Loughs Agency
Gníomhaireacht na Lochanna
Factrie fur Loughs

Planning & Water Appeals Commission
4th Floor
92 Ann Street
Belfast
BT1 3HH

22 November 2024

Dear Sir/Madam

Dalradian Gold Curraghinalt Project (the Project)– Conjoined Local Inquiry in relation to LA10/2017/1249/F, LA10/2019/1386/F, LA11/2019/1000/F, AIL2024_0008, AIL2024_0009, TrC 080/20_1 and TrC 081/20_1

Thank you for your recent correspondence in relation to the above-mentioned proposed Project. Loughs Agency is the statutory body charged with, under the Foyle Fisheries Act (Northern Ireland) 1952, the Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 and other subsequent legislation, the conservation, protection and development of inland fisheries within the Foyle and Carlingford systems, the promotion of development of Loughs Foyle and Carlingford, and catchments for commercial and recreational purposes in respect of marine, fisheries and aquaculture issues and the development of marine tourism.

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Executive Summary

Loughs Agency have reviewed the Statement of Case and associated Technical Reports associated with the Discharge Consent application. Loughs Agency welcomes the inclusion of more up to date data. However, this data has the same issues as stated in our Statement of Case:

- Factually incorrect information presented as data
- Outdated survey results and datasets
- Surveys not carried out using accepted best practice methodologies appropriate for the area
- Apparent inappropriate application of international standards
- Failure to appropriately consider impacts on surrounding watercourses, in particular; the Pollanroe and Owenreagh as well as "Un-named watercourse", in the context of salmonid populations

In addition to these issues, Loughs Agency would also highlight the misinterpretation of habitat survey grading to undermine the quality of habitat within the Pollanroe Burn in particular. Loughs Agency, through this

rebuttal, will show that the updated data presented within the appendices of the Statement of Case run counter to the arguments made by the applicant. Loughs Agency maintain our position that this application is fundamentally flawed and should be refused.

Background

Loughs Agency have provided comments to Department for Infrastructure in relation to the proposed gold mine. These can be provided upon request. Loughs Agency will provide rebuttals to Statements of Case on the following parts of the inquiry:

- LA10/2017/1249/F
- LA10/2019/1386 & LA11/2019/1000/F
- AIL2024_0008 & AIL2024_0009
- TrC 80/20_1 & TrC 81/20_1

TrC 080/20_1 & TrC081/20_1 Discharge Consent Rebuttal

Section 1.14 (figure 1) of the Dalradian Gold Statement of Case (SoC) Water Discharge document states that "*the Pollanroe Burn (which flows into the Owenkillew River, which in turn flows into the Owenkillew River SAC)*". This statement is incorrect as the Pollanroe Burn flows into the Owenreagh River which joins the Owenkillew River SAC approx. 6km downstream of the confluence of the Pollanroe Burn and Owenreagh River.

the Pollanroe Burn (which flows into the Owenkillew River, which in turn flows into the Owenkillew River SAC).

Figure 1

Section 3.7 (figure 2) of the SoC states that "*Neither burn supports Freshwater Pearl Mussel and neither burn represents spawning habitat for salmonid species (e.g. Atlantic Salmon)*". The June 2022 electrofishing survey (Technical Report 6 Appendix 16 (TR6 App 16) Fish Surveys & eDNA Certificate) carried out by Ricardo Consultants on behalf of the applicant shows salmonid presence within both burns. In addition, Loughs Agency has carried out Redd (spawning) surveys on the Pollanroe Burn in December 2023, 61 meters upstream of its confluence with the Owenreagh River. During this survey an Atlantic salmon redd was identified. Therefore, Loughs Agency would highlight the contradictory nature of the claim made by the applicant that "neither burn represents spawning habitat for salmonid species (e.g. Atlantic Salmon)".

e) Neither burn supports Freshwater Pearl Mussel and neither burn represents spawning habitat for salmonid species (e.g. Atlantic Salmon);

Figure 2

Section 3.9 (figure 3) of the SoC states that "*The project will deliver a water treatment process which is the most advanced possible, using reverse osmosis technology (best available technology) giving confidence that the proposed limits will not be breached*" Loughs Agency is of the opinion that it is not possible to evaluate the impact of such discharge on the water environment since there is no water quality testing or modelling for combining reverse osmosis (RO) water with natural surface water to ascertain the potential range of effects on the natural water quality. Also, Loughs Agency believes that discharging large volumes of RO-treated water into Pollanroe Burn has significant implications for the osmoregulatory systems of salmonids found within the burn.

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2) The project will deliver a water treatment process which is the most advanced possible, using reverse osmosis technology (best available technology) giving confidence that the proposed limits will not be breached;

Figure 3

Section 3.11 (figure 4) of the SoC states "*that the proposed discharge limits secure better than baseline for the relevant parameters*". Loughs Agency disagrees with this statement, as **sections 3.2.1.1** of both the Proposed Discharge Criteria for Owenkillew River and Curraghinalt Burn and Proposed Discharge Criteria for Owenreagh River and Pollanroe Burn state that discharge criteria in the Curraghinalt Burn and Pollanroe Burn

both have predicted ammonia concentrations deteriorate already failing Environmental Quality Standards (EQS) by >3% exceeding the criteria set by the Environment Agency in 2014[1] and predicted nitrates in the Pollanroe Burn would cause it to exceed EQS. Loughs Agency seeks clarification on how exceedances of parameters to a degree outside of the acceptable range can be justified in the Owenkillew and Owenreagh under the Water Framework Directive (WFD) mandate to protect and, where necessary, restore water bodies in order to reach good status and to prevent deterioration.

