



Killybegs Fishermen's Organisation and Irish South & East Fish Producers Organisations observations on the proposed North-West Irish Sea Special Protection Area

Background

On the 13th July 2023 Minister of State for Heritage and Electoral Reform, Malcolm Noonan TD, announced details of Ireland's largest ever protected area for birds. The *North-West Irish Sea Special Protection Area (SPA)*, covering approximately 2,333km² in area, was proposed to be designated under the EU Birds Directive. The Department of Housing, Local Government and Heritage (DHLGH) issued a Regulation 15 notification, which is the first stage in the designation of a proposed Special Protection Area in the Northwest Irish Sea under the Birds and Habitats Regulations and allows for a three-month period during which observations may be submitted in relation to the proposed designation. A Regulation 16 notification will be issued once the statutory three-month period for the Regulation 15 notification has elapsed, and a further three-month period will then begin, during which observations and objections to the proposed designation, on scientific, ornithological grounds, may be submitted by interested parties.

Introduction

The Killybegs Fishermen's Organisation (KFO) and Irish South & East Fish Producers Organisations (IS&EFPO) submit the following observations to the Regulation 15 notification. Seven Activities Requiring Consent (ARC) were listed in the Regulation 15 notification and though these should not impact on commercial fishing operations, the KFO and IS&EFPO note that two (ARC08 and ARC35) may have an impact on fisheries surveys in the area and consequently on the assessments underpinning the stock assessments required for sustainable fisheries management. Hence there is concern that the proposed SPA may indirectly have an impact on fishing activities in the area as the SPA overlaps significantly with the FU5 Nephrops ground (Figure 1).

Table 1. Activities Requiring Consent (ARC) in the proposed North-west Irish Sea SPA

Code	Description
ARC-01	Reclamation, including infilling.
ARC-03	Blasting, drilling, dredging or otherwise removing or disturbing fossils, rock, minerals, mud, sand, gravel or other sediment.
ARC-06	Introduction, or re-introduction, of plants or animals not found in the area. [Consent is not required for the planting of crops on established reseeded grassland or cultivated land.]
ARC-08	Undertaking scientific research involving the collection and removal of biological material.
ARC-30	Any activity intended to disturb birds, including by mechanical, air, gas, wind powered or audible means.
ARC-31	Developing or consenting to the development or operation of commercial recreational/visitor facilities or organised recreational activities.
ARC-35	Undertaking active acoustic surveys in the marine environment.

The KFO and the IS&EFPO also note that the proposed SPA completely encompasses the proposed location of the North Iris Sea Array (NISA) Offshore Wind Farm (OWF) (Figure 1). Given the significant impact an OWF could have on seabirds and the fact that the development of an OWF would likely involve most of the ARCs it would appear that the proposed SPA is of more concern to the Offshore Renewable Energy (ORE) industry as designation would make any such proposals untenable.

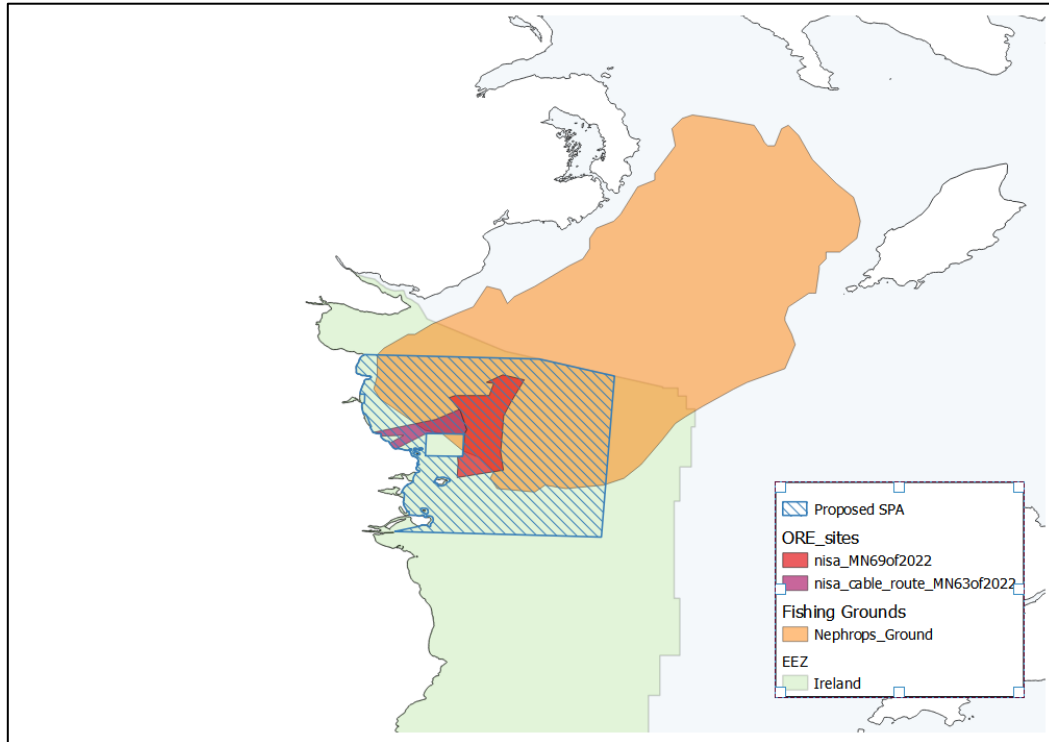


Figure 1. Map of the proposed SPA and the overlap with the FU15 Nephrops ground and the North Irish Sea Array

KFO and IS&EFPO Observations

The site synopsis (dated 17th July 2023) for the proposed SPA states that the proposed North-west Irish Sea SPA constitutes an important resource for marine birds and is ecologically connected to several existing SPAs in this area. Twenty-one named seabird species were listed as the basis for the proposed designation, with the evidence cited being two surveys of the western Irish Sea region in 2016. There were no citations to the reports of the surveys provided in the notification and no detail on how the delineation of the proposed SPA was derived from the survey data. Therefore it was not possible to assess the scientific basis for the delineation of the proposed SPA and to submit observations based on “*scientifically-based ornithological criteria*” as stipulated in the Regulation 15 notification.

On the 29th September 2023, the KFO received an email from the Site Designations Unit in NPWS with a link to the Site Specific Conservation Objectives for the North-west Irish Sea Special Protection Area 004236 document (dated 19th September 2023). This document again listed the twenty-one seabird species and for each species provided a more detailed description of the conservation objectives. A long bibliography of “*Supporting documents, relevant reports & publications*” was also provided.

However again there was no analysis provided that explained how the delineation of the proposed SPA was actually determined. This begs the question of whether there was actually any analysis performed

or whether the proposed delineation was simply an arbitrary decision. There is a need for clarity about this as without knowing the basis for the delineation it is impossible to determine if it is scientifically robust.

Conclusions

- NPWS should provide detailed information about the analyses undertaken, if any, to determine the current outline of the proposed SPA.
- All data and analyses should be made publicly available to ensure full transparency in the decision making process.
- It should be clarified whether existing fisheries surveys in the proposed SPA will be classified as ARCs, specifically ARC08 and ARC35, and whether this will have a negative impact on the undertaking of these surveys by national fisheries Institutes (Marine Institute or AFBI).