



ROMANIA REPORT

Programme of Measures (art.13, art.14) under Marine Strategy Framework Directive



2017

CONTENT

Introduction	1
Chapter I Status of the implementation of Marine Strategy Framework Directive	3
1. 1. National Level	3
1. 2. European and Regional context	5
Chapter II National Programme of Measures	7
2.1. Identification of existing measures	8
2.2. Identification and description of new possible measures	11
2.3. Selecting the new measures	12
2.4. Exception	20
2.4.1. Descriptor 2 Non indigenous species	21
2.4.2. Descriptor 3 commercial fish and mollusc	21
2.4.3. Descriptor 10 Marine Litter	22
2.5. Conclusion-the structure of national Programme of Measures	22
2.5.1. Existing measures	23
2.5.2. New Proposed measures	23
2.5.3. Exception	24
Annex 1. GES Definitions and Environment targets taking into consideration for designing PoM for achieving GES in Romanian marine waters	25
Annex 2. List of the existing measures	43
Annex 3. List of the existing proposed measures	47
Annex 4. Long List of new proposed measures	86
Annex 5. List of new proposed measures	127
Annex 6. Exceptions	220

INTRODUCTION

As Member State Romania has the obligation to implement the requirements of the Marine Strategy Framework Directive into its marine waters which are part of the Black Sea marine region.

The aim of the Marine Strategy Framework Directive is to achieve and maintain the Good Environmental Status in all EU marine regions by 2020. In this light Romania as other Member States has to take actions to adopt adequate measures to perform this desiderate.

According to the Emergency Government Ordinance 71/2010 on establishment of Marine Strategy (chapter I, Objective, article 1), which transposed the Marine Strategy Framework Directive (2008/56/CE), the Ministry of Waters and Forest is the central authority responsible for the implementation of the requirements of the Directive.

Taking into account the provisions of the article 5 (3) of Emergency Government Ordinance 71/2010 on establishment of Marine Strategy, Ministry of Waters and Forest elaborated the Action Plan, as follows:

- The initial assessment of the current ecological status of the Romanian marine waters and the environmental impact of human activities on these waters (art.8, Annex 3),
- The determination of good status of the Romanian marine waters based on the art. 9 and the descriptors of the Annex 1 of Emergency Government Ordinance 71/2010,

- Setting up the environmental targets taking into account the results of initial assessment and determination GES values to achieve the GES of Romanian marine waters (art.10, Annex IV),
- Updating the national programme of monitoring according to requirements of art.11 and Annex V of MSFD and Monitoring Guidance in order to evaluate and periodically update of the environmental targets to achieve GES by 2020,
- The elaboration and implementation of the programme of measures in order to achieve GES according to the requirements of art.13, and Annex VI of MSFD and Programme of Measures Guidance.

It should be emphasized that the updating national monitoring programme and programme of measures are compatible with Bulgaria which shares the Black Sea Marine Region. The project „Administrative and technical support for MSFD implementation in Bulgaria and Romania -Phase III, funded by DG Environment, helped both countries to have the same approach and to get compatible programmes.

It should be mentioned that in the building of new national marine strategy Romania took into consideration national legislation and EU Directives, namely Water Framework Directive, Nitrates Directive, Urban Waste Treatment Directive, Habitat and Birds Directive, Shellfish Directive, and the requirements of the Conventions and Agreements signed by Romania, as Contracting Parties.

Chapter I Status of the implementation of Marine Strategy Framework Directive

1.1. National Level

The Marine Strategy Framework Directive has been transposed into national legislation by Emergency Government Ordinance 71/2010 on establishment of Marine Strategy and approved by Law 6/2011 and then amended by the Law 205/2013.

The implementation of MSFD in Romania is presented in Figure 1 of the document.

Figure 1 Art of state of MSFD in Romania



According to the deadline set up by the EU Commission, in 2012, Romania sent the national report which consisted of the results of initial assessment of the RO marine waters (art.8), setting up of the values of GES for some of the descriptors (D1, D3, D5, D8) (lack of the data/or data were in line with MSFD) (art.9), and setting up of environmental targets and associated indicators (art.10).

As the definitions of GES values have not been adequate (art.12 Commission Report) these were revised within the contract “Study on completion/revaluation of GES definitions and Environmental Objectives according to art.8, art.9 and art.10 of MSFD (2008/56/CE).

