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)

GALWAY (IRELAND): 7 – 9 NOVEMBER 2006

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Summary Record

Opening of the meeting

0.1 The 2006 meeting of the OSPAR Working Group on the Environmental Impact of Human Activities (EIHA) was held at the Marine Institute in Rinville near Galway, at the kind invitation of the Government of Ireland. The Director of the Institute, Mr Micheal OCinneide, welcomed delegates to the historic, walled town of Galway, and to the new state-of-the-art building housing the Marine Institute.

0.2 He welcomed the increased focus on the marine sector in Europe, as shown both by the development of the European Marine Strategy and the Green Paper towards a future maritime policy for the Union. It was a time of change with regard to maritime policy also for Ireland. The Marine Institute was preparing a series of reports as a contribution to the development of a comprehensive Marine, Knowledge, Research and Innovative Strategy for Ireland (2007-2013).

0.3 Mr OCinneide congratulated the European Commission for the interesting work undertaken in development of a future maritime policy, and welcomed the broad approach taken in the Green Paper, acknowledging the big challenges in developing this policy.

0.4 Mr OCinneide emphasized the importance of involving regional organisations such as ICES and OSPAR under the framework of a European maritime policy and the European Marine Strategy. He concluded by saying that Ireland looked forward to cooperating within OSPAR in building the marine architecture for the coming years and in reshaping the map of the marine research landscape.

Representation at the meeting

0.5 The meeting was chaired by Ms Brigitte Lauwaert (Belgium) and was attended by representatives from the following:

a. **Contracting Parties**

Belgium, Denmark, the European Community as represented by the European Commission, France, Germany, Ireland, the Netherlands, Norway, Spain, and the United Kingdom of Great Britain and Northern Ireland (UK).

b. **Non-Governmental Observer Organisations**

KIMO International, Natural Resources Defense Council (NRDC), European Boating Association.

A list of participants is at **Annex 1**.

Agenda Item 1 – Adoption of the agenda

EIHA 06/1/1 Rev.1; EIHA 06/1/1 Add.1; EIHA 06/1/Info.1

1.1 The draft agenda (EIHA 06/1/1 Rev.1) was adopted without amendment. The meeting noted that there were some substantial documents which had been submitted very late and agreed that EIHA 2007 should only consider those late documents which would be essential to enable discussions and that EIHA 2008

should not reach conclusions on any late documents at all. 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 2006/2007 Programme of Work for the Biodiversity Committee (EIHA 06/1/Info.1) that required action by the meeting. EIHA noted that there were a number of important products related to the assessment of human activities under the framework of the JAMP for which the meeting would need to make arrangements for the coming year.

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

EIHA 06/2/1 Rev.1; EIHA 06/2/1 Add.1; EIHA 06/2/2; EIHA 06/2/4; EIHA 06/2/9; EIHA 06/2/Info.1 to EIHA 06/2/Info.8

Dumping of wastes

OSPAR Report on Dumping of Wastes at Sea in 2005

2.1 EIHA examined the draft OSPAR Report on Dumping of Wastes at Sea in 2005 (EIHA 06/2/1 Rev.1), which had been revised by the Secretariat the week before the meeting to insert the Irish data. The Secretariat stressed that the draft report for 2005 was not yet complete as only three Contracting Parties had submitted their 2005 data by the agreed deadline and five Contracting Parties had not yet submitted any information at all. Contracting Parties that had not yet submitted their data reported as follows:

a. Denmark aimed at submitting their data by January 2007. Major changes in the Danish administrative structure which should enter into force in 2007 had slowed down the process of reporting;

b. France will submit their data by the end of December 2006 as previously announced;

c. the Netherlands will submit their data by the 15 December 2006. Their delay was due to problems experienced with their calculation programme;

d. Spain was still awaiting data from some ports and aimed at presenting their data by 1 December 2006;

e. The UK had received most of the data by the agreed deadline and expected to have it presented in the OSPAR reporting format by the beginning of December 2006;

2.2 Germany explained that they would send some corrections to their data in the draft report by 25 November 2006.

2.3 After discussion, EIHA agreed that:

a. **Contracting Parties should present their complete data for 2005 (**including the maps of deposit sites and the information on quality assurance of analysis in section 3 of the reporting format) **and corrections or comments on the draft OSPAR Report in EIHA 06/2/1 Rev.1 by 20 December 2006 at the latest,** using the current agreed reporting format for the dumping of wastes at sea (see OSPAR Agreement number 2004-05, available on the OSPAR website);

b. **the Secretariat should update the draft OSPAR Report on Dumping of Wastes at Sea in 2005**, incorporating the new data and corrections submitted by Contracting Parties**, and submit the revised report to BDC 2007** with a view to its adoption and recommendation to OSPAR 2007 for publication on the OSPAR website.

Reporting on dumping data for 2006

2.4 EIHA agreed that **Contracting Parties should submit their 2006 data on dumping of wastes at sea by 1 October 2007,** in accordance with the reporting format for the dumping of wastes at sea in OSPAR Agreement number 2004-05, so that EIHA 2007 could consider and adopt a complete 2006 Report.

Assessment of the reports on dumping of waste in 2003-2005

2.5 Rona Vink, as leader of the Expert Assessment Panel (EAP), presented a preliminary assessment of the annual dumping reports for 2003-2004-2005 produced on the basis of data in hand (EIHA 06/2/1 Add.1). She explained that the report also included an assessment of the trends in dumping from 1995-2005. In the light of the late submissions and the outstanding contributions, she had received the first version of the

dumping report for assessment only on 24 October 2006. Therefore she had not been able to consult the rest of the members of the panel.

2.6 EIHA noted that the final assessment of the 2003 to 2005 dumping reports would not be possible until the outstanding data from Contracting Parties for 2005 was presented. EIHA agreed that **the leader of the EAP would, in consultation with the other members of the panel, present the draft assessment report for 2003 - 2004 - 2005 to BDC 2007** for its adoption and recommendation to OSPAR for publication, together with the OSPAR Report on Dumping of Wastes at Sea in 2005.

2.7 Germany informed EIHA that their expert Birgit Schubert would not be able to continue working as member of the EAP. Contracting Parties thanked Ms Schubert for her valuable contribution to OSPAR work over the years.

Assessment of the reports on dumping of waste for the JAMP

2.8 Dumping of wastes and other material including disposal of dredged material is one of the human activities listed in appendix 3 of the JAMP. EIHA 2005 brought forward the 2010 assessment of the dumping of wastes at sea to EIHA 2008/BDC 2009 so that the latest data on dumping would be available for the purposes of the JAMP and could be taken into account in the QSR.

2.9 The assessment of dumping of wastes and other material for the JAMP BA-5 will mainly be based on the assessments of the dumping reports. EIHA noted the guidance given by the Management Group for the Quality Status Report 2010 (MAQ) for preparing thematic assessments evaluating among other issues the environmental impact of the human activities in appendix 3 to the JAMP, and recognised the need to check the content of the current assessment reports against the structure and the questions raised by MAQ for evaluating each of the fields covered by the OSPAR thematic strategies (see paragraph 8 of Annex 2 to EIHA 06/5/Info.1).

2.10 **Belgium, Germany, Denmark, and the UK** expressed their wish to assist the Netherlands in this work, and agreed **to present to the next meeting of MAQ in March 2007 an outline of the JAMP assessment of the environmental impact of dumping activities, by using the assessment reports on dumping of waste to reply to the questions raised in the MAQ Guidance** (in particular in paragraph 8 of Annex 2 to EIHA 06/5/Info.1). **This outline**, together with the comments from MAQ, **should be presented to BDC 2007**, which should decide on future arrangements for finalising the JAMP assessment report of dumping activities in the OSPAR maritime area.

Impact of disposal of dredged material

2.11 EIHA noted that the assessment of the impacts of the dumping of dredged material at sea was neither covered by the assessment of dredging activities nor by the assessment of dumping of wastes at sea. Therefore there may be need to prepare an assessment of the impacts of disposal of dredged material as an independent assessment.

