APPENDIX 1

ORE HUB VISION FOR POTENTIAL FUTURE USES

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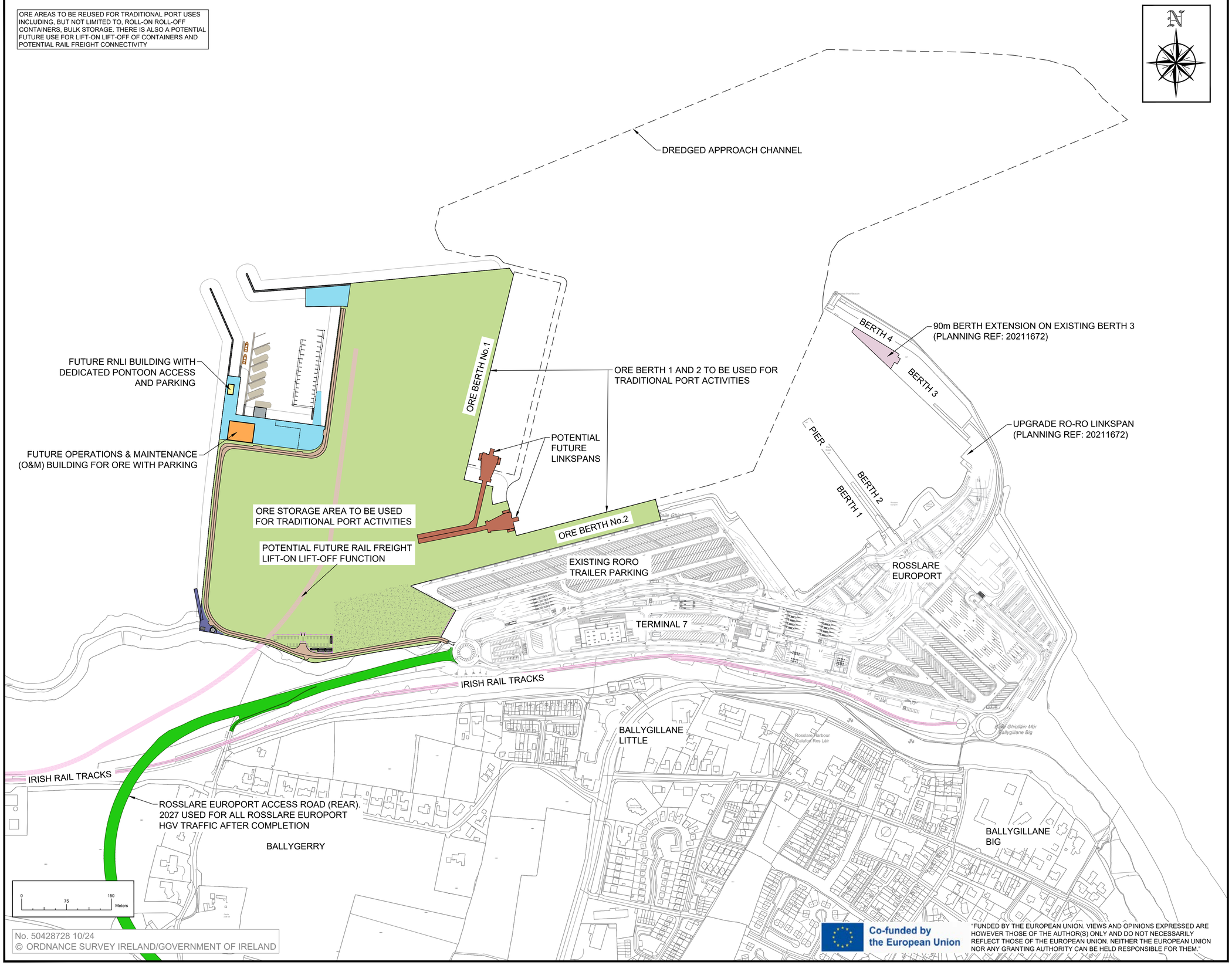
ORE AREAS TO BE REUSED FOR TRADITIONAL PORT USES INCLUDING, BUT NOT LIMITED TO, ROLL-ON ROLL-OFF CONTAINERS, BULK STORAGE. THERE IS ALSO A POTENTIAL FUTURE USE FOR LIFT-ON LIFT-OFF OF CONTAINERS AND POTENTIAL RAIL FREIGHT CONNECTIVITY



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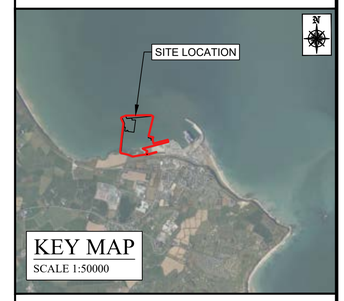

LEGEND:

- ORE AREAS TO BE USED FOR TRADITIONAL PORT ACTIVITIES
- SMALL BOAT HARBOUR
- SEA SCOUT FACILITY
- POTENTIAL FUTURE RNLI BUILDING
- POTENTIAL FUTURE O&M BUILDING
- POTENTIAL FUTURE LINKSPAN
- POTENTIAL FUTURE RAIL FREIGHT CONNECTION
- ROSSLARE EUROPORT ACCESS ROAD (REAR)

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ISSUED AS: FOR INFORMATION

CLIENT: Iarnród Éireann Irish Rail

PARTNER: NICHOLAS O'DWYER

PROJECT TITLE: ROSSLARE EUROPORT ORE HUB

DRAWING No: ROREH-MP-DR-GDG-C-0900

Status: -P3 Revision: -05

DRAWING TITLE: ORE HUB VISION FOR POTENTIAL FUTURE USES

SCALE:	SHEET SIZE:	DATE:
1:3000	A1	25/11/2025

DRAWN BY:	CHECKED BY:	APPROVED BY:
P.F.	M.F.	D.O'L

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APPENDIX 2

COPY OF cSPA SUBMISSION No.1

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Connolly Station, Dublin 1, D01R1W9
T (01) 8366 222 **E** Info@irishrail.ie **W** www.irishrail.ie

Iarnród Éireann
Irish Rail

National Parks & Wildlife Service
90 King Street North
Smithfield
Dublin 7
D07 N7CV

9th April 2024

To whom it concerns,

Iarnród Eireann is writing to confirm that it is submitting an objection to the proposed boundary for the Seas off Wexford cSPA.

Iarnród Éireann (Irish Rail) is the Port Authority at Rosslare Europort. Rosslare Europort is the key Irish Seaport on the Southern Corridor of the Irish Sea. It serves several major shipping lines operating between Rosslare and South Wales (UK). As the Irish port of choice on the Continental Direct Corridor, it also handles freight between Rosslare and a variety of locations on the European mainland including Cherbourg, Dunkirk, Bilboa and Zeebrugge.

The purpose of the submission accompanying this letter is to lodge an objection to the proposal to designate the Seas off Wexford cSPA for nature conservation, with the objection specifically focussed on the cSPA boundary which overlaps with the area of the site where Iarnród Éireann has a legal interest. Iarnród Éireann notes the objection will only be assessed on scientific grounds and has provided evidence in the accompanying submission showing that the relevant listed species of interest are not present in numbers in the area of the cSPA which overlaps with the area where Iarnród Éireann has a legal interest that would warrant designation.

Iarnród Éireann submits that the ornithological data which have been reviewed and assessed in this submission do not support the inclusion of the Rosslare Europort Area of Legal Interest within the Seas off Wexford cSPA.

Iarnród Éireann requests that the Seas off Wexford cSPA boundary is modified and that this modified boundary should not include the Rosslare Europort Area of Legal Interest as it is not justified by reference to the ornithological data or otherwise evidenced based.

Yours faithfully,

Mr. David Vaughan
Programme Manager
Capital Investments

Cathaoirleach Chairman – S. Murphy (U.K),
Directors: S. Byrne, J. Doran, S. Roarty, T. Wynne, G. Cazenave (France), P O'Donoughue, T Pedersen (Denmark)
Príomh Fheidhmeannach Chief Executive: J Meade
Iarnród Éireann – Irish Rail, cuideachta ghníomhaíochta ainmnithe, faoi theorainn scaireanna, cláraithe in Éirinn ag Stáisiún Uí Chonghaile, Baile Átha Cliath 1, Ur. 119571 Ur. CBL: IE 4812851 O
Iarnród Éireann – Irish Rail, a designated activity company, limited by shares, registered in Ireland at Connolly Station, Dublin 1, No. 119571 VAT No. IE 4812851 O

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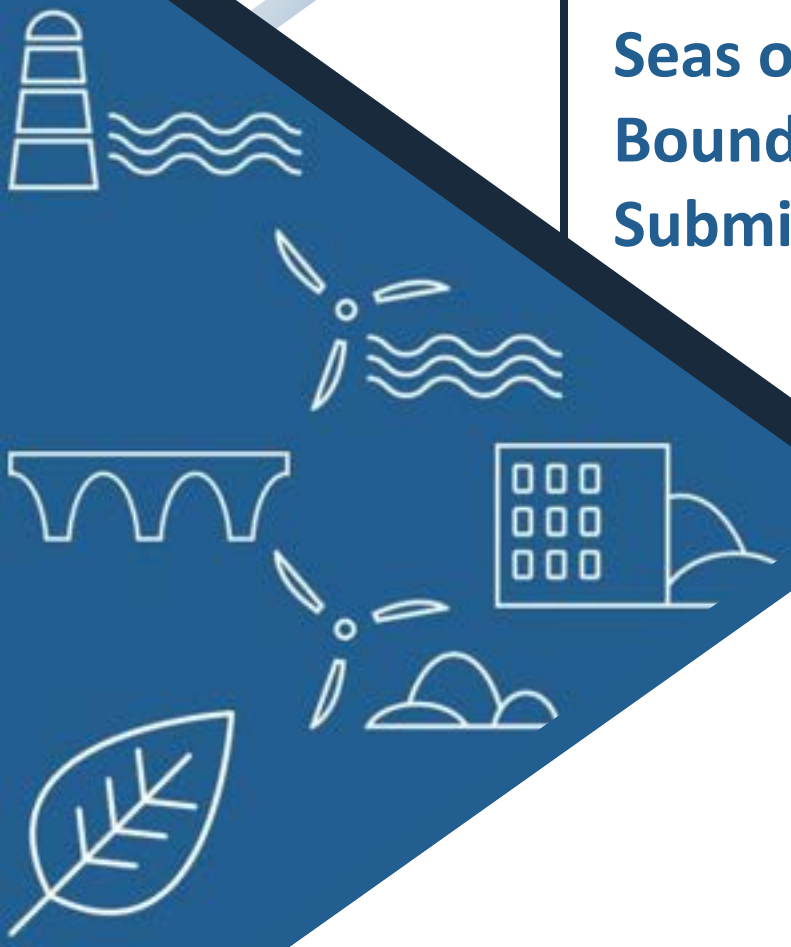
Rosslare Europort Seas off Wexford cSPA Boundary Objection Submission



Iarnród Éireann
Irish Rail

Client	**Irish Rail**
Document Ref.	23172-R-005-02 cSPA Boundary Objection Submission
Project Title	Rosslare Europort – Seas off Wexford cSPA Boundary Objection Submission

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Project Title:	Rosslare Europort – Seas off Wexford cSPA Boundary Objection Submission
Report Title:	Rosslare Europort Seas off Wexford cSPA Boundary Objection Submission
Document Reference:	23172-R-005-02 cSPA Boundary Objection Submission

Client:	Irish Rail
Ultimate Client:	Irish Rail
Confidentiality	Non Confidential

REVISION HISTORY

Rev	Date	Reason for Issue	Originator	Checker	Reviewer	Approver
00	28/03/2024	Draft for client review	Joey O'Connor and Maggie Starr	David O'Sullivan	Colin Barton	Jeannine Dunne
01	08/04/2024	Revised draft following client & SC review	Joey O'Connor and Maggie Starr	David O'Sullivan	Colin Barton	Jeannine Dunne
02	09/04/2024	Revised draft following final review	Joey O'Connor and Maggie Starr	Diarmuid O'Loan	Colin Barton	Jeannine Dunne

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1 INTRODUCTION

1.1 BACKGROUND

Rosslare Europort is the key Irish Seaport on the Southern Corridor of the Irish Sea. It serves a number of major shipping lines operating between Rosslare and South Wales (UK). As the Irish port of choice on the Continental Direct Corridor, it handles freight between Rosslare and a variety of locations on the European mainland including Cherbourg, Dunkirk, Bilboa and Zeebrugge. Rosslare Europort currently provides Roll-on/Roll-off Passenger (RORO/ROPAX) services, operated by Irish Ferries, Stena Line and Brittanny Ferries, accommodating freight and passenger vehicles along with foot passengers and offers an all-inclusive range of port services to meet both freight and passenger requirements including mooring, stevedoring, piloting, terminal tractor, lifting equipment, passenger handling, storage etc. Iarnród Éireann (Irish Rail) is the Port Authority at Rosslare Europort.

The Department of Transport furnished Iarnród Éireann with a notice dated 9th January 2024 stating that the Minister for Housing is considering classifying the Seas off Wexford 004237 as a candidate Special Protection Area (cSPA) under Regulation 15 of the European Communities (Birds and Natural Habitats) Regulations 2011 in accordance with the EU Bird Directive. The notice enclosed a map of the area being considered for classification which covers approximately 3,054 km^2.

The notice outlines the reason why the site is being considered for classification as a Special Protection Area (SPA), on the basis that it constitutes a valuable feeding resource for seabirds that return every spring to Wexford's coastal and island colonies to breed. It also states that outside of the summer months, the coastal waters provide safe breeding and roosting opportunities for a range of marine birds overwintering here or on passage. It is stated that the cSPA abuts and is ecologically connected with existing SPAs[1].

The notice then states that the site is a SPA of special conservation interest for some 20 species of birds which are listed. The notice refers to activities requiring consent and also observations. In respect of observations, it states that observations may be submitted by interested parties and must be supported by scientifically based ornithological criteria, which must be received by 9th April 2024.

The cSPA includes the waters off Rosslare Europort. Iarnród Éireann holds foreshore licences within the cSPA and also foreshore leases adjacent to the cSPA. Furthermore, Iarnród Éireann intends to develop port infrastructure extending the footprint of Rosslare Europort, to support the development of future offshore wind farms in the Irish Sea and off the southeast coast. Iarnród Éireann has therefore a significant interest in the proposed cSPA and is as such an interested party for the purposes of making observations insofar as the proposed cSPA may impact on the activities of Iarnród Éireann and its intended development of Rosslare Europort.

To support the development an application for a Maritime Area Consent was submitted to the Maritime Area Regulatory Authority on 21st December 2023.

[1] Please note the cSPA abuts five existing SPAs, as outlined in Section 2.1

1.2 AIM OF THIS SUBMISSION

The purpose of this submission is to lodge an objection to the proposal to designate the Seas off Wexford cSPA for nature conservation, with the objection specifically focussed on the cSPA boundary which overlaps with the area of the site where Iarnród Éireann have a legal interest. Iarnród Éireann note the objection will only be assessed on scientific grounds and has provided evidence below showing that the relevant listed species of interest are not present in numbers in the area of the cSPA which overlaps with the area where Iarnród Éireann have a legal interest that would warrant designation. Iarnród Éireann have included a covering letter accompanied by a map with the relevant area clearly outlined.

Iarnród Éireann fully acknowledges that economic considerations are not relevant to the designation or extent of designation of an SPA. This submission is therefore based on the ornithological evidence which demonstrates that the area of Iarnród Éireann's interest is not a suitable area for inclusion in the cSPA.

2 SEAS OFF WEXFORD CSPA

2.1 INTRODUCTION

The proposed boundaries of the Seas off Wexford cSPA were published in January 2024 (Figure 2-1). The Seas off Wexford cSPA extends offshore along the majority of the county Wexford coastline and is approximately 3,054 km^2 in area. This cSPA abuts, and is ecologically connected to, five SPAs for breeding seabirds and other species in the non-breeding season, namely Lady's Island Lake SPA, Wexford Harbour and Slobs SPA, Keeragh Islands SPA, Saltee Islands SPA and The Raven SPA (Figure 2-2). The cSPA also overlaps with six Special Areas of Conservation (SACs), (Figure 2-3). In Table 2-1, the SPAs illustrated in Figure 2-2 are listed along with their Special Conservation Interests (SCIs) and distance from the Rosslare Europort Area of Legal Interest.

Figure 2-1 Seas off Wexford cSPA boundary and extent and Rosslare Europort Area of Legal Interest.

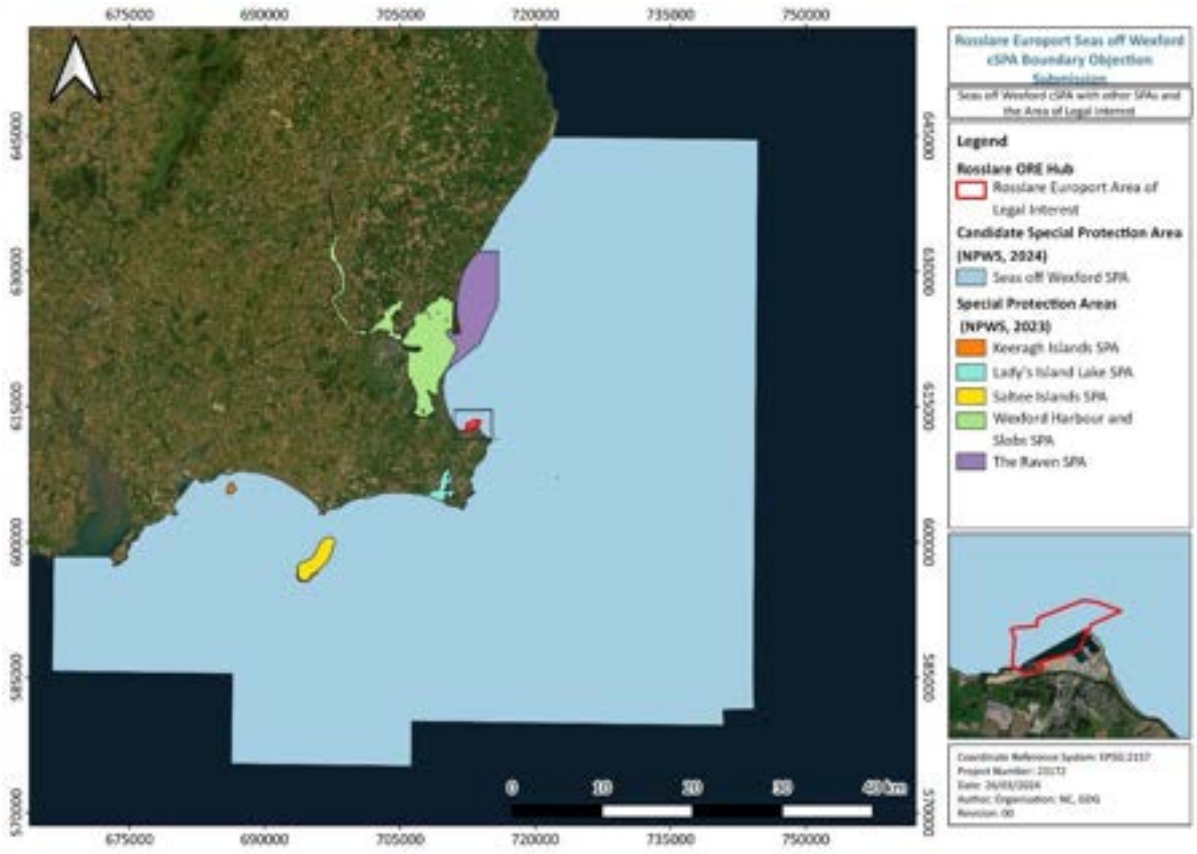

Figure 2-2 Seas off Wexford cSPA boundary, abutting SPAs and Rosslare Europort Area of Legal Interest.

Table 2-1 SPAs within the surrounding area of Rosslare Europort Area of Legal Interest and listed SCIs.

SPA & site code	Seaway Distance from Area of Legal Interest	SCIs and species code of the SPA Season for their protection (Wintering/Bredding)
Seas off Wexford cSPA [4237]	0 km	**Wintering (foraging and roosting)** Red-throated Diver (*Gavia stellata*) [A001] Common Scoter (*Melanitta nigra*) [A065] **Wintering and Breeding (foraging grounds)** Cormorant (*Phalacrocorax carbo*) [A017] Fulmar (*Fulmarus glacialis*) [A009] Manx Shearwater (*Puffinus puffinus*) [A013] Gannet (*Morus bassanus*) [A016]

SPA & site code	Seaway Distance from Area of Legal Interest	SCIs and species code of the SPA Season for their protection (Wintering/Bredding)
		Cormorant (*Phalacrocorax carbo*) [A017] Shag (*Phalacrocorax aristotelis*) [A018] Mediterranean Gull (*Larus melanocephalus*) [A176] ***** Black-headed Gull (*Chroicocephalus ridibundus*) [A179] Lesser Black-backed Gull (*Larus fuscus*) [A183] Herring Gull (*Larus argentatus*) [A184] Kittiwake (*Rissa tridactyla*) [A188] Guillemot (*Uria aalge*) [A199] Razorbill (*Alca torda*) [A200] Puffin (*Fratercula arctica*) [A204] **Breeding (foraging grounds)** Sandwich Tern *(Sterna sandvicensis*) [A191] Roseate Tern (*Sterna dougallii*) [A192] Common Tern (*Sterna hirundo*) [A193] Arctic Tern (*Sterna paradisaea*) [A194] Little Tern (*Sterna albifrons*) [A195]
The Raven SPA [4019]	6.5 km	**Wintering** Red-throated Diver (*Gavia stellata*) [A001] Cormorant (*Phalacrocorax carbo*) [A017] Common Scoter (*Melanitta nigra*) [A065] Grey Plover (*Pluvialis squatarola*) [A141] Sanderling (*Calidris alba*) [A144] Greenland White-fronted Goose (*Anser albifrons flavirostris*) [A395] Wetland and Waterbirds [A999]
Lady's Island Lake SPA [4009]	8.6 km	**Breeding and Wintering** Gadwall (*Anas strepera*) [A051] **Breeding** 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]

SPA & site code	Seaway Distance from Area of Legal Interest	SCIs and species code of the SPA Season for their protection (Wintering/Bredding)
Wexford Harbour & Slobs SPA [4076]	8.6 km	**Wintering** 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] 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] **Post-breeding/roost** Hen Harrier (*Circus cyaneus*) [A082] Wetland and Waterbirds [A999]
Saltee Islands SPA [4002]	25.7 km	**Breeding** Fulmar (*Fulmarus glacialis*) [A009]

SPA & site code	Seaway Distance from Area of Legal Interest	SCIs and species code of the SPA Season for their protection (Wintering/Bredding)
		Gannet (*Morus bassanus*) [A016] Cormorant (*Phalacrocorax carbo*) [A017] Shag (*Phalacrocorax aristotelis*) [A018] Lesser Black-backed Gull (*Larus fuscus*) [A183] Herring Gull (*Larus argentatus*) [A184] Kittiwake (*Rissa tridactyla*) [A188] Guillemot (*Uria aalge*) [A199] Razorbill (*Alca torda*) [A200] Puffin (*Fratercula arctica*) [A204]
Keeragh Islands SPA [4118]	37.8 km	**Breeding** Cormorant (*Phalacrocorax carbo*) [A017]

*** Mediterranean gull is under consideration for listing**

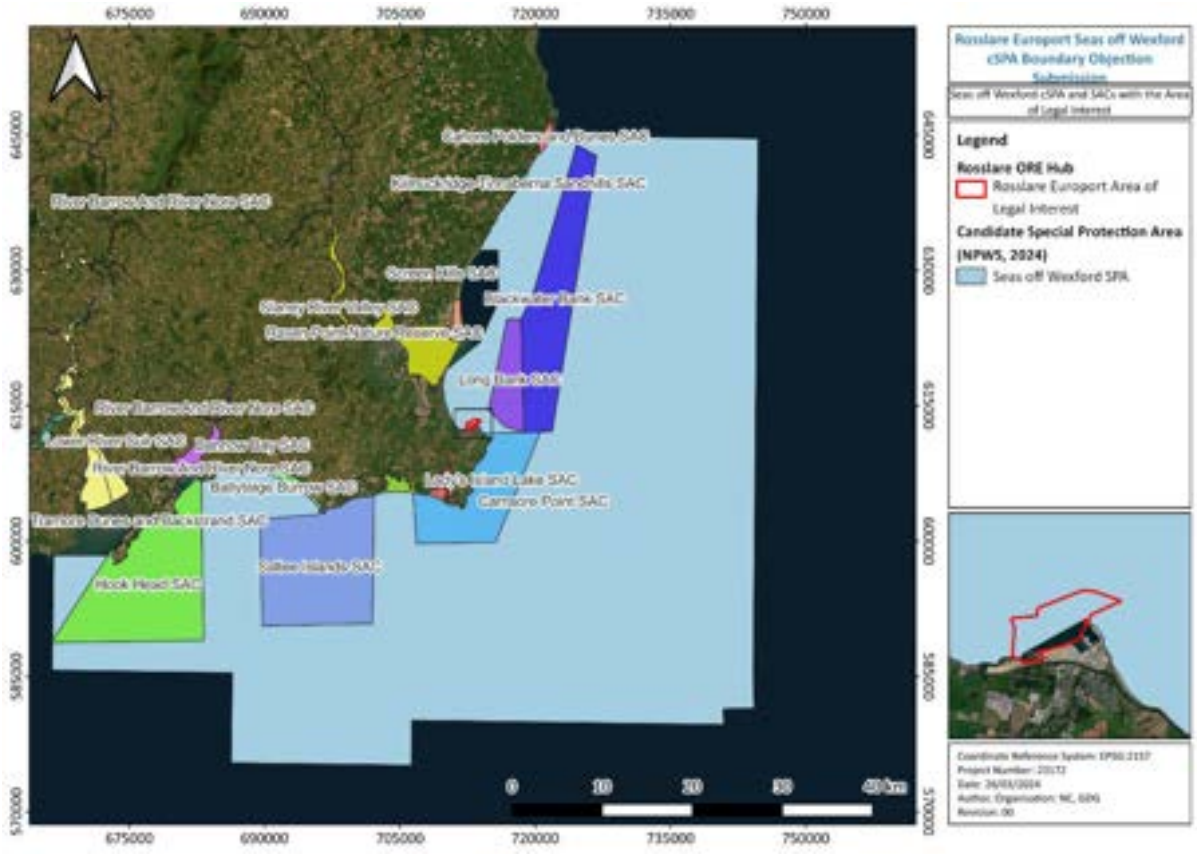

Figure 2-3 Seas off Wexford cSPA boundary and overlapping/nearby SACs and Rosslare Europort Area of Legal Interest

The site is proposed for designation as a SPA under the E.U. Birds Directive, of special conservation interest for the 20 seabird species listed in Table 2-1.

Many of these species breed at coastal SPA colonies that border the cSPA, while other species use the cSPA in the non-breeding season (Table 2-1).

The conservation objective for all proposed bird features of the cSPA is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

The cSPA is now legally protected as it has been publicly advertised and is accompanied by a list of activities that might damage the wildlife interests of the site which require consent from NPWS (ARCs) (NPWS, 2024b). These are:

- ARC 01 Reclamation, including infilling.
- ARC 03 Blasting, drilling, dredging or otherwise removing or disturbing fossils, rock, minerals, mud, sand, gravel or other sediment.
- ARC 06 Introduction, or re-introduction, of plants or animals not found in the area.
- ARC 08 Undertaking scientific research involving the collection and removal of biological material.

- ARC 30 Any activity intended to disturb birds, including by mechanical, air, gas, wind powered or audible means.
- ARC 31 Developing or consenting to the development or operation of commercial recreational/visitor facilities or organised recreational activities.
- ARC 35 Undertaking active acoustic surveys in the marine environment.

2.2 DESIGNATION PROCESS FOR CSPA

The Habitats Directive is transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 as amended (hereafter referred to as the Habitats Regulations). European Sites are defined in Regulation 2(1) of the Habitats Regulations and comprise SACs and SPAs. Candidate sites are those that have been submitted to the European Commission, but not yet formally adopted under Ministerial Statutory Instrument (S.I.). Legal protection, and therefore, the requirement for AA, arises from the date that the Minister gives notice of his/her intention to designate the site.

Article 4(1) of the Birds Directive provides:

*Member States shall classify in particular **the most suitable territories** in **number and size** as special protection areas for the conservation of these species in the geographical sea and land area where this Directive applies*.

Other than the reference to the "*most suitable territories in number and size*" the Birds Directive does not include detailed criteria regarding the identification of SPAs. Equally the European Communities (Birds and Natural Habitats) Regulations 2011 does not include detailed criteria. However, some guidance has been provided by the decision of the CJEU. It is clear that designation must be based on ornithological criteria and that in this respect Member States have a degree of margin of appreciation in terms of the application of such criteria. In (C-3/96, Commission v. Netherlands), the CJEU stated:

*"The Member States' **margin of discretion** in choosing the most suitable territories does not concern the appropriateness of classifying as special protection areas the territories which appear the most suitable according to ornithological criteria, but only **the application of those criteria for identifying the most suitable territories** for conservation of the species in question."*

As regards defining the boundaries of the area, in C-141/14 Commission v Bulgaria), the CJEU stated:

"*Classification as an SPA cannot be the result of an isolated study of the ornithological value of each of the areas in question but must be carried out in the light of the natural boundaries of the territory in question, and, secondly, that the ornithological criteria which alone form the foundation of the classification must have a scientific basis*".

Regulation 16(2) of the European Communities (Birds and Natural Habitats) Regulations 2011 that boundaries of a cSPA may be modified based on scientifically based evidence, stating:

(2) Without prejudice to the generality of paragraph (1), where the Minister has selected a site as a candidate special protection area under Regulation 15, he or she shall, having considered the

scientifically based ornithological criteria pursuant to the Birds Directive, and in particular Article 4(1) and 4(2) thereof—

(a) identify the site as eligible for classification as a special protection area under paragraph (1), ***subject to any scientifically-based boundary modifications****, or (b) identify the site as not eligible for classification as a special protection area*.

NPWS Guidance has indicated specific SPA selection criteria. In this regard, sites which meet any of the following criteria have been/may be classified as SPAs under the codified EU Birds Directive:

1. A site holding 20,000 waterbirds or 10,000 pairs of seabirds.
2. A site holding 1% or more of the all-Ireland population of an Annex I species.
3. A site holding 1% or more of the biogeographical population of a migratory species.
4. A site is one of the 'n' most suitable sites in Ireland for an Annex I species or a migratory species, (where 'n' is a variable which is related to the proportion of the total biogeographic population of a species held by Ireland).

The NPWS document entitled "Stages in the Site Designation Process (NPWS, 2017) described the process for designating SACs and SPAs. There are four steps in the process as follows:

- Step 1: Identification of sites that may be proposed for designation.
- Step 2: Notification of landowners and advertisement of the intention to designate and of the activities requiring consent (ARCs) relating to a site.
- Step 3: Assessment of objections/appeals, if any, to the proposed designation and/or to any of the activities requiring consent (ARCs).
- Step 4: Designation of the site.

A 3-month period is allowed by law for lodging of objections to a proposal to designate a site for nature conservation, where objections to a proposal to include land in a site may be made by those with a legal interest in the site (i.e. an owner or legal user). Any objection will be assessed on scientific grounds only, i.e. it is shown that the relevant habitats/species/geological features were not present in such a condition as to warrant designation. A covering letter accompanied by a map with the relevant area clearly outlined must be lodged within 3 months of publication of the Ministers proposal.

3 SUPPORTING DOCUMENTS, RELEVANT REPORTS & PUBLICATIONS USED TO INFORM PROPOSED DESIGNATION

The following information is taken from the Seas off Wexford cSPA documentation published on the NPWS website in 2024 (NPWS, 2024a, 2024b and 2024c).

Total populations in the breeding season for each species within the cSPA site were estimated from a single summer aerial marine bird survey conducted in 2021 (Giralt Paradell *et al.*, 2023), where an estimated 28,611 individuals were found to occur within the cSPA. The following species formed a significant proportion (i.e. ≥1%) of the overall marine bird assemblage: Guillemot, 47.2%; Manx Shearwater, 28.9%; Razorbill, 9.6%; Sandwich Tern, 3.1%; Gannet, 2.7%; Herring Gull, 2.0%; Common Tern, 1.8% and Arctic Tern, 1.4%.During a series of surveys focused on the northern section of this SPA during the non-breeding period of 2018/2019 population estimates of up to 1,078 Common Scoter, 499 Red-throated Diver and 180 Cormorant were recorded, all of which are of national importance (NPWS, 2024a).

3.1 DOCUMENTS REFERENCED BY NPWS

The documents listed below have been stated as 'supporting documents, relevant reports & publications' within the Seas off Wexford Conservation Objectives document (NPWS, 2024c). The documents have been reviewed and relevant information provided in this section and Section 6 below.

Table 3-1 Supporting documents, relevant reports & publications cited by the Seas off Wexford cSPA Conservation Objectives document (NPWS, 2024)

Title	Author(s)	Year	Summary
Distribution and behaviour of Common Scoter *Melanitta nigra* relative to prey resources and environmental parameters	Kaiser, M.J.; Galanidi, M.; Showler, D.A.; Elliott, A.J.; Caldow, R.W.; Rees, E.I.S.; Stillman, R.A.; Sutherland, W.J	2006	A large-scale study using aerial, ship-based and shore-based surveys was undertaken to ascertain the relationship of the spatial distribution of Common Scoter in Liverpool Bay with prey abundance and environmental and anthropogenic variables that may affect foraging efficiency.
Generic guidelines for seaward extensions to existing breeding northern fulmar *Fulmarus glacialis* colony Special Protection Areas	McSorley, C.A.; Webb, A.; Dean, B.J.; Reid J.B. Series : JNCC Report No. 358	2005	Guidance to inform seaward extension of SPAs based on McSorley et al (2003) boat-based surveys at six seabird breeding colony SPAs. Seaward extent of the interest feature as marine waters within 2km of the colony shore defined based on densities of northern fulmars engaged in maintenance behaviour.
Implications for seaward extensions to existing breeding seabird colony Special Protection. JNCC Report No. 329	McSorley, C.A.; Dean, B.J.; Webb, A.; Reid J.B	2003	Guidance to inform seaward extension of SPAs based on a modified seabirds at-sea boat-based survey method. Recommend that the boundaries of existing common guillemot, razorbill and Atlantic puffin colony SPAs be extended by 1 km from mean low water into the marine environment. Similar boundaries extending 2 km are recommended for gannet colony SPAs.
Diet of the northern fulmar *Fulmarus glacialis*: reliance on commercial fisheries?	Phillips, R.A.; Petersen, M.K.; Lilliendahl, K.; Solmundsson, J.; Hamer, K.C.; Camphuysen, C.J.; Zonfrillo, B.	1999	Paper considers seasonal variation in diet and reliance on prey of fulmar.
Flexible foraging techniques in breeding cormorants *Phalacrocorax carbo* and shags *Phalacrocorax aristotelis*: benthic or pelagic feeding?	Grémillet, D.; Argentin, G.; Schulte, B.; Culik, B.M.	1998	Paper considers foraging techniques in breeding cormorants

Title	Author(s)	Year	Summary
The status and distribution of breeding sandwich, roseate, common, arctic and little terns in Ireland in 1995	Hannon, C.; Berrow, S.D.; Newton, S.F.	1997	Paper describing the status and distribution of breeding sandwich, roseate, common, arctic and little terns in Ireland in 1995
Space Partitioning Without Territoriality in Gannets	Wakefield, E. D.; et al.	2013	Using empirical relationships between colony size and foraging area, a population-level null model of the distribution of foraging gannets was devised to explain among-colony segregation when colonies are far apart. Model predicts extensive overlap between several study colonies, particularly in the Celtic Sea.
The breeding status of Great Cormorant (*Phalacrocorax carbo*) in Co. Wexford	Murray, T.; Cabot, D.	2015	Paper on breeding status of Great Cormorant in Co. Wexford
Simultaneous multi-colony tracking of a pelagic seabird reveals cross-colony utilization of a shared foraging area	Dean, B.; Kirk, H.; Fayet, A.; Shoji, A.; Freeman, R.; Leonard, K.; Perrins, C.M.; Guilford, T.	2015	GPS tracking study of manx shearwaters across multiple colonies and into Irish Sea
Desk-based revision of seabird foraging ranges used for HRA screening	Woodward, I.; Thaxter, C. B.; Owen, E.; Cook, A. S. C. P.	2019	Review of published literature to inform updated foraging range estimates for UK breeding seabirds considered to be vulnerable to the impacts associated with offshore wind farms
The diet of red-throated divers (*Gavia stellata*) overwintering in the German Bight (North Sea) analysed using molecular diagnostics	Kleinschmidt, B.; Burger, C.; Dorsch, M.; Nehls, G.; Heinänen, S.; Morkūnas, J.;Žydelis, R.; Moorhouse-Gann, R. J.; Hipperson, H.; Symondson, W. O. C.	2019	Study on diet of red-throated divers in the German Bight.

Title	Author(s)	Year	Summary
Tidal drift removes the need for area-restricted search in foraging Atlantic puffins	Bennison, A.; Quinn, J.L.; Debney, A.; Jessopp, M.	2019	Puffin tracking project where puffins from Little Saltee, Co. Wexford were satellite tagged and tracked over two seasons.
Assessing the effectiveness of foraging radius models for seabird distributions using biotelemetry and survey data	Critchley, E.J.; Grecian, W.J.; Bennison, A.; Kane, A.; Wischnewski, S.; Cañadas, A.; Tierney, D.; Quinn, J.L.; Jessopp, M.J.	2020	Study assessing use of relatively simple foraging radius models for generation of predictive distributions for a large number of species rapidly to provide a cost-effective alternative to large-scale surveys or complex modelling approaches.
Monitoring of breeding seabird populations on Great Saltee 2023	Tierney T.D.; Murray, T.; Cummins, S.; Doyle, H.; Walsh, A.	2023	Study based on land-based surveys to collect demographic data of seabird breeding populations in May, June and July of 2023 in relation to the ongoing rat eradication project and to carry out seabird monitoring (including signs of the Highly Pathogenic Avian Influenza (HPAI)). Seabird populations included Cormorant, Fulmar, Shag, Lesser Black-backed Gull, Herring Gull, Great Black-backed Gull, Kittiwake, Guillemot, and Razorbill on Great Saltee. Standard seabird census methods and different census units were used: Apparently Occupied Site (AOS), Apparently Occupied Nest (AON), Apparently Occupied Territory (AOT), Individuals (Id.) and poorly trace nests with adults in attendance (Trace). Within Kittiwake colonies defined in the June surveys across the island, four plots were revisited on July 27th to count and age all chicks present to derive an overall Kittiwake productivity estimate. Survey outputs include island population estimates and comparisons to previous surveys of breeding seabirds on the Great Saltee, and presented on a species-by-species basis where comparisons were possible.
Digital video aerial surveys of common scoter at Rosslare Bay Final report for December 2018 to March 2019	Hi-Def, Marine Institute.	2019	HiDef completed an aerial imagery bird survey in 2018 and 2019 that placed transects at 2.5km apart across the survey area at Rosslare Bay. Survey outputs include distribution and seasonal abundance maps.

Title	Author(s)	Year	Summary
The seasonal distribution and abundance of seabirds in the western Irish Sea 2016	Jessopp, M.; Mackey, M.; Luck, C.; Critchley, E.; Bennison, A.; Rogan, E	2018	Study based on aerial surveys conducted in summer, autumn and winter 2016 to assess the occurrence and distribution of seabird species in the Irish Sea. Over the survey period, there were 13,492 sightings of 45,409 seabirds, representing 29 seabird species or species groups. Sightings, density distributions, habitat associations, and abundance estimates for the entire survey area are presented on a species-by-species basis for all three seasonal survey periods. Overall distribution of seabird density and species richness are provided, highlighting the changing distribution of seabirds seasonally.
The seasonal distribution and abundance of seabirds, cetaceans and other megafauna in the south and southwest Irish coast	Giralt Paradell, O.; Jessopp, M.; Rogan, E	2023	Giralt Paradell *et al.* (2023) undertook a single summer survey of the southeast coast as part of the ObSERVE II programme.
Seabirds Count: a census of breeding seabird in Britain and Ireland (2015-2021)	Burnell, D.; Perkins, A.J.; Newton, S.F.; Bolton, M.; Tierney, T.D.; Dunn, T.E.	2023	Seabirds Count provides breeding population estimates for the 25 regularly breeding species of Britain, Ireland, Isle of Man and the Channel Islands. The latest survey revealed over three quarters of seabird species breeding in Ireland have increased, with two species declining. Roseate Tern, European Storm-petrel and Razorbill are some of the 17 species which have increased over the last twenty years. Species in decline are Kittiwake and Puffin. Over three quarters of seabird species that breed in Ireland have increased over the past twenty years, according to the census published. This is in contrast to census results across the entire UK and Ireland, which show that 11 of the 21 seabird species, where there is confidence in their trends, have declined since the last census in 1998-2002. The results differ significantly by region or country. There are encouraging trends in Ireland for species such as the Black-headed Gull and the Arctic Tern.

3.2 ROSSLARE EUROPORT ORE HUB BIRD SURVEYS 2022-2024

Gavin & Doherty Geosolutions Ltd. ('Gavin & Doherty') commissioned APEM to undertake a bird survey programme at Rosslare Europort, Co. Wexford from May 2022 to February 2024.

The survey programme comprised four survey types to capture ornithological data within the intertidal, nearshore, and terrestrial habitats of the Rosslare Offshore Development Site, hereafter 'the Site' and appropriate survey buffers (the 'Study Area'). Surveys undertaken comprised breeding bird survey, coastal vantage point (VP) survey, post-breeding tern aggregation survey, and non-breeding (Winter transect) survey.

More information about these surveys is provided in Section 6.3 and results from the surveys are presented in Section 7.

4 SEAS OFF WEXFORD CSPA AND ROSSLARE EUROPORT AREA OF LEGAL INTEREST

The cSPA includes the waters off Rosslare Europort. While the existing berths and quays and the small boat harbour are outside the proposed cSPA boundary, the navigational channel and proposed Rosslare Europort ORE Hub reclamation and dredge areas are mostly within the current proposed cSPA boundary (Figure 4-1). It should be noted that the existing small boat harbour and RNLI operations which currently lie outside the cSPA boundary will be moved to the north-west corner of the new facility as part of the Rosslare Europort ORE Hub development. Therefore, these activities which currently lie within an area not included in the cSPA will fall within the cSPA following construction of the Rosslare Europort ORE Hub.

The proposed boundary of the Seas off Wexford cSPA has a total area of 3,045 km^2 while the indicative boundary of the proposed ORE Hub project has a total area of 0.84 km^2. There is 0.67 km^2 of overlapping area, which represents nearly 79 % of the proposed ORE Hub project area and 0.02 % of the proposed boundary of the Seas off Wexford cSPA. It is therefore of note that the cSPA comprises a very large area (in particular by comparison to other SPAs or SACs in the area) and that the Iarnród Éireann area of interest, is a very small fraction of the same.

Figure 4-1 Seas off Wexford cSPA boundary and Rosslare Europort Area of Legal Interest.

5 SEAS OFF WEXFORD CSPA BOUNDARY

As noted earlier, the criteria a site must meet to be classified as an SPA under the Birds Directive (2009/147/EC) is contained in Article 4 thereof which refers to classifying in particular "*the most suitable territories in number and size*" as SPAs. Insofar as a relevant ornithological consideration is whether a site contains species listed in Annex 1 of the Directive, it is noted that seven (7) of the 20 SCIs listed for the off Wexford cSPA, are Annex 1 species.

It is noted in the EU Commission's 2022 *Staff Working Document on Criteria and Guidance for Protected Areas Designations*:

"The Birds Directive sets, in its Article 4, requirements for the designation of the most suitable territories, in number and size, as special protection areas for the conservation of wild birds. It is not specific in terms of criteria for identifying those most suitable territories, but the Court of Justice of the EU has specified that they need to be based ***on objectively verifiable ornithological criteria****.*

More detailed criteria have been developed by ***BirdLife International for Important Bird and Biodiversity Areas*** *(IBAs)[2] and by* ***IUCN for Key Biodiversity Areas*** *(KBAs)[3].* ***Although these criteria are not directly linked to a requirement to legally protect the identified areas, they provide a good scientific basis to guide the selection of areas to be protected****. In particular, the criteria for the identification of IBAs and resulting lists of sites have been used in the past by the Commission and by the Court of Justice of the EU to assess the sufficiency of designations of special protection areas under the Birds Directive."*

[22] https://datazone.birdlife.org/site/ibacriteria

[3] https://portals.iucn.org/library/node/46259

6 SEAS OFF WEXFORD CSPA PROPOSED BOUNDARY ASSESSMENT

In order to inform an assessment of whether the Rosslare Europort Area of Interest is suitable to be included in the cSPA, the following matters are considered:

- A review of all relevant studies, including those referenced by the cSPA Conservation Objectives document (NPWS, 2014c) (6.1)
- A consideration of three survey datasets used to inform the proposed designation of the Seas of Wexford cSPA (6.2)
- One recent survey dataset collected by Iarnród Éireann from Rosslare Europort (6.3)

Please note the that the sections below summarise the general findings of the assessment with cSPA SCI bird species specific information from these studies and datasets presented in Section 7.

6.1 RELEVANT LITERATURE REVIEW FINDINGS

6.1.1 CRITCHLEY *ET AL*, 2020. ASSESSING THE EFFECTIVENESS OF FORAGING RADIUS MODELS FOR SEABIRD DISTRIBUTIONS USING BIOTELEMETRY AND SURVEY DATA

This study assessed the use of relatively simple foraging radius models for generation of predictive distributions for a large number of species rapidly to provide a cost-effective alternative to large-scale surveys or complex modelling approaches.

The study concluded that the foraging radius method is a far quicker and more cost-effective method for assessing at-sea distribution over a large area compared to GPS tracking studies or at-sea surveys, however further empirical research is needed over a larger number of species, colonies and regions, focusing on the ability of foraging radius models to capture average distributions over longer time periods.

This highlights the limited availability of appropriately scaled spatial and temporal empirical data to test and validate this method.

6.1.2 BENNISON ET AL, 2019. TIDAL DRIFT REMOVES THE NEED FOR AREA-RESTRICTED SEARCH IN FORAGING ATLANTIC PUFFINS

Bennison et al (2019) tracked sixteen adult puffins that were feeding chicks during the breeding season in 2017 (n = 12) and 2018 (n = 4) on Little Saltee, Co. Wexford.

The map below in Figure 6-1 shows that the tracked puffins did not overlap with the Rosslare Europort Area of Legal Interest.

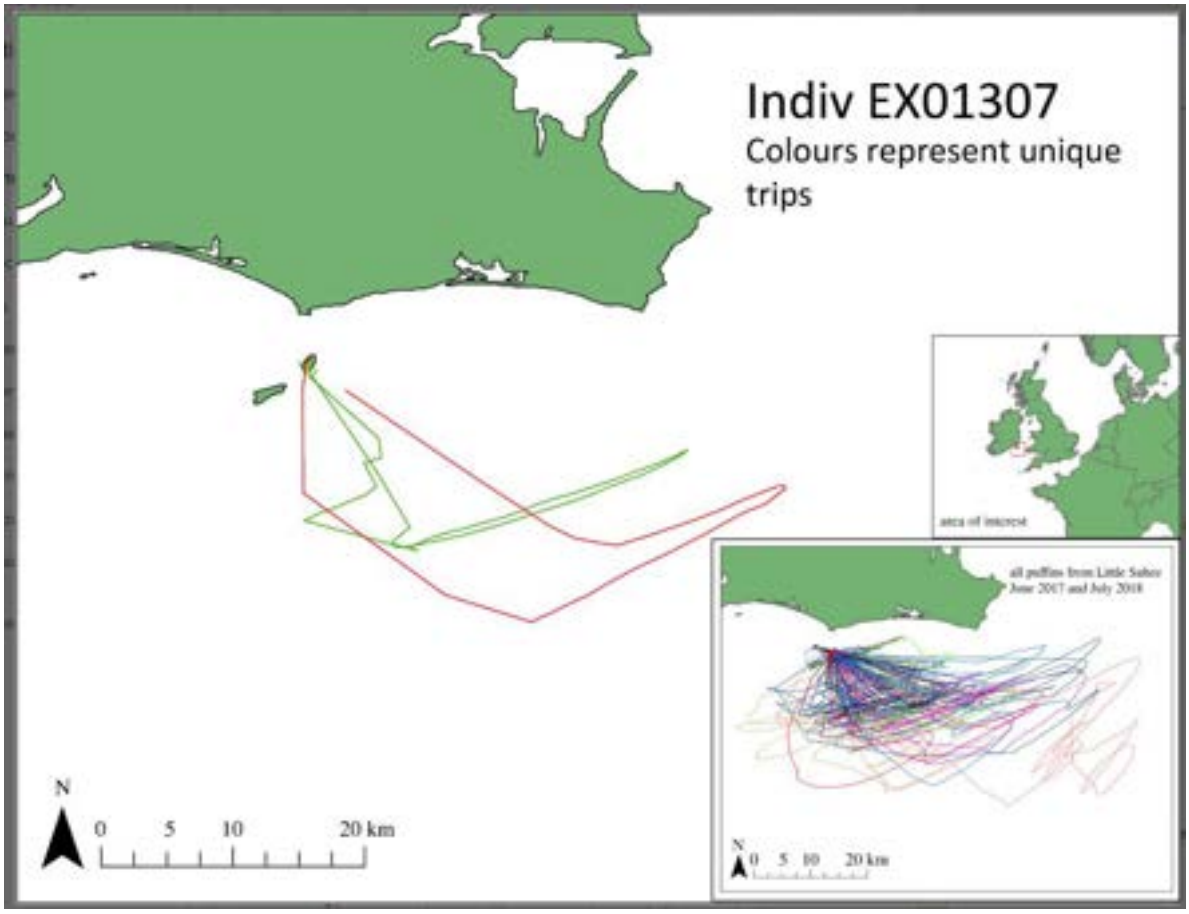

Figure 6-1 Two different foraging trips (colours represent different foraging trips) of puffins that were tracked via GPS. Inset picture: all puffin trips recorded between 2017 and 2018 (Bennison, *et al.*, 2019).

Bennison et al (2019) therefore provides evidence that Puffins from the Saltee Islands SPA use the Seas off Wexford cSPA to forage but do not utilise the Rosslare Europort Area of Legal Interest.

6.2 REVIEW OF SURVEY DATASETS USED TO INFORM THE PROPOSED DESIGNATION

6.2.1 JESSOP ET AL, 2018. THE SEASONAL DISTRIBUTION AND ABUNDANCE OF SEABIRDS IN THE WESTERN IRISH SEA 2016

The ObSERVE Programme, which was established in October 2014, is an Irish Government initiative developed and designed by the Department of Communications, Climate Action & Environment (DCCAE)[4] in partnership with the Department of Culture, Heritage and the Gaeltacht (DCHG)[5]. This aerial survey project was a publicly tendered contract funded under the ObSERVE Programme. Fine-scale aerial surveys were conducted in summer, autumn and winter 2016 to assess the occurrence and distribution of seabird species in the Irish Sea. Fifty-five parallel survey transects spaced approximately 2 nautical miles (3.7km) apart, and on average 20-30 nautical miles in length covered

[4] now the Department of Environment, Climate and Communications
[5] NPWS now falling within the Department of Housing, Local Government and Heritage

the western Irish Sea (Jessopp, *et al.,* 2018). Over the survey period, there were 13,492 sightings of 45,409 seabirds, representing 29 seabird species or species groups. This ObSERVE programme was Phase 1 and precedes the ObSERVE II programme (Giralt Paradell, *et al*., 2023) as detailed in Section 6.2.3 below.

These aerial surveys undertaken by Jessopp et al., (2018) recorded the following SCI species for the Seas off Wexford cSPA:

- Northern gannet,
- Cormorant/shag,
- Northern fulmar,
- Herring/common gull[1],
- Black-headed gull,
- [Great[2]]/Lesser black-backed gull[1],
- Black-legged kittiwake,
- Manx shearwater,
- Atlantic puffin,
- Black guillemot,
- Razorbill/Guillemot[1],
- Arctic/Common tern[1],
- Roseate tern,
- Sandwich tern,
- Little tern
- Common scoter.

1 Not possible to identify to individual species level on surveys
2 Great black-backed gull is not an SCI species for the Seas off Wexford cSPA

Sightings, density distributions, habitat associations, and abundance estimates for the entire survey area are presented on a species-by-species basis for all three seasonal survey periods. Overall distribution of seabird density and species richness are provided, highlighting the changing distribution of seabirds seasonally.

SCI species-specific survey results from this report are presented below as seasonal 25% utilization distribution plots and maps presenting the recorded sightings per transect line.

In Figure 6-2, the parallel transects flown in summer, autumn and winter in 2016 are illustrated, where it is evident Rosslare Europort Area of Legal Interest overlaps with the coverage of this survey.

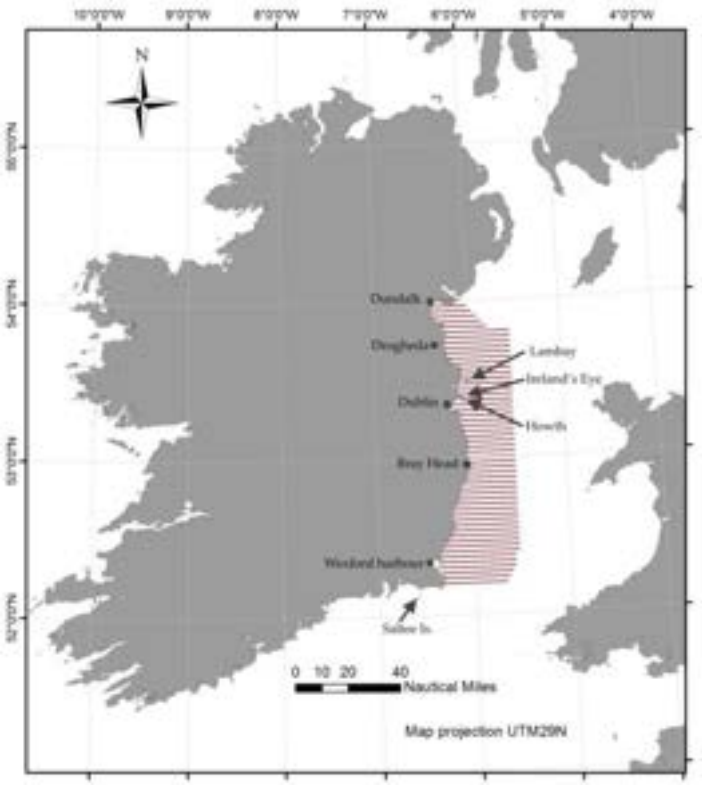

Figure 6-2 Map showing parallel transects flown in summer, autumn and winter 2016 in the Irish Sea (Jessopp, *et al*., 2018).

See Section 7 Species Summary where it is shown Jessop *et al* (2018) provides evidence that the proposed SCI bird species for the Seas off Wexford cSPA do not utilise the Rosslare Europort Area of Legal Interest.

6.2.2 HI-DEF, 2019. DIGITAL VIDEO AERIAL SURVEYS OF COMMON SCOTER AT ROSSLARE BAY

A series of 2.5km spaced aerial transects were flown monthly between the wintering months December 2018 and March 2019. Five surveys were conducted, with two surveys flown in January 2019.

The aerial surveys recorded the following SCI species for the Seas off Wexford cSPA:

- Red-throated Diver [A001]
- Gannet [A016]
- Cormorant [A017]
- Shag [A018]
- Common Scoter [A065]
- Black-headed Gull [A179]
- Lesser Black-backed Gull [A183]

- Herring Gull [A184]
- Kittiwake [A188]
- Guillemot [A199]
- Razorbill [A200]
- Puffin [A204]

For context, GDG produced a map with the survey transects from the HiDef report (2019) and the Rosslare Europort Area of Legal Interest – see Figure 6-3.

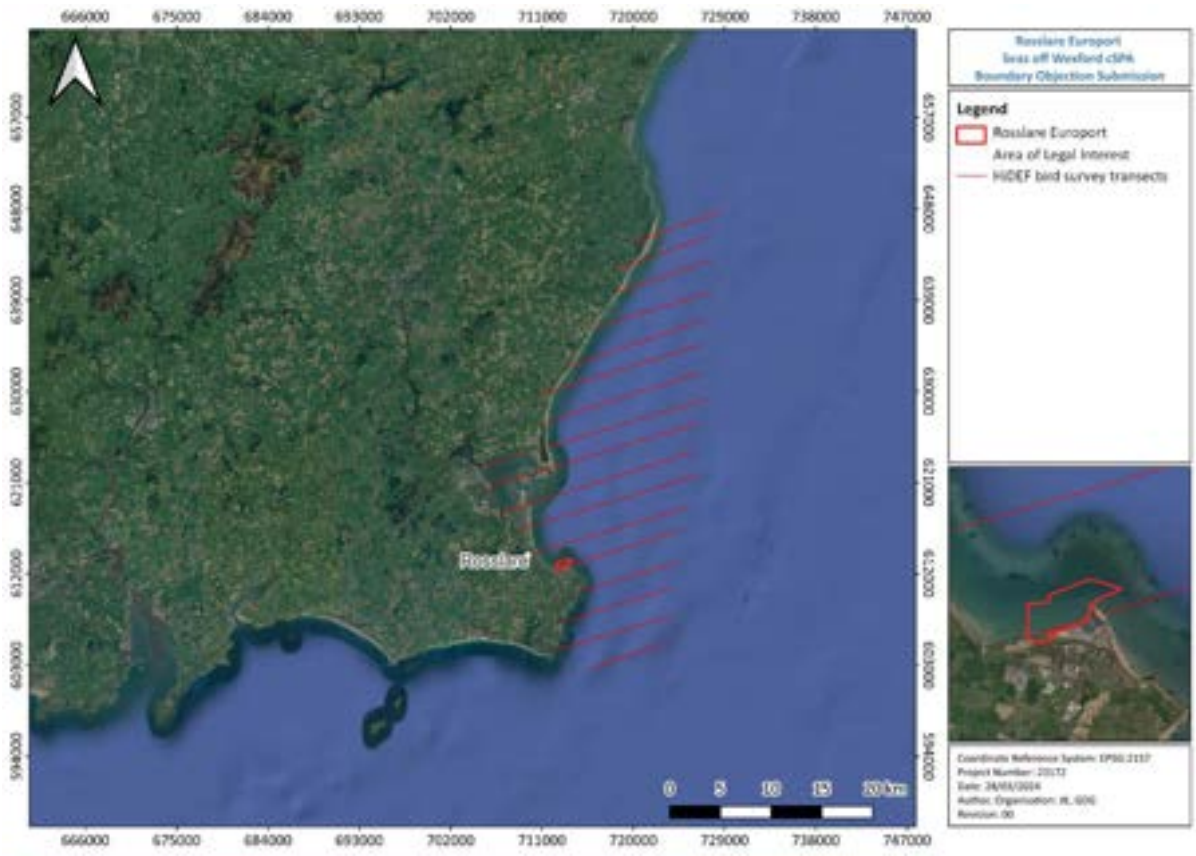

Figure 6-3 Map of HiDef survey transects and Rosslare Europort Area of Legal Interest – produced by GDG using the survey transect shapefile from HiDef, 2019.

Survey results were provided as density (number/km²) and number of detections per segment between December 2018 to March 2019.

Within the report, the following explains the density maps and how they were derived:

"The density estimate is expressed as the average number of animals per square km surveyed over the whole study area or the project area, and the population estimate is then calculated as the density multiplied up to the area of the whole project area or the study area (project area with 4 km buffer). The upper and lower CI define the range that the population estimate falls within with 95% certainty. The CV, also referred to as the relative standard error, is a measure of the precision of the population and density estimates.

….The density maps have been derived using a Watson-Nadaraya type kernel density estimation (KDE) technique (Simonoff 1996) and used to calculate a local density at each point in the study area. To evaluate the density at a given point, the kernel is centred on that point and all the observations within the window are summed to obtain a local count. The total area of the transect(s) intersecting the window is then summed to obtain a local measure of effort. By dividing the local count by the local effort, a local density estimate is obtained. To build a density map, the study area is covered with a fine mesh of study points and the density is calculated at each point in the mesh in turn.

*….**It should be noted that several of the KDE maps are effectively flat.** These correspond to distributions **where the density surface as obtained from a small local kernel was not effective at predicting missing data; this can happen with evenly distributed birds, but mainly happens for very sparse distributions.** In the case of sparse distributions, the 'flat' map does not necessarily mean that the true underlying distribution is 'flat'; it could mean that the data doesn't contain enough evidence to determine what the underlying distribution is. It is therefore useful to refer back to the population estimates for the corresponding map when looking at these 'flat' densities; we have also overlaid the relevant observations as dots to help with interpretation of the maps. In extreme cases, the maps were not included in the results section, and the data presented as dot maps. This occurred where there were fewer than five observations of the species or species group in question."*

Please note the Hi-Def surveys recorded no SCI species for the Seas off Wexford cSPA within the Rosslare Europort Area of Legal Interest, with the exception of two records of Herring Gull during the January S01 survey.

HiDEF (2019) therefore provides evidence that proposed SCI bird species for the Seas off Wexford cSPA do not utilise the Rosslare Europort Area of Legal Interest.

6.2.3 GIRALT PARADELL *ET AL.*, 2023. THE SEASONAL DISTRIBUTION AND ABUNDANCE OF SEABIRDS, CETACEANS AND OTHER MEGAFAUNA IN THE SOUTH AND SOUTHWEST IRISH COAST

The ObSERVE Programme undertakes surveys for marine megafauna in Irish offshore waters. The purpose of these surveys is to estimate and describe animal density, abundance, and distribution.

ObSERVE Phase 2 (ObSERVE II) included a single aerial survey of the south-eastern coast of Ireland in summer 2021.

Species-level identification was unsuccessful for several species where separation of their identity could not be achieved as their resemblance in plumage could not be distinguished. In this case, species were grouped compiling closely related species; for example, certain gull spp., cormorant and shag, shearwater spp., auk spp., tern spp., divers & waders spp., black backed gull spp., and herring and common gull could not be separately identified in some cases.

Species specific maps produced by ObSERVE II from survey data collected were made available for review in .png format, however the associated report and spatial data were not made available.

These maps included Summer, Autumn and Winter transects, however, the aerial transect lines for Autumn and Winter covered the coastline to the south and southwest of Ireland and did not overlap with the Seas of Wexford cSPA. Therefore, only maps which present the summer data (i.e. breeding season) were considered in this report. Aerial survey transects overlapped with the Seas of Wexford cSPA however none of the transects overlapped with the Rosslare Europort Area of Interest. The closest transect is estimated to be within 1 km of the Rosslare Europort Area of Interest.

The ObSERVE II maps of the SCI species are presented in the Species Summary below in Section 7.

As the survey transects did not overlap with the Rosslare Europort Area of Interest, no SCI species for the Seas off Wexford cSPA were recorded within the Rosslare Europort Area of Legal Interest by the survey.

ObSERVE II therefore provides no evidence that proposed SCI bird species for the Seas off Wexford cSPA utilise the Rosslare Europort Area of Legal Interest.

6.3 APEM, 2024.

Gavin & Doherty Geosolutions Ltd. commissioned APEM to run an extended bird survey programme at Rosslare Europort, Co. Wexford, to support the proposed Rosslare ORE Hub Planning Application, EIA Report, Natura Impact Statement and all ancillary ecological environmental reports for Iarnród Éireann. The survey programme was undertaken between May 2022 and February 2024 (inclusive) and comprised four survey types to capture ornithological data within the intertidal, nearshore, and terrestrial habitats of the Rosslare Offshore Development Site, and appropriate survey buffers.

The four survey types undertaken comprised:

1. Breeding bird surveys (undertaken monthly between March and June 2023)
2. Coastal vantage point (VP) surveys (undertaken monthly between May 2022 and March 2024)
3. Post-breeding tern aggregation surveys (undertaken during September 2022 and 2023)
4. Non-breeding (Winter transect) surveys (undertaken during the core wintering periods between October and February (2022/2023 and 2023/2024).

Figure 6-4 shows the Rosslare Europort Area of Legal Interest and the APEM survey area.

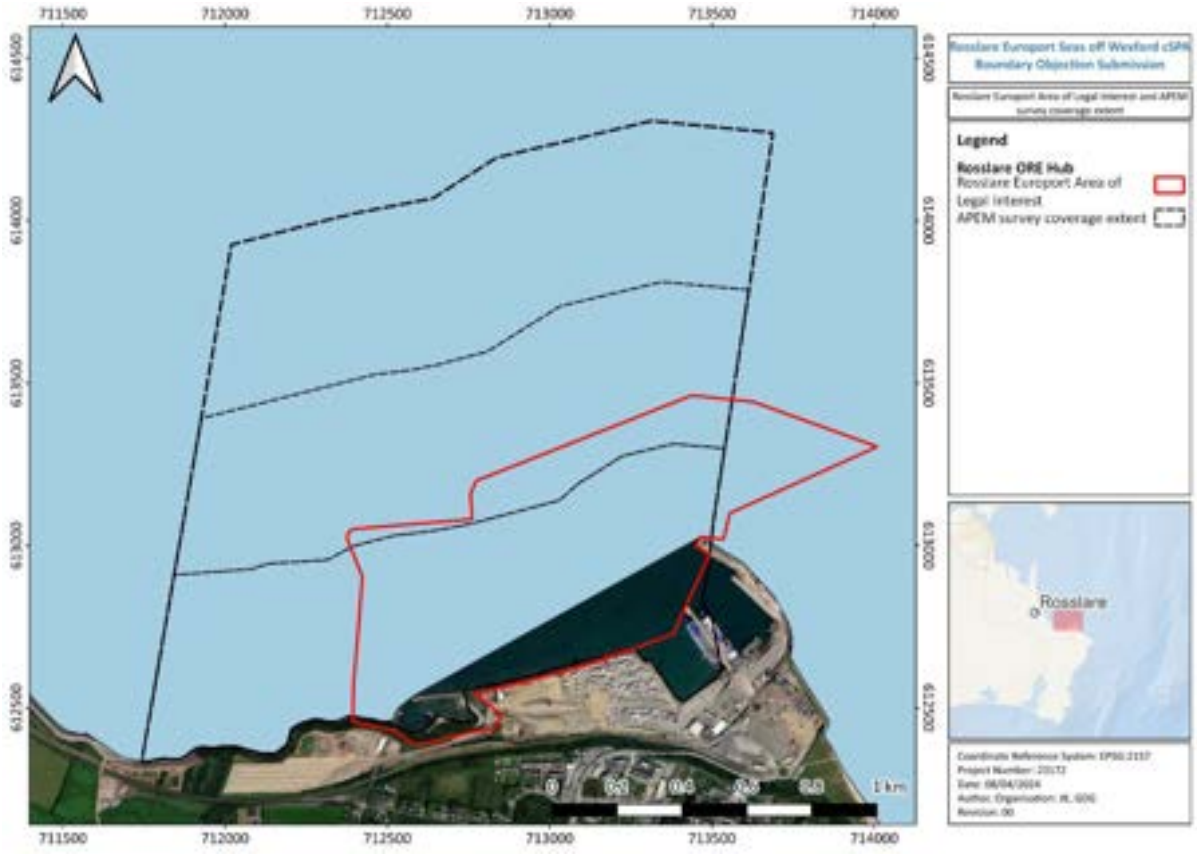

Figure 6-4: Rosslare Europort Area of Legal Interest and APEM survey coverage extent.

The following SCI species for the Seas off Wexford cSPA were recorded during the ornithological surveys:

- Red-throated Diver
- Fulmar
- Manx Shearwater
- Gannet
- Cormorant
- Shag
- Common Scoter
- Mediterranean Gull
- Black-headed Gull
- Lesser Black-backed Gull
- Herring Gull
- Kittiwake

- Sandwich Tern
- Roseate Tern
- Common Tern
- Arctic Tern
- Guillemot
- Razorbill

Despite the duration and regularity of the survey timeseries, the following SCI species for the Seas off Wexford cSPA were not recorded during any of the surveys:

- Little Tern
- Puffin

Northern Fulmar was only recorded once (in May 2022).

The surveys conducted by APEM provide evidence that insufficient numbers of the proposed SCI bird species for the Seas off Wexford cSPA utilise the Rosslare Europort Area of Legal Interest for this area to be designated for their protection. Species-specific survey results for all cSPA SCI species are summarised in Section 7.

7 SUMMARY OF SCI SPECIES

Section 7.1 sets out a summary of findings for each of the 20 proposed SCI species for the Seas off Wexford cSPA, insofar as they relate to the Rosslare Europort Area of Interest. The 20 SCI species are, where applicable, grouped together under the relevant species groups. The findings are based on a consideration of all relevant supporting documents, reports and publications of ornithological data cited by the NPWS and also the ornithological survey data collected by APEM for Iarnród Éireann.