It is important to underline that under the project „Administrative and technical support for MSFD implementation in Bulgaria and Romania -Phase I, funded by DG Environment, all GES definitions and environment targets reported in 2012 were revised and new GES definitions and Environment targets (D1, D4, D7, D9, D10, D11) were set up. It is also important to underline that there common definitions for common parameters for BG and RO were established.

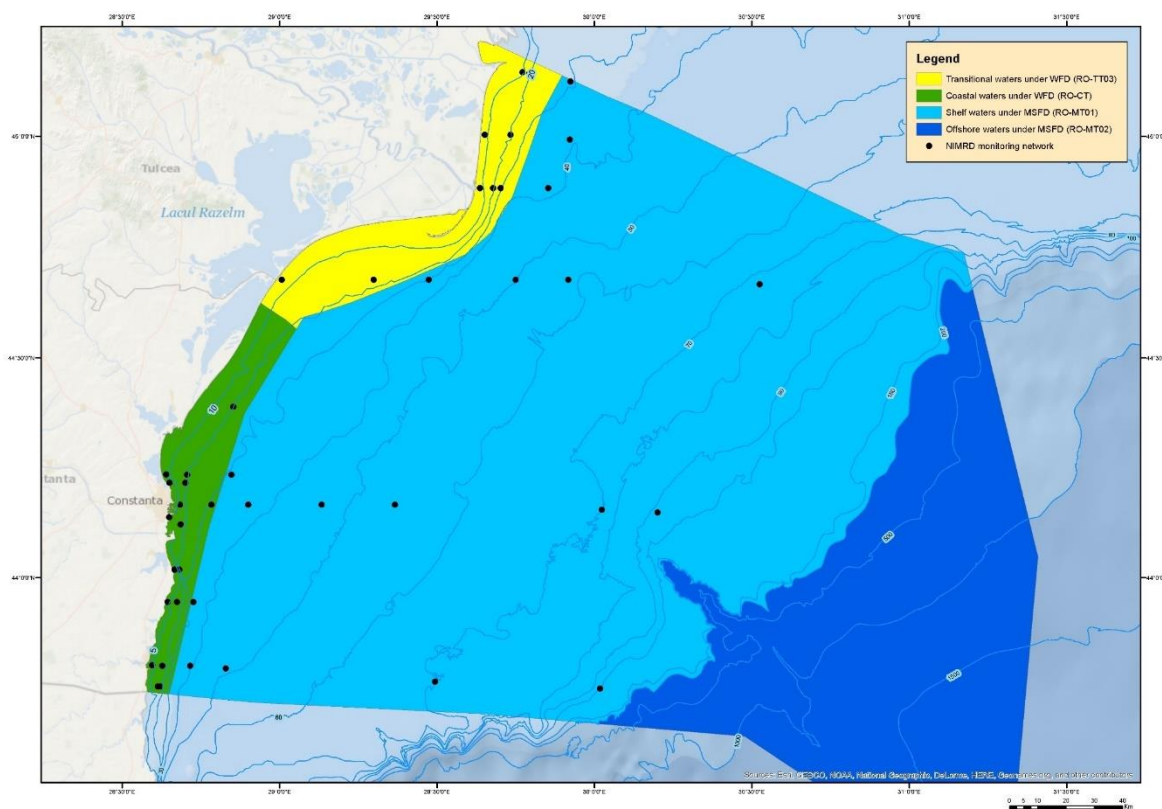
In 2014, Romania revised the national monitoring programme within the project „Administrative and technical support for MSFD implementation in Bulgaria and Romania -Phase I”. The updated programme of monitoring met the requirements of art.11 of MSFD and has been submitted to the Commission. The updated programme of monitoring including the common aspects were established with Bulgaria during the project.

In 2015, Romania and Bulgaria developed the joint and coordinated programme of measures within the project „Administrative and technical support for MSFD implementation in Bulgaria and Romania -Phase II”. Due to objective reasons the national programme of measures was developed later. The national programme of measures includes existing measures, new measures and joint and coordinated measures set up with Bulgaria.

Between 2016 and 2017 Romania and Bulgaria were the beneficiaries of third phase of the project „Administrative and technical support for MSFD implementation in Bulgaria and Romania -Phase III” the aim of which to prepare roof report for the first cycle of the implementation of MSFD.