2.12 EIHA noted that although information on disposal site sizes and intensity of dumping could be useful, it would be very difficult to collect. In order to collect information for this assessment, EIHA invited **Contracting Parties to send information they would have *in hand***. EIHA noted that some of the following information documents on studies conducted in the UK on impacts of disposal of dredged material presented by the UK to this meeting would be relevant in this regard:

a. a report on Ecological Consequences of Dredged Material Disposal in the Marine Environment: A Holistic Assessment of Activities around the England and Wales Coastline (EIHA 06/2/Info.1);

b. a report on relative impacts at sites of dredged-material relocation in the coastal environment: a phylum-level meta-analysis approach (EIHA 06/2/Info.2);

c. Lights, camera and acoustics: Assessing macrobenthic communities at a dredged material disposal site off the North East coast of the UK (EIHA 06/2/Info.3);

d. Performance of Selected Indicators in Evaluating the Consequences of Dredged Material Relocation and Marine Aggregate Extraction in the UK (EIHA 06/2/Info.4);

e. the process for creating a new wetland on the North shore of Wallasea Island on the Crouch Estuary in mid Essex (EIHA 06/2/Info.5).

2.13 EIHA concluded that although this information could not be taken as universal, the information presented in EIHA 06/2/Info.1 to Info. 5 contributed to a better understanding of the impacts of disposal of dredged material.

HELCOM review of reporting format and guidelines

2.14 EIHA noted a document from Sweden (EIHA 06/2/4) informing EIHA that HELCOM was in the process of revising the "Guidelines for the disposal of dredged spoils" as well as the "Form for reporting on disposal of dredged material at sea". Sweden had invited EIHA to consider the need for adjusting the corresponding OSPAR documents in order to reduce the reporting effort, in particular the OSPAR reporting format for dumping operations at sea and OSPAR Guidelines.

2.15 EIHA noted that the column in Table 1 of the OSPAR reporting format referring to the number of permits for dumping vessels or aircrafts was not relevant anymore since this type of dumping was not allowed under the OSPAR Convention.

2.16 France informed the meeting that they would need to go through long national procedures for revising the OSPAR reporting format and that therefore they were not in favour of any changes that would not be strictly necessary.

2.17 Most Contracting Parties were in agreement that it was premature at this stage to review the OSPAR reporting format until the final versions of the HELCOM reporting format and Guidelines for the Disposal of Dredged Material were adopted. EIHA requested **the EAP to consider intersessionally the need to update the reporting format** in the light of the comments made at the meeting and of developments at OSPAR, HELCOM and the London Convention in order to avoid triplication of reporting and to present their conclusions to EIHA 2008.

Dumped chemical weapons and munitions

Assessment of encounters with dumped conventional and chemical munitions

2.18 Ireland presented a draft assessment of encounters with dumped conventional and chemical munitions (EIHA 06/2/2), based on Contracting Parties reporting on implementation of OSPAR Recommendation 2003/2 on an OSPAR Framework for Reporting Encounters with Marine Dumped Conventional and Chemical Munitions

2.19 In preparing the assessment Ireland had experienced difficulties with the coordinates of encounters reported. In many cases the correct format, as set out in Appendix 1 of the Recommendation, was not used. There were cases where Contracting Parties had reported the location where the munitions were released rather than encountered.

2.20 In presenting the report Ireland stressed that:

a. for the two year period 2004/05 a total of 813 encounters were reported by three Contracting Parties. Figure 1 shows an increase in reporting during the summer months for 2004 and also a large increase in the reported encounters for the months of April, May and June 2005 compared to the same period for 2004. This increase corresponds with the tragedy on board the Dutch fishing vessel in April 2005;

b. because of the nature of the data reported, detailed temporal and spatial analyses of encounters are more likely to reflect the nature of the reporting rather than the distribution of such munitions in the marine environment or the frequency of encounters;

c. 98% of encounters consisted of conventional munitions. Three of the four chemical devices reported by the UK were found on the shore in various parts of the UK and one was uncovered entangled in nets. All four were rendered safe by the UK authorities, three destroyed and one disposed of on land.

d. Assuming all munitions entangled in nets occurred during fishing activities, then fishing, at 53%, is the activity for which the highest number of encounters was reported, Followed by 36% for munitions which were found on the shore. 3% were encountered during dredging activities, 2% located during mine hunting, 1% were encountered by divers and just 1% while laying pipes or cables.

e. the device was neutralised or made safe in greater that 80% of encounters reported (Figure 4).

2.21 All Contracting Parties and observers welcomed the assessment of reported encounters made by Ireland. The UK clarified that the encounter number 758 reported as chemical munitions was indeed a practice torpedo and therefore a conventional munition.

2.22 KIMO International thanked the lead country and congratulated the UK for the amount of details which their data provided and encouraged other Contracting Parties to correct and elevate the amount and details of the data provided. KIMO expressed their concern for the high percentage of corroded munitions (54%). More research could be needed on leaking chemicals from conventional munitions also. As a coastal organisation they were also concerned about the fact that 36% of the encounters happened on the shore. They were disappointed that 18% of the devices were released at sea and encouraged Contracting Parties to review their procedures allowing this practice.

2.23 EIHA noted that the guidelines for fishermen were available on the OSPAR website.

2.24 EIHA agreed that **by 20 December 2006, Contracting Parties, in consultation with their contact points on munitions and following the explanatory notes given in Recommendation 2003/2, should verify or correct the data at Annex I of the draft assessment of encounters with dumped conventional and chemical munitions in 2004-2005 at EIHA 06/2/2**. **They should pay particular attention to verifying the coordinates longitude/latitude provided for each encounter (which should be reported in decimal degrees) and the data shaded, so that Ireland can present a revised version to BDC 2007 for its adoption**.

JAMP Assessment of dumped conventional and chemical munitions

2.25 EIHA noted that this report (once the coordinates were standardised), together with the OSPAR overview of past dumping at sea of chemical weapons and munitions, would be a very good basis for the JAMP assessment of the environmental impact of dumped conventional and chemical munitions.

2.26 The Netherlands reminded EIHA that the mortal incidents with encounters of munitions in their country had raised the concern of the public and the politicians with regard to encounters with munitions and how to handle them.

2.27 After discussion, EIHA agreed to accept the offer of **Ireland to present to MAQ and with their comments to BDC 2007, a further developed assessment of dumped chemical and conventional munitions for the purposes of the JAMP, or at least an outline for it following the structure in the guidance given by MAQ in EIHA 06/5/Info.1**.

Sand and gravel extraction

2.28 EIHA and OSPAR had concluded that the relevant extract of the annual ICES reports on sand and gravel extraction would be used as the OSPAR annual reports on sand and gravel extraction and as an input to the assessment of human activities in the JAMP that was scheduled for 2007. Belgium, as a member of the ICES Working Group on the Effects of Extraction of Marine sediments on the Marine Ecosystem (WGEXT) presented during EIHA 2006 an extract of the ICES ACME report showing an overview of the amounts of sand and gravel which were extracted during 2005 in the OSPAR maritime area (EIHA 06/2/9).

2.29 **EIHA** regretted that the procedure agreed by BDC and OSPAR 2006 for checking the data for the OSPAR countries before ICES published the report had not been followed and agreed that **the Secretariat should write to ICES to reiterate the agreed procedure to contact the OSPAR focal points on sand and gravel extraction before finalising their report, and to send the chapter of their draft report on marine sand and gravel extraction to EIHA HOD for their confirmation before publication**.

2.30 EIHA and OSPAR had concluded that the ICES Cooperative research report on the effects of extraction of marine sediments on the marine environment would be used as the main input for the JAMP assessment of sand and gravel extraction activities for the OSPAR region, and therefore for the trend assessment BA-6 due in 2008, and eventually the QSR 2010. Belgium informed EIHA that the update of the 2003 ICES Cooperative research report had been finalised by the WGEXT in April 2006, but that it was still being edited for publication by ICES. EIHA noted the conclusion from the drafting group convened during the meeting that most probably the ICES report contained the information needed for the JAMP assessments, but that this needed to be checked.

