

2024/WHR01 & 2024/WHR02 Statement of Case against Water Abstraction and Impoundment for applications AIL 2024 0008 & AIL 2024 0009 – NIEA, to abstract and impound water on behalf of Dalradian Gold Ltd.

Given recent input from DfI I submit this Statement of Case under protest and in the knowledge that it may now be incomplete until afforded an opportunity to consider any FEI. I also request that my previous objections to the Abstraction & Impoundment Applications be noted as part of my Statement.

Our geographical location is of central importance, especially the specially designated areas: the Sperrins AONB, the Owenkillev SAC, the Owenreagh ASSI, the Foyle River & tributaries system SAC & ASSI, the nearby RAMSAR site of the Black Bog, the SAC features of Mullan Woods & Drumlea Woods, Creggan Bog Local Nature Reserve, etc. This environmentally sensitive site must be protected from such a toxic and intrusive operation as is this gold mining application. These areas are all crucial for biodiversity and ecological balance. Any risk or damage to them is in contravention of Fermanagh Omagh Local Development Plan (2030), Water Framework Directive (2015 & 2017), Habitats Regulations (1995) & the Owenkillev River Management Plans.

Dalradian must not be allowed to escape the legislation associated with reservoirs simply by renaming them as storage ‘ponds’ or lagoons. How can so-called “ponds” containing almost 9 million gallons each (40,260 m³/8,855,962 gallons & 38,855 m³/8,548,800 gallons - West Pond) be treated less seriously than reservoirs containing 10,000+ m³/2,200,000 gallons?

The application states that surface water from north of the proposed infrastructure site will be “collected” in the North Diversion Berm & “directed” to the “Clean Water” Pond. This description of what in effect is a highly managed industrial process requires further clarification.

Most of the area from which Dalradian is applying to abstract water from is covered in peat, supporting blanket bog and wet heath habitats that are recognised as priority habitats & listed under Annex 1 of EU Habitats Directive. The proposed abstraction would cause ecological damage in contravention of the Habitats Regulations (1995). Peat bogs are also important as natural flood alleviation because of the amount of water they store. Dewatering peatland could have serious consequences for flash floods and land erosion/destabilisation. Contrary to what Dalradian’s consultant, Gahan and Long, wrote in their letter of 28th January 2022, it is common sense that the abstraction of half a million gallons of water per day every day of the year for 20 years would lead to the drying out of the bog land. This also increase the risks of widespread fires. Furthermore, it is most likely impossible that sub-surface archaeological deposits would survive within the infrastructure site. Dalradian plans to remove 74 acres of peatland to build their infrastructure and their industrial activities, including vibrations

& blasting twice a day, every day of the year for 20 years will shake and destroy any sub-surface archaeological deposits. The wider area is abundantly rich in archaeological sites which are part of our cultural heritage and any risk or devastation to it would be an attack on our human rights.

The peatlands will leak carbon if their water is abstracted - "Peatlands are the largest terrestrial carbon store. They store twice as much carbon as all of the earth's standing forests, even though they only cover 3% of the world's land surface." (The Guardian 28/07/17). In a climate crisis, people are encouraged to conserve and restore peatland. DAERA/NIEA even has such a project at Haughey's farm, close to the site of the proposed mine. The risk of water drawdown by the proposed mine of more than 1,000 metres deep impacting locally as far as Haughey's farm has not been assessed.

Water quality in the Pollanroe Burn & in the Owenreagh River into which it flows will be negatively impacted as a result of this project. It is significant that Dalradian says 'groundwater **quality** is not considered **relevant** to the abstraction licence applications'. The proposed abstraction and discharge of water would lead to reductions in water quantity and quality in nearby rivers and streams, affecting aquatic life. The abstractions would change the natural flow regimes of the local water bodies, especially the Pollanroe Burn, the unnamed watercourse and the Owenreagh River, affecting aquatic habitats and species that depend on specific flow conditions, particularly the freshwater pearl mussels, Ireland's only globally endangered species. Dalradian's plan at closure to remove the linings of their tailings "ponds" and allow the contents to soak into the ground would further contaminate the water table, aquifers, streams & rivers. The precautionary principle demands that such high-risk proposals of Dalradian are rejected in order to protect our waterways and our precious ecology.

