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LID – Ronan

John Cannon

From: Eoghan Cross <Eoghan.Cross@fisheriesireland.ie>
Sent: Wednesday 21 October 2026 21:53
To: Appeals2
Subject: ACP-324433-26
Attachments: 324433 - Planree Ltd - Lowerymore - 21.10.26.pdf

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Good evening,

Please find attached observations from Inland Fisheries Ireland in relation to ACP-324433-26.

I'd be grateful if you could acknowledge receipt of this submission.

Many thanks,
Eoghan Cross
Eoghan Cross
Fisheries Environmental Officer

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Iascach Intíre Éireann
Inland Fisheries Ireland

An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1,
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Issued via email to appeals@pleanala.ie

21st October 2026

RE: Planning Reference: ACP-324433-26 (Substitute Consent pursuant to Section 177E of the Planning and Development Act 2000, as amended. Development consists of the retention of the partial construction of a 19-turbine wind farm previously permitted under ABP 300460-17 (as amended by ABP-303729-19), which shall be referred to as the Existing Development, and the completion of construction, operation and subsequent decommissioning of that 19 turbine wind farm, which shall be referred to as the Prospective Development.)

Dear Sir/Madam,

Inland Fisheries Ireland (IFI) is a statutory body established on the 1st of July 2010. Under Section 7(1) of the Inland Fisheries Act 2010 (No. 10 of 2010) the principal function of IFI is the protection, management, and conservation of the inland fisheries resource.

On review of the planning application, the following observations are of relevance in relation to the above retention and proposed project:

The application site overlaps the Foyle catchment, which is within Loughs Agency's jurisdiction, and the Eske sub catchment, which is within Inland Fisheries Ireland's jurisdiction. As such comments below are exclusively in relation to the application site within the Eske sub catchment, which overlaps two sub-basins within it; *LOWERYMORE_030* and *LOWERYMORE_020*. A number of watercourses traverse the application site.

The Eske sub catchment, which includes Lough Eske & Ardnamona Wood SAC, is considered an important sub catchment within the Ballyshannon fisheries district as it provides valuable habitat and spawning habitat for various species of fish, including:

- Brown trout (*Salmo trutta*),
- Atlantic Salmon (*Salmo salar*), listed in Annex II of the EU Habitats Directive (92/43/EEC), and
- European Eel (*Anguilla anguilla*), which is protected under Evaluation of Council Regulation (EC) No 1100/2007, as well as the Conservation of Eel Fishing Bye-Law No. C.S. 335, 2024.

Atlantic salmon populations are under pressure across their entire North Atlantic range. Recent reports show that many populations are at their lowest levels in decades and urgent, transformative change is required to halt the decline in their populations. In Ireland, Atlantic salmon populations have undergone a significant long-term decline. Annual returns have fallen from over one million in the 1970s to less than 200,000 in recent years.

The decline reflects pressures across the salmon lifecycle. Reduced survival at sea is considered the major driver, while salmon are also affected by pressures in freshwater and coastal environments, including water quality, habitat degradation, barriers to migration, climate change and interactions with aquaculture. In 2023, the International Union for Conservation of Nature (IUNC) reclassified Atlantic salmon globally from 'Least Concern' to 'Near Threatened'.

In the most recent EPA report, the overall ecological status of the subject *LOWERYMORE_020* and *LOWERYMORE_030* waterbodies have been determined as "High". It is imperative that water quality, habitat and species diversity are protected within these waterbodies during any development or construction projects.

Chapter 9 of the remedial Environmental Impact Assessment Report details that the grid connection included works in the Lowerymore River sub basin where numerous watercourse crossings at existing culverts were encountered, and horizontal directional drilling was also utilised at existing bridges.

Table 9-7 within Chapter 9 of the Environmental Impact Assessment Report outlines that works proposed within the Lowerymore River sub basin are limited to the upgrade of existing site roads.

