Rialtas na hÉireann
Government of Ireland

Hen Harrier Threat Response Plan 2024-2028

Prepared by
National Parks and Wildlife Service,
Department of Housing, Local Government and Heritage,
Department of Agriculture, Food and the Marine, and
Department of Environment, Climate and Communications

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Foreword

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In March of this year, the National Parks and Wildlife Service published the most recent estimates of the Hen Harrier population in Ireland. The figures were stark, showing it having declined by a third in just 7 years, and sending a clear signal, if it were still needed, that significant action needs to be taken urgently to halt and reverse this decline. Any other alternative may well mean that the Hen Harrier, the skydancer, may become extinct here in my lifetime. The plight of this iconic species, which is of value in its own right, is also symptomatic of the wider challenge we face, nationally and globally, to address the biodiversity and climate change crises while simultaneously evolving more sustainable development models in key sectors.

The Hen Harrier Threat Response Plan was initially instigated a decade ago to tackle the species' decline with an ambition to tackle the three primary pressures and threats acting on it: agriculture, forestry and renewable energy. These pressures act at the landscape scale and in a cumulative manner; collective action is required across these sectors in a coordinated and collaborative manner if real improvements are to be made to the Hen Harrier's fortunes. The species cannot countenance any further delay in the adoption of this Plan and its rapid implementation, if it is to be effective.

A public consultation was conducted to garner views on the actions needed in the Plan to achieve its ambition. Over 2,200 responses were received, and perhaps unsurprisingly, some respondents called for actions to which other respondents were diametrically opposed. In adopting this Plan, Government is making clear its

commitment to putting its obligations to this species, and to biodiversity more generally, at the heart of decision-making.

The Plan includes clear actions to be taken across the public sector, both within Hen Harrier Special Protection Areas and outside them, commencing immediately. The implementation of the Plan will be monitored, reviewed and updated as needed at the mid-term point, and while the Plan covers a five-year period, longer term action over the coming decades will be essential for its success.

Landowner engagement and supports will also be critical in defining the Plan's success, and is recognised within it. Over the years, there have been various initiatives at different scales to build collaborative conservation management models and this area will need to continue to evolve and expand with key stakeholders across the sectors. While this is a challenging moment in the natural history of the species, it is also an opportunity to deliver meaningful change to the management of our landscape and our natural heritage, while supporting stakeholders to engage in a mutually beneficial and collaborative manner. I would like to conclude by thanking all those who have engaged with the development of this Plan since its inception and look forward to working together to deliver it successfully.

1 Context

1.1 The Hen Harrier in Ireland

The Hen Harrier (*Circus cyaneus*) is a territorial ground-nesting bird of prey that typically breeds in open upland bog, heather moorland, and their associated habitats, and is in decline. The 2015 National Hen Harrier Survey estimated the breeding population to be between 108 and 157 pairs in the Republic of Ireland. The 2022 survey has reported further population declines and a diminished range, with the breeding population now estimated to be between 85 and 106 pairs. Outside the breeding season, it ranges more widely across both upland and lowland areas. See Section 4 for more detail on population status.

Photo 1: A male Hen Harrier in flight. Credit: Mark Carmody.

The species is listed in Annex I of the EU Birds Directive (2009/147/EC) and as a result of obligations arising from it, six SPAs (Special Protection Areas) have been designated here for the conservation of its breeding habitat and population, covering a large area (169,118 ha). Two further SPAs have been designated for the wintering population (See Figure 1). The 2022 survey documents reduced range for the species in both the wider countryside and within SPAs.

Along with a number of other species and habitats, the Hen Harrier's decline is due to a number of factors, but primarily the loss of suitable habitat through afforestation/forest maturation, agricultural reclamation and intensification, and wind energy development. Some of these land-use changes may also cause unsustainable rates of nest loss, due to increased levels of associated predation. In addition, there is a very low survival rate for juvenile birds through their first winter.

Photo 2: A foraging Hen Harrier. Credit: Mark Carmody.

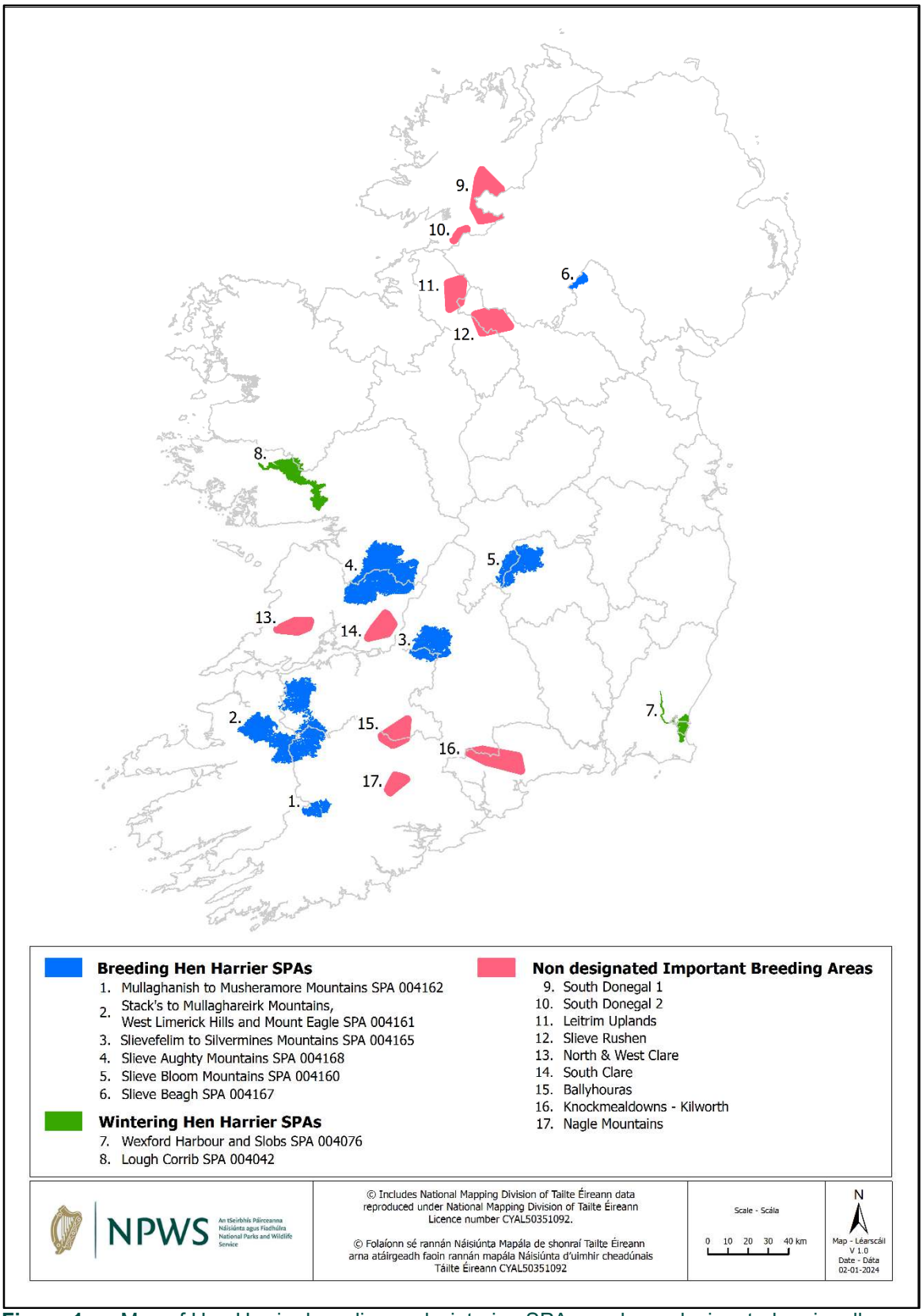

Figure 1. Map of Hen Harrier breeding and wintering SPAs, and non-designated regionally important breeding areas.

The overall aim of the Birds and Habitats Directives (under which Special Areas of Conservation are designated) is to maintain or restore the favourable conservation status of the most threatened species and habitats across the EU. Ireland's SPAs and SACs are referred to as "**European sites**"[1] and contribute to an EU-wide network known as "**Natura 2000**". The restoration and maintenance of habitats and species within Natura 2000 sites at favourable conservation condition is to contribute to the overall achievement and maintenance of favourable conservation status of those habitats and species at a national and EU level.

Article 6 of the Habitats Directive sets out a number of provisions that govern the management of SACs, and through Article 7, the provisions of Articles 6(2), (3) and (4) extend to the SPAs. Specifically, Article 6(2) makes provision for the avoidance of habitat deterioration and significant disturbance of species and Article 6(3) sets out the requirement for safeguards governing plans and projects likely to have a significant effect on a Natura 2000 site. Article 6(4) sets out the conditions under which a plan or project may proceed, even if it has negative implications for the integrity of a Natura 2000 site/s. These obligations are transposed in Ireland through a range of legal instruments, including the European Communities (Birds and Natural Habitats) Regulations 2011–2021[2], as well as associated Acts and Regulations governing planning (including wind energy development), forestry and agricultural development. These afford protections to the Hen Harrier and its habitats within the SPAs.

Furthermore, the Hen Harrier is afforded a level of protection in the wider countryside by Article 4 (4) of the Birds Directive, which states that, outside SPAs, "**Member States shall also strive to avoid pollution or deterioration of habitats**". This requirement is reflective of the fact that although areas may not be identified as appropriate for classification as SPAs for particular bird species, birds rely on movement throughout the countryside to support a range of important behaviours and ecological requirements. In its findings against Ireland on the Birds Case (418/04)[3], the European Court of justice found that Ireland had failed to both transpose and apply this requirement fully and correctly. Since 2011, this obligation has been transposed in

[1] European Communities (Birds and Natural Habitats) Regulations 2011-2021.
[2] Hereafter, "the Regulations".
[3] For further information on the Birds Case judgment and Ireland's Programme of Measures to reach compliance, please see https://www.npws.ie/legislation/eu-directives/birds-directive

Ireland to all public authorities when carrying out their functions or responsibilities through the Regulations (Regulation 27) i.e. to strive to avoid pollution or deterioration of habitats, outside SPAs. Thus, there is an obligation on public authorities to take steps in their decision-making to **strive to avoid pollution or deterioration of [Hen Harrier] habitats, outside SPAs when making their decisions and providing consents.**

Following the designation of the six breeding Hen Harrier SPAs in 2007, an agreement (the "Hen Harrier Protocol") was reached between the Department of Agriculture, Food and the Marine–Forestry (DAFM–Forestry), NPWS, landowner representatives and forest industry interests, on the management of afforestation within the SPAs. However, the European Commission considered the protocol to be a "plan", and as such, it could not lawfully be applied in the absence of a strategic environmental assessment. On foot of that and other concerns, the Protocol was suspended. It was then agreed that a Threat Response Plan (under Regulation 39 of the Regulations, Appendix 1) (see Section 2) would be prepared that would address issues that had been identified as affecting land use in the Hen Harrier SPAs, as well as affecting the conservation status of the species. The three key sectoral pressures (agriculture, wind energy development and forestry) were prioritised for attention in the development of this Threat Response Plan.

This Threat Response Plan recognises that landowners who depend on the land within Hen Harrier SPAs for their livelihood, and upon whom the Hen Harrier depends for its habitat, must be supported and incentivised implement management measures relating to Hen Harrier conservation, whether the land is farmed or afforested. This will be taken into consideration in the design of agri-environmental or similar schemes. Regulation 39 recognises that threat response plans, such as this, may need to be supported by sectoral incentive measures.

In order for this Plan to be effective, it will be important that landowners can benefit from taking action to improve the condition of Hen Harrier habitat, and thus, the potential for increasing the number of birds that use their lands. This can only be successful if adequate support (financial and otherwise) is in place to enable farmers and other landowners to manage their land appropriately for Hen Harrier. Such efforts will likely deliver benefits across a range of ecological interests, if planned

appropriately, improving the conservation status of bog and grassland habitats, associated species and delivering benefits to carbon sequestration, water storage/flood attenuation and other ecosystem services

1.2 Policy Context

In growing recognition of the importance of reversing biodiversity decline and its interactions with climate change adaptation and mitigation, international and EU biodiversity policies are being strengthened. At the UN High-Level Summit for Biodiversity in September 2020, An Taoiseach signed up to the Leaders' Pledge for Nature which supports the 30/30 targets and calls for an ambitious and meaningful post-2020 global agreement that will address the biodiversity crisis and help bring about the transformative change needed to halt biodiversity loss on a global level.

In order to achieve the above, and to deliver the ambition of this Threat Response Plan, its objectives will need to be closely aligned with and considered in the development of other government plans and policies, including for example, the River Basin Management Plans, Climate Action Plans, the National Restoration Plan and the National Land Use Review. Some of the most pertinent policy and plan commitments are set out in more detail below.

