

Supplement to the Strategy

Environmental objectives, indicators, targets and derogations

Joint consultation on the action plan and monitoring system

North Atlantic Western Channel Sea Basin Strategy Document



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Introductory remarks

The first two parts¹ of the NAMO Sea Basin Strategy Document (SBSD), forming the Sea Basin Strategy (SFM), were adopted by inter-prefectoral order on 24 September 2019. This strategy defines a vision for the coastline up to 2030, vocation areas and 30 strategic targets to be achieved. This document is the local version of the National Sea and Coastal Strategy (SNML) and the implementation of the two European framework directives Maritime Spatial Planning (MSP) and Marine Strategy (MSFD). The second cycle of the Marine Environment Action Plan (MEAP) is thus integrated into the Sea Basin Strategy Document.

The order of 11 July 2018 on the criteria and methods to be implemented for the preparation of these first two parts of the Sea Basin Strategy Document recalls that the environmental objectives (mentioned in Article R. 219-7 of the French Environment Code) are defined so that the pressures exerted by human activities on the marine environment are compatible with the achievement or maintenance of good environmental status (GES) of marine waters by the end of the current cycle of the MSFD Framework Directive. This order also recalls that **the indicators associated with the environmental objectives include targets** against which the achievement of the objectives is assessed.

France has therefore made a commitment to the European Commission to achieve the environmental objectives set out in this strategy: these are accompanied by ambitious, but realistic and measurable targets. All these elements are presented in Annex 6a of the NAMO SFM.

When the strategy was adopted, some environmental targets could not be defined due to lack of data or finalisation of consultations. **28 targets were to be defined and agreed upon on the NAMO coastline** (32 on the national level), within a timeframe that allowed for the taking into account of:

- work under the first cycle of the MEAP in respect of the Bay of Biscay and Celtic Seas Marine Sub-Regions and its programme of measures (2016-2021), on the "M003" measure aimed at setting up strong protection zones;
- the new issues and new ambitions of the Sea Basin Strategy Document, in particular the artificialisation of the coastline and seabed, dry docks, incidental catches of sea birds and cetaceans, the preservation of functional habitats for sea birds and the preservation of eelgrass beds;
- the revision of the Schéma Directeur d'Aménagement et de Gestion des Eaux (SDAGE) Loire-Bretagne [Loire Bretagne water development and management master plan]. Evaluation and knowledge consolidation work has also been carried out.

Following this further work, a target could however not be set: the indicator concerned is then designated as a "candidate for the 3rd MSFD cycle", with further work to be carried out to make it operational for the next cycle. For this second cycle, this indicator will therefore not be monitored and reported to the European Commission.

When the SFM was drawn up, 16 indicators for the socio-economic objectives were also adopted, with the stipulation that their targets would be "defined and agreed upon during the development of the action plan in accordance with the reference values". The work of the Action Plan did not identify additional targets. It also became apparent during the development of the monitoring system (part 3 of the Sea Basin Strategy Document) that a certain number of indicators could not be filled in immediately, which requires work to operationalise these indicators in anticipation of the next cycle and to define the missing targets in this context.

¹ Part 1: the initial assessment, the challenges and a vision for the future of the coastline in 2030 (part 1); Part 2: definition of strategic targets from an economic, social and environmental point of view and associated indicators, accompanied by a designated uses map which defines, within the maritime areas, coherent zones with regard to the challenges and general objectives assigned to them.

This note explains how each of the supplementary targets was defined and the nature of the work carried out:

- in relation to the identification of the study areas of the strong protection zones (part A);
- for taking into account the new issues of the Sea Basin Strategy Document in relation to the Marine Action Plan of the first cycle (part B);
- as part of the revision of the master plans for water development and management in the Loire-Brittany Basin and to ensure consistency with the Sea Basin Strategy Document (part C).

It also presents the **seven requests for exceptions** under Article L219-12 and their reasons (Part D and Annex 2), in cases where the environmental objectives or good environmental status cannot be achieved by means of the measures provided for in the action plan.

Following the joint consultation process with the Sea Basin Strategy Document Action Plan and Monitoring Mechanism, **the Sea Basin Strategy adopted in 2019 will be completed with the elements presented below (additional targets and exceptions).**

Part A. Supplementary targets defined following the identification of the study sectors of the strong protection zones

A.1. Summary table

Environmental objective	Indicator	Proposed target	Study area SPZ ²
D01-HB-OE03: Reduce the physical disturbance of intertidal rocky habitats* caused by human use, particularly by fishing on foot *Boulder fields, intertidal mussel beds, cystoseira belts and lithophyllum pavements	D01-HB-OE03-ind1. Surface of sensitive intertidal rocky habitats located in strong protection zones	Increase in the area of intertidal rocky habitats under strong protection	MSFD sectors concerned: – Sector 10: archipelago of the 7 islands – Sector 12: Molène Archipelago
D01-HB-OE04. Avoid physical disturbance to sabellariidae (honeycomb worms) bioconstructions by trampling, recreational fishing and seabed fishing gear EO applying to all NMR, NAMO and SA coastlines but targeting in particular: - An area off Groix Island (Sabellaria spinulosa) - Mont Saint-Michel Bay (reefs on soft substrate at the Saint-Anne de Champeaux/La Frégate sites) - Noirmoutier (S. alveolata reef on soft substrate in the south of the island, municipality of Barbâtre) - Bourgneuf Bay - The coast of Oléron (S. alveolata reef on bedrock in the west of the island)	D01-HB-OE04-ind1 Proportion of the surface area of bioconstructions of the species Sabellaria alveolata constituting the main source areas for its larval distribution, located in strong protection zones NB: Honeycomb worm reefs are a special habitat. ³ As such, they are also covered by indicator D06-OE1-ind5. The targets for these two indicators will therefore be identical.	100% of the surface area of the bioconstructions of the species Sabellaria alveolata constituting the main source areas for its larval distribution located in a strong protection zone	MSFD sectors concerned: – Sector 6: Mont-Saint-Michel Bay (Sainte Anne Reef) – Sector 20: Noirmoutier – Roches de la Fosse and surroundings (S. alveolata reef on soft substrate in the south of the island, municipality of Barbâtre) – Sector 20: Bourgneuf Bay – Roches de Bouin and la Boutinardière
D01-HB-OE06. Reduce physical disturbance to subtidal and circalittoral sedimentary habitats, particularly in the 3-mile zone	D01-HB-OE06-ind1 Proportion of surface area of subtidal and circalittoral sedimentary habitats located in strong protection areas	Increase in the proportion of the area of subtidal and circalittoral sedimentary habitats within existing or planned NNRs that are under strong protection	National Nature Reserve (NNR) concerned: – NNR des 7 îles and its extension project
D01-HB-OE10. Avoid abrasion and smothering of areas most representative of deep-sea habitats (Vulnerable Marine Ecosystems*) and reduce abrasion of particular geomorphological structures**: * Definition of Vulnerable Marine Ecosystems based on the identification of vulnerable marine ecosystems carried out in the framework of the Dark Habitats Action Plan in the Mediterranean Sea by the United Nations Environment Programme. ** Structures defined during the identification phase of the issues for the implementation of the MSFD	D01-HB-OE10-ind3. Proportion of known VMEs located in strong protection zones	100%	Reef sub-areas concerned: Reef sub-areas of the Natura 2000 site "Celtic Seas – Bay of Biscay slope" as proposed by the Maritime Prefect on 10 March 2017
D01-OM-OE06. Limit physical, noise and light disturbance to sea birds* in their functional habitat areas * See sea bird species listed in the GES (Good environmental status) Order	D01-OM-OE06-ind3. Surface area of foreshore bird functional areas located in strong protection areas	Trend towards an increase in foreshore bird functional areas in a strong protection zone	MSFD sectors concerned: – Sector 9: Saint-Brieuc Bay (bayhead) – Sector 18: Petite mer de Gâvre (biotope protection orders) – Sector 19 Brittany: Gulf of Morbihan, Toulvern Marsh, Gulf of Morbihan, Séné Marsh (National Nature Reserve) – Sector 19 Pays de la Loire: Petit Traict du Croisic – Sector 21: NNR "Baie de l'Aiguillon" – Sector 21: NNR "Casse de la Belle-Henriette" – Sector 21: Sud Vendée (Awaiting proposals from the marine nature parks Gironde Estuary and Pertuis Sea)

