



NOTICE OF INTENTION TO DESIGNATE

THE CORK HARBOUR SPA

(Site code: 004030)

County Cork

as a

SPECIAL PROTECTION AREA (SPA)

(1). LOCATION OF CORK HARBOUR SPA

The Cork Harbour is a large, sheltered bay system, with several river estuaries - principally those of the Rivers Lee, Douglas, Owenboy and Owennacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas River Estuary, inner Lough Mahon, Monkstown Creek, Lough Beg, the Owenboy River Estuary, Whitegate Bay and the Rostellan and Poul nabibe inlets.

The following townlands/locations are included in the SPA. Please note that some townlands/locations may be only partially included within the SPA.

AGHADA, AGHAMARTA, ASHGROVE (ED COBH RURAL), BALLINCARROONIG, BALLINCURRIG (ST. FINBAR'S PH), BALLINLOUGH (ST. FINBAR'S PH), BALLINLOUGH (ST. FINBAR'S PH) (PART OF), BALLINTUBBRID EAST, BALLINTUBBRID WEST, BALLINURE (ST. FINBAR'S PH), BALLYANNAN, BALLYDANIEL BEG, BALLYDANIEL MORE, BALLYELLANE, BALLYFOULOO, BALLYNACORRA, BALLYNACORRA WEST, BALLYNACRUSHA, BALLYNAFARSID, BALLYNATRA (ED COBH RURAL), BALLYTRASNA (ED CAHERLAG), BALLYVODOCK EAST, BALLYVODOCK WEST, BARNAHELY, BARRYS COURT, BELGROVE, BELVELLY, BELVELLY (PART OF), BROWN ISLAND, CARRIGALINE EAST, CARRIGALINE MIDDLE, CARRIGRENAN, CARRIGTOHILL, CASTLEREDMOND, COOLMORE (ED CARRIGALINE), CORKBEG, COURTSTOWN, CURRABALLY, CURRAGHBINNY, DOUGLAS, DUNKETTLE, FOATY, FRENCHFURZE, GARRANEKINNEFEAKE, GARRYDUFF (ED MIDLETON RURAL), GLASHABOY RIVER, HARPERS ISLAND, HODDERSFIELD, HOP ISLAND, INCHERA, JAMESBROOK, JOHNSTOWN (ED CARRIGTOHILL), KILLACLOYNE, KILLAHORA, KILNAGLERY, KNOCKANEMORNEY, LACKENROE, LOTA MORE, LOUGHATALIA, LOUGHBEG, MAHON, MARINO, MONFIELDSTOWN, MONKSTOWN (CASTLE FARM), MOSESTOWN, MOUNTHOVEL, OATENCAKE, RAFFEEN, RATHCOURSEY EAST, RINGASKIDDY, ROCHESTOWN (ED DOUGLAS), ROSSLAGUE, ROSSMORE (ED CARRIGTOHILL), ROSTELLAN, SHANBALLY (ED CARRIGALINE), TOWNPARKS (ED MIDLETON), TULLAGREEN, WALLINGSTOWN, WALTERSTOWN.

(2). WHY CORK HARBOUR SPA IS OF ECOLOGICAL INTEREST

Owing to the sheltered conditions, the intertidal flats are often muddy in character. These muds support a range of macro-invertebrates, notably *Macoma balthica*, *Scrobicularia plana*, *Hydrobia ulvae*, *Nephtys*

hombergi, *Nereis diversicolor* and *Corophium volutator*. Green algae species occur on the flats, especially *Ulva lactuca* and *Enteromorpha* spp. Cordgrass (*Spartina* spp.) has colonised the intertidal flats in places, especially where good shelter exists, such as at Rossleague and Belvelly in the North Channel. Salt marshes are scattered through the site and these provide high tide roosts for the birds. Salt marsh species present include Sea Purslane (*Halimione portulacoides*), Sea Aster (*Aster tripolium*), Thrift (*Armeria maritima*), Common Saltmarsh-grass (*Puccinellia maritima*), Sea Plantain (*Plantago maritima*), Lax-flowered Sea-lavender (*Limonium humile*) and Sea Arrowgrass (*Triglochin maritima*). Some shallow bay water is included in the site. Cork Harbour is adjacent to a major urban centre and a major industrial centre. Rostellan Lake is a small brackish lake that is used by swans throughout the winter. The site also includes some marginal wet grassland areas used by feeding and roosting birds.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Little Grebe, Great Crested Grebe, Cormorant, Grey Heron, Shelduck, Wigeon, Teal, Pintail, Shoveler, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Black-headed Gull, Common Gull, Lesser Black-backed Gull and Common Tern. The site is also of special conservation interest for holding an assemblage of over 20,000 wintering waterbirds. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

