



Dúchas The Heritage Service

An Roinn Comhshaoil agus Rialtais Áitiúil.

The Department of the Environment and Local Government.

Living with Nature

*The Designation of Nature
Conservation Sites in Ireland*





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Introduction

The people of Ireland share the country with 28 species of land mammal, over 400 species of birds, more than 4,000 plant species, over 12,000 species of insect, and a huge range of other living creatures. If we want all of this to survive, we must ensure that there are enough areas in the countryside where they can flourish.

In the recent past, economic success in Ireland has placed strains never seen before on the environment. At the same time, many farmers who own the land where wildlife occurs are facing a difficult future, and see themselves as threatened. As agriculture changes, conditions for wildlife change, sometimes for the worse.

Of course, many of the best wildlife areas in Ireland are “marginal” land, or not used for agriculture. Even here, technological advances make for new opportunities for exploitation. For example, windfarms provide great possibilities for green energy but at the cost of disturbance in hitherto isolated and untouched mountain areas.

Conserving nature requires a range of strategies to succeed. One of these is to ensure conservation of habitats where plants and animals live. And not only the rare and fragile: we have seen how species once common like the corncrake and the blue cornflower, can disappear if their habitat changes. To succeed, this strategy needs the support of landowners and people who use or visit the land.

This booklet is about moves in Ireland to conserve habitats and species, by designation of conservation areas. This is required of us under European law and our own national laws. The Department of the Environment, Heritage and Local Government is responsible for the designation of conservation sites in Ireland. The Department works with farmers, other landowners and users and national and local authorities to achieve the best balance between farming and land-use on the one hand, and requirements for conserving nature in these selected areas, on the other.

So far we have mentioned only the land. There is a great array of life in our seas, which few of us ever witness. This too is being affected in a variety of ways, as we seize opportunities for new activities in our coastal and offshore waters; and this too requires protection.

What this Booklet Contains

This booklet offers an overview of how and why areas of the country are selected as conservation sites, and where to go for further information and help. It contains information and sections dealing with the following:

- The three main types of conservation site designation
- Reasons why sites are identified for protection
- A step-by-step guide to how a site is designated
- Appealing or objecting to a designation proposal
- The implications of having property in a conservation area
- Compensation schemes for land owners and users
- Other types of protection
- Examples of conservation areas and the features found on these sites
- A map detailing conservation site designations across Ireland
- A list of conservation sites of European importance in Ireland



Types of Conservation Site Designation

The three main types of designation are

- 'Natural Heritage Area', or NHA
- 'Special Area of Conservation', or SAC
- 'Special Protection Area', or SPA

NHAs – Natural Heritage Areas

The basic designation for wildlife is the Natural Heritage Area. In 1995, proposals for over 1,100 NHAs were published, but it was not until December 2000 that powers were introduced for the statutory process of their designation and protection. Many of these NHAs have overlapping designations of SAC and/or SPA. There are currently 802 proposed NHAs which are not SAC/SPA. They cover an area of about 113,000 hectares. These will be reviewed, and other sites surveyed, during the course of the designation process.

Some of the proposed NHAs (pNHAs) are tiny, such as a roosting place for rare bats. Others are large – a blanket bog or a lake, for example.

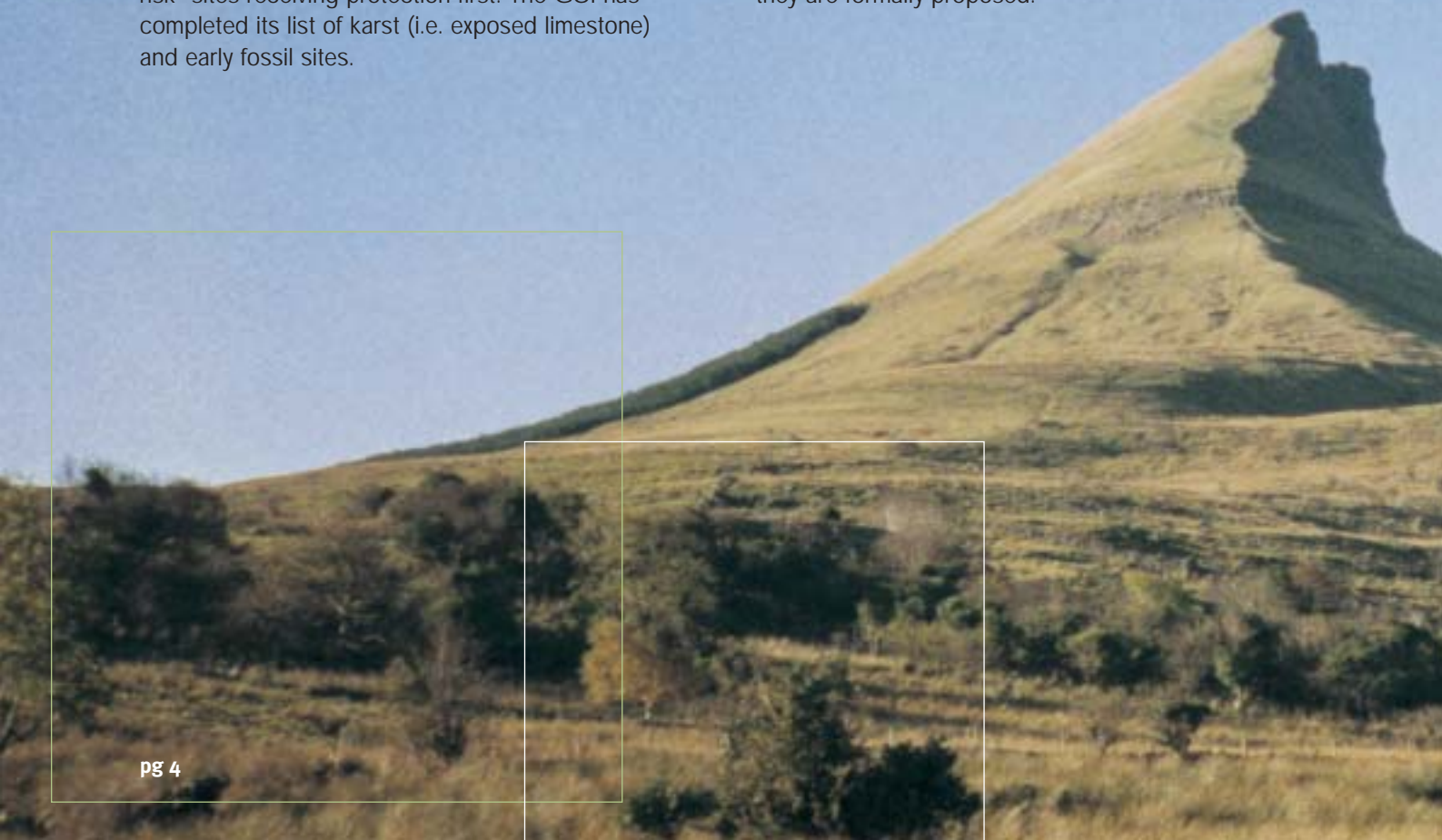
The Geological Survey of Ireland (GSI) is compiling a list of geological sites in need of protection through NHA designation. A committee of expert geologists chooses the sites. These will be designated over a period of time, with the most "at risk" sites receiving protection first. The GSI has completed its list of karst (i.e. exposed limestone) and early fossil sites.

