

JOHN J. REEDY & CO.
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JOHN'S PLACE, BIRR, CO. OFFALY

John J. Reedy B.A. D.L.S Telephone Fax Dublin Office
DX No 15005 Birr 057/9120774 057/9121040 64 Francis Street
Dublin 8

24th March 2009

The Secretary,
Environmental Protection Agency,
PO Box 3000,
Johnstown Castle Estate,
Co. Wexford.



Re: Application by
Offaly County Council for Waste Water Discharge Licence
Your Ref: D0109-01
Offaly County Council Ref: GC/08/649
Our Client: Little Brosna & Camcor Fishing Club

Dear Sirs,

We act for the Little Brosna & Camcor Fishing Club and we have been instructed to make a submission to you in relation to the application by Offaly County Council for a Waste Water Discharge Licence. We have set out in the caption to this letter the EPA's reference number and the Offaly County Council reference number in relation to the application.

The Club members have very serious concerns at the granting that such a licence would have on the Rock River and Little Brosna River.

An inspection of the application confirms that the applicant is seeking to discharge primary material into the Little Brosna River at the Waste Water Treatment Plant, Grid Reference E205297.52 N206044.65. In addition the applicant is seeking a emergency overflow into the Rock River at Crinkill Pump Station Number 1, Grid Reference E206421.14 N203452.83.

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The Club's major concern is that discharge at these locations will seriously affect water quality in the Rock River and the Little Brosna River.

If your Agency does decide to grant a licence for primary discharge into the Little Brosna River at the Waste Water Treatment Plant in Croghan it would be hoped that very strict conditions are attached to ensure that every safeguard is put in place to prevent pollution to the receiving waters.

The Club is confident that your Agency will police the operation of any such discharge if a licence is granted.

In relation to the application to provide for emergency overflow at the Crinkill Pump Station Number 1 into the Rock River, Club members have grave concerns at the detrimental effect that this would have on the Rock River.

The Rock River is an important spawning tributary from the Little Brosna River. Over the years there have been serious discharges into the Rock River which have had a detrimental effect on same.

Attached to the submission are copies of two newspapers reports that appeared in the Midland Tribune on the 15th of October 2005 and the 28th of February 2007 entitled **"CALCUTTA – LIKE POLLUTION IN CRINKILL RIVER"** and **"OFFALY COUNTY COUNCIL CONVICTED OF POLLUTION"**.

These simply recorded two occasions when very serious pollution occurred in the Rock River but Club members have themselves over time witnessed numerous other occasions when there has been discharge into the Rock River. Indeed the Pollution Officer of the Club, Mr John Barnwell, has previously corresponded with the EPA, the reference number at the time being PAE2005-378. In particular there is a letter from Mr Barnwell written in September 2007 to Mr David Smith, Public Authority Enforcement Officer of your Agency in which Mr Barnwell enclosed photographs for the Agency's attention at the time. We are attaching an unsigned file copy of that letter with our submission.

The applicant has previously regularly allowed serious levels of effluent to be discharged into the Rock River and now seeks to obtain a licence to continue this discharge with very serious effects on the river.

The Club over the last number of years has worked with the Shannon Region Fisheries Board in relation to a study on the Croneen Trout. This trout lives in Lough Derg and runs up the Brosna and Camcor river system to spawn. There are grave concerns that the discharge contemplated into the Rock River/Little Brosna River will impact very seriously on this species of trout. A copy of the biological assessment report on the Croneen Trout is attached to this submission. This species of trout has been found to be a unique species and has been recognised as being of major importance by inclusion on the Offaly Heritage Plan.

Included with the applicants application is an Environmental Impact Statement dated March 2005. Paragraph 1.3 of that Statement refers to the existing WWTW discharging to the Little Brosna River which is considered to be a locally valued trout and salmon fishery. The Statement acknowledges the importance of the Little Brosna River.

The Statement makes reference to the Birr Development Plan (2004) and refers to conservation of the Natural Environment Policy and refers to NP1 *“to protect the natural environment of Birr especially along the Camcor and Little Brosna Rivers and the Castle Demesne”*. Accordingly the plan itself clearly acknowledges the importance of the Little Brosna and Camcor Rivers and everything must be done to preserve their importance and to ensure that water quality of the highest level is maintained. Furthermore the Birr Development Plan recognises the importance of the Little Brosna River as a wildlife corridor and a stated objective of the plan under Section 3, Sub-Section D9 is to *“investigate in conjunction with the appropriate prescribed bodies, the feasibility of establishing a wet lands park on Little Brosna Flood Plain”*. Discharges of high levels of deleterious materials from the Waste Water Treatment Plant at Croghan Road and the Crinkill Pumping Station Number 1 will have a hugely detrimental effect on this objective.

The Environmental Impact Statement submitted with the applicant's application at paragraph 5.52 refers to Tourism and Recreation. When the Statement was compiled it was estimated that tourism in the area generated revenue of approximately €2,000,000 per annum. The Statement clearly states that the Little Brosna River is a trout and salmon fishery attracting local and visiting anglers thereby contributing to the revenue generated for the area. Any deterioration in water quality as a result of unacceptable discharges into the Rock River/Little Brosna River will have a hugely detrimental impact on fishing in the area resulting in a decline in tourism. The Environmental Impact Statement at paragraph 5.7.1 dealing with aquatic environment states that biological monitoring of the Little Brosna River downstream of Croghan Bridge has indicated that water quality is currently affected by nutrient inputs, with slight pollution levels noted at Newbridge sampling site just before discharge to the Shannon. The Statement states that the impact of any future increase in discharge volume will need to be considered against this existing base line.

Under the Water Framework Directive all waters must be good or better quality and accordingly steps must be taken to ensure that the waters of the Rock River and Little Brosna River are improved to achieve a higher Q level. The applicant's proposals for discharge to the Little Brosna River at the Waste Water Treatment Plant and the Rock River at the Crinkill Pump Station Number 1 are in contravention of the Water Framework Directive for permissible levels.

