



Public Consultation

on the Draft Prioritised Action Framework (PAF) for Natura 2000 in Ireland pursuant to Article 8 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) for the Multiannual Financial Framework period 2021 – 2027

24 July 2020

The Prioritised Action Framework (PAF) is a strategic multiannual planning tool, aimed at providing a comprehensive overview of the measures that are needed to manage the EU-wide Natura 2000 network (which comprises Special Areas of Conservation and Special Protection Areas) and its associated green infrastructure, specifying the financing needs for these measures and linking them to the relevant EU funding programmes.

The legal basis for the PAF is Article 8 (1) of the Habitats Directive¹, which requires Member States to send, as appropriate, to the Commission their estimates relating to the European Union co-financing which they consider necessary to meet their following obligations in relation to Natura 2000:

- *to establish the necessary conservation measures involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans,*
- *to establish appropriate statutory, administrative or contractual measures which correspond to the ecological requirements of the natural habitat types in Annex I and the species in Annex II present on the sites.*

The Prioritised Action Framework focuses on identifying financing needs and priorities that are directly linked to conservation measures required for managing and restoring Natura 2000 sites in Ireland.

¹ Article 8 (1): "In parallel with their proposals for sites eligible for designation as special areas of conservation, hosting priority natural habitat types and/or priority species, the Member States shall send, as appropriate, to the Commission their estimates relating to the Community co- financing which they consider necessary to allow them to meet their obligations pursuant to Article 6 (1)."

The Prioritised Action Framework is also expected to include measures and their financing needs relating to wider green infrastructure (GI)² where they contribute to the ecological coherence of the Natura 2000 network.

Note that the estimated costs given in the PAF are not commitments to funding, rather they are indications of the level of investment required to manage and restore habitats and species in the Natura 2000 network.

Further information on the PAF is contained here³.

Consultation Response Template for the Irish PAF 2021-2027

Ireland has prepared a draft PAF and is now embarking upon a period of public consultation. The purpose of the template provided below is to simplify and streamline the consultation response process for all respondents and to simplify and streamline the evaluation process for the Department. The information provided by respondents will be considered in shaping the content and focus of the Prioritised Action Framework.

Due to the complexity of the document and the process, we can only accept responses which follow the template provided. However, it is not necessary to provide responses to all the questions.

The public consultation period will run until 5pm on Friday 18 September 2020. Please send your completed response template as a word document (not PDF) by email to paf2020@chg.gov.ie by 5pm on that date.

Receipt of submissions will be acknowledged but it may not be possible to issue individual responses.

Acknowledgement

We would like to thank you for engaging with this important process and for taking the time to provide your feedback.

² Green Infrastructure is defined as ‘a strategically planned network of natural and semi-natural areas with environmental features designed and managed to deliver a wide range of ecosystem services’.

³ https://ec.europa.eu/environment/nature/natura2000/financing/index_en.htm

Section A	Respondent Profile
Name	Nick Marchant, on behalf of the CIEEM Ireland Policy Group
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Sector	(Please place an X in the appropriate box)		
Government Department	<input type="checkbox"/>	Farming Organisation	<input type="checkbox"/>
Local Authority	<input type="checkbox"/>	Individual	<input type="checkbox"/>
Other Public Sector Body	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>
eNGO	X	<input type="checkbox"/>	<input type="checkbox"/>

Section B	Privacy Statement
<p>We will treat your information in line with data protection laws and policies when we are analysing and publishing the results of this consultation. Overall results that are given by individuals will be anonymous, that is, it will not be possible for you to be identified in the final report.</p> <p>All submissions and comments submitted to the Department for this purpose are subject to release under the Freedom of Information (FOI) Act 2014 and the European Communities (Access to Information on the Environment) Regulations 2007- 2014. Submissions are also subject to Data Protection legislation.</p> <p>Personal, confidential or commercially sensitive information should not be included in your submission and it will be presumed that all information contained in your submission is releasable under the Freedom of Information Act 2014.</p> <p>The Department of Culture, Heritage and the Gaeltacht is committed to protecting and respecting your privacy and employs appropriate technical and organisational measures to protect your information from unauthorised access. The Department will not process your personal data for any purpose other than that for which they were collected. Personal data may be exchanged with other Government Departments, local authorities, agencies under the aegis of the Department, or other public bodies, in certain circumstances where this is provided for by law.</p> <p>The Department will only retain your personal data for as long as it is necessary for the purposes for which they were collected and subsequently processed. When the business need to retain this information has expired, it will be examined with a view to destroying the personal data as soon as possible, and in line with Department policy. Further information on Data Protection can be found on our website at: https://www.chg.gov.ie/help/legal-notice/data-protection/</p>	

Consultation Feedback:

Sections A to D of the PAF document largely contain introductory and background information that informs the main part of the PAF (which is section E). A.1 and A.2 is template text from the European Commission. B is a summary table that reflects information given elsewhere in the document. If you have comments on these sections, please make them in the box below.

