

Official Journal

of the European Union

L 332

English edition

Legislation

Volume 51

10 December 2008

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II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 11 June 2008

on the confirmation of measures proposed by the Netherlands for the conservation of marine ecosystems in the Voordelta area

(notified under document number C(2008) 2415)

(Only the Dutch text is authentic)

(2008/914/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

informed the Commission about its intention to take measures to restrict fishery activities in that area.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Articles 8(3) and 9(2) thereof,

Whereas:

(4) Article 6(4) of Directive 92/43/EEC requires Member States to take all compensatory measures necessary to protect the overall coherence of the Natura 2000 network when a plan or project is carried out with significant negative effects on a Natura 2000 site. In this context, following the construction of harbour facilities 'Maasvlakte 2' in the Voordelta area, the Netherlands needs to take appropriate compensatory measures. This project was subject to a favourable Commission opinion (Commission opinion C (2003) 1308 of 24 April 2003).

(1) Article 3(2) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ⁽²⁾ requires Member States to contribute to the creation of the network of special areas of conservation called 'Natura 2000', hosting the natural habitat types and species listed in the Annexes to that Directive.

(5) Measures concerning the conservation, management and exploitation of living aquatic resources are subject to the rules of the common fisheries policy.

(2) Article 6(1) of Directive 92/43/EEC requires Member States to establish, for special areas of conservation, the necessary conservation measures.

(3) On 28 February 2008 the Netherlands designated the area called Voordelta as a special area of conservation within the meaning of Article 3(2) of Directive 92/43/EEC and

(6) Article 9 of Regulation (EC) No 2371/2002 enables Member States to take non-discriminatory measures to minimise the effect of fishing on the conservation of marine eco-systems within 12 nautical miles, provided that the Community has not adopted measures addressing conservation and management specifically for that area. The Member States' measures must be compatible with the objectives of the common fisheries policy as set out in Article 2 Regulation (EC) No 2371/2002 and no less stringent than the existing Community legislation. If the measures affect fishing vessels from other Member States, they must be notified to the Commission, to the Member States and to the Regional Advisory Councils concerned and must subsequently be confirmed by the Commission.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 206, 22.7.1992, p. 7.

- (7) On 13 May 2008 the Netherlands notified the measures it intends to take to the Commission, Belgium, Denmark, Germany and France, which are the Member States concerned by the measures, as well as to the North Sea Regional Advisory Council.
- (8) The fisheries measures proposed by the Netherlands are the creation of a seabed protection area with restricted access for beam trawlers with tickler chains with an engine capacity greater than 260 hP (191 kW) and the creation of five rest zones located within the seabed conservation area within which most fishing is to be prohibited.
- (9) Belgium and the North Sea Regional Advisory Council have submitted to the Commission their written comments on the notification.
- (10) The measures proposed by the Netherlands are not discriminatory as they apply equally to all vessels operating within the area. They are intended to minimise the effect of fishing on the conservation of marine eco-systems and are to be applied within 12 nautical miles of the baselines. The Community has not adopted any measure addressing conservation or management specifically for that area.
- (11) Those measures are compatible with the objectives set out in Article 2 of Regulation (EC) No 2371/2002, in particular

with the precautionary approach to be followed in taking measures designed to protect and conserve living aquatic resources, and are no less stringent than the existing Community legislation,

HAS ADOPTED THIS DECISION:

Article 1

The measures proposed by the Netherlands for the conservation of marine eco-systems in the Voordelta area, as set out in Annexes I to III, are hereby confirmed.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 11 June 2008.

For the Commission

Joe BORG

Member of the Commission

ANNEX I

Access restriction decree Hinderplaat, Bollen van de Ooster, Bollen van het Nieuwe Zand

13 May 2008

Minister of Agriculture, Nature and Food Quality

Restriction of access to natural areas under Section 20 of the Nature Conservation Act 1998 for the 'Voordelta' Natura 2000 area.

INTRODUCTION

Section 20, Subsection 1, of the Nature Conservation Act 1998 ⁽¹⁾ stipulates that provincial executives may restrict access to protected nature reserves as defined under Section 10, Subsection 1; designated areas as defined under Section 10a, Subsection 1; other areas for which such a designation is under consideration as defined under Section 12, or parts of such areas in so far as is necessary for the conservation of the ecological value of said area.

Section 20, Subsection 2, of the Nature Conservation Act 1998 stipulates that the authority as defined in Subsection 1 rests with the Minister of Agriculture, Nature and Food Quality in agreement with another Minister in the event that the area as defined under Subsection 1, or a part thereof, is managed by or falls under the jurisdiction of that Minister or other Ministers.

The following decree is to be enacted in agreement with the Minister of Transport, Public Works and Water Management. The Regional Affairs mandate ⁽²⁾ in force at the Ministry of Agriculture, Nature and Food Quality stipulates that the Southern Regional Director for this ministry be authorised to take this decision on behalf of the Minister of Agriculture, Nature and Food Quality.

It is necessary to restrict access to a number of areas within the Voordelta Natura 2000 area (hereinafter 'Voordelta') in order to protect the existing and future ecological value of the area. The basis for imposing such access restrictions can be found in the Voordelta Designation Decree (19 February 2008, ref. DRZO/2008-113) with regard to fulfilling Voordelta Natura 2000 objectives, as well as compensation obligations as incorporated into the Nature Conservation Act licence (17 April 2008, ref. DRZW/2008-1670) issued for the construction and presence of Maasvlakte 2. This is described in more detail in the general explanatory note accompanying this decree.

This decree specifically regulates restricted access to the areas detailed below. Specific exceptions to access restrictions detract in no way from any licensing requirements as defined under Section 19d of the Nature Conservation Act 1998, unless exceptions as defined under Section 19d, Subsection 2, of the Nature Conservation Act 1998 (projects or activities in accordance with the management plan) are applicable.

DECREE

Section 1

Access to 'Hinderplaat', situated within the Voordelta as shown on the map accompanying this decree, is to be restricted.

Restricted access to Hinderplaat applies to all types of activities throughout the whole of the year with the exception of the activities listed below:

Organised canoe trips

A total of 10 organised canoe (kayak) trips are permitted in the period between 1 September and 1 May with a maximum of two such trips on any one day. The following additional conditions also apply:

- access is only permitted in a group (maximum 16 persons) led by a certified tour guide or instructor affiliated to either the NKB (Dutch Canoe Association) or the TKBN (Dutch Tourist Canoeing Association),
- setting foot on tidal plains is prohibited. A distance of at least 250 m from resting seals must be observed,
- excursions must be registered with the Handhaving Voordelta registration centre at least 48 hours in advance (telephone number known to the above organisations).

⁽¹⁾ Effective as of *Staatsblad 2005* [Bulletin of Acts, Orders and Decrees 2005], 473.

⁽²⁾ *Staatscourant 2006* [Government Gazette 2006], No 91.

Trawling

Trawling with an engine capacity of less than 191 kW (260 hp) is permitted between 1 September and 1 May subject to existing permission for such usage at the time of this decree being enacted. This concerns two enterprises, namely vessels OD 2 and SL 22. Continued usage is permitted subject to the following conditions:

- a distance of at least 250 m must be kept from tidal plains,
- the maximum speed permitted is 7 knots (13 km/h),
- both vessels must be equipped with serviceable tracking equipment for enforcement purposes.

Cast net fishing

Cast net fishing (using gillnets and entangling nets) is permitted throughout the whole of the year subject to existing permission for such usage at the time of this decree being enacted. This concerns one enterprise, namely vessel Goeree 47. Continued usage is permitted subject to the following conditions:

- a distance of at least 150 m must be kept from tidal plains. Before, during and after the common seal's suckling period (1 May to 1 September), a distance of at least 250 m must be kept from tidal plains,
- the maximum speed permitted is 7 knots (13 km/h),
- the fishing vessel must be equipped with serviceable tracking equipment for enforcement purposes.

Helicopter flights and recreational flights in small aircraft

Helicopter flights are permitted over this area above a minimum altitude of 1 000 ft (approx. 300 m).

Paragliding and hang gliding are expressly prohibited above this area.

For all other forms of recreational aviation (motorised or unmotorised), this area has been designated a 'nature conservation area' in accordance with the code of conduct for general aviation, *Verantwoord Vliegen* [Responsible Flying], applying to this category ⁽¹⁾, which stipulates that these areas should be avoided wherever possible. If flying over these areas is unavoidable, then an altitude of at least 1 000 ft (approx. 300 m) must be maintained, except in situations where this is unfeasible due to safety considerations.

Section 2

Access to 'Bollen van de Ooster', located within the Voordelta as shown on the map accompanying this decree, is to be restricted.

Restricted access to Bollen van de Ooster applies throughout the whole of the year to the smaller summer resting area as indicated on the map. From 1 November to 1 April, restricted access applies to the larger winter resting area as indicated on the map.

Restricted access to Bollen van de Ooster applies to all types of activities with the exception of the activities listed below:

Commercial and leisure navigation via a corridor

Navigation through the winter resting area via the designated corridor subject to a maximum speed of 7 knots (13 km/h). However, surfing and sailing through the corridor is prohibited.

Canoeing, windsurfing and surfing

Canoeing (kayaking), windsurfing and surfing in the north-eastern section of the resting area throughout the whole of the year as indicated on the enclosed map (see Section 5).

Entering tidal plains in this part of the resting area with the sole purpose of pursuing the abovementioned sports is also permitted.

Helicopter flights and recreational flights in small aircraft

Helicopter flights are permitted over this area above a minimum altitude of 1 000 ft (approx. 300 m).

Paragliding and hang gliding are expressly prohibited above this area.

⁽¹⁾ Code of Conduct Verantwoord Vliegen [Responsible Flying], Royal Netherlands Aeronautical Association (RNAA), 2004.

For all other forms of recreational aviation (motorised or unmotorised), this area has been designated a 'nature conservation area' in accordance with the code of conduct for general aviation, *Verantwoord Vliegen* [Responsible Flying], applying to this category, which stipulates that these areas should be avoided wherever possible. If flying over these areas is unavoidable, then an altitude of at least 1 000 ft (approx. 300 m) must be maintained, except in situations where this is unfeasible due to safety considerations.

Section 3

Access to 'Bollen van het Nieuwe Zand', located within the Voordelta as shown on the map accompanying this decree, is to be restricted.

Restricted access to Bollen van het Nieuwe Zand only applies from 1 November to 1 May.

Restricted access to Bollen van het Nieuwe Zand applies to all types of activities with the exception of activities listed below:

Helicopter flights and recreational flights in small aircraft

Helicopter flights are permitted over this area above a minimum altitude of 1 000 ft (approx. 300 m).

Paragliding and hang gliding are prohibited above this area.

For all other forms of recreational aviation (motorised or unmotorised), this area has been designated a 'nature conservation area' in accordance with the code of conduct for general aviation, *Verantwoord Vliegen* [Responsible Flying], applying to this category, which stipulates that these areas should be avoided wherever possible. If flying over these areas is unavoidable, then an altitude of at least 1 000 ft (approx. 300 m) must be maintained, except in situations where this is unfeasible due to safety considerations.

Section 4

Access restrictions described above in Sections 1 to 3 do not apply to the following activities under Section 20, Subsection 4, of the Nature Conservation Act 1998:

Performing necessary government tasks

Presence throughout the whole of the year for tasks performed by the government or on behalf of the government, with or without the use of a vessel, vehicle or aircraft, in so far as is necessary for purposes of conservation, maintenance, demarcation, monitoring, inspection or tracking and military activities.

Cable and pipeline maintenance

Maintenance work carried out on cables and pipelines between 1 September and 1 May. Access outside of this period is only permitted as a matter of urgent necessity subject to the discretion of the competent authority.

Section 5

1. Areas to which access has been restricted by virtue of this decree are shown on the associated map titled 'Toegangsbeperkingsbesluit Hinderplaat, Bollen van de Ooster en Bollen van het Nieuwe Zand' [access restriction decree, Hinderplaat, Bollen van de Ooster and Bollen van het Nieuwe Zand] and defined in detail by means of coordinates.

2. In the field and on the water, restricted area boundaries can be identified by means of signposts and buoys.

3. Maps and other appendices as indicated in Subsection 1 can be viewed for inspection for a period of six weeks after publication, at the offices of the Southern Regional Affairs Directorate of the Ministry of Agriculture, Nature and Food Quality located at Keisersgracht 5 in Eindhoven. Office hours are from Monday to Friday, from 9 a.m. to 5 p.m.

Section 6

This decree is to be announced in the *Staatscourant* [Government Gazette]. An explanatory memorandum accompanying this decree must be read in conjunction with the order.

MINISTER OF AGRICULTURE, NATURE AND FOOD QUALITY

per pro

Southern Regional Director

Objections

It is possible for stakeholders to lodge an objection to this decree in writing under provisions set out in the General Administrative Law Act. Any such notices of objection should be lodged within six weeks of the order's publication in the *Staatscourant* [Government Gazette] at the following address:

Minister of Agriculture, Nature and Food Quality
Dienst Regelingen
Afdeling Recht & Rechtsbescherming
PO Box 20401
2500 EK The Hague
Netherlands

Notices of objection should be signed and should include at least the following information:

- (a) name and address of the party lodging the objection;
- (b) date;
- (c) description of the decree against which an objection is being lodged; and
- (d) grounds for objection.