2.31 Following discussion, EIHA agreed that:

a. **Contracting Parties should check and correct the data presented for their countries in EIHA 06/2/9 in consultation with their contact points for sand and gravel extraction, and send their contributions to Belgium by 30 November 2006. Belgium would then inform ICES accordingly**;

b. **Belgium,** as a member of the ICES Working Group on the Effects of Extraction of Marine sediments on the Marine Ecosystem (WGEXT) **should continue to report annually to EIHA on the parts of the ICES ACME report relevant to sand and gravel activities in the OSPAR maritime area**;

Preparation of the BA-5 assessment

c. **the lead countries for the assessment BA-5 (Belgium and Denmark) should**:

(i) clarify with ICES whether the ICES Cooperative research report, if not published before MAQ, could still be used by the lead countries for presentation to MAQ;

(ii) check whether the information needed for the assessment of sand and gravel activities under BA-5 and contribution to the QSR as explained in the guidance from MAQ is available in the 2006 update of the ICES Cooperative research report and in the ICES annual report on sand and gravel extraction;

(iii) **present to MAQ, and with MAQ's comments to BDC 2007, a draft assessment of sand and gravel extraction activities in the OSPAR maritime area, using the ICES cooperative research report and following as far as possible the guidance given by MAQ (in paragraph 8 of Annex 2 to EIHA 06/5/Info.1)**. This should cover the identification of any gaps in data and information, and how these might be filled for the purposes of the BA-6 and the QSR 2010.

2.32 The UK presented Assessment of the Rehabilitation of the Seabed following Marine Aggregate Dredging – Part II (EIHA 06/2/Info.6), which was an extension of the 4 year study previously reported to EIHA 2004 in document EIHA 04/3/Info.1. EIHA noted that the results from this study had already been taken into account in the ICES Cooperative research report.

Pollution caused by dredged material

2.33 At BDC 2005 the UK presented a summary of views or concerns from Denmark, Germany, Spain and the UK with regard to the implementation of the Waste Framework Directive and other EU directives such as the Landfill and Habitat Directives to dredging activities. BDC 2005 invited Contracting Parties and Observers to provide the UK with any information they may have on this issue, and invited the UK, supported by the EC, to submit a further completed document to EIHA 2005. At EIHA 2005 the UK regretted that they had not received any more responses from Contracting Parties on their experience with the implementation of the EU directives, and had therefore not been able to complete the work.

2.34 The UK presented to EIHA an article submitted by CEDA summarising the findings of a comprehensive review of European environmental rules and their impact on the practice of dredging and dredged material disposal recently prepared by the European Dredging Association (EIHA 06/2/Info.8). This document should be used to complete the UK document.

2.35 The article drew attention to the problems caused by the different definitions of waste between EU Directives and international conventions, and presented a case where two dredgings of the same material for different purposes (navigation, aggregate extraction) led to different conclusions. In this regard, EIHA also noted the document submitted by CEDA presenting the remarks from the European Dredging Association and the European Seaports Organisation on the proposed revised EC Waste Framework Directive (EIHA 06/2/Info.7). The document highlighted the industries' difficulties in implementing the Waste Framework Directive, especially since there were different national interpretations of the Directive. They referred to the different concept of waste applied by the OECD and that the dredging industry favoured the clearer OECD approach rather than the Commission definition.

2.36 The United Kingdom noted that since this issue now was more related to the revision of the Waste Framework Directive there might be additional comments from Contracting Parties, and offered to update

the paper presented at BDC 2005 with these comments. EIHA welcomed this offer from the UK and the intention of Denmark and the Netherlands to send (further) comments. The representative from the European Commission undertook to bring the request for comments made to the EC to the attention of the unit in charge of the waste framework Directive at DG ENV. In the light of this, EIHA agreed on the following procedure for completion of the document:

a. **all Contracting Parties concerned should submit to the UK their comments on documents BDC 05/6/11, EIHA 06/2/Info.8 and Info.7 by the end of January 2007**;

b. **the UK will revise the document taking into account the comments received and the information from the two CEDA papers (EIHA 06/2/ Info 7 and Info. 8), and present an updated document to BDC 2007 for information on progress**;

c. **the UK should present the updated document to EIHA 2007 for completion and as basis for drawing conclusions on implementation of EU directives and sustainable management of dredged material**;

d. t**he finalised document should be presented to BDC 2008 for information**. The report from EIHA 2007 would form the basis for conclusions at BDC 2008.

Capping of dredged material

2.37 Following the invitation from OSPAR 2006, the United Kingdom presented a report from the trial capping of contaminated dredged material from the estuary of the River Tyne in open water offshore at the Souter Point disposal site (EIHA 06/2/8). The Port of Tyne had been faced with the problem of disposing of contaminated sediments from a number of privately owned berths that were unacceptable for normal sea disposal and with no practically available alternatives on land. The licensing authority agreed to a trial capping operation involving 60 000 m^3 of contaminated material to be covered by 150 000 tonnes of clean silt and sand. Only one load of contaminated material out of 160 had been dumped marginally outside the target zone and the cap had been adjusted to ensure effective coverage. Monitoring showed that the silt had dispersed much more widely than expected so further placement of silt was halted and sand placement initiated with greater quantities placed than the original design specification to compensate for the reduced silt cap thickness. Monitoring showed that the median cap thickness was around 0.25 m and worst-case scenarios indicated that severe storms or a series of moderate storms might disturb the cap. Defra pressed the Port of Tyne to top-up the cap in order to ensure the integrity of the cap and this was done in late June/early July 2006. Since the cap is now predominantly sand and in the light of the cap surviving largely unchanged for 12 months after its initial placement, a revised cap thickness requirement is being developed. Further monitoring will show if it is stable on a longer term. The trial will be concluded following a new round of monitoring next year.

2.38 The meeting pointed out that sea disposal would always pose a risk of spreading of the contaminated material as opposed to safe deposits on land. Following questions from Contracting Parties, the United Kingdom explained that:

a. alternative disposal options, including disposal on land, had been thoroughly investigated but no feasible options had been found. In the case of landfill, there are very few sites in the UK that can accept contaminated sediments and the waste acceptance criteria regulations for landfill are problematic for marine sediments due for example to the chloride content;

b. with regard to safety zone, the Port of Tyne has control on areas where vessels can anchor. There were no safety zones for fishing boats since those operating in the area were small and did not use gear that would threaten the cap;

c. the United Kingdom was planning to develop a guidance document on capping activities when the two year trial had concluded.

2.39 Following discussion EIHA agreed:

a. to keep this issue on the BDC Programme of Work;

b. to invite the **United Kingdom to report on progress to EIHA 2007**;

c. to invite **Contracting Parties to report their experiences of similar measures**.

Impact of dredging for navigational purposes

2.40 The Netherlands presented a draft JAMP BA-5 assessment of the environmental impacts on marine species and habitats of dredging for navigational purposes (EIHA 06/2/5). The assessment had been prepared on the basis of responses to a questionnaire together with information from the background document on dredging for navigational purposes (publication number: 208-2004). The Netherlands explained that only 6 Contracting Parties had responded to the questionnaire (Belgium, France, Germany, the Netherlands, Sweden and the UK).

2.41 The following comments were made:

a. Germany would send information about their tidal range for paragraph 10 and a correction to footnote 1 of the table on page 21, and proposed an amendment to a more positive statement in the conclusion in paragraph 33;

b. the UK proposed to include also an assessment of trends in dredging activities so that this could inform the BA-6 overall trend assessment, and said that they would provide input for such an assessment;

c. Norway, Spain, Denmark and Ireland said they would reply to the questionnaire.

2.42 EIHA agreed:

a. that **Contracting Parties should send information or replies to the questionnaire before the end of December 2006**;

b. **the Netherlands should update the draft assessment, prepare a cover page with an outline addressing the issues raised in paragraph 8 of the MAQ Guidance, and send the draft by 15 February to MAQ for consideration, and with the comments from MAQ to BDC 2007 for adoption**.