2 The full lists and map atlases are included in Annex 2 of Volume 1 of the Sea Basin Strategy Document Action Plan.
3 The concept of special habitat was included in Annex III of Directive 2008/56/EC of the European Parliament and of the Council establishing a Community framework in the field of marine environmental policy (MSFD), but is no longer included in the version amended by Directive 2017/845/EC amending that Annex. They correspond to habitats of scientific or biodiversity interest.. A list of special habitats for France had been developed on this definition basis as part of the work to develop the EOs for the second cycle

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and is included in the EO technical dossier.

D06-OE02. Reduce disturbance and physical loss of generic and special habitats associated with maritime structures, activities and uses	D06-OE02-ind2. Proportion of area of each special habitat located in strong protection zones	Maerl bank: At least one SPZ in each MPA where maerl is considered a strong or major issue.	MSFD sectors concerned – Sector 10: Archipelago of the seven islands - Triagoz plateau - Tomé Island (project to extend the national nature reserve); Paimpol Bay; Trébeurdin Bay – Sector 11: Abers – Sector 12: PNMI, Brest bay – Sector 17: Glénan Archipelago – Île aux Moutons; Trevignon – Sector 18: Groix Island – Sector 19: Belle Île; Houat Hoëdic
		Eelgrass beds: The maximum possible, and at least a significant proportion of eelgrass beds, in a strong protection zone, with regard to the issues of the known and updated sites.	
		Flat oysters: Increase in the proportion of the surface area of flat oyster beds with strong or major issues under strong protection* <i>* in the case of an exploited resource, fisheries management will be adapted to respect the good conservation status of the habitat</i>	
		Laminaria: Increase in the proportion of kelp habitat area under strong protection with at least one area per sector with strong or major issues:	MSFD sectors concerned: – Sectors 10: Archipelago of the Seven Islands - Triagoz Plateau - Tomé Island (project to extend the national nature reserve) – Sector 11: Morlaix Bay, Méloine Plateau – Sector 12: Molène Archipelago; Iroise – Sector 17 – Sector 18 – Sector 19: Plateau du Four, another sector to be identified within the framework of the DOCOB Estuary, Loire Bay of Bourgneuf – Sector 20: Yeu Island
		Atlantic salt meadows: Increase in area by opportunity when creating SPZs targeting other issues	
		Haploops: No target (habitat is expanding and in good condition with no real pressure)	
		Glasswort pioneer vegetation: No target (unstable habitats: spatial protection not suitable) Mussel beds: No target at this stage or increase in area by opportunity when creating SPZs targeting other issues Lanice bench: No target (unstable habitats: spatial protection not suitable)	
D07-OE03. Limit pressures and barriers to sea-land connectivity in estuaries and coastal lagoons	D07-OE03-ind1. Percentage of estuaries located in strong protection zones	Increase in the area of estuaries under strong protection:	MSFD sector concerned: - Sector 21 (Pertuis Sea and Gironde plume): The work of analysing and proposing existing and potential SPZ study areas will be carried out by the Gironde Estuary and Pertuis Sea Marine Natural Parks
	D07-OE03-ind2. Percentage of coastal lagoons located in strong protection zones	Increase in the area of coastal lagoons under strong protection	

A.2. Identification of the study areas of the strong protection zones

1. Context

The first cycle of the Marine Environment Action Plan (MEAP) and its programme of measures (2016-2021), in respect of the Bay of Biscay and Celtic Seas marine subregions covered measure M003-NAT1B: *"Complete the network of marine protected areas by establishing strong protections in sectors of remarkable marine biodiversity"*. The aim of this measure is to create a coherent, connected network of strong protection zones (SPZ) that is representative of the diversity of marine ecosystems on each coastline in mainland France. These strong protections will be instituted as a priority within existing marine protected areas.

The context on the NAMO coastline, as well as at national level 4, has accelerated the implementation of the measure and the definition of a consensual and achievable objective over the implementation cycle of the Sea Basin Strategy Document action plan.

Under the Sea Basin Strategy Document strategic component, eight targets were adopted in 2019 as *"defined and agreed under measure M003, and adopted simultaneously with the Sea Basin Strategy Document action plan"*. The methodological work of identifying study areas of existing and potential SPZs was thus carried out simultaneously with the development of the Sea Basin Strategy Document action plan. In addition to providing information on complementary targets, this work operationalises the cross-cutting action AT-01 "Develop the network of strong protection zones and strengthen their control" of the action plan (see Volume 2: Action sheets).

2. Definition and method of identification

a. What is an SPZ?

A natural area with existing or planned protection must meet five criteria to be considered an SPZ:

1. focus on priority ecological issues, strong and major issues identified by the sea basin strategy documents, constituting sectors of remarkable marine biodiversity at the coastline scale;
2. be set up as a priority within a marine protected area (except in special cases defined by the national framework);
3. have specific regulations for activities to enable the main pressures on the ecological issues justifying strong protection to be significantly reduced or eliminated. Concerning professional maritime fishing activities, the measures are proposed according to the results of the "fishing risk assessment" carried out in the framework of the Natura 2000 DOCOBs;
4. be based on a management document, drawn up by the governance body of the MPA in question, defining protection objectives and a system for evaluating the effectiveness of the system;
5. benefit from an operational control system for activities.

