

Agenda Item 2

Review of New Information on Threats and
Other Issues Relevant to Small Cetaceans

Document NR 4

**2020 Annual National Report:
Germany**

Action Requested

- Take note
- Comment

Submitted by

Germany



ASCOBANS

2020 ASCOBANS National Report

The deadline for the submission of National Reports is **31 March 2021**.

As outlined in ASCOBANS Resolution 8.1 (Rev.MOP9) National Reporting, this form will cover the year 2020 (Year 1), and the following topics included in the Annex to the Resolution, in addition to the standard Sections I (General Information) and VII (Other Matters):

- Noise (impulsive i.e. piling and continuous/ambient i.e. shipping) (Section II B3)
- Ocean Energy (Section II B4)
- Unexploded Ordnance (Section II C8)
- Marine Spatial Planning (Section II D15)

The national reports submitted will inform discussions at the 26th Meeting of the ASCOBANS Advisory Committee (8-12 November 2021).

- All questions apply to the reporting period of 1 January - 31 December 2020.
- Region in the tables refers to the sub-regions as defined by the HELCOM and OSPAR, and Areas refers to the sub-areas as defined by ICES. An overview and maps of these can be found in **Annex A**. Species can be chosen from the list provided, based on ASCOBANS species list, see **Annex B**.
- Throughout the form, please include relevant web links where applicable.

Where possible, National Coordinators should consult with, or delegate to, experts for particular topics so as to ease the reporting burden. The Secretariat has provided a list of potential country contacts as a starting point. Once the baseline information is in place, it should become easier to update in the future.

For any questions, please do not hesitate to contact the Secretariat: ascobans.secretariat@ascobans.org.

High-level Summary of Key Messages

In your country, for 2020 (Year 1), what does this report reveal about:

The most successful aspects of implementation of the Agreement?(List up to five items)

>>> In particular the interest and participation of the European Commission (DG Environment and DG Mare) in ASCOBANS events in 2020 should be acknowledged.

The greatest challenges in implementing the Agreement? (List up to five items)

>>> Still the reduction of bycatch is under the most important issues.

The main priorities for future implementation of the Agreement? (List up to five items)

>>> Implementation of the results of the MOP 2020.

I. General Information

A. Country Information

Name of Party / Non-Party Range State:

>>> Germany

Details of the Report Compiler

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Function:

>>> German Focal Point of ASCOBANS

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Does the Report Compiler act as ASCOBANS National Coordinator (i.e. focal point)?

Yes

Details of contributor(s)

Please provide the following details per contributor:

Topic(s) contributed to, Name, Function, Organization, Postal Address, Telephone, and Email.

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II. Habitat Conservation and Management (threats and pressures on cetaceans)

B. Disturbance (incl. potential physical impacts)

3. Noise (impulsive i.e. piling and continuous/ambient i.e. shipping)

AIM: to illustrate progress on understanding, monitoring and mitigating negative effects on small cetaceans from underwater noise during the reporting period.

Relevant Resolutions: 9.2, 9.1, 8.11 (Rev.MOP9), 8.9, 8.6, 8.4 (Rev.MOP9), 8.3, 7.1, 6.2, 6.1

Small cetaceans are especially susceptible to underwater noise due to their high responsiveness to sound and wide hearing range. Good environmental status, as defined by the European Union, suggests that the introduction of energy, including underwater noise, is at levels that do not adversely affect the marine environment. Anthropogenic noise pollution has generally increased in recent times and generates a broad range of frequencies due to a wide variety of human activities. Impulsive and continuous noise present different impacts on small cetaceans, which include communicative masking, behavioural response and physiological injury. Noise in marine environments potentially impedes communication, affects distribution and hence feeding and reproduction of small cetaceans. Studies show that not only cetaceans but also fish and other marine life may be negatively impacted by anthropogenic noise.

Parties to ASCOBANS have agreed on implementation of measures through a number of resolutions that (1) highlight the potential impact that noise pollution may have on small cetaceans in the Agreement Area and (2) commit to reduce the pressure presented by underwater noise. The Agreement Area requires improved monitoring, collation of data, and consideration of appropriate mitigation measures.

To better understand the extent to which noise negatively impacts the health of small cetaceans, and to learn about new work relevant to the topic, countries are requested to provide related information.

3.1. To which noise registers/databases has your country contributed to date?

ICES Impulsive Noise Register (for HELCOM and OSPAR Parties)

Yes

National Registry

Yes, please specify (e.g. JNCC noise registry):

>>> German Noise Registry at BSH, Available under: <https://marinears.bsh.de>

Contact: marinears@bsh.de

Other

No

3.2. Any instances/issues in the reporting period including information on planned or completed significant developments/activities, including the details of monitoring in place before, during and after the project.