The process of formal designation of NHAs has now commenced. In December 2002, the process of protecting the first batch of Natural Heritage Areas began. 75 raised bogs, located mainly in midland counties, were proposed as NHAs. It is hoped that most landowners will appreciate the need for protection of wildlife areas and will be satisfied with the incentives and compensation available. However, it will be possible for the landowner to object on scientific grounds to a proposed designation if s/he wishes, before the designation is confirmed. After allowing time for landowners to consider and if necessary appeal the proposed areas, the Minister will formally designate these sites.

Prior to statutory designation, proposed NHAs are subject to limited protection, in the form of:

- Rural Environment Protection Scheme (REPS) plans which require conservation of NHAs and operate for a period of 5 years
- Ineligibility of NHA lands for certain grants, in particular for Forestry grants
- Recognition of ecological value of NHAs by Planning and Licencing Authorities.

Under the Wildlife Amendment Act (2000), NHAs will be legally protected from damage from the date they are formally proposed.



SACs – Special Areas of Conservation

These are prime wildlife conservation areas in the country, considered to be important on a European as well as Irish level. They are chosen from the pNHAs, although a number of known high quality sites which are not yet NHAs have also been included. Most SACs are in the countryside, although a few sites reach into town or city landscapes, such as Dublin Bay and Cork Harbour.

The legal basis on which SACs are selected and designated is the EU Habitats Directive (92/43/EEC), transposed into Irish law in the European Union (Natural Habitats) Regulations, 1997. The Directive lists certain habitats and species that must be protected within SACs. Irish habitats include raised bogs, blanket bogs, turloughs, sand dunes, machair (flat sandy plains on the north and west coasts), heaths, lakes, rivers, woodlands, estuaries and sea inlets. The 25 Irish species which must be afforded protection include Salmon, Otter, Freshwater Pearl Mussel, Bottle-nosed Dolphin and Killarney Fern. A full list of Irish habitats and species covered by the Directive is given at the end of the booklet.

Some habitats are deemed “priority” and have greater requirements for designation of sites and protection.

Sites that meet criteria laid down by the EU Directive are identified by the Department and proposed for designation. To date, Ireland has transmitted 381 sites to the European Commission as candidate Special Areas of Conservation. These cover an area of approximately 10,000 square kilometres. Across the EU, over 12,600 sites have been identified and proposed, covering an area of 420,000 sq. km.

SPAs - Special Protection Areas

These sites are areas of importance for birds (and often are important for other types of wildlife). The EU Birds Directive (79/409/EEC) requires designation of SPAs for:

- Listed rare and vulnerable species such as Whooper Swan, Greenland White-fronted Goose, Peregrine Falcon, Corncrake and terns.
- Regularly occurring migratory species, such as ducks, geese and waders.
- Wetlands, especially those of international importance, which attract large numbers of migratory birds each year. (Internationally important means that 1% of the population of a species uses the site, or more than 20,000 birds regularly use the site.)

Some of the listed species conveniently occur in high numbers and densities. However, others such as breeding waders and birds of prey, occur at very low density where designation of sites is a more difficult, although necessary, exercise.

To date, 110 SPAs have been designated. A further 25 sites have been notified to landowners. Approximately 25 SPAs are also designated SAC. The Irish SPAs join a total of around 3,000 sites across the European Union.

Special Areas of Conservation and Special Protection Areas collectively form part of ‘Natura 2000’, a network of protected areas throughout the European Union. Across the EU, sites forming part of ‘Natura 2000’ cover an area of land and sea the size of Germany.

The Designation Process – A Step by Step Guide

STEP 1: IDENTIFICATION AND MAPPING OF THE SITE

Designated areas are chosen using:

- Previously existing knowledge, such as the list of Areas of Scientific Interest compiled in the 1970s, various publications on important bird areas in Ireland; and other surveys;
- the NHA survey, carried out from 1991-94;
- continuing survey and site visits by Department staff and contractors;
- inputs from NGOs, professional and amateur ecologists.

In all cases, proposed sites are evaluated by scientists within the Department before they are allowed forward for designation.

Sites should be at least large enough to provide the physical and semi-natural conditions for the maintenance of a particular habitat. In practice this means that most sites are over 100 hectares in size, although there are exceptions.

Wherever possible the boundaries of sites coincide with identifiable (and mappable) features on the ground or water. On land, these may be fences, hedges, ditches, roads and so on. In the case of boundaries at sea or in large lakes, the boundary may be a straight line between visible markers (headlands, islands etc.). High and low tide marks are sometimes used.

SAC sites are chosen subject to criteria laid out in Annex III of the Habitats Directive. Broadly speaking, these are as follows:

1. The importance within Ireland of the site for its habitats or species;
2. How “representative” is the example of the relevant habitat present on the site (in practice, this means that a suite of sites is selected which encompasses the range of variation found);
3. How isolated is the population of the relevant species on the site (the more isolated the population, the more likely it is to be genetically different from other populations);
4. The intactness of the habitat on the site; and
5. Other factors, including the need to ensure a good geographic spread of sites, the total number of habitats and species listed in the Annex to the Habitats Directive present on the site, whether or not there is a priority habitat on the site and whether or not the site contains habitats or species for which Ireland is especially important.

In all cases, proposed sites are evaluated by scientists within the Department before they are allowed forward for designation.



The Designation Process – A Step by Step Guide

SPAs are chosen if they are

- a) regularly used by 1% or more of the all-Ireland population of a listed (i.e. Annex 1) species or
- b) regularly used by 1% or more of the biogeographical population of a migratory species or
- c) regularly used by more than 20,000 waterfowl.

In addition, sites important for dispersed species require protection under the 1979 Birds Directive.

The selection criteria for individual NHA habitat types are being specified. Such requirements will encompass the following:



- a) protection of the site will make a significant contribution to the conservation of one or more species (or other biological type) which are considered vulnerable, rare or endangered in Ireland, or in the Atlantic biogeographical region, or which are covered by any relevant international treaty to which Ireland is a party.
- b) protection of the site will make a significant contribution to the conservation of one or more species which are protected in Ireland under national or international law.
- c) protection of the site will make a significant contribution to the conservation of one or more habitats which are considered vulnerable, rare or endangered, either in Ireland or in western Europe.
- d) the site is one of a series selected to represent habitats, or ecosystems which are typical of Ireland.
- e) the site is one of a series of sites selected to represent a range of variation of habitats which are typical of Ireland.
- f) the protection of the site will, in the judgement of the Geological Survey of Ireland, contribute significantly to the conservation of geological, geomorphological or fossil features.