Section 7.2 provides a summary of bird population data, also from relevant supporting documents, reports and publications of ornithological data cited by the NPWS and the ornithological survey data collected by APEM for Iarnród Éireann.

7.1 SCI SPECIES SPECIFIC SUMMARIES

7.1.1 GULLS

This section summarises the evidence available for the SCI gull species.

7.1.1.1 BLACK-LEGGED KITTIWAKE

The kittiwake is a common and widespread gull species whose extensive distribution spans the North Pacific, Noth Atlantic and Arctic Oceans (Burnell *et al.*, 2023). As well as being the most numerous species of gull in the world, the kittiwake is the most oceanic in its habits and most adapted to nesting on vertical rocky sea-cliffs (JNCC, 2024). During the breeding season kittiwakes undertake daily foraging trips typically covering tens of kilometers with a mean maximum foraging range of 156km (Woodward *et al.,* 2019).

The Republic of Ireland (RoI) **breeding** population is estimated to be 24,723 pairs, across 68 occupied sites, based on Apparently Occupied Nests (AONs) recorded on the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023).

Kittiwakes were not recorded near the Rosslare Europort Area of Legal Interest during the ObSERVE II survey programme as shown below in the ObSERVE II map (Figure 7-1).

Kittiwakes were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys as shown below in Figure 7-3 produced by GDG using Hi-Def data. Density maps were produced in the Hi-Def report (Figure 7-2), however in Figure 7-3 it is clear no records of kittiwake were found in the Rosslare Europort Area of Legal Interest.

No records of kittiwake were documented within the Rosslare Europort Area of Legal Interest during the Observe I aerial surveys (Jessop et al, 2018) nor does the 10%, 25% and 50% utilization distributions of kittiwake overlap with the Area of Legal Interest (see Figure 7-4).

Kittiwakes were recorded within the Rosslare Europort Area of Legal Interest study area by APEM with a peak count of 31 birds in May 2022. All birds were observed foraging between 1 and 1.5 km offshore. Kittiwakes do not breed within the Rosslare Europort Area of Legal Interest.

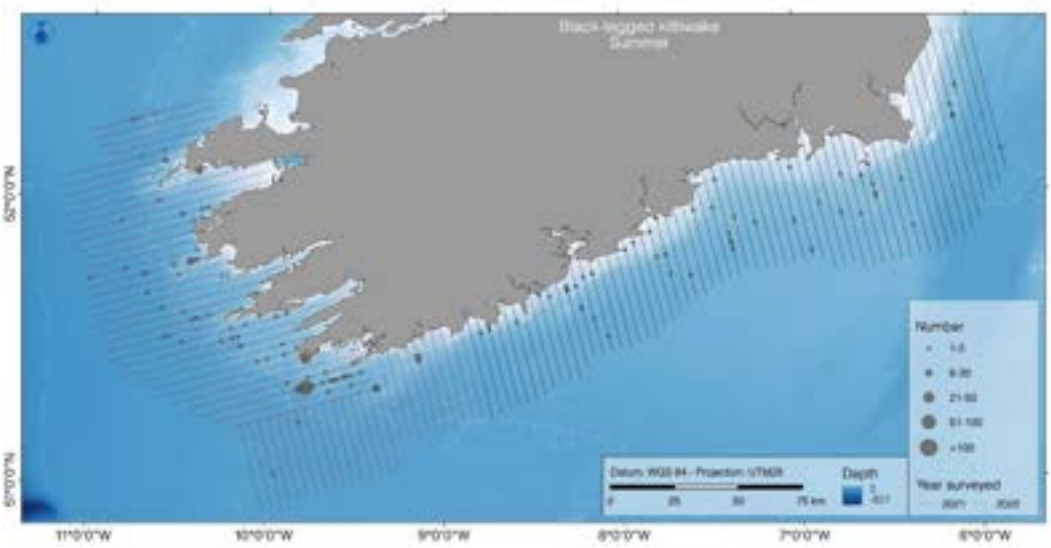

Figure 7-1 ObSERVE II map presenting data of Black-legged Kittiwake sightings (Giralt Paradell, *et al.*, 2023).

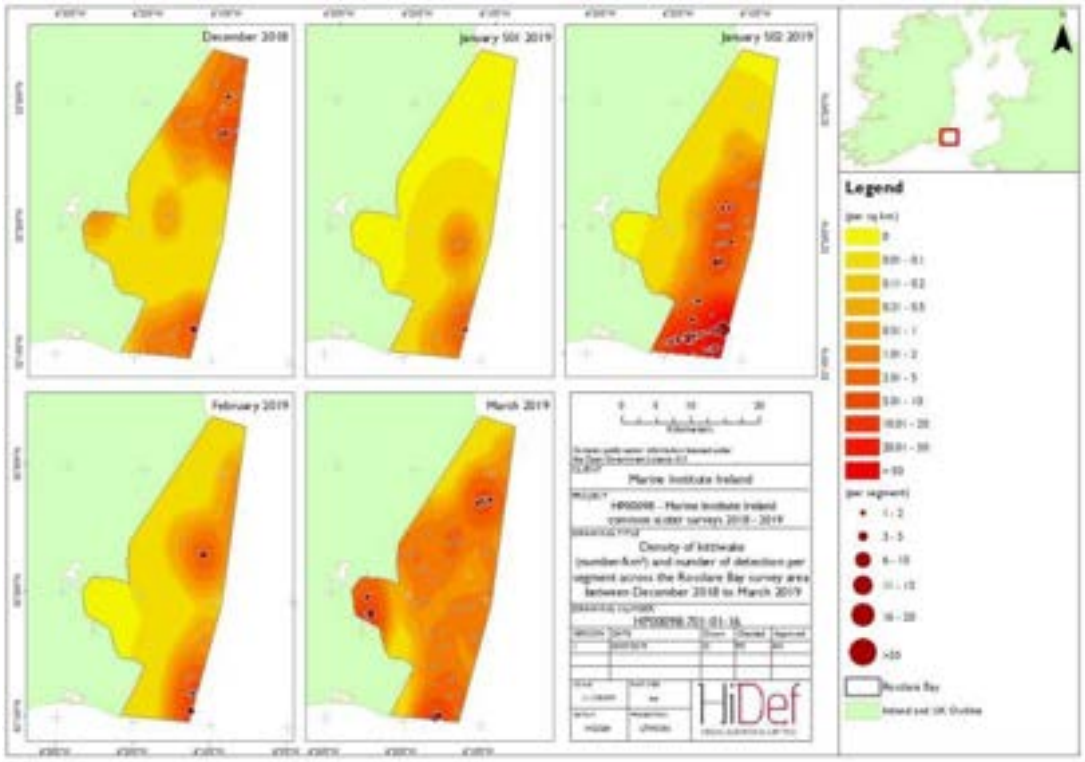

Figure 7-2 Density of kittiwakes (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

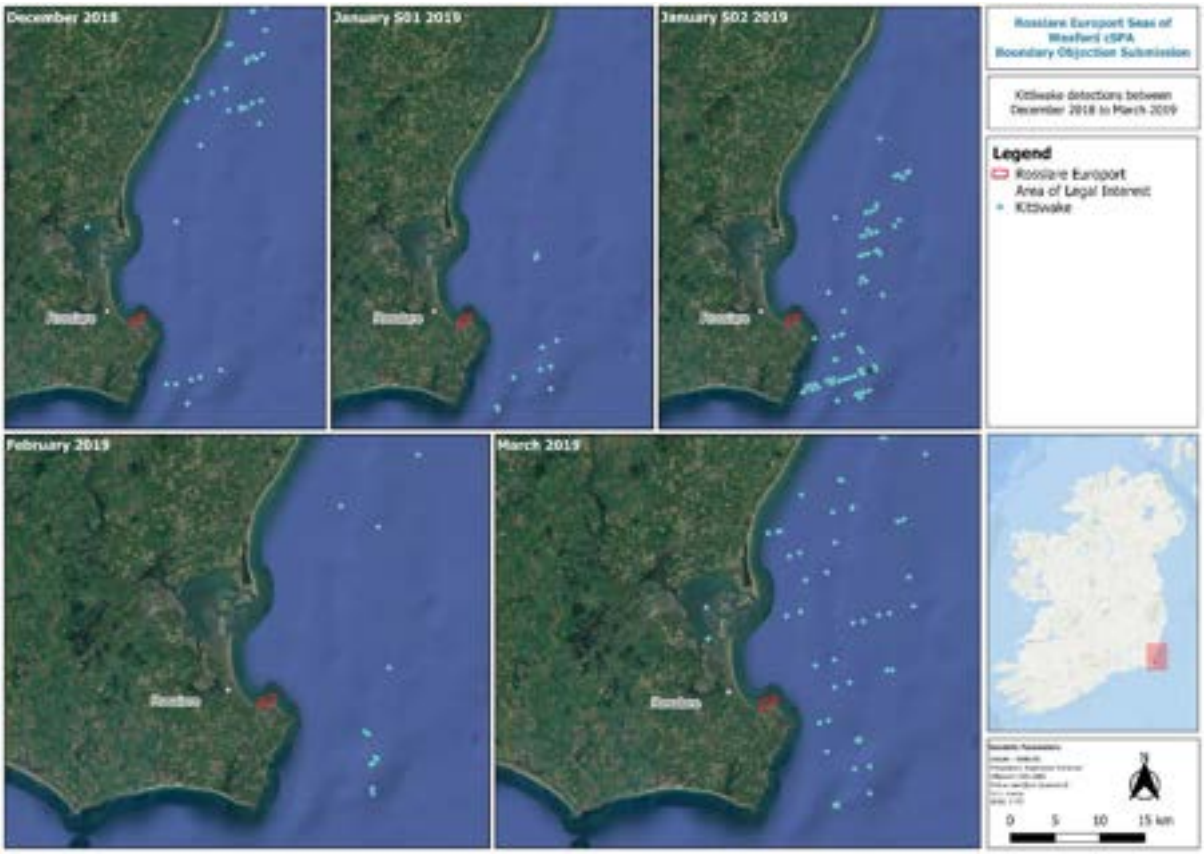

Figure 7-3 Distributions of kittiwake from the data provided by Hi-Def (2019) report.

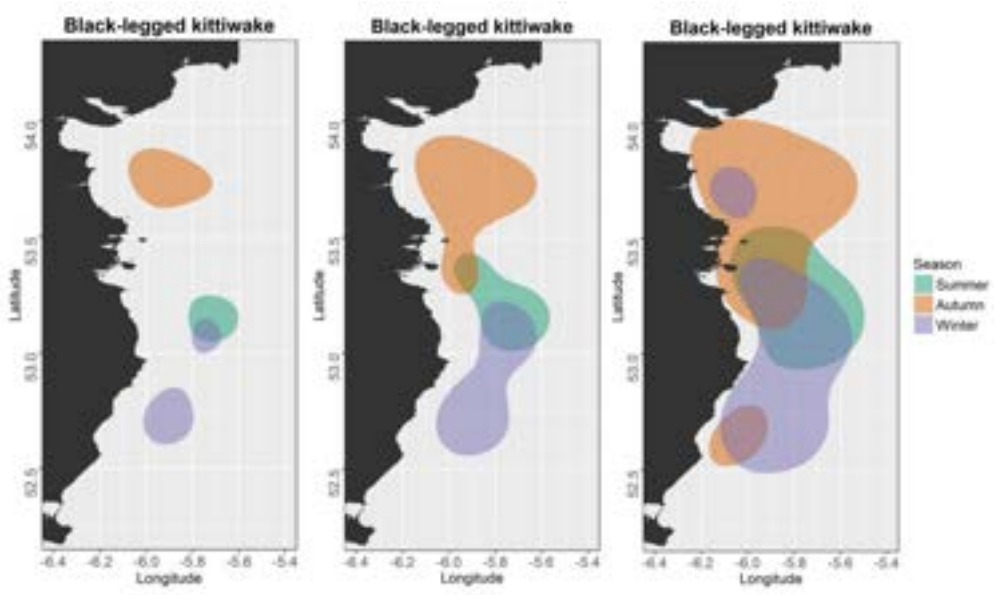

Figure 7-4 Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for kittiwakes in the Irish Sea (Jessopp, *et al.*, 2018).

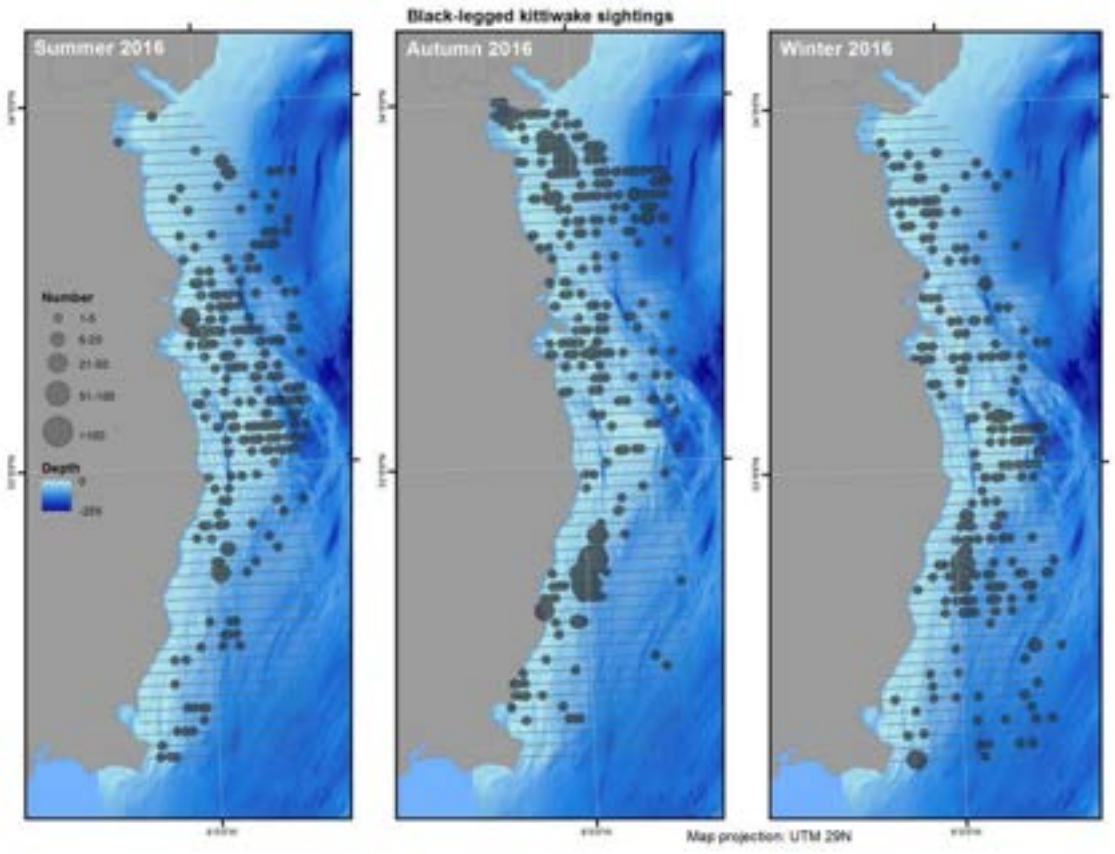

Figure 7-5 Sightings of black-legged kittiwake in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.1.2 BLACK-HEADED GULL

Black-headed gulls have an extensive breeding range stretching from southern Greenland to Iceland and through the middle latitudes of Europe and Asia as far as the Pacific coast of Russia (BirdLife International, 2024).

The RoI **breeding** population is estimated to be 7,146 pairs, across 47 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023). Of this population, 32% was found to be breeding inland (Burnell *et al.,* 2023).

Black-headed gull was not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 7-6).

Black-headed gull was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-8). In Figure 7-7, the density maps of black-headed gulls produced in the Hi-Def report are shown.

No records of black-headed gull were documented within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey (Figure 7-10) nor does the 25% utilization distribution (Figure 7-9) of black-headed gull overlap with the Area of Legal Interest.

Black-headed gulls were recorded within the Rosslare Europort Area of Legal Interest study area by APEM in all months during the 2022/23 survey period and in all months except July 2023 during the 2023/2024 survey period. The peak count (100 birds) was recorded during January 2024. Black-headed gulls do not breed on site. Most records of Black-headed gull were recorded foraging within 500 m of the shoreline or roosting on the two piers in the east of the Study Area.

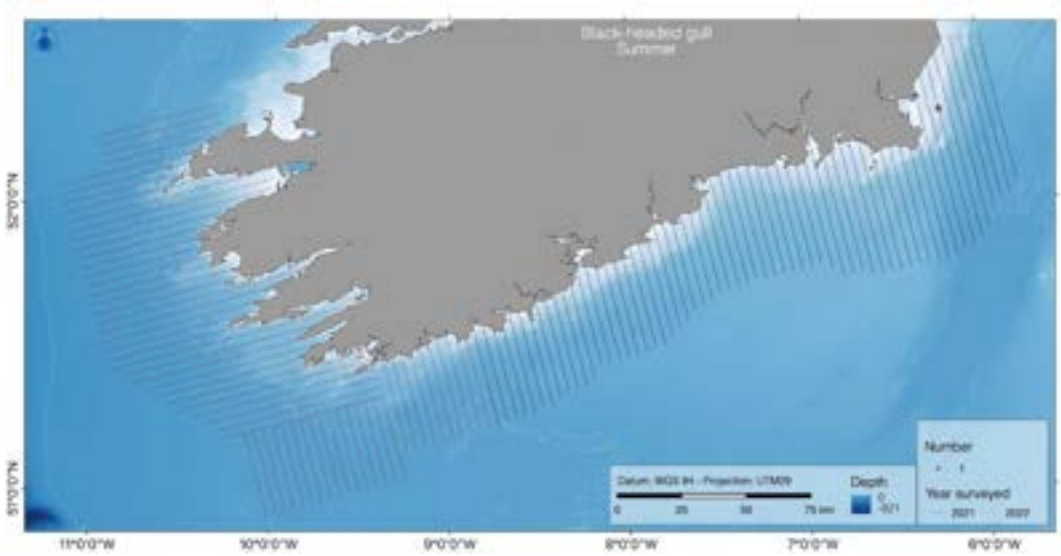

Figure 7-6 ObSERVE II map presenting data of Black-headed Gull sightings (Giralt Paradell, *et al.*, 2023).

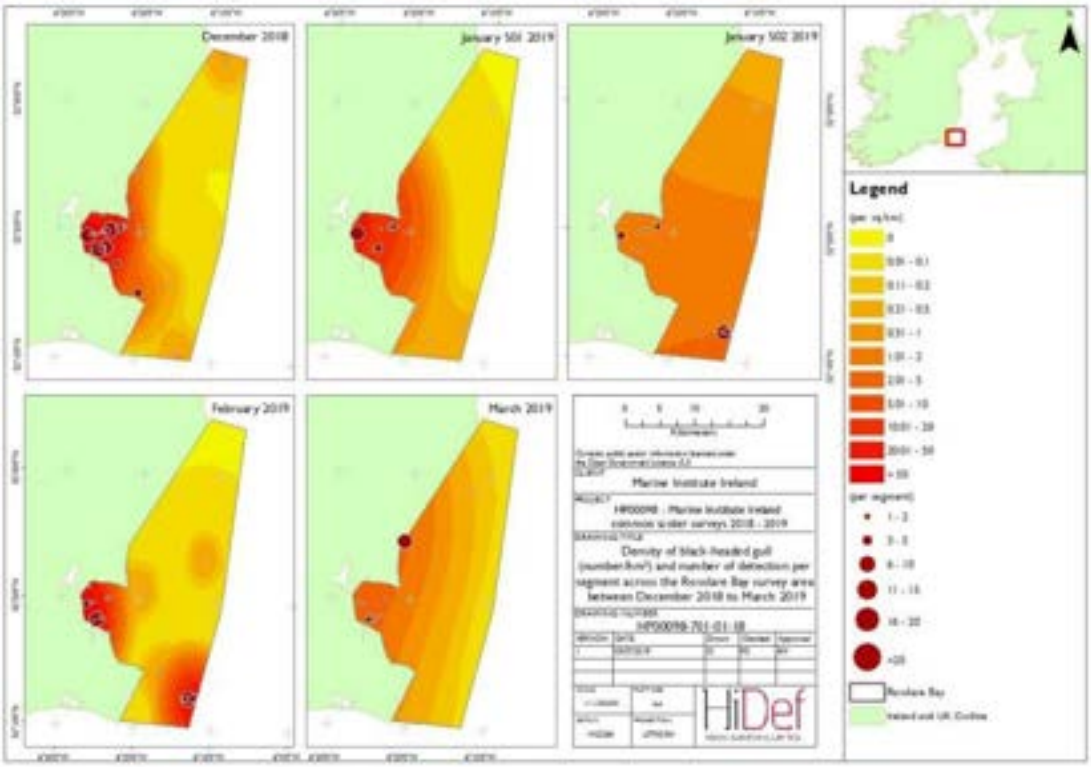

Figure 7-7 Density of black-headed gulls (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

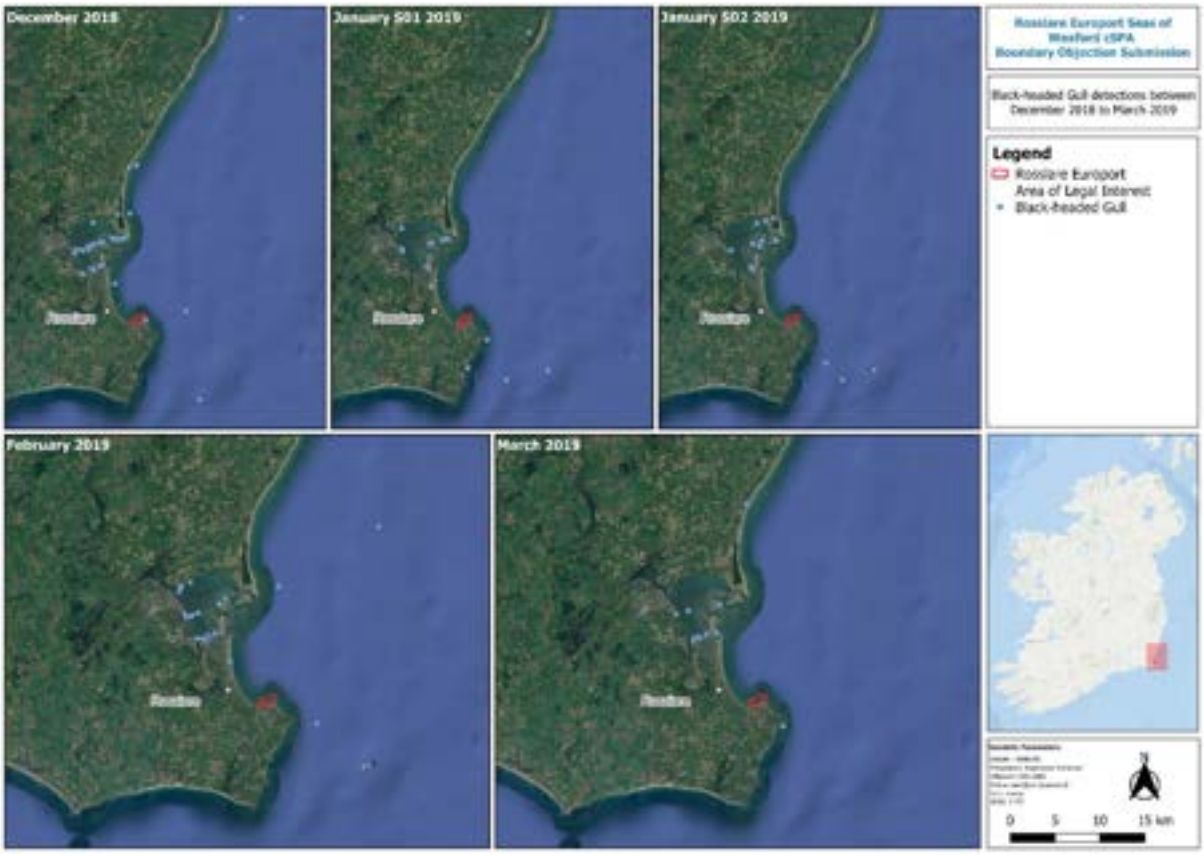

Figure 7-8 Distribution of black-headed gulls from the data provided by Hi-Def (2019) report.

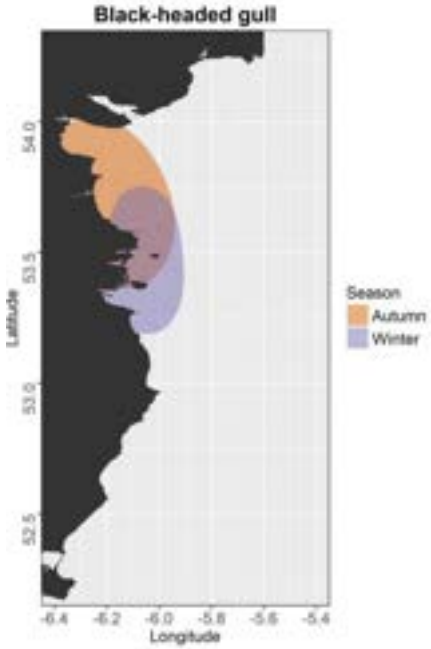

Figure 7-9 Seasonal 25% utilization distributions for black-headed gull in the Irish Sea demonstrating a concentrated area of importance in the waters immediately around Howth and Lambay Island in winter, and more coastally in autumn (Jessopp, *et al.,* 2018).

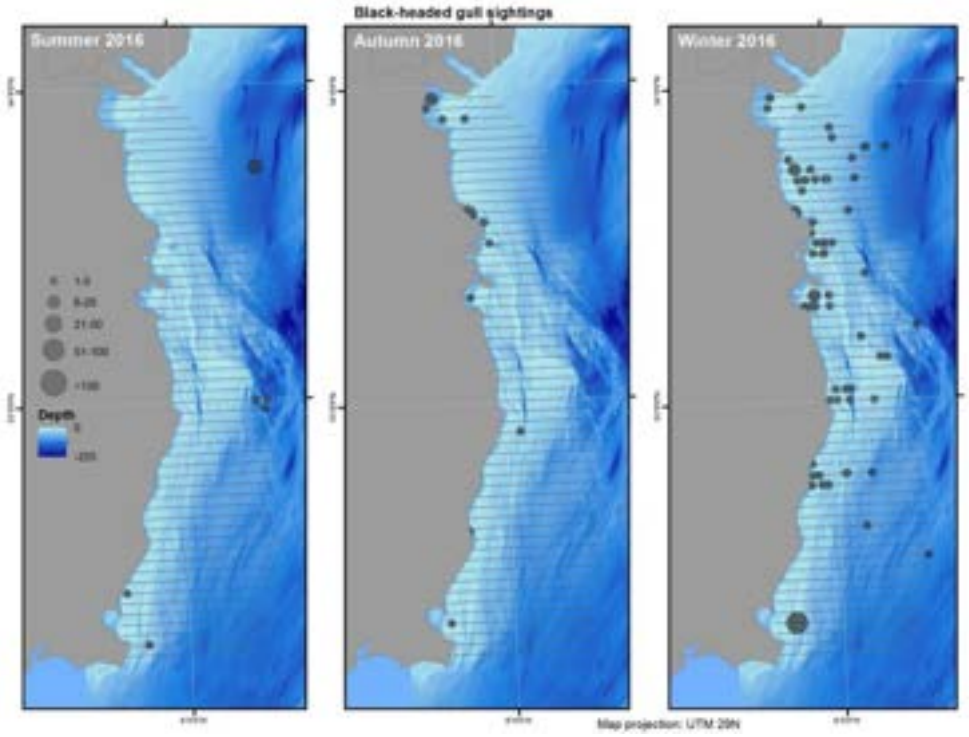

Figure 7-10 Sightings of black-headed gulls in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.*, 2018).

7.1.1.3 MEDITERRANEAN GULL

The Mediterranean gull has become regularly recorded in Ireland in recent years. The first breeding record of Mediterranean gull in Ireland occurred in 1996, followed by another the following year in Wexford (Burnell, *et al*., 2023). Mediterranean gulls nest in a wide range of habitats including coastal lagoons, estuaries, coastal saltmarshes and inland lakes and marshes with sparse vegetation, usually breeding alongside Black-headed gulls. The species winters in the Mediterranean and Black Sea, and also in north-west Europe and north-west Africa (Burnell *et al.,* 2023, and references therein). In the breeding season Mediterranean gulls feed mainly on terrestrial invertebrates, particularly earthworms and insects, but in winter chiefly eat marine fish and molluscs (Burnell *et al*., 2023). Mediterranean Gulls are liable to change breeding sites from one year to the next (Burnell *et al*., 2023).

The RoI **breeding** population is estimated to be 16 pairs, across two occupied sites, based on Apparently Occupied Nests recorded on the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023).

ObSERVE II data showing gull species categorised into 'Small gull species' (red dots) and 'Large gull species' (grey dots) were not recorded within the Rosslare Europort Area of Legal Interest (Figure 7-11). Mediterranean gulls are considered a small gull species (i.e. red dots in the map). The summer distribution of small gull species shows that higher numbers of these species are found further off the Wexford coast, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for these small gull species.

Mediterranean gulls were not recorded during the Hi-Def (2019) aerial surveys.

No records of Mediterranean gulls were documented during the ObSERVE I survey.

Mediterranean gulls were recorded on surveys within the Rosslare Europort Area of Legal Interest study area by APEM in all months with the exception of June 2022 and January 2023. The peak count of 38 individuals was recorded during July 2022. Mediterranean gull does not breed on site.

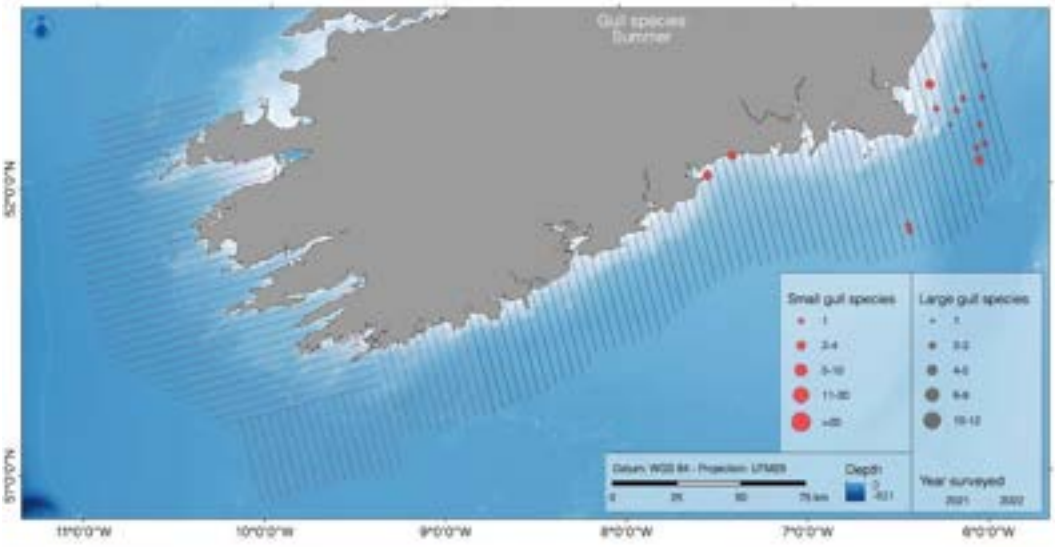

Figure 7-11 ObSERVE II map presenting data of Gull species sightings (Giralt Paradell, *et al*., 2023).

7.1.1.4 HERRING GULL

Herring gulls are commonly found breeding at inland sites, although the highest numbers still tend to occur on the coast (Burnell *et al*., 2023). The Herring gull breeds mainly in north and west Europe. It is widely distributed around the coast of Ireland, and prefers to nest on rocky coastline, with cliffs, islets and offshore islands, though a range of other habitats are used including sand dunes, shingle banks and, increasingly, rooftops of buildings in urban areas (JNCC, 2024). Herring gulls are opportunistic feeders, with diets ranging from fish to crustaceans to human refuse and occasionally other birds (Burnell *et al*., 2023). There has been a general pattern of decline in natural-nesting Herring Gulls in Ireland, where the drivers of these changes are unclear, although decrease in the availability of scavenged food sources from refuse tips and fishery discards are thought to have played a role (Burnell *et al*., 2023).

The RoI **breeding** population is estimated to be 18,645 pairs, based on Apparently Occupied Nests in both natural and urban settings, recorded on the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023).

It was not possible to identify birds to species, but herring/common gull sightings were recorded near to but outside to the Rosslare Europort Area of Legal Interest during the ObSERVE II programme, with counts amounting to 6-10 individuals of herring/common Gulls recorded (Figure 7-12). The summer distribution of herring/common gulls shows that higher numbers of these species are found further off the Wexford coast and largest aggregations off the southwest coast, highlighting that the area immediately around the Rosslare Europort Area of Legal Interest is not a key area for herring or common gull.

Two observations of herring gulls were recorded inside the Rosslare Europort Area of Legal Interest during the January SO1 Hi-Def (2019) aerial survey (Figure 7-14). In Figure 7-13, the density distribution of herring gulls taken from the Hi-Def report are shown.

Herring and common gulls could also not be differentiated during surveys undertaken during the ObSERVE surveys (Phase 1) and were also grouped together. The seasonal 25% utilization distributions

for herring/common gulls (Figure 7-15) and the recorded sightings in summer, autumn, and winter survey periods (Figure 7-16) show records of herring/common gulls were documented near to but outside the Rosslare Europort Area of Legal Interest although the utilization distribution of herring/common gulls is not within the Area of Legal Interest.

Herring gulls were regularly recorded within the Rosslare Europort Area of Legal Interest study area by APEM. During the breeding bird surveys, Herring gulls were recorded roosting on all visits, with a peak count of 12 individuals during May 2022. Herring gulls were recorded on every VP survey, peaking at a count of 129 birds in October 2023. Most records of this species involved aggregations of roosting or loafing birds on or near the piers in the east of the site and the small boat harbour in the west of the site. Herring gull do not breed on site.

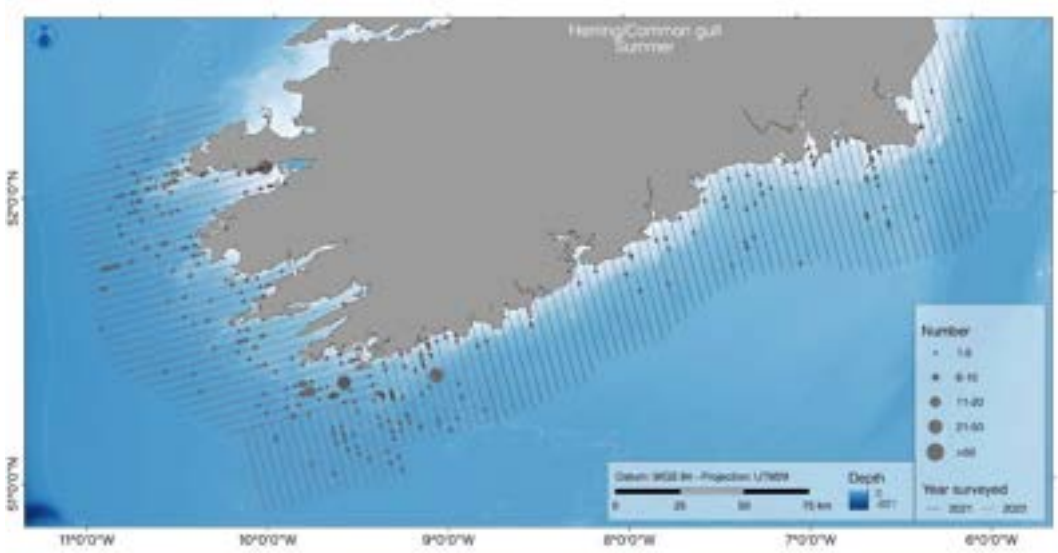

Figure 7-12 ObSERVE II map presenting data of Herring/Common Gull sightings (Giralt Paradell, *et al.*, 2023).

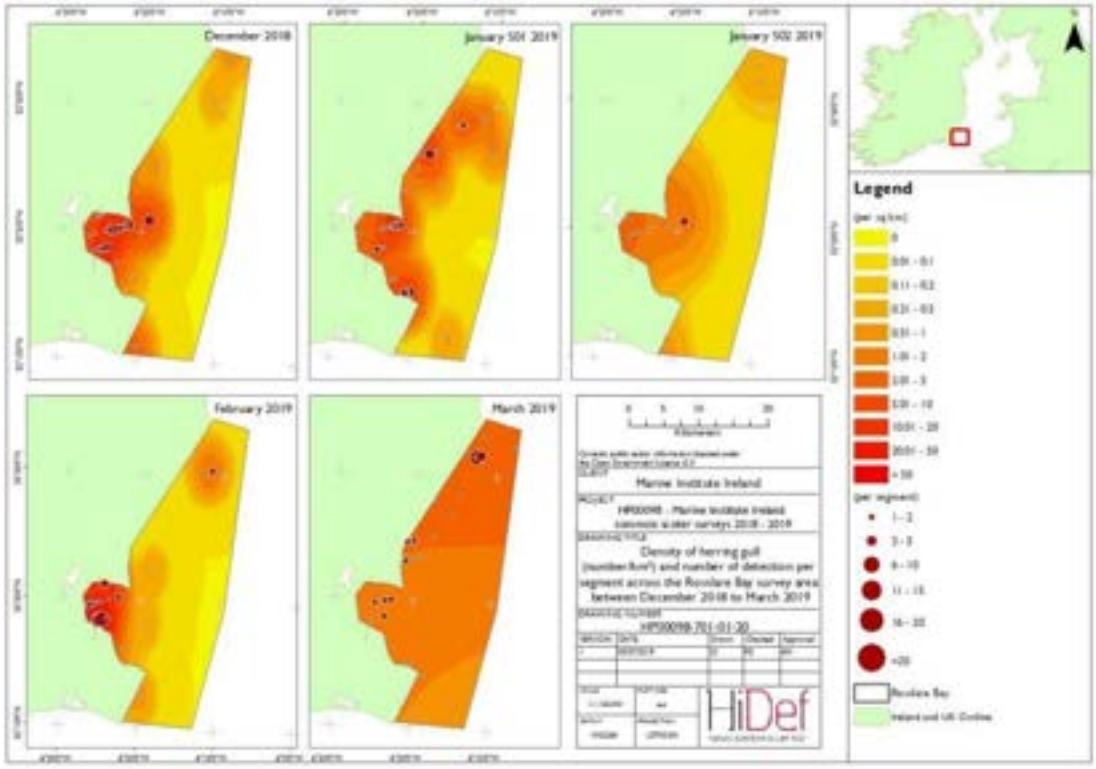

Figure 7-13 Density of herring gulls (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

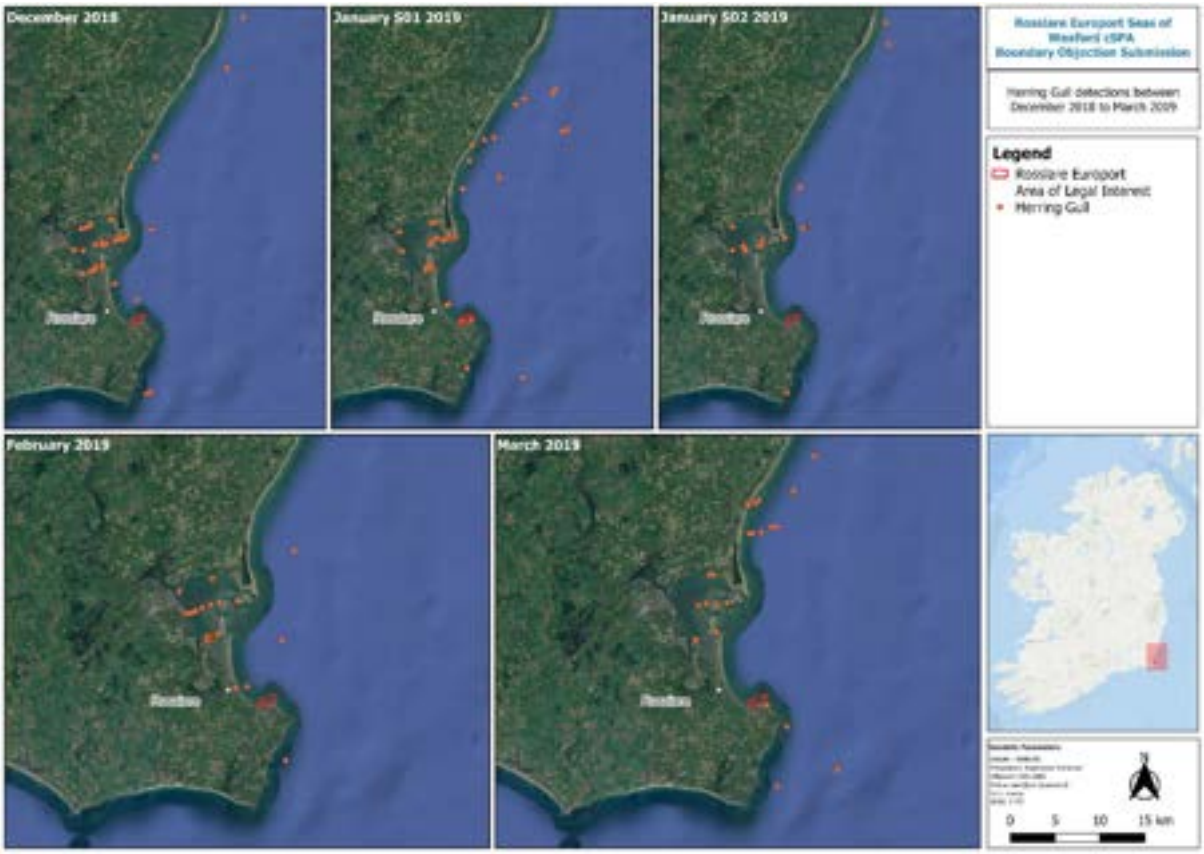

Figure 7-14 Distribution of herring gull from the data provided by Hi-Def (2019) report.

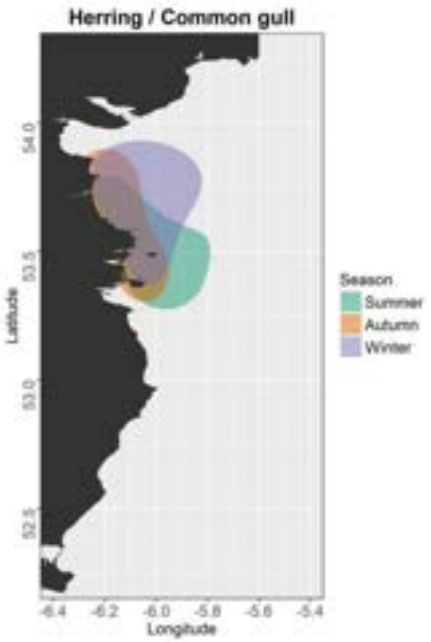

Figure 7-15 Seasonal 25% utilization distributions for herring/common gull in the Irish Sea demonstrating a high importance of the waters west of Dublin and high degree of overlap in important areas for these species across seasons (Jessopp, *et al.,* 2018).

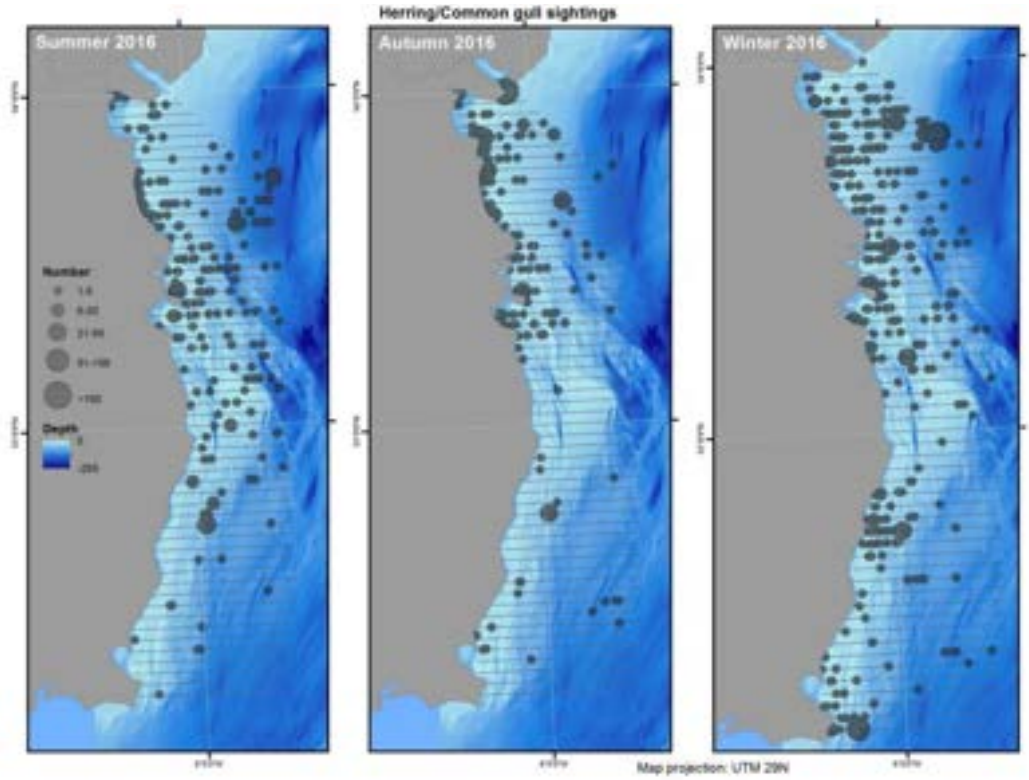

Figure 7-16 Sightings of herring/common gull in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.1.5 LESSER BLACK-BACKED GULL

The lesser black-backed gull breeds in north and west Europe and has increased in numbers throughout its range during much of the 20th century (JNCC, 2024). Lesser black-backed gulls have an omnivorous diet of both marine and terrestrial foods including vertebrates, invertebrates, plant material and human waste, and individuals, or a colony as a whole, can switch their main food items in response to changing availability (Burnell *et al.,* 2023, and references therein).

The RoI **breeding** population is estimated to be 9,968 pairs based on Apparently Occupied Nests in natural and urban settings, recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

There was one sighting of "black-backed gull" recorded close to, but not in, the Rosslare Europort Area of Legal Interest during the ObSERVE II programme, however this sighting was not identified to species level (Figure 7-17).

Lesser black-backed gull was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-18).

The seasonal 25% utilization distributions for "black-backed gulls" from the ObSERVE 1 surveys did not overlap with the Rosslare Europort Area of Legal Interest (Figure 7-19).Recorded sightings from the autumn survey period shows low numbers of lesser black-backed gulls within the Rosslare Europort Area of Legal Interest (Figure 7-20).

Lesser black-backed gulls were recorded within the Rosslare Europort Area of Legal Interest study area by APEM, with a peak of four individuals in August and September 2022. Lesser black-backed gulls do not breed within the site.

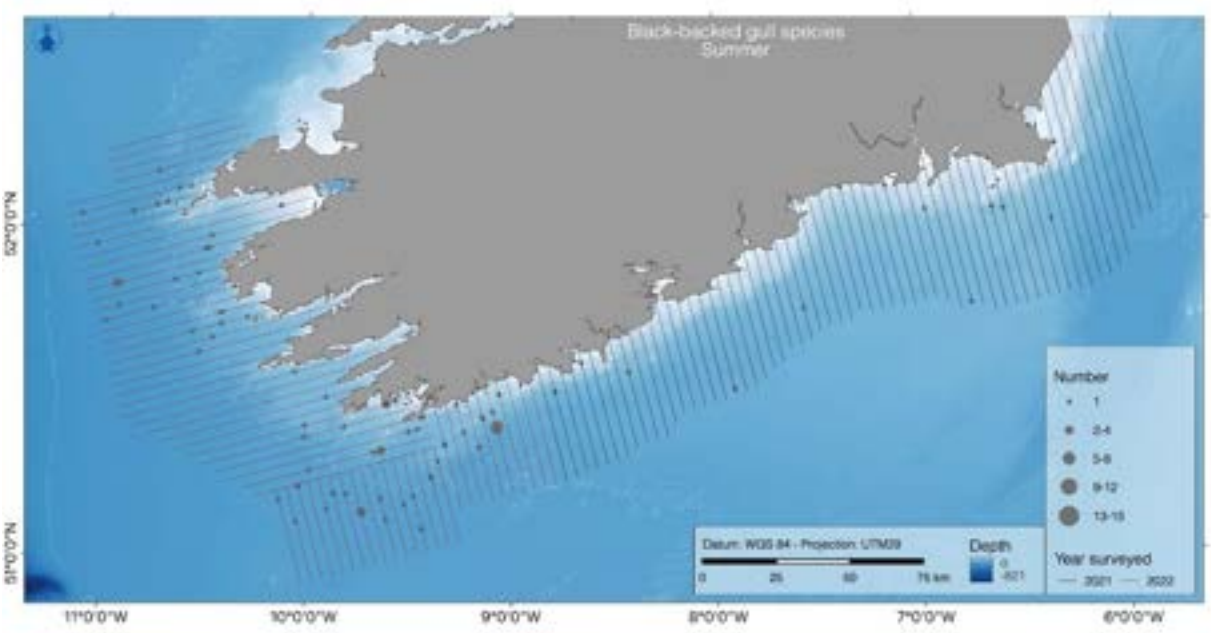

Figure 7-17 ObSERVE II map presenting data of Black-backed Gull sightings (Giralt Paradell, *et al.*, 2023).

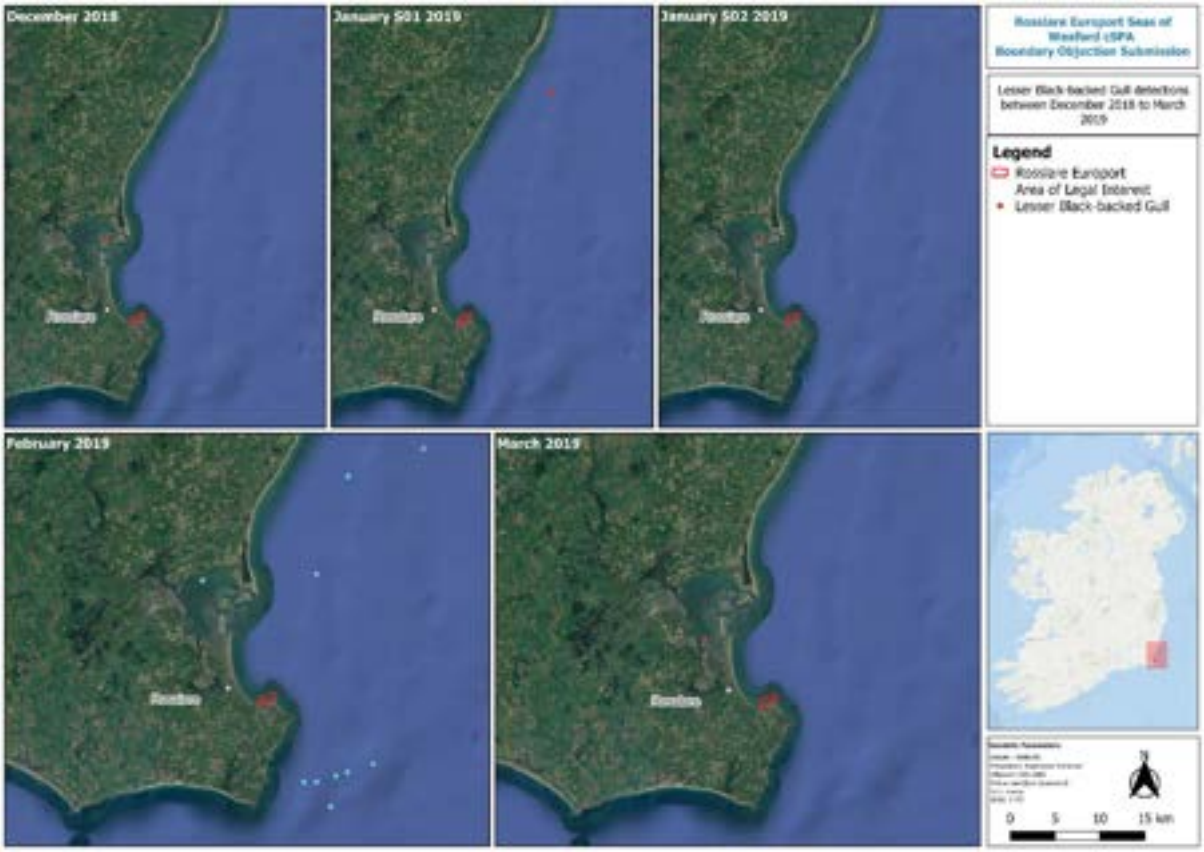

Figure 7-18 Distribution of lesser black-backed gull from the data provided by Hi-Def (2019) report.

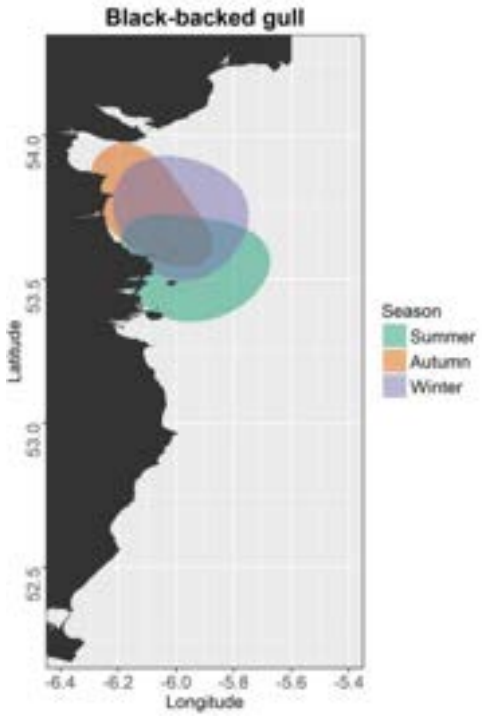

Figure 7-19 Seasonal 25% utilization distributions for black-backed gulls (greater and lesser black-backed gulls combined) in the Irish Sea (Jessopp, *et al.,* 2018).

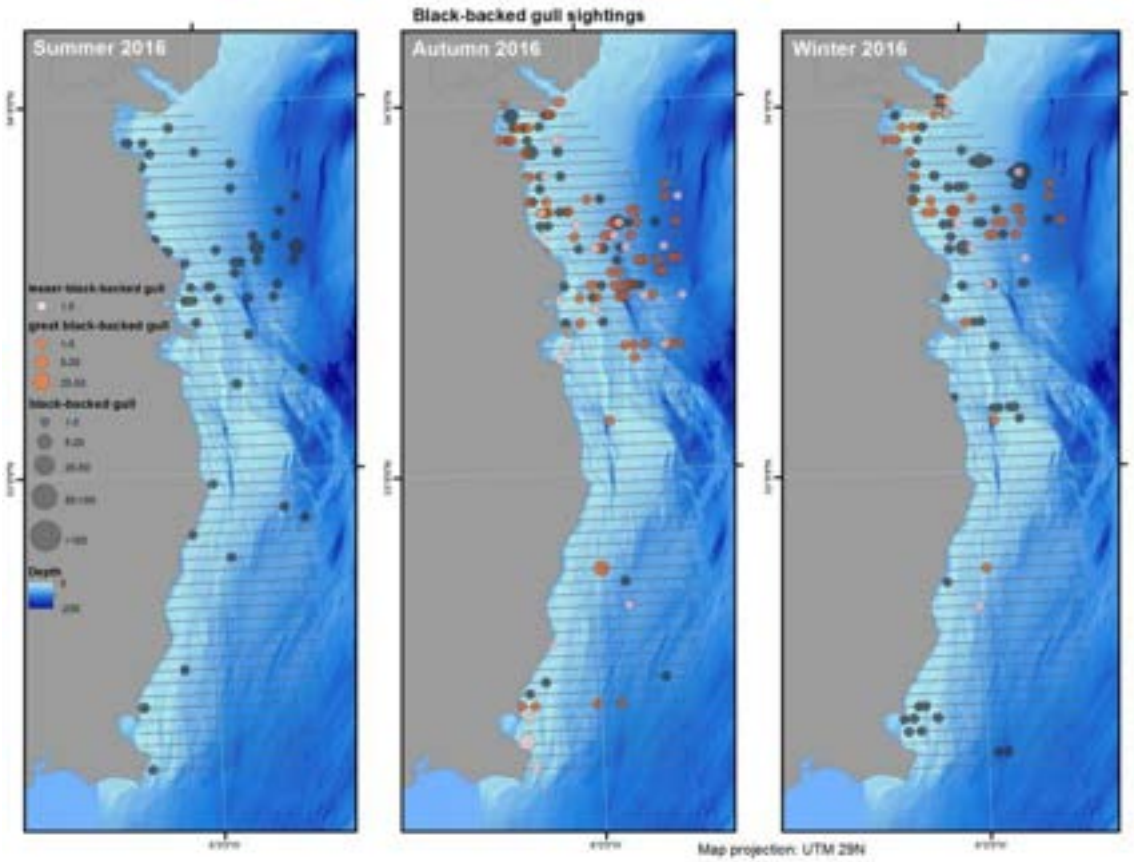

Figure 7-20 Sightings of greater black-backed gulls (orange circles), lesser black-backed gulls (pink circles) and unidentified black-backed gull species (grey circles) in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.2 TERNS

This section summarises the SCI tern species.

7.1.2.1 ROSEATE TERN

There are two colonies of Roseate terns in Ireland, on Rockabill Island, off the Dublin coast and at Lady's Island Lake in Wexford.

The RoI **breeding** population is estimated to be 1,869 pairs, across two colonies, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

In the maps produced from the ObSERVE II surveys, all terns were identified as 'tern species' as identification to species-level was not possible.

Tern species were not recorded during the Hi-Def survey (Hi-Def, 2019).

The seasonal 25% utilization distributions from the ObSERVE I surveys for roseate (red), sandwich (green) and little terns (yellow) (Figure 7-21) and the recorded sightings of each species in summer, autumn, and winter survey periods in the Irish Sea show that no sightings of terns were recorded within Rosslare Europort Area of Legal Interest (see Figure 7-22 and Figure 7-23). The recorded sightings in summer and autumn show records of roseate tern were documented near to the Rosslare Europort Area of Legal Interest although the 25% utilization distribution of roseate tern is not close to the Rosslare Europort Area of Legal Interest.

Dedicated surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded Roseate terns twice in May 2022, with no observations in the 2023/24 survey period or during the tern roost surveys. Roseate terns do not breed within the Site.

7.1.2.2 SANDWICH TERN

The RoI **breeding** population of Sandwich terns is estimated to be 2,464 pairs, across 12 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Tern species were not recorded during the Hi-Def survey (Hi-Def, 2019).

Recorded sightings for sandwich tern (green) from ObSERVE I surveys show that no sightings of sandwich tern were recorded within the Rosslare Europort Area of Legal Interest (see Figure 7-22 and Figure 7-23), though the seasonal 25% utilization distribution for summer does overlap with the area, despite the lack of recorded sightings in this area (Figure 7-21).

Sandwich terns were recorded during all summer months (May – August 2022 and March – April 2023) by APEM on surveys within the Rosslare Europort Area of Legal Interest study area, with a peak count of 26 individuals in July 2022. Sandwich terns do not breed within the Site.

7.1.2.3 LITTLE TERN

Globally, the Little Tern is categorised as a species of Least Concern on the IUCN Red List due to its large breeding range (IUCN 2022), although incomplete monitoring has resulted in uncertainty regarding the accuracy of population estimates. Due to its small foraging range (usually less than 5km

from breeding sites), Little Tern colonies are invariably located close to shallow sandy waters, tidal inlets or estuaries, where they can easily locate the small fish and invertebrates that predominate in their diets (Burnell, *et al*., 2023).

The RoI **breeding** population is estimated to be 335 pairs, across 18 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

In the maps produced from the ObSERVE II surveys, all terns were identified as 'tern species' as identification to species-level was not possible.

Tern species were not recorded during the Hi-Def survey (Hi-Def, 2019).

The seasonal 25% utilization distributions for little tern (yellow) and their recorded sightings in summer, autumn, and winter survey periods in the Irish Sea from ObSERVE I surveys show that no sightings of little terns were recorded within the Rosslare Europort Area of Legal Interest (Figure 7-21). The recorded sightings in summer and autumn show some records of little tern close to the Rosslare Europort Area of Legal Interest (see Figure 7-22 and Figure 7-23) although the 25% utilization distribution of little tern is not close to the Rosslare Europort Area of Legal Interest.

There were no sightings of little tern within the Rosslare Europort Area of Legal Interest study area during the APEM surveys conducted monthly between 2022 and 2024.

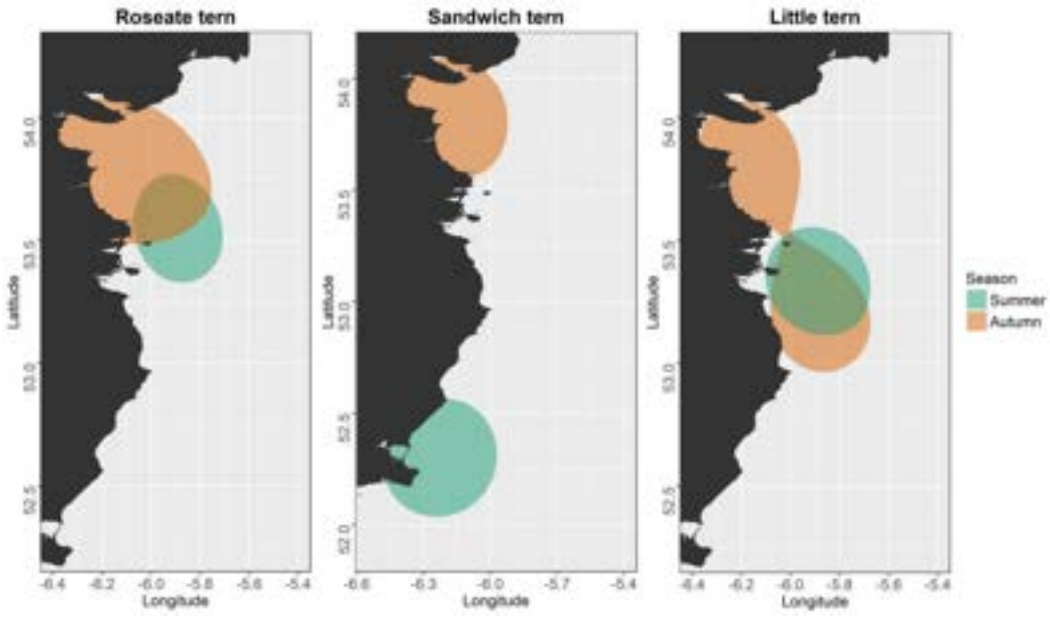

Figure 7-21 Seasonal 25% utilization distributions for roseate (left), sandwich (middle) and little terns (right) in the Irish Sea. Note difference in extent of base map for sandwich terns (Jessopp, *et al.,* 2018).

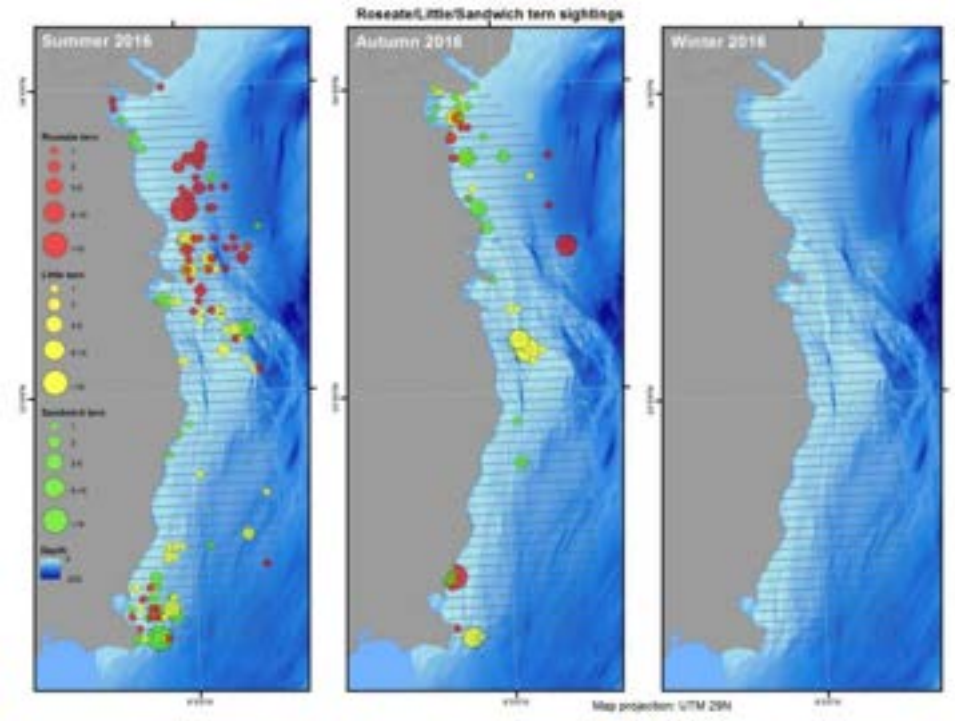

Figure 7-22 Sightings of roseate (red circles), little (yellow circles) and sandwich terns (green circles) in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

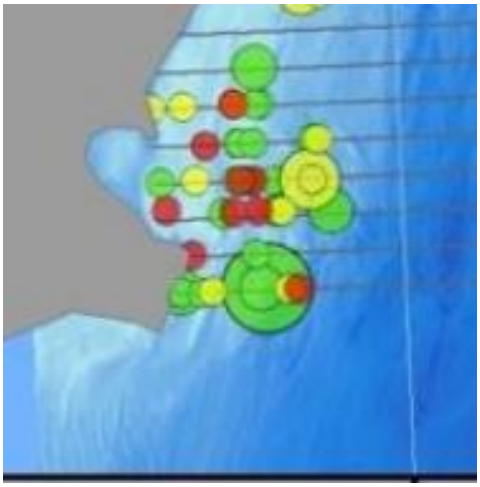

Figure 7-23 A close up of roseate (red circles), little (yellow circles) and sandwich tern (green circles) sightings during summer 2016 (Jessop, *et al*., 2018)

7.1.2.4 ARCTIC TERN

Arctic terns breed at colonies on both the west and east coasts of Ireland. The RoI **breeding** population is estimated to be 2,708 pairs, across 57 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

In the maps produced from the ObSERVE II surveys, all terns were identified as 'tern species' as identification to species-level was not possible.

Tern species were not recorded during the Hi-Def surveys (Hi-Def, 2019).

In the ObSERVE I surveys (Jessopp, *et al*. 2018), Arctic and Common tern could not be identified to individual species level from the aerial surveys and were combined into a single group. The seasonal 25% utilization distributions for arctic/common tern (Figure 7-24) and the recorded sightings in summer, autumn, and winter survey periods (Figure 7-25) in the Irish Sea show no records of arctic/common tern within the Rosslare Europort Area of Legal Interest, while the 25% utilization distribution of arctic/common tern does not overlap with the Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area recorded Arctic terns in May and July 2022, with a peak count of two individuals in July. In addition, common/Arctic terns were also recorded between May and August 2022. No observations were made of confirmed arctic tern in the 2023/24 survey period, with three and five records of 'common/Arctic terns' recorded in July and August 2023 respectively.

7.1.2.5 COMMON TERN

Common terns are widely distributed in Ireland with the main colonies on the east coast of the country Foraging usually takes place within 10km of the breeding colony in shallow saline, brackish or freshwater for fish, crustaceans, insects and occasionally squid and marine worms (Burnell *et al*., 2023). Post-breeding, Common Terns disperse to moult before migrating south (Burnell *et al.,* 2023).

The RoI **breeding** population is estimated to be 4,728 pairs, across 59 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

In the maps produced from the ObSERVE II surveys, all terns were identified as 'tern species' as identification to species-level was not possible.

Tern species were not recorded during the Hi-Def surveys (Hi-Def, 2019).

On the ObSERVE I surveys (Jessopp, *et al*. 2018), Arctic and common tern could not be identified to individual species level and were combined into a single group. No records of arctic/common tern were documented within the Rosslare Europort Area of Legal Interest (Figure 7-25) nor do the 25% utilization distribution (Figure 7-24) of arctic/common terns overlap with the Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded Common Tern, with a peak count of 23 individuals during May 2022. Unidentified common or Arctic terns ('common/Arctic terns'), were also recorded. All common and ('common/Arctic terns') tern records were observed foraging beyond 500 m offshore.

