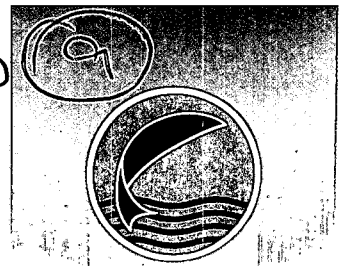




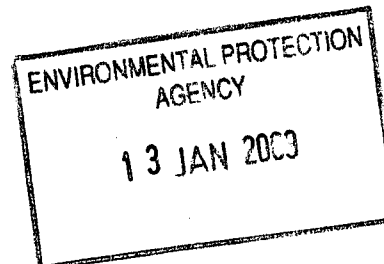
Eastern Regional Fisheries Board
Bord Iascaigh Réigiúnach an Oirthir

Sub



Fisheries Ireland
Our Natural Heritage

Joe Reilly
Environmental Protection Agency,
Office of Licensing and Guidance,
PO Box 3000,
Johnstown Castle Estate,
Co. Wexford.



Your reference: W0252-01
Our Reference: BB/DD/141

January 12th, 2009

Re: 'Land recovery project' at Kilmartin, Co. Wicklow.

Dear Mr. Reilly,

In relation to the above waste licence application; please find the Board's comments outlined below:

- Proposed works will be located within the River Vartry catchment, i.e. within an EU-designated salmonid system. It is of vital importance that any works will not cause a deleterious effect on aquatic life in any way.
- Routine monitoring work has been carried out on the Vartry River between the Reservoir and the waterfall at Devil's Glen since the 1980s by the Eastern Regional Fisheries Board staff. The Vartry River between these locations holds a self-sustaining stock of brown trout (*Salmo trutta*). The waterfall at Devil's Glen presents an upstream impassable obstruction to salmonids. An electro-fishing survey was carried out in 1997 to determine the locations below the reservoir where salmonids were present. The results of that survey showed that juvenile and adult brown trout (*Salmo trutta*), Atlantic salmon (*Salmo salar*, ANNEX II and V of the EU's Habitats Directive) and sea trout (*Salmo trutta trutta*) were also present along the river from Broad Lough to the waterfall. Surveys of smaller streams in the study area (Glenealy / Rathnew system) have also revealed the presence of resident populations of brown trout and importantly the presence of salmon and sea trout in the vicinity of Rathnew (March 2004).
- As with any development, all measures necessary should be taken to ensure comprehensive protection of local aquatic ecological integrity, in the first place by complete impact avoidance and as a secondary approach through mitigation by reduction and remedy. Fisheries-specific constraints which will

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apply to this works programme are listed in our guidelines document "Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites" (<http://www.fishingireland.net>). This document should be consulted when planning to undertake these works. The maintenance of habitat integrity (both in-stream and riparian) is essential in safeguarding the ecological value of these important systems. Any works directly affecting watercourses or riparian habitats in the area must first be submitted to the Board for assessment.

- It is important to highlight the following key constraints (all included in our guidelines document) at this time:
 - Disturbance of in-stream habitats should not occur.
 - A method statement for all riparian works must first be submitted to the board for approval.
 - Best practice should be implemented at all times in relation to any construction and operation activities that may impact on riverine or riparian habitats. Any discharges to surface streams present on the site must not impact negatively on the salmonid status of the system. Comprehensive surface water management measures must be implemented at the construction and operational stages to prevent any pollution of the Varty or smaller streams in the area. Policies and recommendations made under the Greater Dublin Strategic Drainage Study (GSDSDS) should be applied in development of a drainage strategy for this site. Petrol/oil interception (and possibly hydrobrake controls) should be in place on primary surface water discharges to protect receiving freshwaters in terms of water quality (and possibly quantity if flooding is an issue). Storm water attenuation will be essential. Good housekeeping measures are integral to achieving prevention of excessive turbid run-off to surface water systems.

If I can be of further assistance, please do not hesitate to contact me.

Yours sincerely,



Pat Doherty
Chief Executive Officer