

Wildlife (Jersey) Law 2021

Ecological and Practical Interpretation of Definitions

Disturbance, Breeding sites and Resting sites of Birds

Introduction

Jersey supports a rich diversity of plants, animals and birds, due in large measure to our variety of landscapes and habitats, whether terrestrial or marine. Many of these species are rare or under threat locally or internationally and are in need of protection from activities that can damage their conservation status or lead to their mistreatment.

The Wildlife (Jersey) Law 2021 ('the Wildlife Law') is the main legislation that provides for the protection and conservation of wild animals, wild birds and wild plants in Jersey including its territorial waters. The Law makes it an offence to carry out deliberate or reckless acts affecting protected species, including the killing, capture of species and the disturbance or damage of nests, dens and breeding sites. Protected species include wild birds, mammals, reptiles, amphibians, invertebrates, plants, fungi, marine mammals and fish, and different levels of protection apply according to the conservation of the species in question. In addition, defences and exceptions exist for some activities.

This guidance note has been developed to provide information on what some of the provisions of the law mean in relation to protected bird species, and particularly in relation to what is considered to constitute their breeding sites and resting sites and offences in terms of disturbance of these species.

Please note that this is guidance only and that ultimately it is the role of the courts to interpret and apply the law. If in doubt you may wish to seek your own legal advice.

Breeding Sites and Resting Sites

The Wildlife Law gives specific protection to the breeding sites and resting sites of certain protected wild birds (Schedule 5), some throughout the year (Schedule 5, Part 1) and others (Schedule 5, Part 2) when the site is in use.

Breeding sites

In birds, a breeding site may refer to very different things, depending on the specific species. It means the place where the individual bird or congregation of birds of the same species choose to breed, to nest and rear their young. It refers too to the area that the bird requires around the nest itself to feel safe.

Larger birds such as birds of prey, owls, herons and egrets may have a distinct nesting territory that they defend, against intruders including others of their own species, despite feeding, sometimes

together, over a much larger area. The breeding site of a nesting marsh harrier, peregrine falcon or red-billed chough may be the opposite side of the Island to where they are looking for food, or, for seabirds, many, even hundreds of kilometres from the best feeding grounds.

A breeding site for colonial species like seabirds (cormorants and shags, puffins, razorbills, shearwaters and petrels, gulls and terns) and egrets may be a larger, regularly used area such as a specific cliff or offshore island. The breeding sites of these birds and others that return to the same site each year to breed but, possibly not the exact same nest structure such as lapwing, peregrine falcon, barn swallow and sand martin are protected throughout the year, even when the birds themselves may be away from Jersey.

For European nightjar or bearded tit a breeding territory may include a larger area of suitable habitat such as reed bed or heathland as nesting and foraging may be undertaken at the same place but several breeding pairs may overlap. For barn owls and kestrel, the breeding site might just be a nest box or well-used site in a building and for long-eared owl or common buzzard a regularly used large and old tree.

For smaller birds, the breeding site might be considered the nest itself or the bush, tree or nest box that it is in, although for water rail, skylark, stonechat, meadow pipit, curlew and others it might be in an area of suitable habitat such as a larger meadow, section of an arable field or area of heathland where several pairs choose to breed in loose association.

Resting sites

Resting in birds may have two distinct forms, roosting or loafing, two basic behaviours that are similar but have different functions and may take place at different sites.

Roosting

Roosting refers to sleep in birds, a behaviour in which a bird may choose to undertake at a specific place. Most birds are diurnal, that is active by day, and, therefore, roost at night. Some species, like owls and European nightjar may choose to roost during the daytime. All birds will choose somewhere safe to sleep and may do so alone or in congregations. However, all birds remain very alert to danger.

While many birds choose to roost on or close to the nest during the breeding season, others may flock together for added safety at any time of year. Many birds, even typically ground-dwelling species, may roost in trees and hedges or on cliffs and buildings, keeping away from predators as much as possible. While some species may roost in any convenient and safe place, others choose habitual roost sites that may be visited regularly and become traditional. Herons and egrets may collect at certain field edges, harriers in reed beds, red-billed choughs in caves and crevices (and quarry buildings), starlings in trees and on rooftops and yellow wagtails, swallows and sand martins in reed beds. Seabirds, divers, grebes and brent geese typically sleep out to sea, often some distance from land while swifts and house martins sleep high in the sky, on the wing.

Some rocks out to sea that are not covered by the tide may be habitual roosting (typically at night) and loafing (typically during the daytime; below) sites for shorebirds, herons, egrets, terns and gulls. Cut off from land, these rocks and islets are safe places to sleep at night and are used nightly by many birds.

Loafing

Loafing is often considered to be behaviour not connected directly with feeding or breeding. Loafing birds are conserving energy but may, at times, despite being awake, appear to be doing nothing. The term loafing should not imply that time is being wasted and some birds, such as wildfowl and shorebirds, have habitual 'loafing sites'. In daytime, any sufficiently fed bird may stop and loaf although they may regularly socialise and occasionally preen their feathers.

The most noticeable habitual loafing sites are the quiet areas of ponds where wildfowl (ducks, geese and swans), coots and grebes may sit calmly on the water or at the water's edge. The birds are always alert to danger but may otherwise be doing very little. Shorebirds and herons and egrets may flock on the same uncovered rocks on the high tide where they roosted overnight when they cannot feed on the beach or intertidal zone (on a moonlit night many birds may feed throughout the night). These flocks may be made up of sleeping and loafing birds waiting for the opportunity to feed and may be joined by gulls and terns. In contrast, lapwing and curlew may sometimes loaf in open grassland, lying down in longer grass.

Other birds such as Atlantic puffin, razorbill, fulmar, shearwaters and brent goose may loaf on the open sea, typically in flocks and often close to breeding or feeding sites. Some smaller birds like swallows, martins and starlings may collect on wires (fencing and communications) in often large congregations and despite being noisy and active these flocks are generally loafing. Loafing sites for other birds may be less obvious and may not be used repeatedly.

Disturbance

In Jersey, around 100,000 resident people and 5,000 cattle and horses share an island of 118.2km² (11,800ha) with 338 bird species¹ of which 77 are regular breeders. Those bird species that do breed and others that spend significant time on the Island including those that overwinter or stopover on migration, encounter many people, domestic animals and their activities that may cause disturbance to them during their daily routines. Some bird species that may choose to live on or visit Jersey are likely missing through an unwillingness to share the island with so many people. Those that are here include several internationally (Appendix I) and locally (Appendix II) threatened species.

Article 13 of the Wildlife (Jersey) Law 2021 prohibits the deliberate disturbance of the protected bird species listed in Schedule 6 of the Law, being all wild birds except Carrion crow, Magpie, Feral pigeon, Wood pigeon and Common pheasant. It is also an offence to deliberately disturb the eggs or dependent offspring within the breeding sites and resting sites of certain protected wild birds (Schedule 5, Parts 1 and 2).

What is disturbance

In the Wildlife Law "disturb" is described as any act, or any activity, which in fact does, or might reasonably be foreseen to:

(a) impair the ability of the wild bird in question:

¹ A Working List of the Birds of the Channel Islands <http://www.birdsontheedge.org/wp-content/uploads/2020/11/Working-list-of-CI-birds-to-Dec-2019-1.pdf>

- (i) to survive, to breed or reproduce, to rear or nurture offspring, or
- (ii) in the case of migratory species, to migrate; or
- (b) affect significantly the local distribution or abundance of a species.