The area of Romania marine waters where the MSFD is implemented is presented in Figure 2 of the document. The area covers the marine waters which are under Romanian jurisdiction. The area consist of coastal and transitional waters (define according to the requirements of WFD) to outer limit of Romania Exclusive Economic Zone, and area of the continental shelf.

Figure 2 Romanian Water types delineation according to MSFD



1.2. European and Regional context

One of the important key of MSFD, actually to achieve GES, is cooperation within four marine regions. Romania's marine waters are in the Western part of the Black Sea marine region (figure 3).

Figure 3 The Black Sea marine region



To perform the desiderate of MSFD, namely achieving of GES by 2020, Romania cooperates with Bulgaria, and third countries under the Bucharest Convention. It has to point out the cooperation between Romania and Bulgaria was enhanced under the project „Administrative and technical support for MSFD implementation in Bulgaria and Romania -Phase I, II and III,„. It also has to point out that an exchange information platform was created which allowed the improvement the activities among experts. Romania also cooperates with Danube countries under umbrella of ICPDR to improve the ecological status of the Danube River, because Danube River has an important influence on the ecological status of the Black Sea marine ecosystem. Due to joint efforts of the Danube countries for the implementation of EU water Directives (WFD, Nitrates Directive, Urban Waste Water Directive) the status of the Danube River has been improved which led to improvement of the Black Sea ecological status.

Romania has been very active within the Advisory Groups of Bucharest Convention promoting the MSFD and presented the results of the project

„Administrative and technical support for MSFD implementation in Bulgaria and Romania -Phase I, II and III,,

At European level EU Commission coordinates the implementation MSFD; the process is in the Working Groups (GES, DIKE, ESA, MSCG, and Committee) where Romania played an active role, being the contributors in terms of documents.

Chapter II

National Programme of Measures

The national programme of measures was structured according to the requirements of art. 13 and 14, Annex VI of MSFD and Guidance “Programme of Measures under MSFD: Recommendations for establishment/implementation and related reporting”

Therefore the conceptual model followed these steps:

- Checking out of all definitions of GES and environment targets (definitions of GES have been established for all descriptors; the environment targets were not fixed for D7, D11) (see Annex 1),
- Screening of existing measures that have been set up under EU water and environment legislation, exiting national policies, Conventions, and Agreements signed by Romania as Contracting Parties,
 - **Category 1.a:** measures directly related to the achievement and maintenance of a GES under the MSFD which were approved and implemented *in accordance with other legal acts*;
 - **Category 1.b:** measures directly related to the achievement and maintenance of a GES under the MSFD which were approved in accordance with other legal acts but *have not been implemented yet*.
- Establishing of new measures,
 - **Category 2.a:** additional measures designed to achieve and maintain a GES and related to the implementation of other existing EU legal acts and international agreements that go beyond these requirements (i.e. are more stringent);
 - **Category 2.b:** additional measures designed to achieve and maintain a GES but not related to the existing EU legal acts and international agreements.

- Exceptions (art.14).
- The cost- benefit analysis

2.1. Identification of existing measures

After the screening of the national legislation, EU water and environment legislation, Regional and International Conventions (for instance the Bucharest Convention, Biodiversity Convention, MARPOL Convention), Agreements, National and EU Fisheries Policies a list of 36 existing measures were identified and proposed to be included into Programme of measures.

The list consists of:

- 10 measures for D1 biodiversity, D4 food webs, D6 sea floor integrity (including spatial instruments of management - marine protected areas) (**Annex 2, table 1**),
- 4 measures related to D1 non-indigenous species (**Annex 1, Table 2**)
- 8 measures related to regulation the commercial fishing (D3 fish and mollusc) exploitation (**Annex 2, table 3**),
- 9 measures regarding D5 eutrophication and D8 contaminants (**Annex 2, table 4**),
- 1 measures for D7 hydrographical conditions (**Annex 2, table 5**),
- 2 measures for D10 marine litter (**Annex 2, table 6**),
- 2 measures address the maritime activities (**Annex 2, table 7**).

