

# **REPORT OF THE 6<sup>TH</sup> MEETING OF THE ASCOBANS NORTH SEA GROUP**

**Wilhelmshaven, Germany  
19-20 June 2017**



**Agreement on the Conservation of Small Cetaceans  
of the Baltic, North East Atlantic, Irish and North Seas**

## Table of Contents

1.	Welcome and Announcements.....	1
1.1	Adoption of the Agenda.....	1
1.2	Appointment of Rapporteur .....	1
2.	Minutes of the 5 <sup>th</sup> Meeting of the North Sea Group.....	1
3.	Implementation Review: Bycatch Estimation .....	1
3.2	Monitoring Projects .....	2
3.2.1	Remote Electronic Monitoring Projects .....	2
3.2.1.1	Update on Danish REM Projects.....	2
3.2.1.2	Update on Dutch REM Project .....	2
3.2.1.3	Update on Any Other REM Projects.....	3
3.2.2	Other Monitoring Projects .....	3
3.2.2.1	Update on the Danish Monitoring Project in Recreational Fisheries .....	3
3.3	Voluntary Reporting .....	3
3.4	Assessment of Bycatch in the North Sea – Knowledge Gaps.....	3
3.4.1	Missing Fisheries .....	3
3.4.1.1	Update on Bycatch Situation in the Southern North Sea and Channel (ICES Areas IVc, VIId, VIIE) .....	3
3.5	Identification of Bycatch – Conclusions of Necropsy Protocols Workshop.....	4
3.6	Common Fisheries Policy- current status of developments relating to cetacean bycatch .....	5
3.7	Recommendations .....	5
4	Implementation Review: Development of Alternative Mitigation Methods (Action 5) .....	6
4.1	Update on the German PAL Project and the Alternative and Ecosystem-friendly Fishing Gear Project.....	6
4.2	Update on Dutch Projects (Banana Pinger+).....	6
4.3	Update on UK Projects.....	6
4.4	Update on Changes in Fishing Procedures .....	7
5	Other Activities Contributing to the Conservation of the Harbour Porpoise in the North Sea .....	7
5.1	EU Habitats Directive .....	7
5.1.1	Review of North Sea SCIs/SACs Concerning Harbour Porpoises .....	7
5.1.2	Progress in designing conservation objectives, management plans and conservation measures for harbour porpoises in Natura 2000 areas .....	8
5.2	New Surveys – Monitoring Trends in Distribution & Abundance (Action 7) .....	9
5.3	Update on MSFD and Marine Mammal Indicators .....	9
5.4	Update on Bonn Workshop Relating to Safe Bycatch Limits for Harbour Porpoises .....	10
5.5	Certification Schemes – Marine Stewardship Council .....	10
5.6	Others .....	10
6.	Overall Progress in the Implementation of the Conservation Plan .....	10
7	Calendar of Actions 2017-2018.....	10
7.1	Priorities of Action Points of the North Sea Plan.....	10
7.2	Priorities of the Work Plan for the NSSG .....	11
7.3	Prospects for a new NSSG Co-ordinator or short-term Consultant.....	11
8	Communication .....	11
8.1	Relationship with the ICES WGs.....	11
9	Election of Chair.....	11
10	Next SG Meeting.....	11

11 Close.....	11
<a href="#">Annex 1: List of Participants</a> .....	12
<a href="#">Annex 2: Agenda</a> .....	13
<a href="#">Annex 3: Action Points from 6th Meeting of the North Sea Group</a> .....	15
<a href="#">Annex 4: Qualitative Assessment of Progress in the implementation of the ASCOBANS North Sea Conservation Plan (CP) for HP</a> .....	16

## **REPORT OF THE 6<sup>TH</sup> MEETING OF THE STEERING GROUP FOR THE ASCOBANS CONSERVATION PLAN FOR HARBOUR PORPOISES IN THE NORTH SEA (NORTH SEA GROUP)**

### **1. Welcome and Announcements**

The Chair, Peter Evans (Sea Watch Foundation) welcomed participants and thanked Rüdiger Stempel for hosting the meeting at the Common Wadden Sea Secretariat (CWSS). Peter Evans presented apologies from Jan Haelters, Sami Hassani and Finn Larsen who would not be able to attend the meeting. A tour de table was conducted allowing participants to introduce themselves. Rüdiger Stempel welcomed all participants and mentioned the overlapping mandates of the Trilateral Cooperation on the Protection of the Wadden Sea and ASCOBANS.

#### **1.1 Adoption of the Agenda**

There were no comments on the agenda. It was adopted as presented.

#### **1.2 Appointment of Rapporteur**

Bettina Reinartz (Secretariat) was appointed rapporteur.

### **2. Minutes of the 5<sup>th</sup> Meeting of the North Sea Group, 28 September 2015, The Hague, The Netherlands**

The report of the 5<sup>th</sup> Meeting of the North Sea Group had been reviewed and made available to all participants on the meeting webpage.

Meike Scheidat (The Netherlands) urged the group to spend its limited time on a few specific issues that were most relevant to the North Sea, rather than covering the entire conservation plan. Peter Evans agreed and noted how the presence from 2011-2015 of a North Sea Coordinator (Geneviève Desportes) had been a real asset to the cause. The North Sea Group currently had no coordinator due to a lack of funds. Furthermore, Peter Evans suggested that one might want to move the North Sea Group Meeting to a two-year cycle noting that the most recent meeting had been in 2015 and this timing seemed to be fine, not least in the light of a stable population status. Peter Evans and Rüdiger Stempel commented that previous meetings had been back-to-back with the Advisory Committee Meeting. This probably led to higher levels of representation.