The statistics for water quality in Ireland 2004 – 2006 at Table 11.22 show 2 kilometres of the Rock River slightly polluted. In the lower reaches of the Rock River before it enters the Little Brosna River there is very heavy weed growth which is as a result of eutrophication as a result of discharge from the Crinkill Pumping Station.

The Little Brosna River is shown as having 39.5 kilometres as slightly polluted water and a further 1.5 kilometres of moderately polluted water. These statistics cause grave concern for the future of the Little Brosna as an important fishery.

The Environmental Impact Statement at 5.7.7 dealing with "Fisheries" again confirms that the Little Brosna is an important trout (wild brown trout and croneen) and salmon fishery. The Statement refers to the uniqueness of the croneen trout and makes reference to the DNA studies. The results of these studies are contained in the report attached to this submission.

Tissue samples continue to be supplied by the Club to Queens University for ongoing studies such as the importance of this species of trout. A deterioration of water quality would be catastrophic for these trout and for eggs laid in the river beds during spawning. At page 46 of the Environmental Impact Statement the author indicates that he has consulted with the Shannon Regional Fisheries Board which has emphasised that the Little Brosna and Camcor Rivers are important for the relatively rare croneen trout and that the Little Brosna provides spawning grounds for the croneen trout. For this reason it is crucial that high water quality levels be maintained. At page 67 of the Statement the author refers to the expansion of the Waste Water Treatment Works having implications for the maintenance of water quality in the Little Brosna. Similarly the discharges intended by Offaly County Council pursuant to the licence sought would have implications for the maintenance of such water quality. The author points out that the river supports a mixed population of trout and salmon and is an established game fishery with a consequent commercial value attached to the fish population. The author points out that effluent from the expanded works would have to conform to strict water quality standards calculated to ensure river quality is maintained favourably even under low flow conditions. It is felt that the Council's intention, if granted a licence in the form sought for discharge at the WWTP at Croghan and at the Crinkill Number 1 Pumping Station will have a serious affect on water quality and the resultant knock on adverse effect on fish life. The author in the Environmental Impact Statement at page 71 refers to the adverse affect of depositing suspended solids on the bed of the receiving surface water body. It is felt that the applicants present plans for discharge into the Little Brosna and the Rock River could result in smothering the bed of both areas with a potential negative ecological effect. The author at this section of the Statement points out that smothering the bed of the Little Brosna could cause problems for salmon and trout eggs, growth and hatching. He points out that suspended solids can have high organic content, increasing oxygen demand and further compromising egg survival. The author also points out that suspended solids can have abrasive characteristics on fish gills.


There is no doubt that the same holds true in relation to the Rock River. Included with the applicants application is a preliminary report prepared by Nicolas O'Dwyer Ltd. On page 52 the author points out that in correspondence with the Shannon Region Fisheries Board the following opinion was expressed "**because of the importance of the Little Brosna and Camcor Rivers in terms of salmonoid fishing and in particular the Croneen Trout the Board would regard these rivers as sensitive**"

Therefore every safeguard must be put in place to avoid any harm being caused to the habitat in which these unique fish live and spawn.

Older Club members have clear recollection of when the rivers Camcor and Little Brosna were renowned throughout Europe as major fisheries. However in more recent years there has been a rapid decline in fish stocks with the resultant decline in the importance of these fisheries as a result of poor water quality and it is hoped that the Environmental Protection Agency will now consider this submission on behalf of the Club in dealing with the application by Offaly County Council for Waste Water Discharge Licence.

Many thanks.

Yours faithfully



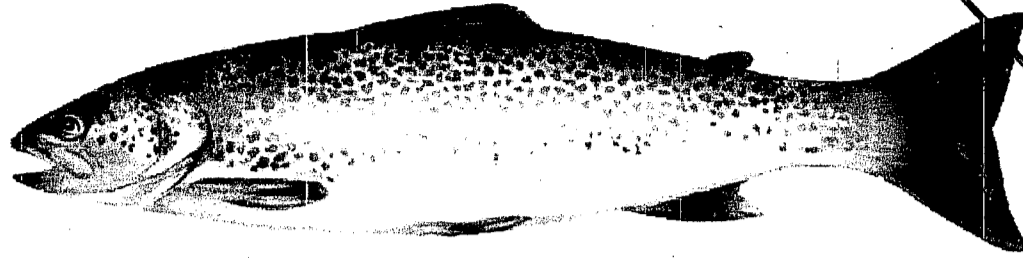
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John Reedy

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THE CRONEEN TROUT
A BIOLOGICAL ASSESSMENT

Environmental Protection
Agency
25 MAR 2009

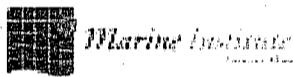
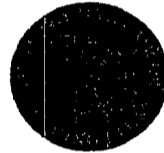
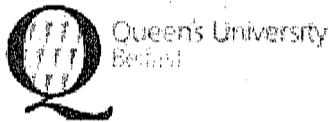


2003

Report compiled
by

Dr. Fran Igoe, Shannon Regional Fisheries Board
Dr. Ciaran Byrne, Marine Institute, Newport, Co. Mayo.
Mr. Niall McKeown B.Sc. Department of Biology and Biochemistry, Queens University, Belfast,
Northern Ireland.

