# Meeting agenda MSFD NAVI12 meeting 1st April, 2014

**Location: PIANC office, 11th floor – room 11G40 (office of Mr. Van Schel)**

**Time: 9.30h**

**AGENDA**

1. Art. 12 assessment;
2. Feedback from HOPE conference;
3. Scaling and aggregation rules:
4. Common understanding of GES;
5. Programmes of Measures;
6. Specific topics of interest in 2014;
7. Any other business.

**Main subjects to discuss**

1. **Art. 12 assessment**. The 2012 assessment by MS was intended to provide the baseline for assessing if GES has been achieved. According to the COM’s analysis of MS assessments there was a lack of quantitative information within MS and more coherent information between MS was needed in the reporting. What does NAVI think of the report? Where do we need to focus on?

Below the summary provided by Erik:

*The SWD report is particularly interesting in the sense that it points out the enormous differences between member states approach, regions, current marine status and the relative weight of descriptors and indicators. Each member state was expected to (re-)define what is understood to be good environmental status per descriptor. Some base themselves explicitly on the Commission Decision where it defines the GES for the respective descriptors and lists the corresponding indicators. Other member states preferred to redefine altogether. In many cases the assessment of current status of the marine environment remains rather subjective. When there are quantitative criteria, their basis is not always clear. The Commission is quite critical on the quality of the assessments and the diversity of the approaches.*

*For the descriptors that are of interest to at least the dredging community (sea bed integrity, hydrographic change, contaminants and noise) there are nevertheless clear messages:*

* *on seabed integrity, it is confirmed that by far the heaviest pressure comes from trawling fisheries. Most other pressures remain local and are hardly of consequence, even at a sub-regional level.*
* *on hydrographic change: most member states don’t seem to think much of this. Some quantification has been done, mainly as percentage seabed surface affected. This remains in most cases below 1% and at least well below 5%, except for special cases (Slovenia). Even so, the status of the descriptor is typically assessed as ‘good’, since nobody knows what to compare it to anyway.*
* *on contaminants: the discussion is general and the facts are fairly well known, since sampling has taken place over longer periods. Emerging chemicals don’t seem to play a measurable role in the marine regions (yet).*
* *on noise: the usual statements that this is potentially of concern, but that the effects are not known in sufficient detail to develop costly preventive measures.*

Paris reported back from the HELCOM meeting that the common feeling is that MS have not common enough measures or compatible enough programmes: (much) more cooperation and joining of forces are needed.

1. **Feedback from HOPE conference**; Erik, Jan and Albert attended and reported back.

According to Erik the conference had clearly a political goal to put the marine strategy and policy in the limelight, and a more down to earth goal to emphasize the many gaps in knowledge and implementation which require much further work by both the member states competent bodies and the support of the marine scientific community.

The discussion of the upcoming programmes of measures remained necessarily at a general level, but some trends can be noted already.

There is a clear need to get to grips with the various overlaps and common ground of directives and policies: WFD, MSFD, BHD, marine policies (coastal zone planning), ‘blue growth’, agricultural policy, common fisheries policy. *The MSFD really must function as a framework for regional integration and cooperation and for policy integration.*

Categories of measures: creation of MPAs, reduction of input from land-based sources (waste water, agricultural run-off), enforce sustainable fishing, regional cooperation and planning,- mainly via RSCs-, address risks and consequences of climate change. These general approaches will need to be complemented with specific measures (limiting certain activities, impact assessments, possibly measures for some threatened species,…).

Summary of key pressures and common themes addressed, drafted by Jan.

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| **Pressure causing an impact/common theme** | **Relative number of times mentioned** |
| Fishing pressures | XXXXXXXXXXXXXXXXXXXXXXXXXXXX |
| Litter including plastics and micro-plastics | XXXXXXXXXXXXXXXXXXXXXXXXX |
| Chemical pollution, inc. pharmaceuticals, munitions | XXXXXXXXXXXXXXXX |
| Blue growth (as pressure also an objective) | XXXXXXXXXXXXXX |
| Role of international conventions, RSCs | XXXXXXXXXXXXXX |
| Evidence base; need for data | XXXXXXXXXXXXXX |
| Climate change | XXXXXXXXXXXX |
| Nutrients, eutrophication, oxygen depletion | XXXXXXXXXX |
| Ecosystem approach, biodiversity issues | XXXXXXXX |
| Coherence, coordination | XXXXXXXX |
| Exploitation of deep sea resources\* | XXXXXX |
| Shipping, short sea, cruise industry, waste reception | XXXXXX |
| Sustainability issues | XXXXXX |
| Tourism developments | XXXXXX |
| Renewables | XX |
| Hydrographical modifications\*\* |  |

\* an increasingly important emerging issue, likely to move higher up the ranking table

\*\* the hydrographical conditions descriptor was neither covered in the programme nor mentioned during these introductory presentations.

1. **Scaling and aggregation rules**:
   1. what is the general response of NAVI members to the consultant’s report? No comments/input were provided by NAVI and therefore none were sent to COM. Deadline was 28th March.
   2. do we have preferences as to which aggregation principle is used under which circumstance? E.g. do we agree with COM’s approach to apply the one-out-all-out principle at the overall descriptor level and possibly also at the level of criteria?

