA 08/6/2). It was emphasised that OSPAR's commitment to develop a coherent network of marine protected areas (MPA), including within ABNJ, was highly relevant to discussions on MSP. EIHA noted that also other regional and international management organisations were currently developing relevant spatial measures in Region V and ABNJ and that close cooperation with those organisations was therefore essential.

6.5 The Secretariat introduced Ms Hilary Cartwright-Taylor, who as MSc student from King's College London undertook an internship project on MSP at the Secretariat from 9 June – 29 August 2008. Her project was mainly based on a literature review, expert interviews, questionnaires regarding national marine spatial management (completed by Contracting Parties) and gathering of data to support a visual representation of the vision. The presentation is available online in the EIHA meeting folder on the OSPAR website. The following points were particularly highlighted:

a. issues regarding creating spatial plans and examples from OSPAR Contracting Parties (Netherlands and Germany);

b. a review of the OSPAR Regions (status of plans, main pressures and drivers for pressures, future developments);

c. OSPAR's role in MSP (developing a perspective);

d. options for making a regional plan, including a visual impression in 25 years;

e. Conclusions: OSPAR should consider promoting national MSP to meet common regional objectives, highlighting the need for bi-lateral communication, providing guidelines for the common collection and exchange of data, streamlining reporting requirements and steering the reporting requirements to meet the future MSFD.

6.6 The Netherlands presented an update on the development of a new national spatial plan for the Dutch EEZ which was mainly driven by the decision to derive 20% energy from renewable sources in 2020 (EIHA 08/6/Info.1). In this context the Netherlands also emphasised the importance for international cooperation and called for the development of an OSPAR wide MSP perspective.

6.7 EIHA noted an update by Germany on the further development of their national marine spatial plan (a comprehensive presentation had been given to MASMA 2006). The Spatial Plan for the German EEZ would *inter alia* provide priority areas for shipping, pipeline and submarine cable laying as well as wind energy production. In these priority areas other uses would be prohibited unless they are compatible with the aforementioned priority uses. The areas for shipping, pipelines and submarine cables have been designated according to the principle of international law which assigns priority to these uses. The main shipping routes, comprising the traffic separation schemes as well as frequently travelled routes, would form the basic framework for the overall marine spatial planning. A Strategic Environmental Assessment according to SEA Directive 2001/42/EG has been carried out in connection with this Spatial Plan. EIHA noted that the neighbouring countries Denmark and the Netherlands had been consulted concerning potential transboundary impacts in the North Sea and that a public participation hearing for the German EEZ in the North Sea took place on 6 October 2008. It was planned to issue an ordinance on Spatial Planning in the German EEZ during summer 2009. More information including maps is available at: www.bsh.de/en/Marine_uses/Spatial_Planning_in_the_German_EEZ/index.jsp

6.8 The Secretariat presented an update on the development of the UNESCO/IOC Guidelines on Marine Spatial Management including an executive summary (EIHA 08/6/3). It was recalled that a future product was included in the BDC Programme of Work to test the UNESCO Manual in 2009/2010. A first draft of the guidelines would be made public in December 2008 and a final draft of the guidelines was foreseen for April 2009.

6.9 EIHA warmly thanked Ms Cartwright-Taylor for her project work she undertook for OSPAR and noted the following comments on OSPAR's future work in MSP:

a. France noted that they had recently started to work on marine spatial planning and were hoping to progress quickly in light of the requirements of the Marine Strategy Framework Directive;

b. EIHA should develop conclusion for reporting back to Ministers in 2010 on marine spatial management and in this regard consider updating the overview report on national MSP systems at a later point in time;

c. OSPAR should focus on the practical improvement of cooperation in MSP. It would be very important to better link and combine available national spatial plans (very important for transboundary activities such as shipping lanes);

d. the key-issue in MSP is the development of wind farms. Also new issues such as socio-economic assessments should be taken into account;

e. OSPAR could deliver added value in marine spatial planning in Region V and ABNJ and play a "broker role" with regard to different spatial interests (i.e. MPAs and different human uses such as fisheries, deep sea mining etc.);

f. a case study on MSP for the QSR 2010 should be prepared.

6.10 Noting that a joint spatial plan would be difficult to achieve for the whole OSPAR Maritime Area, EIHA agreed:

a. **to invite ICG-MSP to develop conclusion for submission to BDC 2009 on how to progress work in MSP** taking into account the points made in discussion during EIHA and in particular:

   i. the need for a better linkage of existing national plans and continued exchange of information;

   ii. the development of a joint regional MSP perspective;

   iii. options for reporting to Ministers in 2010 on progress and future work in MSP;

   iv. options for MSP in Region V and ABNJ.

b. to recommend the development of a case study on MSP for inclusion in the QSR and to invite ICG-MSP to prepare such a case study for submission to BDC 2009;

c. **to invite ICG-MSP to prepare feedback to UNESCO/IOC on the Guidelines once the first draft has been made public (the feedback should be circulated to EIHA HODs for commenting).**

6.11 The Secretariat informed EIHA about a meeting in Brussels of the Executive Secretary with the European Commission (DG-MARE) concerning their initiative on MSP. It was noted that by the end of November 2008 DG-MARE would produce an MSP Road Map. They then hope to have four related workshops in the first half of 2009. Possibly, one of those workshops could be convened in cooperation with OSPAR and the Executive Secretary already had initial discussion with the University of the Azores on the hosting of such a workshop. EIHA welcomed the initiative by the EC (DG MARE) on MSP and agreed to **cooperate closely with DG MARE on the MSP Road Map and endorsed the idea to host one of the workshops** in cooperation with the University of the Azores.

Agenda Item 7 – Any other business

7. There was no other business.

Agenda Item 8 – Adoption of the summary record

8. The summary record of the meeting was prepared and adopted in a written procedure.