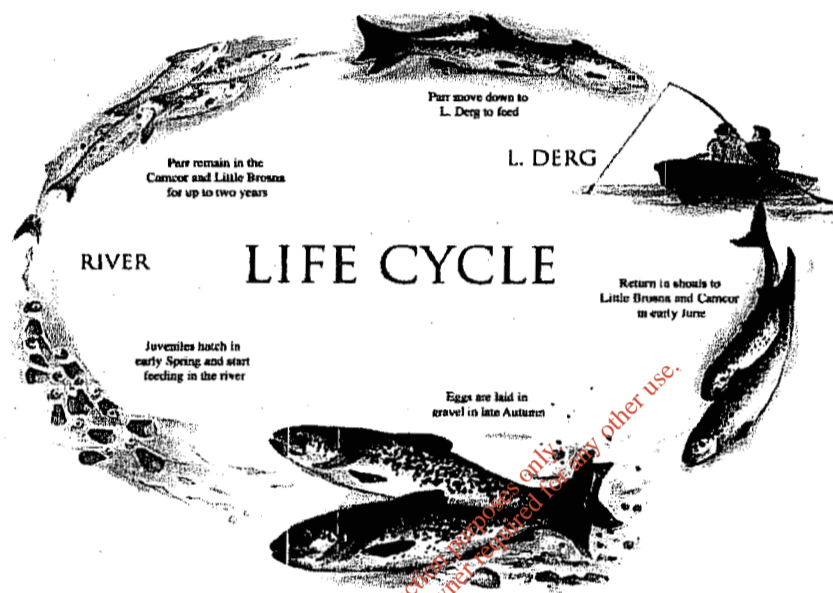
Assisted by Little Brosna and Camcor Fishing Club, Brian McManus, Lorraine O'Donnell, ShRFB,
Natasha Kalcuka and Emma Morrissey, University College Dublin.



The authors wish to thank all those anglers who carefully documented their catches and retained immaculate specimens of Croneen, which made the analysis experience more pleasurable than what we are normally used to!
The financial support of the Heritage Council to the Croneen Project is gratefully appreciated.

Introduction

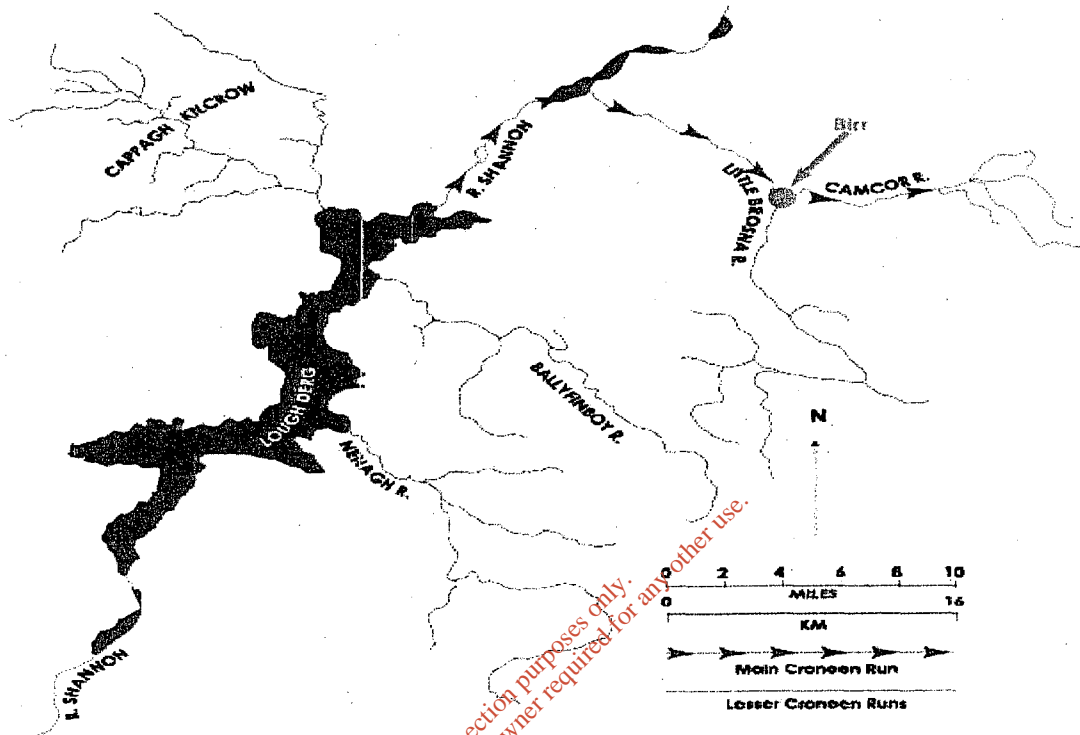
The Croneen is a fresh water migratory brown trout, which uses the Little Brosna and Camcor as a spawning and nursery area, and subsequently migrates to Lough Derg to feed. Populations are known from other rivers draining the Lough Derg catchment but these have undergone a decline due to habitat degradation (poor water quality, drainage etc). This silver torpedo-shaped trout can gain weights of over 4lb and is very popular with anglers. The presence of the Croneen has been known by local people in the Birr area and many anglers throughout the country for some time. The Little Brosna and Camcor Angling club are a local fishing club in the Birr area and regularly fish for Croneen. The club has become concerned for the long term survival of the Croneen and believe that more should be learnt about it's biology, ecology and heritage value to assist in it's conservation. The club has been working closely with the Shannon Regional Fisheries Board to find out more about the Croneen. This report to Heritage Council documents what we have learnt to date.



Lifecycle of the Croneen trout.

The Little Brosna and Camcor

The Little Brosna is a tributary of the River Shannon. The Little Brosna rises in Slieve Bloom mountains and flows through Birr town to reach the River Shannon upstream of Lough Derg. The river ranges in width from an average of 4 to 10 meters. Much of the river was drained previously to alleviate flooding effects from surrounding lands. The river is now generally comprised of long medium depth pools, shallow riffles and glides. Formerly the river was deeper (see interview section) and less uniform in character. The Camcor is a tributary of the Little Brosna. Unusual for a tributary of the Shannon, the river is still very lively in places and is a spate river. It is believed that the main spawning beds of the Croneen occur in this tributary. The aquatic wildlife is still diverse, and includes a range of aquatic invertebrates such as dragonfly, damselfly, crayfish. Kingfisher, herons and otter are also frequently seen along the river and concern has been expressed over the recent arrival of the North American mink.

