

Marsh Fritillary Butterfly Surveys NIEA Specific Requirements

The marsh fritillary butterfly (*Euphydryas aurinia*) is a protected species listed on Schedules 5 and 7 of the Wildlife (Northern Ireland) Order 1985 (as amended) and included on Annex 2 of the European Habitats Directive (92/43/EEC). It is an offence to

- intentionally or recklessly kill, injure or take the marsh fritillary butterfly; or
- intentionally or recklessly damage or destroy, or obstruct access to, any structure or place that the marsh fritillary uses for shelter or protection

Suitable marsh fritillary habitat includes damp, flower-rich grasslands, sand dunes, heaths, fens and bogs where there is an abundance of devil's-bit scabious (*Succissa pratensis*), the only known food plant of the marsh fritillary butterfly in Northern Ireland.

On assessing your planning application NIEA considers that there is reasonable likelihood of marsh fritillary being present on the site and affected by the proposed development. To ensure your development proposal complies with legislation and planning policy, NIEA has recommended to the Planning Authority that an appropriate marsh fritillary butterfly survey should be carried out prior to the determination of your application.

Please note NIEA reserve the right to determine whether the survey is adequate or when additional information is required.

In order to ensure an adequate assessment the following specifications should be followed:

- NIEA recommends that all works comply with British Standard 42020:2013, *Biodiversity - Code of practice for planning and development*. This provides recommendations and guidance for those engaged in planning and development, whose work might affect or have implications for conservation, or the enhancement of biodiversity.
- The applicant must ensure that the commissioned surveyor(s) has the necessary experience and qualifications to carry out this work. The qualifications and experience of all surveyors must be included in the survey report. NIEA recommends that the surveyor(s) is a member of the Chartered Institute of Ecology and Environmental Management (CIEEM).
- The survey information must be presented in a written report and must include appropriately scaled maps.
- Survey dates, times and weather conditions must be recorded in the written report.
- Surveys for suitable marsh fritillary habitat should be undertaken between **May and November**. Vegetation height, and the frequency and abundance of devil's-bit scabious across the extent of the habitat should be recorded. The potential for patches of devil's-bit scabious to support marsh fritillary butterfly must be identified in the report and the extent of these patches mapped. The land management and features of each area should be identified in the report, including signs of stock grazing, or scrub encroachment.
- If the habitat survey reveals that no patches of devil's-bit scabious will be impacted by the proposed development; no further survey work will be required. Should a habitat survey reveal the presence of suitable patches of devil's-bit scabious which may be affected by the development; further surveys to

determine the presence of marsh fritillary butterfly on the site must be carried out by surveying for larval webs and adult butterflies.

- The most reliable method of recording marsh fritillary populations is to count their **larval webs** during **late August, September and early October**. Webs which are visibly linked to each other should be counted as a single web.
- In combination with a larval web survey; a survey of adult butterflies should also take place between **May and July**, as this can aid identification of web locations. Adult butterflies only fly in warm, sunny conditions, so visits should only be undertaken in favourable weather conditions between 10.30 and 16.30. The presence of adults confirms that there is a marsh fritillary colony in the area. However, the precise whereabouts of the breeding colony can only be confirmed from the presence of larvae.
- The survey effort must cover all areas of devil's-bit scabious that may be affected by the development. The locations of all adult marsh fritillary sightings and larval webs must be recorded using GPS and mapped.
- As marsh fritillary populations seem to function at a landscape scale, they are prone to local extinctions. This is balanced by its ability to colonise sites, but only within a range of about 10 km. If a marsh fritillary colony is not located during the survey, but there are known colonies within 10km of the site, or adult marsh fritillary butterflies are recorded on the wing during the survey, further surveying may be required.
- If necessary, the report should recommend the most appropriate ways in which the marsh fritillary and its habitat can be protected from adverse impacts caused by the proposed development. Mitigation measures should cover all phases of the development - before, during and after construction.
- Surveys should be submitted to the Planning Authority within one year of being carried out.
- In the event that the planning application goes to appeal or public inquiry, the consultant contracted may be required to appear and/or give evidence.
- A protected species licence to survey for marsh fritillary larval webs must be obtained from the NIEA Wildlife Team before commencement of the survey.
- All located marsh fritillary records should be reported to the Centre for Environmental Data and Recording (CEDaR)*
- For more information please refer to the following publications and websites:

NIEA Development Management website

<https://www.daera-ni.gov.uk/articles/development-management>

Wildlife Management and Licensing web page

<https://www.daera-ni.gov.uk/topics/biodiversity/wildlife-licensing-and-management>

Butterfly Conservation website

<http://butterfly-conservation.org/314/northern-ireland-branch.html>

*** Centre for Environmental Data and Recording (CEDaR)**

<http://www.nmni.com/cedar>

Chartered Institute of Ecology and Environmental Management

www.cieem.net