Annual report

on the implementation of Council Regulation (EC) No 812/2004 – (Year 2009)

Member State: Poland

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Summary

The Incidental Catches of Cetaceans Monitoring Programme has been carried out in Poland since 2006 in order to implement the requirements of the Council Regulation No 812/2004 of 26 April 2004 on introducing fishing monitoring schemes with independent on-board observers.

In 2009, the Incidental Catches of Cetaceans Monitoring Programme was carried out by the Sea Fisheries Institute (SFI) with the assistance of independent observers – experts employed at the Sea Fisheries Institute (SFI) in Gdynia, on fishing vessels flying the Polish flag and with an overall length of 15 m or over, pursuant to Article 4 of the Regulation No 812/2004 and the provisions of Annex III.

The results presented in the report were obtained pursuant to the methodology from the Regulation (Article 4), during research programmes of the Sea Fisheries Institute in Gdynia. As independent observers, the SFI employees monitored catches during trips, checking in particular the presence of incidental catches of protected species. The results come from trips made under two scientific programmes, namely, the Incidental Catches of Cetaceans Monitoring Programme (the total of 139 days at sea) and the National Fishing Data Collection Programme (the total of 108 days at sea).As regards the trips under the National Fishing Data Collection Programme, the report includes the trips of vessels compliant with Article 4 of the Council Regulation No 812/2004.In case of areas where Polish vessels fish (ICES subareas III a, b, c, III d south of 59° N), paragraph 3E of Annex III to the Regulation requires to monitor pelagic trawls (single or pair) and paragraph 3G – bottom-set gillnet or entangling nets using mesh sizes equal to or greater than 80 mm (east of ICES subarea 24).

The works on-board and observations were carried out using the equipment purchased in 2006 for the purposes of the Incidental Catches of Cetaceans Monitoring Programme.

In 2009, the catches of 18 vessels in total were monitored.

ACOUSTIC DETERRENT DEVICES

1. General information - Article 2

Poland did not introduce any additional legislative measures concerning the use of pingers, apart from the measures stemming from the Council Regulation No 812/2004.

The obligations stemming from the Council Regulation No 812/2004 were carried out. In July 2008, Poland signed a contract with a company which supplied 500 AQUAmark AQATEC 100 pingers, with characteristics compliant with the specifications in Annex II to the Council Regulation 812/2004. The devices were transferred to the Regional Sea Fisheries Inspectorates in Szczecin, Słupsk and Gdynia, which distributed them among the fishermen using fishing vessels with an overall length of 12 m or more, in the areas and during the periods specified in Annex I to the Regulation No 812/2004.

1.1 Description of the fleet

Metier GNS	Fishing area	Total fishing effort						
		No. of vessels	% vessels using pingers	No. of trips	Days at sea	Months of operation	Total length of nets	Total soak time
COD	27.III.d.24	8	60	107	252	I-VIII	1055	Lack of data due to impossibility to generate them in an overall report.
FLE	27.III.d.24	11		11	158	I-VIII	1285	
FPP	27.III.d.24	1		3	4	VII-VIII	35	
PLE	27.III.d.24	6		27	80	I-VIII	251	
TRS	27.III.d.24	2		2	3	VII-VIII	6	
TUR	27.III.d.24	9		60	138	I-VIII	503	

2. Acoustic Deterrent Devices (Article 2 and 3)

2.1. Mitigation measures

Metier	Fishing area	Pinger characteristics	Other mitigation measures (optional information)
GNS	27.III.d.24	Digital signal synthesis; broadband signal, 145dB, 20-160 kHz, four-band sweep; high frequency harmonics, impulse duration 300 ms, interimpulse interval: 4-10 s, randomised;maximum distance between two acoustic deterrent devices in the net – 200 m, with one acoustic deterrent device on each end of the net or on the connected nets.	None

3. Monitoring and assessment

3.1. Monitoring and assessment of the effects of pinger use (Article 2.4)

In 2009, the Incidental Catches of Cetaceans Monitoring Programme was implemented by the Sea Fisheries Institute in Gdynia pursuant to the agreement with the Ministry of Agriculture and Rural Development of 27 March 2009.

In 2009, the Ministry of Agriculture and Rural Development financed the Incidental Catches of Cetaceans Observation Programme which was a complement to the Council Regulation No 812/2004 of 26 April 2004 with respect to pelagic trawls in the entire Baltic Sea and set-nets (nets) in subareas ICES 25 and 26 for vessels over 15 m.