National action levels

2.43 Ireland presented an extract of their report "Guidelines for the Assessment of Dredged Material for Disposal in Irish Waters" in order to facilitate Contracting Parties' understanding of how different action levels had been developed (EIHA 06/2/7), and invited comments on the guidelines to aid future revisions.

2.44 In considering the need to revise the OSPAR published Overview of Contracting Parties' National Action Levels for Dredged Material (publication number 211/2004), EIHA noted that:

a. the United Kingdom was still using their original action levels, and that they could not indicate when these would be changed;

b. Denmark had provided revised action levels to EIHA 2005 (EIHA 05/2/2) that should be taken into account in the future update of the Overview;

c. France and the Netherlands were in the process of updating their national action levels;

d. Germany hoped to have updated their national action levels during the first half of 2007.

2.45 EIHA agreed:

a. that **Belgium should take into account the Irish document (EIHA 06/2/7) for the update of the Overview of national action levels**;

b. to invite **Contracting Parties to submit comments to Ireland on their Guidelines to aid future revisions**;

c. that the update of the Overview of Contracting Parties' national action levels should be on the agenda for EIHA 2007.

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

EIHA 06/3/1 - EIHA 06/3/8; EIHA 06/3/8 Rev.1; EIHA 06/3/8 Rev.2; EIHA 06/3/9 – EIHA 06/3/12; EIHA 06/3/12 Add.1; EIHA 06/3/12 Add.2; EIHA 06/3/Info.1; EIHA 06/3/Info.1 Add.1; EIHA 06/Info.1 Add.2; EIHA 06/3/Info.2

Underwater sound / noise

Preliminary comprehensive overview of the impact of underwater sound

3.1 Germany presented a draft preliminary comprehensive overview of the impact of underwater sound[1] on the marine environment (draft overview) (EIHA 06/3/1). Germany regretted that due to unforeseen circumstances, the elaboration of the document had been delayed. The draft document had therefore not yet been circulated to OIC HODs in order to enable OIC to contribute with information on the environmental impact of underwater noise from oil and gas activities.

3.2 In presenting the document Germany stressed that the draft overview:

a. concluded that the current knowledge of both direct and indirect impacts of underwater sound on marine life is incomplete, frequently inconclusive and occasionally contradicting, partly because of the extreme difficulty of detecting relevant noise effects or drawing conclusions from the presence or absence of effects;

b. also concluded that it is generally accepted that exposure to intense sound levels has the potential to induce a range of adverse effects in marine life. Depending on type and intensity, underwater sound may – under certain circumstances – cause death, auditory or bodily injury, and stranding of marine mammals, the disruption of fisheries, and behavioural disturbance of marine fauna as well as the degradation of habitats or the exclusion of species from habitats;

c. proposed to distinguish between the effects of (short-term) exposure to intense sound levels, which might in their worst cases result in injury and death, and effects of exposure to mostly moderate but increased continuous or recurring (background) noise, which may influence long-term habitat quality and therefore might affect populations;

d. proposed that the OSPAR Commission should explore ways:

(i) to monitor the amount of the noise in the OSPAR region;

(ii) to foster research to understand the impact of noise on marine biota, and:

(iii) to develop strategies on how to address the issue if a problem should be revealed.

3.3 All Contracting Parties thanked Germany for their work in preparing the draft preliminary overview. The Netherlands said that they would send it to their national working group on underwater noise for consideration. The UK undertook to provide Germany with some information that could be used in the further development of the document.

3.4 EIHA agreed **to recommend BDC 2007 to request EIHA 2007 to take the lead, in close co-operation with OIC and MASH, to further evaluate which actions OSPAR may need to take in order to address the impact of underwater sound in the marine environment**, including:

a. identification of necessary research on underwater sound in the OSPAR maritime area (e.g. determination of threshold values for the physically relevant sound parameters considered harmful and determination of population-level significance, and long-term risk that would compromise habitat quality and availability);

b. identification of potential prevention or minimisation measures regarding the underwater emission of sound from various sources and any additional research needed to (further) develop such measures;

[1] Note:
- The original title of the BDC work programme referred to underwater "noise". However, as pointed out in chapter 3., "sound" is generally accepted as terminology encompassing both, intentional and unintentional acoustic emissions, and is therefore more appropriate to be used here.
- This document is intended to deal only with anthropogenic sound despite the existence of many natural sound sources.

c. specification of any ensuing further products concerning anthropogenic underwater sound to be included in the Joint Assessment and Monitoring Programme (JAMP);

and to include the corresponding products under the BDC Programme of Work.

3.5 After discussion, EIHA agreed on the following procedure for finalising the preliminary overview of impacts of underwater sound:

a. **Contracting Parties should send information and comments to Germany by 15 December 2006**;

b. **Germany should revise the draft preliminary overview by 16 February 2007**, which is the deadline for documents for OIC, and present it to OIC 2007 asking for OIC's conclusions on the need for OSPAR action on potential environmental impacts of underwater sound caused by oil and gas activities;

c. **Germany should present the draft preliminary overview to BDC 2007**, together with the comments and contributions received from OIC;

d. **Germany should revise the document with the comments from BDC and contributions from OIC and submit the finalised overview to OSPAR 2007**, with a view to its publication and for concluding on the need for OSPAR programmes and measures on potential environmental impacts of underwater sound.

Preparation of the BA-5 assessment

3.6 The draft preliminary overview will form the main basis for the JAMP assessment of the impacts of underwater noise (BA-5). The BA-5 will form the basis for decisions on programmes and measures in relation to underwater sound and will provide the material for assessment BA-6 (see paragraph 5.9) and the QSR 2010.

3.7 In order to accomplish this EIHA agreed that the lead country **(Germany) should**:

a. **present to the next meeting of MAQ in March 2007 an outline of the JAMP assessment of the environmental impact of underwater noise**, following the structure for the thematic assessments described in the MAQ guidance (paragraph 8 of Annex 2 to EIHA 06/5/Info.1), and taking into account any further guidance to become available from MAQ;

b. **present a draft assessment to EIHA 2007**, taking into account comments from MAQ and BDC 2007.

Offshore wind-farms

Review of the current state of knowledge and Comprehensive Reference List

3.8 The UK presented progress on the update of the Review of the Current State of Knowledge on the Environmental Impacts of Offshore Wind-Farms (the review) (EIHA 06/3/2), which had been published as a living document on the OSPAR website together with a Comprehensive Reference List of Documents Pertinent to the Assessment and the Review. Now that the reference list was available on the website for exchange of information on renewable energy hosted by CEFAS, the UK recommended to remove the list from the published document.

3.9 Although Contracting Parties were due to make available up-to-date information and references listed in the review by 1 October of each year, the UK had not been provided any further information and as such they had not been able to progress further towards this work stream. If sufficient new information was made available before BDC 2007, the UK offered to present a Status Report to BDC 2007.

3.10 Germany presented in EIHA 06/3/Info.1 the main outcomes of an international workshop held in Berlin aiming at promoting the international exchange of knowledge on the environmental impact of offshore wind-farms and on different approaches for its assessment. Part A of the Report contained the proceedings of the Workshop. Part B provided literature reviews of the environmental impact of offfshore wind-farms.

3.11 EIHA noted that the final results of the Danish Monitoring Programme carried out during 1999-2006 would be presented at a Conference on 27-29 November in Helsingør and should also feed into the review.

3.12 EIHA reminded Contracting Parties that they were responsible for keeping the information they had provided (including links to websites) up-to-date, and invited **Contracting Parties to submit by 1 February 2007 details of any new or up-to-date relevant information to the UK, so that the UK can present**, in the light of the significance of the changes proposed, **an update of the April 2006 Status Report to BDC 2007 or to EIHA 2007 as appropriate**. In preparing this work, the UK should take into account the outcomes of the Berlin Workshop and the Helsingør Conference.

Research to fill in the gaps in knowledge

3.13 The UK presented proposals for research for filling gaps in knowledge on the environmental impact of offshore wind farms identified in the review (EIHA 06/3/3).

