

**1<sup>st</sup> Quinquennial Review of Schedules 1, 2 & Protected Plant  
Order (2009) of the Conservation of Wildlife (Jersey) Law  
2000 (CWL)**

---

**Responses and Summary Report**

---

**Drafted: December 2017**

**Endorsed: October 2018**

## Contents

	Page no.
Background	2
About the Quinquennial Review	2
Conduct and process of the 1 <sup>st</sup> Quinquennial Review	3
Table 1 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for <u>addition of wild animals</u> to protection under the law.	5-12
Table 2 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for <u>addition of wild plant species</u> for protection under Schedule 7 Protected Wild Plants of the law.	13-15
Table 3 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for <u>increased protection of protected wild bird species</u> under Schedule 5 whose breeding sites and resting places are protected under the law.	16-22
Table 4 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for <u>increased protection of protected wild bird species</u> under Schedule 3 protected wild birds which re-use their nest under law.	23-24
Table 5 - Summary of main proposals and decisions – 1st Quinquennial Review Response Form that have been submitted <u>for removal, or reduced protection</u> of wild animals, birds and plants under the law.	25-27
Next Steps	28
Appendix 1 – Form for adding, removing or changing the level of protections for a species in Schedules 1 and 2 of the law	29-36
Appendix 2 – Guidance notes and process for adding, removing or changing the level of protection for a species in Schedules 1 and 2 of the law.	37-50

## Background

Natural Environment, Growth, Housing and Environment, of the States of Jersey is responsible for administering the Conservation of Wildlife (Jersey) Law 2000 (CWL).

A review of Schedules to the CWL and the species protected under them, was carried out and published online in November 2016. Eighteen recommendations resulted from the review, were approved by the Minister for the Environment and each recommendation is being implemented. This will ensure that the CWL Schedules remain consistent with best practice, and that the listed species protected under them are up to date, based on local, national and international conservation status. Each recommendation has come from the research and analysis undertaken in both reports; Part I and Part II of the CWL Schedules and protected species review. A full list of recommendations can be found in the [Executive Summary Review of Schedules and protected species under the Conservation of Wildlife \(Jersey\) Law 2000 Executive](#).

One of the aims of this review was to establish a regime for a periodic review of protected species listed under;

- Schedules 1 (PART 1 Protected wild animals & PART 2 Protected wild birds)
- Schedule 2 (specially protected wild birds)
- Protected Plant Order (2009)

This included providing an information pack (containing guidance notes and forms) to assist stakeholders, agencies and individuals for suggesting specific species for listing and delisting or to change a species' level of protection (Recommendations 16 & 17).

In December 2016, the Department of the Environment created Jersey's first information pack namely; Jersey's 1<sup>st</sup> Quinquennial Review of Schedules 1 and 2 and the Protected Plant Order (2009) of the CWL. Jersey's 1<sup>st</sup> periodic review of protected species.

## About the Quinquennial Review

Natural Environment of the States of Jersey aims to promote the protection of vulnerable species and to protect the public's interest in relation to biodiversity. The CWL is one part of the strategic approach to the protection of these species and ensures that there is an appropriate legal framework.

Natural Environment of the States of Jersey is responsible for reviewing the species listed under the Law to make sure that international conservation requirements are being met and that the CWL is achieving its obligation of protecting endangered, vulnerable and important species. This review period runs concurrently and feeds into an integrated monitoring strategy that contributes to the five-

yearly report produced by the States of Jersey entitled [‘The Environment in Figures Report’](#) (last issued in 2016)

The quinquennial review enables;

- stakeholders, agencies and individuals to propose new species to be considered for protection.
- stakeholders, agencies and individuals to propose species to be removed from Schedules under the law and/or change levels to their protection.
- the evaluation of evidence to show that a species is in danger of extinction or threatened, and that this conservation status can be addressed by legislation.
- The evaluation of evidence to show that a species no longer needs legal protection and/or it requires a change in its level of protection

## Conduct and Process of the 1<sup>st</sup> Quinquennial Review

In December 2016 the Natural Environment of the States of Jersey sought views on the addition of species to, or removal of species from, Schedules 1 and 2 and the Protected Plant Order (2009) of the CWL. It also asked whether existing protection levels should be adjusted.

The following summary of recommendations were available for this review:

- Recommendations for addition to the law have been made because it is believed they would benefit from legislative protection, reducing current or future significant threats that they may face.
- Recommendations for removal are made on the basis that the threat no longer exists for whatever reason.
- Recommendations for change to its level of protection are made on the basis of the species conservation requirements i.e. changes to the species local status, including the species distribution, threat and rarity.

Notice was given to all relevant stakeholders/individuals to submit recommendations for Schedule amendments using specifically designed forms and guidance documentation for this review (Appendix 1, 2). The review period to do this was 12 weeks.

One form is used per species, whether it be for addition or removal to a Schedule or change to its level of protection. All forms were submitted after the review period and each proposal was examined and evaluated against the approved rationale and eligibility criteria using the evidence provided on the form. This also includes establishing that there are no issues of conflict with other legislation, policy considerations and wildlife management procedures.

In some instances the Natural Environment of the States of Jersey has recommended species for addition or removal to a Schedule or a change to its level of protection as well. These forms were examined and evaluated with the same approved rationale and eligibility criteria.