A.	Introduction
A.3	Introduction to the specific PAF of Ireland
C.	Current state of the Natura 2000 network
D.	EU and national financing of the Natura 2000 network during the period 2014 – 2020
Your comments on section A.3, C or D	
<p>In Section D, it appears that Ireland is making substantially less use of funding than has been allocated at an EU level. For example, it appears that €233m of EU funding and €183m of National funding has been allocated to the GLAS scheme, but that current spending is only €52m and €41m (respectively). If it is indeed the case that Ireland is spending significantly less than the allocation, this needs to be declared clearly in the report, and reasons given for the underspend.</p> <p>From the figures provided in the document, it also appears that Ireland is claiming significantly less under European grants (e.g. LIFE, Interreg, ERDF) than has been allocated. It is noted that <i>“Use of the LIFE fund is inhibited by access to seed funding for applicants preparing bids and availability of funding to match the LIFE contribution.”</i> The failure to claim EU funding and provide matching funds should be discussed elsewhere in the PAF, and solutions should be considered. Suggestions of suitable LIFE projects should also be proposed, e.g. restoration of wetlands, management of invasive species in Annex I woodland habitats, farming approaches for EU habitats.</p>	

Section E summarises priority measures and estimated financing needs for 2021- 2027. The tables below follow the format of the PAF document. Please place your comments in the box below the relevant section.

E1.1.	Site designation and management planning
Your comments on section E1.1.	
<p>The commitment to complete the designation of SACs / SPAs and SSCOs is welcome. We agree that <i>“Review and update of published conservation objectives will need to be ongoing”</i> and recommend that clear policies and procedures be implemented to facilitate the addition (or removal if required) of qualifying interests/Special Conservation Interests as new information on sites becomes available.</p>	

E1.2.	Site administration and communication with stakeholders
Your comments on section E1.2.	
<p>We welcome the development of a communications strategy, and the greater emphasis on public engagement and communication across government departments. The lack of resources for communication has been a serious hindrance to the designation and protection of Natura 2000 sites in Ireland.</p>	

The approaches to communication strategy will differ throughout the country depending on the habitats / species of relevance in a given area. For example, peatland areas will require communication regarding peat cutting, upland areas regarding hen harriers, and marine areas regarding fishing. On this basis, the figure of €130,000 proposed for the communications strategy may be insufficient.

Ongoing communication is necessary for landowners within Natura 2000 sites, both for the designation and long-term management. It would be beneficial to add a prioritised measure for regular communication / liaison with landowners, and to allocate funding for same.

E1.3. Monitoring and reporting

Your comments on section E1.3.

The regular Article 17/Article 12 reporting and other related schemes are an effective method for the monitoring and reporting of European Protected Species.

E1.4. Remaining knowledge gaps and research needs

Your comments on section E1.4.

Additional knowledge gaps and research needs may include the following:

- Raised Bog: Review of the planning and licensing status of peat extraction operations for fuel and horticultural purposes, and an assessment of the obligations for relevant operators to protect and restore peatlands
- Raised and blanket bog: review of peat extraction methods, to determine methods that have least widespread impacts on surrounding peatland habitats
- Annex I woodlands: Further develop methods for invasive plant species control, including surveillance for early stage invasion
- Annex I woodlands: Optimal grazing regimes in woodlands and approaches for introducing livestock grazing to undergrazed woodlands
- Greater Horseshoe Bat: status and distribution of this vagrant species in Ireland, and consideration of its inclusion in any SACs

The DCHG should refine research priorities and periodically review them in conjunction with the National Platform for Biodiversity Research. The DCHG should also share the list of knowledge gaps and research needs with third-level institutions in Ireland, in order to assist research groups with project development and applications for funding.

E1.5. Natura 2000-related communication and awareness raising measures, education and visitor access

Your comments on section E1.5.

