

Agenda Item 6.2.7

Further Implementation of the Agreement

Conservation Issues

CMS Family Environmental Impact
Assessment Guidelines for Noise-
generating Offshore Industries

Document 6.2.7.a Rev.1

Draft Resolution:

**CMS Family Guidelines on
Environmental Impact Assessments
for Marine Noise-generating Activities**

Action Requested

- Review the draft Resolution
- Introduce any changes as desired
- Adopt the Resolution

Submitted by

Secretariat



**NOTE:
DELEGATES ARE KINDLY REMINDED
TO BRING THEIR OWN COPIES OF DOCUMENTS TO THE MEETING**

Secretariat's Note

This Draft Resolution and its Annex has been developed by the Secretariat in collaboration with the consultants who have been hired for the development of the guidelines to be adopted with this resolution. This document only contains the cover resolution for the Guidelines, which are contained in MOP8/Doc.6.2.7.b.

Focal Points and members of the advisory bodies and relevant working groups of CMS, ACCOBAMS and ASCOBANS have received a message encouraging comments on the draft *CMS Family Environmental Impact Assessment Guidelines for Marine Noise-generating Activities* from Wild Migration in early April 2016, followed by a CMS Notification on 28 April 2016. The commenting period for the draft guidelines ran until 5 July 2016.

The intention is that all relevant CMS Family instruments adopt the same guidelines. Accordingly, they will be presented to the decision-making bodies of ASCOBANS, ACCOBAMS and CMS as follows:

- ASCOBANS 8th Meeting of the Parties, August 2016
- ACCOBAMS 6th Meeting of the Parties, November 2016
- CMS 12th Meeting of the Conference of the Parties, October 2017

Each of the three treaties will be asked to adopt the Guidelines with their own cover resolution, which should therefore be the focus of any further negotiations, leaving the Guidelines untouched.

Draft Resolution:

CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities

Mindful that Parties to CMS, ACCOBAMS and ASCOBANS have in several resolutions recognized underwater noise as a major threat to many marine species;

Recalling that the Conservation and Management Plan annexed to the Agreement stipulates that ASCOBANS work towards “the prevention of other significant disturbance, especially of an acoustic nature”;

Further recalling Resolution No. 2 of MOP6 on Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production and Resolution No. 4 of MOP5 on Adverse Effects of Sound, Vessels and Other Forms of Disturbance on Small Cetaceans;

Also recalling related decisions adopted by the Conference of the Parties to CMS, in particular 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;

Noting related decisions adopted by the Meeting of the Parties to ACCOBAMS, in particular Resolution 4.17 on Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area, and Resolution 5.15 on Addressing the Impact of Anthropogenic Noise;

Aware that these resolutions also call for noise-related considerations to be already taken into account in the planning stages of activities, especially by making effective use of Environmental Impact Assessments (EIA);

Reaffirming that the difficulty of proving detrimental effects of acoustic disturbance on cetaceans necessitates a precautionary approach in dealing with this issue;

Grateful to the Principality of Monaco for providing funds for the development of these guidelines for the CMS Family under the Migratory Species Champion Programme, and to OceanCare for co-funding the project;

Expressing thanks to the experts that contributed to the development of this document, as well as to focal points and members of the scientific advisory bodies and working groups of CMS, ACCOBAMS and ASCOBANS that provided input and comments;

Noting also other related resolutions adopted at this meeting, in particular Resolution No. [6] on Ocean Energy, Resolution No. [8] on Addressing the Threat from Underwater Unexploded Ordnance (UXO) and Resolution No. [9] on Managing Cumulative Anthropogenic Impacts on the Marine Environment;

The Meeting of the Parties to ASCOBANS

1. *Adopts* the “CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities” presented in ASCOBANS/MOP8/Doc.6.2.7.b and to be provided online on <http://www.cms.int/guidelines/cms-family-guidelines-EIAs-marine-noise>;

2. *Urges* Parties and *encourages* non-Parties to implement these Guidelines, as applicable, to ensure that Best Available Techniques (BAT) and Best Environmental Practice (BEP) are employed consistently;
3. *Urges* Parties and *encourages* non-Parties to disseminate these Guidelines, as appropriate, where necessary translating the Guidelines into different languages for their wider dissemination and use;
4. *Invites* the private sector and other stakeholders to make full use of these Guidelines in order to assess, mitigate and minimize negative effects of sound on marine biota;
5. *Welcomes* the efforts of the private sector and other stakeholders to reduce their environmental impact and *strongly encourages* them to continue making this a priority;
6. *Requests* the Advisory Committee, supported by the Joint Noise Working Group of CMS, ACCOBAMS and ASCOBANS, to continue monitoring new available information on the effects of underwater noise on cetaceans and their prey species, as well as the effective assessment and management of this threat, and to make recommendations to Parties as appropriate.