



**An Taisce – The National Trust for Ireland**

Tailor's Hall, Back Lane, Dublin 8

EPA  
IPPC Licencing  
Johnstown Castle  
Wexford

15.04.10

**RE: River Inny & Lough Derravaragh – Westland Horticulture's application for an IPPC licence P0914-01 for Lower Coole, Mayne, Ballinealoe & Clonsura, Near Coole & Fineagh, County Westmeath for the extraction of peat in the course of business which involves an area exceeding 50 hectares.**

Dear Sir / Madam

An Taisce is very concerned about the damaging impact of continued industrial peat extraction on the sensitive surrounding environment, including the protected River Inny. Accordingly An Taisce considers it necessary for the consent authority to conduct an Environmental Impact Assessment for the proposed activities as part of the procedure to assess whether a licence should be granted. An Taisce endorse the submission made by Friends of the Irish Environment that an Environmental Impact Statement is required in this case.

It is worth noting in consideration of this licence application that The European Commission has sent a final warning to Ireland in March 2010 for failing to implement the findings of a court ruling in November 2008 (EIA case 2000/5196). This ruling (Case C 66/06) found that Ireland does not adopt 'all measures.... to ensure that, before consent is given, projects likely to have significant effects on the environment that belong to the categories of projects covered by point 1(a) to (c) and (f) of Annex II to that directive are made subject to a requirement for development consent and to an assessment with regard to their environmental effects in accordance with Articles 5 to 10 of the directive'. It effectively states that the thresholds set by Irish Authorities for undertaking an Environmental Impact Assessment for certain types of projects has led to the loss of wetlands and other habitats without any EIAs ever being required. Each application for consent, including a waste licence as in this instance, must be considered in the context of the sensitivity of environment within which it lies and the cumulative impacts of other activities. In this case other activities include the high levels of peat extraction in the vicinity of this application, and it is likely that other activities to be considered will arise in the EIA process.

Considering also that this application is for an area of 50ha, within a region where extensive peat extraction has already occurred, in close proximity to a protected waterway, an EIA is required to assess the impacts of this application in conjunction with past and present applications within the region. Other land use changes that may cumulative impact the catchments hydrology or a habitat's viability should also be assessed within the EIA.

The Inny River, which has a poor water quality of 3, is going to have to be improved to quality of at least 4 in order to be in compliance with the objectives of the Water Framework Directive. Activities such as peat extraction have known adverse impacts on water quality, not least of which is much increased sedimentation in the river and severe

impacts for fisheries and the health of benthic invertebrates. Light penetration and nutrient status are also likely to be impacted. The effects on the health of the river ecosystem will be apparent for very many miles of the river, in accordance with the very mobile nature of silt once it has entered a river. The proposed use of silt traps may become ineffective during times of heavy rainfall allowing for short but particularly severe sedimentation of the Inny River. Also silt traps are not necessarily the best approach, as it is known that in these sediment can accumulate and then burst out from the trap in one severe incident, causing far more habitat damage than with slow but constant release. In the case of a protected waterway, however, Article 6 of the Habitats Directive also applies and no damage or degradation is permitted.

As a result of peat's acidity, the Inny River and Lough Derravaragh's pH could be lowered. Lough Derravaragh is a typical limestone lake with water of high hardness and alkaline pH, and is classified as a mesotrophic system. Alteration of the pH of this ecosystem another likely impact which would severely impacts water quality and ecosystem health.

The Inny River flows into Lough Derravaragh which has been designated as an SPA (site code: 004043) and a NHA (site code: 000684). According to the NPWS site synopsis for Lough Derravaragh NHA, damaging activities associated with activities, such as active peat-cutting, agriculture and forestry are drainage throughout the site and burning of the high bog. These activities have resulted in the loss of habitat and damage to the hydrological status of the site, and pose a threat to its viability. Further activities upstream are also going to contribute existing pressures on Lough Derravaragh NHA & SPA. This will also need to be taken in to account in the EIA.

Therefore, without an EIA this application is not compliant with a range of legal requirements and must not be granted permission.

Yours sincerely,

Camilla Keane & Anja Murray  
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## Maire Buckley

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**From:** Licensing Staff  
**Sent:** 16 April 2010 15:40  
**To:** Sonja Smith; Maire Buckley  
**Subject:** FW: New submission entered for Reg no: P0914-01. (Reference Number: P0914-01-100415044321)  
**Attachments:** IPPC Licence P0914-01Westmeath.docx  
**Importance:** High

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**From:** Anja Murray [mailto:[anja.murray@antaisce.org](mailto:anja.murray@antaisce.org)]  
**Sent:** 15 April 2010 16:43  
**To:** Licensing Staff  
**Subject:** New submission entered for Reg no: P0914-01. (Reference Number: P0914-01-100415044321)  
**Importance:** High

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