If you selected 'Yes', please provide details in **this table** - download and then attach it using the blue 'link' button below.

Yes. Please provide details in the table.

You have attached the following documents to this answer.

[Sec-II B_3.2_0.xlsx](#) - Table Section 3.2

3.5. Is the perceived level of pressure from underwater noise in your country increasing, decreasing, staying the same or unknown?

Increasing

Decreasing

4. Ocean Energy

AIM: to understand the extent and development of current and planned ocean energy projects, and progress in monitoring and mitigation of their negative effects on small cetaceans during the reporting period.

Relevant Resolutions: 8.11 (Rev.MOP9), 8.9, 8.6, 8.3, 6.2

Renewable energy is a necessary component of the efforts to supply the energy needs of human populations while combatting climate change. Efforts to harness renewable energy sources, however, should be conducted in a way that does not have a harmful impact on biological diversity and the marine environment. There are potential adverse effects of ocean energy on small cetaceans from such energy

projects. In regard to small cetaceans, this can include potential lethal interactions or injury, negative behavioural impacts from displacement and changes in fecundity, calf survival and juvenile and adult mortality. There remains uncertainty regarding quantifying the (magnitude of the) pressure from ocean energy production on small cetaceans.

Parties to ASCOBANS have agreed to introduce precautionary measures and procedures for activities surrounding the development of renewable energy in marine environments in order to minimise and mitigate possible effects on small cetaceans, by following best practices. Parties have committed to investigating such pressures and robustly monitoring and mitigating them through environmental impact assessments. Addressing all aspects relevant to the conservation of protected species in regard to ocean energy and collaboration with other organizations working on or potentially interested in the issue is to the benefit of small cetaceans in the Agreement Area.

It is of particular interest to ASCOBANS to understand current and ongoing renewable energy projects in the Agreement Area, mitigation measures and procedures in use and other work relevant to the topic. Countries are requested to provide information relevant to their activities.

4.1. Were there any new wind energy farms in development/construction during the reporting period?

If you select 'Yes', please provide details in **this table** - download and then attach it using the blue link button below.

No

4.2. Were there any new wave power installations in development/construction during the reporting period?

If you select 'Yes', please provide details in **this table** - download and then attach it using the blue 'link' button below.

No

4.3. Were there any new tidal energy installations in development/construction during the reporting period?

If you select 'Yes', please provide details in **this table** - download and then attach it using the blue 'link' button below.

No

4.4. Were there any new tidal lagoon/barrage installations in development/construction during the reporting period?

If you select 'Yes', please provide details in **this table** - download and then attach it using the blue 'link' button below.

No

4.5. Has there been any other instances/issues related to ocean energy during the reporting period in your country?

No

4.8. Mark the perceived level of pressure from ocean energy in your country in the table below.

For example, active construction of new developments could increase the pressure, while decommissioning or addition of mitigation measures to pre-existing projects could decrease the pressure.

	1. Status relative to previous years [Increasing, Decreasing, Staying the same, Unknown, Not Applicable]	2. Nature of the evidence
Tidal lagoon/barrage	Not Applicable	
Tidal energy	Not Applicable	
Wave power	Not Applicable	
Wind energy	decreasing	BSH (decreasing) No construction works in 2020 SH: (Increasing) Due to the (generally) increasing number of activities and ongoing pressures

C. Habitat Change and Degradation (incl. potential physical impacts)

8. Unexploded Ordnance

AIM: to provide information on the mitigation, management and potential negative impacts of unexploded ordnance on small cetaceans during the reporting period.

Relevant Resolutions: 8.11 (Rev.MOP9), 8.9, 8.8, 8.3

Unexploded chemical and conventional munitions present a threat to small cetaceans. Hazards exist from unexploded munitions, which release chronic contaminants, and upon detonation, which is physically hazardous from extreme underwater noise and a sudden release of toxic substances. Unexploded ordnance is a notable threat in many areas, such as the Baltic Sea, where the quantity is unknown, though estimates are high. Information on disposal, state of corrosion and quantities of dumped munition is limited, as are meaningful data on the measured environmental impacts. The significance of this pressure's impact on small cetaceans requires further quantification. However, it is clear that mitigation measures are necessary to support alternatives to detonations, and when no alternative is feasible, to reduce negative impacts on small cetaceans.

In the ASCOBANS Area, millions of tons of unexploded ordnance are present in the marine environment and thousands of sea users, such as fishermen, encounter such munitions every year. Parties have agreed on resolutions to support (1) research investigating the pressure on marine animals and habitat and (2) mitigation measures regarding effects of disintegrating submerged munitions on the marine environment. Parties are to strive towards providing relevant information to required bodies and supporting efforts to address the negative implications from this pressure in other regional and international organizations and waters.

8.1. To which registers/databases covering conventional and chemical munitions has your country contributed to date?

Respondents may select multiple options.