3.14 Germany welcomed the UK proposal and suggested to add to consider in it the potential problems from increased temperatures caused by power cables. The UK welcomed this addition.

3.15 Germany informed the meeting that they were running a project on possible measures to mitigate noise during the construction phase of wind-farms. The results could also feed into this work.

3.16 The Netherlands informed the meeting that they were developing a project which looked at monitoring in the vicinity of wind-farms and expected to have some data available next year. The Netherlands undertook to keep EIHA informed on an annual basis.

3.17 After discussion, EIHA agreed **to request all Contracting Parties to firmly commit to contribute to this product and to invite the UK to review the document in the light of the contributions received**.

Mechanism for the exchange of information between stakeholders

3.18 The UK made a demonstration of the website for exchange of information on environmental impacts of offshore renewable energy they had launched on 6 March 2006 and completed on 25 August 2006, populated with all the references given by Contracting Parties. The UK reported on the usage of the site by the public, which had been monitored between June and October 2006.

3.19 In discussing the usage statistics presented by the UK in EIHA 06/3/4 EIHA considered ways to improve the content of the site by encouraging additions to it and corrections to links in it. EIHA noted that some of the links directed to websites that no longer existed. Contracting Parties were encouraged to check those links.

3.20 Germany informed the meeting about an EC Workshop on Environmental Databases for Offshore Wind farms, held on 27 September 2006 in Brussels, which had recognised the need for further international coordination of coming research on wind-farm in order to ensure filling the identified gaps, including the development of methodological standards and the improvement of data exchange. The UK had informed the workshop about OSPAR initiatives on wind-farms. Germany said that they would try to continue doing so at the follow-up activity, the EU Policy Workshop on Offshore Wind Power Deployment, to take place on 22-23 February 2007 in Berlin.

3.21 All Contracting Parties welcomed the launch of the website by the UK and supported the UK recommendation to prepare a press-release announcing the launch of the website.

3.22 After discussion, EIHA agreed that:

a. **Contracting Parties should make sure that the links to the websites they had provided are correct and up-to-date (still available)**;

b. **the portal to the website should show the map of wind-farms which is produced in conjunction with the OSPAR database on offshore wind-farms and should also include a display informing visitors of the capacity to make additions or give feed back to the information on the website**;

c. **the Secretariat should,** after consultation with OSPAR HOD at their meeting in November 2006**, issue a press-release announcing the launch of the website as soon as possible**;

d. **the UK would host the website at least until EIHA 2007,** where in the light of the review of the situation, EIHA should decide where and who would host the website in 2008 and onwards.

Guidance on assessment of operation of wind-farms

3.23 In presenting draft guidance on assessment of the environmental impact of, and Best Environmental Practice (BEP) for, offshore wind-farms in relation to operation (EIHA 06/3/5), Denmark explained that they were awaiting for the outcome of the Conference Offshore Wind-farms and the Environment, to complete the proposed guidance with the final results of the Danish Environmental Monitoring Programme carried out since 1999. The main themes of the conference would be bird habitats loss and collision risk. Further information on this Conference to be held in Helsingør on 27-29 is available at www.finalresults06.dk .

3.24 EIHA accepted the offer from **Denmark**:

a. **to revise the draft guidance on operation of wind-farms in the light of the final results of the monitoring programme to be presented at the announced Conference**;

b. **to circulate the revised draft guidance on operation to EIHA HODs for their comments by 1 February 2007**;

c. **to present a more completed version to BDC 2007** for its adoption and recommendation to OSPAR 2007 for publication.

Guidance on assessment of disposal of wind-farms

3.25 EIHA examined draft guidance on assessment of the environmental impact of, and Best Environmental Practice (BEP) for, offshore wind-farms in relation to disposal presented by Germany (EIHA 06/3/6). The UK had sent a contribution in July 2006.

3.26 In presenting the document Germany explained that paragraph 2 of the report listed the main components to be addressed for removal and subsequent disposal of a wind-farm. The basis for the international obligation to remove abandoned or disused offshore installations are the principles given in Article 60 of the United Nations Convention on the Law of the Sea (UNCLOS). The International Maritime Organisation (IMO) had adopted in 1989 "Guidelines and Standards for the Removal of Offshore Installations and Structures on the Continental Shelf and in the Exclusive Economic Zone". Finally OSPAR Decision 98/3 on the Disposal of Disused Offshore Installations has legally binding force for the disposal of disused offshore oil and gas installations.

3.27 In line with OSPAR's policy on waste disposal at sea, the removed components of a wind-farm should generally be disposed off entirely on land. If the competent national authority decides that a component of the wind-farm should remain at site, it should be ensured that they have no adverse impact on the environment, the safety of navigation and other uses of the sea. The status of remaining parts should be monitored at the expenses of the licensee and if necessary, appropriate measures should be taken.

3.28 Potential environmental impacts are strongly dependent on the removal techniques which will evolve over the coming decades, in particular in context with the removal of disused offshore oil and gas installations. In order to avoid or mitigate impacts on the environment, state of the art techniques should be used for the removal, taking into account research on potential impacts on the marine biota and research on mitigation measures.

3.29 Contracting Parties welcomed the draft guidance for assessing the impact of disposal presented by Germany and were of the view that there was no need at present to develop for the removal of wind-farm installations a Decision similar to the OSPAR Decision 98/3 adopted for disposal of oil and gas installations. EIHA agreed:

a. on the draft guidance on assessment of the environmental impact of, and Best Environmental Practice (BEP) of disposal of offshore wind-farms at Annex 4;

b. **that Germany will present this guidance to BDC 2007 for its adoption and recommendation to OSPAR for publication**.

Consolidated document on guidance on environmental impact of wind-farms

3.30 EIHA noted that guidance on the environmental impact of wind-farms was now available for the phases of location, construction, disposal (see Annex 4) and would soon be available for operation. In the light of this, the **UK** undertook **to explore the possibility of preparing a consolidated text of OSPAR Guidance on Offshore Wind-Farms to be presented to BDC 2007 or to EIHA 2007 at the latest**.

Arrangements for assessing the impact of cumulative effects

3.31 EIHA confirmed that it was still premature to prepare guidance on the assessment of the impact of *cumulative effects* from wind-farms. However, in order to prepare for this work, EIHA invited those **Contracting Parties who counted with wind-farms operating on waters under their jurisdiction to present to EIHA 2007 a description of the way in which they deal with cumulative impacts involving wind-farms**. In the light of these descriptions, **Germany would evaluate the possibility of developing guidance on the assessment of the impact of cumulative effects from wind-farms for discussion at EIHA 2007.**

Draft overall assessment of the environmental impact of wind-farms

3.32 EIHA examined the UK draft overall assessment of the environmental impact of wind-farms for the purposes of the JAMP (EIHA 06/3/7), together with the written comments presented by Germany to it in EIHA 06/3/9. The other Contracting Parties were asked to send their comments on this report to the lead country.

3.33 EIHA welcomed the preliminary draft overall assessment of the environmental impact of wind-farms prepared by the UK and agreed that the **UK should review it with the comments presented by Germany in EIHA 06/3/9, and the comments to be sent by the other Contracting Parties by 20 December 2006, and present a revised assessment of the environmental impact of wind-farms to BDC 2007, via MAQ**. In preparing this work the UK would also take into account the guidance for assessing location, construction, operation, and removal of wind-farms produced by OSPAR and the guidance provided by MAQ for preparing the JAMP assessment reports (Annex 2 to EIHA 06/5/Info.1).

OSPAR Database on Wind-farms

3.34 The Secretariat presented the annual update of the OSPAR Database on Wind-farms (EIHA 06/3/7 Rev.1) and made a demonstration on how it shows on the OSPAR website.

3.35 In discussing the updated database, Contracting Parties informed the meeting about developments of wind-farms in their countries as follows:

a. the Netherlands did not report on new wind-farms in planning as they were not yet under the definition of the application status;

b. Denmark and Sweden would need to check at home before they could confirm whether their data in the updated database presented in EIHA 06/3/7 Rev.1 were correct;

c. Spain had no applications for construction of wind-farms and this was the reason why they had no entry on the database.

