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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

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Group of Experts on Protected Areas and Ecological Networks

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ADDITION OF MARINE HABITATS TO RESOLUTION NO. 4 (1996)

Document prepared by
Douglas Evans
(European Topic Centre on Biological Diversity)
with assistance from Marc Roekaerts, Alexandra Cuhna, Megan Parry, James Williams & Hugh Wright

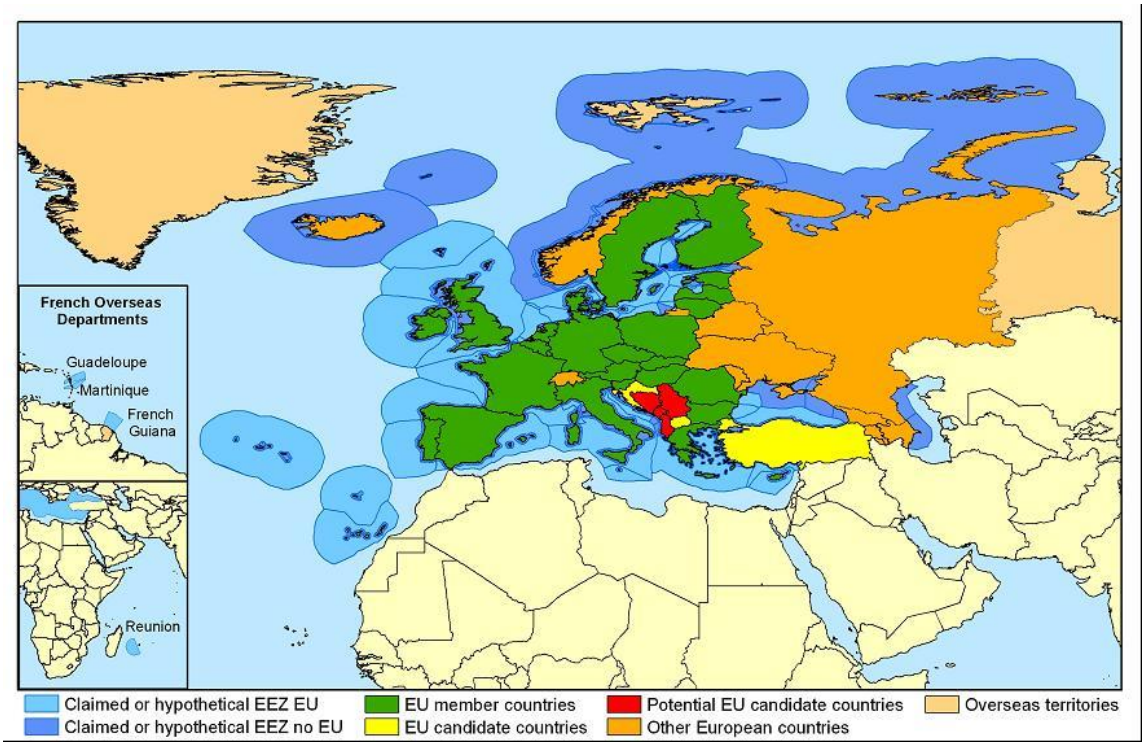
BACKGROUND

Although the Bern Convention also covers the marine environment of the constituent Contracting Parties, to-date, site selection and site proposals for the Emerald Network under the Bern Convention have concentrated on the terrestrial environment.

When Resolution No. 4 (1996) was revised for coherence with Annex I of the EU's Habitats Directive, the Secretariat and ETC/BD agreed not to revise the marine section, as the marine section of Annex I is also widely considered to poorly represent the full scope of marine habitats, and like Resolution No. 4 (1996), mainly covers a selection of habitats occurring in inshore waters or on the continental shelf.

However as shown by Figure 1, some non-EU Contracting Parties such as Norway and Iceland have considerable marine area, which may be even larger in overall extent than their terrestrial area.

