Rialtas na hÉireann
Government of Ireland

Screening for Appropriate Assessment

Determination on Drain Clearance Works at Wexford Wildfowl Reserve within Wexford Harbour and Slobs Special Protection Area in accordance with Regulation 42A EC (Birds and Natural) Habitats Regulations 2011-2021

Prepared by the Department of Housing, Local Government and Heritage
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1. Introduction

This determination on Screening for Appropriate Assessment (AA) has been made by the Ecological Assessment Unit (EAU) of the Department of Housing, Local Government and Heritage (DHLGH) in accordance with Regulation 42A(8) of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 ('the 2011 Regulations").[1]

On the 12th May 2026, in accordance with the requirements of Regulation 42A(3) of the 2011-2021 Regulations, the Minister for Housing, Local Government and Heritage ('the Minister') furnished the EAU with a request for a Screening for Appropriate Assessment (AA) determination for drain clearance works in the Pumphouse Field at Wexford Wildfowl Reserve, within the Wexford Slobs and Harbour Special Protection Area [Site Code: 004076], Co. Wexford. Hereafter referred to as "the project".

The EAU have evaluated and analysed the information contained in the referred to above documents and location maps provided and carried out a determination. The purpose of this document is to provide a record and an audit trail of the EAU reasoned thinking in view of best scientific information and the Conservation Objectives of European Sites. This determination does not constitute consent or authorisation for the proposed works. The proponent is responsible for ensuring that all other necessary consents, licences, or permissions are obtained, including, where relevant, a declaration under Section 5 of the Planning and Development Act 2000 (as amended).

[1] As inserted by Regulation 7 of the European Union (Birds and Natural Habitats) (Amendment).

2. Background

Pursuant to Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), a Screening for AA is required to be carried out on the strategy. AA is a process required under Article 6(3) of the EU Habitats Directive. Article 6(3) is transposed in Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended, and by Part XAB of the Planning and Development Act, 2000, as amended.

All plans and projects which are not directly connected with or necessary to the management of a European Site, but which either individually or in combination with other plans or projects, are likely to have a significant effect on a “European Site”, require an AA of these effects to determine if they will adversely affect the integrity of these sites. The proposed strategy is considered to fall under the requirements of AA as applied to all plans and projects.

The Screening for AA process scrutinises the plan or project to determine if there is potential for likely significant effects either individually or in combination with other plans or projects, on a European Site. European Sites are part of the Natura 2000 network and include those designated as Special Areas of Conservation (SAC), Candidate SACs (cSACs) or Special Protection Areas (SPA). This Screening for Appropriate Assessment describes the outcome of this analysis in respect of the strategy.

3. Legislation and Guidance

This section provides details on the adopted methodology with sources of guidance and information gathered to inform the preparation of the report.

3.1. Guidance and Data Sources

- Communication from the Commission on the precautionary principle. European Commission (2000);
- European Commission. (2001) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodical Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC;
- European Commission. (2007) Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC;
- Department of Environment, Heritage and Local Government. (2010) Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities;
- Appropriate Assessment under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10;
- European Commission. (2018) Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC;
- Office of the Planning Regulator. (2021) Practice Note PN01 - AA Screening for Development Management; and,
- Official Journal of the European Union. (2021) Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (Volume 64; 2021/C 437/01).

3.2. Assessment Methodology

This report is based on review of desktop data. Sources of information utilised for this report and accessed during June 2026 include the following:

- National Parks & Wildlife Service (NPWS) Designations Viewer[2]; and,
- National Biodiversity Data Centre (NBDC) Maps[3].

3.3. Legislative Background

According to the EU Habitats Directive (92/43/EEC) and the EU Birds Directive (79/409/EEC), Member States are required to establish a Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU.

In Ireland, the Natura 2000 network of European sites comprises SACs, candidate SACs and SPAs.

SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and all migratory birds and their habitats. The Annex habitats and species, for which each site is selected, are the Qualifying Interests (QI) for SACs and Special Conservation Interests (SCI) for SPAs of each site. Conservation Objectives for the site are defined for these QI or SCI.

