

10051 5<sup>th</sup> Street N., Suite 105 St. Petersburg, FL 33702 USA Tel: (727) 563-9070 Fax: (727) 563-0207 Email: mrag.americas@mragamericas.com

President: Andrew A. Rosenberg, Ph.D.

## Schleswig-Holstein blue shell mussel fishery

## First MSC Surveillance Report

Prepared for the Erzeugerorganisation Schleswig-Holsteinischer Muschelfischer e.V.

Certificate No: MRAG-F-0072

MRAG Americas, Inc. May 2018

Authors: Amanda Stern-Pirlot and Julian Addison

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# 1. General Information

| Fishery name                | Schleswig-Holstein blue shell mussel |              |   |   |                                |  |
|-----------------------------|--------------------------------------|--------------|---|---|--------------------------------|--|
| Unit(s) of assessment       | Species                              |              | Blue mussel, <i>Mytilus edulis</i>                          |   |                                |  |
|                             | Geographical range                   |              | ICES IVb – in the Schleswig-Holstein part of the Wadden Sea |   |                                |  |
|                             | Method<br>of<br>capture              | UoA<br>1     | 0   | Dredging for wild seed, which is then relaye<br>on culture plots and harvested by dredge<br>when grown. |                                |  |
|                             |                                      | UoA<br>2     | se<br>w   | ettlement su<br>hich are the  | bstrata for la<br>n transferre | e deployed as<br>arval mussels,<br>d to culture plots<br>when grown. |
|                             | Client gr                            | Client group |   |   | nisation Scl<br>r Muschelzü    | -  |
|                             | Other eligible<br>fishers            |              | None  |   |                                |  |
| Date certified              | 24 October                           | 2016         |   | Date of ex  | piry                           | 23 October 2021  |
| Surveillance level and type | Surveillance<br>details.             | e level 2    | , O   | n-site surve  | illance audit                  | . See Appendix 5 for   |
| Date of surveillance audit  | 5 March, 20                          | 18           |   |   |                                |  |
| Surveillance stage (tick    | 1st Surveillance                     |              |   | Х   |                                |  |
| one)                        | 2nd Surveillance                     |              |   |   |                                |  |
|                             | 3rd Surveillance                     |              |   |   |                                |  |
|                             | 4th Surveillance                     |              |   |   |                                |  |
|                             | Other (expe                          | edited et    | c.)   |   |                                |  |
| Surveillance team           | Lead asses<br>(offsite)              | sor: Am      | and   | la Stern-Pirl   | ot; Assesso                    | or(s): Julian Addison  |
| CAB name                    | MRAG Americas, Inc.                  |              |   |   |                                |  |
| CAB contact details         | Address                              |              | 10051 5 <sup>th</sup> S<br>St. Peterst<br>33207<br>USA      | St N, Suite 105<br>burg, FL   |                                |  |
|                             | Phone/Fax                            |              | +1 727-563-9070   |   | 3-9070                         |  |
|                             | Email                                |              |   |   | certification@mragamercias.com |  |

|                        | Contact name(s) | Amanda Stern-Pirlot   |
|------------------------|-----------------|---|
| Client contact details | Address         | Erzeugerorganisation<br>Schleswig-Holsteinischer<br>Muschelfischer e.V.<br>Hülltoftweg 41<br>D-25927 Neukirchen |
|                        | Phone/Fax       | + 31 653144554  |
|                        | Email           | simon@syltermuscheln.de   |
|                        | Contact name(s) | Simon Leuschel  |

## 2. Background

This report contains the findings of the **first** surveillance cycle in relation to the Schleswig-Holstein blue shell mussel fishery.

The clients' responses to the Conditions of Certification were set out in the Client Action Plan (CAP), which were appended to the Public Certification Report (PCR).

Progress associated with the actions set forth in the CAPs was examined as a part of this surveillance audit. For each Condition, the report sets out progress to date. This progress has been evaluated by MRAG Americas Audit Team (set out below as 'Progress on condition') against the annual milestones laid out in relation to in the CAPs. This assessment includes a re-evaluation of the scoring allocated to the relevant Performance Indicators (PIs) in the original MSC assessment under 'Status of condition' in each of Tables 3-5, below. Where the requirements of a Condition are met, the PI is re-scored at 80 or more and the Condition is "closed". For newly closed conditions, Appendix 1 contains a rescoring evaluation table. For this surveillance, none of the PIs were rescored, thus Appendix 1 does not apply.