Cork Harbour is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl, for which it is amongst the top five sites in the country. The two-year mean of summed annual peaks for the entire harbour complex was 55,401 for the period 1995/96 and 1996/97. Of particular note is that the site supports internationally important populations of Black-tailed Godwit (905) and Redshank (1,782) - all figures given are average winter means for the two winters 1995/96 and 1996/97. At least 18 other species have populations of national importance, as follows: Little Grebe (51), Great Crested Grebe (204), Cormorant (705), Grey Heron (63), Shelduck (2,093), Wigeon (1,852), Teal (922), Pintail (66), Shoveler (57), Red-breasted Merganser (88), Oystercatcher (1,404), Golden Plover (3,653), Grey Plover (84), Lapwing (7,688), Dunlin (10,373), Bar-tailed Godwit (417), Curlew (1,325) and Greenshank (26). The Shelduck population is the largest in the country (over 10% of national total). The site has regionally or locally important populations of a range of other species, including Whooper Swan (10), Pochard (145) and Turnstone (79). Other species using the site include Gadwall (13), Mallard (456), Tufted Duck (113), Goldeneye (31), Coot (53), Mute Swan (38), Ringed Plover (34) and Knot (38). Cork Harbour is a nationally important site for gulls in winter and autumn, especially Black-headed Gull (4,704), Common Gull (3,180) and Lesser Black-backed Gull (1,440).

A range of passage waders occurs regularly in autumn, including such species as Ruff (5-10), Spotted Redshank (1-5) and Green Sandpiper (1-5). Numbers vary between years and usually a few of each of these species over-winter.

The wintering birds in Cork Harbour have been monitored since the 1970s and are counted annually as part of the I-WeBS scheme.

Cork Harbour has a nationally important breeding colony of Common Tern (3-year mean of 69 pairs for the period 1998-2000, with a maximum of 102 pairs in 1995). The birds have nested in Cork Harbour since about 1970, and since 1983 on various artificial structures, notably derelict steel barges and the roof of a Martello Tower. The birds are monitored annually and the chicks are ringed.

Extensive areas of estuarine habitat have been reclaimed since about the 1950s for industrial, port-related and road projects, and further reclamation remains a threat. As Cork Harbour is adjacent to a major urban centre and a major industrial centre, water quality is variable, with the estuary of the River Lee and parts of the Inner Harbour being somewhat eutrophic. However, the polluted conditions may not be having significant impacts on the bird populations. Oil pollution from shipping in Cork Harbour is a general threat. Recreational activities are high in some areas of the harbour, including jet skiing which causes disturbance to roosting birds.

Cork Harbour is of major ornithological significance, being of international importance both for the total

numbers of wintering birds (i.e. 20,000) and also for its populations of Black-tailed Godwit and Redshank. In addition, there are at least 18 wintering species that have populations of national importance, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Golden Plover, Bar-tailed Godwit, Ruff and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it.

(3). LIST OF QUALIFYING INTERESTS UNDER THE EU BIRDS DIRECTIVE FOR SPA 004030

Qualifying Code		Qualifying Name
ANNEX of EU Birds Directive	Common Name	Scientific name
N/A	Cormorant	<i>Phalacrocorax carbo</i>
N/A	Shelduck	<i>Tadorna tadorna</i>
N/A	Oystercatcher	<i>Haematopus ostralegus</i>
Annex I	Golden Plover	<i>Pliuvialis apricaria</i>
N/A	Lapwing	<i>Vanellus vanellus</i>
N/A	Dunlin	<i>Calidris alpina</i>
N/A	Black-tailed Godwit	<i>Limosa limosa</i>
N/A	Bar-tailed Godwit	<i>Limosa lapponica</i>
N/A	Curlew	<i>Numenius arquata</i>
N/A	Redshank	<i>Tringa totanus</i>
Annex I	Common Tern	<i>Sterna hirundo</i>

ADDITIONAL SPECIAL CONSERVATION INTERESTS FOR THIS SITE:

N/A	Little Grebe	<i>Tachybaptus ruficollis</i>
N/A	Great Crested Grebe	<i>Podiceps cristatus</i>
N/A	Grey Heron	<i>Ardea cinerea</i>
N/A	Wigeon	<i>Anas penelope</i>
N/A	Teal	<i>Anas crecca</i>
N/A	Pintail	<i>Anas acuta</i>
N/A	Shoveler	<i>Anas Clypeata</i>
N/A	Red-breasted Merganser	<i>Mergus serrator</i>
N/A	Grey Plover	<i>Pliuvialis squatarola</i>
N/A	Black-headed Gull	<i>Larus ribundus</i>

