



BirdWatchIreland
protecting birds and biodiversity

Unit 20 Block D

Bullford Business Campus

Kilcoole

Co. Wicklow

Ireland

t: +353 1 281 9878

f: +353 1 281 0997

e: info@birdwatchireland.ie

w: birdwatchireland.ie

Patron

Michael D. Higgins

President of Ireland

Éarlámh

Micheál D Ó hUigínn

Uachtarán Na hÉireann

BirdWatch Ireland Submission to the COFORD Council Land Availability Working Group

August 2012

BirdWatch Ireland understands that this group is Identifying Land Availability for Afforestation and Examining Constraints and Incentives to Achieving Afforestation Goals. To assist this group with its deliberations and in response to the consultation call, Birdwatch Ireland highlights in this submission a number of conservation challenges in upland areas which need to be addressed by the multiple sectors to which impacts are attributed. While impacts do not arise from the Forestry sector alone, it is crucial that each sector, through its own regulatory and strategic planning processes, ensures that impacts from its activities are mitigated to the extent that they do not cause unnecessary or long term significant damage to the natural resources which are the foundation of environmental health and sustainability.

While we understand that legislation and regulatory procedures aim to prevent conflict between afforestation and conservation, and that improvements have taken place in recent years, there remain a number of issues which are not sufficiently addressed by current legislation and procedures. Some of these are outlined below.

Overarching Recommendation: Strategic mapping of land availability

BirdWatch Ireland recommends that in order to 'Identify and document, in view of Government and EU and legislation policy, the area of land suitable for afforestation' (the first task outlined in the Group's TOR), an objective and scientifically based mapping exercise is required. This would identify land availability and determine which areas are and are not suitable for afforestation and would facilitate evidence based assessment of the extent to which national afforestation goals could be met without needing to negatively impact biodiversity objectives or afforest land cover and habitat types which are a priority for nature conservation. BirdWatch Ireland would be happy to assist in this exercise and would suggest that it would be likely be very possible to meet national afforestation targets in a strategic manner using such an approach. This would be a significant assistance to facilitate achievement of afforestation targets in a sustainable and strategic manner, as per **Question C** of the consultation sheet.

Biodiversity & Ecosystem Services

Biodiversity is of immense value to society, a concept most often conferred as 'ecosystem services'. Ecosystem services are the various 'services' delivered by nature to society, such as providing natural



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resources, maintenance of soil fertility, pollination, carbon store, flood mitigation and water purification. Ecosystem services are increasingly being valued in real economic terms and there is a growing recognition of the often excessive costs to society of allowing natural ecosystems to become degraded or lose important functioning. **It is important the Land Availability Working Group takes account of the societal benefits delivered by healthy upland ecosystems and endeavours to assure that its recommendations are in keeping with public good interest of maintaining these ecosystem services.** Accordingly BirdWatch Ireland outlines in this submission some current nature conservation challenges which will be relevant to the remit of this group. We do not see these as the only or the prime issues affecting the availability of land for afforestation, as per Question A in the consultation call, rather the issues which we have a particular insight to and thus have focused on in this submission. Cognisant of the issue driving the group is the relatively recent limitation of afforestation in unenclosed uplands, BirdWatch Ireland note that there are numerous silvicultural challenges to successful afforestation in upland areas, including the presence of poor and thin soils, high fire risk and silvicultural requirement for heavy fertiliser use. It is thus important that any limitation of afforestation in upland unenclosed land is not justified inappropriately by attributing the 'constraint' to environmental matters such as biodiversity or water quality. While these are significant issues, as described in this submission and extensively described in published literature, it would not be an accurate reflection of the real drivers to attribute the constraints primarily to 'the environment'. Silvicultural constraints must be attributed an accurate weighting in the assessment of constraints.

1. Semi-natural and species rich grassland

Semi-natural and species Rich Grassland in Ireland is found in many areas of the uplands and often in unenclosed uplands. Extensively grazed semi-natural grasslands tend to have many plant species, including broadleaved herbs, sedges, and a variety of seed producing grasses which support a wide variety of invertebrates and a high diversity of birds. They are also more suitable for ground nesting birds, many of which have been facing severe declines in recent decades.

