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Att.: Sebastien Descamps

**SYSSEMESTEREN
PÅ SVALBARD**

Vår dato:
21.03.2022

Vår ref: (bes oppgitt ved svar)
22/01401-3

Deres dato:
14.02.2022

Reply to research application - seabirds - SEAPOPOP - NP - 2022 - RiS-ID 361 A9

We refer to application submitted 14.02.2022 regarding fieldwork on seabird locations in Kongsfjorden, Isfjorden, Forlandet, Alkefjellet and Kovalskij'fjellet in summer 2022.

Fieldwork description

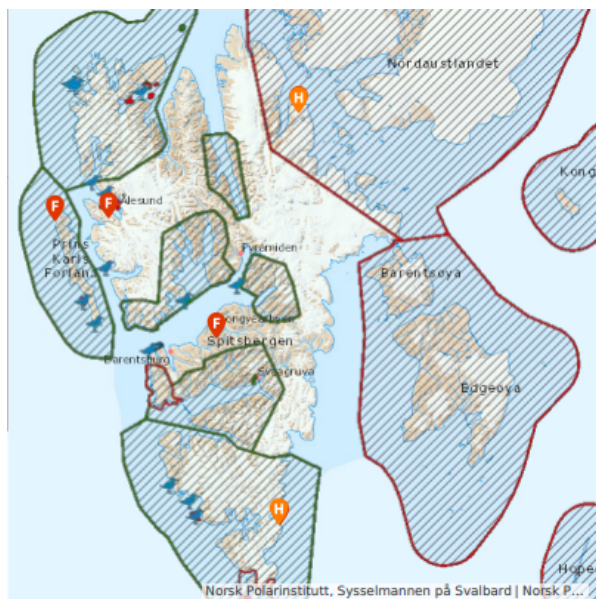
SEAPOPOP (SEAbird POPulations) is a new and long-term monitoring and mapping programme for Norwegian seabirds that was established in 2005. The programme represents a new initiative for these activities in Norway, Svalbard and adjacent sea areas, and will provide and maintain base-line knowledge of seabirds for an improved management of this marine environment. The data analyses aim to develop further models of seabird distribution and population dynamics using different environmental parameters, and to explore the degree of covariation across different sites and species. This knowledge is urgently needed to distinguish human influences from those caused by natural variation.

ISFJORDEN Diabasodden: Brünnich's guillemots (10 birds captured for ringing and GLS retrieval) Grumantbyen: Kittiwakes (40 adults and 20 chicks captured for ringing, GLS retrieval/deployment) Bjørndalen: little auks (30 birds captured for ringing) Pyramiden: kittiwakes (100 bird captured for ringing and/or GPS tracking) Gåsøyane: puffins (30 adult captured and 30 chicks captured for ringing and GLS deployment/retrieval)

KONGSFJORDEN Ossian sarsfjellet: Brünnich's guillemots (20 birds captured for ringing, GLS deployment/retrieval) and kittiwakes (30 adults captured for ringing, GPS tracking) Feiringfjellet: little auks (30 birds captured for ringing) Kongsfjorden: glaucous gulls (20 adult and 50 chicks captured for ringing, GLS deployment/retrieval) ALKEFJELLET Brünnich's guillemots (30 birds captured for ringing, GLS deployment/retrieval), kittiwakes (30 adults captured for ringing, GLS deployment/retrieval) and fulmars (10 birds captured for ringing, GLS deployment/retrieval)

KOWALSKI'FJELLET Brünnich's guillemots (30 birds captured for ringing, GLS deployment/retrieval.)

Some seabird counts will also be done at Alkhornet, Tschermakfjellet, Prinz Karl Forland, Nøisdalen, and Adolfbukta.



From	To	Coordinates	Research Station
31 May 2022	09 Sep 2022	E 513885.375, N 8682411 N 78 12.886' E 015 36.54'	Longyearbyen

Fieldwork Name	Fieldwork type
Isfjorden	Fauna

Fieldwork Description

Several field sites in Isfjorden (Diabasodden for guillemot monitoring, Grumantbyen and Pyramiden for kittiwake monitoring, Bjørndalen for little auk monitoring, Gåsøyane for puffin monitoring). Some seabird counts are also done at Alkhornet, Adolfbukta, Tschermakfjellet and Nøisdalen.

From	To	Coordinates	Research Station
31 May 2022	09 Sep 2022	E 439717.21875, N 8764866 N 78 56.472' E 012 11.026'	NyÅ-RS: NPI-Norway

Fieldwork Name	Fieldwork type
Kongsfjorden	Fauna

Fieldwork Description

Several field sites in Kongsfjorden (Ossian sarsfjellet for kittiwake and guillemot monitoring, Feiringfjellet for little auk monitoring and the whole fjord for glaucous gull monitoring).