1.2.1 Biodiversity and Nature:

At the international level, the Convention on Biological Diversity has agreed the post-2020 global biodiversity framework, with four goals and 23 targets for achievement by 2030. These include

- To have effective conservation and management of at least 30% of the world's lands, inland waters, coastal areas and oceans, with emphasis on areas of particular importance for biodiversity and ecosystem functioning and services
- To have restoration completed or underway on at least 30% of degraded terrestrial, inland waters, and coastal and marine ecosystems

and a goal of

- Halting of human-induced extinction of known threatened species, increasing the abundance of native wild species to healthy and resilient levels.

The EU has published its European Green Deal and its constituent element, the EU Biodiversity Strategy to 2030, which is intended to support a green recovery following the Covid-19 pandemic. The Strategy's objective is to put the EU's biodiversity on the path to recovery by 2030 and that by 2050, all of the EU's ecosystems are restored, resilient and adequately protected. It contains specific actions and commitments, including:

- Establishing a larger EU wide network of protected areas on land and at sea by 2030 (30% on both land and sea, 10% of both being strictly protected)
- Establishing a Nature Restoration Plan, with legally-binding restoration targets
- Unlocking funding for transformative change and a strengthened governance framework.

The Biodiversity Strategy also includes a requirement that Member States ensure that at least 30% of species and habitats not currently in favourable conservation status achieve that status or show a strong positive trend by 2030, and that none show further signs of deterioration. The Nature Restoration Regulation aims to complement existing EU environmental policy and legislation. It is intended to work effectively in synergy with other EU environmental laws, primarily the Habitats Directive, but also the Birds Directive, the Water Framework Directive, the Marine Strategy Framework Directive and the Invasive Alien Species Regulation. It also will align with the Common Fisheries Policy, the Common Agricultural Policy, the EU Soils Strategy, the EU Green Infrastructure Strategy and the new EU Forest Strategy for 2030.

Restoring ecosystems is also necessary for the EU to meet its commitments under the United Nations Framework Convention on Climate Change, and the Paris Agreement. The links between biodiversity-rich environments and climate resilience are recognised in our National Climate Objective under the Climate Action and Low Carbon Development (Amendment) Act 2021. The regulation requires Member States to establish and implement measures to restore at least 20% of the EU's land and sea areas by 2030. Member States will also be required to develop national restoration plans and report on progress made.

Ireland's 4th National Biodiversity Action Plan was published in January 2024, and reflects these changing global, European and national contexts. The Plan sets the national biodiversity agenda up until 2030 and aims to deliver transformative changes

in how we value and protect nature. It strives for a “whole of government, whole of society” approach to the governance.

The Nature Restoration Regulation has been adopted by the EU level and it sets specific, legally binding targets and obligations for nature restoration, and aims to mitigate climate change and the impacts of natural disasters. Ireland’s 4th National Biodiversity Plan commits to the publication of a National Restoration Plan by 2026, to ensure there are synergies within that Plan between nature restoration, that climate change mitigation/adaptation and disaster prevention that will be prioritised, and to ensure implementation of the Plan has commenced by 2027. Furthermore, the publication of this Plan contributes to the delivery of Action 2A5, concerning the publication and implementation of Threat Response Plans for species that are in decline. As such, measures included in the Plan will be eligible for funding under the Climate and Nature Fund.

1.2.2 Renewable energy

European energy policy context is also rapidly evolving, particularly in view of the conflict in Ukraine and energy security pressures, with the EU deciding in early 2023 on targeted amendments to the renewable energy directive[4]. Dedicated areas are to be identified at the Member State level to facilitate accelerated permitting of renewable energy developments in areas that are particularly suitable for specific renewable energy technologies and that present lower risks for the environment; these areas are to exclude Natura 2000 sites[4] . In addition, the revised Directive sets out that renewable energy projects are to be presumed to be of overriding public interest, as per Article 6(4) of the Habitats Directive, serving public health and safety, and contains provisions intended to expedite the permitting processes[5] for renewables in certain instances.

The 2006 Wind Energy Development Guidelines are being updated to provide guidance in line with renewable energy and climate targets, including the revised 2030 target to generate 80% of Ireland’s electricity from renewable sources, whilst having

[4] For further details, see Proposed Amendments to the EU Renewable Energy Directive 2018/2001 of the European Parliament and of the Council (Update June 2023) https://www.consilium.europa.eu/media/65109/st10794-en23.pdf

[5] For further detail, please see Renewable energy roll-out ahead of REPowerEU anniversary (europa.eu), available as of 24th May 2024

appropriate regard to the impacts of wind energy development. The changing and continuously evolving policy and technical context reinforces the need to ensure that the finalised Guidelines, once issued, are up-to-date and fit for purpose.

1.2.3 Climate Action

Ireland's Climate Action Plan (CAP) lays out a roadmap of actions to deliver the national climate objective of transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. The 2024 updated CAP sets out a roadmap to halve emissions by 2030 and reach net zero no later than 2050. CAP2024 recognises the need to safeguard natural habitats and biodiversity, the threat posed to them by climate change and the importance of protecting biodiversity as a fundamental part of climate-resilient development, and the importance of nature-based solutions. It is important to recognise that many areas that are important for hen harrier also have potential for delivering renewable energy development, including through the repowering of existing developments. The implications of these for the hen harrier are to be considered in view of protections afforded to it by Article 6(3) and 6(4) of the Habitats Directive and those afforded to it in the wider countryside by Article 4(4) of the Birds Directive.

1.2.4 Land use

The Programme for Government: Our Shared Future committed to 'undertaking a national land use review, including farmland, forest and peatlands, so that optimal land-use options inform all relevant Government decisions'. The Department for the Environment, Climate and Communications are the lead Government Department for the Land-use Review, along with the Department of Agriculture, Food and the Marine and the Department of Housing, Local Government and Heritage. The review is being undertaken in two phases. Phase I of the Review, compiling the evidence base to determine the environmental, ecological and economic characteristics of land types across the State was competed in March 2023[6]. Phase 2 following on from the first shall further develop the knowledge, analysis and shared understanding necessary for consideration of how Ireland's land can be used in a way that meets the Government objective of improving socioeconomic, climate, biodiversity, water, and air quality

[6] Further information and publications available at https://www.gov.ie/en/publication/f272c-land-use-review-phase-1/, as accessed 27th March 2024.

outcomes. The first phase incorporated full consideration of European sites (SACs and SPAs), and therefore will inform Phase 2. Given the ecology of the Hen Harrier, obligations to protect birds in the wider countryside and the nature of the pressures and threats facing them, consideration of this Threat Response Plan and its objectives are highly relevant to the Land Use Review. Phase 2 will be completed by the end of Q1 2025.

1.2.5 Forestry

Coillte, the State forestry company, is the majority forestry owner with the breeding Hen Harrier SPAs, with its estate amounting to approximately 40% of their total land area, or 68,000 hectares (ha). It is envisioned that the majority of forestry actions will be undertaken on State-owned (i.e Coillte) lands, in order to minimise effects on private landowners, while still achieving the necessary benefits for Hen Harrier.

Coillte's purpose is now to deliver multiple benefits from its forests in relation to climate, nature, word and people, and to enable a vibrant forestry sector[7]. Forestry is also part of Ireland's response to climate change, with forestry being a component of the Climate Action Strategy, e.g. to replace more energy and carbon-intensive steel. Coillte is committed to extending the area of its estate that is managed primarily for biodiversity. These commitments include:

- Enhancing and restoring biodiversity by increasing the area of the estate managed primarily for nature from 20% to 30% by 2025.
- Redesigning 30,000 hectares of peatland forest for climate and ecological benefits by 2050
- Transforming areas of its forests so that 50% of its estate is managed primarily for nature in the long term.

There is significant scope within these commitments to initiate habitat restoration measures for the Hen Harrier. However, the implementation of the forestry actions needed to reverse the decline of Hen Harrier and the achievement of the conservation objectives will be challenging and potentially give rise to conflicts with the management of forestry practices that are aimed at minimising the effect on other sensitive

[7] Coillte (2023). Strategic Vision for our Future Forest Estate. Coillte, Newtownmountkennedy, Wicklow.

environmental receptors, and for carbon storage. Coillte have started undertaking feasibility studies and research to assess the implications of these for its forestry management in the SPAs in the coming years, as the objectives require significant restructuring of the forest to achieve optimal forest design at the landscape level for this species. Collaboration between NPWS and Coillte will be progressed in the Coillte estate in the Slieve Bloom Mountains SPA, with a view to improving the management of these lands for biodiversity and for Hen Harrier. Consideration will be given to forest redesign and improving and restoring habitat for the species in strategically important areas of the estate. This pilot approach will provide a roadmap for similar approaches in other SPAs in due course.

2 Threat Response Plans

Regulation 9 of the Regulations obliges the Minister to identify threats to bird species referred to in Article 1 of the Birds Directive (including Hen Harrier) and to the integrity of European sites, **"for the purpose of developing such measures as he or she considers necessary including, where appropriate, threat response plans under Regulation 39".** Regulation 39 provides for the preparation and implementation of such Threat Response Plans, and sets out how such a Plan is to be developed in order to meet the obligations of the Birds Directive (see Appendix 1). All public authorities must take account of relevant Threat Response Plans relevant to their functions, in the undertaking of those functions and responsibilities (Regulation 27) and the Minister may request a public authority to take such steps as the Minister considers are necessary to ensure compliance with the Plan.

The aim of the Hen Harrier Threat Response Plan is to improve the long-term prospects for the species and to meet the objectives of the Birds Directive by

- **synthesising the key scientific evidence for the Hen Harrier population decline**,
- **outlining the views and concerns presented by the relevant sectors,**
- **laying out a coordinated set of targeted actions and measures to cease, avoid, reverse, reduce, eliminate or prevent the identified threats, pressures and hazards**.

An interdepartmental Steering Group (IDSG), comprising representatives from the government departments responsible for policies concerning wind energy development, planning, forestry and agriculture (now the Department of Housing, Local Government and Heritage; Department of Environment, Climate and Communications, and Department of Agriculture, Food and the Marine), was established in 2014 to oversee the preparation of the Plan. The Terms of Reference of the IDSG are set out in Appendix 2.

In order to effectively reverse the ongoing decline of the Hen Harrier and achieve the objective of the Threat Response Plan, all efforts to do so must be undertaken in conjunction with relevant landowners and stakeholders. A Consultative Committee, with representation from key sectors (forestry, agriculture, wind energy, landowners

and environmental NGOs), was subsequently convened in 2015 to facilitate stakeholder engagement and provide cross-sectoral insights to support the Plan's development. The membership of this Committee is set out in Appendix 3.

In accordance with the Regulations, the approach taken to develop and implement the Threat Response Plan with both the Inter-Departmental Steering Group and Consultative Committee was as follows:

- establish the threats that affect the survival of Hen Harrier,
- understand the context of the activities that may impact Hen Harrier, and the concerns of stakeholders affected (see Appendix 4),
- develop a shared understanding of conflicts and the conservation requirements of Hen Harrier,
- build a consensus on how to reach those requirements,
- set out and implement the necessary measures,
- monitor the outcomes.

Three sector-specific reports on forestry, agriculture and wind energy development were commissioned by NPWS (NPWS 2015a, 2015b and 2022), and reviewed by the relevant members of the Inter-Departmental Steering Group, to inform the development of the Threat Response Plan and the measures needed to "**cease, avoid, reverse, reduce, eliminate or prevent the threat, pressure, hazard, combination of threats, pressures or hazards, adverse effect, pollution, deterioration or disturbance".** These reports are available on the NPWS website and should be consulted for further information on each sector and their interactions with Hen Harrier.

NPWS also commissioned the "Hen Harrier Special Protection Area Habitat Mapping Project" in 2014 to further support the Plan's development. Its purpose was to provide mapping at a scale adequate for its use as a tool for conservation management and appropriate assessment, as well as providing a baseline for monitoring habitat change within the breeding Hen Harrier SPAs (Department of Arts, Heritage and the Gaeltacht, 2015). Digital habitat maps of the six breeding Hen Harrier SPAs were produced, using

remote sensing and existing spatial datasets. The outputs of this project are available for viewing online on the Hen Harrier SPA Habitat Map Online Viewer[8].

More recently, recreational pressure has been raised by stakeholders as an increasing pressure, particularly due to changing recreation patterns arising from the Covid 19 pandemic as well as the development of recreational plans and infrastructure in areas important for Hen Harrier. Others have raised the issues of burning and peat extraction.

2.1 Public Consultation

As set out in Regulations 39 and 21 of the Regulations, the Minister was required to carry out a public consultation on this Threat Response Plan. It was also determined that a Strategic Environmental Assessment (SEA) was required of the draft Plan, as well as an Appropriate Assessment (AA) (pursuant to Regulation 42a of the Regulations). A public consultation on the draft Plan, Natura Impact Statement, SEA Non-Technical Summary and Environmental Report was undertaken in January and February 2024.

Over 2,500 responses to the public consultation were received from the general public, public authorities, conservation non-governmental organisations, private individuals (including landowners and farmers), community and development groups, professional ecologists and representatives of the wind energy development, forestry, agriculture and recreational sectors. Further details are available on www.gov.ie.