A key requirement of the Habitats Directive is that the effects of any plan or project, which is not directly connected with or necessary to the management of a European Site, but which alone, or in combination with, other plans or projects, are likely to have a significant effect on a European Site, should be assessed before any decision is made to allow that plan or project to proceed. The obligation to undertake a screening for AA, and if necessary, an AA, derives from Article 6(3) of the Habitats Directive and both involve a number of steps and tests that need to be applied in sequential order.

Article 6(3) is concerned with the strict protection of sites, while Article 6(4) is the procedure for allowing derogation from this strict protection in certain restricted circumstances.

[2] National Parks & Wildlife Service Designation Viewer. Accessed at ArcGIS Web Application 10/06/2025

[3] National Biodiversity Data Centre Maps. Accessed at Maps - Biodiversity Maps (biodiversityireland.ie) 10/06/2025

Article 6(3) of the Habitats Directive states:

> "Any plan or project not directly connected with, or necessary to, the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of the site concerned and if appropriate, after having obtained the opinion of the general public".

Article 6(4) states:

> "If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.
>
> Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

The competent authority is required to carry out a screening for AA, and if necessary, an AA as required by Article 6(3) of the Habitats Directive. If the competent authority determines that the plan or project will adversely affect the integrity of a European site, it may only authorise that plan or project by following the Article 6(4) procedure.

The Article 6(3) and 6(4) procedures are outlined as follows:

Stage 1 - Screening for Appropriate Assessment – to assess, in view of best scientific knowledge, if the project or plan, individually or in combination with another plan or project is likely to have a significant effect on the Natura 2000 site.

Stage 2 - Appropriate Assessment – This is required if it cannot be excluded, on the basis of objective information, that the project or plan, individually or in combination with other plans or projects, will have a significant effect on a Natura 2000 site. The AA must include a final determination by the competent authority as to whether or not a proposed project would adversely affect the integrity of a Natura 2000 site. In order to reach a final determination, the competent authority must undertake examination, analysis and evaluation, followed by findings, conclusions and a final determination. The appropriate assessment must contain complete, precise and definitive findings and conclusions, and may not have lacunae or gaps.

Stage 3 – Assessment of alternative solutions - the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.

Stage 4 - Assessment where no alternative solutions exist and where adverse impacts remain - an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

Under Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011-2021 (S.I. 293 of 2021), the Ecological Assessment Unit is the competent authority in relation to screening for AA of projects and plans (such as the proposed strategy) which the Minister proposes to undertake or adopt.

4. Overview of the Project

Wexford Harbour is the lowermost part of the estuary of the River Slaney, a major river that drains much of the south-east region. The site is divided between the natural estuarine habitats of Wexford Harbour, the reclaimed polders known as the North and South 'Slobs', and the tidal section of the River Slaney. The seaward boundary extends from the Rosslare peninsula in the south to the area just west of The Raven Point in the north. Shallow marine water is a principal habitat, but at low tide extensive areas of intertidal flats are exposed.

Wexford Harbour and Slobs SPA (Figure 1) is one of the top three sites in the country for numbers and diversity of wintering birds. The combination of estuarine habitats, including shallow waters for grebes, diving ducks and sea ducks, and the farmland of the polders, which include freshwater drainage channels, provides optimum feeding and roost areas for a wide range of species. Of particular importance is that it is one of the two most important sites in the world for Greenland White-fronted Goose (*Anser albifrons flavirostris*). The geese feed almost entirely within the Slobs and roost at a neighbouring site; The Raven SPA. The site also has internationally important populations of Mute Swan, Light-bellied Brent Goose, Bar-tailed Godwit and Black-tailed Godwit.

4.1. Purpose

A section of a field drain within the NPWS property at the Wexford Wildfowl Reserve is not flowing freely and is creating waterlogged conditions on the adjacent agricultural grassland. This is causing damage to grass areas which are feeding habitat for Greenland White-fronted geese and other Qualifying Interest wildfowl. There is summer grazing of cattle at this location which is necessary for maintaining the grass sward in optimal condition.

