Factsheet for new measures under Article 13 of Marine Strategy Framework Directive 2008/56/EO

This measure fact sheet is the result of coordination between the UBA project Implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria – Development of Programmes of Measures under Article 13', carried out by Fresh Thoughts/Intersus, and the EC project (DG Environment) 'Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania – Phase 2", carried out by ARCADIS-Belgium.

Measure characteristics	**Management area:** - ***Black Sea***	**Code:** ***BLKBG*** **№ of measure: 17**
Measure title	Amendment of existing legislation, where necessary, through Introduction of a permit regime for activities in marine environment, or other regulatory amendments.	
Short, precise description of the measure	This measure is developed as common (coordinated) measure with Romania in the scope of EC project (DG Environment) "Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania – Phase 2". **National actons (steps) for implementation of the measure:** 1. Preparatory work for changing / adaptation of national legislation, if necessary. 2. Public and sectoral consultations. 3. Adaptations of legislative revisions. For a number of activities with possible impact on the marine environment still there is no regulatory mechanism that to ensure prevention of adverse effects on marine ecosystems. Such activities are extraction of some types of shellfish from their natural habitats, use of dispersants, etc. This requires an analysis of gaps in existing legislation and its improving, where necessary. The measure is not aimed directly to achieving of GES, but it is necessary to ensure compliance with the requirements of the MSFD and achievement of GES.	
EU measure category	Categorisation of the measure in accordance with the "PoM Recommendations": **2a**	

Key Types of Measures	*KTMs as defined in the „PoM Recommendations". Measures can be categorised in one or multiple KTMs.* **KTM 39 Other measures** The measure is linked to all key types of measures, because it aims establishing of conditions for their effective implementation.
Environmental targets	*Categorisation of the measures in accordance with the nationally defined operational environmental objectives.* The measure is relevant to all environmental targets for achieving of good status of the marine environment indirectly by ensuring effective implementation of the MSFD.
Descriptors	*Categorisation of the measures to the descriptors in lined with Annex 1 MSFD. The descriptors are identified by their short form:* All descriptors (D 1 ÷ D 11).
Main pressures	*Using the analysis carried out in 2012 as a basis, categorisation of the measures in accordance with the pressures defined in Annex 3 MSFD, Table 2:* - Physical loss - Physical damage - Other physical disturbance - Interference with hydrological processes - Contamination from hazardous substances - Systematic and/or intentional release of substances - Nutrient and organic matter enrichment - Biological disturbances.
Main drivers	*The sectors/activities targeted by the measure* The measure is linked to human activities in the marine environment listed under Art 8 of the: Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning, MSP Directive: - aquaculture areas; - fishing areas; - installations and infrastructures for the exploration, exploitation and extraction of oil, of gas and other energy resources, of minerals and aggregates, and for the production of energy from renewable sources; - maritime transport routes and traffic flows; - military training areas; - nature and species conservation sites and protected areas; - raw material extraction areas; - scientific research; - submarine cable and pipeline routes; - tourism; - underwater cultural heritage.

