

SPAIN - Voluntary Cetacean Conservation Report - 2018

Conservation management measures and area-based conservation measures

- Conservation Plan of *Orcinus orca* in the Strait and Gulf of Cadiz, approved in 2017 (Order APM / 427/2017, of May 4). It establishes two critical areas for killer whale. In the area of Ensenada de Barbate, Conil and Banco Majuán, the use of active systems for underwater or underground exploration and the developing of whale watching activities, whether commercial, private or scientific, are forbidden from March 1 to August 31.

https://www.boe.es/diario_boe/txt.php?id=BOE-A-2017-5474

- In June 2018, the Government of Spain declared, through a Royal Decree, the MPA Mediterranean migratory corridor for cetaceans. The regulation establishes a preventive protection regime and proposes its inclusion in the ZEPIM list of Barcelona Convention.

https://www.boe.es/diario_boe/txt.php?id=BOE-A-2018-9034

- Spain is working on the elaboration of the Conservation Plan for harbour porpoise. The Iberian Peninsula harbour porpoise population constitute a homogeneous genetic group, different from the rest of the porpoises of Europe, and present a low genetic diversity. It is one of the five Population Management Units established in European Atlantic waters by ICES.
- Further measures will focus on the elaboration of three Conservation Plans for Mysticetes, deep water cetaceans and small cetaceans. The aim of grouping the species is to increase effectiveness in tackling common threats and minimizing procedures

Mitigation of human activities impact on cetaceans

- ***Collisions***

Spain is going to develop several projects to avoid ship strikes. The projects are mainly focused on sperm whales and will be developed in both, Balearic and Canary Island with a duration of 4 years in which several actions will be taken:

- Regarding monitoring of high risk areas, both an analysis of maritime traffic and the use of the habitat (active and passive monitoring, photo ID and on board monitoring) by sperm whale will be done in order to develop a "Collision risk model".
- Mitigation measures will be defined, including a proposal to IMO (on speed limitation, restriction areas).
- Thermal detection systems of cetaceans to facilitate mitigation protocols for ships.

- Mitigations apps (Whale alert and Spotter Pro) allowing vessels and crews the collection and sharing of information on sightings, risk of collision, etc.
- Detailed studies of the behaviour of sperm whales and their response to noise from ships will be made using multi-sensor finger-grip marks (DTAG, www.soundtraps.st-andrews.ac.uk).

- ***Cetacean Stranding***

The current ongoing stranding network provides regular information on events occurring in all the Spanish coasts and its possible causes (when possible). The EU Marine Strategy Framework Directive (MSFD) Monitoring Program for cetaceans stranding will contribute to the collation of data.

- ***Seismic surveys and marine noise pollution***

The monitoring of noise in Spain will be implemented through the MSFD Spanish Monitoring Program for underwater noise. There are two subprograms: impulsive noise and ambient noise. Through the impulsive noise subprogram, a national register (record of impulsive noise), compatible with the regional data base, is going to be developed.

Since December 2013, with the promulgation of the Law 21/2013 on Environmental Assessment, it is compulsory that seismic surveys to be developed within Spanish marine waters are subject to a formal environmental impact assessment.

In this context, even though Spain does not have a specific legislation that obliges vessels to have Marine Mammals Observers (MMO) and Passive Acoustic Monitoring (PAM) onboard, they may be required as a result of the environmental assessment process, in order to mitigate the impact to marine mammals from seismic surveys and thus, observers should be trained, dedicated and/or experienced.

The first Training Course for MMOs and PAM Operators was carried out from 10th-14th of March 2014 in Madrid, and 30 persons assisted.

- ***Whale Watching***

In Spain, the whale watching activities are regulated by Royal Decree 1727/2007 for the protection of the cetaceans. This regulation may be modified to demand the presence of a marine fauna guide in WW ships. At the same time, the Ministry is making contacts with competent bodies in order to develop a professional qualification for marine fauna guides.

As regards the potential adverse impacts on individual cetaceans and on populations, a carrying capacity study of the activity in the Strait of Gibraltar and in the Canary Islands will be developed in the framework of the *Intemares* project. This assessment will include data collection of the WW vessels, noise generation, visual and acoustic assessment of the response of individuals to the activity, stress assessments, etc.

Monitoring

The national survey of abundance and distribution of cetaceans is being developed in the framework of the MSFD, specifically through the Spanish Monitoring Program for

cetaceans, submitted to the European Commission in March 2015. This program is divided into five subprograms (coastal cetaceans, oceanic cetaceans, bycatch, strandings and additional data) applying to all Spanish jurisdictional waters. The programs were designed following the recommendations of ICES and ensuring regional coordination through OSPAR and Barcelona Conventions. On-board and aerial surveys are foreseen.

Other ongoing projects

- ***Integrated LIFE project INTEMARES (2017-2023)***

The integrated LIFE project INTEMARES aims to achieve a consolidated network of Natura 2000 marine areas, managed in an efficient and integrated manner, with the active participation of the sectors involved and with research as the basic tool for decision making. Coordinated by the Ministry for the Ecological Transition through the Biodiversity Foundation, it includes a scientific partner (the Spanish Institute of Oceanography), two conservation organization partners (WWF-Spain and SEO/BirdLife), a fishing organization partner (the Spanish Fishing Confederation CEPESCA) and the proper Natura 2000 management competent authority of the Ministry (General Directorate for the Sustainability of Coast and Seas). It also has the support of the National Federation of Fishermen Guilds.

The project focus on 5 different pillars: research and knowledge, conservation measures, governance, monitoring and surveillance, and public awareness.

Actions focusing on cetacean conservation include: declaration of new MPA, specific conservation measures, including actions to tackle pressures such as noise, marine debris, ship strikes, touristic activities, etc.

- ***MYSTIC SEA 2 (2017-2019)***

After MISTIC SEAS project, (*Macaronesia Islands Standard Indicators and Criteria: Reaching Common Grounds on Monitoring Marine Biodiversity in Macaronesia*) which was oriented to create a monitoring common methodology for researching marine biodiversity in the Macaronesia Region in application of EU marine Strategy, Mystic 2 "Monitoring and evaluation of marine biodiversity in Macaronesia", was launched. As part of the second cycle of the Marine Strategies Framework Directive, it aims at implementing joint programs between Spain and Portugal concerning the state of marine mammals, turtles and seabirds in the subregion.