

What the Marine Strategy Framework Directive means for marine industries

Factsheet 3

April 2012

Background

The Marine Strategy Framework Directive (MSFD) consultation includes a cover paper for the Initial Assessment of the state of the UK's seas, as well as proposals for UK characteristics of Good Environmental Status (GES) and associated targets and indicators. The proposals are not regulatory in nature and will have no direct or immediate impact on marine industries. However, the proposals will drive the UK's programme of measures for achieving GES, which has to be developed by 2015 and implemented by 2016. Some of the additional measures likely to be necessary for achieving GES will have a direct impact on certain marine industries.

The Government and the Devolved Administrations are already delivering an ambitious package of policies to achieve sustainable use of our marine resources, including the implementation of marine planning, the creation of a network of marine protected areas, reform of the Common Fisheries Policy and implementation of a range of existing EU Directives (e.g. the Water Framework Directive). It is anticipated that these existing or planned measures will make a major contribution to

the achievement of the GES targets proposed in this consultation. However, it is likely that some additional measures will be needed and these will have an impact for some industries.

Although this Consultation does not cover proposals for measures to achieve GES, the Government and the Devolved Administrations have carried out an Impact Assessment to look at the potential impact of achieving the proposed GES targets and indicators (see www.defra.gov.uk/consult/open/). This analysis has been based on an assessment of a range of **illustrative** management measures which are examples of the types of additional measures which may be needed to achieve the proposed GES targets.

The Government and the Devolved Administrations will be working closely with experts and marine stakeholders over the next two years to carry out a more in-depth assessment of the need for additional measures to achieve GES and consider how these can be developed in the most cost effective way possible.



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Which marine industries are likely to be most significantly affected by the proposals in this consultation?

The MSFD Impact Assessment identifies potential impacts on the following industries of the Government and Devolved Administration's preferred proposals:

Shipping and ports, aquaculture industry, recreational boating – The Impact Assessment considers a range of illustrative management measures aimed at reducing the risk of introduction and spread of non-indigenous species (Descriptor 2). These would have an impact on those industries which can introduce and spread non-indigenous species, such as the shipping industry, ports and marinas, aquaculture and recreational boating. The need for additional management measures is not yet clear and Cefas is currently carrying out a desk-based study to assess the key risks of introduction and spread and identify in more detail the kinds of additional measures which may be needed to reduce these risks. The Government and the Devolved Administrations will work with relevant stakeholders over the next two years to develop these into a cost effective programme of measures for achieving the proposed GES targets for this Descriptor.

Oil and gas, and offshore renewable industries – The Impact Assessment identifies potential impacts on these industries from the proposed GES targets for noise (Descriptor 11). The preferred target option would entail the creation of a noise registry for loud, low impulsive sounds, such as those caused by pile driving of wind turbines or during oil and gas seismic surveys. We anticipate that the administrative and financial impact on developers of establishing such a registry would be relatively small. There could be a small additional cost incurred by industry if licence applications are required to provide more detailed information on when and where activities will take place.

Fishing industry – The Impact Assessment identifies a range of potential management measures which the fishing industry may need to take, both to support the achievement of Maximum Sustainable Yield (Descriptor 3), and to reduce the impact of fisheries on the wider marine environment (Descriptors 1, 4 and 6). These proposals are consistent with the Government's position on reform of the Common Fisheries Policy, which will remain the main mechanism for taking any fisheries measures needed to achieve GES – with the exception of those fisheries which are managed on a local or national basis. Further information on what MSFD means for the fishing industry is in Factsheet 4.

Will there be impacts on any other industries?

Although the Impact Assessment identifies the key potential impacts of the proposals, there may also be impacts on other industries. That is why the Government and Devolved Administrations are consulting a wide range of stakeholders on these proposals, and we will work with stakeholders in developing the Programmes of Measures for achieving GES.

How and when will the proposals for MSFD Programme of Measures be developed?

Proposals for the MSFD Programme of Measures are likely to include many existing measures, plus any additional measures which are considered necessary to achieve GES. Over the next two years the Government and Devolved Administrations will be working with a wide range of experts and stakeholders to assess how far existing measures will take us towards GES and what additional measures might be needed. We will hold a full public consultation on

proposals for any additional measures and these will be subject to both a cost benefit and cost effectiveness analysis.

Will the MSFD Programme of Measures include new regulations on business?

It is too early to say whether additional regulatory measures will be necessary to support the achievement of GES. However, initial analysis suggests that the UK already has a strong range of regulatory tools available to support sustainable use of our marine resources. The Government and Devolved Administration aim to use alternatives to regulation wherever possible.

Do the Government and the Devolved Administrations plan to use the exceptions included in the Directive?

In developing proposals for the measures needed to achieve GES the Government and Devolved Administrations will consider the full range of exceptions included in the Directive and apply these where appropriate. Further information on the Directive's exceptions can be found in the Consultation document, p.29, paragraphs 79 and 80.

You can find out more about the MSFD at:

www.defra.gov.uk/environment/marine/msfd/

If you have any questions, please contact:

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