



Rialtas na hÉireann  
Government of Ireland

# Screening for Appropriate Assessment

**Adoption of conservation measures for *Achillea maritima* as part of shingle and stony bank habitat restoration within Lady's Island Lake Special Area of Conservation in accordance with Regulation 42A EC (Birds and Natural) Habitats Regulations 2011-2021**

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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').<sup>1</sup>

On the 3<sup>rd</sup> January 2023, 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 derogation licence application proposing to continue conservation measures for *Achillea maritima* within Lady's Island Lake Special Area of Conservation (SAC), Co. Wexford. Since the conservation measures for *Achillea maritima* are considered an elemental component of shingle and stony bank habitat within the SAC, on the same date, the EAU were provided with a Screening for Appropriate Assessment Report undertaken by the National Parks and Wildlife Service Scientific Unit. Hereafter referred to as "*the project*". On the 10<sup>th</sup> January 2023, the EAU were further provided with a report titled "*Conservation Plan for Achillea maritima (Otanthus maritimus), Cottonweed, at Lady's Island Lake, Co. Wexford*".

The EAU have evaluated and analysed the information contained in the referred to above documents 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 knowledge and in view of the conservation objectives of the European sites.

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<sup>1</sup> 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 project. 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 that an AA of these effects to determine if they will adversely affect the integrity of these sites. The project 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 project.

### 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

- AA of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2010 revision);
- AA under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10;
- 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 Environment Directorate-General, 2021);
- Communication from the Commission on the precautionary principle. European Commission (2000);
- Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC (European Commission, 2007);
- Guidelines for Good Practice AA of Plans under Article 6(3) Habitats Directive (International Workshop on Assessment of Plans under the Habitats Directive, 2011);
- Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2018); [hereafter referred to as MN 2018]; and
- Office of the Planning Regulator Practice Note PN01 - AA Screening for Development Management (OPR, 2021).
- Martin, J.R., Daly, O.H. and Devaney, F.M., 2017. Survey and assessment of vegetated shingle and associated habitats at 30 coastal sites in Ireland. Irish Wildlife Manuals, No. 98. National Parks and Wildlife Service, Department of the Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Dublin.
- Carter, R.W.G., Hamilton, A.C. and Lowry, P., 1981. The Ecology and Present Status of *Otanthus maritimus* on the Gravel Barrier at Lady's Island, Co Wexford. The Irish Naturalists' Journal, pp.329-331.
- Murray, T. and Jackson, M.W., 2022. The history, status and conservation management of Cottonweed *Achillea maritima* (*Otanthus maritimus*) at Lady's Island Lake, Co. Wexford, Ireland. British & Irish Botany, 4(3).

### 3.2. Assessment Methodology

This report is based on review of desktop data. Sources of information utilised for this report and accessed during October 2022 include the following:

- National Parks & Wildlife Service (NPWS) Designations Viewer<sup>2</sup>; and,
- National Biodiversity Data Centre (NBDC) Maps<sup>3</sup>.

### 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 qualifying interests.

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.

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<sup>2</sup> National Parks & Wildlife Service Designation Viewer. Accessed at ArcGIS Web Application 11/01/2023

<sup>3</sup> National Biodiversity Data Centre Maps. Accessed at Maps - Biodiversity Maps (biodiversityireland.ie) 11/01/2023

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 (S.I. 477 of 2011), the Ecological Assessment Unit is the competent authority in relation to screening for AA of projects and plans (such as the proposed project) which the Minister proposes to undertake or adopt.

## 4. Overview of the Project

The proposed conservation measures at Lady's Island Lake SAC, Co. Wexford for *Achillea maritima* and by association its habitat, Annex I habitat perennial vegetation of stony banks [Habitat Code: 1220] have been formulated by Tony Murray (NPWS Regional Operations) and Mike Wyse-Jackson (NPWS Scientific Unit).

There are only a few extensive examples of perennial vegetation of stony banks in Europe, and Ireland hosts a significant part of the European resource of this habitat. Conservation assessment results for this Annex I habitat surveyed at the site conclude the area, structure, function and subsequent overall assessment of conservation status as Unfavourable-Inadequate (See Martin et al. 2017).

The project is located on the barrier system within Lady's Island Lake SAC which stretches along the entire seaward part of this site from Carnsore Point westwards towards Tacumshin. This comprises the best example in Ireland of a landward moving (transgressive) system of gravel-based barrier. These shingle structures develop when a sequence of foreshore beaches is deposited at the limit of high tide. More permanent ridges are formed as storm waves throw pebbles high up on the beach, from where the backwash cannot remove them. Several beaches may be piled against each other and extensive structures can form. The sequence of back barrier washover and seepage structures within the site are among the best in Europe, and, indeed, Lady's Island remains the last "intact" example in Europe.