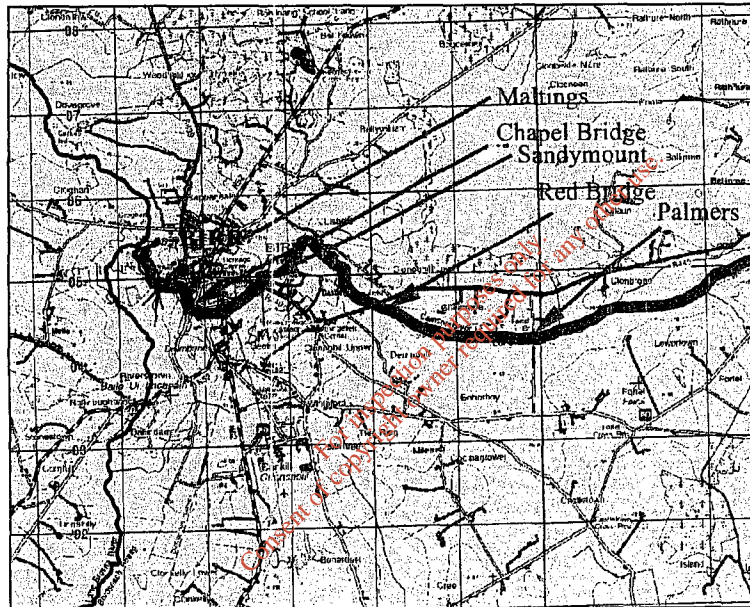


Map showing the territories of the Croneen trout. The spawning migration route of the Croneen is indicated for the Little Brosna and Camcor River. Lesser populations occur in the Cappagh-Kilcrow, Ballyfinboy and Nenagh Rivers. These latter rivers have been severely affected by drainage and pollution. The Nenagh River may still have a moderate run of Croneen.

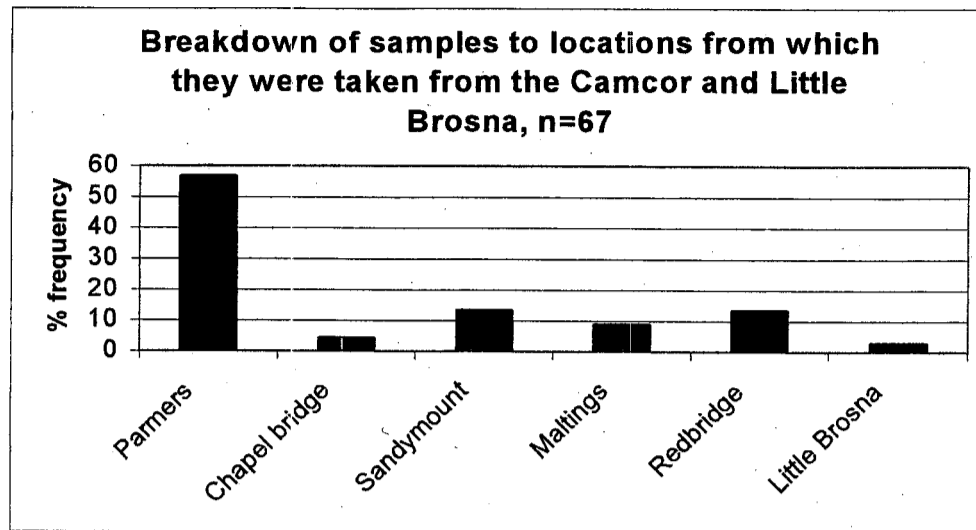
Biology and ecology of the Croneen.

Methods

In 2002 members of the Little Brosna and Camcor angling club collected details of Croneen. Fish were captured by rod and line either in the Little Brosna itself or the Camcor. A number of fish ($n=20$) were retained for detailed biological analysis. These fish were sampled for basic biological measurements, length, weight, sex, fecundity and age. Ageing was carried out by both scale analysis and otolith analysis. Otoliths are generally accepted as being a more reliable method for the determination of age of salmonids, than scales. This allowed for critical determination of accuracy of scale reading for determination of the Croneen age. Parasite work was carried out by Dr. Ciaran Byrne (formerly Marine Institute) by internal examination and details are given under the section dealing with parasites. Genetics tissue analysis was carried out by Niall McKeown, Queens University, Ulster. All fish were processed in the laboratory of the Shannon Regional Fisheries Board, Limerick. Additional length measurements were also taken by anglers from another 70 fish and scale samples were retained for age analysis. Some of these fish were included in the age analysis data presented.

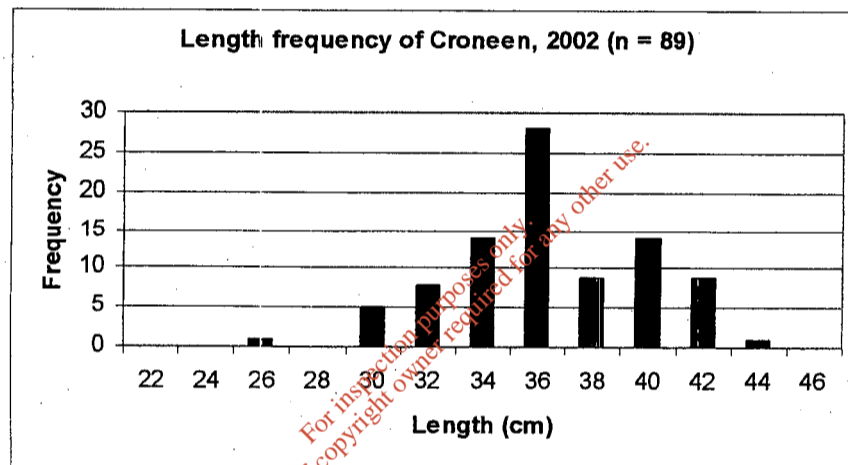


Locations from which Croneen specimens were captured by anglers for analysis.



