

DEFINING SACS WITH MARINE COMPONENTS AND SPAS WITH MARINE COMPONENTS: JNCC AND COUNTRY CONSERVATION AGENCY GUIDANCE

Cover Note by Annabelle Aish (JNCC)

JNCC regularly receives government and public queries regarding the number, location and associated interest features of marine SACs and marine SPAs in the UK. In order to provide this information, non-statutory, working definitions of these sites (now termed 'SACs with marine components' and 'SPAs with marine components') in a UK context were required. Please note that all these definitions are non-statutory.

Project Group members signed-off on this document at the 16th MN2K Project Group meeting, September 2007.

DEFINING SACS WITH MARINE COMPONENTS AND SPAS WITH MARINE COMPONENTS: JNCC AND COUNTRY CONSERVATION AGENCY GUIDANCE

Paper by Annabelle Aish (JNCC)

1. Introduction

JNCC regularly receives government and public queries regarding the number, location and associated interest features of 'marine SACs' and 'marine SPAs' in the UK. In order to provide this information, working definitions of these marine sites are required. At the 14th Marine Natura Project Group meeting, concerns were raised regarding the use of the terms 'marine SAC' and 'marine SPA' as certain sites with exclusively coastal features had not been formally classified as 'marine' by the Agencies at the time of designation. The Agencies have agreed that the alternative terms 'SACs with marine components' and 'SPAs with marine components' should be used instead, and that the list of 'marine' interest features should be qualified in light of Agency knowledge of these features. The document has been amended on this basis. Finally, this paper refers to Highest Astronomical Tide as the landward limit of the marine environment; however, as HAT has not been mapped extensively throughout the UK, MHW (in England, Wales, and Northern Ireland) and MHWS (in Scotland) will be used as pragmatic alternatives for the purposes of spatial analyses.

2. SACs with a marine component

'SACs with a marine component' can be defined on the basis of presence of Habitats Directive Annex I and/or Annex II interest features associated with the marine environment. These marine interest feature(s) need to be assessed as Grade A-C under the Annex III criterion Global Assessment¹. This precludes a SAC being regarded as having a 'marine component' solely on account of a non-qualifying intertidal/sub-tidal feature.

- **Marine Habitats**

One or more of the habitats below² must be present at Grade A-C (i.e. be qualifying features) within a SAC for it to be considered a 'SAC with a marine component'.

1110 Sandbanks which are slightly covered by sea water all the time

1130 Estuaries

1140 Mudflats and sandflats not covered by seawater at low tide

1150 Coastal lagoons [except where landwards of Highest Astronomical Tide and not directly connected to the sea]

1160 Large shallow inlets and bays

1170 Reefs

1180 Submarine structures made by leaking gases

8330 Submerged or partially submerged sea caves

1210 Annual vegetation of drift lines

1310 Salicornia and other annuals colonising mud and sand

1320 *Spartina* swards (*Spartinion maritimae*)

1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [except where landwards of Highest Astronomical Tide]

1420 Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*) [except where landwards of Highest Astronomical Tide]

The decision to classify the above Annex I habitats as 'marine' was taken by JNCC in 2004³, in reference to the Conservation (Natural Habitats, &c.) Regulations 1994 in which 'marine areas' are

¹ Criterion A(d) of Annex III (Habitats Directive)

² Or one or more of marine species listed in the subsequent section

defined as those areas of land covered (continuously or intermittently) by tidal waters, or any part of the sea.

- **Marine Species**

One or more of the species below⁴ must be present at Grade A-C (i.e. be qualifying features) within a SAC for it to be considered a 'SAC with a marine component'. All these species are dependent on the marine environment for all or part of their lifecycle. In order to avoid the inclusion of freshwater SACs designated for anadromous/catadromous fish species, Sea lamprey, Allis shad and Twaite shad need to be associated with marine areas (within the SAC) for the site in which they are found to be defined as a 'SAC with a marine component'. This also applies to Annex II otters, as some SACs contain qualifying otter populations which are either not reliant on the marine environment, or are reliant on marine areas outside SAC boundaries.

- 1349 Bottlenose dolphin (*Tursiops truncatus*)
- 1351 Harbour porpoise (*Phocoena Phocoena*)
- 1364 Grey seal (*Halichoerus grypus*)
- 1365 Common seal (*Phoca vitulina*)
- 1095 Sea lamprey (*Petromyzon marinus*)
- 1102 Allis shad (*Alosa alosa*)
- 1103 Twaite shad (*Alosa fallax*)
- 1355 Otter (*Lutra lutra*)

But only where species are associated with intertidal or subtidal areas [i.e. areas below HAT] within SACs

Sturgeon (*Acipenser sturio*) is not included in this list as it is very rare in UK waters; as such its conservation through SAC designation is currently considered inappropriate. Note that SACs which contain coastal breeding colonies and haul-out areas for Annex II seals are regarded as including a 'marine component' because these species typically utilise areas down to MLW/MLWS.

3. SPAs with a marine component

Special Protection Areas (SPAs) are designated for the protection of those bird species on Annex I of the Birds Directive and also for regularly occurring migratory species not listed in Annex I. JNCC has therefore defined 'SPAs with a marine component' as those SPAs with qualifying Birds Directive Annex I species or regularly occurring migratory species that are dependent on the marine environment for all or part of their lifecycle, where these species are found in association with intertidal or subtidal habitats. These marine SPA habitats (as listed in JNCC's International Designations Database) are:

- N01 Marine areas and Sea inlets;
- N02 Tidal rivers, Estuaries, Mud flats, Sand flats and Lagoons (including saltwork basins).
- N03 Salt marshes, Salt pastures and Salt steppes;

A list of the 119 species which make significant use of the marine environment around the UK (and Gibraltar) can be downloaded from JNCC's website:

http://www.jncc.gov.uk/docs/MN2KPG16_BirdSpeciesDependentonMarineEnvironment_Final.xls.

Some coastal sites (comprising N05 Shingle, Islets or Sea cliffs) contain qualifying Birds Directive Annex I species or regularly occurring migratory species that are dependent on the marine environment. These coastal sites do not, at present, include significant intertidal or subtidal areas and are therefore not considered 'SPAs with marine components'. Contingent on Government policy, these SPAs may be extended seawards to encompass marine areas in the future.

³ Documented in the JNCC Committee paper December 2004 (<http://www.jncc.gov.uk/pdf/comm04P23.pdf>)

⁴ Or one or more of marine habitats listed in the prior section

4. References

The Conservation (Natural Habitats, &c.) Regulations 1994 (Statutory Instrument 1994 No. 2716)

http://www.opsi.gov.uk/si/si1994/uksi_19942716_en_1.htm

The Conservation (Nature Habitats, etc.) Regulations (Northern Ireland) 1995 (Statutory Rule 1995 No. 380)

http://www.opsi.gov.uk/sr/sr1995/Nisr_19950380_en_1.htm

JNCC (2006) Protected sites designations directory <http://www.jncc.gov.uk/page-1527>