N/A	Common Gull	<i>Larus canus</i>
N/A	Lesser Black-backed Gull	<i>Larus fuscus</i>

Wetlands and Waterbirds are a Special Conservation Interest for this site

(4) SAFEGUARDING SPECIAL PROTECTION AREAS (SPAs)

In order to protect ecologically important sites, certain potentially harmful works are restricted within SPAs. These works (***known as Notifiable Actions, damaging activities or operations requiring consent***) are works liable to destroy or to significantly alter, damage or interfere with the ecology of the site. They vary depending on the type of habitat present.

A landowner/user contemplating undertaking such works is required to seek the consent of the Minister for the Environment, Heritage and Local Government. (***In practice, such consent should be sought initially from the local NPWS conservation ranger.***) The Works can only commence on the grant of the Minister's consent.

OPERATIONS REQUIRING CONSENT

(OPERATIONS LIKELY TO ALTER, DAMAGE, DESTROY OR INTERFERE WITH THE INTEGRITY OF THE SITE)

The following Notifiable Activities apply:

- Altering watercourses or wetlands, including changing the height of the water table, blocking or altering the flow of the water or deepening any channel
- Developing, operating or allowing leisure or sporting activities liable to cause significant disturbance to those birds listed at **(3)** above or damage to their habitats
- Use of off road recreational vehicles, other than by a landowner or on a public road or a non-public road serving forests or woodlands
- Harvesting marine species, unless for personal use not exceeding certain limits as may be set by the Minister from time to time
- Construction or alteration of tracks, paths, roads, embankments, car parks or access routes, or using or permitting the use of land for car parking
- Planting of trees
- Reclamation or infilling
- Removal of soil, mud, gravel, rock or minerals
- Dredging whether for fishing or other purposes
- Introduction (or re-introduction) into the wild of plants or animals not currently found in the area
- Any activity which destroys habitat, except normal maintenance activities as defined in approved farm plans

- Reclaiming land for agricultural purposes, including spraying or burning vegetation, clearing scrub and rough vegetation, draining or moving soil, ploughing , harrowing or reseeded
- Any other activity of which notice may be given by the Minister from time to time

PLEASE NOTE:

In respect of any of the activities listed in the above Schedule, there is no requirement to obtain the consent of the minister if the said activity is licensed by or subject to the permission of another Minister, Public Body, State or Local Authority or specified as permitted in an approved farm plan for the land in question.

(5) OBJECTING TO DESIGNATION

Objections to the inclusion of land within an area proposed for designation as a Special Protection Area can be made on scientific grounds only. Only those with a legal interest in the land can lodge an objection. All objections **must be** lodged within **three months** of advertisement of these proposals; therefore, the deadline for receipt of objections for this proposal is **Tuesday 4th November 2008**. The first stage (internal review) is conducted by the local National Parks & Wildlife Service (NPWS) conservation ranger. If your objection is not successful following this review, it can then be considered further by the ***Designated Areas Appeals Advisory Board***. This Board provides impartial advice to the Minister for the Environment, Heritage and Local Government in relation to the boundaries of nature conservation sites. The Board is independently chaired and is comprised of representatives from organisations representing farmers or other landowners and from non-governmental conservation organisations.

STAGE ONE - INTERNAL REVIEW

If you wish to object to your land being included in an SPA or to any restriction applied to your land as a result of designation, you should contact your NPWS local conservation ranger to discuss these issues. You may also lodge an objection by contacting:

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

Tel: (01) 888 3265 Fax: (01) 888 3272 E-mail: natureconservation@environ.ie

Objections must be made in writing and **be accompanied by a good quality map** with the boundary of the area relating to the objection clearly outlined. Verbal requests will not constitute registration of your objection.

Most objections are dealt with at internal review stage. At internal review, the local conservation ranger may arrange to meet you on site to examine the relevant area under review. Adjustments to boundaries can only be made on scientific grounds.

STAGE TWO – REFERAL OF OBJECTION TO ADVISORY BOARD

This option is available only where an objection is unsuccessful at internal review. The landowner will be informed of the outcome of the internal review and if relevant will be given the option of having the objection referred to the ***Designated Areas Appeals Advisory Board***. In deciding stage two objections, the Minister will be advised by this Board. The Board is comprised of equal representation of landowners/users and conservationists. It has an independent chairman and where possible local landowner/user groups and local conservation groups will be represented on the board.