Some types of semi-natural species rich grassland habitats are protected by the Habitats Directive because they have declined so much in extent and will be lost unless measures are taken to protect them and ensure that they are managed appropriately. Extensive grazing has maintained these habitats for thousands of years and now appropriate grazing regimes need to be maintained if they are to continue to deliver the range of public benefits which they are valued for. The overall quality of each of the Annex I grassland habitats surveyed in response to Article 17 requirements of the Habitats Directive was 'Unfavourable – Bad', emphasising their vulnerability in Ireland and the urgency with which they need to be studied, monitored and offered suitable management support measures. Ireland would be failing to meet a range of legal conservation commitments if we allow afforestation of annexed semi-natural grassland types, indeed Ireland is already failing to meet conservation requirements by failing to facilitate appropriate management of these semi-natural grassland habitats.



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A range of sectors must take responsibility to ensure that their activities are sensitive to the conservation needs of these habitat types. Accordingly, every effort must be made by the Forest Service, with cooperation from forest industry, to ensure that we do not lose these habitat types to afforestation (and other threats). This is relevant to enclosed as well as unenclosed grasslands and requires urgent attention from the Forest Service and NPWS.

Recommendation 1: All afforestation sites should be surveyed for the presence of semi-natural and species rich grassland before consent is granted for afforestation. Much of the need for individual surveys would be negated were the overarching recommendation of **Strategic mapping of land availability** to be pursued as well as systematic site ecological assessments as recommended by BIOFOREST report and referred below. An assessment of the relative and ecological importance of each plot of species rich grassland should be carried out by the forest service in order to ensure that the potential for this habitat type to reach Favourable Conservation Status is not impaired by any consent decision.

2. Breeding Waders

Preliminary results of the 2007-2011 Breeding Bird Atlas indicate severe declines of 60-70% in Curlew range since the previous atlas in 1988-91. A more detailed BirdWatch Ireland survey in 2011 of selected areas previously occupied by Curlew in Donegal and Mayo indicates declines of up to 90% since the 1988-1991 Atlas period. The Curlew is a globally threatened bird. Ireland still had a good population of Curlew in 1990, estimated at 5,000 breeding pairs. However, the dramatic decline since then calls for urgent action to stem the decline and protect remaining breeding sites from loss. It is likely that there may be less than 200 pairs of breeding Curlew left in Ireland. Irish breeding Curlews nest in a range of habitats, including damp, rushy pastures and open bog and heath. Loss and fragmentation of habitat in the uplands is thought to be one of the main reasons for the decline.

Direct habitat loss occurs through afforestation, mechanised peat extraction, wind farm developments in upland areas (and associated infrastructural changes) and intensification of grassland management. **Direct loss of open breeding habitat is one of the factors driving declines in Curlew as well as other breeding waders such as Dunlin and Golden Plover.** Fragmentation and degradation of Curlew breeding habitat is likely also to have significantly reduced numbers as the remaining pairs occupy smaller areas and occur in lesser numbers, they suffer increased vulnerability to predators. Increasing vulnerability to predators (crows and foxes) associated with forestry has also been an issue identified in UK research as impacting breeding success of some breeding waders, including Dunlin.

The Curlew is an iconic breeding bird in Ireland and further afforestation of its breeding habitats, along with other threats, could lead to its extinction as a breeding wader in Ireland within our lifetimes, unless we implement urgent measures to address the habitat loss and fragmentation that have caused the decline.



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Recommendation 2: Any planned afforestation in breeding habitat for Curlew should be screened for impact on breeding curlew prior to afforestation. This will require dedicated surveys during the breeding season following standard methodology for this species and will need action from the Forest Service as well as support from National Parks and Wildlife Service and the forest industry.

Recommendation 3: Research is required to further our understanding of how Curlew are affected by afforestation in those habitat types typically associated with breeding curlew and afforestation. This would assist the development and application of targeted measures to plan for avoidance of impacts from the industry.