SPZs are neither a new MPA status nor additional MPAs. The aim is to recognise what exists and to strengthen its management or protection where appropriate. This is why, in addition to the analysis of existing regulations and issues for the designation of SPZs, these areas are part of a representative global network allowing that:

- each of the strong or major ecological issues identified in the Sea Basin Strategy Documents are well represented in the network (representativeness criterion);
- several examples of the issue are represented in the network: for example, several meadow areas are present in the network of SPZs on the coast (replication criterion);

4. The national protected areas strategy 2020-2030, launched at the beginning of January 2021, plans to increase to 30% the surface area of the national territory (land and sea) in protected areas, including 10% in strong protection

- each example of the issue is sufficiently large (viability criterion);
- each example of the issue targetted is linked to the others, i.e. these areas are sufficiently close (connectivity criterion).

b. Inventory of existing and potential SPZ study areas

The process of identifying and mapping the study sectors of existing and potential SPZs and analysing the representativeness of this network was carried out on the coast by the State (decentralised services of the Ministry of Ecological Transition and the French Office for Biodiversity) in 2019-2020, in conjunction with the managers of marine protected areas.

The identification of the study areas and their mapping was based on the state of knowledge of the habitats and the strong or major issues of the Sea Basin Strategy Document. This inventory takes into account the principle of "multi-issue" SPZs: all ecological issues identified as strong or major are listed. This approach provides guidance to the site management committees that will conduct local consultations to define the precise boundaries, surface areas and measures of future SPZs.

Certain strong and major issues are not currently the subject of proposals for SPZ study sectors, either because the SPZ spatial approach is not suitable (e.g. mobile species such as the Balearic Shearwater) and other specific regulatory measures can be involved (e.g. the National Action Plan (NAP) for the Shearwater), or because knowledge is currently insufficient to define the study sectors geographically.

This resulted in the identification of a list of **58 study areas, including 12 study areas of existing SPZs and 46 study areas of potential SPZs**. The lists and maps of the sectors are presented in detail in Annex 2 of Volume 1 of the action plan. These proposals were discussed in the Standing Committee of the Sea Basin Council and presented at the Sea Basin Council meeting in autumn 2020.

In Brittany, the proposed study areas for the SPZs target the strong and major issues identified by the Sea Basin Strategy Document as a priority.

The proposals currently being discussed within the Iroise Marine Nature Park and within the framework of the NNR extension projects (Sept-Îles archipelago, Iroise, Groix) particularly target:

- colonies of sea birds of national importance, particularly the following species: northern gannets, European storm petrels, Atlantic puffins, razorbills, common guillemots, Manx shearwaters, European shags, etc.;
- the two main national breeding colonies of the grey seal;
- a significant proportion of specific benthic habitats for which Brittany has a strong responsibility, in particular kelp forests including the Molène archipelago (which is recognised at European level), boulder fields, infralittoral reefs, etc.

Other Sea Basin Strategy Document issues are also targeted, including:

- other sea bird colonies targeting other species including roseate terns, sandwich terns, common terns, gulls, black-legged kittiwakes, alcids, etc.;
- areas where waterbirds spend the winter or migrate (Saint-Brieuc Bay, Gulf of Morbihan);
- benthic habitats for which Brittany has a strong responsibility, in particular maerl beds (Morlaix Bay, Brest Bay, Glénan archipelago, Trévignon, Groix, Belle-Île, Houat-Hoedic, etc.), eelgrass beds (in almost all the MSFD sectors), honeycomb worm reefs (Mont Saint-Michel Bay), flat oyster beds, intertidal reefs, etc.;
- vulnerable deep-sea ecosystems (100% of the reef areas proposed for designation under the Habitats Directive offshore).

In Pays de la Loire, the proposals also target strong and major issues and in particular:

- sea bird colonies and wintering sites for waterbirds: Mediterranean gulls, sandwich terns, common terns, gulls;
- biogenic habitats: kelp, maerl and dwarf eelgrass.

As part of the public and stakeholder consultation process, additional SPZ study areas may be identified and the lists and map atlases completed at the end. This is particularly the case for the study sectors of the Iroise and Gironde Estuary and Pertuis Sea marine nature parks.

The site management committees will then carry out local consultations to define the precise contours, areas and measures of the future SPZs, on the basis of the elements adopted by the action plan.

Regular progress reports on the implementation of strong protection zones will be submitted to the Sea Basin Council, the body responsible for monitoring the implementation of the SPZ at the coastal level.

Part B. Additional targets for addressing emerging issues in the Sea Basin Strategy Document

Part B.1. Summary table

Environmental objective	Environmental indicator	Proposed target	Nature of the work carried out
Special habitats			
D01-HB-OE05. Avoid physical disturbance of eelgrass beds (by anchoring, seabed fishing gear and fishing on foot) For anchorages, EO applies to allNMR, NAMO and SA coastlines but targets in particular: - Chausey Archipelago - Morlaix Bay - Glénan Archipelago - Iroise Sea - Gulf of Morbihan - Gironde Estuary and Pertuis Sea - Arcachon Basin For shore recreational fishing, EO applies to all NMR, NAMO and SA coastlines but targets in particular: - Lancieux Bay - West coast of Armor (Pointe de Bilfot) - Morlaix Bay - Rade de Brest - Gulf of Morbihan - Gironde Estuary and Pertuis Sea - Arcachon Basin	D01-HB-OE05-ind1. Proportion of known area of eelgrass beds (Zostera marina and Zostera noltei) that is not open to mooring	Upward trend, at least prohibition in the SPZs set up under D06-OE02-Indicator 2, specific "seagrass" habitats	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with coastline stakeholders (Sea Basin Council and its Standing Committee)
	D01-HB-OE05-ind3. In Natura 2000 sites, proportion of intertidal meadow surface identified as "at moderate to high risk" in the framework of the analysis of the risk of harming the conservation objectives of Natura 2000 sites subject to fishing pressure	1) In the sites of the Pays de la Loire region, in accordance with the Order of 25 January 1993 on the list of protected plant species in the Pays de la Loire region: 0% for Zostera noltei 2) In other cases: downward trend	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)
D01-HB-OE06. Reduce physical disturbance to subtidal and circalittoral sedimentary habitats, particularly in the 3-mile zone	D01-HB-OE06-ind2. In Natura 2000 sites, proportion of surface area of sedimentary habitats (1160 and 1110 including maerl banks*) identified as "at moderate or high risk" of undermining the conservation objectives of Natura 2000 sites subject to fishing pressure (bottom towed gears)	Downward trend	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)
Sea birds			
D01-OM-OE01. Reduce incidental catches of sea birds* (at sea and near colonies), and in particular reduce incidental catches of the most vulnerable species such as Balearic, Yelkouan and Cory's shearwaters by longlines, set nets and small pelagic seine nets. * cf. sea bird species listed in the GES Order	D01-OM-OE01-ind1. Proportion of maximum density area at risk for which incidental catch avoidance or reduction measures are planned	100%	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)