€11,000 is allocated for schools education officers. This is not considered to be a realistic figure, considering the number of personnel required to cover the number of schools throughout Ireland and their geographic spread. The quoted figure represents only about six months work at minimum wage for a single employee. The NPWS should avoid employing staff on a seasonal basis, as this results in a substantial loss of experienced staff between years.

No mention is made of education activity at visitors' centres outside of national parks, such as the Clara Bog Visitors' Centre. These centres provide important local educational resources and raise the

profile of local Natura 2000 sites. Such centres and their staff should be securely funded and expanded where opportunities arise. We consider that over-reliance on flagship projects at national parks does not adequately meet the education and communication needs at local levels.

E2.1.	Marine and coastal waters
Your comments on section E2.1.	
We have no comments on this section	
E2.2.	Heathlands and shrubs
Your comments on section E2.2.	
<p>We agree overall with the prioritization of measures for this group. In particular, we strongly support the observation that “Results-based supports with associated ecological advisory elements could be a very positive incentive in this group and should be considered in the CAP Strategic Plan.”</p> <p>In many heathland areas, burning is used by farmers as a method to clear heather, gorse and other scrub. This causes significant impacts on sensitive habitats and ground-nesting birds both within and outside the Natura 2000 network. Burning during the nesting season is illegal under national legislation (the Wildlife Act 1976, as amended), but the law is not enforced. In order to avoid further impacts on Annex I heathland habitats within SACs and Annex I bird species within SPAs, the NPWS must consider methods to enforce the prohibition on burning. This will involve liaison with An Garda Siochana regarding the legal status of these habitat and species, and a review of the evidence required to secure a prosecution. It would also be beneficial to liaise with farming groups about alternative methods to clear land.</p> <p>Regarding afforestation, any new forestry applications (by Coillte or private individuals) must be subject to Appropriate Assessment. This will ensure that Annex I habitats (e.g. heaths) within SACs are not converted to non-native forestry.</p>	

E2.3.	Bogs, mires, fens and other wetlands
Your comments on section E2.3.	
<p>The successful implementation of restoration measures on large wetland sites, including raised and blanket bogs and fens, depends on buy-in from landowners and rights-holders in and adjacent to Natura 2000 sites. Enhanced measures to secure their support are likely to be required. For example, neighbouring landowners may have concerns over the potential for flooding pastureland adjacent to sites. Additional details of such measures, such as payments under a ‘payments for ecosystem services’ scheme, should be provided. In exceptional circumstances, new statutory measures may be required to ensure restoration can take place.</p> <p>Significant conservation interventions are needed in Ireland to restore degraded raised bogs and blanket bogs, including incentivising the surrender of turbary rights, damming of drainage channels, rewetting desiccated areas, and controlling grazing by livestock. Additional means should be considered in the framework to fund or co-fund peatland protection / restoration projects, particularly via carbon-offsetting projects or other climate-change related schemes. Ireland’s carbon taxes are used primarily for housing insulation grants, etc, but a proportion of the tax income should</p>	

be reserved for peatland protection / restoration projects, as these efforts can result in clear reductions in greenhouses gasses.

In addition, the framework should consider opportunities for a flagship carbon-offsetting project designed to attract direct investment from national and international corporations that are seeking to offset their emissions. For example, the Katingan-Mentaya project in Indonesia (<http://katinganproject.com/impacts/1/climate>) is an NGO that attracts donations from international corporations, and uses the funds to restore degraded peatland forests. The project complies with Verified Carbon Standard (VCS), and Climate Community and Biodiversity (CCB) standards. A similar flagship project could be developed in Ireland - e.g. to restore Ireland's degraded raised / blanket bogs - and could be marketed towards international corporations with large carbon footprints, or to voluntary contributions from airline passengers. A project of this type could attract considerable investment for the protection / restoration of peatland habitats, thus freeing up EU and national funding for other sources.

There are also opportunities for habitat enhancement linked to private developments, notably wind energy projects. Wind farms on peatland / heathland habitats usually include a habitat management plan to compensate for direct impacts on habitats. It would be beneficial for the NPWS to engage proactively with private developers on habitat management measures, e.g. by proposing degraded areas in the nearby SACs / SPAs that could be restored / enhanced. This may provide an opportunity to secure private-sector finance and expertise for the enhancement of degraded peatlands.