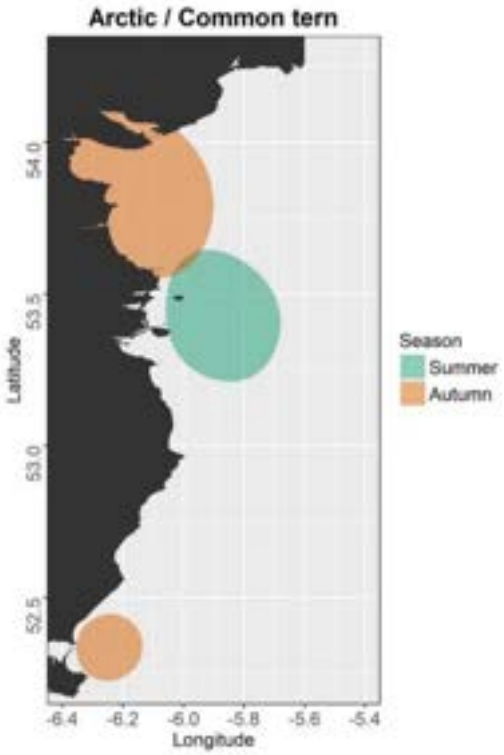

Figure 7-24 Seasonal 25% utilization distributions for Arctic/common terns in the Irish Sea (Jessopp, *et al.*, 2018).

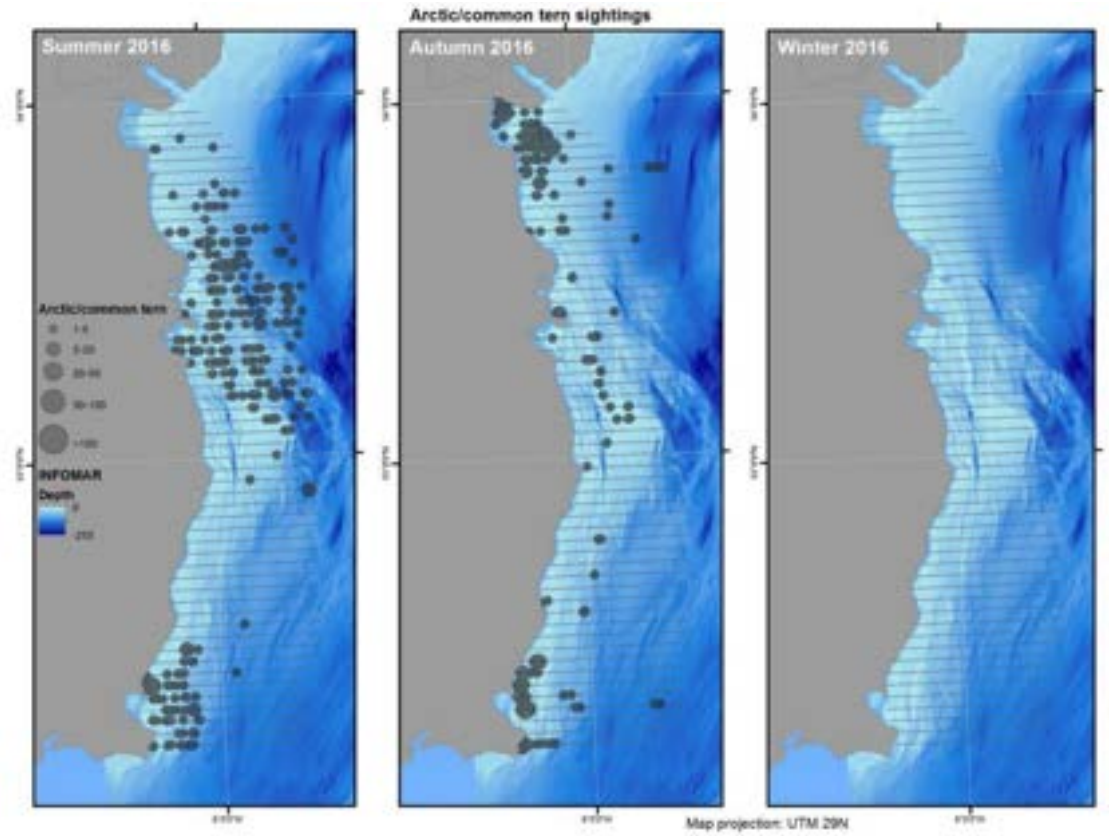

Figure 7-25. Sightings of Arctic/common terns in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.3 AUKS

7.1.3.1 COMMON GUILLEMOT

Guillemots are one of the most widely distributed and abundant seabirds in the northern temperate and Arctic zones (Burnell *et al.,* 2023, and references therein). Guillemots are colonial breeders, where pairs nest along the coastlines, often at very high densities, where their preferred nesting habitats are ledges on sea cliffs, although they are also found in boulder scree and in a variety of habitats on rocky islands (Burnell *et al*., 2023). Pairs do not build nests, instead they will defend nesting sites.

The RoI **breeding** population is estimated to be 178,090 individuals, across 63 occupied sites, recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Auks were not identified to species level on ObSERVE II surveys, with auk species assumed to include razorbills, common guillemot, puffins and/or black guillemots. Auk species were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme – see Figure 7-30. The summer distribution of foraging auk species shows that higher numbers of these species are found seaward of the Wexford coast, highlighting that the area immediately around the Rosslare Europort Area of Legal Interest is not a key area for auk species such as guillemot.

Guillemot was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-27). The distribution of foraging guillemots from this dataset shows that higher numbers of this species are found further seaward of the Wexford coast, highlighting that the area immediately around the Rosslare Europort Area of Legal Interest is not a key area for guillemot. Guillemot density maps from the Hi-Def report are shown in Figure 7-26.

On ObSERVE I surveys (Jessopp, *et* al. 2018), razorbills and guillemots were combined into a single species group, as individuals could not be identified on surveys. Seasonal 10%, 25% and 50% utilization distributions for razorbill/ guillemot (Figure 7-31) and the recorded sightings in summer, autumn, and winter survey periods (Figure 7-32) in the Irish sea show no records of razorbill/ guillemot within the Rosslare Europort Area of Legal Interest and that the utilization distribution of razorbills and guillemots did not overlap with the Rosslare Europort Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded guillemots in low numbers between February and September, , with a peak count of 15 birds in September 2022.

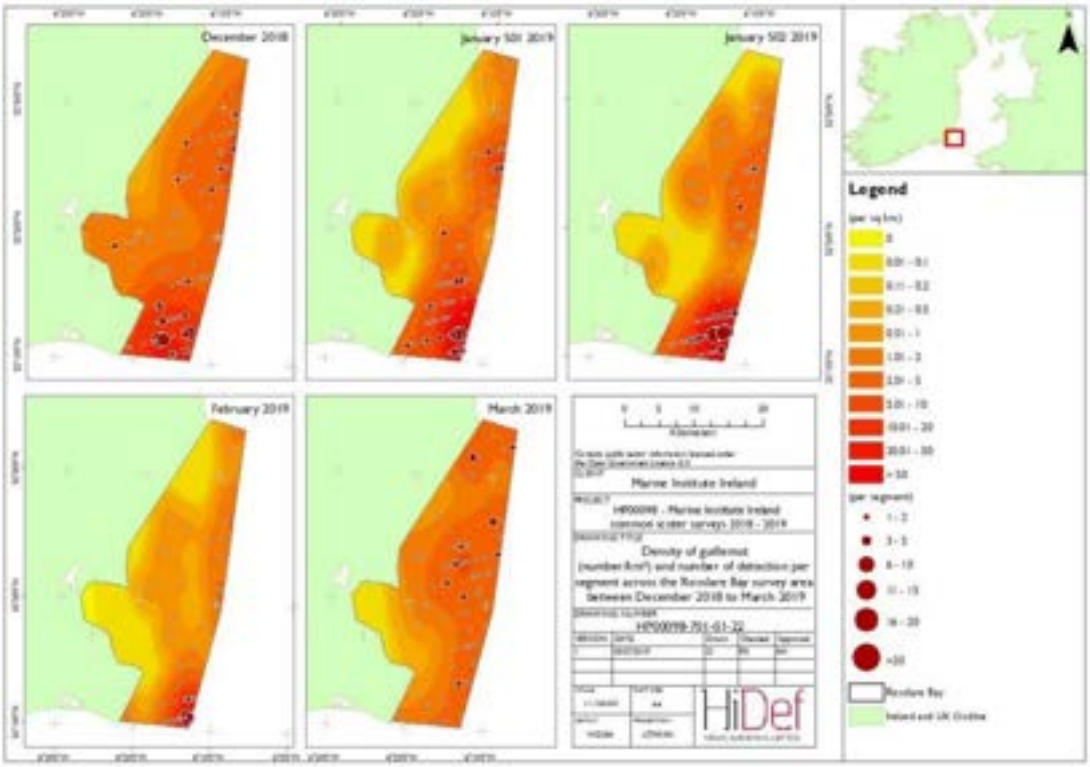

Figure 7-26 Density of guillemots (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

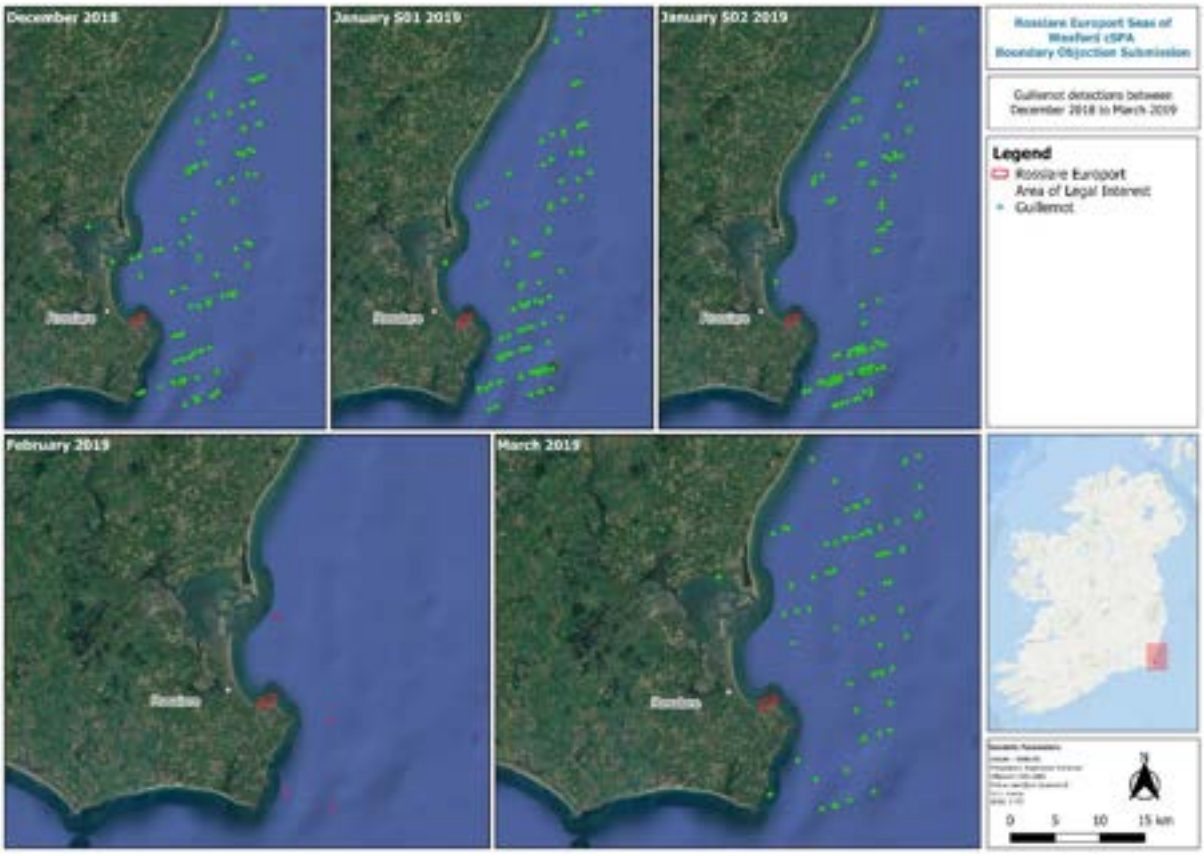

Figure 7-27 Distribution of guillemots from the data provided by Hi-Def (2019) report.

7.1.3.2 RAZORBILL

Razorbills nest on boulder beaches and on ledges and crevices on coastal cliffs, often mixed in with guillemots.

The RoI **breeding** population is estimated to be 32,904 individuals, across 73 occupied sites, recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

As outlined above, auk species were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey programme (Figure 7-30).

Razorbill was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-29).

On the ObSERVE I surveys (Jessopp, *et* al. 2018), the seasonal 10%, 25% and 50% utilization distributions for razorbill/ guillemot (Figure 7-26) and the recorded sightings in summer, autumn, and winter (Figure 7-27) survey periods in the Irish sea are show no records of razorbill/ guillemot within the Rosslare Europort Area of Legal Interest and that the utilization distribution of razorbills and guillemots did not overlap with the Rosslare Europort Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded low numbers of razorbills, with a peak count of four individuals during September 2023

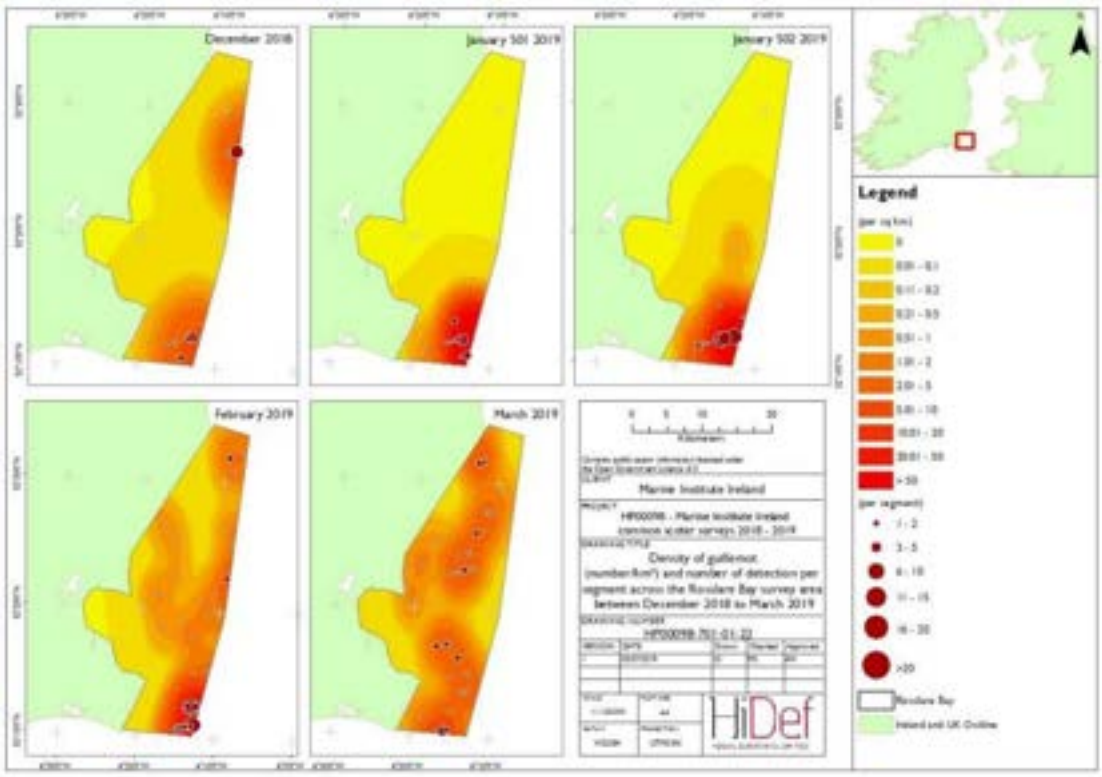

Figure 7-28 Density of razorbills (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

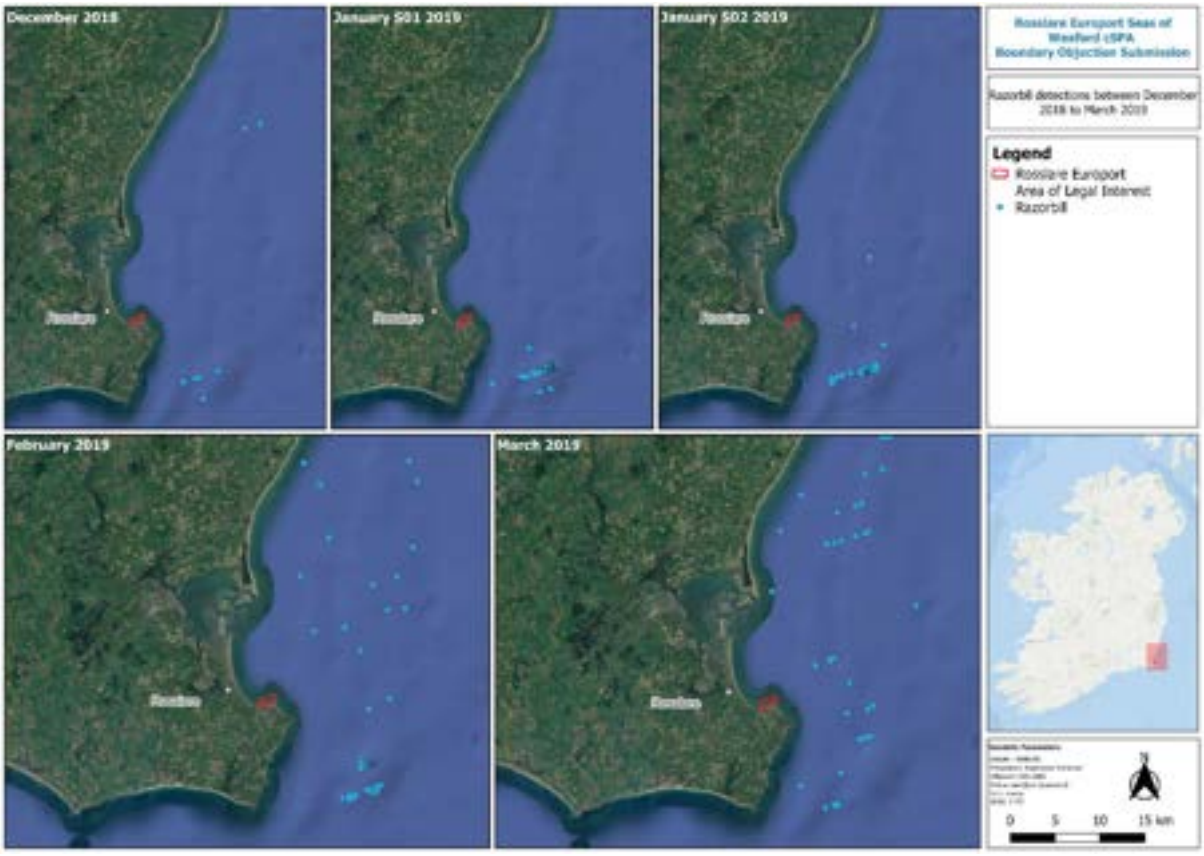

Figure 7-29 Distribution of razorbill from the data provided by Hi-Def (2019) report.

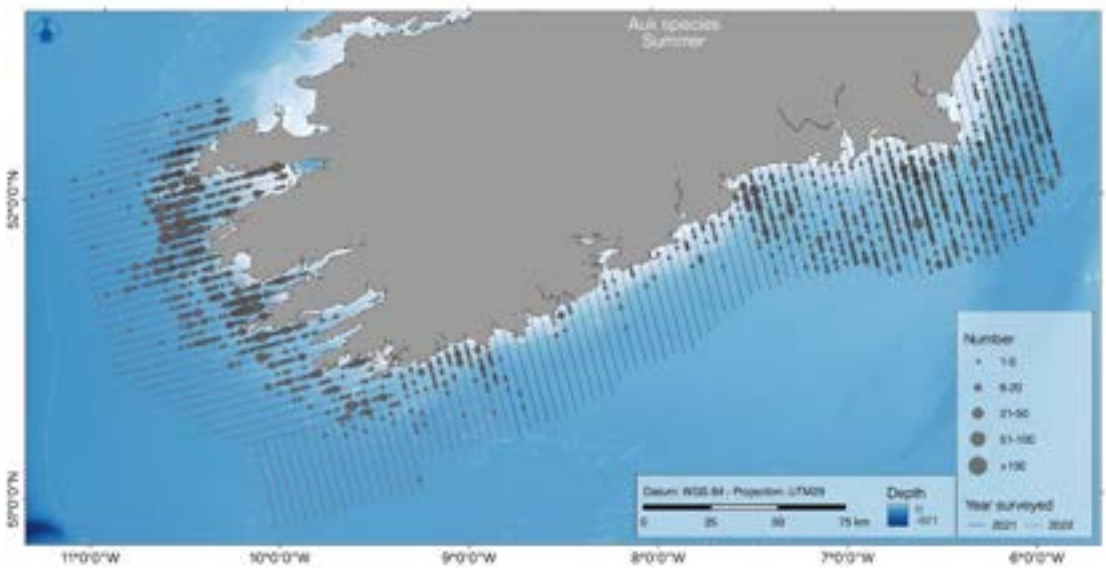

Figure 7-30 ObSERVE II map presenting data of Auk species sightings (Giralt Paradell, *et al.*, 2023).

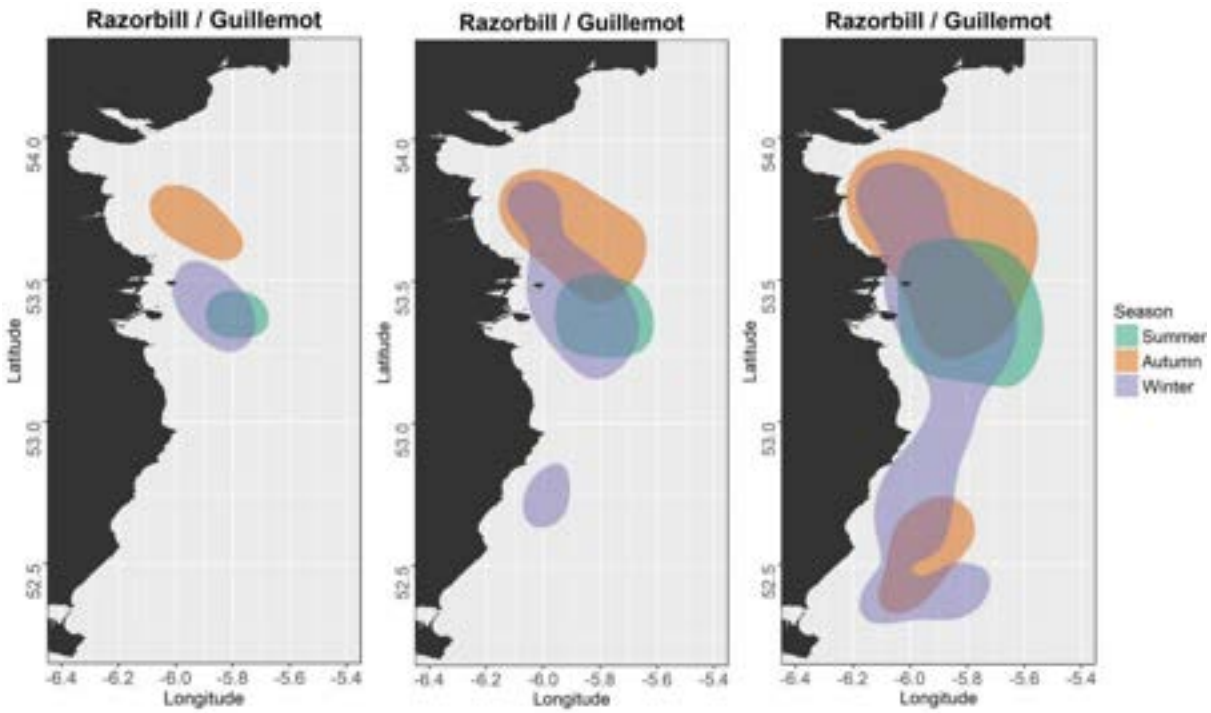

Figure 7-31 Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for razorbills/guillemots in the Irish Sea (Jessopp, *et al.,* 2018).

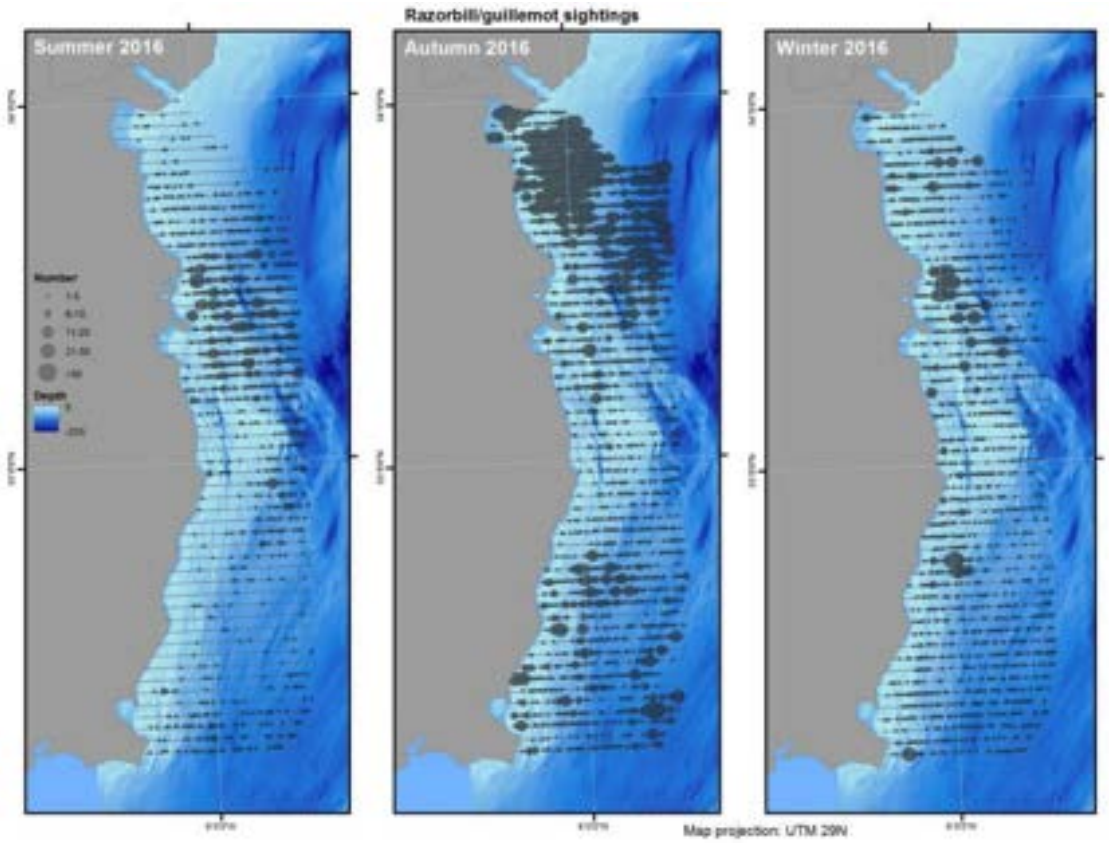

Figure 7-32 Sightings of razorbill/common guillemot in summer, autumn, and winter survey periods in the Irish (Jessopp, *et al.,* 2018).

7.1.3.3 ATLANTIC PUFFIN

The puffin is a burrow-nester (where pairs often use the same burrow year after year) that does not respond to play-back calls and is therefore one of the most difficult seabird species to obtain accurate population estimates for (Burnell *et al*., 2023).

The RoI **breeding** population is estimated to be 14,232 pairs, across 16 occupied sites, based on Apparently Occupied Burrows (AOB) recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Auk species (including puffins) were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey programme (Figure 7-30).

As outlined above, auk species were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 7-32). Bennison *et al.* (2019) reported that no tracked puffins from the Saltee Islands SPA were recorded in the Rosslare Europort Area of Legal Interest (see Figure 6-1), nor were puffins recorded in the Rosslare Europort Area of Legal Interest by the 2019 HiDef surveys (see Figure 7-33).

The ObSERVE I seasonal 25% utilization distributions for puffin (Jessopp *et al.,* 2018) show no overlap with the Rosslare Europort Legal Area of Interest (Figure 7-34) and the recorded sightings in summer,

autumn, and winter survey periods (Figure 7-35) in the Irish sea show no records of puffin within the Rosslare Europort Area of Legal Interest.

No puffins were recorded on dedicated surveys within the Rosslare Europort Area of Legal Interest study area by APEM from 2022 to 2024.

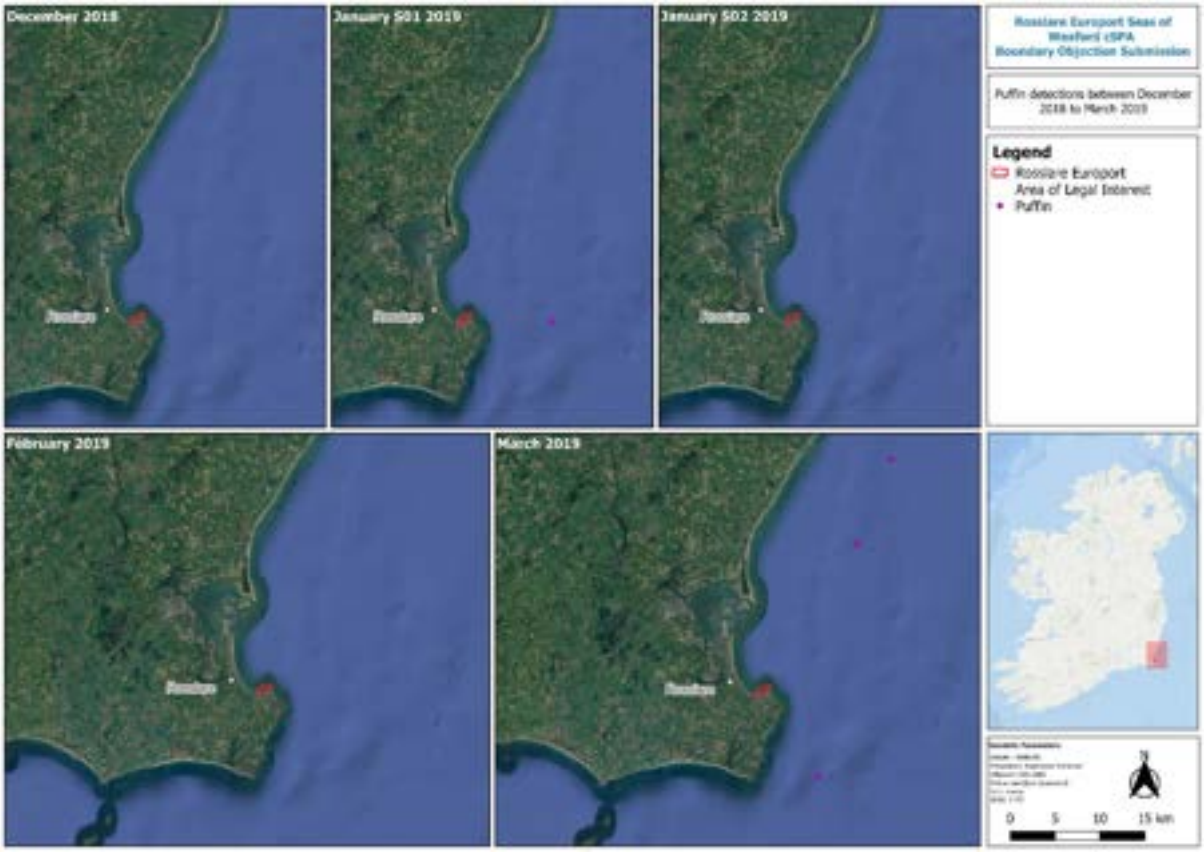

Figure 7-33 Distribution of puffins from the data provided by Hi-Def (2019) report.

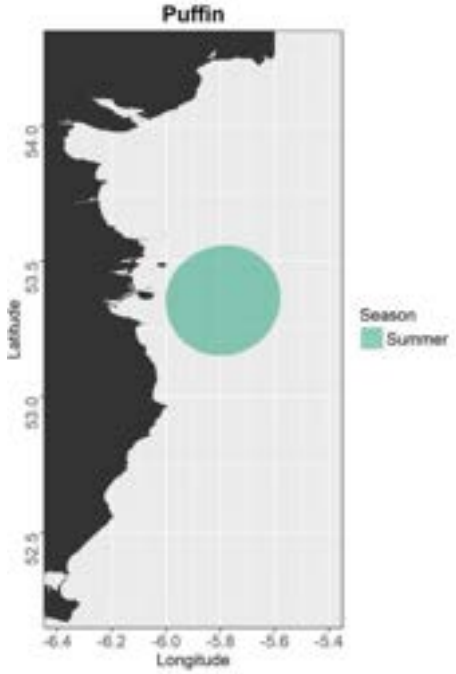

Figure 7-34 Seasonal 25% utilization distributions for Atlantic puffin in the Irish Sea, highlighting the importance of more offshore waters east of Dublin Bay and Dalkey (Jessopp, *et al.*, 2018).

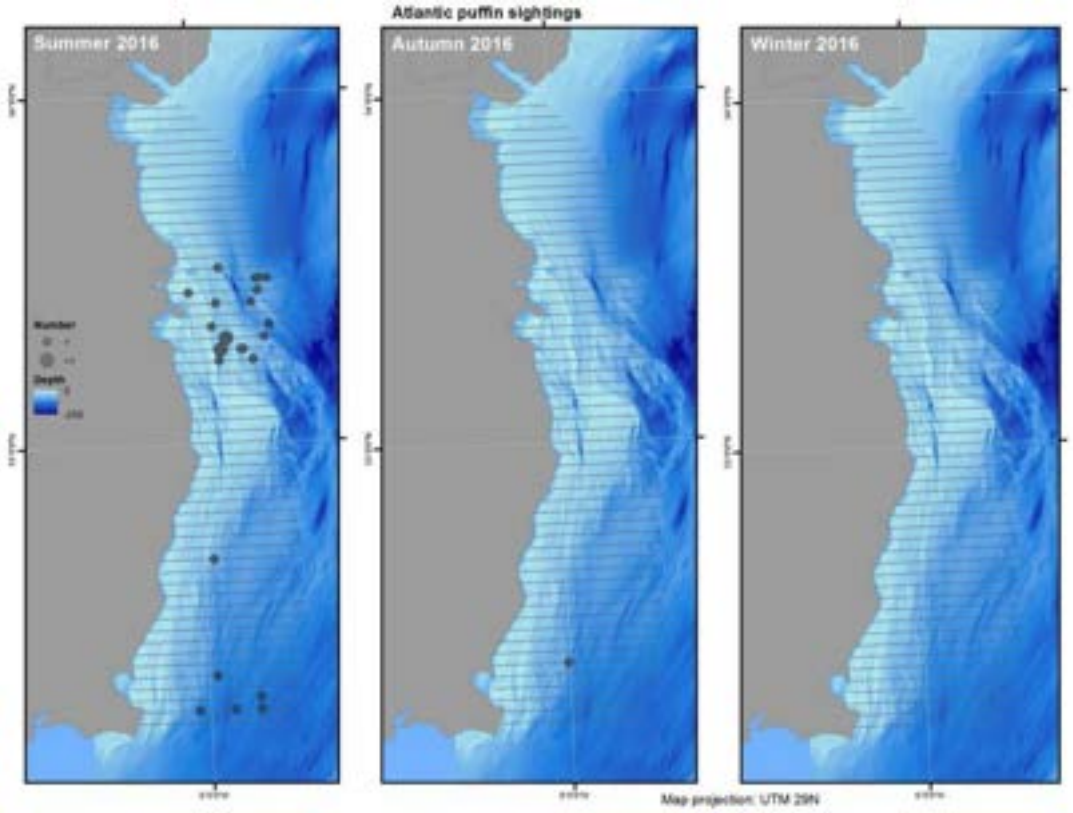

Figure 7-35 Sightings of Atlantic puffin in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.*, 2018).

7.1.4 DIVERS AND SEADUCKS

7.1.4.1 RED-THROATED DIVER (*GAVIA STELLATA*)

In the non-breeding season, red-throated divers are widespread off Irish coasts, with birds from Scandinavia, Iceland and Scotland moving into Irish waters. Largest numbers are recorded off the south-west coast of Ireland in winter months (Balmer *et al.,* 2013). There is a small breeding population of red-throated divers in County Donegal, with a maximum estimate of nine pairs in 2018 (Burke *et al.,* 2020).

The ObSERVE II surveys did not record any sightings of red-throated diver.

Red-throated diver was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-37). The distribution of red-throated diver from this dataset indicates that higher numbers of this species are found further off the Wexford coast, and north of Rosslare Europort, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for red-throated diver. Red-throated diver density maps from the Hi-Def report are shown in Figure 7-36.

In the ObSERVE Phase 1 aerial surveys (Jessopp, *et al*., 2018), no records of divers were documented within the Rosslare Europort Area of Legal Interest (Figure 7-39) nor did the 10% or 25% utilization distribution (Figure 7-38) of diver species overlap with the Rosslare Europort Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded red-throated divers between September and March, with a peak count of six individuals in January. All records were on the sea, between 250m and 350m from the shoreline (i.e. no sightings were within the Rosslare Europort Area of Legal Interest).

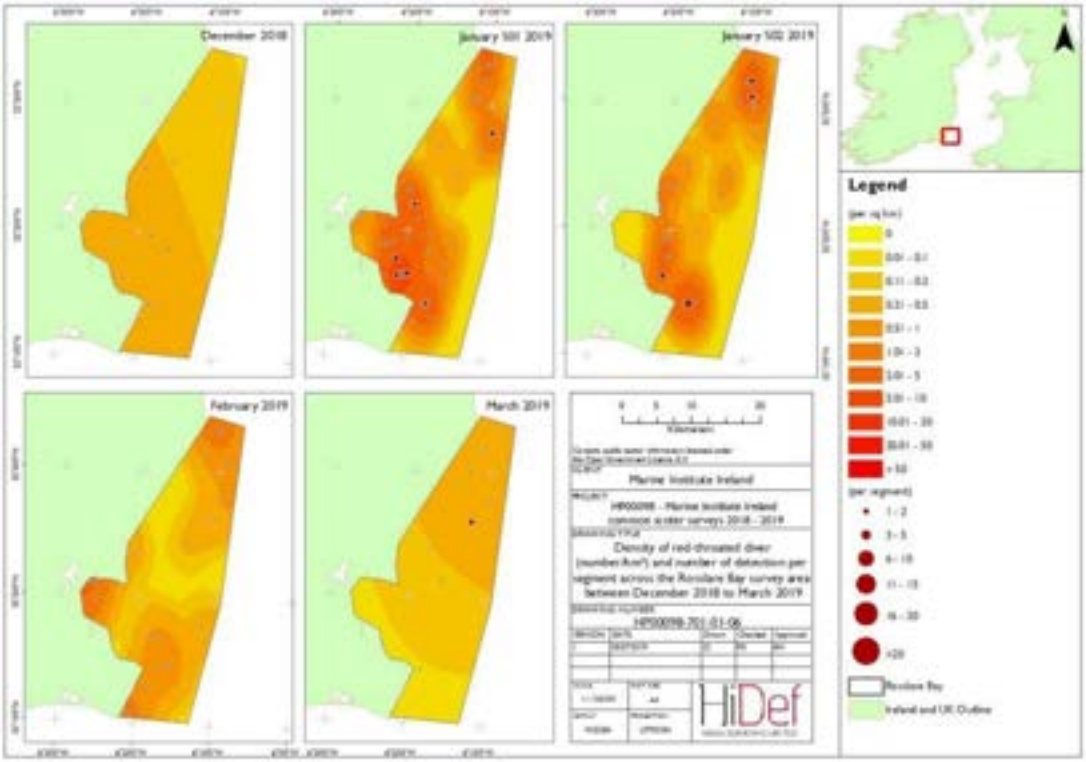

Figure 7-36 Density of red-throated divers (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

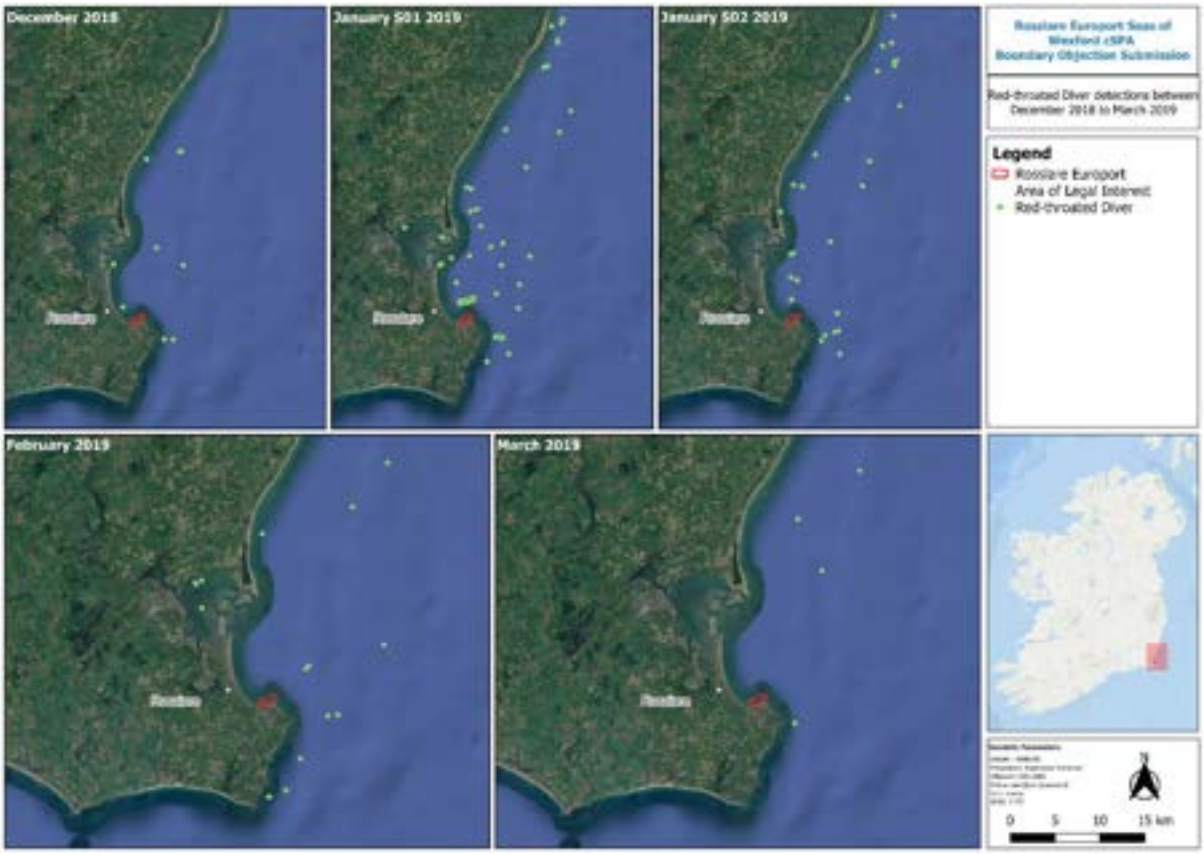

Figure 7-37 Distribution of red-throated diver from the data provided by Hi-Def (2019) report.

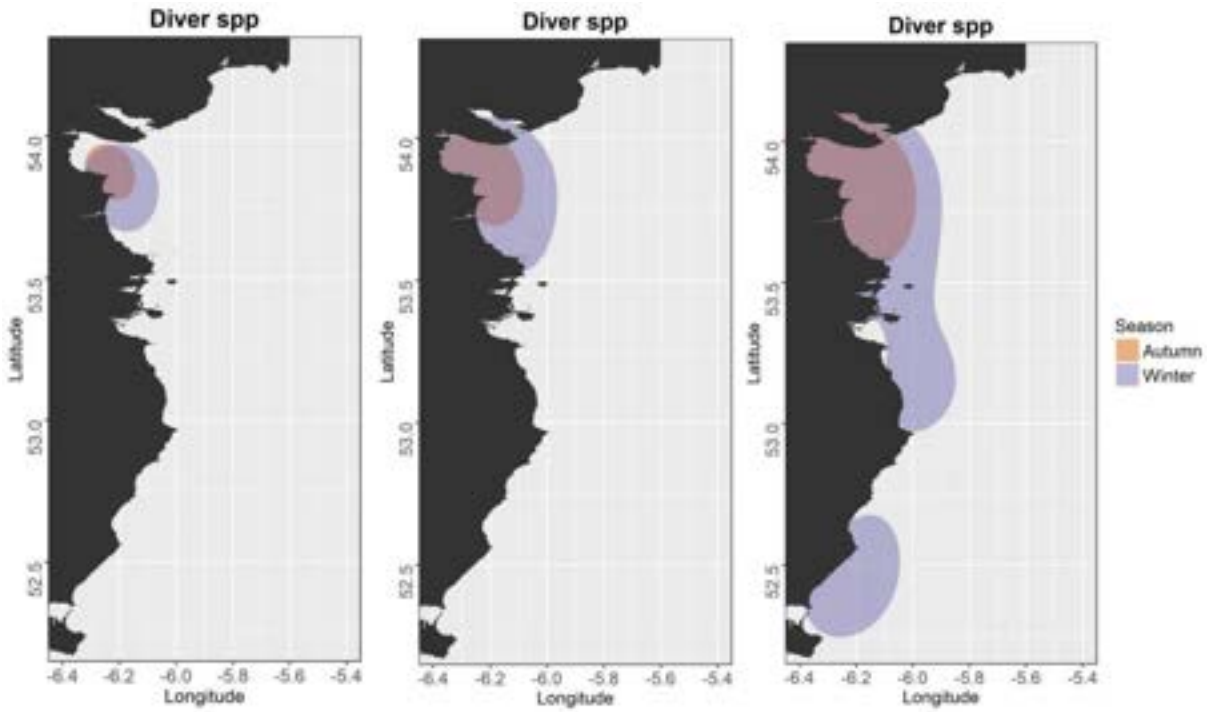

Figure 7-38 Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for diver species in the Irish Sea (Jessopp, *et al*., 2018).

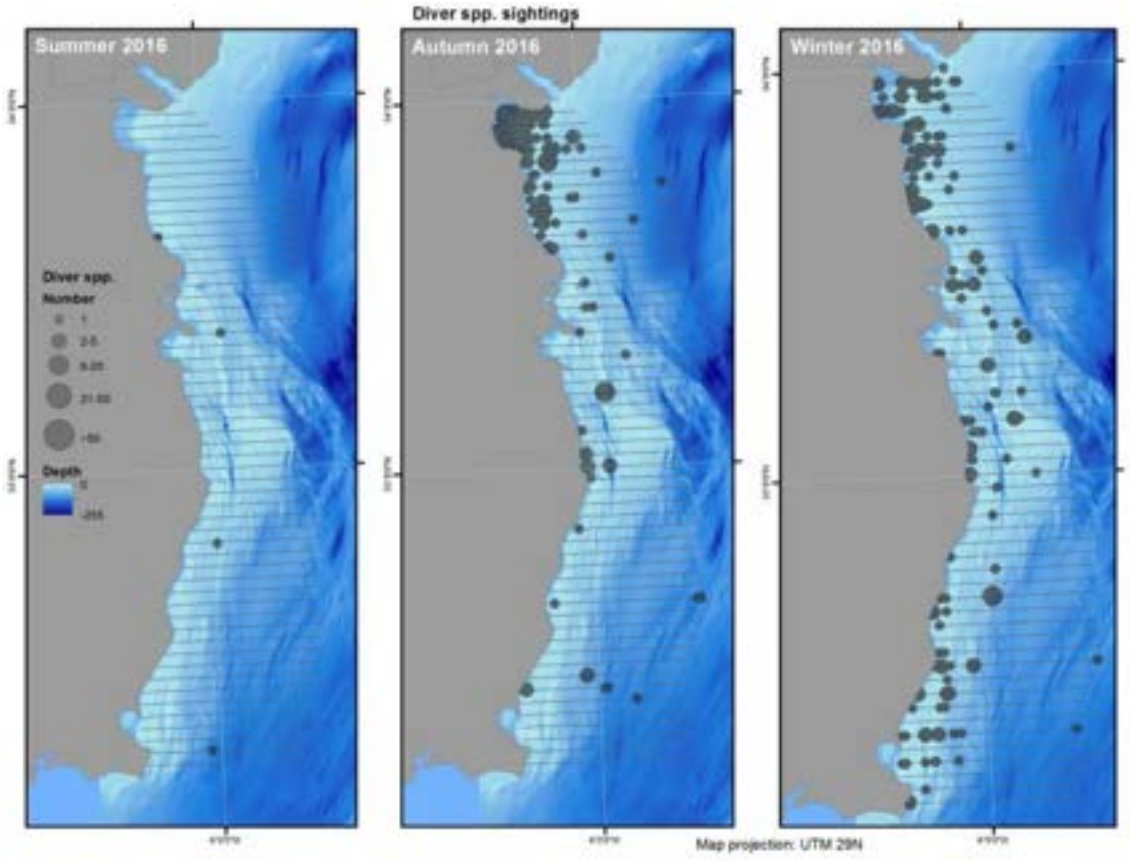

Figure 7-39 Sightings of unidentified diver species in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.*, 2018).

7.1.4.2 COMMON SCOTER

Common scoter are a species of seaduck that typically winter on shallow inshore waters less than 20 m deep and generally between ca. 500 m and two km from shore (Birdlife International, 2020). The small and declining Irish breeding population is restricted to a few loughs in the northwest of Ireland and was estimated to be 39 pairs in 2012 (Hunt *et al.*, 2012).

No sightings of Common Scoter were recorded by the ObSERVE II survey.

Common scoters were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-41). The distribution of common scoter from this dataset shows that higher numbers of this species are found further off the Wexford coast, and north of Rosslare Europort, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for common scoter. Common scoter density maps from the Hi-Def report are shown in Figure 7-40.

During the ObSERVE Phase 1 survey (Jessopp, *et al.,* 2018), there were 72 sightings of common scoter in the western Irish Sea, representing 1,183 individuals and 15 sightings of velvet scoter (*Melanitta fusca*), representing 39 individuals. A further 10 sightings, representing 56 individuals, were not

identified to species level. Sightings were limited to the autumn and winter surveys, with no sightings occurring in summer (Figure 7-43). In autumn, all sightings occurred very close to the coast, with a predominance of common scoters occurring in the northernmost transects, particularly around Dundalk Bay where close aggregations occurred. Given the similar distribution of common and velvet scoter sightings in shallow nearshore coastal waters, sightings of all scoter species were combined to identify overall utilization distributions (Jessopp, *et al.,* 2018) – see Figure 7-42. No records of scoter species were documented within the Rosslare Europort Area of Legal Interest nor do the utilization distributions of scoter species overlap with the Area of Legal Interest.

Common Scoter was recorded on all APEM surveys of the Rosslare Europort Area of Legal Interest study area between August 2022 and March 2023, inclusive. A peak count of 53 individuals was recorded during October 2022. During Winter transect survey visits, 19 common scoters were present, approximately 300m from the shore during the December survey. Common scoters were also recorded in the VP surveys undertaken in November 2023, December 2023, and February 2024. A peak count of 19 individuals occurred in February 2024. All records of common scoter were observed beyond 1 km of the shoreline.

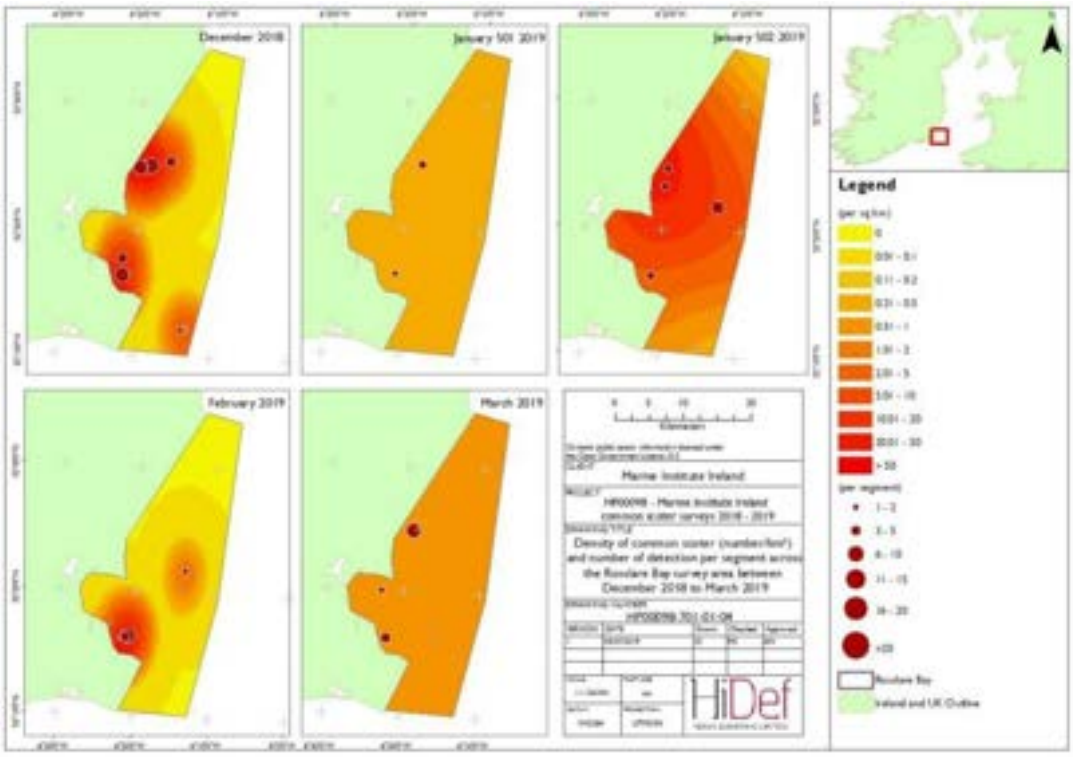

Figure 7-40 Density of common scoters (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

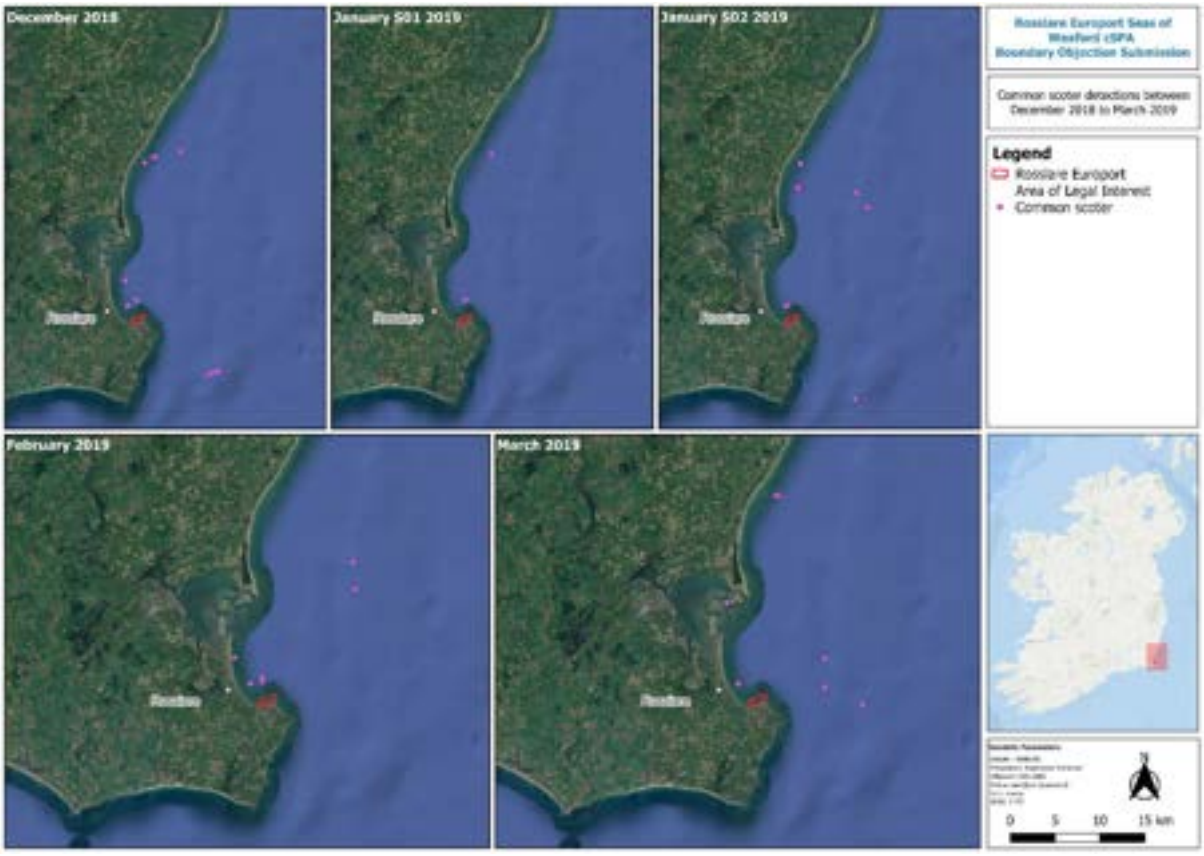

Figure 7-41 Maps produced by GDG showing distribution of common scoter from the data provided by Hi-Def (2019) report.

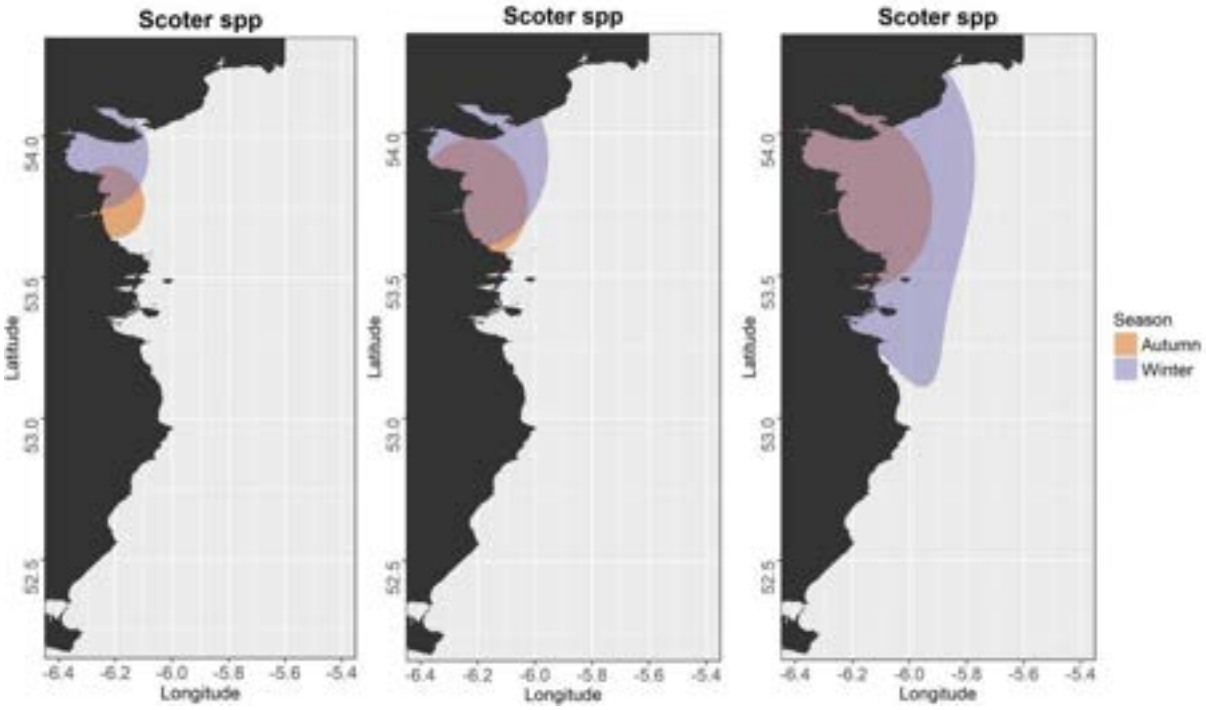

Figure 7-42 . Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for scoter species (common, velvet and unidentified scoter species combined) in the Irish Sea (Jessopp, *et al.*, 2018).

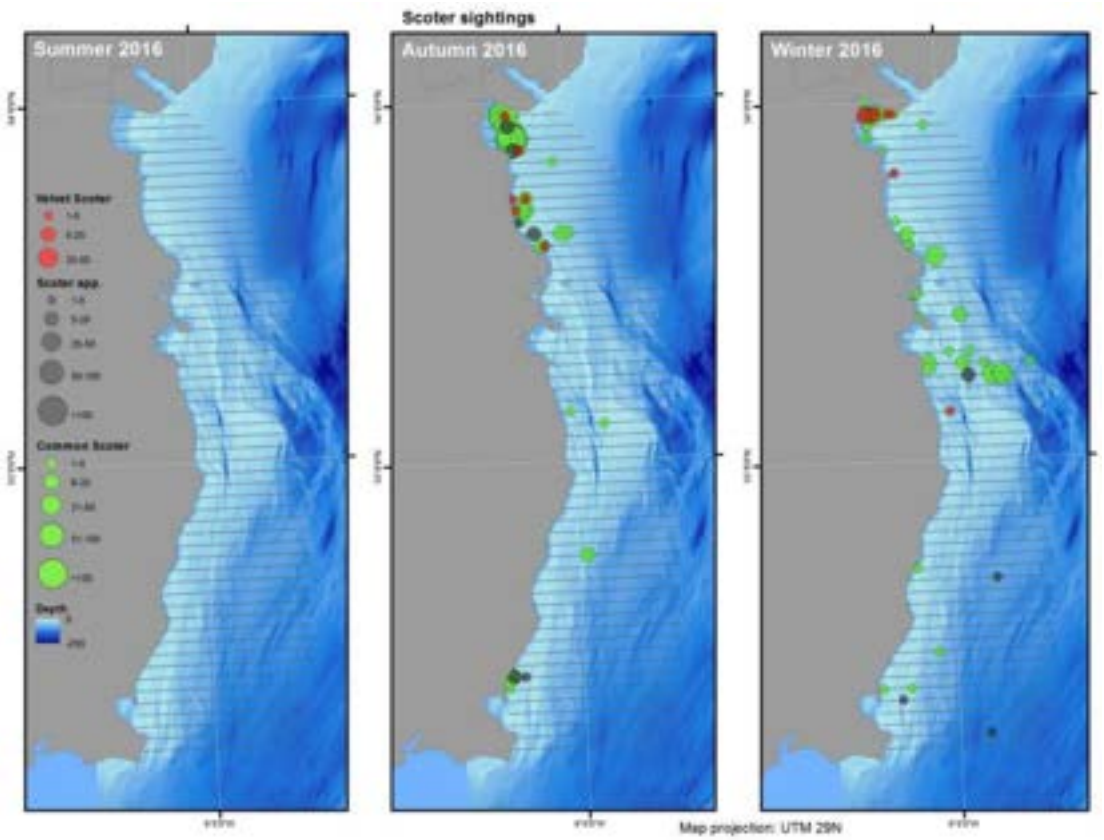

Figure 7-43 Sightings of common (green circles), velvet (red circles) and unidentified (grey circles) scoters in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.5 MANX SHEARWATER, GANNET AND FULMAR

7.1.5.1 MANX SHEARWATER

Manx shearwaters nest in burrows or under rocks on islands in the north Atlantic, where they fly to their colonies under cover of darkness to evade aerial predators (Burnell *et al.,* 2023). Most of their colonies are found on the Irish Sea and Atlantic coasts of Britain and Ireland. Their very efficient 'shearing' flight allows breeding adults to exploit food resources relatively close to colonies to feed their chicks, where more distant foraging sites are used to sustain themselves (Burnell *et al*., 2023). Since the 1970s, breeding distributions in Britain and Ireland appear to have remained relatively stable (Burnell *et al*., 2023). Kerry in the south-west of Ireland holds a notable breeding population.

The RoI **breeding** population is estimated to be 134,220 pairs, across 20 occupied sites, based on Apparently Occupied Sites (AOS) recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Manx Shearwater was not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 7-44).

Manx Shearwater was not recorded during the Hi-Def (2019) aerial surveys.

During the ObSERVE Phase 1 surveys (Jessopp, *et al.,* 2018), no records of Manx shearwater were documented within the Rosslare Europort Area of Legal Interest (Figure 7-46) nor does the 25% utilization distribution (Figure 7-45) of Manx shearwater overlap with the Area of Legal Interest.

Manx shearwaters were recorded during APEM surveys within the Rosslare Europort Area of Legal Interest study area on three occasions (June and July 2022, with a peak count of 25 individuals in July 2022, and August 2023). All Manx shearwaters were recorded beyond 1 km of the shoreline, with none recorded within the Rosslare Europort Area of Legal Interest.

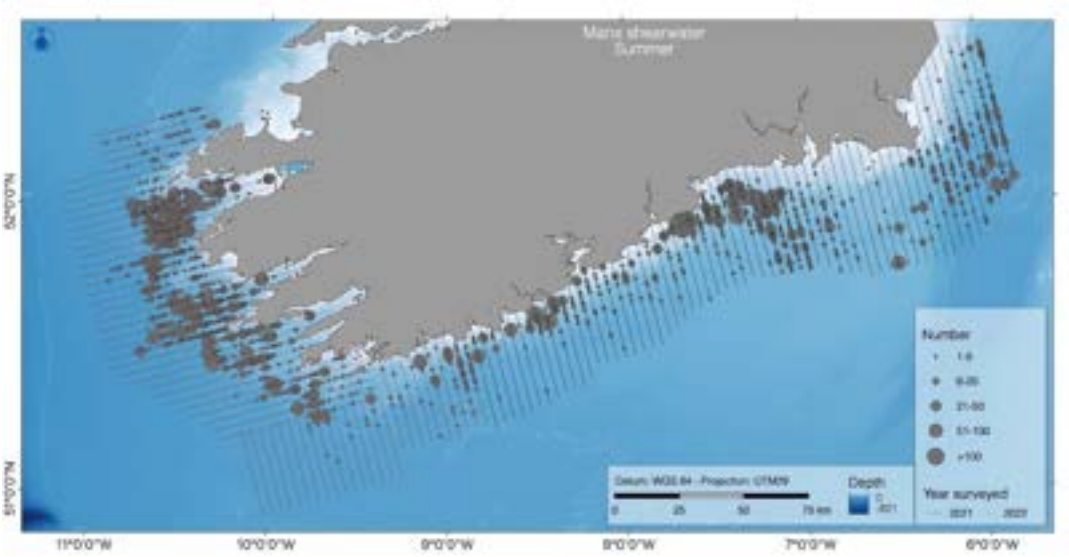

Figure 7-44 ObSERVE II map presenting data of Manx Shearwater sightings (Giralt Paradell, *et al*., 2023).

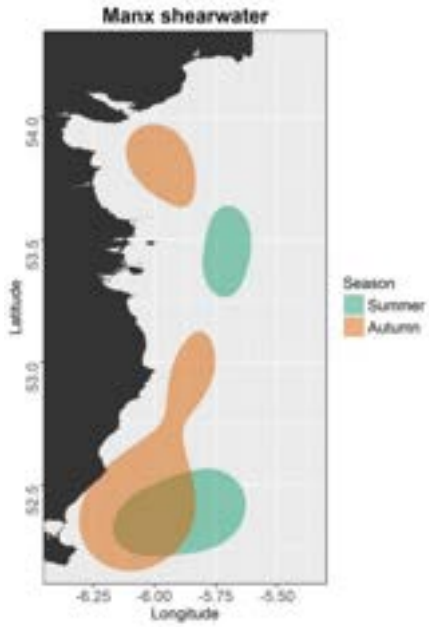

Figure 7-45 Seasonal 25% utilization distributions for Manx shearwater in the Irish Sea showing important areas in the north and south of the survey area across seasons (Jessopp, *et al.,* 2018).