The existing measures for Descriptor 1 biodiversity (Annex 2, table 1) showed the following aspects:

- marine birds: it is necessary to set up new measures to achieve the environment targets. The measure RO ME-002 addresses the monitoring of accidental captures,

- Measures for marine mammals -(RO-ME-004 -banning the catching of any marine mammals, RO-ME-006, RO-ME-007, RO-ME-009 și RO-ME-010 are referring to accidental capture of marine mammals)
- The existing measures for non-commercial fish have a small contribution to achieving the environment targets. They address Fam. Gobiidae
- The measure RO-ME-007 has a moderate contribution to achieve the targets related to the benthic habitats because of geographical limit
- Regarding spatial instruments for management (marine protected areas) RO-ME-001 has an important role to achieve the environment targets link with D1, D4, D6. It is necessary to elaborate new measures to create a network of marine protected area.

The existing measures for Descriptor 2 non-indigenous species (Annex 2, table 2), are referring to the ratio nonindigenous species/indigenous species

- RO-ME-011, RO-ME-012 și RO-ME -13 are referring to the intentionally introduction of non-indigenous species,
- RO - ME-014 only monitors the non-indigenous species and the concrete actions regarding minimize the pressures have not been foreseen
- The analyses of the measures only showed the ratio non-indigenous species/native species; they are not focused on mitigation or minimization the impact of non-indigenous species.

The existing measures for D3 - the commercial fishing regulation (Annex 2, table 3)

The analysis of the existing measures does not allow achieving the environment targets. They are administrative and technical measures. For this reason it is necessary to set up new measures for this descriptor.

The existing measures for D5 and D8 - eutrophication and contaminants (Annex 2, table 4)

The existing measures do not answer in an appropriate way to the environment targets due to the fact that most of them are focused on point sources (offshore activities, land base sources, tourism/recreation). We consider that new measures should be defined for these descriptors.

The existing measures for D7 - hydrographical modification (Annex 2, table 5)

It was identified one measure for D7 but this measure is not appropriate to meet the environment targets. This measure was designed for coastal erosion within Master Plan and did not take into consideration the impact on biodiversity. We consider that it is necessary to develop measures according to the requirements of MSFD.

The existing measures for D10 - marine litter (Annex 2, table 6)

Both national measures for marine litter are good enough to achieve the environment objectives set up at national level. Taking into account the transboundary character of the marine litter RO considered necessary to set up the common/coordinated measures with Bulgaria. On the other hand RO also considers that these measures should be implemented at regional level, namely the Black Sea marine region.

The existing measures regarding maritime activities (Annex 2, table 7)

These measures are very important because they are referring to maritime activities which have to be regulated to achieve GES.

There are not measures for Descriptor 9 contaminants in fish and Descriptor 11 energy and noise.

It must be underlined that the existing measures were included in the national programme of measures and they were included into **Annex 3**.

2.2. Identification and description of new possible measures

The identification and setting up the new possible measures took into account the GES definitions and the existing measures. The results showed that some GES definitions were improved during the updating process of the MSFD implementation. On the other hand the existing measures have not covered all Descriptors and they are not enough to achieve the environment targets, for instance measures focus on the associated pressures (selective extraction of species, including non-target catches, introduction of nutrients and organic matter, introduction of synthetic compounds, marine litter) **(Annex. 4 long list of possible new measures)**

On this base the new possible measures will be focus on:

- enhancing the control (D3 - the abidance of prohibition areas, prohibition period and fishing gear used; D10 - the respecting by the beach operators of the marine litter provisions stipulated in the contract, and compliance with the waste collection plan in the port),
- public awareness and stakeholders (for instance - fishing in environmentally friendly ways -reducing by-catches of fish, marine mammals and seabirds; landfill collection campaigns, compliance with management measures in marine protected area),
- improving the port infrastructure,
- programmes for research and monitoring to improve the status of knowledge regarding pollution land-based sources, and atmospheric deposition,
- regarding marine protected area it is necessary to update the management plans according to the ecological status of these areas. It should be also taken into account the updating of national legislation in the context of the transboundary impact of maritime activities/projects,

- for D9 and D11 must set up the measures due to lack of the existing measures.

In first phase 41 new measures have been set up taking into account the existing measures, GES definition and environmental targets (Annex 4). It should be underlined that the measures developed within the project “Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania “were included as well.

2.3. Selecting the new measures

Romania designed its national Program of Measures in accordance with the provisions of MSFD art.13, para 3, selecting the cost-effective measures that are technically feasible and applying their impact assessment (including cost-benefit analysis).

