

ECOREGION	North Sea
SUBJECT	Proposed fisheries measures for the Frisian Front Special Area of Conservation

Advice summary¹

ICES considers the proposed ban of gillnet fishing in the Frisian Front to be precautionary. However, given the potential risk to the common guillemot from gillnets and the potential for future changes in fishing patterns for the reasons discussed below, ICES agrees with the proposed measures. Notwithstanding this view in this specific situation, ICES has concerns with evoking the precautionary approach to ban activities that currently do not take place within an area. Taking this approach could suggest the need to ban non-existing activities in areas because of the potential impact they could exert if they did take place.

ICES agrees with the conclusion of FIMPAS that additional fisheries measures within the Frisian Front to maintain the numbers of the great skua, the great black-backed gull, and the lesser black-backed gull are not likely to support the conservation objectives set for the Frisian Front.

ICES also agrees with the conclusion of FIMPAS that additional fisheries measures within the Frisian Front with regard to the interaction between the common guillemot and beam- and otter trawlers and demersal seine fishers are not warranted as they are not likely to support the conservation objectives set for the Frisian Front.

Request

Given the conservation objectives for bird species, ICES is requested to advise on the degree to which the implementation of the proposed fisheries measures will progress the Frisian Front SPA towards the achievement of the Conservation Objectives.

In preparing its response ICES is required to advise on the changes that can be attributed solely or primarily to the implementation of these proposed fisheries measures from the FIMPAS project. Specifically, for the proposed fisheries measures ICES is invited to describe:

- i) the likely progress over a six year period towards achieving the conservation objectives that will occur as a result of implementation of the proposed measures in the Frisian Front;*
- ii) the likely long term progress towards achieving the conservation objectives that will occur beyond the six year period as a result of implementation of the proposed measures in the Frisian Front areas;*
- iii) how progress towards achieving the conservation objectives could be measured and when such changes can be expected to be measurable*
- iv) the key aspects that should be contained in an appropriate, cost effective, monitoring programme to measure progress towards achieving the conservation objectives ;*
- v) The effort displacement within the SAC/SPA attributable to the proposed measures and the expected effects of such displacement on the achievement of the Conservation Objectives, together with any possible measures to mitigate any effects. When considering effort displacement other relevant factors causing changes in fishing patterns in the Frisian Front (e.g. TAC/quotas, fuel cost, other spatial claims etc.) should be taken into account;*
- vi) any shortcomings in the proposed measures and how these might be overcome*
- vii) any other information ICES considers relevant for the achievement of conservation objectives in the Frisian Front SPA for birds species*
- x) Invites ICES to comment on the need to make a distinction between different types of gillnets deployed in the Frisian Front SPA, in terms of their impact on meeting the conservation objectives;*

ICES advice

¹ This ICES advice is in response to specific questions on fisheries measures proposed by the Netherlands. Unless specifically stated, it is not an opinion from ICES on the designation of Natura 2000 sites or the Conservation Objectives set by the Member State. ICES facilitated input and advice in the FIMPAS process by identifying an expert who advised the process. This expert was not involved in any of the ICES review, drafting or advice approving processes. An ACOM Vice-Chair was assigned the task of following and observing the process. Expert reviewers and advice drafters were selected from independent countries as per ACOM procedures. The ICES advice drafting process was managed by the ACOM Vice-Chair; the scientific advice is the work of the independent reviewers and advice drafters.

ICES has decided to provide only general comments to this request because the impacts are likely to be minimal and difficult to measure. Some of the comments provided in the advice on the Cleaver Bank may also be relevant but they are not repeated here.

The Gear Impact Matrix developed in FIMPAS (Annex 1), suggests that interaction between various types of fishing gear and the great skua, great black-backed gull, and the lesser black-backed gull is low. The conservation status for these three bird species nationally in the Netherlands has been assessed as favourable. For the great skua and great black-backed gull the conservation status within the Frisian Front is assessed as unknown and for the lesser black-backed gull the conservation status in the Frisian Front was assessed as favourable. FIMPAS concluded that no proposal should be made for maintaining the number of these three species, as their numbers will likely decline with declining discards, for which no compensation could be imagined. Based on the available information and the interaction provided in the Gear Impact Matrix, ICES considers the conclusion by FIMPAS to be appropriate.

The Gear Impact Matrix identified the impact from midwater trawls on the common guillemot as low and from beam-and otter trawling and demersal seine fishing as medium. FIMPAS concluded that the medium impacts for common guillemot should not be considered further, since there is no *a priori* reason to believe that their foraging is adversely affected by the noise and light from trawling/seining operations. ICES does not have information to comment on these views. Based on the available information and the interaction provided in the Gear Impact Matrix, ICES considers the conclusion by FIMPAS to be appropriate.