D01-OM-OE04. Reduce pressure from introduced and domesticated species on sea bird breeding sites	D01-OM-OE04-ind1. Proportion of island breeding sea bird colonies with high stakes* for which introduced species and	0 for remote island sites without human occupation Downward trend for others.	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)
	the domestic pressure is well documented.		
D01-OM-OE05. Maintain or restore functional sea bird habitats* in coastal wetlands	D01-OM-OE05-ind1. Number and area of restored functional sites on the coastline.	Upward trend. The map of functional sites will be established during 2020/2021 by the LPO or RNF.	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)
The map of functional habitats for sea birds will be drawn up on the occasion of the revision of the PoS or the programme of measures and validated in the Sea Basin Council * cf. sea bird species listed in the GES Order	D01-OM-OE05-ind2. Functional habitat area of sea birds in wetlands of coastal municipalities.	Maintenance The reference value will be known during 2020/2021 by the LPO or RNF	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)
Sea-floor integrity - Artificialisation			
D06-OE01. Limit the physical loss of generic and special habitats due to the artificialisation of the coastal area and shallow waters	D06-OE01-ind2. Percentage of artificial foreshore* (emerged structures and developments)	a) For the entire coastline, a downward trend in the average rate of artificial development of the upper foreshore in linear terms compared with the average reference rate, evaluated at 2% over 6 years b) For the whole coastline, the average rate of artificial development of the foreshore in hectares is decreasing compared to the average reference rate, evaluated at 5.4% over 6 years	Target defined on the basis of the references established by the attached CEREMA study
	D06-OE01-ind3 and 4. Percentage of artificial seabed (emerged and submerged structures and developments) between 0 and 20 m	For the whole coastline, a downward trend in the average rate of coastal land development in ha compared to the average reference rate	The average rate will be specified during 2021 as part of the work underway by CEREMA
Anthropogenic pressures			
D08-OE04. Limit the discharge of contaminants and the spread of non-indigenous species into the natural environment during dry-docking (recreational and professional vessels) and maintenance of underwater equipment (buoys, breeding structures, etc.)	D08-OE04-ind1. Number of ports equipped with docking areas with an effluent treatment system	Upward trend.	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)
D11-OE01. Reduce the level of noise related to impulsive emissions with regard to the risks of disturbance and mortality of marine mammals	D11-OE01-ind1. Spatial extent of the recorded 'strong' to 'very strong' events as a percentage on the coastline	To be defined in the framework of TG Noise (European Technical group on Underwater Noise)	Target defined by the Technical Secretariat of the Marine Environment Action Plan (TS-MEAP) and agreed with the local stakeholders (Sea Basin Council and Standing Committee)

Part B.2. Additional targets defined to take into account the new challenges of the Sea Basin Strategy Document

■ Special habitats:

D01-HB-OE05-ind1 & ind3:

Within the strong protections, the pressure linked to anchoring will be eliminated or avoided on the eelgrass beds, in view of the proven pressures of mooring and anchoring (apart from ecological mooring): fragmentation or even disappearance of meadow surfaces under the effect of the friction or dredging of the anchoring lines, particularly in areas of high tide and shallow depths. Outside of the strong protections, a trend target is defined, if no reference value is available on the coastline.

In Pays de la Loire, a minimum level of pressure from fishing and a minimum level of pressure from anchoring will be targeted for this species, which is covered by the decree of 25 January 1993 relating to the list of protected plant species. Elsewhere and for eelgrass beds, a downward trend in the areas subject to a high or medium risk due to fishing on foot is defined for the coastline.

D01-HB-OE06-ind2:

The trend target aims, through regulatory measures defined in the framework of fishing risk assessment (known as ARP), to reduce the physical disturbance caused by bottom towed gear on sedimentary habitats (1160 and 1110 including maerl beds).

■ Sea birds: D01-

OM-OE01-ind1:

The target is to identify, within the essential areas for sea birds (area of maximum density), those that are at risk from incidental catch pressure (area at risk). For all of these areas, reduction measures (regulatory, contractual or voluntary) will be implemented to minimise this risk, as is required throughout the national territory due to the protection status of the species (all sea bird species are protected) and within the SPA (Special Protection Area) network under the Birds Directive.

D01-OM-OE04-ind1:

In January 2019, the OFB consulted the Groupement d'Intérêt Scientifique Oiseaux Marins (GISOM) in its capacity as scientific expert to find out its capacity to monitor, determine the reference value and information (and the associated methodology) for certain indicators relating to sea birds.

GISOM has thus committed to developing three indicators (D01-OM-OE04-ind1, D01-OM-OE04-ind2, D01-OM-OE06-ind1) and produced the methodological report associated with each of them in November 2019.

Concerning indicator D01-OM-OE04-ind1, GISOM first defined the list of island sea bird colonies with high stakes and the list of introduced and domesticated species to be controlled. High-stake sites are defined as those meeting the RAMSAR criteria of international importance or hosting more than 15% of the national population.

It has defined the monitoring materials, methods and devices to be used to identify whether or not pressure is present. The current state of functional habitats available for sea birds (concentration of individuals on a limited number of sites and scarcity of potential carry-over sites) and the proven, but controllable, impacts of predation on breeding success lead to the setting of an ambitious target of zero high-stake island colonies with proven pressure from introduced or domesticated species.

D01-OM-OE05-ind1 & 2:

The concentration of anthropogenic pressures on the coastal strip has led to a very rapid reduction in the area of functional habitats available to sea birds over the last few decades, which has resulted in a fall in numbers for the most sensitive species. For example, nearly a third of the sea bird species breeding in France are now endangered or critically endangered (14 species out of 47).

The targets set correspond to the restoration of at least one functional site per marine sub-region by 2026. In the absence of a precise identification of suitable sites for this type of restoration, no figures could be proposed at this stage.

■ Seabed integrity - artificialisation:

The Sea Basin Strategy Document's targets on artificialisation are innovative and ambitious. They required the definition of artificialisation, the perimeter on which it is considered, and the sharing of a realistic objective on a sensitive policy, on which the coastal economy partly depends.

In the framework of the second cycle (2019-2023) of implementation of the MSFD, a new environmental objective (D06–OE01 specifically addresses the artificialisation of the coastal and nearshore marine environment, in the sense of physical losses. A second objective concerns the physical disturbance and physical loss of generic and special habitats related to maritime structures, activities and uses.