Generally, the technical feasibility of the new measures is related to the technical measures, being determined by the maturity of the applied technologies and the ability to implement those technologies. However, according to the provisions of MSFD, this concept has also been extended to the non-technical measures, following the availability of the capacity to implement these measures. The expert judgment method was carried out in order to check the technical feasibility; the measures deemed technically non-feasible were excluded from the long list of the proposed measures (e.g. measures 13, 15 and 23 of Annex 3). It was also considered that some of the new measures included Annex 3 could be merged (e.g. measure 30 of Annex 3 could be part of measure 29) and some of them have an insignificant contribution to the achievement of the targets due to poor knowledge. In this case, it was considered that measures to increase the level of knowledge are needed first and then new necessary measures should be identified (e.g. measures 27 and 41 of Annex 3).

Furthermore, the measures remaining on the long list were subject to Cost-Effectiveness Analysis and impact assessment (including Cost-Benefit Analyses).

In order to perform the cost-effectiveness analysis (ACE), first the actions needed to implement the measures were defined, then a rough estimate (based on available data) of the implementation cost components was carried out. According to the methodology used in the *Technical and administrative support for the implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania - Phase 2* project, the following cost categories were considered:

- implementation costs for a law, regulation (preparation, consultation, finalization);
- enforcement costs (surface surveillance, surveillance at sea, aerial surveillance, investigations/prosecutions);
- negotiation costs (planning and preparation, drafting agreement and ratification, meetings, travel and other costs);
- management costs (staff time (preparation, follow up), meetings (at national, sub-regional and/or regional level);
- research costs (research time; information and meetings costs);
- technical and implementation costs (investment costs, operational costs, maintenance costs);
- costs of stakeholders consultations (staff time, meeting with stakeholders);
- cost for awareness raising (staff time, awareness raising material);
- communication costs (advertisement, staff time, other administration costs);
- training costs (preparation, training material, giving training);
- sectorial costs (investment/operational costs, loss of added value, loss of employment).

Based on the above mentioned cost components, a total cost for the implementation of each new measure was estimate. A score, from 1 to 5, was assigned for the total cost of each measure, as follows:

- total cost < 50,000 euro - very low cost - score 5;
- total cost between 50,000 - 250,000 euro - low cost - score 4;
- total cost between 250,000 - 750,000 euro - moderate cost - score 3;
- total cost between 750,000 - 1,500,000 euro - high cost - score 2;
- total cost >1,500,000 euro - very high cost - score 1.

Following the methodology applied within the *Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania - phase 2* project, the second step in CEA was to estimate the effectiveness of the measures based on five criteria: the relative importance of the activity (size/intensity); driver-pressure-effect relationship; scale of impact; the expected effectiveness of the measure; the expected period after which the effects of measures are observed. A score from 1 to 5 (in descending order) was assigned for each of the above mentioned criteria, and the arithmetic mean was finally calculated taking into account those five scores. The effectiveness of measures was estimate based on the arithmetic mean, as follows:

- Strong - mean between 4.5 and 5;
- Potentially strong - mean between 3.5 and 4.4;
- Moderate - mean between 2.5 and 3'4;
- Low - mean between 1.5 and 2.4;
- Very low - mean between 1 and 1.4.

The CEA outcome was estimated based on the matrix shown in Fig.4, considering the scores of the total cost and the effectiveness of the measures (semi-quantitative approach). The matrix was proposed within the project *EC DG Environment Project number BE0113000716*, in the deliverable *Background document summarizing experiences with respect to economic analysis to support Member States with the development of the Programme of Measures for the MSFD* prepared by ARCADIS BE.

Figure 4 Cost-effectiveness matrix

		Effectiveness				
		5	4	3	2	1
Cost	1	3	3	2	1	1
	2	3	3	3	2	1
	3	4	4	3	2	2
	4	5	4	3	3	3
	5	5	5	4	3	3

The outcome of this cost-effectiveness matrix was interpreted as follows:

- 1 - CEA very low
- 2 - CEA low
- 3 - CEA moderate
- 4 - CEA high
- 5 - CEA very high

CEA was followed by a cost-benefit analysis (CBA) because the evaluation of the effectiveness is based only on the measure contribution to the achievement of a specific target (not including all benefits).