Each form can be made available to the public on request along with its evaluation under the rationale and eligibility criteria.

The tables below summarise the species proposed, the proposed protection recommendation and the decision made by Natural Environment of the States of Jersey alongside a justification for this decision.

**Table 1 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for addition of wild animals to protection under the law.**

Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Sunset cup-coral <i>Leptopsammia pruvoti</i>	Full protection	Minded to agree	Nationally and locally rare and recognised as threatened. Protection will bring Jersey into line with UK policy and legislation.	Schedule 1 Protected Wild Animals
Snake pipe fish <i>Entelurus aequoreus</i>	Full protection	Do not agree	An iconic species but not rare locally or nationally or listed as threatened. This species has become so abundant in some areas that it has been blamed for local declines in seabirds, which mistake it for sandeels (pipefish are nutritionally poor and hard to digest). Given that its' numbers are said to be increasing around the UK and that it is implicated in the conservation status of other protected species, its protection may have unforeseen consequences.	
Shark (all species except houndsharks and catsharks) <i>Selachimorpha</i> (All species except <i>Triakidae</i> and <i>Scyliorhinidae</i> )	Full protection	Minded to agree	Internationally threatened due to overfishing. Warming seas will place the Channel Islands in the range of several large pelagic species. During 2018 (unconfirmed) reports of the Smooth Hammerhead and Short-fin Mako were observed as well as confirmed records for Porbeagle and Blue Sharks. Jersey waters are thought to be a nursery area for Porbeagles (a large percentage of those caught in the 1960s were pregnant females). All pelagic sharks are banned from commercial fishing trade in Jersey and full protection under this law will provide protection from all threats.	Schedule 1 Protected Wild Animals  Schedule 6 Protection from disturbance

Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Pink sea fan <i>Eunicella verrucosa</i>	Full protection	Minded to agree	Nationally rare and locally uncommon. Protected elsewhere and widely recognised as being threatened. This species has been subject to commercial trade in the past and protection will bring Jersey in line with the UK.	Schedule 1 Protected Wild Animals
Sunfish <i>Mola mola</i>	Full protection	Agree to partial protection (from killing and taking, possession and export only) plus protection from disturbance	No commercial value and not recreationally fished but this is a large and iconic species is found in Jersey waters. Partial protection will encourage boaters to behave responsibly when in their presence and will discourage people from harassing individuals.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)  Schedule 6 Protection from disturbance
Short-snouted seahorse <i>Hippocampus hippocampus</i>  Long-snouted seahorse <i>Hippocampus guttulatus</i>	Full protection	Minded to agree	Seahorses are iconic and threatened locally. Wild specimens are sometimes taken locally by aquarium owners and have historically been dried and sold to tourists. The British Isles is now being targeted for collection for the private aquarium trade, with a small but significant number of animals being taken by divers and fishermen. They are protected nationally and internationally and protection would bring Jersey in line with other UK and European jurisdictions	Schedule 1 Protected Wild Animals)  Schedule 4 Protected breeding sites and resting sites  Schedule 6 Protection from disturbance

Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Crawfish <i>Palinurus elephas</i>	Full protection	Do not agree	A commercially fished species that is covered by Jersey's fishing regulations. The issue of crawfish protection is currently being reassessed locally through the Bay of Granville Agreement as well as internationally at the level of the UK and EU. Management currently occurs via restrictions imposed through licencing and it is felt that this is the best means of managing commercially fished species such as the crawfish.	
Lumpsucker <i>Cyclopterus lumpus</i>	Full protection	Minded to agree	Uncommon locally and there are suggestions that numbers have declined since the 1950s. The lumpsucker is not heavily exploited in the western English Channel (although it is fished in Scandinavia). As a near threatened species which could be commercially exploited, protection is recommended.	Schedule 1 Protected Wild Animals
Allis shad <i>Alosa alosa</i>	Full protection	Agree to partial protection (from possession and export only)	Recorded from Jersey waters but are rare. The prevention of access to spawning grounds is a threat to the species. Jersey does not have suitable spawning habitat so the species is unlikely to enter streams to breed. However, being so close to France it is likely the species is present in our waters. A study on by-catch in Jersey would determine if this species is being caught in our waters. Therefore, a precautionary approach of partial protection is justified for their conservation.	Schedule 1 Protected Wild Animals in respect of Articles 15 and 18 only)



Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Sturgeon <i>Acipenser sturio</i>	Full protection	Minded to agree	There are several records from Guernsey waters and from boats operating out of Carteret, so it is present but rare locally. There are two Jersey records of this species, both from the Gorey area. This species is one of Europe's most threatened fish. Common sturgeon were once heavily exploited within Europe, both for their roe (for caviar) and their flesh. There is potential for it to be found in Jersey, a precautionary approach is justified for their conservation.	Schedule 1 Protected Wild Animals
Sea lamprey <i>Petromyzon marinus</i>	Full protection	Do not agree	Only recorded once in Jersey. Possibly under recorded in the Channel Islands, whilst it has been recorded along the French coast (IUCN). Jersey lacks the suitable spawning grounds for this species to breed which may explain why it hasn't been recorded. Further studies are required to assess whether the population is endangered or just under recorded.	
Twaiite shad <i>Alosa fallax</i>	Full protection	Agree to partial protection (from possession and export only)	Two known records of this species. Jersey does not have the habitat requirements for spawning and therefore the species is unlikely to be recorded in streams along the coast, however during its adult life stage it is often caught as by-catch. Therefore, a precautionary approach of partial protection is justified for their conservation.	Schedule 1 Protected Wild Animals (in respect of Articles 15 and 18 only)
Giant Goby <i>Gobius cobitus</i>	Full protection	Do not agree	The Giant Goby is found in rock pools along many parts of the coast, especially in the spring when it lays eggs under stones. Although rare in the UK, in Jersey this is a common seashore and shallow subtidal species. It is not a targeted species and is not thought to be threatened or in decline.	

Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Fan mussel <i>Atrina fragilis</i>	Full protection	Minded to agree	Exceptionally rare locally and is easily destroyed by trawling and dredging. Worth protecting. The last sighting of a Fan mussel was in the late 80s, with another possibly dredged off Sark about 15 years ago. Over the last 100 years research suggests that population recovery is slow. Their long life, slow growth, limited reproductive output and low fertilisation efficiency hampers the species ability to recover from disturbances and mortality. Recovery will take up to 25 years.	Schedule 1 Protected Wild Animals
Swallowtail <i>Papilio Machaon</i> ssp. <i>gorganus</i>	Full protection	Agree to partial protection (from killing and taking, possession and export only)	Once thought to be a resident population but became locally extinct as was last recorded in 2011. Since 2013 more sightings are being recorded, but assumed to be vagrant from France. As such it provides the basis for safeguarding a potential resident population. Partial protection of this potential rare species is likely to result in an increase in the population.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)
Inquiline Ant, Dark Guest Ant <i>Tetramorium tratulum</i> or <i>Anergates atratulus</i>	Full protection	Do not agree	There are data deficiencies for this species. Recorded once in Jersey. Specific targeted searches are required to establish this species status.  Potentially this species would benefit from protection of its nesting sites and its host nesting sites should further survey results require it.	

Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Down Shieldbug <i>Canthophorus impressus</i>	Full protection	Do not agree	Recorded once in Jersey on a protected site of special interest (SSI). Further targeted searches are required to establish this species' status. It is highly dependent on its food plant Bastard Toadflax <i>Thesium humifusum</i> . Potentially the protection of this plant would provide a better form of protection for this species.	
Heath Grasshopper <i>Chorthippus vagans</i>	Full protection	Agree to partial protection (from killing and taking, possession and export only)	Jersey has an important and healthy population of this species which has a restricted global distribution. Partial protection will help to conserve this important local population.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)
Hoverfly <i>Chrysotoxum vernale</i>	Full protection	Agree to partial protection (from killing and taking, possession and export only)	This hoverfly is very rare locally with just 7 recorded since 2001. Will benefit from partial protection, firstly to help protect the small population in Jersey and secondly to raise the profile at a local level.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)

Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Vernal Colletes Bee <i>Colletes cunicularius celticus</i>	Full protection	Agree to partial protection (from killing and taking, possession and export only)	Locally rare bee species (2 nesting sites known; approx. 300-500 individuals in total). Partial protection would help conserve and enhance this species in Jersey by protecting current nesting areas from threats and supporting the spread of this important early spring pollinator.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)
Field Cricket <i>Gryllus campestris</i>	Full protection	Do not agree	Recorded in 13 1 Km squares. Not thought to be locally vulnerable or under threat currently.	
European Red Wood Ant <i>Formica pratensis</i>	Full protection	Minded to agree	Currently extinct in Britain since 2005 and is only found on Jersey and Guernsey in the British Isles. Recorded in nine 1 Km squares. Nest protection is vitally important to maintain their colonies, Therefore full protection is recommended.	Schedule 1 Protected Wild Animals
Jersey grasshopper <i>Euchorthippus pulvinatus Elegantulus</i>	Full protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Euchorthippus pulvinatus Elegantulus</i> is an endemic subspecies and not found in the UK. Recorded in nine 1 Km squares. Partial protection would help conserve and enhance this species to prevent further degradation to this iconic population.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)

Species	Proposed Recommendation	States of Jersey Recommendations	Justification	Schedules protected under the draft WILDLIFE (JERSEY) LAW
Southern Emerald Damselfly <i>Lestes barbarous</i>	Full protection	Agree to partial protection (from killing and taking possession and export only)	First recorded in Jersey in 1995. Recorded in three 1 Km squares and has a very restricted local range. <i>Lestes barbarous</i> is a vagrant species at the edge of its northern range.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)
White-letter Hairstreak <i>Satyrrium w-album</i>	Full protection	Agree to partial protection (from killing and taking, possession and export only)	Declined over time, recorded in five 1 Km squares in 2004 - 2014. In the UK, its Status over the last 10 years shows rapid decline with a decrease of -73.7%. The White-letter Hairstreak is a specialised species which relies on elm trees for all stages of its life cycle.	Schedule 1 Protected Wild Animals (in respect of Articles 7, 15 and 18 only)

**Table 2 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for addition of wild plant species for protection under Schedule 7 Protected Wild Plants of the law**

