



STATUTORY INSTRUMENTS.

S.I. No. 355 of 2018

EUROPEAN UNION ENVIRONMENTAL OBJECTIVES
(FRESHWATER PEARL MUSSEL) (AMENDMENT) REGULATIONS
2018

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I, JOSEPHA MADIGAN, Minister for Culture, Heritage and the Gaeltacht, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Council Directive 2006/11/EC of the European Parliament and of the Council of 15 February 2006, Council Directive 92/43/EEC of 21 May 1992¹ and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000, hereby make the following regulations:

PART 1

PRELIMINARY AND GENERAL

Citation and construction

1. (1) These Regulations may be cited as the European Union Environmental Objectives (Freshwater Pearl Mussel) (Amendment) Regulations 2018.

(2) These Regulations and European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009 (S.I. No. 296 of 2009) may be cited together as the European Union Environmental Objectives (Freshwater Pearl Mussel) (Amendment) Regulations 2009 to 2018 and shall be construed together as one.

Interpretation

2. “Principal Regulations” means the European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009 (S.I. No. 296 of 2009).

PART 2

AMENDMENTS

Amendments to the Regulations of 2009

3. The First Schedule to these Regulations is substituted for the First Schedule of the Principal Regulations.

¹OJ No. L206, 22.07.1992, P. 7

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 18th September, 2018.*

FIRST SCHEDULE

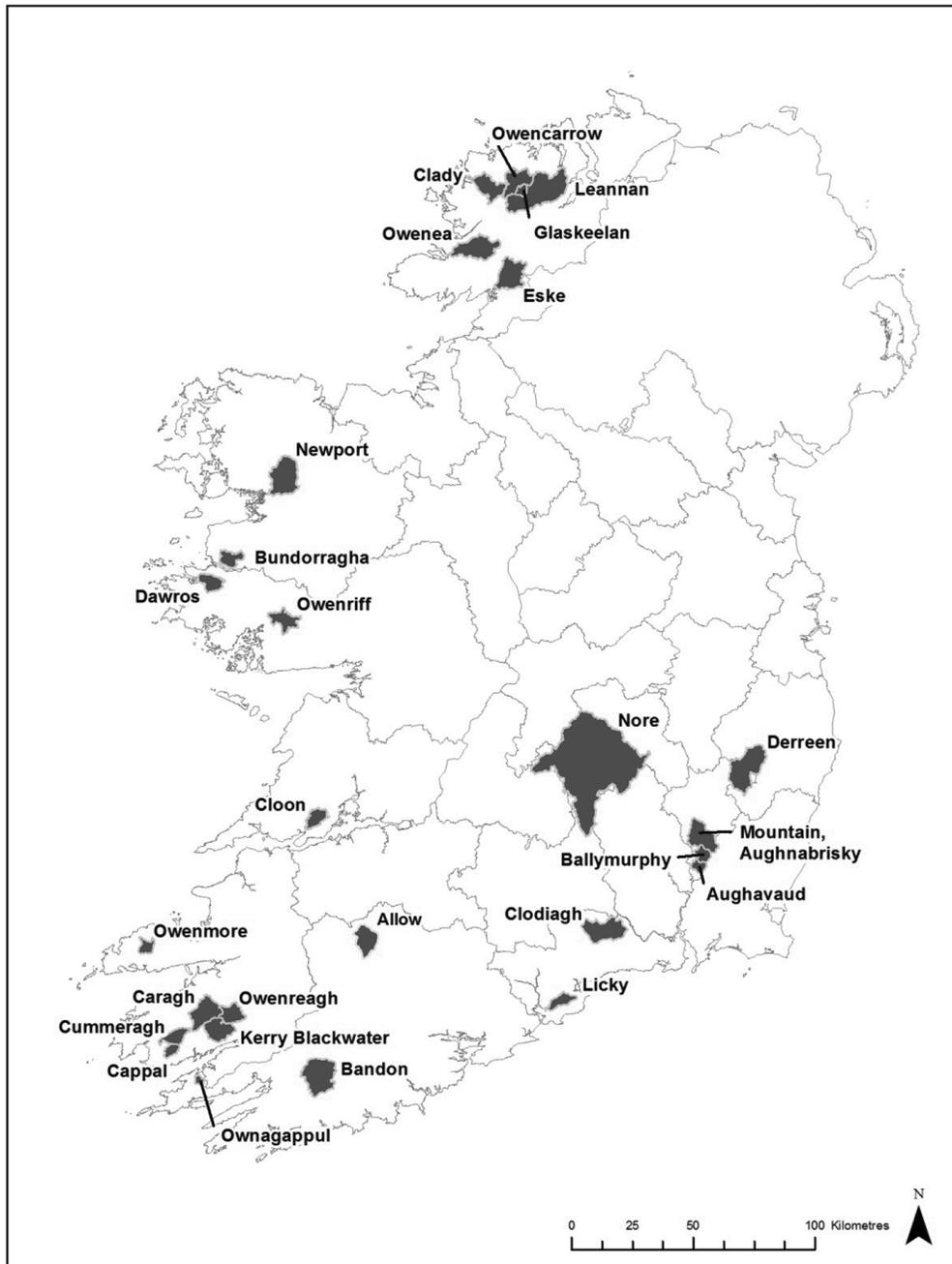
These Regulations apply to the habitats of the freshwater pearl mussel populations named hereunder that are within the boundaries of a site notified in a candidate list of European sites under the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), or designated as a Special Area of Conservation under Regulations made in accordance with section 3 of the European Communities Act 1972 for the purpose of Article 4(4) of the EU Habitats Directive.

