

Overview of Objection

I am submitting an objection to the proposed Cooloo/Barnaderg Wind Farm Project on the basis of standing EU and Irish legislation which protects vulnerable wildlife habitation in the Cooloo/Barnaderg Wind Farm targeted area. Three species, The Barn Owl, Pine Martin and Red Squirrel are selected for this purpose but there are several other species like the Atlantic Salmon, Irish Hare, Irish Common Frog and the Irish Smooth Newt that could have been included - all native species, all present in the targeted area and all protected under the Fifth Schedule of the Wildlife Act, EU Habitat Directive and the Bern Convention.

Barn owl

- The barn owl is on the **Red List of Birds of Conservation Concern** in Ireland, indicating it is a high conservation priority.
- Under the **EU Birds Directive**, Ireland is committed to protecting all wild birds. This directive is implemented through national legislation (**The Wildlife Amendment Act 2000 and the Wildlife Acts 1976-2018**), and legal protection is provided for all wild birds, including their nests, eggs, and young. These laws make it a specific offense to disturb a barn owl at its nest site or while breeding.
- This species is Red-listed according to Birds of Conservation Concern in Ireland 2020-2026 (<https://birdwatchireland.ie/publications/birds-of-conservation-concern-in-ireland-bocci-2020-2026/>) and is of high conservation value as a result. There is scarce residence in Ireland mainly in central and southern Ireland. The species no longer breeds in large patches of northern, western and eastern Ireland. The Barn Owl is **Red-listed in Ireland** due to a significant decline in the breeding population. The European population is currently evaluated as Declining.
- The studies also highlight that Barn Owls require open foraging habitats, such as rough grassland, and that populations are recovering, with high site occupancy indicating a stable or increasing trend in certain areas. (www.birdwatchireland.ie)
- Open country: Barn Owls favour lowland farmland with good foraging opportunities.
- Rough grassland: Areas of rough, uncut grassland and bog are important as they support small mammals like voles, mice, and shrews, which are the primary food source for Barn Owls.
- **The Cooloo/Barnaderg Wind Farm incorporates several areas of significant Barn Owl Activity and Habitat, particularly in the Elmhill, Trasternagh, Cloonascragh and Cloondahamper district. Sightings are Common.**
- There is a need to protect and promote long-term occupancy habitats, highlighting the importance of protecting any established areas. 2023 was the best breeding

season on record (<https://birdwatchireland.ie/>) surpassing previous highs for breeding productivity and the number of breeding pairs monitored.

- **Disruption of habitat and construction of wind turbines is incompatible to sustaining the presence and success of Barn Owl habitation in the area.**
- Barn owl breeding season typically runs from late winter (February-March) to early summer (June-July), with a longer potential season from around March to August or October. <https://www.barnowltrust.org.uk/barn-owl-facts/barn-owl-nesting/>
- Under Irish and EU legislation it is an offense to disturb Barn Owl Habitat during the breeding season February - July

Pine Martin:

- This species is protected under both national and international legislation: EU Habitats Directive [92/43/EEC] Annex V; Wildlife Act, 1976; Wildlife (Amendment) Act 2000; Wildlife (N.I.) Order of 1985
- Prior to 1976, the pine marten was facing near extinction in Ireland, with a status of one of the country's rarest mammals.
- By the 20th century, it had disappeared from most of the island and survived only in a few isolated populations, primarily in the west. In 1976, Legal Protection under the Wildlife Act was introduced, marking the beginning of the recovery process. It has taken over 30 years to rescue this native species from status: near extinction to status: in recovery. From 2010s onwards, surveys showed the species is now recovering and re-colonising areas from which it had been absent for many years (<https://www.npws.ie/sites/default/files/publications/pdf/pine-marten-in-houses.pdf>).
- The legal protection has been a key factor in the species recovery.
- The proposed **Cooloo/Barnaderg Wind Farm** site incorporates a significant and established breeding habitat of the Pine Martin.
- Disruption to breeding cycles
The pine marten breeding season occurs from July to August, but the fertilized eggs do not implant and begin to develop until the following January, a process called delayed implantation. This delay ensures that the kits are born in late March or early April, when food is more plentiful, and the weather is warmer.
- Due to the risk of a female abandoning her kits if disturbed, no action should be taken to disturb or deter a pine marten from March to July while she rears her kits. Likewise, the breeding period of July to August must be safeguarded to allow this

native and previously **at risk of extinction species** to breed in order to sustain and safeguard Ireland's Pine Martin population