Dalradian has NO respect for the Pollanroe Burn or the unnamed watercourse in proposing to cut off their heads and divert some of their flow, leading to major adverse impacts. Just because the unnamed watercourse has no name doesn't mean it has no function in the Foyle River System. Both the unnamed watercourse and the Pollanroe Burn are hydrologically connected to the Owenreagh river with its protected FWPM and damage to it negatively impacts the entire river system. I believe in the Rights of Nature; this unnamed watercourse and the Pollanroe Burn have the right to exist, flourish, regenerate and to be protected.

The resultant increases in all flow conditions from these abstractions surely must have the potential to increase flood risks and result in out of banks flows, bank erosion and deterioration of ecological habitats. The vast amounts proposed to be discharged to the Pollanroe Burn will certainly impact on the morphology of the burn and the Owenreagh River into which it flows. The project contravenes the Water Framework Directive (WFD) by failing to protect river morphology and maintain good ecological standards. This is also in contravention of the Habitats Regulations NI (1995). The Abstraction &

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, including freshwater pearl mussels, salmon, trout & otters.

The Abstraction activities are predicted to change groundwater levels due to dewatering of the mine (1700 m³ per day, approximately 375,000 gallons x 365 days per year for 20 years) which would adversely affect local wells and groundwater-fed natural habitats, as well as lowering the water table. Changes to groundwater levels will become more critical over the life of the mine. These changes will impact massively & progressively on groundwater abstractions, surface water and peatland. The vast amounts of water abstraction would lead to a significant reduction in groundwater levels, affecting local water availability and quality. Adverse impacts from this abstraction would be shortages of supply, increased pollution through reduced dilution and damage to habitats dependent on the water bodies. All groundwater bodies here are designated as Drinking Water Protected Areas under Art. 7 of EFD (2006/EC). These applications jeopardise both quantity and quality of public water in a geographical location previously identified as high risk. Changes in groundwater levels may mobilise and spread contaminants, affecting local water quality and ecosystems.

Increased water use for the project would reduce the availability of water for local communities and family farms, particularly during dry periods. Competition over water resources would lead to additional conflict between the mining company and local communities or other water users.

These abstraction applications acknowledge some impacts on the Pollanroe Burn, the unnamed watercourse and to a lesser extent on the Owenreagh River into which they flow. However, they do not recognise the fact that the Owenreagh River joins the Owenkillew River a short distance away and that both these rivers and all the watercourses that flow into them are the headwaters of the Foyle River System. Dalradian pays no regard to the impacts of water abstraction on the Owenkillew or Foyle River system.

It is self-evident that the proposed two-year construction phase would disturb the natural ground surface cover of the headwaters of the Pollanroe Burn & will increase run-off rates and sedimentation, negatively affecting aquatic life. This cannot be allowed as the sediment, etc. would kill the Fresh Water Pearl Mussels (FWPM) in the Owenreagh River. Dalradian do not address the exceptional importance of protecting Ireland's only globally endangered species, FWPM.

The cumulative impact of all the adverse effects of these water abstractions has not been assessed. Given the uncontested sensitivity of aquatic life to ANY extractives-

industry caused change in the water environment, the failure by Dalradian to address thoroughly the impact of changes to this water environment including the temperature fluctuations that would be caused by the proposed management of the whole water system for the needs of the mine (as opposed to the needs of the Burns or of the rivers or flora or fauna, or people) is shocking and reinforces the reasons for refusing these abstraction and impoundment licences.

In view of the numerous risks and irreversible impacts of these Abstraction and Impoundment applications, the precautionary principle must be applied and these applications must be refused.

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(1,499 words in total, excluding title and name/address)

Submitted on my behalf, and on behalf of my two young children, [REDACTED]
and [REDACTED]).