The Designation Process – A Step by Step Guide

STEP 2 – ADVERTISEMENT AND NOTIFICATION OF NATURE CONSERVATION SITES

Once a site has been identified, landowners are notified and it becomes a “proposed Natural Heritage Area”, “proposed candidate Special Area of Conservation” or a “proposed Special Protection Area” as the case may be.

All reasonable effort is made to identify and notify the owners of lands within these areas. SAC, NHA or SPA map boundaries are sent to landowners so they can determine whether their land is located within a conservation area.

A freephone number, 1800 40 5000, is available if further clarification is required.

A list of activities that might damage the wildlife interests of the site, and measures required to protect the site, is also provided. These are called the “Notifiable Actions”.

As well as notifying individuals, proposals for NHAs, SACs and SPAs are advertised in the local

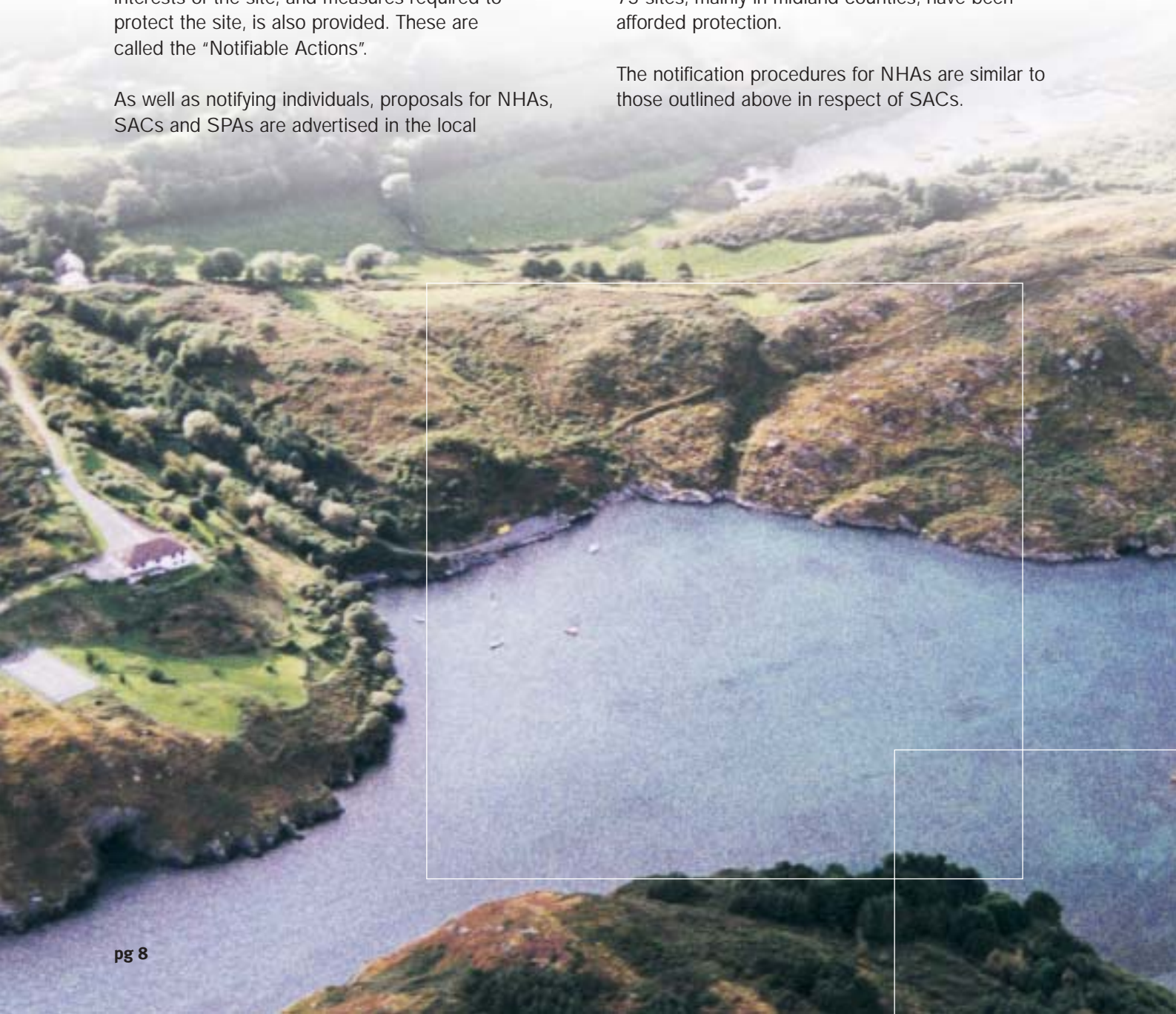
newspapers and on local radio. Relevant maps are also displayed for public viewing in the local offices of the Department of the Environment, Heritage and Local Government, the local offices of the Department of Social and Family Affairs, Teagasc/ Farm Development Service local offices. Maps will also be available for consultation in the local county library as well as local Garda Stations.

Sites are legally protected once they are publicly advertised.

Raised Bogs were the first habitat type to be recognised and protected under the provisions of the Wildlife (Amendment) Act 2000.

75 sites, mainly in midland counties, have been afforded protection.

The notification procedures for NHAs are similar to those outlined above in respect of SACs.



EXAMPLES OF CONSERVATION AREAS

SPECIAL AREAS 1: *Lough Swilly*



Lough Swilly has both SAC and SPA areas. The SAC extends from below Letterkenny to just north of Buncrana. The SPA covers the inner Swilly, from Letterkenny to Whale Head and also includes the estuaries of the Leannan and Ray Rivers.

Shallow water, intertidal sand and mud flats are the dominant habitats. Clams, cockles, mussels and polychaete worms are common.

Lough Swilly is one of the most important wetlands for birds in Ireland. In autumn and winter, the shallow waters provide suitable habitat for grebes and diving duck, while the intertidal flats are used by an excellent diversity of wildfowl and waders. At high tide, the duck and wader species roost on the salt marshes and shorelines, with some species moving to the adjacent pasture and arable fields.

22 species of waterfowl occur in nationally important numbers, 3 of these in internationally important numbers. The Department will shortly propose additional areas for extensions to the SPA to cover all of the most important areas.



Salt marshes are well represented in the inner sheltered areas of the site, with good examples in the Ramelton area. The marshes are the Atlantic salt meadow type, and are characterised by such species as Thrift, Sea Milkwort, Sea Aster and Sea Arrowgrass.

Inch Lake and Blanket Nook are man-made lakes with typical brackish water species of flora and fauna.