### Update on the fishery since the fishery certification

#### Target stocks update

The original assessment team for this fishery determined in relation to Principle 1, that the fishery does not have an impact on the target stock and does not involve translocation (which is not permitted), hence Principle 1 was not scored. These circumstances remain the case as of the first surveillance audit, therefore there is no update provided on fishery impacts to the target mussel stocks. This fishery continues to meet all the MSC scope requirements for enhanced fisheries.

#### Ecosystem update

There was one initial condition of certification pertaining to Principle 2 for Performance Indicator 2.4.1 on the potential impact of the fishery on sub-tidal mussel beds which has been addressed by restricting mussel dredging and seed collection activities within the Framework Agreement (see results section for further details).

Regarding minor species, assessed in the original assessment using the RBF, logbook records continue to be collected, reporting on catches of incidental species such as starfish and crabs, which are extremely minimal (see example in Appendix 3). The major component of non-target catch is mussel shells and other stones/rubble.

In August, 2017, WWF Germany issued a study "Muschelbaenke in der Unterwasserweld des Wattenmeeres, Erkenntnisse zu Miesmuscheln in Sublitoral" which provides a good overview of the

state of information about the historical and current situation regarding mussel banks and their role in the Wadden Sea ecosystem in both sub- and intertidal areas (WWF 2017). This document includes some comparison with mussel beds in areas in the littoral and subtidal zone that have been protected in the neigh boring state of Niedersachsen. It mentions that some of these subtidal areas in the Wadden Sea National Park will now be protected from fishing under the new Framework Agreement and thus it will be possible to see if mussel banks in these waters return to what they may have been prior to mussel fishing. In conjunction with the new regulations implemented under the Framework Agreement, this study will therefore provide additional information to enable an assessment of whether the seed mussel fishery impacts the extent and persistence of sub-tidal mussel beds.

#### Potential or actual changes to the management system

The only substantial change in the management system since the fishery was certified has been the implementation of the "Framework Agreement" (Eckpunktevereinbarung zur Miesmus chelkulturwirtschaft im Nationalpark Schleswig-Holsteinisches Wattenmeer) which sets out arrangements for the sustainable management of the mussel fishery in the Wadden Sea National Park. This agreement has been made between the German state of Schleswig-Holstein, the mussel fishing industry association, and several nature protection groups, including WWF Germany. The agreement has now been implemented (as required by the three conditions of certification) and the fishery has completed one season under this management framework. The Framework Agreement is a comprehensive addition to the existing mussel fishery regulations, and is initially in place for fifteen years. Its terms address three particular areas where conditions were raised in the initial certification and progress on these as laid out in the Framework Agreement and operationalized during the first year of fishing under this agreement, is reported in the Results section below.

The implementation of the Framework Agreement is subject to annual review. The meeting to discuss the first year's implementation took place on the 26<sup>th</sup> March 2018.

#### Changes or additions/deletions to regulations.

As noted above, the "Framework Agreement" is now in place. Apart from this there have been no changes in the regulations affecting the fishery.

# Personnel changes in science, management or industry to evaluate impact on the management of the fishery.

There have been no changes in personnel, administrative or institutional arrangements since the fishery was certified.

#### Potential changes to the scientific base of information, including stock assessments.

One of the provisions of the Framework Agreement is that the mussel fishermen have agreed to limit their collection of spat to certain areas within the fishing grounds, whereas before this was not restricted. Reports from the fishery in the 2017 season were that some of these agreed areas were not as productive for spat collection as hoped.

#### Monitoring, Control and Surveillance Update

There were no official sanctions issued in the mussel fishery in the past year. There was one incident reported and a warning letter issued to the mussel fishermen's association (client for this certification) for apparent deliberate disturbance of Eider ducks near one of the spat collectors. Eider ducks are a protected species within the national park and are known to prey upon mussel spat. The nature of the observed disturbance was documented in the letter and it was noted that if there were any recurrence of this activity an official hearing per regulatory procedure would take place. The assessment team will monitor this situation through future surveillance audits.

#### **Traceability Update**

There have been no changes since certification affecting the traceability requirements for this fishery.