EXPLANATORY MEMORANDUM

Natura 2000 areas

The Voordelta is home to flora and fauna of special ecological value. This is why this area has been designated a Natura 2000 area under the auspices of the EU Birds and Habitats Directive. The Netherlands is obliged to establish and maintain a 'favourable conservation status' for certain species and their habitats. Wildlife conservation is legally regulated under the Flora and Fauna Act, and conservation areas are legally regulated under the Nature Conservation Act 1998. The Nature Conservation Act 1998 requires that a management plan be established for all Natura 2000 areas.

Flora and fauna of special ecological value can be found throughout the whole of the Voordelta; however, the greatest diversity is located in the northern half of the area. Conservation measures are therefore most effective when applied to these northern areas.

Maasvlakte 2 Compensation Report

Development of Maasvlakte 2 in the Voordelta Natura 2000 area will result in the loss of flora and fauna of ecological value partly due to a reduction of the Natura 2000 area's size by 2 455 hectares. The key spatial planning decision (hereinafter KSPD), *Rotterdam Main Port Development 2006*, stipulated that this loss be compensated by establishing a conservation area elsewhere in the Voordelta, where usage restrictions could be imposed. The KSPD also stated that usage restrictions and other measures would help improve the ecological value of the conservation area. Ecological demands were taken into consideration and weighed against the extent to which restrictions should be imposed on human activity, particularly in light of existing usage, human or otherwise.

The Nature Conservation Act licence issued for the construction and presence of Maasvlakte 2 includes a compensation obligation concerning Habitat Type 1110 and a number of species of bird.

Measures

In the short term, it is important to limit access to certain areas of the Voordelta in order to be able to compensate in a timely fashion for the effects of the construction and presence of Maasvlakte 2, and in order to maintain a watch on the conservation and preservation of flora and fauna of ecological value as incorporated in the Voordelta Designation Decree.

Applicable measures for the Voordelta will also be incorporated into the Voordelta management plan. Until this management plan comes into effect, Section 19d of the Nature Conservation Act 1998 remains fully applicable. This decree is only aimed at regulating access and restricting access to certain areas, but does not provide for any dispensations for licensing requirements in cases where these stem from any applicable legislation.

The Environmental Impact Assessment document and the appropriate evaluation (made for the preparation of the Voordelta management plan) are the foundations for the access restriction decrees. They will also be incorporated into the Voordelta management plan. The goal of the management plan and of the access restriction decree is: to conserve the protected natural assets, to compensate for the loss of protected natural assets through the construction of Maasvlakte 2 and, within the bounds of this nature conservation, take into account the interests of recreational users, tourism and fisheries.

The management measures, such as the present access restrictions, will, if necessary, be adjusted on the basis of monitoring and evaluation.

*Explanatory note on the access restrictions***Hinderplaat**

Hinderplaat is an important resting and foraging area for the eider duck. Conservation targets have been set for this species in the Voordelta Designation Decree.

Within this area, there are tidal plains adjacent to deep channels that are of importance to the common seal. Improvement targets have been set for the common seal in the Voordelta Designation Decree.

All tidal plains within this area form extremely important resting areas for the sandwich and common terns. Conservation targets have also been set for these species in the Voordelta Designation Decree. The Nature Conservation Act licence issued for the construction and presence of Maasvlakte 2 imposes a compensation obligation for these species.

Bollen van de Ooster

Bollen van de Ooster forms an important area for the protection of birds and an important resting and foraging area for the common scoter (in coastal areas), and the sandwich and common terns (on tidal plains). Conservation targets have also been set for these species in the Voordelta Designation Decree. The Nature Conservation Act licence issued for the construction and presence of Maasvlakte 2 imposes a compensation obligation for these species.

This area is also of special importance for the protection of common seals, which mainly inhabit the southern tip of the tidal plains. Improvement targets have also been set for the common seal in the Voordelta Designation Decree.

Bollen van het Nieuwe Zand

Bollen van het Nieuwe Zand forms one of the most important central resting and foraging areas for the common scoter. Conservation targets have also been set for this species in the Voordelta Designation Decree. The Nature Conservation Act licence issued for the construction and presence of Maasvlakte 2 imposes a compensation obligation for this species.

*Natura 2000 Objectives***Common seal**

At the beginning of the last century, around 10 000 common seals inhabited the Delta. Pollution, hunting and encroachment into their habitat due to the Delta Works had reduced their numbers to just a few dozen individuals up until 50 years ago. Over recent years, their numbers have grown to more than 100 in the Delta area, 50 % living in the Voordelta area.

They use tidal plains such as those at Hinderplaat, Bollen van de Ooster (Aardappelenbult) and Verklikkerplaat to rest. However, they do not breed well in the Voordelta. The plains provide insufficient peace and quiet for them to give birth to, suckle and raise their pups. Year-round peace and quiet is essential; the most critical period being before, during and after the pups' suckling period from 1 May to 1 September.

Measures restricting access to their resting places in Hinderplaat, Bollen van de Ooster and Verklikkerplaat situated in the Voordelta are designed to allow at least 200 common seals to inhabit the entire Delta. Here, they will be able raise their pups, thus meeting objectives set out in the Voordelta Designation Decree.

Eider duck

The eider duck is principally a winter visitor in the Voordelta, but smaller groups are also present throughout the summer. Eider ducks can always be found in shallow, sheltered areas of Hinderplaat and Bollen van de Ooster. Numbers fluctuate from year to year depending on annual variations in the availability of shellfish in the area. Eider duck population levels in the Voordelta are under pressure due to reduced supplies of food resulting from commercial shellfish harvesting and the nuisance caused by increasing recreational pressure. Although the construction and presence of Maasvlakte 2 will have no significant impact on this species, the measures are in fact crucial given the very poor state of conservation throughout the country. For this reason access to the area directly to the east of Hinderplaat is to be restricted to ensure that populations can remain in the Voordelta.

*Maasvlakte 2 Compensation***Sandwich and common terns**

The sandwich and common tern breed outside the Voordelta in nearby Natura 2000 areas. Their diet consists of small fish, which they catch by diving in shallow coastal areas near sandbanks as described above (Habitat Type 1110). Food sources located near to breeding colonies will be lost due to the construction of Maasvlakte 2. This will have the greatest impact in the summer period, when the flight radius of these birds is limited by fledglings.

Current conditions provide limited peace and quiet on the mud plains that the birds use in the Voordelta. Measures restricting access are designed to create a more restful environment in the summer period on the Voordelta tidal plains at Hinderplaat and Bollen van de Ooster. This will allow the sandwich and common terns to utilise the area better as a resting place for their young and to make it easier to reach food supplies at sea.

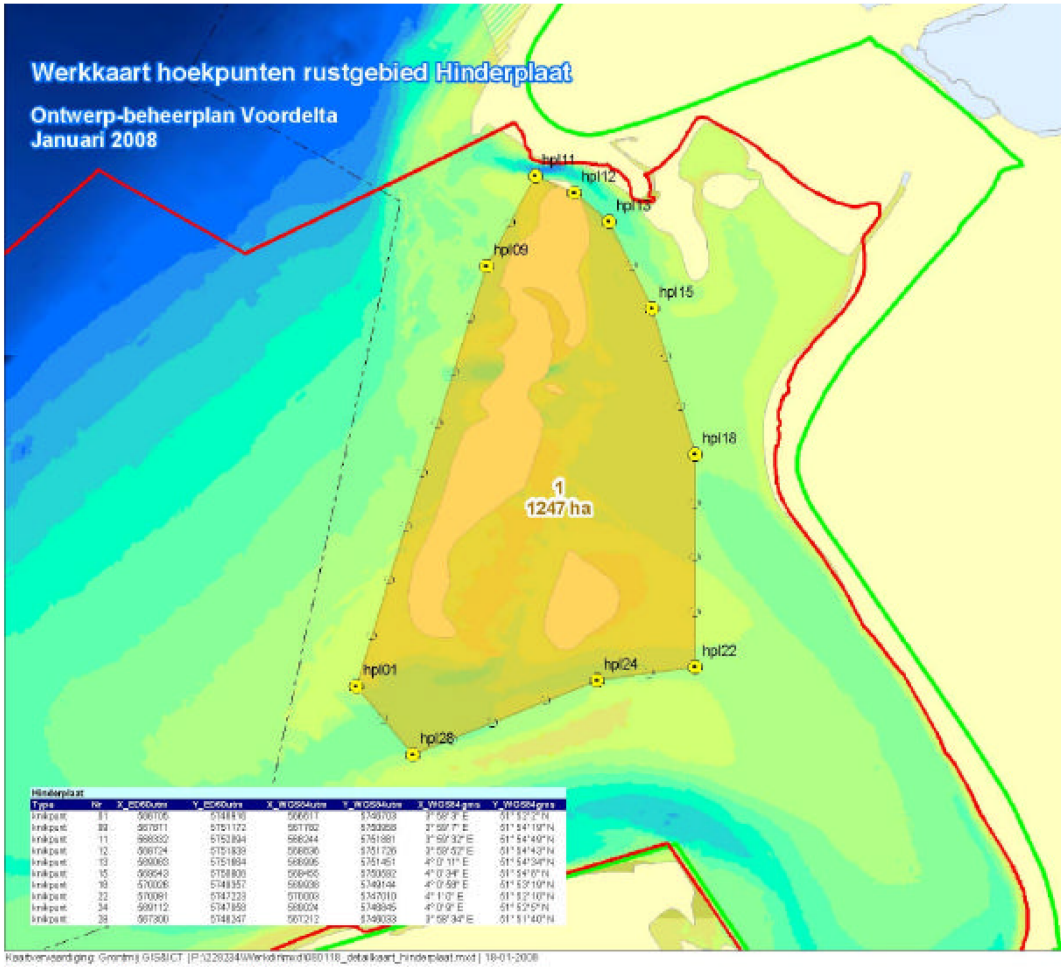
Common scoter

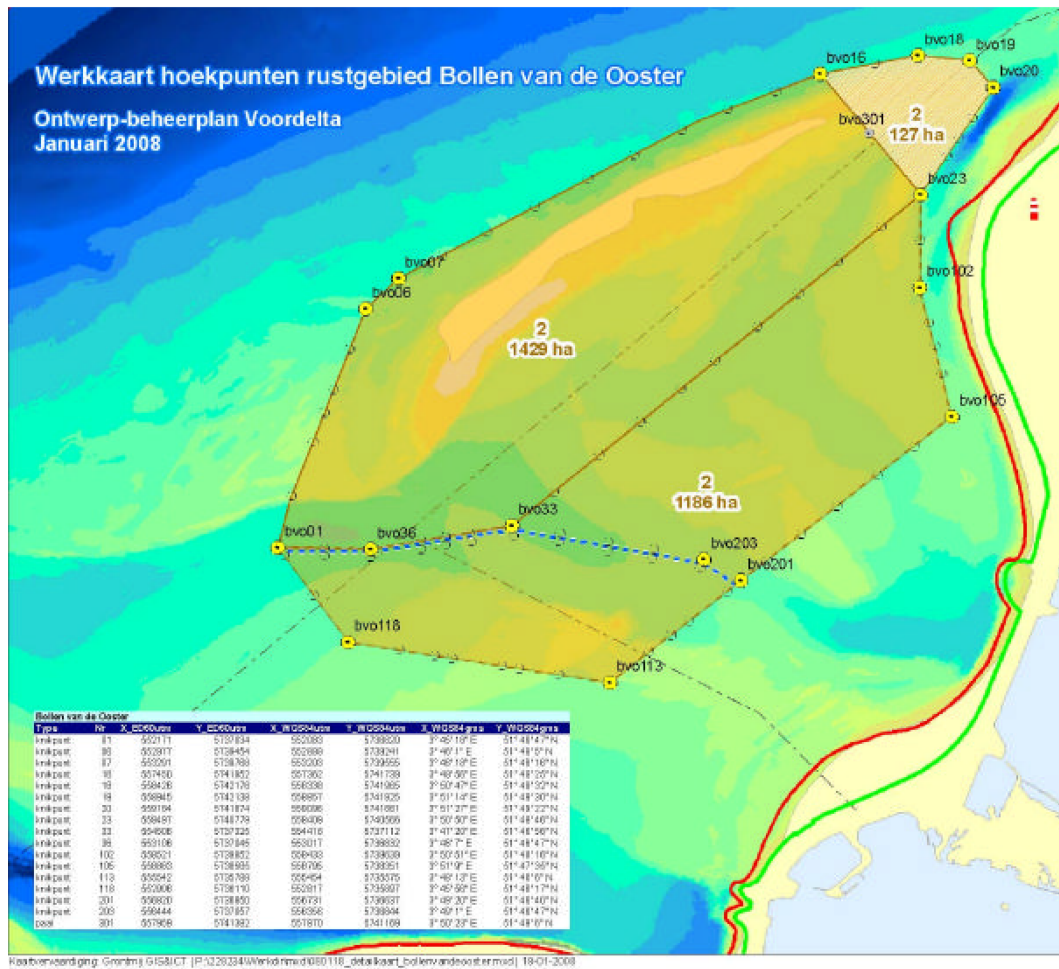
The common scoter is a migrant bird that visits the Voordelta in the winter months. This species can principally be found in coastal regions to the south-east of Bollen van de Ooster and in and around Bollen van het Nieuwe Zand. In the summer months, smaller numbers of common scoter remain in the Voordelta using it as a moulting area.

