

# PAME

Protection of the Arctic Marine Environment

## MEETING REPORT

Program for the protection of the Arctic marine environment

Working Group Meeting Report

No: I-2011

15-17 February, 2011

Oslo, Norway

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## Record of Decisions and Follow-up Actions

### Arctic Marine Shipping Assessment (Agenda Item 4)

The Meeting agreed to the following:

- Welcome the follow-up activities on AMSA Recommendations:
  - *I(B) actions 1 and 2 : Work is well underway in IMO to develop a mandatory Polar Code . Denmark will inform PAME II – 2011 on the progress in IMO. Arctic Council countries are encouraged to continue to cooperate on the issue in relevant IMO correspondence groups and meetings.*
  - *I(B) action 3 – Norway, Russia and US co-leads.*
    - ✓ *note the final version of the Heavy Fuel Oil Phase I Report and thank the leads;*
    - ✓ *agree to submit the HFO Phase I Report to the 2011 ministerial as part of reporting progress achieved in follow-up and implementation of the Arctic Marine Shipping Assessment (AMSA) recommendations for Ministers to take note of/acknowledge progress;*
    - ✓ *approve the HFO Phase II project proposal as amended and as based on the results of the HFO Phase I Report and annex it to the 2011-2013 PAME Work Plan.*
  - *I(D) - Denmark and United States are co-leads*
    - ✓ *welcomes the US/Denmark report on recommendation I(D);*
    - ✓ *invite Denmark to submit the information contained in the US/Denmark report on AMSA recommendation I(D) to IMO;*
    - ✓ *request the PAME Chair to send a letter to representatives of the Arctic cruise ship industry encouraging the industry to develop new or augment existing best practice guidelines for operating in the Arctic in light of the information contained in the USA/Denmark report on recommendation I(D);*
    - ✓ *invite Denmark and US to update PAME II-2011 with respect to developments at the IMO on the Polar Code and related activities as well as any developments by the Arctic cruise tourism industry of new or updated best practice guidelines.*
  - *II(A) – Note the scoping paper from AIA and Saami Council on possible activities to advance a survey of Arctic Indigenous Marine Use and recommend development of project proposals identified in the paper.*
    - ✓ *Invite AIA and Saami Council to circulate the paper to relevant Arctic Council working groups to seek their cooperation on relevant activities.*
    - ✓ *Reiterate the importance of Recommendation II(A) and remind Arctic states of this recommendation.*
    - ✓ *Encourage Arctic states to consider the use of existing processes for follow up on recommendations II-C and II-D respecting recommendation II-A, as appropriate.*
  - *II(C) - Note the draft report from AMAP/CAFF/SDWG on the progress on the follow-up of II(C) on the identification of areas of heightened ecological and*

*cultural significance, and look forward to the final report by end of 2011, to be presented to PAME-I 2012.*

- *II(D) –welcome the Norwegian proposal for a II D project, approve the project description as annexed to the PAME Work Plan 2011-2013, and welcome the information that Finland, Norway, Russia and the United States will co-lead the project;*
- *Agree to establish a contact group for the II(D) project and to urge member states and PPs to inform the PAME Secretariat of their representative for a contact group before 15 of March.*
- *II(G) – PAME Chair/Secretariat to send a letter inviting AMAP and CAFF to assess the effects on marine mammals due to ship noise, disturbance and strikes in Arctic waters, taking note of relevant documents by organizations such as IMO, IWC, ASCOBAN and NAMMCO.*
- *Welcome the information from EPPR on their follow-up activities on AMSA Recommendations II(F) and III(C), and invite EPPR to inform on progress to PAME II-2011.*
- *Approve the AMSA implementation progress report for submission to the 2011 Ministerial meeting of the Arctic Council with the exception of section III(B), which is subject to a subsequent approval by PAME through correspondence during the week of 21 February.*
- *None of the information contained in the AMSA implementation progress report is prejudicial to the legal positions of any of the PAME member states.*
- *Include in the PAME work plan for 2011-2013 an updated AMSA implementation progress report for submission to the 2013 Ministerial meeting of the Arctic Council. Canada, Finland and the United States agreed to continue to be co-leads.*

### **Arctic Ocean Review Project (AOR) (Agenda Item 5)**

*The Meeting agreed to the following:*

- *The AOR Phase I document will be finalized intersessionally*
- *Annex the Phase II work plan to the PAME 2011-2013 work plan.*
- *Timeline to finalize Phase I of the AOR Project:*
  - *24th of February – PAME to submit comments to PAME Secretariat on the 17th of January version of the draft AOR Phase I Report*
  - *13th of March - Distribute revised draft Phase I Report to PAME and SAOs for the SAO meeting 16-17 of March*
  - *17th of March – 1st of April: Finalize any outstanding issues intersessionally with PAME through email correspondance or teleconference if needed.*
- *10th of April – Deadline for submission of AOR Phase I Report to the SAOs for the Ministerial meeting*

## **Ecosystem Approach (Agenda Item 6)**

*The Meeting agreed to the following:*

- *Welcome the progress report from the co-leads Norway and USA and the updating of the main outcomes of the Workshop on Ecosystem Approach to Management EA workshop held 22-23 January in Tromsø and look forward to receiving the final workshop report.*
- *Agree to include the work plan items as presented by the co-leads in the PAME 2011-2013 Work Plan.*
- *Recognizing the increased emphasis on the ecosystem approach to management (and integrated ocean management) as the foundation of the Arctic Councils' work and the essential need to apply the ecosystem approach to manage Arctic marine-related issues. In this regard it is agreed to invite all Arctic Council working groups working on marine-related issues to participate in the PAME led EA Expert Group on the ecosystem approach to management according to its terms of reference.*
- *Welcome the AMSP project proposal and agree to annex its project plan to the PAME 2011-2013 Work Plan.*
- *Request the PAME led EA Expert Group to contribute input to the development of the AMSP Phase I 2011-2013 scoping process. The delivery from AMSP Phase I should include a suggested outline for a future AMSP to be submitted to the respective working groups for consideration.*