(6). AGRI-ENVIRONMENT SCHEMES

(A) NATIONAL PARKS & WILDLIFE SERVICE FARM PLAN SCHEME

Please see enclosed information leaflet entitled “**Farm Plan Scheme for Designated Areas and Commonages**” for further details of scheme.

(B) RURAL ENVIRONMENT PROTECTION SCHEME (REPS)

(Administered by the Department of Agriculture, Fisheries and Food)

Farmers with land in an SAC/SPA and who participate in the REPS scheme will be required to comply with an approved Farm Management Plan under **the NATURA 2000 Measure of the Rural Development Plan 2007–2013**. Land within a designated or a proposed SAC or SPA constitutes a **NATURA 2000 site**. The conditions set down in the Farm Management Plan will reflect the farming prescription necessary for the preservation of the habitat required for the protection of the species for which the site is designated.

REPS Farmers with NATURA 2000 land are eligible for the following REPS/NATURA 2000 payments: —

HECTARES	EURO (per hectare)
0–40	€282
41–80	€29
81–120	€22
Over 120	€5

[1 hectare = 2.47 acres]

Additional land outside of the SAC/SPA may be eligible for a REPS payment.

Where relevant these rates are also applied to designated NHA sites and Non-NATURA 2000 commonage land.

The area in receipt of NATURA 2000 payment will determine the REPS payment band for any additional land.

NB It should be noted that only one of the options outlined above may be availed of (either Agri-Environment Scheme A or Agri-Environment Scheme B). Participation in one scheme, means that you are ineligible for the others.

(7). COMPENSATION

COMPENSATION APPLICABLE ONLY FOR ACTUAL LOSSES

The Government is committed to the payment of a fair and proper level of compensation to landowners and land users who are at a financial loss as a result of restrictions applied further to the designation of Natural Heritage Areas (NHA), Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

Landowners may seek compensation for **actual** losses incurred solely as a result of restrictions imposed on land included in a proposed or designated NHA, SAC or SPA. Affected landowners/users wishing to avail of this option should write to:

Site Protection Unit, National Parks & Wildlife Service, 7 Ely Place, Dublin 2

providing details of the losses incurred as a result of restrictions imposed on areas in an NHA, SAC or SPA site and outlining the basis for the calculations.

Documentary evidence of past earnings and the activities that produced these should also be included with your claim.

The material will be examined and if appropriate, an offer of compensation will issue in due course. Should the applicant be dissatisfied with the outcome of the assessment, the claim may be referred to an independent arbitrator who will review the matter and make a final decision.

Where restrictions imposed on areas included in designation of an NHA, SAC or SPA prevents the landowner from carrying out an activity or development on their land, any compensation offered will exclude any payments that may have been attracted under grant schemes.

(8.) ADVERTISEMENT OF PROPOSAL TO DESIGNATE SPA

A proposal to designate this site as an SPA was advertised (see advert below) on local radio stations and in the following local newspapers:

The Examiner - Week Beginning 11th August 2008

The Evening Echo - Week Beginning 11th August 2008

**FURTHER INFORMATION IS AVAILABLE FROM
THE LOCAL NPWS CONSERVATION RANGER
(see www.npws.ie for contact details),
OR BY CALLING FREEPHONE 1800-40 5000**



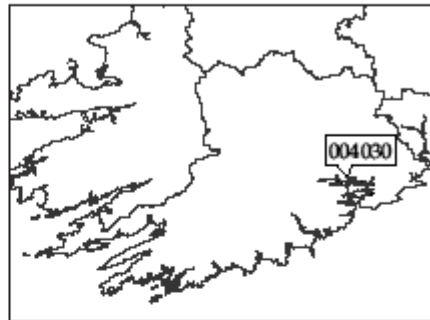
Comhairle, Clainneacht agus Rialtas Árainn
Environment, Heritage and Local Government

GOVERNMENT NOTICE



SPECIAL PROTECTION AREA – COUNTY CORK

The Minister for the Environment, Heritage and Local Government, Mr. John Gormley, T.D., proposes to designate particular parts of "Cork Harbour" in County Cork as a Special Protection Area (SPA) for wild birds in accordance with Article 4 of the European Council Directive on the conservation of Wild Birds (79/409/EEC) known as the Birds Directive 1979. SPAs form part of Natura 2000, a network of protected areas throughout the European Union – see http://ec.europa.eu/environment/nature/natura2000/index_en.htm for further information. The map here indicates the approximate location of the proposed SPA in County Cork.