[8] As of December 2023 http://dahg.maps.arcgis.com/apps/webappviewer/index.html?id=a964809ffbad4c16ae2c4ec72f5d3921.

3 Hen Harrier Conservation Objectives

Article 1 of the Habitats Directive states that:

"The conservation status of a species will be taken as "favourable" 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."

Favourable conservation status is assessed at the national level, rather than at the level of the SPA network i.e. it is not assessed solely on the basis of the population and range that occurs within the SPAs, but on the basis of the entire national population, occurring both within and outside the SPAs (i.e. its full natural range).

Site-specific conservation objectives have been published for the six breeding and two wintering Hen Harrier SPAs. Using the parameters that define favourable conservation status of species, specific attributes for the species and its supporting habitat are set, along with targets that define the favourable reference value for that attribute. Following the conclusion of relevant research outputs from the Hen Harrier Programme and the mid-term review of this Plan in 2026, the conservation objectives will be reviewed with a view to their update, if deemed necessary.

An SPA-network-level conservation objective has also been set, informed by the site-level objectives, so that the breeding SPA network will operate as a coherent whole, and effects that may arise on one SPA can be considered in the context of the whole network.

Due to the proportion of the Hen Harrier population that occurs outside the SPA network, it is also the Department's intention to commence development of a national conservation objective for the species, and to explore the establishment of an all-Ireland objective with Northern Ireland. In order to better understand and assess the biogeographical importance of the Irish population, the national objective will consider the 2023 population estimate results for Great Britain.

4 The Population Status of Hen Harrier

National population surveys were carried out in 1998–2000, 2005, 2010, 2015 and 2022 (having been postponed in 2020 due to the Covid-19 pandemic) (See Figure 2). The 2015 survey estimated a breeding population of between 108 and 157 pairs in the Republic of Ireland, and based on a sub-set analyses (Ruddock *et al.*, 2016), an estimated decrease of 16% since the 2010 national survey and 34% since the 1998-2000 survey. As of 2022, and based on comparison with totals presented in Ruddock *et al.* (2016), the total SPA population had declined by 10.1% since 2015, 19.5% since 2010 and by 34% since 2005 (see Figure 2, Table 1). The 2015 survey showed that breeding Hen Harrier still occurred in all six breeding population SPAs. It also identified nine other non-designated areas as being important breeding locations for the species (referred to as “non-designated regionally important breeding areas”, see Figure 1).

Published 2021 figures from the Hen Harrier Programme indicate that the then total population in the SPAs stood at 62 territorial pairs, with an average of 66 territorial pairs since 2017 for the SPAs. The Hen Harrier population in Ireland was estimated at 85 confirmed and 21 possible breeding pairs (85–106) in 2022. This is a decline of one third (33%) in the total population since the previous national survey in 2015 and a 27% contraction in their breeding range for the same period. The data also indicates that declines in both range and population have occurred in the short-term (since 2015); medium term (since 2010/2005) and long-term (since 1998-2000).

The populations of five of the SPAs have declined by between 20% and 80% since 2007, when they were identified for designation. In the same period, the population for only one SPA has increased (12%). Overall, the SPA populations have declined by more than half (54%) in the same period.

The breeding population continues to be Amber-listed on BirdWatch Ireland’s most recent Birds of Conservation Concern Ireland (BOCCI) (2020–2026).

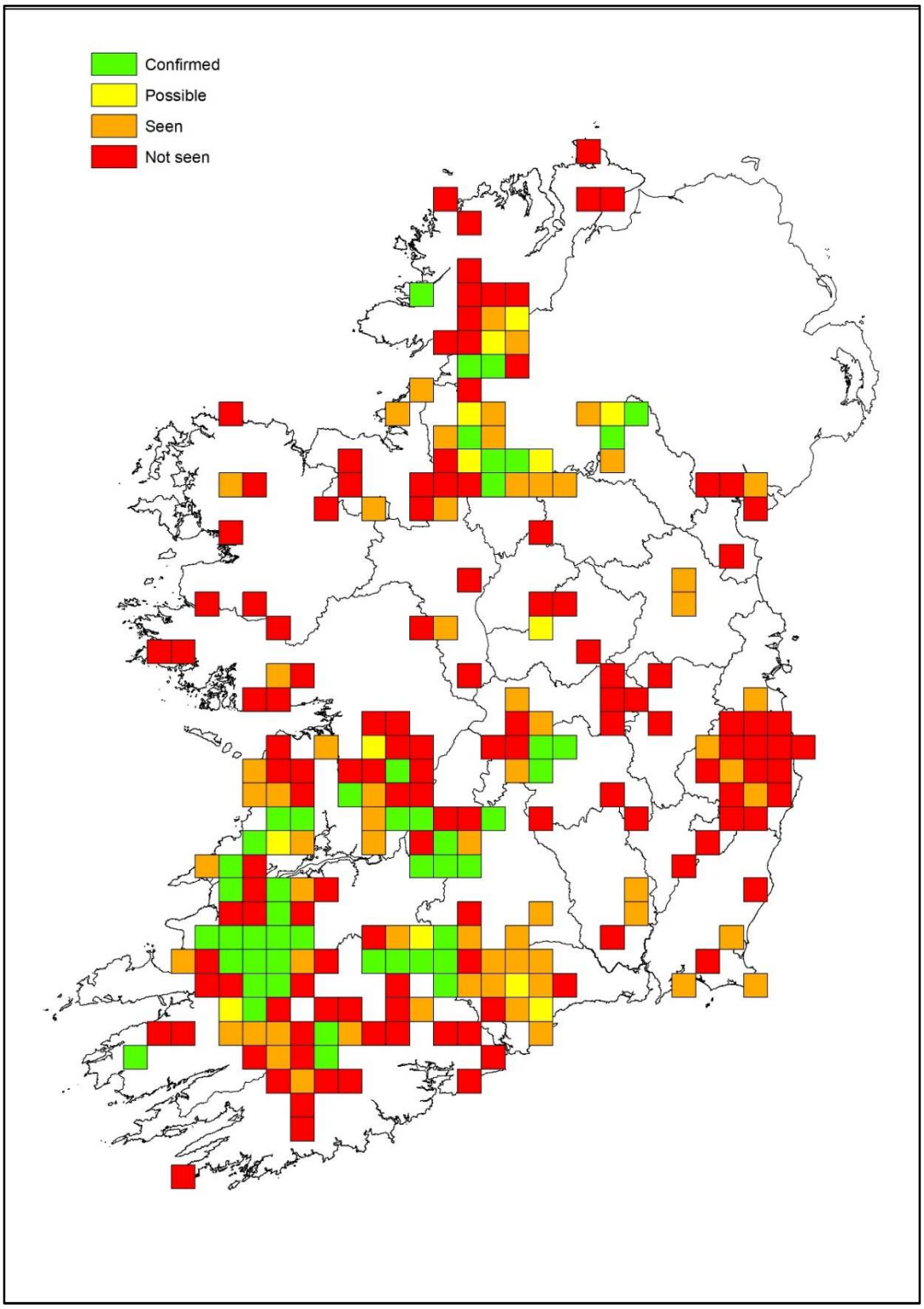

Figure 2. 2022 distribution of breeding Hen Harrier in Ireland in 10 km squares, classified by breeding status. From Ruddock *et al.* (2024).

Table 1. National (minimum, maximum and mid-point) population estimates between 1998–2000 (Norriss *et al.*, 2002); 2005 (Barton *et al.*, 2006); 2010 (Ruddock *et al.*, 2012), 2015 (Ruddock *et al*., 2016) and 2022 (Ruddock *et al*., 2024).

Breeding Status	1998–2000	2005	2010	2015	2022	% change 2015–2022
Confirmed	102	132	128	108	85	-21%
Possible	27	21	44	49	21	-57%
Confirmed + Possible	129	153	172	157	106	-33%
Mid-Point	11.5	142.5	150	132.5	95.5	-28%
Range	102–129	132–153	128–172	108–157	85–106	-

The most recent available survey data for the breeding Hen Harrier population in Northern Ireland estimated that the 2016 population was 46 territorial pairs. There was a population decline of 22% from 59 pairs, recorded in the previous survey in 2010.

During that same period, numbers in Scotland, which holds the largest share of the UK population, declined by over 8% while the total UK breeding population estimate declined by almost 14%. The 2023 survey results show the Scottish population as having increased by 15% since 2016, and Scotland now holds 77% of the breeding UK and Isle of man population. At the UK level, the decline was more pronounced over the longer term i.e. from 2004 to 2016, where the estimated population dropped by 204 pairs, from 749 to an estimated 545 pairs (27%), and then increasing to 653 in 2023 (20% increase since 2016). It is currently Red-listed on the UK's most recent Birds of Conservation Concern list (BOCC 5, 2021).

Some Hen Harrier are known to move between the UK and the island of Ireland, though the precise level of interaction is unknown; thus, the populations may be considered to form a meta-population. At the European level, the species' breeding population has recently been assessed for the European Red List of Birds, as being of Least Concern (2021) in Europe and Vulnerable in the EU 28, having previously (2015) been considered as Near Threatened.

There is much overlap in the distribution of breeding and wintering Hen Harrier in Ireland, with the wintering distribution more dispersed and encompassing a wider range, throughout the uplands and lowlands. In the winter, non-breeding Hen Harrier predominantly roost in heath/bog habitats (53%), settling to rest on the ground at night,

and often roost communally. The Hen Harrier typically forages over ground that is rich in prey (*e.g.* medium and small-sized birds, small mammals), such as grasslands and winter stubble. As mentioned previously, juvenile survival overwinter is poor, and recruitment into the breeding population is thus lower than needed to maintain a stable population. There are a number of significant information gaps with respect to the ecology of wintering Hen Harrier. While progress has been made in recent years, more remains to be done.

5 Main Threats and Pressures Affecting Hen Harrier

The primary potential threats and pressures to breeding Hen Harrier, as identified through the consultation process[9] for this Plan, concern forestry, agriculture and wind energy development. As previously mentioned, detailed reports on each of these sectors and their interactions with Hen Harrier have been produced to support the Plan's development; these are summarised below.

Other potential threats to Hen Harrier include disturbance from recreational activities, persecution, wildfires and turf cutting, predation and climate change, all of which can affect other species and habitats. Ammonia deposition can also contribute to habitat degradation, by causing a reduction in heather dominance, a decline in lichens and mosses, while increasing graminoids and nitrogen leaching. The Department will keep the relative importance of these pressures and threats under review as part of the Threat Response Plan implementation process.

Photo 3. A fragmented Hen Harrier landscape with agricultural intensification, wind energy development and afforestation. Credit: Sinéad Cummins.

[9] See Appendix 4 for more detail.

5.1 Forestry

The breeding Hen Harrier SPAs include commercial coniferous forest plantations (more than 50% by area). These were included in the SPAs during the designation process, as surveys at that time showed that a large proportion of the national Hen Harrier population was using parts of the plantations for nesting and foraging. Notwithstanding that, the natural habitat of the Hen Harrier is open bog and heather moorland, with rough grassland also favoured.

Hen Harrier find young forest plantations attractive to breed in, and the population is thought to have increased in Ireland in the 1960s and 1970s due to new afforestation. However, breeding success is compromised by the loss of open space as forest canopies close. By 10 years or so after planting, a forest is of little habitat value for Hen Harrier until clear-felling takes place. In a balanced, mixed-age forest landscape, approximately one-quarter of the forest estate is in pre-thicket stage at any one time. Currently, however, forests within the Hen Harrier SPAs lack this mixed-age balance.

A study of breeding success in forested landscapes (Wilson *et al.*, 2012) did not find a statistical relationship between breeding productivity and total forest cover or with the percentage cover of closed canopy. However, in one of the four areas studied (*i.e.* Slieve Aughties), there was a clear negative relationship between the area of second rotation pre-thicket forest within 2 km of a nest, and nest success. This may be due to factors related to predation, disturbance or prey availability. This negative relationship was not observed in the other areas studied (*i.e.* West Clare, Kerry, and the Ballyhouras in Co. Cork). Caravaggi *et al.* (2019), using national survey data collected in 2010 and 2015, examined the landscape-scale associations of Hen Harrier within its breeding range. The study found a positive association between breeding success and heath/shrub habitat at the 1 km scale, and with bog habitat at the 2 km scale, *i.e.* open habitats that can support nesting Hen Harrier.

Pre-thicket forests were not observed to have an effect on breeding success by Caravaggi *et al.*, (2019), which does not fully accord with the findings of Wilson *et al.*, (2012) above. However, there is a strong evidence-base from other studies including Sheridan *et al.* (2020) and Wilson *et al.* (2014) that shows the negative impacts of afforestation on ground-nesting birds, including the Hen Harrier, with both significant

‘edge effects’, where ‘edge to area of forested habitats’ is higher in the landscape, and associated increased predation risks for ground-nesting birds.