Disturbance may be interpreted as any human activity that influences a bird's behaviour or survival through birds changing their feeding behaviour, taking flight or being more vigilant². Localised disturbance during the non-breeding season at a small site or in a small part of a larger site for a limited time is unlikely to result in a major impact, as birds are highly mobile, and there may be other areas nearby where they can feed or roost. For non-breeding birds, moving might take seconds, and impacts from a single brief event may be negligible. Even for breeding birds, if an adult is kept away from the nest for a small amount of time it is unlikely to have implications. However, more chronic disturbance, regularly affecting larger areas of sites, will have much more serious effects. Disturbance can be considered as similar to habitat loss because areas of the habitat are lost to the birds³. It can, however, be considered even worse than habitat loss, because repeated flushing has energetic costs and risks from predators that would not be incurred if the habitat was simply not available to the birds at all.

Sources of disturbance to birds

While almost any human activity can disturb birds at some point in their daily activities, the following list details those more direct sources of disturbance to birds identified in Jersey. There have been few studies of disturbance in Jersey but effects have been researched at similar sites elsewhere. For each disturbance activity and/or action reported here, we have approximated the level of potential disturbance from each activity/action, the likelihood of the particular disturbance happening and possible mitigation for the particular cause of disturbance:

- **Risk of disturbance.** Estimated impact of disturbance on birds from specific activities and actions (Low, Medium and High)
- **Likelihood of disturbance.** Likelihood that disturbance will occur from those specific activities and actions (Unlikely, Possible, Likely)
- **Mitigation.** Mitigation refers to measures put in place to safeguard from or lessen the impact of disturbance on birds. Mitigation measures may be specific to an individual species or to groups of species.

Bird scarers

Bird scarers are a variety of devices designed to scare birds through highly audible or visual signals, usually employed by farmers and gardeners to dissuade birds from eating recently planted arable crops. They are also used on airfields to prevent birds accumulating near runways and causing a potential hazard to aircraft or on buildings to prevent birds like gulls (*Laridae*) and pigeons (*Columbidae*) from nesting or roosting. Scarers are intended to disturb birds and there is currently no regulation of scarers on farm, garden or housing sites except for general nuisance or animal welfare laws.

Risk of disturbance HIGH

² Exe Estuary Disturbance Study <https://www.exe-estuary.org/publications/studies-and-research/>

³ Morecambe Bay Bird Disturbance and Access Management Report <https://www.morecambebay.org.uk/natural-heritage/projects/action-for-birds>

Likelihood of disturbance POSSIBLE

Mitigation follow best practice guidelines and limit use (e.g., to licensed operators at licensed sites, specific hours of use)

Boats

Boats here are considered to be watercraft of a large range of types and sizes, but generally smaller than a ship and larger than a canoe or kayak or personal watercraft (jet ski). Boats can cause great disturbance to seabirds when nesting⁴ and other birds, particularly brent goose, roosting on the water or feeding at sea or roosting shorebirds and others on exposed rocks. However, birds in general can become acclimatised to boats and boat owners that follow simple guidelines of keeping speed slow in the vicinity of colonies and roosts and keeping a distance of at least 200m from birds on the water. Exclusion zones may be necessary to restrict boat activity at certain sites for sensitive times of year e.g., seabird breeding season.

Boats can also allow access to otherwise difficult to visit sites like smaller islands, rocks and towers that may hold nesting and roosting birds unaccustomed to people. Visiting these sites should be avoided and signage should be put on the islands etc. alerting boat owners to the presence of sensitive birds and the need to avoid the site.

Risk of disturbance MEDIUM

Likelihood of disturbance POSSIBLE

Mitigation Avoid sensitive areas such as Plémont to Grève de Lecq Seabird Protection Zone⁵

Canoes and kayaks

Using canoes and kayaks at sea can bring canoeists into contact with birds roosting or feeding on the water. These watercraft are typically quiet and only move slowly towards birds allowing sensitive birds to move away⁶. Canoeists should follow marine wildlife codes of conduct⁷ and avoid restricted areas, seabird colonies and roosting brent goose.

Canoes and kayaks can also allow access to otherwise difficult to visit sites like smaller islands, rocks and towers that may hold nesting and roosting birds unaccustomed to people. Visiting these sites should be avoided and signage should be put on the islands etc. alerting canoeists to the presence of sensitive birds and the need to avoid the site. Canoe clubs expect their members to act responsibly; however, non-members and visitors to the Island can canoe freely and may have no

⁴ Buffer-Zone Distances to Protect Foraging and Loafing Waterbirds from Disturbance by Personal Watercraft and Outboard-Powered Boats. 2002 <https://conbio.onlinelibrary.wiley.com/doi/abs/10.1046/j.1523-1739.2002.00316.x>

⁵ Seabird Protection Zone: Plémont to Grève de Lecq

<https://www.gov.je/SiteCollectionDocuments/Environment%20and%20greener%20living/ID%20SPZPlemontLeaflet%20DM.pdf>

⁶ Marine recreation evidence briefing: non-motorised watercraft including paddlesports

<http://publications.naturalengland.org.uk/publication/6087131801321472>

⁷ Jersey marine & coastal wildlife watching code

<https://www.gov.je/SiteCollectionDocuments/Environment%20and%20greener%20living/ID%20MarineCostalWildlif eWatchingCode%20DM.pdf>

understanding of local restrictions etc. Follow Jersey marine & coastal wildlife watching code⁸. More signage at launching sites may be required.

Risk of disturbance LOW

Likelihood of disturbance POSSIBLE

Mitigation Follow code of conduct and avoid sensitive and restricted sites and birds flocking on the sea

Climbing and abseiling

Walkers and climbers generally do little to disturb birds, but a certain level of care and awareness is needed, particularly during the breeding season. Climbers should be aware that rarer birds such as Eurasian oystercatcher, peregrine falcon and seabirds benefit from additional legal protection. Climbing close to a nest can be very disturbing and cause birds to abandon eggs or chicks. Climbers must be aware of behaviour of birds on the cliffs they wish to climb and avoid these areas. Guidelines for climbers are widely available⁹. Some routes may be restricted during the breeding season. Local clubs expect their members to act responsibly; however, non-members and visitors to the Island can potentially climb freely and may have no understanding of local restrictions etc. More signage at climbing sites may be required.

Risk of disturbance MEDIUM

Likelihood of disturbance POSSIBLE

Mitigation Follow code of conduct and be aware of nesting birds and potential for disturbance. Adhere to signage

Coasteering

Coasteering encompasses movement along the intertidal zone of a rocky coastline on foot or by swimming, without the aid of boats, surf boards or other craft. Coasteering offers the opportunity provided by the marine geology for moving in the “impact zone” where water, waves, rocks, gullies, caves etc., come together to provide a very high energy environment. Jumping and diving are often seen as an appealing and exciting part of coasteering.

Several species of cliff nesting birds have been identified as potentially sensitive to coasteering¹⁰. In Jersey this includes several species of birds which nest almost exclusively on the cliffs and rocky shoreline such as Eurasian oystercatcher, rock pipit, seabirds, peregrine falcon, common raven and red-billed chough.