As the fields within the SPA need to be maintained in good agricultural condition for wintering wildfowl, the proposed drain clearance is considered to be necessary for the management of the European Site. Greenland White-fronted Geese favour short uniform swards of grassland for foraging. The proposed project to maintain dry open grasslands at seasonal periods when the birds utilise them will enhance site suitability by maintaining the number and range of areas used by birds which are of a Special Conservation Interest for Wexford Harbour and Slobs SPA. The project will ensure long term stability in the local populations of birds for which the site is designated and maintain their conservation status in favourable condition.

Addressing the drain blockage at the proposed locations will also improve the suitability of the area for other Special Conservation Interest species and will enhance habitat condition and extent of suitable foraging grounds for other over-wintering avian species which utilise the area, improving overall ecological functionality.

4.2. Project Description

It is proposed to reinstate conditions to promote free flowing water within the drain with the use of an excavator, over a distance of approximately 250.4 linear metres. There is a section of open water in the drain, where the dominant *Phragmites* vegetation has not yet re-established. Sediment (silt, mud, etc.) along this margin of open water will be removed and deposited on the adjacent short grass area alongside. The proposed deposition area is an access route along a fence line which does not contain tall vegetation suitable for nesting birds (Figure 2 & 3).

This section of the drain terminates in a pond with an open margin where *Phragmites* is beginning to regenerate with spring growth, but is at present low-growing and relatively sparse. No works are proposed within the existing tall stands of *Phragmites* vegetation along the western margin of the drain and bordering the north and south of the pond.

The displacement of water arising from removal of sediment covering a distance of 250.4 linear metres is anticipated to increase capacity within the drain to alleviate the flooding on the agricultural grassland without an excessive increase to water levels in the pond at the southern terminus of the proposed works area. This pond requires management of *Phragmites* to maintain open water and avoid succession to reed swamp. The proposed works will be beneficial for controlling regeneration of *Phragmites* at the eastern margin and maintaining open water habitat.

The drain ultimately discharges into the North Slob channel, which facilitates drainage of the agricultural lands of the North Slob. Sections of this channel are cleared mechanically by excavator annually to ensure adequate land drainage, so the proposed works would be congruent with existing land management practices within the SPA.

The works are to be carried out before flooding interferes with grass production later in the year (causing damage to agricultural grassland feeding habitat for migratory Qualifying Interest wildfowl) and after the period for which breeding warblers may be utilizing the reed beds. Therefore, Late August – Early September is considered to be most suitable for the avoidance of disturbance to multi-seasonal avifauna populations.

The majority of the target area for the drainage works is open water with sparse *Phragmites* cover which does not offer suitable bird nesting habitat. Where incidental loss of establishing vegetation is unavoidable, the works will constitute an exemption under Section 40 of the Wildlife Act, as they are being undertaken for the purposes of the ordinary course of agriculture. Nonetheless every care will be taken to avoid negative effects on birds utilising the reed bed and surrounding areas. This will be facilitated by careful supervision by experienced NPWS field staff.

The Project Manager and/or a NPWS Authorised Officer will ensure this work is undertaken (access, route and egress) in compliance with Section 22 and Section 23 of Wildlife Act 1976-2023 prior to works (where applicable) and obtain the necessary licences if required. Work will be reviewed by the Project Manager and/or a NPWS Authorised Officer at regular intervals to ensure that correct procedures are being followed.

5. Part 1: Necessary conservation measures

Answer these questions if the activity is “directly connected with or necessary to the management of the site”. Otherwise go to Part 2.

a). List the European site(s) and the relevant Conservation Objectives (include version number of the Conservation Objective).

Wexford Harbour and Slobs SPA [Site code: 004076].

NPWS (2012) Conservation Objectives: Wexford Harbour and Slobs SPA 004076. Version 1.0. Accessed 10th June 2026.