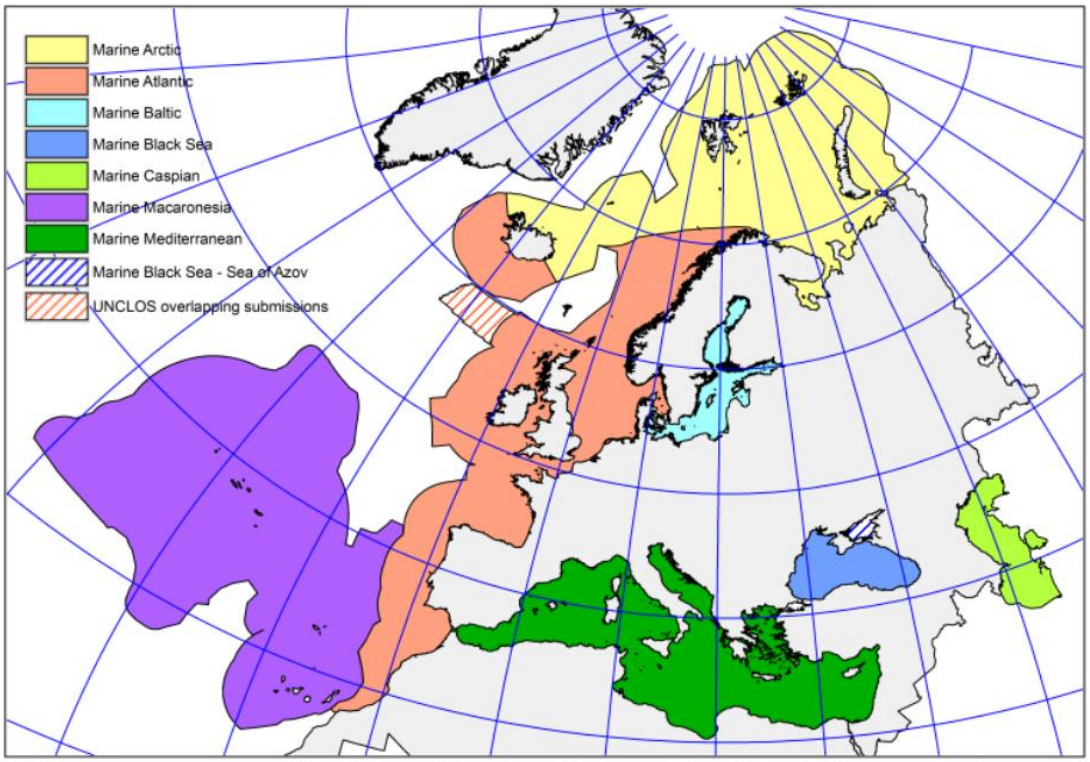
Figure 1: European seas and claimed Economic Exclusion Zones (note that Croatia has now joined the EU)



[From http://ocwus.us.es/geografia-humana/handbook-on-marine-policy-in-the-us-and-the-eu-an-approach-to-emerging-issues/handbook_web/3.htm]

The Standing Committee adopted a map of marine regions on 30 November 2018 (figure 2) for the purposes of the evaluation of the Emerald Network and for reporting on the conservation status of species and habitats of European interest. The map should also encourage Contracting Parties to extend the Emerald Network to the marine environment.

Figure 2: Marine regions in the framework of the Bern Convention[1]



Disclaimer: The map serves as a working tool only and shall not be considered as an official and legally-binding map representing marine boarders in accordance with international law. This map shall be used without prejudice to the agreements that will be concluded between Contracting Parties or between Parties and non-Parties in respect of their marine boarders.

[1] https://rm.coe.int/delineation-of-marine-regions-in-the-framework-of-the-bern-convention-/16808fe2cf

The Emerald database (as of the end of 2018) records 3,152 sites, of which only 7 have a marine area noted in the tabular data (see Table 1). Less than 1% of the Emerald network is currently attributed as marine, whereas by comparison, 41% of the European Union's Natura 2000 network is attributed as marine[2]. An overlay of the site boundaries with the marine regions map, would actually indicate a higher percentage.