Risk of disturbance HIGH

Likelihood of disturbance POSSIBLE

⁸ Jersey marine & coastal wildlife watching code

<https://www.gov.je/SiteCollectionDocuments/Environment%20and%20greener%20living/ID%20MarineCostalWildlifeWatchingCode%20DM.pdf>

⁹ Nesting Birds - MCoFS Guide for Climbers <https://www.mountaineering.scot/assets/contentfiles/pdf/nesting-birds-&-climbers-with-photos-embedded-0410.pdf>

¹⁰ Scoping Study into the Potential Impacts of Coasteering in Pembrokeshire

<http://www.pembrokeshireoutdoors.org.uk/wp-content/uploads/2011/02/Scoping-Study-interim-report.pdf>

Mitigation follow code of conduct and adhere to signage, raise awareness in commercial operators, avoid sensitive areas during bird breeding season March-July

Cycling

Cycling, particularly off-road mountain biking should not be a cause for disturbance of birds. However, a desire to be away from well used routes brings cyclists into contact with many birds, particularly when nesting. Disturbance is minimized by cyclists only using existing pathways. Many cyclists do not join organised groups and it is difficult to raise awareness.

Bicycle courses established in several of the Island's woodlands, officially recognised or not, and events officially organised or otherwise can disturb woodland birds. Events are infrequent and birds can become acclimatised.

Risk of disturbance LOW

Likelihood of disturbance POSSIBLE

Mitigation adhere to signage, follow codes of conduct

Dogs

Dogs represent a serious disturbance to shorebirds and brent goose feeding on beaches during the low tide¹¹. Dogs can have rapid and unpredictable movements that easily frighten wildlife and they are commonly perceived as a threat by birds. Dogs are the domestic form of wolf, a predator of many shorebird species and brent goose on their northern breeding grounds where these birds are very alert to this predator's presence and choose to spend the winter on 'wolf-free' sites. Some studies have shown that dogs may be more of a threat to birds than any other recreational activity¹².

Disturbance by dogs may accelerate to stress, injury or death of birds from being chased or attacked and even permanent displacement from important habitat. Habitat that wintering or migrating birds need to survive during harsh times of the year.

Away from beaches, dogs may also cause high levels of disturbance to ground-nesting birds like skylark and meadow pipit. Dogs may directly predate nesting birds, their eggs or young and impact on breeding success due to disturbance at nesting time. Disturbance also exposes the eggs or young of nesting birds to a greater risk of loss to opportunistic predators, especially carrion crow and magpie. This may be the greatest risk arising from disturbance on sites where people and dog numbers are high.

Mitigation aimed at reducing disturbance from dogs at both sites of wintering shorebirds and geese and ground-nesting birds may be quite straight forward. Keeping dogs on the lead while being walked will reduce disturbance of birds to almost nothing. A distance of 200 metres should still be kept between the dog, dog-walker and the birds.

In Jersey, several beaches are very important feeding sites for shorebirds, including several IUCN Red Listed species (Appendix I) and geese while others hold very few birds. Those beaches with important bird numbers should be made aware to dog owners through signage etc. and only dogs

¹¹ Dogs, access and nature conservation <http://publications.naturalengland.org.uk/publication/65013>

¹² Bird disturbance from human activity: Potential effects from recreational activities on sea and shore birds <http://www.estuary.org.nz/f/2d3833020b258113.pdf>

kept on the lead allowed on these beaches. Dogs may be allowed off the lead on other, marked, beaches or parts of beaches.

Zoning where dogs must be kept on the lead is a common mitigation practice to restrict disturbance worldwide including in Guernsey¹³ and Isles of Scilly¹⁴. However, studies have shown that compliance with orders or recommendations to keep dogs on leads can be low in many places and it is likely that orders may need to be backed up through authority.

Risk of disturbance HIGH

Likelihood of disturbance LIKELY

Mitigation Restrict access to specific beaches and other sites where all dogs must be on a lead. Establish code of conduct and increase signage at all restricted sites. Enforce regulations.

Fireworks and ceremonial guns

Fireworks and ceremonial guns will inevitably be very loud and are accompanied by bright flashes. These will disturb many bird species during many activities. Use of ceremonial guns such as noonday cannon can disturb nesting birds close by but these may become used to a regular activity. In contrast, fireworks may be used at any time and so do not allow birds to become used to them and can cause great disturbance if close to roosts, where waterbirds are feeding or in path of nocturnal migratory birds like Redwing.

Risk of disturbance HIGH

Likelihood of disturbance POSSIBLE

Mitigation Avoid sensitive times of year, sensitive sites etc

Hang-gliding and paragliding

Hang-gliding and paragliding are pastimes involving a light, non-motorised, foot launched aircraft with the pilot suspended from below. A hanglider has a frame covered with a cloth to form a wing whereas a paraglider is frameless, the fabric wing's shape maintained by suspension lines and the force of the air below it. Despite not being motorised, hang-gliders and paragliders can reach heights of up to several thousand metres and stay airborne for lengthy periods.

Although typically very quiet, these aircraft can cause significant disturbance to some birds at particular times. Needing to use air currents and thermals, pilots may be choosing to use the same spots as birds such as fulmar, common kestrel and common buzzard. Proximity to cliff nesting birds and close approach to their nests will be also be disturbance. Hang-gliding, paragliding and other light aircraft are considered amongst the main causes of disturbance to nesting Bonelli's eagle *Aquila fasciata* in Europe¹⁵. Great care should be taken by pilots to ensure that they understand

¹³ Dogs on the Common (Vale Commons, Guernsey) <http://valecommons.org/dogs>

¹⁴ Council of the Isles of Scilly. Dog control <https://www.scilly.gov.uk/business-licensing/environmental-health/dog-control>

¹⁵ Guidelines for the conservation of Bonelli's eagle populations. 2016. <https://core.ac.uk/download/pdf/43552702.pdf>

bird behaviour and where they are flying in relation to nesting birds. A best practice guide for pilots has been published¹⁶.

Risk of disturbance MEDIUM

Likelihood of disturbance POSSIBLE

Mitigation Avoid sensitive sites and bird breeding season March-July. Follow code of conduct

Hedge-trimming, tree-cutting and branchage

Cutting, removal etc of hedges, trees and other vegetation can be very disturbing to birds. This is especially true during the breeding season as birds of many kinds nest in hedges and trees. Work can be done sensitively but it is best to avoid all heavy work during the bird breeding season March to July.

The branchage refers to the Jersey law¹⁷ which ensures that any vegetation growth that overhangs roads and footpaths is cut back. This includes hedges, branches, trees, shrubs, grass and flowers etc. The 'branchage law' states that you must have the branchage cut to certain specifications on these areas of your property. The most efficient and sustainable way to achieve this is by: during the first branchage in June, cut only the sides of the banquette to a minimum height of 10cm, leaving the vegetation uncut on the top of the banquette (as long as it does not overhang the road); on the second branchage in September, cut the sides and optionally the top of the banquette to a minimum height of 10cm. Avoid all heavy work during the bird breeding season March to July. Guidelines on branchage best practice are available¹⁸.

Risk of disturbance HIGH

Likelihood of disturbance POSSIBLE

Mitigation Avoid work during bird breeding season March-July and follow best practice guidelines

Model aeroplanes

Model aeroplanes come in many sizes and can be very loud. In Jersey such small aircraft are typically only flown at one well managed, by Jersey Model Aero Club, permanent site. Despite the apparent risk of disturbance to birds in the vicinity of the planes, birds have become accustomed to the presence of these aircraft (see also Shooting). Flying of model aeroplanes away from the managed site may represent significant disturbance to birds (see UAVs). A guide to the safe operation of model aircraft (and UAVs) has been published in Jersey¹⁹.

