

# English Summary

**DRAFT**

## **Programme of Measures for the Marine Protection of the German Parts of the North Sea and the Baltic Sea**

Report according to section 45h(1) of the German Federal Water Act

Implementation of Article 13 Marine Strategy Framework Directive

For public consultation: 1 April – 30 September 2015

<http://www.meeresschutz.info/oeb-anhoerung.html>

The aim of the German marine policy is a comprehensive and integrated management of human activities based on the ecosystem approach in order to achieve good status of the marine waters by 2020. An integrated management of ecologically sustainable uses requires coordination of all policy areas with influence on the state of the marine ecosystems, in particular fisheries, agriculture, shipping, generation of energy, waste management, product design and chemicals policy. To this end, coordination of action among the coastal states of the North and Baltic Seas is indispensable.

The initial assessment in 2012 of the state of the marine environment of the German parts of the North and Baltic Seas concluded that marine waters were not in a good status, in particular concerning benthic habitats and species, fish, seabirds, phytoplankton and, in particular in the Baltic Sea, marine mammals. Main pressures on both seas include among others eutrophication, fisheries, contaminants and litter.

In 2012, Germany set up seven overarching environmental targets, specified by 30 operative targets and multiple associated indicators. These action-oriented targets were set for guiding measures to reduce pressures on the sea and to take conservation measures in order to move towards achieving and maintaining a good environmental status of the national marine waters.

The Federal Government and the Governments of the states of Bremen, Hamburg, Mecklenburg-Vorpommern, Niedersachsen and Schleswig-Holstein have drafted a programme of measures for the period 2016-2021 based on and structured along the national environmental targets.

The programme of measures takes into consideration the contribution which existing national measures, adopted in the context of European environmental legislation as well as regional and international agreements, make to the achievement of good environmental status under the MSFD.

Existing measures were not considered sufficient to achieve or maintain good environmental status of the German parts of the North Sea and Baltic Sea. For the first management period 2016 – 2021, 31 new measures (in the meaning of EU reporting category 2a and 2b) were proposed for closing existing gaps. The focus in the first management cycle is on pressure sources at sea and includes:

- the reduction of inputs of contaminants, including ship-borne emissions and discharges
- the protection of marine biodiversity, e.g. by means of spatial measures for the protection of species and habitats
- the reduction of inputs of litter through a combination of measures relating to product design, waste management, aftercare and public awareness raising
- the reduction of the introduction of underwater noise through development and application of noise mitigation measures, supported by noise mapping, a noise register and the development of biological limit values.

A list of the proposed measures is given in **Annex 1** to this document.

The introduction of nutrients and contaminants from agricultural uses and other activities on land are well covered by the implementation of the Water Framework Directive. Management measures in Natura 2000 areas for the protection of species and habitats are well covered by the Habitats Directive.

For waterborne inputs of nutrient and contaminants from land, it is expected that the updated River Basin Management Plans for the second management cycle 2015-2021 under the Water Framework Directive will make an important contribution to the improvement of marine waters. These measures will be reported under the WFD, making a clear link to the MSFD. It is also expected that the current revisions of the Federal Fertilisation Ordinance, implementing the Nitrates-Directive, and of the Federal Ordinance on Installations for Handling of Substances Hazardous to Water will contribute to improving the status of marine waters.

It is expected that the Programme of Measures will have exclusively positive effects on protected assets, in particular water; species, habitats and biodiversity; soil; landscapes; air; cultural goods and material assets as well as human health. It is expected that it will have positive transboundary effects, in particular on neighbouring waters or sub-basins. The degree of the positive effects depends on the following substantiation of the measures in order to prepare their implementation by end of 2016.

The environmental report according to section 14g of the Federal Environmental Impact Assessment Act, which assesses the environmental impact of the proposed programme, is integrated into the programme of measures. As the programme of measures is targeted towards the protection of water, species, habitats, biodiversity and human health, its effects on those protected interests is part of the reasoning for each measure and included in the programme section. The environmental report therefore focuses on the effects on the additional protected assets (terrestrial soil, landscape, air, climate, cultural goods and material assets) and interactions between all protected assets.

The draft programme of measures includes

- general information on the procedures and methods for establishing the programme (Part I).

- a programme dedicated to the North Sea, including the environmental report according to section 14g of the Federal Environmental Impact Assessment Act (Part II).
- a programme dedicated to the Baltic Sea, including the environmental report according to section 14g of the Federal Environmental Impact Assessment Act (Part III).
- an attachment with fact sheets for each of the proposed new measures providing more detailed information on those measures (Addendum 1). The fact sheets include SEA-specific information on the environmental impacts and assessed alternatives for each measure.

