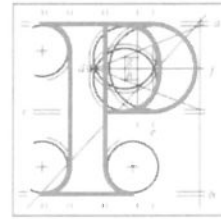


Our Case Number: ACP-324410-26



An
Coimisiún
Pleanála

BirdWatch Ireland
Unit 20 Block D
Bullford Business Campus
Kilcoole
Co. Wicklow
A63 RW83

Date: 01 October 2026

Re: Proposed West Clare Railway Greenway Section 1: Kilrush to Kilkee Project
Kilrush to Kilkee via Moyasta, Co. Clare

Dear Sir / Madam,

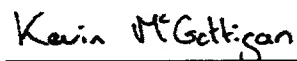
An Coimisiún Pleanála has received your recent submission (including your fee of €50) in relation to the above-mentioned proposed road development and will take it into consideration in its determination of the matter.

Please note that the proposed road development shall not be carried out unless the Commission has approved it or approved it with modifications.

If you have any queries in the meantime, please contact the undersigned officer of the Commission at laps@pleanala.ie

Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,



Kevin McGettigan
Executive Officer
Direct Line: 01-8737263

HA02

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Láithreán Gréasáin
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Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



An
Coimisiún
Pleanála

SID Online Observation

Online Reference
SID-OBS-006131

Online Observation Details

Contact Name
Oonagh Duggan

Lodgement Date
30/09/2026 22:52:27

Case Number / Description
324410

Payment Details

Payment Method
Online Payment

Cardholder Name
Oonagh Duggan

Payment Amount
€50.00

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—

Reason for Refund

Documents Returned to Observer

☐

Yes

☐

No

Request Emailed to Senior Executive Officer for Approval

☐

Yes

☐

No

Signed

EO

Date

Finance Section

Payment Reference

ch_3ULVQNB1CW0EN5FC0Fq4lmO7

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board
Member

Date

Date



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An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1, D01 V902

September 30th 2026

Ref: ACP 324410-26 - West Clare Greenway – Kilrush to Kilkee

To Whom It May Concern:

BirdWatch Ireland sends this submission in relation to the planning application for the Kilrush to Kilkee section of the West Clare greenway.

As an organisation we firmly support government policies to develop safe cycleways and walking routes not only for the health benefits and enjoyment but also to assist in modal switch away from car use. In addition, we see and acknowledge the tourism benefits of greenways for often remote areas.

We are however extremely concerned with the identification of greenway routes in close proximity or adjacent to important areas for birds or in this case through a Special Protection Area for birds. There is relentless project, policy and legislative pressure on wild birds that is increasing in depth and breadth. Ireland has legal obligations under the Birds and Habitats Directives to protect wild birds and to prevent disturbance to birds. Positive initiatives such as greenways should not be pitted against protected areas for birds but time and time again they are.

Under Article 4(7) of the Nature Restoration Regulation, Ireland is legally obliged to “put in place restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in Annexes II, IV and V to Directive 92/43/EEC and **of the terrestrial, coastal and freshwater habitats of wild birds falling within the scope of Directive 2009/147/EC** that are, in addition to the restoration measures referred to in paragraphs 1 and 4 of this Article, necessary to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

The concerns of BirdWatch Ireland in this submission pertain to the wild bird species impacted by the proposed greenway development. The greenway is proposed to follow an existing railway line from Kilrush to Kilkee flanking and going through Poulunasherry Bay which is part of the River Shannon and River Fergus Estuaries SPA. This SPA is the most important wetland in the country for waterbirds but there are other bird species in the vicinity also which are of concern.



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The Nature Restoration Regulation

The Environmental Impact Assessment for the proposed development outlines the Do Nothing Scenario if the proposed development does not proceed, as follows.

“If the proposed development does not proceed, there will be no loss of habitats. The baseline environment, as described, would continue in line with trends, and without the proposed development, impacts including habitat loss, human disturbance and habitat degradation would not occur”.

