Objection	
Objector:	Mr Michael McPartland
Organisation Name:	Inland Fisheries Ireland
Objector Address:	Sunnyside House, Macroom, Macroom, Co. Donegal.
Objection Title:	Objection #OS005993 - 3rd party objection for Reg No:[P1103-01]
Objection Reference No.:	OS005993
Objection Received:	12 March 2020
Objector Type:	3rd Party
Oral Hearing Requested?	No
Application	
Applicant:	Dairygold Co-Operative Society Ltd and TINE Ireland Ltd
Reg. No.:	P1103-01
See below for Objection details. Attachments are displayed on the following page(s).	

Iascach Intíre Éireann
Inland Fisheries Ireland

Environmental Protection Agency
Licensing and Permitting Section
Johnstown Castle Estate
Wexford

12 March 2020

Re: Objection by **Inland Fisheries Ireland, Sunnyside House, Macroom,Co.Cork, P12 X602** to the proposed determination by the EPA in relation to **Reg No. P1103-01. Dairygold Co-Operative Society Ltd and TINE Ireland Ltd, Mogeely, Cork.**

A chara,

Reg No. P1103-01 refers to an application to discharge trade effluent from a Dairygold Co-operative Society Ltd and TINE Ireland Ltd facility at Mogeely, Co.Cork to the waters of Cork Harbour at Rathcoursey . Inland Fisheries Ireland (IFI) is a Statutory Body established on the 1st July 2010. Under section 7(1) of the Inland Fisheries Act 2010 (No. 10 of 2010) the principal function of IFI is the protection, management and conservation of the inland fisheries resource. Ireland has over 70,000 kilometers of rivers and streams and 144,000 hectares of lakes all of which fall under the jurisdiction of IFI. The agency is also responsible for sea angling in Ireland. Key to the protection and conservation of fisheries is the availability of waters of adequate quality to support the resource. It is in this context that IFI must object to the EPA'S Proposed Determination Reg No. P1103-01.

Grounds for Objection:

The current water quality status of the proposed receiving water has being assessed by both the applicant and the EPA Inspector in when considering licence application P1103-01.

The impact assessment report (T Bruton, J Walshe) submitted in support of Reg No. P1103-01 recognises "The Great Island Channel is an SAC, an SPA and a proposed NHA and there are designated shellfish waters in the Great Island Channel and in the lower harbour off Rostellan". Both of these areas are in close proximity to the proposed discharge. Furthermore the report identifies that both the Great Island Channel North and Owenacurra Estuary are Nutrient Sensitive Waters at risk of not achieving good status while the Greater Cork Harbour area is also at risk of not achieving good status and that "the existing winter DIN background level is above the EQS target for Good Status "in the vicinity of the outfall.

The EPA Inspector's Report on Industrial Emissions Licence Appliction P1103-01 of 19/02/2020 characterises water quality in Cork Harbour as follows;

" Receiving Water Analysis of the North Channel transitional (estuary) waterbody (IE_SW_060_0300) indicates that during the 2015-2017 period, the waterbody is of intermediate status under the trophic status assessment scheme due to a high dissolved oxygen (DO)

concentration measured in the system. The high DO would suggest large amounts of phytoplankton which produce oxygen during photosynthesis. Phosphorus is generally considered the limiting nutrient in estuaries while nitrogen is considered primary in coastal ecosystems. The limiting nutrient is the nutrient that is naturally in short supply under normal conditions. The European Communities Environmental Objective s (Surface Waters) Regulations 2009 (S.I No. 272 of 2009), as amended (EO Regs) specifies a median standard for Molybdate Reactive Phosphorus (MRP) in transitional waters (≤0.060 mg P/l @ >0-17psu or ≤0.060 – 0.040mgP/l @>17-35psu). The MRP is well below this standard in winter and summer. The 'East Ferry Quay Rathcoursey West' water monitoring station (LE550) is the station closest to the outfall in the channel (approximately 900m south) and has a median concentration of 2.5µg/l (0.0025mg/l) for MRP, therefore does not breach the environmental quality standard (EQS) specified in the EO Regs. The North Channel is of 'moderate' Water Framework Directive (WFD) status for chemical elements based on EPA 2015 – 2017 monitoring data (previously 'good' status 2010-2015), thereby indicating an overall deterioration in water quality. It does not have a risk classification (under review). The Owenacurra estuary (IE_SW_060_0400) flows into the North Channel and is classified as 'potentially eutrophic' and according to the Agency's Office of Evidence & Assessment (OEA), has been subject to large blooms of phytoplankton in recent times (2017-2018). This waterbody is one of four waterbodies in the country with the highest dissolved inorganic nitrogen (DIN) concentrations, thereby indicating the presence of increased nitrogen levels from human pollution sources. Cork Harbour (IE_SE_060_0000) is approximately 2.2km south of the Rathcoursey outfall and is of 'moderate' WFD status (previously 'good' status 2010-2015). The coastal waterbody is of intermediate tropic status (2015-2017 data), this was previously unpolluted in 2010-2012. This is again due to high oxygen levels. It is noted that part of the North Channel was designated as shellfish waters in 20094 approximately 1km from the outfall at Rathcoursey. Rostellan (North, South and West) shellfish waters are also located approximately 3km from the outfall at Rathcoursey"

It is clear from both assessments that the proposed receiving waters are already at risk, primarily due to nutrient loadings from miscellaneous sources. The current application would involve the importation of effluent from a separate hydrological catchment for disposal in already challenged receiving waters. In such a scenario it would seem that in the first instance priority should be given to identifying, quantifying and reducing current nutrient inputs to Cork Harbour from within its own catchment area in order to meet water quality obligations rather than permitting the importation of additional discharges which will increase the overall loading.

IFI considers the Agencys proposed determination on Reg No. P1103-01 to be contrary to both the spirit and requirements of the Water Framework Directive, who aim is to prevent deterioration of the status of each body of surface water and achieve good status. Furthermore, IFI considers that the proposed trans hydrometric area transfer of effluent is in contradiction to the management of waters on a river basin district basis which is a foundation stone of the Water Framework Directive.

Yours sincerely

Michael McPartland
Environmental Officer