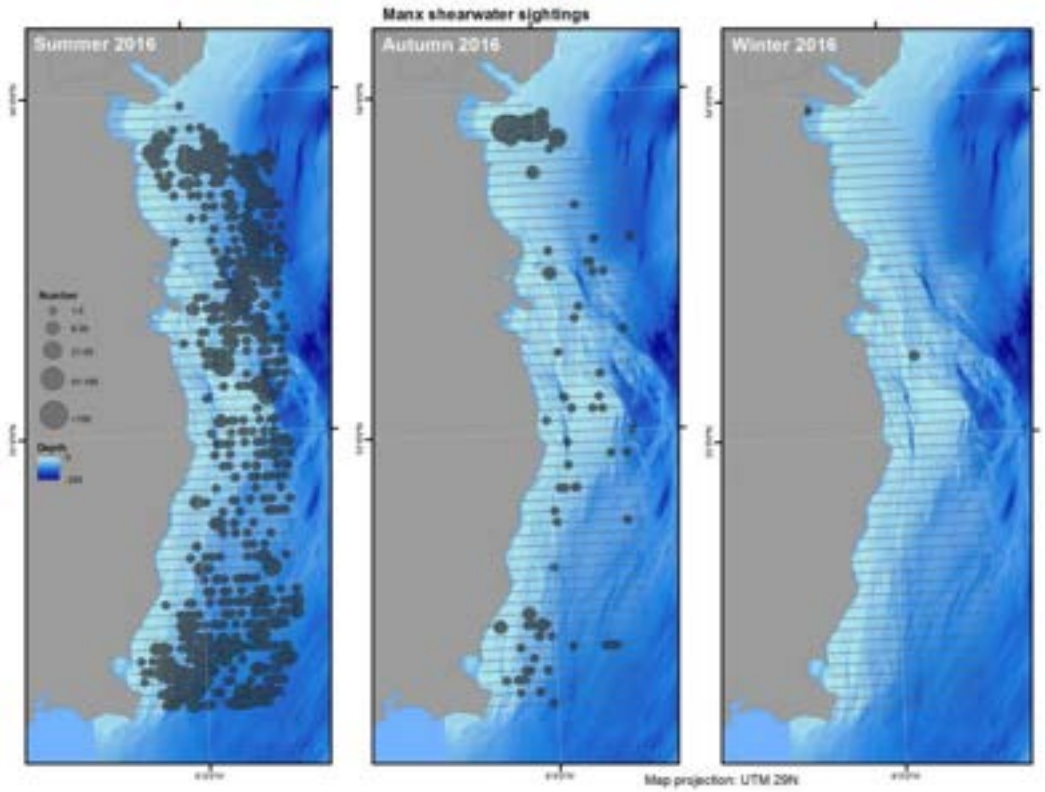

Figure 7-46 Sightings of Manx shearwaters in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.5.2 NORTHERN GANNET

Gannets are highly colonial, and most colonies are on offshore islands. Breeding gannets have colony-specific foraging areas determined by density-dependent competition, with birds from the largest colonies having foraging ranges of over 500km (Burnell *et al.,* 2023).

The RoI **breeding** population is estimated to be 48,032 pairs as an overall total, across six occupied sites, based on Apparently Occupied Sites (AOS) / Apparently Occupied Nests (AON) recorded during the Gannet census (2012-14) and the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Gannets were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 7-47). The summer distribution of gannets shows that higher numbers of this species are found further off the Wexford coast and the southwest coast with high densities recorded, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for gannet.

Gannet density maps from the Hi-Def report are shown in Figure 7-48. Gannets were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-49).

During the ObSERVE Phase 1 surveys (Jessopp, *et al.,* 2018), no records of gannet were documented within the Rosslare Europort Area of Legal Interest nor did the 25% utilization distribution of gannet overlap with the Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded low numbers of gannets, with a peak count of eight birds in July 2022. All gannets were recorded foraging beyond 1 km of the shoreline and were not recorded within the Rosslare Europort Area of Legal Interest.

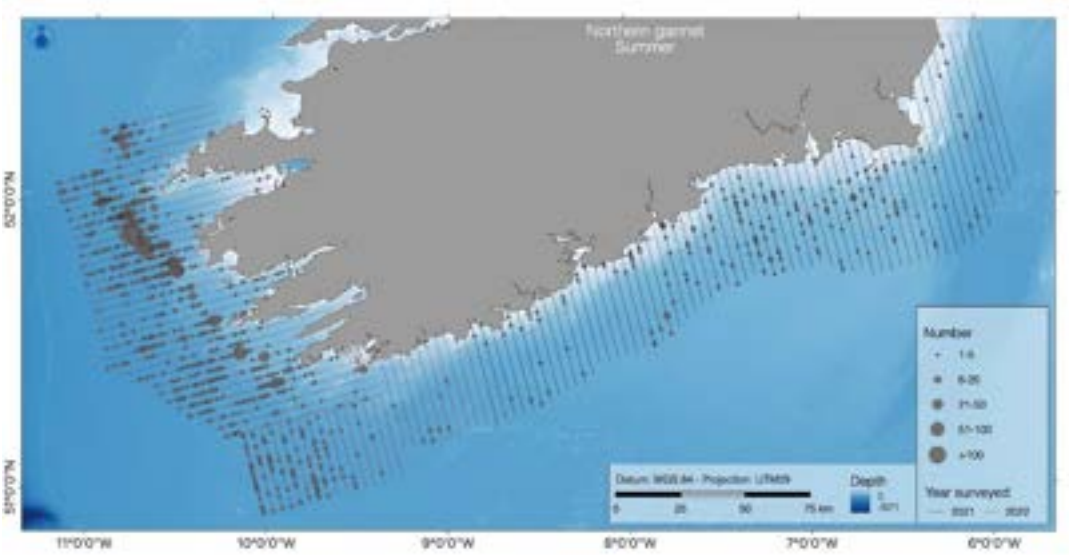

Figure 7-47 ObSERVE II map presenting data of Northern Gannet sightings (Giralt Paradell, *et al*., 2023).

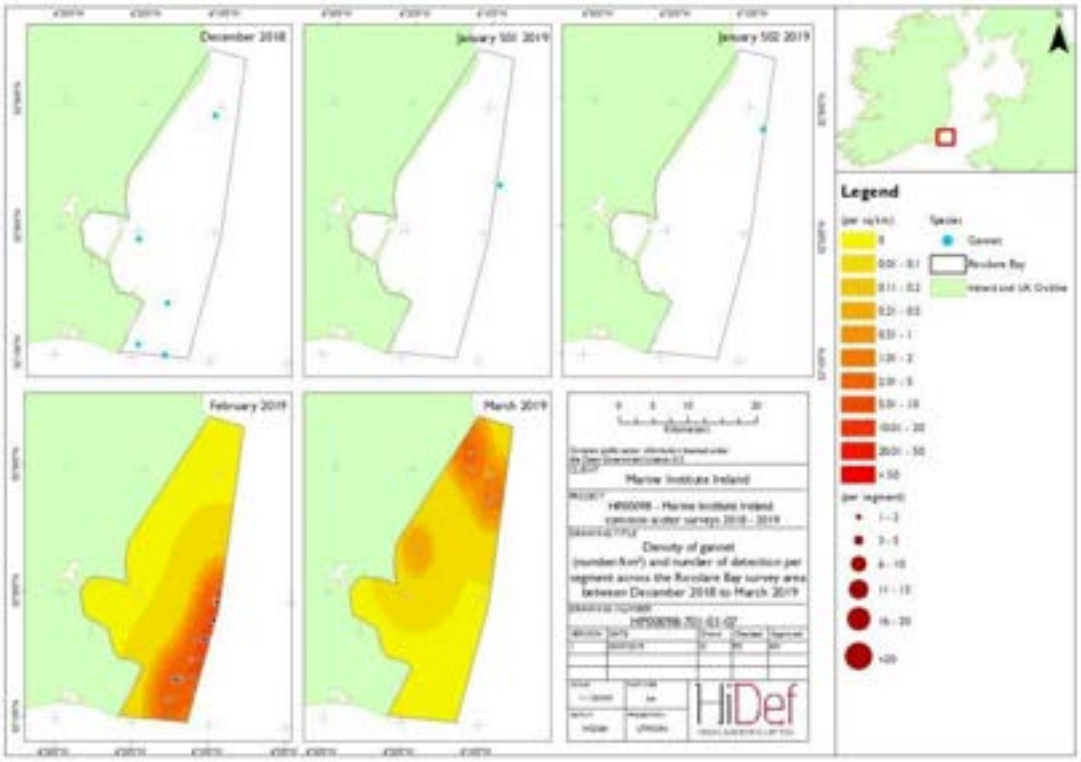

Figure 7-48 Density of gannets (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

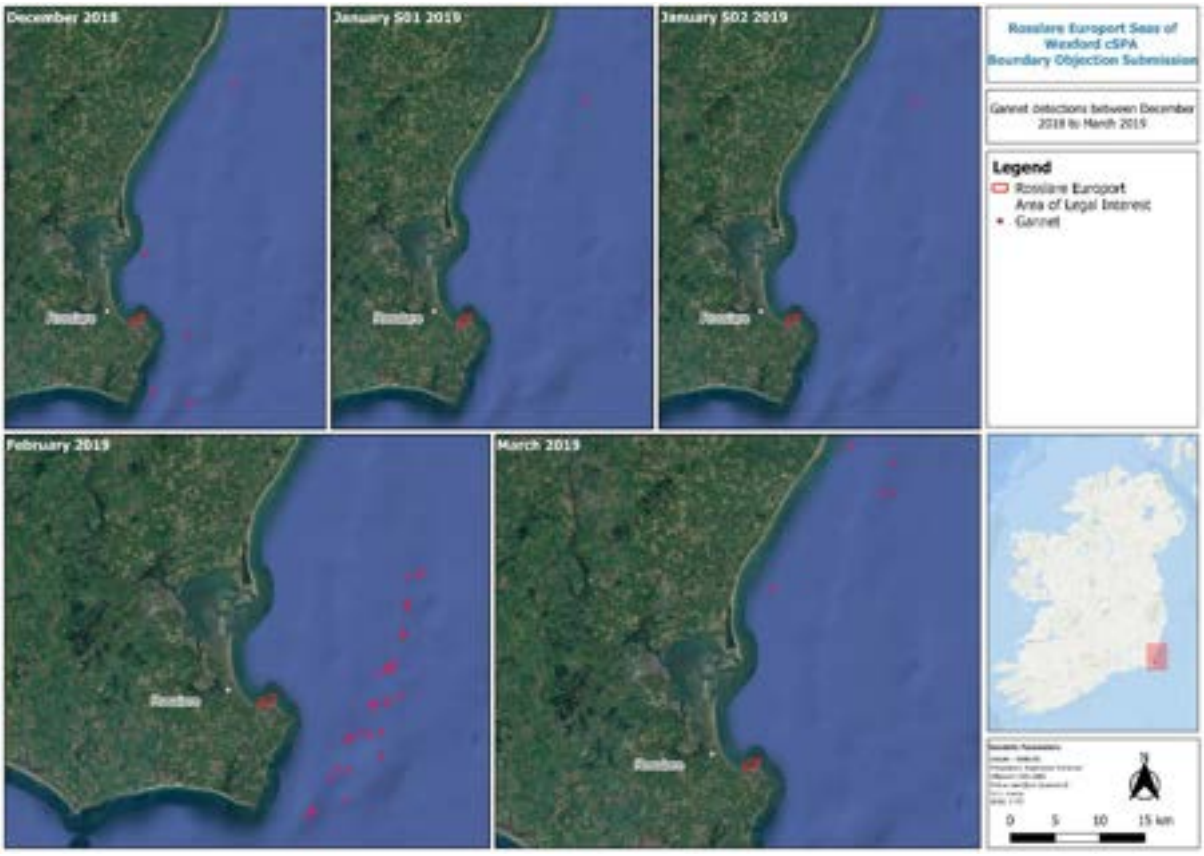

Figure 7-49 Distribution of gannets from the data provided by Hi-Def (2019) report.

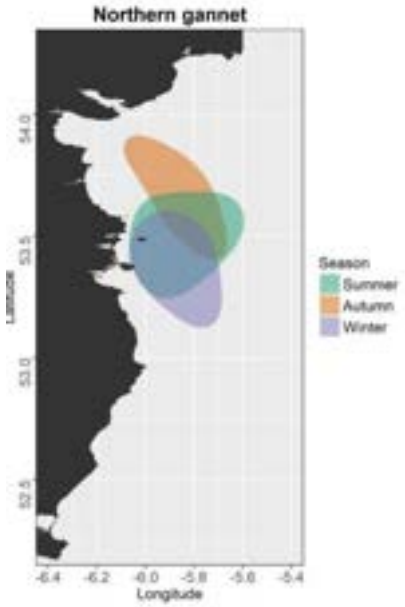

Figure 7-50 Seasonal 25% utilization distributions for northern gannet in the Irish Sea demonstrating a high degree (Jessopp, *et al.,* 2018).

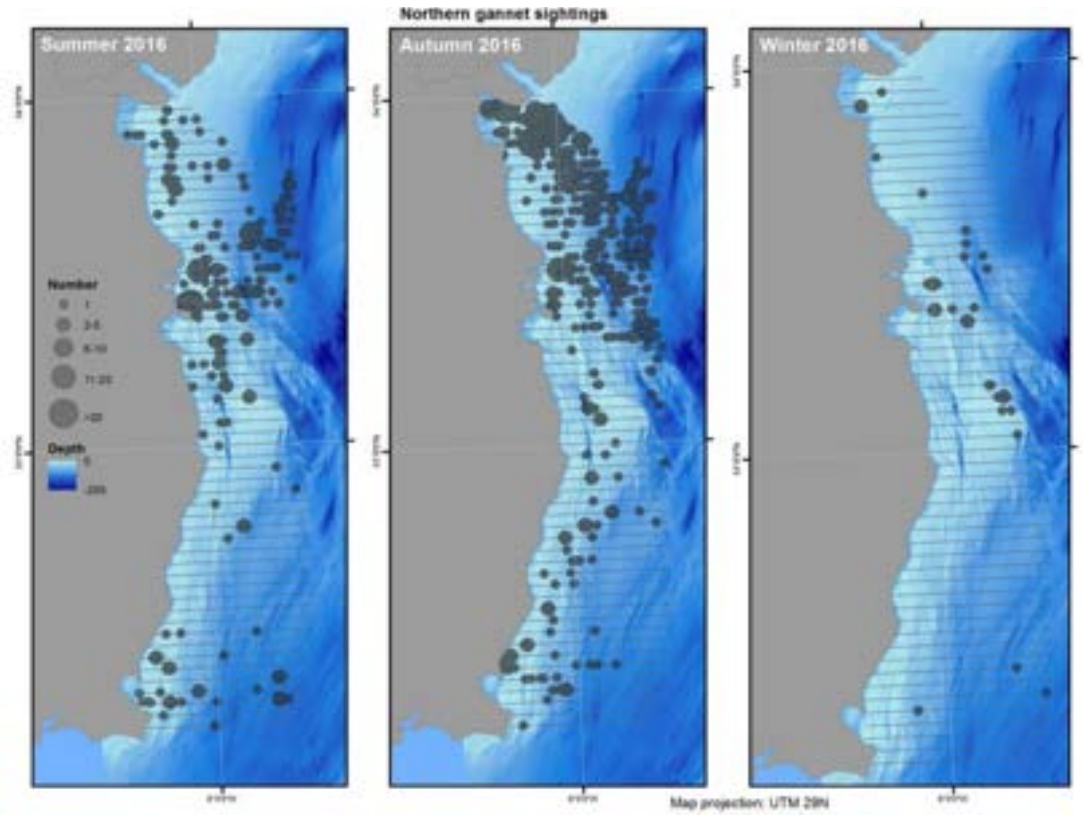

Figure 7-51 Sightings of northern gannet in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.5.3 NORTHERN FULMAR

The fulmar is a widely distributed seabird species that nests on coastlines at northern latitudes in the Northern Hemisphere. This species is mostly pelagic, and its winter distribution extends across the North Atlantic and North Pacific (Burnell *et al*., 2023). Fulmars are almost exclusively coastal nesters, where largest breeding numbers are seen on islands or in large multi-species cliff colonies (Burnell *et al.,* 2023).

The RoI **breeding** population is estimated to be 32,131 pairs, across 342 occupied sites, based on Apparently Occupied Sites (AOS) recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Fulmar was not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 7-52). The summer distribution of fulmar shows that higher numbers of this species are found further off the southwest coast, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for fulmar.

Fulmar was not recorded during the Hi-Def (2019) aerial surveys.

During the ObSERVE Phase 1 surveys (Jessopp, *et al.,* 2018), no records of fulmar were documented within the Rosslare Europort Area of Legal Interest (Figure 7-54) nor did the 25% utilization distribution (Figure 7-53) overlap with the Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded one fulmar in May 2022.

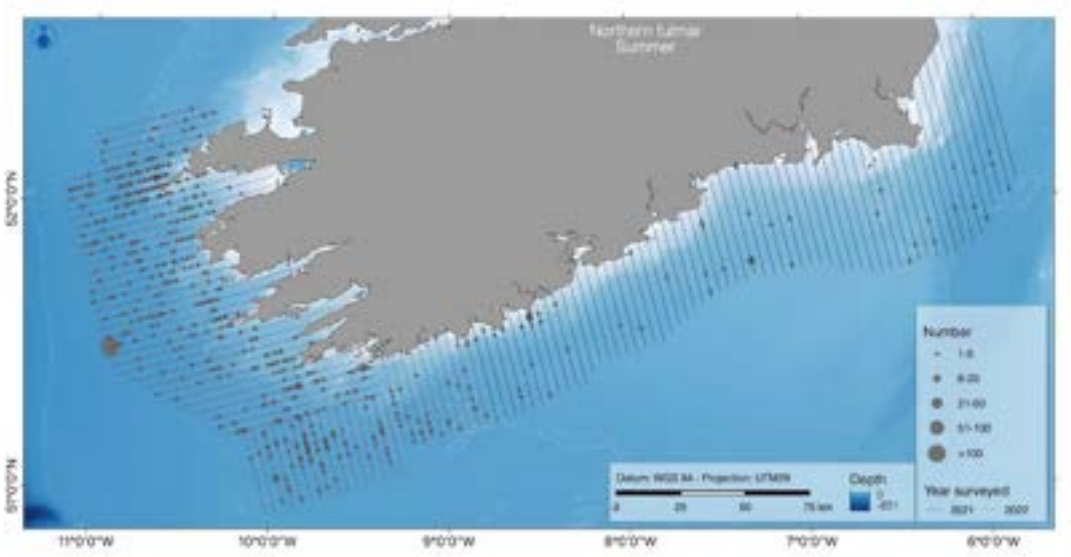

Figure 7-52 ObSERVE II map presenting data of Northern Fulmar sightings (Giralt Paradell, *et al.*, 2023).

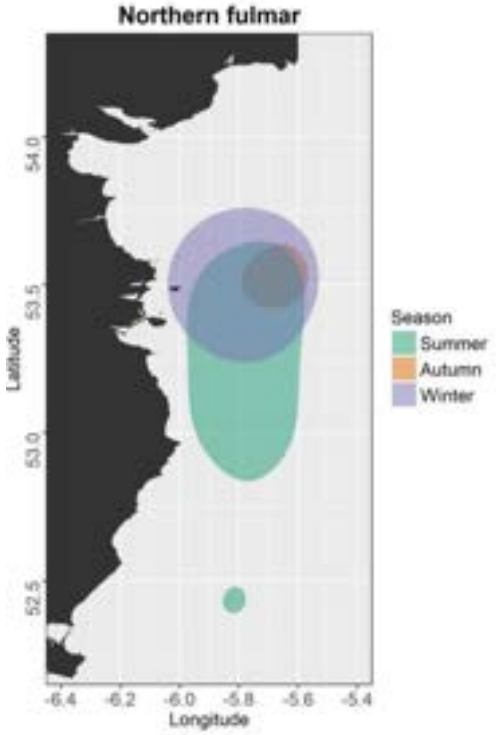

Figure 7-53 Seasonal 25% utilization distributions for northern fulmar in the Irish Sea demonstrating a high degree of overlap and consistently important area east of Lambay Island across seasons for this species (Jessopp, *et al.,* 2018).

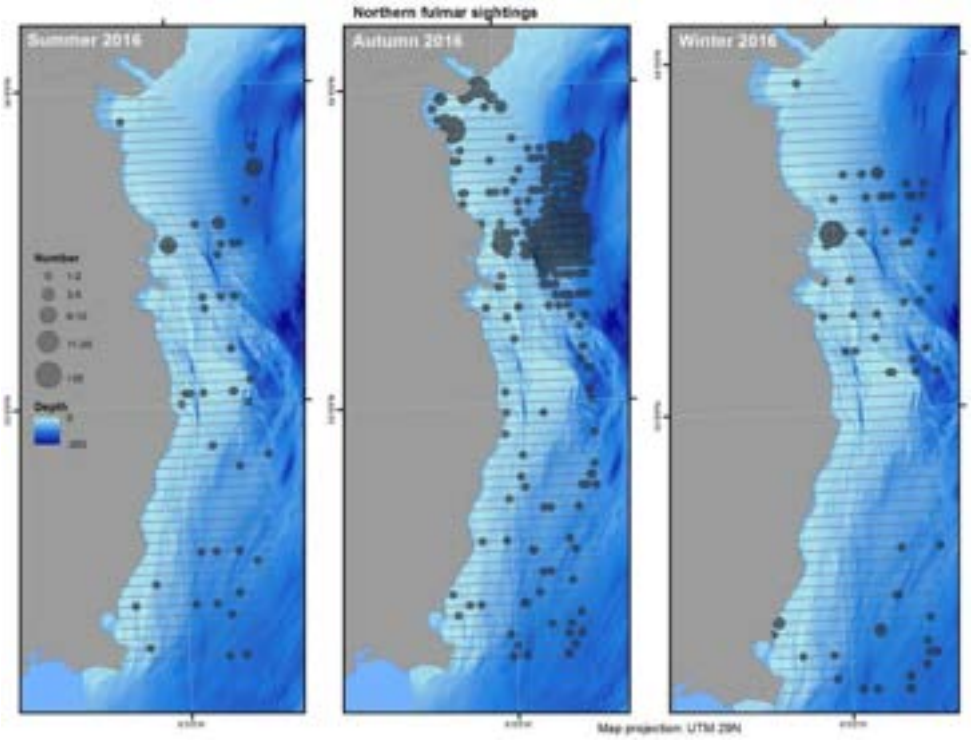

Figure 7-54 Sightings of northern fulmar in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.1.6 *CORMORANT AND SHAG*

7.1.6.1 GREAT CORMORANT

Cormorants are colonial breeders that typically forage in shallow (<10m) freshwater, estuarine or marine environments. Their diet predominantly consists of small benthic and pelagic fish (Burnell *et al*., 2023).

The RoI **breeding** population is estimated to be 4,124 pairs, across 72 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Cormorant/shag were not differentiated on ObSERVE II surveys and were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Giralt Paradell, *et al*., 2023) – see Figure 7-58. The summer distribution of Cormorant/shag shows that higher numbers of these species are found further off the Wexford coast and alongside the Saltee Islands SPA, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for cormorant/shags.

Cormorant was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-56). The distribution of foraging cormorants from this dataset shows

that higher numbers of this species are found further north, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for cormorant (Figure 7-55).

On the ObSERVE I surveys (Jessopp, *et* al. 2018), identification of cormorants and shags to species-level were also not possible. No records of cormorant/shag were documented within the Rosslare Europort Area of Legal Interest (Figure 7-60) nor did the utilization distribution (Figure 7-59) of cormorant/shag overlap with the Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded low numbers of cormorants, with a peak count of five (5) birds in December 2022. Birds were recorded foraging on surveys although the species does not breed on the Site.

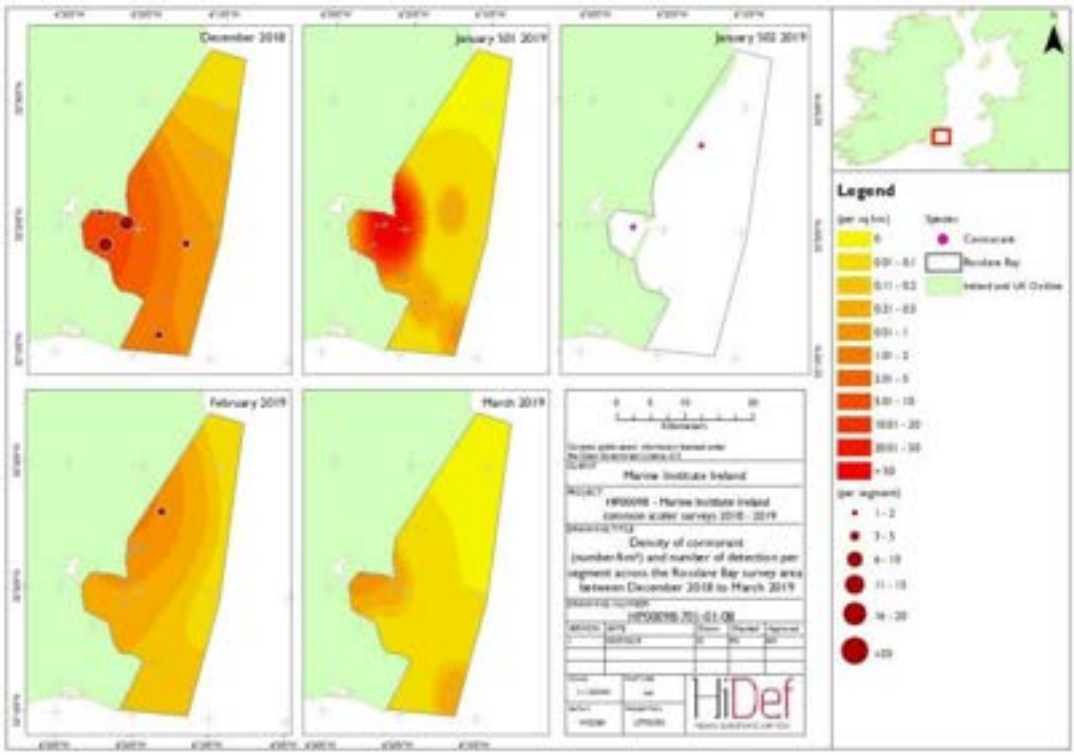

Figure 7-55 Density of cormorants (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

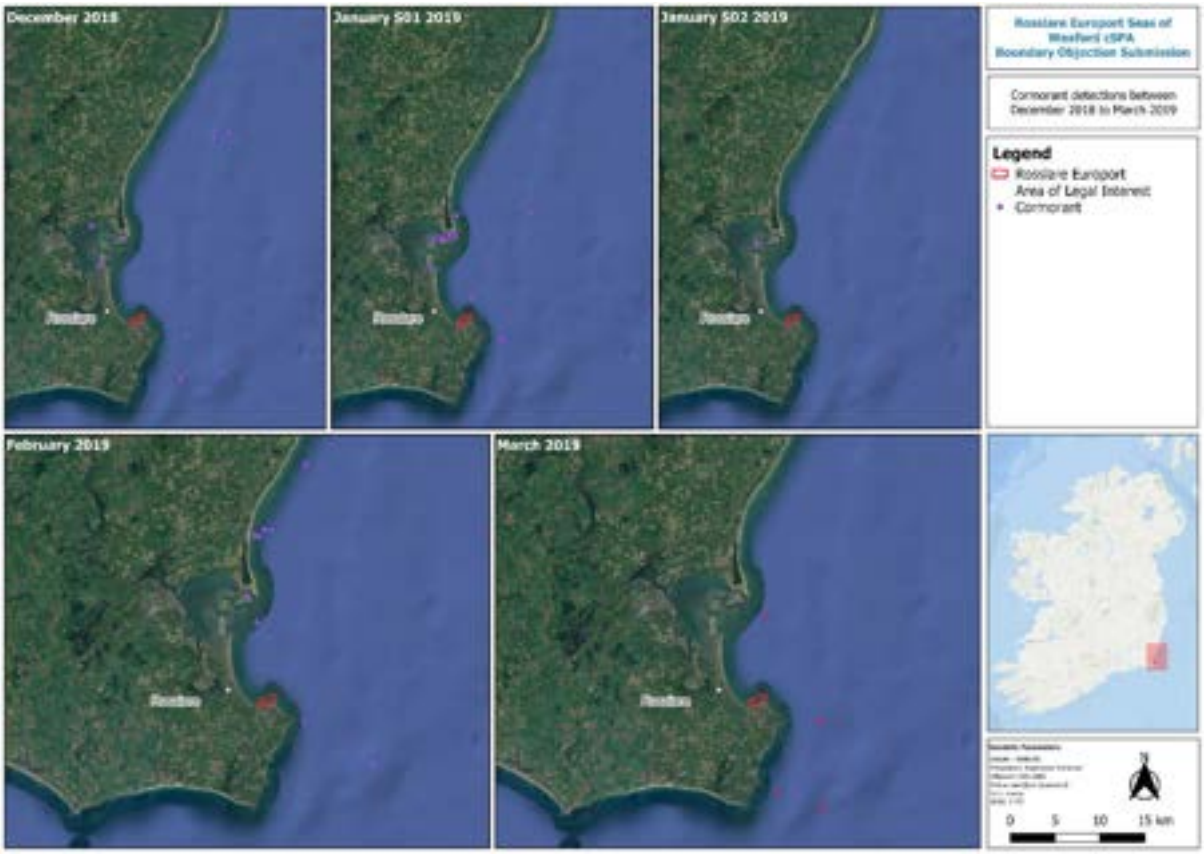

Figure 7-56 Distribution of cormorant produced by GDG from the data provided by Hi-Def (2019) report.

7.1.6.2 EUROPEAN SHAG

Shags are found in Irish coastal waters, and are almost exclusively piscivorous, with variations in diet across different colonies. They breed on rocky shorelines and islands, with colonies generally comprising tens to hundreds of breeding pairs (Burnell *et al.,* 2023). Nests are located in three main habitat types: in rocky boulder fields, on ledges on cliffs or caves, or on broad open ledges.

The RoI **breeding** population is estimated to be 4,748 pairs, across 202 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

As outlined above, Cormorant/shag were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey (Figure 7-58).

Shags were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 7-57).

No records of cormorant/shag were documented within the Rosslare Europort Area of Legal Interest Jessopp, *et* al. (2018) (Figure 7-60) nor did the utilization distribution (Figure 7-59) of cormorant/shag overlap with the Area of Legal Interest.

Surveys within the Rosslare Europort Area of Legal Interest study area by APEM recorded low numbers of shags, with a peak count of nine birds in May 2022. Shags were recorded feeding during surveys, but the species does not breed on the Site.

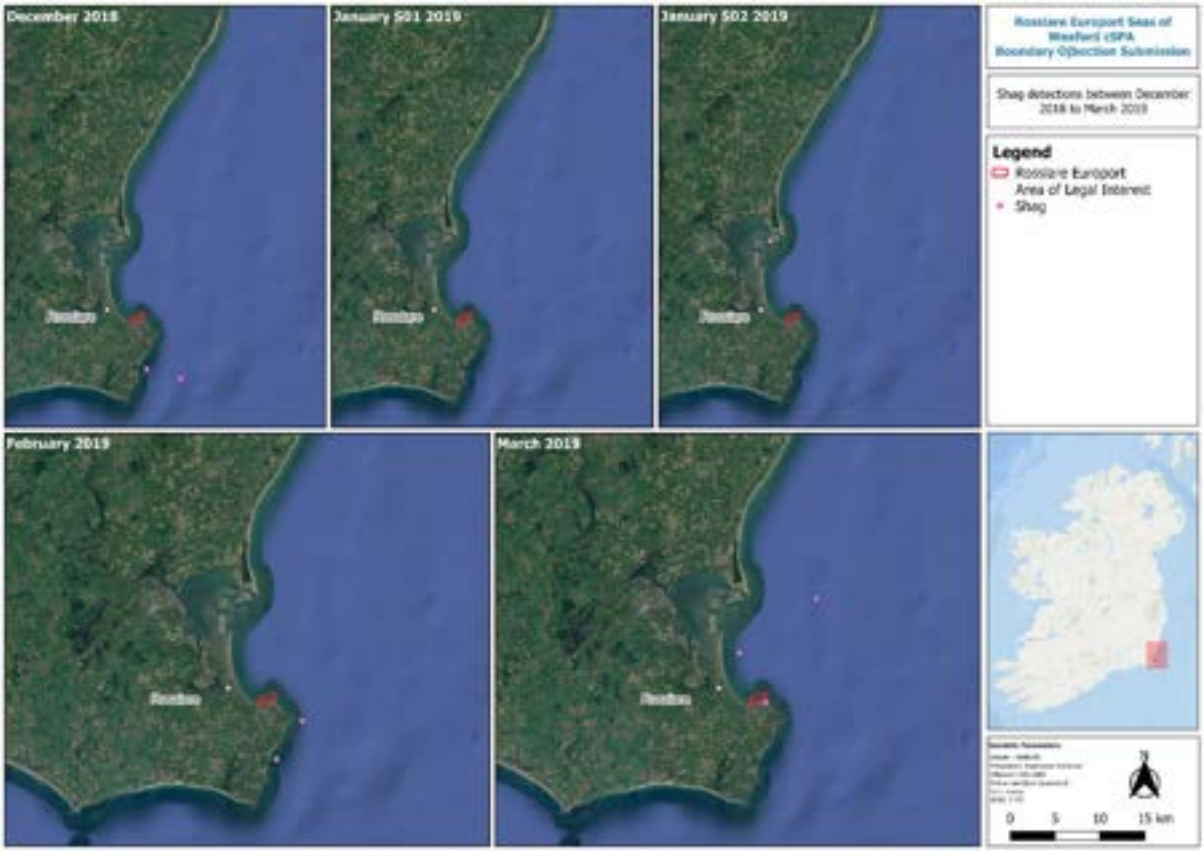

Figure 7-57 Distribution of shags from the data provided by Hi-Def (2019) report.

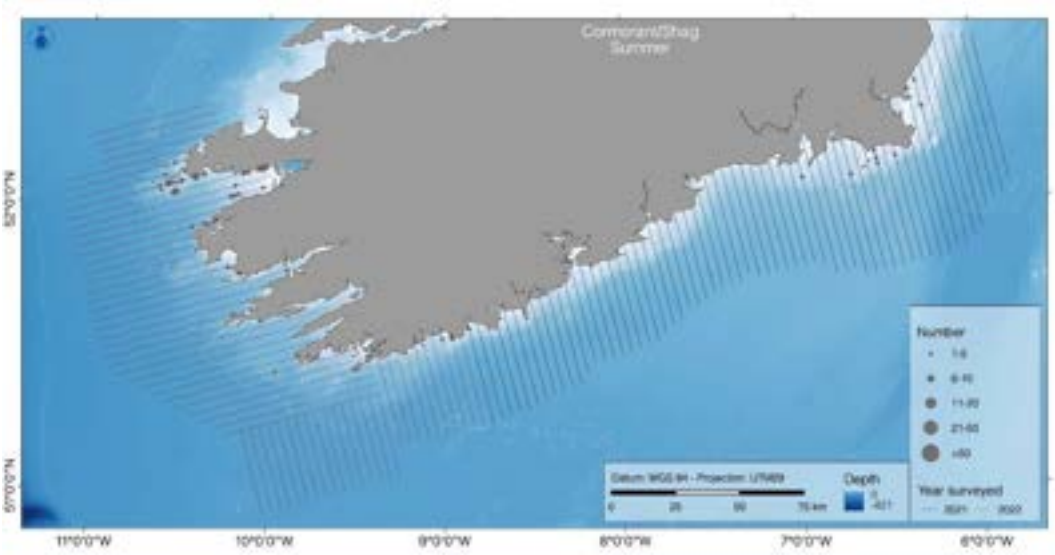

Figure 7-58 ObSERVE II map presenting data of Cormorant/Shag sightings (Giralt Paradell, *et al.*, 2023).

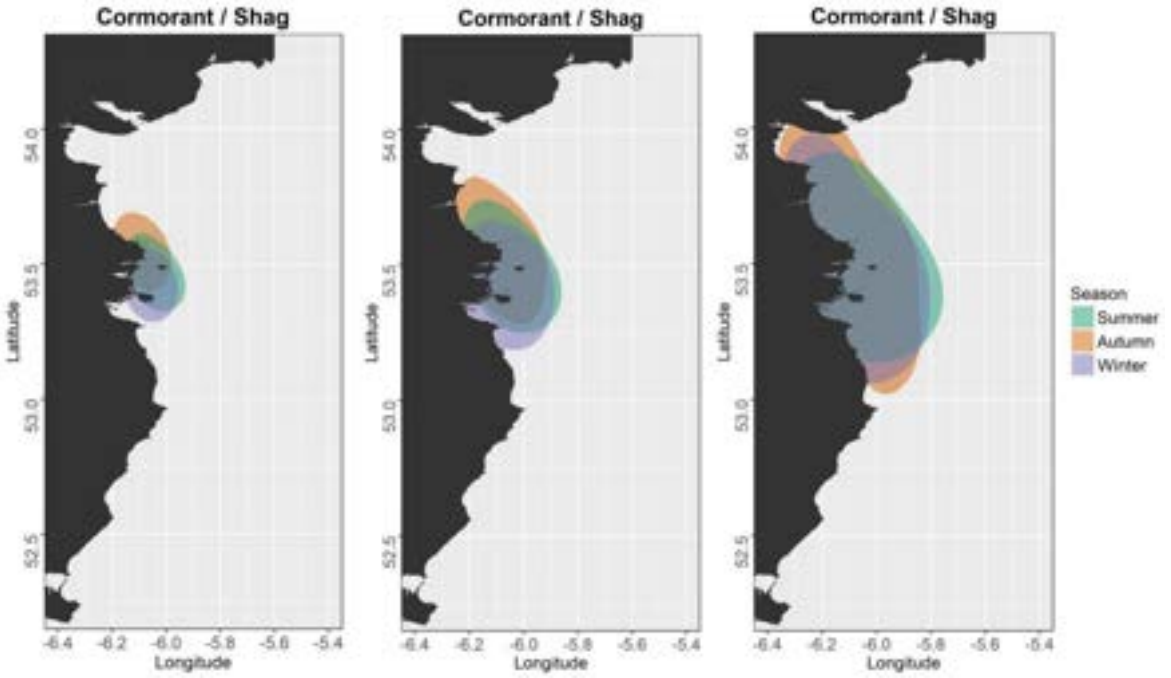

Figure 7-59 Seasonal 10% (left) 25% (middle) and 50% (right) utilization distributions for cormorants and shags in the Irish Sea demonstrating a high importance of nearshore coastal waters and high degree of overlap in important areas for this species across seasons (Jessopp, *et al.,* 2018).

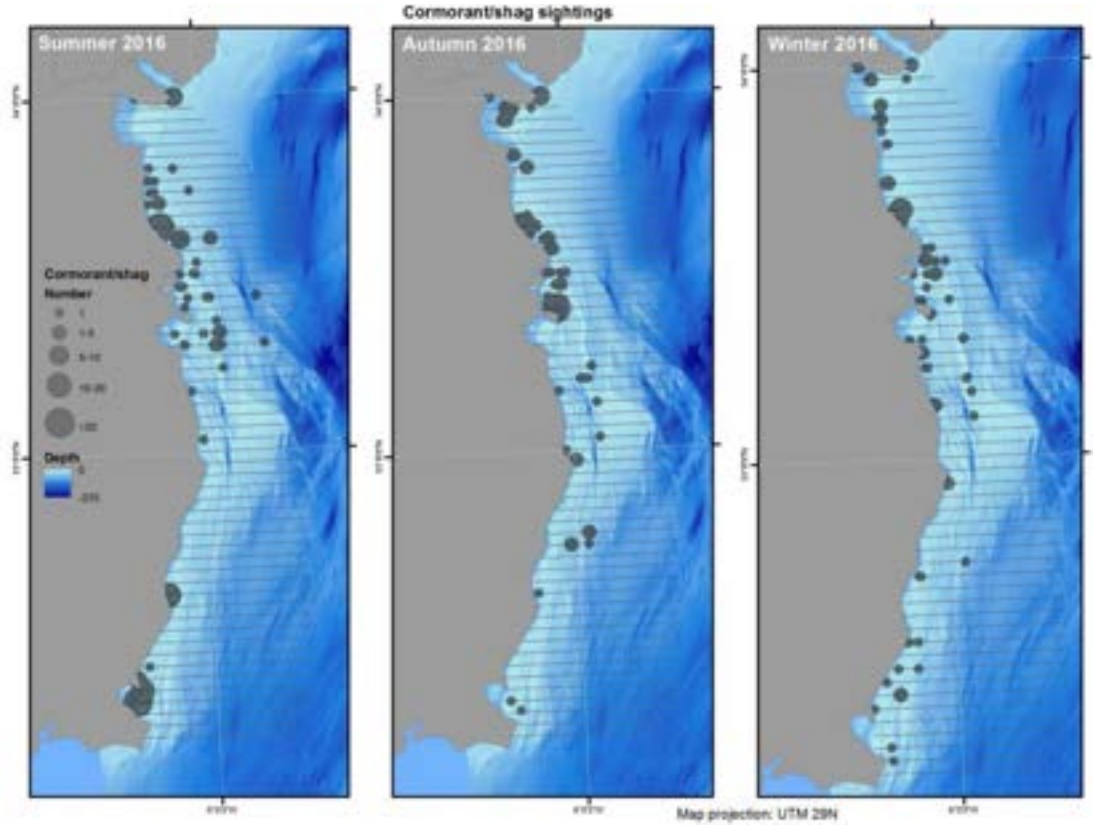

Figure 7-60 Sightings of cormorants/shags in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

7.2 COMPARISON OF SCI SPECIES ESTIMATED POPULATIONS AND COUNTS

Table 7-1 Comparison of cSPA bird SCI population and survey information.

Special Conservation Interest species for cSPA	ROI Breeding Population (2015-2021) (Burnell et al, 2023)	NPWS cSPA population (NPWS, 2024a)	Peak number recorded in Area of Legal Interest by Observe I surveys	Peak number recorded in Area of Legal Interest by HiDEF surveys	Peak[6] number recorded on APEM surveys between May 2022 and February 2024
Common Scoter	39 pairs in 2012[6]	1,078, non-breeding season[1]	0	0	53 individuals, October 2022
Red-throated Diver	Nine pairs in 2018[7]	499, non-breeding season[1]	0	0	6 individuals, January 2023
Fulmar	32,131 AOS	None provided	0	0	1 individual, May 2022
Manx Shearwater	134,220 AOS	8,269 birds in summer (28.9%)[2]	0	0	25 individuals, July 2022
Gannet	48,032 AOS/AON[3]	772	0	0	8 individuals, July 2022
Shag	4,748 AON	None provided	0	0	9 individuals, May 2022

[6] It is to be emphasized that, over the course of the surveys, significantly lower numbers were typically found than the peak numbers for each SCI

Special Conservation Interest species for cSPA	ROI Breeding Population (2015-2021) (Burnell et al, 2023)	NPWS cSPA population (NPWS, 2024a)	Peak number recorded in Area of Legal Interest by Observe I surveys	Peak number recorded in Area of Legal Interest by HiDEF surveys	Peak[6] number recorded on APEM surveys between May 2022 and February 2024
Cormorant	4,124	180 180, non-breeding season[1]	0	0	5 individuals, December 2022
Kittiwake	24,723 AON	None provided	0	0	31 individuals, May 2022
Black-headed Gull	7,146 AON	None provided	0	0	100 individuals, January 2024
Mediterranean Gull	16 AON	None provided	0	0	38 individuals, July 2022
Lesser black-backed Gull	9,968 AON	None provided	39	0	4 individuals, August & September 2022
Herring Gull	18,645 AON	572 birds in summer (2.0%)[2]	0	2	129 individuals, October 2023
Little Tern	335	None provided	0	N/A[4]	Not recorded on surveys
Roseate Tern	1,869 AON	None provided	0	N/A[4]	2 individuals, May 2022
Common Tern	4,728 AON	515 birds in summer (1.8%)[2]	None recorded	N/A[4]	15 individuals, September 2022

Special Conservation Interest species for cSPA	ROI Breeding Population (2015-2021) (Burnell et al, 2023)	NPWS cSPA population (NPWS, 2024a)	Peak number recorded in Area of Legal Interest by Observe I surveys	Peak number recorded in Area of Legal Interest by HiDEF surveys	Peak[6] number recorded on APEM surveys between May 2022 and February 2024
Arctic Tern	2,708 AON	401 birds in summer (1.4%)[2]	None recorded	N/A[4]	2 individuals, July 2022
Sandwich Tern	2,464 AON	887 birds in summer (3.1%)[2]	0	N/A[4]	26 individuals, July 2022
Puffin	14,232 AOB	None provided	0	0	Not recorded on surveys
Razorbill	32,904 birds	2,747 birds in summer (9.6%)[2]	0[5]	0	4 individuals, September 2023
Common Guillemot	178,090 birds	13,504 birds in summer (47.2%)[2]	0[5]	0	15 individuals, September 2022

[1] cSPA non-breeding season population presented in cSPA Site Synopsis (NPWS, 2024)

[2] based on percentage of total birds (n=28,611) presented in cSPA Site Synopsis (NPWS, 2024a)

[3] Gannet estimates included Gannet census (2013-14) and Seabirds Count (2015-2021)

[4] HiDef Surveys did not record tern species.

[5] ObSERVE I data did not identify to species-level between Razorbills and Guillemots

6 Hunt *et al.,* 2012

7 Burke *et al.,* 2018

8 CONCLUSIONS

Iarnród Éireann submits that the ornithological data which has been reviewed and assessed in this submission does not support the inclusion of the Rosslare Europort Area of Legal Interest within the Seas off Wexford cSPA. Supporting documents, including relevant reports and publications and ornithological data cited by National Parks and Wildlife Service (NPWS) and listed in the Conservation Objectives to inform the proposed designation of the Seas off Wexford cSPA, have been reviewed in the context of the Rosslare Europort Area of Legal Interest to inform this submission.

An extensive timeseries of ornithological survey data collected by Iarnród Éireann for the Rosslare Europort Area of Legal Interest between May 2022 and February 2024 has also been reviewed in the context of the Rosslare Europort Area of Legal Interest and the proposed Seas off Wexford cSPA boundary.

As evidenced by the review of relevant documents and data and presented in the species-specific summaries in Section 7 of this report, the Rosslare Europort Area of Legal Interest does not hold any important concentrations of any of the listed cSPA species, and therefore there is no scientific based ornithological reason to include the Rosslare Europort Area of Legal Interest within the proposed Seas off Wexford cSPA. The lands within the Rosslare Europort Area of Legal Interest are not therefore in terms of Article 4 of the Birds Directive "suitable in terms of number and size" to be included in any proposed SPA.

While this submission has focused on the Rosslare Europort Area of Legal Interest, it is a matter for the Minister to consider where any modified boundary of the Seas off Wexford cSPA may be drawn which is to be based on ornithological evidence. The inclusion of other areas including areas immediately outside the Rosslare Europort Area of Legal Interest, may also not be supported by ornithological evidence and this is a matter for the Minister to assess. However, it is the submission of Iarnród Éireann that the boundary of the proposed Seas off Wexford cSPA should be modified in accordance with Regulation 16(2) of the 2011 Regulations to not include the Rosslare Europort Area of Legal Interest.

As stated in the '*Stages in the Site Designation Process'* (NPWS, 2017) in Step 3;

An objection to a proposed designation is assessed on scientific grounds only, i.e. whether the relevant habitats/species/geological features are present in such a condition as to warrant designation. The Board also considers the overall scientific basis used for selecting areas for designation as SAC, SPA or NHA.

Within this submission for objection, supporting documents, relevant reports and publications of ornithological data cited by National Parks and Wildlife Service (NPWS) and listed in the Conservation Objectives to inform the proposed designation of the Seas off Wexford cSPA were studied in detail.

- On review of the ObSERVE 1 data, only sandwich tern seasonal 25% utilization distribution plots show overlap with the Rosslare Europort Area of Legal Interest however no sightings of sandwich tern were recorded that overlap with the Rosslare Europort Area of Legal Interest. No other seasonal 25% utilization distribution plots for proposed SCI bird species for the Seas off Wexford cSPA overlap with the Rosslare Europort Area of Legal Interest.
- On review of the Hi-DEF (2019) data, no SCI species for the Seas off Wexford cSPA were recorded within the Rosslare Europort Area of Legal Interest, with the exception of two records of Herring Gull during one survey event.

- On review of the ObSERVE II data, no SCI species for the Seas off Wexford cSPA were recorded within the Rosslare Europort Area of Legal Interest by the survey.
- On review of Bennison et al (2019), the puffin SCI for the Seas off Wexford cSPA was not recorded within the Rosslare Europort Area of Legal Interest at any point during this tagging study.

Although it is acknowledged that the area encompassing the Seas off Wexford cSPA surrounding the Rosslare Europort Area of Legal Interest is used for some foraging species, and for roosting, the Rosslare Europort Area of Legal Interest is not a significant foraging and roosting area, as is evident in the low numbers of birds present and other more suitable areas (i.e. further offshore), where survey evidence shows several of the SCI species are present in much greater concentrations. Adding all of the peak species counts from the surveys within the Rosslare Europort Area of Legal Interest conducted monthly from April 2022 to February 2024 by APEM for Iarnród Éireann gives a total of 473 individual birds, far less than the 20,000 waterbirds required for a site to meet the NPWS guidance criteria for SPA designation.

The ornithological data does not provide scientific support for the current delineation of the Seas off Wexford cSPA to warrant the inclusion of the Rosslare Europort Area of Legal Interest. In addition, no description of the method applied to delineate the Seas off Wexford cSPA has been provided. The ornithological data made available to Iarnród Éireann which appeared to form the basis of the extent of the Seas off Wexford cSPA boundary is not supportive of inclusion of such an area and furthermore, the ornithological data collated by Iarnród Éireann demonstrates that inclusion of the Rosslare Europort Area of Legal Interest is not warranted.

It is important to clarify that Iarnród Éireann recognises the necessity for the conservation and restoration of sensitive habitats and ecosystems and the need for certain vulnerable species to be designated as Special Conservation Interests within the Natura 2000 network. In light of this, Iarnród Éireann does not object to the designation of SPAs for birds. Designation of SPAs under the EU Birds Directive (2009/147/EC) is a crucial process in conserving and preserving vulnerable bird species within Ireland and Europe. However, the process of designation should be based on site-specific robust scientific data and analyses, while also incorporating due consideration of other species and other activities within the area.

Iarnród Éireann requests that the Seas off Wexford cSPA boundary is therefore modified and that this modified boundary should not include the Rosslare Europort Area of Legal Interest as it is not justified by reference to the ornithological data or otherwise evidenced based. Moreover, the Seas off Wexford cSPA covers a very expansive area comprising 3,045 km^2 and the revision of the boundary as requested comprises 0.02 % of the overall area, so is not anticipated to cause any significant impact on the conservation objectives of the proposed SCIs of the Seas off Wexford cSPA.

The review of the data used to decide to include the Rosslare Europort Area of Legal Interest (including the proposed Rosslare Europort ORE Hub) within the Seas off Wexford cSPA described in this report shows the data do not support the decision to include the Rosslare Europort Area of Legal Interest (including the proposed Rosslare Europort ORE Hub) within the Seas off Wexford cSPA. Considering the total absence of or very low numbers of the relevant bird species recorded within or adjacent to the Rosslare Europort Area of Legal Interest in the surveys relied upon by NPWS in its designation, it is clear that there is no scientific ornithological basis for the inclusion of this area in the Seas off Wexford cSPA.

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APPENDIX 3

COPY OF cSPA SUBMISSION No.2

Co-funded by the European Union

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Iarnród Éireann
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30th October 2025

Re: Objection to the Proposed Classification of the Seas off Wexford 004237 as a Candidate Special Protection Area (cSPA)

Dear Sir/Madam,

As the Port Authority for Rosslare Europort, Iarnród Éireann hereby formally lodges an objection to the proposed boundary for the Seas off Wexford candidate Special Protection Area (cSPA).

Rosslare Europort is a key Irish seaport located on the southern corridor of the Irish Sea. It serves several major shipping lines operating between Rosslare and South Wales (UK), as well as between Rosslare and mainland Europe, including Cherbourg, Dunkirk, Bilbao, and Zeebrugge.

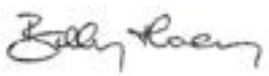
The purpose of this submission (attached) is to formally object to the classification of the proposed cSPA and the associated Ministerial Direction. This objection specifically seeks an amendment to the cSPA boundary to exclude Iarnród Éireann's Area of Legal Interest (refer to Figure 1, overleaf). A shapefile (.shp) containing the simplified polygon delineating this Area of Legal Interest shown in yellow and labelled "Proposed Amendment to cSPA" on the accompanying figure, is also provided.

Iarnród Éireann fully acknowledges that economic considerations are not relevant to the designation or extent of a Special Protection Area (SPA), and notes that objections are assessed solely on scientific grounds. Accordingly, Iarnród Éireann provides scientific evidence based on multi-year data collected on behalf of both Iarnród Éireann and the State. This data demonstrates that within Iarnród Éireann's Area of Legal Interest, the bird species of conservation concern are not present in numbers that would warrant designation and further establishes that this area is not suitable for inclusion within the proposed cSPA.

Iarnród Éireann submits that the ornithological data reviewed and assessed in this submission does not support the inclusion of the Rosslare Europort Area of Legal Interest within the Seas off Wexford cSPA.

In conclusion, Iarnród Éireann respectfully requests that the proposed boundary of the Seas off Wexford cSPA be amended to exclude the Rosslare Europort Area of Legal Interest, as its inclusion is not supported by the available scientific evidence.

Yours faithfully,



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Mr. Billy Hoey
Senior Project Manager
Iarnród Éireann

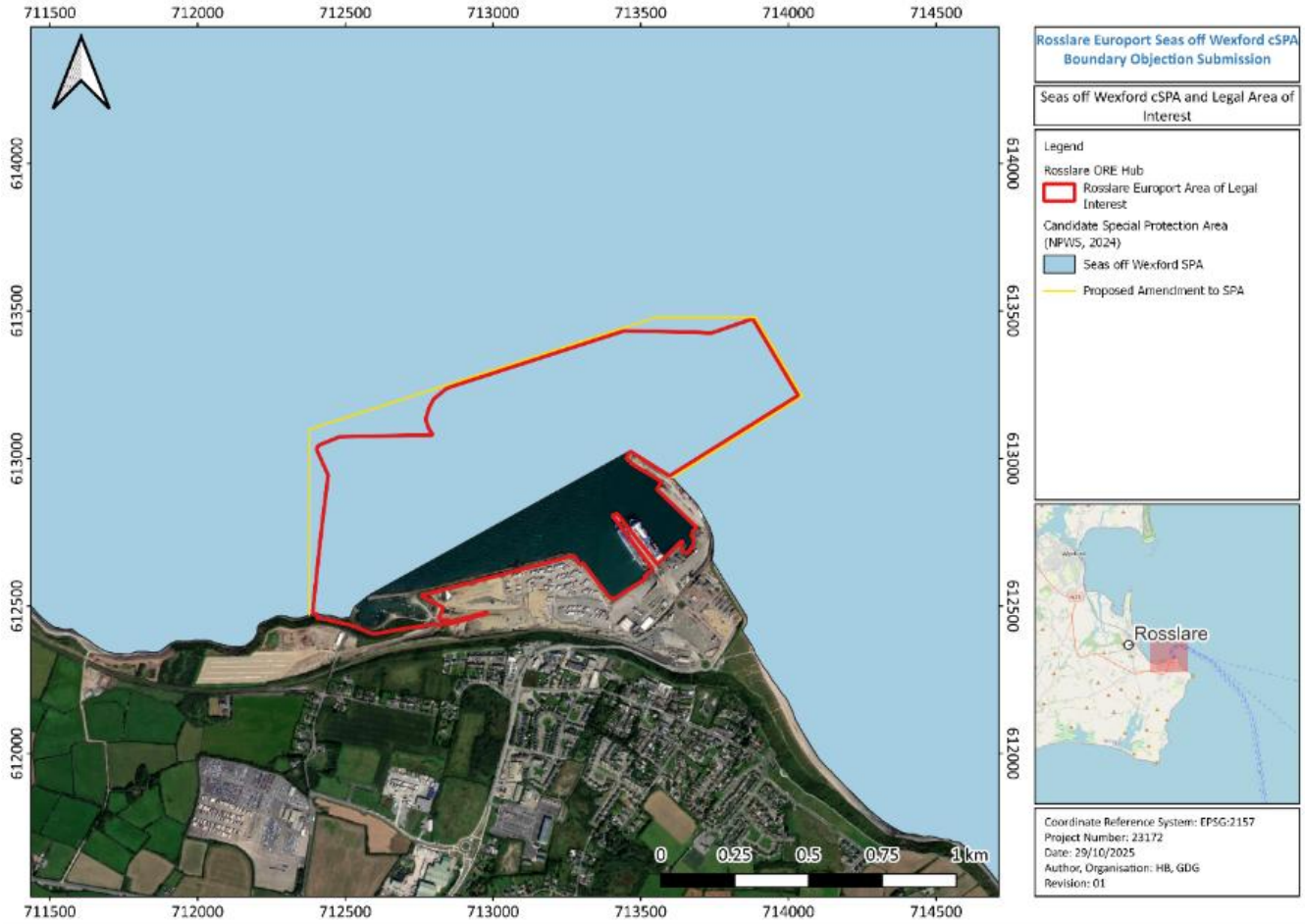

Figure 1 Seas off Wexford cSPA area (blue), Rosslare Europort Area of Legal Interest (red) and proposed amendment to Seas off Wexford cSPA (yellow)

GDG
GAVIN & DOHERTY
GEOSOLUTIONS

Rosslare Europort Seas off Wexford cSPA Objection – 004237

Iarnród Éireann
Irish Rail

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REVISION HISTORY

Rev	Date	Reason for Issue	Originator	Checker	Reviewer	Approver
01	24/10/2025	Final draft for review	Joey O'Connor	Michelle Fahy	Colin Barton &	Laurie McGee

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Marchant

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1 INTRODUCTION

1.1 BACKGROUND

Rosslare Europort is the key Irish Seaport on the Southern Corridor of the Irish Sea. It serves a number of major shipping lines operating between Rosslare and South Wales (UK). As the Irish port of choice on the Continental Direct Corridor, it handles freight between Rosslare and a variety of locations on the European mainland including Cherbourg, Dunkirk, Bilboa and Zeebrugge. Rosslare Europort currently provides Roll-on/Roll-off Passenger (RORO/ROPAX) services, operated by Irish Ferries, Stena Line and Brittanny Ferries, accommodating freight and passenger vehicles along with foot passengers and offers an all-inclusive range of port services to meet both freight and passenger requirements including mooring, stevedoring, piloting, terminal tractor, lifting equipment, passenger handling, storage etc. Iarnród Éireann (Irish Rail) is the Port Authority at Rosslare Europort.

The Department of Transport furnished Iarnród Éireann with a notice dated 9th January 2024 stating that the Minister for Housing is considering classifying the Seas off Wexford 004237 as a candidate Special Protection Area (cSPA) under Regulation 15 of the European Communities (Birds and Natural Habitats) Regulations 2011 in accordance with the EU Bird Directive. The notice enclosed a map of the area being considered for classification which covers approximately 3,054 km^2.

The notice referred to Activities Requiring Consent (ARCs) and observations. In respect of observations, it stated that observations may be submitted by interested parties and must be supported by scientifically based ornithological criteria, which must be received by 9th April 2024.

Iarnród Éireann submitted an Observation, supported by scientifically based ornithological criteria, to NPWS on 9th April 2024, and received acknowledgment of receipt of same from NPWS on the same date (9th April 2024).

NPWS furnished Iarnród Éireann with a notice of intention to classify the Seas off Wexford (Site code: 004237) as a candidate Special Protection Area dated 31st July 2025 stating that:

> *"Further to the notification of January 2024 under Regulation 15 of the European Communities (Birds and Natural Habitats) Regulations 2011, in relation to the above candidate Special Protection Area, this notice is to advise you that, under Regulation 16 of the European Communities (Birds and Natural Habitats) Regulations 2011, the Minister for Housing, Local Government and Heritage has identified the Seas off Wexford 004237 as eligible for classification as a candidate Special Protection Area….*
>
> *…Any person who feels that their interests may be affected by the classification of the site as a cSPA may lodge an objection against the classification and against the Ministerial Direction. Details of the objections process can be found in the enclosed Notice of Intention to Classify document. The closing date for the receipt of objections is Friday 31st October 2025.".*

The proposed boundary of the cSPA includes the waters off Rosslare Europort. Iarnród Éireann holds foreshore licences within the cSPA for site investigation and maintenance dredging works and holds foreshore leases adjacent to the cSPA.

On 20 March 2024, Iarnród Éireann submitted a Maritime Area Consent (MAC) application to MARA under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) to develop and operate port facilities and a small boat harbour. In July 2025 Iarnród Éireann was granted a Maritime Area Consent (MAC20230005) from MARA for the construction, use, operation and maintenance of port facilities and a small boat harbour, including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the port facilities for the waters included in the proposed boundary of the cSPA.

Iarnród Éireann intends to develop port infrastructure extending the footprint of Rosslare Europort, to support the development of future offshore wind farms in the Irish Sea and off the southeast coast through the Rosslare Offshore Renewable Energy (ORE) Hub project. The primary purpose of the ORE Hub is to provide a facility for the efficient handling and storage, marshalling, staging and integration of ORE components to facilitate installation of offshore wind energy projects by ORE developers and operators. Development of the Rosslare ORE Hub includes capital dredging to achieve navigable depths for vessels delivering ORE components; land reclamation to create a storage area for these components; and construction of two new berths to facilitate loading and unloading of ORE components. The land reclamation works include infilling the existing small boat harbour and incorporating a new small boat harbour into the Rosslare ORE Hub at a new location in deeper water. The ORE Hub also includes the installation of a new slipway and facility for local clubs, such as the Sea Scouts.

The application for development permission will be submitted to the statutory planning authority, in this case An Coimisiún Pleanála, as per Section 291 of the Planning and Development Act 2000, as amended, inserted by Section 171 of the MAP Act 2021, as amended.

Iarnród Éireann has therefore a significant interest in the proposed cSPA and is an interested party for the purposes of lodging an objection insofar as the proposed cSPA may impact on the activities of Iarnród Éireann and its intended development of Rosslare Europort.

1.2 AIM OF THIS SUBMISSION

This submission has been prepared to support an Objection against the classification of the cSPA and against the Ministerial Direction, with the objection specifically focussed on an amendment to the cSPA boundary to exclude the area which overlaps with Iarnród Éireann's 'Area of Legal Interest' (Figure 2-1) .

Iarnród Éireann fully acknowledges that economic considerations are not relevant to the designation or extent of designation of an SPA and note that an Objection will only be assessed on scientific grounds. Iarnród Éireann is therefore providing scientific evidence showing that in Iarnród Éireann's area of legal interest, the relevant listed bird species of interest are not present in numbers that would warrant designation, and which demonstrates that the area of Iarnród Éireann's legal interest is not a suitable area for inclusion in the proposed cSPA.

Iarnród Éireann has included a covering letter accompanied by a map with the relevant area clearly outlined.

2 SEAS OFF WEXFORD CSPA AND ROSSLARE EUROPORT AREA OF LEGAL INTEREST

2.1 INTRODUCTION

The boundary of the Seas off Wexford candidate Special Protection Area (cSPA) proposed for classification as a cSPA was provided to Iarnród Eireann by NPWS on 31st July 2025 (Figure 2-1). The site is a cSPA under the E.U. Birds Directive, of special conservation interest for the 20 bird species listed in Table 2-1. Many of these species breed at coastal SPA colonies that border the cSPA, while other species use the cSPA in the non-breeding season.

The proposed Seas off Wexford cSPA boundary extends offshore along the majority of the county Wexford coastline and is approximately 3,054 km^2 in area. This cSPA abuts, and is ecologically connected to, five SPAs for breeding seabirds and other species in the non-breeding season, namely Lady's Island Lake SPA, Wexford Harbour and Slobs SPA, Keeragh Islands SPA, Saltee Islands SPA and The Raven SPA. In Table 2-1, the SPAs illustrated in Figure 2-1 are listed along with their Special Conservation Interests (SCIs) and distance from the Rosslare Europort Area of Legal Interest.

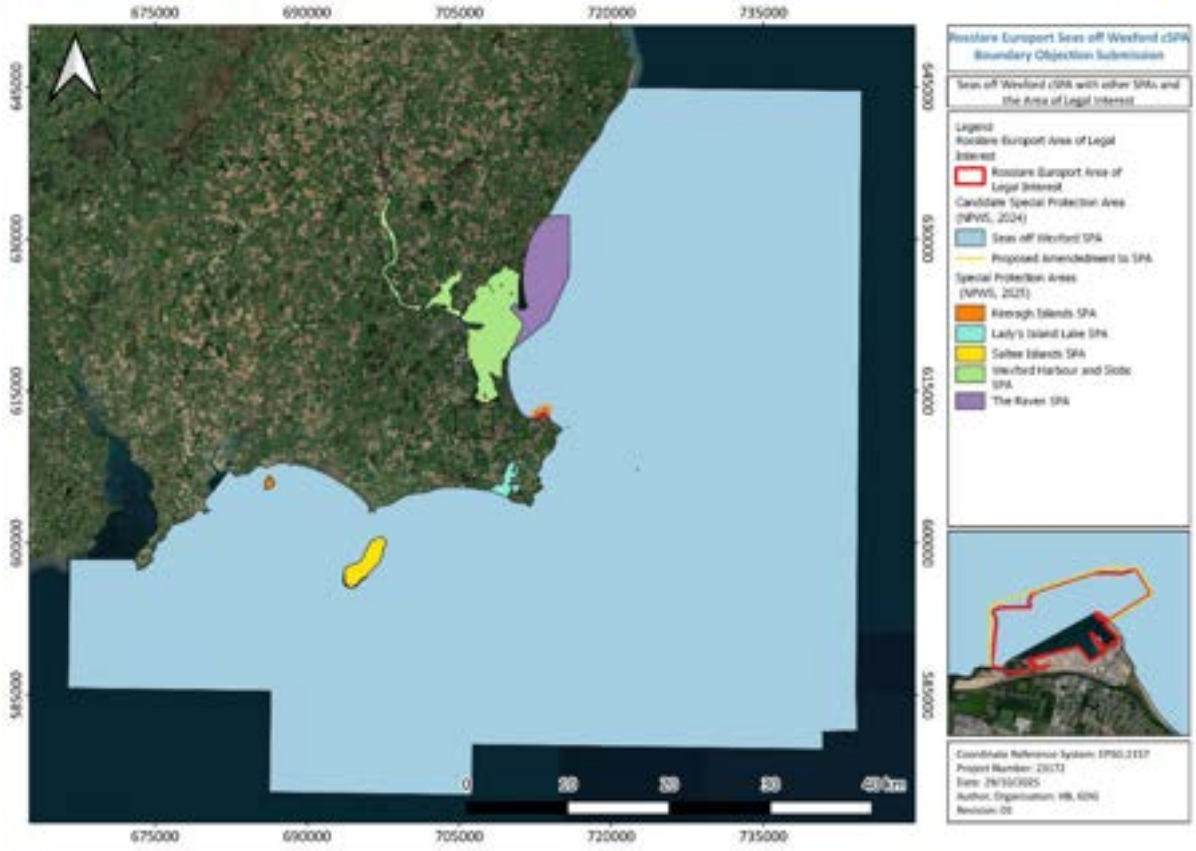

Figure 2-1 Proposed boundary of the Seas off Wexford cSPA, abutting SPAs and Rosslare Europort Area of Legal Interest.

Table 2-1 SPAs within the surrounding area of Rosslare Europort Area of Legal Interest and listed SCIs.