Risk of disturbance LOW

¹⁶ Ecological Position Paper of the European Hang Gliding and Paragliding Union (EHPU)

<http://www.ehpu.org/content/policy.htm>

¹⁷ Branchage

<https://www.gov.je/Home/Parish/pages/branchage.aspx#:~:text=What%20the%20law%20requires%E2%80%8B,the%20areas%20of%20your%20property.&text=there%20is%20a%20clearance%20of,of%208%20feet%20over%20foot paths>

¹⁸ Banquette, Hedgerow and Tree Management: Guidelines On Best Branchage Practice

<https://www.gov.je/Home/Parish/pages/branchage.aspx>

¹⁹ A comprehensive guide for the safe operation of model aircraft, small unmanned aircraft, UAVs, drones & small surveillance aircraft in Jersey <https://cdn.ports.je/web/SUA%20comprehensive%20guide.pdf>

Likelihood of disturbance UNLIKELY

Mitigation Only fly at managed sites, follow safe operation guidelines

Motorsport, motocross

Sporting events for cars and motorcycles (motocross) can, through loud noise and activity, be very disturbing to birds. However, most events are held on land specifically for that purpose where birds are most likely absent through land management or have become acclimatised to the activity. Occasional or *ad hoc* events, especially where unauthorised and in areas where birds are unaccustomed to this level of disturbance, should be avoided. Planning requirements for future motorsport sites should always consider bird disturbance.

Risk of disturbance MEDIUM

Likelihood of disturbance POSSIBLE

Mitigation Only use established sites

Nesting birds of prey, owls and herons

Despite living in an often urban or semirural environment in Jersey, birds of prey (hawks Accipitridae and falcons Falconidae), owls (Tytonidae and Strigidae) and herons (Ardeidae) can be very sensitive to disturbance in close proximity to their nest²⁰. Nests of some species can be very obvious whereas others can be well hidden despite the nesting birds' size. Most are tree nesters but some species such as marsh harrier will nest on the ground. Barn owl typically nests in man-made structures, most pairs choosing to nest in boxes put up especially for them. Any activity that is considered disturbing should be avoided while birds are nesting although certain birds may already be accustomed to some activities. For approximate buffer distances from the nest for selected species where disturbance must be minimised, see Appendix IV.

Note that several species are likely to use the same nest site each year and several, including those using nest boxes, will re-use exact same nest each year. These sites and nests are protected outside the breeding season even if species is migratory.

Risk of disturbance MEDIUM

Likelihood of disturbance POSSIBLE

Mitigation Avoid all nesting species during the breeding season March-July and maintain buffer distances from nest

Non-native predatory mammals (cats, ferrets, hedgehogs, rats etc.)

Non-native predatory mammals, species introduced either intentionally or un-intentionally, that hunt birds, their nests and young have an obvious impact on bird populations. Invasive alien species are considered to be a major factor in the decline and extinction of bird populations worldwide²¹. However, threats and disturbance may go beyond direct hunting by restricting opportunities to nest or to roost by their presence. Jersey's seabird populations, particularly the burrow nesting Atlantic puffin, Manx shearwater and European storm petrel are restricted in availability of breeding sites

²⁰ A systematic review of the effects of recreational activities on nesting birds of prey. 2010

²¹ Invasive predators and global biodiversity loss. 2016 <https://www.pnas.org/content/113/40/11261>

through the presence of non-native mammals. Jersey would have many more nesting seabirds were it not for the presence of non-native mammals.

Risk of disturbance HIGH

Likelihood of disturbance LIKELY

Mitigation Predator control

Paddleboarding

Paddleboarding is the propulsion of a surfboard or paddleboard propelled by a person's arms or paddles while lying, kneeling or standing. The paddleboarder can move often long distances over water even out to sea. Typically, paddleboarders are unlikely to disturb birds such as geese or gulls roosting on the sea. However, paddleboarding does give people the opportunity to reach otherwise difficult to access sites such as cliff bases where Eurasian oystercatcher nest, rocks uncovered at high tide that are used by migratory and wintering shorebirds and other offshore sites where birds may be unaccustomed to people. Visiting these sites should be avoided and signage should be put on offshore sites alerting boat owners to the presence of sensitive birds and the need to avoid.

Risk of disturbance LOW

Likelihood of disturbance POSSIBLE

Mitigation Follow marine and coastal wildlife watching code and avoid sensitive and restricted sites and birds flocking on the sea

Personal watercraft (jet skis)

A personal watercraft (PWC), also called water scooter, is a recreational watercraft that the rider sits or stands on, rather than inside of, as in a boat. Personal watercraft are often referred to by trademarked brand names including (Kawasaki) Jet Ski as jet skis. PWCs are small, fast, fairly easy to use and do not have external propellers. PWC can be very fast and exciting and have become popular in Jersey where many are privately owned or can be rented. In Jersey, owners must register PWC at the Marine Leisure Centre before use and there are there are rules, regulations and speed limits (5 knots) in certain areas and bays; however, not in the most important areas for waterbirds and shorebirds²².

The presence of PWC can cause a high degree of disturbance to birds and can even cause injury or death in extreme circumstances. Seabirds use the waters around their breeding colonies for feeding, resting and socialising ('rafting'), with certain species, in particular auks, congregating in groups on the water at this time. PWC can access areas close to breeding sites themselves, flushing birds from their nests or foraging areas. At certain times of year, non-breeding birds, in particular brent geese roosting on the sea and feeding ducks, divers and grebes are also highly vulnerable to disturbance.

The Royal Society for Protection of Birds recommends that PWC should be strictly managed in or around waters important for birds²³. This applies particularly to waters adjacent to major seabird

²² Going out on personal watercraft responsibly <https://www.ports.je/jerseycoastguard/safety/personal-water-craft/>

²³ Jet skis and birds <https://www.rspb.org.uk/globalassets/downloads/documents/positions/marine/jet-skis-and-birds--the-rspb-position.pdf>

breeding colonies and overwintering areas. Any codes of practice for jet skiing must clearly set out appropriate speed limits and define closed periods where necessary to avoid particularly sensitive areas or species. However, in the context of a general lack of compliance with voluntary measures and the continued risk to the protection of bird species during the sensitive breeding or wintering seasons, there should be regulatory management for jet skis in sensitive areas.

Risk of disturbance HIGH

Likelihood of disturbance LIKELY

Mitigation Restricted areas around nesting seabirds and sites where geese roost and other waterbirds feed. Establish code of conduct and enforce regulations

Photography

Photographing birds need not disturb them unless photographers approach too closely, prevent birds from settling or deliberately try to move the subject of a photograph to get a better pose. Photographing birds at nest, if it requires the photographer to approach the nest closely can also be very disturbing to birds at a sensitive time, is generally unnecessary and should be avoided at all times. In the UK it is illegal to photograph Schedule 1 birds at the nest without a government license²⁴. Romano da Costa Photography, Birds On The Edge and Société Jersiaise and have produced a birdwatching and photography code of conduct (Appendix III)²⁵ which should be followed by all photographers to ensure that birds are not disturbed.

Risk of disturbance MEDIUM

Likelihood of disturbance POSSIBLE

Mitigation Follow birdwatching and photography code of conduct and seek licence where necessary

Shooting

Shooting through clubs using specific sites is, despite the often loud and repeated noise, generally not particularly disturbing to birds, even to those in very close proximity. Birds can become acclimatised to loud noises if regular and unthreatening. Shooting, away from regular sites and where birds have not become used to the activity, may be very disturbing to birds such as waterbirds, waders and those roosting. In Jersey it is an offence to use a firearm between sunset and sunrise²⁶.

