



Eastern Regional Fisheries Board

Bord Iascaigh Réigiúnach an Oirthir

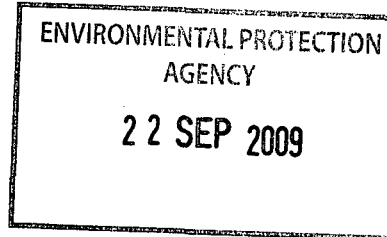
DE/MT



Fisheries Ireland
Our Natural Heritage

00034-01

EPA Environmental Licensing Programme
Office of Climate, Licensing & Resource Use
PO Box 3000
Johnstown Castle Estate
County Wexford



Your Reference – N/A
Our Reference – BB/DD/01

September 21st, 2009

Re: Ringsend Wastewater Treatment Plant (WWTP) Agglomeration – Waste Water Discharge (Authorisation) Regulations 2007.

Dear Sir or Madam,

The Eastern Regional Fisheries Board (ERFB) is a Statutory Body with a remit encompassing the management, conservation, protection, development and improvement of the fisheries within its Region.

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.'

Ringsend WWTP will discharge all of its treated effluent under normal working conditions to the Liffey and Tolka Estuaries and Dublin Bay. The Tolka constitutes a salmonid system (under significant ecological pressure) while the Liffey is one of the foremost salmonid systems in this region. It is noted that Ringsend WWTP is currently working at or beyond its design capacity.

The Liffey system supports a regionally significant population of Atlantic salmon (*Salmo salar*), a species listed under Annex II and V of the EU Habitats Directive (thus afforded conservation protection as listed under that directive). Estuaries serve as the natural linkage for species such as Salmon, Sea trout and eels migrating between freshwater and ocean environments, providing the necessary habitat for their transition. The Report of the Standing Scientific Committee of the National Salmon Commission "Status of Irish Salmon Stocks in 2006 and precautionary catch advice for 2007" states that in applying the Habitats Directive

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consideration must be given to all of the populations of salmon and not just specifically to the 26 SAC designated salmon river populations.

Whilst it is acknowledged that the Appropriate Assessment (AA) considers Natura 2000 sites and associated species of interest, the issue of fisheries impact is essential to consider. As correctly identified in the AA – the missing zone, where the greatest impact was shown in modelling exercises is a key area for fish species, in particular migratory species. Fish and bird habitats are inextricably linked in these areas.

Fisheries Ecology

Estuaries provide a nursery habitat for the larval and juvenile forms of (transitional and marine) fish species, in addition to providing shelter and food for many young and adult fish and shellfish. These in turn provide food resources for other levels of the trophic chain including shore birds, waterfowl, larger fish and marine mammals. Intertidal areas host high densities of benthic fauna in particular worms and molluscs. This in turn can make them important habitats for juvenile fish such as flounder, and juvenile crustaceans such as crabs which may inhabit such habitats in high numbers. The majority of fish in estuaries feed primarily on the benthos and thus live a demersal existence. Estuarine fish can generally be divided into a number of groups:

- Estuarine dependant (opportunists) species typically enter estuaries from the sea for a period each year but do not stay permanently. The majority of these species drift into estuaries as larvae and when as young fish they become demersal, they take advantage of the rich benthic food sources available in sublittoral and intertidal estuarine habitats. Estuaries contain large numbers of '0 group' fish that use them as nursery grounds before migrating to the sea as recruits to adult populations.
- Marine stragglers enter estuaries irregularly and are often restricted to the seaward end (usually low in numbers of individuals)
- Riverine species come from the freshwater end of the system and are mainly found in low salinity waters.
- Truly estuarine species (residents) comprise only a small number of species although they may form a high overall biomass. The gobies are most typical of this group as they are found in estuaries around the year.
- Migratory species use the estuary and inshore waters as a route from rivers to the open sea or vice versa. Most of these species are anadromous (breed in freshwater) e.g. the lampreys, the shads and the salmon (*Salmo salar*) / sea trout (*Salmo trutta*). Eels (*Anguilla anguilla*) are catadromous and breed in the sea.

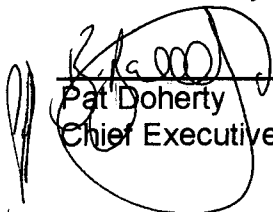
All of these fish groups are likely to utilise estuarine habitat in the vicinity of Ringsend WWTP discharges at some time during their life cycle and thus all should be considered in any assessment process.

It is essential to note that sufficient treatment capacity must be available both within the receiving sewerage system locally and downstream at the relevant Waste Water Treatment Plant at all times in order that the ecological integrity of the ultimate receiving water (Liffey and Tolka Estuary and Dublin Bay) is protected.

Part II (5) of the EUROPEAN COMMUNITIES ENVIRONMENTAL OBJECTIVES (SURFACE WATERS) REGULATIONS, 2009 which states 'A public authority shall not, in the performance of its functions, undertake those functions in a manner that knowingly causes or allows deterioration in chemical status or ecological status (or ecological potential as the case may be) of a body of surface water. All measures available to the Local Authority should be implemented to seek an improvement in water quality in fresh and transitional waters within its jurisdiction. Design criteria for the Ringsend plant must be in line with the European Communities Environmental Objectives (Surface Water) Regulations 2009, in achieving 'good status' ecological / chemical by 2015. The additional objectives of the Sensitive areas under the Urban Waste Water Treatment Directive (Liffey Estuary) and Shellfish Waters Directive where applicable should also apply.

Any licensing of the Ringsend WWTP must be consistent with the requirements of fisheries and other relevant legislation, in particular with a focus on water quality targets for the Liffey Estuary and adjacent waters. The final licence should be informed by fisheries and other relevant legislation. If we can be of any further assistance, please do not hesitate to contact us.

Yours faithfully,


Pat Doherty
Chief Executive Officer