3. Other bird species potentially affected from afforestation

While some bird species avail of forest habitats and can make use of some stages of the forest cycle for breeding or foraging, for example, the displacement of already threatened habitat types by afforestation in some locations is an issue that needs careful consideration. On account of land use changes and habitat loss, and the rapid pace of land use change that is occurring now through activities such as afforestation, a number of breeding bird species could potentially be negatively affected by afforestation in Ireland. A review by Lynas et al. 2007, identified curlew, golden plover, lapwing, quail, redshank, red grouse, ring ouzel and twite as being among the birds of highest conservation concern in Ireland which could potentially be negatively impacted by afforestation. Dunlin, merlin, redthroated diver, skylark and snipe have an 'unfavourable conservation status' based on national assessments and could also be potentially affected negatively by afforestation.

Merlin

The Merlin is an Annex 1 species on the Birds Directive 2009/147/EC and is on the amber list of the Birds of Conservation Concern in Ireland due to a moderate decline in their breeding range (Lynas et al., 2007). The preliminary results from the Breeding Birds Atlas (2007 – 2011) indicates that further population declines have occurred over the past forty years in Ireland, with estimated losses of 34% since 1970. Recent research conducted by BirdWatch Ireland between 2010 and 2012 has also highlighted a significantly reduced breeding success in comparison to data previously recorded for the Irish population between 1986 and 1992, with current figures for breeding success and productivity lying within the range for declining populations. However, despite this current status and the underlying conservation concerns, due to a lack of monitoring and research, there is currently limited data available on specific aspects of the Merlin population in Ireland, including distribution, abundance and their basic ecological requirements, as well as the factors which impact the population.

Throughout their breeding range Merlin occupy a wide variety of upland habitats in or adjacent to open country. Traditionally Merlin were regarded as a ground nesting species in Ireland, however it is now likely that the majority of the population nest in trees at the edge or within forest plantations, which is likely a response to the loss of suitable ground nesting opportunities. While Merlin currently



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rely to a certain extent on forest plantations, it is not known how afforestation or indeed management practises of current forested areas impact their distribution, nesting ecology, survival, hunting success and productivity. The primary prey items of Merlin are open-country passerines such as Meadow Pipit and Skylark and the optimal foraging habitat for Merlin is typically heather and grass moorland. Continued afforestation of prime foraging habitat, particularly within traditional Merlin territories and strongholds is likely to negatively impact the species. There is a clear requirement to develop our understanding of the impacts of afforestation and forestry management on the endangered Merlin population and also to incorporate suitable screening of areas of suitable habitat for the presence of breeding Merlin prior to afforestation.

Recommendation 4: Research is required to develop our understanding of the impacts of afforestation and forestry management on the endangered Merlin population.

Recommendation 5: Incorporate suitable screening of areas of suitable habitat for the presence of breeding Merlin prior to afforestation.

4. Upland peat soils, sensitive catchments & water quality

Upland sites with peaty soils and sloping ground are sensitive to erosion such as occurs with clearfelling. Often there is significant siltation associated with clearfelling (or road construction) which causes very serious ecological damage to waterways by smothering the stream or river bed with sediment and by shock loading aquatic habitats with nutrient enriched sediment where excess fertilisers have not been utilised by growing trees. The worst extremes of this have been demonstrated with Freshwater Pearl Mussel incidents however other (non FPM) river catchments have also been affected resulting in water quality decline and impacts on local fisheries. Most forestry in Ireland's uplands relies on fertilisers, which upland ecosystems and thin soils are not able to cope with, leading to significant ecological damage well outside the boundary of the forest. Forestry on peat soils in particular causes a suite of environmental problems.

All of these problems described can and often do result in reduced water quality, loss of wildlife and ecosystems services, damage to fisheries, and increased costs of treatment for drinking water. This is a very real cost to society, in terms of both the loss of valuable ecosystem services as well as actual damage to habitats and fisheries interests. **Again very careful environmental screening, to a far greater extent than what is currently practiced, is needed to ensure that these impacts, which are costly to society, are not supported through continued afforestation in the uplands.**

Legal Issues

There are a number of requirements in the Birds Directive, the Habitats Directive, and the EIA and SEA Directives to protect species and habitats outside of designated and protected areas. In ECJ Ruling C418-04 the Court found that despite a requirement for Member States to "make a serious



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attempt at protecting those habitats which lie outside the SPAs” which the court finds Ireland has not “transposed that provision fully and correctly by taking suitable steps to avoid pollution or deterioration of the habitats lying outside the SPAs. It is thus clear, in the present case, that Ireland must endeavour to take suitable steps to avoid pollution or disturbances of the habitats”. This case is still open.