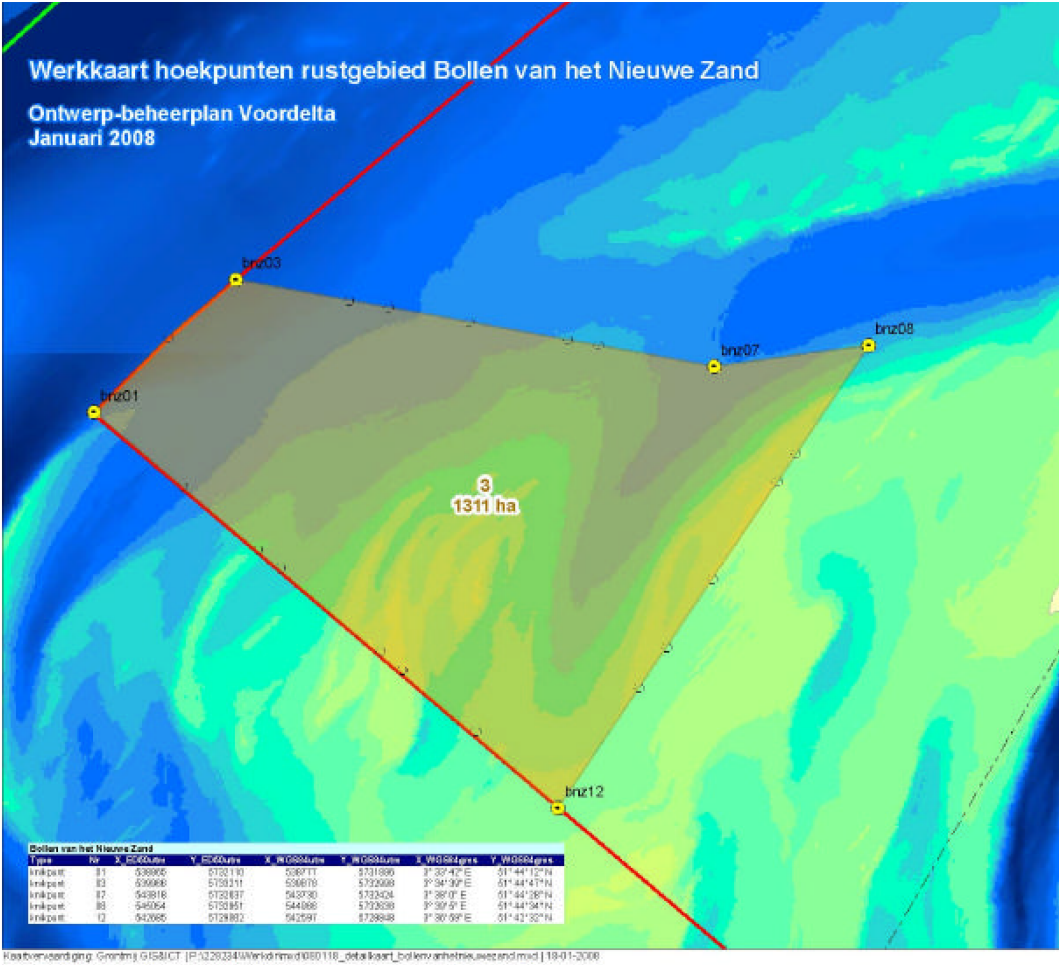
Common scoters feed on shellfish that they find in shallow coastal waters that will partially be lost due to the construction of Maasvlakte 2. Measures restricting access to coastal areas at Bollen van de Ooster (and Bollen van het Nieuwe Zand) are designed to safeguard adequate levels of and access to food supplies as compensation for the potential loss of this species' foraging area around Maasvlakte 2.

Wildlife is particularly sensitive to disturbance and nuisance caused by recreational water users and shipping traffic. By guaranteeing peace and quiet throughout the winter months in areas where these species forage and rest in large numbers, it is hoped that favourable conditions for the common scoter can be maintained throughout the whole of the Voordelta equivalent to those prior to the construction of Maasvlakte 2. During the summer months, a shorter summer resting period suffices.

MAPS







ANNEX II

Access restriction decree seabed conservation area

13 May 2008

Minister of Agriculture, Nature and Food Quality

Restriction of access to natural areas under Section 20 of the Nature Conservation Act 1998 for the 'Voordelta' Natura 2000 area.

INTRODUCTION

Section 20, Subsection 1, of the Nature Conservation Act 1998 ⁽¹⁾ stipulates that provincial executives may restrict access to protected nature reserves as defined under Section 10, Subsection 1; designated areas as defined under Section 10a, Subsection 1; other areas for which such a designation is under consideration as defined under Section 12, or parts of such areas in so far as is necessary for the conservation of the ecological value of said area.

Section 20, Subsection 2, of the Nature Conservation Act 1998 stipulates that the authority as defined in Subsection 1 rests with the Minister of Agriculture, Nature and Food Quality in agreement with another Minister in the event that the area as defined under Subsection 1, or a part thereof, is managed by or falls under the jurisdiction of that Minister or other Ministers.

The following decree is to be enacted in agreement with the Minister of Transport, Public Works and Water Management. The Regional Affairs mandate ⁽²⁾ in force at the Ministry of Agriculture, Nature and Food Quality stipulates that the Southern Regional Director for this ministry be authorised to take this decision on behalf of the Minister of Agriculture, Nature and Food Quality.

It is necessary to restrict access to a number of areas within the 'Voordelta' Natura 2000 area (hereinafter 'Voordelta') in order to protect the existing and future ecological value of the area. The basis for imposing such access restrictions can be found in the Voordelta Designation Decree (19 February 2008, ref. DRZO/2008-113) with regard to fulfilling Voordelta Natura 2000 objectives, as well as compensation obligations as incorporated into the Nature Conservation Act licence (17 April 2008, ref. DRZW/2008-1670) issued for construction and presence of Maasvlakte 2. This is described in more detail in the general explanatory note accompanying this decree.

This decree specifically regulates restricted access to the areas detailed below. Specific exceptions to access restrictions detract in no way from any licensing requirements as defined under Section 19d of the Nature Conservation Act 1998, unless exceptions as defined under Section 19d, Subsection 2, of the Nature Conservation Act 1998 (projects or activities in accordance with the management plan) are applicable.

DECREE

Section 1

Access to the seabed conservation area in the Voordelta, as shown on the map accompanying this decree, is to be restricted for beam trawling with an engine capacity greater than 191 kW (260 hp).

Restricted access applies throughout the whole of the year.

Section 2

1. The area to which access has been restricted by virtue of this decree is shown on the associated map titled 'Toegangsbeperkingsbesluit bodembeschermingsgebied Voordelta' [access restriction decree — Voordelta seabed conservation area] and defined in detail by means of coordinates.
2. Maps and other appendices as indicated in Subsection 1 can be viewed for inspection for a period of six weeks after publication, at the offices of the Southern Regional Affairs Directorate of the Ministry of Agriculture, Nature and Food Quality located at Keisersgracht 5 in Eindhoven. Office hours are from Monday to Friday, from 9 a.m. to 5 p.m.

⁽¹⁾ Effective as of *Staatsblad 2005* [Bulletin of Acts, Orders and Decrees 2005], 473.

⁽²⁾ *Staatscourant 2006* [Government Gazette 2006], No 91.

Section 3

This decree is to be announced in the *Staatscourant* [Government Gazette]. An explanatory memorandum accompanying this decree must be read in conjunction with the order.

MINISTER OF AGRICULTURE, NATURE AND FOOD QUALITY

per pro

Southern Regional Director

Objections

It is possible for stakeholders to lodge an objection to this decree in writing under provisions set out in the General Administrative Law Act. Any such notices of objection should be lodged within six weeks of the order's publication in the *Staatscourant* [Government Gazette] at the following address:

Minister of Agriculture, Nature and Food Quality

Dienst Regelingen

Afdeling Recht & Rechtsbescherming

PO Box 20401

2500 EK The Hague

Netherlands

Notices of objection should be signed and should include at least the following information:

- (a) name and address of the party lodging the objection;
- (b) date;
- (c) description of the decree against which an objection is being lodged; and
- (d) grounds for objection.

EXPLANATORY MEMORANDUM

Natura 2000 areas

The Voordelta is home to flora and fauna of special ecological value. This is why this area has been designated a Natura 2000 area under the auspices of the EU Birds and Habitats Directive. The Netherlands is obliged to establish and maintain a 'favourable conservation status' for certain species and their habitats. Wildlife conservation is legally regulated under the Flora and Fauna Act, and conservation areas are legally regulated under the Nature Conservation Act 1998. The Nature Conservation Act 1998 requires that a management plan be established for all Natura 2000 areas.

Flora and fauna of special ecological value can be found throughout the whole of the Voordelta; however, the greatest diversity is located in the northern half of the area. Conservation measures are therefore most effective when applied to these northern areas.

Maasvlakte 2 Compensation Report

Development of Maasvlakte 2 in the Voordelta Natura 2000 area will result in the loss of flora and fauna of ecological value due to a reduction of the Natura 2000 area's size by 2 455 hectares. The key spatial planning decision (hereinafter KSPD), *Rotterdam Main Port Development 2006*, stipulated that this loss be compensated by establishing a conservation area elsewhere in the Voordelta, where usage restrictions could be imposed.

The KSPD also stated that usage restrictions and other measures would help improve the ecological value of the conservation area. Ecological demands were taken into consideration and weighed against the extent to which restrictions should be imposed on human activity, particularly in light of existing usage, human or otherwise.

The Nature Conservation Act licence issued for the construction and presence of Maasvlakte 2 includes a compensation obligation concerning Habitat Type 1 110 and a number of species of bird.

Measures

In the short term, it is important to limit access to certain areas of the Voordelta in order to be able to compensate in a timely fashion for the effects of the construction and presence of Maasvlakte 2, and in order to maintain a watch on the conservation and preservation of flora and fauna of ecological value as incorporated in the Voordelta Designation Decree.

Applicable measures for the Voordelta will also be incorporated into the Voordelta management plan. Until this management plan comes into effect, Section 19d of the Nature Conservation Act 1998 remains fully applicable. This decree is only aimed at regulating access and restriction of access to certain areas, but does not provide for any dispensations for licensing requirements in cases where these stem from any applicable legislation.

The Environmental Impact Assessment document and the appropriate evaluation (made for the preparation of the Voordelta management plan) are the foundations for the access restriction decrees. They will also be incorporated in the Voordelta management plan. The goal of the management plan and of the access restriction decree is: to conserve the protected natural assets, to compensate for the loss of protected natural assets through the construction of Maasvlakte 2 and within the bounds of this nature conservation take into account the interests of recreational users, tourism and fisheries.

The management measures, such as the present access restrictions, will, if necessary, be adjusted on the basis of monitoring and evaluation.

Explanatory notes on access restrictions

Maasvlakte 2 Compensation

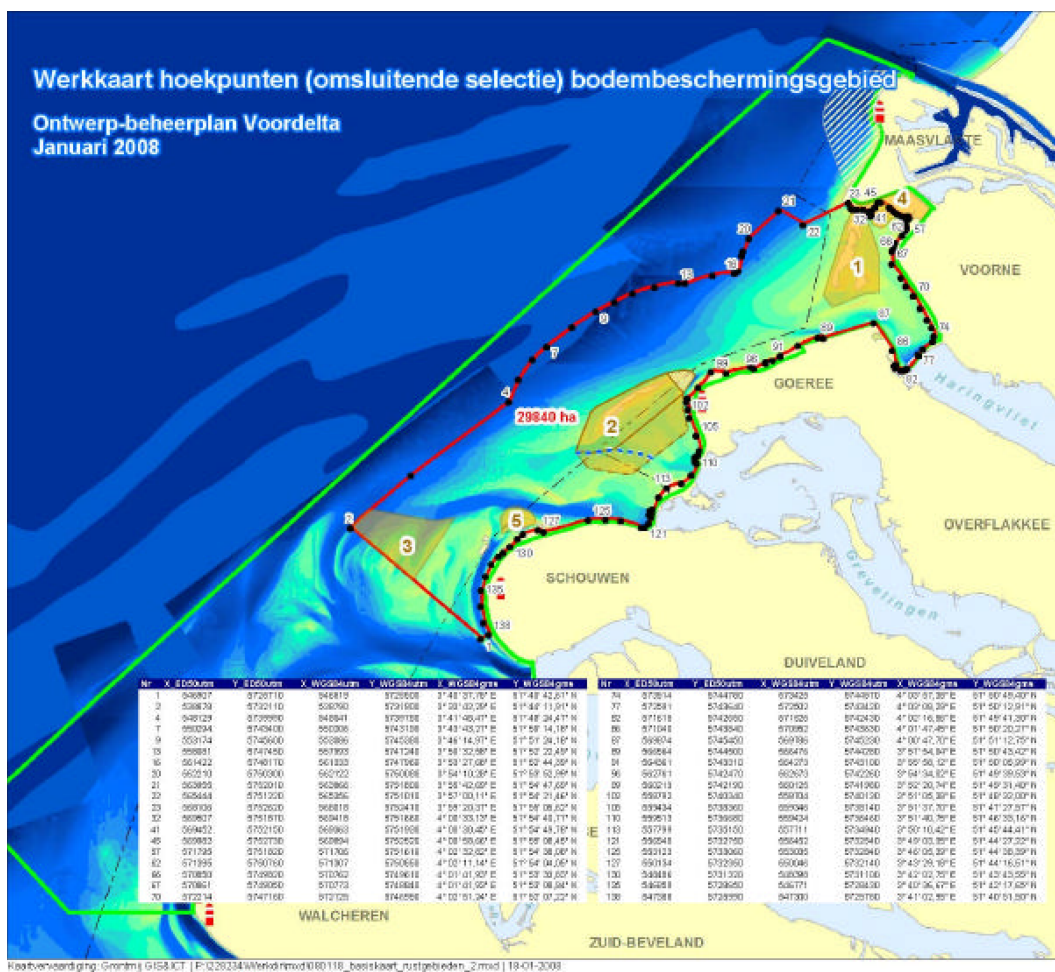
Habitat Type 1 110 (permanent sandbanks in shallow coastal waters)

Many species of land animal and fish live on sandbanks in alternating fresh and salt-water tidal deltas. These delta areas are an important feeding ground for birds and seals, which is why it is so important to conserve them. In total, 2 455 hectares of this type of habitat in the Voordelta will be lost due to expansion of Rotterdam Port to Maasvlakte 2. Part of the soil fauna (biomass) will disappear due to the loss of this land area that would otherwise serve as food for fish and birds.