Two woodlands occur adjacent to the northwestern shore of Lough Swilly. These are Rathmullen and Carradoan Woods, the former being a Nature Reserve. They are dominated by Sessile Oak and Birch, but many other species are present including non-native species such as Beech. These woodlands display a generally intact structure and support a range of breeding birds, including Woodcock.

A further area of woodland, scrub and heath occurs above the northeast shore at Crockacashel and at Porthaw. Oak/Hazel scrub is frequent, and there is a well-developed ground flora with species such as Wood-sorrel, Herb Robert, Lady's fern and Broad Buckler Fern. The SAC supports a population of Otter, a species listed on Annex II of the EU Habitats Directive.

EXAMPLES OF CONSERVATION AREAS

SPECIAL AREAS 2: *Killarney National Park, Macgillicuddy's Reeks and Caragh River Catchment*

This is the largest SAC in the country, encompassing the mountains and lakes of the Iveragh peninsula, and the Paps Mountains which stretch eastward from Killarney towards Millstreet. It is the most mountainous region in Ireland and includes Carrauntoohil (1039m), the highest peak in the country. It also includes Killarney National Park.

The site is of great ecological interest, with a great range of habitats such as yew wood, oak wood, bog, lakes (upland and lowland), heath (wet, dry and alpine) and rivers. Many of the habitats, are required to be protected, by EU Directives.

The site contains many lakes. Most are in a very healthy condition but Lough Leane, the largest fresh water body in the region, has become eutrophic as a result of pollution from Killarney town and agricultural runoff.

The rivers associated with these lakes are also of importance. Rocks around the smaller mountain streams often support lush vegetation of ferns, mosses and liverworts, most notably at Torc Waterfall.

A large number of interesting plant and animal species are present. A few examples are:

Slender Naiad and Killarney Fern, both singled out for conservation measures in the Habitats Directive; and Pillwort, Kerry Lily, Irish Lady's Tresses and Slender Cudweed, which are legally protected. The SAC is very important for mosses and ferns and fungi, particularly the woodland species.

The National Park is also designated as SPA. Important species include Greenland White-fronted Goose, Peregrine, Merlin, Kingfisher and Common Tern. The woodlands provide habitat for a variety of breeding birds, most notably Garden Warbler, Blackcap, and probably a few pairs each of the rare Redstart and Wood Warbler.

The area is valuable for freshwater fish. The Killarney Shad is a unique land-locked subspecies confined to the Killarney lakes. The glacial relict, Arctic Char, is present in several of the lakes and a unique form of char is found in Lough Coomasaharn. Salmon, brook lamprey and sea lamprey also occur.

There are numerous notable invertebrates within the site, including Kerry Slug, Freshwater Pearl-mussel and the Marsh Fritillary butterfly. The Kerry Slug and Pearl-mussel populations are of particular importance in an international context. Other species of note include two emerald-green dragonflies (*Cordulia aenea* and *Somatochlora arctica*), which are very rare in Ireland.



The Designation Process – A Step by Step Guide

STEP 3 - OBJECTIONS AND APPEALS

Objection or appeal can be made against the inclusion of a section of land in a SAC, SPA or NHA. A person can only make objections if they have a legal interest in the site (i.e. an owner or legal user). They must be made on scientific grounds, e.g. a landowner would show that the relevant habitats/species/geological features were not present in such a condition as to warrant designation. Appeals can also be made for the inclusion of lands. Appeals should be accompanied by a map of the area of concern and be as informative as possible. There are two stages to the appeals process:

1st stage: Internal Review

To initiate an internal review of proposals to include a section of land, write to:

Designated Areas Appeal Section
The Department of the Environment, Heritage and Local Government
7 Ely Place,
Dublin 2.

Alternatively, you may initiate an internal review by contacting your local Conservation Ranger (see contact list within this booklet).

Local conservation staff of the Department will then re-examine the scientific grounds for including the section of land in question. The Conservation Ranger will discuss the matter with you and make a recommendation to local management. You will then be informed of the outcome of the internal review.

STEP 4 - DESIGNATION

2nd stage: Appeal to Nature Conservation Designation Appeals Board

The Nature Conservation Appeals Board is independent of the Department and is comprised of equal representation of landowners/users and conservationists. The Board has an independent chairperson. The Board makes a recommendation on each appeal to the Minister who then decides on the outcome of the appeal.

You may appeal to the Nature Conservation Appeals Board only where an application for an internal review of proposals to include a section of land has been made and has not been successful.

Three months is allowed by law for objections to the proposal to designate a site. In practice, objections are given full consideration even after the formal time limit has expired.

Details on each proposed SAC are transmitted to the EU Commission, after which it is called a "candidate SAC". All the European candidate sites are examined by representatives of member states, independent scientists and NGO representatives. Once adopted by the EU commission, the sites will be formally designated by the Minister.

SPAs are designated by the Minister without reference to the EU, although the Commission can and does seek to ensure that the total area designated is adequate within the terms of the Birds Directive.

NHAs are designated by the Minister without reference to Europe.

If you request an internal review, local conservation staff will re-examine the scientific grounds for including the particular section of land within a nature conservation area. The Conservation Ranger will discuss the matter with you and make a recommendation to local management

Consultation and Planning

At a national level, the Department consults regularly with the major farming and conservation groups as well as other government departments. For consultation at a local level, owners of lands and/or rights in designated areas are encouraged to form Liaison Committees, which are a first point of contact for consultation by the Department with interested parties on the designation and management processes. There are many such committees in existence, and more are being set up.

Conservation Planning

The Department will produce a draft conservation plan for each SAC, SPA and NHA. Each plan will list the wildlife resources of the area, the current human uses, any conflicts between the two, and strategies for retaining the conservation value. This draft document will be given to the liaison committee and other interested parties for discussion and consultation. The Department will then prepare a final version of the conservation plan.

Consultation on draft consultation plans has begun. Conservation Plans, once complete, will be reviewed on a 5 year cycle.



EXAMPLES OF CONSERVATION AREAS

SPECIAL AREAS 3: *Hook Head*

Hook Head SAC is an area of marine subtidal reefs to the south and east of the Hook Head Peninsula and includes the sea cliffs from Hook Head to Baginbun and Ingard Point. The site adjoins the estuary mouth of Bannow Bay. Hook Head itself is internationally important for fossils. The site contains two habitats listed under the EU Habitats Directive, i.e. reefs and sea cliffs.

The reefs around Hook Head have excellent examples of tideswept communities and species richness is high in both the shallow and deep-water communities. The latter is characterised by cushion sponges, with branching sponges and the rose 'coral' *Pentapora foliacea*. In addition the sponge *Stryphnus ponderosa*, the sea squirts *Sidnym elegans*, *Distomus variolosus* and *Stolonica socialis* and the brittlestar *Amphiura securigera* are present. These species have a limited distribution in Ireland. The rare red algae *Schizymenia dubyi* also occurs.

