P0187-03.

Submission No. 2.

Grainne Oglesby

Subject: RE: IPPC licence

From: Mark O'Dwyer - (DAHG) [mailto:Mark.O'Dwyer@ahg.gov.ie]
Sent: 21 November 2011 16:16
To: Wexford Receptionist
Subject: IPPC licence

A Chara/ For the attention of Gráinne Oglesby,

Please find attached the nature conservation observations and recommendations of this Department. Kindly acknowledge receipt of this e-mail and attached document(s) to the undersigned. Should you require a hardcopy of these recommendations please contact manager.dau@environ.ie I refer you to Circular DAU 1/10 in this regard.

Is mise le meas,

Mark O Dwyer,
Development Applications Unit,
Built Heritage and Architectural Policy,
Newtown Road,
Wexford

t: (053) 911 7378
e: Mark.O'Dwyer@ahg.gov.ie

Submission No. 2.

An Roinn
Ealaíon, Oidhreachta agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

21 November 2011

Our Ref: **E00137/2011**
Your Ref: **P0187-03**

Gráinne Oglesby,
Office of Climate, Licensing and Resource use

Re: Review of IPPC License, by Donegal Meat Processors Limited in relation to the operation of slaughterhouses with carcass production capacity greater that 50 tons per day at Drumnashear, Carrigans, Co. Donegal.

A Chara,

I refer to your notification with respect to the above proposed development application, please find hereunder nature conservation observations and recommendations of the Department of Arts, Heritage and the Gaeltacht, for consideration by your Authority.

It is noted that the proposal is situated in a location likely to significantly impact on the River Finn Special Area of Conservation Site No. SAC 002301. Please see the attached site synopsis for a description of the site.

We are of the view that this development:

- could significantly damage/destroy the habitat of Atlantic Salmon (*Salmo salar*) and Otter (*Lutra lutra*), both of which are species listed in Annex II of the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora).

The potential impacts would be caused by the deterioration of the water quality in the River Foyle resulting from pollution from the discharge of trade effluent from the development. The emission limit values have been noted. However, these limits have not been assessed in relation to the potential impacts to the species listed above within the River Finn Special Area of Conservation. There has been no assessment of the potential ecological implications arising from this licence. Therefore, it is not possible to adequately assess the impacts of the licence to the River Finn Special Area of Conservation Site No. SAC 002301. Accordingly, prior to making any decision, it is recommended that the applicant be requested to provide additional information to address the concerns outlined above.

As the project that has the potential to significantly impact on the integrity of a Natura 2000 site, the further information should include an appropriate assessment as outlined in Article 6(3) of the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora). The appropriate assessment should focus on the potential impacts in view of the site's conservation objectives (qualifying interests), and should include measures that will avoid, reduce and mitigate for any such impacts. Potential impacts must be considered in combination with other plans or projects. The appropriate assessment must establish and conclude that the proposed development does not pose a significant threat to the conservation objectives of the Natura 2000

site, if the proposal/project is to proceed. Guidance on the preparation of an Appropriate Assessment is available at www.npws.ie (see Wildlife, Planning and the Law - Department of the Environment, Heritage & Local Government (2009): Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities).

Kindly forward any further information received or in the event of a decision being made a copy of same should be referred to the following address:

The Manager,
Development Applications Unit (DAU),
Department of Arts, Heritage and the Gaeltacht,
Newtown Road,
Wexford

Alternatively, documentation associated with the above can be referred electronically to the DAU at the following address:

manager.dau@ahg.gov.ie

In addition, please acknowledge receipt of these observations by return.

Is mise le meas,

Mark O Dwyer
Development Applications Unit
Tel: (053) 911 7378
E-mail: mark.o'dwyer@ahg.gov.ie

SITE SYNOPSIS

SITE NAME: RIVER FINN

SITE CODE: 002301

This site comprises almost the entire freshwater element of the Finn and its tributaries – the Corlacky, the Reelan sub-catchment, the Sruhamboy, Elatagh, Cummirk and Glashagh, and also includes Lough Finn, where the river rises. The spawning grounds at the headwaters of the Mourne and Derg Rivers, Loughs Derg and Belshade and the tidal stretch of the Foyle north of Lifford to the border are also part of the site. The Finn and Reelan, rising in the Bluestack Mountains, drain a catchment area of 195 square miles. All of the site is in Co. Donegal. The underlying geology is Dalradian Schists and Gneiss for the most part though quartzites and Carboniferous Limestones are present in the vicinity of Castlefinn. The hills around Lough Finn are also on quartzite. The mountains of Owendoo and Cloghervaddy are of granite felsite and other intrusive rocks rich in silica. There are many towns along the river but not within the site. These include Lifford, Castlefinn, Stranolar and Ballybofey.