From the beginning of implementation of the Incidental Catches of Cetaceans Monitoring Programme (i.e. since 2006), regardless of the time, place and the type of fishing tools used, there was no by-catch of any porpoise and porpoises were not present in the fishing area either.

3.2. Report on measures to control specifications when pingers are in use by fishermen (Article 2.4)

The information obtained from the Regional Sea Fisheries Inspectors shows that pingers are most often attached to the nets by snap-hooks upon setting up the nets in water. The process should take place during each fishing of a vessels with the overall length of over 12 m in ICES subarea 24.

During the controls, the inspectors must check whether the master of the vessel complies with the obligation to use such devices.

The control of the use of pingers takes place during checks of fishing vessels in the fishing grounds during the setting up and taking up of nets. During the controls of fishing vessels in harbours, inspectors check if deterrent devices are on the side of the vessel.

In 2009, the controls did not reveal a single case of the lack of pingers during fishing on the vessels obliged to use them.

3.3. Derogation

Poland has not authorised the temporary use of other acoustic deterrent devices than the devices compliant with the specifications defined in Annex II of the Regulation No 812/2004.

3.4. Overall assessment

There were negative opinions of the fishermen concerning the use of pingers, mainly related to the necessity of attaching and detaching them upon the net replacement. The size and weight of pingers are a source of certain problems (pingers may get caught in the feeding device transporting the nets from midship to the stern, wherefrom the net is set up into water, which may slow down the operation). Negative opinions of the fishermen with regard to the obligatory use of pingers are most often related to a relatively high price of those devices, if they are bought by individuals.

4. General information on implementation of Articles 4 and 5

In 2009, the Incidental Catches of Cetaceans Observation Programme was continued with the participation of independent observers on-board fishing vessels flying the Polish flag. The employees of the Sea Fisheries Institute took part in 62 trips on 18 different vessels. They spent a total of 247 days at sea, monitoring 130 days of fishing with nets and 117 days of fishing with pelagic trawls.

Table 1: Number of monitored fishing days by the type of fishing tool, vessel and fishing harbour; trips under the Incidental Catches of Cetaceans Observation Programme are marked yellow.

Vessel	Tools		Harbour
	nets	pelagic trawls	
Dar-45	29.5		Darłówko
Dzi-23	14.5		Władysławowo
Gdy-6		41	Gdynia, Hel
Hel-150		33	Hel
Koł-4		6	Kołobrzeg
Koł-77		3	Kołobrzeg
Koł-121		9	Kołobrzeg
Koł-178		3	Kołobrzeg
Koł-180		7	Kołobrzeg
Koł-185		13	Kołobrzeg
Ust-121	5		Ustka
Wła-57	39		Władysławowo
Wła-57	14		Władysławowo
Wła-65	2		Darłówko

Wła-112	26		Władysławowo
Wła-310		1	Władysławowo
Wła-312		1	Władysławowo
TOTAL	**130**	**117**	

Annex I presents the report of the Sea Fisheries Institute in Gdynia on the implementation of the Incidental Catches of Cetaceans Observation Programme in 2009.

5. Monitoring

5.1. Description of fishing effort and the influence of observers during the use of pelagic trawls.

Pursuant to Point 3E of Appendix III to Regulation 812/2006, pelagic trawls (single ones or pairs) should be monitored in the whole Baltic. In 2009, Polish vessels over 15 m have fished with pelagic trawls for the total of 5,606 days in the sea during fishing trips in subareas ICES 23-29 (data as at 24.11.2009). Trips have been monitored in subareas 25 and 26, where about 85% of all fishing with pelagic trawls takes place. In one of the trips, part of the hauls was carried out in sub-area ICES 24. During the 23 days monitored under ICCMP trips, 44 hauls were executed; they lasted on average 10h 38'.

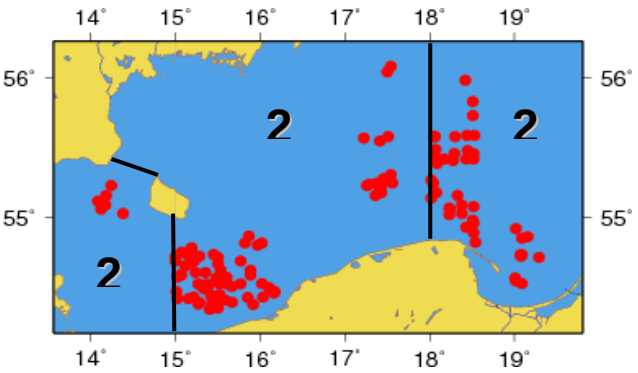

Fig. 1. Locations of executing monitored fishing with pelagic trawls in 2009.