The impact assessment refers to the social, economic and environmental benefits and costs resulting from the proposed measures/set of measures. The benefit analysis was carried out qualitatively (due to lack of quantitative data at this stage) following the methodology applied within the *Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania - phase 2* project. The benefits were assessed by scoring the time scale and the size over the analyzed time period. Thus, the following scores were assigned for the time scale: 1 - long; 3 - medium; 5 - short. If a

measure is estimated to have a quick positive impact on the marine environment, it gets a high score and when it takes a long time, the score is low. The scoring of the benefits is categorized as follows: 1 - low benefits; 3 - moderate benefits; 5 - high benefits. Based on the two scores, a weighted average was calculated (percentages of scores were 35 % for time scale and 65 % for benefit, respectively). The total benefit scores were assigned to the weighted average values, as follows:

- weighted average between 1 and 2.3 - low benefits - score 1;
- weighted average between 2.7 - 3.3 - moderate benefits - score 2;
- weighted average between 3.7 and 5 - high benefits - score 3

A matrix similar to that applied for CEA was used in the cost-benefit analysis (CBA), taking into consideration the scoring of total cost and benefit.

The type of impact (socio-economic and environmental), as well as the economic sectors and social categories affected by the implementation of the new measures have also been identified for each measure on the list.

Applying all these criteria (technical feasibility, CEA, CBA) led to shorting the long list of the new measures (from 41 to 31 new measures - see Annex 3).

A last (but very important) criterion used in finalizing the list of the new measures was the acceptance of stakeholders. To this end, a meeting with the stakeholders was organized in Constanta (29 - 30 May 2017), where the short list consisting of 31 new measures was discussed. Following that debate, two more measures were excluded from the short list (measures 25 and 32 on Annex 4) and, in some cases, changes were done in terms of measure titles, activities, implementation costs, responsible bodies and financing opportunities. The outcome of the meeting was the final list of the new measures proposed to be included in the National Program of Measures (**Annex 5**).

Table 8 - proposed new measures

Nr./Measure Code	New Measure
RO-MN-001	Creating the necessary capacities regarding rescue operations for injured or diseased cetaceans, and supporting intervention activities for dead failed cetaceans. Drawing up a good practise code for rescue centres and laboratories involved in these activities
RO-MN-002	Setting up and management of protected area for cetaceans depending on areas that are their habitats or food habitats
RO-MN-003	Protection of the non-breeding seabird species (<i>Puffinus yelkouan</i> and <i>Phalacrocorax aristotelis desmarestii</i>) as well as other important protected seabird species which are on the standard List of NATURA 2000, ROSPA 0076 Black Sea
RO-MN-004	Drawing up/revision of the Management Plan of the Marine Protected Area according to MSFD
RO-MN-005	Creating a coherent and representative network of marine protected areas that include MPA's in both RO and BG, including management plans. Enhancing the control of regulation activities in MPA
RO-MN-006	Establishing the ecological corridors among the marine protected areas
RO-MN-007	Drawing up of risk maps on the habitat of the marine protected areas NATURA 2000
RO-MN-008	Harmonization between Maritime Spatial Planning and Zonal Urban Plan to support the protection and preservation measures of species and habitats
RO-MN-009	Drawing up the distribution maps of predominant habitats on national level according to MSFD, and harmonization of their classification at European and regional level according to EUNIS and submission to EMODnet and the Black Sea Commission site
RO-MN-010	The evaluation of ecosystems functions and services
RO-MN-011	Development of the Joint Action Plan for early detection and mitigation and assessment of the impact of nonindigenous species
RO-MN-012	Permanent updating of the list of marine nonindigenous species from the Black Sea
RO-MN-013	Awareness building (educational campaign) of Local professional Fishery Groups regarding effective use of environmental friendly fishing techniques and equipment
RO-MN-014	Stimulation of environmental friendly practices for fishing vessels under 12 m without trawling equipment on board (small scale fisheries).
RO-MN-015	Designation of zones for beam trawling. Long-term observation on the impacts in the designated zones permitted for beam-trawling. Research on the activities. When necessary change of usage requirements.
RO-MN-016	Promotion and stimulation (including financial) of fishing and shellfish collection in environmental friendly conditions

