

The Manager
Dalradian Gold Ltd
67 Main Street
Gortin
Omagh
Co. Tyrone
BT79 8NH

AG 0182 3781 5GB

Our Ref: ASSI396

29 March 2018

Dear Sir/Madam

OWENREAGH RIVER AREA OF SPECIAL SCIENTIFIC INTEREST

The Northern Ireland Environment Agency, on behalf of the Department of Agriculture, Environment and Rural Affairs (DAERA) has, from today, declared the above named Area of Special Scientific Interest (ASSI) due to its particular importance in terms of nature conservation. We understand that you have an interest in land which lies within the above named ASSI.

I have enclosed the following documents which will explain the declaration in greater detail:

1. Notification of Declaration

This document is the formal notification of the ASSI declaration. It sets out the deadline for submitting any objections you may have about the inclusion of your land within the ASSI.

2. ASSI Citation

This document details the scientific interest of the ASSI, the Department's views about how the land should be managed and a schedule of operations and activities (known as 'Notifiable Operations') which, if carried out, may damage the scientific interest of the land. Also attached to the Citation is a map showing the boundary of the ASSI.

3. ASSI Consent Application Form

This is the form you should use to give the Department notice of your proposal to carry out a Notifiable Operation. If you wish to undertake any of these Notifiable Operations, you should refer to page 2 of the declaration notice which outlines the consent process. Alternatively you can complete your application online at: <https://appsd.daera-ni.gov.uk/ASSI>.

4. OWENREAGH RIVER ASSI – A Special Place leaflet

A simple guide to the special features of the declared ASSI.

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5. Ownership Map and receipt request

If you are a landowner, this document will be a map which shows the land within the ASSI in which we believe you have an interest and contains an **Acknowledgement of Receipt section**. Please confirm your ownership/interest by returning the acknowledgement receipt at your earliest convenience.

You can also indicate if you are content with the information provided or would like a call or visit from an NIEA officer to explain the implications of the declaration on landowners/occupiers. If the information contained on the map is incorrect, please amend it clearly and return it immediately in the freepost envelope provided for your convenience. A copy map has been enclosed for your retention.

Alternatively, if you are an occupier (i.e. have peat extraction rights etc), you will find a **Receipt of Notification Form**. Please sign the form and return at your earliest convenience.

FREEDOM OF INFORMATION ACT 2000

A leaflet outlining the Department's confidentiality policy is enclosed. **Any queries regarding this should be directed to the Freedom of Information Section on (028) 9052 4238.**

You will also wish to be aware that the Department has a duty to carry out regular checks of ASSIs to ensure that the scientific interest remains intact. In practice, this will involve an inspection by Department staff or official representative. The inspection may be a walk over your land or remote sensing from aerial photographs. I can assure you that your land will be treated with full consideration and respect and staff will have due regard to biosecurity matters. Those making such checks will carry identification at all times.

If you would like any additional information or require assistance in completing the forms, please contact one of the persons listed below. Any correspondence sent to the office should be marked for the attention of one of the persons named below or sent by email to CDP@daera-ni.gov.uk

[Redacted]

[Redacted]

Yours faithfully

[Redacted]

Enc

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Notification of Declaration

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Dear Sir/Madam

OWENREAGH RIVER AREA OF SPECIAL SCIENTIFIC INTEREST NOTIFICATION UNDER ARTICLE 28 OF THE ENVIRONMENT (NORTHERN IRELAND) ORDER 2002

The objectives of nature conservation in Northern Ireland are the safeguarding and enhancement of the characteristic plants, animals and physical features which go to make up our own particular heritage and landscape. A vital part of the overall conservation approach in Northern Ireland is the declaration of Areas of Special Scientific Interest (ASSIs).

Having given careful consideration to the quality and importance of the area, the Department of Agriculture, Environment and Rural Affairs (the Department) hereby notifies you that it has made a declaration, under Article 28 of the Environment (NI) Order 2002, that the land shown and described on the map attached to the enclosed ASSI Citation is now an ASSI.

The declaration does not give the public any specific right of access to the area but it obliges the landowner or occupier to consult the Department before undertaking certain operations or activities, known as Notifiable Operations, which are set out in the Schedule of the ASSI Citation.

The important task of conservation can best be achieved by appropriate management and willing co-operation between owners and occupiers of lands and the Department. Other Government Departments may of course be concerned from time to time with matters which affect the environment.

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The terms of the Declaration, including the above mentioned Schedule, and views about management are set out in the ASSI Citation, which also has a map attached to it showing the area. If you feel that the area should not be declared as an Area of Special Scientific Interest or if you have any objections to the declaration, you now have an opportunity to make your views known to the Department. Any representations or objections concerning the Declaration, including the Schedule and views about management, should be made in writing to the Department at the above address by 30 July 2018.

All representations and objections received by that date will be considered before the Department decides either to confirm the Declaration, with or without modifications, or to rescind it. The Department must confirm or rescind the Declaration on or before 29 October 2018.

The owner or occupier of any of the land included in the Declaration must note that Article 32 of The Environment (Northern Ireland) Order 2002 (the Order) stipulates that while the Declaration remains in force the owner or occupier may not carry out or cause or permit to be carried out on the land any operation or activity specified in the Schedule to the Declaration unless two conditions have both been fulfilled. These two conditions are:-

1. That notice must be given to the Department of the proposal to carry out the operation, specifying its nature and the land on which it is proposed to carry it out; and
2. That either
 - a. the Department has consented to it in writing; or
 - b. it is carried out in accordance with the terms of a management agreement under Article 34 of the Order; or
 - c. it is carried out in accordance with a management notice under Article 35 of the Order.

The list of Notifiable Operations set out in the Schedule may seem long, but you should note that it is not a list of outright prohibitions. However, conditions 1 and 2 given above must be fulfilled before you carry out any of these operations or you may be committing an offence which would leave you liable on conviction to a fine.

A landowner who wishes to undertake one of these operations must apply to the Department for written Consent. In practice, there will be consultation between the Department and the landowner on any such application. Any decision by the Department to refuse Consent to an operation, or to modify or withdraw an existing consent, may be appealed under Article 33 of the Order. An owner or occupier who has been granted Consent, but who is aggrieved by conditions attached to it may also appeal under the same Article.

The Department recognises that the appropriate management of your site is important to maintain and/or improve the condition of the features for which the site has been declared. We would encourage you to enter your land into a management scheme such as the new Environmental Farming Scheme (EFS). In specific circumstances, the Northern Ireland Environment Agency (NIEA) may offer to enter into a management agreement to address the specific nature conservation needs of your land within this ASSI.

The Declaration has been registered in the Statutory Charges Register as a charge on the land.

Yours faithfully

