

**Autumn General Assembly of the  
European Boating Association**

**held at the Schlossberg Hotel**

**Kaiser-Franz-Josef-Kai 30, 8010 Graz,  
Austria.**

**Friday 12<sup>th</sup> to Sunday 14<sup>th</sup> October 2007**

**Minutes for the meeting of the Environment Committee held on Saturday  
13<sup>th</sup> October between 09-00 and 13-00hrs.**

**1. Welcome by the Chairman.** The chairman opened the meeting and members present introduced themselves around the table. He said that in the light of the election of Vice Presidents in the plenary meeting, he would no longer be chairman of this committee. He explained that a chairman would be appointed by the president bearing in mind the recommendation from this committee. He asked members to discuss this during breaks with a view to identifying a preferred chairman before the end of the meeting.

**2. Minutes of the meeting held in Oslo on Saturday 21<sup>st</sup> April 2007.**  
The Committee agreed that the minutes as circulated are a true record of the meeting.

**3. Matters arising from the minutes not covered in reports.**  
ISAF Guidelines for Recreational and other Small Craft. This item is on the agenda for the Plenary Meeting.  
Antifouling, (Advanced Nanostructured Surfaces) There is nothing further to the report in the minutes of the last meeting although the feeling is this will not be a practical antifouling system in the foreseeable future.

**Updates on reports from member countries.** Because of the reduced time available for the meeting, it was agreed to continue with updates on reports from member countries and that this should be only additional information to the reports given to the last meeting. This, and updates given to this meeting, would be combined by the secretary as an ongoing document to be updated at each meeting.

**Poland:** The Water Framework Directive has entered the second stage of the process, this is the consultation stage. There is some concern with Natura site network in several regions of the country and this is stopping development in some areas. Wind turbine development is continuing with plans for the construction of wind farms in the Baltic Sea and this is causing some

objection, initially from fishermen, but with a growing objection from leisure sailors.

The Polish Government currently only requires registration of sailing vessels of over 20m in length. For motor vessels, registration is required for vessels over a particular power. Additionally, from January 2008 all vessels over 7.5 metres will require certification for the skipper. The Polish Yachting Association is looking to copy the UK system of education being carried out through clubs.

**Netherlands:** (The Kingdom of the Netherlands) There will be no requirement for holding tanks before 1<sup>st</sup> January 2009 however following this time there are many problems to be overcome mainly with the provision of pump-out facilities.

The development of offshore wind farms is planned with farms of up to twelve miles in length. It is proposed that there will be a total restriction of navigation within 500m of each turbine and, with a spacing of 1 km between turbines, the effect is an exclusion zone covering the whole area of the wind farm. Vessels can be fined for going inside the exclusion zones and this will include foreign vessels. The secretary was able to display a spreadsheet showing the locations of planned windfarms in the North Sea and it is agreed these should be plotted on a chart in order to understand the extent of the problem.

Alcohol levels are fairly relaxed with a lower level for busy rivers. On less busy canals and waters the limit is 0.8 but on, for example, the Rhine, the limit is 0.5. This only applies when underway however random testing is carried out particularly when boats are stopped for routine checks on documentation.

**Germany:** Very restrictive regulations are currently in draft form that will restrict vessels from entering windfarms including all non-commercial leisure vessels.

In the German waters of the Baltic it is forbidden for all boats with a toilet on board not to have a holding tank. This very strict regulation will apply to all vessels, including foreign flagged vessels, from the 1<sup>st</sup> August this year. There was no consultation with boat users before the introduction of the regulation although Deutscher Motoryachtverband is now in discussion with the government.

Water Framework Directive. Consultation is taking place and there has been a great awakening from boat users who are beginning to realise the importance of the Directive.

**Sweden:** The Seabreeze project is ongoing with a new project looking at the disposal of old boats including wood, steel, and plastic. Currently only the Swedish Boating Association is involved and it is looking for partners in other countries to become involved in the project. In Sweden, talk is taking place with boat manufacturers.

**Euromig** confirmed disposal of old boats is an emerging problem for the boat building industry although currently nothing is being done about the problem. There is a project being worked on with a view to producing an environmentally friendly boat. There was committee discussion around this problem with the consensus being that there would appear to be little that

boat owners can do about this and it is mainly a problem for manufacturers. It will become a problem for boat owners if manufacturers do not come up with a solution.