Species	Recommendation	States of Jersey Recommendations	Justification
Marsh St. John's-wort <i>Hypericum elodes</i>	Full protection	Minded to agree	The number of known sites for <i>Hypericum elodes</i> has declined in recent decades. It is currently only found in four 1 Km squares. <i>Hypericum elodes</i> is a habitat specialist found in damp ditches and bog areas. These are rare and declining habitats in Jersey.
Wild Strawberry <i>Fragaria vesca</i>	Full protection	Agree to partial protection (sale and export only)	<i>Fragaria vesca</i> remains reasonably widespread in inland Jersey. Although still currently known from twelve 1 km squares, this species has declined dramatically since the 1980s. As a result of this apparently ongoing sharp decline, we recommend that <i>Fragaria vesca</i> receives partial protection and should it continue to decline it should be recommended for full protection.
Yellow Horned-poppy <i>Glaucium flavum</i>	Full protection	Agree to partial protection (sale and export only)	<i>Glaucium flavum</i> is a habitat specialist of coastal shingle. Although still currently found in six 1 km squares, the distribution of this species has contracted since the 1980s. As a result of this, we recommend that <i>Glaucium flavum</i> should be partially protected to assist with conservation of this population.
Common Toadflax <i>Linaria vulgaris</i>	Full protection	Agree to partial protection (sale and export only)	Although still currently found in ten 1 km squares, this species has declined dramatically since the 1980s. As a result of this apparently ongoing sharp decline, we recommend that <i>Linaria vulgaris</i> is partially protected to assist conservation of this population.

Species	Recommendation	States of Jersey Recommendations	Justification
Pale Flax <i>Linum bienne</i>	Full protection	Minded to agree	Although still currently found in eight 1 Km squares, this species has declined dramatically since the 1980s. Only one of these sites is found in a protected Ecological Site of Species Interest (SSI). Making this species very vulnerable to inappropriate land management (e.g. increased frequency of mowing or strimming, or use of herbicides) or a lack of land management resulting in domination by more vigorous scrub species (such as bracken and bramble).
Ivy-leaved Crowfoot <i>Ranunculus hederaceus</i>	Full protection	Minded to agree	<i>Ranunculus hederaceus</i> is very rare and vulnerable plant in Jersey. It is found only at one site, which does not lie within an Ecological Site of Species Interest (SSI). There is clear evidence of a population decline, and it has almost certainly been lost from most or possibly even all of its other previously known sites.
Lesser Skullcap <i>Scutellaria minor</i>	Full protection	Minded to agree	<i>Scutellaria minor</i> is very rare in Jersey with a restricted and scattered distribution in the British Isles. Only a small number of plants recorded in three 1 Km squares. <i>Scutellaria minor</i> occurs on moist acidic bog and heath. It is very sensitive to human impact such as 'branchage', tramping by walkers, dogs and cyclists.
Sandy Stilt Puffball <i>Battarrea phalloides</i>	Full protection	Minded to agree	<i>Battarrea phalloides</i> currently found in two 1 Km squares. This species is very rare in Britain and at serious risk of extinction in Jersey.
Pepper Pot <i>Myriostoma coliforme</i>	Full protection	Minded to agree	<i>Myriostoma coliforme</i> is very rare in Britain and at serious risk of extinction in Jersey. Once widespread on sandy soil of roadsides and hedgerows. Habitat destruction is its biggest threat.

Species	Recommendation	States of Jersey Recommendations	Justification
Scrambled-egg Lichen <i>Fulgensia fulgens</i>	Full protection	Minded to agree	<i>Fulgensia fulgens</i> is extremely rare in Jersey and is found in one location. It is endangered by grazing molluscs, and could be put at risk by picnickers. It is a UK Nationally Rare species in the Endangered category. It is on the northern edge of its range
Lichen <i>Umbilicaria grisea</i>	Full protection	Minded to agree	<i>Umbilicaria grisea</i> is only found in two 1 Km squares. Both sites are coastal rocks in St. Brelade. Jersey is the only location for <i>Umbilicaria grisea</i> in the UK.
Maerl <i>Phymatolithon calcareum</i>	Full protection	Do not agree	The common and widespread nature of this species makes protecting it an unworkable proposition as it will be found (at very low densities) in areas that are used for recreational purposes (such as diving, angling, boating, etc.) and commercial fishing. Preventing people from diving, anchoring or fishing across several hundred square kilometres of seabed is impracticable and could not be policed. It is the higher density 'maerl beds' that require protection from specific disruptive activities, rather than individual species. This is best achieved through the restriction of destructive practices such as dredging and trawling. As such, this is an issue of habitat conservation rather than species protection.



**Table 3 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for increased protection of protected wild bird species under Schedule 5 whose breeding sites and resting places are protected under the law.**

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Bittern, great <i>Botaurus stellaris</i>	Increase Protection	Minded to agree	<i>Botaurus stellaris</i> winters in Jersey annually. Currently found in very small numbers (0-5) in St Ouen, with occasional records elsewhere on Island. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey red listed species. These birds are highly vulnerable to disturbance particularly from human activity including photographers.
Bunting, ciril <i>Emberiza cirilus</i>	Increase Protection	Minded to agree	<i>Emberiza cirilus</i> thought to be locally extinct in 2004, with the occasional sightings and reports up until 2011. Breeding was later confirmed in 2012. A species conservation plan is in place. In 2016, 17 birds including eight young from three pairs were observed. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey red listed species.
Buzzard, common <i>Buteo buteo</i>	Increase Protection	Minded to agree	<i>Buteo buteo</i> is a scarce resident and, mainly autumn, migrant. Bred for first time in 2007. Listed under Appendix 2 of the Convention on Migratory Species (important migratory species) and a Jersey amber listed species.