Available at: https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004076.pdf

Special Conservation Interests

Little Grebe (Tachybaptus ruficollis) [A004]

Great Crested Grebe (Podiceps cristatus) [A005]

Cormorant (Phalacrocorax carbo) [A017]

Grey Heron (Ardea cinerea) [A028]

Bewick's Swan (Cygnus columbianus bewickii) [A037]

Whooper Swan (Cygnus cygnus) [A038]

Light-bellied Brent Goose (Branta bernicla hrota) [A046]

Shelduck (Tadorna tadorna) [A048]

Wigeon (Anas penelope) [A050]

Teal (Anas crecca) [A052]

Mallard (Anas platyrhynchos) [A053]

Pintail (Anas acuta) [A054]

Scaup (Aythya marila) [A062]

Goldeneye (Bucephala clangula) [A067]

Red-breasted Merganser (Mergus serrator) [A069]

Hen Harrier (Circus cyaneus) [A082]

Coot (Fulica atra) [A125]

Oystercatcher (Haematopus ostralegus) [A130]

Golden Plover (Pluvialis apricaria) [A140]

Grey Plover (Pluvialis squatarola) [A141]

Lapwing (Vanellus vanellus) [A142]

Knot (Calidris canutus) [A143]

Sanderling (Calidris alba) [A144]

Dunlin (Calidris alpina) [A149]

Black-tailed Godwit (Limosa limosa) [A156]

Bar-tailed Godwit (Limosa lapponica) [A157]

Curlew (Numenius arquata) [A160]

Redshank (Tringa totanus) [A162]

Black-headed Gull (Chroicocephalus ridibundus) [A179]

Lesser Black-backed Gull (Larus fuscus) [A183]

Little Tern (Sterna albifrons) [A195]

Greenland White-fronted Goose (Anser albifrons flavirostris) [A395]

Wetland and Waterbirds [A999]

Conservation Objectives for Special Conservation Interests.

Waterbirds

To maintain the favourable conservation condition of the SCI Waterbirds in Wexford Harbour and Slobs SPA, which is defined by the following list of attributes:

- Population trend.
- Distribution.

Little Tern Sterna albifrons [A195]

To maintain the favourable conservation condition of Little Tern at Wexford Harbour and Slobs SPA, which is defined by the following list of attributes and targets:

- Breeding population abundance: apparently occupied nests (AONs)
- Productivity rate: fledged young per breeding pair
- Distribution: breeding colonies
- Prey biomass available
- Barriers to connectivity
- Disturbance at the breeding site

Hen Harrier Circus cyaneus [A082]

To maintain the favourable conservation condition of Hen Harrier in Wexford Harbour and Slobs SPA, which is defined by the following list of attributes and targets:

- Roost attendance: individual hen harriers
- Suitable foraging habitat
- Roost site: condition
- Disturbance at the roost site

Wetlands [A999]

To maintain the favourable conservation condition of the wetland habitat in Wexford Harbour and Slobs SPA as a resource for the regularly-occurring migratory waterbirds that utilise it. This is defined by the following attribute and target:

- Wetland habitat area

b). State how this activity furthers the Conservation Objective(s)

The Birds Directive (Article 4) obliges Member States to ensure that in all Natura 2000 sites positive conservation measures are taken, where necessary, to maintain and restore the species present and their habitats, taking account of the economic, social and cultural requirements and regional and local characteristics of the area concerned.

The Conservation Objectives seek to maintain protected SPA feature(s) where evidence exists that it is in favourable condition in the site, or where there is uncertainty concerning the assessed condition of a feature but no reason to suspect deterioration in condition since designation.

Where evidence exists that a feature is declining and/or damaged and therefore not in a favourable condition in the site, the Conservation Objectives will seek to restore the protected feature.

The Conservation Objectives recognise that flooded foraging grounds negatively affect winter spatial distribution with potential to have negative impacts on population trends which in turn may be responsible for negatively impacting the Conservation Objectives for water bird species listed as Special Conservation Interests in the SPA or other regularly-occurring migratory water bird species.

The implementation of the project as outlined above will improve and directly contribute to the Site Specific Conservation Objectives for Wexford Harbour and Slobs SPA. Notably:

Greenland White-fronted Goose (*Anser albifrons flavirostris*) [A395]

- **Population trend**
- **Distribution**

In the absence of the project the Conservation Objectives for Greenland White-fronted Goose would be less likely to be met, as there would be a reduction in available foraging sites, potentially resulting in impacts on the species population trend and natural distribution. The project will be necessary to maintain the favourable conservation status of SCIs for which the Wexford Harbour and Slobs SPA has been designated.

c). Does this activity have the potential to impact negatively on any Conservation Objective (CO), Qualifying Interest (QI)/Special Conservation Interest (SCI) for this or any other European site?