Recent information is that another case is being opened against Ireland by the European authorities concerning Ireland’s failure to implement coherent systems of protection for the Freshwater Pearl Mussel. They are seeking that a number of government agencies put a ‘coherent system’ in place for the protection of this species across various departments and agencies. Afforestation is likely to be relevant to this case and no planting of forestry in FPM catchments that will need to be clearfelled in future years should be permitted in order to ensure improvements in water quality that are required for a range of species dependant on pristine water quality.

Licensing forestry on marginal upland habitats, whether enclosed or unenclosed, designated or undesignated, without adequate ecological screening, and with risk of negatively impacting water quality and habitats and species of conservation interest, will counter Ireland’s efforts to address these challenges.

One way to address this is for biodiversity assessments of all planned or potential afforestation sites. This would ensure identification of annexed grassland and could facilitate assessments of habitat suitability for breeding waders. However it is important to note that unenclosed upland areas are, in general terms, more likely to contain species and habitats of conservation interest which are sustained by extensive farming.

According to the FS Biodiversity Guidelines (2001), habitats and species of conservation importance should be identified, described, clearly mapped and retained as an integral part of the site management. **This is not possible without an ecological survey being carried out prior to forest planning.**

Bioforest (a major research initiative carried out collaboratively between the EPA, COFORD, and several Irish Universities) identified shortcomings in the protection and management of biodiversity in the afforestation consent procedure, especially in non-designated sites. The synthesis report states that *“lack of adequate strategic assessment, failure of regulations to require biodiversity assessment for the vast majority of afforestation proposals, and serious deficiencies in those biodiversity assessments that are carried out mean that sites of high biodiversity importance are currently at risk of being damaged by afforestation”*. This conflict has still not been addressed and there is still no comprehensive system of assessing the potential negative impacts of afforestation on the large majority of planting sites (especially on undesignated sites). This should be addressed by the **introduction of ecological surveys on all new afforestation sites** before consent and grant aid are granted.



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Currently there is no system of site assessments by ecologists with skills and knowledge to identify, describe and map biodiversity interest features and evaluate their conservation importance when sites are outside of designated areas. The only mechanism in place is that the Forest Service inspector deems whether the forest ecologist should review the site or special screening is in place in designated areas. The Bioforest Project has made several recommendations in relation to this issue. Recommendation 14 states *'Pre-afforestation site surveys should map habitats using a standard classification and note the presence of indicators and other biodiversity features.'* Recommendation 16 states *'Foresters submitting grant applications should have completed accredited ecological training courses or employ qualified ecologists'*.

There are also significant concerns that forestry is not subject to adequate levels of EIA screening, and sub-threshold afforestation in upland areas would need to be subject to EIA to assessment for the range of impacts on the environment addressed here. This includes an assessment of the cumulative impacts of various activities which are potentially damaging to sensitive upland habitats, such as afforestation, management of existing forestry, and other developments in the uplands such as wind farm development.

Implementing these recommendations would do much to address the findings of the European Courts in relation to Ireland's failures to protect a range of species and habitats both within and outside of designated areas.

Recommendation 6: 'Pre-afforestation site surveys should map habitats using a standard classification and note the presence of indicators and other biodiversity features' as per BIOFOREST Recommendation 14

Constraints to achieving afforestation goals

BWI does not have significant expertise to discuss the **main constraints to achieving afforestation goals (as per question B)** however we would consider that landowner reluctance to implement such long term land use changes is a significant factor.

What incentives would support the achievement of these goals?

See earlier (Overarching Recommendation: Strategic mapping of land availability)

Point of Contact: Anja Murray, Policy & Advocacy Team amurray@birdwatchireland.ie



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