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Brent goose <i>Branta bernicla</i> (including all subspecies)	Increase Protection	Minded to agree	<i>Branta bernicla</i> winter in Jersey in varying numbers on beaches (feeding predominantly on eelgrasses and sea lettuce). All birds are highly faithful to their breeding/resting site, rarely move between beaches even over one winter and are highly vulnerable to disturbance (recreational and development) which would likely extirpate population segments. <i>B. bernicla hrota</i> is a Jersey red listed species. Due to the confusability of identifying <i>B. bernicla hrota</i> with <i>B. bernicla bernicla</i> it is recommended that all sub-species are protected.
Chough, red-billed <i>Pyrhocorax pyrrhocorax</i>	Increase Protection	Minded to agree	Extinct in Jersey for c. 100 years until reintroduction using captive-bred birds from 2013. Has bred wild 2015-2018 (18 young fledged). Breeding since 2015 only known from one site in St John but nest prospecting (2016-2018) and nest-building (2018) in other parishes. Population is vulnerable while becoming (re)established in Jersey particularly to disturbance or persecution at nest sites. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey red listed species.
Cormorant, great <i>Phalacrocorax carbo</i>	Increase Protection	Minded to agree	<i>Phalacrocorax carbo</i> breeds only on offshore reefs: Les Maisons, Les Minquiers and Les Écréhous (< 100 pairs). Common bird in Jersey but nesting population, all on offshore reefs, is small and highly vulnerable to disturbance. Listed under Appendix 2 of the Convention on Migratory Species (important migratory species) and a Jersey red listed species.

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Curlew, eurasian <i>Numenius arquata</i>	Increase Protection	Minded to agree	<i>Numenius arquata</i> does not breed in Jersey but is recorded in Jersey in any month but principally on shoreline and uncovered offshore rocks or agricultural land. Fewer than 500 maximum count. Declining species with limited habitat in Jersey, highly vulnerable to disturbance and persecution. Listed under Appendix 2 of the Convention on Migratory Species (important migratory species) and a Jersey red listed species.
Dove, european turtle <i>Streptopelia turtur</i>	Increase Protection	Minded to agree	<i>Streptopelia turtur</i> is recently extinct as breeding species. Although found in small numbers (c. 10), recorded annually as spring and occasionally autumn migrants. In global decline and highly vulnerable to changes in land use and disturbance. A Jersey red listed species
Falcon, peregrine <i>Falco peregrinus</i>	Increase Protection	Minded to agree	<i>Falco peregrinus</i> is a rare resident, scarce winter visitor and migrant. Bred in Jersey until 1958 and then again annually since 2000. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey amber listed species.
Kingfisher, Common <i>Alcedo atthis</i>	Increase Protection	Minded to agree	<i>Alcedo atthis</i> is an occasional rare breeding species, scarce winter visitor and spring and autumn migrant. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey amber listed species.

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Lapwing, northern <i>Vanellus vanellus</i>	Increase Protection	Minded to agree	<i>Vanellus vanellus</i> has a breeding population of 1-2 pairs annually. Wintering population up to 200 and may increase with cold continental weather. Rare breeding species with limited habitat in Jersey, highly vulnerable to disturbance and persecution. Wintering population declining and vulnerable to habitat loss and disturbance. Listed under Appendix 2 of the Convention on Migratory Species (important migratory species) and a Jersey red listed species.
Marsh harrier, eurasian <i>Circus aeruginosus</i>	Increase Protection	Minded to agree	A scarce visitor to Jersey until first bred in 2002. Now widely encountered across Island and c. 20 nesting pairs. Widely encountered across Island daily but movements of Jersey birds unclear and migrants difficult to detect. Seemingly popular bird with wildlife photographers and vulnerable to undue disturbance particularly at the nest but also when roosting (typically in reed beds or on the ground). Nesting sites are vulnerable too to loss to development, agriculture, drainage, fire or other modification. A Jersey amber listed species.
Owl, barn <i>Tyto alba</i>	Increase Protection	Minded to agree	<i>Tyto alba</i> is a scarce resident and migrant. Based on the work of the Barn Owl Conservation Network Jersey breeding pairs are increasing. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey green listed species.

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Owl, long-eared <i>Asio otus</i>	Increase Protection	Minded to agree	<i>Asio otus</i> is a breeding species, rare winter visitor and migrant. Seventeen pairs bred in 2017. They are highly vulnerable to disturbance such as harassment by photographers. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey amber listed species.
Plover, ringed <i>Charadrius hiaticula</i>	Increase Protection	Minded to agree	<i>Charadrius hiaticula</i> is a rare resident, may attempt to breed annually, common winter visitor and migrant. It is a declining species with limited habitat in Jersey, highly vulnerable to disturbance and persecution. Listed under Appendix 2 of the Convention on Migratory Species (important migratory species) and a Jersey red listed species.
Puffin, atlantic <i>Fratercula arctic</i>	Increase Protection	Minded to agree	<i>Fratercula arctic</i> is a rare and declining breeding species and rare migrant. Maximum 15 birds counted in 2017. Highly vulnerable to local extinction. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey red listed species.
Razorbill <i>Alca torda</i>	Increase Protection	Minded to agree	<i>Alca torda</i> is a rare and declining breeding species vulnerable to disturbance on land and at sea. Only an estimated five pairs bred in 2018. Listed under Appendix 2 of the Convention on Migratory Species (important migratory species) and a Jersey red listed species.