This scenario does not take into account Ireland’s legal obligations under the Nature Restoration Regulation to restore habitats and species. These include Article 4(7)

Member States shall put in place restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in Annexes II, IV and V to Directive 92/43/EEC **and of the terrestrial, coastal and freshwater habitats of wild birds falling within the scope of Directive 2009/147/EC (Birds Directive) that are, in addition to the restoration measures referred to in paragraphs 1 and 4 of this Article, necessary to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.**

The state is currently developing a national Nature Restoration Plan to achieve the objectives of the Regulation (20% of land and sea restored by 2030, 60% by 2040 and all habitats by 2050). It is a requirement that Natura 2000 sites are the first focus of a national plan out to 2030 (and likely beyond considering how timelines have slipped). The Do Nothing (No Greenway) Scenario doesn’t take into account other positive actions which should occur.

Waterbirds of Poulfnasherry Bay

The River Shannon and River Fergus Estuaries SPA is designated for non-breeding waterbirds and wetlands.

The EIAR section of the planning documents outlines the frequency of wintering waterbird surveys. It states “Monthly wintering bird surveys were carried out between November 2021 and March 2022, October 2022 and March 2023, February 2023 and March 2024, and October 2025 to March 2026.” No surveys were undertaken during September. I-WeBS methodology was cited as a reference, but the I-WeBS methodology states that, “*sites should be counted once every month between September and March*”¹. The priority period for counts is September to March as this encompasses the main months when peak numbers of most species occur in

¹ BirdWatch Ireland (2022). IWeBS Counter Manual available here <https://birdwatchireland.ie/publications/i-webs-counter-manual/>



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Ireland. The I-WeBs methodology was not accurately followed, and this is important considering that September is still a busy month for recreation and tourism and because greenway construction is proposed to be undertaken during that time.

The Site Synopsis for the River Shannon and River Fergus Estuaries SPA, states that ***“Apart from the wintering birds, large numbers of some species also pass through the site whilst on migration in spring and/or autumn”***. April/May and August/September periods should also be surveyed as any proposed greenway is likely to be open year-round.

Redshank (*Tringa totanus*) [A162], is a wintering waterbird and Qualifying Interest for the River Shannon and River Fergus Estuaries SPA. They peak in early autumn, when Ireland hosts three subpopulations of Redshank – resident, winter visiting and passage migrant birds². Failing to survey the migration period which includes September may underestimate the impact posed to QI species Redshank.

Peak survey counts for Redshank are presented in Table 2-5 in the Natura Impact Statement and highlight how the counts exceeded the 1% national threshold for each survey period.

High Tide Roosts

Data from the River Shannon and River Fergus Estuaries SPA Conservation Objectives Supporting Document 2011³ in Figure 1 shows the importance of sites along the proposed route as high tide roosting areas for waterbirds. 396 birds (including several Species of Conservation interest Cormorant(CA), Curlew(CU), Greenshank(GK), Grey Plover(GV)), Light-bellied Brent Goose (PB), Redshank(RK), Shelduck(SU), occurred in this subsite (0H520-Poulnasherry Inner Bay though incorrectly identified in the reference doc as 0H519 as noted by the greenway consultants) during roost counts. High tide roosts are important as these are spaces where birds can safely preen, rest and roost when there are high tides.

² <https://birdwatchireland.ie/birds/redshank/>

³ 2011 River Shannon and River Fergus Estuaries SPA Conservation Objectives Supporting Document (Appendix 9)https://www.npws.ie/sites/default/files/publications/pdf/004077_River%20Shannon%20and%20River%20Fergus%20Estuaries%20SPA%20Supporting%20Doc%20Appendix%209_V1.pdf



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River Shannon and River Fergus Estuaries

Summary data and roost location maps from the roost survey (24th and 25th February 2010)

The table and accompanying maps summarise data collected from the roost survey. Please see Sections 5.3.1 and 5.3.2 in the main Conservation Objectives Supporting Document for further details on methods/limitations.