The rocky shorelines and vegetated sea cliffs are characterised by species such as Thrift, Rock Samphire, Rock Sea-lavender, Sea Plantain, Buck's Horn Plantain, Rock Sea-spurrey and Sea Mayweed. The cliffs and headlands are also of ornithological interest for breeding Choughs, Ravens and Peregrines, and as a landfall for migrant bird species.

The Impact of Designation on Farming Practices and Land Use

Farming

In most cases where lands are included in a SAC, SPA or NHA, farmers will not have to change their farming methods; it is more likely that farmers will be requested to carry on in the traditional way. In some situations changes may be necessary. The Department consults with farmers and advises them on the appropriate changes that may need to be made. Where a farmer is required to take particular action to protect the wildlife interest of the site, compensation may be payable, either through the Rural Environment Protection Scheme, or based on a Departmental farm plan.

It is the responsibility of the Department to see that designated sites are protected from significant damage. Where a landowner is considering making changes on his farm that might affect wildlife habitat in a designated area, he must consult the local Conservation Ranger beforehand.

Developments likely to cause significant damage to the wildlife importance of a designated site will not be allowed. The only exceptions allowed in SACs and SPAs are for reasons of over-riding public interest, in the absence of any realistic alternative.

It is Irish Government policy, and EU policy, not to allow grant-aided developments that damage the environment.

Notifiable Actions

Certain activities restricted within SACs, SPAs and NHAs can only be carried out with the permission of the Minister for the Environment and Local Government. In the case of NHAs, 3 months written prior notice is required to be given to the Minister before undertaking any notifiable activities. Please contact your local ranger if you require clarification. These are called Notifiable Actions and vary depending on the type of habitat that is present on the site. Landowners are sent copies of the Notifiable Actions that are relevant to their lands.

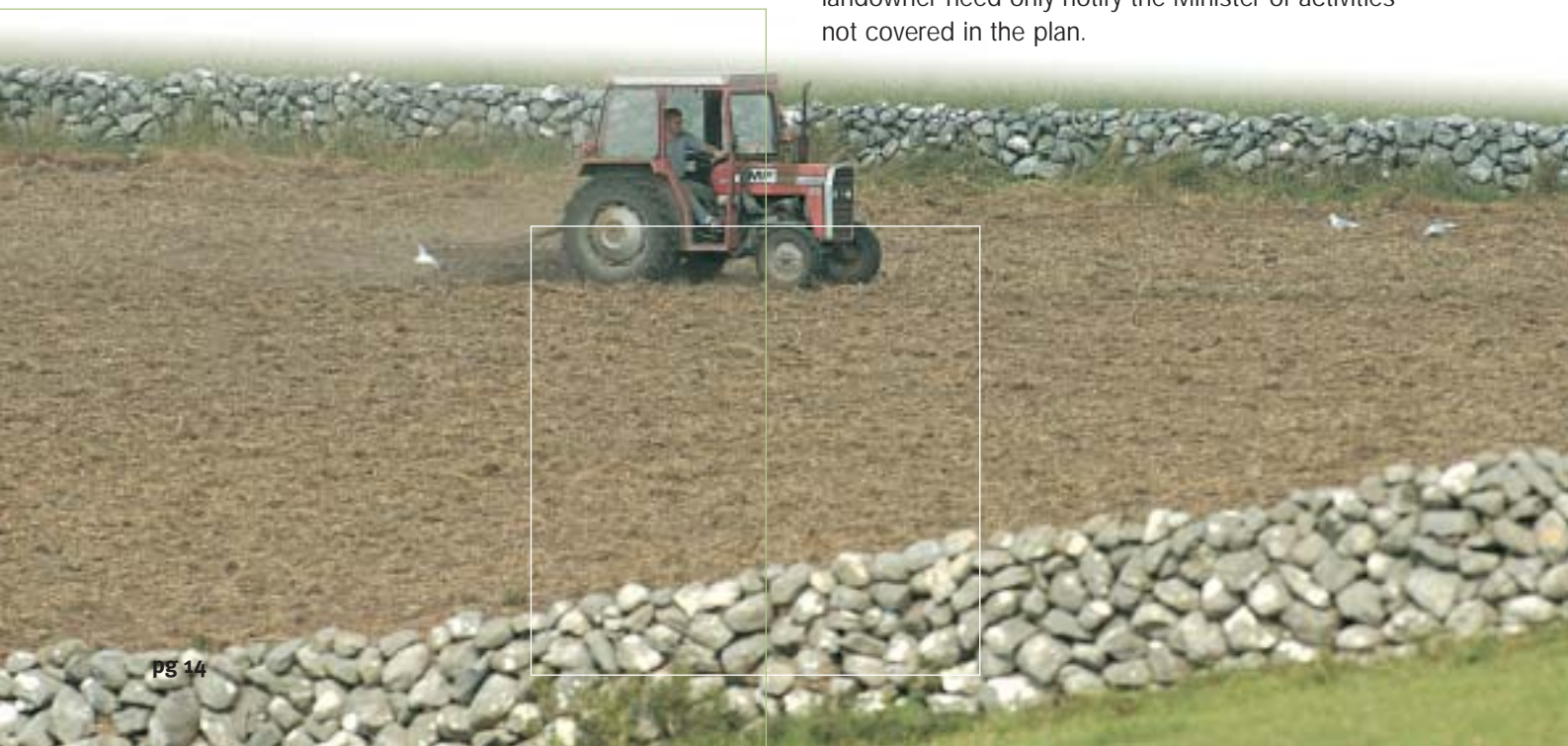
For example, Notifiable Actions for a riverbank in a SAC include:

- The use of fertilisers, pesticide or herbicide near the river-bank
- The alteration of the river flow
- The removal of trees or vegetation from within 30 metres of the river-bank
- The introduction of new species of plants or animals not currently found in the area.

For a sand dune area, Notifiable Actions include:

- Removal of sand
- Dumping
- Ploughing, reseeding or fertilising
- Supplementary feeding of livestock

Where a landowner has a current approved farm plan under the Rural Environmental Protection Scheme (REPS), or an equivalent scheme, the landowner need only notify the Minister of activities not covered in the plan.



EXAMPLES OF CONSERVATION AREAS

SPECIAL AREAS 4: *Lambay Island*



Lambay Island is a large (250 ha.) privately-owned island lying 4 km off Portrane on the north Co. Dublin coast, which has long been maintained as a wildlife sanctuary by its owners. The island rises to 127 m and is surrounded by steep cliffs on the north, east and south slopes. The west shore is low-lying and the land slopes gently eastwards to the summit in the centre of the island. Lambay Island is designated as a SAC and SPA.

Lambay is internationally important for its breeding seabirds and has the biggest seabird colony in Ireland. The most numerous species is the Guillemot, whose nesting population has risen from 10,500 in 1970 to 60,000 in 1999. Razorbills, Kittiwakes, Herring Gulls, Shags, Cormorants, Puffins and other seabirds also breed here.