3.36 After discussion, EIHA agreed that:

a. **Contracting Parties should send to the Secretariat by 20 December 2006 additions and corrections (**in particular to columns status and location**) to the 2006 updated database in EIHA 06/3/7 Rev.1,** so that it can be adopted by BDC and recommended to OSPAR 2007 for publication;

b. **Germany will prepare the corresponding map on location of wind-farms in the OSPAR maritime area in the light of the corrected information to be sent by Contracting Parties,** so that it can be recommended to OSPAR 2007 for publication together with the 2006 updated database;

c. **Contracting Parties should send to the Secretariat by 1 October 2007 their updated entries on the OSPAR Database on Wind-farms for preparing the next (2007) annual update**.

Other installations and structures

Coastal defence

3.37 Belgium explained that following EIHA 2005 they had revised the study on the current situation regarding Contracting Parties legislation, experiences and regulation needs with regard to the environmental impacts of coastal defence structures and presented it to OSPAR 2006 for publication. OSPAR 2006 had

decided to await the replies from the remaining Contracting Parties. However, since OSPAR 2006 Belgium had only received additional information from Spain at this meeting.

3.38 Belgium presented a preliminary draft assessment of the environmental impact of coastal defence structures in the OSPAR area (EIHA 06/3/10). In order to help this work and following agreements at BDC 2006, the UK had presented an example of environmental impact assessment of coastal defences: the Dymchurch sea defences environmental statement and action plan. EIHA encouraged Contracting Parties to send further national examples on a voluntary basis. The Netherlands announced that they would do so.

3.39. After discussion, EIHA agreed to accept the offer of **Belgium to present to BDC 2007**:

a. **a completed study on the current situation regarding Contracting Parties' legislation, experiences and regulation needs with regard to the environmental impacts of coastal defence structures,** to be recommended to OSPAR 2008 for publication;

b. **and via MAQ, an outline of the draft assessment on the environmental impacts of coastal defence structures for the purpose of the JAMP, following the structure proposed in paragraph 8 of Annex 2 to EIHA 06/5/Info.1**.

Placement of structures other than oil and gas and wind-farms

3.40 The UK had agreed to prepare the assessment of the environmental impact of construction or placement of structures other that oil and gas and wind-farms and including artificial islands, which is part of JAMP product BA-5, scheduled for 2007. They would do so by revising the Background Document "Construction or Placement of Installations and Structures in the OSPAR Area (excluding those for oil and gas and for wind energy)" published on the website by OSPAR 2003 (publication number: 183-2003)[2].

3.41 The UK confirmed that they had received further information from Norway and that they were awaiting a reply from Denmark. In the light of this, and taking into account the structure of questions given by MAQ in paragraph 8 of Annex 2 to EIHA 06/5/Info.1, **UK undertook to present to BDC 2007, via MAQ, an outline of the draft assessment of the impact of placement of structures other than oil and gas and other than wind-farms.**

Land reclamation

3.42 EIHA examined a draft assessment of the environmental impacts of land reclamation (EIHA 06/3/12), prepared by the Netherlands for the purpose of the JAMP, on the basis of replies from seven Contracting Parties (Denmark, France, Germany, The Netherlands, Spain, Sweden, United Kingdom) to a questionnaire they had previously circulated.

3.43 The Netherlands summarised the main conclusions of the draft assessment in EIHA 06/3/12 that no major developments are taking place at present. Annex 2 to the assessment included a table with the historic, present and future land reclamation sites within the OSPAR area. Appropriate and effective application of mechanisms exists for the protection of the marine environment from land reclamation projects as many monitored effects were expected and mitigation and compensation measures are in place. There does not seem to be a need to tackle land reclamation on supra-national levels such as the OSPAR Convention. The wide range of different types of land reclamation projects would make it difficult to develop very detailed assessment guidelines. However, it could be useful to exchange information on a case by case basis on the outcomes of Environmental Impact Assessments, monitoring programmes, and measured environmental impacts.

3.44 Contracting Parties who had not yet sent their filled-in questionnaires informed the lead country as follows:

a. Belgium would send their filled-in questionnaire by the end of the year;

b. although Ireland had no major activities on land reclamation, they would try to send the questionnaire as soon as possible;

c. Norway thought their questionnaire had been sent. Norway, the Secretariat and the lead country would check whether it can be retrieved.

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[2] Document BDC 03/4/5 contains the original questionnaire and a summary of responses from each country as well as the draft assessment document

3.45 All Contracting Parties welcomed the draft assessment provided by the Netherlands, and EIHA noted that it contained the necessary information to reply to the questions proposed by MAQ for preparing the evaluation of the thematic assessments.

3.46 EIHA agreed on the following arrangements for the assessment of the environmental impact of land reclamation as part of JAMP product BA-5 by 2007:

a. **the Netherlands should complete the draft assessment of land reclamation with the responses to the questionnaire to be sent by the end of the year by the outstanding Contracting Parties**;

b. **the Netherlands should present the completed draft assessment of land reclamation to BDC 2007, via MAQ**;

c. **the Netherlands would explore whether it is possible to revise the structure of the assessment following the structure of the questions raised by MAQ in paragraph 8 of Annex 2 to EIHA 06/3/Info.1**.

Placement of cables other than those for oil and gas activities

3.47 Germany regretted that they had not been able to review their draft background document on potential problems associated with the placement of cables other than those for oil and gas activities. They had only received contributions from the UK. Nevertheless, they intended to update the previous draft with additional information from a recently finished review of ecological impacts of subsea cables.

3.48 Germany undertook to explore the possibility to respond to the questions raised by MAQ in paragraph 8 of Annex 2 to EIHA 06/5/Info.1 by using the revised draft background document on potential problems associated with the placement of cables other than those for oil and gas activities they were preparing. EIHA reiterated the invitation to **Contracting Parties to send comments and additional information on potential problems related to power cables to Germany by 20 December 2006. Germany said that they intend to present the revised background document to BDC 2007.**

Regional strategy on ballast water

3.49 The Secretariat informed the meeting that the UK had recently circulated an interim report on progress of Phase 2 and Phase 3 of a Scoping Study for the Implementation of a Regional Strategy for Ballast Water Management. The study was initiated as a response to the commitments made by the Ministers at the Fifth North Sea Conference in March 2002 and was based on the principles of the IMO Ballast Water Convention adopted in February 2004. **The outcome of the intersessional work will be presented to BDC 2007 by the UK.**

3.50 Norway announced that they had started their Parliamentary procedures for the ratification of the IMO Convention on Ballast Water. EIHA noted that Norway was one of the first countries ratifying the Convention.

Tourism

3.51 OSPAR 2003 and 2004 had published the Background Document on Tourism and its addendum Tourism and Sustainable Development in Coastal Zones. On the basis of the analysis of a questionnaire and the published documents on tourism, Spain had prepared a Preliminary JAMP Assessment on Tourism and Recreational Activities which was published by OSPAR 2006 (Publication No. 281-2006). The assessment concluded that the environmental impact of tourism is sufficiently covered by existing mechanisms in both international and national regulations and requirements. OSPAR agreed that no further action should be taken by OSPAR on this issue until new information would indicate that such action was essential.

3.52 In the light of the guidance provided by MAQ in EIHA 06/5/Info.1, **the Secretariat** undertook **to consult Spain about the possibility of replying to the questions raised in paragraph 8 of Annex 2 to EIHA 06/5/Info.1 by using the OSPAR documents in hand, in order to facilitate the work of MAQ on BA-5**.

Agenda Item 4 – Assessment of human activities dealt with directly by BDC

EIHA 06/4/1; EIHA 06/4/2

Litter

Report from BDC and OSPAR.