OSPAR

HELCOM

Other, please state:

>>> Other, please state:

https://www.schleswig-holstein.de/DE/UXO/Partner/partner_Meldestelle.html;

<https://underwaternoise.ices.dk/impulsive/webservices.asp>

8.3. Have there been any other instances/issues related to the issue of unexploded ordnance during the reporting period in your country?

Yes

8.6. Is the perceived level of pressure from unexploded ordnance in your country increasing, decreasing, staying the same, or unknown?

Not Applicable. Comments:

>>> Comments: As a result of the corona crisis, less blastings were carried out in 2020 in the territorial waters of Schleswig-Holstein.

ITAW points out that the pressure increases in relation to the whole area which comprises both the German territorial waters and the EEZ

D. Management of Cumulative Impacts

15. Marine Spatial Planning

AIM: to provide information on existing and proposed marine spatial plans and processes during the reporting period that may impact small cetaceans.

Relevant Resolutions 9.1, 8.9, 8.6, 8.3

A growing demand for use of maritime space increases pressure on ecosystems and marine resources. Marine ecosystems with good environmental status provide notable benefits to a number of economic outputs. Implementation of an integrated spatial planning and management approach can better mitigate negative impacts from maritime activities on marine environments. Spatial planning can support sustainable marine development through coordinated, coherent and transparent decision-making and the encouragement and identification of multi-purpose uses in relevant projects. Marine spatial planning is essential when selecting the most appropriate siting for marine-based projects. Particular attention should be given to critical habitat and relevant species, such as small cetaceans, in order to achieve good environmental status.

ASCOBANS Parties have agreed on a number of resolutions that support the integration of marine spatial planning into development processes. Small cetaceans benefit from good marine spatial planning and this is highlighted in the resolutions. Countries are requested to provide information relevant to their country in this regard.

15.1. Please provide information in regard to current and foreseen marine spatial planning.

National plan(s) and processes in force:

>>> 1. Maritime Spatial Planning of the EEZ (North- and Baltic Seas) – periodic update, consultation phase started 2020

2. Federal State of Schleswig-Holstein:

Landesentwicklungsplan Schleswig-Holstein (being reviewed) will contain a section about coastal waters, the National Park Wadden Sea SH is part of the areas of priority for nature protection.

Landesentwicklungsplan Schleswig-Holstein (being reviewed) transfers the determination of more areas of priority for nature protection (for example SACs and SPAs) to the regional planning level (Regionalpläne).

http://www.schleswig-holstein.de/DE/Fachinhalte/L/landesplanung_raumordnung/raumordnungsplaene/landesentwicklungsplan/neue_r_landesentwicklungsplan.html

3. State Development Plan Mecklenburg Vorpommern (2016) : <http://www.regierung-mv.de/Landesregierung/em/Raumordnung/Landesraumentwicklungsprogramm>

4. State Development Niedersachsen (2017):

http://www.ml.niedersachsen.de/themen/raumordnung_landesplanung/landesraumordnungsprogramm/landes-raumordnungsprogramm-niedersachsen-5062.html

Further information regarding national plans, including links to online resources and maps where available:

>>> The first periodic update of the Maritime Spatial Planning (ROP) of the German EEZ in the North and Baltic (2009) started consultation of a draft plan in 2020. The final update is scheduled for 2021. Results of the Strategic Environmental Assessment are included in the Environmental Report, which is also part of the consultation procedure.

https://www.bsh.de/EN/TOPICS/Offshore/Maritime_spatial_planning/maritime_spatial_planning_node.html

In 2020 a periodic update of the Site Development Plan for offshore Wind Energy in the German EEZ of the North and Baltic Sea was published:

https://www.bsh.de/EN/TOPICS/Offshore/Sectoral_planning/sectoral_planning_node.html

Federal States:

<https://www.bolapla-sh.de/verfahren/bf4796a7-f729-11ea-a85e-0050569710bc/public/detail#procedureDetailsDocumentlist>

http://www.schleswig-holstein.de/DE/Fachinhalte/L/landesplanung_raumordnung/raumordnungsplaene/landesentwicklungsplan/neue_r_landesentwicklungsplan.html

Within the 12sm zone, the Federal State of Lower Saxony is competent for spatial planning and the “Landes-Raumordnungsprogramm(LROP)” applies (also includes regulation on cable corridors within the Lower Saxon Wadden Sea National Park). For further information:

https://www.ml.niedersachsen.de/startseite/themen/raumordnung_landesplanung/landes_raumordnungsprogramm/neubekanntmachung-der-lrop-verordnung-2017-158596.html

State Development Plan Mecklenburg Vorpommern (2016) : <http://www.regierung-mv.de/Landesregierung/em/Raumordnung/Landesraumentwicklungsprogramm>