**Denmark:** Antifouling is the ongoing big issue.

Dredging of marinas is a problem where contaminated silt is to be removed. The prosecution of a boater for speeding under local laws restricting speed in a narrow waterway was appealed in court and the conviction was overturned. This is seen as a dangerous move and is being questioned by the Danish Sailing Association.

A ferry boat owner has been prosecuted for pumping a sewage holding tank into the Baltic Sea rather than to a shore facility.

**UK:** The RYA continues with the educational programme for the boating industry and boat owners, the Green Blue. The secretary demonstrated some of the aspects of the Green Blue website, and as a reminder this can be found at: <http://www.thegreenblue.org.uk/index.asp>

Development of offshore windfarms continue and the UK Maritime and Coastguard Agency (MCA) is consulting on a draft Marine Guidance Note to Mariners Operating in the Vicinity of UK Offshore Renewable Energy Installations. The draft paper reflects the advice provided by the RYA. The problems associated with navigation and communication in the vicinity of wind farms is fairly well understood.

Offshore Wave and Tidal Energy Installations are a very different proposition and an area where much development is ongoing. Wave Generators are devices that are moored to the seabed and could have a low profile on the surface and hence difficult to see at night, in poor visibility, or in rough sea conditions. Tidal Generators will again be moored or attached to the sea bed and may be beneath the surface. Some may be deep enough to pose no hazard to normal surface navigation, however some may not. Discussions are ongoing regarding locations and navigational marking.

#### **4. Water Framework Directive; River Basin Planning.**

**Germany.** The draft document has entered the consultation stage and all water sports bodies are involved in the process. It is realised that it is a major undertaking with detail often buried in large documents.

Report from Germany attached: Appendix 1.

**UK.** The process is underway in the UK with the latest stage of consultation taking place identifying Significant Water Management Issues. For each of the River Basin Districts the RYA has identified a local representative, usually a volunteer worker with local knowledge and a link to the RYA Regional Committee. There is a lot of information connected with the process however it is imperative that water used for recreational boating purposes is correctly identified as a Heavily Modified Water Body. Without the HMWB designation the water will be required to revert to a natural state with implications for future use or development of facilities.

**5. Water Framework Directive. Report on lobbying activity in Brussels.**

Report of the main activities taking place with the EU WFD Navigation Task Group is included as Appendix 2, attached.

**6. Database of facilities.**

Member countries are asked to provide the information under the headings in the paper presented to the Oslo meeting.

Update the document Antifouling Legislation as presented to the Oslo meeting.

Antifouling. Denmark is showing that there is not an easy answer to antifouling.

Evidence is that the Biocides Directive is being interpreted in different ways in different countries.

We need to collect information from each of the countries to get an overall picture across Europe.

Copper is being investigated in several countries and it would appear that this may become a preferred biocide.

Sweden has a ban on the use of copper on the east coast as an example.

In Denmark, Netherlands, and UK there is currently research and investigation into effective biocides.

**Action to update the database of antifouling legislation in each of the member countries. All countries are to provide updated information and the secretary will collate this information into a paper to be circulated before the next meeting.**

**7. Disposal of old boats.**

There was nothing further to the earlier discussion.

**8. Marine litter.**

Further to the minute under Item 6 of the Oslo meeting:

The EBA notes the request from the OSPAR Biodiversity Committee (BDC 2007) to consider how leisure boaters could become involved in a monitoring process for reporting of marine litter by becoming eyes on the water. The EBA will however continue to endorse environmentally responsible conduct by leisure boaters by encouraging educational and awareness projects run in individual states.

It is noted that in the UK the RYA is looking to include information on litter reporting as part of the Green Blue project.

**9. Offshore wind farms.**

There was nothing further to the earlier discussion.

**10. Any further business.**

**The question of emissions to the air from ships was raised.** The IMO Marine Environment Protection Committee (MEPC) at its 53rd session in July 2005 adopted amendments to MARPOL Annex VI, including one on the new North Sea SOx Emission Control Area (SECA). The entry into force date for the North Sea SECA amendment was November 2006. This is being progressed in the commercial sector and will be extended to the leisure sector but, as new engines with lower emissions will need to be developed, is mainly a problem for engine manufacturers.