This site has been identified and selected on ecological and ornithological grounds and will be recognised as an internationally important site for birds. Ireland must take appropriate measures to protect such a site and prevent pollution, deterioration of the site or excessive significant disturbance. Designation does not restrict existing activities that are not harmful to wild birds. Those with a legal interest in areas affected by this proposal are requested to consult with the Department before undertaking developments in or near this site. Planning authorities will include this site in all relevant Development Plans.

Maps of the proposed SPA may be viewed in:

- Teagasc and AES offices
- County Council Planning offices
- Social & Family Affairs offices in the county
- Garda Stations
- National Parks & Wildlife Service (NPWS) offices
- County Libraries
- Community, Rural & Gaeltacht Affairs Offices

Those identified by the Department as having a legal interest in areas affected by this proposal are notified directly in writing. The notification includes a site boundary, site description and a list of activities that may damage the site. It also includes procedures for objecting to the designation proposal and details of Agri-Environment Incentive schemes and compensation provisions. Others who believe that they should have been notified will be provided with this documentation on request. Objections (on scientific grounds only) to the proposals must be submitted by Tuesday 4th November 2008 (i.e. within 3 months of this notice).

NB Once this Statutory 3-month period for objections has concluded, no further objections can be accepted.

Further details in respect of SPAs and their implications for land owners and land users, as well as contact details for Local Conservation Rangers are available by calling Freephone 1 800 405000, emailing natureconservation@environ.ie or accessing www.npws.ie.

Please Note:

- This proposed site has already been advertised and protected under Statutory Instrument, (S.I. 349/94) This new proposal will change the existing boundary.
- Objections will only be accepted from persons with a legal interest in the area proposed for designation.
- Objections must be accompanied by a good quality map outlining clearly the area subject to objection
- Objections can be made on scientific grounds only
- Valid objections to the proposals must be submitted by Tuesday 4th November 2008 (i.e. within 3 months of this notice).
- Once the statutory 3-month period for objections has concluded, no further objections will be accepted.

THIS PROPOSED SPECIAL PROTECTION AREA IS LOCATED WHOLLY OR PARTLY IN THE FOLLOWING TOWNLANDS AND LOCATIONS IN COUNTY CORK:

CORK HARBOUR SPA (Site code 004030)

AGHADA, AGHAMARTA, ASHGROVE (ED COBH RURAL), BALLINCARROONIG, BALLINCURRIG (ST. FINBAR'S PH), BALLINLOUGH (ST. FINBAR'S PH), BALLINLOUGH (ST. FINBAR'S PH) (PART OF), BALLINTUBBRID EAST, BALLINTUBBRID WEST, BALLINURE (ST. FINBAR'S PH), BALLYANNAN, BALLYDANIEL BEG, BALLYDANIEL MORE, BALLYELLANE, BALLYFOULOO, BALLYNACORRA, BALLYNACORRA WEST, BALLYNACRUSHA, BALLYNAFARSID, BALLYNATRA (ED COBH RURAL), BALLYTRASNA (ED CAHERLAG), BALLYVODOCK EAST, BALLYVODOCK WEST, BARNARELY, BARRYS COURT, BELGROVE, BELVELLY, BELVELLY (PART OF), BROWN ISLAND, CARRIGALINE EAST, CARRIGALINE MIDDLE, CARRIGRENAN, CARRIGTOHILL, CASTLEREDMOND, COOLMORE (ED CARRIGALINE), CORKBEG, COURTSTOWN, CURRABALLY, CURRAGHBINNY, DOUGLAS, DUNKETTLE, FOATY, FRENCHFURZE, GARRANEKINNEFEAKE, GARRYDUFF (ED MIDLETON RURAL), GLASHABOY RIVER, HARPERS ISLAND, HODDERSFIELD, HOP ISLAND, INCHERA, JAMESBROOK, JOHNSTOWN (ED CARRIGTOHILL), KILLACLOYNE, KILLAHORA, KILNAGLERY, KNOCKANEMORNEY, LACKENROE, LOTA MORE, LOUGHATAUA, LOUGHBEG, MAHON, MARINO, MONFIELDSTOWN, MONKSTOWN (CASTLE FARM), MOSESTOWN, MOUNTHOVEL, OATENCAKE, RAFFEEN, RATHCOURSEY EAST, RINGASKIDDY, ROCHESTOWN (ED DOUGLAS), ROSSLAGUE, ROSSMORE (ED CARRIGTOHILL), ROSTELLAN, SHANBALLY (ED CARRIGALINE), TOWNPARKS (ED MIDLETON), TULLAGREEN, WALLINGSTOWN, WALTERSTOWN.