From	To	Coordinates	Research Station
24 Jun 2022	04 Jul 2022	E 570220.5625, N 8836976 N 79 34.891' E 018 28.82'	Longyearbyen

Fieldwork Name	Fieldwork type
Alkefjellet	Fauna

Fieldwork Description

From	To	Coordinates	Research Station
24 Jun 2022	04 Jul 2022	E 557107.75, N 8555400 N 77 04.041' E 017 17.182'	Longyearbyen

Fieldwork Name	Fieldwork type
Kowalski	Fauna

Fieldwork Description

From	To	Coordinates	Research Station
19 Jun 2022	04 Jul 2022	E 403030, N 8762260 N 78 53.836' E 010 29.095'	NyÅ-RS: NPI-Norway

Fieldwork Name	Fieldwork type
Fuglehuken	Fauna

Fieldwork Description

seabird counts

Helicopter / Aeroplane

Are you planning to use helicopter/aeroplane? **YES**

Are you planning to fly lower than the minimum altitude? **YES**

From	To	Coordinates	Location
24 Jun 2022	04 Jul 2022	E 570326.375, N 8836600 N 79 34.686' E 018 29.067'	Alkefjellet

Number of landings

2

From	To	Coordinates	Location
24 Jun 2022	04 Jul 2022	E 556500.125, N 8555699 N 77 04.214' E 017 15.751'	Kowalski

Number of landings

2

Describe your activity.

There will be 2 landings at Alkefjellet and 2 landings at Kowalski'fjellet to drop and pick up the field team.

Regulations

Act of 15 June 2001 No.79 Relating to the Protection of the Environment in Svalbard

iv. Fauna Section 25 (the principle of general protection) All species of flora and fauna, including their eggs, nests and lairs, are protected unless otherwise provided by this Act.

Section 30 (what protection of the fauna involves)

No person may hunt, capture, injure or kill fauna or damage eggs, nests or lairs unless so authorised by the provisions of this chapter.

Section 37 (exemptions)

Even if permission may not be granted for a particular undertaking under this chapter, the Governor may grant exemptions from the provisions of this chapter for scientific purposes or when other special reasons so indicate.

Section 83 (the use of aircraft)

Aircraft may not land on ships or on the ground or water outside a landing strip that has been licensed or approved in accordance with the Air Traffic Act. The Governor may on application grant exemptions from the provision of the first sentence. No person may fly an aircraft closer than one nautical mile from large known concentrations of mammals and birds.

Section 84 (individual permits for motor traffic)

When the Governor decides applications for permits for motor traffic, weight shall be attached to the purpose of the application, the risk of environmental damage from the traffic in question, and the objective of restricting motor traffic in Svalbard. If a permit is granted, the grounds for this shall indicate how these factors have been evaluated.

Regulations relating to the national parks Sør-Spitsbergen, Forlandet and Nordvest-Spitsbergen, the nature reserves Nordaust-Svalbard and Sørøst-Svalbard, and the nature reserves for birds on Svalbard.

Forlandet national park and Sør-Spitsbergen national park

Section 3. Purpose of the national parks



The national parks is particularly intended to safeguard:

- an island with a characteristic mountain range with jagged (alpine) mountains and a wide coastal plain
- well-developed rock glaciers and frozen ground formations
- several localities of varying sizes with cliff-nesting seabird colonies and a core area for the world's most northerly population of common seal (harbour seal)
- important structures and sites and cultural environments with traces of earlier whaling activities, overwintering hunters and trappers and prospecting for minerals.

Section 4. Prohibition against motor traffic

The use of off-road vehicles and landing of aircraft is prohibited. This prohibition also applies to overflight of the areas above at altitudes below 300 metres and out to one nautical mile from land.

Section 11. Exemptions

The Governor may permit:

- d) scientific studies, provided that these will not be contrary to the purpose of the national park

Nordaut-Svalbard nature reserve

Section 14. Purpose of the nature reserves Nordaut-Svalbard nature reserve is particularly intended to safeguard:

- an area with a spectacular landscape, including the largest glaciers in Svalbard and many fjords and peninsulas
- several small localities with cliff-nesting seabird colonies, breeding grounds for brent goose, haul-out and breeding areas for walrus and polar bear habitat - many lakes containing Arctic char, especially landlocked char
- important structures and sites and cultural environments with traces of earlier whaling activities, overwintering hunters and trappers, North Pole expeditions, research and the Second World War.