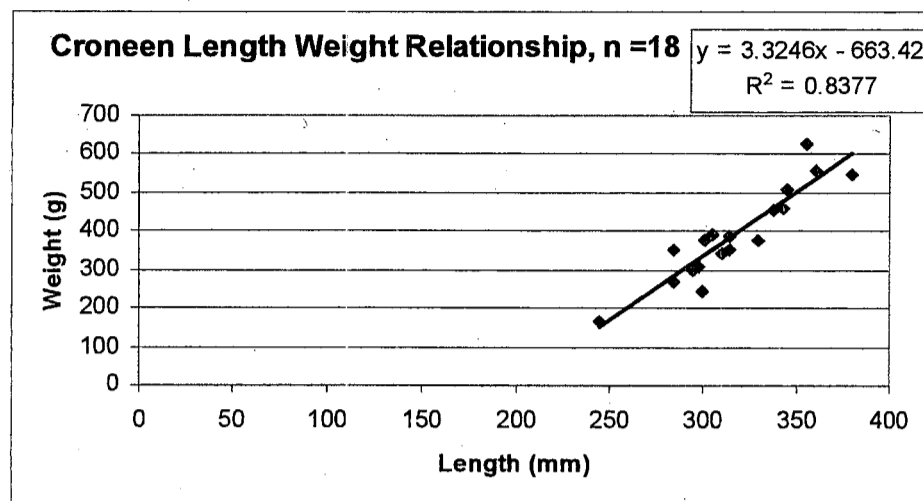
Biological data

Fig 4 shows the length frequency distribution for Croneen sampled. These fish were representative for fish being caught by anglers between 2001 and 2003.



External examination of the fish indicated that the fish were in good condition. The lengths of the fish were plotted against weight. A linear function ($y=bx+c$) applied to

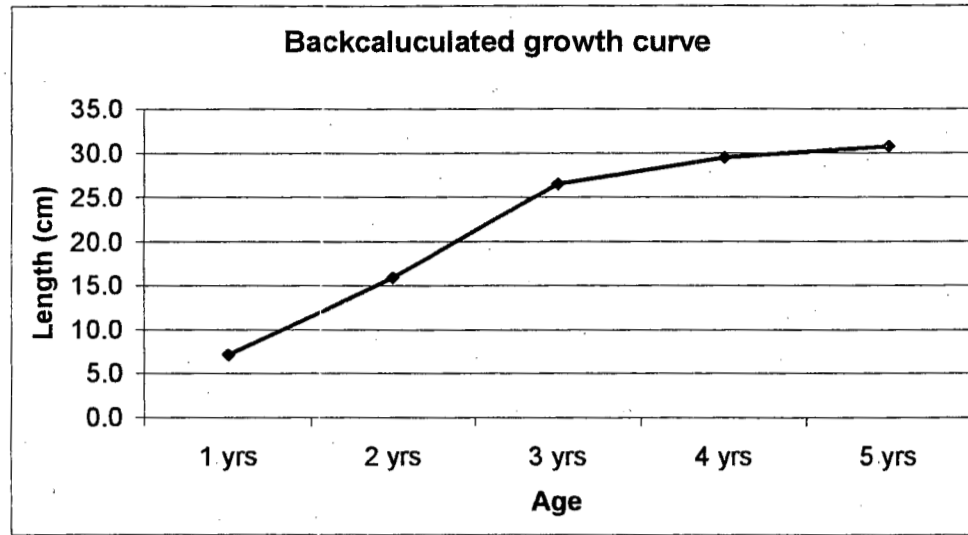
the data points as there was a good fit (R^2 was close to 1). A value for "b" less than 3 means that the fish is in poor condition, 3 being normal condition, and a value greater than 3 is an indication of good condition. In this case $b = 3.3$ indicating good condition. This result is also supported by the findings that on internal examination of the fish substantial amounts of fatty tissue were noticed.



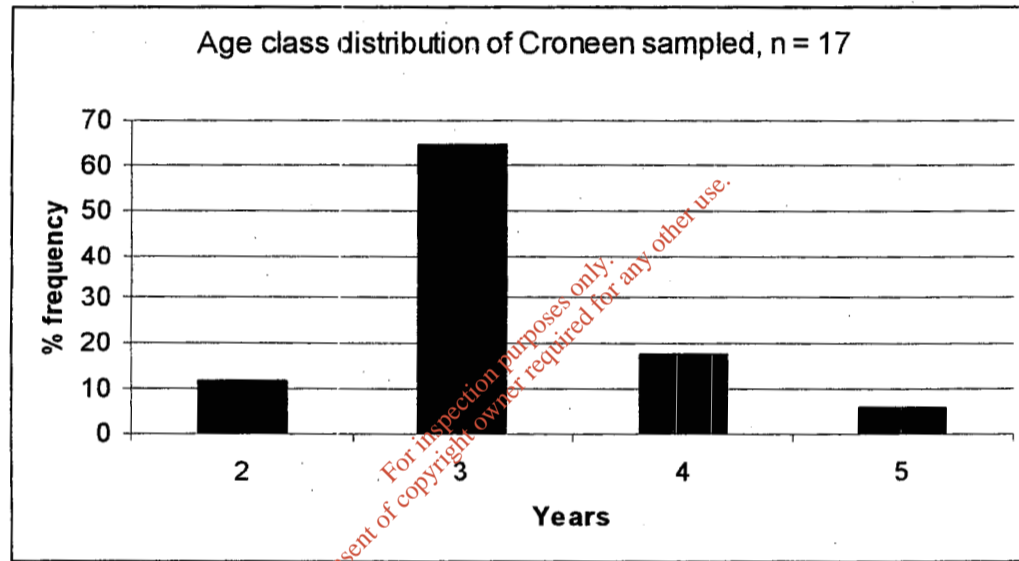
Of the 18 fish examined internally only two (11%) were male. This unusual sex ratio, dominated by females is, according to the anglers fairly typical. It is quite likely that females migrate to the lake to access better feeding conditions necessary for gonadal production, whilst the males remain stream resident. Similar analogies are found in Irish sea trout populations, where the females predominantly run to sea. More sampling is required to determine if this is indeed the case for the Croneen.

Age and growth

The Croneen have distinctive scale patterns which have long been recognised as being unique for lake trout (Kennedy and Fitzmaurice, 1971). Growth in the first year is typical of that for other trout populations in other moderately productive rivers. However when the fish enter the lake, usually after the second year, the growth rate increases significantly, resulting in distinctive annuli more typical of sea growth found in sea trout.