#### Table 1. TAC and Catch Data

| TAC                | Year                   | 2017     | Amount     | N/A                   |
|--------------------|------------------------|----------|------------|-----------------------|
| UoA share of TAC   | Year                   | 2017     | Amount     | N/A                   |
| UoC share of TAC   | Year                   | 2017     | Amount     | N/A                   |
|                    | Year (most recent)     | 2017     | 017 Amount | 14,439t (culture plot |
| Total green weight | real (most recent)     | 2017     |            | harvest)              |
| catch by UoC       | VUoC Year (second most | 2016 Amo | Amount     | 3.427t (culture plot  |
|                    | recent)                |          | Amount     | harvest)              |

This fishery does not operate with a TAC

#### Table 2a. Summary of Assessment Conditions

| Condition<br>number | Performance<br>indicator (PI) | Status    | PI original<br>score | PI revised<br>score |
|---------------------|-------------------------------|-----------|----------------------|---------------------|
| 1                   | 2.4.1                         | On target | 70                   | N/A                 |
| 2                   | 3.1.2                         | On target | 75                   | N/A                 |
| 3                   | 3.2.2                         | On target | 65                   | N/A                 |

## **3. Assessment Process**

The surveillance audit process as defined in the MSC Fishery Certification Requirements version 2.0 was followed in this audit.

Information supplied by the clients and management agencies was reviewed by the assessment team ahead of the onsite meeting, and discussions with the clients and management agencies centred on the content within the provided documentation. In cases where relevant documentation was not provided in advance of the meeting, it was requested by the assessment team and subsequently supplied during, or shortly after the meeting.

Thirty days prior to the audit site visit, all stakeholders from the full assessment were informed of the visit and the opportunity to provide information to the auditors in advance of, or during, the site visit. We received requests from two eNGO stakeholders and one MSC representative to take part in meetings (see attendees below) and received information remotely from one stakeholder, although indirectly, pertaining to a complaint filed about harassment of ducks by one of the fishing vessels (more detail below).

The audit visit was held at the offices of the Landesbetrieb für Küstenschutz, Nationalpark und Meeresschutz Schleswig-Holstein Nationalparkverwaltung, Schlossgarten 1, 25832 Tönning on March 5<sup>th</sup>, 2018.

| Name                | Affiliation   |
|---------------------|---|
| Amanda Stern-Pirlot | MRAG Americas, Assessment team  |
| Simon Leuschel      | Client representative   |
| Adrian Leuschel     | Mussel fisherman  |
| Andre de Leeuw      | Mussel fisherman  |
| Jörg Kühbier        | Mussel fisherman  |
| Hans-Ulrich Rösner  | Wattenmeerbüro, WWF Deutschland   |
| Katharina Weinberg  | Schutzstation Wattenmeer  |
| Kirsten Boley-Fleet | Landesbetrieb für Küstenschutz, Nationalpark und Meeresschutz<br>Schleswig-Holstein |
| Vivien Kudelka      | Marine Stewardship Council  |

The following participants were in attendance:

| The table below summarizes the agenda for the meeting, held on March 5 <sup>th</sup> 2018 in Tönning. |   |      |   |  |  |
|---|---|------|---|--|--|
| Time  | Item  | Lead | Supporting documents  |  |  |
| 10:00   | Opening meeting with clients  | ASP  | Submission by clients   |  |  |
| 10:30   | Discussion of changes to<br>management system, in<br>context of Framework<br>Agreement                              | ASP  | Framework Agreement<br>implementation<br>documentation                      |  |  |
| 10:00   | Discussion of issues with<br>Framework Agreement<br>implementation—data sharing                                     | ASP  | Interviews with National<br>Park personnel                                  |  |  |
| 10:30   | Discussion of issues with<br>Framework Agreement<br>implementation—restricted<br>seed collection sites              | ASP  | Interviews with mussel<br>fishermen   |  |  |
| 11:00   | Discussion of provisions of<br>Framework Agreement with<br>regard to impact assessment<br>and consultation meetings | ASP  | Interviews with fishermen,<br>National Park personnel<br>and eNGO personnel |  |  |
| 12:00   | Closing meeting with clients  | ASP  |   |  |  |
| 12:30 End of site visit   |   |      |   |  |  |

### Standards and Guidelines used:

MSC Certification Requirements version 2.0 (for process requirements)

MSC Certification Requirements version 1.3 (for performance requirements, including assessment tree)

Guidance to the MSC Certification Requirements version 2.0 (for process requirements) Guidance to the MSC Certification Requirements version 1.3 (for performance requirements, including assessment tree)

MSC Surveillance Reporting Template version 1.0.