Table 1: Emerald sites with a marine component (as at end 2018, and taken from the tabular data)

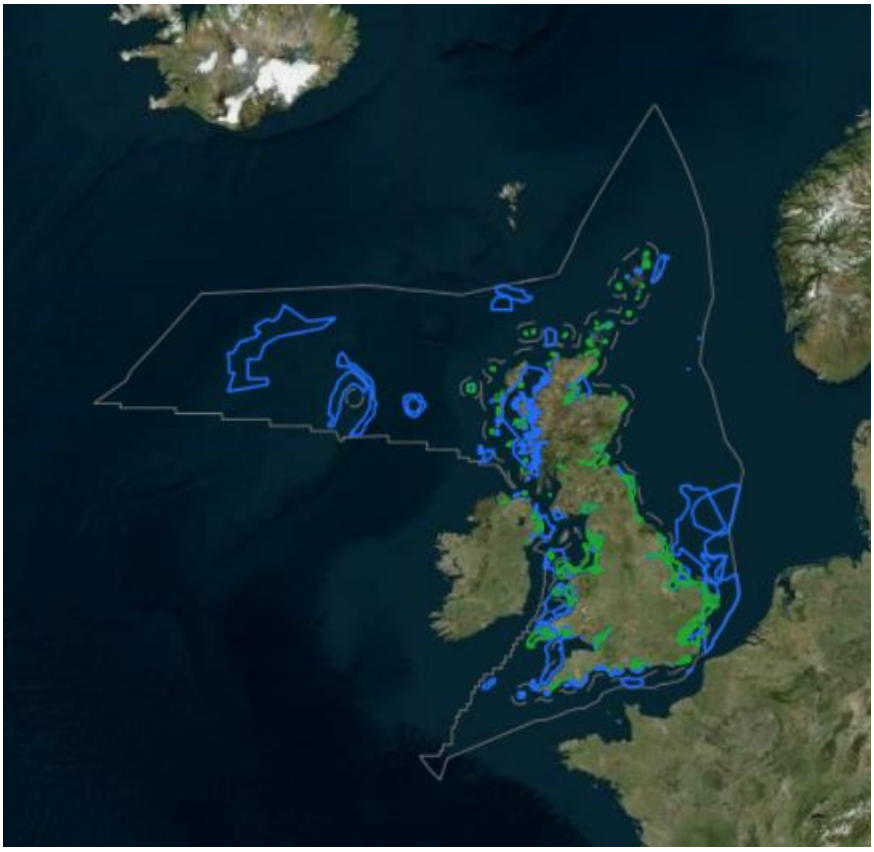
SITE_CODE	SITE_NAME	SITE_AREA (ha)	SITE_MARINE_AREA (%)
AZ0000014	Gil island	4,522	70
GE0000054	Chorokhi Delta	2,232	97
RU2900751	Onezhskoe Pomorie	522,260	5
UA0000139	Zernov Phyllophora Field Zakaznyk	403,997	100
UA0000148	Black Sea Dolphins	13,155	100
UA0000150	Obytichna Kosa Ta Zatoka	25,462	30
UA0000214	Zatoky	105,086	97

For EU Member States, their contributions to the Natura 2000 network form their contributions to the Emerald Network[3]. When the United Kingdom leaves the EU, the Special Areas for Conservation (SAC) and Special Protection Areas (SPA) will retain the same legal protection they currently have but will no longer be part of the Natura 2000 network. They will however continue to be Emerald Network sites and the data for the UK's existing SACs and SPAs will be transferred to the Emerald Network database. The UK made a commitment for UK sites which were formerly part of the EU's Natura 2000 Network to remain as the UK contribution to the Emerald Network after the UK leaves the European Union at the 2018 Bern Convention Standing Committee.

Transfer of the UK Natura 2000 sites' data to the Emerald Network database will increase considerably the number of marine sites and the marine area coverage within the database: the UK has 115 SACs[4] with marine components[5] covering 121,693 km² with 25 SACs in offshore waters (those sites with all or part of their boundary >=12 nautical miles from the coast). There are also 112 SPAs[6] with marine components covering 21,560 km2; nine of these sites are entirely marine. The marine SPAs are mostly in territorial waters – see Figure 3. The overlap between SACs with marine components and SPAs with marine components is 11.100 km2.