River Shannon and River Fergus Estuaries - Roost Summary Table

Subsite	Count	No. Locations	No. Species	Species	Map No.
OH418	250	12	5	BH, CU, RK, T, WN	7
OH419	226	9	8	BH, CU, T, SU, MA, WN, L, RK	7
OH505	23	1	2	OC, TT	3
OH506	143	5	6	CU, MA, RK, SU, T, WN	5
OH508	276	4	3	BH, XU, SU	7
OH509	24	4	3	MS, T, MA	7
OH510	93	3	1	BH	7
OH511	413	7	6	BH, OC, GV, DN, RK, WN	7
OH512	326	8	6	BH, T, CU, WN, SU, GB	7
OH513	11	3	3	BH, T, MA	7
OH514	781	5	7	CU, BH, SU, BW, DN, RK, T	7
OH515	123	5	4	T, WN, CU, BH	7
OH516	148	13	9	WN, T, DN, RK, GK, SN, T, ET, CU	3
OH517	22	1	3	CU, T, RK	1
OH518	4	1	3	OC, RK, GK	1
OH519	396	9	9	CA, CU, GK, GV, PB, OC, RK, SU, TT	1
OH520	57	1	1	PB	1
OH521	11	1	2	OC, RK, GK	3
OH522	327	4	6	BA, CU, DN, RK, SU, WN	3
OH523	28	2	2	CU, RK	3
OH524	191	4	8	BA, CU, DN, GK, H., OC, RK, SU	3
OH525	1	1	1	CU	3
OH526	113	14	11	BH, CU, GK, JS, L., MA, RK, RP, SU, T, WN	3
OH527	23	5	7	CU, GK, OC, RK, RP, SU, T	3
OH528	820	20	8	T, BW, BH, SP, RK, SU, CU, GK	5, 6
OH529	151	2	2	BH, CA	5, 6
OH530	98	1	2	RK, DN	6
OH531	474	6	7	CU, SU, BH, T, RK, OC, BW	5, 6
OH532	335	4	7	OC, BH, CA, T, CU, SU, MA	5, 6, 7
OH533	678	12	9	CA, RK, WN, GK, BH, SU, CU, MA, BA	5
OH534	116	5	6	MA, T, CU, BH, GK, WN	4, 5
OH552	234	2	6	T, WN, CU, BH, SU, RK	7
OH425	19	3	4	MA, RK, WN, T	3

Figure 1 Data on high tide roosts in Appendix 9 of the Conservation Objectives Supporting Document for the River Shannon and River Fergus Estuaries SPA.

Most noteworthy are 50-99 birds roosting directly adjacent to the Moyasta bridge marking this site as an important high tide roost site during the designation of the SPA. See figure 2.



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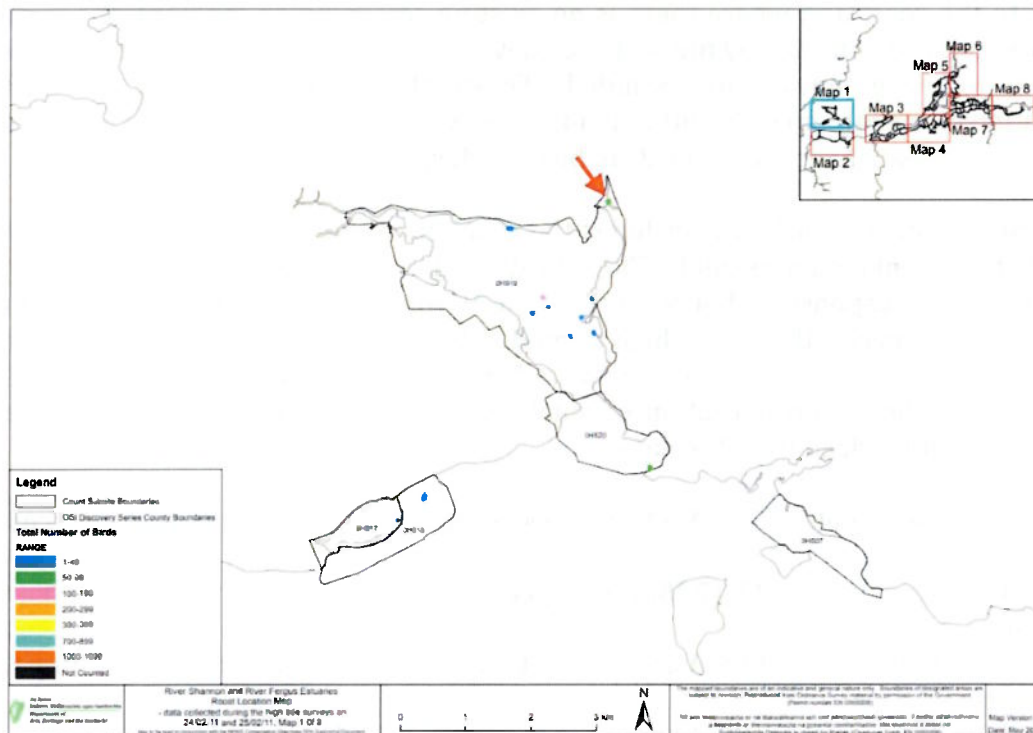


Figure 2 Data from the Conservation Objectives Supporting documentation

The survey work by the project developers also highlights the importance of Poulasherry Bay for waterbirds and in particular the Moyasta bridge area.