Several participants noted how over the years fewer scientists had participated in the Advisory Committee. The presence of more governmental representatives had at the same time moved the group closer to policy implementation. Signe Sveegard (Denmark) urged to put more pressure on governments to attend the meeting and to make it a priority. This might be better achieved having the North Sea Group meeting back to back with the AC.

### **3. Implementation Review: Bycatch Estimation**

#### **3.1 New Information on Bycatch Estimates (as reported to ICES WGBYC)**

Unfortunately Finn Larsen (Denmark) had cancelled his participation at short notice and thus there was only a brief report available by email from him. Sara Königson (Sweden), who was

a member of the ICES Working Group on Bycatch of Protected Species (WGBYC), highlighted the main points from the recent meeting held at Woods Hole Oceanographic Institution:

A discussion about the new EU Multi-Annual Programme (EU DC-MAP) and more generally on the Data Collection Framework (DCF) had taken place. As colleagues were aware, Regulation 812/2004 was to be replaced and would apply to all fisheries. Topics of discussion included how to make the new draft EU Regulation on the “Conservation of fishery resources and the protection of marine ecosystems through technical measures” more effective and strengthen collaboration with the ICES Working Group on Commercial Catches when it came to regional implementation of the regulation. The ICES working group was reporting for the EU member states on the implementation of their regulation.

Peter Evans pointed out that not all EU member states were submitting annual reports to the WGBYC, which was confirmed by Sarah Königson. He reiterated that the bycatch estimates by the WGBYC were inadequate (net length combined with soak time should for example be included). This was a long-standing issue that had been raised repeatedly in ASCOBANS fora. Ms. Königson reported that fishing effort was estimated primarily from the number of fishing days and that most data had come from big trawlers, and not from the smaller gillnetters where harbour porpoise bycatch was greater. The group noted that the bycatch estimates of WGBYC were not coherent and thus concerned that these would also be used by end users such as HELCOM and OSPAR.

Sara Königson pointed out that these issues were going to be addressed at a forthcoming meeting on the technical measures. This meeting would focus more on individual regions and how to facilitate the regional implementation of the new EU regulation.

Peter Evans suggested new protocols for the collection of bycatch data. The group agreed that it was important to better integrate and standardize data collection by different member states as the data were ultimately jointly analysed for DG Mare.

## **3.2 Monitoring Projects**

### **3.2.1 Remote Electronic Monitoring Projects**

#### **3.2.1.1 Update on Danish REM Projects**

Finn Larsen reported via email that Denmark was continuing the work on REM implementation and currently had three vessels with REM in Skagerrak, but none in the North Sea. Denmark had another 12 vessels with REM in Kattegat, Belt Seas and western Baltic Sea. Signe Sveegard for Denmark reported that the estimated bycatch rate for Denmark was low, but was likely to be an underestimate.

#### **3.2.1.2 Update on Dutch REM Project**

According to Meike Scheidat, the available bycatch figures were influenced by a change in fishermen’s behaviour related to changes in regulations, employment and funding. Different gear types were being used today and the number of fishermen had declined. The Dutch REM Project had stopped its data collection after four years of operation, from December 2013 to March 2017. REM devices had been installed on 12 vessels and had covered ten percent of the Dutch fisheries. The results included bycatch estimates, but only covered the Dutch fleet, not the Danish, Spanish or other vessels operating in Dutch waters. A full project report was envisaged for the forthcoming 23<sup>rd</sup> Meeting of the Advisory Committee.

Relatively little bycatch of harbour porpoises was observed in winter, which correlated well with lower harbour porpoise numbers in coastal areas during this time. Ms. Scheidat suspected that the movement of the harbour porpoises was closely linked to the movement of their food source, which in turn may be linked to temperature. Meike Scheidat reported that

the Netherlands had been working hard to advance from fisheries monitoring towards building partnerships with fishermen. During their research project, fishermen had brought in every bycaught harbour porpoise. Now there were financial incentives in place for the fishermen to engage. Thus far it had not been possible to include seabirds or seals in the monitoring work.

### **3.2.1.3 Update on Any Other REM Projects**

For Sweden, Sarah Königson reported that there was voluntary bycatch reporting and a project comparing bycatch in nets fitted with and without pingers. There had been a comparison of various REM systems in 2009. In their experience, automated systems became cheaper the more people used them. She referred to the discussion at the 5<sup>th</sup> Meeting of the North Sea Group, which had gone into depth on these technicalities. There had, however, been a US-based study which concluded that observers on vessels were cheaper and more effective than REM systems. She noted that staff costs, boat size and other factors are important when comparing the suitability of REM and observers on boats. This differed from the experience in Danish waters.

Meike Scheidat asked what the costs were in Sweden to fit a boat with REM. Ms. Königson estimated about Euro 15,000 to 20,000 for a boat including a computer in a dry space. She compared the Archipelago and Anchor Lab systems, noting that the latter allowed the transfer of real-time data to the office and was cheaper. On very small vessels, it was often not practical to have an observer.

Ms. Scheidat noted the effort involved in analysing the videos of the hauls from REM-fitted boats. One solution was to only analyse a subsample and to extrapolate, but care had to be taken to do this correctly. In the Netherlands the preselection of boats for REM was being done by the fishermen, and this was possibly a biased choice.