The substrate is predominantly sandy and the barrier is overlain for the most part by sand dunes, principally embryonic shifting dunes and marram dunes, but also some more fixed areas. The ecological variation in this habitat type depends on stability, the amount of fine material accumulating between pebbles, climatic conditions, width of



the foreshore, and past management of the site. The ridges and lows formed also influence the vegetation patterns, resulting in characteristic zonations of vegetated and bare shingle.

The Annex I habitat perennial vegetation of stony banks [Habitat Code: 1220] occurs along these characteristic zones where shingle (cobbles, pebbles, and gravel  $\geq 2$  mm wide) has accumulated to form elevated ridges or banks above the high tide mark. On the upper beach the pioneer community of this vegetation type can be characterised by perennial species. Species present include Sea Rocket (*Cakile maritima*), Sea Samphire (*Crithmum maritimum*), Sea-holly (*Eryngium maritimum*), Yellow Horned-poppy (*Glaucium flavum*) Sea Sandwort (*Honkenya peploides*) and Sea Mayweed (*Matricaria maritima*). Of particular note, as mentioned above, is the occurrence of Cottonweed (*Achillea maritimus*) within the site.

*Achillea maritima* was formerly widespread in coastal areas of Britain, but is now considered to be extinct there, and in Ireland it has been recorded from only a handful of sites. In continental Europe it occurs on Mediterranean coasts from Israel to Gibraltar and on Atlantic coasts of Portugal, Spain and France. The Irish plants are the most northerly remaining in Europe; here it has been recorded, but is long extinct, in Counties Kerry, Waterford and Wicklow, as well as Wexford, where it has also become extinct in most of its recorded sites. The species persisted at Tacumshin Lake in Co. Wexford until recently, but this population also died out (last seen 1983) - it was subsequently re-introduced here (2003), but the last remaining plant could not be found in 2015 and it is considered to be extinct at this site. The only remaining, extant site for the species in Ireland is at Lady's Island Lake, Co. Wexford (See Murray & Jackson 2022 for an extensive monograph).

In an attempt to prevent the imminent loss of *Achillea maritima* and by association restore and maintain areas of perennial vegetation of stony banks [1220] for the specialised upper beach pioneer communities and species - it is planned to continue to undertake trials of various methods to control/remove *Ammophila* (Marram) at the site. Actions proposed in the Conservation Plan for the population of *Achillea maritima* and its habitat at Lady's Island Lake are set out below. These are:

- Transplantation of *Achillea maritima* plants grown off-site to trial plots when habitat conditions are deemed suitable.
- Lodging of samples of collected seeds to seed/gene banks, e.g. at Trinity College Botanic Gardens, National Botanic Gardens, Glasnevin, amongst others.
- Annual sowing in trial plots of *Achillea maritima* seeds collected on-site, when habitat conditions in these are deemed suitable for the species.
- Regular removal of *Ammophila* (manual and careful glyphosphate weed-wiping) from *Achillea maritima* Conservation Plots.
- Maintenance of *Achillea maritima* plants in the trial plots as are planted in from ex situ stock or as appear by natural means or from sown seed.

- Regular (every 6 months suggested) tending of such plants of *Achillea maritima* as remain at the site outside of trial plots – manual removal of *Ammophila* adjacent to plants, etc.
- Monthly monitoring of each of the trial plots for a 12-month period following commencement of the trials in each plot, thereafter every 6 months (vegetation type/cover, species cover/abundance, notes on status of *Achillea maritima* and *Ammophila*), and recommendations arising from monitoring visits.
- Annual survey of *Achillea maritima* population at Lady's Island both in the trial plots and outside of these.

The outcome of these measures will be the maintenance and enhancement of perennial vegetation of stony banks in the face of increasing threats, specifically competition with *Ammophila* which, in recent years, has spread throughout the area. In the absence of conservation measures, the extinction of *Achillea maritima* both at the site and in Ireland is imminent.

## 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).

Lady’s Island Lake SAC [Site code: 000704].

NPWS Site Details Version 1 (2019). Accessed 11th January 2023.

Available at: <https://www.npws.ie/protected-sites/sac/0007104>.