[2] https://www.eea.europa.eu/data-and-maps/dashboards/natura-2000-barometer consulted 14 June 2019)
[3] Natura 2000 sites are already part of the Emerald Network
[4] Special Areas of Conservation (SACs) are designated under the EC Habitats Directive for habitats and species listed in Annex I and II of the Directive
[5] Including sites that straddle the 12 Nautical Mile limit, such as the harbour porpoise SACs.
[6] Special Protection Areas designated under the EC Birds Directive for species listed on Annex I or for regularly occurring migratory species

Figure 3: Marine Natura 2000 sites in UK waters (blue = SAC/SCI, green = SPA)[7]



[From JNCC MPA mapper https://jncc.gov.uk/our-work/marine-protected-area-mapper/]

However, as it stands, data for five[8] UK marine SACs could not be transferred, as they are based on habitats which are not listed in Resolution No. 4 (1996) of the Bern Convention.

Although no information appears to be available on how habitats and species were selected for the original lists under Resolutions No. 4 (1996) and No. 6 (1998), the resulting lists only include marine species and specific littoral habitats or broad sublittoral habitats but limited deep-sea habitats (see Table 2 for habitats).

[7] Note that the Hatton Bank site is in waters where the UK jurisdiction has been challenged by other countries
[8] Five deep-sea SACs

Table 2: Marine habitats listed in Resolution No. 4 (1996)

A1.11	Mussel and/or barnacle communities
A1.141	Association with *Lithophyllum byssoides*
A1.22	Mussels and fucoids on moderately exposed shores
A1.44	Communities of littoral caves and overhangs
A2.2	Littoral sand and muddy sand
A2.3	Littoral mud
A2.4	Littoral mixed sediments
A2.5	Coastal saltmarshes and saline reedbeds
A2.61	Seagrass beds on littoral sediments
A2.621	*Eleocharis* beds
A2.72	Littoral mussel beds on sediment
A3	Infralittoral rock and other hard substrata
A4	Circalittoral rock and other hard substrata
A5	Sublittoral sediment*
A6.911	Seeps in the deep-sea bed
X01	Estuaries

* defined as "the sublittoral near shore zone (i.e. covering the infralittoral and circalittoral zones), typically extending from the extreme lower shore down to the edge of the bathyal zone (200 m)"

The majority of these habitats are littoral and there is only one deep sea habitat (A6.911 Seeps in the deep-sea bed). As noted above, the majority of the marine Annex I habitats are also mostly restricted to coastal waters. The obvious exception is "1170 Reefs" and this is the reason for the designation of many of the UK's offshore SACs (see figure 4). There are also offshore areas for 1110 Subtidal sandbanks which, although restricted to shallow waters, also occurs in the North Sea (see figure 5). Figure 6 shows the locations of three sites for 1180 Submarine structures made by leaking gases, and Figure 7 the locations of SACs (inshore and offshore) designated for a limited number of Annex II species, primarily but not exclusively harbour porpoise.

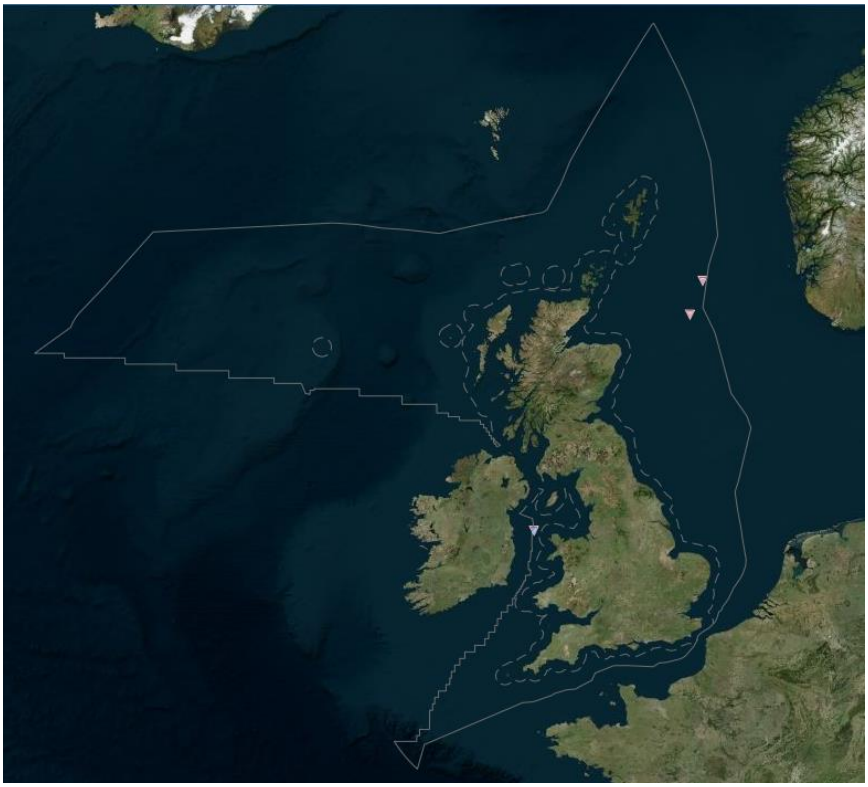
Figure 4: 1170 Reefs in offshore UK SACs

