

Joint Recommendation 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 reef structures in three Danish Natura 2000 sites designated under the Habitats Directive 92/43 EEG of 21 May 1992.

A copy of the Danish proposal for fisheries management measures in the Danish part of the Kattegat (within 12 nautical miles) is given in Annex I.

Denmark and Sweden jointly recommend the proposed fisheries management measures, as described in detail in Annex I, to the Commission for adoption as a delegated act. Germany agrees with the Danish proposals, stating that Germany might follow a different approach for its own sites regarding the necessary measures and their control and enforcement. This does not hinder Denmark and Sweden from jointly recommending the proposed fisheries management measures, cf. MoU (Scheveningen) 2.10.

The Danish proposal for fisheries management measures for protection of reef structures has been coordinated with representatives from environmental and fisheries departments in Sweden and Germany, the North Sea Advisory Council and fishermen associations/organizations in Denmark, Sweden and Germany. Denmark has consulted national/international NGOs as well.

After several consultations there is a common understanding and agreement among Denmark and Sweden to the proposed fisheries management measures, which are described in section 2 'Recommendations to be implemented'. The international and national consultations held and outcome thereof is given in Annex I, section 3.

The overall aim of the proposed fisheries management measures is to ensure adequate protection of reef structures from fisheries with bottom contacting gears, and thereby contribute to the obligation of achieving favorable conservation status under the Habitats Directive Article 6. The proposed measures are proportional with respect to the Habitats Directive and are applied in a non discriminative manner due to close coordination with Member States having a direct management interest in the concerned sites (SE and DE) as described in Article 11 and 18 of the Basic Regulation.

## **1. Natura 2000 sites concerned**

The present joint recommendation entails fisheries management measures in three Natura 2000 sites located in the Kattegat within 12 nautical miles, which have been designated for reef structures with habitat codes H1170 & H1180:

- Herthas Flak (EU site code: DK00VA248)
- Læsø Trindel & Tønneberg Banke, (EU site code: DK00VA249)
- Lysegrund, (EU site code: DK00VA299)

## **2. Recommendations to be implemented**

The following recommendations are proposed adopted:

- A ban for fishing activity with mobile bottom contacting gear in areas mapped as reefs (habitat code H1170 & H1180)
- A ban for fishing activity with the following gear types, gillnet, lines, pots and traps in areas mapped as bubbling reefs (habitat code H1180).

*Protection of reefs (habitat code H1170)*

The outlined zones with mapped reefs (habitat code H1170) will be closed for the following mobile bottom contacting gear types (see table 2.1 below for gear codes):

- Beam trawls
- Mobile gears (bottom trawl / Otter trawl)
- Seine nets (Danish and Scottish seines)
- Dredges

*Protection of submarine structures made by leaking gases (bubbling reefs) (habitat code H1180)*

The outlined zones with mapped bubbling reefs (habitat code H1180) will be closed for the above mentioned mobile bottom contacting gear types along with the gear types (see table 1 for gear codes):

- All types of net gear (gillnets/entangling nets)
- All types of line fishing (including trolling)
- All types of pots and traps
- All types of pelagic trawls

**Table 2.1: Gear codes for the banned gear types**

<b>Gear types that are banned in the closed zones</b>	<b>Habitat code</b>	<b>Gear code Annex XI in EU Regulation No. 404/2011</b>	<b>International standard Classification of Fishing Gears (ISSCFG)</b>
Beam trawl	1170/ 1180	TBB	TBB
Bottom trawl / otter trawl	1170/ 1180	OTB, OTT, PTB, TBN, TBS, TB	OTB, OTT, OT, PTB, TB
Seine nets	1170/1180	SDN, SSC, SX, SV	SB, SV, SDN, SSC, SPR, SX
Dredges	1170/1180	DRB	DRB, DRH
Gillnets and entangling nets	1180	GN, GNC, GND, GNS, GTN, GTR	GEN, GN, GNC, GND, GNS, GTN, GTR
Surrounding nets*	1180	LA, PS, PS1, PS2	PS, PS1, PS2, LA
Hooks and lines	1180	LHM, LHP, LL, LLD, LLS, LTL, LX	LHM, LHP, LLS, LLD, LL, LTL, LX
Pots and traps	1180	FIX, FPO	FIX, FPO, FYK
Mid-water trawls	1180	OTM, PTM	OTM, PTM, TMS, TM

\* According to Danish legislation, fishing activity with purse seines is banned in the Kattegat, the Belt Sea and the Baltic Sea. Surrounding nets are defined as encircling nets used to surround shoal of fish in open waters.