The principle of this objective D06 OE01 is to control the artificialisation of the shoreline (coastal line and lower levels), by defining a limit value (target) to be reached by 2026 for each indicator. In this context, the indicators of objective D06 OE01 concerning the physical loss of habitat linked to the artificialisation of the coastline, the foreshore and the seabed (0-20 m), adopted in the strategy, are the following:

- Indicator 2: Percentage of artificial foreshore (emerged structures). Two different targets were defined:
 - A target for the upper limit of the foreshore (in linear km): the method for calculating the target is the same as for indicator 1 concerning the Mediterranean coast⁵;
 - A target for the intertidal space (in ha);
- Indicator 3: Percentage of artificial seabed (emerged and submerged structures) between 0 and 10 m;
- Indicator 4: Percentage of artificial seabed (submerged structures) between 10 and 20 m.

In order to simplify the work of the examining authorities, it was **decided to merge the indicators D06-OE01-ind3 and D06-OE01-ind4**. Thus, this new indicator takes into account **the percentage of artificial seabed between 0 and 20 metres**.

The characterisation of a **reference rate of artificialisation** was therefore essential to define these targets. This rate was established by CEREMA for the linear and foreshore areas only (i.e. for indicators 1 and 2) and for the period 2002-2014, within the framework of the report *Artificialisation des milieux marins littoraux et côtiers, Méthodes de détermination des indicateurs 1 et 2* (cf. annex 3 CEREMA, 2021).

The main novelties brought about by the definition of these D06 OE1 indicators and their targets compared to pre-existing indicators relating to the artificialisation of the coastline and the coast in France are summarised below:

1. From the point of view of their **definition and use**, the indicators relating to artificialization in D06 OE1 of the MSFD correspond to the **rate of artificialisation** of the coastline (in kilometres, for all sea basins, called "upper limit of artificial foreshore" for the Atlantic and Channel sea basins), on the one hand, and of the foreshore surface area on the other hand (in hectares, for the Atlantic and Channel only). In this respect, they differ from the rate of artificialisation calculated at a given moment and offered by other pre-existing indicators;

5 Indicator 1 (MED coastline): Percentage of artificial linear (structures and emerging developments)

2. In **regulatory** terms, the EO indicators of the MSFD and their targets are accompanied by a **compatibility obligation** for offshore authorisations. As a result, the requirement for reliable results is high. They must be able to be converted into absolute values in an accurate manner for easier processing of permits;
3. In terms of the **pressures considered**, the indicators relating to artificialisation in D06 OE1 of the MSFD focus on **physical losses** and do not take into account the physical disturbances caused by structures. Indeed, another MSFD EO (D06 EO02) deals with physical disturbances. Moreover, the uncertainties in the calculation methods for taking into account physical disturbances are currently significant. This is why the indicators relating to artificialisation in D06 OE1 of the MSFD **only take into account the area covered by the structures in the artificialisation, without taking into account the zone of influence of the structures**, unlike the assessment of artificialisation carried out within the framework of the integrated management of the coastline, for which it is essential to take into account the zone of influence of the structures, even if only approximately;
4. From a **methodological point of view**, the length of artificial linear length for the indicators of D06 OE1 of the MSFD is calculated **without using a projection on a reference coastline**, so as to adapt to changes in the reference land-sea boundary, which is currently being redefined (SHOM-IGN work). This is not the case in the framework of the Water Framework Directive (WFD) and the National Strategy for the Integrated Management of the Coastline, where the rate of artificialisation calculated at a given time was based on a projection of coastal structures (identified from databases, aerial photographs, etc.) on a **reference coastline** (Histolitt, v2, 2009, SHOM-IGN) which is now **obsolete**.

- **Anthropogenic**

pressures: D08-OE04:

A study by CEREMA on all the coastlines identifies and characterises docking areas: this survey was carried out and delivered in July 2018, but was not shared with all the stakeholders. Thus, its results must be compared on the one hand with the detailed territorial analysis carried out by the Loire-Brittany Water Agency (AELB) within the framework of the WFD and the reduction of "black spots", and on the other hand with the analysis of the competent services in terms of the water police and the port management authorities.

The problem of dry docks and the technical solutions to be found must therefore be discussed on a case-by-case basis. It is not relevant to set a numerical target and the target set is therefore "upwards trend".

D11-OE01:

TG Noise has not yet set any targets and is still working on this objective. This additional target will be completed during 2021.

Part C – Targets defined during the preparation of the Loire Bretagne SDAGE and its consistency with the Sea Basin Strategy Document

Part C.1. Summary table

Environmental objective	Environmental indicator	Proposed target	Comments and possible derogations
<p>D05-OE01. Reduce nutrient inputs (nitrates and phosphates), particularly from rivers flowing into eutrophied marine areas</p> <p>EO applies to all NMR, NAMO and SA coastlines but targets in particular:</p> <ul style="list-style-type: none"> - NMR: Picardy estuaries (Authie, Liane, Wimereux, Slack), Seine estuary, Côte de nacre Ouest, Côte de nacre Est and Barfleur at the eastern tip of the Cotentin. - NAMO: BBay of Saint Brieuc (bayhead), Bay of Lannion, Côte d'Armor (western area), Léon-Trégor (offshore), Bay of Douarnenez, Bay of Concarneau, Laïta offshore, Gulf of Morbihan, mouth of the Loire - SA: Mouth of the Gironde 	<p>D05-OE01-ind1. Proportion of streams, rivers and watercourses leading to eutrophied marine areas with nitrate concentrations compatible with the GES threshold values for the Nutrient criterion (mainly in relation to the Chlorophyll-a criterion)</p> <p>Note: A selection of rivers leading to eutrophied* marine areas from the 45 rivers retained in the modelling work will be made when the thresholds are defined. The 45 rivers selected for the modelling are:</p> <ul style="list-style-type: none"> - NMR: the Aa, the Picard Estuaries (Authie, Canche, Somme estuary), the Bresle, the Arques, the Seine estuary, the Touques, the Dive, the Orne, the Seules, the Vire and the Aure, the Douve, the Sienne, the Sée and the Sélune - NAMO: - Celtic seas: the Couesnon, the Rance, the bayhead of Saint Brieuc (the Gouessant, the Urne and the Gouet), the Arguenon, the Trieu, the Jaudy, the Bay of Lannion (the Léguer), the Léon-Trégor (the Roscoat, the Yar and the Douron), the Bay of Morlaix (the Dourduf and the Jarlot), the Penzé, and the Bay of Brest (the Elorn and the Aulne rivers) North of the Bay of Biscay: Odet, Laïta large, Blavet and Scorff, Vilaine, Loire estuary, Haute Perche, Falleron, Sallertaine, Vie, Lay, Sèvre Niortaise. - SA: the Charente, the Seudre, the Gironde estuary (the Dordogne and the Garonne), the Leyre, the Adour 	<p>18% (2 out of 11 rivers concerned)</p> <p>At the scale of the marine subregion, 18% of the rivers are considered to have nitrate concentrations (mg/L) that are compatible with the GES threshold values for the nutrient criterion (mainly with regard to the Chlorophyll-a criterion).</p> <p>At the river scale, nitrate concentrations (mg/L) compatible with the GES threshold values for the nutrient criterion (mainly with regard to the Chlorophyll-a criterion).</p>	<p>Target defined by applying the provisions of the draft SDAGE 2022 - 2027</p> <p>To consider that a coastal or transitional water body is eutrophied by nitrates, two parameters were taken into account: phytoplankton and green tides. Of the 26 rivers in the national study that flow into the Loire-Brittany basin, 11 flow into coastal or transitional water bodies considered to be eutrophied (classified under the "Ulva" parameter or the "Phytoplankton" parameter, which take account of green tides).</p> <p>Of these 11 rivers, two have a non-degradation target compatible with good marine status:</p> <ul style="list-style-type: none"> • The Rance • Le Gouessant_Gouët_Urne • The Trieux • <u>The Léguer (*): Non-degradation objective and concentration compatible with good marine / nitrate status in 2027</u> • The Yar_Douron • The Dourduf • The Jarlot • The Penzé • Aulne • <u>The Odet (*): Non-degradation and concentration target- compatible with good marine / nitrate status in 2027</u> • The Vilaine <p>=> Associated exception for 9 water bodies</p>