	Freshwater pearl mussel population²	SAC Site Code	SAC Site Name	Rivers and lakes containing <i>Margaritifera</i> (list not exhaustive)
1	Bandon	002171	Bandon River cSAC	Bandon & Caha
2	Aughavaud (Barrow)	002162	River Barrow and River Nore cSAC	Aughavaud
3	Ballymurphy (Barrow)	002162	River Barrow and River Nore cSAC	Ballymurphy
4	Mountain (Barrow)	002162	River Barrow and River Nore cSAC	Mountain, Aughnabrisky
5	Bundorragha	001932	Mweelrea/ Shreefry/ Erriff Complex cSAC	Bundorragha
6	Caragh	000365	Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment cSAC	Caragh, Owenroe, Meelagh, Caraghbeg, Glashawee, Lough Beg Stream, Lough Acoose, Cloon Lough
7	Clady	000140	Fawnboy Bog/ Lough Nacung cSAC	Clady
8	Owenriff (Corrib)	000297	Lough Corrib cSAC	Owenriff, Glengawbeg
9	Currane	000365	Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment cSAC	Capall, Cumberagh
10	Dawros	002031	The Twelve Bens/ Garraun Complex cSAC	Dawros
11	Eske	000163	Lough Eske and Ardnamona Wood cSAC	Eske

²Population named after river of highest stream-order that contains mussels.

	Freshwater pearl mussel population²	SAC Site Code	SAC Site Name	Rivers and lakes containing <i>Margaritifera</i> (list not exhaustive)
12	Kerry Blackwater	002173 & 000365	Blackwater River (Kerry) cSAC & Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment cSAC	Blackwater, Kealduff, Derreendarragh
13	Gearhameen (Laune)	000365	Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment cSAC	Gearhameen & Owenreagh
14	Gliskeelan (Leannan)	002047	Cloghernagore Bog and Glenveagh National Park cSAC	Gliskeelan
15	Leannan	002176	Leannan River cSAC	Leannan
16	Allow (Munster Blackwater)	002170	Blackwater River (Cork/Waterford) cSAC	Allow
17	Licky	002170	Blackwater River (Cork/Waterford) cSAC	Licky
18	Newport	002144	Newport River cSAC	Newport
19	Nore	002162	River Barrow and River Nore cSAC	Nore
20	Owencarrow	002047	Cloghernagore Bog and Glenveagh National Park cSAC	Owencarrow
21	Owenea	000197	West of Ardara/Maas Road cSAC	Owenea
22	Owenmore	000375	Mount Brandon cSAC	Owenmore
23	Owagappul	001879	Glanmore Bog cSAC	Owagappul & Barrees
24	Cloon (Shannon Estuary)	002165	Lower River Shannon cSAC	Cloon
25	Derreen (Slaney)	000781	Slaney River Valley cSAC	Derreen
26	Clodiagh (Suir)	002137	Lower River Suir cSAC	Clodiagh

Margaritifera SACs Subcatchment Maps – October 2016



Map of the catchments of the specified freshwater pearl mussel populations. Catchments were delineated to the lowermost mussel contained within the boundaries of a site notified in a candidate list of European sites, or designated as a Special Conservation Area.



GIVEN under the Official Seal of the Minister for Culture, Heritage and the Gaeltacht.

4 September 2018.

JOSEPHA MADIGAN,
Minister for Culture, Heritage and the Gaeltacht.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The purpose of the Regulations of 2009 is ‘to support the achievement of favourable conservation status for freshwater pearl mussels’ and to that end they ‘set environmental quality objectives for the habitats of the freshwater pearl mussel in rivers named in the First Schedule to those Regulations.

The subsequent ‘Strategy for Conservation of the Freshwater Pearl Mussel in Ireland’ (September, 2011) set out a prioritised approach to the implementation of measures to conserve the species. The Strategy document recognised that it would be very unlikely that measures to restore the mussel population in the Munster Blackwater River would be effective: it has a very large catchment area but just 0.08% of the national pearl mussel population.

In line with scientific advice, the conservation objectives for the Blackwater Special Area of Conservation are to be amended to remove the pearl mussel as a qualifying interest in the main channel of the river, though retaining it for its tributaries named in the Schedule: the Allow and Licky.

The European Union Environmental Objectives (Freshwater Pearl Mussel) (Amendment) Regulations 2018 give effect to this change, omitting the Munster Blackwater main channel from the list of named habitats to which the Regulations apply, by means of substituting the First Schedule to the Regulations of 2009 with the enclosed revised Schedule.

For more detailed maps than those contained in the Schedule, or for greater detail on boundary delineation, contact should be made with the National Parks and Wildlife Service of the Department of Culture, Heritage and the Gaeltacht or by viewing the relevant text or map details on www.npws.ie.

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