

RESOLUTION 6.17
ANTHROPOGENIC NOISE

The Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area:

Recalling Resolutions 4.17 on “Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS Area” and 5.15 on “Addressing the impact of anthropogenic noise”,

Taking into consideration Recommendation 10.5 of the ACCOBAMS Scientific Committee,

Conscious of the related work underway under the Convention on the Conservation of Migratory Species of Wild Animals (CMS), and *recalling* related decisions, in particular CMS Resolution 9.19 on Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota, and Resolution 10.24 on Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species;

Recognizing that a large portion of the Mediterranean area is impacted by noise-producing human activities and that it is likely that such activities will increase,

Convinced that environmental impact assessment procedures should be carried out prior to projects that may affect cetaceans and especially those involving impulsive noise,

Aware of the need for the development of a comprehensive registry on anthropogenic noise in the Agreement Area to assist in identifying noise “hot spots” to elaborate mitigation measures,

Welcoming Directive 2014/52/EU of the European Parliament and of the Council (applicable as of 16 May 2017), amending Directive 2011/92/EU on the on the Assessment of the Effects of Certain Public and Private Projects on the Environment,

Also welcoming the progress on the “CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities” presented in ACCOBAMS/MOP6/Inf22 and the related ASCOBANS Resolution 8.11,

Further welcoming the study on “A basin-wide strategy for underwater noise monitoring in the Mediterranean” (ACCOBAMS-MOP6/2016/Doc27), prepared by experts from the Joint ACCOBAMS/ASCOBANS/CMS Working Group on Noise (JNWG), and the report “Overview of the noise hot spots in the ACCOBAMS area – Part I, Mediterranean Sea” (ACCOBAMS-MOP6/2016/Doc28),

Also welcoming Decision IG.22/7 on Integrated Monitoring and Assessment Programme of the Mediterranean Sea and Coast and Related Assessment Criteria, adopted during the 19th Conference of the Parties to the Barcelona Convention,

Concerned that, while recognizing the sensitivity surrounding military exercises, the safety of cetaceans is often not adequately addressed during such exercises,

Noting with appreciation that the United States Navy has recognised the importance of not using active sonar in areas and at times when marine mammals are vulnerable, but concerned that military exercises using active sonar are still conducted in the ACCOBAMS Area such as the Dynamic Manta NATO exercise in September 2015,

1. *Welcomes* the process established by CMS allowing Parties to CMS, ACCOBAMS and ASCOBANS and Signatories to relevant Memoranda of Understanding, to contribute further to the development of the “CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities”, and *invites* ACCOBAMS Parties and the Scientific Committee to participate actively;

2. *Recognizes* the broad scope of the guidelines and therefore invites CMS to consider the adoption of revised “CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities” at the 12th Meeting of the Conference of the Parties;
3. *Calls* on the Parties to undertake Strategic Impact Assessments (SIA), Environmental Impact Assessments (EIA) and other relevant assessments such as Appropriate Assessments (AA) under the EU Habitat Directive prior to plans, programmes and projects that may affect cetaceans and especially those involving impulsive noise, noting that, as a minimum standard, such assessments should:
 - provide adequate information on baseline biological and environmental information to describe the area being impacted;
 - fully characterise operations and their acoustic components – this should include professional modelling of the sound propagation features and the spatial region that will experience anthropogenic noise above natural ambient sound levels;
 - assess the impact on cetaceans within this area and consider the potential cumulative effects from other anthropogenic activities;
 - describe how the impacts are proposed to be mitigated and effectiveness monitored before, during and after the operation; and
 - provide an objective consideration of the risk posed by the proposed activity against alternatives;
4. *Requests* the Permanent Secretariat to develop an ACCOBAMS-hosted online depository of ACCOBAMS noise-related documents and decisions made by the Parties with respect to EIAs with a cetacean component, as well as documents evaluating the success, if any, of mitigation measures, and *calls on* Parties to provide relevant information, both in line with the recommendations contained in the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities;
5. *Encourages* Parties, following consultation with national experts for the development of noise indicators, to provide comments to the Permanent Secretariat on the study on “A basin-wide strategy for underwater noise monitoring in the Mediterranean” (ACCOBAMS-MOP6/2016/Doc27), and on the report “Overview of the noise hot spots in the ACCOBAMS area – Part I, Mediterranean Sea” (ACCOBAMS-MOP6/2016/Doc28);
6. *Urges* Parties to implement Decision IG.22/7 on Integrated Monitoring and Assessment Programme of the Mediterranean Sea and Coast and Related Assessment Criteria adopted during the 19th Conference of the Parties to the Barcelona Convention, in order to assist in identifying noise “hotspots” and elaborate mitigation measures;
7. *Requests* the Permanent Secretariat in consultation with the Scientific Committee to enter into dialogue with NATO and national navies of non-NATO countries as appropriate, inviting them to provide information on past military exercises in the ACCOBAMS Area, for example the Dynamic Manta exercise in September 2015, in particular on:
 - a) active sonar use or other noise sources, including explosions (time, area, source levels);
 - b) sightings of cetaceans, if any, during the exercise;
 - c) approaches adopted, if any, to evaluate potential adverse effects on cetaceans (e.g. through sound modelling and examination of data on likely cetacean occurrence);
 - d) mitigation measures taken, if any, and the basis for these;
8. *Further requests* the Permanent Secretariat to organize a workshop inviting NATO and national navies to show how the ACCOBAMS Scientific Committee can provide advice and assistance with respect to mitigating adverse effects on cetaceans for any future exercises;
9. *Recommends* that the Scientific Committee and the JNWG further develop in the next triennium the concept of “quiet zones” as outlined in Recommendation 10.5 of the Scientific Committee with a focus on a quantitative elaboration and evaluation of the scientific evidence for establishing such areas both in space and time;

10. *Encourages* the Parties to recommend to their research institutes and organizations that wish to undertake monitoring programmes on noise requiring official permits to submit such programmes to the Permanent Secretariat for advice and assistance;
11. *Requests* the Scientific Committee to contribute to the further development of two candidate noise indicators with respect to the Ecosystems Approach (EcAp) Process of the Mediterranean Action Plan, in line with the Descriptor 11 of the Marine Strategy Framework Directive of the European Union (MSFD);
12. *Further requests* the Scientific Committee to contribute to the development of a noise impact indicator on cetaceans for Descriptor 11 of the MSFD;
13. *Requests* the Scientific Committee to develop a proposal for a regional project to implement a monitoring programme of underwater noise, particularly in critical habitats and in interactions hot spots, in line with Decision IG.22/7 on Integrated Monitoring and Assessment Programme of the Mediterranean Sea and Coast and Related Assessment Criteria adopted during the 19th Conference of the Parties to the Barcelona Convention;
14. *Invites* the Permanent Secretariat to develop cooperation on noise issue with other international Organizations such as the CMS Family, the EC, OSPAR, ICES, the Barcelona Convention, the Black Sea Commission, CBD, IWC, NATO, IMO, IUCN and with other relevant international organizations;
15. *Encourages* the CMS/ACCOBAMS/ASCOBANS Joint Noise Working Group and the Marine Mammals Observers Working Group to work in close collaboration.