

Statement Of Case Against the Consent To Discharge

Trc080/20_1-DAERA and TrC081/20_1-DEARA

I, [REDACTED] and my family strongly object to the abstraction and discharge of water asked for in these applications. This should not be considered in Isolation from Dalradian's Gold overall planning application LA10/2017/1249/F. It is unfair on families like mine in a living crisis to have to go to the considerable expense of doing four Separate statements of Case, this expense will put many families off from having their say as they just couldn't afford the cost of printing. As a family these are the reasons we object to this application.

1: Impact on Local Water Bodies

The proposed abstraction and discharge of water would lead to reductions in water quantity and quality in nearby streams and rivers, affecting aquatic life. The abstraction would change the natural flow regimes of the local water bodies, especially the Pollanroe Burn & Owenreagh River, affecting aquatic habitats and species that depend on specific flow conditions, particularly the freshwater pearl mussels, (1) which are an endangered species, and it is against the law to kill or intentionally do something which could harm them. There is unacceptable vagueness in SRK report where it says water will be directed to – how & by what means is water “directed”? There is a lack of clarity regarding the extent and impact of water abstraction, especially in terms of the area affected. Also, how is “contact & non-contact water” to be managed “to maintain separation”?

2: (3) Environmental Sensitivity and Legal Compliance

It is essential to protect the sensitive environmental setting of this whole project: the Sperrins AONB, Owenkillow SAC, (2) Owenreagh ASSI (3), River Foyle & tributaries SAC & ASSI, (4) the nearby Ramsar site of the Black Bog (5) as well as other specially designated sites. These areas are all crucial for biodiversity and ecological balance. Any risk/damage to them is in contravention of Fermanagh Omagh Local Development Plan (2030), (6) Water Framework Directives NI (2015 & 2017), (7) Habitats Regulations (1995), (8) the Owenkillow River Management Plans (2013 & 2023), etc (9). The proposal to evade reservoir legislation is unacceptable as it would compromise safety and reduce environmental oversight. How can Dalradian's proposed “pond” containing almost 9 million gallons of “water” not be governed by reservoir legislation whereby a reservoir of 2.2 million gallons must comply with the regulations. (10)

3: (4) Impact on Local Water Bodies

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4: Impact on Peatland

The importance of peatlands for carbon storage and natural flood management cannot be ignored especially in these times of Climate Change. Disruption of peatland by abstracting almost half a million gallons of water per day every day of the year for 20 years would lead to drying out of the bog (contrary to Gahan & Long's opinion 2022), carbon loss, alter the waterways, increase flood risks and ecological damage. (12)

Furthermore, given the amount of water proposed to be abstracted from the peatland (half a million gallons per day), it seems impossible for sub-surface archaeological deposits to survive within the infrastructure site. Dalradian's plans to remove 74 acres of peatland to build their infrastructure as well as their industrial activities including vibrations & blasting twice a day, every day of the year for 20 years would shake and destroy any sub-surface archaeological deposits. The wider area is abundantly rich in archaeological sites, which are all part of our cultural heritage, and any risk or devastation to them would be an attack on our human rights.

(5) Impact on Groundwater

The abstraction activities would change groundwater levels due to dewatering of the mine, and negatively impact wells and groundwater-fed natural habitats. The vast amounts of water abstraction (375,000 gallons per day) would lead to a significant reduction in groundwater levels, affecting local water availability and quality. All groundwater bodies in NI are designated as Drinking Water Protected Areas under Art. 7 of EFD (2006/EC). These Applications would jeopardise both quantity and quality of public water in a geographical location already identified as high risk. (13) Changes in groundwater levels risks mobilising and spreading contaminants, affecting local water quality and ecosystems. (14) The attendant environmental risks are unreasonably downplayed by Dalradian and their consultants. The incorrect rainfall data provided could mislead regulatory assessments. Up to date rainfall data and today's knowledge on Climate Change must be used in assessing the applications.