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Serin, european <i>Serinus serinus</i>	Increase Protection	Minded to agree	<i>Serinus serinus</i> is a rare spring and summer visitor, former breeding species (last bred in 2001). Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey red listed species.
Shearwater, balearic <i>Puffinus mauretanicus</i>	Increase Protection	Minded to agree	<i>Puffinus mauretanicus</i> is a scarce, mainly autumn migrant. An IUCN critically endangered species with possibly majority of global population in Jersey waters each year. A Jersey red listed species.
Skylark <i>Alauda arvensis</i>	Increase Protection	Minded to agree	<i>Alauda arvensis</i> is a scarce and declining resident and spring migrant. Common but decreasing autumn migrant and winter visitor. Currently only breeds at two sites with small numbers wintering on farmland mostly on coasts. Loss of habitat at both breeding and wintering sites, declines in winter food supply through agricultural changes, disturbance are its biggest threats. A Jersey red listed species.
Sparrowhawk, eurasian, <i>Accipiter nisus</i>	Increase Protection	Minded to agree	<i>Accipiter nisus</i> is a scarce resident and a scarce, mainly autumn, migrant and winter visitor. It is recorded throughout the year in very small numbers, including migrants. A Jersey green listed species
Tern, common <i>Sterna hirundo</i>	Increase Protection	Minded to agree	<i>Sterna hirundo</i> is a common breeding species and common migrant however has shown poor breeding in recent years. Only breeds at three known sites. Highly vulnerable to disturbance. <i>Sterna hirundo</i> is listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey red listed species.
Tit, bearded <i>Panurus biarmicus</i>	Increase Protection	Minded to agree	<i>Panurus biarmicus</i> is a rare breeding species (three breeding pairs in 2013) and rare migrant. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey red listed species.

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Warbler, cetti's <i>Cettia cetti</i>	Increase Protection	Minded to agree	<i>Cettia cetti</i> is a scarce breeding resident (twenty plus pairs recorded in 2017) and autumn migrant. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey amber listed species.
Warbler, Dartford, <i>Sylvia undata</i>	Increase Protection	Minded to agree	Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey green listed species.
Woodcock, eurasian <i>Scolopax rusticola</i>	Increase Protection	Minded to agree	<i>Scolopax rusticola</i> is a passage migrant and winter visitor. Recognised as a hunting species elsewhere in Europe, <i>Scolopax rusticola</i> is vulnerable to hunting in Jersey. Roost sites are easily recognised and vulnerable. Listed under appendix 2 of the Bern convention (strictly protected European species) and a Jersey amber listed species.

**Table 4 - Summary of main proposals and decisions - 1st Quinquennial Review Response Forms that have been submitted for increased protection of protected wild bird species under Schedule 3 protected wild birds which re-use their nest under law.**

Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Swallow, barn <i>Hirundo rustica</i>	Increase Protection	Minded to agree	<i>Hirundo rustica</i> returns to the same nest-site each year after migrating. The species is very vulnerable to and negatively impacted by building renovation, re-roofing or demolition which leads to a loss of nest sites.
House Martin, common <i>Delichon urbicum</i>	Increase Protection	Minded to agree	<i>Delichon urbicum</i> is a declining breeding species. They return to the same nest-site each year after migrating. The species is very vulnerable to and negatively impacted by building renovation, re-roofing or demolition which leads to a loss of nest sites. Bern Convention Appendix II
Swift, common <i>Apus apus</i>	Increase Protection	Minded to agree	<i>Apus apus</i> returns to the same nest-site each year. The species is very vulnerable to and negatively impacted by building renovation, re-roofing or demolition which leads to a loss of nest sites. The species is listed as 'amber' on the Jersey, U.K. and Irish national Red Lists.
Cormorant, great <i>Phalacrocorax carbo</i>	Increase Protection	Minded to agree	<i>Phalacrocorax carbo</i> breeds only on offshore reefs. Annually returns to only three known nesting location on offshore reefs, these sites and their nests are highly vulnerable to disturbance.
Falcon, peregrine <i>Falco peregrinus</i>	Increase Protection	Minded to agree	<i>Falco peregrinus</i> is a rare resident, scarce winter visitor and migrant. Bred in Jersey until 1958 and then again annually since 2000. Currently six pairs found in Jersey. <i>Falco peregrinus</i> regularly return to the same nest sites year after year.



Species	Proposed Recommendation	States of Jersey Recommendations	Justification
Owl, barn <i>Tyto alba</i>	Increase Protection	Minded to agree	<i>Tyto alba</i> scarce resident and migrant. They will generally use one nest site (possibly 2). They are incredibly faithful to their main roosts and return to their nest site every year for their entire lifespan.