SPA & site code	Seaway Distance from Area of Legal Interest	SCIs and species code of the SPA Season for their protection (Wintering/Breeding)
Seas off Wexford cSPA [4237]	0 km	**Wintering (foraging and roosting)** Red-throated Diver (*Gavia stellata*) [A001] Common Scoter (*Melanitta nigra*) [A065] **Wintering and Breeding (foraging grounds)** Cormorant (*Phalacrocorax carbo*) [A017] Fulmar (*Fulmarus glacialis*) [A009] Manx Shearwater (*Puffinus puffinus*) [A013] Gannet (*Morus bassanus*) [A016] Shag (*Phalacrocorax aristotelis*) [A018] Mediterranean Gull (*Larus melanocephalus*) [A176] Black-headed Gull (*Chroicocephalus ridibundus*) [A179] Lesser Black-backed Gull (*Larus fuscus*) [A183] Herring Gull (*Larus argentatus*) [A184] Kittiwake (*Rissa tridactyla*) [A188] Guillemot (*Uria aalge*) [A199] Razorbill (*Alca torda*) [A200] Puffin (*Fratercula arctica*) [A204] **Breeding (foraging grounds)** Sandwich Tern *(Sterna sandvicensis*) [A191] Roseate Tern (*Sterna dougallii*) [A192] Common Tern (*Sterna hirundo*) [A193] Arctic Tern (*Sterna paradisaea*) [A194] Little Tern (*Sterna albifrons*) [A195]
The Raven SPA [4019]	6.5 km	**Wintering** Red-throated Diver (*Gavia stellata*) [A001] Cormorant (*Phalacrocorax carbo*) [A017] Common Scoter (*Melanitta nigra*) [A065] Grey Plover (*Pluvialis squatarola*) [A141] Sanderling (*Calidris alba*) [A144] Greenland White-fronted Goose (*Anser albifrons flavirostris*) [A395] Wetland and Waterbirds [A999]

SPA & site code	Seaway Distance from Area of Legal Interest	SCIs and species code of the SPA Season for their protection (Wintering/Breeding)
Lady's Island Lake SPA [4009]	8.6 km	**Breeding and Wintering** Gadwall (*Anas strepera*) [A051] **Breeding** 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]
Wexford Harbour & Slobs SPA [4076]	8.6 km	**Wintering** 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] Coot (*Fulica atra*) [A125] Oystercatcher (*Haematopus ostrale*gus) [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]

SPA & site code	Seaway Distance from Area of Legal Interest	SCIs and species code of the SPA Season for their protection (Wintering/Breeding)
		Lesser Black-backed Gull (*Larus fuscus*) [A183] Little Tern (*Sterna albifrons*) [A195] Greenland White-fronted Goose (*Anser albifrons flavirostris*) [A395] **Post-breeding/roost** Hen Harrier (*Circus cyaneus*) [A082] Wetland and Waterbirds [A999]
Saltee Islands SPA [4002]	25.7 km	**Breeding** Fulmar (*Fulmarus glacialis*) [A009] Gannet (*Morus bassanus*) [A016] Cormorant (*Phalacrocorax carbo*) [A017] Shag (*Phalacrocorax aristotelis*) [A018] Lesser Black-backed Gull (*Larus fuscus*) [A183] Herring Gull (*Larus argentatus*) [A184] Kittiwake (*Rissa tridactyla*) [A188] Guillemot (*Uria aalge*) [A199] Razorbill (*Alca torda*) [A200] Puffin (*Fratercula arctica*) [A204]
Keeragh Islands SPA [4118]	37.8 km	**Breeding** Cormorant (*Phalacrocorax carbo*)[1] [A017]

2.2 ROSSLARE EUROPORT AREA OF LEGAL INTEREST

The cSPA includes the waters off Rosslare Europort. While the existing berths and quays and the small boat harbour are outside the proposed cSPA boundary, the navigational channel, which is regularly dredged, and the proposed Rosslare Europort ORE Hub reclamation and dredge areas are mostly within the current proposed cSPA boundary.

It is further noted that the existing small boat harbour and RNLI operations which currently lie outside the cSPA boundary will be moved to the north-west corner of the new facility as part of the Rosslare Europort ORE Hub development. Therefore, these activities which currently lie within an

[1] Note the mean maximum foraging range for Cormorant is 25.6+-8.3 km (Woodward et al, 2019). The Area of Legal Interest is therefore beyond the mean maximum foraging range of this species.

area not included in the cSPA will fall within the cSPA following construction of the Rosslare Europort ORE Hub.

Iarnród Éireann have provided an Area of Legal Interest which includes the waters off Rosslare Europort where Iarnród Éireann operate and holds foreshore licences for maintenance dredging and site investigation activities and the MAC to develop and operate port facilities and a small boat harbour for Figure 2-3. This represents the area where the proposed cSPA may impact on the activities of Iarnród Éireann and its intended development of Rosslare Europort.

The Rosslare Europort Area of Legal Interest is significantly modified through historic and ongoing port activities including reclamation, infrastructure development, capital and maintenance dredging and shipping. As such, the area of the proposed Seas off Wexford cSPA boundary that overlaps with the Rosslare Europort Area of Legal Interest is fundamentally different to rest of proposed cSPA.

Iarnród Éireann note the proposed enlarged footprint of the port will replace areas of open water which may be suitable habitat for SCI species with hardstanding, which is unsuitable habitat for SCI species.

The cSPA comprises a very large area (3,045 km^2) by comparison to other SPAs or SACs in the area. The proposed boundary of the Seas off Wexford cSPA has a total area of 3,045 km^2 while the boundary of the Rosslare Europort Area of Legal Interest proposed ORE Hub project has a total area of 0.99 km^2. Currently, 0.731 km^2 of the cSPA overlaps with the Rosslare Europort Area of Legal Interest (shown in red, Figure 2-3), which represents 0.024 % of the area of the proposed boundary of the Seas off Wexford cSPA. However, proposed amendments to the cSPA (shown in yellow, Figure 2-3) will result in no overlap between the cSPA and the Rosslare Europort Area of Legal Interest.

Figure 2-2 Area of legal interest and Irish Rail land ownership boundaries

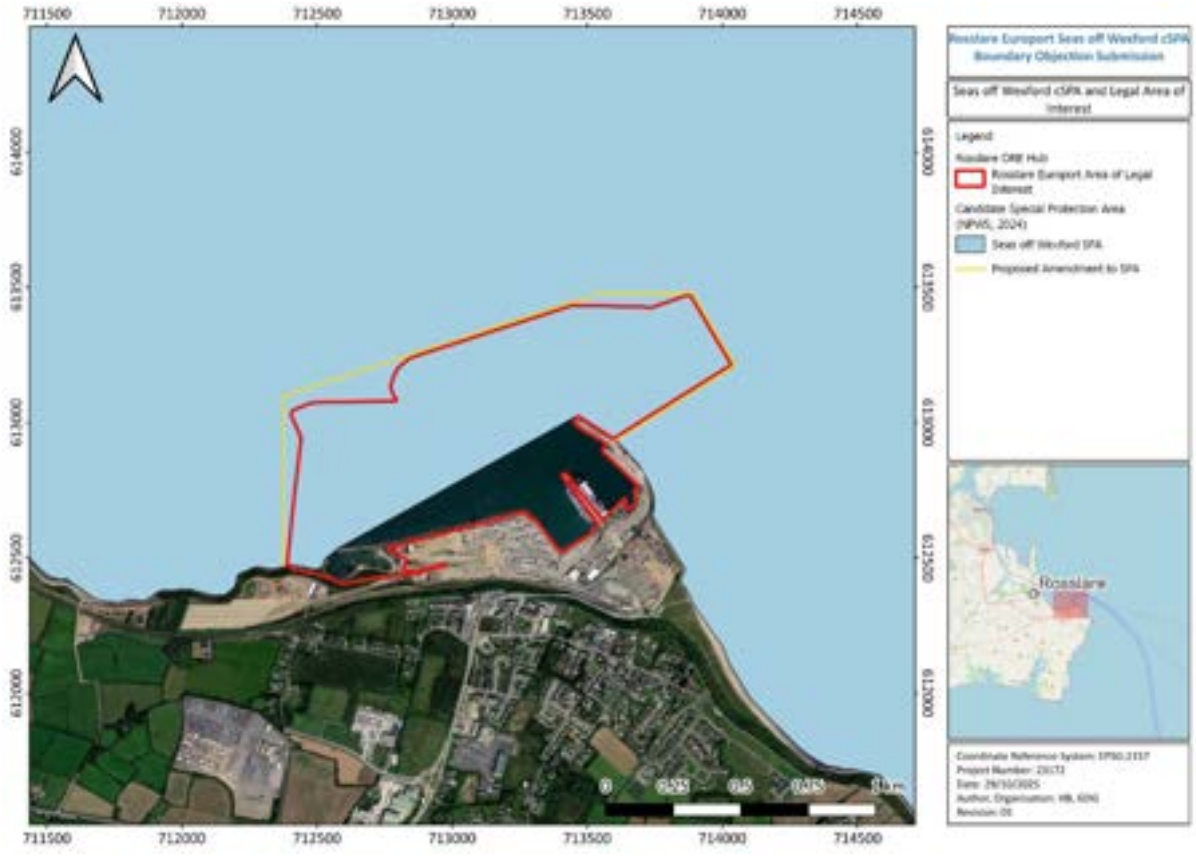

Figure 2-3 Seas off Wexford cSPA boundary, Rosslare Europort Area of Legal Interest and proposed Amendment to cSPA.

2.3 DESIGNATION PROCESS FOR CSPA

The Habitats Directive and Birds Directive are transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 as amended (hereafter referred to as the Habitats Regulations). European Sites are defined in Regulation 2(1) of the Habitats Regulations and comprise Special Areas of Conservation (SACs) and SPAs. Candidate sites are those that have been submitted to the European Commission, but not yet formally adopted under Ministerial Statutory Instrument (S.I.). Legal protection arises from the date that the Minister gives notice of his/her intention to designate the site.

Article 4(1) of the Birds Directive provides:

> *"Member States shall classify in particular **the most suitable territories** in **number and size** as special protection areas for the conservation of these species in the geographical sea and land area where this Directive applies."*

Other than the reference to the "*most suitable territories in number and size*" the Birds Directive does not include detailed criteria regarding the identification of SPAs. Equally the European Communities (Birds and Natural Habitats) Regulations 2011 does not include detailed criteria. However, some guidance has been provided by the decision of the CJEU. It is clear that designation must be based on ornithological criteria and that in this respect Member States have a degree of

margin of appreciation in terms of the application of such criteria. In (C-3/96, Commission v. Netherlands), the CJEU stated:

> *"The Member States' **margin of discretion** in choosing the most suitable territories does not concern the appropriateness of classifying as special protection areas the territories which appear the most suitable according to ornithological criteria, but only **the application of those criteria for identifying the most suitable territories** for conservation of the species in question."*

As regards defining the boundaries of the area, in C-141/14 Commission v Bulgaria), the CJEU stated:

> *"Classification as an SPA cannot be the result of an isolated study of the ornithological value of each of the areas in question but must be carried out in the light of the natural boundaries of the territory in question, and, secondly, that the ornithological criteria which alone form the foundation of the classification must have a scientific basis".*

Regulation 16(2) of the European Communities (Birds and Natural Habitats) Regulations 2011 that boundaries of a cSPA may be modified based on scientifically based evidence, stating:

> *(2) Without prejudice to the generality of paragraph (1), where the Minister has selected a site as a candidate special protection area under Regulation 15, he or she shall, having considered the scientifically based ornithological criteria pursuant to the Birds Directive, and in particular Article 4(1) and 4(2) thereof—*
>
> *(a) identify the site as eligible for classification as a special protection area under paragraph (1), **subject to any scientifically-based boundary modifications**, or (b) identify the site as not eligible for classification as a special protection area.*

The NPWS document titled "Stages in the Site Designation Process" (NPWS, 2017) describes the process for designating SACs and SPAs and provides specific SPA selection criteria.

There are four steps in the process as follows:

- Step 1: Identification of sites that may be proposed for designation.
- Step 2: Notification of landowners and advertisement of the intention to designate and of the activities requiring consent (ARCs) relating to a site.
- Step 3: Assessment of objections/appeals, if any, to the proposed designation and/or to any of the activities requiring consent (ARCs).
- Step 4: Designation of the site.

Sites which meet any of the following criteria may be classified as SPAs under the codified EU Birds Directive:

- A site holding 20,000 waterbirds or 10,000 pairs of seabirds.
- A site holding 1% or more of the all-Ireland population of an Annex I species.

- A site holding 1% or more of the biogeographical population of a migratory species.
- A site is one of the 'n' most suitable sites in Ireland for an Annex I species or a migratory species, (where 'n' is a variable which is related to the proportion of the total biogeographic population of a species held by Ireland).

A 3-month period is allowed by law for lodging of objections to a proposal to designate a site for nature conservation, where objections to a proposal to include land in a site may be made by those with a legal interest in the site (i.e. an owner or legal user). Any objection will be assessed on scientific grounds only, i.e. it is shown that the relevant habitats/species/geological features were not present in such a condition as to warrant designation. A covering letter accompanied by a map with the relevant area clearly outlined must be lodged within 3 months of publication of the Ministers proposal.

2.4 SUPPORTING DOCUMENTS, RELEVANT REPORTS & PUBLICATIONS USED TO INFORM PROPOSED DESIGNATION

The following information is taken from the Seas off Wexford cSPA documentation published on the NPWS website in 2024 (NPWS, 2024a, 2024b and 2024c).

Total populations in the breeding season for each species within the cSPA site were estimated from a single summer aerial marine bird survey conducted in 2021 (Giralt Paradell *et al.*, 2023), where an estimated 28,611 individuals were found to occur within the cSPA. The following species formed a significant proportion (i.e. ≥1%) of the overall marine bird assemblage: Guillemot, 47.2%; Manx Shearwater, 28.9%; Razorbill, 9.6%; Sandwich Tern, 3.1%; Gannet, 2.7%; Herring Gull, 2.0%; Common Tern, 1.8% and Arctic Tern, 1.4%.

During a series of surveys focused on the northern section of this SPA during the non-breeding period of 2018/2019 population estimates of up to 1,078 Common Scoter, 499 Red-throated Diver and 180 Cormorant were recorded, all of which are of national importance (NPWS, 2024a).

The documents listed below have been stated as 'supporting documents, relevant reports & publications' within the Seas off Wexford Conservation Objectives document (NPWS, 2024c). The documents have been reviewed and relevant information provided in this section and Section 3 below.

Table 2-2 Supporting documents, relevant reports & publications cited by the Seas off Wexford cSPA Conservation Objectives document (NPWS, 2024)

Title	Author(s)	Year	Summary
Distribution and behaviour of Common Scoter *Melanitta nigra* relative to prey resources and environmental parameters	Kaiser, M.J.; Galanidi, M.; Showler, D.A.; Elliott, A.J.; Caldow, R.W.; Rees, E.I.S.; Stillman, R.A.; Sutherland, W.J	2006	A large-scale study using aerial, ship-based and shore-based surveys was undertaken to ascertain the relationship of the spatial distribution of Common Scoter in Liverpool Bay with prey abundance and environmental and anthropogenic variables that may affect foraging efficiency.
Generic guidelines for seaward extensions to existing breeding northern fulmar *Fulmarus glacialis* colony Special Protection Areas	McSorley, C.A.; Webb, A.; Dean, B.J.; Reid J.B. Series : JNCC Report No. 358	2005	Guidance to inform seaward extension of SPAs based on McSorley et al (2003) boat-based surveys at six seabird breeding colony SPAs. Seaward extent of the interest feature as marine waters within 2km of the colony shore defined based on densities of northern fulmars engaged in maintenance behaviour.
Implications for seaward extensions to existing breeding seabird colony Special Protection. JNCC Report No. 329	McSorley, C.A.; Dean, B.J.; Webb, A.; Reid J.B	2003	Guidance to inform seaward extension of SPAs based on a modified seabirds at-sea boat-based survey method. Recommend that the boundaries of existing common guillemot, razorbill and Atlantic puffin colony SPAs be extended by 1 km from mean low water into the marine environment. Similar boundaries extending 2 km are recommended for gannet colony SPAs.
Diet of the northern fulmar *Fulmarus glacialis*: reliance on commercial fisheries?	Phillips, R.A.; Petersen, M.K.; Lilliendahl, K.; Solmundsson, J.; Hamer, K.C.; Camphuysen, C.J.; Zonfrillo, B.	1999	Paper considers seasonal variation in diet and reliance on prey of fulmar.

Title	Author(s)	Year	Summary
Flexible foraging techniques in breeding cormorants *Phalacrocorax carbo* and shags *Phalacrocorax aristotelis*: benthic or pelagic feeding?	Grémillet, D.; Argentin, G.; Schulte, B.; Culik, B.M.	1998	Paper considers foraging techniques in breeding cormorants and shags
The status and distribution of breeding Sandwich, roseate, common, Arctic and little terns in Ireland in 1995	Hannon, C.; Berrow, S.D.; Newton, S.F.	1997	Paper describing the status and distribution of breeding Sandwich, roseate, common, Arctic and little terns in Ireland in 1995
Space Partitioning Without Territoriality in Gannets	Wakefield, E. D.; et al.	2013	Using empirical relationships between colony size and foraging area, a population-level null model of the distribution of foraging gannets was devised to explain among-colony segregation when colonies are far apart. Model predicts extensive overlap between several study colonies, particularly in the Celtic Sea.
The breeding status of Great Cormorant (*Phalacrocorax carbo*) in Co. Wexford	Murray, T.; Cabot, D.	2015	Paper on breeding status of Great Cormorant in Co. Wexford
Simultaneous multi-colony tracking of a pelagic seabird reveals cross-colony utilization of a shared foraging area	Dean, B.; Kirk, H.; Fayet, A.; Shoji, A.; Freeman, R.; Leonard, K.; Perrins, C.M.; Guilford, T.	2015	GPS tracking study of Manx shearwaters across multiple colonies and into Irish Sea
Desk-based revision of seabird foraging ranges used for HRA screening	Woodward, I.; Thaxter, C. B.; Owen, E.; Cook, A. S. C. P.	2019	Review of published literature to inform updated foraging range estimates for UK breeding seabirds considered to be vulnerable to the impacts associated with offshore wind farms
The diet of red-throated divers (*Gavia stellata*)	Kleinschmidt, B.; Burger, C.; Dorsch, M.;	2019	Study on diet of red-throated divers in the German Bight.

Title	Author(s)	Year	Summary
overwintering in the German Bight (North Sea) analysed using molecular diagnostics	Nehls, G.; Heinänen, S.; Morkūnas, J.;Žydelis, R.; Moorhouse-Gann, R. J.; Hipperson, H.; Symondson, W. O. C.		
Tidal drift removes the need for area-restricted search in foraging Atlantic puffins	Bennison, A.; Quinn, J.L.; Debney, A.; Jessopp, M.	2019	Puffin tracking project where puffins from Little Saltee, Co. Wexford were satellite tagged and tracked over two seasons.
Assessing the effectiveness of foraging radius models for seabird distributions using biotelemetry and survey data	Critchley, E.J.; Grecian, W.J.; Bennison, A.; Kane, A.; Wischnewski, S.; Cañadas, A.; Tierney, D.; Quinn, J.L.; Jessopp, M.J.	2020	Study assessing use of relatively simple foraging radius models for generation of predictive distributions for a large number of species rapidly to provide a cost-effective alternative to large-scale surveys or complex modelling approaches.
Monitoring of breeding seabird populations on Great Saltee 2023	Tierney T.D.; Murray, T.; Cummins, S.; Doyle, H.; Walsh, A.	2023	Study based on land-based surveys to collect demographic data of seabird breeding populations in May, June and July of 2023 in relation to the ongoing rat eradication project and to carry out seabird monitoring (including signs of the Highly Pathogenic Avian Influenza (HPAI)). Seabird populations included Cormorant, Fulmar, Shag, Lesser Black-backed Gull, Herring Gull, Great Black-backed Gull, Kittiwake, Guillemot, and Razorbill on Great Saltee. Standard seabird census methods and different census units were used: Apparently Occupied Site (AOS), Apparently Occupied Nest (AON), Apparently Occupied Territory (AOT), Individuals (Id.) and poorly trace nests with adults in attendance (Trace). Within Kittiwake colonies defined in the June surveys across the island, four plots were revisited on July 27th to count and age all chicks present to derive an overall Kittiwake productivity estimate. Survey outputs include island population estimates and comparisons to previous surveys of breeding seabirds on the Great

Title	Author(s)	Year	Summary
			Saltee, and presented on a species-by-species basis where comparisons were possible.
Digital video aerial surveys of common scoter at Rosslare Bay Final report for December 2018 to March 2019	Hi-Def, Marine Institute.	2019	HiDef completed an aerial imagery bird survey in 2018 and 2019 that placed transects at 2.5km apart across the survey area at Rosslare Bay. Survey outputs include distribution and seasonal abundance maps.
The seasonal distribution and abundance of seabirds in the western Irish Sea 2016	Jessopp, M.; Mackey, M.; Luck, C.; Critchley, E.; Bennison, A.; Rogan, E	2018	Study based on visual aerial surveys conducted in summer, autumn and winter 2016 to assess the occurrence and distribution of seabird species in the Irish Sea. Over the survey period, there were 13,492 sightings of 45,409 seabirds, representing 29 seabird species or species groups. Sightings, density distributions, habitat associations, and abundance estimates for the entire survey area are presented on a species-by-species basis for all three seasonal survey periods. Overall distribution of seabird density and species richness are provided, highlighting the changing distribution of seabirds seasonally.
The seasonal distribution and abundance of seabirds, cetaceans and other megafauna in the south and southwest Irish coast	Giralt Paradell, O.; Jessopp, M.; Rogan, E	2023	Giralt Paradell *et al.* (2023) undertook a single summer visual aerial survey of the southeast coast as part of the ObSERVE II programme.
Seabirds Count: a census of breeding seabird in Britain and Ireland (2015-2021)	Burnell, D.; Perkins, A.J.; Newton, S.F.; Bolton, M.; Tierney, T.D.; Dunn, T.E.	2023	Seabirds Count provides breeding population estimates for the 25 regularly breeding species of Britain, Ireland, Isle of Man and the Channel Islands. The latest survey revealed over three quarters of seabird species breeding in Ireland have increased, with two species declining.

Title	Author(s)	Year	Summary
			Roseate Tern, European Storm-petrel and Razorbill are some of the 17 species which have increased over the last twenty years. Species in decline are Kittiwake and Puffin. Over three quarters of seabird species that breed in Ireland have increased over the past twenty years, according to the census published. This is in contrast to census results across the entire UK and Ireland, which show that 11 of the 21 seabird species, where there is confidence in their trends, have declined since the last census in 1998-2002. The results differ significantly by region or country. There are encouraging trends in Ireland for species such as the Black-headed Gull and the Arctic Tern.

2.5 cSPA Boundary

As noted earlier, the criteria a site must meet to be classified as an SPA under the Birds Directive (2009/147/EC) is contained in Article 4 thereof which refers to classifying in particular "*the most suitable territories in number and size*" as SPAs. Insofar as a relevant ornithological consideration is whether a site contains species listed in Annex 1 of the Directive, it is noted that seven (7) of the 20 SCIs listed for the Seas off Wexford cSPA, are Annex 1 species.

The EU Commission's 2022 Staff Working Document on Criteria and Guidance for Protected Areas Designations states:

> *"The Birds Directive sets, in its Article 4, requirements for the designation of the most suitable territories, in number and size, as special protection areas for the conservation of wild birds. It is not specific in terms of criteria for identifying those most suitable territories, but the Court of Justice of the EU has specified that they need to be based* ***on objectively verifiable ornithological criteria****.*
>
> *More detailed criteria have been developed by* ***BirdLife International for Important Bird and Biodiversity Areas*** *(IBAs)[2] and by* ***IUCN for Key Biodiversity Areas*** *(KBAs)[3].* ***Although these criteria are not directly linked to a requirement to legally protect the identified areas, they provide a good scientific basis to guide the selection of areas to be protected****. In particular, the criteria for the identification of IBAs and resulting lists of sites have been used in the past by the Commission and by the Court of Justice of the EU to assess the sufficiency of designations of special protection areas under the Birds Directive."*

2.6 Site-Specific Conservation Objectives

The Site-Specific Conservation Objectives for the Seas off Wexford cSPA (NPWS, 2024c) were published by NPWS in February 2024 and can be found on the NPWS website[4].

A site-specific conservation objective aims to define favourable conservation condition for a particular habitat or species at that site. The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a **habitat** is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance
- exist and are likely to continue to exist for the foreseeable future, and

[22] https://datazone.birdlife.org/site/ibacriteria

[3] https://portals.iucn.org/library/node/46259

[4] https://www.npws.ie/protected-sites/spa/004237

- the conservation status of its typical species is favourable.

The favourable conservation status of a **species** is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The Site-Specific Conservation Objectives for maintaining or restoring favourable conservation status of the 20 bird species listed for protection as SCIs of the Seas off Wexford cSPA provide species specific measures and targets for attributes including population size and spatial distribution which can be used to inform assessment of whether the Site-Specific Conservation Objectives of the Seas off Wexford cSPA are being met or not.

2.7 ACTIVITIES REQUIRING CONSENT

The cSPA is legally protected as it has been publicly advertised and is accompanied by a list of activities that might damage the wildlife interests of the site which require consent from NPWS (ARCs) (NPWS, 2024b).

These are:

- ARC 01: Reclamation, including infilling.
- ARC 03: Blasting, drilling, dredging or otherwise removing or disturbing fossils, rock, minerals, mud, sand, gravel or other sediment.
- ARC 06: Introduction, or re-introduction, of plants or animals not found in the area.
- ARC 08: Undertaking scientific research involving the collection and removal of biological material.
- ARC 30: Any activity intended to disturb birds, including by mechanical, air, gas, wind powered or audible means.
- ARC 31: Developing or consenting to the development or operation of commercial recreational/visitor facilities or organised recreational activities.
- ARC 35: Undertaking active acoustic surveys in the marine environment.

3 SEAS OFF WEXFORD CSPA PROPOSED BOUNDARY ASSESSMENT

To inform an assessment of whether the Rosslare Europort Area of Interest is suitable to be included in the cSPA, the following matters are considered:

- A review of all relevant studies, including those referenced by the cSPA Conservation Objectives document (NPWS, 2024c) and publicly available Article 12 reporting data (3.1)
- A consideration of three digital aerial survey datasets used to inform the proposed designation of the Seas of Wexford cSPA (3.2)
- Consideration of the 2023/2024 HiDef digital aerial survey dataset collected for the Marine institute and NPWS (3.3)
- Consideration of the land-based survey dataset collected by Iarnród Éireann at Rosslare Europort for the Rosslare ORE Hub project (3.4).

The sections below summarise the general findings of the assessment with cSPA SCI bird species-specific information from these studies and datasets presented in Section 4.

3.1 RELEVANT LITERATURE REVIEW FINDINGS

3.1.1 CRITCHLEY *ET AL*, 2020. ASSESSING THE EFFECTIVENESS OF FORAGING RADIUS MODELS FOR SEABIRD DISTRIBUTIONS USING BIOTELEMETRY AND SURVEY DATA

This study assessed the use of relatively simple foraging radius models for generation of predictive distributions for a large number of species rapidly to provide a cost-effective alternative to large-scale surveys or complex modelling approaches.

The study concluded that the foraging radius method is a far quicker and more cost-effective method for assessing at-sea distribution over a large area compared to GPS tracking studies or at-sea surveys, however further empirical research is needed over a larger number of species, colonies and regions, focusing on the ability of foraging radius models to capture average distributions over longer time periods.

This highlights the limited availability of appropriately scaled spatial and temporal empirical data to test and validate this method.

3.1.2 BENNISON ET AL, 2019. TIDAL DRIFT REMOVES THE NEED FOR AREA-RESTRICTED SEARCH IN FORAGING ATLANTIC PUFFINS

Bennison et al (2019) tracked sixteen adult puffins that were feeding chicks during the breeding season in 2017 (n = 12) and 2018 (n = 4) on Little Saltee, Co. Wexford.

The map below in Figure 3-1 shows that the tracked puffins did not overlap with the Rosslare Europort Area of Legal Interest.

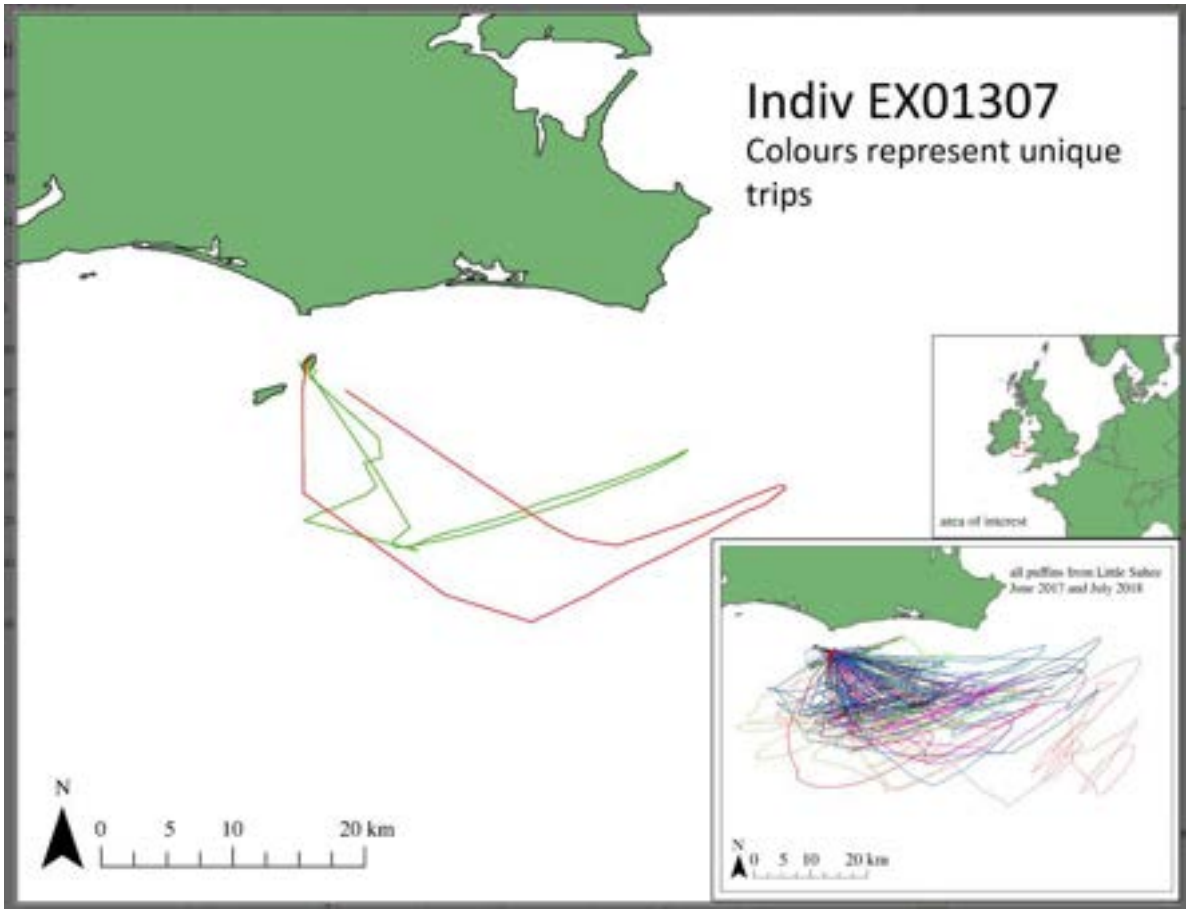

Figure 3-1 Two different foraging trips (colours represent different foraging trips) of puffins that were tracked via GPS. Inset picture: all puffin trips recorded between 2017 and 2018 (Bennison, *et al.*, 2019).

Bennison et al (2019) therefore provides evidence that Puffins from the Saltee Islands SPA use the Seas off Wexford cSPA to forage but do not utilise the Rosslare Europort Area of Legal Interest.

3.1.3 CUMMINS ET AL., 2019. THE STATUS OF IRELAND'S BREEDING SEABIRDS: BIRDS DIRECTIVE ARTICLE 12 REPORTING 2013 – 2018

The Birds Directive (Directive 2009/147/EC) came into force in Ireland in 1981. Article 12 of this directive requires Member States to report on the implementation of national provisions taken under this Directive including specific reporting on status and trends of bird species. Since 2013 these reports are prepared every 6 years.

The population information in

Table 3-1 below are associated with the 2019 report and have come from the individual species reports for listed species of the Seas off Wexford cSPA available for viewing from the Eionet website: http://bd.eionet.europa.eu/article12/.

Table 3-1 Article 12 Reporting (NPWS, 2019)

Seas off Wexford cSPA species list		Breeding (B)	Wintering (W)	Population Size (best single value)	Year or Period	Type of Estimate
Common Name	Scientific name					
Common Scoter	*Melanitta nigra*		W	10607	2011 - 2016	multi-year mean
Red-throated Diver	*Gavia stellata*		W	657	2011 - 2016	multi-year mean
Fulmar	*Fulmarus glacialis*	B		65798	2015 - 2018	Best Estimate
Manx Shearwater	*Puffinus puffinus*	B		65090	1998-2002	Best Estimate
Gannet	*Morus bassanus*	B		95892	2013-2014	Best Estimate
Shag	*Phalacrocorax aristotelis*	B		9960	2015-2018	Best Estimate
Cormorant	*Phalacrocorax carbo carbo*		W	7967	2011-2016	Best Estimate
Kittiwake	*Rissa tridactyla*	B		49456	2015-2018	Best Estimate
Mediterranean Gull	*Larus melanocephalus*	B		108	2015-2018	Best Estimate
Lesser black-backed Gull	*Larus fuscus*		W	11842	2011-2016	multi-year mean
Herring Gull	*Larus argentatus*		W	11524	2011-2016	multi-year mean
Little Tern	*Sternula albifrons*	B		776	2016-2018	Best Estimate
Roseate Tern	*Sterna dougallii*	B		3640	2016-2018	Best Estimate
Common Tern	*Sterna hirundo*	B		10116	2016-2018	Best Estimate
Arctic Tern	*Sterna paradisaea*	B		5556	2016-2018	Best Estimate
Sandwich Tern	*Thalasseus sandvicensis*	B		5038	2016-2018	Best Estimate
Puffin	*Fratercula arctica*	B		42424	2012-2012	Best Estimate
Razorbill	*Alca torda*	B		33689	2015-2018	Best Estimate
Common Guillemot	*Uria aalge*	B		177388	2015-2018	Best Estimate
Black-headed Gull	*Chroicocephalus ridibundus*			n/a	n/a	n/a

3.2 REVIEW OF SURVEY DATASETS USED TO INFORM THE PROPOSED DESIGNATION

3.2.1 JESSOP ET AL, 2018. THE SEASONAL DISTRIBUTION AND ABUNDANCE OF SEABIRDS IN THE WESTERN IRISH SEA 2016

The ObSERVE Programme was established in October 2014 by the Department of Communications, Climate Action & Environment (DCCAE) in partnership with the Department of Culture, Heritage and the Gaeltacht (DCHG). This aerial survey project was a publicly tendered contract funded under the ObSERVE Programme. Fine-scale visual aerial surveys were conducted in summer, autumn and winter 2016 to assess the occurrence and distribution of seabird species in the Irish Sea. Fifty-five parallel survey transects spaced approximately 2 nautical miles (3.7km) apart, and on average 20-30 nautical miles in length covered the western Irish Sea (Jessopp, *et al.,* 2018). Over the survey period, there were 13,492 sightings of 45,409 seabirds, representing 29 seabird species or species groups. This ObSERVE programme was Phase 1 and precedes the ObSERVE II programme (Giralt Paradell, *et al*., 2023) as detailed in Section 3.2.3 below.

These aerial surveys undertaken by Jessopp et al., (2018) recorded the following SCI species for the Seas off Wexford cSPA:

- Northern gannet,
- Cormorant/shag[1],
- Northern fulmar,
- Herring/common gull[1],
- Black-headed gull,
- [Great[2]]/Lesser black-backed gull[1],
- Black-legged kittiwake,
- Manx shearwater,
- Atlantic puffin,
- Black guillemot,
- Razorbill/Guillemot[1],
- Arctic/Common tern[1],
- Roseate tern,
- Sandwich tern,
- Little tern
- Common scoter.

1 Not possible to identify to individual species level on surveys
2 Great black-backed gull is not an SCI species for the Seas off Wexford cSPA

Sightings, density distributions, habitat associations, and abundance estimates for the entire survey area are presented on a species-by-species basis for all three seasonal survey periods. Overall distribution of seabird density and species richness are provided, highlighting the changing distribution of seabirds seasonally.

SCI species-specific survey results from this report are presented below as seasonal 25% utilization distribution plots and maps presenting the recorded sightings per transect line.

In Figure 3-2, the parallel transects flown in summer, autumn and winter in 2016 are illustrated, where it is evident Rosslare Europort Area of Legal Interest overlaps with the coverage of this survey.

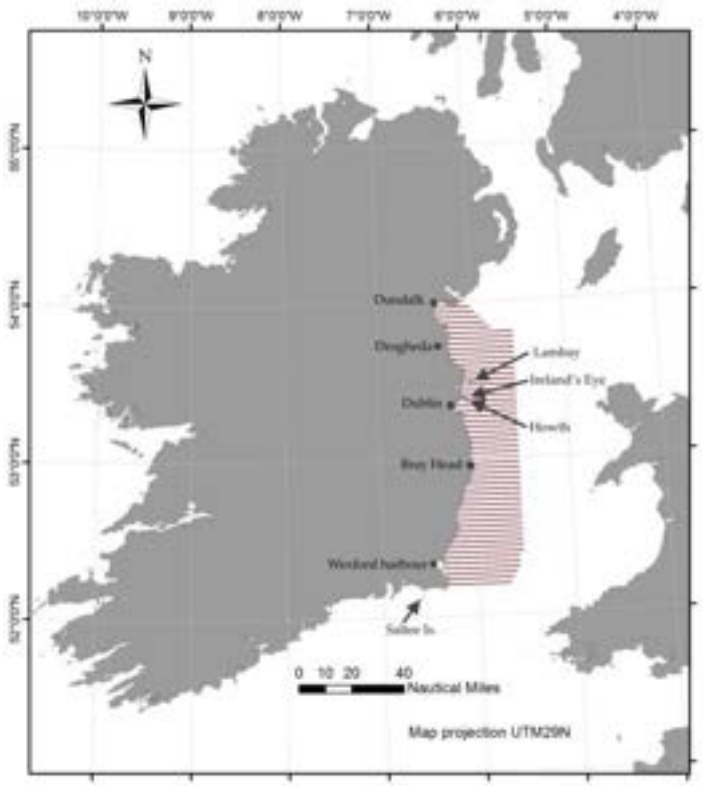

Figure 3-2 Map showing parallel transects flown in summer, autumn and winter 2016 in the Irish Sea (Jessopp, *et al*., 2018).

See Section 4 Species Summary where it is shown Jessop *et al* (2018) provides evidence that the proposed SCI bird species for the Seas off Wexford cSPA do not utilise the Rosslare Europort Area of Legal Interest.

3.2.2 HI-DEF, 2019. DIGITAL VIDEO AERIAL SURVEYS OF COMMON SCOTER AT ROSSLARE BAY

A series of 2.5km spaced aerial transects were flown monthly between December 2018 and March 2019. Five surveys were conducted, with two surveys flown in January 2019.

The aerial surveys recorded the following SCI species for the Seas off Wexford cSPA:

- Red-throated Diver [A001]
- Gannet [A016]
- Cormorant [A017]
- Shag [A018]
- Common Scoter [A065]
- Black-headed Gull [A179]
- Lesser Black-backed Gull [A183]
- Herring Gull [A184]
- Kittiwake [A188]
- Guillemot [A199]
- Razorbill [A200]
- Puffin [A204]

For context, GDG produced a map with the survey transects from the HiDef report (2019) and the Rosslare Europort Area of Legal Interest – see Figure 3-3.

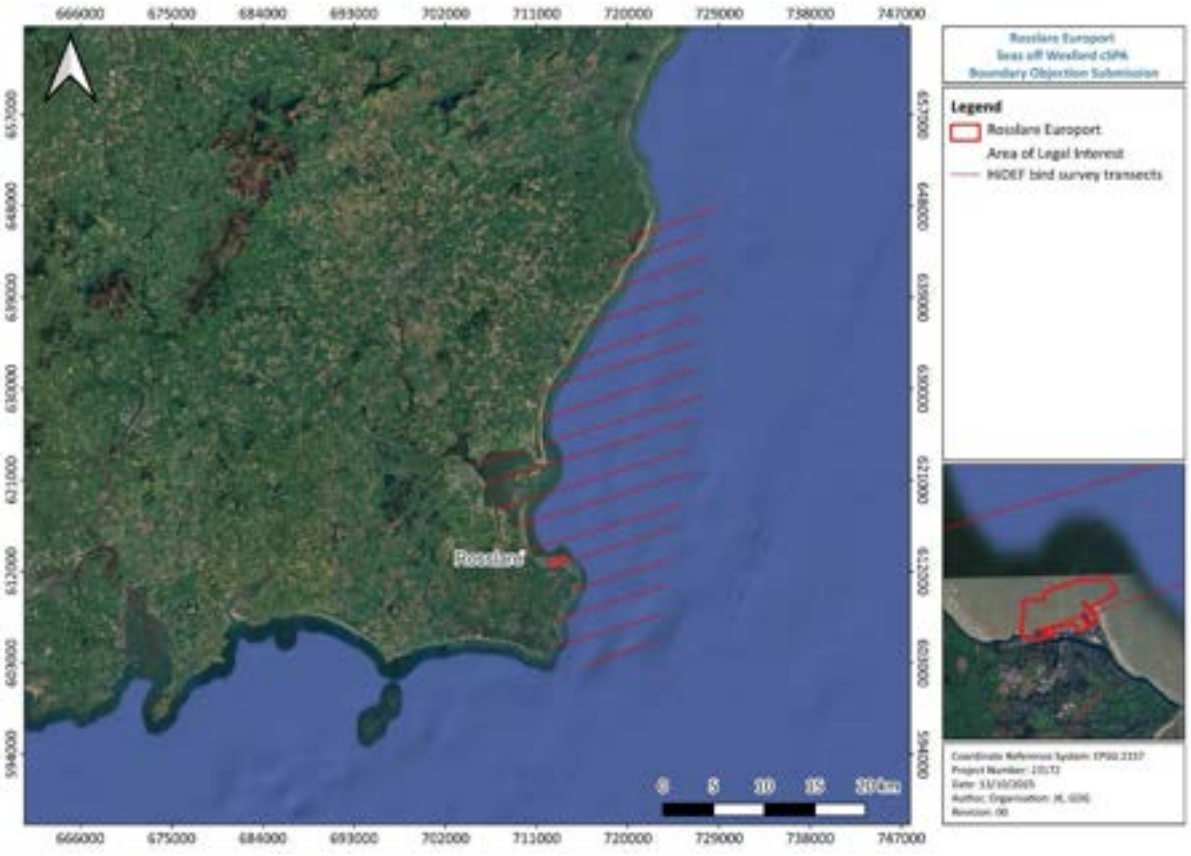

Figure 3-3 Map of HiDef survey transects and Rosslare Europort Area of Legal Interest – produced by GDG using the survey transect shapefile from HiDef, 2019.

Survey results were provided as density (number/km²) and number of detections per segment between December 2018 to March 2019.

Within the report, the following explains the density maps and how they were derived:

> *"The density estimate is expressed as the average number of animals per square km surveyed over the whole study area or the project area, and the population estimate is then calculated as the density multiplied up to the area of the whole project area or the study area (project area with 4 km buffer). The upper and lower CI define the range that the population estimate falls within with 95% certainty. The CV, also referred to as the relative standard error, is a measure of the precision of the population and density estimates.*
>
> *….The density maps have been derived using a Watson-Nadaraya type kernel density estimation (KDE) technique (Simonoff 1996) and used to calculate a local density at each point in the study area. To evaluate the density at a given point, the kernel is centred on that point and all the observations within the window are summed to obtain a local count. The total area of the transect(s) intersecting the window is then summed to obtain a local measure of effort. By dividing the local count by the local effort, a local density estimate is obtained. To build a density*

map, the study area is covered with a fine mesh of study points and the density is calculated at each point in the mesh in turn.

*….**It should be noted that several of the KDE maps are effectively flat.** These correspond to distributions **where the density surface as obtained from a small local kernel was not effective at predicting missing data; this can happen with evenly distributed birds, but mainly happens for very sparse distributions.** In the case of sparse distributions, the 'flat' map does not necessarily mean that the true underlying distribution is 'flat'; it could mean that the data doesn't contain enough evidence to determine what the underlying distribution is. It is therefore useful to refer back to the population estimates for the corresponding map when looking at these 'flat' densities; we have also overlaid the relevant observations as dots to help with interpretation of the maps. In extreme cases, the maps were not included in the results section, and the data presented as dot maps. This occurred where there were fewer than five observations of the species or species group in question."*

The Hi-Def surveys recorded no SCI species for the Seas off Wexford cSPA within the Rosslare Europort Area of Legal Interest, with the exception of two records of Herring Gull during the January S01 survey.

HiDEF (2019) therefore provides evidence that proposed SCI bird species for the Seas off Wexford cSPA do not utilise the Rosslare Europort Area of Legal Interest.

3.2.3 Giralt Paradell *et al.*, 2023. The seasonal distribution and abundance of seabirds, cetaceans and other megafauna in the south and southwest Irish coast

The ObSERVE Programme undertakes surveys for marine megafauna in Irish offshore waters. The purpose of these surveys is to estimate and describe animal density, abundance, and distribution.

ObSERVE Phase 2 (ObSERVE II) included a single visual aerial survey of the south-eastern coast of Ireland in summer 2021.

Species-level identification was unsuccessful for several species where separation of their identity could not be achieved as their resemblance in plumage could not be distinguished. In this case, species were grouped compiling closely related species; for example, certain gull spp., cormorant and shag, shearwater spp., auk spp., tern spp., divers spp., waders spp., black backed gull spp., and herring and common gull could not be separately identified in some cases.

Species specific maps produced by ObSERVE II from survey data collected were made available for review in png format, however the associated report and spatial data were not made available.

These maps included Summer, Autumn and Winter transects, however, the aerial transect lines for Autumn and Winter covered the coastline to the south and southwest of Ireland and did not overlap with the Seas of Wexford cSPA. Therefore, only maps which present the summer data (i.e. breeding season) were considered in this report. Aerial survey transects overlapped with the Seas of Wexford cSPA however none of the transects overlapped with the Rosslare Europort Area of Interest. The closest transect is estimated to be within 1 km of the Rosslare Europort Area of Interest.

The ObSERVE II maps of the SCI species are presented in the Species Summary below in Section 4.

As the survey transects did not overlap with the Rosslare Europort Area of Interest, no SCI species for the Seas off Wexford cSPA were recorded within the Rosslare Europort Area of Legal Interest by the survey.

ObSERVE II therefore provides no evidence that proposed SCI bird species for the Seas off Wexford cSPA utilise the Rosslare Europort Area of Legal Interest.

3.3 Review of HiDef 2023/2024 Digital Aerial Survey Dataset

3.3.1 Introduction

Digital Aerial Surveys (DAS) in the Rosslare Bay region were undertaken in December 2023, January 2024 and March 2024 by HiDef Aerial Surveying Ltd for the Marine Institute and National Parks and Wildlife Service (NPWS). In addition, more detailed surveys of Rosslare Bay were undertaken by HiDef for the Marine Institute and NPWS in January and February 2024. A total of five survey days were undertaken over the period December 2023 to March 2024.

A summary of the dates that surveys were conducted is presented in Table 3-2.

3.3.1.1 Regional Rosslare Bay surveys (December 2023, January 2024, March 2024)

The regional Rosslare Bay surveys were conducted at 5 km spacing perpendicular to the south Wexford coast from Tramore eastwards out to approximately 30 km east of Carnsore Point. In addition, surveys at 5 km spacing perpendicular to the east Wexford coast from Cahore Point south approximately Carnsore Point. More detailed surveys at 2.5 km spacing were also flown over Rosslare Bay. The flight paths for the 5 km regional surveys are shown in Figure 3-4.

3.3.1.2 Rosslare Bay surveys (January 2024 and February 2024)

In addition to the regional surveys, two additional surveys of Rosslare Bay were conducted at 2.5 km transect spacing perpendicular to the east Wexford coast from Cahore Point south approximately Carnsore Point. These additional surveys matched the 2.5 km spaced transects also covered by the regional surveys. The flight paths for the 2.5 km surveys of Rosslare Bay are shown in Figure 3-5.

Table 3-2 Summary of survey dates and transect spacing

Date	Type	Transect spacing
20/12/2023	Regional	2.5 km and 5 km
16/01/2024	Rosslare Bay	2.5 km
26/01/2024	Regional	2.5 km and 5 km
16/02/2024	Rosslare Bay	2.5 km
22/03/2024	Regional	2.5 km and 5 km

Figure 3-4 Example of 2.5 km and 5 km spaced transects covered on regional surveys in December 2023, January 2024 and March 2024 (from Hidef, 2024a, showing December 2023)

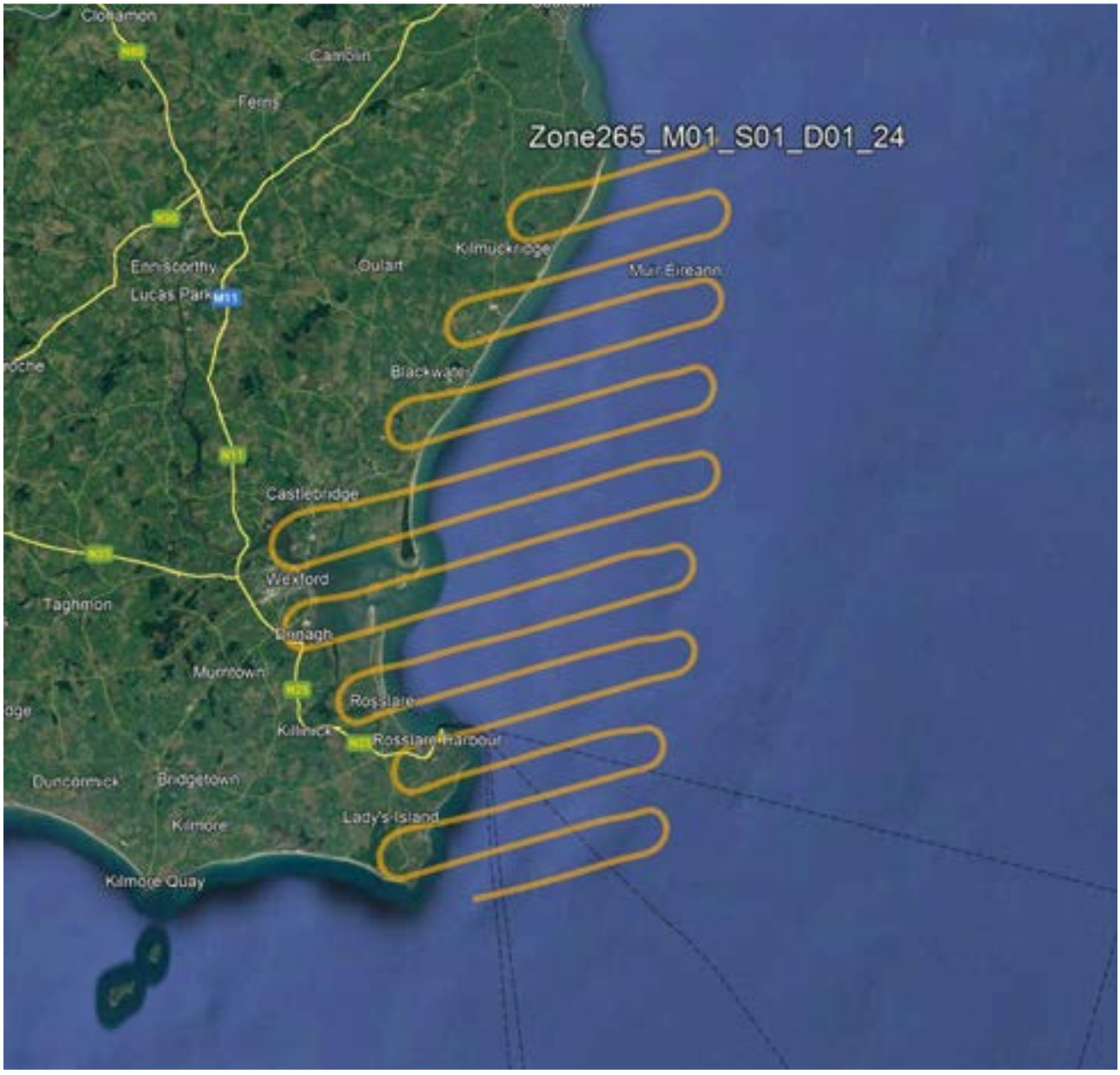

Figure 3-5 Example of 2.5 km spaced transects covered on Rosslare Bay surveys in January and February 2024 (from Hidef, 2024b, showing January 2024)

3.3.2 SURVEY METHODS

The HiDef camera rig contains four HD digital video cameras and is operated at a survey altitude of c.500-550m (1,650-1800ft). At this altitude, the HiDef cameras and lenses each survey a strip of c.125m, with a Ground Sample Distance (GSD) resolution of 2cm. The cameras each use high quality lenses with 180mm focal length to achieve this image resolution. Combined, these cameras can survey a total strip width of c.500m. A gap of approximately c.20m is maintained between the cameras; this has the benefit of ensuring no overlap between cameras and slightly enlarging the

swathe over which the survey takes place, which increases the chance of detecting dense flocking species such as seaduck, shearwaters, dolphins, sharks, and potentially multi-species feeding assemblages.

During the survey, the camera rig is rotated to ensure that it is always pointed either forwards or backwards to an angle of 30˚ from vertical and away from the sun, thus eliminating bias in animal detection rates caused by sun glare on the sea. This is a significant issue for digital camera systems which cannot be directed away from sun glare, especially in the summer months when the Sun's angle is highest and causes significant data loss.

Each camera is started at the beginning of each transect and stopped at the end, recording continuously in between. Digital video imagery is recorded continuously to two hard drives (one master and one backup) for each camera separately. Also recorded is the position of the aircraft at one second intervals from a differential GPS device (with two metre positional accuracy).

HiDef's approach is to provide a survey design consisting of a series of equally spaced parallel transects (samples) with a randomised origin which are aligned to the site. It is crucial that the direction of the transects does not parallel habitat features and, therefore, we orientate transects perpendicular to the key seabird habitat descriptors (and often to the coast), as indicated by transect lines in Figure 3-4 and Figure 3-5.

This orientation ensures that samples are obtained across a wide range of feeding and locational habitats within each transect and samples across any gradients of animal density that may be associated with them (e.g seabirds and bathymetry). The principal static feeding habitats within the proposed study area for the key species are most likely determined by bathymetry, oceanographic front location and sediment type. This approach helps to reduce the amount of variation between transects, and thus provide more precise estimates of abundance.

3.3.3 RESULTS

3.3.3.1 COUNT DATA WITHIN 2 KM OF ROSSLARE EUROPORT

Raw numbers of sightings of seabird species recorded on DAS surveys between December 2023 and March 2024 within approximately 2 km of Rosslare Europort are presented in Table 3-3. Numbers were estimated from visual reference to species distribution maps within the monthly survey reports (HiDef, 2024a-e).

These monthly count data demonstrate that numbers of seabird species recorded on DAS surveys within approximately 2 km of the Rosslare Europort Area of Legal Interestwere typically low throughout the survey period.

Table 3-3 Raw numbers of seabird species recorded within and adjacent to Rosslare Europort Area of Legal Interest on DAS surveys between December 2023 and March 2024

Species	Dec 2023[1]	Jan 2024[2]	Jan 2024[1]	Feb 2024[2]	Mar 2024[1]
Great northern diver	0	0	1	0	0
Red-throated diver	4	4	5	2	3
Great crested grebe	0	0	1	0	0
Common scoter	0	0	1	0	0
Gannet	11	0	1	1	0

Species	Dec 2023[1]	Jan 2024[2]	Jan 2024[1]	Feb 2024[2]	Mar 2024[1]
Cormorant	0	0	0	0	1
Shag	4	2	4	1	1
Black-headed gull	3	0	0	1	1
Mediterranean gull	0	0	1	0	0
Common gull	4	1	4	1	2
Herring gull	6	0	0	9	1
Great black-backed gull	4	2	3	2	1
Kittiwake	7	0	10	1	1
Sandwich tern	0	0	0	0	2
Guillemot	15	7	9	2	6
Razorbill	11	2	10	1	1
Black guillemot	0	0	0	1	0

1 2.5 km & 5 km transects

2 2.5 km transects

3.3.3.2 Density and Abundance Analysis

Iarnród Éireann and NPWS developed a scope for the analysis of the survey data and Iarnród Éireann commissioned HiDef to undertake the agreed spatial analysis scope of the Rosslare Bay Regional and Rosslare Bay subset data for the following nine seabird species:

- Red-throated Diver (*Gavia stellata*) [A001]
- Common Scoter (*Melanitta nigra*) [A065]
- Gannet (*Morus bassanus*) [A016]
- Black-headed Gull (*Chroicocephalus ridibundus*) [A179]
- Lesser Black-backed Gull (*Larus fuscus*) [A183]
- Herring Gull (*Larus argentatus*) [A184]
- Kittiwake (*Rissa tridactyla*) [A188]
- Guillemot (*Uria aalge*) [A199]
- Razorbill (*Alca torda*) [A200]

Density and abundance estimates were calculated from the density surface modelling for the whole survey areas, along with the 5km and 10km buffer zones extending from Rosslare Europort. In addition, the modelling process tested for significant effects of a number of environmental and spatial covariates, specifically bathymetry (sea depth), slope of sea floor, aspect of sea floor, sea surface temperature, distance to coast and distance to centroid of the survey area. Analysis was undertaken at the individual survey and species level.

For auk species (guillemot and razorbill) that spend a substantial proportion of time underwater, appropriate adjustments were made to estimates post-modelling to account for availability bias by adjusting the sitting bird density and abundance.

The analysis of the regional data indicates that, over the entire survey area, an abundance of greater than 10,000 individuals was predicted per survey for guillemot and razorbill on all three regional surveys. Greater than 5,000 individuals per survey was predicted for kittiwake on two of the three surveys with greater than 1,000 individuals predicted over the entire survey area for at least one survey for gannet, common scoter, herring gull, black-headed gull and red-throated diver.

Density estimates indicate that densities within the 5km and 10km buffer were similar or higher than density estimates for the whole survey area, for the majority of species. In some cases (red-throated diver, gull species) this is driven by higher numbers of birds closer to the coastline versus the full survey area: for these species, spatial covariates (distance to centroid of buffer, distance to coast) were significant in a number of months.

For the Rosslare Bay subset data, an abundance of greater than 1,000 individuals was estimated per survey for razorbill, guillemot and kittiwake for five of the six surveys. Density estimates indicate similar densities within the 5km and 10km buffers compared to the Rosslare Bay subset survey area for the majority of species. Kittiwake and herring gull tended to have higher densities across the subset survey area versus the 5km and 10km buffers. Given the subset area was closer to the coast than the regional survey area, there was less evidence of higher densities within the 5km and 10km buffer, compared to the subset area data.

In general, results show that within 5km of the development area, abundance and density of all species were typically low.

3.4 Review of Rosslare ORE Hub 2022-2024 Bird Survey Dataset

Iarnród Éireann commissioned APEM to undertake a bird survey programme at Rosslare Europort, Co. Wexford between April 2022 and September 2024 inclusively to gather data informing the impact assessment of ornithological receptors for the proposed ORE Hub development.

The ornithology survey area covered a 1.5 km buffer from shore. A total of 52 individual surveys were conducted between April 2022 and September 2024. This comprised 29 vantage point (VP; 26 surveys from VP1 location and 3 from VP2 location) surveys, eight winter walkover (WWO) surveys, twelve breeding bird surveys (BBS), and six roosting tern surveys.

A range of seabirds, waterfowl, waders, and terrestrial species—including passerines, grassland birds, and raptors—were recorded throughout the survey period. Some species were only present during the breeding season (e.g. terns), while others were present throughout the year, although numbers varied between seasons (e.g. gannet, gull species). The majority of wader species were recorded in low numbers during winter months.

Between May 2022 and September 2024, 30 seabird and waterbird species were regularly recorded on baseline surveys in the Ornithology Study Area.

Of the 30 regularly occurring species recorded on baseline surveys, for thirteen species, the peak recorded number was less than 10 individuals. The peak recorded number for a further eight species was less than 25 individuals, while peak number exceeded 25 individuals for only eight species

(common scoter, kittiwake, black-headed gull, Mediterranean gull, herring gull, lapwing, turnstone and Sandwich tern).

The surveys conducted by APEM demonstrate that the numbers of SCI bird species present in the Rosslare Europort Area of Legal Interest are insufficient for its inclusion in the SPA. Species-specific survey results for all cSPA SCI species are summarised in Section 4.

3.5 Review of Rosslare ORE Hub Environmental Impact Assessment Report and Appropriate Assessment Screening Report

3.5.1 Environmental Impact Assessment Report

The Ornithology chapter of the draft Rosslare ORE Hub Environmental Impact Assessment Report presents the assessment of the likely significant effects of the ORE Hub on Ornithology arising from the construction and operation of the ORE Hub, both alone and cumulatively with other projects. The chapter identifies, describes and assesses in an appropriate manner, the direct and indirect significant effects of the ORE Hub on key bird species, supporting habitats and designated conservation sites for birds within the Zone of Influence (ZoI) of the ORE Hub.

A number of activities associated with the construction phase of the ORE Hub that could potentially impact on waders and waterbirds were considered, including disturbances due to presence of workers and operation of plant on site, dredging activities and other works-associated with vessel movements, and noise generation.

Baseline surveys indicate that the majority of waterbirds recorded in the vicinity of the Proposed Development occurred in low numbers. Additionally, it is considered that waterbird species that occur in and around Rosslare Europort are already accustomed to anthropogenic noise due to existing high levels of vessel activity and the heavily modified habitats within the port environment.

Three species were screened in as being potentially susceptible to disturbance as a result of increased human activity, noise and vessel activity associated with construction – common scoter, red-throated diver and black guillemot

Any impact is to these species is predicted to be of local spatial extent, intermittent, and temporary to short-term duration. The EPA (2022) guidance defines temporary duration as lasting less than one year, while “short-term” duration is defined as between one- and seven-years duration. However, it is considered that only a small proportion of the total development site will be affected by construction activities at any one time, and that individual construction activities will typically be completed within a few months. Consequently, only birds in the vicinity of these individual activities will be affected directly.

On this basis, it is considered that any disturbance to common scoter and red-throated diver will be temporary (non-breeding season only), and that the magnitude of any effect will therefore be low and not significant in EIA terms.

Temporary seabed disturbance from these dredging and reclamation activities, may release sediment into the water column which could cause fish and mobile invertebrates to temporarily avoid the area. Increased suspended sediments can reduce water visibility, making it more challenging for foraging seabirds to locate prey. Consequently, these activities may lead to a

temporary reduction in prey availability in the vicinity of the dredging and reclamation activities for foraging seabirds during the active dredging and reclamation period.

Sediment dispersal modelling predicts SACs and SPAs in the vicinity of the Proposed Development will experience increased suspended sediment concentrations (SSC), with the highest predicted recorded level at Carnsore Point SAC at 9.96 mg/L (c. ~10ppm (parts per million). The proposed duration of operations was predicted to result in a relatively broad dispersion of sediment, although estimated changes in bed thickness remained negligible, with a maximum of only 0.02 cm of bed thickness change predicted within the harbour area and less than 0.001 cm of bed thickness change predicted within a 1 km radius of the ORE Hub site.

Given these factors, the impacts from sediment dispersal and temporary seabed disturbance are expected to be localised and short-term, with no significant adverse effects on designated sites or foraging species in the wider area.

Following construction of the Proposed Development, there will be long-term loss of foraging habitat associated with the area of land reclamation (approximately 28 ha). Overall, approximately 23.5 ha of sub-tidal seabed habitat and 1.75 ha of intertidal habitat will be lost to foraging bird species as a result of the reclamation works. The seabed habitats removed by the reclamation of this area will reduce the amount of suitable habitat and available food resource for fish and shellfish species and communities associated with the baseline substrates/sediments, which could in turn, reduce the availability of these prey fish species for foraging seabirds in the vicinity.

Most seabird species have a variety of target prey species and have large foraging ranges, meaning that they are able to forage for alternative prey species or to forage in other areas if an area of habitat is no longer available. The sensitivity of the majority of seabird species to displacement as a result of long-term habitat loss due to the creation of the reclamation land area is therefore considered to be low.

Any alteration in habitat availability will not have an impact beyond displacement of a very small number of birds and would not be considered significant at anything more than a local level. The loss of potential foraging habitat for waterbirds that would occur as a result of the reclamation of the existing small boat harbour, was considered to be of local significance, with small numbers of foraging birds permanently displaced. Over time the proposed rock armouring around the reclaimed area will provide similar intertidal foraging habitats, both in terms of function and area. The loss of

open water will be permanent; however, recorded usage of this area by species of divers, grebes and auks was periodic and only involved very low numbers of birds. Therefore, the magnitude of any displacement effect on foraging birds is considered to be negligible.

Following completion of construction, there may be disturbance to foraging waterbirds in the vicinity of the Proposed Development as a result of vessel activity in and out of the new facilities. There is evidence from studies that demonstrate that species such as divers and scoters may avoid shipping by several kilometres (Garthe and Hüppop, 2004; Schwemmer *et al*. 2011, Fleissbach *et al.,* (2019), while gulls are not considered susceptible to disturbance, as they are often attracted to fishing boats as a potential food source (Camphuysen, 1995; Hüppop and Wurm, 2000, Fleissbach *et al.,* (2019). However, as much of the existing site is an operational port, it is considered that the local birdlife will be used to regular noise, lights and vehicular activity associated with a busy 24-hour port.

Annual vessel density based on Automatic Identification System (AIS) data shows that the Proposed Development typically has between one and 50 vessel transits per year, which corresponds to an average of one transit per week over a year. In comparison, the adjacent route into the existing Rosslare Europort berthing area has between 1,000-7,008 vessel transits per year. Analysis of the tracks and manoeuvring areas used by these vessels demonstrates that the overwhelming majority (>99.9%) already pass clear of the proposed reclamation area due to its insufficient water depth for their typical draft requirements. The existing Rosslare Europort is expected to operate as normal following construction of the ORE Hub.

During the operational phase, it is anticipated that there would typically be one large project vessel movement per week or up to one large project vessel movement per day during peak OWF (Offshore Wind Farm) activity. Small vessel traffic transiting to and from the Small Boat Harbour is likely to be mainly maintained at current levels. The large project vessels will be bound by the same requirements as other large commercial vessels within Rosslare Europort, including the clear channel policy.

As the baseline sightings of common scoter and red-throated diver were only recorded between August and April, any disturbance from vessel activity will be limited to the non-breeding season, when birds are in the vicinity of the site, and there will be no disturbance to breeding birds in the breeding season, therefore, reproductive rates will not be affected.

The impact is therefore predicted to be of local spatial extent, intermittent, and of temporary duration, during vessel movements. However, it is considered that only a small proportion of the total area will be affected by vessel activities at any one time. Consequently, only birds in the vicinity of these individual vessels will be affected directly. Numbers of these species recorded during the baseline surveys were low, therefore any disturbance is considered to only affect a low number of individuals of these species.

On this basis, it is considered that any disturbance to common scoter and red-throated diver will be temporary (non-breeding season only), and that the magnitude of any effect will therefore be low and not significant in EIA terms.

Given that no significant effects have been predicted, no construction phase secondary mitigation measures have been identified for Ornithology receptors. No ecologically significant adverse residual effects on breeding birds have been predicted.

3.5.2 Appropriate Assessment Screening Report

The draft Appropriate Assessment Screening Report for the Rosslare ORE Hub presents an assessment of whether the ORE Hub, alone or in combination with other plans and projects, is likely to have significant effects on a European Site(s) in view of best scientific knowledge and the site-specific conservation objectives (SSCOs) of the site(s).

The report includes information to support Stage 1 of the AA process (Screening for AA), as required under the Habitats Directive (92/43/EEC) which as transposed in Ireland under Part XAB of the Planning and Development Act 2000, as amended ('the Planning Acts').

The report also supports the development consent application process and provides the necessary information to the Commission to assist them in making an informed decision on the likely significant effects of this project on Natura 2000 sites, and their designated Annex I habitats and

Annex II species Qualifying Interests (QIs), and their designated Special Conservation Interest (SCI) species.

The report considered the following possible effects on each of the 20 SCIs of the Seas off Wexford cSPA:

- Habitat Loss (temporary and permanent)
- Increased Suspended Sediment Concentrations
- Mortality, injury, displacement and / or disturbance from underwater noise
- Displacement and/or disturbance from in-air noise
- Reduction in water quality
- Visual disturbance
- Reduction in prey availability (in-direct effect)

The report concluded that, due to the temporary nature of construction works, the small area impacted by permanent habitat loss and the low numbers of birds using the area, there will be no likely significant effects on the Conservation Objectives of the cSPA from the ORE Hub relating to these SCIs and the cSPA was screened out at the screening stage.

4 SUMMARY OF SCI SPECIES

Section 4.1 sets out a summary of findings for each of the 20 proposed SCI species of the Seas off Wexford cSPA, insofar as they relate to the Rosslare Europort Area of Interest. The 20 SCI species are, where applicable, grouped together under the relevant species groups. The findings are based on a consideration of all relevant supporting documents, reports and publications of ornithological data cited by the NPWS and also the ornithological survey data collected by APEM for Iarnród Éireann.

Section 4.2 provides a summary of bird population data, also from relevant supporting documents, reports and publications of ornithological data cited by the NPWS and the ornithological survey data collected by APEM for Iarnród Éireann.

4.1 SCI SPECIES SPECIFIC SUMMARIES

4.1.1 GULLS

This section summarises the evidence available for the SCI gull species.

4.1.1.1 BLACK-LEGGED KITTIWAKE

The Republic of Ireland (RoI) kittiwake **breeding** population is estimated to be 24,723 pairs, across 68 occupied sites, based on Apparently Occupied Nests (AONs) recorded on the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023).

Kittiwakes were not recorded near the Rosslare Europort Area of Legal Interest during the ObSERVE II survey programme as shown below in the ObSERVE II map (Figure 4-1).