## 4. Results

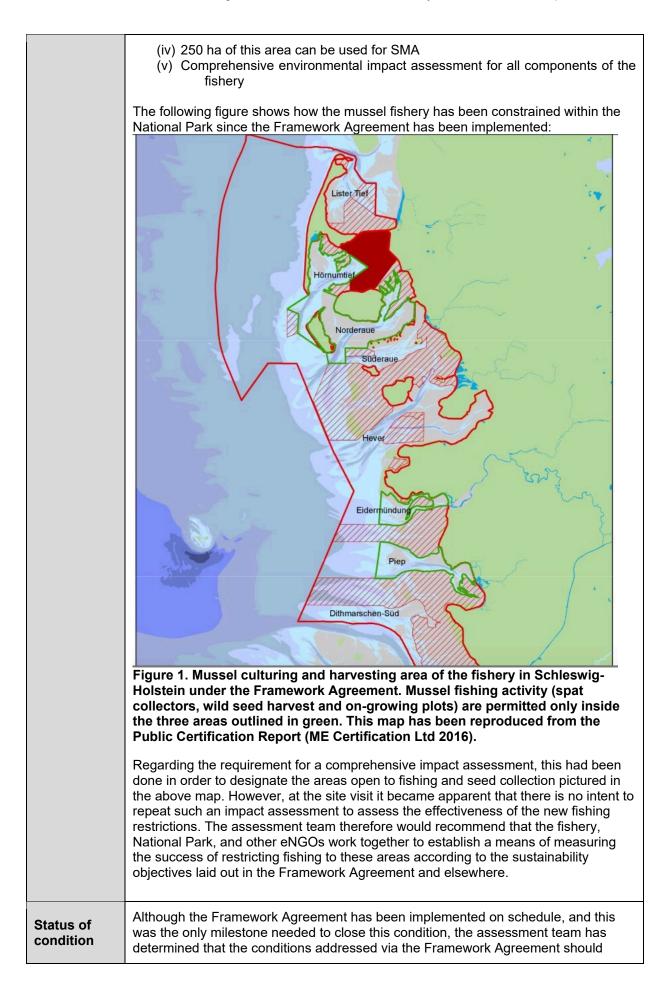
The following tables contain information on the agreed client action plans, milestones set, and progress against each of the fishery's conditions.

### Table 3. Condition 1

| Performanc                      | Insert relevant PI<br>number(s)  | Insert relevant scoring issue/<br>scoring guidepost text  | Score |  |
|---------------------------------|--|---|-------|--|
| e<br>Indicator(s)<br>& Score(s) | 2.4.1  | The UoA is highly unlikely to<br>reduce structure and function of<br>the VME habitats to a point<br>where there would be serious or<br>irreversible harm. | 70    |  |
| Condition                       | There is some evidence that the historic footprint of mussel beds in the subtidal was<br>considerably larger than it is now, and the long-term impact of the fishery may be<br>part of reason for the decline. Although the mussel biomass is at least partly<br>compensated for by the culture plots, Reise and Buschbaum (2015) note that the<br>ecological value (biodiversity) of the culture plots may be lower relative to natural<br>mussel beds. |   |       |  |

|                    | Reise and Buschbaum (2015) conclude that if the subtidal were not fished, the historical extent of subtidal mussel beds would regenerate (see Conclusion 10). Although this does not appear to have happened in existing closed areas, it will be better tested by the implementation of the Framework Agreement which provides for more extensive closed areas, including complete tidal basins. These have been selected in agreement with stakeholders (the National Park Authority, WWF). Overall, the team (following agreement with stakeholders) concluded that based on the current management system, while the fishery is 'unlikely' to cause serious or irreversible harm to VMEs (naturally-occurring and persistent subtidal mussel beds) it is not 'highly unlikely'. More extensive closed areas, such as those provided for in the Framework Agreement, would be required to meet the SG80 guidepost ('highly unlikely'). |
|--------------------|---|
| Milestones         | By the end of the first year, more extensive subtidal areas will be protected from seed mussel fishing, either via the implementation of the Framework Agreement or via another means. This is to include comprehensive impact assessments for all components of the fishery and the reduction of culture plots to 1,700 ha, 250 ha of which can be used for SMAs.  |
| Client action plan | The following letter by the client confirming commitment to the Framework<br>Agreement comprises the action plan for this condition:  |