https://jncc.gov.uk/mpa-mapper/?zoom=5&center=-12.771,54.180&layerIds=67,74,51&baseLayerId=-2&activeFilters=NobwRANghgngpgJwJIBMwC4AsBmANGAMwEsIAXRVDAJgEZ9izEAZAexYGsBXAB1QGcMwTADZsAXXolyCACpwAHqQxgwAX1zho8ZGix5CUirqoAGSYwSsOPfoIkGLcxcrVigA

Figure 5: 1110 Sandbanks in offshore UK SACs

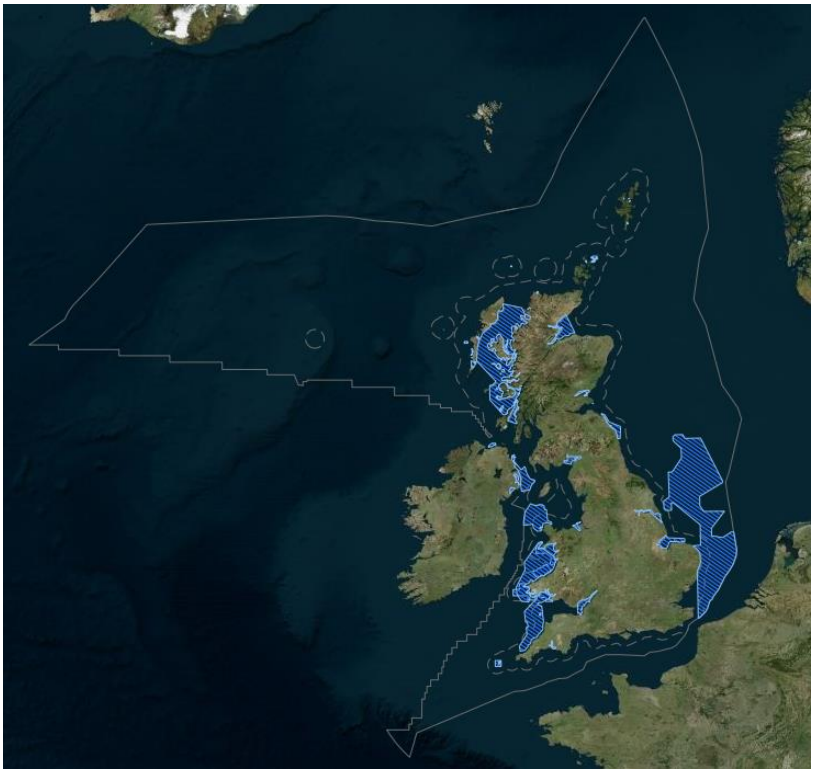
https://mapper.mpa.jncc.gov.uk/?zoom=5&center=-12.771,54.180&layerIds=67,74,52&baseLayerId=-2&activeFilters=NobwRANghgngpgJwJIBMwC4AsBmANGAMwEsIAXRVDAJgEZ9izEAZAexYGsBXAB1QGcMwTADZsAXXolyCACpwAHqQxgwAX1zho8ZGix5CUirqoAGSYwSsOPfoIkGLcxcrVigA

Figure 6: 1180 Submarine structures made by leaking gases in offshore UK SACs



https://mapper.mpa.jncc.gov.uk/?zoom=5&center=-12.771,54.180&layerIds=67,74,53&baseLayerId=-2&activeFilters=NobwRANghgngpgJwJIBMwC4AsBmANGAMwEsIAXRVDAJgEZ9izEAZAexYGsBXAB1QGcMwTADZsAXXolyCACpwAHqQxgwAX1zho8ZGix5CUirqoAGSYwSsOPfoIkGLcxcrVigA