Risk of disturbance HIGH

Likelihood of disturbance POSSIBLE

Mitigation Only use recognised sites

Tape-lures

Tape-luring is the use of a tape of a bird's calls or song, or those of a different species such as a predator, in order to attract a particular bird species. This method may be very successful and is used by researchers for scientific purposes but also by birdwatchers and photographers to see often

²⁴ Bird photography and the law http://ww2.rspb.org.uk/Images/BIRDPHOT_tcm9-132648.pdf

²⁵ <http://www.birdsontheedge.org/wp-content/uploads/2020/05/BOTE-Code-of-Conduct-v2.pdf>

²⁶ Firearms (Jersey) law 2000 <https://www.jerseylaw.je/laws/revised/Pages/23.200.aspx>

shy or retiring species. There is much evidence to support the idea that practices like this can have a detrimental affect on many bird species, particularly during the breeding season²⁷. When a bird hears a recording, it cannot tell that the sound is recorded. Because many birds use songs to claim territory, hearing another song may make the bird believe its territory has been invaded by a competitor, and it will seek out that competitor to challenge it. When a bird responds to a recording, it is no longer foraging, caring for eggs or chicks, preening, resting, or otherwise engaged in activities it needs to survive. Instead, the agitated bird is now chasing a fake bird. In the UK, disturbance of Schedule 1 birds is illegal without a license. In Jersey, use of tape-lures to attract birds should only be permitted by licence and the recommendation not to use lures is included in the birdwatching and photography code of conduct (Appendix III).

Risk of disturbance HIGH

Likelihood of disturbance LIKELY

Mitigation Restrict use to licensed bird ringers or researchers, follow code of conduct

Bird Recording Ethics - Good or Bad? Should Bird Calls Be Used in the Field?

Trapping and ringing

Tapping birds to ring them for research is undoubtedly disturbing for any birds caught. Ringing is only carried out by fully trained ornithologists under license from SOJ and coordinated by the Channel Islands Ringing Scheme. No other people are permitted to catch or ring birds and licensed ringers from outside of Jersey must seek permission locally if they wish to ring birds. Bird ringing codes of conduct are available in many countries²⁸.

Risk of disturbance MEDIUM

Likelihood of disturbance POSSIBLE

Mitigation Restrict to licensed ringers only

Unmanned aerial vehicle (UAV, or drone)

UAVs, sometimes small, unmanned aircraft (SUA) but most commonly called drones, are typically small unmanned aerial vehicles powered by rotors operated under remote control by a human operator. Small, easy to operate drones can be easily bought and many are fitted with video cameras. Drones of various sizes are increasingly used for many purposes such as surveying, aerial photography and research including bird research. However, large numbers of small drones are simply flown by hobbyists who enjoy their versatility and the ability to 'see' places and things otherwise unavailable to the operator.

Many studies show that drone flying can have severe consequences for breeding birds, leading to abandonment of nests with an increased risk of their detection by predators²⁹. Foraging and roosting birds may be flushed and use valuable energy resources in flight and even abandon sites that are

²⁷ Bird Recording Ethics - Good or Bad? Should Bird Calls Be Used in the Field? <https://www.thespruce.com/ethics-of-bird-calls-386683>

²⁸ Bird bander's code of conduct (New Zealand) <https://www.doc.govt.nz/our-work/bird-banding/bird-banders-code-of-conduct/>

²⁹ Approaching birds with drones: first experiments and ethical guideline. 2015 <https://royalsocietypublishing.org/doi/10.1098/rsbl.2014.0754>

essential to them and make them vulnerable to predators. Some territorial birds may even attack drones as perceived threats, diverting their behaviour from more important natural activities and putting them at risk of actual harm from moving blades and other parts.

Authorities worldwide are increasingly controlling unauthorised use of drones through threats to aircraft, infrastructure, security and privacy concerns (most drones require licenses in the UK and operators require training³⁰). Many landowners such as the (UK) National Trust³¹ and National Parks³² have prohibited the use of drones unless specific permission is granted. In Jersey it is not permitted to fly within two nautical miles of the airport without permission (an area that includes St Ouen's Pond and Les Mielles) and best practice guidelines have been produced³³. Further restricted areas are recommended including all shorebird beaches and high tide roosts and seabird colonies.

Risk of disturbance HIGH

Likelihood of disturbance POSSIBLE

Mitigation Licensing of operators, restricted sites and best practice guidelines

Windsurfing, kitesurfing and land sailing or kite-buggying

Windsurfing, kitesurfing and land sailing or kite-buggying use wind to power a large kite or rigid sail to pull a surfboard, cart or pilot suspended underneath along, typically over water (the sea in Jersey) or over and along coastal beaches. Windsurfing and kitesurfing can disturb birds³⁴, like other coastal recreational activities conducted where birds are present³⁵. Disturbance can take place at the launching site and on open water, but fewer birds are found at the water depth where kitesurfing most frequently takes place than on shallow water or exposed sand (beaches) and mudflats.

In Jersey, windsurfers and kite surfers use areas where brent goose and gulls (Laridae) roost on the sea on high tides and where ducks such as red-breasted merganser and common scoter, divers (Gaviidae) and grebes (Podicipedidae) feed. Disturbance to these birds can be considerable and at sensitive times when birds are moulting and flightless, resting or feeding. Depending on the state of the tide, windsurfers and kitesurfers can be active very close to shorebirds (Scolopacidae, Haematopodidae and Charadriidae) feeding on land at the water's edge. Most of Jersey's

³⁰ The Drone and Model Aircraft Code <https://register-drones.caa.co.uk/drone-code/getting-what-you-need-to-fly>

³¹ Flying drones at our places <https://www.nationaltrust.org.uk/features/flying-drones-at-our-places>

³² New Forest - permission for drone flying <https://www.forestryengland.uk/article/new-forest-permission-drone-flying>

³³ Drone code <https://jersey.police.uk/advice/drone-code/>

³⁴ Marine recreation evidence briefing: windsurfing and kitesurfing <http://publications.naturalengland.org.uk/publication/6007565116243968>

³⁵ Kitesurfing and birds – a review. 2017 https://www.global-kitesports.org/wp-content/uploads/2018/01/Final-Study-Birds-and-Kitesurfing_2017.pdf

shorebirds winter on the Island or pass through on lengthy migration and are highly susceptible to disturbance when feeding and when food resources are essential to their survival.

Land-sailing or kite-bugying uses a small framed and wheeled buggy powered by a rigid sail to pull it along over ground, in Jersey along coastal beaches. Use of buggies on beaches where birds are feeding or roosting causes high levels of disturbance often during vital feeding activities. Not all of Jersey's beaches hold numbers of shorebirds or geese at any time and use of kite-buggies should be restricted to beaches where users will not encounter many birds and those beaches with shorebird and goose flocks not used.