A number of raised bog habitats are used for peat milling / extraction for the horticulture industry, predominantly by private enterprises. These developments did not require planning permission, nor were they subject to Appropriate Assessment. Measures must be urgently considered for retrospective appropriate assessments of these activities, and to develop plans for the reinstatement / restoration of the habitats when peat extraction ceases.

When the former Bord na Mona raised bogs are restored / rewetted, they may meet the criteria for Annex I habitats (e.g. degraded raised bogs or transition mires) and are likely to be used by Annex I bird species (e.g. breeding waders, greenland white-fronted geese). Consideration should be given to the designation of such areas as SACs or SPAs, in order to secure legal protection and access to EU funding.

E2.4.	Grasslands
Your comments on section E2.4.	
<p>Considering that all nine grassland habitats are of bad or inadequate status, it is clear that grassland habitats have been neglected, in comparison to other Annex I habitats. From the budget it appears that almost all habitat management for this group will be under the GLAS scheme. Therefore, a research project should be considered on the optimisation of the GLAS scheme for Annex I grasslands, notably machair, callows and fixed dunes. This may help to improve the national status of some grassland habitats in Ireland.</p>	

E2.5.	Other agroecosystems (incl. croplands)
Your comments on section E2.5.	
We have no comments on this section	

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E2.6.	Woodlands and forests
Your comments on section E2.7.	
<p>The targets for expansion of 91A0 and *91E0 of 750 ha and 250 ha, respectively, over the lifetime of the PAF equate to a total of 143 ha of woodland establishment per annum. We consider that these targets are extremely conservative, even considering the difficulties outlined. Additional resources should be targeted at addressing these difficulties, in conjunction with other stakeholders, such as the Forest Service and Coillte. Synergies between Annex I woodland establishment and climate change funding mechanisms should be explored. For example, Ireland's carbon taxes are used primarily for the housing insulation grants, etc, but a proportion of the tax income should be reserved for the planting of native woodlands, as these efforts can result in measurable reductions in greenhouses gasses.</p> <p>In addition, the framework should consider opportunities for a flagship carbon-offsetting project designed to attract direct investment from international corporations that are seeking to offset their emissions, or voluntary contributions from airline passengers. These represent considerable opportunities to attract funding for large-scale native woodland projects, e.g. adjacent to existing Annex I habitats. Alternatively, existing grants for private forestry could be augmented for landowners that opt for native woodland rather than non-native conifers.</p>	

E2.7.	Rocky habitats, dunes & sparsely vegetated lands
Your comments on section E2.8.	
<p>We have no comments on this section</p>	

E2.8.	Freshwater habitats (rivers and lakes)
Your comments on section E2.8.	
<p>It is noted that "<i>Works have been undertaken to improve fish passage in a number of rivers in SACs (e.g. Fergus (SAC 002165), Slaney (SAC 000781), Barrow, Nore (SAC 002162)).</i>" Similar proposals should be included for the River Shannon, as the 'fish lift' at Ardnacusha dam only allows the passage of small numbers of salmon. The poor status of salmon in the Shannon catchment is due primarily to a single barrier.</p>	

E3.1	Species-specific measures and programmes not covered elsewhere
Your comments on section E3.1.	
<p>We have no comments on this section.</p>	

Section F outlines further added values of the prioritised measures outlined in the previous sections. If you have comments on this section, please make them in the box below.

F.	Further added values of the prioritised measures
Your comments on section F.	
<p>This section should include a commitment to improve the enforcement of the EC (Birds and Natural Habitats) Regulations 2011 (as amended). Although clear penalties are proposed for offences under these regulations, they are not properly enforced. Improved enforcement of the legislation will require liaison with An Garda Síochána on the terms of the legislation, and on the evidence required to secure a prosecution. This will apply to all sections of the framework.</p>	

If you have any further comments, which are not related to a particular section of the PAF document, please make them in the box below.

Any other comments you wish to make
<p>While the PAF is a useful framework for planning the Department's work in relation to the Natura 2000 network, it is extremely important that this does not become the sole framework for managing biodiversity in Ireland. The Department must remain cognisant of its responsibilities for conserving biodiversity at a national scale and a local scale. A similar strategic plan for addressing these responsibilities, beginning with the NHA network, should be implemented.</p> <p>We would recommend that the NPWS engages with local authority Biodiversity and Heritage Officers regarding the protection of sites and on planning issues.</p>