The effect of the project on all QI and SCI features of the SPA have been considered.

Clearance of a build-up of silt and sedimentation will restore normal water levels thereby maintaining adequate areas for foraging for SCI water birds thereby enhancing and maintaining the favourable conservation status of Special Conservation Interest species.

Works will be undertaken outside the period for which any SCIs are likely to be utilising the site.

No likely significant effects on the SCI features of the SPA or any QIs of any other SAC are anticipated.

Yes ☐ No ☑

d). Are there aspects of this activity which are NOT directly connected with the management of the site?

Yes ☐ No ☑

If the answer to EITHER of the above questions is **Yes** a Screening for AA is required, go to Part 2.

If the answer to BOTH questions is **No** go to Part 5.

6. Part 2: Identification of European Sites within the Potential Zone of Influence of proposed activities

List all European sites which may be affected by this activity because they are linked by an ecological pathway. If the site has a second European designation (SAC, SPA) this also needs to be considered.

7. Part 3: Assess the likelihood of significant effects

Provide this information for **each site** listed in Part 2.

List the QI/SCIs for the site(s), their current conservation condition and the Site Specific Conservation Objectives (SSCO) for that QI/SCI. Then answer the questions about the impact on that QI/SCI.

Tick all the boxes below which may apply.

Your answer will determine if the activity is likely to have a (negative) effect on this QI/SCI. Negative effects may arise because of the activity's location within the site; its proximity to the QI/SCI or the size of the land take involved; the abstraction of water or minerals; emissions or waste arising; the types of transport or machinery being used; the length of time involved or seasonality of the work.

a). There is likely to be a reduction in the area of QI/SCI habitat ☐

b). The physical/chemical quality of the environment is likely to be changed in a way which may cause the deterioration of the QI/SCI habitat (e.g. applying lime to an acidic soil) ☐

c). The structure of the ecological community is likely to be altered (e.g. through altered species composition) in a way which will have negative impact on the QI/SCI. ☐

d). A QI/SCI species is likely to be disturbed (e.g. through noise, vibrations) ☐

e). The population size, characteristics or reproductive success of a QI/SCI species is likely to be changed either directly or indirectly (e.g. lighting close to a bat roost entrance) ☐

f). QI/SCI species or habitats are likely to be more vulnerable to change or less resilient to external change (e.g. to flooding, fire or drought) ☐

g). There are likely to be effects on other species /habitats (not a QI/SCI for this site) which are ecologically linked with this QI/SCI and, as a consequence, there are likely to be negative effects on this QI/SCI (e.g. the impacts on geese which are the SCI when their non-QI feeding areas are damaged). ☐

h). This activity will cause a deterioration in the conservation condition of this QI/SCI. ☐

i). There are likely to be other ecological effects not listed above which are likely to have a significant effect on the QI/SCI. ☐

Explain the effects:

_____

If you have ticked a box for any QI/SCI in any of the sites affected by this activity the likelihood of a significant effect cannot be ruled out and the activity MUST be screened IN for AA.

8. Part 4: In Combination Effects

Is this activity likely to cause negative effects in combination with any other plan or project?

(In answering this question you should consider any other consents which have been applied for or granted. For example, other ARCs, planning consents, forestry consents, or activities authorised as part of an agreed farm or land management plan. List the plans or projects considered).

_____

_____

No ☑ **Yes** ☐ **Uncertain** ☐

If the answer is Yes or Uncertain the activity MUST be screened IN for AA. Fill in Part 5 accordingly.

9. Part 5: Findings of the Screening for AA

Screening not carried out as the activity is “directly connected with or necessary to the management of the site”. ☑

Likely significant effects are expected or uncertain.

This activity Screens **IN** and AA **is** required. ☐

Likely significant effects are NOT expected.

This activity Screens **OUT** AA **is not** required. ☐

Prepared by: Darren Ellis, Ecologist, Ecological Assessment Unit

Signed:

Date: 10th June 2026

10. Part 6: Determination

Following an analysis of the activity, the EAU determines, in accordance with Regulation 42A(8) of the 2011 Regulations, that this project to clear blocked drains will restore normal water levels ensuring the maintenance of adequate areas of foraging grounds, thereby supporting the favourable conservation status of SCI species, within Wexford Harbour and Slobs Special Protection Area. Therefore, the project is entirely comprised of activities that directly support the Conservation Objectives of these European sites.