Since it is not possible to create sandbanks in shallow coastal waters at any other locations, measures are being taken to improve the quality of similar parts of the seabed in other areas of the Voordelta to serve as feeding grounds for birds and fish. The objective is to raise levels of biomass within the conservation area as a source of food for birds and fish to keep total biomass levels within the Voordelta at a constant level comparable to the situation before the construction of Maasvlakte 2. This will act as compensation for the effects of the construction and presence of Maasvlakte 2.

The net area of the conservation area totals 24 550 hectares, 10 times the area that will be lost. This factor of 10 can trace its origins back to expert assessments and existing research data that showed that restricting an area's usage can generate at least 10 % improvement in soil quality due to biomass growth. Based on this expert assessment and further investigation, it was determined in Section 1 of the KSPD that establishing a sea reserve (termed a conservation area in this decree) would be the best way to compensate for the effects of the construction and presence of Maasvlakte 2. Subsequent research has shown that excluding beam trawlers with an engine capacity greater than 191 kW (260 hp) from the conservation area was sufficient to achieve this objective. The restricted access decree follows up on these findings.

MAP



ANNEX III

Access restriction decree Verklikkerplaat and Slikken van Voorne

13 May 2008

Minister of Agriculture, Nature and Food Quality

Restriction of access to natural areas under Section 20 of the Nature Conservation Act 1998 for the 'Voordelta' Natura 2000 area.

INTRODUCTION

Section 20, Subsection 1, of the Nature Conservation Act 1998 ⁽¹⁾ stipulates that provincial executives may restrict access to protected nature reserves as defined under Section 10, Subsection 1; designated areas as defined under Section 10a, Subsection 1; other areas for which such a designation is under consideration as defined under Section 12, or parts of such areas in so far as is necessary for the conservation of the ecological value of said area.

Section 20, Subsection 2, of the Nature Conservation Act 1998 stipulates that the authority as defined in Subsection 1 rests with the Minister of Agriculture, Nature and Food Quality in agreement with another Minister in the event that the area as defined under Subsection 1, or a part thereof, is managed by or falls under the jurisdiction of that Minister or other Ministers.

The following decree is to be enacted in agreement with the Minister of Transport, Public Works and Water Management. The Regional Affairs mandate ⁽²⁾ in force at the Ministry of Agriculture, Nature and Food Quality stipulates that the Southern Regional Director for this ministry be authorised to take this decision on behalf of the Minister of Agriculture, Nature and Food Quality.

It is necessary to restrict access to a number of areas within the Voordelta Natura 2000 area (hereinafter 'Voordelta') in order to protect the existing and future ecological value of the area. The basis for imposing such access restrictions can be found in the Voordelta Designation Decree (19 February 2008, ref. DRZO/2008-113) with regard to fulfilling Voordelta Natura 2000 objectives, as well as compensation obligations as incorporated into the Nature Conservation Act licence (17 April 2008, ref. DRZW/2008-1670) issued for construction and presence of Maasvlakte 2. This is described in more detail in the general explanatory memorandum accompanying this decree.

This decree specifically regulates access restrictions to the areas detailed below. Specific exceptions to access restrictions detract in no way from any licensing requirements as defined under Section 19d of the Nature Conservation Act 1998, unless exceptions as defined under Section 19d, Subsection 2, of the Nature Conservation Act 1998 (projects or activities in accordance with the management plan) are applicable.

DECREE

Section 1

Access to the 'Verklikkerplaat' area, as shown in the map accompanying this decree, is to be restricted.

Restricted access to Verklikkerplaat applies throughout the whole of the year.

Restricted access applies to all types of activities with the exception of the activities listed below:

Helicopter flights and recreational flights in small aircraft

Helicopter flights are permitted over this area above a minimum altitude of 1 000 ft (approx. 300 m).

Paragliding and hang gliding are prohibited above this area.

For all other forms of recreational aviation (motorised or unmotorised), this area has been designated a 'nature conservation area' in accordance with the code of conduct for general aviation, *Verantwoord Vliegen* [Responsible Flying], applying to this category ⁽³⁾, which stipulates that these areas should be avoided wherever possible. If flying over these areas is unavoidable, then an altitude of at least 1 000 ft (approx. 300 m) must be maintained, except in situations where this is unfeasible due to safety considerations.

⁽¹⁾ Effective as of *Staatsblad* 2005 [Bulletin of Acts, Orders and Decrees 2005], 473.

⁽²⁾ *Staatscourant* 2006 [Government Gazette 2006], No 91.

⁽³⁾ Code of Conduct *Verantwoord Vliegen* [Responsible Flying], Royal Netherlands Aeronautical Association (RNAA), 2004.

Section 2

Access to the 'Slikken van Voorne' area, located within the Voordelta as shown on the map accompanying this decree, is to be restricted.

Restricted access to Slikken van Voorne applies throughout the whole of the year.

Restricted access does not apply to the activities listed below:

Seine net fishing

Seine net fishing is permitted throughout the whole of the year under the following conditions. This concerns one enterprise, namely vessel Tholen 5.

A distance of at least 250 m must be kept from high water refuge areas on mud flats.

The fishing vessel must be equipped with serviceable tracking equipment for enforcement purposes.

Helicopter flights and recreational flights in small aircraft

Helicopter flights are permitted over this area above a minimum altitude of 1 000 ft (approx. 300 m).

Paragliding and hang gliding are expressly prohibited above this area.

For all other forms of recreational aviation (motorised or unmotorised), this area has been designated a 'nature conservation area' in accordance with the code of conduct for general aviation, *Verantwoord Vliegen* [Responsible Flying], applying to this category, which stipulates that these areas should be avoided wherever possible. If flying over these areas is unavoidable, then an altitude of at least 1 000 ft (approx. 300 m) must be maintained, except in situations where this is unfeasible due to safety considerations.

Section 3

Access restrictions described above in Section 1 do not apply to the following activities on grounds of Section 20, Subsection 4 of the Nature Conservation Act 1998:

Performing necessary government tasks

Presence throughout the whole of the year for tasks performed by the government or on behalf of the government, with or without the use of a vessel, vehicle or aircraft, in so far as is necessary for purposes of conservation, maintenance, demarcation, monitoring, inspection or tracking and military activities.

Cable and pipeline maintenance

Maintenance work carried out on cables and pipelines between 1 September and 1 May. Access outside this period is only permitted as a matter of urgent necessity subject to the discretion of the competent authority.

Section 4

1. Areas to which access has been restricted by virtue of this decree are shown on the associated map titled 'Toegankelijkheidsbesluit Verklikkerplaat en Slikken van Voorne' [access restriction decree Verklikkerplaat en Slikken van Voorne] and defined in detail by means of coordinates.

2. In the field and on the water, restricted area boundaries can be identified by means of signposts and buoys.

3. Maps and other appendices as indicated in Subsection 1 can be viewed for inspection for a period of six weeks after publication, at the offices of the Southern Regional Affairs Directorate of the Ministry of Agriculture, Nature and Food Quality located at Keisersgracht 5 in Eindhoven. Office hours are from Monday to Friday, from 9 a.m. to 5 p.m.

Section 5

This decree is to be announced in the *Staatscourant* [Government Gazette]. An explanatory memorandum accompanying this decree must be read in conjunction with the order.

MINISTER OF AGRICULTURE, NATURE AND FOOD QUALITY

per pro

Southern Regional Director

Objections

It is possible for stakeholders to lodge an objection to this decree in writing under provisions set out in the General Administrative Law Act. Any such notices of objection should be lodged within six weeks of the order's publication in the *Staatscourant* [Government Gazette] at the following address:

Minister of Agriculture, Nature and Food Quality
Dienst Regelingen
Afdeling Recht & Rechtsbescherming
PO Box 20401
2500 EK The Hague
Netherlands

Notices of objection should be signed and should include at least the following information:

- (a) name and address of the party lodging the objection;
- (b) date;
- (c) description of the decree against which an objection is being lodged; and
- (d) grounds for objection.

EXPLANATORY MEMORANDUM

Natura 2000 areas

The Voordelta is home to flora and fauna of special ecological value. This is why this area has been designated a Natura 2000 area under the auspices of the EU Birds and Habitats Directive. The Netherlands is obliged to establish and maintain a 'favourable conservation status' for certain species and their habitats. Wildlife conservation is legally regulated under the Flora and Fauna Act, and conservation areas are legally regulated under the Nature Conservation Act 1998. The Nature Conservation Act 1998 requires that a management plan be established for all Natura 2000 areas.

Flora and fauna of special ecological value can be found throughout the whole of the Voordelta; however, the greatest diversity is located in the northern half of the area. Conservation measures are therefore most effective when applied to these northern areas.

Maasvlakte 2 Compensation Report

Development of Maasvlakte 2 in the Voordelta Natura 2000 area will result in the loss of flora and fauna of ecological value partly due to a reduction of the Natura 2000 area's size by 2 455 hectares. The key spatial planning decision (hereinafter KSPD), *Main Port Rotterdam Development 2006*, stipulated that this loss be compensated for by establishing a conservation area elsewhere in the Voordelta, where usage restrictions could be imposed. The KSPD also stated that usage restrictions and other measures would help improve the ecological value of the conservation area. Ecological demands were taken into consideration and weighed against the extent to which restrictions should be imposed on human activity, particularly in light of existing usage, human or otherwise.

The Nature Conservation Act licence issued for the construction and presence of Maasvlakte 2 includes a compensation obligation concerning Habitat Type 1 110 and a number of species of bird. By means of the restricted access decree under consideration, compensatory measures are to be taken in addition to objectives set by Natura 2000.

Measures

In the short term, it is important to limit access to certain areas of the Voordelta in order to be able to compensate in a timely fashion for the effects of the construction and presence of Maasvlakte 2, and in order to maintain a watch on the conservation and preservation of flora and fauna of ecological value as incorporated in the Voordelta Designation Decree.

Applicable measures for the Voordelta will also be incorporated into the Voordelta management plan. Until this management plan comes into effect, Section 19d of the Nature Conservation Act 1998 remains fully applicable. This decree is only aimed at regulating access and restricting access to certain areas, but does not provide for any dispensations for licensing requirements in cases where these stem from any applicable legislation.

The Environmental Impact Assessment document and the appropriate evaluation (made for the preparation of the Voordelta management plan) are the foundations for the access restriction decrees. They will also be incorporated into the Voordelta management plan. The goal of the management plan and of the access restriction decree is: to conserve the protected natural assets, to compensate for the loss of protected natural assets through the construction of Maasvlakte 2 and, within the bounds of this nature conservation, to take into account the interests of recreational users, tourism and fisheries.

The management measures, such as the present access restrictions, will, if necessary, be adjusted on the basis of monitoring and evaluation.

Explanatory notes on access restrictions

Slikken van Voorne is important for the protection of various species of bird inhabiting the area (approximately 20 species, principally ducks and waders) for which conservation targets have been set in the Voordelta Designation Decree.

Verklikkerplaat is of special importance for the protection of the common seal.

*Natura 2000 Objectives***Waders and ducks**

Various species of wader and duck such as the oystercatcher and the gadwall use Slikken van Voorne in the Voordelta as a resting and foraging area. The Voordelta is becoming increasingly important for their continued existence as a result of diminishing habitats elsewhere, such as the sandbanks of the Oosterschelde where these migrant birds rest and feed.

Recreational activities in their direct vicinity, both on beaches and on the water, disturb these birds, which are particularly sensitive to noise and sudden movement. This problem is growing, as the recreational season is becoming longer and longer. Measures restricting access to Slikken van Voorne are designed to achieve conservation targets set out in the Voordelta Designation Decree for ducks and waders.

Common seal

At the beginning of the last century, around 10 000 common seals inhabited the Delta. Pollution, hunting and encroachment into their habitat due to the Delta Works had reduced their numbers to just a few dozen individuals up until 50 years ago. Over recent years, their numbers have grown to more than 100 in the Delta area, 50 % living in the Voordelta area.

They use tidal plains such as those at Hinderplaat, Bollen van de Ooster (Aardappelenbult) and Verklikkerplaat to rest. However, they do not breed well in the Voordelta. The plains provide insufficient peace and quiet for them to give birth to, suckle and raise their pups. Year-round peace and quiet is essential; the most critical period being before, during and after the pups' suckling period from 1 May to 1 September.