The above research findings pose the following questions:

i. how much forest cover, and what forest footprint, is optimal for the Hen Harrier within each SPA and within other important areas for the species?
ii. can a rebalancing of forest age-structures and other measures provide a feasible form of habitat improvement within the short-, medium- and long-term?
iii. how costly might this be to achieve?

The Slieve Blooms SPA showed the highest Hen Harrier population increase for the period 2005–2020 and has maintained a broadly stable breeding population since 2005. The SPA is comprised of nearly 60% coniferous plantation cover, and 40% almost entirely heather moorland that has been managed optimally for Hen Harrier. In 2015, 90% of Hen Harrier nests within this SPA were in heather, rather than afforested, areas. This suggests that improved management of non-afforested lands in other SPAs, alongside measures within forests themselves, may provide opportunities for providing more suitable habitat. However, recent monitoring (2017–2020) by the Hen Harrier Programme EIP has shown that productivity of pairs in the Slieve Blooms SPA has been lower than the SPA network average for the same period. Possible causes include significant drought and wildfires in 2018 and predation in 2020. This SPA held three successful nest sites and fledged a total of six chicks in 2022.

As referenced earlier, in 2007, an agreement between DAFM-Forestry and NPWS was reached *(i.e.* the Hen Harrier Protocol), that set out various conditions, including annual limits for afforestation rates at each of the SPAs. Based on the scientific data available at the time and using expert judgement, thresholds for annual afforestation were agreed in principle for a 15-year period (NPWS, 2015a), in order that each SPA contained at least 55% suitable habitat. Approximately 1,000 hectares of afforestation occurred between 2007 and 2012, mainly on private land and mostly not on open moorland.

For reasons outlined in Irwin *et al*.(2012) and NPWS(2015, 2022), this protocol for further afforestation was modified and eventually suspended, with DAFM ruling out approval for afforestation in the SPAs until the completion of this Plan, through its Circular 13 (2011). DAFM-Forestry's position is that there will be no further afforestation within these SPAs until such time that the conservation status of the species is generally restored and the requirements of Article 6(3) can be met.

A range of measures are proposed in this draft Plan in order to achieve the maximum possible contribution of afforested lands to Hen Harrier conservation. These include:

- Re-balancing of age class distribution within the forest network
- Strategic use of more open space
- Avoidance of disturbance to breeding and roosting birds
- Joint measures (with other sectors) to reduce the impact of fire and predators.

The locations for permanent forest removal will be strategic, and will be agreed both spatially (where they are to be removed) and temporally (when they are to be removed) through interactions between DAFM-Forestry, NPWS and forest owners (Coillte in the first instance, being a public authority). This identification process will have regard to other biodiversity interests, carbon, water and operational constraints. It is intended that this removal will expand core Hen Harrier habitats, especially around the margins of existing open moorland. It will also create and increase connectivity from these core habitats to other areas of suitable foraging habitat.

Other forestry measures include the application of wider setbacks and corridors within the forest resource, delayed and premature felling to alleviate habitat "bottlenecks" where pre-thicket forest habitat would close over. DAFM-Forestry has also extended the period during which protections against disturbance from forestry operations will be applied early in the breeding season (*i.e.* changing the application date of those measures from 1st April to 1st March for future licences).

In addition, site-specific measures are set out to protect breeding sites and important breeding and foraging habitats within the non-designated regionally important breeding areas, as supported by DAFM-Forestry (see its report "Exploring Synergies", referenced in Appendix 5).

5.2 Agriculture

Lightly grazed heath/bog, with some scrub, is the most suitable habitat for nesting Hen Harrier. Lowland tillage, in combination with open heath/bog and rough grasslands, is important for both foraging and roosting outside the breeding season, which constitutes a significant portion of the year. The quality of rough grassland, or indeed improved grassland, for Hen Harrier can be influenced by a range of agricultural practices, including grazing intensity, grazing periods, grazing types, fertiliser/slurry usage, rush control etc. Hedgerows are also important, providing foraging networks throughout the year.

Habitat loss, fragmentation, and degradation due to agricultural intensification have already significantly reduced the availability and quality of open heath/bog and open grazed wet grassland habitats in areas important for breeding Hen Harrier. There are also significant concerns about the low survival rate of young Hen Harrier, particularly over winter. Appropriate grazing of these open habitats is an effective means to deliver suitable farmland habitats for Hen Harrier. Areas of abandoned land with scrub, though not considered extensive at a landscape-scale, can be utilised by nesting and/or roosting Hen Harrier in particular. It is also important to retain natural and semi-natural habitats in the landscape, as well as to ensure that the quality of appropriately-grazed habitats is not negatively affected by other pressures.

While heather, rush and scrub are among the most important habitats for Hen Harrier, the eligibility of such land for entry to the Basic Payment Scheme (and subsequently ANC and GLAS) has been problematic, and there have been many instances where area or payment reductions were applied due to their presence. In parallel, many landowners have cleared or burned extensive areas of such habitats to maximise eligibility for payments. Such habitats may even be seen as a hindrance to the earning potential of land under schemes such as BPS, ANC and GLAS. Under the current CAP Strategic Plan (2023–2027), beneficial features *i.e.* those that help to deliver benefits in terms of biodiversity, habitat retention, space for nature and carbon sequestration, can occupy up to 50% of a land parcel without affecting the eligibility of a parcel. Such features include natural elements such as scrub, marsh or rock. Where these occur on 50-70% of a parcel, the reduction applied to the eligible hectare is equal to the area

of the beneficial feature. If the cover is greater than 70%, a 100% reduction is applied as the areas are not defined as “actively farmed”.[10]

The CAP 2023–2027 has incorporated Hen Harrier SPAs (and some other important Hen Harrier breeding sites) into a new Cooperation Project approach (also known as CPs, under the Agri-Climate Rural Environment Scheme (ACRES) 2023–2027), where it is intended that multiple biodiversity interests will be addressed at a landscape scale (See Section 6 for more detail).

5.3 Wind energy development

There is considerable overlap between the breeding range of Hen Harriers and the upland areas in which wind energy development has been concentrated in Ireland. As of 2016, over 250 wind turbines occurred within the Hen Harrier SPA network.

The Windharrier project carried out by University College Cork (UCC) between 2012 and 2014, with funding from the wind energy industry, examined a range of potential impacts of wind energy development on Hen Harrier (Wilson *et al.*, 2015). The low numbers and density of Hen Harrier makes it difficult to carry out scientific work at a sufficient scale to provide strong statistical evidence, and such work may only provide indications of effects rather than certainty. That said, in relation to Hen Harrier breeding parameters, the study found:

i. that breeding success was statistically non-significantly lower within 1000 m of wind turbines, although sample sizes were relatively small; and
ii. that, based on composite considerations of findings, it is possible that lower breeding success recorded within 1000 m of wind turbines reflects a biologically relevant pattern.

In addition, the density of all bird species, including likely prey species for Hen Harrier, was lower at wind energy development sites than control sites, and lower again closer to turbines. Windharrier also found that the risk of direct collision with wind turbine rotors was low. However, since its conclusion in 2015, NPWS has received evidence

[10] There are exemptions to this rule for karst limestone areas.

of one “possible”[11] and three “probable/confirmed”[12] incidences of Hen Harrier mortality caused by turbine strike.

In summary, there is published evidence that Hen Harrier breeding productivity may be impacted by wind turbine development close to nesting areas. This is particularly relevant as the Habitats Directive requires that planning decisions must ensure that there are no adverse effects on the integrity of European, or Natura, sites, for a project or plan to be consented to under Article 6(3) of the Habitats Directive. Furthermore, judgments of the European Court of Justice and the Irish courts have set out that appropriate assessments should “**include complete, precise and definitive findings and conclusions that are capable of removing all scientific doubt as to the effects of the proposed development on … [sites] concerned**” (High Court, 2014).

5.4 Summary Assessment of Pressures and Threats

EU Member States are required to report on the implementation of the EU Birds Directive (under Article 12) every six years. The most recent reporting in 2019 included a species-specific report for Hen Harrier. A comprehensive list of anthropogenic pressures and threats were assessed in terms of their importance for both breeding and wintering Hen Harrier populations, including those linked to forestry, agriculture and wind energy development.[13] Summary details are provided in Table 2 below, with full details available online at the Central Data Repository of the European Environment Agency. The 2022 National Survey Report (NPWS, 2024) also details pressures and threats observed during that survey.

[11] A determination of cause of death of any remains discovered near a turbine or wind energy development footprint is made based on a review of the available evidence. This includes: proximity of the specimen when found, relative to a wind turbine; and a detailed physical examination of the remains by an expert e.g. veterinary surgeon, and x-rays, to ascertain whether injuries sustained would be consistent with a turbine collision. Where a turbine strike cannot be discounted as cause of death, such incidents are recorded as ‘possible’.

[12] In such cases where the nature of the physical trauma to a specimen *i.e.* fractures and/or severed body parts, are consistent with a turbine strike are deemed ‘probable/confirmed’ for reporting purposes.

[13] Pressures are considered to be factors that are acting now or that were acting during the reporting period (2012-2018), while threats are factors that are expected to act in the future (i.e. future two reporting periods). Pressures and threats are the principal factors responsible for causing individual species to decline, suppressing their numbers or restricting their ranges. Each pressure and/or threat was ranked as high, medium or low importance based on a number of criteria. ‘High importance’ includes factors that have important direct or immediate influence and/or act over a large area; ‘medium importance’ includes direct or immediate influence, mainly indirect influence and/or act over a moderate part of the area/act only regionally; ‘low importance’ includes pressures and/or threats deemed to be acting at a more local scale.

Table 2. List of factors considered to be acting as pressures and/or threats (of H=high; M=medium; L=low importance) to breeding and wintering Hen Harrier populations in Ireland, as per Ireland's 2019 Article 12 Report for the Birds Directive. Please note for 'Season' below, B=Breeding and W=Wintering.

N.B. The number of factors on which reporting could be undertaken was capped at ten. Therefore, only those factors considered to be of the highest ranking for each season are listed.

Summary description	Article 12 Code	Explanation	Season	Ranking
Agricultural intensification	A02	Conversion from mixed farming and agroforestry systems to specialised (*e.g.* single crop) production. Habitat degradation and loss due to agricultural intensification is considered to be a significant pressure, having reduced the area of suitable habitats for harriers. Reseeding of grasslands and other semi-natural habitats, leading to a monoculture of rye grass, is not likely to benefit harriers which are known not to favour intensively managed grasslands.	B & W	M
Removal of hedges, scrub etc.	A05		B	M
Abandoned pastoral systems	A07		B	M
Burning for agriculture	A11		B	M
Reseeding of grasslands and other semi-natural habitats	A13		B & W	M
Drainage for use as agricultural lands	A31	Drainage and land reclamation can result in loss of suitable roosting habitats for wintering birds in particular, with almost a third of winter roost sites (O'Donoghue, 2010) at risk. This is significant in the national context.	W	H
Afforestation (conversion to forest and other land uses)	B01	Although the species can forage and nest in pre-thicket forests, this habitat becomes largely unsuitable as the forest plantation matures and with current legal requirements to replant. The transition from non-forest to forest habitat is essentially a permanent one.	B & W	H
Reforestation (includes re-planting with non-native or non-typical species)	B03	Second rotation forestry is only suitable for the species for a minority of its life cycle, and as the plantation matures, its suitability declines.	B & W	H
Wood transport (includes construction & maintenance of logging roads, wood transport within the forest & poor management of wood transport)	B16	Disturbance of nesting pairs from wood transport-related activities. Protocols (*i.e.* Red Zones) in place in the SPAs to alleviate pressure, but not outside the SPAs. Other forestry-related activities (not specifically reported here) but included in codes B01 and B03 listed above take cognisance of the following pressures: B06–Logging of individual	B	M

Summary description	Article 12 Code	Explanation	Season	Ranking
		trees; B07–Removal of dead and dying trees; B08–Removal of old trees; B09–Clear-cutting removal of trees, B12–Thinning of tree layer; B19 application of synthetic fertilisers).		
Wind Energy Production	D01	Disturbance, displacement and collision risk are the potential effects of wind power on Hen Harriers. Since 2015, there have been one "possible" and three "probable/confirmed" incidences of Hen Harrier mortality caused by turbine strike in Ireland. While collision risk is not considered to be a high threat to the species, a reduction in the abundance of some prey species can result (Wilson *et al.*, 2015).	B & W	M
Peat Extraction	C05	Related activities can cause disturbance to breeding Hen Harriers and affect the quality and extent of foraging habitat on breeding grounds.	B	M
Problematic native plants & animals. 'Problematic' refers to species which are out of balance directly/indirectly due to human activities.	I04	A total of 20% of breeding failures were attributed to predation (includes predation by foxes and hooded crows) during the 2015 National Hen Harrier Survey (Ruddock *et al*., 2016). Encroaching scrub is also a concern at wintering roost sites (O'Donoghue, 2010).	B	M
Predation by native predators	L06	Includes the Pine Marten, which has expanded in range by a third since 2012 (Lawton *et al*., 2020).	B	M
Climate change impacts on timing of prey availability*	N03	Increases and changes in precipitation due to climate change e.g. wetter springs and drier summers affect the timing of prey availability, and can negatively impact subsequent breeding success.	B	M
Recreational disturbance**	F07	Human-related disturbance from sports, tourism and leisure activities.	B/W	L
Persecution (illegal killing/poisoning)	G10	For the reporting period (2013–2018), three confirmed cases (all related to illegal shooting) under the NPWS RAPTOR Protocol	B/W	L
Burning for agriculture	A11	Poorly planned or poorly executed burning can cause long-term	B/W	M

Summary description	Article 12 Code	Explanation	Season	Ranking
		damage and negative impacts on vegetation, invertebrates, soil structure and hydrology, water quality and carbon storage. Accidental, uncontrolled and illegal fires can potentially damage large areas of scrub and peatland habitats supporting nesting and foraging Hen Harrier (Ruddock *et al.*, 2016).		

