

RESOLUTION 8.17
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 7.13 on “Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS Area”, 5.15 on “Addressing the impact of anthropogenic noise” and 6.17 on “Anthropogenic noise”,

Taking into consideration Recommendation 14.6 on “Anthropogenic Noise” of the 14th ACCOBAMS Scientific Committee Meeting,

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

Recognizing also that cetaceans and other marine mammals, reptiles and fish species, and their prey, are vulnerable to noise disturbance and subject to a range of human impacts,

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

Welcoming Directive 2014/52/EU of the European Parliament and of the Council, amending Directive 2011/92/EU on the Assessment of the Effects of Certain Public and Private Projects on the Environment,

Further welcoming the work undertaken by ACCOBAMS during the triennium regarding the management of noise activities, more particularly:

- the QuietSeas project which aims to enhance cooperation among Member States in implementing the third Cycle of the Marine Strategy Framework Directive and, in particular to support competent authorities and strengthen cooperation and collaboration in the Mediterranean Sea and Black Sea regions,
- the QuietMed2 project which aimed to support the assessment of the extent to which Good Environmental Status has been achieved in the Mediterranean Region regarding underwater noise, to get an updated, improved and more complete regional assessment,
- the online “ACCOBAMS MMO/PAM Courses for the standard MMO/PAMs training of all accredited trainers”,

Recognising that the NETCCOBAMS online platform provides new information about the propagation of shipping noise to cetacean habitats, using the best available science on cetacean distribution and continuous anthropogenic noise propagation to determine areas of risk of adverse effects caused by such anthropogenic pressure,

Conscious of the related work underway by the Convention on the Conservation of Migratory Species of Wild Animals (CMS), and *recalling* the related decisions, in particular Resolution 12.14 on Adverse Impacts of Anthropogenic Noise on Cetaceans and Other Migratory Species, and the attached CMS Family Guidelines on Environmental Impact Assessment for Marine Noise-generating Activities,

Noting the International Whaling Commission Resolution 2018-4 on Anthropogenic Underwater Noise,

Concerned over findings by the European Environment Agency (EEA) and the European Maritime Safety Agency (EMSA) in their 2021 European Maritime Transport Environmental Report (EMTER) that underwater noise levels have doubled within European Union waters between 2014 and 2019,

Noting that the military aggression in the BS results in intense noise-generating military activities which have devastating impacts on cetaceans, their prey and the wider Black Sea ecosystem

Recognizing that the effects of loud noises by military activities, or other unexpected events, including explosions and powerful active sonars, on cetaceans can range from displacing animals from their normal habitat, and lower reproductive rates, through to causing physical harm in certain situations

Recognising that the risk areas generated by ship noise are widely spread in respect to cetacean habitats and that this represents a major concern for cetacean conservation and that these risk areas should be taken into account also in designing mitigation measures for ship strikes with large cetaceans to ensure that such measures do not increase noise on areas already at risk for deep divers,

Noting the European Union Marine Strategy Framework Directive and its implementing act, whereby Member States in European Union marine waters shall take necessary measures to achieve or maintain their determined good environmental status, including on underwater noise, established by each of them and in coordination at Union, regional and sub-regional levels,

Welcoming Welcoming the outcome of the work carried out by the EU technical group on underwater noise, including their 2014 technical guidelines,

Also welcoming the Integrated Monitoring and Assessment Programme of the Mediterranean Sea and Coast and Related Assessment Criteria (IMAP) of the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, which includes candidate common indicators for underwater noise, intended to be further developed during the initial phase of IMAP based on pilot monitoring activities, additional expert knowledge, and scientific developments,

Reiterating the importance for Parties to grant permits, on a priority basis, for activities in their national waters to industrial companies employing ACCOBAMS Highly Qualified MMOs/PAM operators,

1. *Reaffirms* that there is a need for ongoing and further internationally coordinated efforts, including research addressing the impact of underwater noise in order to provide adequate protection to cetaceans;
2. *Invites* the Parties to take into consideration the following documents in their future work to implement the Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area:
 - MOP8/2022/Inf43: Second Noise Hotspots Report: updated overview of the noise hotspots in the ACCOBAMS Area;
 - MOP8/2022/Inf44: Methodological Guide v3.1 - "Guidance on underwater noise mitigation measures";