## **Follow up on the 2009 Offshore Oil and Gas Guidelines (Agenda Item 7)**

*The Meeting agreed to the following:*

- *Agreed to establish a contact group and invite members from all Arctic States, PPs and observers to coordinate and further elaborate the following two projects.*
- *The meeting accepted the draft proposal by the United States for Health, Safety and Environmental Management Systems and the Use of Best Operating Practices for Offshore Arctic Oil and Gas Drilling Activities—A Report and Possible Guidelines and annex it to the 2011-2013 PAME Work Plan. The contact group will further refine the project proposal based on the outcomes of ongoing domestic and international processes and bring it back to PAME I-2012 for further consideration and direction.*
- *The meeting agreed to move forward with the proposal by the United States for Arctic Oil and Gas Management, Regulation and Enforcement a Legal Regime Web-Based Information Resource and annex it to the 2011-2013 PAME Work Plan. The contact group will develop a project plan defining website format and content, and supply information to be included.*

## **PAME Work Plan 2011-2013 (Agenda Item 9)**

*The Meeting agreed to the following:*

- *Final PAME 2011-2013 Work Plan to be forwarded to the 2011 Ministerial meeting.*

## **PAME Deliverables for the 2011 Ministerial (Agenda Item 10)**

*The Meeting agreed to the following:*

- *PAME Chair and Secretary to distribute PAME contributions to the SAO Report and the 2011 Ministerial Declaration by 25th of March including a request to modify the PAME mandate to better reflect current work and future challenges*
  - *Current mandate: address policy and non-emergency pollution prevention and control measures related to the protection of the Arctic marine environment from both land and sea-based activities. These include coordinated action programmes and guidelines complementing existing legal arrangements.*
  - *Proposed revised mandate: address marine policy issues by developing guidance related to the protection and sustainable use of the Arctic marine environment in response to environmental change and land- and sea-based activities, including non-emergency pollution prevention and control measures.*
- *List of deliverables to the 2011 Ministerial as per the discussions at the PAME II-2010 are as follows:*
  - *Phase I Report from the HFO project*
  - *AMSA status report on the follow-up of AMSA recommendations*
  - *AOR Phase I Report and AOR Workshop Summary*
  - *EA Workshop Report*
  - *2011-2013 PAME Work Plan*

## **PAME Administration Next Meeting (Agenda Item 11)**

*The Meeting agreed to the following:*

- *Invite PAME delegations to include IMO experts in their delegations to the PAME II-2011 meeting.*
- *PAME Chair to present status and progress on the AMSA follow-up, the AOR Project and proposed changes to PAME's mandate to the upcoming SAO meeting 16-17 March 2011.*
- *The timing and location of the next PAME Meeting TBD which will be convened no later than 30 days prior to the fall 2011 SAO meeting.*

## Annex I – List of Participants

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## **Annex II – List of Documents**

### **Agenda Item 2 – Introduction and Adoption of the Agenda**

- Final draft Agenda with timeline
- Annotation to the Agenda version 4th of Feb

### **Agenda Item 3 – Information from the Chair and Secretariat**

- SAO Report 19-20 October 2010 – sections 6.1 and 6.2
- Request for Working Group Contributions to Nuuk declaration and SAO report – email from AC Chair dated 10th of Feb

### **Agenda Item 4– Arctic Marine Shipping Assessment**

#### **AMSA Recommendation I(B) actions 1 and 2 – IMO Measures for Arctic Shipping and I(D) action 1 - Strengthening Passenger Ship Safety in Arctic Waters provided by Denmark:**

- Update on AMSA follow-up Recommendations IB and ID, submitted by Denmark

#### **Background Documents:**

- Information on documents submitted to DE 55 regarding the Polar Code, by Norway
- IMO DE 55/12/1 – Development of Mandatory Code for Ships Operating in Polar Waters, Report of the Correspondence Group, Submitted by Norway
- IMO MSC.1/Circ.1184 – Enhanced Contingency Planning Guidance for Passenger Ships Operating in Areas Remote from SAR Facilities

#### **Background Documents on the IMO polar code as submitted by CCU**

IMO DE 55/12/20 - Sewage and sewage-related discharges in polar regions

IMO DE 55/12/81 - Polar Code boundaries for the Arctic and Antarctic

IMO DE 55/12/91 - Vessel monitoring and traffic system

IMO DE 55/12/161 - Harmful substances in packaged form and containers in Arctic waters

IMO DE 55/12/171 - Polar Code boundaries for the Atlantic side of the Arctic

IMO DE 55/12/181 - Reducing black carbon emissions from vessels in the Polar Regions

IMO DE 55/12/191 - Definition of pollutant

IMO DE 55/12/211 - Voyage management and cetaceans

### AMSA Recommendation I(B) action 3 – IMO Measures for Arctic Shipping

- Final Phase I Report on HFO from Ships (Norway/USA)
- Draft proposal for Phase II of the HFO project for the 2011-2013 PAME Work Plan
- Annotation to AMSA Recommendation I(B) action point 3

### AMSA Recommendation I(D) (action point 2) – Strengthening Passenger Ship Safety in Arctic Waters

- Report to PAME I-2011 from USA and Denmark on AMSA Recommendation I(D)
- Annexed to this report is letter sent out on the 2nd of November 2011 requesting information from Arctic Council Member States on *any best practices or standards that may help to improve the safety, sound navigation, and environmental protection of Arctic cruise ship operations*
- Annotation to AMSA I(D) (action point 2) on Strengthening Passenger Ship Safety in the Arctic.