**Future threat to Hen Harrier populations.

As evident from Table 2, pressures and threats associated with agriculture, forestry and wind energy development were amongst the highest-ranking. These, and others listed, have impacted across significant tracts of the Hen Harrier's landscape in recent decades and have affected the overall population, both breeding and wintering, of Hen Harrier in Ireland.

Climate change was also identified as a pressure and threat, but of 'medium importance'. All actions that serve to restore the species and improve its habitat at the site-level will increase its resilience in the face of a changing climate; the changing climate also makes it all the more important to achieve that resilience, in order to mitigate the effects of climate change on biodiversity. The effects of climate change on biodiversity, more broadly, are addressed in the Biodiversity Climate Change Sectoral Adaptation Plan, prepared under the National Adaptation Framework, and published in 2019, but research that considers how the changing climate may affect the Hen Harrier and its habitats could be useful in informing appropriate conservation measures.

While wind energy production is identified as one of the key pressures on the species, wind energy development is also, more generally, a key part of the global and national response to alleviating climate change. Biodiversity and climate change commitments have equal standing, and creating opportunities to achieve both, without compromising each other, is critical, particularly as biodiversity can assist in climate change mitigation and adaptation.

6 Previous and Existing Measures to Address Hen Harrier Conservation Requirements

This Section sets the current range of conservation measures in place to address the needs of the Hen Harrier. These include both regulatory measures as well as contractual, voluntary and on-the-ground measures.

6.1 Current restrictions on activities arising from the designation of Hen Harrier SPAs

Restrictions or additional duties that arise on lands designated as SPAs fall into two main categories:

a. Requirements of planning and licensing authorities (including DAFM-Forestry)
b. Activities requiring consent (ARCs)

6.1.1 Requirements of planning and licensing authorities

As mentioned earlier, the Birds and Habitats Directives, the Regulations, the Planning Acts and regulations governing forestry, agriculture and development require planning and licensing authorities to consider the possible implications of any plan or project on the integrity of a European site before any decision is made to allow it to proceed. In practice, this means there must be a screening for appropriate assessment carried out to determine if the activity may have a significant effect on site integrity, and if that is the case, an appropriate assessment must also be undertaken. An appropriate assessment requires that a scientific examination of the implications of the plan or project on the integrity of the site/s in question, in combination with other projects, plans and programmes, be undertaken; this analysis is to be presented in a Natura Impact Statement (NIS)[14].

[14] An NIS is defined in the Regulations as '**a report comprising the scientific examination of a plan or project and the relevant European Site or European Sites, to identify and characterise any possible implications of the plan or project individually or in combination with other plans or projects in view of the conservation objectives of the site or sites, and any further information including, but not limited to, any plans, maps or drawings, scientific information or data required to enable the carrying out of an Appropriate Assessment**'.

Ecological specialists are required to undertake surveys, research and analysis, with input from other experts (*e.g.* hydrologists or engineers) as may be necessary to prepare an NIS. It is normally the responsibility of the proponent of the plan or project to have the NIS prepared for submission to the competent authority, *i.e.* the consent or decision-making authority. It is then for the decision-making authority to conclude the appropriate assessment by making a determination as to whether the plan or project will adversely affect the integrity of a European site/s. This assessment must be completed before any decision is taken to approve the plan or project.

Under the EU Nature Directives, and as interpreted through the Irish Courts and the European Court of Justice, consenting authorities can only consent to activities in an SPA if they are clear that there will not be an adverse impact on the species for which the SPA has been designated. In practice, this has led to, for example, decisions to restrict afforestation and forestry operations in the breeding Hen Harrier SPAs during the breeding season.

6.1.2 Activities Requiring Consent

Activities Requiring Consent (ARCs) are set out for each SPA and SAC in the Statutory Instrument for each site, pursuant to the Regulations. These activities may be damaging to a Natura 2000 site but do not require planning permission or another form of consent. Consent is needed from the Minister for Housing, Local Government and Heritage, prior to their undertaking. Obligations in relation to screening for appropriate assessment, and appropriate assessment as necessary, also apply to ARCs. It also is a requirement of DAFM's Basic Payment Scheme that farmers must not undertake these activities without prior consent from the Minister.

There are currently three ARCs relevant to Hen Harrier SPAs:

- Agricultural improvement of heath or bog.
- Construction, removal or alteration of fences, stone walls, hedgerows, banks or any field boundary other than temporary electric fencing (consent is not required for normal maintenance).
- Off-road recreational use of mechanically propelled vehicles.

Regulation 41 of the Regulations provides for compensation where the Minister refuses consent to an activity that had been carried out within the previous five years.

The Regulations do not give the Minister powers to make payments for reduced land value *per se*, nor for any loss of collateral value. The Joint Oireachtas Committee on Agriculture, Food and the Marine (see Appendix 6) recommended that payments should apply only to the curtailment of current or past activities and current or past income foregone. Furthermore, payments should not apply to potential or future income; and payment should not be made for failure to secure either planning permission or a grant for new development.

6.2 Previous and current agri-environment schemes relevant to Hen Harrier

In recent years, a range of agri-environment schemes have been implemented to benefit the Hen Harrier, as well as other species and habitats, and to deliver its conservation requirements. These are set out below

6.2.1 NPWS Farm Plan Scheme

The NPWS Farm Plan Scheme was first launched in 2006. The main purpose of the scheme is to promote a focused, targeted and innovative approach to farming for the conservation of habitats and species of conservation concern, where they were not adequately covered by other national agri-environment schemes. Three hundred and seventy-seven NPWS farm plans, based on five-year contracts, were put in place with farmers in Hen Harrier SPAs. Following the financial crisis of 2008, and subsequent budgetary cutbacks, the NPWS farm plan scheme was closed to new applicants in April 2010 and most plans reached their end-of-life by 2015. Over €14 million was paid to the participating farmers, with an average payment of €7,347 per annum. This scheme was funded solely from the national exchequer, i.e. no EU funding was allocated. The NPWS farm plan scheme was never resourced to the extent that it could provide suitable habitat at a landscape scale for Hen Harrier, with less than 10% of the farmers in the SPAs participating.

6.2.2 GLAS

The Green Low Carbon Agri Environment Scheme (GLAS) was the agri-environment scheme of the Rural Development Programme (RDP) 2014–2020 (extended to 2023). The GLAS standard ‘package’ was up to €5,000 for eligible farmers per annum, with an additional package of €2,000 per annum for those in GLAS+, in return for

exceptional environmental commitment. Farmers in Hen Harrier areas (SPAs and other relevant areas identified in the national 2015 survey) were eligible for GLAS and GLAS+. DAFM has estimated that more than €23m per annum was available for Hen Harrier actions alone in GLAS and GLAS+. There were 2,476 farmers taking up Hen Harrier actions in GLAS (as of August 2022); 1,350 of these were also in GLAS+.

6.2.3 Hen Harrier Programme EIP

The Hen Harrier Programme, a €25m European Innovation Partnership (EIP), operated between 2018 and 2023. The Programme was overseen by a Steering Group, comprised of representatives from DAFM, NPWS, Teagasc, participating farmers and Hen Harrier Programme Advisors.

The Hen Harrier Programme has been pivotal in piloting measures for the Hen Harrier and associated conservation interests, including habitats, wider biodiversity, water and carbon, as well as delivering community buy-in. The primary objectives of the Hen Harrier Programme were:

- 1: To ensure the sustainable management of High Nature Value farmland in the most important breeding areas for Hen Harrier in Ireland.
- 2: To promote a stronger socio-economic outlook for marginally agriculturally productive upland areas that are generally difficult to manage.
- 3: To develop an effective model for future sustainable management of Hen Harrier areas.
- 4: To foster continued positive relations through locally-led solutions between the people who have managed these landscapes for generations and the relevant Government Departments. This relationship is central to maintaining and enhancing the biodiversity that exists on these lands.

It targeted approximately 24% of the land area of the Hen Harrier SPAs and paid farmers to undertake actions to reach the Programme's goals, the success of which was measured in the field. It was delivered on the ground by a specialist locally-based intermediary team (between DAFM and the landowners), which was appointed through competitive tender (hereafter 'the Hen Harrier Programme Team').

The Hen Harrier Programme operated on the basis that payments are for the habitat and support actions delivered during each breeding season. All payments under the

Programme were made “in arrears” and were based on the habitat quality and actions delivered by the farmer by August 15th each year, i.e. the latest date for submitting a claim for payment to the Hen Harrier Programme Team. The delivery of the Hen Harrier Programme was supported at farm level by three types of payments:

- A Results-based Habitat Payment
- A Supporting Actions Payment
- A Hen Harrier Payment.

The Hen Harrier Programme acted in parallel to GLAS. Participation in the Programme was not linked to GLAS participation, and all payments through the Hen Harrier Programme were separate from GLAS. It formed part of a package of supports available to farmers in Hen Harrier SPAs that also included the Basic Payment Scheme (BPS), Areas of Natural Constraint (ANC) and GLAS schemes.

6.2.4 CSP 2023–2027 and Cooperation Projects

To retain habitats and biodiversity on farmland, and to ensure as much coherence as possible between Pillar I and Pillar II of the CAP, Ireland included in its CAP Strategic Plan 2023–2027 (hereafter the CSP), that, in defining the eligible hectare, other landscape features, such as scrub, copse and woodland are allowed to occupy up to 50% of the reference parcel without a deduction to the eligible area being required. The effectiveness of the new rules in supporting landscape features will be monitored in the early stages and throughout the CAP Strategic Plan 2023–2027, in parallel to ongoing communications between NPWS and DAFM on the types of habitats required by Hen Harrier for nesting, roosting and hunting. These features are typically beneficial for Hen Harrier.

Building on EIPs and locally-led approaches, the Agri-Environment Climate Measure (AECM) Co-operative Projects (CPs) that have replaced GLAS in the CSP have responsibility for devising their own approach to the identification of priority needs and conservation requirements of their CP area. Each CP team is identifying local priorities and actions that can best address the key environmental needs of the area, including the conservation of Hen Harrier, where relevant. Such needs are being identified to the habitat and species level, and are to reflect the requirements of Ireland’s Prioritised

Action Framework (PAF)[15], and other environmental policy targets (such as this draft Plan). This has been done in association and consultation with key stakeholders to integrate the lessons learned from earlier and current programmes. The CPs will advise participants on the most appropriate management actions to support these targets.

6.3 LIFE Projects

6.3.1 Raptor LIFE

IRD Duhallow, a community-based Rural Development Company, secured €3 million LIFE+ funding for Raptor LIFE 2015 to 2019, after an 85% decline was recorded in the local Hen Harrier population. It sought to connect and restore habitats for priority species, including the Hen Harrier, within the River Blackwater (Cork/Waterford) SAC and the Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Nagle Special Protection Area (SPA). The latter is the most important SPA site for Hen Harrier. From 2016–2019, its monitoring showed that this sub-population has had poor productivity (overall fledging rate of less than 1.2 young fledged per breeding attempt). The RaptorLIFE project drafted a Management Plan for the Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA. Hen Harrier-specific actions within the plan include:

- management of forests in the SPA with a target of 23 pairs or more for the SPA by 2025, along with a stable/increasing population trend.
- a reduction in nest losses to predators,
- no nest failures to disturbance or fire,
- no losses of adults or nests to persecution, along with
- maintaining or increasing the area/quality of HNV farmland, hedgerows, retaining important nesting areas in scrub, and restoring degraded heath/bog habitats.

[15] Prioritised Action Framework for the Implementation of the Birds and Habitats Directive in Ireland, 2021-2027. Available at www.npws.ie

6.4 Joint Oireachtas Committee Hearing

In 2015, the Joint Committee on Agriculture, Food and the Marine (JOC) published its report on the “Designation of Lands as SPAs for the Conservation of Breeding Hen Harriers”. The Committee met with representatives of “Irish Farmers with Designated Lands”. The JOC‘s report contains 18 recommendations, reproduced in Appendix 6; these have been used to inform the Threat Response Plan, and many of them have been incorporated into actions in this Plan.