Section 15. Prohibition against motor traffic

The use of off-road vehicles and landing of aircraft is prohibited. This prohibition also applies to overflight of the areas at altitudes below 500 metres. The prohibition against overflight applies to the extent that weather conditions permit.

Section 28. Exemptions

The Governor may permit:

- c) scientific studies, provided that these will not be contrary to the purpose of the nature reserves

Section 29. Bird reserves

g) Gåsøyane bird reserve, which comprises the Gåsøyane islands The bird reserves comprise include waters around the islands out to a distance of 300 metres from land or skerry at the lowest water level.

k) Kongsfjorden bird reserve, which comprises the islands Mietholmen, Prins Heinrichøya, Lovenøyane and Eskjeret

Section 30. Purpose

The purpose of protecting these areas is to safeguard important breeding areas and areas of habitat for birds, especially common eider and geese.

Section 31. Prohibition against access and passage

All access and passage in the bird reserves, including at sea and landing of aircraft, is prohibited in the period 15 May–15 August.

Section 37. Exemptions

The Governor may permit:

- a) scientific studies, provided that these will not be contrary to the purpose of the bird reserves
- b) other activities when there are special reasons and they will not be contrary to the purpose of the bird reserves.

Regulation relating to Ossian Sars nature reserve FOR-2003-09-26-1188

Section 4.

2.3. Fauna are regulated of the Svalbard Environmental Protection Act chapter IV.

Regulation relating to Nordre Isfjorden national park FOR-2003-09-26-1187

Regulation relating to Sassen-Bünsow national park FOR-2003-09-26-1189

Section 3 Purpose of the national park

The purpose of the conservation is to preserve a large and essentially untouched Arctic coastal and fjord landscape with intact habitats, ecosystems, species, natural ecological processes, landscapes and cultural monuments as an area for research and experience of Svalbard's natural and cultural heritage.

The Governor's considerations

According to the regulations listed above, all birds and their lairs and nests shall be protected against damage and disturbance of any kind. Fieldwork localities applied for lie both inside and outside protected areas. Activity applied for inside protected areas needs an exemption from the regulations relating to large conservation areas and bird reserves in Svalbard. Outside protected areas the activity needs an exemption from the Svalbard Environmental Protection Act.

Fieldwork locations in protected areas are Gåsøyane (Gåsøyane nature reserve), Ossian Sarsfjellet (Ossian Sars nature reserve), Fuglehuken (Forlandet national park), Lovénøyane (Kongsfjorden nature reserve), Alkehornet and Tschermakfjellet (Nordre Isfjorden national park), Nøisdalen (Sassen-Bünsow Land national park), Alkefjellet (Nordaust-Svalbard nature reserve) and Koval'skiyfjella (Sør-Spitsbergen national park). Traffic in Kongsfjorden and Gåsøyane nature reserves is prohibited in the period 15 May-15 August (section 31). According to the regulations, the Governor may grant exemptions for scientific purposes as long as this is not in conflict with the purposes of the protected areas. This does not necessarily mean that exemption is given. Generally, fieldwork should be carried out outside protected areas. In this particular case, the Governor must consider if the applied activity on specific localities is in conflict with the purpose of the protected areas.

Localities with cliff-nesting seabird colonies and breeding grounds are a part of the purpose of the protected areas. The scientific fieldwork applied for, must be weighted up against the protection purposes and the potential negative effect on the nature. Fieldwork inside protected areas applied for is on brünnich's guillemot, little auk, black legged kittiwake, puffin, northern fulmar and glaucous gull. The brünnich's guillemot, glaucous gull and black legged kittiwake are classified as near threatened (NT) and the puffin, little auk and northern fulmar as viable (LC) on the Norwegian Red List for Species. For locations Gåsøyane, Kongsfjorden, Ossian Sars, Alkefjellet and



Koval'skijfjellet, the fieldwork includes physical handling of birds. For locations Alkehornet, Nøisdalen and Tschermakfjellet the fieldwork includes counting of birds.

Capturing, handling, sampling and instrumentation of birds are regarded as disturbance. Performed in a correct way, with short handling time, it is assumed that this will have a minimal negative effect on the individuals. The studied birds in this scientific project will only be a small part of the local population breeding in the areas. Number of birds handled for all locations in the project are of greatest extent for fieldwork locations outside the protected areas. The fieldwork is a part of a long term project where the project personnel has good experiences with handling birds. By following the conditions set to the permissions, the Governor consider that the fieldwork is not in conflict with the purposes of Forlandet national park, Sør-Spitsbergen national park, Nordre Isfjorden national park, Sassen-Bünsow national park, Nordaust-Svalbard nature reserve, Kongsfjorden nature reserve, Gåsøyane nature reserve and Ossian Sars nature reserve.

