

Marie Harris

From: Wexford Receptionist
Sent: 20 November 2008 13:11
To: Marie Harris
Subject: FW: Marie Harris & Stuart Huskisson RE: IPPC Application by Cooksgrove Ltd. (Reg. No. P0822-01)
Attachments: Cooksgrove sub(SA802891) (signed).pdf

From: Noel McGloin [mailto:noel.mcgloin@erfb.ie]
Sent: 20 November 2008 13:01
To: Wexford Receptionist
Subject: FAO: Marie Harris & Stuart Huskisson RE: IPPC Application by Cooksgrove Ltd. (Reg. No. P0822-01)

Dear Marie & Stuart

I am attaching a copy of our submission regarding the planning application related to the above IPPC application by Cooksgrove Ltd. (SA802891) for your information.

Regards

Noel McGloin

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Eastern Regional Fisheries Board
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Eastern Regional Fisheries Board

Bord Iascaigh Réigiúnach an Oirthir

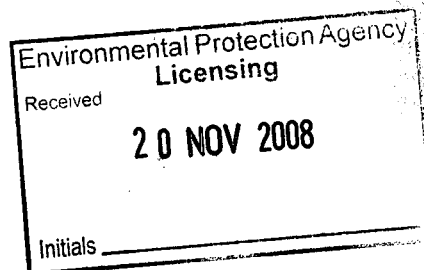


Fisheries Ireland
Our Natural Heritage

Your Ref: SA802891

Our Ref: NMcG/Cooksgrove/MH

Planning Department
Meath County Council
Abbey Mall
Abbey Road
Navan
Co. Meath



17th November 2008

Re: Planning application by Cooksgrove Ltd for development at Cooksgrove, Duleek (SA802891)

Dear Sir/Madam

Thank you for referring the above mentioned planning application to us.

Under section 8(a) (1) (i) of the Fisheries (Amendment) Act 1999 *A Regional Board shall in the performance of its duties, have regard to the need for the sustainable development of the inland fisheries resource (including the conservation of fish and other species of fauna and flora habitats and the biodiversity of inland water ecosystems) and as far as possible ensure that its activities are carried out so as to protect the national heritage, within the meaning of the Heritage Act, 1995.*

We wish to object to the above on the grounds that the landspreading from this development is situated in close proximity to the Hurley River, Pinkeen River and tributaries. The Hurley River Boyne is a salmonid river with good stocks of Brown and Sea Trout. It is also part of the Eastern River Basin District Management System, a project in support of the catchment based national strategy to implement the Water Framework Directive. One of the objectives of the WFD is to achieve Good Ecological Status on all waters by 2015.

However, the Q value of the EPA station above Rathfeigh (Painestown Bridge -Station 200) has slipped from a Q3-4 to a Q3 from 2005 to 2008 while the Q value of the EPA station below Rathfeigh (Rathfeigh Old Bridge -Station 280) has slipped from a Q4 to a Q3 from 2005 to 2008. A biological quality rating of Q3 (Stackallen Stream) or Q3-4 (River Boyne & Stackallen Stream) is **highly unsatisfactory** from a fisheries perspective.

Q3 & Q3-4 relates to a seriously degraded biofauna resulting in limited spawning / recruitment of salmonids. Research carried out by the Central Fisheries Board demonstrated significantly lower juvenile salmon abundance at Q3 & Q3-4 sites compared to Q4 sites (Trevor Champ, Senior Research Officer, Central Fisheries Board, *pers com*). Further research carried out by the Central Fisheries Board *Programmes of Measures and Standards – Freshwater Morphology, Irish Fisheries Recovery Dataset Provision, May 2007* found that Q values of Q3 & Q3-4 or less will impede salmon parr production, while Q values of Q3 or less will limit brown trout populations.

Despite what is said in the EIS the EPA describes the River Nanny itself as being *in a generally unsatisfactory condition when sampled in 2008*.

We feel the EIS does not deal with properly any of the above.

The Board has a number of other objections to this application as it stands.

- The Board is concerned that the newspaper notice and site notice does not highlight the fact that the applicant intends to landspread wastewater from the facility in named townlands in the Rathfeigh/Duleek/Rataoth area as laid out in the Planning Regulations. We also believe that there should also be a site notice posted outside the lands intended for landspreading.
- The EIS mentions the Integrated Constructed Wetlands (ICW) as a possible means of treatment of the wastewaters at some future stage. Mr. Michael Fox on whose lands the wastewater is proposed to be landspread obtained permission from An Bord Pleanála for ICW (ABP Ref: 17.215281, Meath Co. Co. Ref:NA50189). However, what was constructed by Mr. Fox was not what was granted by An Bord Pleanála. Mr. Fox was later refused permission for the retention of the new structure. As far as we are aware this illegal structure still exists on Mr. Fox's lands. We are asking Meath County Council to refuse permission to Cooksgrove Ltd. In accordance with Section 35 of the Planning Act 2001 (as amended) on the grounds that *a person or company to whom this section applies is not in compliance with the previous permission*.
- Table 3 on page 168 of the EIS assumes a P Index of 3 for each plot of land. The Board is not satisfied with this assumption and requests that a detailed soil testing programme be carried out in order to ascertain the correct P levels involved for the Nutrient Management Plan.
- In page 173 of the EIS (Figure 22) the land plots appear to be at Follistown, Rataoth. This is part of the catchment of the Pinkeen River, which is a tributary of the Tolka River. This catchment is also under serious environmental threat and is not dealt with in the EIS.

Please **refuse** this application as it stands as we believe that it will pose an unacceptable risk to fisheries interests.

We would also appreciate if you could refer similar type applications to ourselves in future in accordance with article 28(1) (g) of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) as we believe that such developments *might give rise to significant discharges of polluting matters or materials to such waters or be likely to cause serious water pollution or the danger of such pollution.*

Please **acknowledge** this letter in line with article 29.

We look forward to your decision in due course.

Yours sincerely

Noel McGloin

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