- Period of vulnerability due to habitat disruption:
- July to August (breeding)
- March to July (birthing and rearing of kits)
- According to the Population viability analysis (PVA) the Pine Martin Species status is in recovery and legally protected under Irish and EU law with the recommendations of sustainable solutions like the retention of favourable habit, non disturbance of fragile, unique bio-diverse areas and the protection of historical and populated Pine Martin habitats.
- PVA Study:
<https://www.npws.ie/sites/default/files/files/NPWS%20Biological%20Diversity%20web.pdf>
- National Biodiversity Plan 2023-2230:
[https://www.npws.ie/sites/default/files/files/4th National Biodiversity Action Plan .pdf#:~:text=Over%2020%25%20of%20assessed%20species%20in%20Ireland,of%20our%20native%20plants%20are%20in%20decline.](https://www.npws.ie/sites/default/files/files/4th%20National%20Biodiversity%20Action%20Plan.pdf#:~:text=Over%2020%25%20of%20assessed%20species%20in%20Ireland,of%20our%20native%20plants%20are%20in%20decline.)

Red squirrel

- The Red Squirrel is protected in the Republic of Ireland under the Wildlife Act 1976 and the Wildlife (Amendment) Acts of 2000 and 2010.
- Five Red Squirrel Preferred Areas (RSPAs) were identified in an earlier Red Squirrel Action Plan for Northern Ireland (McGhie and Milburne, 2000). Each preferred area comprises core conifer-dominated woodland with a mixture of age classes and species together with some berry-bearing shrubs to ensure a continuous food supply. The surrounding buffer zone is either coniferous woodland or non-squirrel habitat such as **agricultural land** or **open moor**, with limited opportunities for grey squirrel incursions. The **proposed Cooloo/Barnaderg Wind Farm** area contains a majority of habitat that ideally provides a successful and sustainable habitat for the Red Squirrel.
- **There are Red Squirrels currently present in this area.**
- Disturbance - the use of parts of the forest resource, including standing forest clearances for temporary and/or permanent road works to site access will inhibit red squirrels from exploiting existing areas of woodland.
- The red squirrel is protected under Schedule 5 of the Wildlife (Northern Ireland) Order 1985 and is protected under the Fifth Schedule of the Wildlife Act 1976 and the Wildlife (Amendment) Act 2000 in the Republic of Ireland.

- The species is also on Schedule III of the Berne Convention. In Northern Ireland, occupied red squirrel habitats are protected under the Wildlife Order.
- While in the Republic it is not an offence to interfere with Red Squirrel breeding dreys (nesting) while engaged in forestry (<https://teagasc.ie/crops/forestry/advice/management/construction-of-forest-roads/>), this **does not apply to Wind Turbine construction**.
- **It is illegal** (strictly a liability offence) to wilfully interfere with or destroy breeding or resting places, which means **intent is not a requirement** and the onus is on the developer. (<https://www.irishstatutebook.ie/eli/2000/act/38/enacted/en/pdf>)
- Any construction through or alteration of existing forestry stands will need to be surveyed thoroughly and independently to better understand the impact such activity will have against the protected Red Squirrel habitat.

Conclusion:

I submit my objection to the Cooloo/Barnaderg Wind Farm Project under the pretence that it conflicts with several standing EU and Irish Laws that protect the wildlife habitat currently flourishing in the proposed area of the project. Most notably the presence of the "Red Listed" and "At Risk" Barn Owl and the disruption to breeding and habit that the construction and implementation of said wind turbines will produce.

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