RO-MN-017	Development of the regional multiannual management plan regarding fish stocks
RO-MN-018	Implementation of the control procedure regarding turbot gillnets
RO-MN-019	Defining and revision of period and prohibition areas of fish population – fish stock
RO-MN-020	Management and reduction of pollution diffuse sources including atmospheric deposition
RO-MN-021	Strengthening of the control regarding using the cleaning zones of ships on ports
RO-MN-022	Introducing eco-labelling (based on of existing relevant ecolabels) in aquaculture
RO-MN-023	Amendment of existing legislation, if it is necessary, regarding maritime activities through Introduction of a permit regime for activities in marine territorial waters
RO-MN-024	Improvement of the waste management from ships
RO-MN-025	Coordinated establishing and/or support of regular (yearly) campaigns to increase level of awareness addressing business environment (commercial agents, beach operators, fishermen etc.) and the public at large (tourists, students, children etc.) connected to the sources and the consequences of the maritime waste upon the environment and the necessity to recycle waste
RO-MN-026	Facility and implementation of practice “marine litter fishing”
RO-MN-027	Identification of accumulation zones of plastic marine litter on marine environment and setting up the Action Plan for mitigate it
RO-MN-028	Development the specific norms regarding noise level produced by engines of ships in particular for the ships those operating in the marine protected areas
RO-MN-029	Development of noise impulsive register for Romanian littoral of the Black Sea

A factsheet, following the template developed under the *Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania - phase 2* project, was developed for each new measure proposed to be included in the National Program of Measures, aiming to provide as much as possible information related to the respective measure.

Table 9 the format of the new measures

Measure title	
No./code of the measure	
Short, precise description of the measure	
EU measure category	<p><i>Categorisation of the measure in accordance with the “PoM Recommendations”:</i></p> <ul style="list-style-type: none"> - <i>Category 2a: Additional measures to achieve and maintain GES which build upon existing implementation processes regarding other EU legislation and international agreements but go beyond what is already required under these.</i> - <i>Category 2b: Additional measures to achieve and maintain GES which do not build upon existing EU legislation or international agreements.</i>
Key Types of Measures	<i>Key Types of Measures (KTM), as defined in Reporting on MSFD Programme of Measures (Art. 13) and on exceptions (Art. 14), MILIEU Ltd., 2014.</i>
Environmental targets	
Descriptors	<p><i>D1 Biodiversity</i> <i>D2 Non-indigenous species</i> <i>D3 Commercial fish and shellfish</i> <i>D4 Food-web</i> <i>D5 Eutrophication</i> <i>D6 Seabed integrity</i> <i>D7 Hydrographic conditions</i> <i>D8 Contaminants</i> <i>D9 Contaminants in seafood</i> <i>D10 Marine litter</i> <i>D11 Underwater noise</i></p>
Main pressures	<i>in accordance with the pressures defined in Annex 3 MSFD, Table 2</i>
Main drivers	<i>The sectors/activities targeted by the measure</i>
Characteristics	<p><i>Benthic habitats</i> <i>Pelagic habitats</i> <i>Marine mammals</i> <i>Seabirds</i> <i>Fish</i></p>
Link to other directive/legislation/policy	
Instrument for implementation/ Mode of implementation	<p><i>Technical</i> <i>Legal</i> <i>Economic</i> <i>Awareness/communication/dissemination</i></p>
Spatial reference/implementation zones	<p><i>Terrestrial part</i> <i>Territorial water</i></p>

	<i>EEZ</i> <i>Beyond EEZ</i>
Contribution of the measure to achieving the target	
Transboundary impact	
Costs	<i>Costs for the implementation</i>
Effectiveness	
Indicator(s) to measure effectiveness	
Socio-economic assessment	<i>Cost Effectiveness Assessment</i> <i>Cost Benefit Assessment</i>
Coordination	<i>Local</i> <i>National</i> <i>Bilateral</i> <i>Regional</i>
Technical feasibility	<i>New development</i> <i>Applied; limited experience / uncertainties</i> <i>Frequently applied; extensive experience / evidence of good practice</i> <i>Frequently applied; best available technologies</i>
Body responsible for the measure implementation	
Financing opportunities	
Planning of implementation/temporal coverage	
Difficulties in implementation	

Within the above mentioned meeting, the existing measures proposed to be included in the National Program of Measures were also discussed. All the existing measures presented to stakeholders were accepted.