*COM’s view: Applying the one-out-all-out principle between the 11 descriptors makes sense, because they distinguish the main environmental issues, so if one is not at GES than the marine environment cannot be at GES. How this principle can or should be applied within descriptors is still open for discussion, since this can be different between descriptors. COM acknowledges that where there is a large degree of uncertainty it becomes challenging to use this principle. Where there is a small degree of uncertainty this principle is very useful. Advice: distinguish on the one hand between parameters that are important and thus included in the one-out-all-out principle and on the other hand those that are less important and thus not included in this principle. Distinguish between main and supporting parameters; introduce a hierarchy. Not only in terms of the one-out-all-out principle, but also in terms of reducing complexity. There is such a high number of indicators.  Applying the one-out-all-out principle does not mean that you necessarily diminish the information to one colour (red or green), but you could also e.g. use a pie chart in which the 11 descriptors are portrayed with their accompanying status (GES/not GES).*

* 1. what does NAVI think of the HELCOM approach? Do we too believe this is a promising/suitable approach? Under which circumstances possibly not?
  2. What are NAVI’s views on temporal aggregation? No mention of this topic was made in the report. Is it of relevance to us?

1. **Common understanding of GES**. The aim is finding a common ground for the interpretations of the MSFD concepts and their implementation relating to:
   1. Art. 8 – assessments
   2. Art. 9 – good environmental status
   3. Art. 10 – environmental targets.

Findings in the Commission Staff Working Document (2014) with regard to GES:

* diversity in interpretation of Art. 9 and 10 MSFD and their application – see Annex 4 of CSWD for Commission services‘ interpretation;
* GES definitions mostly not measurable and enforceable – lack of common philosophy (‘reference levels‘ and ‘acceptable deviation‘) for defining a common ambition;
* variety of nature and contents of GES means lack of coherence and comparability;
* “pick-and-choose“ approach of MS in relation to RSC work and other EU standards.

In the last WG GES meeting there was a big discussion about GES descriptors and environmental targets, the differences between the two and the terminology used to describe the distinction between both. Often the term ‘indicator’ is used in relation to both, but according to COM this is incorrect. Indicators are related to environmental targets only. Is it important for NAVI to partake in this discussion? If so, we can provide examples to COM of where this interpretation does/does not work.

In WG GES it was reported that the revision work on the document will include considerations on the:

* Precautionary principle
* Risk-based approach
* GES and MPAs
* Geographic scales for assessments, GES and targets
* Assessment philosophy
* Aggregation issues

We can provide comments to COM on the draft document. Especially on the examples and definitions given in the document. The deadline for submitting comments is 11 April, so please send me your comments by **Wednesday 9 April** the latest. I suggest we focus only on those issues concerning the descriptors that are of relevance to us (D2, D5, D6, D7, D8, D10 and D11).

Further we need to decide if this topic is of importance to us, and how we want to proceed. Perhaps we want to focus on certain aspects of the topic only?

1. **Programmes of Measures** (PoM). Member States are currently going through a process of identifying existing and potential new measures and preparing the methodology for selecting measures to be developed in the PoM. NAVI sent comments to COM on *the PoM* document version 6, but these have not been integrated into the document yet. At least not in version 7. Expectation was that this would be done before April so that an updated version could be discussed at WG ESA. So far, no updated version has been distributed. I will keep an eye on this and send you the updated version once it becomes available.

Jan has remarked that regarding shipping almost nothing is currently being said about navigation infrastructure or dredging. However, things can change, so we should not take our eye off the ball.

1. **Specific topics of interest in 2014**;
   1. **Public consultation** by MS of their Monitoring Programmes. The UK, Netherlands and Sweden have started their consultation process. Information will be made available on the CEDA website, similarly to 2012 for the initial assessment.
   2. **Marine Competence Centre**: The Marine Competence Centre for GES (MCC4GES) will provide expertise in responding to specific scientific, policy related and applied issues, in the context of the MSFD and the broader integrated Marine Policy implementation. The MCC joins several ongoing MSFD support activities under a common framework and facilitates cooperation and information exchange. No expert group for D5 and D7 exists yet.

COM is, as yet, not giving stakeholders the opportunity to participate in the relevant expert groups. They want to give experts from the MS the opportunity to tackle these issues first. If this doesn't work, than they might review the process and extend the invitation to independent, non-MS affiliated experts.

**Secondary subjects to discuss**

1. **Meetings**:
   * 1. **CEA/CBA** meeting on 1st April. The workshop presentations, discussions and further analysis after the workshop will be used for building a guidance document on CEA/CBA for the MSFD (to be produced by summer 2014). This document is not a guidance document, but various (aggregated) approaches are presented together with their advantages and drawbacks. Considerable attention will be given to examples (cases) illustrating the steps, outputs and potential remaining uncertainties related to each approach. A summary report of the workshop will be produced and included in Annex II of the PoMs Recommendation.
     2. **WG ESA** meeting: no one from NAVI attending, except possible Jan for one day.
     3. **Workshop on underwater noise** to be held on 10-11 April for experts in Brussels. Frank Thompsen will attend on behalf of CEDA.
     4. **MSCG meeting** on 12-13 May in Brussels: Jan will be attending. Noemi will not be able to.
2. **Any other business**.