Figure 7: UK SACs for marine species (inshore and offshore)



https://mapper.mpa.jncc.gov.uk/?zoom=5&center=-12.771,54.180&layerIds=67,74,43&baseLayerId=-2&activeFilters=NobwRANghgngpgJwJIBMwC4AsBmANGAMwEsIAXRVDAJgEZ9izEAZAexYGsBXAB1QGcMwTADZsAXXolyCACpwAHqQxgwAX1zho8ZGix5CUirqoAGSYwSsOPfoIkGLcxcrVigA

The UK's exit from the EU means that action is needed to revise Resolutions No. 4 (1996)), so that all of the data for the UK's SAC and SPA sites (which are already part of the Emerald Network) can be transferred to the Emerald Network database with the relevant corresponding species and habitats, as listed. Revision of Resolution No. 4 (1996) would also extend the ability of Contracting Parties to protect marine areas under the Emerald Network.

PROPOSAL

To facilitate the transfer of UK SAC and SPA site data to the Emerald Network database, it is proposed to add two habitats to Resolution No. 4 (1996) to ensure that all of "1170 Reefs" are covered.

Annex 1: Details of the habitats proposed to be added to Resolution No. 4 (1996) immediately (From the EUNIS habitats website https://eunis.eea.europa.eu/habitats-code-browser.jsp)

Background

There are five UK offshore SACs designated for Annex I habitats the data which at the moment cannot be directly transferred to the Emerald database, as they are habitats which are not listed in Resolution No. 4 (1996) of the Bern Convention. The sites are designated for different sub-types of Annex I reef which include: bedrock, stony and biogenic reefs. Depending on the site, the biogenic reef can be formed from *Lophelia pertusa, Madrepora oculata* and *Solenosmilia variabilis* cold-water corals, in isolation or a mix of these species.

The sites and features are:

1) Anton Dohrn Seamount SAC - Annex I Reefs: Bedrock/Stony/Biogenic reef (*Lophelia pertusa* & *Solenosmilia variabilis*)
2) Darwin Mounds SAC - Annex I Reefs: Biogenic reef (*Lophelia pertusa*)
3) East Rockall Bank SAC - Annex I Reefs: Bedrock/Stony/Biogenic reef *(Lophelia pertusa*)
4) North-West Rockall Bank SAC - Annex I Reefs: Biogenic reef (*Lophelia pertusa*)/Stony
5) Hatton Bank cSAC - Annex I habitat Reefs: Bedrock/Stony/Biogenic reef (*Lophelia pertusa* & *Madrepora oculata*)

To enable these sites and features to be transferred it is suggested that Resolution 4 be amended to include the following two habitats. Note that Darwin Mounds is a soft substrate habitat so is not covered by A6.1.:

A6.1 - Deep-sea rock and artificial hard substrata

Deep-sea benthic habitats with substrates predominantly of bedrock, immobile boulders or artificial hard substrates.

A6.61 - Communities of deep-sea corals

The only community described is Lophelia pertusa, a cold water, reef-forming coral, which has a wide geographic distribution ranging from 55°S to 70°N, where water temperatures typically remain between 4-8°C. These reefs are generally subject to moderate current velocities (0.5 knots). The majority of records occur in the north-east Atlantic. The extent of L. pertusa reefs varies, with examples off Norway several km long and more than 20 m high. These reefs occur within a depth range of 200 - >2000 m on the continental slope, and in shallower waters in Norwegian fjords and Swedish west coast. In Norwegian waters, L. pertusa reefs occur on the shelf and shelf break off the western and northern parts on local elevations of the sea floor and on the edges of escarpments. The biological diversity of the reef community is approximately three times as high as the surrounding soft sediment (ICES, 2003), suggesting that these cold-water coral reefs may be biodiversity hotspots. Characteristic species include other hard corals, such as Madrepora oculata and Solenosmilia variabilis, the redfish Sebastes viviparous and the squat lobster Munida sarsi. L. pertusa reefs occur on hard substrata; this may be Lophelia rubble from an old colony or on glacial deposits. For this reason, L. pertusa reefs can be associated with iceberg plough-mark zones.