A substantial number of mitigation measures are proposed within several documents, including the remedial Natura Impact Statement, remedial Environmental Impact Assessment Report, the NIS, and Chapter 9 (Hydrology and Hydrogeology), and Appendix 4-3 (Construction Environmental Management Plan) of the EIAR; without the adequate implementation of such measures, there is potential for adverse effects on several attributes which determine the conservation condition of Atlantic Salmon.

All measures must be adequately designed to efficiently mitigate impact on receiving ground and surface waters during "normal" weather conditions, prolonged dry spells and intense wet periods, in a landscape with varying susceptibilities to landslide.

Should this project be approved, the following recommendations and guidance must be followed and adhered throughout the entirety of the project:

1. This proposal should be undertaken in accordance with the relevant sections of the following publications:

   - "A Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation, Climate / Flood Risk and Recreational Planning": https://www.fisheriesireland.ie/sites/default/files/migrated/docman/IFIUrbanWatercoursesPlanningGuide.pdf

   - "Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters": https://www.fisheriesireland.ie/sites/default/files/migrated/docman/2016/Guidelines%20Report%202016.pdf

   Sections 6 and 9 of the latter document outlines specific requirements for the design and construction of permanent crossings which the proposal should adhere to, including but not limited to the positioning of foundations to ensure the impact to the riparian habitat is minimised, design to consider 1 in 100 year fluvial floods, culverts' positioning in relation to upstream and downstream levels and consultation with OPW.

2. The preferred method of installing pipeline crossings under fisheries waters is by way of trenchless crossings e.g. using directional drilling. This works method is not confined to the in stream works window (July – September), and avoids negative impacts on fisheries resources when works adhere to mitigation measures outlined in Section 11.3. of "*Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters*".

3. Within fish bearing watercourses, prior to dewatering any works area, it will be necessary to temporarily remove fish from the area involved using electrofishing equipment. The electro-fishing must only be carried out by nominated personnel with training and experience in such operations, and with Section 14 authorisation from the Department of Climate, Energy and the Environment (https://www.gov.ie/en/department-of-climate-energy-and-the-environment/services/apply-for-a-section-14-authorisation/).

4. All instream works must be completed between 1st July and 30th September. It would be important that this is included in the contract for construction. Upon completion of works at each crossing, the riverbed must be sensitively restored and flow diversions removed immediately, where feasible within 48 hours of the instalment of the associated flow diversion.

5. Inland Fisheries Ireland must be notified at least one month before works are to commence, as well as before electrofishing is to commence, so that site visits can be carried out by IFI personnel.

6. No watercourse diversions are to be carried out to facilitate the development including site roads.

7. The use of cement/concrete on site will require careful management; such materials are extremely toxic to aquatic life, and construction staff must be made fully aware of this. This will be especially important during the construction of the turbine bases. Cement and wet concrete must be kept out of all watercourses and drains. Concrete trucks must not wash out on site.

8. During the construction phase there must be no run-off of fuels, oils, concrete or from stockpiles of materials or general run-off from the site. Fuels, oils or other hazardous substances on site must be stored in lockable bunded containers. Vehicle maintenance should not occur within 100m of any watercourse and all machinery must be in good working order, free from any leakage of fuel, oil or hydraulic fluid.

9. Appropriately sized spill kits should also be kept on site and staff trained in their use in case an incident occurs. Where temporary diesel or petrol driven pumps are required, they should be located within bunded units. Waste oils, empty oil containers and other hazardous wastes should be disposed of in accordance with the requirements of the Waste Management Act, 1996.

10. Road construction and surfacing materials used must be of adequate strength so as not to give rise to silt/fine solids discharges due to the action of traffic and erosion.

11. Roadside drains should not intercept large volumes of water from ground above. Any watercourse, however small that is intercepted by the access routes should preferably be bridged or culverted at that point. The use of fords must be avoided. Culverts should be of a size sufficient to avoid overloading, blocking or washout. The profile of any stream that is crossed must remain the same and any fish movement remain unhindered. Shooting velocities must be avoided.

12. Floating roads must be considered where any peat encountered is one metre or more in depth. Piling may be considered for turbine bases at deep peat locations and these bases should be a minimum 50 metres from watercourses. This separation distance must be increased where fisheries sensitive waters occur.