5.2. Description of fishing effort and the influence of observers during the use of nets.

In 2009, fishing with nets was monitored in subareas ICES 25 and 26. In the conditions prevailing in south Baltic, fishing with nets is used mainly for catching cod. 130 days of trips during net fishing were monitored. This constituted on average 21% of the fishing effort in both ICES subareas. During this period, 524 set-outs of nets have been carried out (one of them has not been taken up due to engine failure). In case of 523 hauls monitored in detail, information on the length of nets and their soak in the sea was collected. All nets had mesh size of 110 mm. All together, during the 130 days of fishing, nets stayed in water for 12 thousand hours, which corresponds to 27.9 thou km x hours.

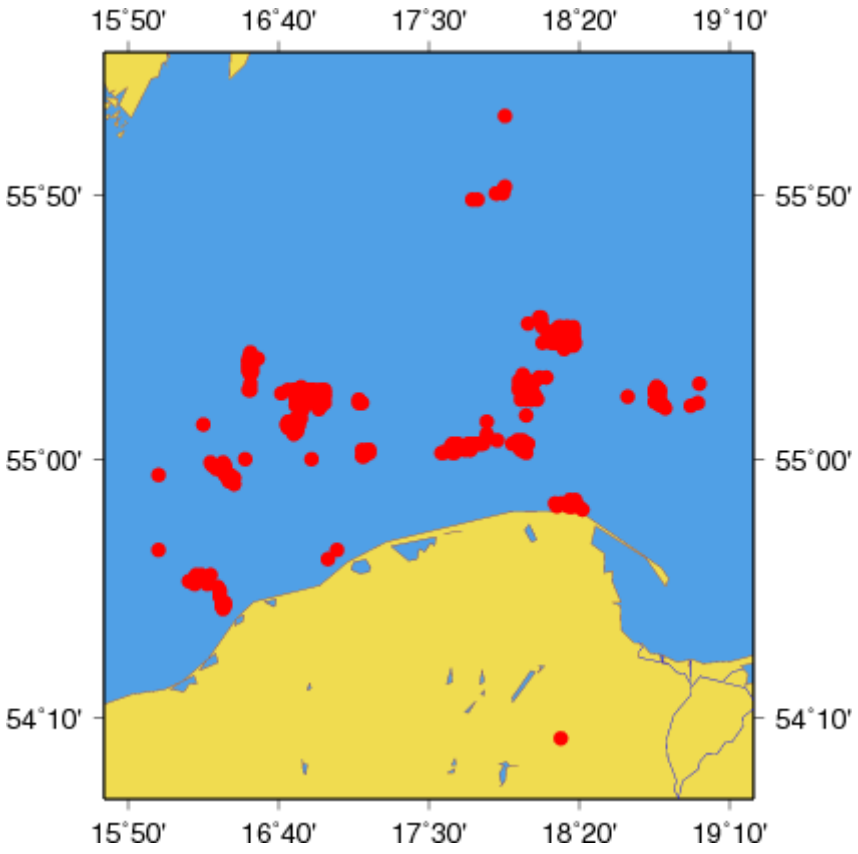

Fig. 2. Places of net setting which have been monitored in 2009. The colour green marks places where twaid shad was caught; the area where accidental presence of birds in nets has been noted is surrounded by a blue contour.

Table 2. Percentages of net fishing monitored in 2009 in relation to all net fishing (fishing days from trips carried out simultaneously in subareas 25 and 26 are divided equally between both the subareas).

Sub-area	Fishing days	Monitoring days	Percentage of monitored fishing
25	421	69	16%
26	204	61	30%
TOTAL	**625**	**130**	**21%**

During the 130 days of monitored trips, observers collected data which allowed estimation of the actual fishing effort understood as the product of the length of nets and the time of their stay in water. During this period, 524 set-outs of nets have been carried out (one of them has not been taken up due to engine failure, and has been excluded from further analyses), which gives about 6 per day, independently of the fishing location.