The Gear Impact Matrix identified the impact from gillnets on the common guillemot as high. With regard to the common guillemot, the Frisian Front was designated as a Habitat Directive Special Protected Area (SPA) because the common guillemot occurs in the site at numbers exceeding 20 000 individuals. The conservation objective for the common guillemot is to maintain the extent and quality of habitat with the capacity to carry a population averaging 20 000 individuals in July–August. This is at a period when young common guillemots have not started to fly and the adults are unable to fly due to moulting.

Based on the information provided with the request to ICES, the gillnet fishery effort at the Frisian Front is generally zero with a very low effort along the southwestern boundary for the years 2006 to 2008. Accordingly, the risk to the population of common guillemot from gillnet fishing at the Frisian Front is very small. FIMPAS proposed a total ban on gillnet fishing in the site from June to November. In selecting this period, the precautionary approach was adopted to allow for future possibility of sea warming, which may change the period when the young and moulting common guillemots are present at the Frisian Front.

Gillnet fishery effort might increase in the future, for any of several reasons. These include: rising fuel costs that may lead to a shift from mobile gears to set nets; recovery of the North Sea cod stock, which traditionally was the main target species in gillnet fisheries, may result in renewed effort in that fishery; measures to reduce the impact of mobile, bottom-contacting fishing gears on benthic habitats and communities may result in shifts in effort from those gears to gillnets and other static gears. There is a considerable body of evidence pointing to significant bycatches of common guillemots in gillnets worldwide.

Given that gillnetting does not currently take place in the SPA, that the conservation status for this species with the SPA was assessed as favourable, and that the ban covers a period outside the period specified in the conservation objectives (July to August when there is evidence of the highest number of birds present on the site), ICES considers the proposed ban of gillnet fishing at the Frisian Front to be precautionary. However, given the potential risk to the common guillemot from gillnets and the potential for future changes in fishing patterns for the reasons discussed above, ICES agrees with the proposed measures. Notwithstanding this view in this specific situation, ICES has concerns with evoking the precautionary approach to ban activities that currently do not take place within an area. Taking this approach could suggest the need to ban non-existing activities in areas because of the potential impact they could exert if they did take place.

The conservation status of the common guillemot at the Friesian Front was assessed as favourable. The proposed measures will remove an as yet unquantifiable pressure on the guillemots and should therefore assist in maintaining this status. ICES does not see the need to comment on current monitoring and assessment methodologies as these appear to be fit for the purpose.

Sources

- ICES. 2012. Material provided to ICES for advice on proposed fisheries measures for Cleaver Bank and the Frisian Front. The FIMPAS project, September 2012. ICES CM 2012/ACOM:76.
- Melvin, E. F., Conquest, L. L., and Parrish, J. K. 1997. Seabird bycatch reduction: new tools for Puget Sound drift gillnet salmon fisheries: 1996 sockeye and 1995 chum non-treaty salmon test fisheries final report. Washington

Sea Grant. Project A/FP-7. Available on loan from the National Sea Grant Depository, and from publisher. WSG-AS 97-01. Available from: <http://wsg.washington.edu/mas/resources/sbexesum.html>.

Österblom, H., Fransson, T., and Olsson, O. 2002. Bycatches of common guillemot (*Uria aalge*) in the Baltic Sea gillnet fishery. *Biological Conservation*, 105 (2002): 309–319. Available from: <http://www.balticseabird.com/pdf/Bycatches%20of%20common%20guillemot.pdf>.

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CONSERVATION OBJECTIVES	Fishing gear				
	Beam trawl	Otter trawl	Demersal seine nets	Gillnets	Midwater trawl
Habitats					
Dogger Bank H1110_C Sandbanks	High with disagreement	Medium	Low	Low	Not Relevant
Cleaver Bank H1170 Open-sea reefs	High	High	Low	Low	Not Relevant
Marine mammals					
Harbour porpoise	Low	Low	Low	Medium	Low
Harbour seal	Low	Low	Low	Low	Low
Grey seal	Low	Low	Low	Low	Low
Seabirds					
Great skua	Low	Low	Low	Low	Low
Great black-backed gull	Low	Low	Low	Low	Low
Common guillemot	Medium	Medium	Medium	High	Low
Lesser black-backed gull	Low	Low	Low	Low	Low

Gear Impact Matrix FIMPAS WS

High: direct disturbance, the continuity of the habitat/species is in danger.

Medium: the effect is visible and the conservation status will not remain the same without any measures.

Low: the habitat/species is affected, however the conservation status of the habitat/species is supposed to remain.

The judgement based on majority opinions. In most cells particularly for the Dogger Bank area there were a range of opinions; often industry stakeholders rated the impact lower than scientists and NGO's.