Kittiwakes were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys as shown below in Figure 4-3 produced by GDG using Hi-Def data. Density maps were produced in the Hi-Def report (Figure 4-2), however no records of kittiwake were found in the Rosslare Europort Area of Legal Interest (Figure 4-3).

No records of kittiwake were documented within the Rosslare Europort Area of Legal Interest (AoLI) during the Observe I aerial surveys (Jessop et al, 2018) and the 10%, 25% and 50% utilization distributions of kittiwake did not overlap with the Area of Legal Interest (see Figure 4-4).

Note all kittiwakes recorded by the above surveys were recorded far offshore.

Kittiwakes were recorded within the Rosslare Europort Area of Legal Interest study area during land-based surveys.

2022 / 2023

- Kittiwakes were recorded in eight months, with peak counts of 31 birds in May 2022 and 22 birds in December 2022. Records were distributed throughout the Rosslare Europort AoLI study area.

2023 / 2024

- Kittiwakes were recorded in September 2023 and November 2023, and between March 2024 and August 2024, with peak counts of 28 birds in April 2024 and eight (8) birds in August. All records were of birds foraging and roosting within the Rosslare Europort AoLI.

June 2025

- 17 Apparently Occupied Nests (AON) were recorded on the outer wall of Rosslare Harbour in June 2025.

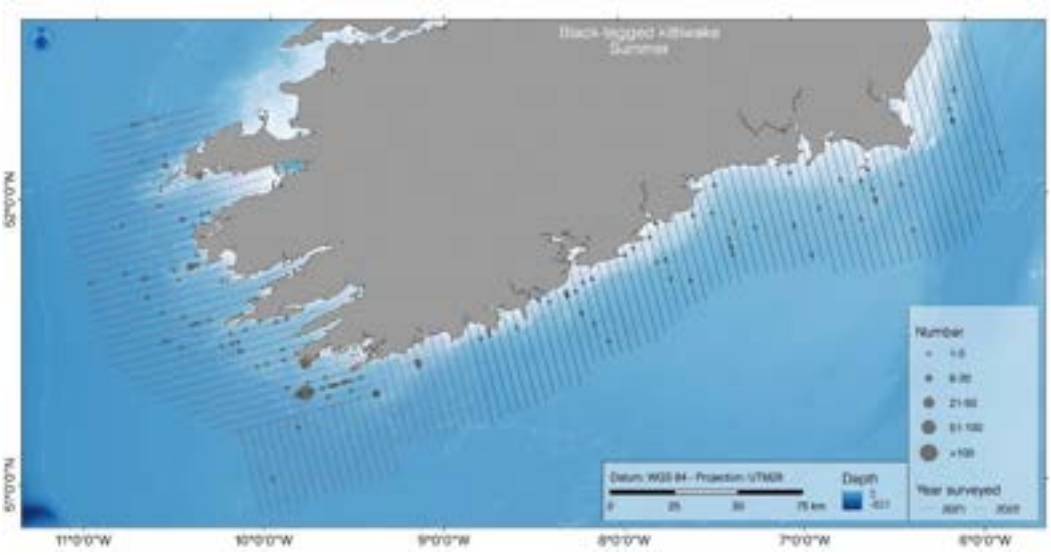

Figure 4-1 ObSERVE II map presenting data of kittiwake sightings (Giralt Paradell, *et al*., 2023).

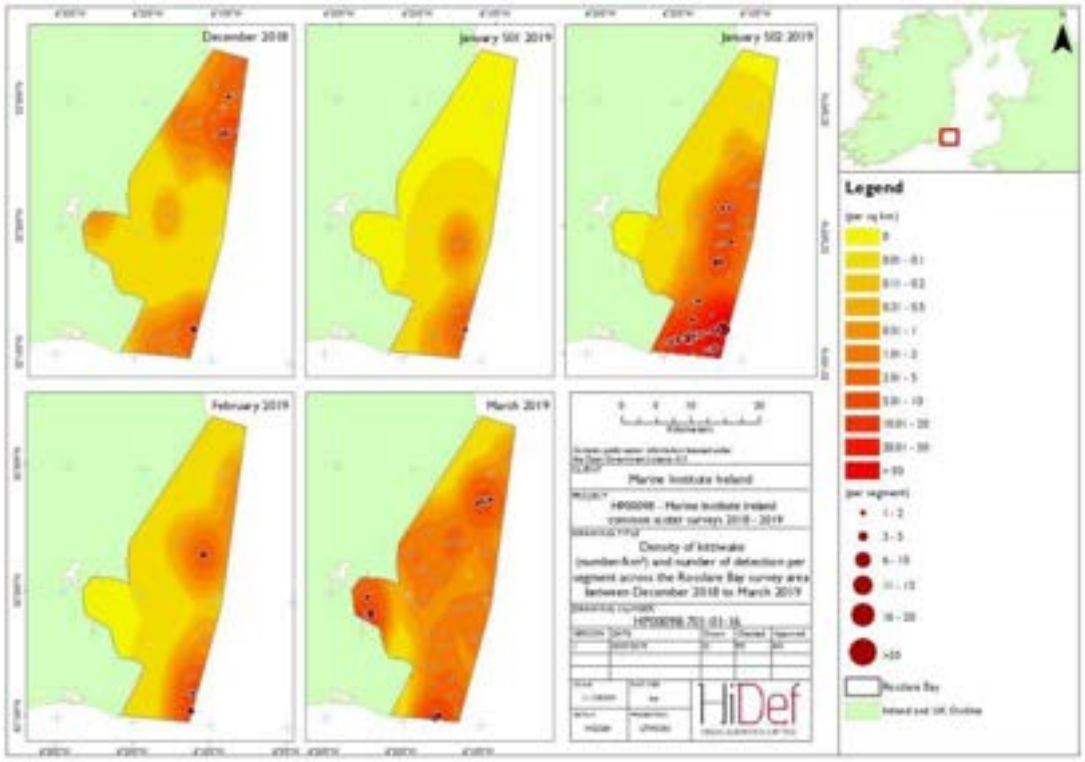

Figure 4-2 Density of kittiwakes (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

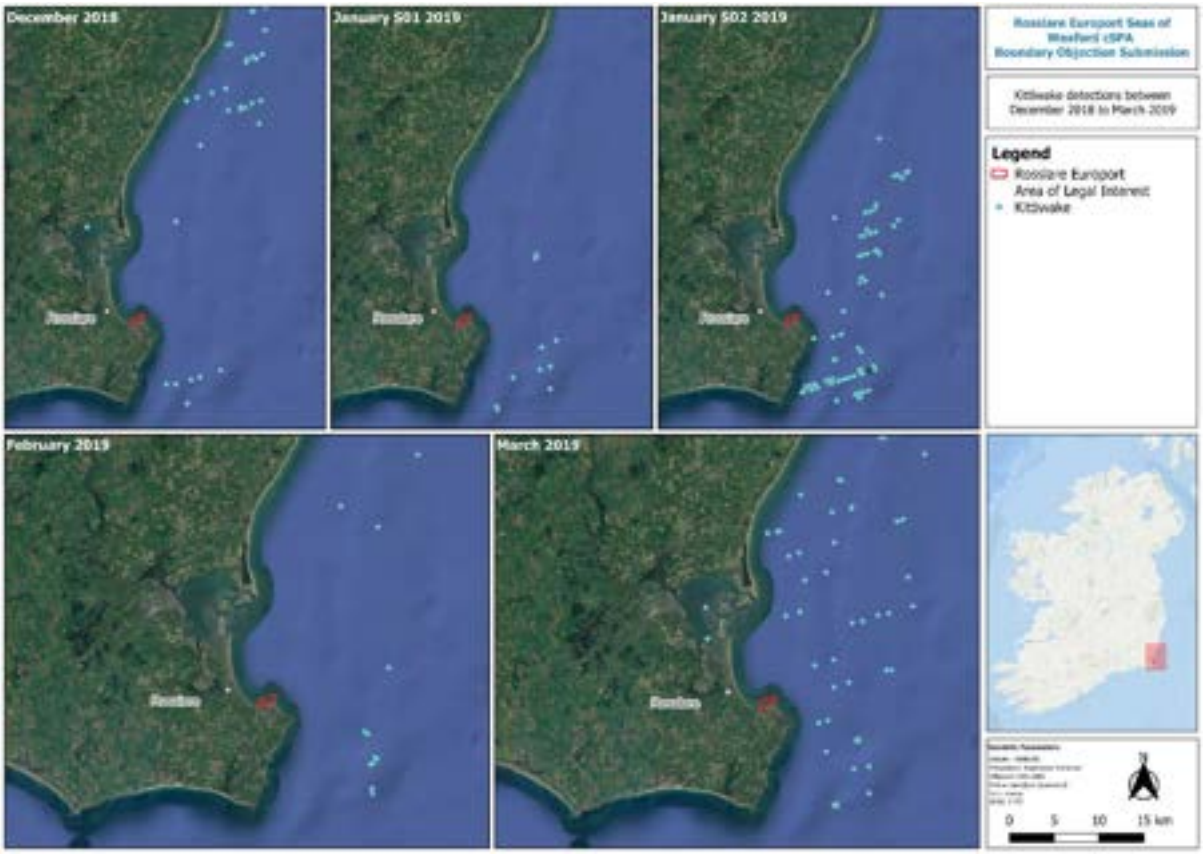

Figure 4-3 Distributions of kittiwakes from the data provided by Hi-Def (2019) report.

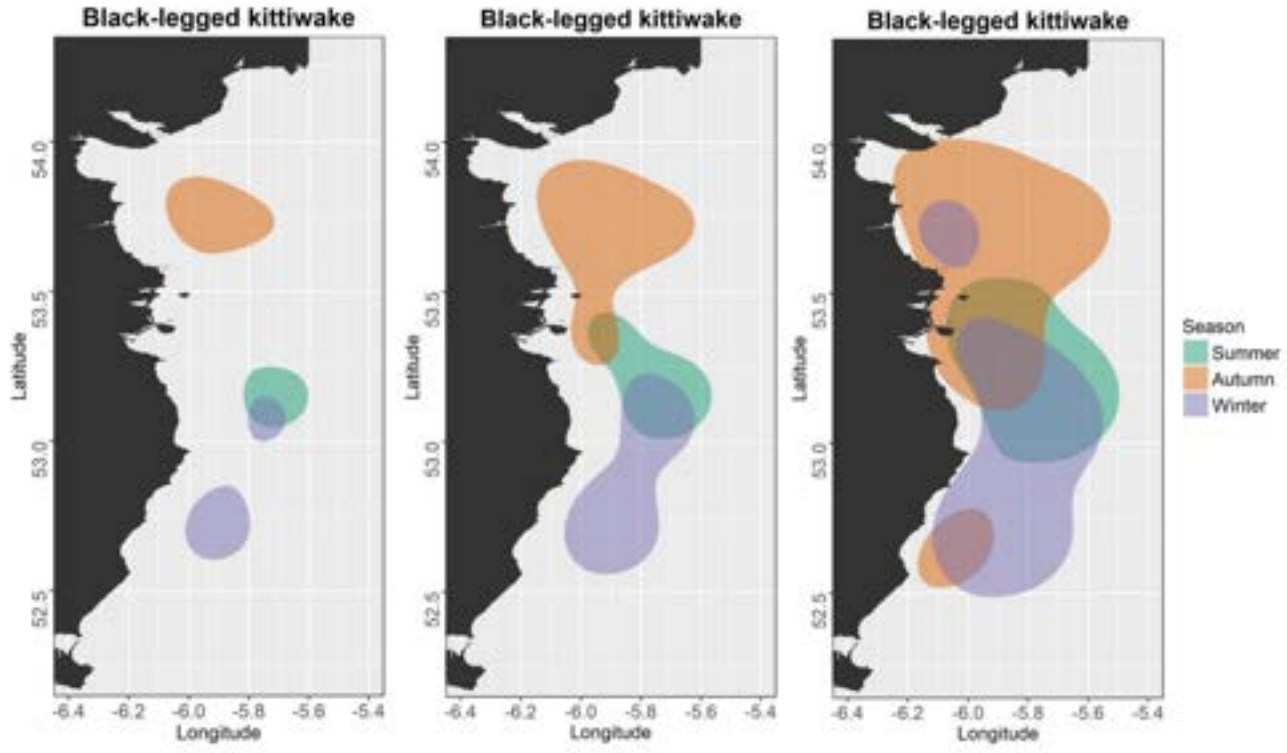

Figure 4-4 Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for kittiwakes in the Irish Sea (Jessopp, *et al.*, 2018).

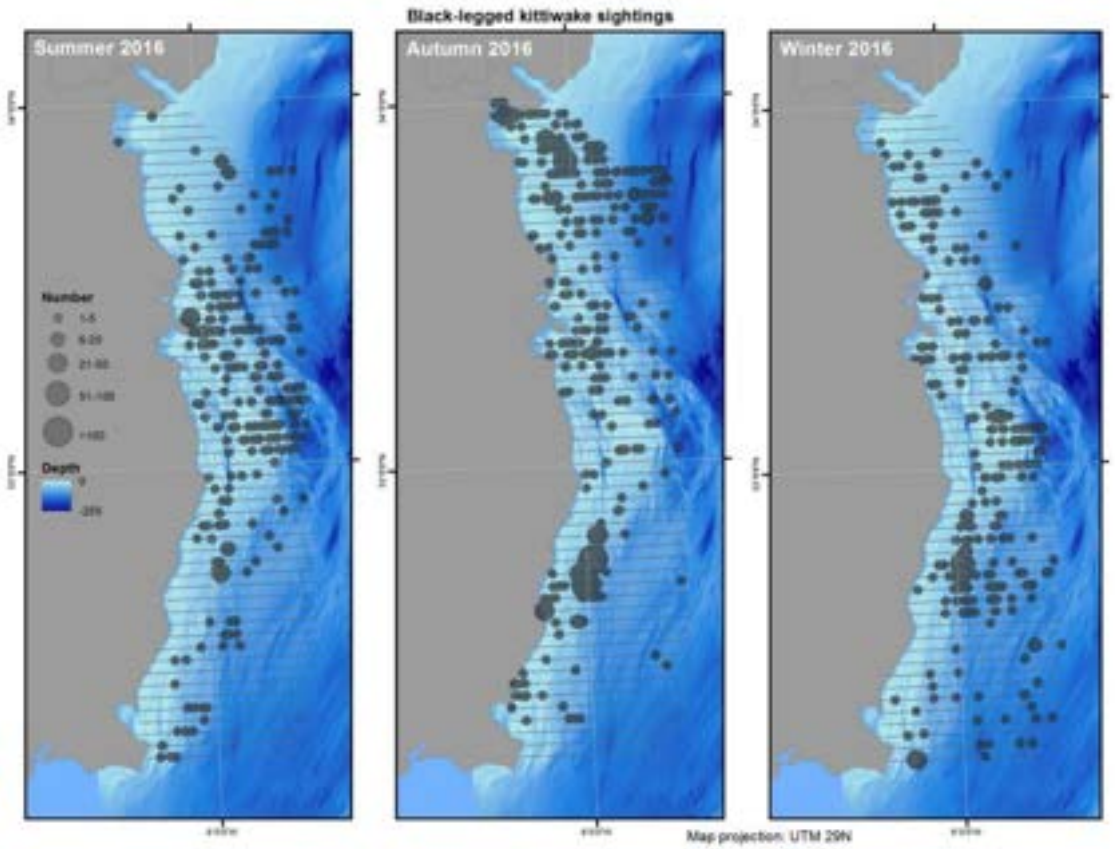

Figure 4-5 Sightings of kittiwakes in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.*, 2018).

4.1.1.2 BLACK-HEADED GULL

The RoI black-headed gull **breeding** population is estimated to be 7,146 pairs, across 47 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023). Of this population, 32% was found to be breeding inland (Burnell *et al.,* 2023).

Black-headed gull was not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 4-6).

Black-headed gull was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-7and Figure 4-8).

No black-headed gulls were documented within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey (Figure 4-10) and the 25% utilization distribution (Figure 4-9) of black-headed gull did not overlap with the Area of Legal Interest.

Black-headed gulls were recorded within the Rosslare Europort Area of Legal Interest study area during land-based surveys. Most records of black-headed gull were recorded foraging within 500 m of the shoreline or roosting on the two piers in the east of the Study Area.

2022 / 2023

- Black-headed gulls were recorded in all months, with higher numbers in the non-breeding season. The peak counts were 85 birds in October 2022, 94 birds in December 2022 and 49 birds in February 2023. Records were distributed throughout the Rosslare Europort AoLI study area.

2023 / 2024

- Black-headed gulls were recorded from August 2023 to August 2024, with peak counts of 33 birds in December 2023, 100 birds in January 2024, 11 birds in July 2024 and 82 birds in February 2024. Records were distributed throughout the Rosslare Europort AoLI study area.
- During BBS surveys, black-headed gulls were recorded between March and May, with peak counts of four birds in March 2023, and three birds in May 2024. Records were distributed throughout the Rosslare Europort AoLI study area, however there was no evidence that this species breeds within the Rosslare Europort AoLI study area.

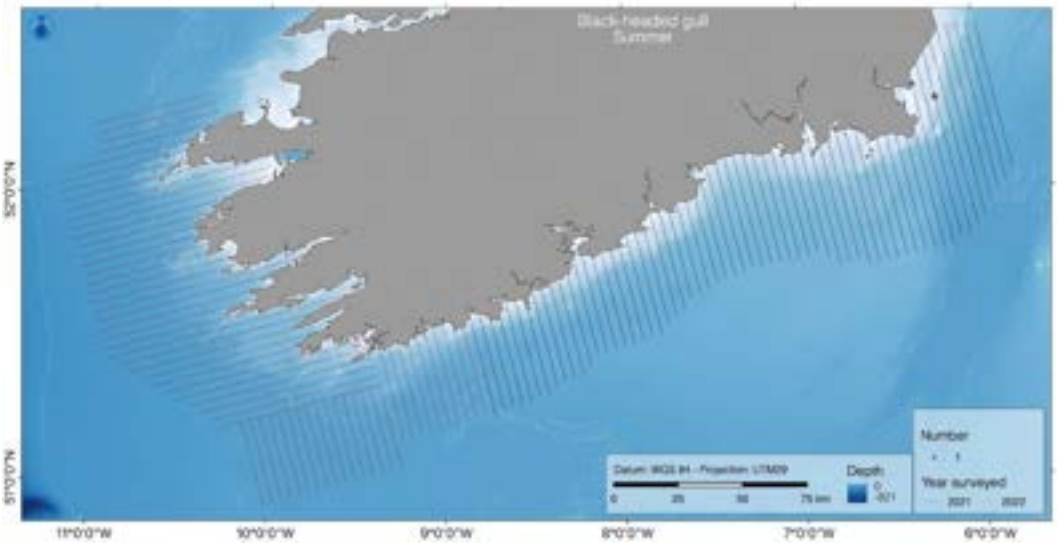

Figure 4-6 ObSERVE II map presenting data of black-headed gull sightings (Giralt Paradell, *et al.*, 2023).

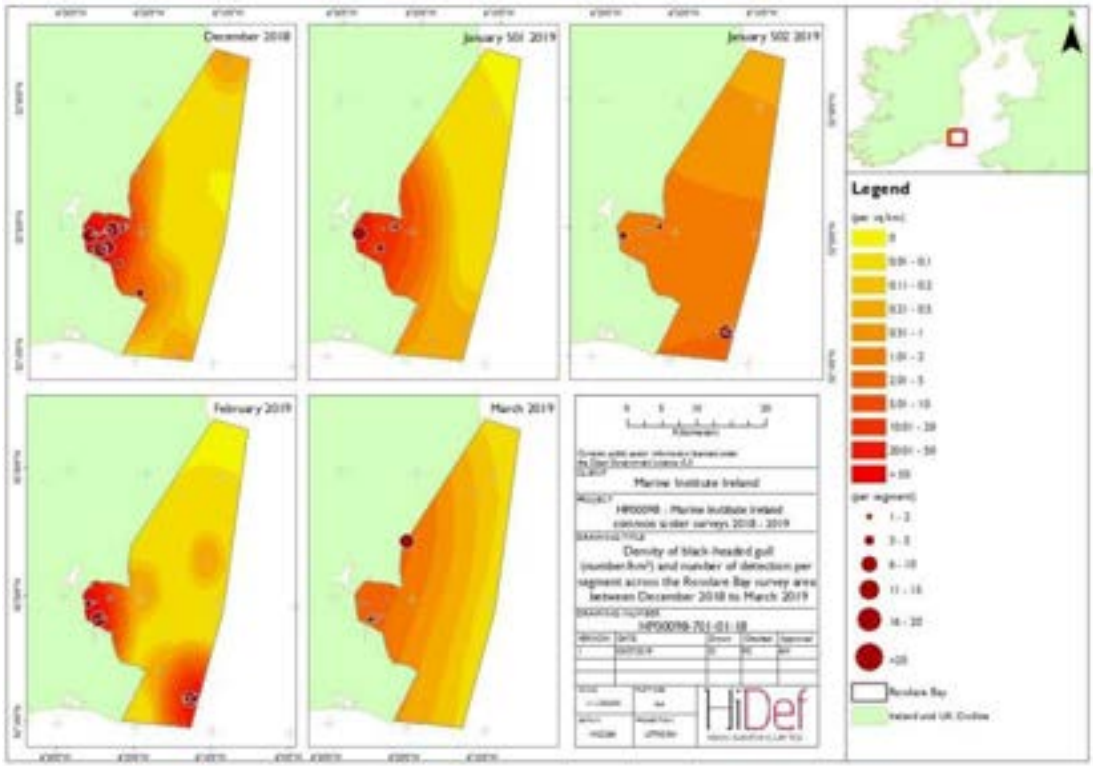

Figure 4-7 Density of black-headed gulls (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

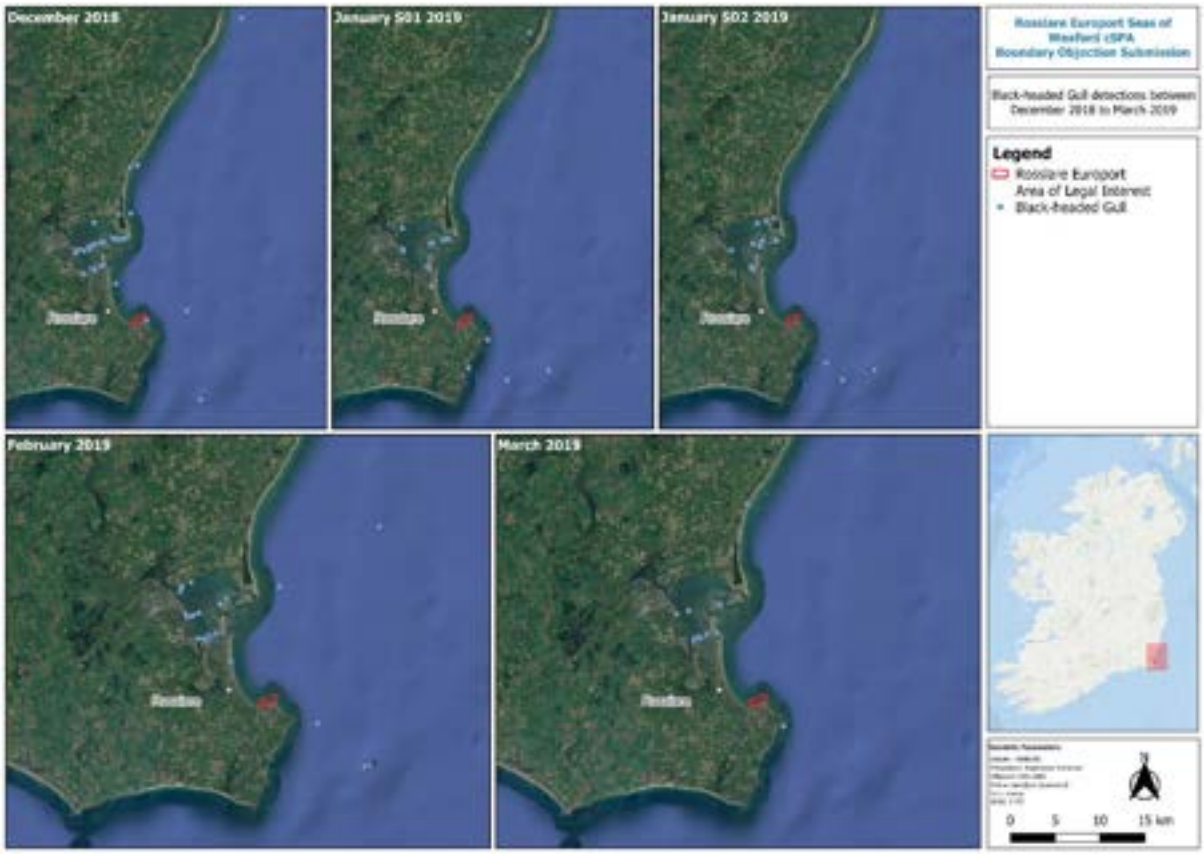

Figure 4-8 Distribution of black-headed gulls from the data provided by Hi-Def (2019) report.

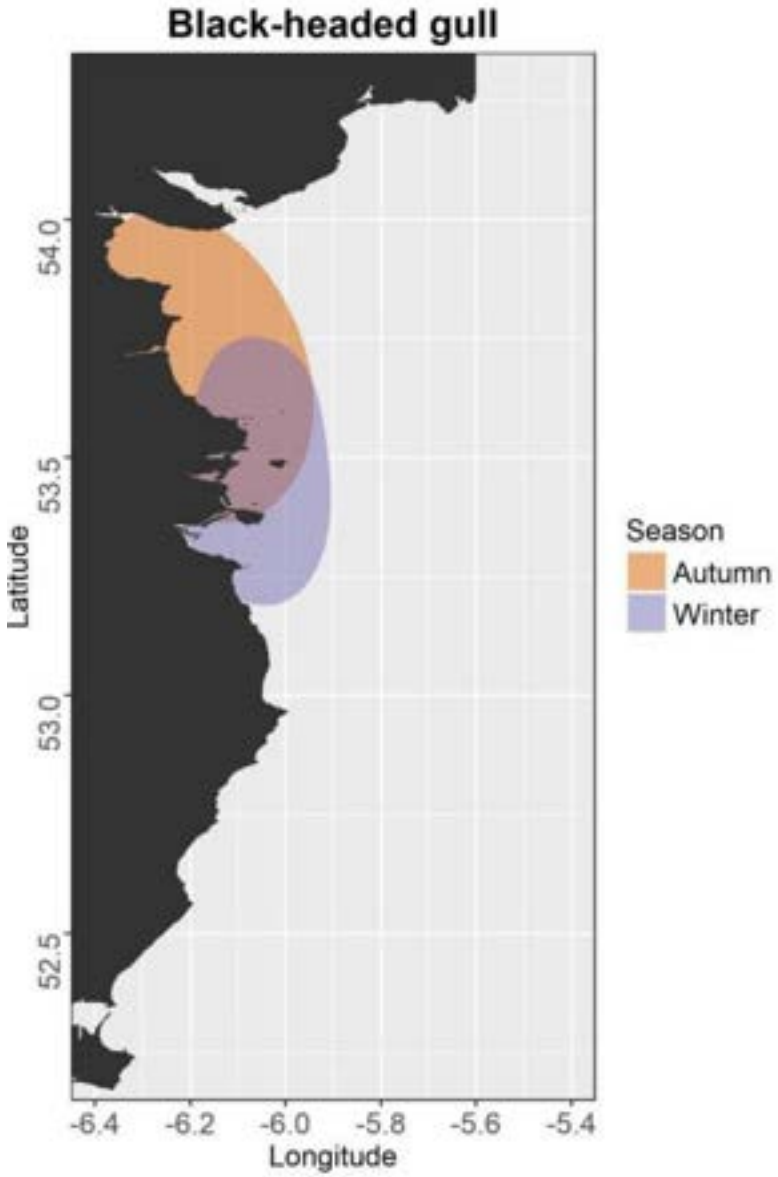

Figure 4-9 Seasonal 25% utilization distributions for black-headed gull in the Irish Sea demonstrating a concentrated area of importance in the waters immediately around Howth and Lambay Island in winter, and more coastally in autumn (Jessopp, *et al.*, 2018).

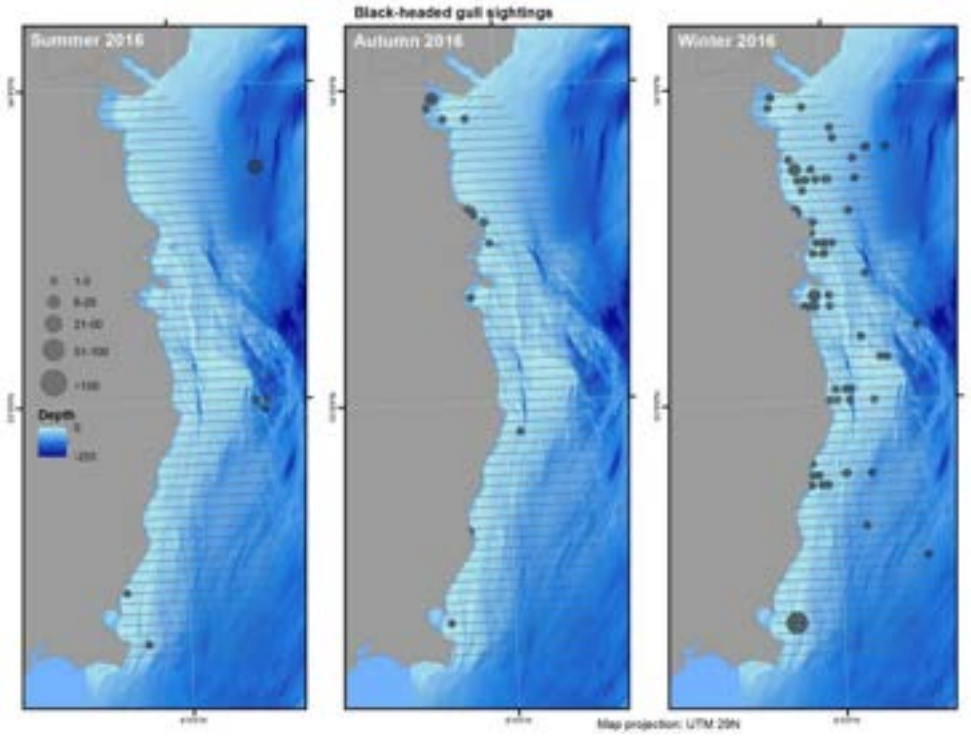

Figure 4-10 Sightings of black-headed gulls in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.*, 2018).

4.1.1.3 MEDITERRANEAN GULL

The RoI Mediterranean gull **breeding** population is estimated to be 16 pairs, across two occupied sites, based on Apparently Occupied Nests recorded on the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023). Lady's Island Lake SPA in County Wexford is the largest of these two breeding colonies.

ObSERVE II data showing gull species categorised into 'Small gull species' (red dots) and 'Large gull species' (grey dots) were not recorded within the Rosslare Europort Area of Legal Interest (Figure 4-11). Mediterranean gulls are considered a small gull species (i.e. red dots in the map). The summer distribution of small gull species shows that higher numbers of these species are found further off the Wexford coast, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for these small gull species.

Mediterranean gulls were not recorded during the Hi-Def (2019) aerial surveys or the ObSERVE I surveys (Jessopp, *et al.,* 2018).

Mediterranean gulls were recorded on land-based surveys within the Rosslare Europort Area of Legal Interest study area.

2022 / 2023

- Mediterranean gulls were recorded in ten of the twelve months surveyed, with no observations recorded in June 2022 and January 2023. The peak counts were 38 birds in July 2022, 34 birds in August 2022, and eight birds in January 2023. Records were distributed throughout the Rosslare Europort AoLI study area, mainly within along the pier and within the Small Boat Harbour.

- During the 2022 BBS, single Mediterranean gulls were recorded in May, June, with 27 individuals in July 2022. This record was observed within the Small Boat Harbour (i.e. the Rosslare Europort AoLI study area), however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.

2023 / 2024

- Two Mediterranean gulls were recorded in August 2023, with four birds in September 2023, two birds in December 2023, and single observations in February 2024 and April 2024. Records were distributed along the piers throughout the Rosslare Europort AoLI study area.

- No Mediterranean gulls were recorded during the BBS 2023 or BBS 2024.

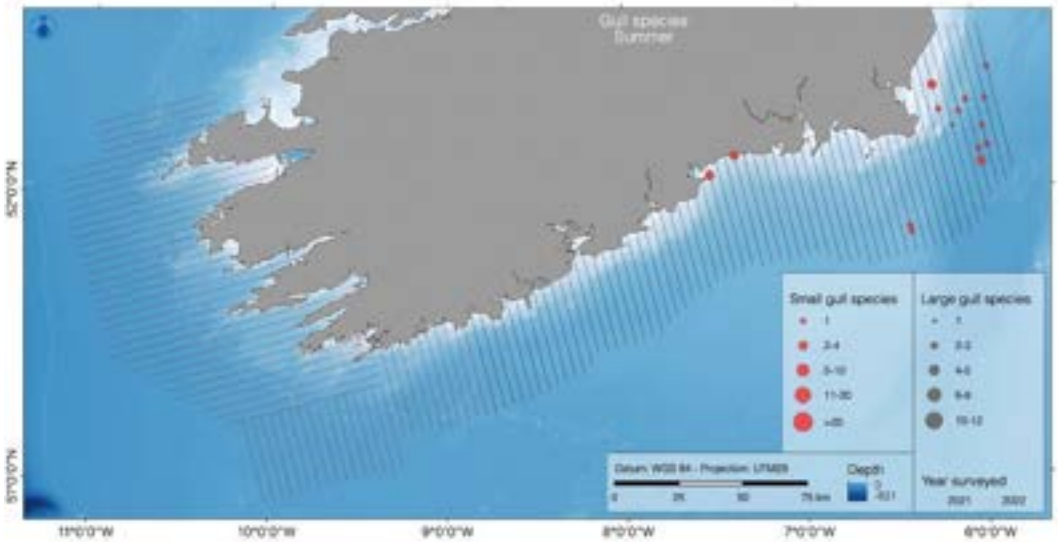

Figure 4-11 ObSERVE II map presenting data of gull species sightings (Giralt Paradell, *et al*., 2023).

4.1.1.4 HERRING GULL

The RoI herring gull **breeding** population is estimated to be 18,645 pairs, based on Apparently Occupied Nests in both natural and urban settings, recorded on the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023).

On the ObSERVE II survey, it was not possible to identify herring gull or common gulls to species, but herring/common gull sightings were recorded outside the Rosslare Europort Area of Legal Interest, with counts amounting to 6-10 individuals recorded (Figure 4-12). The summer distribution of herring/common gulls shows that higher numbers of these species are found further off the Wexford coast and largest aggregations off the southwest coast of Ireland, highlighting that the area immediately around the Rosslare Europort Area of Legal Interest is not a key area for herring or common gull.

Two observations of herring gulls were recorded inside the Rosslare Europort Area of Legal Interest during the January Hi-Def (2019) aerial survey (Figure 4-14). In Figure 4-13, the density distribution of herring gulls taken from the Hi-Def report are shown.

Herring and common gulls could also not be identified to species during surveys undertaken during the ObSERVE I surveys and these species were also grouped together. The seasonal 25% utilization distributions for herring/common gulls (Figure 4-15) and the recorded sightings in summer, autumn, and winter survey periods (Figure 4-16) show records of herring/common gulls outside the Rosslare Europort Area of Legal Interest.

Herring gulls were regularly recorded within the Rosslare Europort AoLI study area during land-based surveys.

2022 / 2023

- Herring gulls were recorded in all months, with peak counts of 51 birds in August 2022 and 47 birds in January 2023. Records were distributed throughout the Rosslare Europort AoLI study area.
- During the 2022 BBS, nine birds were recorded in May 2022. Records were distributed throughout the Rosslare Europort AoLI study area, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.

2023 / 2024

- Herring gulls were recorded in all months, with peak counts of 129 birds in October 2023, 92 birds in February 2024 and 20 birds in July 2024. Records were distributed throughout the Rosslare Europort AoLI study area.
- During the BBS 2024, 15 herring gulls were recorded in April 2024, 20 birds in May 2024 and four birds in June 2024. Records were distributed throughout the Rosslare Europort AoLI study area, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.
- During the BBS 2023, a total of 6 herring gulls were recorded, two (2) in March and four (4) in April. Records were distributed throughout the Rosslare Europort AoLI study area, specifically along the pier infrastructure and the Small Boat Harbour, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area

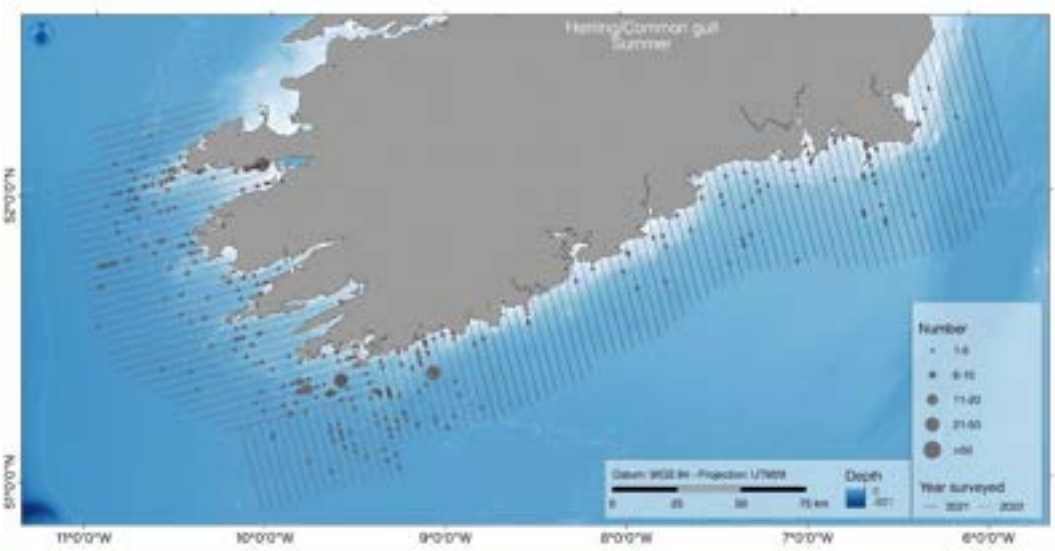

Figure 4-12 ObSERVE II map presenting data of herring/common gull sightings (Giralt Paradell, *et al.*, 2023).

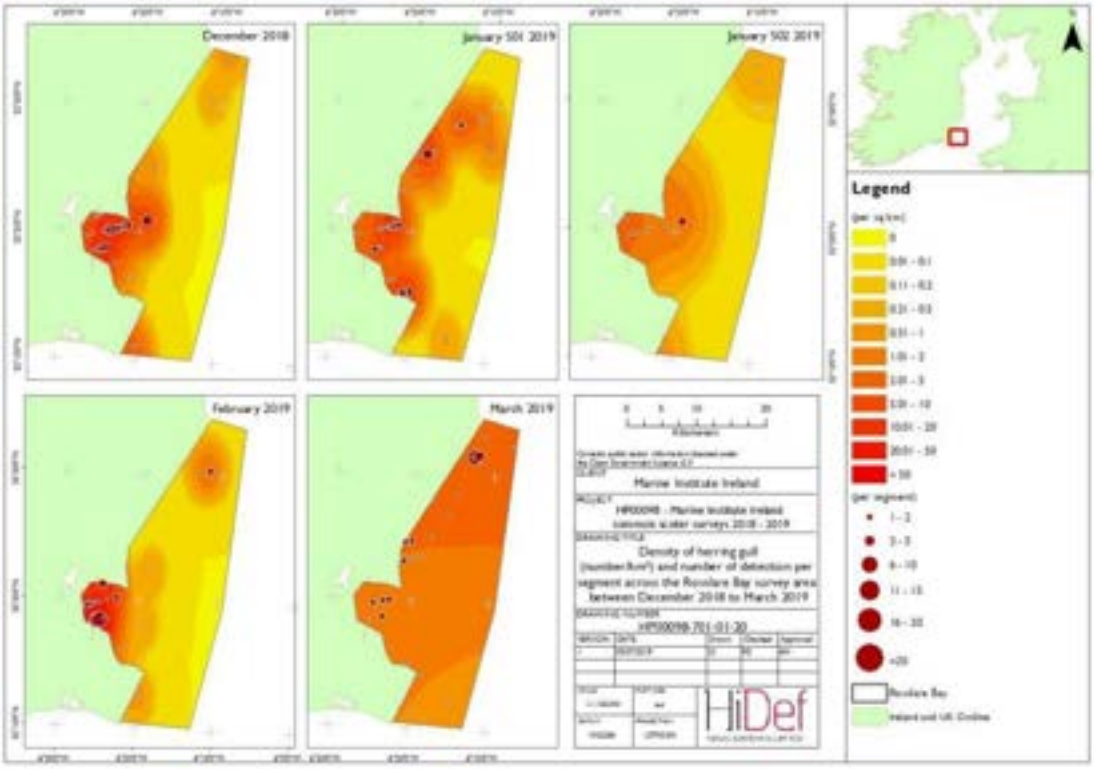

Figure 4-13 Density of herring gulls (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

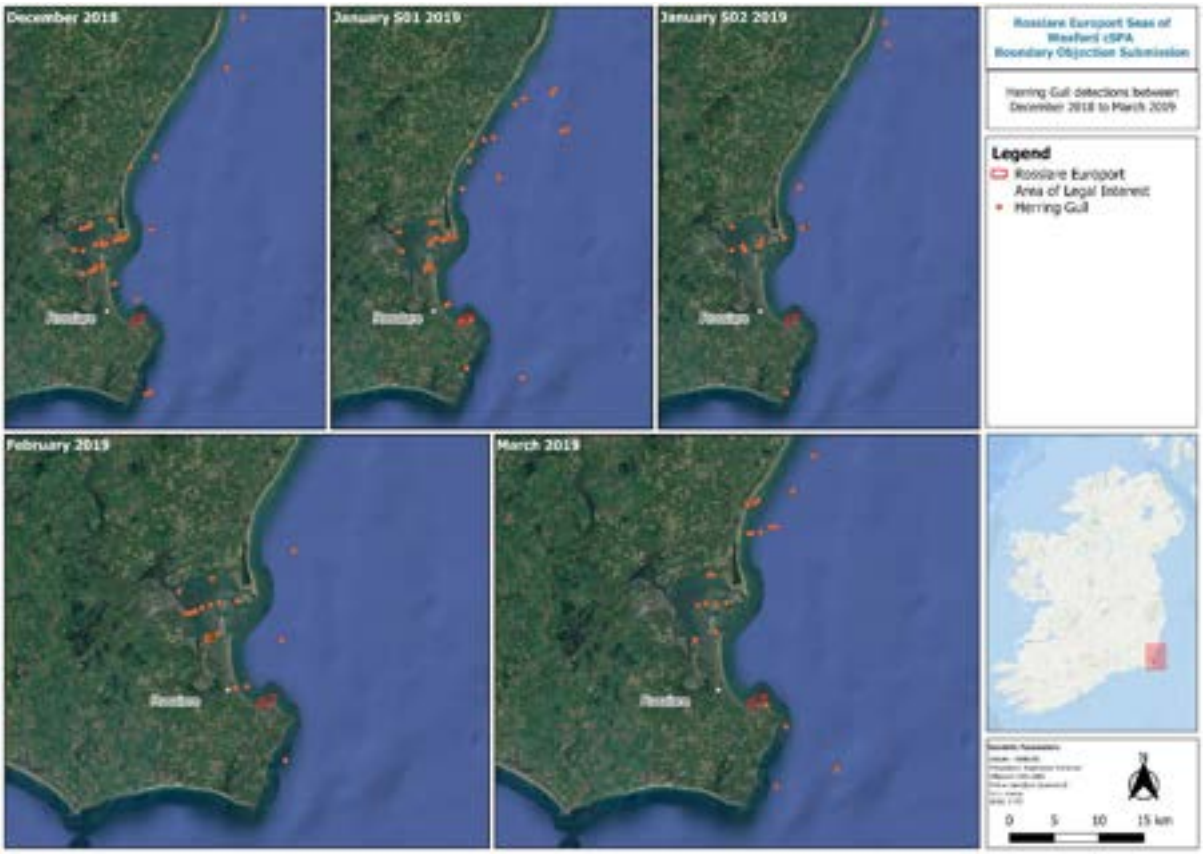

Figure 4-14 Distribution of herring gull from the data provided by Hi-Def (2019) report.

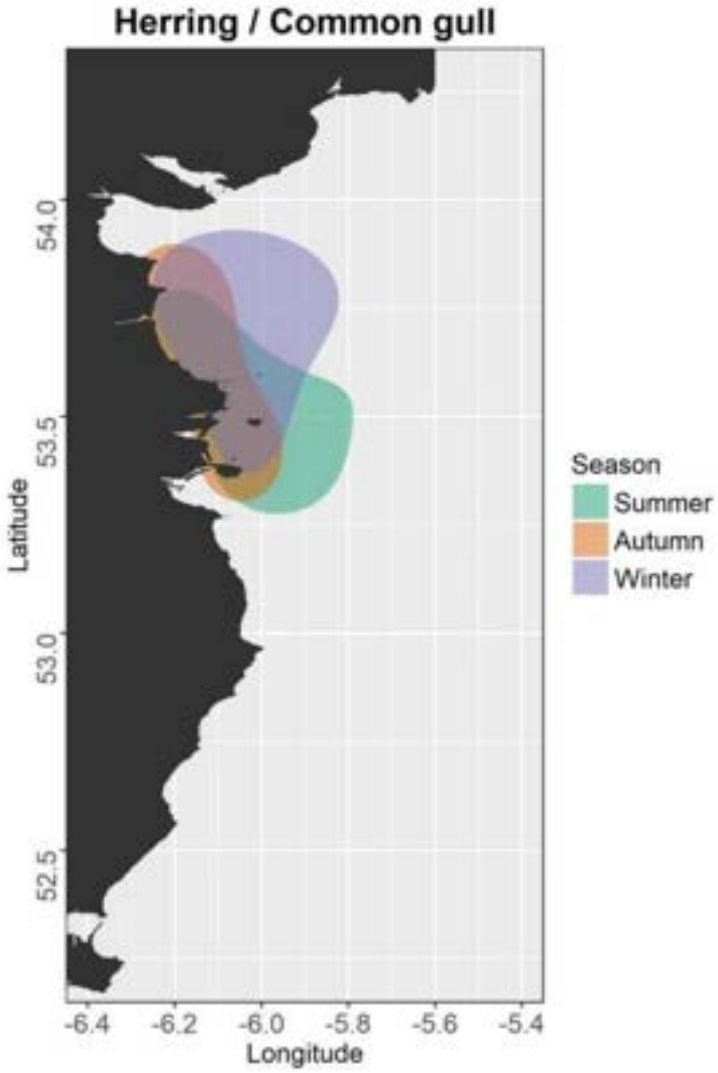

Figure 4-15 Seasonal 25% utilization distributions for herring/common gull in the Irish Sea demonstrating a high importance of the waters west of Dublin and high degree of overlap in important areas for these species across seasons (Jessopp, *et al.,* 2018).

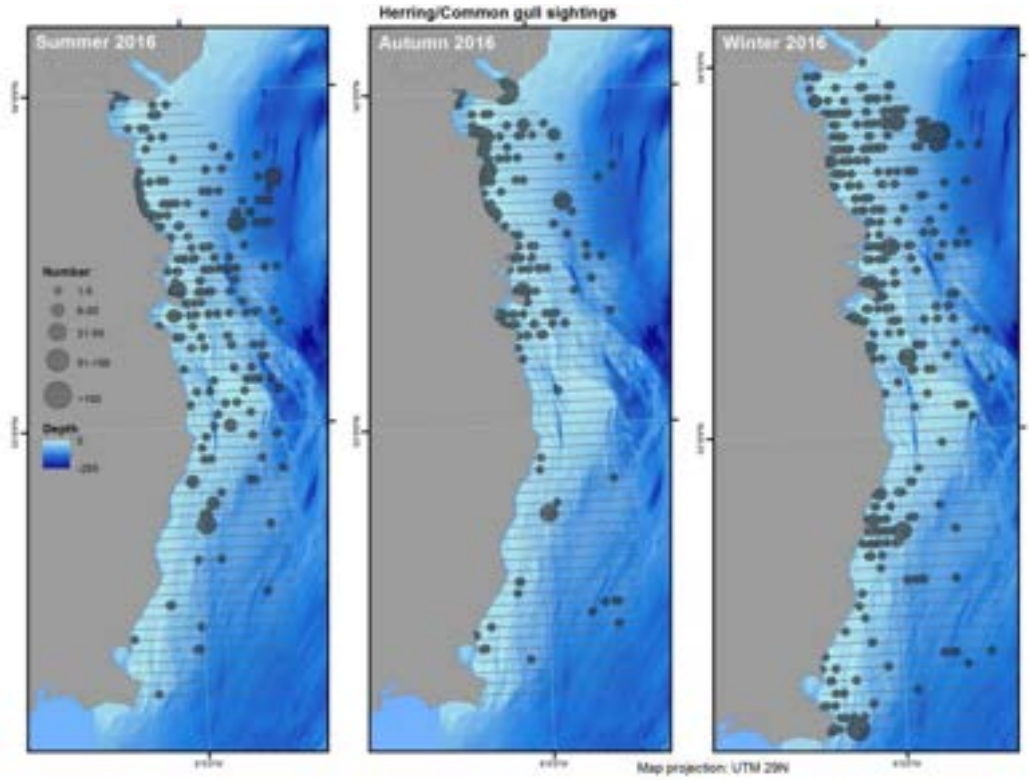

Figure 4-16 Sightings of herring/common gull in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.1.1.5 LESSER BLACK-BACKED GULL

The RoI lesser black-backed gull **breeding** population is estimated to be 9,968 pairs based on Apparently Occupied Nests in natural and urban settings, recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

There was one sighting of "black-backed gull" recorded close to the Rosslare Europort Area of Legal Interest during the ObSERVE II programme, however this sighting was not identified to species level (Figure 4-17).

Lesser black-backed gull was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-18).

The seasonal 25% utilization distributions for "black-backed gulls" from the ObSERVE 1 surveys did not overlap with the Rosslare Europort Area of Legal Interest (Figure 4-19). Recorded sightings from the autumn survey period shows low numbers of lesser black-backed gulls within the Rosslare Europort Area of Legal Interest (Figure 4-20).

Lesser black-backed gulls were recorded within the Rosslare Europort AoLI study area during land-based surveys.

2022 / 2023

- Lesser black-backed gulls were recorded in very low numbers between May and August 2022, October 2022 and March 2023. The peak counts were four birds in August and September 2022. Records were distributed throughout the Rosslare Europort AoLI study area, namely within the Small Boat Harbour.

2023 / 2024

- Lesser black-backed gulls were recorded occasionally in very low numbers, with peak counts of two birds in June 2024 and four birds in August 2024. Records were distributed throughout the Rosslare Europort AoLI study area, namely roosting on the outer most eastern wall of the harbour

- During the BBS 2024, a single lesser black backed gull was observed along the northern breakwater of the Small Boat Harbour, i.e. within the Rosslare Europort AoLI study area.

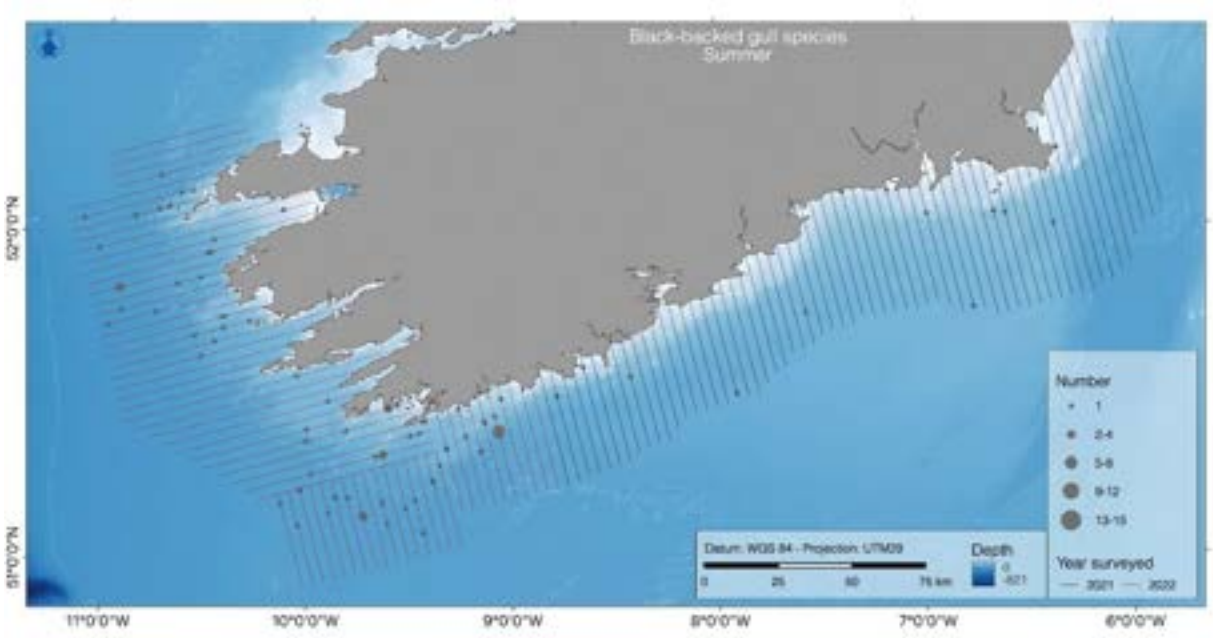

Figure 4-17 ObSERVE II map presenting data of Black-backed Gull sightings (Giralt Paradell, *et al.*, 2023).

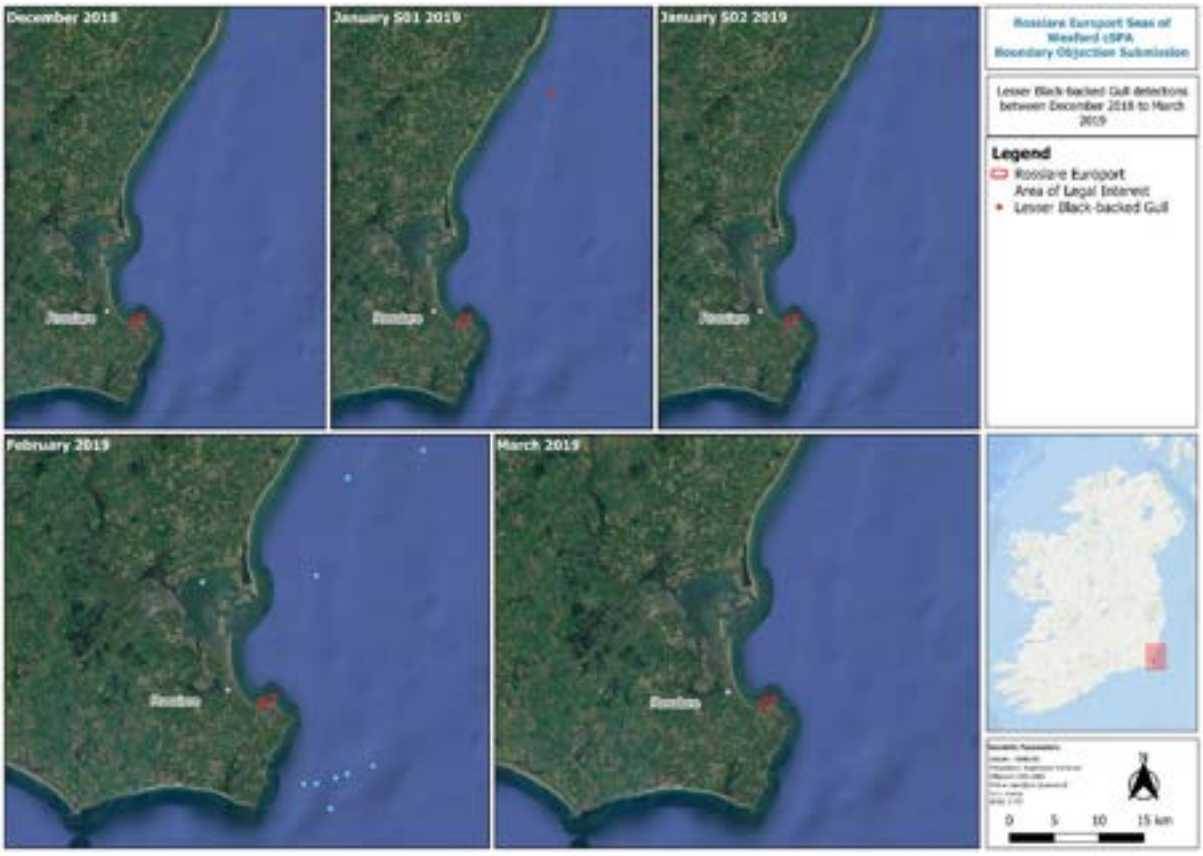

Figure 4-18 Distribution of lesser black-backed gull from the data provided by Hi-Def (2019) report.

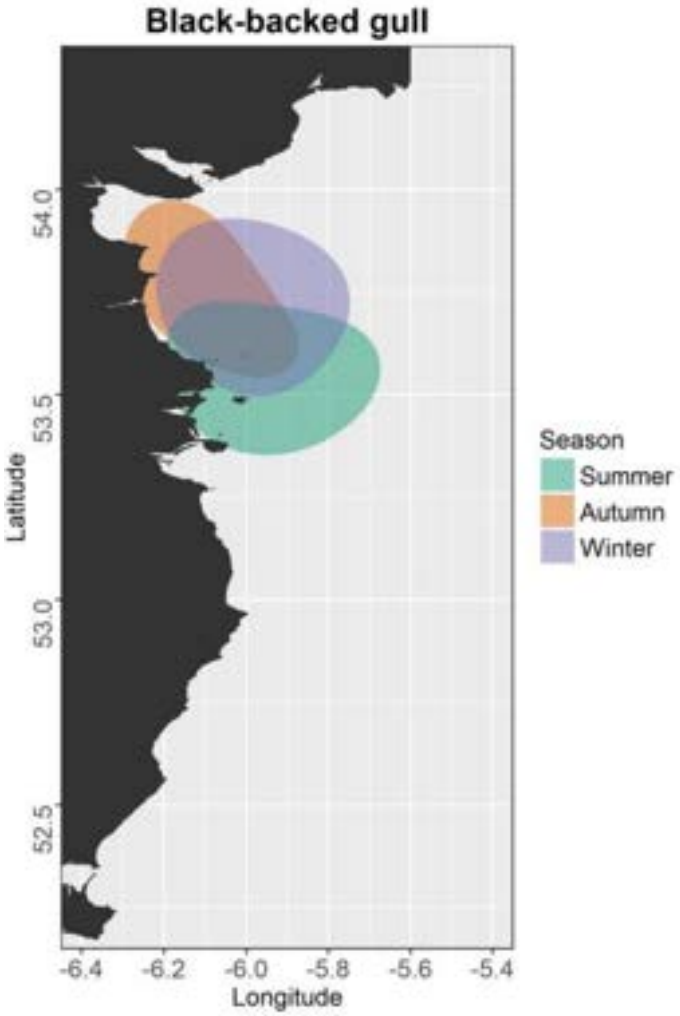

Figure 4-19 Seasonal 25% utilization distributions for black-backed gulls (greater and lesser black-backed gulls combined) in the Irish Sea (Jessopp, *et al.,* 2018).

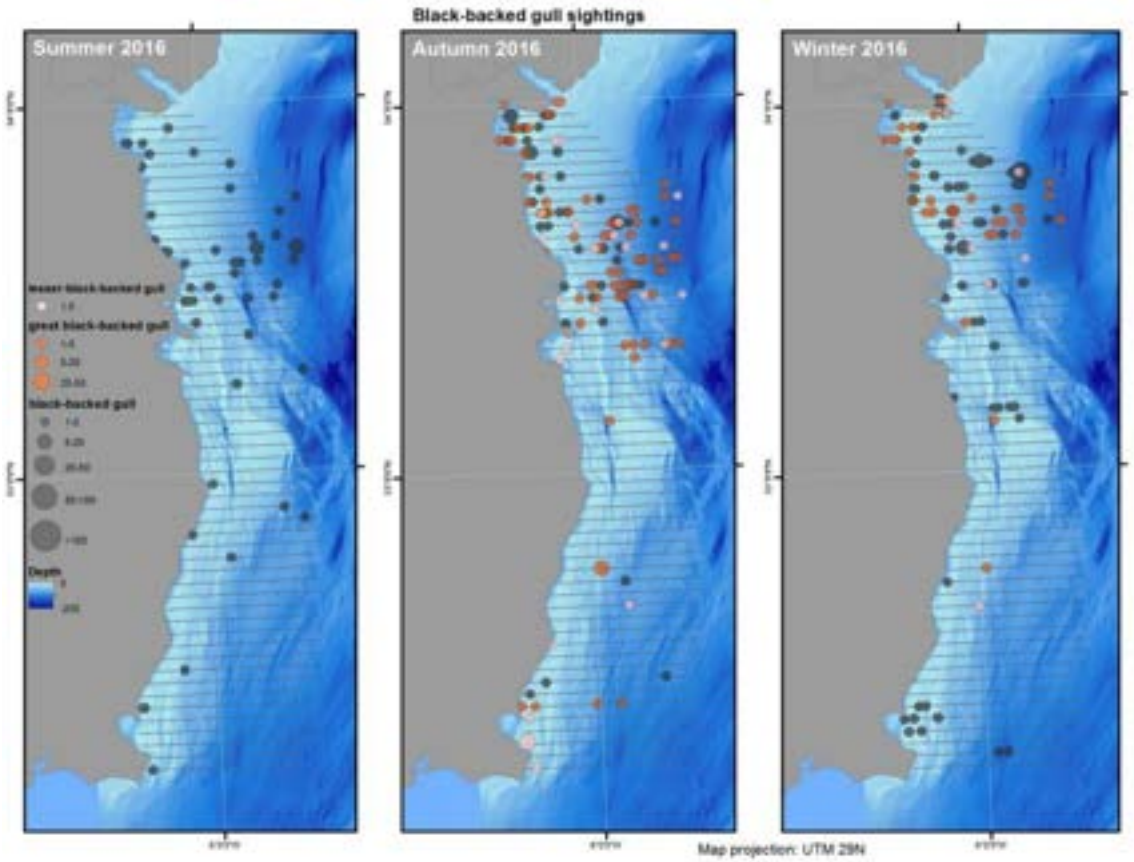

Figure 4-20 Sightings of greater black-backed gulls (orange circles), lesser black-backed gulls (pink circles) and unidentified black-backed gull species (grey circles) in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.1.2 TERNS

This section summarises the SCI tern species. In the maps produced from the ObSERVE II surveys, all terns were identified as 'tern species' as identification to species-level was not possible. Tern species were not recorded during the Hi-Def survey (Hi-Def, 2019), as surveys were only conducted in the winter months.

4.1.2.1 ROSEATE TERN

The RoI roseate tern **breeding** population is estimated to be 1,869 pairs, across two colonies, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023). Rockabill Island, off the Dublin coast holds the majority of breeding birds (1,642 pairs), with 227 pairs recorded at Lady's Island Lake in Wexford in 2018 (Burnell *et al*., 2023).

The seasonal 25% utilization distributions from the ObSERVE I surveys for roseate (red dots), Sandwich (green dots) and little terns (yellow) (Figure 4-21) and the recorded sightings of each species in summer, autumn, and winter survey periods in the Irish Sea show that no sightings of terns were recorded within Rosslare Europort Area of Legal Interest (see Figure 4-22 and Figure 4-23). The recorded sightings in summer and autumn show records of roseate tern were close to the Rosslare Europort Area of Legal Interest although the 25% utilization distribution of roseate tern is not close to the Rosslare Europort Area of Legal Interest.

Land-based surveys within the Rosslare Europort Area of Legal Interest study area recorded two (2) Roseate terns in May VP 2022 survey, with no observations in the 2023/24 survey period or during the tern roost surveys. Roseate terns do not breed within the Site.

4.1.2.2 SANDWICH TERN

The RoI **breeding** population of Sandwich terns is estimated to be 2,464 pairs, across 12 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Recorded sightings for sandwich tern (green dots) from ObSERVE I surveys show that no sightings of Sandwich tern were recorded within the Rosslare Europort Area of Legal Interest (see Figure 4-22 and Figure 4-23), although the seasonal 25% utilization distribution for summer does overlap with the area, despite the lack of recorded sightings in this area (Figure 4-21).

Sandwich terns were recorded during summer months on land-based surveys within the Rosslare Europort Area of Legal Interest study area.

2022 / 2023

- Sandwich terns were recorded between May to August 2022, and March and April 2023, with a peak count of 26 birds in July 2022. Records were distributed throughout the Rosslare Europort AoLI study area, although the highest numbers were recorded between approximately 0.5km to 1.5km offshore.
- During the 2022 BBS, three (3) sandwich terns were recorded in May and again in June within the Rosslare Europort AoLI study area, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.

- During the 2022 tern roost survey, seventeen (17) Sandwich terns were recorded roosting on Rosslare Harbour wall in August 2022 with four (4) roosting birds in September 2022.

2023 / 2024.

- Sandwich terns were recorded from July to September 2023 and between April and August 2024, with a peak count of 19 birds in June 2024. Records were distributed throughout the Rosslare Europort AoLI study area.

- During the VP2 2024 surveys, sandwich terns were recorded during all three months surveyed, with a peak of thirteen (13) individuals recorded in June and twelve (12) in July. Records were distributed throughout the Rosslare Europort AoLI study are, namely within the proposed dredging area and >0.5km offshore.

- During the 2024 BBS, six (6) sandwich terns were recorded in April within the Rosslare Europort AoLI study area, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.

- During the 2023 and 2024 autumn tern roost surveys, no Sandwich terns were recorded roosting in the Study Area. Only four (4) individuals were observed passing through, with no evidence of lingering or foraging behaviour during the 2024 tern roost survey.

4.1.2.3 LITTLE TERN

The RoI little tern **breeding** population is estimated to be 335 pairs, across 18 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

The seasonal 25% utilization distributions for little tern (yellow dots) and their recorded sightings in summer, autumn, and winter survey periods in the Irish Sea from ObSERVE I surveys show that no sightings of little terns were recorded within the Rosslare Europort Area of Legal Interest (Figure 4-21). The recorded sightings in summer and autumn show some records of little tern close to the Rosslare Europort Area of Legal Interest (see Figure 4-22 and Figure 4-23) although the 25% utilization distribution of little tern is not close to the Rosslare Europort Area of Legal Interest.

There were no sightings of little tern within the Rosslare Europort AoLI study area during the land-based surveys conducted monthly between 2022 and 2024.

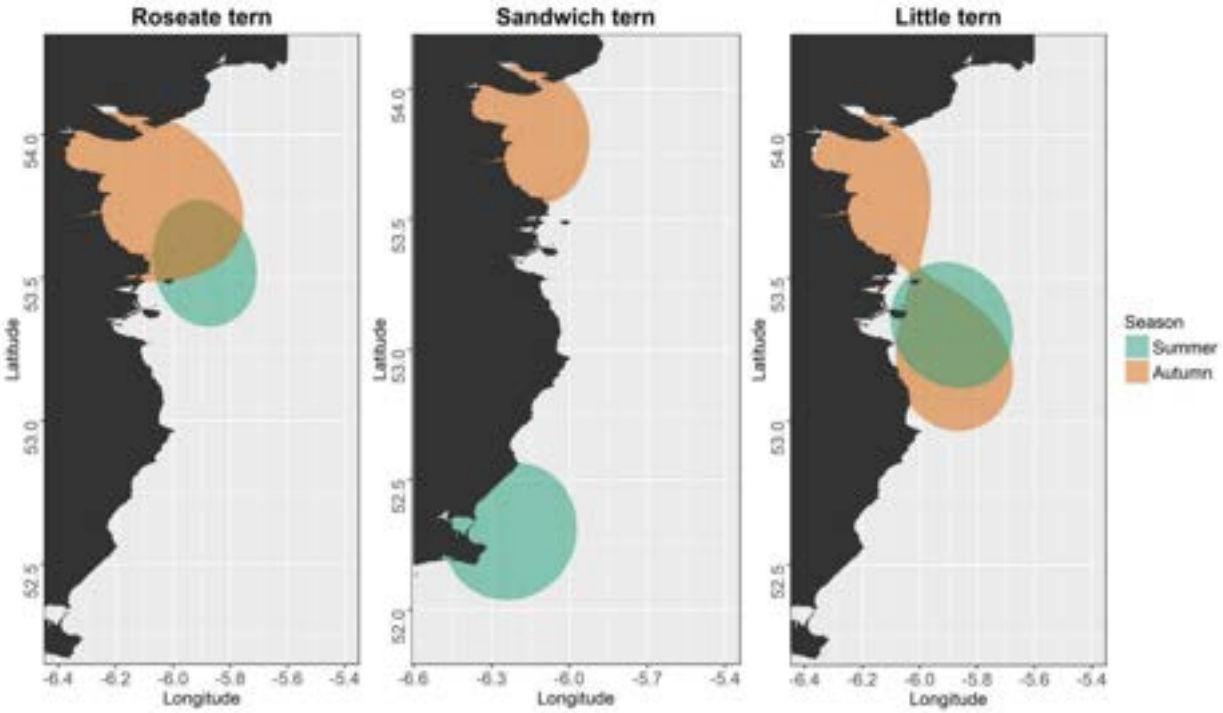

Figure 4-21 Seasonal 25% utilization distributions for roseate (left), Sandwich (middle) and little terns (right) in the Irish Sea. Note difference in extent of base map for sandwich terns (Jessopp, *et al.*, 2018).