### AMSA Recommendation II(A) – Survey of Arctic Indigenous Marine Use

- Scoping paper on Development of an Arctic Indigenous Marine Use Survey Process by AIA and Saami Council
- Annotation to AMSA Recommendation II(A)

### AMSA Recommendation II(C) – Areas of Heightened Ecological and Cultural Significance

- Schedule and deadlines for deliveries (as per the Project Plan)

#### Background documents:

AMSA Recommendation II C Project Plan approved Jan 2011

### AMSA Recommendation II(D) – Specially Designated Arctic Marine Areas

- Project proposal submitted by Norway: Development of proposal(s) for internationally designated areas, for the purpose of environmental protection from shipping in the Arctic. 1) Areas within Arctic states national jurisdiction 2) Areas in international waters
- Annotation to AMSA follow-up Recommendation II D

### AMSA Recommendation II(G) – Addressing Impacts on Marine Mammals (PAME Chair/Secretariat)

To be provided

### AMSA Status Report to the 2011 Ministerial meeting (Canada, Finland and the United States)

- Draft Status Report on the PAME Implementation of the AMSA Recommendations
- Annotation to Draft Status Report on the PAME Implementation of the AMSA Recommendations

#### Background documents:

- AMSA follow up matrix with additional column to track status on progress
- AMSA Report 2009

### Agenda Item 5 – Arctic Ocean Review (AOR) Project

- Revised draft AOR Phase I Report version 17<sup>th</sup> of January
- Draft Phase II AOR project plan for consideration in the PAME Work Plan 2011-2013
- Annotation to AOR Project

#### Background documents:

- Arctic Ocean Review (AOR) Project Plan

### Agenda Item 6 – Ecosystem Approach

- Draft report from the Ecosystem workshop 22-23 of January (Tromso, Norway)
- EA progress report and work plan items 2011-2013
- Annotation to Ecosystem Approach to Management

Background documents:

- EA letter of invitation
- EA workshop agenda and annotation
- EA Workshop list of participants

**Agenda Item 7 - Follow up on the Arctic Offshore Oil and Gas Guidelines (2009)**

- Project proposal submitted by USA on Health, Safety and Environmental Management Systems and the Use of Best Operating Practices for Offshore Arctic Oil and Gas Drilling Activities—A Report and Guidelines
- Project proposal submitted by USA on Arctic Oil and Gas Management, Regulation and Enforcement a Legal Regime Web-Based Information Resource
- Annotation on these proposals including comments received by Canada and Greenland

Background documents:

- Proposed *Arctic Oil and Gas, 2007* Recommendation Matrix for follow-up
- 2009 Offshore Oil and Gas Guidelines
- Arctic Oil and Gas 2007 Report

**Agenda Item 8 – Update on the Arctic Marine Strategic Plan (AMSP)**

- Draft proposal on updating the 2004 AMSP by Norway
- Annotation to updating the 2004 AMSP by Norway

Background documents:

- Implementation status of AMSP
- 2004 Arctic Marine Strategic Plan (AMSP)

**Agenda Item 9 - Draft PAME Work Plan 2011-2013**

- Revised draft PAME work plan 2011-2013 version 17th of January – updated based on comments received by Norway and USA and should be used as the “working document”
- Draft PAME work plan 2011-2013 version 10th of December including comments from Norway and USA in track change format
- Annotation to agenda 9-PAME work plan 2011-2013

**Agenda Item 10 - Preparations and deliverables to the 2011 Arctic Council Ministerial meeting**

- Draft PAME reporting for Ministerial as per request by Arctic Council Chair-version 11 Jan 2011
- Annotation to preparations and deliverables for 2011 Nuuk Ministerial
- Request for Working Group Contributions to Nuuk declaration and SAO report – email from AC Chair dated 10th of Feb

**General Information**

- Logistics (meeting location and hotels)
- PAME Operating Guidelines
- List of Participants
- PAME Work Plan 2009-2011
- SAO Report to the 2009 Ministerial meeting
- 2009 Tromsø Declaration
- PAME II-2010 RoDs

## Annex III – Meeting Agenda with Timeline

Coffee breaks: 10:00-10:15 and 15:00-15:15 - Lunch break: 12:00-13:00

### ***TUESDAY, February 15***

#### **09:00-09:30**

- Item 1:** Opening of the Meeting (TBD)
- Item 2:** Introduction and Adoption of the Agenda (PAME Chair)
- Item 3:** Information from the Chair and the Secretariat
- Outcomes/Guidance from the SAO meeting SAO meeting 19-20 October 2010
  - Deadlines for submissions to SAOs in preparation for the Next Ministerial meeting and guidance from SAOs on deadlines, process etc. (if available)

***Breakout Session for the Ecosystem Approach Expert Group parallel to plenary, if needed***

#### **09:30-14:00**

- Item 4:** Arctic Marine Shipping Assessment follow-up activities  
Progress reporting and next steps on the following AMSA Recommendations:
- I(B) – IMO Measures for Arctic Shipping (actions 1 and 2 lead Denmark)
    - Work is underway in IMO to develop a mandatory Polar Code by 2012 (Denmark to provide an update/status)
  - I(B) – IMO Measures for Arctic Shipping (action 3 lead Norway/USA))
    - Final Phase I Report on HFO from Ships (Norway/USA) for 2011 Ministerial submission
    - Draft terms of reference, for Phase II of the HFO project for the 2011-2013 PAME Work Plan (Norway/USA)
    - Discussions and agreement on final versions
  - I(D) – Strengthening Passenger Ship Safety in Arctic Waters
    - Action point 1 (Denmark): Work is ongoing at IMO on several initiatives to improve passenger vessel safety. Denmark to provide update on IMO progress.
    - Action point 2 (Denmark/USA): Expedition cruise ship best practices/activities:
      - Consolidated summary of best practices for cruise ships operating in the Arctic
      - Presentation on: *Environmentally friendly, safe and responsible expedition cruise tourism in the Arctic – practices and industry standards* by Frigg Jørgensen, Association of Arctic Expedition Cruise Operators (AECO)
    - Discussions: Questions and answers
  - II(A) – Survey of Arctic Indigenous Marine Use
    - Scoping paper by AIA and Saami Council for consideration in the 2011-2013 PAME Work Plan
  - II(C) – Areas of Heightened Ecological and Cultural Significance (AMAP/CAFF)
    - Discuss the Interim Report based on information from AMAP/CAFF, and the use of the Report for the purpose of implementation of II (D)

- II(D) – Specially Designated Arctic Marine Areas
  - Project proposal on the implementation of II (D) for consideration in the PAME Work Plan 2011-2013 (Norway)
- II(G) – Addressing Impacts on Marine Mammals (PAME Chair/Secretariat)
- II(F) – Oil Spill Prevention and III (C) – Circumpolar Environmental Response Capacity - EPPR to provide update on respective follow-up activities
- AMSA Status Report to the 2011 Ministerial meeting (Canada, Finland and the United States)
- Updating the AMSA database (TBD)
- Tour de Table and agreement on next steps and considerations in the PAME Work Plan 2011-2013 and for 2011 Ministerial meeting.