In winter Greylag Geese use the island, along with small numbers of Barnacle and Brent Geese.

Lambay supports the only colony of Grey Seals on the east coast. Although it is a long established breeding site for this species, it remains relatively small (45-60 individuals) probably because of the restricted area suitable for breeding. Grey Seals are listed on Annex II of the EU Habitats Directive.

Most of the western third of the island is intensively farmed (mostly pasture), and there are small areas of parkland, deciduous and coniferous woodland, buildings, walled gardens and the harbour. Much of the rest of the island is a mixture of less intensively grazed land, rocky outcrops, patches of Bracken and Bramble, and cliff slopes with typical maritime vegetation e.g. Thrift, Sea Campion, Rock Sea-spurrey and Spring Squill. Some sheltered gullies have small areas of scrub woodland dominated by Elder.

The Impact of Designation on Farming Practices and Land Use

A landowner can appeal a refusal of consent for a notifiable activity, by contacting freephone 1800 405 000.

Farming prescriptions and Farm Plans

It is a condition of a number of farm-related payments that the farmer must be signed up for either a REPS or Departmental farm plan. This requires an agreed approach on how to manage farming in, and around, wildlife habitats. The Department of the Environment, Heritage and Local Government has agreed farming prescriptions for some habitats with the Irish Farmers' Association (IFA), the Irish Creamery Milk Suppliers Association (ICMSA), and the Department of Agriculture and Food. These habitats are: the Burren, blanket bogs, heaths, upland grasslands, sand dune habitats and machair. Agreement has yet to be reached on prescriptions for a number of other habitats such as callow type land, river banks turloughs and intensive grasslands, and discussions are on going with the relevant farm organisations.

Farm planners will then use these prescriptions when drawing up REPS plans or Departmental farm plans.

Planning Applications

Planning authorities are required by law to ensure that developments in their area do not cause any

significant damage to SACs and SPAs. As with farming, developments likely to cause significant damage to the wildlife importance of a designated site must not be allowed.

Local Authorities (Co. Councils, Corporations etc.) are provided with maps of conservation sites in their areas and are required by law to incorporate these into their Development Plans. If a proposed development is likely to have an adverse effect on a site, an alternative approach may be suggested.

SACs do not automatically prohibit development. Developments not causing significant harm to the conservation interest of a site may be permitted.

Grazing, Sporting and Turf-Cutting Rights

Those who own these rights have the same responsibility as landowners to ensure that their activities do not damage the wildlife quality of a site. Any person who illegally damages a site may be prosecuted or required to repair damage.

The designation of a SAC, SPA or NHA rarely affects the shooting interests on the site.



The Impact of Designation on Farming Practices and Land Use

Licences

All public authorities and Government Ministers who licence activities in SACs and SPAs must assess applications in the light of the conservation interest of the sites. The Minister for the Environment and Local Government must assess activities not licenced by other Ministers or Authorities. Other bodies that have direct responsibility for implementing conservation directives are as follows:

The Department of Agriculture and Food

The Department of Communications, Marine and Natural Resources

The Office of Public Works

The Environmental Protection Agency

Local Authorities

An Bórd Pleanála

The National Roads Authority

Waterways Ireland



EXAMPLES OF CONSERVATION AREAS

SPECIAL AREAS 5: *Lough Melvin*

Lough Melvin is a cross-border SAC. Most of the lake is in north Leitrim but part is in Fermanagh.

Lough Melvin is an “oligo-mesotrophic” lake, i.e a lake with little build-up of nutrients in the water. It is 13 km long by 3 km wide. The average depth is 8.5 m with a maximum depth of 45 m. A number of inflowing and outflowing streams and rivers are in the SAC, including the Drowes River which links the lake to Donegal Bay. Several large islands occur on the lake.

Lough Melvin has a remarkable fish community. It has three races of Brown Trout (*Salmo trutta*) - Ferox, Sonaghien and Gillaroo - which have distinctive characteristics and separate spawning grounds, and there is much scientific interest in the possibility that they are really separate species. The lake's inflowing and outflowing streams, which are used for spawning by these Brown Trout “races”, are included in the site.

The Drowes River is an internationally-renowned salmon fishery.

In addition to the trout and salmon, there is a population of the Arctic Char, which has been in the lake since the end of the last Ice Age. Char normally go to sea like salmon, but Irish populations are land-locked and the fish remain small unlike their Arctic cousins.

Moderate numbers of waterfowl use the lake and Greenland White-fronted Geese, a species listed on Annex I of the EU Birds Directive, have occasionally been reported from the site.

The lake has a good diversity of aquatic plants, indicative of good water quality. Swamp vegetation is generally sparse, being best developed in the sheltered bay areas. The most extensive terrestrial habitat in the site is lowland wet grassland. This is highly variable throughout the site in both its species composition and species richness.

Wet deciduous woodland, dominated by Alder, Goat Willow and Downy Birch, is common in places. Drier woodland exists in other areas, with Hazel, Ash, Holly and Hawthorn and associated ground cover.

Four plant species which are listed in the Irish Red Data Book, Globeflower (*Trollius europaeus*), Marsh Helleborine (*Epipactis palustris*), Blue-eyed-grass (*Sisyrinchium bermudiana*) and Tea-leaved Willow (*Salix phylicifolia*), are found in this site. The Globeflower is also protected under the Flora Protection Order (1999).



Compensation for Land Owners and Users

The Government is committed, as part of the social partnership process, to the payment of a fair and proper level of compensation to landowners and users who have lands proposed for designation as a NHA, SAC or SPA.

Rural Environmental Protection Scheme (REPS)

Lands within a candidate SAC, designated SPA, proposed NHA or Commonages are defined as 'Target Areas' under this scheme. Farmers in the target areas who participate in the REPS scheme receive higher payments than those elsewhere. Farmers with small areas of land in a NHA, SAC or SPA can get REPS payments for that part of their farm. In either case, the farmer is subject to certain conditions regarding farming and land use practices, set out in the REPS plan for the farm.

Departmental Farm Plans

Where a farmer chooses not to participate in REPS, and the Department seeks to change the farm operation in some way or to end a particular activity, the Department will pay for preparation of a farm plan. This will normally be confined just to the designated lands, and will address the conservation requirements. The farm plan will list options for achieving these requirements and indicate the actual costs to the farmer. The Department and the farmer will then negotiate an agreement on the plan and payment of the costs.

The Department will train farm planners in preparation of farm plans for non-REPS farmers. A list of approved planners will be available to the farmer to choose from.

Compensation for landowners who are not farming

A landowner may seek compensation for actual losses incurred as a result of having land included in

a NHA, candidate SAC or SPA. Eligible landowners should submit to the Department, details of the losses incurred as a result of the inclusion of lands in a NHA, SAC or SPA, outlining the basis for the calculations. Documentary evidence of past earnings and the activities that produced these should be included with the claim. Should the applicant be dissatisfied with a compensation that is made, the case may be referred to an independent arbitrator who will review the matter and make a final decision.