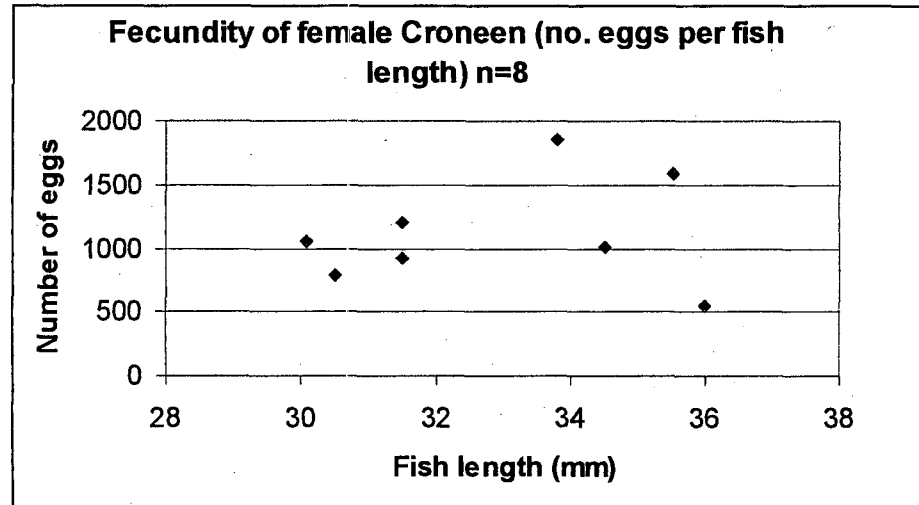


The majority of fish analysed in 2002 were 3+ and 4+ years old, i.e fish in their 4th and 5th year of growth. The fish were also aged using otoliths (sagittae). The results were in close agreement with those obtained by scale reading. Most Croneen spend 2 years in the river and then migrate down to the lake. Growth is initially very fast, but then slows down as the fish mature. Maturity occurs in the third year. Some fish sampled were almost 6 years old, it is likely that a few may reach a greater age.

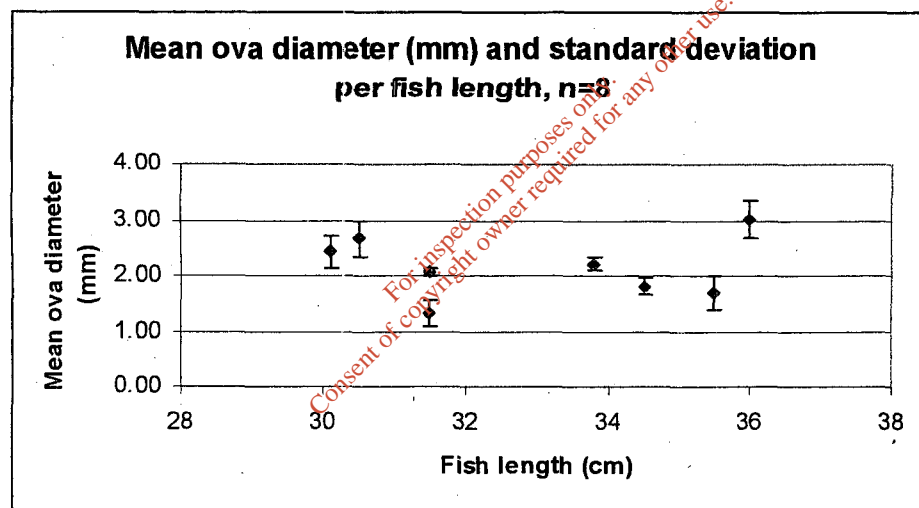


Fecundity

The fecundity of female Croneen was estimated from an available sample of eight fish. The ovaries were extracted from the fish, weighed and subsampled for estimation of egg numbers. Estimates ranged from 526 to 1859 eggs per female. Fecundity seemed to increase until fish reached 34 cm and then dropped rapidly. However the sample size is too small to make any definitive conclusions on fecundity trends.



Egg diameter was measured under a microscope and the mean values per fish are graphed against fish length. Estimated fecundity per kilogram of fish was 2514 eggs (SD = 912). Larger eggs are normally associated with larger fish and usually have the greatest survival potential. Egg diameter from the Croneen examined ranged from 3mm to less than 1.5mm, and no consistent trend was apparent with fish length.



Diet

The stomachs of the 18 Croneen were examined for dietary items and the results are presented on Table 2. Most fish were fasting, and only 27% of stomachs had food contents. Only one stomach was full. The dietary components were very diverse, for example one fish had shrimp (*Gammarus duebeni*) only, another predominantly emerging stonefly (*Leuctra sp.*) and another a mixture of non-biting midge (chironomid larvae) and mayfly (*Ephemerella ignita* and *baetis sp.*). The high incidence of empty stomachs and diverse individual food selection, corroborates angles contentions that the Croneen feed infrequently and spasmodically in the river. Again this is similar behaviour to that of returning sea trout.

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Table 1; Length, weight, sex and dietary details of 18 Croneen on which detailed examinations were carried out.

No.	Length (cm)	Weight (g)	Sex	Stomach	Diet								
					Chironomid p.	Chironomid l. E. Ignita p.	Coleoptera	G. duebeni	Trichoptera p.	Baetis p.	Leuctra p.	Unidentified dipteran p.	
1	38	548	f	Empty	-	-	-	-	-	-	-	-	-
2	28.5	269	f	Empty	-	-	-	-	-	-	-	-	-
3	30	344	f	Empty	-	-	-	-	-	-	-	-	-
4	30.5	307	f	Contents	50	0	25	0	0	0	0	0	25
5	34.5	489	m	Contents	0	33	33	0	0	33	0	0	0
6	35.5	508	f	Empty	-	-	-	-	-	-	-	-	-
7	33.5	456	f	Empty	-	-	-	-	-	-	-	-	-
8	30.5	394	f	Full	77	4	0	12	0	4	4	0	0
9	29.5	299	m	Empty	-	-	-	-	-	-	-	-	-
10	24.5	166	m	Contents	40	0	40	20	0	0	0	0	0
11	31.5	352	f	Contents	0	0	0	0	14	0	0	86	0
12	28.5	252	f	Empty	-	-	-	-	-	-	-	-	-
13	30.1	376	f	Empty	-	-	-	-	-	-	-	-	-
14	33	375	f	Empty	-	-	-	-	-	-	-	-	-
15	31	345	f	Empty	-	-	-	-	-	-	-	-	-
16	31.5	381	f	Contents	17	17	50	0	0	17	0	0	0
17	36	558	f	Empty	-	-	-	-	-	-	-	-	-
18	35.5	628	f	Empty	-	-	-	-	-	-	-	-	-