Qualifying Interests:

- Coastal lagoons [1150]
- Reefs [1170]
- Perennial vegetation of stony banks [1220]

### Conservation Objectives for Qualifying Interests.

Coastal lagoons [1150]:

To maintain the favourable conservation condition of Coastal lagoons in Lady’s Island Lake SAC, which is defined by the following list of attributes:

- Habitat area
- Habitat distribution
- Salinity regime
- Hydrological regime
- Barrier connectivity between lagoon and sea
- Water quality
- Depth of macrophyte colonisation
- Typical plant species
- Typical animal species
- Negative indicator species

Reefs [1170]:

To maintain the favourable conservation condition of Reefs in Lady's Island Lake SAC, which is defined by the following list of attributes:

- Habitat area
- Habitat distribution
- Community structure

Perennial vegetation of stony banks [1220]:

To maintain the favourable conservation condition of Perennial vegetation of stony banks in Lady's Island Lake SAC, which is defined by the following list of attributes:

- Habitat area
- Habitat distribution
- Physical structure: sediment supply; creeks and pans; flooding regime
- Vegetation structure: zonation; vegetation height; vegetation cover; negative indicator species - *Spartina anglica*
- Vegetation composition: typical species and sub-communities.

Lady's Island Lake SPA [Site code: 004009].

NPWS First Order Site-specific Conservation Objectives Version 1.0 (2022). Accessed 11th January 2023.

Available at: [https://www.npws.ie/sites/default/files/protected-sites/conservation\\_objectives/CO004009.pdf](https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004009.pdf)

Special Conservation Interests:

- Gadwall (*Anas strepera*) [A051]
- Black-headed Gull (*Chroicocephalus ridibundus*) [A179]
- Sandwich Tern (*Sterna sandvicensis*) [A191]
- Roseate Tern (*Sterna dougallii*) [A192]
- Common Tern (*Sterna hirundo*) [A193]

- Arctic Tern (*Sterna paradisaea*) [A194]
- Wetland and Waterbirds [A999]

### **Conservation Objectives for Special Conservation Interests.**

To maintain or restore the favourable conservation condition of the wetland habitat at Lady's Island Lake SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.

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

The project is directly related to restoring a species dependent and intrinsic to perennial vegetation of stony banks [1220] at Lady's Island Lake SAC from existing competition with *Ammophila* (Marram). At a site level this will maintain and enhance the potential area and contribute to the conservation condition of perennial vegetation of stony banks habitat in the short to medium term.

The conservation measures proposed here are incorporated into a Conservation Plan for *Achillea maritima*, a specialised and rare species analogous with this Annex I habitat. The project is necessary not only to avoid the imminent extinction of this species at its last remaining site in Ireland, but also for conserving a Qualifying Interest in line with the Conservation Objectives of the SAC, notably:

- Habitat area of perennial vegetation of stony banks [1220]
- Vegetation structure of perennial vegetation of stony banks [1220]: negative indicator species (in this case *Ammophila*)
- Vegetation composition of perennial vegetation of stony banks [1220]: typical species and sub-communities.

In the absence of the project, the Conservation Objectives for perennial vegetation of stony banks [1220] would not be achieved as there is continuing encroachment of *Ammophila* from adjacent dune habitats.

There is a proven and planned route of accessibility for works without impacting on any other QI.

The trends identified indicate that continued *Ammophila* encroachment, and the coastal "squeeze" on characteristic shingle accumulation zones above the high tide mark created by climate change effects means that a do nothing scenario has significant future costs, notably:

- Poor habitat condition worsens due to the colonisation of negative indicator species of perennial vegetation of stony banks [1220] and becomes costlier to rectify;
- Loss of *Achillea maritima* from the site and Ireland.

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?

Yes

No

The site is popular with recreational users and there is an existing baseline level of human presence all year round. As per the Screening for Appropriate Assessment Report undertaken by the National Parks and Wildlife Service Deputy Regional Manager, the EAU consider that disturbance caused by human presence to SCI of the Lady's Island Lake SPA is negligible and concurs with the conclusions of that report that human presence and subsequent disruption is localised, temporary and of a very small scale.

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.

Site 1: Name and Code

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Conservation Condition:

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Site Specific Conservation Objectives:

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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:

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**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).

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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.

Signature: Ryan Wilson-Parr, Head of Ecological Assessment

Date: 12<sup>th</sup> January 2023

## 10. Part 6: Conclusion

Following an analysis of the project, the EAU determines<sup>4</sup>, in accordance with Regulation 42A(8) of the 2011 Regulations that the conservation measures for *Achillea maritima* as part of shingle and stony bank habitat restoration within Lady’s Island Lake Special Area of Conservation are entirely comprised of activities or works that directly support the Conservation Objectives of this European site.

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.

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<sup>4</sup> Ryan Wilson-Parr (Head of Ecological Assessment, Department of Housing, Local Government and Heritage) 12<sup>th</sup> January 2023

# 11. Supplementary Information

Figure 1. (below): Location of Lady's Island Lake Special Area of Conservation as per the European Union Habitats Regulations 2008 (Statutory Instrument No. 292).