Fieldwork locations outside protected areas are Diabasodden, Bjørndalen, Feiringfjellet, Grumantbyen, Pyramiden and includes capturing, handling, ringing of seabird species black legged kittiwake, brünnich's guillemot and little auk. According to the regulations, the Governor may grant exemptions from the provisions of this chapter for scientific purposes or when other special reasons so indicate. Performed in a correct way, with short handling time, it is assumed that this will have a minimal negative effect on the individuals. The studied birds in this scientific project will only be a small part of the local population breeding in the areas.

The purpose of the fieldwork in SEAPOP is exclusively scientific, and part of a long term research program that has been ongoing since 2005. Some of the locations have been followed since 1988. The results from the monitoring are important knowledge for the management of seabirds and may be of importance for the management authorities.

Regarding the two helicopter landings on Alkefjellet and two landings on Kovalski'fjellet, the Governor has placed emphasis on the fact that the locations are difficult to access without the use of helicopter, the purpose of the landings is scientific and that the results will be of importance to the management authorities. The activity has a limited extent (two landings for each location), and by choosing flight route and landing site that safeguard the conditions mentioned under, the helicopter activity is not considered to constitute an acceptable damage to the environmental values in the area.

Conclusion

The Governor has placed emphasis that the extent of the scientific activity will not be contrary to the purposes of the protections. The results from the fieldwork are also of importance to the management authorities.

The Governor's decision

The Governor of Svalbard grants the Norwegian Polar Institute attn. Sebastien Descamps following exemptions:

- To capture, handle, sample and instrument seabirds as described in the application in the period from 31.05.-09.09.2022.
- Access and passage in Kongsfjorden nature reserve to conduct scientific fieldwork as described in the application.



- 2 helicopter landings near Alkefjellet between 24.06.-04.07.2022 at landing site N79 34.686' E018 29.067'
- 2 helicopter landings at the top of Kavalski'fjellet between 24.06.-04.07.2022 at landing site N77 04.214' E018 29.067'

The exemptions are given under the provision of the Regulations relating to the national parks Sør-Spitsbergen, Forlandet and Nordvest-Spitsbergen, the nature reserves Nordaust-Svalbard and Søraust-Svalbard, and the nature reserves for birds on Svalbard section 11 letter d, section 28 letter c and section 37 letter a, and the Act of 15 June 2001 No.79 Relating to the Protection of the Environment in Svalbard section 37.

The exemptions are granted on the following conditions:

- Procedures for preventing transmission of any disease shall be followed.
- The fieldwork shall not cause unnecessary stress and strain on the birds.
- The project leader shall provide for immediate reporting of possible accidents/irregularities to the Governor.
- Access and passage to the nature reserves for birds must be reduced to what is strongly necessary.
- Whenever possible the observing/data collection shall be done from boat and not going ashore.
- These exemptions are only valid for the people included in the project.
- This permit must be brought along during the fieldwork.
- All equipment and all waste items are to be removed and brought back. Garbage shall not be burned, except clean untreated wood.
- The project shall submit a yearly report from the fieldwork in the RiS database by 01.11.2022.
- All helicopter flying should be done in a way that causes minimal disturbance to animal- and birdlife, and no damage is done to vegetation, terrain or cultural heritage. When choosing in and out flying routes, these considerations must be done.
- A record of the date and GPS-position of the landing must be reported to the Governor latest by 01.11.2022 by using this form: [report helicopter landings](#). If Lufttransport is carrying out the flight: They provide the Governor with such reports already, and any extra reports must not be sent us.

Please notice that your planned fieldwork outside Management Area 10 requires notification to the Governor according to the regulation FOR-1991-10-18-671 on travel in Svalbard (the Tourism Regulation). The notification form is available here: [Notification of travel plans for individual travellers](#).

Duty of care

The Governor calls attention to the duty of care in the Svalbard Environmental Protection Act § 5 first sentence, «Any person who is staying in or operates an undertaking in Svalbard shall show due consideration and exercise the caution required to avoid unnecessary damage or disturbance to the natural environment or cultural heritage.» The Governor requests particular attention regarding wildlife.

Right to complain

According to Norwegian law you are entitled to complain about the present decision. Written complaints must be submitted within three weeks of receiving this letter. The complaint must be submitted to the Governor.



Med hilsen

Kristin Heggelund
Head of Environment Protection

Ingvild Øyjordet
Adviser Nature Management

Dokumentet er godkjent elektronisk, og har derfor ikke håndskreven signatur

Kopimottakere:
Miljødirektoratet