**OSPAR Workshop on MPA Stakeholder Involvement.** It was reported on a visit to the workshop held in Murcia, Spain on the 24<sup>th</sup> September. A presentation on behalf of the EBA giving an example of best practice when communicating with stakeholders in Marine Protected Areas was presented. A transcript of the presentation is attached as Appendix 3.

#### **11. Database of environmental information.**

Windfarms. Agreed that we collect information from member countries covering the number and locations of windfarms. The current position, as understood by the secretariat, will be circulated with papers before the next meeting.

The question was asked as to whether the meeting had a recommendation as to the Chairman of this Committee for him to pass to the President. It was the unanimous recommendation of the Committee that Neal Hill be put forward.

The Committee was unanimous in thanking the chairman for his chairmanship of this committee for the past eight years.

The meeting was closed.

5<sup>th</sup> November 2007

## Appendix 1.

Dieter Haendel 10-07-2007  
Deutscher Motoryachtverband (DMYV)

### Implementation of Water Framework Directive in Germany

#### 1. Introduction

The *Water Framework Directive* (WFD) has been transformed in German legislation by amending the federal frame laws and the *Länder* executive laws for water and nature protection in a longer period some years ago. The essential target is border crossing water protection in full catchments of big rivers. Suitable organisations were founded in *River Catchment Communities* of all relevant *Länder* with one responsive *Land*.

Following the timetable of the *European Commission* the German water authorities finished the period of investigation and the first classification of their waters into *natural* and *heavy modified bodies* by reports to Brussels in the year 2005. The environmental discussion in Germany for classifying the waters touched especially the competence of the federal board for waterways, when they struggling for the interests of shipping tried to declare all federal waterways as *heavy modified bodies*. This classification is correct from technical sight, because all rivers used as waterways are not any more in their former natural status instead of being corrected or dammed. The political discussion in Germany did not follow this argument and decided that only artificial waters like canals are *heavy modified bodies*. As a consequence in Germany even rivers with great morphological change for the purposes of shipping or other economic applications must reach a *good condition* in the year 2015 without ousting existing uses of the waters. Classifying German waters in this way contains a lot of conflicts in the phase of executing the WFD by *River Basin Management planning*.

Recreational boating especially with motorboats will have great impacts by implementing the WFD in Germany. The environmental authorities are engaged to reach the status *good condition* with priority against other users. The federal board for waterways has the right of veto against all plans violating shipping. But they will use it first to protect the interest of commercial shipping and not of recreational boating. In this mind DMYV has to defend its interests in the phases of executing the WFD independent. WFD offers such possibilities for comments.

#### 2. River Basin Management planning

All German *Länder* made official publication for implementing the WFD in 3 steps including an offer for everyone to comment each step in defined times.

- 1. step covers *timetable and working program*. It runs until 15-10-2007 with a window for comments between 22-12-2006 and 22-06-2007.
- 2. step covers *important questions of water management*. It runs until 15-10-2008 with a window for comments between 22-12-2007 and 22-06-2008.
- 3. step covers *river basin management planning and the actions*. It runs until 22-12-2009 closed by a report to European Commission at 22-03-2010 with a window for comments between 22-12-2008 and 22-06-2009.

First step has already past without comments by DMYV, because this is only a formal step. The following second step is very important, because the *Länder* will develop now the instruments for solving typical *important questions of water management*. It has become known that the *Länder* have following ideas:

- Passages in waters for organism by building fish passes, which will be in totally very expensive.
- Rebuilding vertical banks with walls to sloping banks, which needs a lot of private ground and will be very expensive.
- Reducing shipping outside of main channels in rivers and lakes. This idea spares

commercial shipping and hits recreational boating and it is very efficient from the financial view of the German *Länder*.

### **3. Preparing DMYV for involvement**

DMYV will inform all member clubs about content and targets of the three steps to execute WFD because the regional parts of DMYV must take the opportunities for comments. For co-ordination and supervise by the central staff of DMYV the regional parts of DMYV will get guidelines for operating in this way. Main idea is that recreational boating will not hinder to reach a *good condition* in all used waters but provide that this target burdens recreational boating excessive. This has to be installed in the next weeks to avoid negative impacts.