***Breakout Session for AMSA follow-up activities from 14:00-17:00 parallel with plenary to finalize relevant documents for consideration in the 2011-2013 PAME Work Plan and draft PAME progress report to Ministers for further discussion and agreement under Agenda Item 8.***

**14:00-16:00**

- Item 5:** Arctic Ocean Review Project (Canada/Norway/Iceland/Russia/USA)
- Final draft AOR Phase I Report
  - Draft Phase II AOR project plan for consideration in the PAME Work Plan 2011-2013
  - Tour de Table and agreement on final versions

**16:00-17:00**

- Item 6:** Ecosystem Approach (Norway/USA)
- Outcome from the Ecosystem workshop 22-23 of January (Tromso, Norway)
  - Report on progress and implementation as per the EA Work Plan 2009-2011
  - Outline the work planned to be accomplished during the 2011-2013 for consideration in the PAME Work Plan

***WEDNESDAY, February 16***

**09:00-10:00**

- Item 7:** Follow up on the 2009 Arctic Offshore Oil and Gas Guidelines (OOGG) and OGA - USA
- project proposals on Oil and Gas Assessment (OGA) follow-up activities of relevance to OOGG (USA)
    - *Health, Safety and Environmental Management Systems and the Use of Best Operating Practices for Offshore Arctic Oil and Gas Drilling Activities—A Report and Guidelines*
    - *Arctic Oil and Gas Management, Regulation and Enforcement a Legal Regime Web-Based Information Resource*
  - Discussions and consideration in the 2011-2013 PAME Work Plan.

**10:15-11:00**

- Item 8:** Update on the Arctic Marine Strategic Plan (AMSP) - Norway
- Draft proposal as prepared by Norway
  - Discussions/comments and consideration in the 2011-2013 PAME Work Plan

**11:00-14:00 – BREAKOUT SESSIONS**

*Breakout Sessions for AOR, EA, OOGG and AMSA follow-up as needed to finalize relevant documents for inclusion into the 2011-2013 PAME Work Plan and draft PAME progress report to Ministers for further discussion and agreement under Agenda Item 8.*

**14:00-16:00 - PLENARY**

**Item 9:** Draft PAME Work Plan 2011-2013

- Revised draft PAME Work Plan 2011-2013 (objectives, activities and leads)
- New projects proposed by Member Countries?
- Inclusions of project/activities as per discussions and decisions from breakout sessions
- Outstanding issues and agreement on content

**Item 10:** Preparations and deliverables to the 2011 Arctic Council Ministerial meeting

- Type of deliverables and deadlines for the Ministerial meeting
- Review and revise a draft text for the SAO Report to Ministers and draft declaration text for the Ministerial Declaration
- Decision on next steps for outstanding issues, if any

**16:00-17:00 – BREAKOUT SESSIONS**

*Continue Breakout Sessions as reflected in the discussions under Items 9 and 10, as needed*

***THURSDAY, February 17***

**09:00-11:00**

**Item 11:** Address any outstanding issues from previous two days – final versions and/or considerations in the 2011-2013 Work Plan

- AMSA follow-up activities
- AOR Project
- Ecosystem Approach
- OOGG and OGA follow-up
- AMSP Update
- PAME Work Plan 2011-2013
- PAME Report to SAO/Ministerial meeting

**11:00-15:00**

**Item 12:** Summary of Meeting Decisions and Follow up Actions (Chair & Secretariat)

- The PAME Progress Report and deliverables to the SAO meeting March 2011 (Chair)
- Main Records of Decisions from the meeting (Chair)
- Next PAME meeting (proposed timing Sep. 2011 and location TBD) and confirmation of new PAME Chair

**Item 13:** Any other business and closing of the Meeting

## **Annex IV – Annotation to the Agenda**

The aim of this Meeting is to reach agreement on the following activities:

1. Deliverables to the Ministerial meeting 12<sup>th</sup> of May 2011:
  - Phase I Report on the AMSA follow-up HFO project (Norway/USA) and a project proposal for Phase II (Norway/USA) to be included in the 2011-2013 PAME Work Plan
  - AMSA status report on the follow-up of AMSA recommendations (Canada, Finland and the United States)
  - AOR Phase I Report and AOR Workshop Summary (Canada/Iceland/Norway/Russia/USA) and project plan for Phase II (Canada/Iceland/Norway/Russia/USA) to be included in the 2011-2013 PAME Work Plan
  - EA Status Report and work plan items for 2011-2013, including the EA Workshop Report (as per workshop planned 22-23 January 2011 in Tromsø, Norway)
  - Draft 2011-2013 PAME Work Plan
2. Draft PAME Work Plan 2011-2013 for submission to SAOs/Ministers. Countries are requested to come prepared to finalize its respective activities for inclusion to the work plan for both ongoing and new projects/activities. Furthermore, confirmation on leads is requested.
3. Agree on the content of the PAME report to SAOs/Ministers, including a suggested draft text for SAOs recommendation to Ministers

Following annotations have previously been sent out as separate documents and are compiled here for an ease of reference.