The Natura Impact Statement (pg 29) says that “Large numbers of wintering birds were recorded in the surrounding mudflats, including nationally important numbers (>1% of the national population) of Pintail and Wigeon within 500m of Moyasta Bridge. The peak counts recorded within 500m of Moyasta Bridge correspond to 42% of the SPA population of Pintail, 15% for Wigeon, 11.5% for Greenshank and 10.7% for Teal. The following species were recorded within 500m of Moyasta Bridge in numbers between 1-10% of the SPA population: Bar-tailed Godwit, Brent Goose, Cormorant, Curlew, Golden Plover, Redshank, Shelduck and Shoveler. Table 2-8 sets out the frequency that significant numbers of QI species were recorded at Moyasta within 500m of the bridge”.

Sensitive Bird Areas Appendix E/6:

Sensitive Bird Areas (SBAs) are presented by the consultants following their survey work undertaken along with mitigation measures and conclusions. These SBAs are presented in a map extracted from the SBA Appendix, see figure 3 below. They are defined on page 29 of the Natura Impact Statement as “areas around Poulasherry Bay where the proposed development



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is close to the coast and where there is no existing screening or, incomplete screening, and therefore could be impacted by the proposed development. Important areas for birds which are not close to the greenway are excluded.” Sensitivity is not defined by the number and distribution of the bird species within Poulmasherry bay itself but rather the level of exposure of the birds to disturbance. This needs to be considered more fully.

The presentations for each SBA includes the numbers of birds of different species recorded present at different distances out to 500m. BirdWatch Ireland staff reviewed the data provided and outline our response to below. In 8 of the 9 SBAs the majority of the individual birds recorded are of species that are of high or moderate sensitivity. In addition, for every SBA it is repeated that a “small” number of birds were found when this number actually varies from 12 to 585 birds. There’s no definition of small provided. Within 100m of the greenway the following is summarized from the data:

SBA 1 = 74 individuals, 65 **(74%)** are species that have high or moderate sensitivity to disturbance

SBA 2= 197 individuals, 142 **(72%)** are species that have high or moderate sensitivity to disturbance

SBA 3=12 individuals, 12**(100%)** are species that have high or moderate sensitivity to disturbance

SBA4= 521 individuals, 453**(86%)** are species that have high or moderate sensitivity to disturbance

SBA 5= 63 individuals, 62 **(99%)** are species that have high or moderate sensitivity to disturbance

SBA 6= 442 individuals, 440 **(99%)** are species that have high or moderate sensitivity to disturbance

SBA 7= 0 birds recorded

SBA 8= 338 individuals, 251 **(74%)** are species that have high or moderate sensitivity to disturbance

SBA 9= 585 individuals, 335 **(60%)** are species that have high or moderate sensitivity to disturbance

This is described in detail below.

Under SBA 1 it states that there was a “The numbers of birds within 100m of the greenway in this area was small, with a total of 74 individuals recorded during the surveys over 2021 – 2026”.

*The detail in the table says **that 65 individuals** recorded of 9 species are rated of high or moderate sensitivity. This is 74% of the individuals found within 100m of the proposed greenway.*

Under SBA 2 it states “The numbers of birds within 100m of the greenway in this area was small, with a total of 197 individuals recorded during the surveys over 2021 - 2026.



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With the screening in place, this will not change.”

The detail in the table says that 142 individuals recorded of 7 species are rated of high or moderate sensitivity. This is 72% of the individuals found within 100m of the proposed greenway.

Under SBA 3 it states “The numbers of birds within 100m of the greenway in this area was small, with a total of 12 individuals recorded during the surveys over 2021 - 2026.

With the screening in place, this will not change.”

The 12 individuals are Curlews and are rated as highly sensitive. This is 100% of the birds recorded within 100m of the proposed greenway.