**Table 5 - Summary of main proposals and decisions – 1<sup>st</sup> Quinquennial Review Response Form that have been submitted for removal, or reduced protection of wild animals, birds and plants under the law.**

Species	States of Jersey Recommendation	States of Jersey Recommendation	Justification
Lizard, green Lacerta viridis, or Lacerta bilineata	reduced protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Lacerta bilineata</i> has good sized populations in protected areas, and coastal habitats, however smaller, distinct populations are at risk of being lost if their habitat is not protected. Therefore, a precautionary approach of partial protection is required in order to maintain the distribution of animals and the several meta-populations which contribute to the distribution of this species. It is a Bern appendix 3 species (contains protected fauna species).
Slow worm <i>Anguis fragilis</i>	reduced protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Anguis fragilis</i> is widespread but the threats to this species are developing and increasing either through habitat loss and fragmentation. It is a Bern appendix 3 species (contains protected fauna species).
Palmate Newt <i>Lissotriton helveticus</i>	reduced protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Lissotriton helveticus</i> is widespread but generally under recorded and its current status is unknown. Urgent work is required to determine the status of this species. Therefore, a precautionary approach of partial protection is justified until this has been determined. It is a Bern appendix 3 species (contains protected fauna species).
Lesser White toothed shrew <i>Crocidura suaveolens</i>	Reduced protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Crocidura suaveolens</i> is widespread but generally restricted to coastal habitat. Jersey is one of three known locations in the British Isles of this species therefore partial protection is recommended to safeguard this species at its most northern range.

Species	States of Jersey Recommendation	States of Jersey Recommendation	Justification
Millets Shrew <i>Sorex coronatus fretalis</i>	Reduced protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Sorex coronatus fretalis</i> is widespread but has the lowest of the four small mammal species. It is an endemic subspecies and not found in the UK therefore partial protection is recommended to safeguard this species.
Jersey Bank Vole <i>Myodes glareolus caesarius</i>	Reduced protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Myodes glareolus caesarius</i> is widespread but it is difficult to ascertain population densities and any decline in density when comparing small mammal surveys. It is an endemic subspecies and not found in the UK therefore partial protection is recommended to safeguard this species.
Western European hedgehog <i>Erinaceus europaeus</i>	Reduced protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Erinaceus europaeus</i> is abundant throughout the Island. Having being present in Jersey for over 100 years, the Island now provides a suitable refuge for a wild population of hedgehogs. It is believed that the population has declined in recent years. Urgent work is required to analysis data to determine if this species is dramatically declining. Therefore, a precautionary approach of partial protection is justified until this has been determined.
Five Shilling Shell <i>Mactra glauca</i>	Reduce protection	Agree to partial protection (from killing and taking, possession and export only)	<i>Mactra glauca</i> is the Channel Island's largest bi-valves. Reports in 2015 highlighted people taking them in large numbers so they were added to the CWL. Since this review and the possibility deciding levels of protection it is recommended this species receives partial protection to prevent the collection, sale and export of a potentially a vulnerable species
Pyramidal Orchid <i>Anacamptis pyramidalis</i>	Reduce protection	Agree to partial protection (sale and export only)	<i>Anacamptis pyramidalis</i> currently occurs in thirteen 1 Km grid squares, so it is not currently endangered. However, it is an orchid and could be collected, or sold, therefore partial protection is recommended.

Species	States of Jersey Recommendation	States of Jersey Recommendation	Justification
Common Pipistrelle <i>Pipistrellus pipistrellus</i>	Reduce protection	Do not agree	<i>Pipistrellus pipistrellus</i> is relatively widespread in Jersey. Listed under appendix 3 of the Bern convention (contains protected fauna species). The proposal is to remove protection from their roosts, excluding maternity roosts. Within the framework of the law it is not practical to limit protection of roosts to maternity roosts only. In addition roosts may be confused with those of other rarer pipistrelle species such as <i>Pipistrellus pygmaeus</i> ; <i>Pipistrellus nathusii</i> ; <i>Pipistrellus kuhlii</i> . It is considered that reduced protection for roosts other than maternity roosts of <i>Pipistrellus pipistrellus</i> is better achieved through policy guidance rather than within the law itself.
Motherwort <i>Leonurus cardiaca</i>	Remove protection	Minded to agree	<i>Leonurus cardiaca</i> is not a native or archaeophyte species and there is no knowledge of there being any cultural significance in Jersey. It is recommend protection be removed.
Heath Wood-rush <i>Luzula multiflora</i>	Remove protection	Minded to agree	<i>Luzula multiflora</i> is relatively widespread in Jersey, currently known from nineteen 1 Km grid squares. On the grounds that it is now known to be relatively widespread, and there is no evidence of a decline. It is recommend protection be removed.
Common Pheasant <i>Phasianus colchicus</i>	Remove protection	Minded to agree	<i>Phasianus colchicus</i> is a non-native species that has been artificially introduced to Jersey which now reproduces in the wild. It is recommend protection be removed.

## Next Steps

Comments are now invited on these decisions within the newly drafted Wildlife (Jersey) Law 201- ('Wildlife Law') consultation. This will be available through [www.gov.je](http://www.gov.je) consultation website.

In order to give interested parties sufficient time to consider the proposals in this report, there is a six week period to make responses. If you wish to make comments on the issues covered by this document you can respond in the Draft Wildlife (Jersey) Law 201- Consultation online questionnaire.