	<p>D05-OE01-ind2. Proportion of streams, rivers and watercourses leading to eutrophied marine areas with phosphate concentrations compatible with the GES threshold values for the Nutrient criterion (mainly in relation to the Chlorophyll-a criterion)</p> <p>Note: A selection of rivers leading to eutrophied* marine areas from the 45 rivers retained in the modelling work will be made when the thresholds are defined. The 45 rivers selected for the modelling are:</p> <ul style="list-style-type: none">- NMR: the Aa, the Picard Estuaries (Authie, Canche, Somme estuary), the Bresle, the Arques, the Seine estuary, the Touques, the Dive, the Orne, the Seules, the Vire and the Aure, the Douve, the Sienne, the Sée and the Sélune- NAMO:	<p>91% (10 out of 11 rivers involved)</p> <p>At the scale of the marine subregion, 91% of the rivers considered to have phosphate concentrations (mg/L) compatible with the GES threshold values for the nutrient criterion (mainly with regard to the Chlorophyll-a criterion)</p> <p>At the river scale, phosphate concentrations (mg/L) compatible with the GES threshold values for the nutrient criterion (mainly with regard to the Chlorophyll-a criterion)</p>	<p>Target defined by applying the provisions of the draft SDAGE 2022 - 2027</p> <p>Of the 11 rivers mentioned above, only the Vilaine has been set a limitation objective, not allowing good status to be achieved by 2027.</p> <p>=> Associated exception for 1 water body</p>
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	<p>Celtic Seas submarine region: the Couesnon, the Rance, the Fond de la Baie de Saint Brieuc (the Gouessant, the Urne and the Gouet), the Arguenon, the Trieu, the Jaudy, the Bay of Lannion (the Léguer), the Léon-Trégor (the Roscoat, the Yar and the Douron), the Bay of Morlaix (the Dourduf and the Jarlot), the Penzé, and the Bay of Brest (the Elorn and the Aulne rivers)</p> <p>North of the Bay of Biscay: Odet, Laïta large, Blavet and Scorff, Vilaine, Loire estuary, Haute Perche, Falleron, Sallertaine, Vie, Lay, Sèvre Niortaise.</p> <p>- SA: the Charente, the Seudre, the Gironde estuary (the Dordogne and the Garonne), the Leyre, the Adour</p>		
<p>D05-OE02. Reduce nutrient inputs (nitrates and phosphates), particularly from small coastal rivers that flow into sensitive marine areas due to their confinement or the presence of habitats sensitive* to these inputs</p> <p>*habitats sensitive to eutrophication in the Channel and Atlantic: maerl beds, sabellarid bioconstructions, eelgrass beds and salt meadows</p> <p>EO applies to all NMR, NAMO and SA coastlines but targets in particular:</p> <p>- NMR: Picardy estuaries (Authie, Liane, Wimereux, Slack), Normandy-Breton Gulf (Sienne, Mont Saint Michel Bay)</p> <p>- NAMO: Bay of Saint-Brieuc, Bay of Fresnaye, Bay of Lannion, Bay of Morlaix, Bay of Douarnenez, Bay of Vilaine and Bay of Bourgneuf, Rade de Brest, Gulf of Morbihan</p> <p>- SA: Bassin d'Arcachon (Leyre), Pertuis (Lay, Sèvre niortaise, Seudre, Charente-Boutonne), Bidassoa, Adour</p>	<p>D05-OE02-ind1. Proportion of streams, rivers and watercourses leading to sensitive marine areas due to their confinement or the presence of sensitive habitats* with nitrate concentrations compatible with the GES threshold values for the Nutrient criterion (mainly with regard to the Chlorophyll a criterion)</p> <p>* Note: A selection of rivers leading to sensitive marine areas due to their confinement or the presence of sensitive habitats among the 45 rivers retained in the modelling work at the time of the definition of the thresholds. The 45 rivers selected for the modelling are:</p> <p>- NMR: the Aa, the Picard Estuaries (Authie, Canche, Somme estuary), the Bresle, the Arques, the Seine estuary, the Touques, the Dive, the Orne, the Seulles, the Vire and the Aure, the Douve, the Sienne, the Sée and the Sélune</p> <p>- NAMO:</p> <p>Celtic Seas submarine region: the Couesnon, the Rance, the Fond de la Baie de Saint Brieuc (the Gouessant, the Urne and the Gouet), the Arguenon, the Trieu, the Jaudy, the Bay of Lannion (the Léguer), the Léon-Trégor (the Roscoat, the Yar and the Douron), the Bay of Morlaix (the Dourduf and the Jarlot), the Penzé, and the Bay of Brest (the Elorn and the Aulne rivers)</p> <p>North of the Bay of Biscay: Odet, Laïta large, Blavet and Scorff, Vilaine, Loire estuary, Haute Perche, Falleron, Sallertaine, Vie, Lay, Sèvre Niortaise.</p> <p>- SA: the Charente, the Seudre, the Gironde estuary (the Dordogne and the Garonne), the Leyre, the Adour</p>	<p>100% (3 rivers involved)</p> <p>At the scale of the MRS, 100% to be defined of the rivers of the MRS under consideration whose nitrate concentrations (mg/L) are compatible with the threshold values for achieving the GES for the nutrient criterion (with regard mainly to the Chlorophyll-a criterion). At the river scale, nitrate concentrations (mg/L) compatible with the GES threshold values for the nutrient criterion (mainly with regard to the Chlorophyll-a criterion).</p>	<p>Target defined by applying the provisions of the draft SDAGE 2022 - 2027</p> <p>Three rivers in sensitive areas with nitrate concentrations compatible with the GES threshold values for the nutrient criterion:</p> <ul style="list-style-type: none"> • The Arguenon • The Blavet • The Scorff