Parasitological status of a sample of Croneen trout

Methods

In July 2001 a sample of 18 Croneen trout were taken from the Little Brosna River Co. Offaly and frozen for subsequent parasitological examination. These fish were defrosted at room temperature for examination. The general condition of the fish and any external lesions were noted. Viscera were removed and rinsed with 0.9% saline, which was kept and separately examined for parasites. The gills, liver, spleen, heart, gonads and swim bladder were all removed and examined for parasites. The body cavity was examined to detect any parasites, which might be encysted there. Gonads were used to determine the sex of the fish. All parasites recovered were fixed in 10% formalin solution and stored in 70% ethanol.

Results & Discussion

The mean lengths and weights of the fish sampled were 31.61 cm and 355.65 g. Only two parasite species were recorded in the sample, *Eubothrium crassum* and *Cystidicola farionis*, details of the prevalence (% occurrence) mean abundance (average number of worms per fish for the sample) and mean intensity (average number of worms per infected fish for the sample) values are given in Table 1. Both species are commonly found in trout throughout the country (Holland & Kennedy, 1997). *Eubothrium crassum* is a cestode which is normally found in the pyloric caeca of the trout. The parasite grows and matures in the pyloric caeca and sheds infective stages into the environment where they are ingested by planktonic copepods. Trout then acquire new infections of *E. crassum* by consuming the infected copepods. Kennedy (1996) demonstrated that the peak infection period for *E. crassum* occurred in July, and that a large proportion of the *E. crassum* found were recently acquired juvenile cestodes. The same holds for the current sample where in a number of cases only recently acquired juveniles were found. Kennedy also demonstrated that soon after the initial increase in and abundance in July, most of the juvenile worms were lost, which is probably also the case for "Croneen" trout.

Cystidicola farionis is a highly pathogenic nematode found in the swimbladder of trout. Female C. farionis lays eggs into the swimbladder of its host where they reach the digestive tract and are released into the environment, where they are ingested by their intermediate hosts, Gammarus duebeni. Fish acquire this parasite when they consume infected gammarids.

Conclusion

The prevalence, mean abundance and mean intensity values for this sample of trout demonstrate that E. crassum occur in more fish and in higher numbers than C. farionis, which suggest that fish were preferentially feeding on planktonic copepods. However this sample only represents one point in time, and we have no knowledge of what happened prior to or after this sample was taken, which may suggest a completely different pattern.

Table 1. Percentage prevalence, mean abundance (+/- standard deviation) and mean intensity (+/- standard deviation) values for Eubothrium crassum and Cystidicola farionis in a sample of "Croneen" trout from the Little Brosna River Co. Offaly in July 2001 (n = 18).

	Eubothrium crassum	Cystidicola farionis
% Prevalence	70.6	17.6
Mean abundance	8.3	0.41
+/- standard deviation	15.4	1.2
Mean Intensity	11.8	2.3
+/- standard deviation	217.3	2.4

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The Croneen trout– How Unique are they ?

A recent topic of conversation has been the genetics of the Croneen? How special are they and can we determine if they are genetically different from the ordinary brown trout. However before discussing the genetics we must realise that current scientific thinking at the highest level is reassessing the traditional notion, that all of our brown trout belong to a single species. Advances in genetics have shown that trout such as the Gillaroo, Sonaghan and the ferocious predator the ferox trout are indeed distinct species. This point is very important from a conservation and a heritage point of view not to mention a management point of view. Additionally it has been shown that many of our lake trout populations in particular belong to races or “conservation units” that must be protected as they have evolved and adapted to suit the conditions to the lake and river sometime after (and in some cases before) the last Ice Age, 13,000 years ago. The facts that they ‘home’ to their place of birth on the river ensure that they do not mix. This is why we must be very careful when we interfere with rivers and their trout.

Genetic analysis

Tissue samples were taken from beneath the skin on the left hand side of the fish. These samples were forwarded to Niall McKeown of the Department of Biology and Biochemistry, Queens University, Belfast. Below are his findings to date.

Mitochondrial RFLP analysis have shown the Croneen to be fixed for a single haplotype which occurs at high frequencies in a number of populations, notably the Melvin ferox[†] and other ferox obtained from the West of Ireland. At the moment rigid inferences cannot be made, but it is likely that this haplotype is a more ancestral haplotype and could indicate that like the ferox the Croneen belong to a more ancestral lineage of trout.

It is also of note that the Croneen were distinct from other Shannon fish, as well as fish from the nearby Ennell.

Microsatellite analysis has also been performed and has yielded some interesting findings. The distinctiveness of the Croneen was reinforced, with these fish grouping

[†] Ferox is a name given to fish eating or “Cannibal” trout. Recent research by Prof. A. Ferguson on the Ferox from Lough Melvin has found them to be distinct species, rather than just a brown trout variant.

with other Shannon (Derg) fish but forming a monophyletic group (discrete). Mitochondrial and microsatellite analysis have as expected yielded slightly different results but these reflect the different attributes of the molecular approaches and are in no way contradictory. The bottom line is that molecular approaches have shown Croneen to be an invaluable component of trout genetic diversity and hence biodiversity.