|                                      | Dear Kat,  |
|--------------------------------------|--|
|                                      | MSC Fishery Assessment: Client Action Plan   |
|                                      | l am writing on behalf of Erzeugerorganisation Schleswig-Holsteinischer<br>Muschelfischer e.V. to confirm our client action plan in response to<br>the condition of certification of the Schleswig-Holstein mussel<br>fishery.   |
|                                      | I confirm that we will implement the new Framework Agreement<br>(Eckpunktevereinbarung) for mussel cultivation ativities on the west coast<br>of Schleswig-Holstein. This Framework Agreement has been drawn up by<br>a partnership of organisations to ensrue that both the mussel fishery and<br>marine wildlife will continue to thrive in this area. In particular this<br>framework agreement includes new restrictions on the spatial extent of<br>mussel fishing activity. These restrictions will improve the performance of<br>the fishery with respect to the habitats outcome performance indicator<br>(PI2.4.1) by minimising the potential impact of the fishery on benthic<br>habitats, which will meet the requirements of the condition. |
|                                      | The Framework Agreement already enjoys the support of all of the key<br>organisations in the area, and has been subject to extensive consultation<br>and discussion. The Framework Agreement represents a formal<br>commitment by all relevant entities to the appropriate management the<br>mussel fishery in this area.  |
|                                      | The Framework Agreement is due for implementation from the 1st<br>January 2017. We are committed to playing an active role in the<br>implementation of this Agreement.<br>Yours sincerely,   |
|                                      | Simon Ceuschel   |
|                                      |  |
| Drogroop on                          | The Framework Agreement is now implemented and the fishery has been operating accordingly during the 2017 and 2018 seasons. It includes the following restrictions (additional to those that have been part of the mussel program regulations previously):   |
| Progress on<br>Condition<br>[Year 1] | <ul> <li>(i) No mussel fishery activities (culture plots, seed mussel fishery, SMAs) in Zone 1 of the National Park</li> <li>(ii) No mussel fishery activities (culture plots, seed mussel fishery, SMAs) in defined areas of Zone 2 of the National Park (see Figure 1). Reefs reported by MELUR cannot be fished</li> <li>(iii) Total size of culture plots is reduced to 1,700 ha</li> </ul>  |



remain open for one more year so that progress with implementation can be tracked and formally reported. In the particular case of this condition, a report presented at the next annual audit from the National Park administration related to their ability to use vessel location data to monitor compliance with the new fishing area restrictions will be informative in verifying whether the new restrictions are working to achieve the 80 level for this Performance Indicator. As such, this condition remains open and ontarget. The assessment team congratulates the parties of the Framework Agreement on a successful first year.

#### Table 4. Condition 2

|   | Insert relevant PI<br>number(s)   | Insert relevant scoring issue/<br>scoring guidepost text   | Score         |
|---|---|--|---------------|
| Performance<br>Indicator(s)<br>& Score(s)     | 3.1.2   | The management system<br>includes consultation processes<br>that regularly seek and accept<br>relevant information, including<br>local knowledge. The<br>management system<br>demonstrates consideration of<br>the information obtained. | 75            |
|   | fishermen and NGOs. Releva  | to engage fisheries and environmenta<br>ant information is regularly collected pe<br>Licences for seed fishery and culture   | ersonally and |
| Condition                                     | Both NGOs and National Park administration have never fully agreed however with the decisions of the fishery administration because they believe that the impact of the mussel fishery has been underestimated. Lately, the cooperation between all parties has been strengthened by the signature of a framework agreement between the State Government, the PO "Schleswig-Holstein Mussel Fishermen" and five NGOs where further reductions of fishing possibilities have been agreed and offering long term stability for the fishermen. |  |               |
|   | There was, however, no roundtable where management decisions are presented<br>and all stakeholders can participate in the discussion. The Fisheries Administration<br>took the decision on the basis of its own considerations and views on the legal<br>situation, which however was challenged both by the Nature administration and by<br>the NGOs. This dispute finally resulted in the Framework Agreement.  |  |               |
| Milestones resulting in an improvement of the |   | ne Framework Agreement will have be<br>of the consultation process to allow the<br>s of all parties will serve to discuss the<br>lementation of the Agreement.   | e building of |
| Client action See above under condition 1.    |   |  |               |
| Progress on<br>condition<br>[year 1]          | <b>n</b> The first annual "Muschelmeeting" under the Framework Agreement took place on 26 March, 2018. This was the first opportunity to demonstrate the new consultation process with respect to stakeholder involvement with management decisions is working.   |  |               |