Risk of disturbance HIGH

Likelihood of disturbance LIKELY

Mitigation Restrict to specific beaches, develop code of practice

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Appendix I

Jersey bird species in IUCN global Red List¹

IUCN Categories of threat

- Critically endangered (CR) – in a particularly and extremely critical state
- Endangered (EN) – very high risk of extinction in the wild
- Vulnerable (VU) – meets one of the 5 red list criteria and thus considered to be at high risk of unnatural (human-caused) extinction without further human intervention.
- Near threatened (NT) – close to being at high risk of extinction in the near future
- Least concern (LC) – unlikely to become extinct in the near future

All Jersey birds not included in table are Least Concern

| Species | | IUCN Red List ³⁶ | Status in Jersey ³⁷ |
|-------------------------------|------------------------------|-----------------------------|---|
| Common pochard | <i>Aythya ferina</i> | VU | Occasional breeding species, scarce migrant and winter visitor. |
| Common eider | <i>Somateria mollissima</i> | NT | Scarce migrant and winter visitor |
| Velvet scoter | <i>Melanitta fusca</i> | VU | Rare, generally in winter |
| European turtle Dove | <i>Streptopelia turtur</i> | VU | Rare migrant and former breeding species |
| Slavonian grebe | <i>Podiceps auritus</i> | VU | Scarce spring and autumn migrant, may be common in some winters |
| Eurasian oystercatcher | <i>Haematopus ostralegus</i> | NT | Common resident and very common winter visitor and migrant |
| Northern lapwing | <i>Vanellus vanellus</i> | NT | Rare resident and common migrant |

³⁶ The IUCN Red List of Threatened Species <https://www.iucnredlist.org/en>

³⁷ Conservation Status of Jersey's Birds: Jersey's bird populations in the 21st Century http://www.birdsontheedge.org/wp-content/uploads/2012/03/Conservation_status_of_Jerseys_birds_2011_WEB.pdf

| | | | |
|-------------------------------|--------------------------------|-----------|---|
| Eurasian curlew | <i>Numenius arquata</i> | NT | Very common winter visitor and migrant. Some birds present in summer |
| Bar-tailed godwit | <i>Limosa lapponica</i> | NT | Scarce winter visitor and migrant |
| Black-tailed godwit | <i>Limosa limosa</i> | NT | Rare winter visitor and migrant |
| Red knot | <i>Calidris canutus</i> | NT | Rare, mainly spring and autumn, migrant |
| Curlew sandpiper | <i>Calidris ferruginea</i> | NT | Rare autumn migrant |
| Black-legged kittiwake | <i>Rissa tridactyla</i> | VU | Common spring and autumn migrant, present offshore nearly throughout year |
| Razorbill | <i>Alca torda</i> | NT | Rare breeding species. Common winter visitor and common autumn migrant |
| Atlantic puffin | <i>Fratercula arctica</i> | VU | Rare and declining breeding species and rare migrant. Rare in winter |
| Sooty shearwater | <i>Ardenna griseus</i> | NT | Rare autumn migrant |
| Balearic shearwater | <i>Puffinus mauretanicus</i> | CR | Scarce, mainly autumn migrant. May be thousands seen some years |
| Aquatic warbler | <i>Acrocephalus paludicola</i> | VU | Rare autumn migrant |
| Dartford warbler | <i>Sylvia undata</i> | NT | Scarce resident |
| Redwing | <i>Turdus iliacus</i> | NT | Very common, occasionally abundant, winter visitor and migrant |
| Meadow pipit | <i>Anthus pratensis</i> | NT | Common resident, winter visitor and abundant migrant |

Appendix II Status of birds in Jersey

Local red list category of bird species in Jersey³⁸ with local population status³⁹.

Note 1. Brent goose *Branta bernicla* and white wagtail *Motacilla alba* are represented in Jersey by two distinct regular populations (light-bellied and dark-bellied brent goose; white and pied wagtail) and two red list categories are given for these species.

Note 2. Species order in tables follows British Ornithologists' Union⁴⁰.

RED LIST

Species that meet any of the following criteria are red listed: IUCN (**Appendix I**) status VU or above, shows severe decline in the Jersey breeding population size, of more than 50% over 20 years (a

³⁸ Conservation Status of Jersey's Birds: Jersey's bird populations in the 21st Century

http://www.birdsontheedge.org/wp-content/uploads/2012/03/Conservation_status_of_Jerseys_birds_2011_WEB.pdf

³⁹ A Working List of the Birds of the Channel Islands <http://www.birdsontheedge.org/wp-content/uploads/2020/11/Working-list-of-CI-birds-to-Dec-2019-1.pdf>

⁴⁰ The British List <https://bou.org.uk/british-list/>

former breeding species will be listed for ten years after local extinction), severe decline in the Jersey non-breeding population size, of more than 50%, over 20 years, is a Jersey rarity (typical breeding population of less than 20 pairs, except for naturally uncommon birds of prey) or a non-breeding population of less than 50 individuals. A new breeding species must have been breeding for a minimum of three years.

Species marked with * were included in Amber or Green¹ but are moved here through change in IUCN global status since 2011.

| Species | | Status in Jersey ² |
|---------------------------|------------------------------|--|
| Mute Swan | <i>Cygnus olor</i> | Rare, usually winter, visitor. NB presence of free-flying and resident feral birds |
| Light-bellied brent goose | <i>Branta bernicla hrota</i> | Common winter visitor |
| Northern shoveler | <i>Spatula clypeata</i> | Occasional breeding species, scarce annual migrant and winter visitor |
| Common pochard | <i>Aythya ferina</i> | Occasional breeding species, scarce migrant and winter visitor |
| Common cuckoo | <i>Cuculus canorus</i> | Rare migrant and former breeding species |
| Turtle dove | <i>Streptopelia turtur</i> | Rare migrant and former breeding species |
| *Slavonian grebe | <i>Podiceps auritus</i> | Scarce spring and autumn migrant, |
| *Oystercatcher | <i>Haematopus ostralegus</i> | Scarce spring and autumn migrant and winter visitor |
| Northern lapwing | <i>Vanellus vanellus</i> | Rare resident, migrant and winter visitor |
| Common Ringed plover | <i>Charadrius hiaticula</i> | Rare resident, common winter visitor and migrant |
| Eurasian dotterel | <i>Charadrius morinellus</i> | Rare spring and autumn migrant |
| *Eurasian curlew | <i>Numenius arquata</i> | Very common winter visitor and migrant |
| *Bar-tailed godwit | <i>Limosa lapponica</i> | Scarce winter visitor and migrant |
| *Black-tailed Godwit | <i>Limosa limosa</i> | Rare winter visitor and migrant |
| *Black-legged Kittiwake | <i>Rissa tridactyla</i> | Common spring and autumn migrant |
| Common tern | <i>Sterna hirundo</i> | Common breeding species and very common migrant |
| Razorbill | <i>Alca torda</i> | Rare breeding species. Common winter visitor autumn migrant |
| Atlantic puffin | <i>Fratercula arctica</i> | Rare and declining breeding species and rare migrant |
| Great northern diver | <i>Gavia immer</i> | Scarce autumn migrant and winter visitor |
| Balearic shearwater | <i>Puffinus mauretanicus</i> | Scarce, mainly autumn migrant. May be thousands seen some years |
| Great cormorant | <i>Phalacrocorax carbo</i> | Common resident, breeds only on offshore reefs, and migrant |