## **3.2.2 Other Monitoring Projects**

### **3.2.2.1 Update on the Danish Monitoring Project in Recreational Fisheries**

Finn Larsen reported by email that he had no information on monitoring in the recreational fishery.

## **3.3 Voluntary Reporting**

Ms. Königson reported for Sweden on the voluntary use of pingers by 20 trawlers along the west coast of Sweden. The overall aim was not to assess bycatch but to build trust with the fishermen and to test the practical application.

Germany had handed out Porpoise Alerting Devices (PALs) system to 200 fishermen in Schleswig Holstein.

## **3.4 Assessment of Bycatch in the North Sea – Knowledge Gaps**

### **3.4.1 Missing Fisheries**

#### **3.4.1.1 Update on Bycatch Situation in the Southern North Sea and Channel (ICES Areas IVc, VIId, VIle)**

Jan Haelters (Belgium) had submitted a report to the Chair<sup>1</sup>. The Chair read out the summary: "Up to the beginning of 2017, 232 offshore wind turbines were installed in Belgian waters. It

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<sup>1</sup> Haelters, J., F. Kerckhof, B. Rumes, M. Potin & T. Jauniaux, 2017. Strandings en waarnemingen van zeezoogdieren en opmerkelijke vissen in België in 2016 [Strandings and sightings of marine mammals and some

was concluded that during construction harbour porpoises were disturbed over a relatively large area. The number of harbour porpoises washed ashore in 2016 was 137 animals, back to the level of 2013 and 2014, after a year with relatively few animals (52). Major causes of death remain predation by grey seals (*Halichoerus grypus*; N=17; 30% of the animals for which a cause of death could be identified) and incidental catch in fishing gear (N=21; 39%), but for a large number of animals (N=83; 61%), no cause of death could be identified due to their state of decomposition. The number of observations of harbour porpoises in effort-related surveys was relatively low, with a density of respectively 1.2 and 0.9 animals/km<sup>2</sup> in April and May (densities recalculated using the g(0) from Hammond et al. (2017): 1.46 and 1.10). Unlike in 2015, porpoises were reported again from the river Scheldt.”

It was noted that for MSFD purposes, a percentage of bycatch was not straightforward to estimate from strandings data. There were no observer schemes in Belgium and no REM in place. The number of fishermen setting static gear was low.

Catherine Bell reported for the UK that there had not been much monitoring of bycatch in the North Sea due to limited resources. She noted gillnets as one of the gear types associated with harbour porpoise bycatch. The UK had submitted its annual report on Regulation 812/2004 to the European Commission. Ms. Bell stated that in the UK, sampling was focused on those fisheries where the greatest level of protected species bycatch was expected. This meant that most sampling occurred in the SW. Sampling levels in the North Sea had decreased to accommodate for increased sampling efforts in the eastern Channel. Overall, in 2016, 315 dedicated bycatch monitoring days were conducted during 177 trips on board static net vessels, 36 days during four trips on longline vessels, and 23 days during 17 trips on pelagic trawlers.

Ms. Bell further updated the group that total bycatch observations consisted of ten harbour porpoises, two common dolphins, and two long-finned pilot whales, all in static net gears in the Southwest. From statistical extrapolation, it had been estimated that without pingers, 1482 porpoises and with pingers 1250 porpoises had been bycaught in gillnet fisheries in 2016. Because there was not yet any certainty regarding the effect of pingers on common dolphins, only nets without pingers were used for the estimate that 285 had been caught in 2016. Ms. Bell noted that these figures needed to be treated carefully and referred to the EC annual report for full background information regarding the interpretation.

Patricia Brtnik (Germany) reported no new information on German bycatch for the North Sea, but mentioned that a new project was in place since the end of 2016 which *inter alia* includes a new bycatch programme for the Baltic Seas.

### 3.5 Identification of Bycatch – Conclusions of Necropsy Protocols Workshop

Catherine Bell highlighted a recent mass stranding event including harbour porpoises and common dolphins in the South Western part of the UK in early 2017, which had been widely covered in the press and was being associated with fisheries activity. At the same time there were a lot of strandings reported in France, both linked to a storm. Eunice Pinn from the UK added that five harbour porpoises had been necropsied from this strandings event. It was thought that more common dolphins were close to the shore due to higher food availability at the time.

There was a discussion on the necropsy procedure in the various countries following strandings. Sarah Königson reported that in Sweden it was a standard procedure to collect stranded harbour porpoises on an opportunistic basis to conduct necropsies. In Germany there is an established strandings network and necropsies are carried out depending on

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remarkable fish species in Belgium in 2016]. Koninklijk Belgisch Instituut voor Natuurwetenschappen (KBIN), Brussel. 30 pp.

funding. There had been 143 harbour porpoise strandings in the German North Sea in 2015. In Denmark there were governmental funds available for 25 harbour porpoise necropsies, but there had not been enough suitably fresh carcasses to conduct these. This was a matter linked to effort; with more staff in place these carcasses could be examined in years to come.

Meike Scheidat read out a report on post mortem research in the Netherlands by Lonneke IJsseldijk who was unable to attend the meeting. In total, 676 cetacean strandings had been reported at [www.walvisstrandingen.nl](http://www.walvisstrandingen.nl) . Post mortem research had been conducted on 55 harbour porpoises, five sperm whales, two striped dolphins, two common dolphins and two beaked whales. For the 55 porpoises, most of the investigated animals died through attacks from grey seals (31%), infectious diseases (29%), starvation (18%), and bycatch (11%).