#### **Agenda Item 4: Arctic Marine Shipping Assessment Follow-up Activities (Respective leads)**

##### Background:

1. Actions to be followed up/implemented by PAME as identified in the AMSA Matrix are recommendations I(A), I(B), I(C), I(D), II(D) and II(G).
2. Actions to be followed up/implemented by other Arctic Council working groups are AMSA recommendations I(E), II(C), II(F) and III(C).
3. Actions to be followed up within national implementation processes/policies with possible future requests for reporting on national activities, if needed, are AMSA recommendations II(A), II(B), II(E), II(H), III(A), III(B) and III(D)

##### AMSA follow-up Recommendation I(B) action points 1 and 2 and I(D) - IMO Measures for Arctic Shipping (Denmark)

##### Documents:

- Update on AMSA follow-up Recommendations IB and ID, submitted by Denmark

##### Background Documents:

- Information on documents submitted to DE 55 regarding the Polar Code, by Norway
- IMO DE 55/12/1 – Development of Mandatory Code for Ships Operating in Polar Waters, Report of the Correspondence Group, Submitted by Norway
- IMO MSC.1/Circ.1184 – Enhanced Contingency Planning Guidance for Passenger Ships Operating in Areas Remote from SAR Facilities

##### Background documents:

- AMSA follow up matrix with additional column to track status on progress (to be provided)
- AMSA Report 2009

##### AMSA follow-up Recommendation I(B) action point 3 - IMO Measures for Arctic Shipping (Norway and USA)

With reference to PAME II-2010 RoDs (Norway and USA co-leads):

*..... Agree to provide a report on Phase I, and to propose possible next steps, including a draft terms of reference, for Phase II of the project, for discussion at the PAME-I 2011 with the view to present a proposal to the Arctic Council Ministers in 2011 for their consideration and possible inclusion in the PAME Work Plan 2011-2013.*

##### Documents:

- Final Phase I Report on HFO from Ships (Norway/USA) for 2011 Ministerial submission
- Draft proposal for Phase II of the HFO project for the 2011-2013 PAME Work Plan

#### **Action requested by PAME I-2011 on AMSA I(B) action point 3:**

Based on the results of the Phase I report, PAME to discuss options for continuation of this project as per Phase II HFO draft project proposal and agree to a final version of Phase II HFO project proposal for inclusion into the 2011-2013 PAME work plan.

AMSA follow-up Recommendation I(D) action point 2 – Strengthening Passenger Ship Safety in Arctic Waters (Denmark and USA)

With reference to PAME II-2010 RoDs:

*I(D) action 2 – Invite Denmark and USA to send a letter to Arctic Council countries seeking information on cruise industry and AC State best practices and standards related to safety and environmental protection, and to report, including proposed recommendations for additional actions by PAME at PAME I-2011. Welcome the information from the Cruise Lines International Association, and strongly encourage cruise ship operators to continue to develop, implement and share their own best practices for operating in such conditions. Take note of the Association of Arctic Expedition Cruise Operators' (AECO) invitation to PAME to speak at its conference in Oslo in October 2010. Invite a representative from AECO and the European Cruise Council (ECC) to present on industry standards and best practices for Arctic cruise tourism to PAME I-2011.*

Documents:

- Report to PAME I-2011 from USA and Denmark on AMSA Recommendation I(D)
- Annexed to this report is letter sent out on the 2nd of November 2010 requesting information from Arctic Council Member States on any best practices or standards that may help to improve the safety, sound navigation, and environmental protection of Arctic cruise ship operations

**Actions requested by PAME I-2011 on AMSA I(D) action point 2:**

A non-exhaustive menu of possible options available for PAME to further advance implementation of AMSA Recommendation I(D) follows. These options could be pursued singly or in combination, sequentially or simultaneously:

- Subject to the availability of funding, convene an Experts' Workshop that includes representatives of industry from both poles, national governments (flag states, port states, and Arctic coastal states), classification societies, marine insurers, indigenous peoples, NGOs and other stakeholders to gather additional information regarding best practices for Arctic cruise operations and produce a workshop report to document and disseminate such best practices.
- Determine whether PAME should pursue the development of basic best practice guidelines specifically tailored to Arctic cruise ship operations based on existing industry and NGO standards and recommendations and benefiting from the considerable work already done on Polar cruise tourism. If yes, identify specific areas/issues that should be the focus of such basic guidelines and how best to proceed with their development (e.g., begin with 5-10 basic best practice principles that can be elaborated upon or augmented in the future)

AMSA follow-up Recommendation II(A) – Survey of Arctic Indigenous Marine Use

*That the Arctic states should consider conducting surveys on Arctic marine use by indigenous communities where gaps are identified to collect information for establishing up-to-date baseline data to assess the impacts from Arctic shipping activities.*

Furthermore, with reference to the draft scoping paper as prepared by AIA and Saami Council and PAME II-2010 RoDs on this subject:

*Welcome the offer from AIA and Saami Council to co-lead a scoping paper on possible project on advancing survey of Indigenous Marine Use to the PAME I-2011 Meeting.*

#### Documents

- Scoping paper on Development of an Arctic Indigenous Marine Use Survey Process by AIA and Saami Council

#### **Action requested by PAME I-2011**

1. Amend Draft Work Plan to cross reference activities falling under the follow up to recommendations II A, IIC, and IID.
2. Ask the writing team for IIC to identify specific sections that have relevance to recommendation IIA..
3. Encourage all working groups to provide support and endorsement as appropriate for national and international projects that plan to engage in survey of AIMU. (E.g. ICC project submitted to SDWG).