7 HHTRP Actions 2024–2028

This Section sets out the actions that public authorities need to implement to achieve the objectives of the Hen Harrier Threat Response Plan. As set out in Regulation 39(7), Threat Response Plans are intended to set out the actions that are required of public authorities for its implementation. Hence, the following table identifies those public authorities who are responsible for the implementation of each action. As noted earlier in the report, collaboration with non-governmental stakeholders will be key to its delivery but these are not identified below, because of this specific requirement of a Threat Response Plan.

The actions are divided into a number of categories – Overarching and Cross-Cutting, Forestry, Agriculture, Wind Energy Development, Plan Mitigation, Review and Update.

In Sections 7.2 and 7.3 (agriculture and forestry actions), the actions for each sector are set out in a predominantly (but not entirely) sequential manner setting out actions to be targeted at the breeding Hen Harrier SPAs, the wider countryside where Hen Harrier breeds, and the wider countryside where it overwinters, building conservation action outwards from the SPAs.

7.1 Overarching and Cross-Cutting Actions

Action		Public Authority	Timeline
Topic	**Continuation of national surveys to ensure fit for purpose data**		
Issue	Contemporary data on the Hen Harrier at the national level is required to put in context the relative importance of site level populations and to report on Birds Directive implementation.		
CC1	Continue to undertake national Hen Harrier surveys at regular intervals (currently 5 yearly intervals)	NPWS	2027
CC2	Establish a Data Group to improve safe and secure levels of access to data to better inform decision-making	NPWS	2024
Topic	**Conservation Objectives**		
Issue	A national conservation objective for the Hen Harrier will help to more fully inform appropriate assessment of plans and projects and to identify the necessary conservation measures for the species. These will take into account the best available scientific information. An all-island conservation objective would be of value to increase the species' resilience.		
CC3	Prepare and publish a national conservation objective for the Hen Harrier	NPWS-DHLGH	2025
CC4	Explore the establishment of an all-island conservation objective with Northern Ireland	NPWS-DHLGH	2025
CC5	Review the SSCOs with a view to updating them, in light of HHP research outputs and other research, as relevant, following the mid-term review of the Plan	NPWS-DHLGH	2026
Topic	**Minimising impacts on Hen Harrier outside of the breeding season**		
Issue	Further dedicated work to gain a better understanding on the ecology of Hen Harrier outside of the breeding season is needed, and the impact of various pressures and threats. NPWS has supported a PhD to contribute to this understanding, completed in 2022 and publications are in train.		
CC6	Attain more comprehensive and centralised knowledge on the characterisation and distribution of roost sites and wintering habitat use, through the commissioning of appropriate research.	NPWS	2024-2028

Topic	**Increasing knowledge of Hen Harrier habitat outside of the SPA network**		
Issue	The availability of a higher resolution habitat map for Ireland could inform Hen Harrier habitat suitability modelling work at the national level as well as the production of more robust assessments and spatial planning.		
CC7	Review the National Landcover Map and identify its usefulness for habitat suitability modelling, spatial planning for the purposes of this Plan.	NPWS	2024
Topic	**Establishing a mechanism to deliver integrated management of the Hen Harrier SPAs**		
Issue	The threats and pressures facing the Hen Harrier are complex and interlinked. Many authorities hold decision-making responsibilities that can and may affect the integrity of the sites. The IDSG and other bodies with oversight for the implementation of the Birds and Habitats Directives will explore the most appropriate mechanism for achieving integrated management of the sites, in order to achieve their conservation objectives. A clear timeline for delivery is difficult to identify, as the precise mechanism required is not yet clear.		
CC8	Identify the most appropriate mechanism for the delivery of integrated management of the Hen Harrier SPAs, and take steps to implement same.	IDSG	2024-2028
Topic	**Explore opportunities for collaboration to facilitate restoration of the Hen Harrier SPAs**		
Issue	In order to restore the Hen Harrier population, relevant authorities and stakeholders will need to come together to collaborate. This will need to occur, independently of the action above, as that may take more time to deliver. Opportunities for collaboration with the Just Transition Wetlands Restoration programme, and NPWS Blanket Bog Restoration Programme will be explored. Opportunities will also be explored with Coillte, specifically with regard to the Slieve Blooms.		
CC9	Explore opportunities for collaboration to facilitate restoration of the Hen Harrier SPAs.	IDSG Consultative Committee	2024-2028

Topic	**Integrate Hen Harrier conservation requirements into national policies and programmes**		
Issue	Hen harrier conservation needs to be integrated into broader national policies, plans and programmes as they are developed in order to be achieved, given the nature of its distribution and behaviour. Due to its nature, this action does not have a specific timeline but needs to be achieved as these policies, plans and programmes are developed and so is subject to their timelines.		
CC10	Ensure the objectives of the Hen Harrier Threat Response Plan are integrated into the Land Use Review and the National Restoration Plan, and others as relevant.	IDSG and relevant Departments	2024, 2025, 2026
Topic	**Research**		
Issue	An ongoing research programme is required to expand the knowledge base and to underpin Hen Harrier conservation measures, as well as future updates to this Plan. A number of research needs are set out in the Sectoral Actions below and research capacity needs to be built and strengthened to ensure knowledge gaps are filled.		
CC11	Develop research agreements with academic institutions to build Hen Harrier research capacity.	NPWS	2024, 2025, 2026, 2027
Topic	**Other Pressures and Threats**		
Issue	Other pressures and threats may influence the conservation status of the Hen Harrier, and these should be kept under review in order to ensure the recovery of the species and the success of the Threat Response Plan. NPWS will continue to review the ongoing pressures, including recreation, and those identified through the national and other surveys, and define actions that may be taken to address them, in consultation with IDSG members as relevant. This may include, for example, incorporating relevant biodiversity considerations into outdoor recreation strategies (see NBP Action 3B1).		
CC12	NPWS to review the pressures and threats, specifically recreation, identified in the consultation process and 2022 survey and identify follow-on actions that may be required.	NPWS, in consultation with other public authorities as relevant	2024-2025

7.2 Agriculture

Action		Public Authority	Timeline
Topic	**Agricultural lands, eligibility and the Birds Directive**		
Issue	Heather, rush and scrub are among the most important habitats for Hen Harrier. However, the eligibility of such land for entry to the Basic Payment Scheme (and subsequently ANC and GLAS) in the past has been problematic. In addition, many landowners have cleared or burned extensive areas of such habitats to maximise eligibility for payments.		
AG1	Monitor the effectiveness of the new rules in ensuring landscape features (that are typically beneficial for Hen Harrier) are supported throughout the CAP Strategic Plan 2023-27.	DAFM, NPWS and Co-operative Projects	2023-2027 (CSP duration)
AG2	Continue to engage and communicate with farmers (e.g. via farm advisors) on the year-round ecological needs of Hen Harrier for nesting, roosting and foraging.	DAFM, NPWS and Co-operative Projects	2023-2028
Topic	**Conserving Hen Harrier breeding habitat within and outside the SPA Network through an appropriate agri-environment scheme**		
Issue	GLAS aimed to encourage farmers to farm in an environmentally friendly manner, through annual payments. This included the management of lands for the benefit of prioritised habitats and species. The current Agri-Climate Rural Environment Scheme (ACRES) 2023-2027, and specifically the Co-operation Projects (CPs) within defined high priority geographical areas, offer results based payments for supporting actions for priority habitats and species, including Hen Harriers, where appropriate. The ACRES CPs are the most significant agri-environment scheme (in terms of potential overall area) that can deliver positive impacts at the population level.		
AG3	Maintain, improve and expand the existing suitable Hen Harrier habitat within and outside the breeding SPAs by expanding on the experience gained by the NPWS Farm Plan Scheme, GLAS and in particular the Hen Harrier Programme in the CAP programme post 2022 (i.e. ACRES CPs).	DAFM, Support: NPWS	2023-2027 (CSP dates)

AG4	Continue to provide incentives, awareness and education to support areas where habitat is suitable for Hen Harrier, particularly in the Hen Harrier SPAs, focusing on ecological and/or environmental challenges and delivering effective, results-based and long-lasting improvements.	DAFM, Support: NPWS	2023-2027 (CSP dates)
AG5	Continue consultation with stakeholders to identify opportunities for support under the CAP Strategic Plan 2023-2027.	DAFM, Support: NPWS	2023-2027 (CSP dates)
AG6	Undertake an end-of-cycle critical assessment of the efficacy of the Hen Harrier Programme with a view to producing recommendations for Hen Harrier conservation, both inside and outside SPAs.	DAFM, Support: NPWS	2024
Topic	**EIA (Agriculture) Regulations 2011 (as amended) and the protection of habitat within the SPA Network**		
Issue	Under these Regulations, where it is intended to undertake one of the three regulated on-farm activities and where the proposed works exceed a specific threshold, or where the activity is likely to have a significant effect on a European site, an application to DAFM for screening must be submitted. Due to the relatively recent pressure on habitats in relation to the interpretation of Pillar I eligibility criteria, assessment of cumulative impact of individual cases along with sub-threshold activities is constrained by available relevant data. It is also an action in the 4th National Biodiversity Action Plan for DAFM to complete a review of the EIA (Agriculture) Regulations in 2024 which provides an opportunity to strengthen their implementation.		
AG7	Update the NPWS breeding Hen Harrier SPA habitat map (or taking a statistically robust subsampling approach to the SPA Network) based on most up-to-date aerial images to determine changes in the gross availability of habitats through time.	NPWS	2025
AG8	Use the NPWS breeding Hen Harrier SPA habitat maps as a significant resource when undertaking EIAs, and in reviews of agri-environment measures.	DAFM	2024, 2025, 2026, 2027
AG9	Seek to strengthen the implementation of the EIA (Agriculture) Regulations, which currently consider potential impacts on Natura sites, SSCOs and the status of relevant QIs and implement relevant changes to improve the process, where gaps are identified, as committed under Food Vision 2030.	DAFM	2024

Topic	Wider countryside breeding season measures (including non-designated regionally important breeding areas)		
Issue	The 2005 national Hen Harrier survey showed that the SPA network then supported over 60% of the national breeding population (Barton *et al*., 2006). The 2015 survey showed that the majority of breeding birds then occurred outside of the network. In 2022, the six breeding SPAs held just 41% of the national population, with the consequence that the protection of birds in the wider countryside is increasingly important for the conservation of this species. There is insufficient data available to examine if the cumulative impact of sub-threshold agricultural activities is having a significant negative impact on the Hen Harrier population.		
AG10	When building on existing Hen Harrier supports (see AG4), include those non-designated regionally important breeding areas that are currently targeted for ACRES CP measures (where still relevant, based on the most up-to-date available information).	DAFM, Support: NPWS	2024, 2025, 2026, 2027
AG11	Continue to support non-designated regionally important breeding areas outside of SPAs through appropriate and targeted Agri-Environmental Schemes (i.e. under ACRES CPs).	DAFM, Support: NPWS	2024, 2025, 2026, 2027
AG12	Ensure that the conservation requirements of Hen Harrier are taken into consideration in the development of measures for commonage areas within the CSP.	DAFM, and Co-operative Projects Support: NPWS	2024, 2025, 2026, 2027
AG13	Using most recent national survey results, continue to update the “non-designated regionally important breeding areas” outside the SPA Network.	NPWS	2024 and subsequent to each national survey
AG14	Estimate the rate of change of Hen Harrier breeding habitat caused by intensification of farming and scrub removal in non-designated regionally important breeding areas (to be done in tandem with the AG7 on the Hen Harrier habitat map)	NPWS	2025

Topic	Wider countryside wintering season measures		
Issue	It is evident that there is very high mortality of birds over their first winter, which has implications for the overall viability of the national population. There is a pressing need to support Hen Harriers during August-March, both in terms of direct protection from damaging activities and supportive conservation actions. In the 5th Nitrates Action Programme (NAP) and the Straw Incorporation Measure, sufficient uncultivated cover must be retained through the winter period to support seed-eating birds, their predators (e.g. Hen Harrier) and mitigate against any potential adverse impacts on biodiversity. Any measure(s) introduced must seek to avoid any adverse impacts on either water quality or biodiversity.		
AG15	Informed by DAFM stakeholder consultation, pursue the opportunity to include a specific themed call for non-breeding Hen Harrier within the EIP model.	DAFM Support: NPWS	2024, 2025, 2026, 2027
AG16	With respect to the 5th NAP, a National Expert Group will review practices and outcomes from research such as the Agri-Birds project, and advise the Minister on the most appropriate measure(s) to support seed-eating birds during the winter period while also mitigating any potential adverse impacts on water quality, in this instance.	DAFM, DHLGH, Support: NPWS, Teagasc	2024, 2025, 2026, 2027
Issue	There is a knowledge deficit in regard to land use and how this affects survival of Hen Harrier outside the breeding season. A focused programme of work including research on the ecology of wintering Hen Harrier using satellite-tracking technology and continued monitoring of the population was undertaken, but further research is required.		
AG17	Carry out research to build on existing research and surveys to improve understanding and provide more robust data on: a) the population dynamics of Hen Harrier in Ireland, including juvenile overwinter survival rates and population trends. b) how the species uses the agricultural landscape and how the constituent agricultural activities (e.g. intensification, changing patterns of cereal farming, scrub clearance) are impacting on the conservation status of Hen Harrier in Ireland. c) improving the evidence base to inform future habitat management measures and agri-environment prescriptions that would lead to positive impacts at the population level. d) the degree of risk of secondary poisoning of harriers by rodenticides.	NPWS	2024, 2025, 2026, 2027