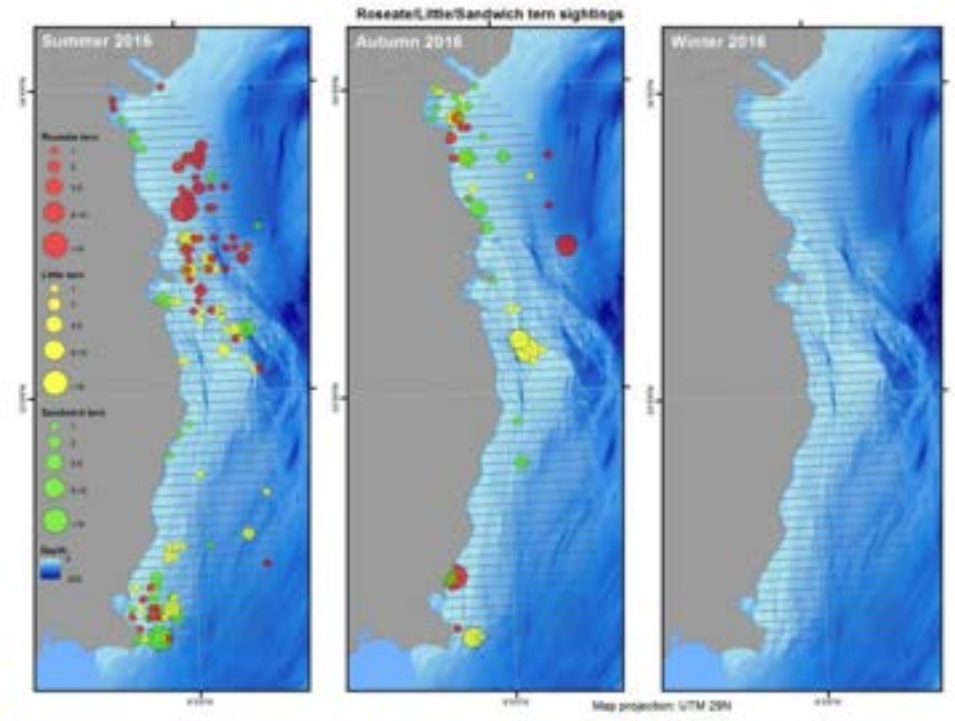

Figure 4-22 Sightings of roseate (red circles), little (yellow circles) and Sandwich terns (green circles) in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

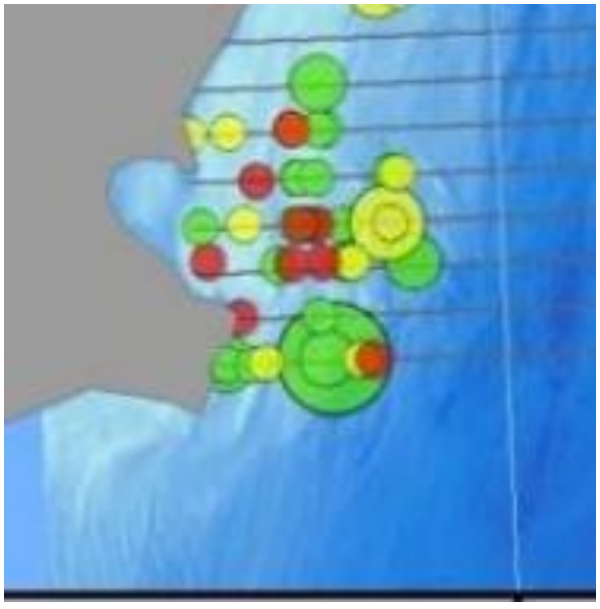

Figure 4-23 A close up of roseate (red circles), little (yellow circles) and Sandwich tern (green circles) sightings during summer 2016 (Jessop, *et al.*, 2018)

4.1.2.4 ARCTIC TERN

Arctic terns breed at colonies on both the west and east coasts of Ireland. The RoI Arctic tern **breeding** population is estimated to be 2,708 pairs, across 57 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

In the ObSERVE I surveys (Jessopp, *et al*. 2018), Arctic and common tern could not be identified to individual species level from the visual aerial surveys and were combined into a single group. The seasonal 25% utilization distributions for Arctic/common tern (Figure 4-24) and the recorded sightings in summer, autumn, and winter survey periods (Figure 4-25) in the Irish Sea show no records of Arctic/common tern within the Rosslare Europort Area of Legal Interest, while the 25% utilization distribution of Arctic/common tern does not overlap with the Area of Legal Interest.

2022 / 2023

- Land-based surveys within the Rosslare Europort AoLI study area recorded Arctic terns in May and July 2022, with a peak count of two individuals in July. In addition, Arctic/common ('commic') terns were also recorded between May and August 2022 within the Rosslare Europort AoLI study area.
- During the 2022 BBS, two (2) individuals were recorded in July, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.
- During the 2022 tern roost survey, five (5) individuals were recorded within the Rosslare Europort AoLI study area.

2023 / 2024

- Commic terns were recorded during the 2023/2024 VP surveys, within the Rosslare Europort AoLI study area, however, all records were observed >0.5km offshore.
- During the 2023 and 2024 autumn tern roost surveys, no Arctic terns were recorded.

4.1.2.5 COMMON TERN

The RoI common tern **breeding** population is estimated to be 4,728 pairs, across 59 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

On the ObSERVE I surveys (Jessopp, *et al*. 2018), Arctic and common tern could not be identified to individual species level and were combined into a single group. No records of Arctic/common tern were documented within the Rosslare Europort Area of Legal Interest (Figure 4-25) and the 25% utilization distribution (Figure 4-24) of Arctic/common terns does not overlap with the Rosslare Europort AoLI study area.

2022 / 2023

- Land-based surveys within the Rosslare Europort AoLI study area recorded common terns occasionally in low numbers in the summer months from May to August 2022, with a peak count of 23 individuals during May 2022. In addition, two (2) individuals were recorded in April 2023. Records were distributed throughout the Rosslare Europort AoLI study area.
- Four (4) common terns were recorded in August 2022 during the tern roost surveys, distributed throughout the Rosslare Europort AoLI study area.

2023 / 2024

- Two (2) common terns were recorded in August 2023, one individual in September 2023, and six (6) in June 2024. All common terns recorded in 2023 and 2024 were observed foraging >1 km offshore.
- During the VP2 surveys, two (2) common terns were recorded in June 2024; however, neither record was within the Rosslare Europort AoLI study area.
- During the 2023 and 2024 autumn tern roost surveys, no common terns were recorded.
- Commic terns were also recorded, with a peak count of 15 individuals in July 2022. All commic terns were observed foraging >0.5 km offshore during VP surveys.

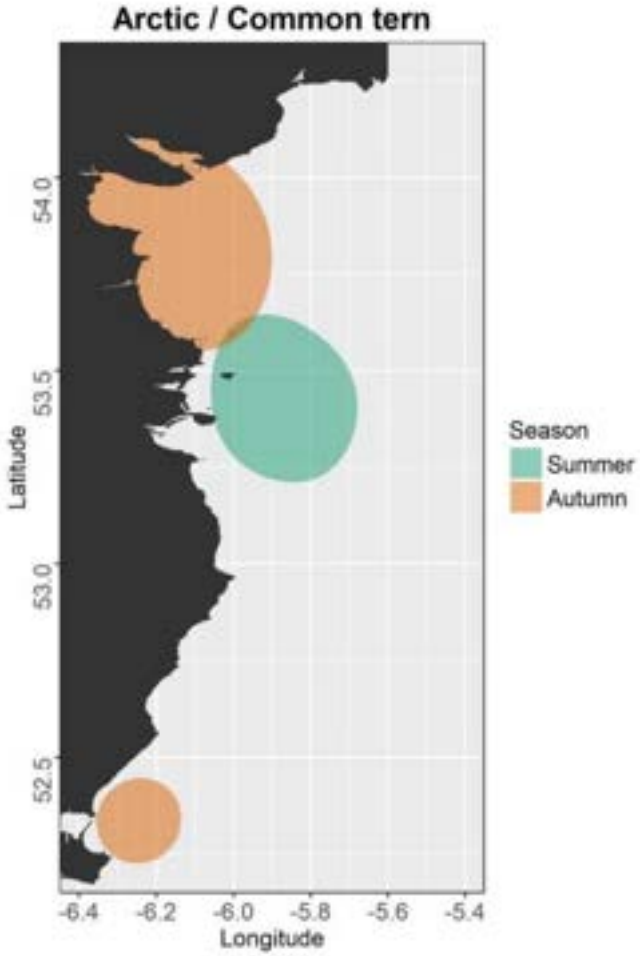

Figure 4-24 Seasonal 25% utilization distributions for Arctic/common terns in the Irish Sea (Jessopp, *et al.,* 2018).

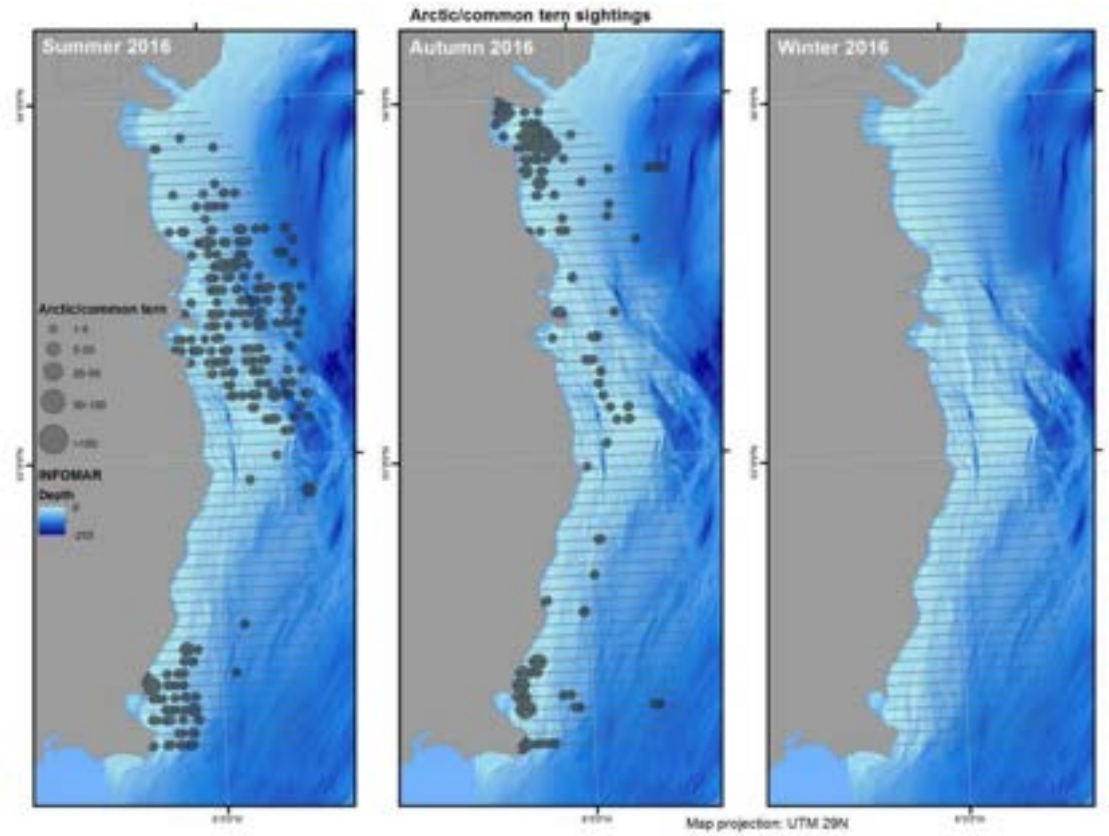

Figure 4-25. Sightings of Arctic/common terns in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.1.3 AUKS

4.1.3.1 COMMON GUILLEMOT

The RoI **guillemot breeding** population is estimated to be 178,090 individuals, across 63 occupied sites, recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Auks were not identified to species level on ObSERVE II surveys, with auk species assumed to include razorbills, common guillemot, puffins and/or black guillemots. Auk species were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme – see Figure 4-30. The summer distribution of foraging auk species shows that higher numbers of these species are found further offshore from the Wexford coast, highlighting that the area immediately around the Rosslare Europort Area of Legal Interest is not a key area for auk species such as guillemot.

Guillemot was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-27). The distribution of foraging guillemots from this dataset shows that higher numbers of this species are found further offshore from the Wexford coast, highlighting that the area immediately around the Rosslare Europort Area of Legal Interest is not a key area for guillemot. Guillemot density maps from the Hi-Def report are shown in Figure 4-26.

On ObSERVE I surveys (Jessopp, *et* al. 2018), razorbills and guillemots were combined into a single species group, as individuals could not be identified on surveys. Seasonal 10%, 25% and 50% utilization distributions for razorbill/ guillemot (Figure 4-31) and the recorded sightings in summer, autumn, and winter survey periods (Figure 4-32) in the Irish sea show no records of razorbill/ guillemot within the Rosslare Europort Area of Legal Interest and that the utilization distribution of razorbills and guillemots did not overlap with the Rosslare Europort Area of Legal Interest.

Land-based surveys within the Rosslare Europort AoLI study area recorded guillemots in low numbers.

2022 / 2023

- Guillemots were recorded infrequently and in low numbers over the survey period. Birds were observed between May and September 2022, and in April 2023, with a peak count of fifteen (15) individuals in September 2022. Records were distributed throughout the Rosslare Europort AoLI study area; however, most observations occurred more than 0.5 km offshore, with only limited records within the AoLI itself.

2023 / 2024

- During VP1 surveys, common guillemot was recorded in September, December 2023, and January through August 2024, with a peak count of four (4) individuals in January, March and August 2024. Common guillemots were observed foraging across the entire offshore area. . Records were distributed throughout the Rosslare Europort AoLI study area; however, most observations occurred more than 0.5 km offshore.

- During the VP1 surveys, three (3) individual auks (common guillemot/razorbill, unidentifiable to species level) were recorded in August 2023 outside the Rosslare Europort AoLI, approximately 1.5 km offshore.

- During the VP2 surveys, three (3) common guillemots were recorded in June 2024 and one (1) individual in July 2024. Records were distributed throughout the Rosslare Europort AoLI study area, however, most observations occurred more than 0.5 km offshore.

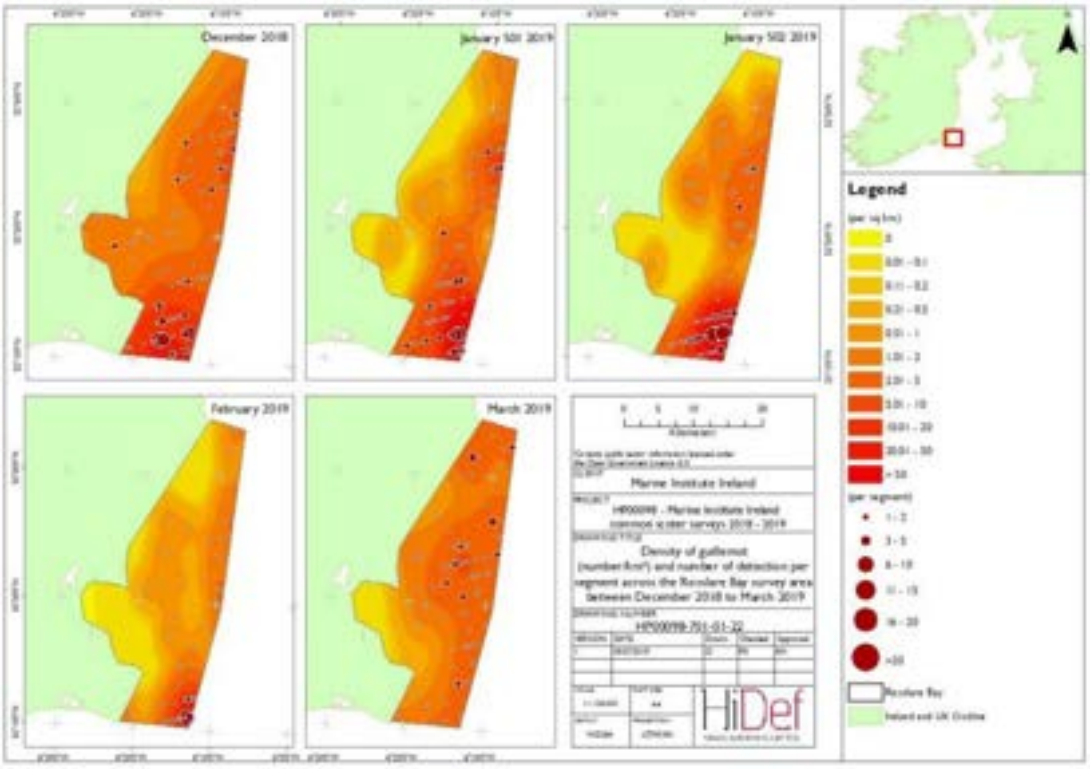

Figure 4-26 Density of guillemots (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

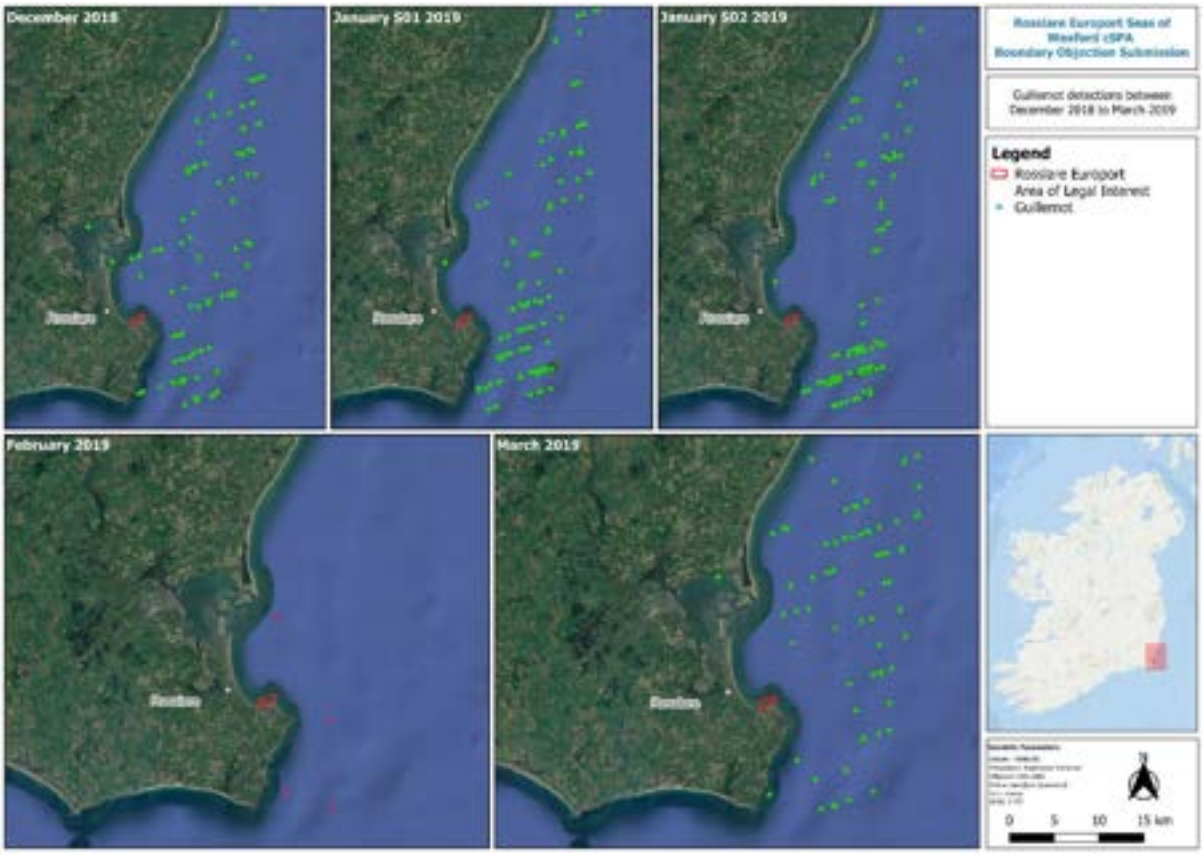

Figure 4-27 Distribution of guillemots from the data provided by Hi-Def (2019) report.

4.1.3.2 RAZORBILL

The RoI razorbill **breeding** population is estimated to be 32,904 individuals, across 73 occupied sites, recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

As outlined above, auk species were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey programme (Figure 4-30).

Razorbill was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-29).

On the ObSERVE I surveys (Jessopp, *et* al. 2018), the seasonal 10%, 25% and 50% utilization distributions for razorbill/ guillemot (Figure 4-26) and the recorded sightings in summer, autumn, and winter (Figure 4-27) survey periods in the Irish sea are show no records of razorbill/ guillemot within the Rosslare Europort Area of Legal Interest and that the utilization distribution of razorbills and guillemots did not overlap with the Rosslare Europort AoLI.

Land-based surveys within the Rosslare Europort AoLI study area recorded low numbers of razorbills.

2022 / 2023

- During VP1 surveys, razorbills were recorded infrequently in very low numbers. Birds were recorded in June, August, October and December 2022, with a peak of two (2) birds in August

2022. Records were distributed throughout the Rosslare Europort AoLI study area; however, most observations occurred more than 0.5 km offshore, with only limited records within the AoLI itself.

2023 / 2024

- During VP1 surveys, four (4) razorbills were recorded in September 2023, with birds also recorded between April and August 2024, with a peak count of five birds in August 2024. Records were distributed further offshore outside the Rosslare Europort AoLI study area.
- During the VP1 surveys, three (3) individual auks (common guillemot/razorbill, unidentifiable to species level) were recorded in August 2023 outside the Rosslare Europort AoLI, approximately 1.5 km offshore.
- During VP2 surveys, two (2) individuals were recorded in June 2024. Records were distributed throughout the Rosslare Europort AoLI study area; however, most observations occurred more than 0.5 km offshore, with only limited records within the AoLI itself.

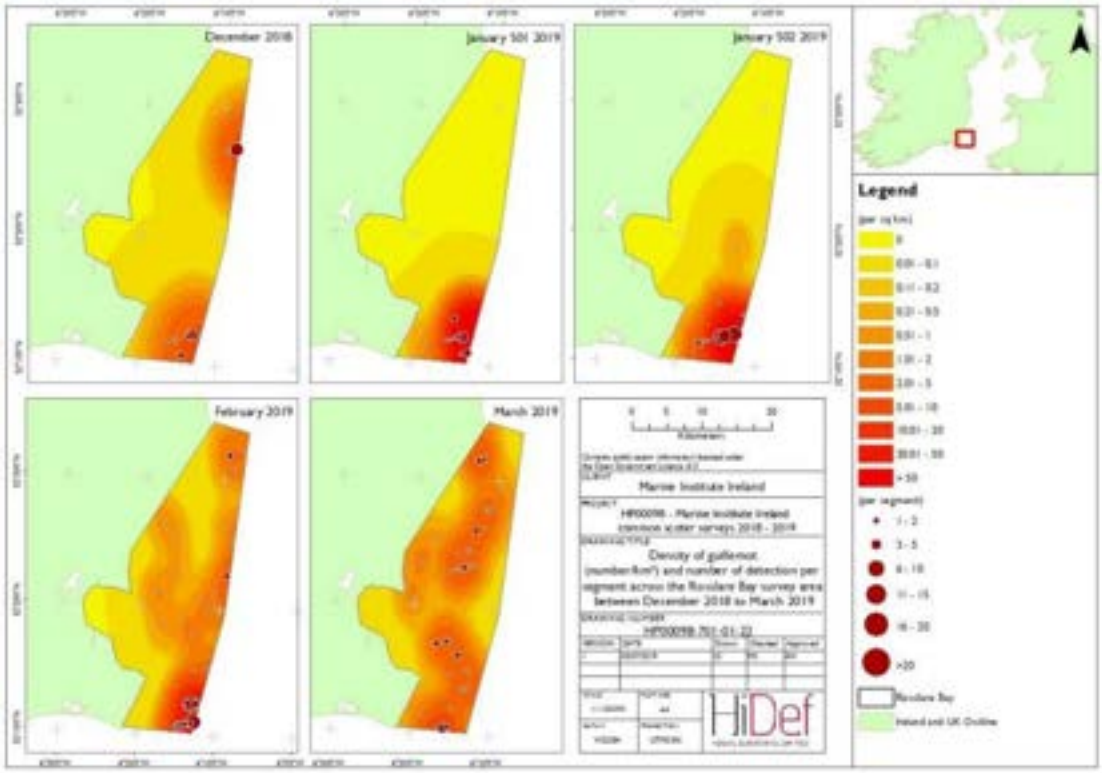

Figure 4-28 Density of razorbills (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

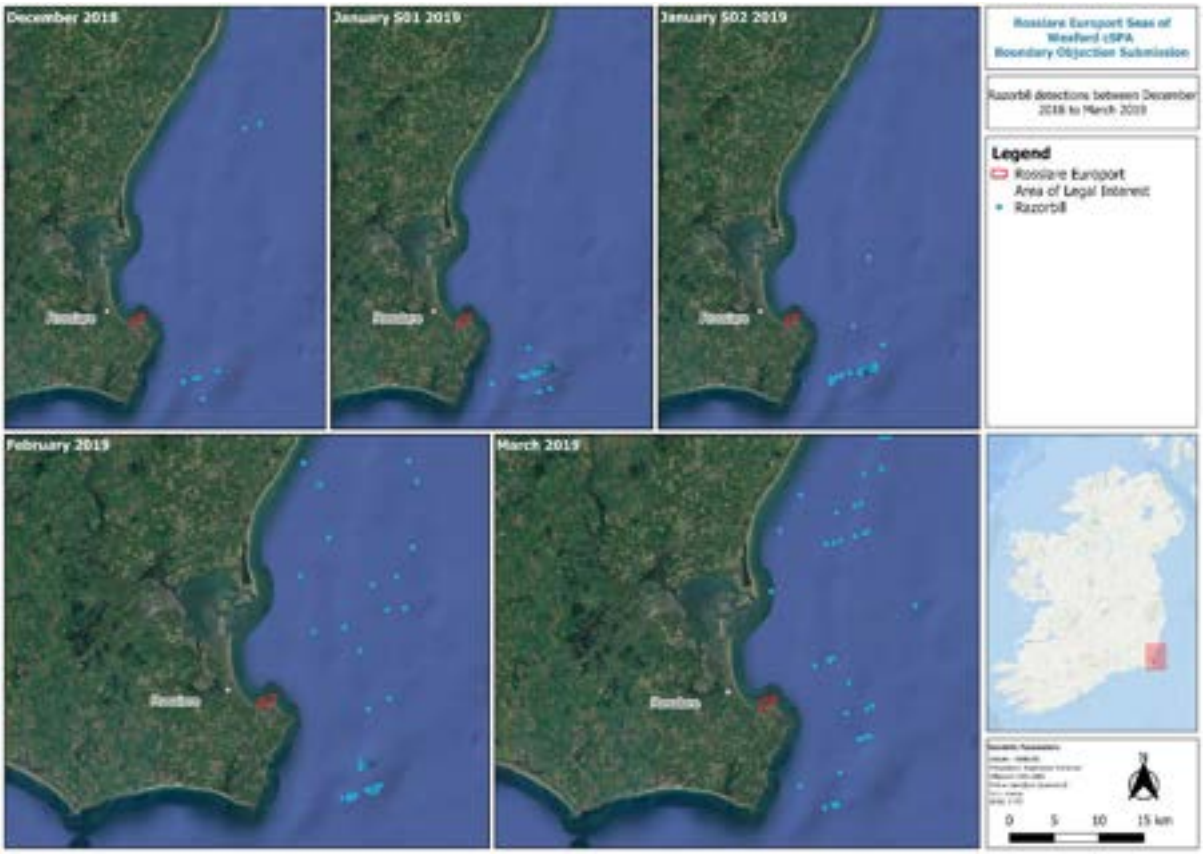

Figure 4-29 Distribution of razorbills from the data provided by Hi-Def (2019) report.

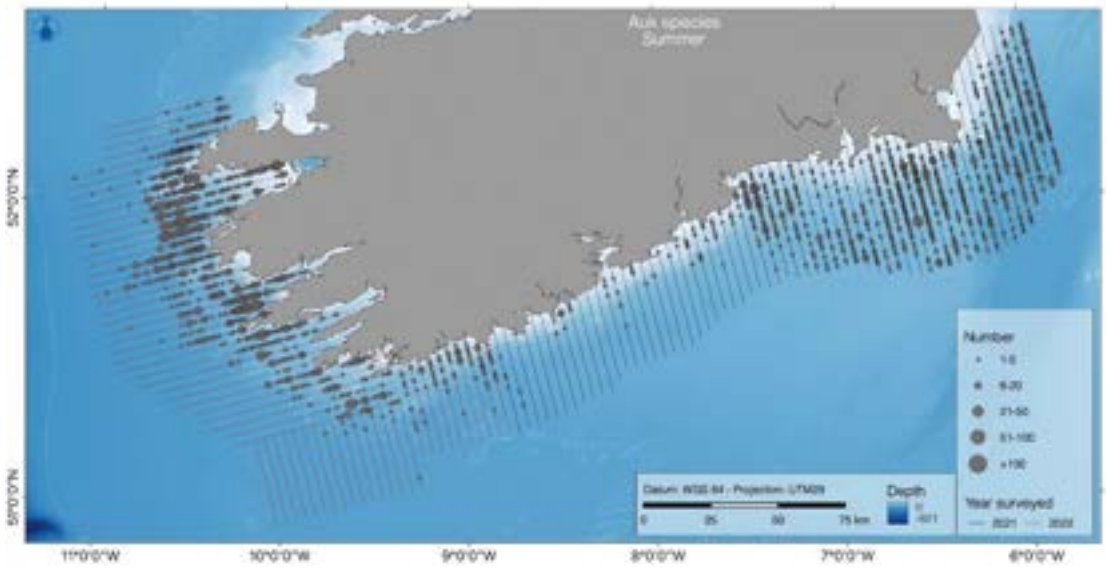

Figure 4-30 ObSERVE II map presenting data of auk species sightings (Giralt Paradell, *et al*., 2023).

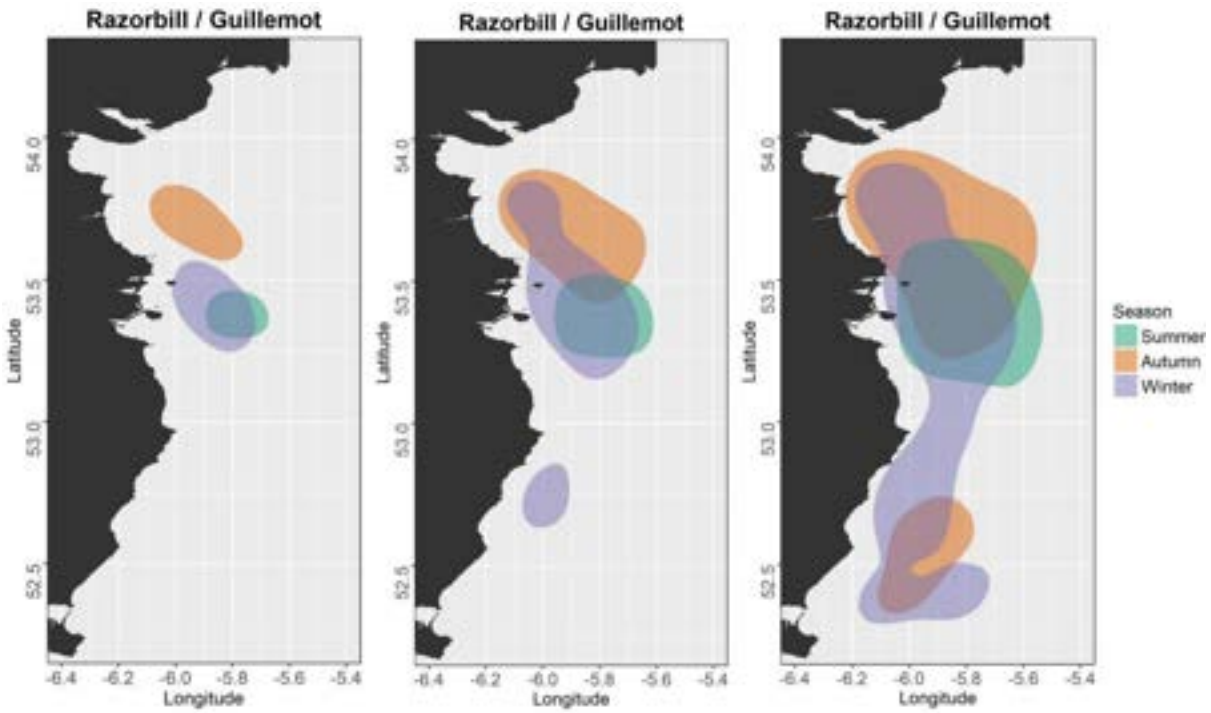

Figure 4-31 Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for razorbills/guillemots in the Irish Sea (Jessopp, *et al.,* 2018).

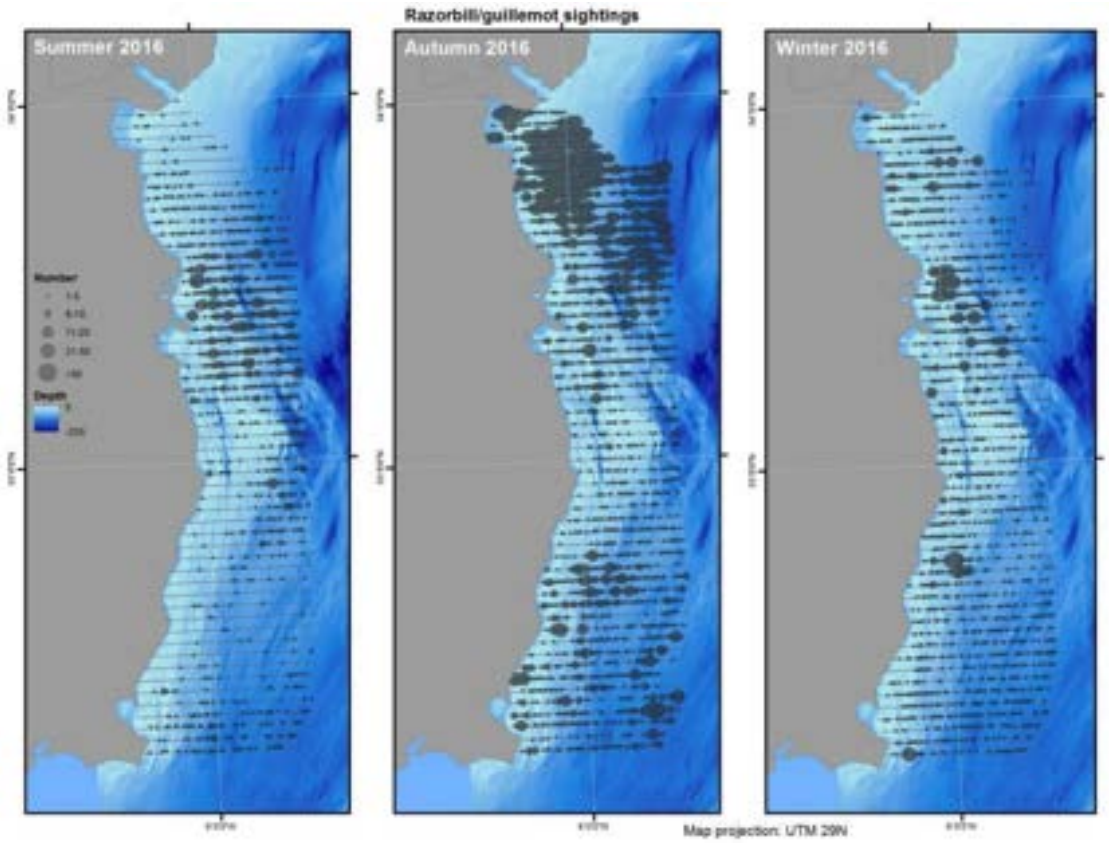

Figure 4-32 Sightings of razorbills/guillemots in summer, autumn, and winter survey periods in the Irish (Jessopp, *et al.,* 2018).

4.1.3.3 ATLANTIC PUFFIN

The RoI puffin **breeding** population is estimated to be 14,232 pairs, across 16 occupied sites, based on Apparently Occupied Burrows (AOB) recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Auk species (including puffins) were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey programme (Figure 4-30).

As outlined above, auk species were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 4-32). Bennison *et al.* (2019) reported that no tracked puffins from the Saltee Islands SPA were recorded in the Rosslare Europort Area of Legal Interest (see Figure 3-1). Puffins were not recorded in the Rosslare Europort Area of Legal Interest by the 2019 HiDef surveys (see Figure 4-33).

The ObSERVE I seasonal 25% utilization distributions for puffin (Jessopp *et al.,* 2018) show no overlap with the Rosslare Europort Legal Area of Interest (Figure 4-34) and the recorded sightings in summer, autumn, and winter survey periods (Figure 4-35) in the Irish sea show no records of puffin within the Rosslare Europort Area of Legal Interest.

No puffins were recorded on land-based surveys within the Rosslare Europort AoLI study area from 2022 to 2024.

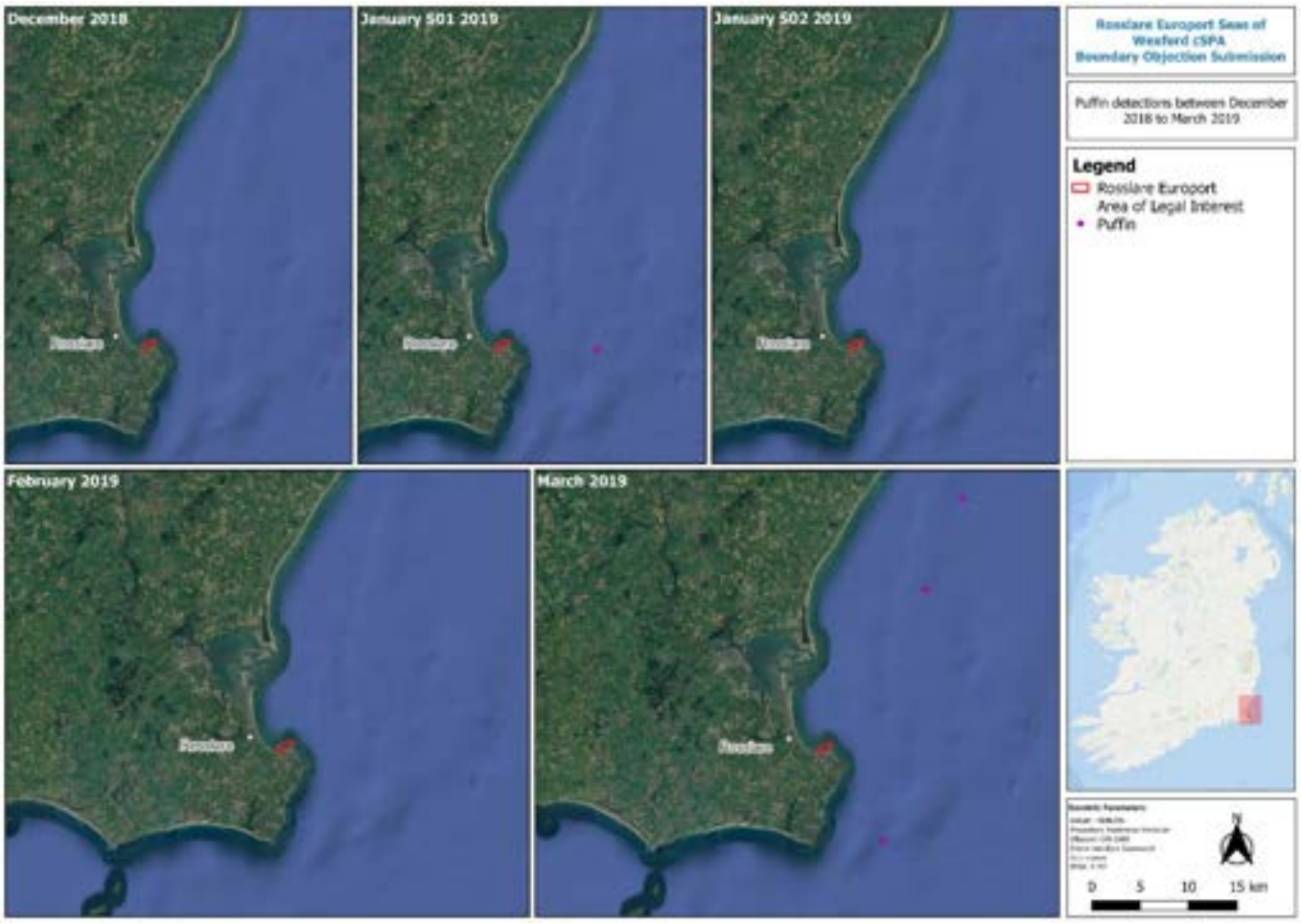

Figure 4-33 Distribution of puffins from the data provided by Hi-Def (2019) report.

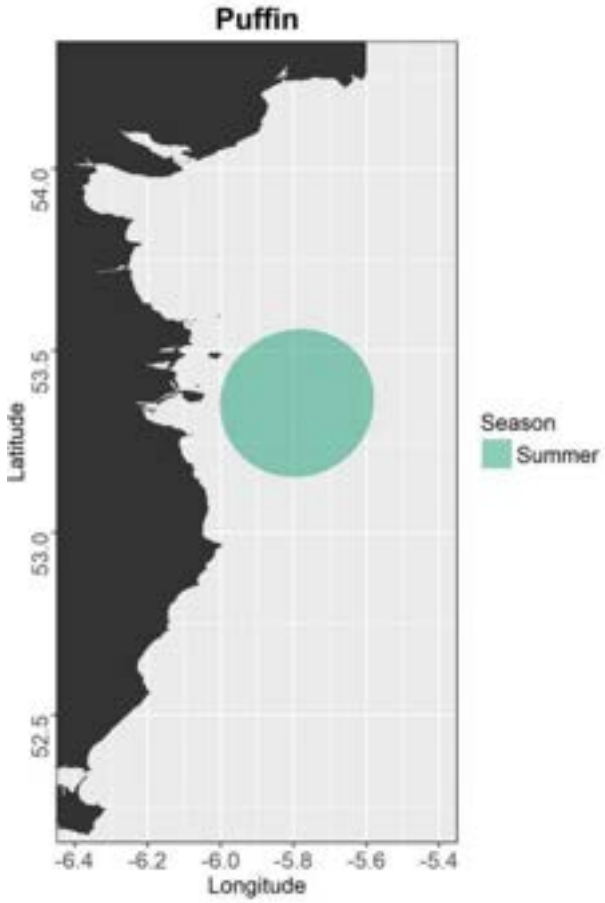

Figure 4-34 Seasonal 25% utilization distributions for puffin in the Irish Sea, highlighting the importance of more offshore waters east of Dublin Bay and Dalkey (Jessopp, *et al.,* 2018).

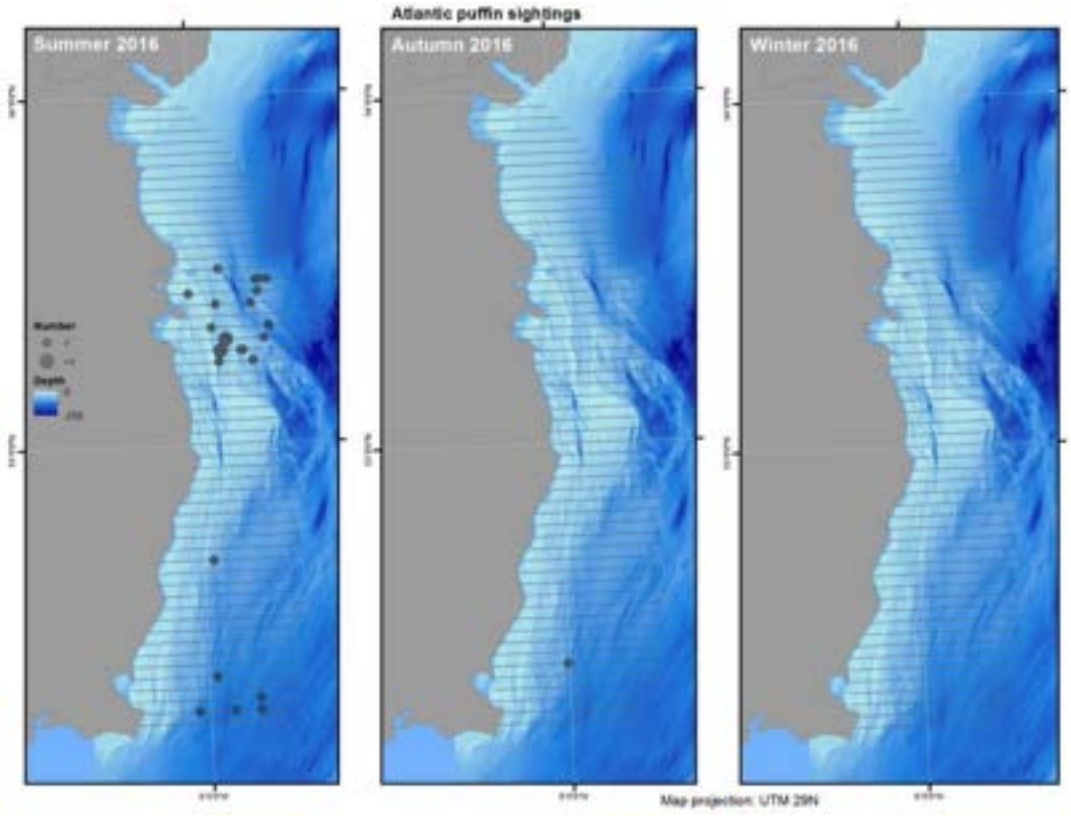

Figure 4-35 Sightings of puffin in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.1.4 DIVERS AND SEADUCKS

4.1.4.1 RED-THROATED DIVER (*GAVIA STELLATA*)

There is a small breeding population of red-throated divers in County Donegal, with a maximum estimate of nine pairs in 2018 (Burke *et al.,* 2020). The breeding season has been defined as March to August (Furness, 2015). In the non-breeding season, red-throated divers are widespread off Irish coasts, with birds from Scandinavia, Iceland and Scotland moving into Irish waters. Largest numbers are recorded off the south-west coast of Ireland in winter months (Balmer *et al.,* 2013).

The ObSERVE II surveys did not record any sightings of red-throated diver.

Red-throated diver was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-37). The distribution of red-throated diver from this dataset indicates that higher numbers of this species are found further off the Wexford coast, and north of Rosslare Europort, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for red-throated diver. Red-throated diver density maps from the Hi-Def report are shown in Figure 4-36.

In the ObSERVE Phase 1 aerial surveys (Jessopp, *et al*., 2018), no records of divers were documented within the Rosslare Europort Area of Legal Interest (Figure 4-39) while the 10% or 25% utilization

distribution (Figure 4-38) of diver species did not overlap with the Rosslare Europort Area of Legal Interest.

Red-throated divers were recorded within the Rosslare Europort Area of Legal Interest study area during land-based surveys. Typically, birds were scattered widely in small numbers throughout the study area, with birds recorded in all distance bands between the shore and 1.5 km offshore. The peak counts of red-throated divers on surveys were six birds in January 2023 and three birds in April 2024. All recorded counts were considerably lower than the All-Ireland 1% importance threshold (20 birds) (Lewis *et al.,* 2019).

2022 / 2023

- During the VP1 surveys, red-throated divers were recorded in very low numbers between September 2022 and March 2023, with a peak count of six (6) birds recorded in January 2023. Records were distributed throughout the survey area; however, none were recorded within the Rosslare Europort AoLI study area, with most observations located to the west of the survey area and between approximately 1 km and 1.5 km offshore.

- During WWO surveys, one (1) red-throated divers was recorded in December 2022 and three (3) recorded in January 2023 within the Rosslare Europort AoLI study area.

2023 / 2024

- During the VP1 surveys, red-throated divers were recorded during every survey between September 2023 and April 2024, with a peak count of three (3) birds in April 2024. Records were distributed throughout the Survey Area, however, were not recorded within Rosslare Europort AoLI study area, with many of the observations located west of the Survey area and from 1km to 1.5 km offshore.

- During WWO surveys, one (1) individual was recorded in November, and one (1) individual was recorded in December 2023 within the Rosslare Europort AoLI study area.

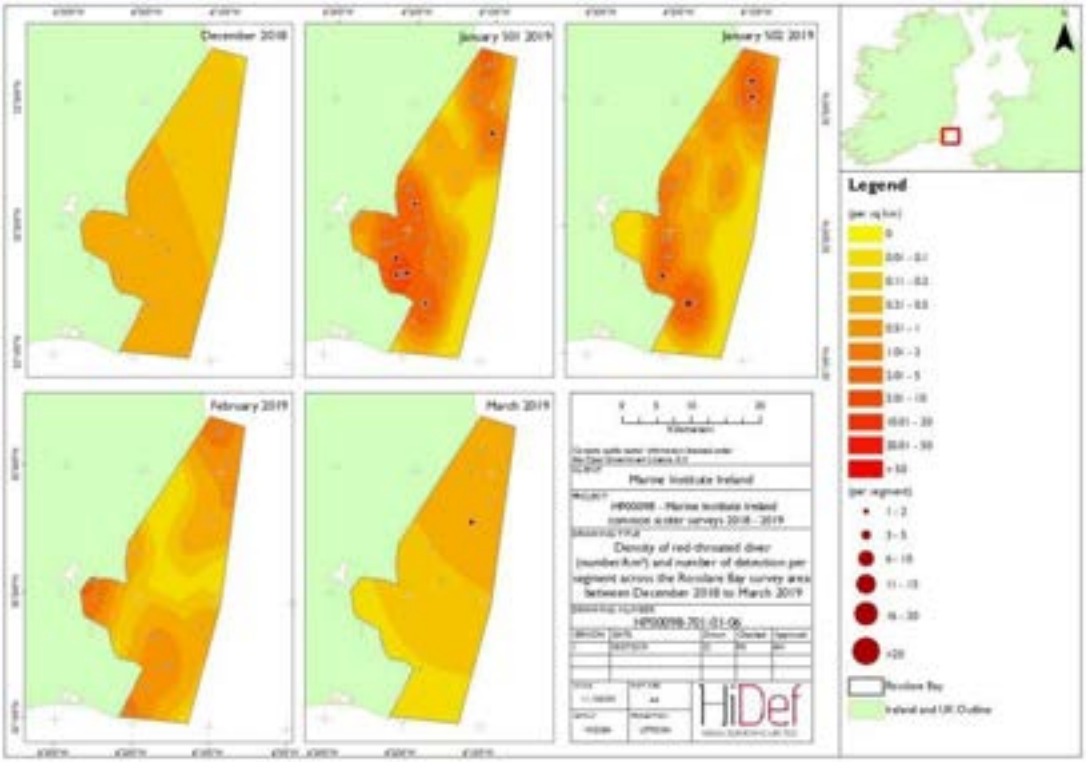

Figure 4-36 Density of red-throated divers (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

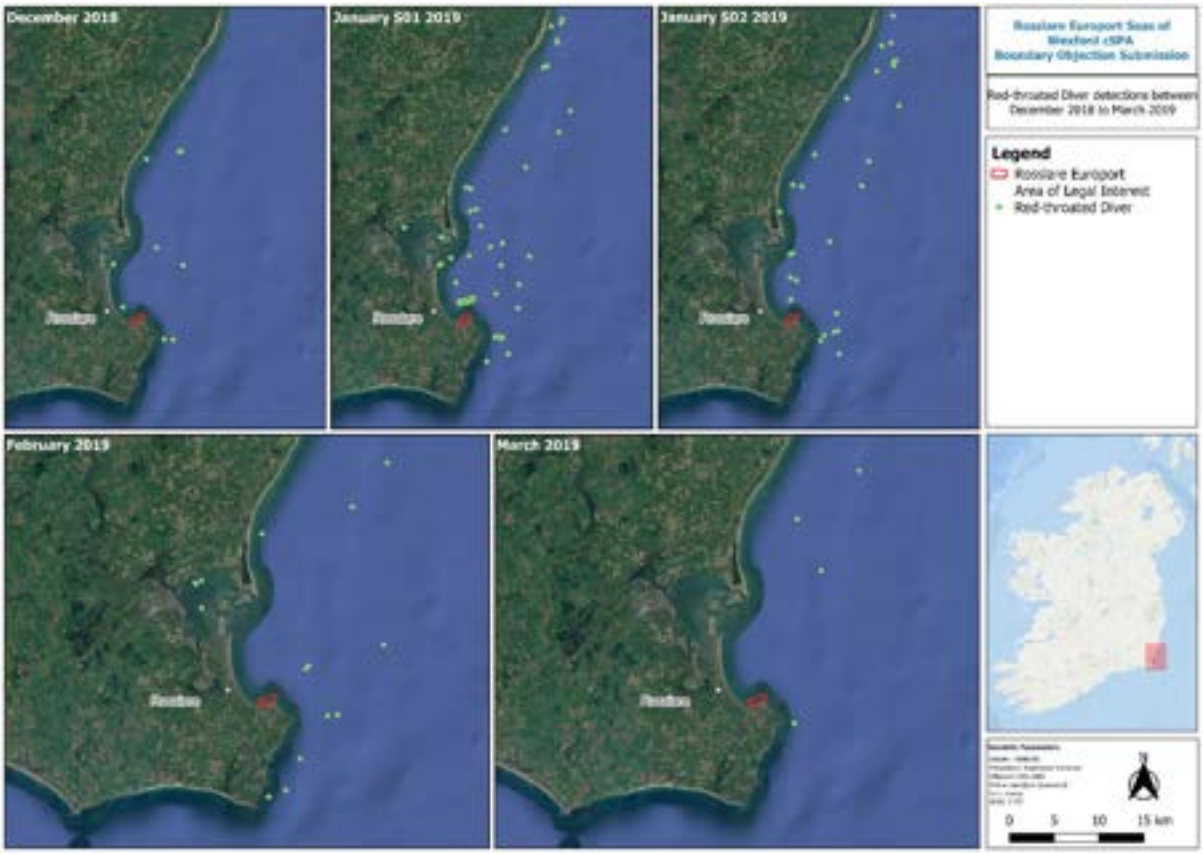

Figure 4-37 Distribution of red-throated diver from the data provided by Hi-Def (2019) report.

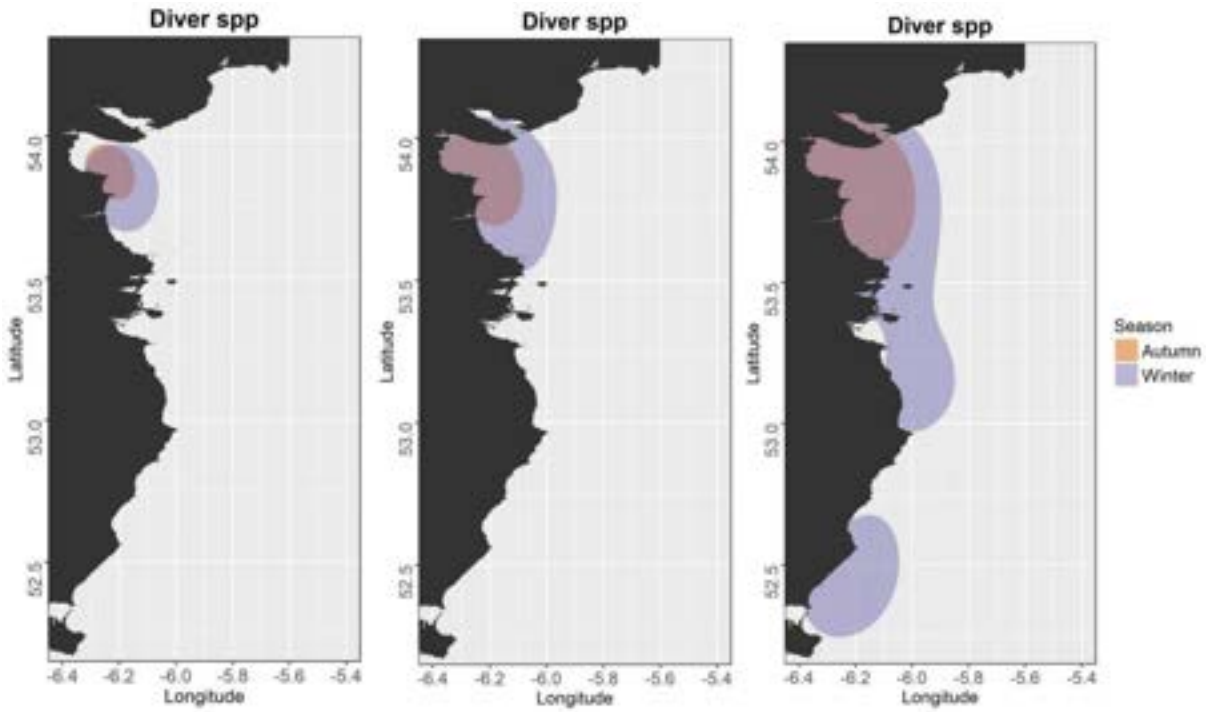

Figure 4-38 Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for diver species in the Irish Sea (Jessopp, *et al*., 2018).

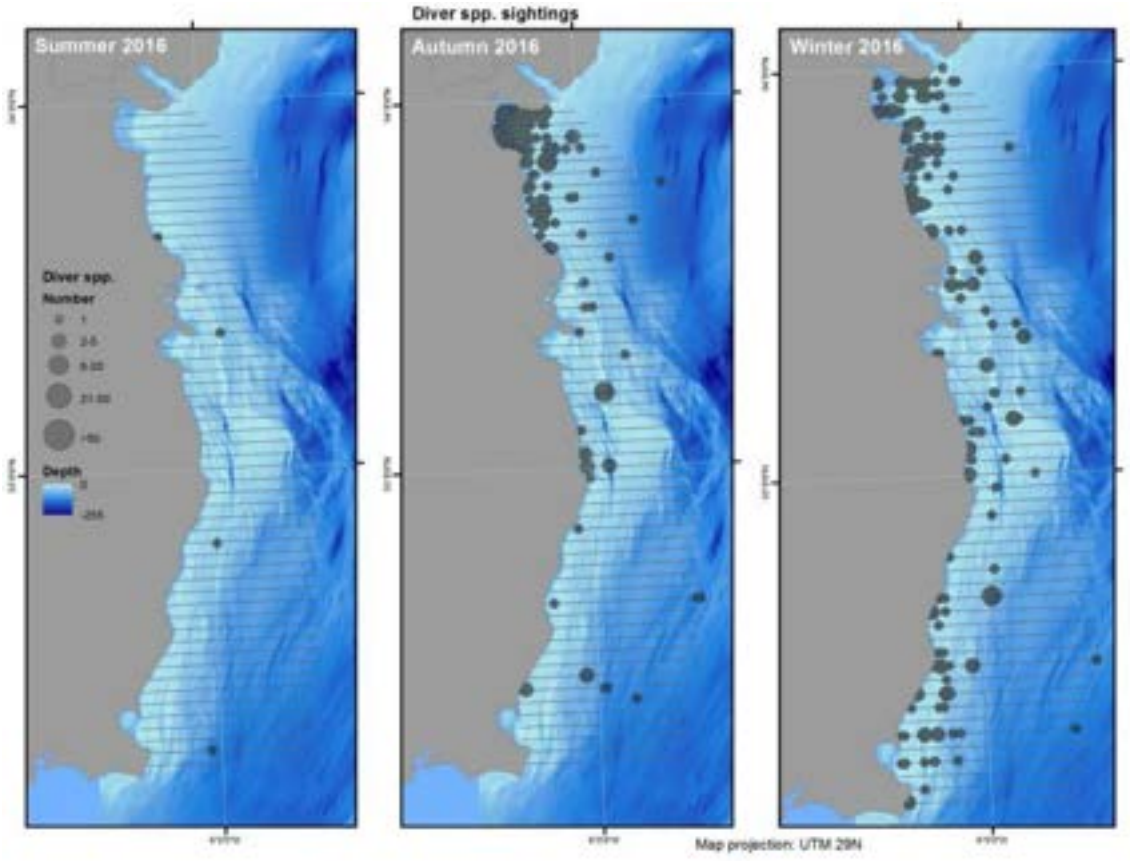

Figure 4-39 Sightings of unidentified diver species in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.*, 2018).

4.1.4.2 COMMON SCOTER

Common scoter is a seaduck species that typically winter on shallow inshore waters less than 20 m deep and generally between ca. 500 m and two km from shore (Birdlife International, 2018). There is a small and declining Irish breeding population of common scoter, restricted to a few loughs in the north-west of Ireland, which was estimated to be 39 pairs in 2012 (Hunt *et al.*, 2012).

No sightings of Common Scoter were recorded by the ObSERVE II survey.

Common scoters were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-41). The distribution of common scoter from this dataset shows that higher numbers of this species are found further off the Wexford coast, and north of Rosslare Europort, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for common scoter. Common scoter density maps from the Hi-Def report are shown in Figure 4-40.

During the ObSERVE Phase 1 survey (Jessopp, *et al.,* 2018), there were 72 sightings of common scoter in the western Irish Sea, representing 1,183 individuals and 15 sightings of velvet scoter (*Melanitta fusca*), representing 39 individuals. A further 10 sightings, representing 56 individuals, were not

identified to species level. Sightings were limited to the autumn and winter surveys, with no sightings occurring in summer (Figure 4-43). In autumn, all sightings occurred very close to the coast, with a predominance of common scoters occurring in the northernmost transects, particularly around Dundalk Bay where close aggregations occurred. Given the similar distribution of common and velvet scoter sightings in shallow nearshore coastal waters, sightings of all scoter species were combined to identify overall utilization distributions (Jessopp, *et al.,* 2018) – see Figure 4-42. No records of scoter species were documented within the Rosslare Europort Area of Legal Interest and the utilization distributions of scoter species did not overlap with the Area of Legal Interest.

Common scoter were recorded within the Rosslare Europort Area of Legal Interest study area on land-based surveys, with almost all sightings involving birds between 1 km and 1.5 km from shore, apart from December 2022, when 19 common scoter were recorded within the Rosslare Europort Area of Legal Interest. All recorded counts were considerably lower than the All-Ireland 1% importance threshold (110 birds) (Lewis *et al.,* 2019).

2022 / 2023

- During the VP1 surveys, common scoter were recorded from August 2022 to March 2023, with peak counts of fifty-three (53) birds in October 2022 and 36 birds in December 2022. These records were observed between approximately 1 km and 1.5 km offshore, and none were recorded within the Rosslare Europort AoLI study area.

- During the WWO surveys, nineteen (19) common scoter were recorded within the Rosslare Europort AoLI study area in December 2022. These records were observed approximately 0.2km offshore within the Rosslare Europort AoLI study area.

2023 / 2024

- During the VP1 surveys, common scoters were recorded in November, December 2023, and February 2024, with a peak count of 19 birds in February. These records were observed between approximately 0.9 km and 1.5 km offshore, and none were recorded within the Rosslare Europort AoLI study area.

- No common scoter were recorded during the 2023/24 WWO surveys.

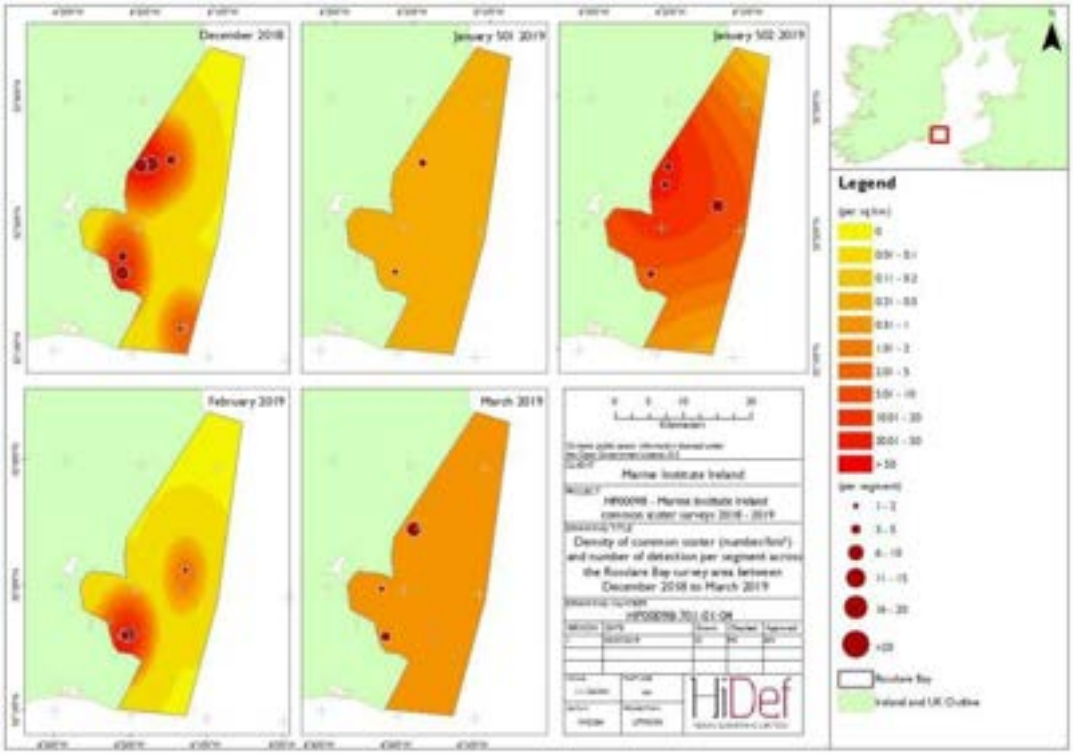

Figure 4-40 Density of common scoters (number/km²) and number of detections per segment between December 2018 to March 2019 (Hi-Def, 2019).

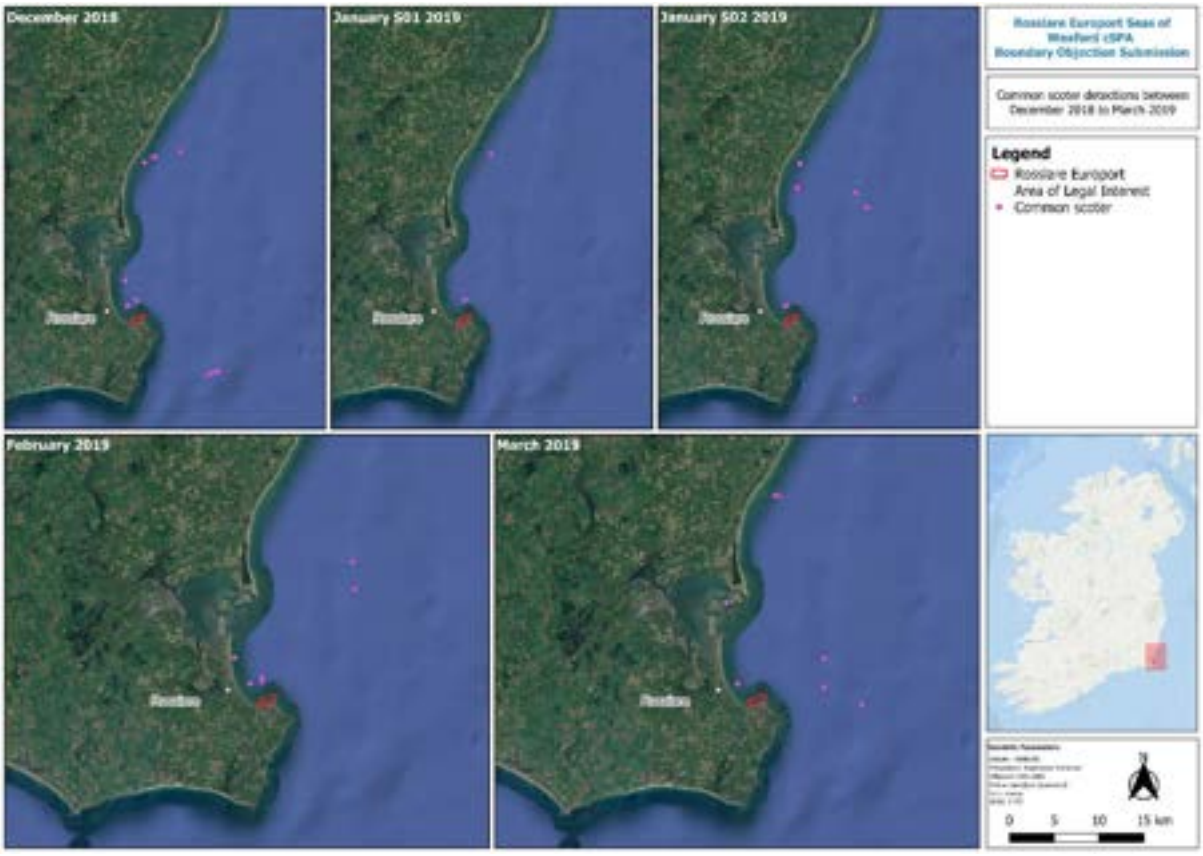

Figure 4-41 Maps produced by GDG showing distribution of common scoter from the data provided by Hi-Def (2019) report.