4.1 EIHA noted that BDC and OSPAR 2006 had referred some issues concerning litter to EIHA for consideration. The final report of the OSPAR Pilot Project on Monitoring Marine Beach Litter will be prepared by Sweden for BDC 2007. This will inform OSPAR conclusions on further work on marine litter. EIHA noted that Sweden informed OSPAR 2006 that after having been lead country on marine litter since 1993, they no longer had the possibility of continuing and invited another Contracting Party to take the lead for this work. KIMO urged Contracting Parties to fund continued monitoring of beached litter, and to find a task manager to take over after the finalisation of the pilot project on monitoring by 2007. EIHA agreed to **bring this to the attention of BDC 2007**.

Procedures for implementing fishing-for-litter

4.2 KIMO presented to EIHA draft Guidelines to Develop a Fishing-for-Litter Project (EIHA 06/4/1). KIMO also presented a video showing the TV broadcast of the launching of a Scottish fishing-for-litter project as an example of such projects being performed in several countries. OSPAR 2006 had agreed that EIHA 2006 should develop further the draft guidelines for implementing Fishing-for-litter, prepared by KIMO and Sweden, for consideration by BDC 2007. KIMO explained that the draft guidelines had not been further developed because KIMO considered them to be sufficient for the purpose, namely to advise Contracting Parties on how to develop national fishing-for litter projects, including development of national guidelines for fishermen. He also explained that "KIMO"- UK had developed national guidelines for fishermen that could be annexed to the draft guidelines as an example.

4.3 EIHA noted that KIMO planned to update the Background Document agreed at BDC 2006 on fishing for litter on a regular basis and invited Contracting Parties to send to KIMO the name of a contact person on litter so that KIMO could collect information on national activities to inform the update of the Background Document.

4.4 The following comments were made:

a. Spain informed the meeting that they would start a fishing-for-litter project and report on this to BDC 2007;

b. the cost-estimates in paragraph 13 of the draft guideline could be misleading. Either they should be deleted or the background for the figures needed to be explained;

c. Contracting Parties expressed support for the development of the guidelines on how to develop fishing-for-litter projects.

4.5 Following discussion EIHA agreed that:

a. **Contracting Parties should send their comments on the draft guideline to KIMO by the end of December 2006**;

b. **KIMO should revise the draft guideline and present it to BDC 2007 for adoption**.

Plastic fibres

4.6 KIMO presented a document showing that microscopic plastic fragments and fibres are widespread in the oceans and have accumulated in the pelagic zone and sedimentary habitats (EIHA 06/4/2). Currently there is very little work being undertaken in this field other than that at Plymouth University, who are focusing on the effects of micro plastics on marine life.

4.7 Dr Thompson from Plymouth University presented, following KIMO's invitation, results from research on accumulation of microplastic in marine habitats. This documented abundance and impacts of plastic debris from large size objects to microscopic fibres. It is also a possibility that toxic chemicals can be released from the plastic and transferred through the food chain. Dr Thompson concluded his presentation by inviting Contracting Parties to consider also analysing sediment samples for microplastics.

4.8 KIMO invited Contracting Parties to consider developing a region wide monitoring programme on this issue, and providing information on what other research is being undertaken in this field.

4.9 EIHA thanked Dr Thompson and KIMO for their presentation and:

a. invited **KIMO to submit the document EIHA 06/4/2 to the MASH ICG on EcoQOs as possible input to the further development of the EcoQO on plastic particles in seabird stomachs**;

b. concluded that it was premature to decide on the proposal for a region wide monitoring programme of microplastic;

c. invited **Contracting Parties to send any information on other research being undertaken in this field to KIMO**.

OSPAR follow-up to § 63 of the Göteborg Declaration

4.11 Based on a proposal from KIMO, the Ministers at the North Sea Ministerial Meeting on the Environmental Impact of Shipping and Fisheries, held in Göteborg on 4 – 5 May 2006, invited OSPAR to develop and disseminate by 2007, and a continuous consideration thereafter, operational objectives and guidelines, including an awareness-raising and education programme on marine litter for the maritime sector (§ 63 of the Göteborg Declaration).

4.12 The United Kingdom informed the meeting about a UNEP campaign on marine litter, which is mentioned in a report to the Second Intergovernmental Review of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities held in Beijing in mid October, showing that marine litter has been identified a growing problem worldwide.

4.13 The Executive Secretary noted that notwithstanding the work undertaken by Sweden, that would feed into the draft JAMP BA-5 assessment of litter to be presented to BDC 2007, based mainly on the Pilot project on monitoring beached litter, OSPAR currently has no coherent strategy on litter. With reference to the initiative by the UN Environment Programme on marine litter, he mentioned that UNEP had co-funded a project with HELCOM. He suggested that **OSPAR should also seek to take advantage of co-funding by UNEP, and proposed to raise this as a financial matter at the OSPAR HOD November meeting**. Such a project could assess what is being done by Contracting Parties and assess the need for OSPAR to take action. EIHA endorsed this proposal.

Placement of CO_2 in geological structures

4.14 The Secretariat informed the meeting of the terms of reference given by OSPAR 2006 to the intersessional correspondence group on CO_2 (see Annex 4 To OSPAR 2006 Summary).

4.15 The Executive Secretary informed the meeting about the main outcomes of the meeting of Contracting Parties to the London Convention, where it was agreed to amend Annex 1 to the London Protocol in order to address the issue of sub-sea storage of CO_2. Twelve Contracting Parties had voted in favour of the amendment to Annex 1 (including France, Germany, Norway, Spain, Sweden and the UK) and 2?? had abstained (Belgium and Denmark). The meeting had adopted the Risk Assessment Framework and made arrangements for further work on WAG for adoption in 2007. The amendment should enter into force by 10 February 2007. Until the adoption of the final guidance the permits should be issued on basis of best available guidance.

4.16 EIHA noted that these results, together with the outcome of the OSPAR Workshop on technical issues relating to carbon storage in geological structures, should be presented to the OSPAR meeting of HOD November, who should decide on further work, as well as to OIC and BDC 2007. The final outcome should be presented by the conveners of the technical and legal group to OSPAR 2007.

Spatial management

4.17 The Executive Secretary reported orally on the main outcomes of the 2006 OSPAR Workshop on Marine Spatial Management (MASMA), Chaired by Mr Chris Vivian, and hosted by Ireland in Galway on 6 November, the day before EIHA.

4.18 The first part of the MASMA workshop focussed on improving the information base for spatial planning. This year this included a presentation from the EC Commission's Maritime Policy Task Force on

the EU Green Paper "Towards a Future Maritime Policy for the Union: A European vision for oceans and seas" adopted by the European Commission in June 2006 (MASMA 06/2/1 and Add.1). The consultation would run until 30 June 2007, and a Communication to the Council and Parliament from the European Commission was planned by the end of 2007. The Green Paper acknowledged that a maritime policy would have two pillars: the Lisbon strategy for economic, social and environmental renewal and the European Marine Strategy, reflecting the principles of an ecosystem-based management, and that EU action would only be required where it added value to national and local action. EC invited OSPAR and its Contracting Parties to contribute to the consultation process. The OSPAR Secretariat offered to send the MASMA Workshop report to the EC as an input to the consultation process and to the EC workshop planned for early 2007 for the development of terms of reference for an EC marine spatial planning study.

4.19 MASMA noted presentations and reports on (a) the Integrated Coastal Zone Management plans in Germany and Belgium; (b) Marine Spatial Planning in the German EEZ; (c) Management plan for the Norwegian part of the Barents Sea; (d) Spanish inventory of pressures in coastal and transitional waters. For conclusions on these presentations and on exchange of information and communication with stakeholders see MASMA workshop report (MASMA 06/8/1).

4.20 The workshop agreed that an intersessional correspondence group, convened by the Secretariat with input from Ireland, the EC and the UK, should prepare a proposal to BDC 2007 on how to complete and update an overview of national spatial planning systems, on the basis of the draft compilation presented to the SPINS workshop in January 2004 and contributions from Contracting Parties.