Regarding the necropsy protocol, there had been a workshop back-to-back with the Annual Conference of the European Cetacean Society (ECS) in 2016, which discussed updating the 1991 necropsy protocol edited by Thijs Kuiken & Manuel García Hartmann. A new draft of the basic necropsy protocol had been composed and circulated to the workshop attendees and other relevant experts. During the 2017 ECS meeting, a meeting had been organised to finalise the Proceedings. The expected time for finalising the document was the end of 2017. The end product would most likely be a peer-reviewed publication. The group of authors would be seeking endorsement of the publication from ASCOBANS, ACCOBAMS, IWC and/or other bodies during next year's meeting of the Advisory Committee (AC24, 2018). Lonneke IJsseldijk was available as contact person to provide further information. Pending future steps were section protocols for special topics, including the diagnosis of anthropogenic causes of death (including bycatch, gas embolism and hearing damage). There had been contact with IWC regarding a potential hosting of these special sections on their webpage in a wiki-style format, but no decision had been made to date. The relevant contact person for this matter was Andrew Brownlow.

### **3.6 Common Fisheries Policy - current status of developments relating to cetacean bycatch**

The meeting discussed the proposed Regulation on the conservation of fishery resources and the protection of marine ecosystems through technical measures, which was due to replace regulation 812/2004. The Chair highlighted that throughout the negotiation process, ASCOBANS has submitted a number of formal letters to the European Commission and had tried to strengthen collaboration with DG Mare. Most recently, at the workshop on "Unacceptable Interactions and Bycatch" in February in Bonn, there had been a note sent to national coordinators urging them to flag up shortcomings in the proposed regulation to their national counterparts engaged in the direct negotiation. Aline Kühl-Stenzel briefed the group that MEPs were now due to vote on the draft regulation and that there was an open letter from scientists planned from a coalition of NGOs to alert MEPs to the potential shortcomings of the proposed regulation.

Catherine Bell added that the PECH (fisheries) Committee had provided a draft report which considered the European Commission's proposal for the technical conservation measures, which was discussed before the European Council had finalised the General Approach. It was not yet known when the MEPs would be voting on the matter.

### **3.7 Recommendations**

Jan Haelters (Belgium) provided input via email to this section advising that the group should firstly not solely depend on bycatch programmes, as in the DCF these were not focused on passive gears, often using small vessels; but to also use information from strandings. Secondly, the group should encourage the joint analysis of data on strandings and causes of death for the North Sea. A common protocol for assessing bycatch, and a common reporting format and schedule would be needed.

The group further discussed that it would be helpful to reach out to the North Sea Advisory Council.

#### **4 Implementation Review: Development of Alternative Mitigation Methods (Action 5)**

##### **4.1 Update on the German PAL Project and the Alternative and Ecosystem-friendly Fishing Gear Project**

Patricia Brtnik briefed the group that the Porpoise Alerting Device (PAL) project by Boris Culik had come to an end; results would be imminently published in *Marine Mammal Science*. 1500 PAL devices had recently been handed out to fishermen in Schleswig-Holstein, Germany's most northerly county. They would be deployed for the next 13 months.

Peter Evans pointed out that unfortunately it would not be possible to assess PAL effectiveness from the new Schleswig-Holstein project since it appeared that the monitoring running alongside it was insufficient.

Patricia Brtnik briefed the group that in Germany there was a new project which had been launched in November 2016, entitled "Development of alternative management approaches and fishing gear and techniques towards minimising conflicts in gill net fisheries and conservation objectives and subjects of protection in the EEZ of the Baltic Sea (STELLA)". It would run until December 2019 and was conducted by the Thünen Institute of Baltic Sea Fisheries (TI) funded by the Federal Agency for Nature Conservation (BfN). The project consisted of five parts, including research on gillnet modification, alternative fishing gear, and incentives for fisheries to apply the alternative gear.

##### **4.2 Update on Dutch Projects (Banana Pinger+)**

There was no new information reported on Banana Pingers in Dutch Waters.

##### **4.3 Update on UK Projects**

Catherine Bell updated the group highlighting that the UK had secured a small amount of funding at the beginning of the year for experts from the Sea Mammal Research Unit (responsible for the UK bycatch assessments) to carry out additional analysis of UK bycatch data. The project would:

- Analyse available UK bycatch data by <12m and >12m vessels to determine the specific fisheries, areas, and seasons, including in the South West, that had the highest bycatch rates.
- Compare total UK mortality estimates with available information for rates from neighbouring Member States in order to determine the likely conservation impact of the UK static net fishing fleet on populations of seals, porpoises and dolphins in the Channel and Celtic Seas.
- Deploy and test high frequency sound recording devices in specific static net fisheries to record underwater encounters with porpoises and dolphins, and better understand interactions with fisheries.
- Provide a final report synthesising the analysis of the scale and significance of marine mammal bycatch in UK fisheries, including risk based maps to inform management decisions.
- Provide advice on the wider deployment of sound recording devices as a monitoring tool to identify areas potentially benefitting from mitigation and the subsequent assessment of the effectiveness of any mitigation adopted.