#### AMSA Recommendation II(C) – Areas of Heightened Ecological and Cultural Significance

##### Document:

Schedule and deadlines for deliveries (as per the Project Plan)

##### Background documents:

AMSA Recommendation II C Project Plan approved Jan 2011

#### AMSA follow-up Recommendation II(D) – Specially Designated Arctic Marine Areas

*That the Arctic states should, taking into account the special characteristics of the Arctic marine environment, explore the need for internationally designated areas for the purpose of environmental protection in regions of the Arctic Ocean.*

With reference to the Record of Decisions from the PAME-II 2010 meeting on AMSA Recommendations II (C) and II (D):

*II (C) – Welcome the information from AMAP/CAFF/SDWG on the progress on the follow-up of II (C) on the identification of areas of heightened ecological and cultural significance, and look forward to the final<sup>1</sup> report to be presented to PAME-I 2011.*

*II (D) – Welcome the offer from Norway to take a lead in proposing a project on the implementation of II (D) for the discussion at PAME-I 2011, and invite other countries to co-lead the work with the view to present a proposal to the Arctic Council Ministers in 2011 for their consideration and possible inclusion in the PAME Work Plan 2011-2013.*

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<sup>1</sup> A draft report will be presented to PAME-I 2011

**Action requested by PAME I-2011 on AMSA II(D):**

With reference to the document submitted by Norway on the Development of proposal(s) for internationally designated areas, for the purpose of environmental protection from shipping in the Arctic: 1) Areas within Arctic states national jurisdiction and 2) Areas in international waters – participants are asked to come prepared to agree to the following:

Review the report from II (C) and;

1) Areas within national jurisdiction

- Forward information on areas within national jurisdiction to the states concerned.
- In accordance with the second part of recommendation II (C) PAME encourages implementation of measures to protect these areas from the impacts of Arctic marine shipping, in coordination with all stakeholders and consistent with international law.
- Invite the states concerned to continue to develop joint proposals within the PAME

2) Areas in international waters

- Initiate the AMSA Recommendation II (D) proposed project (part 2) by adding it to PAME's 2011-2013 work plan, for final approval by the Arctic Council in Spring 2011.
- Establish a contact group with the task of developing and agreeing to a detailed work plan and ToR for the contract with a consultant for the AMSA Recommendation II (D) project, if possible before the Spring AC meeting.
- That the leads, supported by the contact group, engage with a consultant to further

*Status Report on the PAME Implementation of the AMSA Recommendations (Canada, Finland and USA)*

Background:

With reference to the PAME I-2010 RoDs:

*AMSA co-leads (Canada, Finland and the United States) to produce a draft status report on the follow-up of AMSA recommendations to the 2011 Arctic Council Ministerial meeting, for consideration at PAME I-2011.*

The AMSA draft status report as prepared by Canada, Finland and the United States on the implementation of the AMSA report's 17 recommendations is intended to acknowledge the successes and significant progress in several areas and at the same time, draw attention to areas and recommendations where progress is limited and more work may be needed.

Documents:

- Draft Status Report on the PAME Implementation of the AMSA Recommendations

**Action requested by PAME I-2011:**

Agree on the final version of the Status Report on the PAME Implementation of the AMSA Recommendations

**Agenda Item 5: Arctic Ocean Review Project (Canada/Norway/Iceland/Russia/USA)**

With reference to PAME II-2010 on the AOR Progress:

*Final draft AOR Phase I Report and a draft Phase II AOR project plan to be distributed for comments for the PAME I -2011 meeting.*

Documents:

- Revised draft AOR Phase I Report version 17th of January
- Draft AOR Phase II project plan

**Action requested by PAME I-2011 on the revised draft AOR Phase I Report, version 17th Jan:**

The leads are seeking comments of a general and/or factual nature. To guide your reading of the AOR Phase I report, the following outlines the extent of changes since the December 17th version:

Contents - Unchanged.

Chapter 1 - Minor modifications.

Chapter 2: - Unchanged.

Chapter 3: - Modifications and clarifications throughout based on comments.

Chapter 4 - Modifications include the elimination of the Aarhus Convention (4.8) and elimination of the section formerly marked 4.9 entitled *Other relevant regional arrangements and instruments including EU legislation and policies*. Require updates related to the working groups' objectives and activities.

Chapter 5 – Some modifications made including incorporation of integrated management concepts throughout the chapter.

Chapter 6 - Modifications made including the deletion of 6.6 *Findings and conclusions*.

**Action requested by PAME I-2011 on the draft AOR Phase II Project Plan:**

Review and provide comments with the aim to agree to a final version for inclusion into the PAME 2011-2013 Work Plan.

**Agenda Item 6: Ecosystem Approach**

Background:

With reference to PAME I-2011 RoDs Norway will convene a workshop in Tromsø, Norway 22-23 January ( in connection with the Arctic Frontier Conference 28-29 January 2011)) to consider remaining boundary issues for the LMEs and review existing reporting on ecosystem status.

A letter of invitation for this workshop was sent out to PAME Representatives, Arctic Council Working Groups, Permanent Participants and Observers on 27th of October (refer to background documents for this agenda item). Participation of ecologists and other experts on Arctic marine ecosystems and their assessment and governance was particularly welcomed in an effort to have a balanced representation of experts that cover the range of geographical regions and various aspects of the criteria used to define LMEs. A draft agenda has been sent out and both AMAP and CAFF will present their relevant work in an effort to coordinate existing and future work on Ecosystem Approach to Management within the Arctic Council.

The aim of this workshop is to consider the following items:

- *Review and update the working map on Arctic LMEs and provide justification for the chosen boundaries based on ecological criteria.*
- *Prepare a synthesis of existing or planned reports on ecosystem status, trends and pressures for regional ecosystems in the Arctic area.*
- *Outline the work planned to be accomplished during the 2011-2013 for inclusion into the PAME Work Plan at the PAME I-2011 meeting.*

**Action requested by PAME I-2011:**

Review and provide comments on the draft proposal for EA work planned for inclusion into the PAME 2011-2013 Work Plan (such a proposal will not be available until last week of January 2011)

**Agenda Item 7: Oil and gas follow-up activities annotation on two project proposals submitted by USA**

Background:

With reference to PAME I-2011 RoDs: *Welcome the offer by USA to develop a draft project proposal on OOGG follow-up activities for consideration by the PAME I-2011 meeting for possible inclusion into the 2011-2013 PAME Work Plan.*

Project Proposals:

**Project proposal submitted by USA on Health, Safety and Environmental Management Systems and the Use of Best Operating Practices for Offshore Arctic Oil and Gas Drilling Activities—A Report and Guidelines**

This proposal is for a comparison of existing Arctic health, safety and environmental management systems, and best practices requirements for offshore drilling operations and developing a corresponding set of expanded guidance for Arctic States beyond what is already in the Arctic Offshore Oil and Gas Guidelines, 2009.