| Status of condition | Although the Framework Agreement has been implemented on schedule, and this was the only milestone needed to close this condition, the assessment team has determined that the conditions addressed via the Framework Agreement should remain open for one more year so that progress with implementation can be tracked and formally reported. By the second annual audit there will have been two such meetings which will allow the assessment team to better judge whether this Performance Indicator has achieved the SG80. As such, this condition remains open and on-target. The assessment team congratulates the parties of the Framework Agreement on a successful first year. |
|---------------------|---|
|---------------------|---|

### Table 5. Condition 3

|  | Insert relevant PI<br>number(s)  | Insert relevant scoring issue/<br>scoring guidepost text  | Score  |
|--|--|---|--|
| Performance<br>Indicator(s) &<br>Score(s)  | 3.2.2  | Decision-making processes<br>respond to serious and other<br>important issues identified in<br>relevant research, monitoring,<br>evaluation and consultation, in a<br>transparent, timely and adaptive<br>manner and take account of the<br>wider implications of decisions.<br>There are established decision-<br>making processes that result in<br>measures and strategies to<br>achieve the fishery-specific<br>objectives. | 65   |
| The decision-making process can react in a timely manner on serious ar<br>important issues but does not always from the NGO's and National Park<br>administration's view. The relevant legislation (National Park Law, Germ<br>Federal Nature Conservation Law, Natura 2000, all of these being the ba<br>the Framework Agreement and the subsequent new Mussel Programme<br>finally implemented, provide for long-term measures restricting the fisher<br>(closed season, closed areas, size of culture plots, minimum residence p<br>on culture plots, etc.). The fishery can be restricted immediately if for ins<br>large reefs (> 100 ha) in the subtidal zone are discovered. But there is s<br>lack of information especially in the subtidal areas. Therefore, it can't be<br>assumed that the process responds to all issues. |  |   | al Park<br>y, German<br>g the basis for<br>gramme), when<br>le fishery<br>dence period<br>f for instance<br>ere is still a |
| Condition  | Decisions taken with regard to licenses for the seed mussel fishery or the allocation of culture plots or other fishing methods is made available to the PO and the concerned fishermen. These decisions are, however, not publicly announced. The formal objections of NGOs and National Park administration against some of the decisions were only partly successful. A court case against one of the decisions (translocation from outside the Wadden Sea of Schleswig-Holstein) was successful. |   |  |
|  | Monitoring results are available in the competent Ministry on request and are<br>partly published in annual reports. The PO and other stakeholders are informed<br>on the outcome. As a result of the Framework Agreement, in the future there<br>will be also access of the National Park administration to the black box data.<br>There is, however, no formal reporting to all stakeholders.  |   |  |

| Milestones  | By the end of the first year, the Framework Agreement will have been implemented.  |  |  |
|---|--|--|--|
|   | This will improve the exchange of information by guaranteeing the access of the National Park administration to the black box data.  |  |  |
| Client action<br>plan   |  |  |  |
| Progress on Condition [Year 1] The Framework Agreement has been implemented as scheduled, ar provisions for delivering information (including "black box" data) to the Park administration. It was reported at the site visit that the National administration does indeed have the information needed but has not out a good way to assimilate it given the limitations of their software hardware. The data currently come from the industry via the Obere Fishereibehörde rather than directly from the fishery. Questions remonstration directly from the fishery. Questions remonstration directly from the fishery. Questions remonstration will use the data to see where happening (monitoring) and possibly other analyses once they have the best way to process it. The assessment team will continue to more progress on this aspect of implementation of the Framework Agreement and the provisions for delivered of the provisions for delivered for the framework agreement has been implementation of the Framework agreement has been implementation of the Framework Agreement has been implementation. |  |  |  |
| Status of condition   | Although the Framework Agreement has been implemented on schedule, and<br>this was the only milestone needed to close this condition, the assessment<br>team has determined that the conditions addressed via the Framework<br>Agreement should remain open for one more year so that progress with<br>implementation can be tracked and formally reported. As such, this condition<br>remains open and on-target. The assessment team congratulates the parties of<br>the Framework Agreement on a successful first year. |  |  |

## 5. Conclusion

The fishery is on target to meet the conditions of certification. The team has made an additional non-binding recommendation regarding monitoring of the effectiveness of the new fishery restrictions to inform whether the objectives of the Framework Agreement are being met in this regard. No changes in the fishery have occurred that would detrimentally affect the performance of this fishery against the MSC Standard and the fishery continues to meet the requirements of MSC certification. MSC Certification should therefore continue.

