

Clarification on Article 6.3 Assessment and Assessment of Annex IV species

Under the Habitats Directive 92/43/EEC those species whose conservation requires the designation of special areas of conservation are listed in Annex II of the directive. Annex IV lists those species which require strict protection wherever they occur. In the Irish marine context these largely, but not only, refer to cetacean species. Also in Ireland, two of the Annex IV species are also Annex II species, i.e. the Bottlenose dolphin and the Harbour porpoise.

In line with Annex 6.3 of the Habitats Directive any plan or project to be undertaken within a designated site which is likely to have a significant effect on the site's conservation objects must go through the Appropriate Assessment process.

In order to protect Annex IV species a Risk Assessment of the effects of a plan or project on these species is required. In the marine context this is of particular importance when underwater noise is introduced to this environment.

In the assessments associated with this application the risk assessment for Annex IV species is referred to as an Article 12 assessment. This assessment refers to Article 12 of the Habitats Directive and has no bearing on assessments made under Article 12 of Marine Strategy Framework Directive 2008/56/EC.