This project proposal would meet key objectives and recommendations enumerated in a number of Arctic Council documents such as the Arctic Marine Strategic Plan, the PAME Work Plan, the Oil and Gas Assessment, and the Arctic Offshore Oil and Gas Guidelines.

**Project proposal submitted by USA on Arctic Oil and Gas Management, Regulation and Enforcement a Legal Regime Web-Based Information Resource**

This project would bring together the most comprehensive and accessible database and web-linked information resource for Arctic countries' Management, Regulation and Enforcement (MRE) systems for offshore oil and gas activities. A central web-based information resource for Arctic national MRE information is needed and one which the Arctic Council can achieve.

Comments received to date:

These two project proposals were sent to PAME HoDs to PAME HoDs and PPs on 4<sup>th</sup> and 6<sup>th</sup> of December for their review and comments to ensure good time for their respective internal expert review processes:

Comments received to date are from Greenland and Canada.

**Greenland (received 6th of January from Maja Sofie Burggaard, Bureau of Minerals and Petroleum):**

The Greenland Bureau of Minerals and Petroleum believes that the inclusion of oil and gas related issues to the PAME work plan are important and thanks you for your efforts on this regard.

The two proposed projects are both relevant and the objectives seem obtainable. Its is important that PAME projects add value to the Arctic community; speaking for the BMP I think we can benefit from these projects both from the exercise in itself and from the results in terms of practice shared and possible guidelines developed. Also, the wider Arctic community and stakeholders will benefit from the transparency and increased knowledge on oil and gas regulation and management in the Arctic and the Arctic Council will benefit from taking appropriate stewardship.

Therefore we support the inclusion of the proposed projects to the PAME work plan 2011-2013.

Due to very scarce human resources in the Greenland Government I don't think we can take on the responsibility as co-lead. We will however work diligently to provide inputs to the projects.

**Canada (received 4<sup>th</sup> of January):**

I. Health, Safety and Environmental Management Systems and the Use of Best Operating Practices for Offshore Arctic Oil and Gas Drilling Activities—A Report and Guidelines

General Comments:

- While we recognize the value of having stringent HSE Management Systems and Best Operating Practices in place, we're not especially clear on the direct benefits that any one member state will gain from this type of inventory or review beyond possibly providing some very general recommendations along the lines of 'Member states may wish to consider implementing the practices adopted by XXX [regulator of choice] in XXX [country of choice]...'. This is potentially a lot of work for what we see to be only incremental gains in knowledge.
- Domestically, there will be considerable overlap with the Review of Arctic Offshore Drilling that is being conducted by the National Energy Board (NEB). Given the overlap, we can expect that capacity to undertake this type of work will be stretched thinly if we (Government of Canada) commit to contributing to the PAME review and are at the same time implicated in NEB's review.
- concerns that this proposal appears to include emergency management and response. If this is the intent, then in my view PAME should not be duplicating the subject matter expertise of EPPR. EPPR is entrusted by SAOs and Ministers to set priorities and conduct work to address needs within emergency prevention, preparedness and response.

## **I. Background (pg 1): Paragraph 2:**

Given the international nature of the Arctic oil and gas industry, it is important to have an understanding of what the different HSE systems are, including critical elements, how an operator must comply, implementation, how are contractors addressed, and monitoring (*Comment: And enforcement? (i.e., regulatory oversight to ensure systems are in fact implemented)*) among other things.

## **II: Key Objectives.(pg. 2)**

It may also inform or be informed by proposals being considered by the EPPR working group on “Guidelines for In-situ burning in the Arctic” and “Arctic Council Marine Environmental Response Resource Guidelines for International Offers of Assistance”

*(It may also inform or be informed by proposals being considered by the EPPR working group on “Guidelines for In-situ burning in the Arctic” and “Arctic Council Marine Environmental Response Resource Guidelines for International Offers of Assistance”)*

## **III: Project Scope (pg 4)**

As a result of the comparison above, wider and updated guidance could be developed for the use of these management systems and best operating practices in regards to:

Mandatory and Voluntary Health Safety and Environmental Management Systems

Use on Mobile Offshore Drilling Units (MODUs) (*This is much more specific than the rest of the systems and BOPs referred to and hasn't been introduced elsewhere – wouldn't we also want to look at BOPs for other drilling unit types? Or do we want to use this as a case study for comparing BOPs?*)

List of Tasks/Activities (pg 5)

2. PAME through country experts confer with Arctic oil and gas regulators through the Arctic Council, International Regulators Forum, OSPAR and others as appropriate, Industry associations such as International Oil and Gas Producers International, International Association of Drilling Contractors, American Petroleum Institute, **Canadian Association of Petroleum Producers**, and others to make a compilation and comparison of the different systems and practices

### Background Documents:

USA has prepared a matrix based on the Arctic Oil and Gas, 2007 Recommendations. This matrix is only meant to assist PAME in identifying relevant follow-up activities as per the Arctic Oil and Gas Assessment and corresponding to the PAME's mandate. Please note that the working groups identified within the 3<sup>rd</sup> column with suggested follow-up activities are only included here within for the purpose of guidance and is not meant to be exhaustive as such work is not within the responsibility of PAME.