Under SBA 4 it states “The numbers of birds within 100m of the greenway in this area is small compared to the wider area, with a total of 521 individuals recorded during the surveys over 2021 – 2026, where >3000 were recorded beyond this distance.

With the screening in place, this will not change”.

The table says that 453 individuals of 17 species were recorded within 100m and these are all rated high or moderate sensitivity. This is 86% of the number recorded within 100m of the proposed greenway.

Under SBA 5 it states The numbers of birds within 100m of the greenway in this area was small, with a total of 63 individuals recorded during the surveys over 2021 - 2026.

With the screening in place, this will not change.

The table says that 63 individuals were recorded within 100m of the greenway but there's only 62 in the table. Wigeon accounted for all these individuals and is rated as highly sensitive. Therefore 100% of the birds in this area are sensitive within 100m of the proposed greenway.

Under SBA 6 it states “The numbers of birds within 100m of the greenway in this area was small, with a total of 442 individuals recorded during the surveys over 2021 – 2026, compared to >2000 in the wider area. With the screening in place, this will not change.”

The species recorded at SBA 8 include 440 individuals of 12 species rated of high or moderate sensitivity. This is 99% of the number of birds recorded found within 100m of the proposed greenway.

Under SBA 7 it states that there were no birds recorded in any survey period.

Under SBA 8 it states “The numbers of birds within 100m of the greenway in this area was small, with a total of 338 individuals recorded during the surveys over 2021 – 2026, compared to c.3000 in the wider area. With the screening in place, this will not change.”

The species recorded at SBA 8 include 251 individual birds recorded of 12 species rated of high or moderate sensitivity. This is 74% of the species found within 100m of the proposed greenway.



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Under SBA 9 it states “The numbers of birds within 100m of the greenway in this area was small, with a total of 585 individuals recorded during the surveys over 2021 – 2026, compared to c. 2225 in the wider area. With the screening in place, this will not change.” The species recorded within 100m include 15 Curlew, 75 Light-bellied Brent Goose, Redshank site includes 355 individuals of x species rated of high or moderate sensitivity. This is 60% of the species recorded within 100m of the proposed greenway.

It is unquestionable that Poulasherry Bay and several key areas along the route of the proposed greenway are of very high importance for wintering waterbirds. It is not credible that it can be concluded that the addition of hedgerow planting as a screen could mitigate the visual and audible disturbance from people and dogs. Poulasherry Bay is noted as being a site where the birds are predominantly undisturbed and unhabituated to disturbance.