### **3. Control and enforcement of the proposed fisheries management measures**

The proposed fisheries management measures do not require additional control and enforcement measures.

Control and enforcement of the proposed fisheries management measures will be based on the VMS and risk-based systems in accordance with the developed model by the Danish Fishery and Monitoring Centre (FMC). With the current fishing activity in mind, it has been assessed, that additional control measures are not required in order to effectively control and enforce the proposed fisheries management measures.

Denmark will reassess whether there is a need for additional technical equipment in relation to control and enforcement of the proposed fisheries management measures once these measures have been in place for 18 months. If the need arises, Denmark will coordinate such a requirement in accordance with Article 11 and 18 of the Basic Regulation and in collaboration with Germany and Sweden, since the two Member States have direct management interest in the concerned Natura 2000 sites.

#### 4. Outline and coordinates of the areas in which fishing activities are proposed to be banned

##### 4.1 Herthas Flak

**Habitat No. H166, Natura 2000 site No. 191 (EU Code: DK00VA248)**

Coordinates of the buffer zone which form the protection of the stone reef (H1170):

Point	Latitude N		Longitude E	
	Degrees	Minutes	Degrees	Minutes
1S	57	39.422	10	49.118
2S	57	39.508	10	49.602
3S	57	39.476	10	49.672
4S	57	39.680	10	50.132
5S	57	39.312	10	50.813
6S	57	39.301	10	51.290
7S	57	38.793	10	52.365
8S	57	38.334	10	53.201
9S	57	38.150	10	52.931
10S	57	38.253	10	52.640
11S	57	37.897	10	51.936
12S	57	38.284	10	51.115
13S	57	38.253	10	50.952
14S	57	38.631	10	50.129
15S	57	39.142	10	49.201
16S	57	39.301	10	49.052
17S	57	39.422	10	49.118

Coordinates of the buffer zone which form the protection zone of the bubbling reefs (H1180):

Point	Latitude N		Longitude E	
	Degrees	Minutes	Degrees	Minutes
1B	57	38.334	10	53.201
2B	57	38.150	10	52.931
3B	57	38.253	10	52.640
4B	57	38.237	10	52.150
5B	57	38.320	10	51.974
6B	57	38.632	10	51.820
7B	57	38.839	10	52.261
8B	57	38.794	10	52.360
9B	57	38.334	10	53.201

#### 4.2 Læsø Trindel & Tønneberg Banke

**Habitat No. H168, Natura 2000 site No. 192 (EU Code: DK00VA249)**

Coordinates of the buffer zone which form the protection of the stone reefs (H1170):

Point	Latitude N		Longitude E	
	Degrees	Minutes	Degrees	Minutes
1S	57	25.045	11	6.757
2S	57	26.362	11	6.858
3S	57	27.224	11	9.239
4S	57	26.934	11	10.026
5S	57	27.611	11	10.938
6S	57	28.053	11	11.000
7S	57	28.184	11	11.547
8S	57	28.064	11	11.808
9S	57	28.843	11	13.844
10S	57	29.158	11	15.252
11S	57	29.164	11	16.861
12S	57	29.017	11	17.266
13S	57	29.080	11	17.597
14S	57	28.729	11	18.494
15S	57	28.486	11	18.037
16S	57	28.258	11	18.269
17S	57	27.950	11	18.239
18S	57	27.686	11	18.665
19S	57	27.577	11	18.691
20S	57	27.525	11	18.808
21S	57	27.452	11	18.837
22S	57	27.359	11	18.818
23S	57	26.793	11	17.929
24S	57	27.984	11	15.500
25S	57	27.676	11	14.758
26S	57	25.998	11	17.309
27S	57	25.946	11	17.488
28S	57	26.028	11	17.555
29S	57	26.060	11	17.819
30S	57	26.011	11	18.360
31S	57	25.874	11	18.666
32S	57	25.683	11	18.646
33S	57	25.417	11	18.524
34S	57	25.377	11	18.408
35S	57	25.330	11	18.039
36S	57	25.175	11	17.481
37S	57	24.928	11	17.579
38S	57	24.828	11	17.366
39S	57	24.891	11	17.049
40S	57	25.128	11	17.118