### **Action requested by PAME I-2011 on both project proposals:**

1. Review and provide comments and confirm co-leading on draft proposals
2. Agree to a final revised versions of these project proposals for inclusion into the PAME 2011-2013 Work Plan

## **Agenda Item 8: Update on the Arctic Marine Strategic Plan (AMSP) (Norway)**

With reference to PAME I-2011 RoDs:

*Welcome the offer by Norway to lead the review of the AMSP and prepare a project proposal for the discussion at PAME-I 2011, and invite other countries to co-lead the work with the view to present a proposal to the Arctic Council Ministers in 2011 for their consideration and possible inclusion in the PAME Work Plan 2011-2013. PAME Chair/Secretariat to invite the other working groups to consider the inclusion of this activity in their respective work plans for 2011-2013.*

An email was sent to the chairs and secretaries of the other Arctic Council working groups on the 22<sup>nd</sup> of November asking for their views on its content and possible inclusion into their respective 2011-2013 work plans. A follow-up email was again sent to the other Arctic Council working groups on the 17<sup>th</sup> of January 2011.

### **Action requested by PAME I-2011:**

- Review and provide comments on the draft proposal to update AMSP 2004
- Confirm lead/co-lead on this activity.
- Agree to a final revised version for updating AMSP 2004 for inclusion into the PAME 2011-2013 Work Plan

## **Agenda Item 9: Draft PAME Work Plan 2011-2013**

### **Aim:**

The aim of the PAME I-2011 meeting is to update the work plan as reflected in decisions on respective ongoing and new activities. Final agreed versions of project plans for new activities will be annex to the work plan.

### **Documents:**

- Revised draft PAME work plan 2011-2013 version 17th of January – updated based on comments received by Norway and USA and should be used as the ”working document”
- Draft PAME work plan 2011-2013 version 10th of December including comments from Norway and USA in track change format

### **Action requested by PAME I-2011:**

Review, update, confirm co-leads and agree to a final revised version of the PAME 2011-2013 Work Plan for submission to SAOs and Ministerial.

## **Agenda Item 10: Preparations and deliverables for the 2011 Ministerial Meeting**

### **Draft PAME Input to SAO Report to Ministers 2011:**

The Chairmanship of the Arctic Council sent out a format on 29th of November requesting initial inputs from working groups to the SAO Report to Ministers 2011 and the Nuuk Declaration. A draft of the PAME input to the SAO Report to Ministers as prepared by the PAME Chair and Secretary was sent to PAME HoDs on the 21st of December. Revised draft PAME input was submitted to the Arctic Council on 11th of January with the disclaimer that this version had NOT gone through the PAME HoDs process (30 day deadline) and can thus NOT be considered as an agreed text by the PAME Working Group and final versions of outstanding issues will be decided upon at the PAME I-2011 meeting (15-17 February 2011).

Further guidance on this process is expected following the SAO preparation meeting which will be held in end of January.

### **Draft PAME Input to Nuuk Declaration:**

Proposed PAMEs 4 topics to be addressed in the 2011 Nuuk Declaration include:

- AMSA follow-up activities
- AOR implementation (Phase II)
- Ecosystem Approach project
- Updating the Arctic Marine Strategic Plan (2004 AMSP)

Below is a very preliminary suggestions on PAMEs input to the Nuuk Declaration. Additional instructions and guidance on this process and its context of the intended Declaration needs further guidance from SAOs. Further guidance on this process is expected following the SAO preparation meeting which will be held in end of January.

***Note** that existing and emerging challenges to the health of the Arctic marine environment warrant a more integrated ecosystem based approach to ocean management to ensure the conservation and sustainable use of the marine environment related to shipping, oil and gas development, fisheries, coastal zone development, and other ocean-related activities and **welcome** the Phase I Report of the Arctic Ocean Review (AOR) project on existing global and regional measures that are relevant to the conservation and sustainable use of the Arctic Ocean and **look forward to** the delivery of the final report of the AOR project in 2013 in an effort to strengthen governance in the Arctic through a cooperative, coordinated, and integrated approach to the management of the Arctic marine environment and demonstrate Arctic States' stewardship efforts of the Arctic Ocean.*

***Welcome** the progress made on the implementation of the „Ecosystem Approach to Assessment and Management Approach” project. **Recognize** that an integrated ecosystem-based management approach requires that development activities be coordinated in a way that minimizes their impact on the environment and integrates thinking across environmental, socio-economic, political, and sectoral realms, and **welcome** the updating of the Arctic Marine Strategic Plan (AMSP 2004) in this regard and in light of the outcomes from ongoing Arctic Council assessments and **encourage** its contribution to effective implementation of integrated oceans management.*

***Take note of** the progress achieved in follow-up and implementation of the Arctic Marine Shipping Assessment (AMSA) and **urge** all Member States to take appropriate measures to implement the recommendations. **Urge** Member States to as soon as possible finalize the work to establish the mandatory Polar Code for ships operating in the Arctic.*

## **PAME Deliverables for the 2011 Ministerial**

Proposed preliminary list of deliverables to the 2011 Ministerial as per the discussions at the PAME II-2010 are as follows:

- AMSA follow-up Recommendation I(B) - IMO Measures for Arctic Shipping: Phase I Report on Reducing Risks of Heavy Fuel Oil (HFO) Spills from Vessels in the Arctic (HFO Phase I Report)
- AMSA status report on the follow-up of AMSA recommendations (Canada, Finland and the United States)
- AOR Phase I Report and AOR 13-14 September Workshop Summary (Canada/Iceland/Norway/Russia/USA)
- EA Workshop Report (22-23 January 2011 in Tromsø, Norway) to include a revised Arctic LME map.
- 2011-2013 PAME Work Plan

### Documents:

- Draft PAME reporting for Ministerial as per request by Arctic Council Chair-version 11 Jan 2011
- Request for Working Group Contributions to Nuuk declaration and SAO report – email from AC Chair dated 10th of Feb

### **Action requested by PAME I-2011:**

- Review and provide comments on the draft input to the SAO Report to Ministers (separate document) and the draft ministerial text (as per above) subject to further guidance by SAOs following their preparation meeting in end of January.
- Agree to final versions of the PAME deliverables to the 2011 Ministerial.