Characteristics	*Using the analysis carried out in 2012 as a basis, categorisation of the measures in accordance with the characteristics defined in the "PoM Recommendations":* The measure is relevant to all the characteristics of the marine environment indirectly by ensuring effective implementation of the MSFD.
Link to other directive/legislation/ policy	*Aligning objectives with other legal commitments* Water Framework Directive (Directive 2000/60/EC) Habitat Directive (Directive 92/43/EEC) and Birds Directive (Directive 2009/147/EC); CFP (Regulation (EU) 1380/2013 on the Common Fisheries Policy, amending Council Regulations (EC) № 1954/2003 and (EC) № 1224/2009 and repealing Council Regulations (EC) № 2371/2002 and (EC) № 639/2004 and Council Decision 2004/585/EC) and its related legislations Integrated maritime policy Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning, MSP Directive
Necessity for transnational regulation	*Information as regarding the necessity for regulations at EU, regional and international level to achieve MSFD environmental objectives.* No
Mode of implementation	*Stating the implementation process in line with the „PoM Recommendations"; multiple options possible:* • Political • Economic
Implementation zones	*i.e. the spatial impact of the measure: MS land/FW, WFD TW, WFD CW, Territorial waters, EEZ, CS (beyond EEZ), Beyond MS waters* Coastal waters (WFD CW), Territorial waters, Exclusive Economic Zone (EEZ) of the Republic of Bulgaria
Contribution of the measure to achieving the target	*– using technical information* **Benefits:** This measure will not directly contribute to achieving environmental targets but will lay a solid foundation for enabling the achievement of MSFD targets. The measure will provide prevention of adverse impacts on the marine environment by improving the mechanisms for prevention and control of human activities, more effective cooperation between the competent authorities, and streamlining the implementation with related directives (WFD, the Habitats Directive, the Birds Directive). The contribution of the measure to reach the targets is **medium to high**, given that it can cover a wide range of activities, respectively regulatory mechanisms. However, at this stage it cannot be made a precise prognosis.

Transboundary impact	*Information on the impact of the measures on transboundary neighbours* **Negative side effects on marine environment**: The implementation of the measure is not expected to have negative transboundary effect on the marine environment.
Costs	**Costs for implementation** **First rough assessment: low (<50.000 €)** Costs for organizing periodic meetings (travel, allowances, other logistic costs). **Total one off costs within MSFD cycle (6 years): low (< 50.000 €)**
Effectiveness	*Effectiveness of the measure in reaching targets (either qualitative description, or according to indicators: indicators for environmental targets and for GES, proposal for statistical indicators in support of Art. 18 interim reports* Although that the measure is not directly focused on achieving GES, its overall efficiency to achieve the MSFD targets is **medium to high**, as it will ensure the consistent and effective implementation of the requirements of the MSFD by providing prevention and control on adverse impacts of human activities on marine environment, and better cooperation between relevant institutions.
Indicator(s) to measure effectiveness	*Should be based on existing indicators.* Taking into account the nature of the measure, indicators for ecological efficiency of its implementation cannot be defined. 1. Number of developed proposals for amendments / supplements to existing legislation. 2. Number of approved and already in force amendments of existing legislation.
Socio-economic assessment	***Cost effectiveness analysis*: medium effective** ***Cost benefit analysis*: medium** **Negative side effects out of environmental ones:** Implementation of the measure could lead to conflicts between compliance with environmental legislation and investment intentions in specific areas in the marine environment (public and private investments). For instance, conflicts between investment plans in protected areas or near them. **Benefits:** The contribution of the measure to achieve environmental targets is

	medium to high, given that it could cover a wide range of activities, respectively regulatory mechanisms. However, at this stage cannot be made precise assessment of the contribution of future legislative changes to the overall achievement of the targets for GES.
Coordination level	*Selection of the governance level that will coordinate the implementation of the measures, i.e. Local, Sub-national, National, Bilateral, Sub-regional, Regional, EU level, International* • At national level • Bilateral coordination with Romania • Regional measure in the scope of the Black sea Commission
Technical feasibility	*Options:* • *Frequently applied; extensive experience / evidence of good practice*
Body responsible for the measure implementation	Ministry of Environment and Waters (MoEW), Black Sea Basin Directorate (BSBD), Regional Inspectorate of Environment and Water - Varna (RIEW - Varna and RIEW Burgas), Ministry of Rural Development, Ministry of Transport, Information Technology and Communications and Executive Agency "Maritime Administration" - "Varna" Directorate and "Burgas" Directorates, port operators
Financing opportunities	*Including EU-cofinancing* Public funds (national budget); EU projects (i.e Horizon 2020 Program) EU projects (i.e. RO-BG CBC Program, Horizon 2020 Program), other.
Temporal coverage	**Starting: 2017**
Difficulties in implementation	*Provide information on the potential challenges that could likely faced in implementation.* Possible delays in the administrative procedures for preparation and adoption of the necessary legislative changes.