Measures restricting access to their resting places in Hinderplaat, Bollen van de Ooster and Verklikkerplaat situated in the Voordelta are designed to allow at least 200 common seals to inhabit the entire Delta. Here, they will be able to raise their pups, thus meeting objectives set out in the Voordelta Designation Decree.

COMMISSION DECISION

of 30 October 2008

establishing, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, the values of the Member State monitoring system classifications as a result of the intercalibration exercise

*(notified under document number C(2008) 6016)***(Text with EEA relevance)**

(2008/915/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ⁽¹⁾, and in particular section 1.4.1(ix) of Annex V thereof,

Whereas:

(1) Article 4(1)(a)(ii) of Directive 2000/60/EC requires the Member States to protect, enhance and restore all bodies of surface water with the aim of achieving good surface water status at the latest 15 years after the date of entry into force of the Directive, subject to certain exceptions, in accordance with the provisions laid down in Annex V thereto. Article 4(1)(a)(iii) of Directive 2000/60/EC requires the Member States to protect and enhance all artificial and heavily modified bodies of water, with the aim of achieving good ecological potential and good surface water chemical status at the latest 15 years from the date of entry into force of that Directive, subject to certain exceptions, in accordance with the provisions laid down in Annex V thereto. In accordance with point (i) of section 1.4.1 of Annex V to Directive 2000/60/EC the references to ecological status should be construed as references to ecological potential as regards artificial and heavily modified water bodies.

(2) Section 1.4.1 of Annex V to Directive 2000/60/EC provides a process to ensure the comparability between Member States of biological monitoring results, being a central part of the ecological status classification. This requires the results of the Member States' monitoring and classification systems to be compared through an intercalibration network comprised of monitoring sites in each Member State and in each ecoregion of the Community. Directive 2000/60/EC requires the Member States to collect, as appropriate, the necessary information for the sites included in the intercalibration network, in order to enable the assessment of the consistency of the national classification system with the normative definitions of section 1.2 of Annex V to Directive 2000/60/EC and the comparability of the results of classification systems between the Member States.

(3) Commission Decision 2005/646/EC of 17 August 2005 on the establishment of a register of sites to form the intercalibration network in accordance with Directive 2000/60/EC of the European Parliament and of the Council ⁽²⁾ established the register of sites to form the intercalibration network referred to in section 1.4.1(vii) of Annex V to Directive 2000/60/EC.

(4) In order to carry out the intercalibration exercise Member States are organised in Geographical Intercalibration Groups, consisting of Member States sharing particular surface water body types, as defined in Section 2 of the Annex to Decision 2005/646/EC. This has allowed each group to compare its results and to perform the intercalibration exercise among its members.

(5) The intercalibration exercise is carried out at biological element level, comparing the classification results of the national monitoring systems for each biological element and for each common surface water body type among Member States in the same Geographical Intercalibration Group, and assessing the consistency of the results with the aforementioned normative definitions.

(6) The 'Technical report on the Water Framework Directive intercalibration exercise' describes in detail how the intercalibration exercise has been carried out for the water categories and biological quality elements included in the Annex to this Decision.

(7) The Commission has facilitated the intercalibration exercise through the Institute of Environment and Sustainability of the Joint Research Centre in Ispra (Italy) that has coordinated the technical work.

(8) The intercalibration exercise is a complex scientific and technical task. The Geographical Intercalibration Groups have used different methodological options to carry out the exercise depending on the availability of monitoring data for the various biological quality elements and the status of development of the national monitoring and classification systems. In order to increase the statistical robustness of the

⁽¹⁾ OJ L 327, 22.12.2000, p. 1.

⁽²⁾ OJ L 243, 19.9.2005, p. 1.

results, most of the methodologies used by Geographical Intercalibration Groups involve the use of data from as many monitoring points as possible, covering the whole range of status classes, from high to bad status. Therefore, monitoring data has been used from sites that are not part of the intercalibration network, as this comprises only a limited number of sites of high, good or moderate status.

- (9) The Commission has received intercalibration results for a number of biological quality elements that comprise the definition of ecological status. In some cases results have been provided for only some parameters of the biological elements or for only some of the Member States participating in a Geographical Intercalibration Group. Hence, the Commission considers that, for those cases, comparability is not fully ensured. Further intercalibration results may therefore be subject to a future Decision when the relevant information in accordance with Section 1.4.1 of Annex V to Directive 2000/60/EC will have been provided by Member States.
- (10) It is necessary to adopt the available results of the intercalibration exercise on time to inform the development of the first river basin management plans and programmes of measures in accordance with Articles 11 and 13 of Directive 2000/60/EC.
- (11) As a result of the intercalibration exercise, the values of the ecological quality ratios for the boundaries between ecological status classes for the Member States classification systems should represent an equivalent ecological status. The differences in values for the same biological quality element are due to differences in national methods. In addition, due to the differences in calculation methods and other reasons, it is not possible to compare the values of the ecological quality ratios across different biological quality elements.
- (12) Parameters like chlorophyll-a concentration, phytoplankton biovolume, percentage of cyanobacteria or depth limits of macroalgae and angiosperms do not cover full biological quality elements. However, due to the availability of data and assessment methods, they are one of the basis of the current intercalibration exercise for lakes and coastal waters. The values of those parameters are directly comparable across Member States, provided the differences in sampling and analytical methods are taken into account. For these reasons, in addition to the ecological quality ratios, absolute values for these parameters should be included in the Annex to this Decision as part of the results of the intercalibration exercise.
- (13) The results should refer to the ecological status. If water bodies corresponding to the intercalibrated types are designated as heavily modified water bodies in accordance

with Article 4(3) of Directive 2000/60/EC, the results presented in the Annex to this Decision may be used to derive their good ecological potential, taken into account their physical modifications and their associated water use, in accordance with the normative definitions in Annex V, section 1.2.5, to Directive 2000/60/EC.

- (14) As established in section 1.4.1(iii) of Annex V to Directive 2000/60/EC, Member States will have to translate the results of the intercalibration exercise into their national classification systems in order to set the boundaries between high and good status and between good and moderate status for all their national types. Guidelines to translate the intercalibration results into the national classification systems and to derive reference conditions have been developed to support the application of the results.
- (15) The information that will be made available through the implementation of the monitoring programmes provided for in Article eight of Directive 2000/60/EC and the review and update of the characteristics of river basin districts provided for in Article five of Directive 2000/60/EC can bring new evidence that may lead to the adaptation to scientific and technical progress of the Member States' monitoring and classification systems and eventually to a review of the results of the intercalibration exercise in order to improve their quality.
- (16) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 21(1) of Directive 2000/60/EC,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of section 1.4.1(iii) of Annex V to Directive 2000/60/EC, Member States shall use in their monitoring systems classification the values of the boundaries between classes that are set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 October 2008.

For the Commission

Stravros DIMAS

Member of the Commission

ANNEX

WATER CATEGORY: Rivers

GEOGRAPHICAL INTERCALIBRATION GROUP: Alpine

Description of types that have been intercalibrated

Type	River characterisation	Catchment (km ²)	Altitude and geomorphology	Alkalinity	Flow regime
R-A1	Small to medium, high altitude calcareous	10-1 000	800-2 500 m (catchment), boulders/cobble	high (but not extremely high) alkalinity	
R-A2	Small to medium, high altitude, siliceous	10-1 000	500-1 000 m (max. altitude of catchment 3 000 m, mean 1 500 m), boulders	Non-calcareous (granite, metamorphic), medium to low alkalinity	nival-glacial flow regime

Countries sharing the types that have been intercalibrated

Type R-A1: Germany, Austria, France, Italy, Slovenia

Type R-A2: Austria, France, Italy, Spain, Slovenia

RESULTS

Biological Quality Element: Benthic invertebrate fauna**Results:** Ecological quality ratios of the national classification systems intercalibrated

Type and country	National classification systems intercalibrated	Ecological Quality Ratios	
		High-good boundary	Good-moderate boundary
Type R-A1			
Austria	Austrian System for Ecological River Status Assessment (Worst case between Multimetric Indices for General Degradation and Saprobic Index)	0,80	0,60
France	Classification française DCE Indice Biologique Global Normalisé (IBGN). Norme AFNOR NF T 90 350 (1992) and circular MEDD/DE/MAGE/BEMA 05 No14 of 28 July 2005 modified on 13 June 2007	0,93	0,79
Germany	PERLODES — Bewertungsverfahren von Fließgewässern auf Basis des Makrozoobenthos	0,80	0,60
Italy	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,97	0,73
Slovenia	Slovenian Benthic Invertebrate Assessment System: Multimetric index (Hydromorphology/General degradation), Saprobic Index	0,80	0,60
Type R-A2			
Austria	Austrian System for Ecological River Status Assessment (Worst case between Multimetric Indices for General Degradation and Saprobic Index)	0,80	0,60
France (Alps)	Classification française DCE Indice Biologique Global Normalisé (IBGN). Norme AFNOR NF T 90 350 (1992) and circular MEDD/DE/MAGE/BEMA 05 No 14 of 28 July 2005 modified on 13 June 2007	0,93	0,71

Type and country	National classification systems intercalibrated	Ecological Quality Ratios	
		High-good boundary	Good-moderate boundary
France (Pyrenees)	Classification française DCE Indice Biologique Global Normalisé (IBGN). Norme AFNOR NF T 90 350 (1992) and circular MEDD/DE/MAGE/BEMA 05 No 14 of 28 July 2005 modified on 13 June 2007	0,94	0,81
Italy	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,95	0,71
Spain	Iberian BMWP (IBMWP)	0,83	0,53

Biological Quality Element: Phytobenthos
Results: Ecological quality ratios of the national classification systems intercalibrated

Type and country	National classification systems intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Type R-A1			
Austria	Multimetric method consisting of three modules/ metrics (Trophic Index, Saprobic Index, Reference Species)	0,87	0,56
France	Classification française DCE Indice Biologique Diatomées (IBD) norme AFNOR NF T 90-354 (2000) and circular MEDD/DE/MAGE/BEMA 05 No 14 of 28 July 2005 modified on 13 June 2007	0,86	0,71
Germany	Deutsches Bewertungsverfahren für Makrophyten und Phytobenthos (PHYLIB)	0,73	0,54
Slovenia	Multimetric method consisting of two modules/ metrics	0,80	0,60
Type R-A2			
Austria	Multimetric method consisting of three modules/ metrics (Trophic Index, Saprobic Index, Reference Species)	0,87	0,56
France	Classification française DCE Indice Biologique Diatomées (IBD) norme AFNOR NF T 90-354 (2000) and circular MEDD/DE/MAGE/BEMA 05 No 14 of 28 July 2005 modified on 13 June 2007	0,86	0,71
Spain	Indice de Polluosensibilité Spécifique (IPS) (Lenoir & Coste, 1996)	0,94	0,74

WATER CATEGORY: Rivers

GEOGRAPHICAL INTERCALIBRATION GROUP: Central/Baltic

Description of types that have been intercalibrated

Type	River characterisation	Catchment (km ²)	Altitude & geomorphology	Alkalinity (meq/l)
R-C1	Small lowland siliceous sand	10-100	lowland, dominated by sandy substrate (small particle size), 3-8 m width (bankfull size)	> 0,4
R-C2	Small lowland siliceous — rock	10-100	lowland, rock material 3-8m width (bankfull size)	< 0,4
R-C3	Small mid-altitude siliceous	10-100	mid-altitude, rock (granite) — gravel substrate, 2-10 m width (bankfull size)	< 0,4

Type	River characterisation	Catchment (km ²)	Altitude & geomorphology	Alkalinity (meq/l)
R-C4	Medium lowland mixed	100-1 000	lowland, sandy to gravel substrate, 8-25m width (bankfull size)	> 0,4
R-C5	Large lowland mixed	1 000-10 000	lowland, barbel zone, variation in velocity, max. altitude in catchment: 800m, > 25 m width (bankfull size)	> 0,4
R-C6	Small, lowland, calcareous	10-300	lowland, gravel substrate (limestone), width 3-10 m (bankfull size)	> 2

Countries sharing the types that have been intercalibrated:

Type R-C1: Belgium (Flanders), Germany, Denmark, France, Italy, Lithuania, the Netherlands, Poland, Sweden, United Kingdom

Type R-C2: Spain, France, Ireland, Portugal, Sweden, United Kingdom

Type R-C3: Austria, Belgium (Wallonia), Czech Republic, Germany, Poland, Portugal, Spain, Sweden, France, Latvia, Luxembourg, United Kingdom

Type R-C4: Belgium (Flanders), Czech Republic, Germany, Denmark, Estonia, Spain, France, Ireland, Italy, Lithuania, Luxembourg, the Netherlands, Poland, Sweden, United Kingdom

Type R-C5: Czech Republic, Estonia, France, Germany, Spain, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Sweden, United Kingdom

Type R-C6: Denmark, Estonia, Spain, France, Ireland, Italy, Poland, Lithuania, Luxembourg, Sweden, United Kingdom

RESULTS

Biological Quality Element: Benthic invertebrate fauna

Results: Ecological quality ratios of the national classification system intercalibrated

The following results apply to all types as described above.