Eunice Pinn mentioned that 25 vessels in the UK were currently required to carry pingers. However, according to Catherine Bell (UK), there was not enough monitoring data to assess the impact of these pingers, including potential habitat displacement.

Peter Evans said that there was a research project within the five-year NERC/Defra funded Marine Ecosystems Research Programme to develop risk maps for various human pressures including bycatch taking account spatio-temporal variation in fishing effort from various gears in NW Europe and the corresponding distributions and abundance of cetacean species including harbour porpoise. Results of the project would be available in 2018.

It was noted that the trial project on banana pingers in Cornwall had been contentious, with fishermen's behaviour possibly affected by fears of political action linked to the project outcome. Fishermen involved in the project felt that issues encountered with the pingers had not been reflected appropriately in the project report. Sara Königson reported about a project in Iceland which had reported a sizeable failure of banana pingers.

Meike Scheidat reminded the group that pingers were not the "perfect solution". The group should not lose sight of opportunities for reducing bycatch through gear changes, alternative fishing practices, and other options.

#### **4.4 Update on Changes in Fishing Procedures**

Sarah Königson reported on a project in Sweden investigating the impact of fisheries on harbour porpoise presence using C-PODs. The results showed that clicks were declining in intense fishing periods and were increasing in controlled areas when no fishing was taking place. These C-POD results had been collected over a three-year period and had led to calls for the commercial use of pingers. The Chair suggested to tag harbour porpoises to obtain clearer results and to see where the animals were moving. He considered that understanding the behaviour of individual animals in different situations would be critical for developing effective conservation solutions.

Patricia Brtnik reported that NABU had conducted trials with alternative fishing gear, but that the project had not been successful in terms of economic feasibility. Final results would shortly be published. The Netherlands noted that only certain forms of fishing gear (e.g. lobster and crab pots) were allowed in the immediate vicinity of wind farms. Fishermen were not allowed to use gillnets in these areas. In the UK, there was reportedly also a plan to look into lobster pot use around wind farms. In the Netherlands, hand angling was permitted around wind farms. Meike Scheidat proposed that the group engage in the wider discussion on how best to use wind farm sites, that was currently taking place.

### **5 Other Activities Contributing to the Conservation of the Harbour Porpoise in the North Sea**

#### **5.1 EU Habitats Directive**

##### **5.1.1 Review of North Sea SCIs/SACs Concerning Harbour Porpoises**

The group discussed the current distribution and size of Natura 2000 sites for harbour porpoises, based on Figure 1, provided by the Chair.

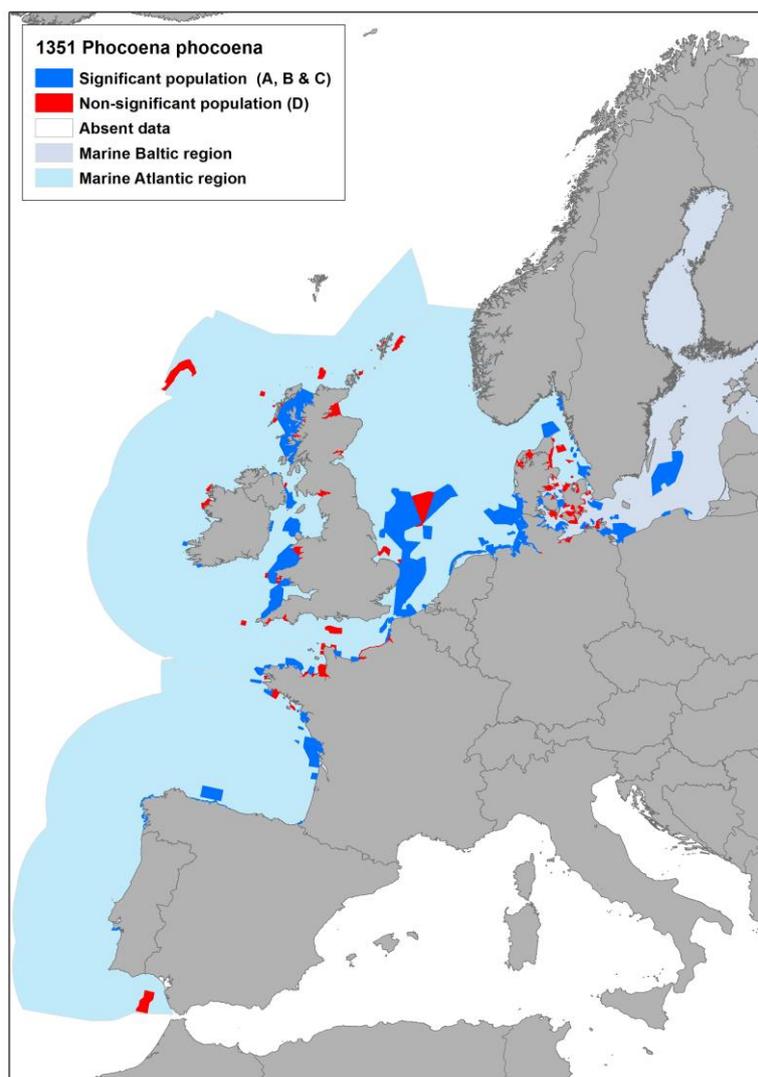


Figure 1 Map of Natura 200 sites for Harbour Porpoises in the ASCOBANS Agreement Area

### 5.1.2 Progress in designing conservation objectives, management plans and conservation measures for harbour porpoises in Natura 2000 areas

Signe Sveegard (Denmark) reported on a five-year project restricting fisheries in reef zones. A special porpoise working group consisting of government and fisheries members had been established for the implementation of management measures. A harbour porpoise management plan was not yet in place. Unlike in Germany or Sweden, direct engagement in harbour porpoise management in Denmark operated at a national level.