	<p>D05-OE02-ind2. Proportion of streams, rivers and watercourses leading to sensitive marine areas due to their confinement or the presence of sensitive habitats* with phosphate concentrations compatible with the GES threshold values for the Nutrient criterion (mainly in relation to the Chlorophyll-a criterion)</p> <p>* Note: A selection of rivers leading to sensitive marine areas due to their confinement or the presence of sensitive habitats among the 45 rivers retained in the modelling work at the time of the definition of the thresholds. The 45 rivers selected for the modelling are:</p> <p>- NMR: the Aa, the Picard Estuaries (Authie, Canche, Somme estuary), the Bresle, the Arques, the Seine estuary, the Touques, the Dive, the Orne, the Seullès, the Vire and the Aure, the Douve, the Sienne, the Sée and the Sélune</p> <p>- NAMO:</p> <p>Celtic Seas: the Couesnon, the Rance, bayhead of Saint Brieuc (the</p>	<p>100%</p> <p>At the scale of the marine subregion, 100 % of the rivers considered to have phosphate concentrations (mg/L) compatible with the GES threshold values for the nutrient criterion (mainly with regard to the Chlorophyll-a criterion)</p> <p>At the river scale, phosphate concentrations (mg/L) compatible with the GES threshold values for the nutrient criterion (mainly with regard to the Chlorophyll-a criterion)</p>	<p>Target defined by applying the provisions of the draft SDAGE 2022 - 2027</p> <p>Three rivers in sensitive areas with phosphate concentrations compatible with the GES threshold values for the nutrient criterion:</p> <ul style="list-style-type: none">• The Arguenon• The Blavet• The Scorff
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	Gouessant, Urne and Gouet), Arguenon, Trieu, Jaudy, Bay of Lannion (Léguer), Léon-Trégor (Roscoat, Yar and Douron), Bay of Morlaix (Dourduf and Jarlot), Penzé, Rade de Brest (Elorn and Aulne). North of the Bay of Biscay: Odet, Laïta large, Blavet and Scorff, Vilaine, Loire estuary, Haute Perche, Falleron, Sallertaine, Vie, Lay, Sèvre Niortaise. - SA: the Charente, the Seudre, the Gironde estuary (the Dordogne and the Garonne), the Leyre, the Adour		
D07-OE03. Limit pressures and barriers to sea-land connectivity in estuaries and coastal lagoons	D07-OE03-ind3. Number of non-removable obstacles whose impacts on currentology, sedimentology or continuity have been minimised	Upward trend: 1) 100% of the priority structures of the basin coordinating the Prefect's prioritisation programme (all in list 2), located in a coastal strip of 0 to 10 kms/20 kms, constituting the first obstacle to flow or the first significant obstacle to flow from the sea to the coastline. 2) Additional mapping must be carried out (action of D7) on the identification of structures at stake, including those of defence against the sea.	Target defined by applying the provisions of the draft SDAGE 2022 - 2027
D08-OE07. Reduce discharges of land-based contaminants to the sea* * excluding dredging and clamping activities	D08-OE07-ind1. Number of non-attainments of GES threshold in sediment and biota	Candidate indicator	The indicator has been classified as a " candidate for the 3rd MSFD cycle " due to methodological difficulties in defining a numerical target consistent with the indicator's title, particularly for sediments, in connection with the work in progress on a harmonised WFD-MSFD method.
	D08-OE07-ind2. Number of coastal water bodies with good chemical status under the WFD	82%	Target defined by applying the provisions of the draft SDAGE 2022 - 2027 32 coastal water bodies in good chemical status out of 39 (taking into account ubiquitous substances) => Associated exception for 7 water bodies
D09-OE01-ind1. Reduce direct transfers of microbiological pollutants, particularly to bathing areas and shellfish production areas	D09-OE01-ind2. Proportion of REMI monitoring points on the coastline showing a deterioration in microbiological quality or showing a deteriorated quality that is not improving (general trend over 10 years)	0.00%	

Part C.2 – Targets defined during the preparation of the Schéma d'Aménagement et de Gestion des Eaux du Bassin Loire Bretagne (Water Development and Management Plan for the Loire Bretagne Basin) and the alignment with the Namo Sea Basin Strategy Document

In accordance with IX of Article L212-1 of the Environment Code, the SDAGE must be compatible or made compatible with the environmental objectives defined in the Marine Environment Action Plan (MEAP), during its periodic update provided for in IV of Article L. 212-2. Conversely, the Marine Environment Action Plan (MEAP) includes environmental objectives and associated indicators for achieving good environmental status of marine waters, which are compatible or made compatible with the SDAGE (Article L.219-9 of the Environment Code).

In accordance with the provisions mentioned in IX of Article L212-1 and insofar as many of the pressures on marine ecosystems are generated on land, the environmental objectives of the Sea Basin Strategy Documents concerning these pressures on land or in relation to water policy define new results to be achieved within the framework of the SDAGEs currently being drawn up for the third management cycle 2022-2027. As a result, the SDAGEs and Programmes of Measures (PoMs) must define the measures contributing to the achievement of these results, within the limits of their legal scope, unless exemptions or exceptions to the achievement of these objectives are included in the Sea basin Strategy Documents.

■ Eutrophication (D05OE01 ind1 and ind2 & D05OE02 ind1 and ind2)

Of the four environmental objectives defining descriptor 5, the targets for indicators 1 and 2 of EO1 and EO2 were not adopted in September 2019, pending the strategy deployed in the SDAGE. They have therefore been determined on the basis of the assessment methods and local strategies defined in the draft SDAGE Loire Bretagne and its programme of measures.

The two environmental objectives are

– **D05 OE01:** Reduce nutrient inputs (nitrates and phosphates), particularly from rivers flowing into eutrophied marine areas;

– **D05 OE02:** Reduce nutrient inputs (nitrates and phosphates), particularly from small coastal rivers that flow into sensitive marine areas due to their confinement or the presence of habitats sensitive to these inputs.

For each EO, two indicators have been defined and adopted in 2019:

« Ind1/2: Proportion of streams, rivers and watercourses leading to eutrophied marine areas with concentrations of (nitrate/phosphate) compatible with the GES threshold values for the Nutrient criterion (mainly with regard to the Chlorophyll-a criterion)

D05OE01 ind1: The target for the NAMO coastline is 18% of streams, rivers and watercourses leading to eutrophied marine areas whose nitrate concentrations are compatible with the GES threshold values for the Nutrient criterion by 2026.

D05OE01 ind2: The target for the NAMO coastline is 91% of streams and rivers leading to eutrophied marine areas with phosphate concentrations compatible with the GES threshold values for the nutrient criterion by 2026.

