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DISCLAIMER

This document is intended for information about the Swedish Programme of Measures for the marine environment, under the MSFD. It does not constitute a formal translation of above document, nor does it have any legal implications.

Summary of the Swedish Programme of measures for the marine environment

(established under the Marine Strategy Framework Directive)

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The Swedish Agency for Marine and Water Management (SwAM) has decided on a Programme of Measures for the marine environment (PoM) pursuant to the Marine Environmental Ordinance, which is the Swedish implementation of the EU Marine Strategy Framework Directive (MSFD). The program covers the North Sea and Baltic Sea marine areas. It states which measures are needed in order to comply with the Swedish environmental quality standards for the sea. These environmental quality standards implement the targets pursuant to article 10 of MSFD. The aim is to achieve or maintain good environmental status in the marine environment year 2020. The full Programme of Measures can be accessed in Swedish at <http://www.havochvatten.se/hmd-atgard>.

The basis of measures - environmental quality standards for the marine environment

Pursuant to the MSFD, the EU member states should achieve or maintain good environmental status in their marine waters by 2020 at the latest. They should also define a number of environmental targets with indicators to guide progress to achieving good environmental status. The environmental targets should be based on, among other things, the definition of good environmental status which is stated in the MSFD and should take into account pressures and impacts.

In Sweden the environmental targets were implemented through environmental quality standards pursuant the Marine Environmental Ordinance (SFS 2010:1341). Environmental quality standards are a legally binding policy instrument following Chapter 5 of the Swedish Environmental Code. An environmental quality standard covers a specific geographical area, which may be a municipality, the entire country or as in the case of marine management, an entire marine area.

Each environmental quality standard has related indicators which aim to verify whether the standard has been complied with. The environmental quality standards and indicators have been determined by SwAM in the HVMFS 2012:18.

The Programme of Measures primarily addresses authorities and municipalities. For each measure, a competent authority has been identified which will be in charge to implement the measures, in some cases with participation from other authorities. Most measures use a policy instrument (for example, guidance, investigations, communication, grants) which will directly or indirectly result in the implementation of physical measures.

SwAM proposes a total of 32 measures within the thematic areas of

- non-indigenous species,
- fish and shellfish which are impacted by fishing,
- eutrophication,
- permanent alteration of hydrographical conditions,
- hazardous substances,
- marine litter,
- biological diversity, marine protected areas and marine restoration.

In the Swedish MSFD Initial Assessment¹, nutrient loads, biological disturbance through selective extraction of species and introduction of hazardous substances were the pressures identified as most impacting the environmental status in Swedish marine areas on an overall level. Measures to reduce these pressures are included in this programme. However, measures for reducing nutrient loads and hazardous substances need to be managed mainly through the land-based measures included in the programmes of measures

¹ God havsmiljö 2020 Marin strategi för Nordsjön och Östersjön Del 1: Inledande bedömning av miljötillstånd och socioekonomisk analys. Accessible at www.havochvatten.se

required² by the Water Framework Directive (WFD). Implementation of these WFD programmes are therefore an important prerequisite for the level of achievement of good environmental status for the MSFD programme.

As regards fisheries, there are national measures in the MSFD programme, but the implementation of the EU Common Fisheries Policy will also be crucial.

The Programme of Measures for the marine environment will be an important framework for the work to improve the status of the marine environment. The measures in the programme will combined provide substantial improvements. However, there is also a lack of knowledge within a number of areas, which makes it difficult to completely assess the scope and type of measures required to achieve or maintain a good environmental status, as well as the costs and effects of the measures. Knowledge building is especially needed as regards marine habitats and species, e.g. their status and distribution.

The reduction in pressures following a complete implementation of the Programme of Measures for the marine environment is not expected to fully achieve good environmental status by 2020. This is mainly due to the slow recovery of ecosystems. Eutrophication and residues of hazardous substances in the marine environment are expected to affect the environmental status of especially the Baltic Sea for a long time. Impact from international sources, for example as regards the introduction of hazardous substances by aerial deposit, may also be a reason for slow recovery although the evidence base for such a conclusion is weaker. A strong international collaboration is required to target such pressures.

The benefits which can be attained if the Programme of Measures is implemented are expected to exceed the costs. The estimated cost of implementing the programme is approximately 0,2 billion EUR during the period 2016-2030. The estimated benefits amount to roughly 0,7 billion EUR for the same time period.

The Programme of Measures for the marine environment is coordinated with other environmental policies. The legally binding environmental quality standards for the marine environment (i.e MSFD art. 10) are linked to the the political objectives for the Swedish seas through the marine-related Environmental Quality Objectives (EQO)³.

² Programmes of measures which are developed using the Swedish Water Quality Management Ordinance (2004:660), which is the Swedish implementation of the Water Framework Directive (2000/60/EC),

³ Sixteen environmental quality objectives describe the state of the Swedish environment which environmental action is to result in. These objectives are to be met within one generation, i.e. by 2020 (2050 in the case of the climate objective). See www.miljomal.se/sv/Environmental-Objectives-Portal/ (accessed online 2015-03-03)

The Programme of Measures for the marine environment is also closely related to the programmes under the WFD, and the drafting of programmes of measures under the two different Directives has been coordinated in order for the programmes to complement each other. The programmes under the WFD principally covers the land-based measures to achieve Good Environmental Status in the sea (exceptions to this rule concern e.g. marine litter).