Discussion

The Croneen have been recognised as a unique "species" or "race" of trout by anglers who fish for them in the Birr area. Scientific research in the 1970's showed that these fish exhibited unusual growth characteristics (Kennedy and Fitzmaurice 1971) and that the ova were more akin to those of Atlantic salmon than brown trout, at least from a hatchery perspective (Noel Roycroft). Similar migratory trout are reported for other river systems such as the Corrib (Oughterard River) and Lough Neagh (Dollaghan), however it can be argued that the Croneen indeed differ. The tradition surrounding the Croneen is unparalleled (See Questionnaire) in other areas and there is no doubt that the name Croneen is almost (see Patsy Pearl interview) to the Birr area.

The biological examination detailed in this report is the culmination of collaborative work carried out by the Little Brosna and Camcor Fishing Club, the Shannon Regional Fisheries Board, The Marine Institute and Queens University Belfast.

The summary findings are as follows

- **The average age of Croneen in 2001 was 3 to 4 years old.**
- **They were mostly female.**
- **The fish behave like a sea trout except that they use a freshwater lake (L. Derg) instead of the sea for feeding.**
- **Some fish had food in their stomachs when captured (less than 50%) in the river. The diet was very varied across the samples, which may suggest non-specialist feeding during the river return phase.**
- **They had very few parasites – suggests specialised feeding.**

The Little Brosna and Camcor Club together with the Shannon Regional Fisheries Board tagged 50 Croneen. Two recaptures have been noted,

Sept 2007

Environmental Protection Agency
25 MAR 2009

Reference PAE 2005 378

Dear Mr Smith

With reference to our telephone conversation on the 29th September 2005, I wish to thank you for the very prompt and professional way you dealt with this matter. In your letter I received on the 30th September 2005 you pointed out to me that these matters were the responsibility of Offaly County Council. You also said to me that if I was not happy with the performance of the council I could revert to you agency.

Following this you sent me a copy of a correspondence you received from Offaly County Council in which they state that they had taken samples down stream from Crinkle WWTP on the 7th October 2005 and found no evidence of pollution. Despite this I had taken photos of the outlet pipe on the 30th September 2005 showing a large pile of solid effluent and I also took photos of the effects down stream parallel to Millview halting Site. I believe there may be a health issue there for children playing in the summer.

I have been monitoring this stream since September 2005 and the problem still continues. I contacted Mr Brendan Mundy of the Shannon Regional Fisheries board on the 8th of June 2006. This resulted in the conviction of Offaly County Council for pollution and a fine of €1000 plus expenses of €2446. Despite all this I visited the stream on the 11th March 2007 and I found it in a dreadful state with a considerable build up of solid material there. On the days of March 19th, 20th and 21st, thousands of gallons of sludge were released into the stream and again on April 9th and 18th. This came from Bar reservoir. The effect this has had downstream is a large build-up of sediment and by September and October the stream is totally blocked by weed and rushes.

This stream has had its share of abuse over the past 30 years and is badly in need of remedial work. Half mile downstream the Rock River enters the Little Brosna. This stretch of river around Riverstown, ~~Winniford~~ and Ballyeigan was one of the best trout rivers in Ireland. Fish life is now non-existent due to the fact that they depend on the gravel bottom of the Rock River to spawn. The Brosna is almost a completely mud bottom.

I have enclosed photos taken on various dates since September 2005.

Regards

John Barnwell

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Pictured at the Fun Day For Down Syndrome at the County Arms Hotel, Birr on Sunday last were (l. to r.) Noelle Mannion with Jade Lalor, Megan Tooher, Maria Bracken, Eva Moloney.

Offaly County Council Convicted Of Pollution

Offaly County Council was convicted of polluting a waterway during the February sitting of Birr District Court.

The action was brought against the Council by the Shannon Regional Fishery Board and the pollution incident occurred on the 8th of June last.

A Fishery Board Inspector, giving evidence, said that on the 8th of June last he witnessed a County Council tank discharge raw sewage into the Rock River in Crinkle. The Rock River is a tributary of the Little Brosna river and the tank is an 'in situ' construction with pumps.

The Fishery Board Inspector commented that the pollution reading in the Rock River was 'quite high.'

The Inspector said this matter was first reported to him five months prior to the 8th of June last but each time he turned up at the site he was too late to witness the sewage effluent. He said there was no fish kill visible but this was probably because all the fish had already

been killed by the effluent.

He said the County Council had a previous pollution conviction regarding an incident

that occurred a few years ago in Tullamore.

The defending solicitor for the County Council told Judge

Intoxicated Man Trespassed In Toomevara Pub

An agitated man trespassed on a premises with the aim of confronting his former girlfriend, the recent sitting of Birr Court was informed.

The incident occurred at the Tipperary Inn, Toomevara, North Tipperary on the 18th of February last and the defendant was Alan Rossborough, 211, Connolly Road, Ballyphehane, Cork. Rossborough pleaded guilty.

The defending solicitor Bernadette Owens told the court that Rossborough's former girlfriend was working in the Tipperary Inn which is a pub and restaurant.

She said her client couldn't accept the fact they had broken up and he rang his former girlfriend 30 times and he tried to force his way in through the back of the pub to speak to his ex-girlfriend who was present in the pub / restaurant at the time. 'He had a lot of drink consumed at the time.'

A Guard told the court that Rossborough was apologetic the next day when he was sober 'but I am concerned for the girl's safety. When he is drinking he is a bit like Jekyll and Hyde'.

Judge Conal Gibbons adjourned the matter and remanded the defendant on his own bail of €300 to Nenagh District Court on the 15th of June next.

Conal Gibbons that this pollution was not a deliberate act by the County Council but rather was caused by human inefficiency.

Judge Gibbons convicted and fined the Council €1,000. He also ordered that the Council pay costs amounting to €2,336.

Birr Man Convicted Of Drink Driving

Airmas Kavaliauskas, 4, Monastery Court, Birr was convicted of drink driving during the February sitting of Birr District Court.

He was stopped by Garda Paul Hogan on the 19th of February last at Wilmer Road, Birr.

Judge Conal Gibbons fined him €350 and disqualified him from holding a driving licence for two years.

Environmental Protection Agency
25 MAR 2009

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