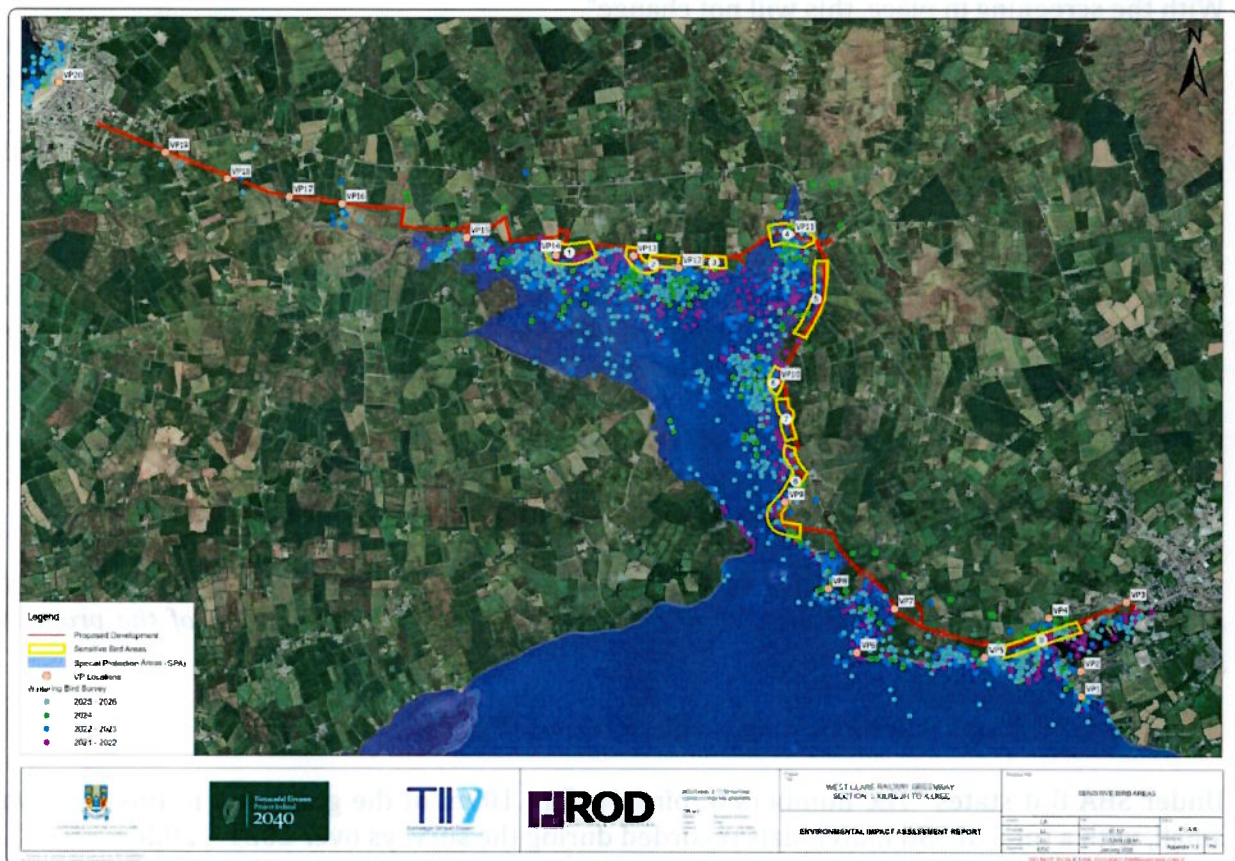


Figure 3 Map extracted from Appendix E Sensitive Bird Areas



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Disturbance/Displacement during construction and operational phases

BirdWatch Ireland is concerned with the significant potential from disturbance caused to the waterbird qualifying interests during construction and operation of the greenway and loss of habitat to the waterbirds within the SPA as a result with would impede the state meeting favourable conservation status objectives, could result in impacts to the populations at the site and could hinder nature restoration objectives.

Article 5 of the Birds Directive prohibits “deliberate disturbance of these birds particularly during the period of breeding and rearing, in so far as disturbance would be significant having regard to the objectives of this Directive”. The prohibition of disturbance is not confined to species that are qualifying interests of the SPA but rather to all birds and it is not confined to the period of breeding and rearing.

We are particularly concerned with the use of the Moyasta area as a major construction depot where significant construction works especially during the shoulder period of September (for which no bird surveys were undertaken). The only mitigation proffered in the proposal is restriction of construction to April to September when September itself is potentially also important for passage migrants.

We are also concerned with the disturbance from operations and the potential significant increase of cyclists, walkers and people with dogs to the greenway. Notwithstanding the existing low tourism numbers save for Kilkee during the summer months, the greenway itself will attract visitors and over time this could have a devastating impact on the waterbirds. The IMOVE website allows one to see data on greenway use around the country. It's notable to see the high number of users during the winter months including in remoter areas of the Waterford Greenway - up to 1200 people weekly⁴. The NIS states that the “main risk associated with greenway visitors is disturbance to wintering birds, therefore the following paragraphs deal with greenway visitors from October to March inclusive”. The non-breeding season is defined as September – March inclusive.

The mitigation for disturbance proposed is screening with planted materials in Sensitive Bird Areas and a 1.4m fence over Moyasta bridge. It is repeated through the Sensitive Bird Area document that there will be no change to the bird numbers in the area as a result of the screening. The NIS anticipates that adequate fast-growing plants and trees will be at stage of robustness to screen people and dogs and the noises they make to prevent disturbance within the 24-month period to build the greenway. It is difficult to imagine that this screening would prevent disturbance not to mind how many plants will fail to establish and the time it will take.

The proposed fence over Moyasta bridge is likewise a cause for concern. Examples are given within the NIS of other trails and greenways where disturbance to birds was not an issue. The

⁴ <https://uk.planengage.com/tii/page/Power-BI>



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example of the fence at Dublin Port Greenway is also provided though this part of Dublin Bay has extremely high disturbance from human activity and therefore is not a useful example compared to the undisturbed nature of the Poullesherry bay area. Whilst the 1.4m fence does prevent physical disturbance (i.e., access to the estuary) it won't prevent noise or visual disturbance.