[www.gov.je/Government/Consultations/Pages/draftwildlifelaw.aspx](http://www.gov.je/Government/Consultations/Pages/draftwildlifelaw.aspx).

All responses will be treated in confidence and will be considered before finalising the draft Law and lodging a proposition for States debate in early 2019.

Should you have in enquires please contact Nina Cornish Tel: 01534 441624 or Email: [wildlifelaw@gov.je](mailto:wildlifelaw@gov.je)

**Quinquennial Review of Schedules 1 and 2 the Conservation of  
Wildlife (Jersey) Law 2000 (CWL)**

---

**Form for adding, removing or changing the level of protection for a  
species in Schedules 1 and 2 of the CWL**

---

**Version 1.0**

**Date: Dec 2016**

**In this Form:**

- Part 1** Species proposed
- Part 2** Species native to Jersey – eligibility criteria
- Part 3** Non-native species - eligibility criteria
- Part 4** Current local and international conservation status, habitats and threats
- Part 5** Recommendation and justification for levels of protection

## Personal / Contact details

### 1. Organisation Name (if applicable)

Title: Mr  Ms  Mrs  Miss  Dr  Please mark as appropriate

Surname

Forename

### 2. Contact details - Address

Phone number

Email address

### 3. Permissions

We may wish to contact you again in the future, but we require your permission to do so. Are you content for the Department of the Environment to contact you again in relation to this consultation exercise? Yes  No

I am responding as an ...

(Please mark as appropriate)

Individual

Organisation

Do you agree to your proposal being made available to the public? Yes  No

*Where confidentiality is not requested, we will make your responses available to the public on the following basis.*

*Please mark one of the following boxes*

Yes, make my response, name and address available.

Yes, make my response available, but not my name and address.

Yes, make my response and name available but not my address.

The name and address of your organisation will be made available to the public.

Are you content for your proposal to be made public? Yes  No

#### Data protection

All contact details will be securely stored in our electronic filing system. We will use this information to contact an individual/organisation where necessary. We manage personal information in accordance with the Data Protection (Jersey) Law 2000.

Each subsequent part of this form refers to the relevant numbered section in the guidance notes. Fill in Parts 1,2, 3, 4 and 5 in the boxes provided. Any extra information can be continued on a new sheet indicating the relevant section or attached as a separate document.

## Part 1 Proposed species

a) Taxa for consideration: See Guidance notes: Completing the Form Part 1.

Kingdom, Order and Family:

Scientific name:

English name:

Species authority:

b) Proposed amendment

Please indicate below the amendment that you are proposing with reference to the appropriate Schedules to the CWL.

Action	Mark box	Name the Schedule / Order concerned
Addition to Schedule / Order	<input type="checkbox"/>	
Removal from Schedule / Order	<input type="checkbox"/>	
Change level of protection	<input type="checkbox"/>	



## Part 2 Species Eligibility criteria (Summary Sheet)

To be completed for all species (native and non-native)

Section A Nomenclature - See *Guidance Notes Part 2 Section A (1 -2)* Mark box(es)  
which apply

1. Taxonomic status meets recognised international standards	<input type="checkbox"/>
2. Taxa below species level are either:	<input type="checkbox"/>
i clearly recognisable (i.e. morphologically distinct): or	<input type="checkbox"/>
ii geographically or ecologically distinct	<input type="checkbox"/>

Section B Jersey Status - See *Guidance notes Part 2 Section B (1 – 5)*

1. The species is native in the wild in Jersey.	<input type="checkbox"/>
2. The species is a vagrant in Jersey.	<input type="checkbox"/>
3. It is an extinct native species to Jersey but in the process of reintroduction.	<input type="checkbox"/>
4. It is an extinct native species in Jersey, with the possibility of natural re-establishment.	<input type="checkbox"/>
5. It is legally protected in Jersey or in a neighbouring country (UK and/or Europe).	<input type="checkbox"/>

Section C Conservation Status (local and global) - See *Guidance notes Part 2 Section C (1 - 6)*

1. The species is endangered in Jersey (See Appendix 2).	<input type="checkbox"/>
2. The species is likely to become endangered in Jersey (See Appendix 2).	<input type="checkbox"/>
3. The species is named on an international, European, UK or local list, convention/directive (BERN, BONN), BAP (See Part 4 b (iii)).	<input type="checkbox"/>
4. The species or subspecies is widely recognised as endemic to Jersey.	<input type="checkbox"/>
5. Jersey is one of only a few locations in the British Isles where the species is found.	<input type="checkbox"/>
6. The species is a confusable species.	<input type="checkbox"/>

If the species you are proposing is non-native please complete Part 3. If the species is native to Jersey then go directly to Part 4.

### Part 3 Non-native Species Eligibility criteria

Indicate (tick box) which elements of the eligibility criteria the species meets.

a. The species is unlikely to have an adverse impact on Jersey native species or ecosystems in Jersey; and	<input type="checkbox"/>
b. The species is endangered or extinct in its native range; and/or	<input type="checkbox"/>
c. Jersey provides or could provide a refuge for a wild population.	<input type="checkbox"/>

For each criteria chosen please provide evidence in the box below and attach as separate documents if necessary.