Sara Königson (Sweden) reported that it is envisaged for national strategies to be prepared by 2021. Ida Carlén and Julia Carlström were closely engaged in this process.

In Germany, a management plan was in development with the involvement of the relevant federal member states and with the aim to have a plan agreed by the end of 2017. The new plan benefitted from annual aerial survey data.

Meike Scheidat reported that there was no management plan prepared for the Netherlands. This was linked to the fact that funds to conduct aerial surveys were very limited.

Eunice Pinn said that conservation objectives had been agreed for all sites in the UK and that they were taking a risk-based approach.

According to the Chair, Peter Evans, France were in the process of putting in place a management plan for sites.

### **5.2 New Surveys – Monitoring Trends in Distribution & Abundance (Action 7)**

Signe Sveegard mentioned that the DEPONS project which would be presented by Jacob Nabe-Nielsen the following day was almost finished. No specific surveys had been conducted as part of the project. It was a matter of collating data from several surveys.

Meike Scheidat said that, in the Netherlands, summer surveys had been conducted every two years in early spring and late summer. Highest densities had been observed in spring. Autumn was an important period for porpoises to put on fat. However, there was no period throughout the year when disturbance (such as through pile driving) would not have an impact. The group agreed that it should issue a statement reiterating the point that there was no period in the year when pile-driving and related activities causing disturbance would not be an issue. Disturbance at different seasons may have different impacts, but there was no season which could be recommended to policy makers as a “safe season”.

In the Netherlands, it was not yet clear whether there would be a survey this year in July. Steve Geelhoed would know. The Netherlands and Germany were currently discussing noise mitigation measures, with one of the outputs being a database (covering German, UK and Dutch data), which was currently being set up.

The Chair briefed the group that in France the aerial surveys in the Bay of Biscay were repeated in July 2016 as part of SCANS III, but it was not known whether surveys were planned for 2017.

In Germany, the annual monitoring of Natura 2000 sites in June/July had continued. Every three years, the entire area is surveyed.

In the UK, no monitoring programme had been established. The Chair briefed the group on the large scale collation of data from cetacean surveys that his group was undertaking in order to derive density estimates in space and time, and establish what environmental drivers could be related to any observed variation. This was part of the NERC/Defra funded Marine Ecosystems Research Programme, and they were also covering seabirds. Results would be available sometime in 2018.

Jan Haelters (Belgium) reported via email that the report on MSFD would also contain a section on abundance based on aerial surveys, not limited to summer. Results would be passed to Anita Gilles for an assessment over a wider area, so that methodology would be standardized. ICES might develop a proposal for a Coordinated Environment Monitoring Programme (CEMP; OSPAR) for cetacean abundance.

### **5.3 Update on MSFD and Marine Mammal Indicators**

The Chair read out an update from Jan Haelters (Belgium) stating that a report on bycatch would be available at the beginning of 2018. Bycatch figures would be based on absolute numbers of bycaught animals washed ashore. It was not possible to calculate a percentage of the population because the confidence interval for the population in Belgian waters was too wide. Harbour porpoises in Belgian waters were part of a larger shared population. There was no observer scheme in place and the number of fishermen in Belgium was low. Fishermen from other nations were active in Belgian waters. Any further information on assessing bycatch rate from strandings would be appreciated (see recent paper by Peltier et al.).

Eunice Pinn (UK) said that according to the common indicator on cetacean abundance for the Greater North Sea, the harbour porpoise population was stable, based on the SCANS data collected between 1994 and 2016.

There was concern raised in the group that the bycatch indicator for the OSPAR Interim Assessment was based on rather poor and patchy data obtained from the WGBYC reports. Eunice Pinn noted that despite the deficiencies WGBYC provides the best source of collated evidence on bycatch and that the issues are acknowledged in the assessment. The annual bycatch rate for the North Sea was reportedly 0.36 – 0.58% of the best population estimate (based on SCANS III data).

#### **5.4 Update on Bonn Workshop Relating to Safe Bycatch Limits for Harbour Porpoises**

Peter Evans reported on the [Expert workshop on “unacceptable interactions and bycatch” \(22-23 February 2017, Bonn, Germany\)](#), notably how a brief population status assessment had been agreed, three approaches for further analysis had been agreed for taking the work forward, and Terms of Reference for a Joint ACCOBAMS/ASCOBANS Working Group on Bycatch had been discussed. The new Joint Working Group would replace the current ASCOBANS Working Group on Bycatch, which Peter was currently chairing. It had been proposed to have a follow-up workshop sometime in 2018. Eunice Pinn (UK) reported that there would shortly be a contribution from Phil Hammond to one of the above-mentioned approaches.

#### **5.5 Certification Schemes – Marine Stewardship Council**

Aline Kühl-Stenzel briefed the meeting that a teleconference had been set up with the Marine Stewardship Council. Peter Evans, in his capacity as Chair of the Bycatch Working Group would join the call. He had in the past initiated discussions with the MSC. Aline was seeking input from the group regarding the results they would like to see.