7.3 Forestry

Topic	Optimising the extent and increasing the quality of breeding habitat in the SPAs		
Issue	Projections show that the extent of forest areas potentially used by Hen Harrier during the breeding season will continue to decline within all SPAs over the coming years, due to (inter alia) forest maturation. An appropriate long-term forest management strategy covering all six SPAs is therefore required in order to reduce the impact of the closed canopy forest bottleneck, to increase the quality of foraging resources within the forest estate, to promote habitat linkage and to reduce the risks of depressed breeding productivity rates. DAFM recognises that open moorland is prime Hen Harrier habitat and is committed, for Hen Harrier conservation purposes, to reducing forest cover and thereby increasing habitat area and creating linkages within between open areas in the SPAs.		
F1	Identify and critique methods to reduce the forest maturation bottleneck, including premature felling, delayed replanting and targeted forest removal, to produce an appropriate set of options to be employed in the long-term forest management strategy for Hen Harrier SPAs.	DAFM-Forestry, Coillte Support: NPWS	2024
F2	For each SPA, update the work of the NPWS Hen Harrier Habitat Mapping Project, with maps of the forest areas including key forest parameters such as location, ownership, age.	DAFM-Forestry Support: Coillte	2024, 2025
F3	Informed by the mapping work, the existing forest inventory information and other relevant sources, identify the strategic areas in the SPA network where maintenance/achievement of the appropriate age structure, reduction of the forest footprint and application of appropriate follow-up management are most likely to bring conservation benefits for breeding Hen Harrier, in terms of breeding sites, increased foraging efficiencies and linkages, and reduced potential risk of nest predation events.	DAFM-Forestry and Coillte Support: NPWS	2024, 2025, 2026
F4	In light of Actions F2 and F3, engage with Coillte to develop a plan for managing their estate within each Hen Harrier SPA, in line with the requirements of the SEA, Birds and Habitats Directives, utilising the options identified in Action F1.	DAFM-Forestry and Coillte Support: NPWS	2024, 2025, 2026, 2027, 2028

F5	Assessment of applications for private felling licences will take into account the results of Action F3.	DAFM-Forestry Support: NPWS	2024, 2025, 2026, 2027, 2028
F6	Informed by ongoing research and trialling, amend the Coillte plan for each SPA where necessary, to optimise outcomes for Hen Harrier.	Coillte and DAFM-Forestry	2024-2028
F7	Informed by ongoing research, desk-review and trialling, the management prescriptions for felling and reforestation will be reviewed, and if necessary, updated, including the introduction of setbacks and open spaces for biodiversity, water protection and other sensitivities, with a view to improving or increasing Hen Harrier breeding habitat.	DAFM-Forestry Support: Coillte	Pending publication of relevant research
F8	Promote the application of these management measures for uptake in areas earmarked for reforestation within the SPAs.	DAFM-Forestry Support: Coillte	When forestry decisions are made
F9	Develop and implement a programme of targeted forest removal in the SPAs focused on strategically important areas for Hen Harrier, adjoining open moorland habitat and elsewhere to expand and link prime Hen Harrier habitat.	DAFM-Forestry and Coillte Support: NPWS	2024, 2025, 2026, 2027, 2028
F10	Analyse Hen Harrier habitat mapping and Coillte's inventory to identify SPA forest areas for removal, as well as through workshops that will scrutinise the available spatial data at an appropriate scale and propose optimal management measures.	DAFM-Forestry and Coillte Support: NPWS	2024, 2025, 2026, 2027, 2028
F11	Facilitate the permanent forest removal referenced above within the context of overriding environmental considerations, as set out in Section 5.2 of the DAFM-Forestry Felling & Reforestation Policy document	DAFM-Forestry and Coillte Support: NPWS	2024, 2025, 2026, 2027, 2028
F12	DAFM-Forestry, following consultation with NPWS-DHLGH, will not impose a replanting obligation on the forests referenced above in the SPAs, to facilitate such measures.	DAFM-Forestry and Coillte Support: NPWS	2024, 2025, 2026, 2027, 2028
F13	Define areas that have a higher likelihood of containing nesting Hen Harrier (HLNAs), using the most recent available survey data and to inform Action F14.	NPWS	After each national survey, or annually if annual data available

F14	Continue to minimise the impacts of forestry-related disturbance operations in sensitive breeding areas of the SPA, through appropriate procedures.	DAFM-Forestry Support: Coillte, NPWS	2024- 2028

Topic	**Wider Countryside Breeding Measures**		
Issue	Based on 2005 survey data, the SPA network supported over 60% of the national breeding population of Hen Harrier. In 2015, the population proportion was greater outside the SPA network than within, with the consequence that the 'Wider Countryside' element is becoming more relevant to the conservation of this species at the national scale. In 2022, the 6 breeding SPAs held just 41% of the national population. During the non-breeding season, Hen Harrier roosts and forages over areas across Ireland in both designated and undesignated habitats.		
F17	Ensure that procedures are in place to minimise disturbance that may be caused by forestry-related activities to nesting Hen Harriers within non-designated regionally important breeding areas.	DAFM-Forestry Support: NPWS, Coillte	2024-2028
F15	Within non-designated regionally important breeding areas, assess felling applications with a view to improving Hen Harrier breeding habitat.	DAFM-Forestry	2024-2028
F16	Extend relevant restructuring and design measures regarding reforestation (including the strategic use of setbacks and open space) to forests within non-designated regionally important breeding areas.	DAFM-Forestry Support: NPWS, Coillte	2024-2028
Topic	**Wider Countryside Non-breeding Measures**		
Issues	During the non-breeding season, Hen Harrier roosts and forages over areas across Ireland in both designated and undesignated habitats.		
F18	Obtain data on locations of important Hen Harrier winter roost sites	DAFM-Forestry	2024-2028
F19	Using data obtained through F18, avoid the afforestation and disturbance of important winter roost sites.	DAFM-Forestry Support: NPWS	2024-2028

F20	In line with Action F2, publish peer-reviewed research on the ecology and population dynamics of Hen Harrier during the non-breeding / overwintering period in Ireland.	NPWS and collaborators	As research is completed
F21	Informed by Actions AG17 and F20, support research/study on the potential impacts of land use change (including but not only afforestation) on the harrier's overwinter foraging resources.	DAFM-Forestry, DAFM-Agri and NPWS	2024 -2028

7.4 Wind Energy

Action		Public Authority	Timeline
Topic	**Informing assessment procedures with fit for purpose data**		
Issue	In order for wind energy development data from different developments to be comparable and aggregated for efficient strategic level analysis, the data collected needs to conform to particular standards. This would lead to an increase in the availability of comparable pre- and post-construction studies including carcass searches occurring across Ireland.		
W1	Produce and adopt best practice guidance documents in relation to Hen Harrier survey work in Ireland at appropriate scales to inform fit-for-purpose assessment processes and post-construction monitoring actions.	NPWS	2025-2026
Topic	**Improving access to data**		
Issue	Efficient access to project level assessment documentation (including pre- and post-construction monitoring data) would further help in the assessments of in-combination and cumulative effects on Hen Harrier populations. The development of a facility to receive, store and report out on suspected bird collisions could also be a useful resource with regard to providing data from both monitored (with formal carcass searches) and unmonitored (i.e. ad hoc carcass recoveries) wind energy development.		
W2	Inter-Departmental Steering Group to decide on an appropriate mechanism for the establishment and maintenance of a central repository for relevant reports in order to facilitate: - Identification of effective mitigation measures - Adaptive management and - Cumulative effects assessments.	IDSG Members	2024-2025

Topic	**Promoting effective cumulative level assessments, including collision risk modelling, at various scales**		
Issue	SEAI will maintain the Wind Atlas, a publicly available digital map of Ireland's wind resources, which includes data and spatial information regarding wind energy development Ireland. The Wind Atlas is underpinned by a spatial turbine database held by the SEAI, which includes data and spatial information on a turbine by turbine basis. To, inter alia, promote effective cumulative level assessments, including collision risk modelling at various scales, this database and maintained into the future through the addition of locations of recently developed turbines.		
W3	Continue to develop and maintain the Wind Atlas and turbine database of wind turbines in Ireland.	SEAI	2024-2028
Topic	**Efficacy of adaptive management measures, including for offsetting purposes**		
Issue	Many wind energy developments have a requirement for ongoing monitoring of their effects on protected habitats and species, and some undertake proactive habitat management measures, including for offsetting purposes. There are gaps in knowledge regarding the efficacy and impact of these techniques in managing the interaction of wind energy developments with Hen Harrier populations.		
W4	Review the efficacy of adaptive management measures, and offsetting, with respect to wind energy developments and Hen Harriers in Ireland.	SEAI Support: NPWS	2024-2028
Topic	**Robustness of Environmental Assessments**		
Issue	Wind energy policy statements, strategies or frameworks that are developed, and their associated necessary environmental assessments (i.e. SEA, AA), should reference and address the findings of this Threat Response Plans and the supporting report on Hen Harrier Conservation and the Wind Energy Sector in Ireland.		
W5	Have regard to the findings of this Plan and supporting reports in relevant environmental assessments (*e.g.* SEA, AA).	All relevant plan-making authorities	2024-2028

Topic	**Wind Energy Development Guidelines**		
Issue	Finalisation of the revised Wind Energy Development Guidelines following completion of its SEA and AA		
W6	Finalise and publish the Wind Energy Development Guidelines.	DHLGH	2024
Topic	**Early identification of potential problems**		
Issue	Pre-application discussions may be requested by applicants. The early identification of potential nature conservation conflicts including implications for non-designated regionally important breeding areas, may minimise cost and time implications for all parties. Requests for such meetings are at the discretion of the applicant.		
W7	Facilitate, where and when feasible, pre-application meetings when requested by developers.	NPWS	On request
Topic	**Collation of relevant planning documents**		
Issue	Several Local Authorities have developed wind energy strategies within the Local Authority Development Plan process that include defined areas where potential wind energy development may be favoured or not. A centralised web and GIS resource that collates such strategies and maps would be of value to accommodate any geospatial layer that is in the appropriate format, and into which, emerging data sets relating to birds, including Hen Harrier, can be integrated.		
W8	Inter-Departmental Steering Group to decide on an appropriate mechanism to establish and maintain a centralised web and GIS resource that collates local authority wind energy strategies and maps of areas where wind energy development may be less favoured.	IDSG	2025
Topic	**Promoting high quality assessments**		
Issue	Sectoral-specific guidance to inform the assessment of Hen Harrier with regard to proposed wind energy developments (including repowering) and the adoption of a tool-box approach to avoiding or offsetting negative impacts is warranted. Guidance should consider the implications of developments for SPAs and non-designated regionally important breeding areas.		

W9	Produce assessment guidelines for Hen Harrier and proposed wind energy development and repowering.	NPWS, DHGLH Support: SEAI	2025
W10	Liaise with Planning Authorities on the implications for Hen Harrier conservation objectives in view of proposals for re-powering of wind energy development.	NPWS	2024, and as applications arise

7.5 HHTRP Mitigation

Action		Public Authority
CC1–national surveys	Prior to any on-site Hen Harrier surveys, a desktop ecological review is conducted to understand which QIs/SCIs may experience disturbance by the proposed survey work through the movement of people and vehicles. Survey methodology for all Hen Harrier national survey, appended to SEA Environmental report, shall be followed. This includes standardised fieldwork methods, online workshops and avoidance of disturbance.	NPWS
CC6–winter roosts	Prior to any on-site Hen Harrier surveys, a desktop ecological review should be conducted to understand which QIs/SCIs may experience disturbance by the proposed survey work through the movement of people and vehicles. Survey methodology should be developed with safeguards in place to avoid the low-level disturbance that would result in adverse effects on a European site. A risk assessment method statement for researchers is to be agreed and signed off by NPWS prior to the facilitation of this action.	NPWS
AG4–incentives, awareness and education	Prior to the implementation of any projects and/or activities arising from this action, a desktop review of all available ecological information pertaining to any area identified as suitable for Hen Harrier is conducted. Prior to the implementation of any measures arising from this actions, the conservation objectives those QIs/SCIs is incorporated within any measures so as to achieve the objective of this action insofar as to avoid disturbance to QIs/SCIs, changes in hydrology, risk of sedimentation or pollution to watercourses.	Relevant public authority undertaking the activities
AG17–research	Prior to any on-site activities, a desktop ecological study of areas to be surveyed is conducted. The findings of such a desktop study shall inform the survey methodology and shall be conducted in favour of the conservation objectives of any European site that overlaps or is connected to an area identified for Hen Harrier survey. It shall be required that survey methodology is annually updated in keeping with best practice guidance, as necessary, to avoid disturbance	NPWS

7.6 Review and Update

Action		Public Authority	Timeline
Topic	**Monitoring, Reviewing and Updating the Threat Response Plan**		
Issue	Under Regulation 39, the Minister may establish a group for the monitoring, co-ordination, implementation and review of a threat response plan. It is proposed to continue the IDSG and Consultative Committee for these purposes, with updated terms of reference		
R1	The implementation of the Plan will be monitored and reviewed by the IDSG in consultation with the Consultative Committee.	IDSG	Annually
R2	A mid-term review of the Plan will be undertaken and actions *etc*. updated as necessary to respond to pressures and threats	IDSG	2026
R3	Integrate findings arising from future national Hen Harrier surveys into future iterations of this Plan/its successors.	IDSG	At review stages

Appendix 1. Threat Response Plans (Regulation 39 of the EC (Birds and Natural Habitats) Regulations 2011-2021)

Regulation 39 states that

(2) The Minister shall, where he or she considers it necessary for the purposes of meeting the objectives of the Birds Directive—

(a) pursuant to Article 2 of the Birds Directive, develop and implement a threat response plan or plans incorporating the requisite measures to maintain the population of one or more species of naturally occurring birds in the wild state at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level,

(b) pursuant to Article 3 of the Birds Directive, develop and implement a threat response plan or plans incorporating the requisite measures to preserve, maintain or re-establish a sufficient diversity and area of habitats for one or more species of naturally occurring birds in the wild state including the creation of protected areas, as appropriate, the upkeep and management in accordance with the ecological needs of habitats inside and outside the protected zones, the re-establishment of destroyed biotopes and the creation of biotopes, and

(c) in developing a threat response plan under subparagraphs (a) or (b), consult with any public authority that he or she considers likely to have a role in the development or implementation of such a plan.

