

Advice on a Dutch proposal regarding the protection of birds under the EU Birds Directive in a Natura 2000 area in the North Sea

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Background

On the 13th of June 2017 The Danish Agrifish Agency requested an ornithological assessment of the following document:

“Draft-Joint recommendation by the Netherlands regarding fisheries management measures under Article 11 and 18 of Regulation (EU) No 1380/2013 of The European Parliament and of the Council of 11 december 2013 on the Common Fisheries Policy (the Basic Regulation) for protection of the Common Guillemot in a Natura 2000 site designated under the Birds Directive 2009/147/EC of 30 November 2009”,

initiated by the Dutch government and with direct interest for Denmark and other neighbouring countries.

The aim of this proposal is to protect the population of common guillemot *Uria aalge* by limiting fisheries in the Birds Directive Site (SPA) “Frisian Front” in the northern part of the Dutch North Sea. The proposal aims to prohibit the use of gillnets in a period of six months annually, from 1st June to 30th November.

Aarhus University (AU, DCE) was asked to comment on the proposal, answering the following questions:

- Does the proposal support the suggested administrative measures regarding fishery?
- Are the proposed measures proportional to the protection?
- Should additional scientific research be included in the proposal?
- Are there further matters of the proposal, which AU consider relevant or which directly contradict scientific knowledge on this subject?

Does the proposal support the suggested administrative measures regarding fishery?

Birds that dive while foraging risk being caught in fishing gear and die. Sea-ducks (e.g. common eider, common scoter and long-tailed duck) predominantly forage on the seabed. These species perform vertical dives, which reduces their risk of bycatch. In contrast, bird species that forage on fish in the water column (e.g. divers, grebes, cormorants and auks) are more vulnerable to bycatch in e.g. gillnets in their search for fish in the water column.

The bycatch level is primarily related to the fishery intensity and the density/abundance of birds in the area.

Common guillemot is a long-lived species with a low reproduction rate. Non-natural mortality, as for instance bycatch in fishing gear, can be regarded additive mortality, and can potentially influence population size and demography for long-lived species as for instance common guillemot.

Are the proposed measures proportional to the protection?

The occurrence of common guillemot in the Birds Directive Area “Frisian Front” qualified for designation of a SPA for the species. Common guillemots primarily use the area in late summer and in the autumn, where adult birds accompany their offspring. The juveniles leave the breeding cliffs before they can fly and undertake a swimming migration accompanied by an adult bird.

The adult bird moult during the swimming migration. Common guillemots only have a single young in each clutch.

To optimize the physical condition of both the young and the adult bird they locate areas with favorable feeding conditions. Due to the hydrographic frontal system in the area "Frisian Front" the amount of food for common guillemot is high. The food primarily comprise of small fish and zooplankton.

A temporal closure on the use of gillnets in the area would reduce the additive mortality amongst common guillemots. The level of bycatch in the specific area is poorly known. The intensity of the fishery is highly fluctuating between years. In the received material, there is no description of the spatial and temporal distribution of common guillemots in the area, within or outside the Birds Directive Area "Frisian Front".

Consequently, it is difficult to assess whether the proposal is proportional to the level of protection. Undoubtedly, the proposal will contribute to the Dutch obligations to meet the conservation measures and to obtain favorable conservation status for common guillemot in relation to the Birds Directive.

Should additional scientific research be included in the proposal?

In the received material, there is a detailed account of the fishing intensity in a larger, more general area of the North Sea. On the contrary, there is no description of the spatial and temporal distribution of common guillemots, which is the basis for the proposal. Such a description of bird distribution would be relevant as part of the background information to the Dutch proposal.

Are there further matters of the proposal, which AU consider relevant or which directly contradict scientific knowledge on this subject?

AU/DCE notes that the proposal includes an intention to evaluate the impact of the administrative initiative six years after its commencement. This is considered a constructive intention. However, it is not specified on what basis the evaluation will be made. AU/DCE do not have any knowledge of the spatial and temporal distribution of common guillemots in the area. Likewise, there is no information about the level of bycaught common guillemots in the Dutch North Sea. It would be appropriate to initiate a monitoring program to record the level of common guillemot bycatch in the area around "Frisian Front".

Access to information about the spatial and temporal distribution of common guillemots in a larger, more general, area, the intensity of gillnet fisheries and levels of bycatch of common guillemots in the general area would provide an optimal basis for the evaluation of the initiative after a six-year period.

The received document "Draft_Joint_Recommendation_Frisian_Front_BD_Area_May_2017" refers to the subspecies *Uria aalge ibericus*, which is a subspecies of common guillemot that is distributed along the west coast of the Iberian Peninsula. This must be a mistake, as this subspecies does not occur in Dutch waters.