Country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Austria	Austrian System for Ecological River Status Assessment (Worst case between Multimetric Indices for General Degradation and Saprobic Index)	0,80	0,60
Belgium (Flanders)	Multimetric Macroinvertebrate Index Flanders (MMIF)	0,90	0,70
Belgium (Wallonia)	Indice Biologique Global Normalisé (IBGN) (Norme AFNOR NF T 90 350, 1992) and 'Provisional Definition of the Good Status', Ministry of the Walloon Region (2007)	0,97	0,74
Denmark	Danish Stream Fauna Index (DSFI)	1,00	0,71
Germany	PERLODES –Bewertungsverfahren von Fließgewässern auf Basis des Makrozoobenthos	0,80	0,60
France	Classification française DCE Indice Biologique Global Normalisé (IBGN), Norme AFNOR NF T 90 350 (1992) and circular MEDD/DE/MAGE/BEMA 05 n°14 of 28 July 2005 modified on 13 June 2007	0,94	0,80
Ireland	Quality Rating System (Q-value)	0,85	0,75
Italy	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,96	0,72
Luxembourg	Classification luxembourgeoise DCE, Indice Biologique Global Normalisé (IBGN), Norme AFNOR NF T 90 350, 1992) and circular MEDD/DE/MAGE/BEMA 07 No 4 of 11 April 2007	0,96	0,72

Country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Netherlands	KRW-maatlat	0,80	0,60
Poland	BMWP (BMWP-PL) verified by modified Margalef diversity index	0,89	0,68
Spain	North Spain Multimetric Indices	0,93	0,70
Sweden	DJ-index (Dahl & Johnson 2004)	0,80	0,60
United Kingdom	River Invertebrate Classification Tool (RICT)	0,97	0,86

Biological Quality Element: Phytobenthos**Results:** Ecological quality ratios of the national classification system intercalibrated

Country	National classification system intercalibrated	Type	Ecological Quality Ratios	
			High-Good boundary	Good-Moderate boundary
Austria	Multimetric method consisting of three modules/metrics (Trophic Index, Saprobic Index, Reference Species)	All types, altitude < 500 m	0,70	0,42
		All types, altitude > 500 m	0,71	0,42
Belgium (Flanders)	Proportions of Impact-Sensitive and Impact-Associated Diatoms (PISIAD)	All types	0,80	0,60
Belgium (Wallonia)	Indice de Polluosensibilité Spécifique (IPS) AFNOR norm NF T 90-354 (2000) and 'Provisional Definition of the Good Status', Ministry of the Walloon Region (2007)	All types	0,93	0,68
Estonia	Indice de Polluosensibilité Spécifique (IPS)	All types	0,85	0,70
France	Classification française DCE Indice Biologique Diatomées (IBD) norme AFNOR NF T 90-354 (2000) and circular MEDD/DE/MAGE/BEMA 05 n°14 of 28 July 2005 modified on 13 June 2007	National Types 1, 2 and 4	0,93	0,80
		National Type 3	0,92	0,77
Germany	Deutsches Bewertungsverfahren für Makrophyten und Phytobenthos (PHYLIB)	R-C1	0,67	0,43
		R-C3	0,67	0,43
		R-C4	0,61	0,43
		R-C5	0,73	0,55
Ireland	Revised form of Trophic Diatom Index (TDI)	All types	0,93	0,78
Luxembourg	Indice de Polluosensibilité Spécifique (IPS)	All types	0,85	0,70
Netherlands	KRW Maatlat	All types	0,80	0,60
Spain	Diatom multimetric (MDIAT)	All types	0,93	0,70
Sweden	Swedish assessment methods, Swedish EPA regulations (NFS 2008:1) based on Indice de Polluosensibilité Spécifique (IPS)	All types	0,89	0,74
United Kingdom	Diatom Assessment for River Ecological Status (DARES)	All types	0,93	0,78

WATER CATEGORY: Rivers

GEOGRAPHICAL INTERCALIBRATION GROUP: Eastern Continental

Description of types that have been intercalibrated

Type	River characterisation	Ecoregion	Catchment (km ²)	Altitude (m)	Geology	Substrate
R-E1	Carpathians: small to medium, mid-altitude	10	10 — 1 000	500 — 800	siliceous	gravel and boulder
R-E2	Plains: medium-sized, lowland	11 and 12	100 — 1 000	< 200	mixed	sand and silt
R-E4	Plains: medium-sized, mid-altitude	11 and 12	100 — 1 000	200 — 500	mixed	sand and gravel

Countries sharing the types that have been intercalibrated:

Type R-E1: Czech Republic, Hungary, Romania, Slovakia

Type R-E2: Czech Republic, Hungary, Romania, Slovakia

Type R-E4: Austria, Czech Republic, Hungary, Slovakia, Slovenia

RESULTS

Biological Quality Element: Benthic invertebrate fauna

Results: Ecological quality ratios of the national classification systems intercalibrated

Type and country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Type R-E1, R-E2, R-E4			
Slovakia	Slovak System for Ecological River Status Assessment	0,80	0,60
Type R-E4			
Austria	Austrian System for Ecological River Status Assessment (Worst case between Multimetric Indices for General Degradation and Saprobic Index)	0,80	0,60

WATER CATEGORY: Rivers

GEOGRAPHICAL INTERCALIBRATION GROUP: Mediterranean

Description of types that have been intercalibrated

Type	River characterisation	Catchment (km ²)	Altitude (m)	Geology	Flow regime
R-M1	Small mid-altitude Mediterranean streams	10-100	200-800	Mixed	Highly seasonal
R-M2	Small/Medium lowland Mediterranean streams	10-1 000	< 400	Mixed	Highly seasonal
R-M4	Small/Medium Mediterranean mountain streams	10-1 000	400-1 500	Non-silicious	Highly seasonal
R-M5	Small, lowland, temporary	10-100	< 300	Mixed	Temporary

Countries sharing the types that have been intercalibrated:

Type R-M1: France, Greece, Italy, Portugal, Slovenia, Spain

Type R-M2: France, Greece, Italy, Portugal, Spain

Type R-M4: Cyprus, France, Greece, Italy, Spain

Type R-M5: Cyprus, Italy, Portugal, Slovenia, Spain

RESULTS

Biological Quality Element: Benthic invertebrate fauna

Results: Ecological quality ratios of the national classification systems intercalibrated

Type and country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
R-M1			
France	Classification française DCE Indice Biologique Global Normalisé (IBGN). Norme AFNOR NF T 90 350 (1992) and circular MEDD/DE/MAGE/BEMA 05 n°14 of 28 July 2005 modified on 13 June 2007	0,94	0,81
Greece	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,95	0,71
Italy	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,97	0,72
Portugal	North Invertebrate Portuguese Index, IPT _{I_N}	0,92	0,69
Spain	IBMWP	0,78	0,48
R-M2			
Greece	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,94	0,71
Italy	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,94	0,70
Portugal	North Invertebrate Portuguese Index, IPT _{I_N}	0,87	0,66
R-M4			
Cyprus	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,97	0,73
Greece	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,96	0,72
Italy	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,94	0,70
Spain	IBMWP	0,83	0,51
R-M5			
Italy	STAR Intercalibration Common Metric Index (STAR_ICMi)	0,97	0,73
Portugal	South Invertebrate Portuguese Index, IPT _{I_S}	0,98	0,72
Spain	IBMWP	0,91	0,55

Biological Quality Element: Phytobenthos**Results:** Ecological quality ratios of the national classification systems intercalibrated

Type and country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
R-M1			
France	Classification française DCE Indice Biologique Diatomées (IBD) norme AFNOR NF T 90-354 (2000) and circular MEDD/DE/MAGE/BEMA 05 No 14 of 28 July 2005 modified on 13 June 2007	0,93	0,80
Portugal	Indice de Polluosensibilité Spécifique (IPS)	0,84	0,62
Spain	Indice de Polluosensibilité Spécifique (IPS)	0,90	0,67
R-M2			
France	Classification française DCE Indice Biologique Diatomées (IBD) norme AFNOR NF T 90-354 (2000) and circular MEDD/DE/MAGE/BEMA 05 n°14 of 28 July 2005 modified on 13 June 2007	0,93	0,80
Portugal	Indice de Polluosensibilité Spécifique (IPS)	0,84	0,62
Spain	Indice de Polluosensibilité Spécifique (IPS)	0,93	0,70
R-M4			
Spain	Indice de Polluosensibilité Spécifique (IPS)	0,91	0,68
R-M5			
Portugal	European Index (CEE)	0,85	0,64
Spain	Indice de Polluosensibilité Spécifique (IPS)	0,95	0,71

WATER CATEGORY: Rivers

GEOGRAPHICAL INTERCALIBRATION GROUP: Northern

Description of types that have been intercalibrated

Type	River characterisation	Catchment area (of stretch)	Altitude & geomorphology	Alkalinity (meq/l)	Organic material (mg Pt/l)
R-N1	Small lowland siliceous moderate alkalinity	10-100 km ²	< 200 m or below the highest coastline	0,2 — 1	< 30 (< 150 in Ireland)
R-N3	Small/medium lowland organic	10-1 000 km ²		< 0,2	> 30
R-N4	Medium lowland siliceous moderate alkalinity	100-1 000 km ²		0,2 — 1	< 30
R-N5	Small mid-altitude siliceous	10-100 km ²	Between lowland and highland	< 0,2	< 30

Countries sharing the types that have been intercalibrated:

Type R-N1: Finland, Ireland, Norway, Sweden, United Kingdom

Type R-N3: Finland, Ireland, Norway, Sweden, United Kingdom

Type R-N4: Finland, Norway, Sweden, United Kingdom

Type R-N5: Finland, Norway, Sweden, United Kingdom

RESULTS

Biological Quality Element: Benthic invertebrate fauna

Results: Ecological quality ratios of national classification systems intercalibrated

The following results apply to all types as described above

Country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Finland	Multimetric system, first version established	0,80	0,60
Ireland	Quality Rating System (Q-value)	0,85	0,75
Norway	Average Score per Taxon (ASPT)	0,99	0,87
Sweden	DJ-index (Dahl & Johnson 2004)	0,80	0,60
United Kingdom	River Invertebrate Classification Tool (RICT)	0,97	0,86

Biological Quality Element: Phytobenthos

Results: Ecological quality ratios of the national classification systems intercalibrated

The following results apply to all types as described above

Country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Finland	Indice de Polluosensibilité Spécifique (IPS)	0,91	0,80
Ireland	Revised form of Trophic Diatom Index (TDI)	0,93	0,78
Sweden	Swedish assessment methods, Swedish EPA regulations (NFS 2008:1) based on Indice de Polluosensibilité Spécifique (IPS)	0,89	0,74
United Kingdom	Diatom Assessment for River Ecological Status (DARES)	0,93	0,78

WATER CATEGORY: Lakes

GEOGRAPHICAL INTERCALIBRATION GROUP: Atlantic

Description of types that have been intercalibrated

Type	Lake characterisation	Altitude (m above sea level)	Mean depth (m)	Alkalinity (meq/l)
LA1/2	Lowland, shallow, calcareous, small and large	< 200	3-15	> 1

Countries sharing types that have been intercalibrated:

Ireland and United Kingdom

RESULTS

Biological Quality Element: Phytoplankton

Phytoplankton parameter indicative of biomass (Chlorophyll a)

Results: Ecological quality ratios and parameter values

The following results refer to growing season mean values and apply to all countries sharing the type

Type	Ecological Quality Ratios		Chlorophyll a concentrations (µg/l)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
LA1/2	0,55	0,32	4,6 — 7,0	8,0 — 12,0

WATER CATEGORY: Lakes

GEOGRAPHICAL INTERCALIBRATION GROUP: Alpine

Description of types that have been intercalibrated

Type	Lake characterisation	Altitude (m above sea level)	Mean depth (m)	Alkalinity (meq/l)	Lake size (km ²)
L-AL3	Lowland or mid-altitude, deep, moderate to high alkalinity (alpine influence), large	50 — 800	> 15	> 1	> 0,5
L-AL4	Mid-altitude, shallow, moderate to high alkalinity (alpine influence), large	200 — 800	3 — 15	> 1	> 0,5

Countries sharing types that have been intercalibrated:

Types L-AL3 and L-AL4: Austria, France, Germany, Italy and Slovenia

RESULTS

Biological Quality Element: Phytoplankton

Phytoplankton: parameters indicative of biomass

Results: Ecological quality ratios and parameter values

The following results refer to annual mean values and apply to all countries sharing the type. Member States may choose to use Chlorophyll a, total biovolume, or both parameters.