The upcoming Swedish Marine Spatial Planning ordinance⁴ will provide a process for spatial organisation of activities so that a good environmental status and sustainable use of the seas can be attained. Several of the proposed measures in the programme have a spatial dimension which needs to be handled in a future process for marine spatial planning.

The work also entails collaboration with our neighbouring countries on measures in the shared marine environment, through the regional marine conventions OSPAR and HELCOM and on the EU level as well as through bilateral collaborations. Joint reports related to the MSFD PoM:s have been developed in both OSPAR and HELCOM.

The Swedish Programme of Measures for the marine environment was developed in collaboration with the authorities addressed, and with the support of scientific expert groups. The full draft program was made available for national public consultation between 1 February and 30 April 2015. The public consultation was coordinated with the programmes of measures under the WFD. Information about the development of the program was made available through, press releases and adverts, websites, and through local and national information meetings.

The Programme of measures for the marine environment will be reported to the EU Commission in March 2016, and the implementation will begin in 2016.

Summary of the measures included in the draft Swedish Programme of measures for the marine environment

The Programme of Measures under the MSFD includes existing and new measures. Existing legislative frameworks (national, regional, international) and the tools they offer, already contribute to protection of the marine environment. A summary of such **existing measures** is contained in a summarising chapter of the Swedish PoM, and further detailed in the thematic chapters describing the need for new measures.

New measures are those which have been identified in the programme as being necessary to achieve or maintain Good Environmental Status in marine waters by 2020 when existing measures are not considered sufficient. The measures, which address national authorities, county administrative boards and municipalities, are presented in summary below. Further information is

⁴ Havsplaneringsförordning (2015:400)

given in the Swedish MSFD Programme of Measures, Annex 1, in fact sheets for each measure.

Measures regarding non-indigenous species

- **ÅPH 1, SwAM:** to design a pilot project to develop methods for control and local combating of invasive non-indigenous species.
 - **ÅPH 2, SwAM:** to develop technical tools to make information on non-indigenous species more available and complete.
- ÅPH 3, SwAM:** to develop a national warning and response system for early detection of new invasive non-indigenous species as well as contingency plans for managing these.

Measures for fish and shellfish which are impacted by fishing

- **ÅPH 4, SwAM:** to introduce new fishing regulations in order to protect particularly threatened stocks that spawn in coastal waters within the national trawling limit in the Skagerrak, the Kattegat and the Baltic Sea.
- **ÅPH 5, SwAM:** to introduce new fishing regulations aiming to promote more selective fisheries in coastal waters within the national trawling limit in the Skagerrak, the Kattegat and the Baltic Sea.
- **ÅPH 6, SwAM:** to introduce fishing regulations aiming to reduce fishing pressure on coastal stocks within the national trawling limit in the Skagerrak, the Kattegat and the Baltic Sea that are in need of further protection but can be fished to a certain extent.
- **ÅPH 7, SwAM:** to investigate where further fishing area closures should be introduced in coastal waters, and to establish such areas.
- **ÅPH 7, County Administrative Boards:** to assist the Swedish Agency for Marine and Water Management in their investigation of where further areas with fishing closures should be introduced in the coastal waters. *Applies to coastal County Administrative Boards.*
- **ÅPH 8, SwAM:** to investigate for which species and during what time of the year that general fishing closures should be introduced for species living in coastal waters, and to establish such closures.
- **ÅPH 9, SwAM:** to adjust the fishing fleet capacity to available fishing opportunities for certain fleet segments.

Measures regarding eutrophication

Measures are to a large extent land-based and included in the programmes of measures proposed under the WFD. New measures proposed to complement the WFD programmes are:

- **ÅPH 10, SwAM:** to investigate the possibilities to affect the internal nutrient load, locally in eutrophicated bays and inlets and in the Baltic Proper.
- **ÅPH 11, The Swedish Board of Agriculture:** to investigate the possibility to financially support net uptake of nitrogen and phosphorus from the marine environment through cultivation and harvest of “blue catch crops” (e.g. sea-weed or mussels) where possible in marine areas which do not reach good environmental status, and to stimulate technologies for cultivation and refining of such blue catch crops.
- **ÅPH 12, The Swedish Board of Agriculture:** to stimulate aquaculture technologies which provides no net load to the surrounding waters, in marine areas which do not reach good environmental status.

Measures regarding permanent alteration of hydrographical conditions

- **ÅPH 13, SwAM:** to prepare guidance on the impacts on biodiversity and ecosystems following alteration of hydrographical conditions.
- **ÅPH 14, The Swedish National Board of Housing, Building and Planning:** to, in collaboration with the Agency for Marine and Water Management, prepare guidance for municipal maritime and coastal planning according to the Planning and Building Act.

Measures regarding hazardous substances

Important measures regarding hazardous substances are also included in the PoMs proposed under the WFD.