2.4. Exceptions

The National Programme of Measures has identified situations where achieving GES for some descriptors or theme is uncertain, in particular transboundary aspects. In this context, three exceptions were proposed under Article 14 of MSFD (Annex 6), namely:

- **Descriptor 2 Non indigenous species,**
- **Descriptor 3 commercial fish and molluscs,**

- **Descriptor 10 Marine Litter**

2.4.1. Descriptor 2 Non indigenous species

The introduction of non-indigenous species into Romanian marine waters and their impact on marine ecosystem are considered to be addressed, as far as possible, by existing and new proposed measures as well as by the monitoring programme developed according to MSFD. The proposed measures to be included in the national Programme of Measures focus on the main ways of introducing non indigenous species into marine ecosystem, in particular ballast water, but also other potential sources such as trade and import.

Although shipping is considered the main activity leading to the in the introduction of non-indigenous species into the marine environment, it is assumed that a lot of such species which were identified in Romanian marine waters have arrived through the Bosphorous Strait. Control and prevention of the non- indigenous species introduction could not be managed through the measures taken under national Programme of Measures.

The introduction and presence of these species will influence the achieving GES. It must be underlined that the issue can be solved at regional level because of the transboundary effect. In this context Romania adopted an exception regarding D2 according to the article 14 of MSFD. Details of measure “Introduction of non-indigenous species on secondary paths in particular Bosphorus Strait” are in the Annex 6 of the national Programme of Measures.

2.4.2. Descriptor 3 commercial fish and mollusc

It must be underlined that the existing measures and the proposed measures for Descriptor 3 are sufficient for achieving GES.

However the achievement of the environment targets on fishing mortality and spawning stock biomass that reflects the maximum sustainable yield of common species at sub regional and regional level depends on the

concerted management of fishing activities by the Black Sea riparian countries.

In this context, although the existing and proposed measures are adequate to achieve the defined objectives/targets, Romania implemented an exception in accordance with art.14 (a) of MSFD, because the achievement of GES for this descriptor on regional scale implies joint efforts of all Black Sea riparian countries.

Details of measure: Exploitation of commercial fish stocks so as to support maximum sustainable yield are in the Annex 6 of the national Programme of Measures.

2.4.3. Descriptor 10 Marine Litter

Proposed measures for D10 marine litter are sufficient to achieve GES, but they do not cover microplastic. It should be emphasized that information are limited and because of transboundary impact of microplastic Romania put an exception according to art.14 of MSFD.

In this context, Romania applies an exception under art. 14 (a) of MSFD regarding achieving GES for marine litter. In the following years, all efforts shall be made to improve data regarding all types of marine litter based on which this program of measures, including the exceptions, will be up-dated (especially after approval and implementation of „*Regional Action Plan on Marine Litter Management for the Black Sea*” si “*Guidelines for Marine Litter Monitoring in the Black Sea*”) These actions will be part of the monitoring program, but there will also be steps taken in research to generate data base for marine waste.

2.5. Conclusion -the structure of national Programme of Measures

The national Programme of Measures consist of:

- Existing measures

- New proposed measures
- Exceptions

2.5.1. Existing measures

In the Programme of Measures 36 existing measures were included. These measures are national measures and measure setting up under EU water legislation (Water Framework Directive, Urban Waste Water Directive, Nitrates Directive, Fish policy, etc.), and international legislation (Bucharest Convention, MARPOL). The existing measures are presented in the Annex 2 of the document. For each measures were provided information regarding reference (national legislation, and EU, and international legislation), environment objectives, associated descriptors, pressures and human activities which have generated these pressures as well as contributing to achieve the objectives/targets as they are currently defined (Annex 3).

2.5.2. New Proposed measures

Following the evaluation of the results of the initial assessment and meetings with stakeholders involved in maritime activities 29 new measures have been proposed, of which 16 measures were developed within the project “***Technical and administrative support for the joint implementation of the Marine Strategy Framework Directive (MSFD) in Bulgaria and Romania - phase II***” funded by DG. Environment. These measures are joint and coordinated measures with Bulgaria.

It must point out that these measures were designed to achieve GES/ environment targets.

The new proposed measures are included in Annex 5. For each measures it is a measure format which have been presented in table 9 of point 2.3.

For each measure have been calculated the economic impact and its feasibility.

2.5.3. Exception

Taking into account the specific conditions of the Black Sea and transboundary character of some descriptors (D2, D3, and D10), 3 exceptions have been included (Annex 6) in the national Programme of Measures.