41S	57	25.249	11	16.721
42S	57	25.211	11	16.592
43S	57	25.265	11	16.162
44S	57	25.170	11	15.843
45S	57	25.245	11	15.562
46S	57	25.208	11	15.435
47S	57	25.278	11	15.083
48S	57	25.462	11	15.059
49S	57	25.517	11	15.007
50S	57	25.441	11	14.613
51S	57	25.610	11	14.340
52S	57	25.630	11	14.119
53S	57	25.629	11	13.827
54S	57	25.738	11	13.658
55S	57	25.610	11	13.392
56S	57	25.625	11	13.176
57S	57	25.933	11	12.379
58S	57	25.846	11	11.959
59S	57	25.482	11	12.956
60S	57	25.389	11	13.083
61S	57	25.221	11	13.212
62S	57	25.134	11	13.221
63S	57	25.031	11	13.077
64S	57	25.075	11	12.751
65S	57	24.817	11	12.907
66S	57	24.747	11	12.862
67S	57	24.616	11	13.229
68S	57	24.549	11	13.240
69S	57	24.347	11	13.093
70S	57	24.256	11	13.288
71S	57	24.145	11	13.306
72S	57	24.051	11	13.138
73S	57	23.818	11	13.360
74S	57	23.649	11	13.280
75S	57	23.553	11	13.260
76S	57	23.432	11	13.088
77S	57	23.416	11	12.861
78S	57	23.984	11	9.081
79S	57	25.045	11	6.757

### 4.3.Lysegrund

#### **Habitat No. H167, Natura 2000 site No. 207 (EU Code: DK00VA299)**

Coordinates of the buffer zone which form the protection of the stone reef (H1170):

Point	Latitude N		Longitude E	
	Degrees	Minutes	Degrees	Minutes
1S	56	19.367	11	46.017
2S	56	18.794	11	48.153
3S	56	17.625	11	48.541
4S	56	17.424	11	48.117
5S	56	17.864	11	47.554
6S	56	17.828	11	47.265
7S	56	17.552	11	47.523
8S	56	17.316	11	47.305
9S	56	17.134	11	47.260
10S	56	16.787	11	46.753
11S	56	16.462	11	46.085
12S	56	16.455	11	43.620
13S	56	17.354	11	42.671
14S	56	18.492	11	42.689
15S	56	18.950	11	41.823
16S	56	19.263	11	41.870
17S	56	19.802	11	40.939
18S	56	19.989	11	41.516
19S	56	18.967	11	43.600
20S	56	19.460	11	44.951
21S	56	19.367	11	46.017

Coordinates of the buffer zone which forms the protection zone of the bubbling reefs (H1180):

Point	Latitude N		Longitude E	
	Degrees	Minutes	Degrees	Minutes
1B	57	27.496	11	15.033
2B	57	25.988	11	17.323
3B	57	25.946	11	17.488
4B	57	25.417	11	18.524
5B	57	25.377	11	18.408
6B	57	25.346	11	18.172
7B	57	25.330	11	18.039
8B	57	25.175	11	17.481
9B	57	24.928	11	17.579

10B	57	24.828	11	17.366
11B	57	24.891	11	17.049
12B	57	25.128	11	17.118
13B	57	25.249	11	16.721
14B	57	25.211	11	16.592
15B	57	25.263	11	16.177
16B	57	25.170	11	15.843
17B	57	25.240	11	15.549
18B	57	26.861	11	15.517
19B	57	26.883	11	14.998
20B	57	27.496	11	15.033

Annex I: Copy of the Danish proposal for Fisheries Management Measures for the protection of reef structures (H1170 & H1180) in Natura 2000 sites located in the Danish part of the Kattegat (within 12 nautical miles)