It can be concluded with certainty that the project is a necessary conservation measure that is directly connected with or necessary for the management of the site.

Determined by: Laura Connolly, Ecologist

Signed:

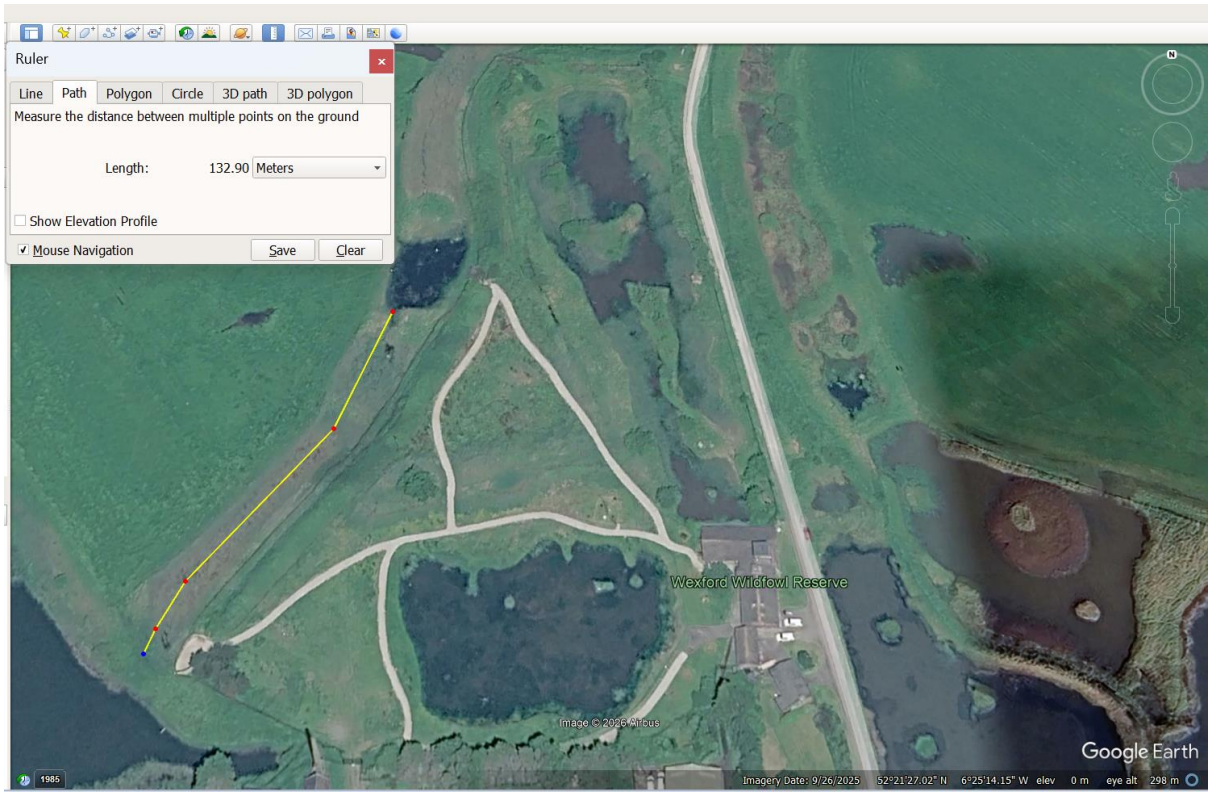
Date: 10th June 2026

11. Supplementary Information

Figure 1. (below): Location of Wexford Harbour and Slobs SPA as per NPWS (2012) Conservation Objectives: Wexford Harbour and Slobs SPA 004076. Version 1.0. (Yellow arrow is indicative of project location.)

Figure 2. (below): Location of proposed works on boundary drain of the Pumphouse Field, Wexford Wildfowl Reserve (yellow line - proposed extent of works 117.5 linear metres approx.) within Wexford Harbour and Slobs SPA.

Figure 3 (below) Additional extent of proposed drain clearance (132.90 metres)



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