The site is a candidate SAC selected for active blanket bog, a priority habitat listed under Annex I of the E.U. Habitats Directive. The site is also listed for lowland oligotrophic lakes, wet heath and transition mires, also on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive – Atlantic Salmon and Otter.

Upland blanket bog occurs throughout much of the upland area of the site along the edges of the river. However more extensive examples are found at Tullytresna and in the Owendoo/Cloghervaddy Bogs. The blanket bog is dominated by Bog Cotton (*Eriophorum angustifolium*), Deergrass (*Scirpus cespitosus*), Purple Moor-grass (*Molinia caerulea*) and bog mosses (*Sphagnum* spp.). Pool and hummock systems are a feature of the flatter areas, with Ling Heather (*Calluna vulgaris*), mosses (*Racomitrium lanuginosum, Sphagnum capillifolium* and *S. papillosum*), lichens (e.g. *Cladonia portentosa*) and the liverwort, *Pleurozia purpurea*, occurring abundantly on the hummocks. The scarce bog boss, *Sphagnum imbricatum*, is a component of some hummocks. *Sphagnum magellanicum* is found in wet flats by pools, while *S. cuspidatum* occurs abundantly within the pools themselves.

Towards the base of the northern slope and on the southern slope at Tullytresna, flushes occur with bright green lawns of Bog Mosses (*Sphagnum* spp.) and abundant Rushes, particularly Soft Rush (*Juncus effusus*) and Jointed Rush (*J. articulatus*). On the summit is an undulating system of hummocks and hollows, and Ling Heather is more common.

A valley bog fills the low lying areas to the north east of Lough Finn which is dominated by Deer Grass, Bog Cotton, Purple Moor-grass and Heather. Mossy hummocks occur in the wetter areas.

Transition mires or quaking bogs or scraws occur at several locations, usually at the interface between bog or lake or stream. In Owendoo/Cloghervaddy there are many examples of small lakes south of Belshade. Some of the lakes contain floating scraws of the bog moss (*Sphagnum recurvum*), Bottle Sedge (*Carex rostrata*), Mud Sedge (*Carex limosa*) and Bogbean (*Menyanthes trifoliata*). West of Owendoo River there is an extensive area of scraw with a similar suite of species but with a different abundance. Quaking areas are also associated with blanket bog at Cronamuck and Cronakerny. At Cronamuck, a small level flushed area occurs at the base of a slope leading into a flushed stream. Diversity including diagnostic species is good.

Wet Heath is associated with the blanket bog throughout the site and is found on the shallow peats and better drained slopes. In Owendoo/Cloghervaddy this is mostly wet heath characterised by Cross-leaved Heath (*Erica tetralix*), Heather, Mat Grass (*Nardus stricta*), Heath Rush (*Juncus squarrosus*) and Tormentil (*Potentilla erecta*). The heath often grades into flush vegetation dominated by Black Bog-rush (*Schoenus nigricans*).

Lowland oligotrophic lakes are found at Loughs Finn, Belshade and Derg as well as in many of the smaller lakes within the site. Lough Derg is a large oligotrophic lake situated north of Pettigo. This is an area of extensive blanket bogs and conifer plantations which make up the lake catchment. Typical species seen at the three lakes include a sparse covering of Shoreweed (*Littorella uniflora*) along the lake shores, Water Lobelia (*Lobelia dortmanna*), the moss *Fontinalis antipyretica,* Bog Pondweed (*Potamogeton polygonifolius*), Water Horsetail (*Equisetum fluviatile*) with Bulbous Rush (*Juncus bulbosus*) and Broad-leaved Pondweed (*Potamogeton natans*) in the margins.

Lough Finn holds a population of Arctic Charr (*Salvelinus alpinus*). This fish is a relative of salmon and trout and represents an arctic-alpine element in the Irish fauna. In Ireland this fish occurs only in a few cold, stoney, oligotrophic lakes. It is listed in The Irish Red Data Book as threatened in Ireland. The Charr in Lough Finn are unusual in that they are dwarfed. Dwarfed Charr only occur in one other Lough in Ireland, Lough Coornasahom, Co. Kerry and they are therefore of national importance.

Charr are very sensitive to water quality and therefore changes in the catchment such as afforestation should be avoided to maintain this population. Lough Derg is also important for Arctic Char though it was last recorded there in 1990/91.

On the tidal stretches within the site the main habitats are the river itself, mudflats and the extensive reedbeds that have colonised the former mudflats. The habitats found are typically freshwater in nature. The large reedbeds are dominated by Common Reed (*Phragmites australis*) with some Bulrush (*Typha latifolia*), Reed Canary-grass (*Phalaris arundinacea*) and Tufted Hair-grass (*Deschampsia cespitosa*). Succession is demonstrated nicely within a small area with the change from mudflats to reedbeds and on to willow and Alder scrub.