Chlorophyll a

Type	Ecological Quality Ratios		Chlorophyll a concentrations (µg/l)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
L-AL3	0,70	0,40	2,1 — 2,7	3,8 — 4,7
L-AL4	0,75	0,41	3,6 — 4,4	6,6 — 8,0

Total biovolume

Type	Ecological Quality Ratios		Total biovolumes (mm ³ /l)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
L-AL3	0,60	0,25	0,3 — 0,5	0,8 — 1,2
L-AL4	0,64	0,26	0,8 — 1,1	1,9 — 2,7

Phytoplankton: parameters indicative of taxonomic composition and abundance

Results: Ecological quality ratios of the national parameters intercalibrated

Country	National parameters intercalibrated	Type	Ecological Quality Ratios		Class boundaries	
			High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
Austria Slovenia	Brettum index	L-AL3	0,94	0,83	4,12—4,34	3,64—3,83
		L-AL4	0,94	0,81	3,69—3,87	3,20—3,34
Germany	PTSI (Phytoplankton Taxa Lake Index)	L-AL3	0,60	0,43	1,25	1,75
		L-AL4	0,71	0,56	1,75	2,25
Italy	PTI _{ot} (Phytoplankton Taxa Index)	L-AL3 (mean depth < 100m)	0,95	0,89	3,43	3,22
		L-AL4	0,95	0,85	3,37	3,01
	PTI _{species} (Phytoplankton Taxa Index)	L-AL 3 (mean depth > 100m)	0,93	0,82	4,00	3,50

Biological Quality Element: Macrophytes

Results: Ecological quality ratios of national classification systems intercalibrated

Type and country	National classification systems intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Austria Type L-AL3 and L-AL4	Austrian macrophyte assessment system: Austrian Index Macrophytes for Lakes (AIM for Lakes), Module 1	0,80	0,60
Germany Type L-AL3	German macrophyte/phytobenthos assessment system: Module 1	0,78	0,51
Germany Type L-AL4	German macrophyte/phytobenthos assessment system: Modules 1 + 2	0,71	0,47

WATER CATEGORY: Lakes

GEOGRAPHICAL INTERCALIBRATION GROUP: Central/Baltic

Description of types that have been intercalibrated

Type	Lake characterisation	Altitude (m above sea level)	Mean depth (m)	Alkalinity (meq/l)	Hydrological residence time (years)
L-CB1	Lowland, shallow, calcareous	< 200	3 — 15	> 1	1 — 10
L-CB2	Lowland, very shallow, calcareous	< 200	< 3	> 1	0,1 — 1
L-CB3	Lowland, shallow, small, siliceous (moderate alkalinity)	< 200	3 — 15	0,2 — 1	1 — 10

Countries sharing types that have been intercalibrated:

Types L-CB1 and L-CB2: Belgium, Germany, Denmark, Estonia, France, Lithuania, Latvia, Netherlands, Poland, United Kingdom.

Type L-CB3: Belgium, Denmark, Estonia, France, Latvia, Poland.

RESULTS

Biological Quality Element: Phytoplankton

Phytoplankton: parameter indicative of biomass

Results: Ecological quality ratios and parameter values

The following results refer to growing season mean values and apply to all countries sharing the type.

Type	Ecological Quality Ratios		Chlorophyll a concentrations (µg/l)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
L-CB1	0,55	0,32	4,6 — 7,0	8,0 — 12,0
L-CB2	0,63	0,30	9,9 — 11,7	21,0 — 25,0
L-CB3	0,57	0,31	4,3 — 6,5	8,0 — 12,0

Biological Quality Element: Macrophytes

Results: Ecological quality ratios of national classification systems intercalibrated

The following results apply to LCB1 and LCB2 types

Country	National classification systems intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Belgium	Flemish macrophyte assessment system	0,80	0,60
Germany	German macrophyte assessment system: Reference Index	0,75	0,50
Estonia	Estonian macrophyte assessment system	0,80	0,60
Latvia	Latvian macrophyte assessment system	0,80	0,60
Netherlands	Dutch macrophyte assessment system (KRW Maatlat)	0,80	0,60
United Kingdom	UK macrophyte assessment system: LEAF-PACS	0,80	0,60

WATER CATEGORY: Lakes

GEOGRAPHICAL INTERCALIBRATION GROUP: Mediterranean

Description of types that have been intercalibrated

Type	Lake characterisation	Altitude (m)	Annual mean Precipitation (mm) and T (°C)	Mean depth (m)	Alkalinity (meq/l)	Lake size (km ²)
L-M5/7	Reservoirs, deep, large, siliceous, 'wet areas', catchment < 20 000km ²	0 — 800	> 800 or < 15	> 15	< 1	> 0,5
L-M8	Reservoirs, deep, large, calcar-eous, catchment < 20 000km ²	0 — 800	—	> 15	> 1	> 0,5

Countries sharing types that have been intercalibrated:

Type L-M5/7: Greece, France, Portugal, Spain, Romania.

Type L-M8: Cyprus, Greece, France, Italy, Spain, Romania.

RESULTS

Biological Quality Element: Phytoplankton

Phytoplankton: parameters indicative of biomass

Results: Ecological quality ratios and parameter values

The following results refer to summer mean values, euphotic depth and apply to all countries sharing the type. Member States may choose to use Chlorophyll a, total biovolume, or both parameters.

Chlorophyll a

Type	Ecological Quality Ratios	Chlorophyll a concentrations (µg/l)
	Good-Moderate boundary	Good-Moderate boundary
L-M5/7	0,21	6,7 — 9,5
L-M8	0,43	4,2 — 6,0

Total biovolume

Type	Ecological Quality Ratios	Total biovolumes (mm ³ /l)
	Good-Moderate boundary	Good-Moderate boundary
L-M5/7	0,19	1,9
L-M8	0,36	2,1

Phytoplankton: parameters indicative of taxonomic composition and abundance

Results: Ecological quality ratios and parameter values

The following results refer to summer mean values, euphotic depth and apply to all countries sharing the type. Member States must use at least one of the intercalibrated parameters (percentage of Cyanobacteria, Catalan index, Med PTI index)

Percentage of Cyanobacteria

Type and country	Ecological Quality Ratios	% of Cyanobacteria
	Good-Moderate boundary	Good-Moderate boundary
<i>Type L-M5/7</i>		
All countries sharing the type	0,91	9,2
<i>Type L-M8</i>		
All countries sharing the type	0,72	28,5

Ecological quality ratios calculated as $EQR = (100 - \text{boundary value}) / (100 - \text{reference value})$

Catalan index

Type and country	Ecological Quality Ratios	Catalan index
	Good-Moderate boundary	Good-Moderate boundary
<i>Type L-M5/7</i>		
All countries sharing the type	0,97	10,6
<i>Type L-M8</i>		
All countries sharing the type	0,98	7,7

Ecological quality ratios calculated as $EQR = (400 - \text{boundary value}) / (400 - \text{reference value})$

Med PTI index

Type and country	Ecological Quality Ratios	Med PTI
	Good-Moderate boundary	Good-Moderate boundary
<i>Type L-M5/7</i>		
All countries sharing the type	0,75	2,32
<i>Type L-M8</i>		
All countries sharing the type	0,77	2,38

WATER CATEGORY: Lakes

GEOGRAPHICAL INTERCALIBRATION GROUP: Northern

Description of the types that have been intercalibrated

Type	Lake characterisation	Altitude (m above sea level)	Mean depth (m)	Alkalinity (meq/l)	Colour (mg Pt/l)
LN1	Lowland, shallow, moderate alkalinity, clear	< 200	3–15	0,2–1	< 30
LN2a	Lowland, shallow, low alkalinity, clear	< 200	3–15	< 0,2	< 30
LN2b	Lowland, deep, low alkalinity, clear	< 200	> 15	< 0,2	< 30
LN3a	Lowland, shallow, low alkalinity, meso-humic	< 200	3–15	< 0,2	30–90
LN5	Mid-altitude, shallow, low alkalinity, clear	200–800	3–15	< 0,2	< 30
LN6a	Mid-altitude, shallow, low alkalinity meso-humic	200–800	3–15	< 0,2	30–90
LN8a	Lowland, shallow, moderate alkalinity, meso-humic	< 200	3–15	0,2–1	30–90

Countries sharing types that have been intercalibrated:

Types LN1, LN2a, LN3a, LN8a: Ireland, Finland, Norway, Sweden, United Kingdom.*Types LN2b, LN5 and LN6a:* Norway, Sweden, United Kingdom.**Biological Quality Element:** Phytoplankton

Phytoplankton: parameter indicative of biomass

Results: Ecological quality ratios and parameter values

The following results refer to growing season mean values and apply to all countries sharing the type

Type	Ecological Quality Ratios		Chlorophyll a concentrations (µg/l)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
LN1	0,50	0,33	5,0 — 7,0	7,5 — 10,5
LN2a	0,50	0,29	3,0 — 5,0	5,0 — 8,5
LN2b	0,50	0,33	3,0 — 5,0	4,5 — 7,5
LN3a	0,50	0,30	5,0 — 7,0	8,0 — 12,0

Type	Ecological Quality Ratios		Chlorophyll a concentrations (µg/l)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
LN5	0,50	0,33	2,0 — 4,0	3,0 — 6,0
LN6a	0,50	0,33	4,0 — 6,0	6,0 — 9,0
LN8a	0,50	0,33	7,0 — 10,0	10,5 — 15,0

Biological Quality Element: Macrophytes
Description of the types that have been intercalibrated (for macrophytes intercalibration only)

Type	Lake characterisation	Alkalinity (meq/l)	Color(mg Pt/l)
101.	Low alkalinity, clear	0,05 — 0,2	< 30
102.	Low alkalinity, humic	0,05 — 0,2	> 30
201.	Moderate alkalinity, clear	0,2 — 1,0	< 30
202.	Moderate alkalinity, humic	0,2 — 1,0	> 30
301.	High alkalinity, clear	> 1,0	< 30
302.	High alkalinity, humic	> 1,0	> 30

Countries sharing types that have been intercalibrated:

Types 101, 102, 201 and 202: Ireland, Finland, Norway, Sweden, United Kingdom.

Type 301: Ireland, Norway, Sweden, United Kingdom.

Type 302: Ireland, Norway, Sweden, United Kingdom.

Results: Ecological quality ratios of national classification systems methods

Country	National classification system intercalibrated	Type	Ecological Quality Ratios	
			High-Good boundary	Good-Moderate boundary
Ireland	Free Macrophyte Index	All types intercalibrated	0,90	0,68
Sweden	Macrophyte Trophic index (Ecke)	Type 101	0,98	0,79
		Type 102	0,98	0,88
		Type 201	0,94	0,83
		Type 202	0,96	0,83
Norway	Macrophyte Trophic Index (Mjelde)	Type 101	0,94	0,61
		Type 102	0,96	0,65
		Type 201	0,91	0,72
		Type 202	0,9	0,77
		Type 301	0,92	0,69
United Kingdom	UK macrophyte assessment system: LEAFACS	All types intercalibrated	0,80	0,60

WATER CATEGORY: Coastal and transitional

GEOGRAPHICAL INTERCALIBRATION GROUP: Baltic Sea GIG

Description of types that have been intercalibrated

Type	Salinity psu	Exposure	Depth	Ice days	Other Characteristics
CW B0	0,5- 3	Sheltered	Shallow	> 150	Sites in Botnian Bay (Northern Quark)
CW B2	3-6	Sheltered	Shallow	90 — 150	Sites in Bothnian Sea
CW B3 a	3-6	Sheltered	Shallow	~90	Sites in the area extending from the southern Bothnian Sea to the Archipelago Sea and the western Gulf of Finland
CW B3 b	3-6	Exposed	Shallow	~90	
CW B12 a Eastern Baltic Sea	5-8	Sheltered	Shallow	—	Sites in the Gulf of Riga,
CW B12 b Western Baltic Sea	8 — 22	Sheltered	Shallow	—	Sites at the Southern Swedish coast and the South western Baltic Sea open coast along Denmark and Germany
CW B13	6-22	Exposed	Shallow	—	Sites along the coast of the Estonia, Latvia and Lithuania, the Polish coast and the Danish island Bornholm
CW B 14	6-22	Sheltered	Shallow	—	Lagoons
TW B 13	6-22	Exposed	Shallow	—	Transitional water. Sites along the coast of Lithuania and Poland

Countries sharing types that have been intercalibrated:

Types CWB0, CWB2, CWB3a, CWB3b: Finland, Sweden.

Type CWB12a: Estonia

Type CWB12b: Germany, Denmark, Sweden.

Type CWB13: Denmark, Estonia, Lithuania, Latvia, Poland.

Type CWB14: Denmark, Poland

Type TWB13: Lithuania, Poland.