# 6. References

Germany. 2015. Eckpunktevereinbarung zur Miesmuschelkulturwirtschaft im Nationalpark Schleswig-Holsteinisches Wattenmeer (Framework Agreement on the mussel culture industry in the National Park Schleswig-Holstein Wadden Sea)

ME Certification Ltd. 2016. Marine Stewardship Council (MSC) Public Certification Report

Reise K, Buschbaum C. 2015. Muschelbänke in der Unterwasserwelt – Erkenntnisse zu Miesmuscheln im Sublitoral des Wattenmeeres. Unpublished study by order of WWF Germany.

Schleswig-Holstein blue shell mussel fishery. On behalf of the Erzeugerorganisation Schleswig-Holsteinischer Muschelfischer e.V. Accessed at: <u>https://fisheries.msc.org/en/fisheries/schleswig-holstein-blue-shell-mussel/@@assessmentdocumentsets?documentset\_name=Public+certification+report&phase\_name=Public+certific ation+report+and+certificate+issue&start\_date=2015-12-02&title=Initial+assessment WWF Germany. 2017. Muschelbaenke in der Unterwasserwelt des Wattenmeeres. Erkenntnisse zu Miesmuscheln im Sublittoral. WWF Deutschland, publisher. 34pp.</u>

# Appendices

## Appendix 1. Re-scoring evaluation tables

N/A

### Appendix 2. Stakeholder submissions



Landesbetrieb für Küstenschutz, Nationalpark und Meeresschutz Schleswig-Holstein | Schlessgarten 1 | 25832 Tönning

Erzeugerorganisation Schleswig-Holsteinischer Muschelzüchter e.V. Herr Peter Ewaldsen Hülltoftweg 41 25927 Neukirchen (per Email)



Landesbetrieb für Küstenschutz, Nationalpark und Meeresschutz Schleswig-Holstein Nationalparkverwaltung

Nationalparkverwaitung

Mein Zeichen: 312-532.234.212.1

Britta Diederichs britta.diederichs@kn.landsh.de Telefon: 04861 616 - 22 Telefax: 04861 616 - 69

10. Januar 2018

#### Störung von Eiderenten auf Muschelkulturbezirk

Sehr geehrter Herr Ewaldsen,

mir liegt eine Meldung (s. Anlage) vor, nach der auf einem Muschelkulturbezirk im Hörnum Tief (MKB Nr. 24 - Rantumlohe I, bewirtschaftet von Herrn Leuschel) am 06.12.2017 mehrfach zwischen 11:45 Uhr und 13:20 Uhr mit dem Arbeitsboot "Waddenzee" gezielt laut hupend Eiderenten gestört und aufgescheucht wurden.

Gem. Nebenbestimmung 3.3.8 der "Naturschutzrechtlichen Zulassung der Miesmuschelwirtschaft im Nationalpark Schleswig-Holsteinisches Wattenmeer" vom 04.04.2017 dürfen Meeresenten und andere Seevögel nicht gezielt von Saatmuschelgewinnungsanlagen und Muschelkulturbezirken vergrämt werden (z.B. durch Schallapparate, starke Lichtquellen, Motorboote).

Ich möchte Sie bitten, ihre Mitglieder zur Einhaltung der Nebenbestimmungen anzuhalten und sie darauf hinzuweisen, dass im Wiederholungsfalle eine offizielle Anhörung durch die Nationalparkverwaltung als zuständiger Naturschutzbehörde im Rahmen eines Ordnungswidrigkeitsverfahrens folgen würde.