Other habitats present within the site include a fringe of wet grassland/marsh along some river stretches dominated by Rushes (*Juncus* spp.) grading into species-rich marsh in which sedges are common. Among the other species found in this habitat are Yellow Iris (*Iris pseudacorus*), Water Mint (*Mentha aquatica*), Purple Loosestrife (*Lythrum salicaria*) and Soft Rush (*Juncus effusus*). Around Lough Derg wet fen type vegetation occurs in places with Purple Moor-grass, Bog-myrtle (*Myrica gale*), Jointed Rush (*Juncus articulatus*) and Meadowsweet (*Filipendula ulmaria*). There is also some Royal Fern (*Osmunda regalis*), Wild Angelica (*Angelica sylvestris*) and Marsh-marigold (*Caltha palustris*). Other wet areas include Horsetails (*Equisetum* spp.),

Where banks are steeper, particularly around Lough Derg and along the deep mountain valley of the upper stretches, dry, steep slopes support Great Wood-rush (*Luzula sylvatica*), Heather, Bell Heather (*Erica cinerea*), Bilberry (*Vaccinium myrtillus*) and Bracken (*Pteridium aquilinum*). There are areas of scrub surrounding parts of the lake margins, along the channels and on the ungrazed islands. These are composed of Alder (*Alnus glutinosa*), Willow (*Salix* spp.), Rowan (*Sorbus aucuparia*) and Silver Birch (*Betula pendula*). Understory plants include abundant ferns and mosses. The Rare Narrow-leaved Helleborine (*Cephalanthera longifolia*) occurs on the shores of Lough Derg. This species is listed in The Irish Red Data Book and is protected under the Flora Protection Order, 1999.

Small pockets of conifer plantation, close to the lakes and along the strip both sides of the rivers, are included in the site.

The Finn system is one of Ireland's premier salmon waters. Although the Atlantic Salmon (*Salmo salar*) is still fished commercially in Ireland, it is considered to be endangered or locally threatened elsewhere in Europe and is listed on Annex II of the Habitats Directive. Commercial netting on the Foyle does not begin until June and this gives spring fish a good opportunity to get into the Finn. The Finn is important in an international context in that its populations of spring salmon appear to be stable while declining in many areas of Ireland and Europe. The salmon fishing season is 1st March to 15th September. Fishing for spring salmon is best east of Stranolar while the grilse run through to the upper reaches. The grilse run peaks here - depending on water – usually in mid June. The estimated rod catch from the Finn is approximately 500-800 spring salmon and 4,000 grilse annually producing about 40% of the total Foyle count. The Loughs Agency has a management regime in place called *the control of fishing regulations.* If enough salmon are not past the counter at Killygordon at a certain key date then both the angling and commercial fishing can be closed for set periods.

The site is also important for Otter (*Lutra lutra*), another species listed on Annex II of the EU Habitats Directive. It is widespread throughout the system. In addition, the site also supports many more of the mammal species occurring in Ireland. Those which are listed in the Irish Red Data Book include the Badger and the Irish Hare. Common Frog, another Red Data Book species, also occurs within the site.

Golden Plover, Peregrine and Merlin, threatened species listed on Annex I of the EU Birds Directive, breed in the upland areas of the site. A Red Listed species Red Grouse occurs on the site, while the scarce Ring Ouzel, another Red List species is also known to occur.

Agriculture, with particular emphasis on grazing, is the main landuse along the Finn and its tributaries. Much of the grassland is unimproved but improved grassland and silage are also present, particularly east of Ballybofey. The spreading of slurry and fertiliser poses a threat to the water quality of this salmonid river, particularly in this region as the river is subject to extensive flooding. Fishing is a main tourist attraction on the Finn and there are a large number of Angler Associations, some with a number of beats. Fishing stands and styles have been erected in places. The River Finn is a designated Salmonid Water under the EU Freshwater Fish Directive. Other aspects of tourism such as boating are concentrated around Lough Finn.

Afforestation is ongoing, particularly along the western sections of the site adjacent to the headwaters and around the shores of Lough Derg. Recent planting has been carried out along the Cronamuck River. Forestry poses a threat in that sedimentation and acidification occurs. Sedimentation can cover the gravel beds resulting in a loss of suitable spawning grounds.

The site supports important populations of a number of species listed on Annex II of the EU Habitats Directive, and several habitats listed on Annex I of this directive, as well as examples of other important habitats. Blanket bog is a rare habitat type in Europe and receives priority status on Annex I of the European Habitats Directive. The overall diversity and ecological value of the site is increased by the presence of populations of several rare or threatened birds, mammals and fish.

6.10.2006