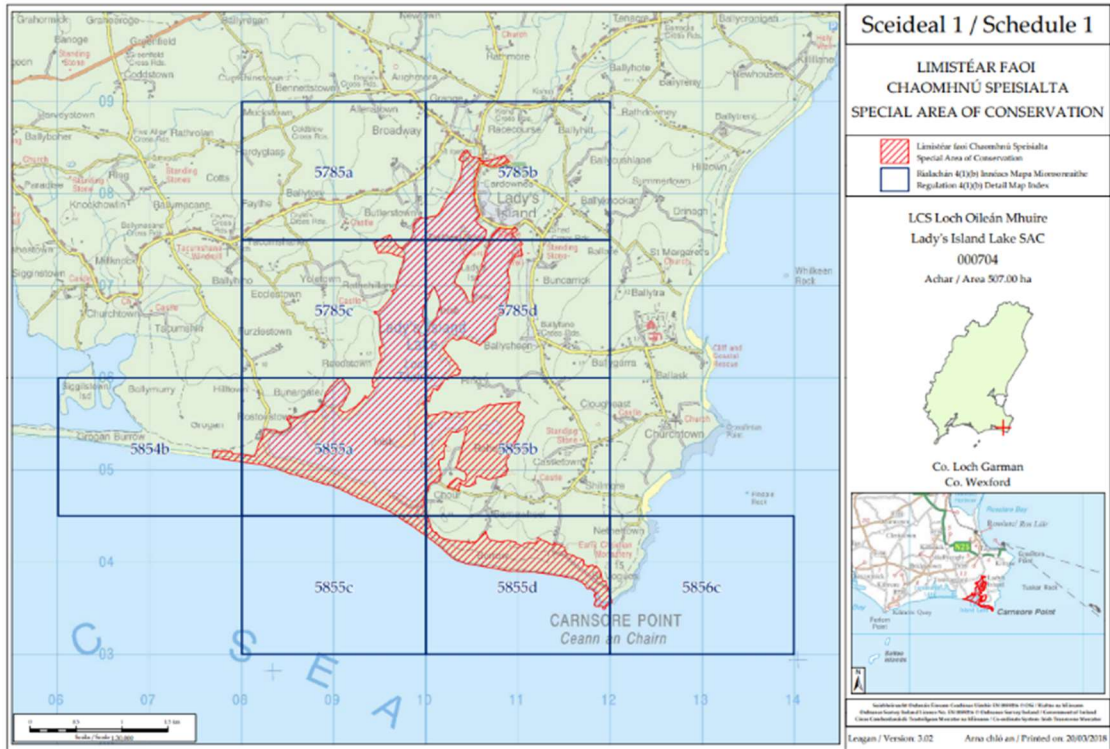


Figure 2. (below): Adjacent and overlapping designations of Lady's Island Lake Special Area of Conservation.