The Incombination effects of the proposed West Clare Railway Greenway Sections 3 & 4 linking Miltown Malbay to Moyasta are also extremely concerning and will bring even more visitors to the area and this particularly sensitive site. The dismissal by the consultants that this won't lead to impacts is hard to fathom. It warrants significantly more discussion. The potential for 2 wind farms in close proximity could also impact the waterbirds and Hen Harriers in the area.

Cumulative impacts are also not considered. A report by Inis Environmental⁵ on the Waterbirds of Poullesherry Bay published in 2022 highlighted the moderate disturbance caused by aquaculture in the Bay. The authors state "Disturbance events were recorded within two count subsites only (0H519 and 0H520) with activities recorded in a maximum of two out of the five surveys undertaken. All events occurred during low tide surveys (**Table 4.8.1**). These results suggest a low level of activities that cause disturbance at the site, however, as a survey count period is a 'snap-shot' of any given time, further targeted surveys would be required to understand the full extent of activities at the site".

Presence of Other Bird Species

Hen Harrier is an Annex 1 bird of prey that is the subject of a national Threat Response Plan⁶ due to severe declines. The Threat Response Plan is legally underpinned by Regulation 39 of the Birds and Habitats Regulations 2011⁷. It is notable that Hen Harrier was identified on seven occasions over the winter period in the northern section of Poullesherry Bay but no further investigation was undertaken or mention in the environmental assessments. It is our view that this is warranted and that the impacts of the proposed greenway on Hen Harrier be included in the Appropriate Assessment. Further studies should determine that there are no impacts to any potential Hen Harrier use of the area.

⁵

https://emff.marine.ie/sites/default/files/biodiversity/PDFs/EMFF%20Poullesherry%202021_22%20Winter%20Bird%20Survey_0.pdf

⁶ Department of Housing and Local Government (2024) *Hen Harrier Threat Response Plan* ; Available here

<https://www.gov.ie/en/department-of-housing-local-government-and-heritage/collections/hen-harrier-threat-response-plan/>

⁷ [European Communities \(Birds and Natural Habitats\) Regulations 2011](#) (S.I. No. 477 of 2011)



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Hen Harrier <i>Circus cyaneus</i>	WB 2024	1	Improved agricultural grassland; hunting, male	EU HD Annex I, Amber
	WB 2022/23	2	Improved agricultural grassland, mixed sediment shores and open marine water; hunting, male. Improved agricultural grassland; travelling, male, VP12.	
	WB 2021	1	In flight, along coast at Moyasta Bridge.	
	WB 2025/26	3	Various habitats, female.	

Figure 4: Data from the NIS on sightings of Hen Harrier over the winter period.

There are two breeding areas for Hen Harrier that are in close proximity to Poulmasherry Bay. One is the West Clare Hills to the north and the other is Scattery Island to the south.

Hen Harrier is also the qualifying interest for several neighbouring SPAs, namely for Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (004161), Sliabh Aughty Mountains SPA (004168) and Slievefelim to Silvermines Mountains SPA (004165) which falls outside of the Zone of Influence but as an Annex 1 bird species the requirements of Article 4.4 of the Birds Directive⁸ applies and these are:

*In respect of the protection areas referred to in paragraphs 1 and 2, Member States shall take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article. **Outside these protection areas, Member States shall also strive to avoid pollution or deterioration of habitats.***

This is underpinned on page 4 of the Hen Harrier Threat Response Plan which states

"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**"."

⁸ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds



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Other actions within the Hen Harrier Threat Response Plan include Action 45: Avoid the afforestation and **disturbance of important winter roost sites**.

During the most recent National Hen Harrier Survey in 2022, 4 – 7 pairs were recorded between North and West Clare (these areas are assessed together on a regional basis but the majority of the pairs and Hen Harrier activity generally is in West Clare in the areas of Doo Lough and Lough Naminna Bog etc.), West Clare is therefore important in the national context and it is identified as one of the 'Non-designated Important Breeding Areas' in the Hen Harrier Threat Response Plan. The breeding population has declined in this area over recent decades, in line with the national population declines, and in 2010 it reached its highest recorded population of 12 – 16 pairs, from which there has been a decline to 4 – 7 pairs more recently in 2022. There has not been systematic monitoring since 2022 and therefore there is no more recent information available but there will be when the next national survey takes place next year.