Where a proposed SAC/NHA/SPA prevents the landowner from carrying out an activity or development on their land, the compensation due will exclude any payments that have been attracted under grant schemes (other than headage or premia payments).

Aquaculture

The compensatory arrangements outlined above apply also to aquaculture / foreshore licence holders, who may seek compensation for actual losses incurred as a result of having their area of operations included in a candidate SAC / SPA. Eligible licence holders wishing to use this option should submit to the Department, details of the losses incurred as a result of the inclusion of lands in a proposed candidate SAC or SPA, outlining the basis for the calculations. Documentary evidence of past earnings, and the activities that produced these, should be included with the claim.

The Department will prepare conservation plans in consultation with local interest groups. These plans will take account of aquaculture, fishing and leisure activities. Compensation will be provided for actual income loss due to the implementation of these plans.



Other designations

Nature Reserves

A Nature Reserve is an area of importance to wildlife, which is protected under Ministerial order. Most are owned by the State. However, some are owned by organisations or private landowners, and persons interested in acquiring statutory protection for their lands can seek advice on this matter from the Department.

Flora Protection Order

Under the Wildlife Act, 1976, particular plants are protected under a Flora Protection Order. It is an offence to cut, uproot or damage these plants unless under licence from the Minister for the Environment, Heritage and local Government. It is also an offence to wilfully damage or interfere with the habitat in any way except under licence. The Flora Protection Order lists 68 species for strict protection.

Refuge for Fauna or Flora

Under the Wildlife Acts, the Minister may designate Refuges for wild birds or wild animals or flora and

impose protective measures to conserve both the species and their habitats. Seven such refuges already exist; they are mainly islands or cliff faces.

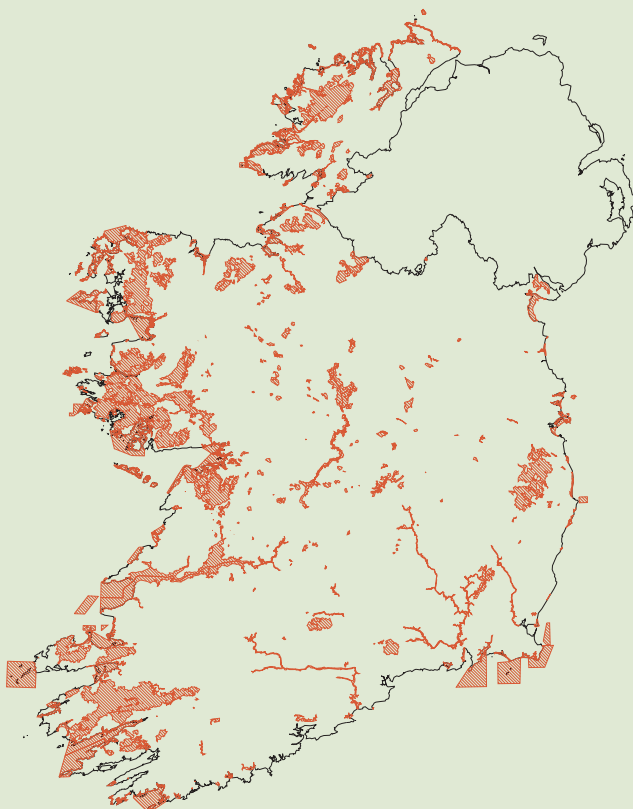
Wildfowl Sanctuaries

These sanctuaries are areas that have been excluded from the 'Open Season Order' so that game birds can rest and feed undisturbed. There are 68 sanctuaries in the State. Shooting of game birds is not allowed in these sanctuaries.

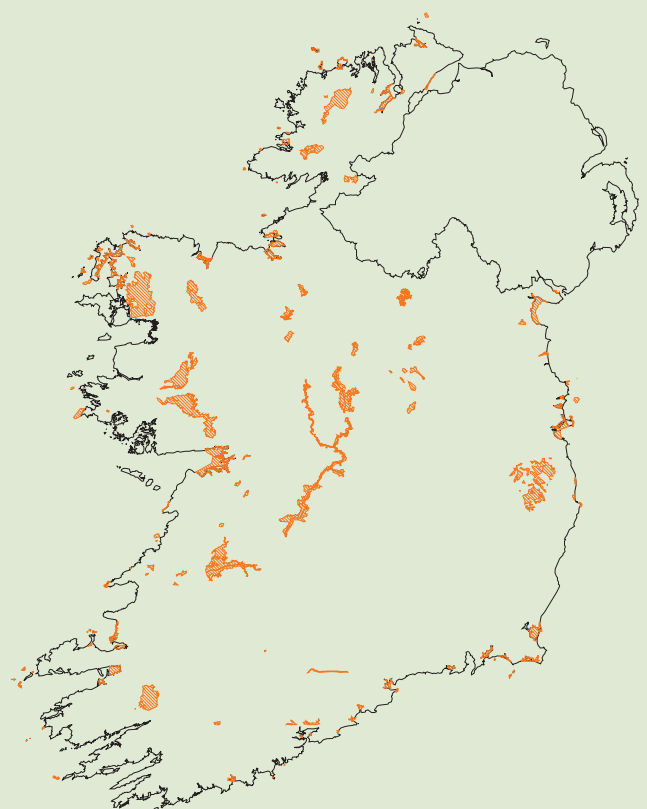
Management Agreements

The Wildlife Act, 1976, enables the Minister to enter into a voluntary management agreement with private landowners. Under these agreements landowners will manage their lands to ensure that desirable wildlife habitats are protected. Payment for such responsible management may be agreed. However, the number and type of such agreements depends on the resources available to the Department at any time.

CANDIDATE SPECIAL AREAS OF CONSERVATION IN IRELAND



SPECIAL PROTECTION AREAS – PROPOSED AND EXISTING



EXAMPLES OF CONSERVATION AREAS

SPECIAL AREAS 6: *East Burren Complex*



This SAC covers 18,800 hectares of the Burren in north Clare and a small part of southwest Galway. The area encompasses a complete range of limestone habitats that include the largest expanse of limestone pavement in the country, and includes one of the most important and extensive examples of a low-nutrient wetland system. It holds an array of habitats associated with limestone, including orchid-rich grassland, heath, scrub, woodland, lakes and turloughs. The site exhibits some of the best limestone wetlands to be found in Europe.

The Burren is renowned for its plant life, including species such as Spring Gentian, Mountain Avens and Bloody Cranesbill.

There are 8 turloughs within the site. Turloughs are lake basins which fill in the winter months and dry out during summer. They have a distinctive and unusual vegetation and some specialist animals associated with them.

The SAC hosts Lesser Horseshoe Bat, a cave-dwelling species which is in decline across Europe. Pine martens are widespread.