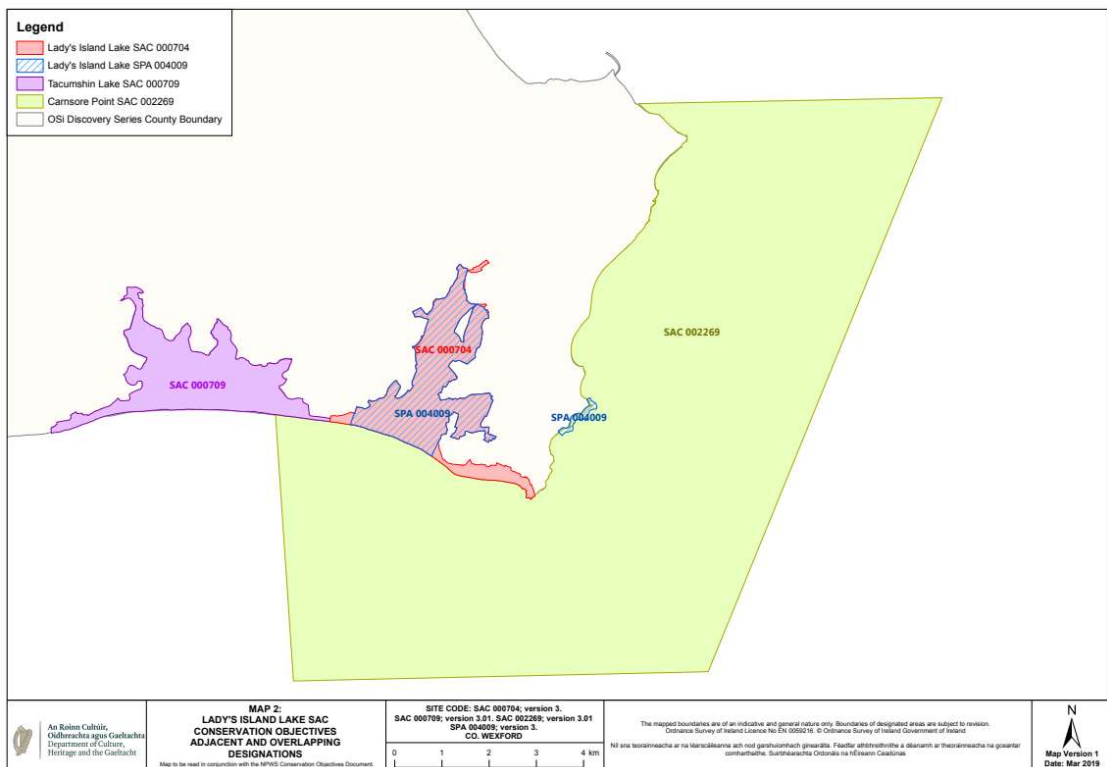
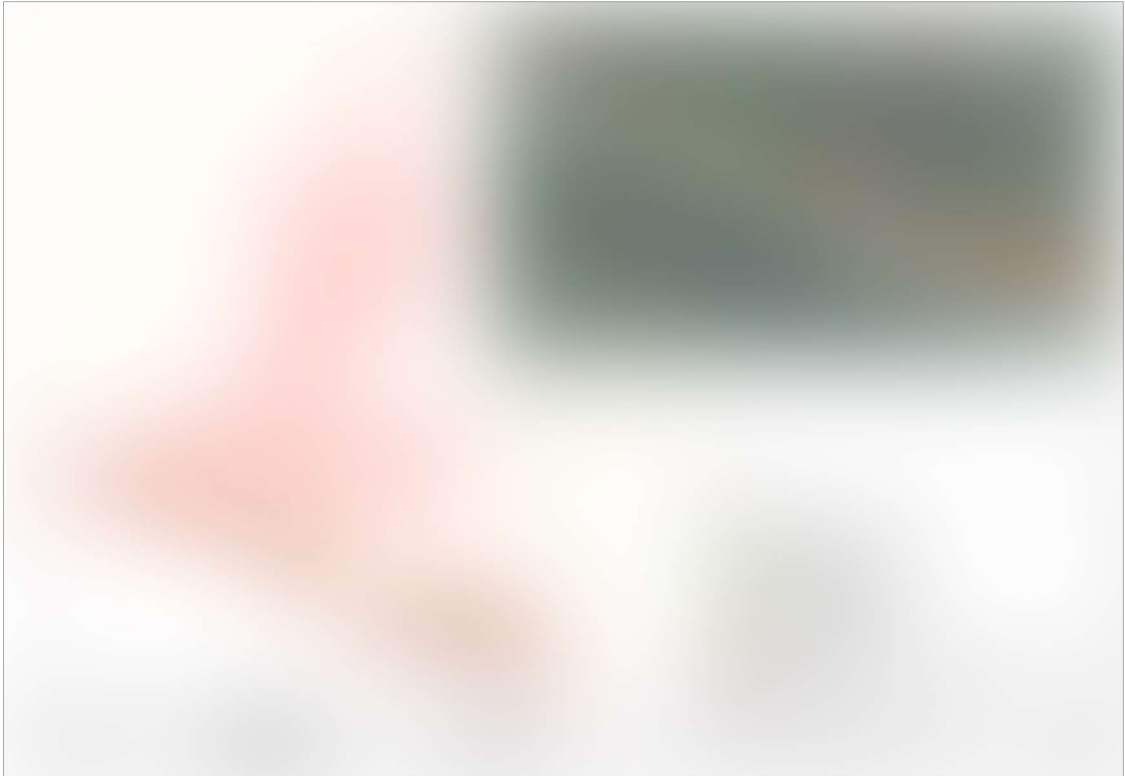


Figure 3. (below): Management focus areas Lady's Island Lake Special Area of Conservation.

\*Note:

Figure removed from public display in line with the National Parks and Wildlife Service (NPWS) guidelines on access to, and use of, sensitive biodiversity data. For these purposes, sensitive biodiversity data are defined as any data that NPWS does not wish to make publicly available, e.g. precise localities of endangered species. This figure in its original form contains the precise location of species covered by national or European legislation or by an Irish regional red list. Data relating to these species are considered sensitive.



[npws.ie](http://npws.ie)