| | | |
|---------------------------|-----------------------------------|---|
| European shag | <i>Phalacrocorax aristotelis</i> | Common, declining, resident and migrant. |
| Great bittern | <i>Botaurus stellaris</i> | Rare, but regular, autumn migrant and rare winter visitor |
| Bearded tit | <i>Panurus biarmicus</i> | Rare breeding species and rare migrant. |
| Skylark | <i>Alauda arvensis</i> | Scarce and declining resident and spring migrant. Common but decreasing autumn migrant and winter visitor |
| Willow warbler | <i>Phylloscopus trochilus</i> | Common spring and very common autumn migrant, formerly bred |
| Aquatic warbler | <i>Acrocephalus paludicola</i> | Rare autumn migrant |
| Sedge warbler | <i>Acrocephalus schoenobaenus</i> | Rare breeder, common spring and autumn migrant. |
| Garden warbler | <i>Sylvia borin</i> | Scarce breeder, spring and autumn migrant |
| *Dartford Warbler | <i>Sylvia undata</i> | Scarce resident. |
| Firecrest | <i>Regulus ignicapilla</i> | Occasional breeding species, common autumn migrant and winter visitor. |
| Common starling | <i>Sturnus vulgaris</i> | Common but declining resident, winter visitor and abundant migrant |
| *Redwing | <i>Turdus iliacus</i> | Very common migrant and winter visitor |
| Mistle thrush | <i>Turdus viscivorus</i> | Rare, declining resident and migrant |
| Spotted flycatcher | <i>Muscicapa striata</i> | Rare and declining breeder and spring migrant; scarce in autumn. |
| Common stonechat | <i>Saxicola rubicola</i> | Rare resident, common winter visitor and migrant. |
| Northern wheatear | <i>Oenanthe oenanthe</i> | Occasional breeding species and very common migrant |
| *Meadow pipit | <i>Anthus pratensis</i> | Common resident, winter visitor and abundant migrant |
| Bullfinch | <i>Pyrrhula pyrrhula</i> | Scarce and declining, resident |
| European serin | <i>Serinus serinus</i> | Rare spring and summer visitor, former breeding species |
| Yellowhammer | <i>Emberiza citrinella</i> | Former resident, rare spring and autumn migrant |
| Cirl bunting | <i>Emberiza cirlus</i> | Rare resident and occasional migrant |

AMBER LIST

Species that meet any of the following criteria, but none of the red list criteria, are Amber listed: species categorised as a Species of European Conservation Concern as reviewed by European Parliament and the Council of the European Union, show moderate breeding population decline by more than 25% but less than 50%, moderate non-breeding population by more than 25% but less

than 50%, at least 50% of the Jersey population found in five or fewer locations, where a species may be well known locally but appropriate data are missing. Listing in this category indicates that more information on population numbers and trends is required and acknowledges that future analysis may see a change of status.

| Species | | Status in Jersey² |
|-------------------------------|--------------------------------|--|
| Gadwall | <i>Mareca strepera</i> | Rare resident and winter visitor |
| Eurasian wigeon | <i>Mareca penelope</i> | Scarce winter visitor and annual migrant |
| Eurasian teal | <i>Anas crecca</i> | Common winter visitor and migrant |
| Tufted duck | <i>Aythya fuligula</i> | Scarce resident and winter visitor |
| Common scoter | <i>Melanitta nigra</i> | Scarce, sometimes common, winter visitor and common autumn migrant |
| Red-breasted merganser | <i>Mergus serrator</i> | Common winter visitor and autumn migrant |
| Goosander | <i>Mergus merganser</i> | Rare but annual winter visitor and migrant |
| Common swift | <i>Apus apus</i> | Common summer visitor and migrant |
| Water rail | <i>Rallus aquaticus</i> | Rare resident, common winter visitor and migrant |
| Little grebe | <i>Tachybaptus ruficollis</i> | Occasional breeding species, scarce migrant and winter visitor |
| Black-necked grebe | <i>Podiceps nigricollis</i> | Scarce spring and autumn migrant and winter visitor |
| European golden plover | <i>Pluvialis apricaria</i> | Scarce winter visitor and migrant |
| Grey plover | <i>Pluvialis squatarola</i> | Very common winter visitor and migrant |
| Turnstone | <i>Arenaria interpres</i> | Very common winter visitor and migrant |
| Sanderling | <i>Calidris alba</i> | Very common winter visitor and migrant |
| Dunlin | <i>Calidris alpina</i> | Abundant winter visitor and migrant |
| Eurasian woodcock | <i>Scolopax rusticola</i> | Common winter visitor and migrant |
| Jack snipe | <i>Lymnocyptes minimus</i> | Scarce winter visitor and migrant |
| Common snipe | <i>Gallinago gallinago</i> | Very common winter visitor and migrant |
| Green sandpiper | <i>Tringa ochropus</i> | Rare winter visitor and scarce migrant |
| Common redshank | <i>Tringa totanus</i> | Very common winter visitor and migrant |
| European Herring gull | <i>Larus argentatus</i> | Abundant resident but in decline |
| Sandwich tern | <i>Thalasseus sandvicensis</i> | Common in summer, rare in winter and very common spring and autumn migrant |
| Common guillemot | <i>Uria aalge</i> | Scarce winter visitor and migrant. Occasional in summer. Formerly bred |
| European storm-petrel | <i>Hydrobates pelagicus</i> | Scarce summer visitor and autumn migrant |
| Little egret | <i>Egretta garzetta</i> | Common resident and migrant |

| | | |
|-------------------------------|------------------------------|--|
| Western marsh harrier | <i>Circus aeruginosus</i> | Scarce resident and migrant |
| Common buzzard | <i>Buteo buteo</i> | Scarce resident and migrant |
| Long-eared owl | <i>Asio otus</i> | Rare breeding species, rare winter visitor and migrant |
| Common kingfisher | <i>Alcedo atthis</i> | Occasional breeding species, scarce winter visitor and spring and autumn migrant |
| Eurasian wryneck | <i>Jynx torquilla</i> | Occasional spring and scarce autumn migrant |
| Common kestrel | <i>Falco tinnunculus</i> | Common resident and scarce migrant |
| Merlin | <i>Falco columbarius</i> | Scarce winter visitor and migrant |
| Peregrine falcon | <i>Falco peregrinus</i> | Rare resident, scarce winter visitor and migrant |
| Common raven | <i>Corvus corax</i> | Rare resident |
| Sand martin | <i>Riparia riparia</i> | Common breeding species (at one site) and very common migrant |
| House martin | <i>Delichon urbicum</i> | Common, but declining breeding species and very common migrant |
| Cetti's warbler | <i>Cettia cetti</i> | Scarce resident and autumn migrant |
| Goldcrest | <i>Regulus regulus</i> | Common resident, winter visitor and migrant |
| Short-toed treecreeper | <i>Certhia brachydactyla</i> | Common resident |
| Ring ouzel | <i>Turdus torquatus</i> | Scarce spring and autumn migrant |
| Song thrush | <i>Turdus philomelos</i> | Common but declining resident and autumn migrant |
| House sparrow | <i>Passer domesticus</i> | Very common resident |
| White wagtail | <i>Motacilla alba alba</i> | Scarce breeding species, common migrant and scarce winter visitor |
| | | |
| Water pipit | <i>Anthus spinoletta</i> | Rare winter visitor and spring and autumn migrant |
| Linnet | <i>Linaria cannabina</i> | Common but declining breeder and migrant |

GREEN LIST

All regularly occurring species that do not qualify under any of the Red or Amber criteria are green listed. The green list may include those species recovering from historical decline that have continued to recover and do not qualify under any of the other criteria. All other bird species recorded in Jersey, vagrants and historical records, are considered Grey listed (not included here).