D05OE02 ind1: The target for the NAMO coastline is 100% of streams, rivers and watercourses leading to sensitive marine areas due to their confinement or the presence of sensitive habitats whose nitrate concentrations are compatible with the GES threshold values for the Nutrient criterion by 2026.

D05OE02 ind2: The target for the NAMO coastline is 100% of the rivers and streams leading to sensitive marine areas due to their confinement or the presence of habitats

sensitive waters with phosphate concentrations compatible with the GES threshold values for the nutrient criterion by 2026.

■ **Land-sea connectivity: D07OE03 ind3**

For the NAMO coastline, the target is an "upward trend" in the number of obstacles that cannot be removed and whose impacts on currentology, sedimentology or continuity have been minimised by 2026.

It is proposed to consider the priority works of the basin coordinating Prefect's prioritisation programme (all in list 2) annexed to the SDAGE programme of measures, over a length of watercourse from the sea to be defined, where the influence of the tide is significant. The prioritisation takes into account the issues of fish and sediment continuity, which makes it possible to focus on the structures with the greatest challenges. For these priority structures, the objective of the SDAGE and its programme of measures is clearly to achieve compliance with ecological continuity by the end of the third cycle.

■ **Micropollutants: D08OE7 ind2:**

Indicator 1 was defined as a "candidate" indicator due to methodological difficulties in defining a numerical target consistent with the title of the indicator, particularly for sediments, in connection with the work in progress on a harmonised WFD-MSFD method. Only indicator 2 therefore makes up EO7.

For this indicator 2, according to the Loire-Brittany SDAGE, 32 coastal water bodies are in good chemical condition out of 39 water bodies. The target is therefore 82%, taking into account ubiquitous users.

■ **Microbiological pollution: D09 OE1 ind1:**

In order to be in line with the SDAGE strategy, it was specified that a degraded quality was a worse status than a B classification (according to the Hygiene Package).

The target adopted for the NAMO coastline is 0% of REMI monitoring points on the coastline showing a deterioration in microbiological quality or showing a deteriorated quality that is not improving (general trend over 10 years).

Part D. Exceptions

Article 14 of Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (MSFD) provides that a Member State may identify instances within its marine waters, referred to as exceptions, in which the environmental targets or good environmental status cannot be achieved through measures taken by that Member State.

A limited number of grounds can be invoked (Articles L.219-12 and L.219-14 of the French EnvironmentCode):

- action or inaction that is not attributable to the State administration, local authorities and their groupings, as well as public establishments and other bodies performing a public service mission;
- natural causes;
- force majeure;
- modifications or alterations to the physical characteristics of marine waters brought about by actions
- taken for reasons of overriding public interest which outweigh the negative impact on the environment, including any transboundary impact;
- natural conditions which do not allow timely improvement in the status of the marine waters concerned;
- disproportionate cost;
- absence of a significant risk to the marine environment.

The administrative authority shall indicate these instances in the action plan and justify them to the European Commission.

No exceptions were identified when the strategy was adopted. The work of defining additional targets in line with the work of the Loire-Brittany SDAGE, and the work of drawing up the action plan led to the identification of **7 requests for exception** (see Annex 2: Table justifying the exceptions associated with an environmental objective).

D.1. Exceptions linked to the targets defined during the SDAGE development work

When targets are different from 100%, they imply the activation of exceptions: **3 requests for exceptions** are therefore identified, including 2 for environmental objectives D05-OE1 (eutrophication) and 1 application for D8OE7 (contaminants). The requests for exceptions including the justification required under the MSFD and the ad hoc measures taken are detailed in Annex 2.

For objective D05OE1, these exceptions are justified by the postponement of the deadline for technical feasibility foreseen for the water bodies concerned under the WFD. Indeed, to achieve good water status for coastal waters affected by eutrophication, located downstream of highly agricultural rural areas, it is necessary to achieve low nitrate levels in the watercourses feeding these marine waters (5 to 20 mg/l). This implies major changes in agricultural systems and profound changes in the supply chain and consumption patterns. The efforts made in the catchment areas concerned during the previous SDAGE cycles have led to a reduction in nitrate inputs to watercourses. The continuation of the reduction at the same rate over the next cycle, which is a realistic and achievable objective, does not, however, make it possible to envisage achieving good marine status during the next cycle.

For the objective D8OE7, the seven coastal water bodies concerned are in poor condition and at chemical risk (including ubiquitous). The causes are mainly ubiquitous substances or pollution

history. Good status will not be achieved by 2027, in the absence of adequate means of action and proven technical feasibility.

D.2. Exceptions for action or inaction for which the Member State is not responsible

In addition to the exceptions resulting from the definition of complementary targets, the work on the action plan identified **4 exceptions for action or inaction for which the Member State is not responsible**.

Three exceptions relate to environmental objectives in connection with the Common Fisheries Policy, which requires action by the European Community to ensure that the environmental objectives are met over the cycle of the action plan. France then undertakes to make recommendations for French activities or a joint recommendation when other foreign fishing interests are present in the areas to be protected:

- For objective D01-HB-OE10 (Avoid abrasion and smothering of the most representative areas of deep-sea habitats (Vulnerable Marine Ecosystems (VMEs) and reduce abrasion of particular geomorphological structures), the mapping of VMEs at European level is to be produced by the Commission under the Deep Sea Fishing Regulation on the basis of the data provided by the Member States. This mapping must be consistent between countries and in particular with the Natura 2000 approach;
- For objectives D01-MT-OE02 (Reduce incidental catches of marine turtles and marine mammals, in particular small cetaceans) and D01-OM-OE01 (Reduce incidental catches of sea birds at sea and in the vicinity of colonies, and in particular reduce incidental catches of the most vulnerable species such as Balearic, Yelkouan and Cory's shearwaters by longlines, static nets and small pelagic seines), it is up to the European Commission to adopt technical measures for offshore fisheries to ensure the good conservation status of sea birds on the basis of joint recommendations made by France for waters under French jurisdiction;
- For objectives D04-OE01 (Limit damage to sensitive links in the trophic chain in favour of restoring the resource), D04-OE02 (Adapt fishing mortality on forage species so as to favour the maintenance of trophic resources necessary for large predators) and D04-OE03 (Maintain a zero level of harvesting of oceanic micro-nekton (in particular Krill, and myctophids or lanternfish...), their achievement implies actions by the European Commission to take into account the trophic needs of large predators in the maximum sustainable yield catch level of forage species and to prohibit the harvesting of micronekton forage species on the slope and beyond.

Finally, for objective D08-OE05 (Limit direct inputs, transfers and remobilisation of contaminants at sea from activities at sea other than dredging and dumping and eliminate discharges, emissions and releases of priority hazardous substances mentioned in Annex 10 of the WFD), the exception is justified by the fact that the implementation of harmonised regulations for the use of scrubbers in specific areas is the responsibility of the International Maritime Organisation and the European Union.