Sara Königson criticised the MSC stating that while they had strict definitions for their labels they did not strictly define what bycatch rate to focus on. Peter Evans pointed out that the MSC was focusing on the target fishery and not on the entire marine population.

#### **5.6 Others**

No other issues were raised.

### **6. Overall Progress in the Implementation of the Conservation Plan**

The group discussed and reviewed the progress table included in Annex 4 entitled “Qualitative Assessment of Progress in the Implementation of the ASCOBANS North Sea Conservation Plan for Harbour Porpoise”. The 2016 national reporting exercise would potentially add further information, which would be available for AC23 (5-7 September, Le Conquet, France).

### **7 Calendar of Actions 2017-2018**

#### **7.1 Priorities of Action Points of the North Sea Plan**

The Chair raised a number of questions which Jan Haelters (Belgium) had submitted in absentia via email. Was there an alternative for the monitoring of bycatch if observer schemes were not feasible or did not work well? Would it be necessary to heavily invest in on board monitoring of bycatch if population numbers of porpoises did not seem to be decreasing, and if the results of this monitoring remain inconclusive? The agreed action points would contribute to shedding light on these matters.

The group reviewed the action points which had been compiled throughout the meeting and agreed these (see Annex 3).

## **7.2 Priorities of the Work Plan for the NSSG**

The group discussed where it should place the focus for its work, including the intersessional period. Meike Scheidat suggested to prioritise wind farm related management and bycatch. The impact of pollutants on the other hand would be challenging to tackle although information on its effects upon reproductive parameters would be worth continuing to examine. The same applies to other species, e.g. common dolphins. The group agreed that bycatch was no doubt at the top of the agenda, as well as monitoring of life history parameters and other aspects related to population status, and of underwater noise.

Meike Scheidat proposed that the pressures and risks present for cetacean management should be mapped for the North Sea, including regional bycatch estimates. Mapping noise would of course be challenging.

The group discussed focusing its work on a particular topic for a certain amount of time (e.g. two years) and then to review progress at this end. This particular focus topic should also be tackled by the North Sea Coordinator, if it would be possible to raise the funds to reinstate the position. Catherine Bell noted that we should focus on obtaining specific information which would allow governments to tackle a specific mandate.

## **7.3 Prospects for a new NSSG Co-ordinator or short-term Consultant**

Following discussions throughout the meeting, Peter Evans agreed to draft Terms of References for a consultant to tackle identified priority tasks that would contribute to the implementation of the North Sea Plan (see Action Point 1). These should be available for AC23 in September.

## **8 Communication**

### **8.1 Relationship with the ICES WGs**

A number of members of the group regularly participated in ICES WGs. Their input and active participation in both fora was critical, not least on issues such as the bycatch estimates which had been discussed throughout the meeting.

## **9 Election of Chair**

Peter Evans was unanimously re-elected as Chair.

## **10 Next SG Meeting**

To be determined.

## **11 Close**

Meeting was closed at 7pm on 19 June 2017.

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**6th Meeting of the 'Steering Group for the Conservation Plan for the Harbour Porpoise in the North Sea' (HP NSSG) - ASCOBANS**

Date: Monday, 19 June 2017, 9:00 AM – 6:30 PM & 20 June 2017, 9:00 AM – 12:00 AM  
Place: Common Wadden Sea Secretariat, Wilhelmshaven, Germany

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**AGENDA**

- 1 Welcome and announcements
  - 1.1 Adoption of Agenda
  - 1.2 Appointment of Rapporteur
- 2 Minutes of the 5<sup>th</sup> NSSG meeting, 28 September 2015, The Hague, The Netherlands
- 3 Implementation Review: Bycatch estimation (Actions 3 and 4)
  - 3.1 New information on bycatch estimates (as reported to ICES WGBYC)
  - 3.2 Monitoring projects
    - 3.2.1 Remote Electronic Monitoring projects
      - 3.2.1.1 Update on Danish REM projects
      - 3.2.1.2 Update on Dutch REM project
      - 3.2.1.3 Update on any other REM projects
    - 3.2.2 Other monitoring projects
      - 3.2.2.1 Update on the Danish monitoring project in recreational fisheries
  - 3.3 Voluntary reporting
  - 3.4 Assessment of bycatch in the North Sea – knowledge gaps
    - 3.4.1 Missing fisheries
      - 3.4.1.1 Update on bycatch situation in the southern North Sea and Channel (ICES Areas IVc, VIIId, VIIe)
  - 3.5 Identification of bycatch – outputs from the necropsy protocols workshop
  - 3.6 Common Fisheries Policy – current status of developments relating to cetacean bycatch
  - 3.7 Recommendations
- 4 Implementation review: Development of alternative mitigation methods (Action 5)
  - 4.1 Any updates on the German PAL project and the alternative and ecosystem-friendly fishing gear project
  - 4.2 Update on Dutch projects (Banana pinger+)
  - 4.3 Update on UK projects
  - 4.4 Update on changes in fishing procedures (France, the Netherlands, Denmark, Sweden, any others?)
- 5 Other activities contributing to the conservation of the harbour porpoise in the North Sea:
  - 5.1 EU Habitats Directive:
    - 5.1.1 Review of North Sea SCIs/SACs concerning harbour porpoise
    - 5.1.2 Progress in designing conservation objectives, management plans and conservation measures (e.g. noise disturbance) for harbour porpoises in Natura 2000 areas
  - 5.2 New Surveys – monitoring trends in distribution & abundance (including DEPONS Project, SCANS-III) (Action 7)
  - 5.3 Update on MSFD and marine mammal indicators
  - 5.4 Update on Bonn Workshop relating to safe bycatch limits for harbour porpoises
  - 5.5 Certification schemes – Marine Stewardship Council
  - 5.6 Others