| Species | | Status in Jersey ² |
|------------------------|----------------------------|-------------------------------|
| Common pheasant | <i>Phasianus colchicus</i> | Abundant, introduced |

| | | |
|---------------------------------|-----------------------------------|--|
| Dark-bellied brent goose | <i>Branta bernicla bernicla</i> | Very common autumn and winter visitor |
| Northern mallard | <i>Anas platyrhynchos</i> | Common resident and migrant |
| Rock dove/feral pigeon | <i>Columba livia</i> | Formerly bred. Feral birds, including wild type, resident on cliffs and in urban areas |
| Stock dove | <i>Columba oenas</i> | Common resident |
| Wood pigeon | <i>Columba palumbus</i> | Very common resident and often abundant autumn migrant |
| Collared dove | <i>Streptopelia decaocto</i> | Common resident |
| Moorhen | <i>Gallinula chloropus</i> | Common resident, migrant and winter visitor |
| Common coot | <i>Fulica atra</i> | Common resident, common migrant and winter visitor |
| Great crested grebe | <i>Podiceps cristatus</i> | Scarce spring and autumn migrant and scarce winter visitor |
| Whimbrel | <i>Numenius phaeopus</i> | Common spring and scarce autumn migrant |
| Common sandpiper | <i>Actitis hypoleucos</i> | Scarce spring and autumn migrant, rare in winter |
| Common greenshank | <i>Tringa nebularia</i> | Scarce migrant and declining winter visitor |
| Black-headed gull | <i>Chroicocephalus ridibundus</i> | Abundant spring and autumn migrant and winter visitor |
| Mediterranean gull | <i>Ichthyaetus melanocephalus</i> | Common autumn migrant and winter visitor |
| Common gull | <i>Larus canus</i> | Scarce migrant and winter visitor |
| Great black-backed gull | <i>Larus marinus</i> | Common breeding species, very common migrant and winter visitor |
| Lesser black-backed gull | <i>Larus fuscus</i> | Common but declining breeding species, common migrant and scarce winter visitor |
| Fulmar | <i>Fulmarus glacialis</i> | Common resident and migrant |
| Grey heron | <i>Ardea cinerea</i> | Common migrant and winter visitor |
| European sparrowhawk | <i>Accipiter nisus</i> | Scarce resident, migrant and winter visitor |
| Barn owl | <i>Tyto alba</i> | Scarce resident and migrant. |
| Great spotted woodpecker | <i>Dendrocopos major</i> | Common resident. |
| Eurasian jay | <i>Garrulus glandarius</i> | Common resident |
| Magpie | <i>Pica pica</i> | Very common resident. |
| Western jackdaw | <i>Coloeus monedula</i> | Scarce resident, population increasing |

| | | |
|------------------------------|---------------------------------|---|
| Carrion crow | <i>Corvus corone</i> | Abundant resident |
| Blue tit | <i>Cyanistes caeruleus</i> | Very common resident. |
| Great tit | <i>Parus major</i> | Common resident |
| Barn swallow | <i>Hirundo rustica</i> | Common breeding species and very common migrant |
| Long-tailed tit | <i>Aegithalos caudatus</i> | Common resident |
| Common chiffchaff | <i>Phylloscopus collybita</i> | Common breeding and winter visitor, very common migrant |
| Eurasian reed warbler | <i>Acrocephalus scirpaceus</i> | Common breeding species, common spring and autumn migrant |
| Blackcap | <i>Sylvia atricapilla</i> | Common resident, migrant and winter visitor |
| Common whitethroat | <i>Curruca communis</i> | Common breeding species, spring and autumn migrant |
| Wren | <i>Troglodytes troglodytes</i> | Abundant resident and occasional migrant |
| Common blackbird | <i>Turdus merula</i> | Abundant resident and common autumn migrant |
| European robin | <i>Erithacus rubecula</i> | Abundant resident and common autumn migrant |
| Black redstart | <i>Phoenicurus ochruros</i> | Occasional breeding species, scarce migrant and winter visitor |
| Dunnock | <i>Prunella modularis</i> | Abundant resident and occasional migrant |
| Grey wagtail | <i>Motacilla cinerea</i> | Occasional breeding species, scarce migrant and common winter visitor |
| Pied wagtail | <i>Motacilla alba yarelli</i> | Common, very common winter visitor |
| Rock pipit | <i>Anthus petrosus</i> | Common resident |
| Common chaffinch | <i>Fringilla coelebs</i> | Common resident, very common migrant and winter visitor |
| Brambling | <i>Fringilla montifringilla</i> | Scarce winter visitor |
| Greenfinch | <i>Chloris chloris</i> | Common resident, in recent years declining and common migrant |
| Goldfinch | <i>Carduelis carduelis</i> | Abundant resident and very common migrant |
| Siskin | <i>Spinus spinus</i> | Common migrant and scarce winter visitor |

Appendix III Jersey's birdwatching and bird photography code of conduct⁴¹

Many bird species in Jersey are endangered locally or globally. Their survival depends on their chances to feed and breed safely. Birdwatching and bird photography may cause disturbance to birds, and, in certain circumstances, this disturbance might cause them harm or even death.

The following is a simple good practice code of conduct that puts the interest of birds first and offers simple advice on how to enjoy birdwatching and bird photography whilst minimising the disturbance to the birds or their habitats:

1. Avoid getting too close to birds, if a bird flies away you're too close! Do not be tempted to keep chasing the bird (some birds will freeze when approached). If a bird is making repeated alarm calls you are also too close
2. Stay on roads, footpaths or in bird hides to avoid going too close to birds or walking through their habitats. Disturbing habitats is just as bad as disturbing the bird itself
3. Think about your fieldcraft. Disturbance is not just about going too close – a flock of wading birds on the foreshore can be disturbed from a distance if you stand on the seawall or walk directly towards them while a bird of prey on a kill will abandon it if you get too close!
4. DO NOT use playback or birdsong recordings to lure out hidden birds or to make them sing at any time of year. Provoking this behaviour may cause unnecessary stress to the bird, make it waste vital energy, keep it from feeding its mate or young, and put it at increased risk from predators. You may also be breaking the Law
5. DO NOT use flash when photographing birds at night. This might distract the birds or daze them, making them more vulnerable to predators
6. Know the law: Disturbing a wild bird feeding, roosting or at its nest or nesting area is an offence under the Conservation of Wildlife (Jersey) Law 2000
7. Make your sightings count: Report your observations in the records book at the hides;
 - via the Jersey Birds website www.jerseybirds.co.uk
 - the Jersey Birding Facebook page www.facebook.com/jerseybirding
 - or the Jersey Wildlife Facebook group www.facebook.com/groups/225539340841170/
8. If you witness anyone who you suspect may be illegally disturbing or destroying wildlife or its habitat;
 - Phone the Police on 01534 612612;
 - Or the Department of the Environment on 01534 441600.

PLEASE REMEMBER

THE WELFARE AND INTERESTS OF BIRDS SHOULD ALWAYS COME FIRST

⁴¹ Jersey's birdwatching and bird photography code of conduct <http://www.birdsontheedge.org/wp-content/uploads/2020/05/BOTE-Code-of-Conduct-v2.pdf>

Appendix IV Recommended buffer distances for nesting birds of prey, owls and herons in Jersey

The following recommended distances should be observed

| Species | | Nest site | Distance (metres) |
|----------------------|---------------------------|---|--|
| Little egret | <i>Egretta garzetta</i> | Trees, ground | 500-800 |
| Eurasian sparrowhawk | <i>Accipiter nisus</i> | Trees | 200-300 |
| Marsh harrier | <i>Circus aeruginosus</i> | Ground | 300-500 |
| Common buzzard | <i>Buteo buteo</i> | Trees | 200-300 |
| Barn owl | <i>Tyto alba</i> | Buildings, nest-boxes. Trees | 50-100 |
| Long-eared owl | <i>Asio otus</i> | Trees | 50-100 during incubation 150-300 during chick rearing |
| Common kestrel | <i>Falco tinnunculus</i> | Trees, cliffs, buildings, nest-boxes | 200-300 |
| Peregrine falcon | <i>Falco peregrinus</i> | Cliffs, buildings | 400-800 |