When winter arrives in the east Burren wetlands, Mute and Whooper Swan come in large concentrations. Wigeon, Lapwing, Dunlin, Black-tailed Godwit and Goldeneye are numerous. Greenland White-fronted Geese also occur.

SPECIAL AREAS 7: *Bandon River*



The site consists of relatively short adjoining stretches of the Bandon and Caha rivers in west Cork and is designated as both a site of national importance (NHA), and European importance (SAC). The area is significant for a number of reasons. It contains small though very important examples of two priority habitats, Alluvial Forest and Floating River Vegetation. Otter, Salmon, Brook Lamprey and Freshwater Pearl Mussel are all species listed in the Habitats Directive that are present on the site. The population of mussel is thought to be nationally important.

HABITATS LISTED IN ANNEX 1 OF THE HABITATS DIRECTIVE FOR WHICH SITES HAVE BEEN SELECTED IN IRELAND

PRIORITY HABITATS

- Coastal Lagoons (Code 1150)
- Fixed Coastal Dunes with Herbaceous Vegetation (Grey Dunes) (Code 2130)
- Decalcified Fixed Dunes with *Empetrum nigrum* (Code 2140)
- Atlantic Decalcified Fixed Dunes (Code 2150)
- Machair (Code 21a0)
- Turloughs (Code 3180)
- Semi-Natural Dry Grassland and Scrubland Facies on Calcareous Substrates (Code 6210)
- Species-Rich Nardus Grasslands, on Siliceous Substrates in Mountain Areas (Code 6230)
- Active Raised Bogs (Code 7110)
- Blanket Bog (Active) (Code 7130)
- Calcareous Fens with *Cladium mariscus* (Code 7210)
- Petrifying Springs with Tufa Formation (Code 7220)
- Limestone Pavements (Code 8240)
- Bog Woodland (Code 91d0)
- Alluvial Forest (Code 91e0)
- *Taxus baccata* Woods of the British Isles (Code 9580)

NON-PRIORITY HABITATS

- Sand Banks which are slightly covered by sea water at all times (Code 1110)
- Estuaries (Code 1130)
- Mudflats and Sandflats not covered by seawater at low tide (Code 1140)
- Large Shallow Inlets and Bays (Code 1160)
- Reefs (Code 1170)
- Annual Vegetation of Drift Lines (Code 1210)
- Perennial Vegetation of Stony Banks (Code 1220)
- Vegetated Sea Cliffs of the Atlantic and Baltic Coasts (Code 1230)
- *Salicornia* and other Annuals Colonizing Mud and Sand (Code 1310)
- Atlantic Salt Meadows (Code 1330)
- Mediterranean Salt Meadows (Code 1410)
- Mediterranean and Thermo-Atlantic Halophilous Scrubs (Code 1420)
- Embryonic Shifting Dunes (Code 2110)
- Shifting Dunes Along The Shoreline with *Ammophila arenaria* (White Dunes) (Code 2120)
- Dunes with *Salix repens* ssp. *argenta* (Code 2170)
- Humid Dune Slacks (Code 2190)

- Oligotrophic Waters containing very few minerals of Sandy Plains (Code 3110)
- *Spartina* Swards (Code 1320)
- Oligotrophic to Mesotrophic Standing Waters (Code 3130)
- Hard Oligo-Mesotrophic Waters with Benthic Vegetation of Chara Spp. (Code 3140)
- Natural Eutrophic Lakes (Code 3150)
- Natural Dystrophic Lakes and Ponds (Code 3160)
- Water Courses of Plain to Montane Levels with Aquatic Vegetation (Code 3260)
- Rivers with Muddy Banks with *Chenopodium Rubri p.p.* and *Bidentation p.p.* Vegetation (Code 3270)
- Northern Atlantic Wet Heaths with *Erica tetralix* (Code 4010)
- European Dry Heaths (Code 4030)
- Alpine and Boreal Heaths (Code 4060)
- Juniperus communis Formations on Heaths or Calcareous Grasslands (Code 5130)
- Calaminarian Grasslands (Code 6130)
- Molinia Meadows on Calcareous, Peaty or Clayey-Silt-Laden Soils (Code 6410)
- Hydrophilous Tall Herb Fringe Communities (Code 6430)
- Lowland Hay Meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*) (Code 6510)
- Degraded Raised Bogs Still Capable of Natural Regeneration (Code 7120)
- Transition Mires and Quaking Bogs (Code 7140)
- Alkaline Fens (Code 7230)
- Siliceous Screes (Code 8110)
- Calcareous and Calc Schist Screes (Code 8120)
- Calcareous Rocky Slopes with Chasmophytic Vegetation (Code 8210)
- Siliceous Rocky Slopes with Chasmophytic Vegetation (Code 8220)
- Caves Not Open To The Public (Code 8310)
- Old Sessile Oak Woods with *Ilex* and *Blechnum* in British Isles (Code 91a0)
- Submerged or Partly Submerged Sea Caves (Code 9330)

SPECIES LISTED IN ANNEX II OF THE HABITATS DIRECTIVE FOR WHICH SITES HAVE BEEN SELECTED IN IRELAND

- LESSER HORSESHOE BAT (*Rhinolophus hipposideros*)
- OTTER (*Lutra lutra*)
- GREY SEAL (*Halichoerus grypus*)
- COMMON SEAL (*Phoca vitulina*)
- BOTTLE-NOSED DOLPHIN (*Tursiops truncatus*)
- PORPOISE (*Phocaena phocaena*)*
- BROOK LAMPREY (*Lampetra planeri*)
- RIVER LAMPREY (*Lampetra fluviatilis*)
- SEA LAMPREY (*Petromyzon marinus*)
- SALMON (in fresh waters only) (*Salmo salar*)
- TWAITE SHAD (*Alosa fallax*) including KILLARNEY SHAD (*A. f. killarnensis*)
- WHITE-CLAWED CRAYFISH (*Austropotamobius pallipes*)
- MARSH FRITILLARY BUTTERFLY (*Euphydryas aurinia*)
- KERRY SLUG (*Geomalacus maculosus*)
- FRESH WATER PEARL MUSSEL (*Margaritifera margaritifera*)
- FRESHWATER PEARL MUSSEL (*Margaritifera durrovensis*)**
- WHORL SNAIL *Vertigo angustior*
- WHORL SNAIL *Vertigo geyeri*
- WHORL SNAIL *Vertigo moulinsiana*
- KILLARNEY FERN (*Trichomanes speciosum*)
- SLENDER NAIAD (*Najas flexilis*)
- MARSH SAXIFRAGE (*Saxifraga hirculus*)
- SHINING SICKLE MOSS (*Drepanocladus vernicosus*)
- PETALWORT (*Petallophyllum ralfsii*)

* site selection process not yet complete

** now believed to be a form of *Margaritifera margaritifera*