- **ÅPH 15, The Swedish Environmental Protection Agency:** to develop guidance for authorities, businesses and the public in general for managing and disposal of hazardous substances and biofouling on vessels.
- **ÅPH 16, The Swedish Environmental Protection Agency:** to distribute financing for supervision activities for contaminated sediments at sites of specific concern for the marine environment; to compile experiences from risk analysis and risk management of contaminated sediments; to work for including sediments to a larger extent in contaminated area assessments; to harmonize content and format of data on hazardous substances in marine sediments and to make these more accessible.
- **ÅPH 17, The Swedish Environmental Protection Agency, and ÅPH 17, The Swedish Transport Agency:** to map the presence and sources for tributyltin (TBT) and its degradation products in the marine environment. Furthermore, investigate the need for further regulation with the aim of preventing the spread of TBT to the marine environment, and based on the above, to evaluate the need for further guidance to prevent spreading of TBT to the marine environment.

- **ÅPH 18, The Swedish Environmental Protection Agency:** to identify the substances which may occur in discharge water from sewage treatment plants in such concentrations that they risk negatively influencing the marine environment. Furthermore, based on the risks identified, assess the need for, and (if relevant) develop emission restrictions, control methods, and guidance for licensing and supervisory authorities.

Measures for marine litter

Existing measures include agreements from OSPAR RAP and the Helcom Action Plan on Marine Litter on a regional and national level.

New measures proposed include:

- **ÅPH 19, SwAM:** to promote effective and sustainable methods for collection of lost fishing gear and prevent new losses into the marine environment.
- **ÅPH 20, SwAM:** in collaboration with the Swedish Environmental Protection Agency to develop a targeted national information campaign for the public and consumers regarding items of waste commonly occurring in the marine environment, their negative impact on the environment and the link to consumer behaviour.
- **ÅPH 21, SwAM:** to support initiatives which promote, organise and perform beach cleaning in areas particularly affected.
- **ÅPH 22, The Swedish Environmental Protection Agency:** to conduct strategic work by including marine litter in relevant waste management plans and programs including the municipal waste plans, where the significance of waste management for preventing marine litter is highlighted. Material flows of plastic need to be prioritised and policy instruments should be investigated with the aim of reducing the prevalence of plastic items in the marine environment.
- **ÅPH 23, Municipalities:** during revision of municipal waste management plans, to identify and highlight how waste management can contribute to reducing the emergence of marine litter and establish objectives for such work.

Measures for biological diversity:

- **ÅPH 24, SwAM:** to develop an overall framework for species and habitat specific National Programmes of Measures for Threatened Species and Habitats in the marine environment, and to coordinate the work nationally. (*Note: The measure includes a first set of national programs based on a comprehensive analysis of species/habitats listed in the EU Directives, Regional Sea Conventions and national red lists*).
- **ÅPH 25, SwAM:** to develop knowledge building programmes for threatened species and habitats in the marine environment and to coordinate this work nationally.

Measures for marine protected areas:

Notably, existing measures include a National Plan for developing marine spatial protection in Sweden.

New measures proposed include:

- **ÅPH 26, SwAM:** to develop guidance for the content of management documents for protected marine areas.
- **ÅPH 27, County administrative boards:** based on guidelines and criteria developed in SwAM's national plan for developing marine spatial protection in Sweden, to establish new marine protected areas with an adequate geographical scope, and including appropriate management measures in order for the new areas to help reaching good environmental status in accordance with the Marine Environmental Ordinance.
- **ÅPH 28, County administrative boards:** to introduce management measures in marine protected areas (existing/new, where such measures do not currently exist).

Measures for marine restoration:

- **ÅPH 29, SwAM:** with assistance of county administrative boards, the Swedish Environmental Protection Agency as well as the Swedish National Heritage Board, to develop a coordinated strategy for reducing physical impact and for working with biological restoration in coastal waters.
- **ÅPH 30, SwAM:** with assistance of county administrative boards, to develop methods for ecological compensation and restoration of marine environments.
- **ÅPH 31, County administrative boards:** in collaboration with SwAM and relevant municipalities, to implement restoration measures for *Zostera marina* in the Swedish North Sea coastal waters.

Measures for follow-up:

- **ÅPH 32, Authorities and municipalities:** Authorities and municipalities undertaking measures in the marine environment need to report which measures have been implemented and how these affect the environmental quality standards for the marine environment.

Additional notes for information

- **Regarding introduction of energy, including underwater noise:** No new measure proposed in the Swedish MSFD PoM. This because status, targets and indicators have not yet been determined as regards noise. However, next steps planned are described. Actions to be

undertaken deal mainly with research and development of tools for management (for example monitoring).

- **Regarding the topic of sea floor integrity:** It has been concluded that there is a need for measures, for certain marine habitats (i.e. reefs). But this habitat type is not well documented, which complicates specification of relevant and efficient measures. No specific measures have therefore been proposed at this stage. Steps forward are described, including one knowledge building programme, (see ÅPH25), and systematic mapping as a basis for planning of future measures.