- 6 Overall progress in the implementation of the Conservation Plan
- 7 Calendar of Actions 2017-2018
  - 7.1 Priorities of action points of the North Sea Plan
  - 7.2 Priorities of the Work Plan for the NSSG
  - 7.3 Prospects for a new NSSG Co-ordinator or short-term Consultant
- 8 Communication
  - 8.1 Relationship with the ICES WGs
- 9 Election of Chair
- 10 Next SG meeting
- 11 Close

### Action Points from 6th Meeting of the North Sea Group

- 1) Draft and agree Terms of Reference for a consultant on priority task(s) which would contribute to the implementation of the Conservation Plan for the Harbour Porpoise in the North Sea; (Chair of WG)
- 2) Conduct a cost-benefit analysis to assess the difference in cost between Remote Electronic Monitoring (REM) and observer schemes, including identification of limiting factors; (general, Bycatch WG)
- 3) Review and provide an evaluation of the OSPAR bycatch indicator for harbour porpoises in the North Sea; (to discuss at AC23, Bycatch WG)
- 4) Prepare an overview table of strandings data for inclusion in the meeting report; (Meike Scheidat, North Sea Group)
- 5) Comment on the proposed Regulation on the Conservation of Fishery Resources and the Protection of Marine Ecosystems through Technical Measures to National Coordinators, when the final report becomes available (UK to circulate to Secretariat, and Secretariat to share with National Coordinators and relevant WGs);
- 6) Strengthen engagement with the North Sea Advisory Council, including representation by an ASCOBANS expert at a forthcoming relevant NSAC meeting, in order for the NSAC to take into account more fully the needs of cetaceans and the ASCOBANS mandate (e.g. improved monitoring, data recording); (Chair of WG)
- 7) Circulate draft language for review by the WG stating in essence that there is no “safe season” for offshore renewable development (e.g. wind farm construction), since all year there is likely to be an impact on harbour porpoises. This statement is intended to be passed by AC23; (Chair of the WG)
- 8) Follow-up on collaboration of the North Sea WG with the Marine Stewardship Council.

### Qualitative Assessment of Progress in the implementation of the ASCOBANS North Sea Conservation Plan (CP) for HP (update June 2017)

Except for Action 2, ref. pinger use: na = non applicable; **-1**, situation is less good than at the adoption of the plan in 2009, **0** = no progress, **1** = small progress or at experimental level; **2**, steady progress; **3**, fully implemented.

Actions form the North Sea Conservation Plan for HP		Priority		SE	DK	DE	NL	BE	FR	UK
1	Implementation of the CP: co-ordinator and Steering Committee	High		No Coordinator at present!						
2	Implementation of existing regulations on bycatch of cetaceans - e.g. EC 812/2004 & Habitat Directive (HD) (* Table 1ab, ICES WGBYC 2012)	High	Vessels requiring pingers	0	14	yes?	0?	0	90	6-8
			No. of vessels using pingers	?	?	>3	0	0	>9	6-8
			Enforcement policy	0	?	?	na	na	na	3
			Dedicated observer prog	0	0	0	0	0	(yes)	3
			Monitoring under HD	0	0	0	0	yes	yes	yes
3	Establishment of BYC observation programmes on vessel smaller than 12m long, professional and recreational fisheries	High	Professional	1	1	0	2	0	2	2
			Recreational	0	1	na	0	0	1?	na

4	<b>Regular evaluation of relevant fisheries, extent of HP BYC:</b>	High		0	0	0	0	0	0	1
	Gillnet fisheries =>15m vessels, dedicated, % DAS observed			0	0	0	0	0	14%	18%
	Gillnet fisheries <15m vessels, dedicated, % DAS observed			0	0.2	0	REM	0	0.7	0.33
	Cetacean scheme appended to DCF / DCR schemes			no	yes	yes	yes	no	yes	yes
	DCF observations in 2014 in NS, % DAS observed			0	0.76	0	0	0	na	9.4
5	<b>Review of current pingers, dev. of altern.pingers and gear modif.</b>	High		2	2	2	1	na	1	2
6	<b>Finalise a management procedure approach for determining maximum allowable bycatch limits</b>	High		<b>General progress ICES WGMME, WGBYC, OSPAR (MSFD)</b>						
				1	0	0	2	0	0	1
7	<b>Monitoring trends in distribution and abundance of HP in NS</b>	High	Large scale	<b>SCANS III undertaken in 2016</b>						
			Reg/survey	1	SACs	3	3	3	1	0
			Reg/modelling	0	2	2	2	2	2	2
8	<b>Review of the stock structure of HP in NS</b>	High		0	1	0	0	0	0	0
9	<b>Collection of incidental HP data through stranding networks</b>	Medium		2	1	3	2	3	1	3
10	<b>Investigation of the health, nutritional status and diet of HP in NS</b>	Medium		2	1	2	2	2	1	3
11	<b>Investigation of the effects of anthropogenic sounds on HP</b>	Medium		0	2	2	2	2	1	2

12	Collection and archiving of data on anthropogenic activities and development of a GIS	Medium		1	1	1	1	1	0	2
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