6: Biodiversity and Ecological Impacts

The abstraction and dewatering processes would disrupt the habitats of local flora and fauna and damage crucial habitats for species reliant on stable water conditions, particularly those listed under the EU Habitats Directive. Changes in water flow, availability and quality, would negatively impact biodiversity, especially for species sensitive to changes in their aquatic environment, such as the freshwater pearl mussels, salmon, trout, & otters. The project would contravene the Water Framework Directive by failing to protect river morphology and maintain good ecological standards. The project would also contravene the Habitats Regulations NI (1995). (15)

7: Social and Economic Impacts

Increased water use for the project would reduce the availability of water for local communities and family farms, (16) particularly during dry periods. The competition over water resources would lead to additional conflict between the mining company and local communities & other water users. Dalradian do not seem to have submitted a separate application for an additional public water supply connection with a new pumping station to be provided by Water NI near the Greencastle Community Centre. (Dalradian already has a public water supply connection at Curraghinalt on the Camcosy Road.) The implications for the public water supply would put human health at risk downstream, particularly for those who rely on these sources for clean water, as water is abstracted at Newtownstewart for the people of the Castlederg area.

There would be environmental degradation especially during the construction phase, which would increase run-off and sedimentation, negatively affecting aquatic life in the tributaries of the Foyle River basin which are world famous for salmon fishing.

8: Long-term Sustainability Concerns

The long-term impact of the abstraction of large volumes of water seriously endangers the sustainability of both water and aquatic life in the North-West (17) and raises the spectre of environmental degradation. The region's vulnerability to climate change (e.g. storm of August 2017) would be exacerbated by significant changes in water use patterns, making the area less resilient to droughts or changes in precipitation.

Dalradian's plan at closure to remove the linings of their "ponds" and allow the contents to soak into the ground would further contaminate the water table, aquifers, streams & rivers.

9: Procedural Issues

In view of the recent happenings when DAERA misled the PAC & the public at the Pre-Inquiry meeting on 20th March 2024, and the subsequent letters from DAERA/NIEA to the PAC, I have serious concerns about Government Departments' commitment to a Duty of Candour, transparency & accountability.

Dalradian fail to recognise that all these watercourses are hydrologically linked, that the Pollanroe Burn and the unnamed watercourse flow into the Owenreagh River which joins the Owenkillew River and are all headwaters of the River Foyle system. As a local I want to protect the Freshwater Pearl Mussels which live in the Owenreagh and Owenkillew rivers. I want to be able to take my grandchildren to the Rivers as I did my children to see the abundant Aquatic and Wildlife that these rivers have. We do not need Gold, there is enough of it to last many generations to come gathering dust in bank vaults: once our rivers are polluted there will be no turning the clock back, the damage these applications will do is irreversibly. Given the irreversible impacts of these applications, the precautionary principle must be applied, and these applications refused.

Your Sincerely

[Redacted signature line]

[Redacted contact information line 1]

[Redacted contact information line 2]

[Redacted contact information line 3]

- 1 [Freshwater pearl mussels: advice for making planning decisions - GOV.UK \(www.gov.uk\)](#)
- 2 [Owenkillew River ASSI | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)
- 3 [Owenreagh River ASSI | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)
- 4 [River Foyle and Tributaries ASSI | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)
- 5 [Black Bog RAMSAR | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](#)
- 6 [Local Development Plan \(fermanaghomagh.com\)](#)
- 7 [The Water Environment \(Water Framework Directive\) Regulations \(Northern Ireland\) 2017 \(legislation.gov.uk\)](#)
- 8 [The Conservation \(Natural Habitats, etc.\) Regulations \(Northern Ireland\) 1995 \(legislation.gov.uk\)](#)
- 9 [Owenkillew River SAC Conservation Objectives 2015 \(daera-ni.gov.uk\)](#)
- 10 [Reservoirs Act 1975 \(legislation.gov.uk\)](#)
- 11 [Impacts of gold mine effluent on water quality in a pristine sub-Arctic river - ScienceDirect](#)
- 12 [Environmental effects of drainage, drain-blocking and prescribed vegetation burning in UK upland peatlands - S.J. Ramchunder, L.E. Brown, J. Holden, 2009 \(sagepub.com\)](#)
- 13 [The Water Supply \(Water Quality\) Regulations \(Northern Ireland\) 2017 \(legislation.gov.uk\)](#)
- 14 [The potential threat of mine drainage to groundwater resources - ScienceDirect](#)
- 15 [Water biodiversity: ecosystem services, threats, and conservation - ScienceDirect](#)
- 16 [Mining companies and communities: Collaborative approaches to reduce social risk and advance sustainable development - ScienceDirect](#)
- 17 [Dozens of dead fish found after contaminated water discharge from Yukon mine disaster site - The Globe and Mail](#)