4.21 On the basis of the outcome of MASMA 2005 and further discussions during this meeting, the workshop reviewed the list of tasks on marine spatial management developed by SPINS in 2005 and adopted by BDC and agreed a draft revised list of tasks for OSPAR work on Marine Spatial Management as at Annex 4 to the MASMA Report.

4.22 EIHA welcomed OSPAR's decision **to hold the MASMA workshops back-to-back with the EIHA meetings** and asked EIHA HODs to encourage **their delegations to participate next year** and OSPAR 2007 to make similar arrangements for the next year.

Agenda Item 5 – Assessment and Monitoring

EIHA 06/5/1, EIHA 06/5/Info.1- Info.4

BA-5 and QSR contributions

5.1 The Secretariat presented the updated JAMP and its appendix 3 with the overview of the documents that the JAMP BA-5 assessments would be based upon (EIHA 06/5/Info.1). The Secretariat explained that these assessments would form the basis for decisions on the need for OSPAR programmes and measures in relation to the different activities and would provide the material for preparing assessment BA-6 (the 2008 trend analysis of all the human activities), and contribute to the QSR 2010 (JAMP AA-2).

5.2 EIHA noted the arrangements for the production of the QSR 2010 (OSPAR agreement 2006-2) and the draft guidance prepared by the Management Group for the Quality Status Report 2010 (MAQ) for the preparation of JAMP thematic assessments intended to contribute to the Quality Status Report 2010 (EIHA 06/5/Info.1).[3]

5.3 During the meeting a drafting group considered for each of the human activities listed in Appendix 3 of the JAMP the availability of material needed to answer the questions identified in paragraph 8 of the MAQ guidance as far as they were relevant. It was noted that some of the draft assessments and reports that were presented to EIHA already contained the information needed, while others would require the collection of additional information.

5.4 Following discussion at the plenary of a working document produced by the drafting group, EIHA agreed the overview at Annex 5 of material available for evaluating the environmental impact of the human activities in Appendix 3 to the JAMP. This overview looks at the MAQ guidance and identifies the additional information needed for completing the assessments. EIHA agreed **to send this overview to MAQ in March 2007, and with MAQ comments to BDC 2007.**

[3] The draft guidance was adopted by the OSPAR HODs at its meeting 13-14 November 2006

5.5 In addition to the conclusions on the JAMP assessments under the other agenda items, EIHA:

a. welcomed the offer by the **United Kingdom to consider acting as lead country for the assessment of construction or placement of artificial reefs**. EIHA urged Contracting Parties having information about construction of artificial reefs to send this to the Secretariat for onward transmission to the lead country;

b. agreed that **Ireland, as the lead country for mariculture, should prepare and present to EIHA 2007, a draft assessment of the environmental impact of mariculture**, following as far as possible the guidance given by MAQ in Annex 2 to EIHA 06/5/Info.1. The Background Document on Mariculture and the Overview assessment of implementation of Recommendation 94/6 should be the basis for this work.

5.6 EIHA noted that ASMO had agreed that MAQ should develop specifications for the assessments of fisheries and maritime transportation, and invited MAQ to report back to EIHA on progress with this work.

5.7 EIHA agreed that:

a. **the lead countries for each of the assessments of the human activities listed in Appendix 3 to the JAMP, should present to the next meeting of MAQ in March 2007 (by the deadline of 15 February 2007):**

(i) a further developed draft assessment following as far as possible the structure given in the guidance from MAQ (in paragraph 8 of Annex 2 of EIHA 06/5/Info.1);

(ii) **where this is not possible by MAQ March 2007, to produce an outline explaining how they intend to do this. Where an assessment report is available, this should be attached to the outline**;

b. **draft assessments or as appropriate outlines of the assessments, together with the comments made at MAQ March 2007, should be presented to BDC 2007, in order to make arrangements for their finalisation**.

5.8 EIHA concluded MAQ and EIHA should work in close contact as the assessments of human activities under the remit of EIHA would play an essential part in the QSR, and appointed Mr **Ralf Wasserthal (Germany) to represent EIHA at the next meeting of MAQ in Hamburg** in March 2007, and welcomed that **Ms Brigitte Lauwaert (Belgium) would, subject to confirmation, represent EIHA at the following meetings of MAQ.**

BA-6 arrangements

5.9 EIHA noted that the JAMP requires a trend analysis in 2008 of all the different human activities listed in § 59 of the JAMP and their collective impact on the OSPAR maritime area (BA-6). This will be an important basis for contributions to the QSR and should follow the outline structure of the MAQ guidance. EIHA was reminded that the purpose and content of this assessment was presented in the JAMP Implementation Plan, developed by ASMO, as follows:

"Purpose: This assessment will be needed as a basis for conclusions on how to develop work on spatial planning of the maritime area, in the first instance for the Greater North Sea – in particular, to establish whether there are sufficiently significant conflicts between uses to justify international consideration of the issue, including the degree of impact of those uses on the conservation of biodiversity and ecosystems.

Content: There will need to be three aspects of this assessment:

a. a review of the maritime area to establish whether there are areas in which different human activities overlap to such an extent that there is potential for conflicting interests, and (if so) to identify such areas;

b. a review of some, or all, of those areas to identify in more detail the nature of the potential conflict and the extent to which the interests involved cannot be effectively reconciled at the national level;

c. an evaluation of the likely future development of such interests over the next decade.

All three aspects will draw on the material assembled under BA-5."

5.10 Following discussion, EIHA agreed to report to MAQ and BDC that:

a. EIHA supported the view of BDC 2006 that the BA-6 would most appropriately be prepared as a collective exercise by the lead countries for the individual human activities;

b. it was premature to start preparing a draft assessment for presentation to EIHA 2007 since this had to await further progress in the development of the BA-5 assessments;

c. it would be a challenge to prepare an overall assessment of collective impact of the very divergent human activities**, and some guidance from MAQ would be welcomed**;

d. **detailed arrangements for preparation of the BA-6, including finding a task manager, should be made by EIHA 2007**.

UK information documents related to monitoring activities and indicators

5.11 EIHA noted a number of information documents from the United Kingdom. EIHA 06/5/Info.2 related to the Role of Seabed Mapping Techniques in Environmental Monitoring and Management. This reported on a 4-year research programme to evaluate an array of 'state of the art' seabed mapping techniques to establish their suitability for application in areas impacted by human activities, and showed that the new seabed mapping techniques could reduce costs by reducing the need for taking a large number of samples and analyses.

5.12 EIHA 06/5/Info.3 on Benthic responses to organic enrichment and climatic events in the western North Sea explained that monitoring had been conducted in the area where sewage sludge had been dumped for many years (the capping area). The report indicated that temporal trends in the benthic fauna were correlated to climatic events. The increasing importance of extended time-series data for the investigation of man-made impacts on the marine environment was highlighted.

5.13 EIHA 06/5/Info.4 was about the derivation, performance and role of univariate and multivariate indicators of benthic change: Case studies at differing spatial scales. The analysis indicated the difficulties of deriving and using qualitative and quantitative indicators from benthic communities in stable, and in moderately and highly variable environmental conditions in estuarine, coastal and open sea habitats in Portugal.

Agenda Item 6 - Any Other Business

Arrangements for future meetings

6.1 Spain offered to host the meeting of EIHA 2006 the first week of October 2007 and to check availability of dates for hosting the meeting during the month of December. They were not in a position to host EIHA during the month of October due to overlapping with the meetings of the Barcelona Convention. EIHA agreed to accept the offer from **Spain**, **subject to confirmation, to host the next meeting of EIHA** and to leave to BDC 2007 the confirmation of the final dates. During the written procedure Spain confirmed that they would be able to host MASMA and EIHA 2007 on 11 to 14 December 2007.

6.2. Taking into account the arrangements made for the delivery of a number of products by EIHA 2007, in particular the draft assessments of human activities to be produced under the framework of the JAMP, **EIHA** agreed **to recommend to OSPAR, via BDC, that the next meeting of EIHA is held over 3 days, preceded by the meeting of MASMA**.

Agenda Item 7 - Adoption of the Summary Record

7. The Summary Record of the meeting was adopted in a written procedure.