State Development Niedersachsen (2017):

http://www.ml.niedersachsen.de/themen/raumordnung_landesplanung/landesraumordnungsprogramm/landes-raumordnungsprogramm-niedersachsen-5062.html

http://www.schleswig-holstein.de/DE/Fachinhalte/L/landesplanung_raumordnung/raumordnungsplaene/landesentwicklungsplan/neue_r_landesentwicklungsplan.html

State Development Niedersachsen (2017):

http://www.ml.niedersachsen.de/themen/raumordnung_landesplanung/landesraumordnungsprogramm/landes-raumordnungsprogramm-niedersachsen-5062.html

http://www.schleswig-holstein.de/DE/Fachinhalte/L/landesplanung_raumordnung/raumordnungsplaene/landesentwicklungsplan/neue_r_landesentwicklungsplan.html

Transboundary plan(s) and processes in force:

>>> The BSH has been a partner in European projects on maritime spatial planning since 2009. The projects in both maritime regions are aiming at better coordination and harmonization of maritime planning processes. The main topics are energy, shipping and the environment.

In the North Sea region, with the exception of Denmark, all neighbouring countries have already prepared and approved maritime spatial plans - with varying degrees of detail, focus or legal obligation. In the Baltic Sea region, Lithuania, in addition to Germany, has so far established a valid spatial planning plan which also covers the maritime areas. Other countries are at different stages of the planning process.

Within the European Union the member states have the competence for spatial planning, therefore appropriate measures for cross-border maritime spatial planning is an issue of the member states too. They are supported in this by the expert group on maritime spatial planning of all member states, which regularly exchanges information, and, furthermore, by the so-called MSP platform on the Internet.

With the Helsinki Commission Baltic Marine Environment Protection Commission (HELCOM) and the Oslo-Paris Convention (OSPAR), there are, in addition to the competent national authorities, intergovernmental structures that pursue objectives for the entire Baltic Sea and North Sea that require cross-border coordination. HELCOM, an intergovernmental institution for the protection of the marine environment in the Baltic Sea region, aims to further expand cross-sectoral cooperation in areas such as maritime transport, maritime spatial planning and integrated coastal zone management by 2020 and to further promote the

implementation of the ecosystem approach.

https://www.bsh.de/EN/TOPICS/Offshore/Maritime_spatial_planning/International_spatial_planning/international_spatial_planning_node.html

Transboundary plan(s) and processes in preparation:

>>> /

Further information regarding transboundary plans, including links to online resources and maps where available:

>>> A number of projects focussing on transboundary cooperation on maritime spatial planning with participation of BSH are listed below:

Interreg-Projekt Baltic LINes

(Duration January 2016 to February 2019)

Interreg-Projekt NorthSEE

(Duration January 2016 to July 2019)

DG Mare Projekt PanBaltic SCOPE

(Duration January 2018 to December 2019)

DG Mare Projekt SEANSE

(Laufzeit Februar 2018 bis Februar 2020)

BaltSeaPlan

(Duration 2009 to 2012)

PartiSEApate

(Duration 2012 to 2014)

Baltic SCOPE

(Duration 2015 to 2017)

15.2. Have there been any other instances/issues in your country regarding marine spatial planning during the reporting period.

Yes

Provide provide details:

Provide provide details:

>>> In 2020 a great effort took place on the Strategic Environmental Assessment for the periodic update of MSP for the German EEZ. Both drafts of MSP-plan and Environmental Report have been open to consultation. The first consultation phase was finished in December 2020.

15.3. Relevant new research/work/collaboration on marine spatial planning in your country.

List initiatives/projects (incl. PhD, MSc); publications (reports, theses, papers in journals, books) from any study; web links to other relevant information.

>>> Nachtsheim, D. A., Viquerat, S., Unger, B., Ramírez-Martínez, N. C., Siebert, U., & Gilles, A. (2020). "Small cetacean in a human high-use area: Trends in harbour porpoise abundance in the North Sea over two decades," *Frontiers in Marine Science* 7: 1135. <https://doi.org/10.3389/fmars.2020.606609>

BfN 2020: Naturschutzfachlicher Planungsbeitrag des Bundesamtes für Naturschutz zur Fortschreibung der Raumordnungspläne für die deutsche Ausschließliche Wirtschaftszone in der Nord- und Ostsee

https://www.bfn.de/fileadmin/BfN/meeresundkuestenschutz/Dokumente/2020-08-14_Naturschutzfachlicher-Planungsbeitrag-Fortschreibung.pdf

VII. Other Matters

A. Other information or comments important for the Agreement.

Opportunity to include other information relevant to the topics covered in this form but which are missing.
>>> No further information.

B. Difficulties in implementing the Agreement.

>>> No difficulties.

C. Burning Issues.

>>> No burning issues.