Mit freundlichen Grüßen

gez. Dr. Detlef Hansen

Anlage: - Meldung vom 13.12.2017

Nationalparkverwaltung | Schlossgarten 1 | D-25832 Tönning Telefon 04861 616-0 | Fax-69 | nationalpark@kn.landah.de www.nationalpark-wattenmeer.de | www.weitnaturerbe-wattenmeer.de | www.lkn.schleswig-holstein.de E-Mail-Adressen: Kein Zugeng für elektronisch signierte oder verschlüsselle Dokumente







Landesbetrieb für Küstenschutz, Nationalpark und Meeresschutz Schleswig-Holstein

Nationalparkverwaitung

13.12.2017 NPV-3143

#### Meldung über Störungen im Nationalpark

#### Vermerk:

Am 06.12.2017 konnte ich um 11:45 Uhr das Boot "Waddenzee" in der nördlichsten Top-Zeichen gekennzeichneten Fläche beobachten (auf einer von B. Diederichs, NPV, geschickten Karte handelt es sich um die MKB-Fläche Nr. 24) wie es in südlicher Richtung mit schnellerer Geschwindigkeit eine Eiderententruppe von etwa 1200 Individuen aufscheuchte. Dabei hat das Boot gehupt. Nachdem die Eiderenten weggeflogen waren, fuhr das Schiff langsamer. Mein Standort zu dem Zeitpunkt war etwa 100 m nördlich vom Funkmast beim Wassertal. Das Boot war etwa 150 südlich von mir mit bloßem Auge war der blaue Rumpf und der weiße Aufbau und mit dem Fernglas war die Aufschrift "Waddenzee" gut lesbar und die Eiderenten gut zählbar. Die Störung dauerte etwa 2 Minuten. Anschließend wendete das Boot.

Das Hin- und Herfahren zwischen den Kennzeichen konnte zwischen 11:45 bis 13:20 beobachten.

Um 12:32 fuhr die "Waddenzee" in derselben Top-Zeichen gekennzeichneten Fläche (diesmal wieder von Nord nach Süd) und scheuchte etwa 1000 Eiderenten auf. Die Fahrgeschwindigkeit war gleichmäßig. Es wurde nicht extra beschleunigt. Die Störung dauerte etwa 2 Minuten. Mein Beobachtungsstandort war auf der Höhe von der Jugendherberge Puan Klent.

Um 13:00 konnte ich wieder ein Aufscheuchen von etwa 1200 Eiderenten beobachten. Mein Standort war Puan Klent. Ich konnte kein Hupen hören. Die Störung dauerte etwa 2 Minuten.

Um 13:20 wurden in derselben Fläche 200 Eiderenten aufgescheucht. Die Störung dauerte 1 Minute.



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Mein Standort zur Zeit der Beobachtung war beim Strandläufernest (etwa 1 km südlich von Puan Klent).

Danach entfernte sich die Waddenzee nach Südosten und konnte sie nicht weiter verfolgen.

Mit Fotos und Video konnte ich die Störung festhalten und als Gedächtnisstütze half mir die Diktierfunktion beim Telefon.

gez. A. Schacht

### Appendix 3. Surveillance audit information

### Example logbook where bycatch is recorded:

BEILAGE 1 BEIFANG

### 4 3 Fangschiff 2. 06. 17 Datum: Muster 1 2 3 4 5 58 58 MKB Nr. 1 1 FACH Nr. 83 % 85% Lebende Miesmuscheln Leere Schalen, Steine, St. 15% 17 % Schlick. 1 St. Seesterne St. Krebse Andere Bitte ein Formular pro Schiff pro Woche ausfüllen

Appendix 4. Additional detail on conditions/ actions/ results  $\rm N/A$ 

### Appendix 5. Revised Surveillance Program

The following surveillance program will be followed for the 2<sup>nd</sup> surveillance audit of this fishery

### Table 5.1 : Surveillance level rationale

| Year | Surveillance<br>activity | Number of auditors | Rationale   |
|------|--------------------------|--------------------|---|
| 2    | Off-site<br>surveillance | 2                  | The information verification needed for the<br>second audit can be obtained remotely. |

#### Table 5.2: Timing of surveillance audit

| Year | Anniversary date<br>of certificate | Proposed date of surveillance audit | Rationale   |
|------|------------------------------------|-------------------------------------|---|
| 2    | October 2018                       | March 2019                          | After or concurrent with the<br>next annual Muschelmeeting. |

### Table 5.3: Fishery Surveillance Program

| Surveillance<br>Level | Year 1                           | Year 2                            | Year 3                            | Year 4   |
|-----------------------|----------------------------------|-----------------------------------|-----------------------------------|--|
| Level 2               | On-site<br>surveillance<br>audit | Off-site<br>surveillance<br>audit | Off-site<br>surveillance<br>audit | On-site<br>surveillance<br>audit & re-<br>certification site<br>visit. |