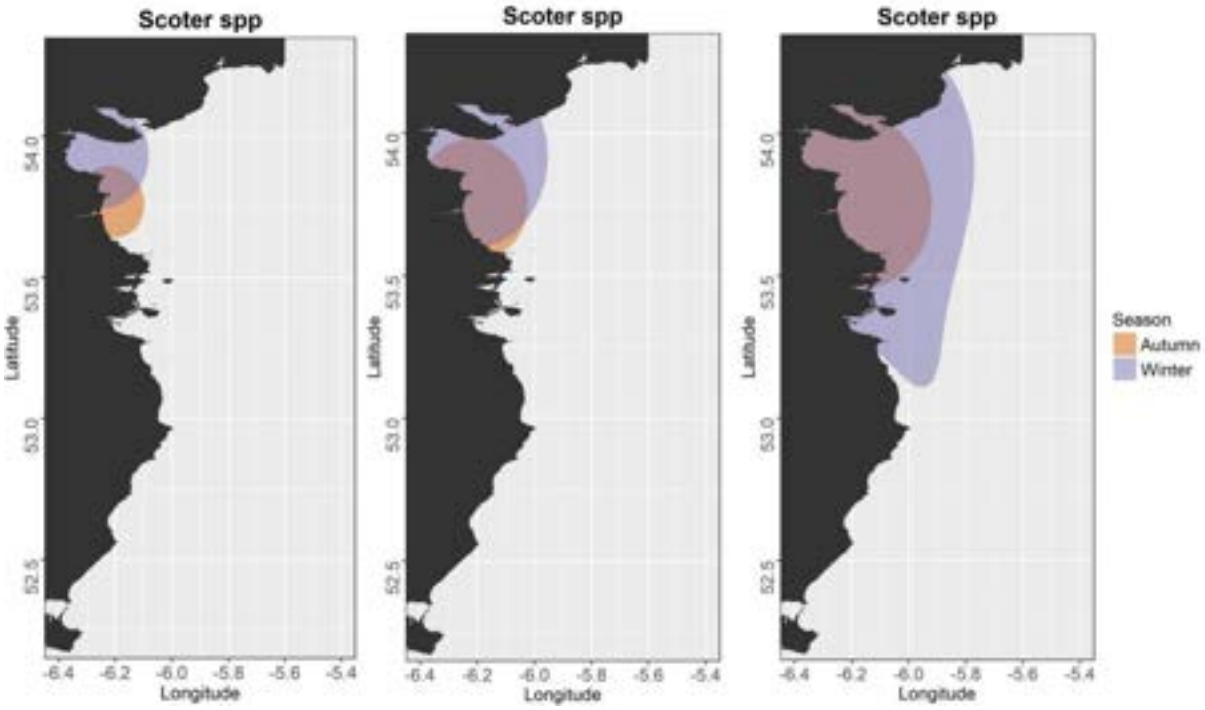

Figure 4-42 . Seasonal 10% (left), 25% (middle), and 50% (right) utilization distributions for scoter species (common, velvet and unidentified scoter species combined) in the Irish Sea (Jessopp, *et al.*, 2018).

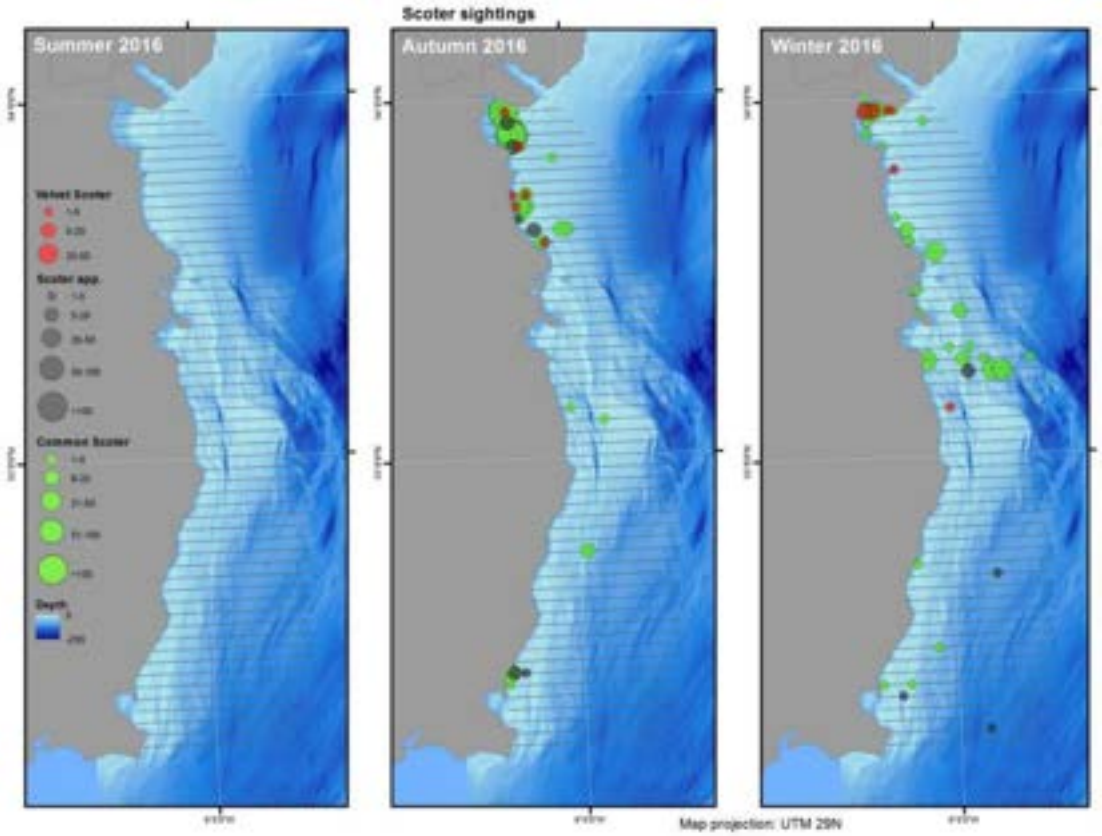

Figure 4-43 Sightings of common (green circles), velvet (red circles) and unidentified (grey circles) scoters in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.1.5 MANX SHEARWATER, GANNET AND FULMAR

4.1.5.1 MANX SHEARWATER

The RoI Manx shearwater **breeding** population is estimated to be 134,220 pairs, across 20 occupied sites, based on Apparently Occupied Sites (AOS) recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Manx Shearwater was not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 4-44).

Manx Shearwater was not recorded during the Hi-Def (2019) aerial surveys, as the species is a summer visitor to Irish waters and surveys were only carried out in the winter months.

During the ObSERVE Phase 1 surveys (Jessopp, *et al.,* 2018), no records of Manx shearwater were documented within the Rosslare Europort Area of Legal Interest (Figure 4-46) and the 25% utilization distribution (Figure 4-45) of Manx shearwater did not overlap with the Area of Legal Interest.

Manx shearwaters were recorded within the Rosslare Europort Area of Legal Interest study area during land based surveys, with a peak count of 25 individuals in July 2022. No birds were recorded within the Rosslare Europort Area of Legal Interest.

2022 / 2023

- The only sightings of Manx shearwaters were seven (7) birds in June 2022, and twenty-five (25) birds in July 2022 during the VP1 surveys. All birds were recorded beyond 1.5 km offshore, outside the Rosslare Europort AoLI study area.

2023 / 2024

- Fourteen (14) manx shearwater were recorded in August 2023 during the VP1 surveys, with all birds recorded beyond 1 km of the shoreline, outside the Rosslare Europort AoLI study area.

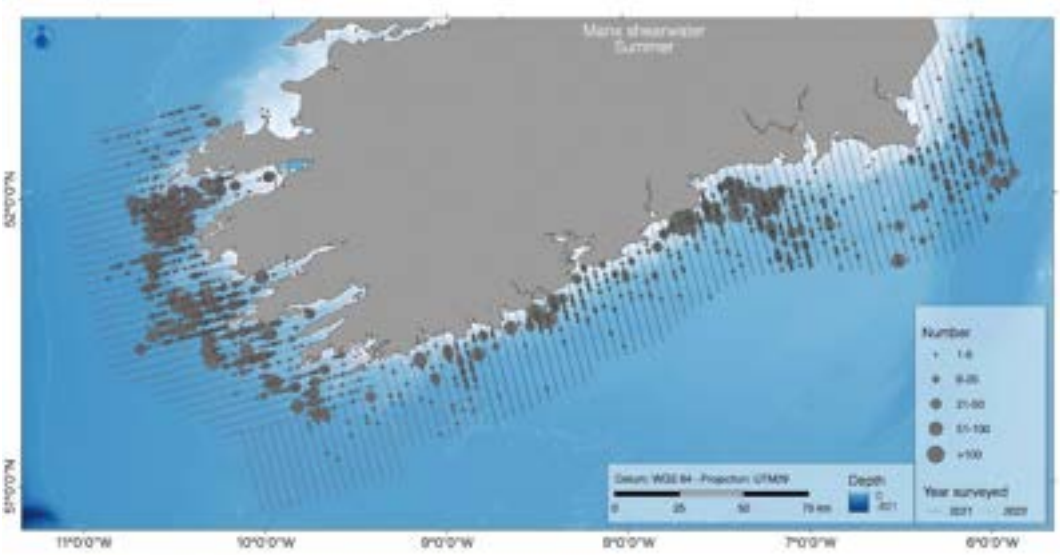

Figure 4-44 ObSERVE II map presenting data of Manx Shearwater sightings (Giralt Paradell, *et al*., 2023).

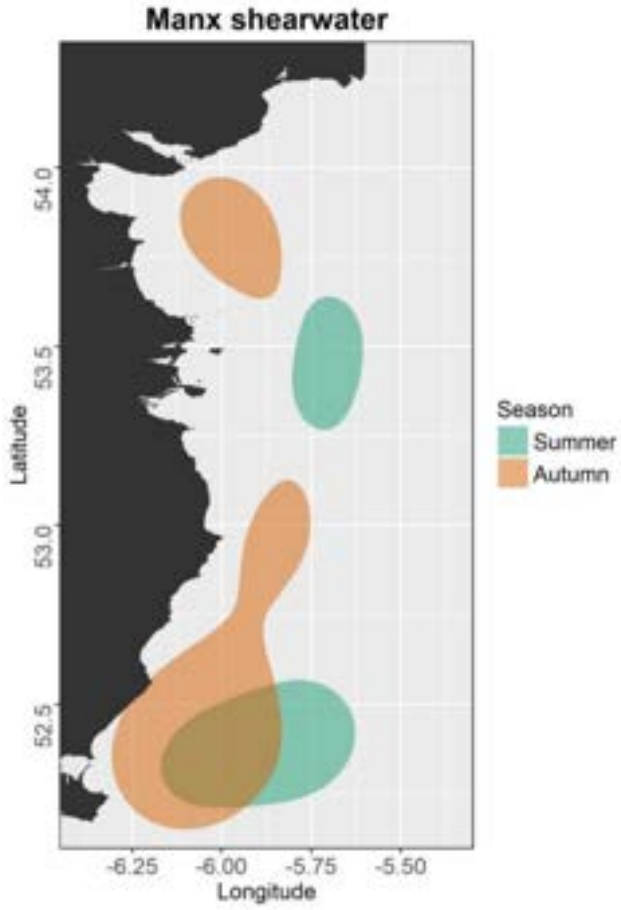

Figure 4-45 Seasonal 25% utilization distributions for Manx shearwater in the Irish Sea showing important areas in the north and south of the survey area across seasons (Jessopp, *et al.,* 2018).

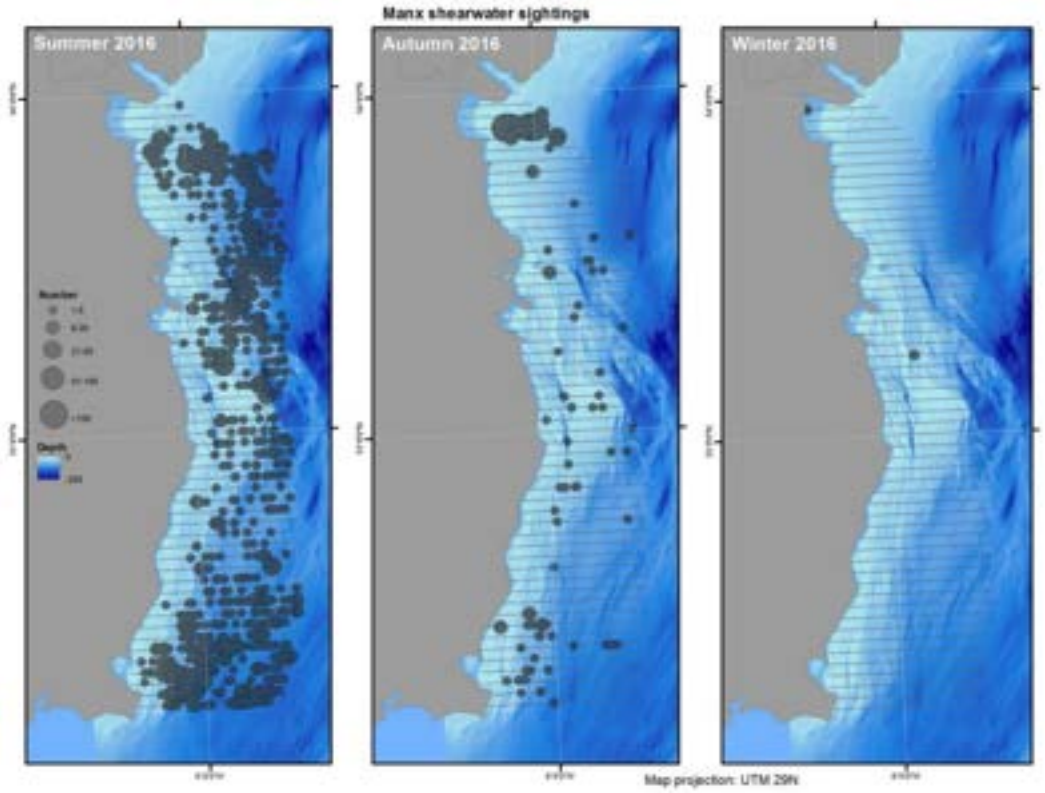

Figure 4-46 Sightings of Manx shearwaters in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.1.5.2 NORTHERN GANNET

The RoI gannet **breeding** population is estimated to be 48,032 pairs, across six occupied sites, based on Apparently Occupied Sites (AOS) / Apparently Occupied Nests (AON) recorded during the Gannet census (2012-14) and the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Gannets were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 4-47). The summer distribution of gannets shows that higher numbers of this species are found further off the Wexford coast and the southwest coast with high densities recorded, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for gannet.

Gannet density maps from the Hi-Def report are shown in Figure 4-48. Gannets were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-49).

During the ObSERVE Phase 1 surveys (Jessopp, *et al.,* 2018), no records of gannet were documented within the Rosslare Europort Area of Legal Interest and the 25% utilization distribution of gannet did not overlap with the Area of Legal Interest.

Land-based surveys within the Rosslare Europort Area of Legal Interest study area recorded low numbers of gannets, with a peak count of eight birds in July 2022. All gannets were recorded foraging beyond 0.5 km of the shoreline and were not recorded within the Rosslare Europort AoLI.

2022 / 2023

- During the VP1 surveys, gannets were mainly recorded in summer months from May 2022 to September 2022, and in March and April 2023, with fewer birds recorded in winter. The peak counts were seven (7) birds in May 2022, and eight (8) birds in July 2022. The majority of gannets were recorded beyond 0.5 km of the shoreline, and no records were located within the Rosslare Europort AoLI study area.

- During the WWO surveys, two (2) individuals were recorded in January 2023 within the Rosslare Europort AoLI study area.

2023 / 2024

- During VP1 surveys, gannets were recorded in July, August, and September 2023, January 2024 and in March to August 2024. The peak counts were four (4) birds in August 2023, seven (7) birds in April 2024 and nine (9) birds in June 2024. All gannets were recorded foraging beyond 0.5 km of the shoreline, with no records occurring within Rosslare Europort AoLI study area.

- During VP2 surveys, a peak count of twelve (12) gannets were recorded in June, three (3) in July and two (2) in August. Records were distributed throughout the Rosslare Europort AoLI study area; however, most observations occurred more than 0.5 km offshore, with only limited records within the AoLI itself.

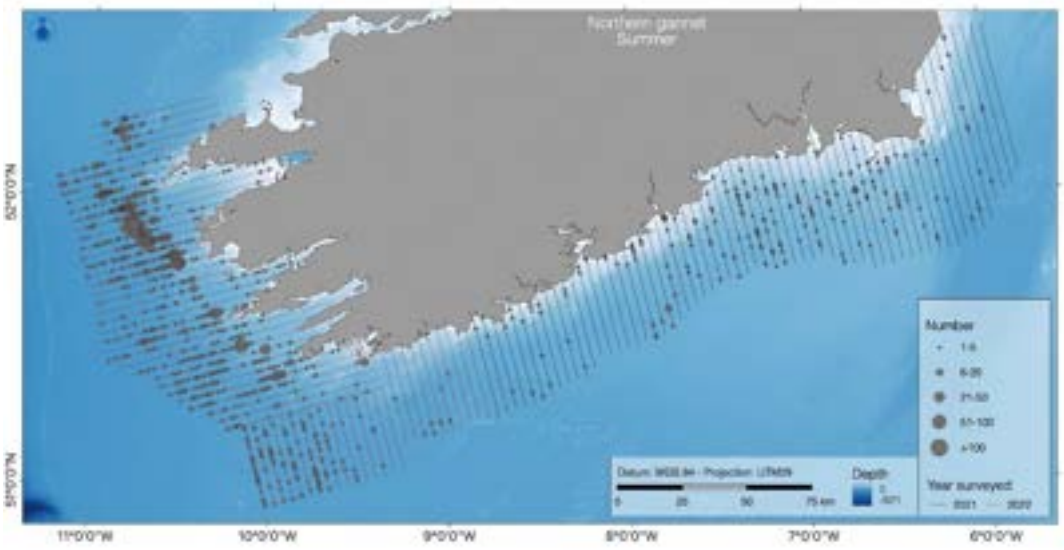

Figure 4-47 ObSERVE II map presenting data of gannet sightings (Giralt Paradell, *et al*., 2023).

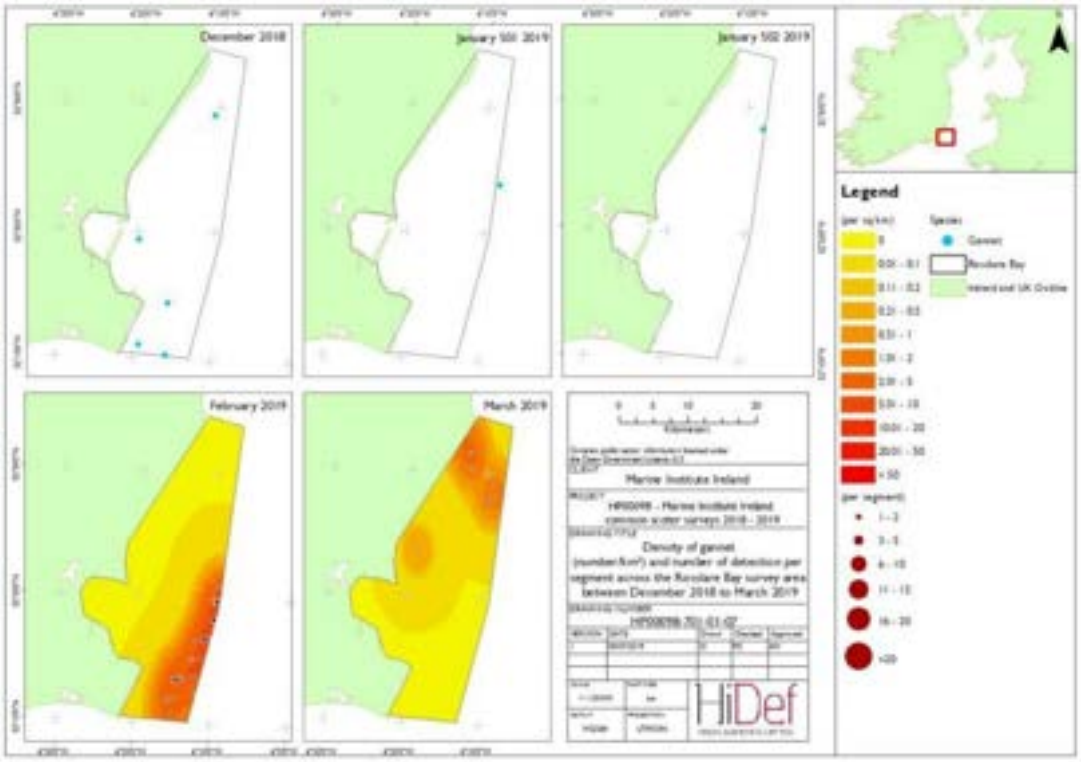

Figure 4-48 Density of gannets (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

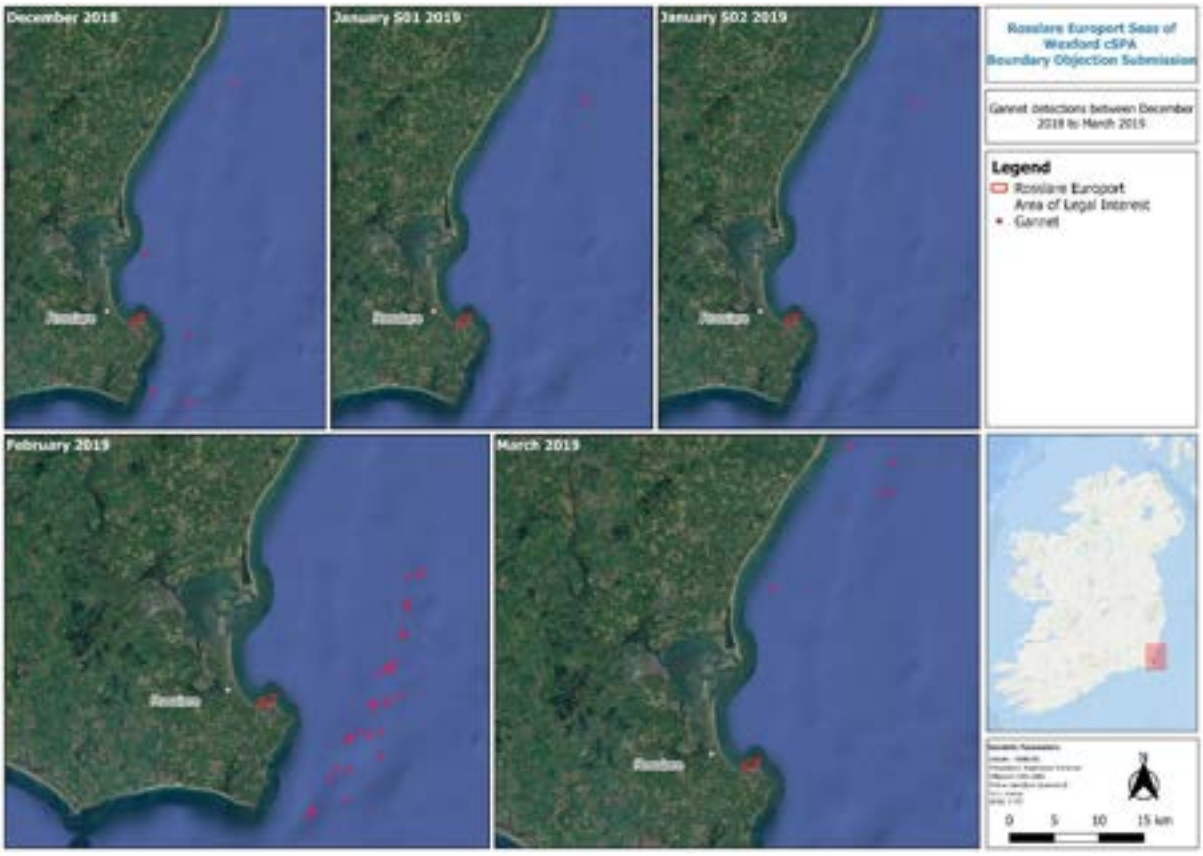

Figure 4-49 Distribution of gannets from the data provided by Hi-Def (2019) report.

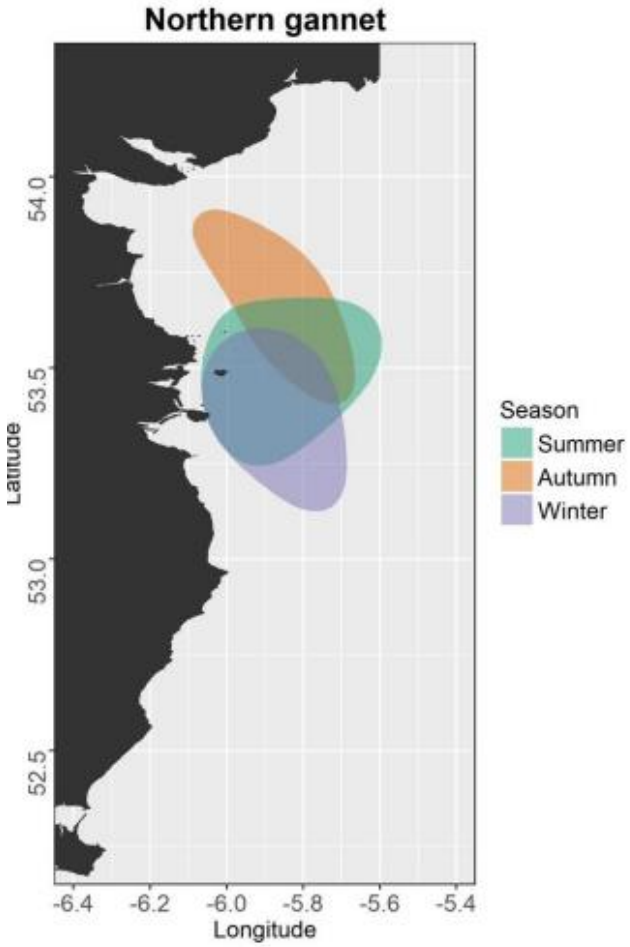

Figure 4-50 Seasonal 25% utilization distributions for gannet in the Irish Sea demonstrating a high degree (Jessopp, *et al.*, 2018).

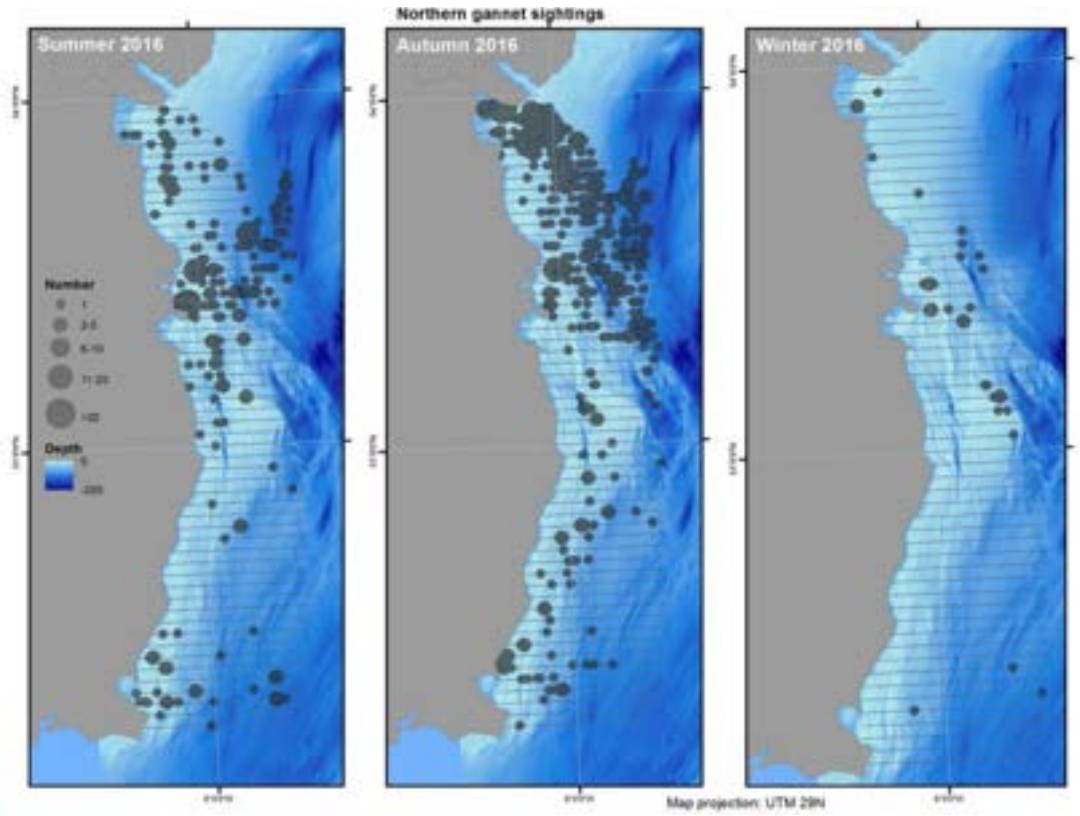

Figure 4-51 Sightings of gannet in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.1.5.3 NORTHERN FULMAR

The RoI fulmar **breeding** population is estimated to be 32,131 pairs, across 342 occupied sites, based on Apparently Occupied Sites (AOS) recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al.*, 2023).

Fulmars were not *recorded* within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Figure 4-52). The summer distribution of fulmar shows that higher numbers of this species are found predominantly off the southwest coast of Ireland, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for fulmar.

Fulmars were not recorded during the Hi-Def (2019) aerial surveys.

During the ObSERVE Phase 1 surveys (Jessopp, *et al.,* 2018), no fulmars were documented within the Rosslare Europort Area of Legal Interest (Figure 4-54) and the 25% utilization distribution (Figure 4-53) did not overlap with the Area of Legal Interest.

2022 / 2023

- During VP1 surveys, one individual fulmar was recorded in May 2022, between 0.5km and 1.5km offshore, outside Rosslare Europort AoLI study area.

2023 / 2024

- During VP1 surveys, one (1) fulmar was recorded foraging in August 2024, between 1km and 1.5km offshore outside Rosslare Europort AoLI study area.

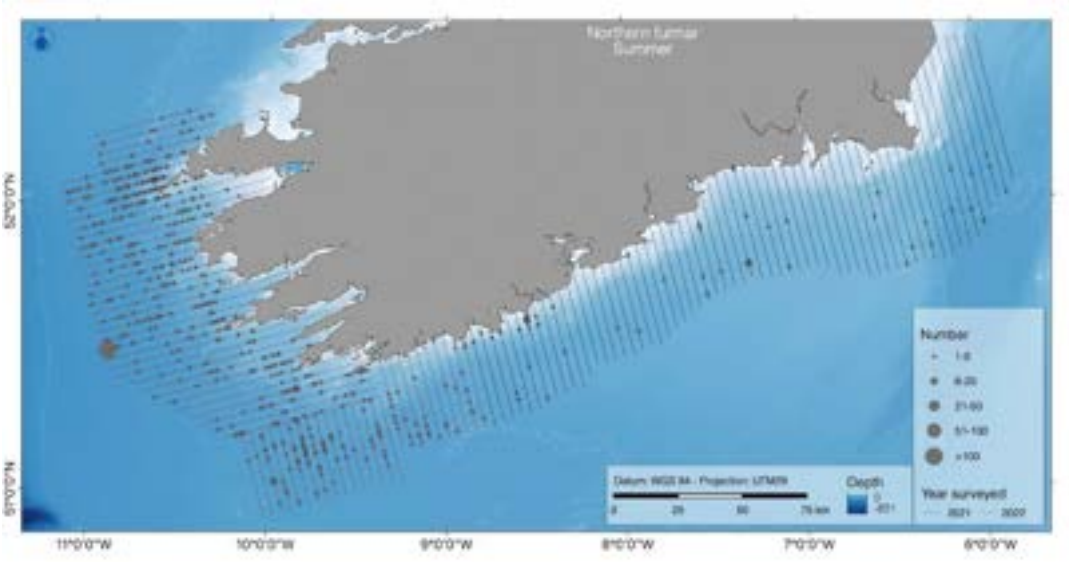

Figure 4-52 ObSERVE II map presenting data of fulmar sightings (Giralt Paradell, *et al.*, 2023).

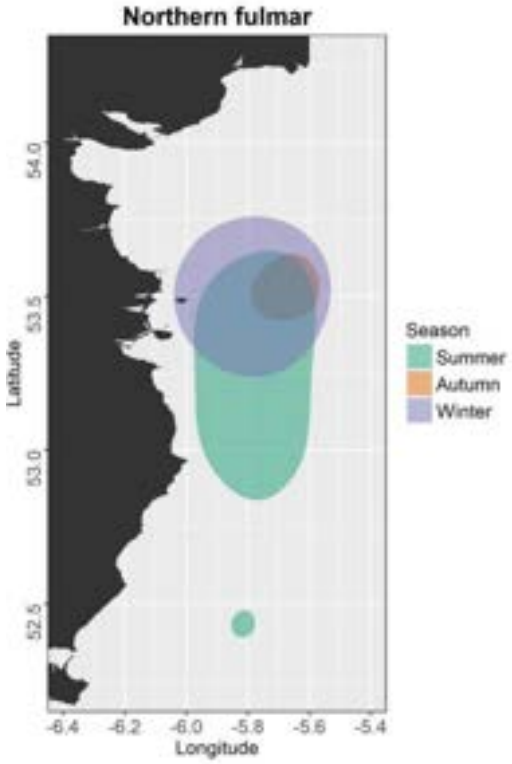

Figure 4-53 Seasonal 25% utilization distributions for fulmar in the Irish Sea demonstrating a high degree of overlap and consistently important area east of Lambay Island across seasons for this species (Jessopp, *et al.,* 2018).

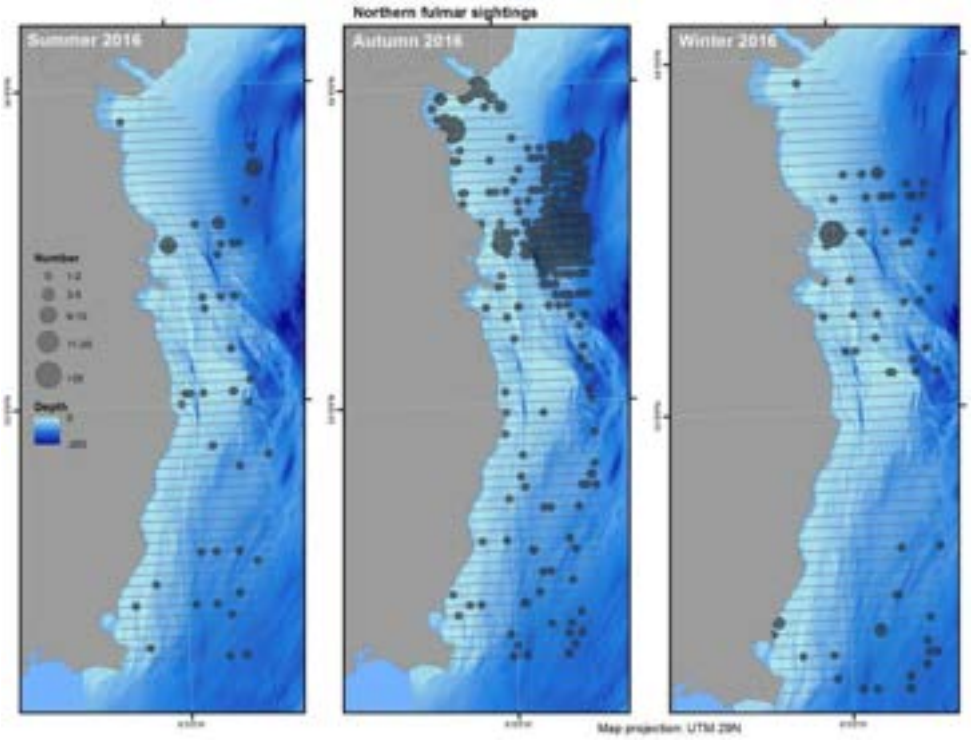

Figure 4-54 Sightings of fulmar in summer, autumn, and winter survey periods in the Irish Sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.*, 2018).

4.1.6 *CORMORANT AND SHAG*

4.1.6.1 GREAT CORMORANT

The RoI cormorant **breeding** population is estimated to be 4,124 pairs, across 72 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

Cormorant/shag were not identified to species on ObSERVE II surveys and were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II programme (Giralt Paradell, *et al*., 2023) – see Figure 4-58. The summer distribution of cormorant/shag shows that higher numbers of these species are found further off the Wexford coast and around the Saltee Islands SPA, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for cormorant/shags.

Cormorant was not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-56). The distribution of foraging cormorants from this dataset shows that higher numbers of this species are found further north, highlighting that the area immediately around Rosslare Europort Area of Legal Interest is not a key area for cormorant (Figure 4-55).

On the ObSERVE I surveys (Jessopp, *et* al. 2018), identification of cormorants and shags to species-level were also not possible. No records of cormorant/shag were documented within the Rosslare

Europort Area of Legal Interest (Figure 4-60) and the utilization distribution (Figure 4-59) of cormorant/shag did not overlap with the Area of Legal Interest.

Land based surveys within the Rosslare Europort Area of Legal Interest study area recorded low numbers of cormorants, with a peak count of nine (9) birds in December 2022. Birds were recorded foraging on surveys although the species does not breed on the Site.

2022 / 2023

- During the VP1 surveys, cormorants were recorded in low numbers in all months, with a peak count of five (5) birds in December 2022. The majority of cormorants were recorded foraging less than 0.5 km offshore, i.e. within Rosslare Europort AoLI study area.
- During the 2022 BBS, cormorants were recorded during all three months surveyed, with a peak count of four (4) birds in July 2022, and a survey period total count of seven (7). Records were distributed throughout the Rosslare Europort AoLI study area, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.
- During the WWO surveys, four (4) individuals were recorded in December 2022 and four (4) in January 2023 within the Rosslare Europort AoLI study area.

2023 / 2024

- During the VP1 counts, cormorants were recorded in all months, with a peak count of nine (9) birds in April 2024. The majority of cormorants were recorded foraging less than 0.5 km offshore, i.e. within Rosslare Europort AoLI study area.
- During the VP2 surveys, cormorants were recorded in all three months, with a peak count of sixteen (16) birds in June 2024, and low counts of 2 and 1 in July and August, respectively. The majority of cormorants were recorded foraging less than 0.5 km offshore, i.e. within Rosslare Europort AoLI study area.
- During the 2023 BBS, one (1) individual was recorded in March and April within the Rosslare Europort AoLI study area, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area.
- During the 2024 BBS, three (3) cormorants were recorded in May 2024 and four (4) birds recorded in June 2024 within the Rosslare Europort AoLI study area, however, there was no evidence that this species breeds within the Rosslare Europort AoLI study area
- During the WWO surveys, cormorants were recorded during all 5 months within the Rosslare Europort AoLI study area, with a peak count of five (5) individuals in December 2023.

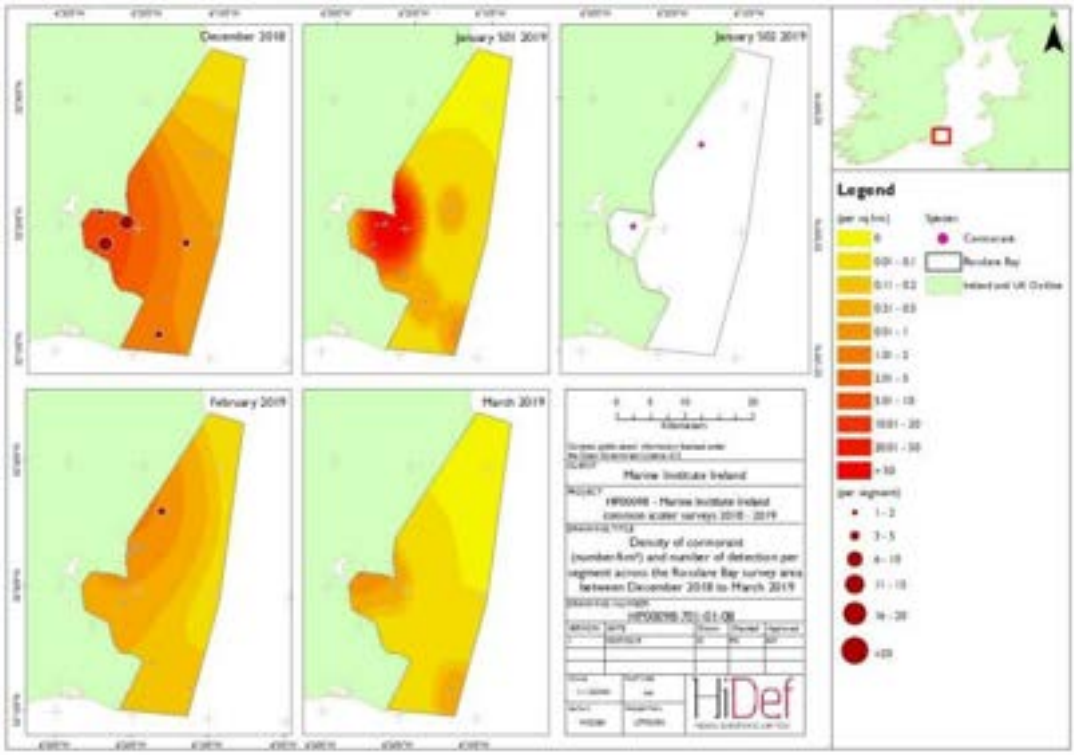

Figure 4-55 Density of cormorants (number/km²) and number of detections per segment between December 2018 and March 2019 (Hi-Def, 2019).

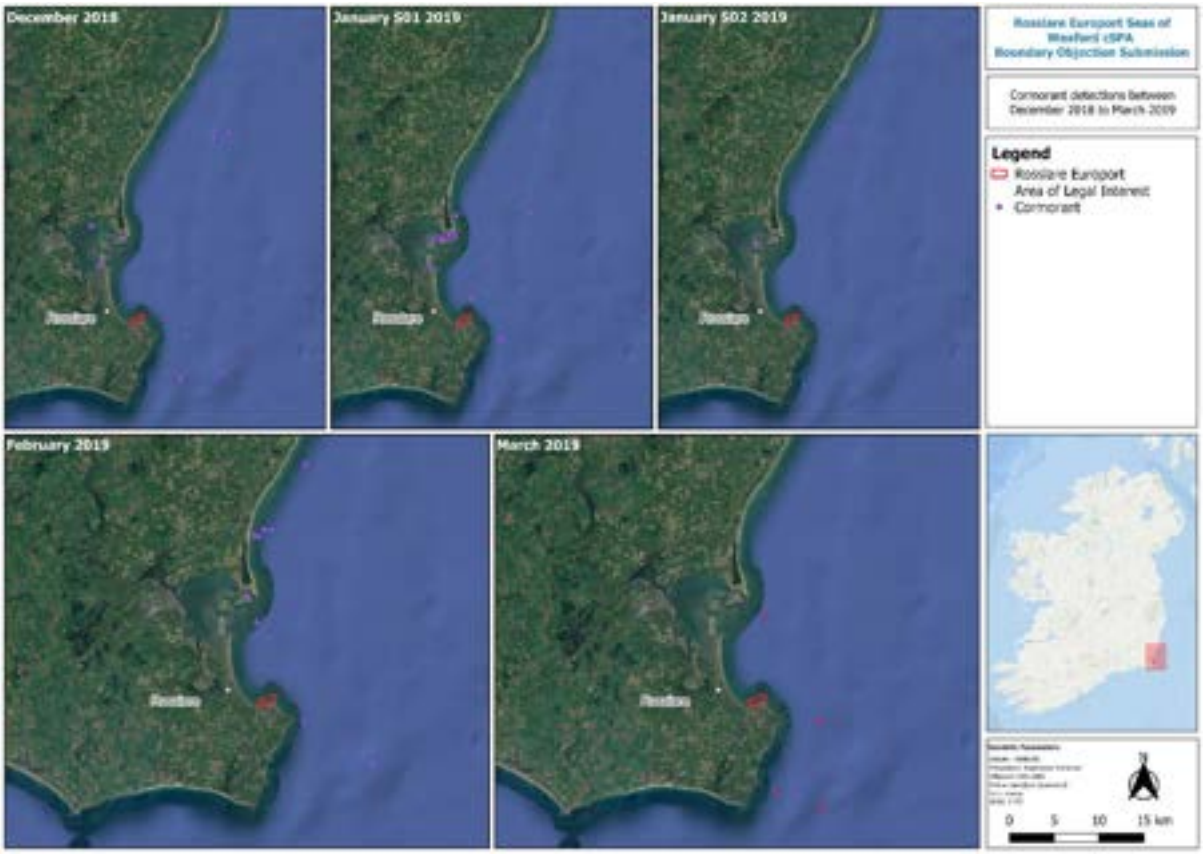

Figure 4-56 Distribution of cormorant produced by GDG from the data provided by Hi-Def (2019) report.

4.1.6.2 EUROPEAN SHAG

The RoI shag **breeding** population is estimated to be 4,748 pairs, across 202 occupied sites, based on Apparently Occupied Nests recorded by the Seabirds Count national census between 2015 and 2021 (Burnell *et al*., 2023).

As outlined above, Cormorant/shag were not recorded within the Rosslare Europort Area of Legal Interest during the ObSERVE II survey (Figure 4-58).

Shags were not recorded within the Rosslare Europort Area of Legal Interest during the Hi-Def (2019) aerial surveys (Figure 4-57).

No records of cormorant/shag were documented within the Rosslare Europort Area of Legal Interest on the ObSERVE I surveys (Jessopp, *et* al. 2018) (Figure 4-60) and the utilization distribution (Figure 4-59) of cormorant/shag did not overlap with the Rosslare Europort Area of Legal Interest.

Land based surveys within the Rosslare Europort Area of Legal Interest study area recorded low numbers of shags. Shags were recorded feeding during surveys, but the species does not breed within the Rosslare Europort Area of Legal Interest study area.

2022 / 2023

- During the VP1 surveys, shags were recorded in low numbers in all months, with peak counts of nine (9) birds in May 2022 and seven (7) birds in June 2022. Records were distributed throughout the Rosslare Europort AoLI study area, with a relatively even distribution from the shoreline to 1.5 km offshore.

- During the BBS 2022, two (2) shags were recorded foraging in July within the Rosslare Europort AoLI study area. There was no evidence that this species breeds within the within the Rosslare Europort AoLI study area.

- During WWO surveys, one (1) individual shag was recorded during each of the three months surveyed within the Rosslare Europort AoLI study area.

2023 / 2024

- During the VP1 surveys, shags were recorded in all months, with a peak count of six (6) birds in September 2023. Records were distributed throughout the AoLI; however, birds were mostly concentrated on the eastern side of the AoLI.

- During the VP2 surveys, shags were recorded in all three months, with a peak count of fourteen (14) birds in June 2024, and twelve (12) individuals counted in both July and August. Records were distributed throughout the AoLI; however, birds were mostly concentrated on the eastern side of the AoLI, specifically the outer harbour wall to the east.

- During BBS 2023, two (2) individuals were recorded during the first survey in April and one (1) individual during the survey at the end of April within the Rosslare Europort AoLI study area. There was no evidence that this species breeds within the within the Rosslare Europort AoLI study area.

- During BBS 2024, shags were recorded during all three months, with a peak count of four (4) individuals in April within the Rosslare Europort AoLI study area. There was no evidence that this species breeds within the within the Rosslare Europort AoLI study area.

- During the WWO surveys, one (1) individual was recorded in December 2023 within the Rosslare Europort AoLI study area.

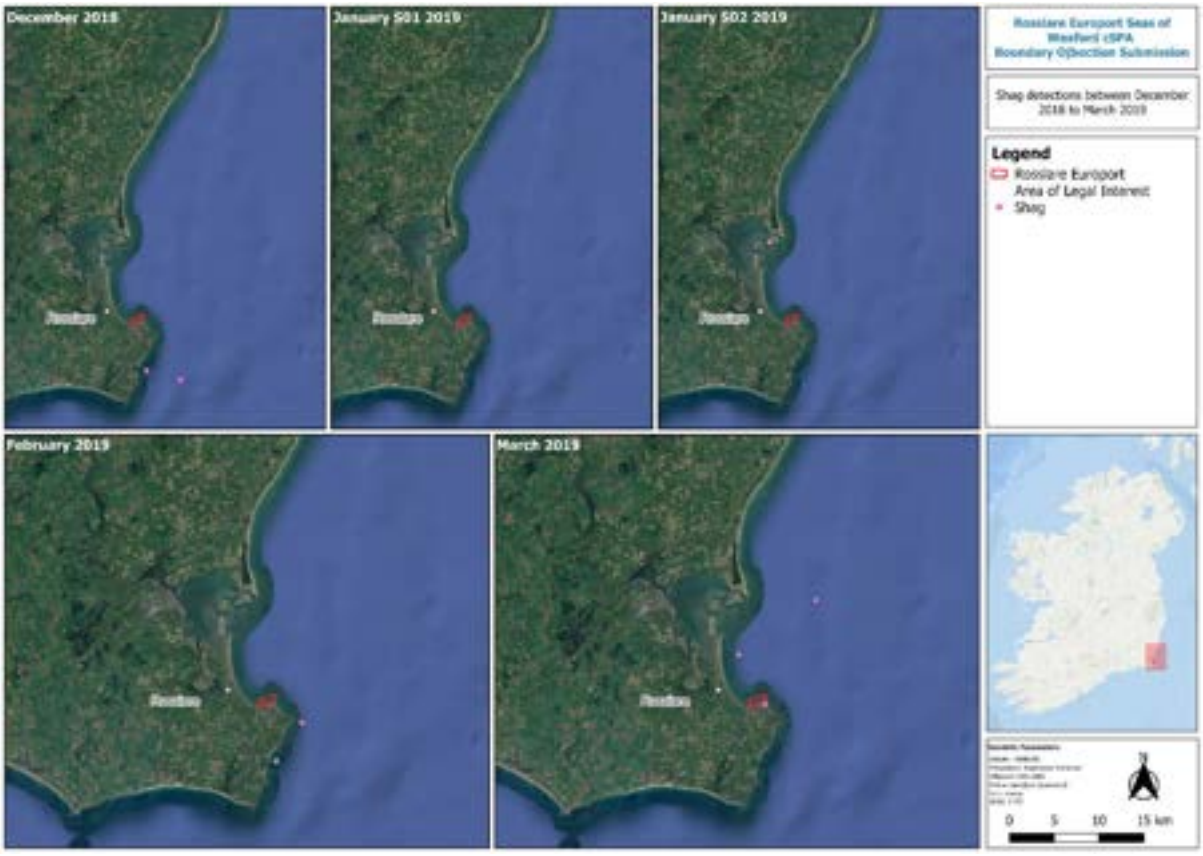

Figure 4-57 Distribution of shags from the data provided by Hi-Def (2019) report.

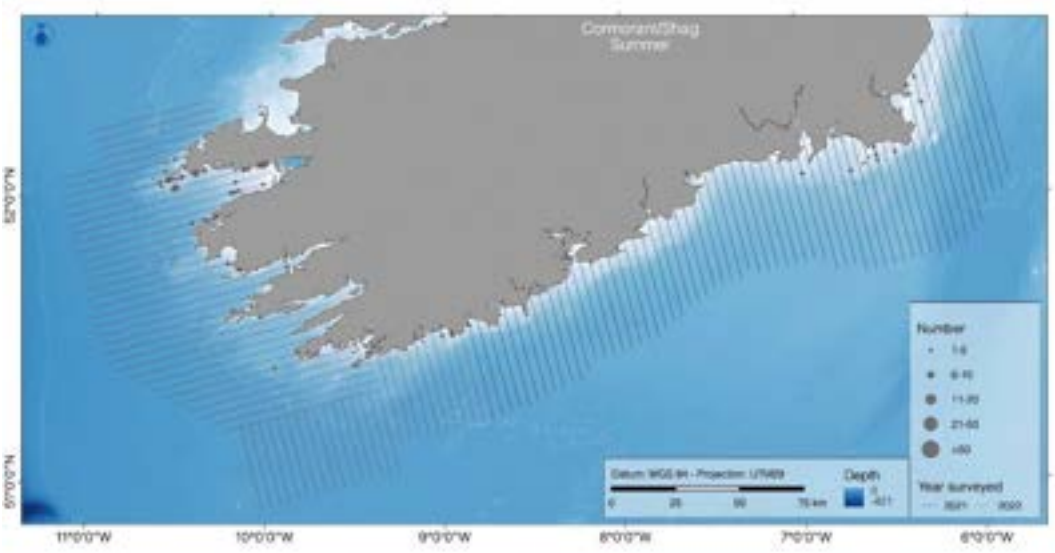

Figure 4-58 ObSERVE II map presenting data of cormorant/shag sightings (Giralt Paradell, *et al.*, 2023).

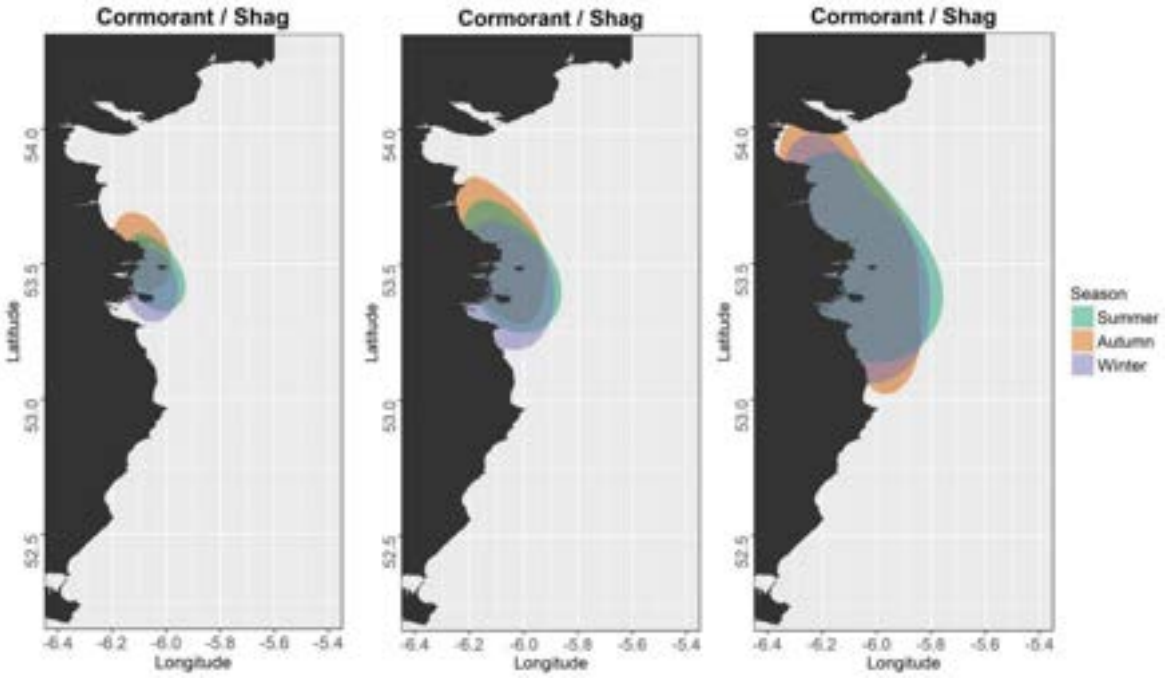

Figure 4-59 Seasonal 10% (left) 25% (middle) and 50% (right) utilization distributions for cormorants and shags in the Irish Sea demonstrating a high importance of nearshore coastal waters and high degree of overlap in important areas for this species across seasons (Jessopp, *et al.,* 2018).

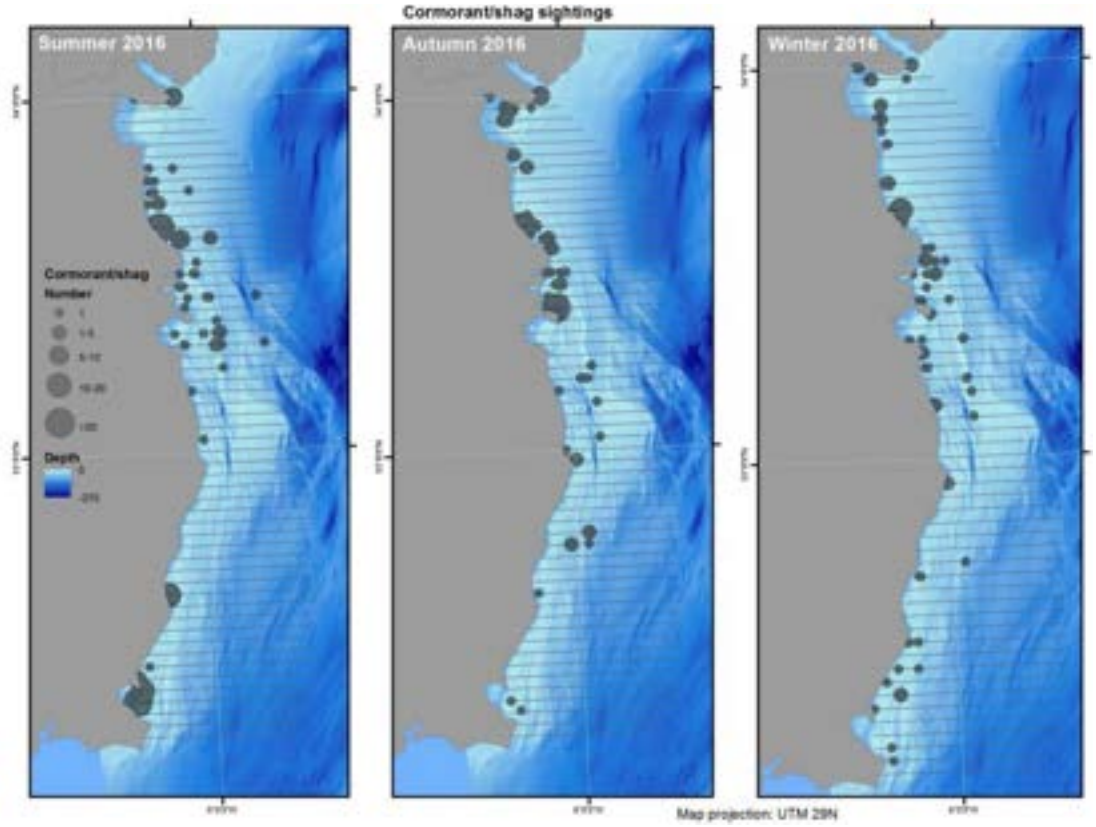

Figure 4-60 Sightings of cormorants/shags in summer, autumn, and winter survey periods in the Irish sea. Grey lines indicate the survey tracklines separated by approximately 2 nautical miles (Jessopp, *et al.,* 2018).

4.2 COMPARISON OF SCI SPECIES ESTIMATED POPULATIONS AND COUNTS

Table 4-1 summarises the peak counts from each dataset considered and provides comparative data on the total numbers of relevant species within the cSPA area or within the Republic of Ireland. Data are lacking for some species, e.g. wintering / non-breeding populations for gulls and auks, which prevents assessments of the geographical importance of their populations within the study area. In these cases, it is necessary to use professional judgement to determine whether or not peak counts are likely to be of importance.

Table 4-1 Summary of cSPA bird species population datasets.

Special Conservation Interest species for cSPA	ROI Breeding Population[5] (2015-2021) (Burnell et al, 2023)	Article 12 Reporting 2013 – 2018 Wintering Population (NPWS, 2019)	Seas off Wexford cSPA population (NPWS, 2024a)	Peak number recorded in Area of Legal Interest by Observe I surveys	Peak number recorded in Area of Legal Interest by HiDEF 2019 surveys	Peak number recorded in Area of Legal Interest by HiDEF 2023/2024 surveys	Peak[6] number recorded on land-based surveys in Area of Legal Interest study area between May 2022 and August 2024
Common Scoter	39 pairs in 2012[6]	10,607	1,078, non-breeding season[1]	0	0	1	53
Red-throated Diver	Nine pairs in 2018[7]	657	499, non-breeding season[1]	0	0	5	6
Fulmar	32,131 AOS	65,798	None provided	0	0	0	1
Manx Shearwater	134,220 AOS	65,090	8,269 birds in summer (28.9%)[2]	0	0	0	25
Gannet	48,032 AOS/AON[3]	95,892	772	0	0	11	9
Shag	4,748 AON	9,960	None provided	0	0	4	12
Cormorant	4,124	7,967	180 180, non-breeding season[1]	0	0	1	9
Kittiwake	24,723 AON		None provided	0	0	10	31 17 AON

[5] Standard seabird census unit terminology includes Apparently Occupied Site (AOS), Apparently Occupied Nest (AON), Apparently Occupied Territory (AOT), Individuals (Id.) and poorly trace nests with adults in attendance (Trace).

[6] It is to be emphasized that, over the course of the surveys, significantly lower numbers were typically found than the peak numbers for each SCI

Special Conservation Interest species for cSPA	ROI Breeding Population[5] (2015-2021) (Burnell et al, 2023)	Article 12 Reporting 2013 – 2018 Wintering Population (NPWS, 2019)	Seas off Wexford cSPA population (NPWS, 2024a)	Peak number recorded in Area of Legal Interest by Observe I surveys	Peak number recorded in Area of Legal Interest by HiDEF 2019 surveys	Peak number recorded in Area of Legal Interest by HiDEF 2023/2024 surveys	Peak[6] number recorded on land-based surveys in Area of Legal Interest study area between May 2022 and August 2024
Black-headed Gull	7,146 AON		None provided	0	0	3	100
Mediterranean Gull	16 AON		None provided	0	0	1	38
Lesser black-backed Gull	9,968 AON	11,842	None provided	39	0	0	4
Herring Gull	18,645 AON	11,524	572 birds in summer (2.0%)[2]	0	2	9	129
Little Tern	335		None provided	0	N/A[4]	0	0
Roseate Tern	1,869 AON		None provided	0	N/A[4]	0	2
Common Tern	4,728 AON		515 birds in summer (1.8%)[2]	None recorded	N/A[4]	0	23
Arctic Tern	2,708 AON		401 birds in summer (1.4%)[2]	None recorded	N/A[4]	0	5
Sandwich Tern	2,464 AON		887 birds in summer (3.1%)[2]	0	N/A[4]	2	26
Puffin	14,232 AOB		None provided	0	0	0	0
Razorbill	32,904 birds		2,747 birds in summer (9.6%)[2]	0[5]	0	11	5
Common Guillemot	178,090 birds		13,504 birds in summer (47.2%)[2]	0[5]	0	15	15

[1] cSPA non-breeding season population presented in cSPA Site Synopsis (NPWS, 2024)

[2] based on percentage of total birds (n=28,611) presented in cSPA Site Synopsis (NPWS, 2024a)

[3] Gannet estimates included Gannet census (2013-14) and Seabirds Count (2015-2021)

[4] HiDef Surveys did not record tern species.

[5] ObSERVE I data did not identify to species-level between Razorbills and Guillemots

6 Hunt *et al.,* 2012

7 Burke *et al.,* 2018

5 CONCLUSIONS

It is important to clarify that Iarnród Éireann welcomes the designation of the Seas off Wexford cSPA for the protection of its SCIs. Its objection relates simply to the inclusion of the Rosslare Europort Area of Legal Interest within the cSPA boundary.

Iarnród Éireann submits that the ornithological data which has been reviewed and assessed in this Objection submission does not support the inclusion of the Rosslare Europort Area of Legal Interest within the Seas off Wexford cSPA.

This conclusion is based on a review of multiple data sources:

- Relevant reports and publications and ornithological data cited by National Parks and Wildlife Service (NPWS) and listed in the Conservation Objectives to inform the proposed designation of the Seas off Wexford cSPA
- Survey data collected for NPWS and the Marine Institute by HiDef in 2023/2024
- Relevant reports and publications and ornithological data cited by National Parks and Wildlife Service (NPWS) and listed in the Conservation Objectives to inform the proposed designation of the Seas off Wexford cSPA
- Survey data collected for NPWS and the Marine Institute by HiDef in 2023/2024.

An extensive time series of ornithological survey data collected by Iarnród Éireann for the Rosslare Europort Area of Legal Interest and immediate vicinity between May 2022 and February 2024 has also been reviewed in the context of the Rosslare Europort Area of Legal Interest and the proposed Seas off Wexford cSPA boundary.

As stated in the '*Stages in the Site Designation Process*' (NPWS, 2017) in Step 3:

An objection to a proposed designation is assessed on scientific grounds only, i.e. whether the relevant habitats/species/geological features are present in such a condition as to warrant designation. The Board also considers the overall scientific basis used for selecting areas for designation as SAC, SPA or NHA.

Based on a review of this data within the Rosslare Europort Area of Legal Interest, the following conclusions have been reached:

- On review of the ObSERVE I data, only Sandwich tern seasonal 25% utilization distribution plots showed overlap with the Rosslare Europort Area of Legal Interest. However, no sightings of Sandwich tern were recorded that overlap with the Rosslare Europort Area of Legal Interest. No other seasonal 25% utilization distribution plots for proposed SCI bird species for the Seas off Wexford cSPA overlap with the Rosslare Europort Area of Legal Interest, based on the ObSERVE I data.
- On review of the Hi-DEF (2019) data, no SCI species for the Seas off Wexford cSPA were recorded within the Rosslare Europort Area of Legal Interest, with the exception of two records of herring gull during one survey event.

- On review of the ObSERVE II data, no SCI species for the Seas off Wexford cSPA were recorded within the Rosslare Europort Area of Legal Interest.

- On review of Bennison et al (2019), the puffin SCI for the Seas off Wexford cSPA was not recorded within the Rosslare Europort Area of Legal Interest at any point during this tagging study.

Although it is acknowledged that the area encompassing the Seas off Wexford cSPA surrounding the Rosslare Europort Area of Legal Interest is used by some species for foraging and / or roosting, the Rosslare Europort Area of Legal Interest is not a significant foraging and roosting area, as is evident in the low numbers of birds present. This is likely due to the presence of benthic habitats which are unsuitable for foraging, the heavily modified nature of the area due to historic port activities including infrastructure development and capital dredging and disturbance from operational port activities including shipping and maintenance dredging. There are other more-suitable areas (i.e. further offshore), where survey evidence shows several of the SCI species present in much greater concentrations. A sum of all peak species counts from the land-based surveys within the Rosslare Europort Area of Legal Interest study area (conducted monthly from April 2022 to August 2024 by APEM for Iarnród Éireann) gives a total of 510 individual birds. One potential designation criterion for an SPA is a total count of over 20,000 waterbirds, and in this context the total count from the Rosslare Europort Area of Legal Interest may be considered negligible.

It is submitted that the ornithological data does not provide scientific support for the current delineation of the Seas off Wexford cSPA. The ornithological data made available to Iarnród Éireann which forms the basis of the extent of the Seas off Wexford cSPA boundary is not supportive of inclusion of the Rosslare Europort Area of Legal Interest as part of the Seas off Wexford cSPA. The ornithological data collated by HiDef in 2023/2024 and Iarnród Éireann from 2022-2024 demonstrates that inclusion of the Rosslare Europort Area of Legal Interest is not warranted.

Iarnród Éireann requests that the Seas off Wexford cSPA boundary is therefore modified to exclude the Rosslare Europort Area of Legal Interest as it is not justified by reference to the ornithological data or otherwise evidenced based. The Seas off Wexford cSPA covers an expansive area comprising 3,045 km^2 and the revision of the boundary as requested comprises 0.024 % of the overall area. The information presented in this document demonstrates that the relevant area is of negligible importance for the SCIs of the cSPA and it is our view that there is no scientific ornithological basis for the inclusion of this area in the Seas off Wexford cSPA.

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