RESULTS

Biological Quality Element: Benthic invertebrate fauna

Results: Ecological quality ratios of the national classification systems intercalibrated

Type and country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
CW B0			
Finland	BBI- Finnish Brackish water Benthic Index	0,99	0,59
Sweden	BQI-Swedish multimetric biological quality index (soft sediment infauna)	0,77	0,31
CW B2			
Finland	BBI- Finnish Brackish water Benthic Index	0,95	0,57
Sweden	BQI-Swedish multimetric biological quality index (soft sediment infauna)	0,76	0,29

Type and country	National classification system intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
CW B3 a			
Finland	BBI- Finnish Brackish water Benthic Index	0,89	0,53
Sweden	BQI–Swedish multimetric biological quality index (soft sediment infauna)	0,76	0,29
CW B3 b			
Finland	BBI- Finnish Brackish water Benthic Index	0,90	0,54
Sweden	BQI–Swedish multimetric biological quality index (soft sediment infauna)	0,76	0,29

Biological Quality Element: Phytoplankton

Phytoplankton: parameter indicative of biomass (Chlorophyll a)

Results: Ecological quality ratios and parameter values

The following results refer to summer mean May/June — September

Type and country	Ecological Quality Ratios for the national classification systems		Parameter values/ranges Chlorophyll a µg/l	
	High-Good boundary	Good-Moderate boundary	High/-Good boundary	Good-Moderate boundary
<i>CW B0</i>				
All countries sharing the type	0,76	0,56	1,7 (1,5 — 1,8)	2,3 (2,0 -2,7)
<i>CW B2</i>				
All countries sharing the type	0,78	0,56	1,8	2,5 (2,3 -2,6)
<i>CW B3 a</i>				
Sheltered				
All countries sharing the type	0,71	0,49	2,4 (2,2 — 2,6)	3,5 (2,9 — 4,0)
<i>CW B3 b</i>				
Exposed				
All countries sharing the type	0,81	0,68	1,5	1,8
<i>CW B 12 a</i>				
Eastern Baltic Sea				
Salinity 5-8 psu				
All countries sharing the type	0,82	0,66	2,2	2,7
<i>CW B 12 b</i>				
Western Baltic Sea				
Salinity8 -22 psu				
All countries sharing the type	0,92	0,63	1,3 (1,1 — 1,5)	1,9
<i>CW B 13</i>				
Denmark, Estonia and Latvia	0,92	0,75	1,3	1,6

Type and country	Ecological Quality Ratios for the national classification systems		Parameter values/ranges Chlorophyll a µg/l	
	High-Good boundary	Good-Moderate boundary	High/-Good boundary	Good-Moderate boundary
CW B 14 Denmark	0,82	0,56	1,1	1,6
TW B 13 All countries sharing the type	0,90	0,66	4,2	5,8

Biological Quality Element: Angiosperms

Angiosperms: parameter indicative of abundance (Depth limit of Eelgrass *Zostera marina*)

Results: Ecological quality ratios and parameter values

Type and country	Ecological Quality Ratios for the national classification systems		Parameter values/ranges Depth limit (m) Eelgrass <i>Zostera marina</i>	
	High-Good boundary	Good-Moderate boundary	High/-Good boundary	Good-Moderate boundary
CW B 12 b Denmark and Germany Open coast	0,90	0,74	8,5 (8,0 — 9,4)	7 (6,6 — 7,1)

WATER CATEGORY: Coastal and transitional

GEOGRAPHICAL INTERCALIBRATION GROUP: North East Atlantic

Description of types that have been intercalibrated

Type	Characterisation	Salinity (psu) Tidal Range(m) Depth(m)	Current Velocity (knots) Exposure	Mixing Residence Time
NEA1/26a	Open oceanic, exposed or sheltered, euhaline, shallow	> 30 Mesotidal 1 — 5 < 30	Medium 1 — 3 Exposed or sheltered	Fully mixed Days
NEA1/26b	Enclosed seas, exposed or sheltered, euhaline, shallow	> 30 Mesotidal 1 — 5 < 30	Medium 1 — 3 Exposed or sheltered	Fully mixed Days
NEA1/26c	Enclosed seas, enclosed or sheltered, partly stratified	> 30 Microtidal/Mesotidal < 1 — 5 < 30	Medium 1 — 3 Exposed or sheltered	Partly stratified Days to weeks
NEA1/26d	Scandinavian coast, exposed or sheltered, shallow	> 30 Microtidal < 1 < 30	Low < 1 Exposed or moderately exposed	Partly stratified Days to weeks
NEA1/26e	Areas of upwelling, exposed or sheltered, euhaline, shallow	> 30 Mesotidal 1 — 5 < 30	Medium 1 — 3 Exposed or sheltered	Fully mixed Days
NEA3/4	Polyhaline, exposed or moderately exposed (Wadden Sea type)	Polyhaline 18 — 30 Mesotidal 1 — 5 < 30	Medium 1 — 3 Exposed or moderately exposed	Fully mixed Days

Type	Characterisation	Salinity (psu) Tidal Range(m) Depth(m)	Current Velocity (knots) Exposure	Mixing Residence Time
NEA7	Deep fjordic and sea loch systems	> 30 Mesotidal 1 -5 > 30	Low < 1 Sheltered	Fully mixed Days
NEA8	Skagerrak Inner Arc Type, polyhaline, microtidal, sheltered, shallow	Polyhaline 18 — 30 Microtidal < 1 < 30	Low < 1 Sheltered	Partly stratified Days to weeks
NEA9	Fjord with a shallow sill at the mouth with a very deep maximum depth in the central basin with poor deep-water exchange	Polyhaline 18 — 30 Microtidal < 1 > 30	Low < 1 Sheltered	Partly stratified Weeks
NEA10	Skagerrak Outer Arc Type, polyhaline, microtidal, exposed, deep	Polyhaline 18 — 30 Microtidal < 1 > 30	Low < 1 Exposed	Partly stratified Days
NEA11	Transitional Waters	Oligohaline 0 — 35 Micro to macrotidal < 30	Variable Sheltered or moderately exposed	Partly or permanently stratified Days to weeks

Countries sharing the types that have been intercalibrated:

Type NEA1/26a: Spain, France, Ireland, Norway, United Kingdom

Type NEA1/26b: Belgium, France, Netherlands, United Kingdom

Type NEA1/26c: Germany, Denmark

Type NEA1/26d: Denmark

Type NEA1/26e: Portugal, Spain

Type NEA3/4: Germany, Netherlands

Type NEA7: Norway, United Kingdom

Type NEA8: Denmark, Norway, Sweden

Type NEA9: Norway, Sweden

Type NEA10: Norway, Sweden

Type NEA11: Belgium, Germany, Spain, France, Ireland, Netherlands, Portugal, United Kingdom

RESULTS

Biological Quality Element: Benthic invertebrate fauna

Results: Ecological quality ratios of the national classification systems intercalibrated

The results are applicable to soft sediment habitats only (subtidal mud/sand habitats).

Type and country	National classification system	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
<i>Types NEA1/26, NEA 3/4 and NEA7 (Indices responsive primarily to organic enrichment and toxic pollution pressures in soft sediment habitats)</i>			
Denmark	DKI	0,67	0,53
France	M-AMBI	0,77	0,53
Germany	M-AMBI	0,85	0,70
Ireland	IQI	0,75	0,64
Norway	NQI	0,92	0,81

Type and country	National classification system	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Portugal	P-BAT	0,79	0,58
Spain	M-AMBI	0,77	0,53
United Kingdom	IQI	0,75	0,64
<i>Types NEA1/26 and NEA3/4 (Index responsive to multiple pressures in multiple habitats)</i>			
Belgium	BEQI	0,80	0,60
Netherlands	BEQI	0,80	0,60
<i>Types NEA8/9/10</i>			
Denmark	DKI	0,82	0,63
Norway	NQI	0,92	0,81
Sweden	BQI	0,89	0,68

Biological Quality Element: Phytoplankton

Phytoplankton: parameter indicative of biomass parameter (Chlorophyll a)

Results: Ecological quality ratios and parameter values

The following results apply to all countries sharing the types. Parameter values are expressed in µg/l as the 90 %ile value calculated over the defined growing season in a six year period. The results relate to geographic areas within the types as described in the technical report.

Type	Ecological Quality Ratios		Values (µg/l, 90 %ile)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
NEA1/26a	0,67	0,33	1 — 5	2 — 10
NEA1/26b	0,67	0,44	6 — 10	9 — 15
NEA1/26c	0,67	0,44	5	7,5
NEA1/26d	0,67	0,50	3	4
NEA1/26e	0,67	0,44	6 — 8	9 — 12
NEA8	0,67	0,33	1,5	3
NEA9	0,67	0,33	2,5	5
NEA10	0,67	0,33	3	6

Phytoplankton: parameter indicative of blooms

Results: Ecological quality ratios and parameter values

Type and country	National parameter intercalibrated	Ecological Quality Ratios		Values (% single taxa counts above thresholds)	
		High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
NEA1/26a/b, NEA3/4					
Belgium Germany Netherlands UK	Phaeocystis Blooms	0,92	0,49	9	17

Type and country	National parameter intercalibrated	Ecological Quality Ratios		Values (% single taxa counts above thresholds)	
		High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
NEA1/26a/b					
Spain France Ireland UK	Taxa cell counts	0,84	0,43	20	39
NEA1/26e					
Portugal Spain	Taxa cell counts	0,83	0,51	30	49

Biological Quality Element: Macroalgae

Macroalgae: parameter indicative of composition

Results: Ecological quality ratios of national parameter intercalibrated

Type and country	National parameter intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
NEA1/26			
Ireland	Rocky Shore Reduced Species List Multi-metric System	0,80	0,60
Norway	Rocky Shore Reduced Species List Multi-metric System	0,80	0,60
United Kingdom	Rocky Shore Reduced Species List Multi-metric System	0,80	0,60
Spain	Multimetric System CFR	0,81	0,57
Portugal	Multimetric System p-MarMAT	0,82	0,64
Ireland United Kingdom	Opportunistic Macroalgae Multimetric System	0,80	0,60
NEA8/9/10			
Norway Sweden	Subtidal Algae (Depth Limit of macroalgal Species)	0,81	0,61

Biological Quality Element: Angiosperms

Angiosperms: parameter indicative of taxonomic composition and abundance

Results: Ecological quality ratios of national parameter intercalibrated

Type and country	National parameter intercalibrated	Ecological Quality Ratios		Parameter values (*)	
		High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
NEA1/26, NEA 3/4, NEA11					
Ireland Netherlands UK	Intertidal Seagrass Abundance (density) and Species Composition Multimetric	0,90	0,70	Not applicable	Not applicable

Type and country	National parameter intercalibrated	Ecological Quality Ratios		Parameter values (*)	
		High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
NEA1/26, NEA3/4					
Germany Ireland Netherlands UK	Intertidal Seagrass (Area: Acreage/bed extent)	0,90	0,70	10	30

(*) Intertidal seagrass values expressed as percentage areal loss from reference area.

WATER CATEGORY: Coastal and transitional

GEOGRAPHICAL INTERCALIBRATION GROUP: Mediterranean

Results apply to coastal waters only.

Typology has been developed for specific quality elements only (see below).

RESULTS

Biological Quality Element: Benthic invertebrate fauna

Results: Ecological quality ratios of national classification systems

The following results apply to soft sediments only

Country	National classification systems intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Cyprus	Bentix	0,75	0,58
Greece	Bentix	0,75	0,58
Slovenia	M-AMBI	0,83	0,62
Spain	MEDOCC index	0,73	0,47

Biological Quality Element: Phytoplankton

Description of types that have been intercalibrated (applicable for phytoplankton only)

Type	Description	Density (kg/m ³)	Annual mean Salinity (psu)
Type I	Highly influenced by freshwater input	< 25	< 34,5
Type IIA	Moderately influenced by freshwater input (continent influence)	25-27	34,5-37,5
Type IIW	Continental coast, not influenced by freshwater input (Western Basin).	> 27	> 37,5
Type IIIE	Not influenced by freshwater input (Eastern Basin)	> 27	> 37,5

Countries sharing the types that have been intercalibrated

Type I: France, Italy

Type IIA: France, Spain, Italy, Slovenia

Type IIW: France, Spain, Italy

Type IIIE: Greece, Cyprus

Phytoplankton: parameter indicative of biomass (Chlorophyll a)

Results: Ecological quality ratios and parameter values

The following results apply to all countries sharing the types. Parameter values are expressed in µg/l of Chlorophyll *a*, for the 90th percentile calculated over the year in at least a five year period. The results relate to geographic areas within the types as described in the technical report..

Type	Ecological Quality Ratios		Values (µg/l, 90 %ile)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
Type IIA	0,80	0,53	2,4	3,6
Type IIIW	0,80	0,50	1,1	1,8
Type IIIE	0,80	0,20	0,1	0,4

Biological Quality Element: Macroalgae**Results:** Ecological quality ratios of national classification systems

The following results apply to the upper infralittoral zone (3,5 — 0,2 m depth) in rocky coasts:

Country	National classification systems intercalibrated	Ecological Quality Ratios	
		High-Good boundary	Good-Moderate boundary
Cyprus	EEL- Ecological Evaluation Index	0,75	0,50
France	CARLIT — Cartography of Littoral and upper-sublittoral rocky-shore communities	0,75	0,60
Greece	EEL- Ecological Evaluation Index	0,75	0,50
Slovenia	EEL- Ecological Evaluation Index	0,75	0,50
Spain	CARLIT-BENTHOS	0,75	0,60

WATER CATEGORY: Coastal and transitional

GEOGRAPHICAL INTERCALIBRATION GROUP: Black Sea

Description of types that have been intercalibrated

Type	Description
CW-BL1	Mesohaline, microtidal (< 1 m), shallow (< 30 m), moderately exposed, mixed substratum

Countries sharing the types that have been intercalibrated:

Bulgaria and Romania

RESULTS**Biological Quality Element:** Phytoplankton

Phytoplankton: parameter indicative of biomass

Results: Ecological quality ratios and parameter values

Season	Ecological Quality Ratios		Biomass values (mg/m ³)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
Winter	0,93	0,78	1 770	3 420
Spring	0,93	0,78	3 515	5 690

Season	Ecological Quality Ratios		Biomass values (mg/m ³)	
	High-Good boundary	Good-Moderate boundary	High-Good boundary	Good-Moderate boundary
Summer	0,93	0,78	1 281	2 526
Autumn	0,93	0,78	1 840	3 640

Biological Quality Element: Benthic invertebrates fauna

Results: Ecological quality ratios of national parameters intercalibrated

Member States must use at least one of the intercalibrated parameters (Shannon diversity index H', AMBI, M-AMBI)

National parameters intercalibrated	Ecological Quality Ratios	
	High-Good boundary	Good-Moderate boundary
Shannon diversity index H'	0,89	0,69
AMBI	0,83	0,53
M-AMBI	0,85	0,55

NOTE TO THE READER

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.