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DEPARTMENT OF THE ENVIRONMENT

DECLARATION OF AREA OF SPECIAL SCIENTIFIC INTEREST AT BANAGHER, COUNTY FERMANAGH. ARTICLE 28 OF THE ENVIRONMENT (NORTHERN IRELAND) ORDER 2002.

The Department of the Environment (the Department), having consulted the Council for Nature Conservation and the Countryside and being satisfied that the area described and delineated on the attached map (the area) is of special scientific interest by reason of the flora and fauna and accordingly needs to be specially protected, hereby declares the area to be an area of special scientific interest to be known as the "Banagher Area of Special Scientific Interest".

The area is of special scientific interest as it contains a significant population of the Schedule 8 and Irish Red Data Book species Marsh Helleborine *Epipactis palustris*. In addition, the area supports a range of associated semi-natural vegetation types, including wet grassland, fen and swamp, which also contain a number of notable vascular plant species. Banagher is just south west of Ely Lodge, 5 km north west of Enniskillen. It is centred round a small basin fen with swamp, which is largely fed from a spring in the north west corner of the site. There is no obvious outflow.

The population of Marsh Helleborine *Epipactis palustris* is restricted to an area of base-rich flushed grassland in the west of the site. The orchid is frequent here with over 100 flowering and non-flowering spikes usually seen. Associated species here, reflecting the elevated base status, include Grass-of-Parnassus *Parnassia palustris*, Broad-leaved Cottongrass *Eriophorum latifolium*, Few-flowered Spike-rush *Eleocharis quinqueflora*, Yellow Sedge *Carex viridula* ssp. *brachyrrhyncha*, Fairy Flax *Linum catharticum* and Quaking-grass *Briza media*. Down slope this flushed grassland is best described as a fen meadow which is characterised by Meadow Thistle *Cirsium dissectum*, Purple Moor-grass *Molinia caerulea* and Devil's-bit Scabious *Succisa pratensis*. Other orchids in this area include Common Twayblade *Listera ovata*, Early Marsh-orchid *Dactylorhiza incarnata* and Fragrant Orchid *Gymnadenia conopsea*.

The fen and swamp areas of Banagher form a complex mosaic of wetland communities, including a Bogbean *Menyanthes trifoliata* dominated fen and Sedge *Carex* spp. swamp. A range of species predominate in these areas including Bogbean *Menyanthes trifoliata*, Marsh Cinquefoil *Potentilla palustris*, Water Horsetail *Equisetum fluviatile*, Common Sedge *Carex nigra* and Pointed Spear-moss *Calliergon cuspidatum*. Other more notable species with a more restricted distribution in Ireland

are Cowbane *Cicuta virosa*, Greater Spearwort *Ranunculus lingua* and Fen Pondweed *Potamogeton coloratus*.

Banagher is very botanically rich. Over 175 vascular plants have been recorded from the site and the unique range of plant communities in such a confined area results in a very rich assemblage of species. The range of vegetation types provides food and shelter for a range of animals including birds and invertebrates.

SCHEDULE

The following operations and activities appear to the Department to be likely to damage the flora and fauna of the area:

1. Any activity or operation which involves the damage or disturbance by any means of the surface and subsurface of the land, including ploughing, rotovating, harrowing, reclamation and extraction of minerals, including sand, gravel and peat.
2. Any change in the present annual pattern and intensity of grazing, including any change in the type of livestock used or in supplementary feeding practice.
3. Any change in the established method or frequency of rolling, mowing or cutting.
4. The application of manure, slurry or artificial fertiliser.
5. The application of herbicides, fungicides or other chemicals deployed to kill any form of wild plant, other than plants listed as being noxious in the Noxious Weeds (Northern Ireland) Order 1977.
6. The storage or dumping, spreading or discharge of any material not specified under paragraph 5 above.
7. The destruction, displacement, removal or cutting of any plant, seed or plant remains, other than for:
 - (i) plants listed as noxious in the Noxious Weeds (Northern Ireland) Order 1977;
 - (ii) normal cutting or mowing regimes for which consent is not required under paragraph 3 above.
8. The release into the area of any animal (other than in connection with normal grazing practice) or plant. 'Animal' includes birds, mammals, fish, reptiles, amphibians and invertebrates; 'Plant' includes seed, fruit or spore.
9. Burning.
10. Changes in tree or woodland management, including afforestation, planting, clearing, selective felling and coppicing.

11. Construction, removal or disturbance of any permanent or temporary structure including building, engineering or other operations.
12. Alteration of natural or man-made features, the clearance of boulders or large stones and grading of rock faces.
13. Operations or activities, which would affect wetlands (include marsh, fen, bog, rivers, streams and open water), e.g.
 - (i) change in the methods or frequency of routine drainage maintenance;
 - (ii) modification of the structure of any watercourse;
 - (iii) lowering of the water table, permanently or temporarily;
 - (iv) change in the management of bank-side vegetation.
14. The killing or taking of any wild animal except where such killing or taking is treated as an exception in Articles 5, 6, 11, 17, 20, 21 and 22 of the Wildlife (Northern Ireland) Order 1985.
15. The following activities undertaken in a manner likely to damage or disturb the wildlife of the area:
 - (i) Educational activities;
 - (ii) Research activities;
 - (iii) Recreational activities;
 - (iv) Exercising of animals.
16. Changes in game, waterfowl or fisheries management or fishing or hunting practices.

FOOTNOTES

- (a) Please note that consent by the Department to any of the operations or activities listed in the Schedule does not constitute planning permission. Where required, planning permission must be applied for in the usual manner to the Department under Part IV of the Planning (Northern Ireland) Order 1991.
- (b) Also note that many of the operations and activities listed in the Schedule are capable of being carried out either on a large scale or in a very small way. While it is impossible to define exactly what is large and what is small, the Department would intend to approach each case in a common sense and practical way. It is very unlikely that small scale operations would give rise for concern and if this was the case the Department would normally give consent, particularly if there is a long history of the operation being undertaken in that precise location.