Table 3. Number of hauls during monitored trips by subareas

Sub-area	Fishing days	Number of monitored hauls	No of hauls /day
25	69	266	3.86
26	61	257	4.21
TOTAL	**130**	**523**	**4,32**

In case of 523 hauls monitored in detail, information on the length of nets and their soak in the sea was collected – Table 4. All nets had mesh size of 110 mm.

Table 4. Length of single net sets and duration of their stay in water (soak) during fishing

Length [km]	Average	2.32
	Minimum	1.10
	Maximum	6.60
Soak time [h]	Average	22.9
	Minimum	7.5
	Maximum	54.5

Altogether, during the 130 days of fishing, nets stayed in water for 12 thousand hours. After recalculating, the whole of fishing with nets by vessels over 15 m in length in 2009 will amount to not less than 144.1 thousand km x hours (according to the data as at 24.11.2009) – assuming that the monitored vessels were of average sizes.

6. By-catch evaluation

During the implementation of the Incidental Catches of Cetaceans Monitoring Programme, there was no instance of a cetacean or any other protected species getting entangled in nets (pelagic trawls) during any of the trips. During the 121 days of net fishing, no mammal was caught in the nets.

6.1. By-catch by fleet segments and major species

During the monitored days of fishing, no mammal was caught in the nets.

On 22 October 2009, in the location marked in Fig. 1 (square 37G6), twaid shad *Alosa fallax* was caught (length of about 35 cm). During the two monitored trips at the end of November and the beginning of December, when nets were set close to the coast (the area marked in Fig. 1, square 37G8), a total of 62 birds were caught, with long-tailed ducks *Clangula hyemalis* prevailing – 55 birds. Other birds included common murres *Uria aalgae* (4), velvet scoters *Melanitta fusca* (2) and

common eiders *Somateria mollissima* (1). Hauls made near the coast represented a small percentage of all fishing (15 hauls at depths between 12 and 20 m), while the other 508 hauls have been made at depths exceeding 20 m (almost 70 m on average, maximum 89 m).

6.2. By-catch reporting

N/A

7. Discussion

The Incidental Catches of Cetaceans Monitoring Programme may be continued mainly with respect to vessels fishing with set-nets, since they are considered the reason behind the highest number of deaths of mammals and birds in the Baltic Sea. Yet, our results for 2008 and 2009 contradict the thesis with respect to set-nets used at depths exceeding 20 m (no mammals or birds were discovered during observations).

8. Conclusions

The knowledge gathered over the recent years (reports on implementation of Incidental Catches of Cetaceans Monitoring Programmes in 2008-2009) shows that fishing with nets by vessels of length over 15 m that is carried out far from the coast (at depths over 20 m) does not pose a threat either to porpoises or to sea birds. The data collected are not representative for nets set at smaller depths.

It should be emphasised that since the beginning of implementation of the Incidental Catches of Cetaceans Monitoring Programme (i.e. since 2006), regardless of the time, place and the type of fishing tools used, there was no by-catch of any porpoise, they were also not present in the fishing area.

In 2009, the Ministry of Agriculture and Rural Development financed the Incidental Catches of Cetaceans Observation Programme which was a complement to Council Regulation No

812/2004 of 26 April 2004 with respect to pelagic trawls in the entire Baltic and set-nets (nets) in subareas ICES 25 and 26 for vessels over 15 m.

As the Incidental Catches of Cetaceans Monitoring Programme is restricted to vessels over 15 m, during its implementation only about 100 fishing days per year meet that criterion, mainly trips of vessels fishing with pelagic trawls.

In 2009, most of the data on fishing with nets (90%) presented in this report came from observations dedicated to evaluation of by-catch.

It should be emphasised that since the beginning of implementation of the Incidental Catches of Cetaceans Monitoring Programme (i.e. since 2006), regardless of the time, place and the type of fishing tools used, **there was no by-catch of any porpoise**.

Evaluating the needs of Polish fishery based on our own experience, but also drawing conclusions from reports by various bodies and discussion forums (European Commission, ICES, HELCOM), we concluded that the Incidental Catches of Cetaceans Monitoring Programme may be continued mainly with respect to vessels fishing with set-nets, since they are considered the reason behind the highest number of deaths of mammals and birds in the Baltic Sea. Yet, our results for 2008 and 2009 contradict the thesis with respect to set-nets used at depths exceeding 20 m (no mammals or birds were discovered during observations from over 150 fishing days).

9. Appendices

1. Report of the Sea Fisheries Institute in Gdynia on the implementation of the Incidental Catches of Cetaceans Monitoring Programme in 2009.