The draft programme of measures and fact sheets for each measure are available for public consultation according to section 45i Federal Water Act at <http://www.meeresschutz.info/oeb-anhoerung.html> from 1 April to 30 September 2015. Background information on the socio-economic analysis (Addendum 2) complements the public consultation and is available at <http://www.meeresschutz.info/oeb-anhoerung.html>.

The proposed new measures are subject to continued consultation in the federal and state governments and to securing financing. The federal and state governments reserve the possibility to include additional e.g. state-specific measures in the programme following the conclusion of the ongoing consultations.

In the context of the MSFD only measures will be reported to the EU Commission in 2016 for which at least one coastal state or the federal government commit to their implementation in the relevant marine region. New measures relates to title of the measures as described in the fact sheet. A decision which federal or state partner will implement which measure (component) will be taken in December 2015.

The individual measures for the execution of the programme will be finalised within the given timeframe of the MSFD followed by the operationalisation of the programme envisaged by the MSFD, if necessary taking into account additional impact assessment information.

Proposed new measures presented for public consultation in accordance with section 45i Federal Water Act (WHG)

No.	Title of measures	Application		Mode of implementation
		North Sea	Baltic Sea	
<b>Environmental target 1: Seas unaffected by eutrophication</b>				
UZ1-01	Agricultural cooperation project on reducing direct inputs into coastal waters via drainage systems	X		economic technical
UZ1-02	Strengthening the assimilative capacity of estuaries, using the example of the river Ems	X		technical
UZ1-03	Promoting measures to reduce NO <sub>x</sub> inputs from shipping	X	X	legal technical political economic
UZ1-04	Support the designation of a NECA in the North and Baltic Seas	X	X	legal technical political economic
<b>Environmental target 2: Seas not polluted by contaminants</b>				
UZ2-01	Criteria and incentive systems for environmentally friendly ships	X	X	legal technical political economic
UZ2-02	Requirements for the discharge and disposal of scrubbing waters from exhaust treatment on board ships	X	X	legal technical political
UZ2-03	Preventing and combating marine pollution – improving maritime emergency preparedness and response	X	X	legal technical
UZ2-04	Management of dumped munitions	X	X	technical political economic
<b>Environmental target 3: Seas with marine species and habitats unaffected by impacts of human activities</b>				
UZ3-01	Inclusion of species and biotopes that define the value of an ecosystem in national MPA ordinances	X	X	legal technical political
UZ3-02	Measures to protect migratory species in marine areas	X	X	legal technical political
<b>Environmental target 4: Seas with sustainable and environmentally sound use of resources</b>				
UZ4-01	Continue to raise public awareness of sustainable, ecosystem-compatible fisheries	X	X	legal political
UZ4-02	Support for certification process for blue mussel fisheries in Lower Saxony	X		technical
UZ4-03	Blue mussel management plan in the Wadden Sea National Park of Lower Saxony	X		legal technical

No.	Title of measures	Application		Mode of implementation
		North Sea	Baltic Sea	
UZ4-04	Sustainable and sound use of non-living sublittoral resources for coastal protection (North Sea)	X		technical political
UZ4-05	Environmentally sound management of marine sand and gravel resources for coastal protection in Mecklenburg-Western Pomerania (Baltic Sea)		X	technical political
<b>Environmental target 5: Seas without pressures from litter</b>				
UZ5-01	Including the topic "marine litter" in learning goals, teaching plans and materials	X	X	technical political
UZ5-02	Modification/substitution of products in a comprehensive life-cycle approach	X	X	legal technical political economic
UZ5-03	Avoiding the use of primary microplastic particles	X	X	legal political economic
UZ5-04	Reducing inputs of plastic litter e.g. plastic packaging, into the marine environment	X	X	legal economic
UZ5-05	Measures relating to lost and abandoned fishing nets and gear	X	X	legal political economic
UZ5-06	Establishing the fishing for litter approach	X	X	political
UZ5-07	Removing existing marine litter	X	X	political
UZ5-08	Reducing amounts of plastic litter through local regulatory provisions	X	X	legal
UZ5-09	Reducing emissions and inputs of microplastic particles	X	X	legal technical political economic
<b>Environmental target 6: Seas not impacted by the introduction of anthropogenic energy</b>				
UZ6-01	Development and application of biological limit values for the impact of underwater noise on relevant species	X	X	legal technical political
UZ6-02	Establishment of a register for impulsive noise and shock waves and of standardised mandatory reporting requirements	X	X	technical
UZ6-03	Noise mapping of German marine areas	X	X	technical
UZ6-04	Development and application of noise mitigation measures for the North and Baltic Seas	X	X	legal technical political
UZ6-05	Development and application of threshold values for the introduction of heat	X	X	legal
UZ6-06	Development and application of ecologically sound lighting of offshore installations and accompanying measures	X	X	legal technical
<b>Environmental target 7: Seas with natural hydromorphological characteristics</b>				
UZ7-01	System for hydromorphological and sedimentological information and analysis	X	X	technical