13. Existing drainage channels should remain untouched. Erosion of roadside embankments and cuttings should be avoided by using intercepting trenches or terracing. Embankments and cuttings should be kept at no greater slope than the normal angle of repose to encourage re-vegetation, otherwise added stabilisation may be required.

14. Track rutting by machinery movement must be kept to a minimum and no discharge or run off containing high sediment loads must occur from the site. In this regard a contingency plan should be established and strictly adhered to. Any stockpiling of peat or other site materials will require careful management to ensure that slippage or collapse to any adjacent watercourses will not occur. A construction methodology is recommended prior to any works commencing with a view to, among others, minimising the volumes of excavation that will be required.

15. The proposed site crosses two sub catchments, there must be no diversion of waters from one catchment into another. Consideration should be afforded to the likely increase in surface water flow from the site which has the potential to alter the downstream prevailing hydrological regime and impact on the fisheries resource. In this regard attenuation measures should be identified and implemented in the surface water drainage arrangements. Consideration should be given to rewetting of any existing peatland along with other nature-based solutions to mitigate hydrological impacts of the development.

16. Settlement ponds and other silt treatment/mitigation measures must be engineered to ensure sufficient retention times are provided for sediment settlement. The silt traps should be designed to minimise the movement of silt especially during intense precipitation events where silt traps maybe hydraulically overloaded. It is essential that they are located with good access to facilitate inspection, monitoring, sampling and maintenance. A license to discharge to waters may be required from the local authority.

17. Mitigation measures for the interception of suspended solids must be designed so as to comply with an upper limit of 25mg per litre for the discharge of Total Suspended Solids (TSS) to surface waters as specified in the Salmonid Waters Regulations, SI 293 of 1988. Buffer zones should not be used for the storage of any materials. Works should be suspended during heavy rains or when there is high risk of pollutants entering adjacent surface waters. Run-off volumes should not exceed the assimilative capacity of the receiving waters.

18. The monitoring of all surface flows during construction is essential and remote sensing equipment should be considered as a normal precaution and extended into the post construction phase.

19. Full implementation of the mitigation measures as identified in the Natura Impact Statement (NIS), the Environmental Impact Report (EIAR), the Construction Environmental Management Plan (CEMP) is a requirement and must be referred to by way of condition should a grant of permission be forthcoming in this case.

20. A biosecurity protocol must be implemented to manage invasive alien species where they are found on-site, and to prevent the introduction of new species. The plan should indicate how the contractor will treat machinery, workwear etc that may potentially become a vector for transporting invasive alive species to or from the site.

21. In relation to any wastewater accumulated at the site, the planning authority should ensure that EPA guidelines are adhered to and that the cumulative impact of the new development does not have the potential to negatively impact on ground or surface waters in the vicinity.

22. The location of turbines and main construction works must avoid high (and above) groundwater vulnerability areas.

23. The GSI Landslide Susceptibility Classification for the site ranges from Low to High, all construction, including roads, must be contained within the areas classified as low landslide susceptibility. The appointed Contractor's Method Statements must be approved by a competent and suitably qualified geotechnical engineer prior to works commencing. Geotechnical monitoring must be in place during construction by competent and suitably qualified personnel.

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24. It is recommended that a suitably qualified person as described in the application documentation be on site for the duration of works to ensure:
    a. All mitigation measures identified are implemented prior to and during the construction phase, as appropriate. This is essential in relation to possible peat shear.
    b. Continual assessment to ensure the mitigation measures are effective including assessment of adjacent peats for cracking/instability.
    c. Cessation of works should slippage indicators develop and/or settlement arrangements are inadequate for suspended solid removal in surface waters.
    d. Peat reinstatement is completed according to a detailed restoration plan.
    e. Arrangements are established in relation to a contact protocol for the relevant statutory bodies on progress of works.

Yours sincerely,

E Cross

Eoghan Cross
Fisheries Environmental Officer, Ballyshannon District,
North Western River Basin District, Inland Fisheries Ireland.