(3) Public authorities shall, at the Minister's request—

(a) engage in consultations regarding the development and implementation of a threat response plan,

(b) provide such information as is relevant to the development and implementation of the threat response plan,

(c) exercise their functions relating to the development and implementation of the threat response plan insofar as the requirements of the Habitats Directive and Birds Directive apply to those functions, and

(d) co-ordinate their functions referred to in subparagraph (c) with other public authorities.

(4) The Minister may invite such persons or organisations as he considers appropriate to contribute to the development and/ or implementation of a threat response plan.

(5) Where appropriate, a threat response plan may be supported by sectoral incentive measures.

(6) A draft threat response plan shall be made available for public comment under Regulation 21 and, upon adoption, a threat response plan shall be made available to the public.

(7) For the purposes of this Regulation, a threat response plan shall—

(a) identify the actions required of public authorities for its implementation,

(b) specify timelines for the achievement of its objectives,

(c) specify a date for the publication of a review of the plan, and

(d) be published by the Minister on the Department's website in a readily accessible format.

(8) Notwithstanding Section 40 of the Principal Act, the Minister may, as part of a threat response plan, authorise the destruction of vegetation on uncultivated land at any time and Section 40(1) of that Act shall not apply in relation to any destruction of vegetation on uncultivated land so authorised.

(9) The Minister may establish a group of persons for the monitoring, co-ordination, implementation and review of a threat response plan.

Appendix 2. Terms of Reference for the Inter-Departmental Steering Group

The Department of Arts, Heritage and the Gaeltacht is developing a Threat Response Plan for Hen harriers in Ireland. The development of this Plan has been initiated under Regulation 39 of the European Communities (Birds and Natural Habitats) Regulations 2011, SI 477 of 2011. The Department, with input from other Departments, Agencies and Stakeholders, will draft the Hen Harrier Threat Response Plan for public consultation. The Department will be responsible for the final sign off and publication of the Threat Response Plan taking into account the views expressed in the public consultation process.

The Department has convened a Steering Group to assist in the development of the Plan. The roles of the Steering Group are to:

1. Advise the Department on the plan development process, in accordance with best practise and with the relevant legislation;
2. Ensure that all relevant aspects of the environment, including the interests of all stakeholders, are taken into consideration in the plan development process;
3. Support and facilitate the carrying out of the underlying ecological work programme, including the provision of advice and expertise to the Department and its advisers;
4. Consider and advise whether proposed management measures are sufficiently SMART (specific, measurable, achievable, realistic, timebound);
5. Review the draft Plan and public consultation responses;
6. Promote awareness of the Plan development process.

Appendix 3. Membership of the Hen Harrier Threat Response Consultative Committee

Consultative Committee as at January 2024

Kevin Collins	DAFM-Forestry
Caoimhin ONeill	DAFM_Forestry
Orla Fahy	DAFM-Forestry
Ted Massey	DAFM
Pamela Boyle	DAFM
Hannah Denniston	DAFM
Philip Newsome	DECC
Adam Fowler	DECC
John McCann	SEAI - Sustainable Energy Authority of Ireland
John Lusby	BWI - BirdWatch Ireland
Fintan Kelly	IEN - Irish Environmental Network
Elaine Mcgoff	IEN - Irish Environmental Network
Mechteld Schuler	ITGA - Irish Timber Growers Association
Fergal Monaghan	Hen Harrier EIP
John Landy	Coillte
Sakinah Brennan	Coillte
Aileen O Sullivan	Coillte
Tim Farrell	ICSA - Irish Cattle & Sheep Farmers Association
Eddie Punch	ICSA - Irish Cattle & Sheep Farmers Association
Mairead Longe	ICMSA - Irish Creamery Milk Suppliers Association
Eamonn Carroll	ICMSA - Irish Creamery Milk Suppliers Association
James Moran	GMIT - Galway-Mayo Institute of Technology
Brian Keville	WEI - Wind Energy Ireland (Formerly IWEA)
Noel Cunniffe	WEI - Wind Energy Ireland (Formerly IWEA)
Eabhin Byrne	WEI - Wind Energy Ireland (Formerly IWEA)
Lorcan O'Toole	IRSG Irish Raptor Study Group
Jason Fleming	IFA Forestry Committee chair
Denis Griffin	IFA Rural Development Committee
Geraldine O'Sullivan	IFA Environment Committee
Niamh Twomey	CCMA -County and City Management Association
Conor O'Sullivan	DHLGH - Planning
Andy Bleasdale	NPWS Chair
Cliona OBrien	NPWS
Sinéad Cummins	NPWS
Catherine Vernor	NPWS
Barry O'Donoghue	NPWS
Lorna Grehan	NPWS HHTRP Secretary

Appendix 4. Reports written and received during the TRP process

The following reports and submissions, amongst others, were considered in the development of the final Threat Response Plan:

- NPWS Published Reports
  - Republic of Ireland National Hen Harrier Survey 2010
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- *Forestry and Hen Harrier: Exploring Synergies*. Response of, Department of Agriculture, Food & the Marine- Forestry, to the report entitled *Hen Harrier Conservation and the Forestry Sector in Ireland*
- Forest Sector Response to the NPWS Draft Document *Hen Harrier Conservation and the Forestry Sector in Ireland*
- ICMSA Comments on the *Hen Harrier Conservation and the Agricultural Sector* and the *Forestry Sector reports* in Ireland
- ICSA Submission on *Hen Harrier Conservation and the Agriculture Sector in Ireland*
- IFA Response to the *Hen Harrier Conservation and the Agricultural Sector in Ireland*
- *Hen Harrier Conservation and the Forestry Sector in Ireland*. Response by Irish Raptor Study Group.
- Report by the Joint Oireachtas Committee on Agriculture, Food and the Marine on *Designation of lands as Special Protection Areas for the conservation of breeding Hen Harriers*
- *Hen Harrier Conservation and the Forestry Sector in Ireland* – Statement on behalf of the Environmental NGOs
- Submissions from Consultative Committee members, January and February 2022
- Responses received to the Public Consultation undertaken in 2024.

Other Relevant Publications

- A national survey of breeding hen harriers in Ireland
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- "Mismatches between breeding success and habitat preferences in Hen Harriers *Circus cyaneus* breeding in forested landscapes" (further details below)
    - Wilson, M. W., O'Donoghue, B., O'Mahony, B., Cullen, C., O'Donoghue, T., Oliver, G., Ryan, B., Troake, P., Irwin, S., Kelly, T. C., Rotella, J.J. and O'Halloran, J. (2012). Mismatches between breeding success and habitat preferences in Hen Harrier *Circus cyaneus* breeding in forested landscapes. *Ibis* **154**: 578-589.
- "Reproductive output of Hen Harriers *Circus cyaneus* in relation to wind turbine proximity" (further details below) [16]
    - Fernández-Bellon, D., Irwin, S., Wilson, M. and O'Halloran, J. (2015). Reproductive output of Hen Harriers *Circus cyaneus* in relation to wind turbine proximity. *Irish Birds*. **10**: 143-150.
- WINDHARRIER Final Project Report (further details below)
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- Sheridan, K., Monaghan, J., Tierney, T.D., Doyle, S., Tweney, C., Redpath, S. M., & McMahon, B.J. (2020) The influence of habitat edge on a ground nesting bird species: Hen Harrier *Circus cyaneus*. *Wildlife Biology*, (2) 1–10.

[16] Further information on research by UCC was presented orally at the Consultative Committee meeting on 2nd March 2016

Appendix 5. Recommendations of the Joint Committee on Agriculture, Food and the Marine

The Joint Committee on Agriculture, Food and the Marine published a report on the designation of lands as SPAs for the conservation of breeding Hen Harriers in 2015. Its recommendations are as follows:

	JOC Recommendation
No. 01	The Committee considers that the obligations imposed on the Hen Harrier SPA farmers effectively make them 'custodians of the environment', and therefore recommends that this principle be accepted so that the farmers are paid for carrying out this duty.
No. 02	The Committee recommends that a separate, dedicated payment program be established for the purposes of financing a Hen Harrier SPA scheme. These payments should be framed as payments to farmers for work carried out on their land to protect the Hen Harrier, as well as compensatory payments for being debarred from conducting traditional agricultural activity. The work carried out by farmers to maintain the designated areas in favourable condition for the Hen Harrier is for the public good.
No. 03	The Committee recommends that payments apply only to the curtailment of current or past activities and current or past income foregone. Payments should not apply to potential or future income.
No. 04	The Committee does not recommend that payment be made for failure to secure planning permission or a grant for new development.
No. 05	The Committee believes that the LAES is not the proper vehicle for the Hen Harrier SPA network, which needs one countrywide solution. Furthermore, the €70 million budget allocation for the LAES programme would not be sufficient, when shared with Burren and Fresh Water Pearl Mussels projects over the period of the current RDP round.
No. 06	The compensation scheme proposed for farmers with Hen Harrier SPAs should be a long term scheme and not tied to the EU financing cycles, which normally last 7 years.
No. 07	The Committee recommends that the RDP Axis 2 scheme for ANC (formerly known as DAS and LFA) be examined as a potentially suitable vehicle for a Hen Harrier SPA Scheme subsidy. The rate of payment from the ANC Scheme should be relative to the constraint imposed and there should be no hectarage limit to the eligibility of the designated land under the scheme.
No. 08	The Committee notes that funds secured under the RDP 2007-2013 were re-allocated over time. The Committee therefore recommends that re-allocation of funds under the current RDP be examined to alleviate the Hen Harrier difficulties.
No. 09	The Committee recommends that farmers and farming groups be more involved in the entire process of protecting the Hen Harrier.

No. 10	The NPWS under the Department of Arts, Heritage and the Gaeltacht should be the lead department for any national Hen Harrier scheme and there should be constant co-operation between the different relevant departments. DAHG should be responsible for ensuring adequate pay out to farmers to ensure proper protection and maintenance of the habitat.
No. 11	The Committee recommends implementing a consistent monitoring system to evaluate how the management of the Hen Harrier SPA network has been working thus far, and to ascertain whether the desired conservation outputs are being achieved.
No. 12	The Committee recommends that the relevant bodies conduct Hen Harrier population surveys at regular intervals.
No. 13	The Committee recommends that an optimum time scale must be estimated for re-instating the Hen Harrier population, in order to set the duration on a Hen Harrier SPA subsidy scheme.
No. 14	The length of time of any scheme aiming to protect the Hen Harrier must be clear and definite and should be devised in consultation with ornithological experts to ensure that any such schemes will benefit the Hen Harrier.
No. 15	The Committee recommends that new methods of thinning, harvesting and rotation be adopted to reduce the extent of closed canopy areas.
No. 16	The Committee recommends that an impact assessment report be conducted in ascertaining the effect of the increasing rate of windfarm development in upland areas.
No. 17	The Committee recommends that the possibility of a tax credit scheme be explored in order to restore appropriate land value to designated land and therefore facilitate land mobility.
No. 18	The Committee recommends that the effect of designation on eligibility for agricultural relief be examined and appropriate steps be taken to ensure that farmers are not disadvantaged by designation in qualifying for agricultural relief on land transfer. This would be of particular assistance in cases of inheritance.

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