In relation to Scattery Island a strategy⁹ for the conservation of Hen Harriers was published on July 23rd 2026 and launched jointly by Minister Christopher O'Sullivan and Minister Kevin Moran. It outlines Scattery's importance for Hen Harrier which now holds 5% of the national breeding population.

"Scattery Island is within the Lower River Shannon Special Area of Conservation (code 002165), is surrounded by the River Shannon and River Fergus Estuaries Special Protected Area (code 004077) and is a proposed Natural Heritage Area. Scattery is home to an important population of hen harrier, which has been recorded locally since the early 2000s, with the island holding a breeding population for over a decade. In recent years, Scattery Island has supported an average of more than four breeding pairs annually, peaking at seven pairs in one season. This represents a significant proportion of the national breeding population, making the site, which is not designated for hen harrier, of national importance for the species".

The following are actions listed in the strategy for implementation and which directly relate to Poultnasherry Bay. The proposed construction and operation of the Kilrush to Kilkee greenway could operate directly against the goals and objectives of the Scattery Island Hen Harrier strategy:

Action 4.9 : Identify and liaise with mainland landowners and farmers (Kilrush, **Poultnasherry Bay**, south of Kilkee, Bunaclugga Bay, Astee and Knock Nore Mountain and west to Ballylongford Bay) and establish if they would consider supplementary habitat management for hen harrier foraging areas.

⁹ Department of Housing and Local Government and Heritage (2026) *Strategy for Hen Harrier on Scattery Island* available : <https://www.gov.ie/en/department-of-housing-local-government-and-heritage/publications/strategy-for-hen-harrier-on-scattery-island/> [accessed: 2nd of September 2026]



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Action 4.10 : Habitat management for hen harrier that occurs off-island should be prioritised within 5km to 10km foraging range for Scattery Island harriers. NPWS farm plans should be considered.

Action 7.3 : Understand breeding and wintering season foraging areas, plotting flightlines across the island, routes across the sea and identify the preferred foraging areas and habitats on the mainland in Cos. Clare and Kerry (and possibly Co. Limerick).

Hen Harriers were sighted by surveyors seven times in wintering studies, most notably three times in the winter of 2025/26, and we recommend that they are included in the environmental assessment.

Conclusion

Birdwatch Ireland staff have considered the documentation provided for the proposed Kilrush to Kilkee greenway development. It is deeply concerning that a greenway could be proposed in such a sensitive area for birds. We would really wish that infrastructure such as greenways which are so positive for people would be routed away from sites like Poulmasherry Bay but with spurs that lead to bird hides close to the water so that people can engage with the amazing migratory waterbirds in a way that protects the birds and provides enjoyment and peace.

The proposed development does not have the waterbirds in mind at all. They are 'constraints' to be mitigated rather than been seen as a jewel of international importance in south Clare that should be cherished, protected and restored and nurtured by meaningful interactions by people who live locally but also visitors. Following the old railway line avoids more of the difficult conversations with landowners than might happen otherwise though we do note that Compulsory Purchase Orders will be issued for some lands in the area.

Most of Ireland's waterbird species have suffered an extraordinary 40% decline in the last 20 years. There are a range of factors and reasons for this and disturbance from a range of activities is one of them. These stats can be found online and in Burke et al¹⁰ (2025) and are summarized here¹¹.

The staff of BirdWatch Ireland contributed to this report. Thank you for considering our submission.

¹⁰ Burke, B., Kennedy, J., Gadd, R., Fitzgerald, N., Lynch, A., Caffrey, B., Walsh, A., Murray, T. & Kelly, S.B.A. (2025). The status and distribution of wintering waterbirds in Ireland in 2023: results from the Irish Wetland Bird Survey (I-WeBS). Irish Wildlife Manuals, No. 162. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland available here

<https://www.npws.ie/sites/default/files/publications/pdf/irish-wildlife-manual-162.pdf>

¹¹ <https://birdwatchireland.ie/landmark-publication-waterbird-trends-from-the-last-30-years/>



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