Mark Kielty

From:	Bord
Sent:	Thursday 29 October 2020 11:21
To:	Appeals2
Subject:	FW: Inland Fisheries Ireland submission regarding Derrybrien Windfarm ABP-308019-20
Attachments:	ABP-DWF-1020 Page 1.pdf; ABP-DWF-1020 Page 2.pdf
Importance:	High

From: [redacted]
Sent: Wednesday 28 October 2020 17:23
To: [redacted]
Cc: [redacted]
Subject: Inland Fisheries Ireland submission regarding Derrybrien Windfarm ABP-308019-20
Importance: High

Dear Ms Quinn,

Please see attached IFI's comments on the application for Substitute Consent for Derrybrien Windfarm, Co Galway. Hard copy to follow by post.

I would appreciate if you could acknowledge receipt of our submission.

Kind Regards,

David

David Harrington
Senior Fisheries Environmental Officer
Western River Basin District - Galway

Iascach Intíre Éireann
Inland Fisheries Ireland
Teach Breac
Earl's Island
Galway
H91 K6D2

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Help Protect Ireland's Inland Fisheries
Call 1890 34 74 24 to report illegal fishing, water pollution or invasive species

Please consider the Environment before printing this email

ABP Case Number: ABP-308019-20

Ms Lisa Quinn
Executive Officer
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

28th October 2020

Re: Derrybrien Wind Farm
Coppanagh, Slieveanore, Loughatorick North, Boleyneendorrish, Kilbeg, Toormacnevin, Funshadaun, Derrybrien North, Derrybrien South, Bohaboy, Derrybrien West, Derrybrien West, Derrybrien East, Derreennamucka, County Galway.

Dear Ms Quinn

I refer to your recent notification regarding the above-mentioned application for substitute consent for Derrybrien Windfarm. This follows a judgment made by the Court of Justice of the European Union (CJEU) against the Irish State in Case C-215/06 and a further judgment of the Court of Justice of the European Union (CJEU) in Case C-261/18 on 12th November 2019.

The Owendalulleeegh River holds good stocks of wild brown trout and is an important spawning river for Lough Cutra. The peat slide which occurred during the construction of Derrybrien Windfarm in October 2003 occurred at a time of the year when Brown Trout would have been moving upstream to spawn. This event is likely to have had long-term effects on the regeneration of the trout population in the Owendalullegh River catchment.

Following an initial peat slide on the 16th of October, 2003; a subsequent 36 hour rainfall event which occurred on the 29th/30th of October, 2003, caused vast amounts of peat silt to discharge into the catchment. Investigations undertaken by the Shannon Regional Fisheries Board (now Inland Fisheries Ireland) in the weeks following this event, estimated that a fish kill in the magnitude of at least 50,000 mortalities occurred in the 18 kilometre stretch of the Owendalulleegh River down to Lough Cutra. The dead fish species were comprised of Brown Trout, Perch, Brook Lamprey, Gudgeon, European Eel and Stone Loach. Water samples taken downstream at Flaggy Bridge showed results for suspended solids to be 436 times the background level of the background levels and even 10 miles downstream of the site where the river enters Lough Cutra, the suspended solids levels were still 110 times the back ground level.

The peat slide released an estimated 6,000m^3 of peat/silt into the river, which affected fish populations and fisheries habitat downstream of the site as follows:

- Fish kills caused by the peat silt clogging up the gills of fish or making it impossible to feed.

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- Peat/silt deposition on gravels contained within watercourses utilised for fish spawning.
- The scouring out of gravel beds utilised for trout spawning.
- The smothering of fish eggs present in said spawning gravels ("redds").
- Habitat alteration and invertebrate mortalities which are vital sources of food for fish species.
- The initial discharge of peat/silt would also have reduced plant habitat within the catchment but ultimately these deposited materials would have promoted the development of additional rooted plants. The knock on effect of such plant growth would be reduced swim areas for fish and their ability to feed and thrive, thereby reducing fish stock density.
- UV radiation on the peat/silt deposits contained in the shallow depths of the catchment, including Lough Cutra, would have given rise to the release of organically bound and bio available orthosphosphate to the Owendalulleeegh River/Lough Cutra catchment.

The water quality of the Owendalulleeegh River is also monitored by the Environmental Protection Agency (EPA). Their October 2000 report stated that the Owendalulleegh River was of high quality over its length, assigning it a Class A-Unpolluted watercourse with a Q-value of 4-5. A biological survey undertaken one month after the peat slide occurred indicated that the upper 5 kilometre section of the river was effectively wiped out.

The Waterbody Water Framework Directive (WFD) classification scheme for water quality includes five status classes: high, good, moderate, poor and bad. The 2013-18 River WFD Status of this catchment classified the upper stretches (Owendalulleeegh_010) as of good status, the next section downstream (Owendalulleeegh_020) as of high status, (Owendalulleeegh_030) as of good status, (Owendalulleeegh_040) as of high status and the lower section (Owendalulleeegh_050) entering Lough Cutra as of moderate status. The current WFD Risk Cycle 3 indicates that the upper stretch (Owendalulleeegh_010) has deteriorated and is at risk. It is imperative that high quality waterbodies are protected and moderate watercourses are restored to at least good status.

I trust that this submission indicates the environmental impact which the development of Derrybrien Wind Farm has had on the Owendalulleeegh River/Lough Cutra catchment.

Yours faithfully

David Harrington
Senior Fisheries Environmental Officer
ABP-DWF-1020

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