## Appendix 2.

### EU Water Framework Directive Navigation Task Group.

**The WFD Navigation Task Group** comprises the following professional bodies, trade associations and other stakeholders concerned with ports, commercial and leisure navigation and dredging: Central Dredging Association; European Barge Union; European Boating Association; European Community Shipowners' Associations; European Dredging Association; European Federation of Inland Ports; European Sea Ports Organisation ; EU Recreational Marine Industries Group ; PIANC; and Inland Navigation Europe. Central Commission for Navigation on the Rhine, the Danube Commission and the International Sava River Basin Commission are also invited to attend as observers.

**WFD Common Implementation Strategy (CIS).** The Task Group has prepared a number of position papers and discussion documents on key aspects of WFD implementation as well as hosting international seminars on the subject. The presentation and papers from the most recent conference, held in Brussels on 31<sup>st</sup> January 2007, are now available at <http://www.pianc-aipcn.org/pianc/seminars-wfd2007.php>.

### **Water Framework Directive Article 4(3).**

Article 4(3) of the WFD allows Member States to designate surface water bodies, which have been physically altered by human activity, as artificial or heavily modified, subject to a number of provisions. Good ecological potential is the environmental objective for these water bodies.

The Task Group organised a workshop in Brussels on the 22<sup>nd</sup> June and the main findings include:

There are notable differences in the approach being taken by member states to the designation process of Heavily Modified Water Bodies (HMWB).

Setting of the 'good environmental status' (GES) has implications for the identification of HMWB and whether it is possible to achieve GES without having a significant effect on use of a water body.

There are questions concerning how future development will be taken into account when a HMWB is identified.

The final outcome of the different approaches when applied to the large commercial waterways may end up the same, however for smaller waterways, smaller ports in coastal waters, and waters used for recreation, different approaches to the classification could lead to different outcomes.

Most Member States are already considering the implications where commercial navigation is concerned, however very few have any thoughts on the approach with regard to recreational boating and the facilities this sector needs.

It is proposed that EURMIG and the EBA arrange a workshop dealing with the application of Article 4(3) to recreational boating. There is an opportunity to run this in parallel with a conference arranged for March 2008 in Brussels. It is noted that recreational boating should include facilities e.g. marinas, and also 'yacht tourism' and the contribution this can make to local economies as a low impact form of tourism.

**Relationship between EU WFD and the EU Maritime Policy.**

At the January conference a workshop explored the interrelationships between the WFD and EU Maritime policy. A policy paper has been prepared which identifies key concerns. The main concern is that of the potential conflict in areas where the two overlap.

**Maritime Strategy Directive.** This directive, now called the Maritime Strategy Framework Directive is starting its second reading in the European Parliament. Its main aim is to put in place protection for the marine environment similar to that for water on land: it will be a framework within which Member States will develop marine 'strategies'. The Directive will set the scene for management action to be taken as required to achieve 'good environmental status'.

**WFD Daughter Directive.**

This sets standards for Ground Water aimed at reducing pollution. Currently this is concerned with disproportionate cost when dredging is taking place with contaminated sediments

October 2007.

## Appendix 3.

OSPAR Workshop on MPA Stakeholder Involvement

Murcia, Spain, 24<sup>th</sup> September 2007.

The European Boating Association (EBA)

The EBA is the body representing all leisure boat users across Europe and was founded in 1982. Membership is currently 30 National Federations across 22 European States and represent of the order of 20 million boat owners.

The EBA exists to provide a channel for communication between boat owners and the European Institutions and covers Environmental, Regulatory, and Technical matters.

The success of establishing a marine protected area is going to depend on the acceptability and support of the stakeholders that use the area and their understanding and acceptance of the reasons and benefits of designation.

Currently EBA members are engaged in environmental awareness projects in several states, however the project described to the workshop is one currently under way in the UK.

The **Green Blue** is a joint initiative of the British Marine Federation (BMF) which represents the industry of boating in the UK, and the Royal Yachting Association (RYA) which represents the users. It is a unique partnership of industry and users with main sponsors being Defra, the Department of Environment Food and Rural Affairs, and the Crown Estates Commissioners, and covers both inland and coastal waters.

The aims are:

- To promote the sustainable use of coastal and inland waters for the operation and development of the recreational marine industry.
- To educate and inform the boating community about minimising the environmental impact.

The core issues are:

- Waste management
- Cleaning and maintenance
- Oil and fuel spills
- Anti-fouling and marine paints
- Resource efficiency
- Effects on wildlife

For more information visit: [www.thegreenblue.org.uk](http://www.thegreenblue.org.uk)