3. *Encourages* Parties to avoid or minimize the effects of the introduction of potentially harmful impulsive noise, such as noise produced by airguns, sparkers, active sonars, within areas of importance for cetaceans, like Pelagos Sanctuary, Marine Protected Areas (MPAs) and Important Marine Mammal Areas (IMMAs), in compliance with the relevant legislation;
4. *Asks* the Secretariat, in conjunction with the Scientific Committee, to:
 - a. remind the relevant stakeholders to implement Annex 1 “Action Plan resulting from the ACCOBAMS Workshop on sonars and cetacean interactions” of Resolution 7.13 on Anthropogenic Underwater Noise and approach the ASCOBANS Secretariat to explore the potential for joint outreach efforts to national navies and NATO to mitigate noise from military activities and exercises;
 - b. request a study subject to availability of funding, on the effects of underwater noise generated by the foreseeable increase of windfarms in the ACCOBAMS Area, addressing all the phases of windfarm, from siting surveys to decommissioning. The study should take into consideration relevant existing guidelines, such as the CMS document on Best Available Technology (BAT) and Best Environmental Practices (BET) for three noise sources: shipping, seismic airgun surveys, and pile driving;
 - c. develop joint projects and initiatives for simulating mitigation measures, such as speed reduction, and related benefits, with the aim of reducing the impact of noise on cetacean habitats;
 - d. inform Parties about the deliverables of QuietSeas and QuietMed2 projects on guidance for underwater noise monitoring and assessment, and to encourage Parties to make relevant private sector stakeholders aware of these developments;
 - e. organize trainings for national entities on noise monitoring, including analyses of PAM collected data, in some identified priority areas;
 - f. liaise with IMO Secretariat and their Working Group on noise in order to present NETCCOBAMS results about shipping noise impact on marine mammals aiming at proposing mitigation measures, such as speed reduction or re-routing;
5. *Encourages* Parties to:
 - a. disseminate the ACCOBAMS noise Guidelines, as well as the CMS Family Guidelines on Environmental Impact Assessment for Marine Noise-generating Activities to all national departments involved in deciding on noise-generating activities;
 - b. improve enhanced training of regulators on the appropriate application of the CMS Environmental Impact Assessments (EIAs) and ACCOBAMS Noise Guidelines prior to the approval of projects, including informing them of the willingness of the CMS and ACCOBAMS Secretariats to provide advice;
 - c. engage in the ongoing process of “review of the 2014 IMO Guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life (circular MEPC.1/Circ.833) (2014 Guidelines) and identification of next steps”, and to promote the evolution of the Guidelines status to foster improvement of their uptake by IMO Parties;
 - d. promote the application of vessel speed reductions (e.g., slow steaming) as an operational measure that results into multi-environmental benefits, including the reduction of underwater noise and greenhouse gases emissions, as well as of the risk of ships strikes, and to promote such measures in the context of the proposal of Particularly Sensitive Sea Area in the North-western Mediterranean;
 - e. note that the issue of underwater noise pollution from ships can only be effectively addressed through IMO measures and international cooperation, and that applying mandatory measures provides an equal playing field level for the private sector;

- f. invite port authorities to develop incentive programmes that encourage the monitoring and reduction of underwater noise emissions, and to report regularly on all noise-generating activities to improve the mapping of Noise Hotspots Report (MOP8/2022/Inf43);
 - g. engage in trials measuring the impact of speed reduction and other operational measures aiming at reducing underwater noise in their waters;
 - h. mandate national responsible institutions to feed data on impulsive noise generating sources from the entire ACCOBAMS Area into the existing International Noise Registry managed by ACCOBAMS for publicly available data, without duplicating existing national marine noise registers;
 - i. mandate national responsible institutions to provide the necessary data to update risk maps and generate maps for the Black Sea by considering relevant target species, especially recalling Resolution 7.13, which foresees that noise hotspot maps shall be developed for the Black Sea, reflecting impulsive and continuous noise generating activities;
 - j. to ask IMO to implement mitigation measures, such as speed reduction or re-routing in order to reduce shipping noise, especially in critical habitat or high-risk zones, considering the information available from NETCCOBAMS;
 - k. to consider implementing mitigation measures, such as speed reduction or re-routing, in order to reduce shipping noise in their exclusive economic zone or territorial sea, especially in critical habitats or high risk zones, considering the information available from NETCCOBAMS;
6. *Requests* the Joint CMS/ACCOBAMS/ASCOBANS Noise Working Group (JNWG) to:
- a. review a study on the effects of underwater noise generated by the foreseeable increase of windfarms in the ACCOBAMS Area, addressing all the phases of windfarm from siting surveys to decommissioning;
 - b. examine noise models available in NETCCOBAMS (ACCOBAMS Resolution 8.7 on NETCCOBAMS), also considering recent developments from European Union Marine Strategy Framework Directive-D11C2, in order to compare such noise model with available *in situ* anthropogenic noise recordings made in different locations throughout the ACCOBAMS Area, and taking account of the diverse sensitivities of different cetacean species;
 - c. further develop with the Secretariat and the Scientific Committee 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 scientific evidence for establishing “quiet zones” both in space and time;
7. Asks the Scientific Committee to develop a post-war Plan for the Black Sea region towards the mitigation of warfare consequences on cetaceans, their habitat and their preys;
8. *Requests* the Secretariat and any stakeholder active in the ACCOBAMS region to promote “Tools ensuring Highly Qualified MMOs/PAM operators in the ACCOBAMS Area” within the private sector;
9. *Requests* the MMO/PAM WG to develop and update the ACCOBAMS HQMMO/PAM training tools.