> The Applicant's proposals go further than avoiding harm. The proposed discharge limits secure better than baseline for the relevant parameters, putting the SAC on the course to favourable condition. They are also protective of aquatic life within the burns. Moreover, an outline Betterment Plan is submitted and this can be found at Annex 13 of the Ecology and Nature Conservation TR.

Figure 4

Section 3.14 (figure 5) of the SoC states that "*nitrate discharge concentration that does not exceed the current average nitrate baseline concentration in the upstream Owenreagh river*". **Section 3.2.1.1** of the Proposed Discharge Criteria for Owenreagh River and Pollanroe Burn document (TrC081_20_1) states that "*the calculated mean nitrate concentration is predicted to be 0.53 mg/L, compared with a baseline mean*

[1] LIT 10419 Modelling: surface water pollution risk assessment (publishing.service.gov.uk)

value of 0.24 mg/L." Therefore, the applicants claim that "*nitrate discharge concentration that does not exceed the current average nitrate baseline concentration*" is incorrect.

3.14.	Not only will the Project be regulated to a nitrate discharge concentration that does not exceed the current average nitrate baseline concentration (taking the Applicant's approach to discharges) in the upstream Owenreagh river (which flows

Figure 5

Section 4.7 (figure 6) of the SoC states that "*the documented poor quality of the burns in relation to salmonid (e.g. Atlantic Salmon) habitat and the confirmed lack of Atlantic Salmon in the Curraghinalt Burn altogether"*. Loughs Agency disagrees with this statement given the findings of the June 2022 electrofishing survey carried out by Ricardo Consultants working on behalf of the applicant and attended by Loughs Agency staff, which identified a resident salmonid population within the Curraghinalt Burn and 91 salmonids, including 15 Atlantic salmon, present within the Pollanroe Burn. Both watercourses support the life cycle of salmonids and their habitat.

iv.	The documented poor quality of the burns in relation to salmonid (e.g. Atlantic Salmon) habitat and the confirmed lack of Atlantic Salmon in the Curraghinalt Burn altogether;

Figure 6

Section 4.7 (figure 7) of the SoC states "*the approach to the setting of discharge limits as advocated by the Department of Environment and Rural Affairs (DAREA)/Northern Ireland Environment Agency (NIEA) has little grounding in evidence, is ill-conceived, and is unworkable*". Loughs Agency agrees with DAERA/NIEA in their approach to setting discharge limits to protect salmonids within both burns.

4.9.	The approach to the setting of discharge limits as advocated by DAERA / NIEA has little grounding in evidence, is ill-conceived and is unworkable.

Figure 7

Updated Discharge Consent Values for Curraghinalt Mine, Technical Report

Section 2.3 (figure 8) of the SoC states that "*Curraghinalt Burn and Pollanroe Burn were considered as low sensitivity watercourses, based on an assessment by ecologist that of no ecological value*". Loughs Agency refute this claim as the presence of Atlantic salmon and trout in the Pollanroe and Curraghinalt Burns have been confirmed by electrofishing surveys undertaken in 2021 and 2022. The assessment of "*low-sensitivity watercourses*" was made in 2017. Given evidence regarding the ecological importance of the burns presented in 2021 this statement is no longer valid. Discharge criteria based on the 2017 data is still being used for the assessment. Loughs Agency have stated throughout our Statements of Case that the information provided is out of date and convoluted by

numerous updates and addendums. **Despite more recent data, the applicant is holding to its position of '*low ecological value*' and that both burns are not salmonid habitats. Loughs Agency are of the opinion that these applications should be refused based on the fundamental flaws which the Agency have highlighted throughout the process.**

2. Curraghinalt Burn and Pollanroe Burn were considered as low sensitivity watercourses, based on an assessment by ecologist that of no ecological value. As a result, EQS were not applied to these

Figure 8

Section 2.4 (figure 9) of the SoC states that '*NED are satisfied that the Pollanroe Burn does not meet the criteria of a headwater*', however the rationale for this decision has been revised. The applicant stated that the Pollanroe Burn is '*Heavily modified*'. This is not the case with no modifications to the burn taking place since 1832. Loughs Agency support the position that the Pollanroe Burn is a natural watercourse for its majority and meets the criteria of a headwater.

stated that 'NED are satisfied that the Pollanroe Burn does not meet the criteria of a headwater', making it clear that the Pollanroe Burn should not be considered as the same as a main watercourse under the WFD. This is consistent with the approach used in the calculation methodology for the discharge consents.

Figure 9

Section 2.5 (figure 10) of the SoC noted that data from Loughs Agency survey in June 2021 and Ricardo Consultants survey in June 2022 identified juvenile fish (trout) in the lower reaches of the Pollanroe Burn and

failed to mention the presence of Atlantic Salmon. This statement is incorrect as these surveys captured 12 (2021) and 15 (2022) juvenile salmon, respectively, as shown by the TR6 App 16 Fish Surveys and eDNA Certificate document.

Furthermore, this paragraph also outlines that fish were not identified in these reaches as a part of the baseline work for the Environmental Impact Assessment (EIA). Fish assessment for the EIA was carried out using a desktop study method, which provides no opportunity to identify if fish occurred in these streams. As highlighted in Loughs Agency's goldmine SoC the Agency's juvenile electrofishing program does not have the capacity to survey every small watercourse within the Agency's remit, including the Pollanroe and Curraghinalt Burns. As a result, to determine if fish are present in these streams, a fish survey should have been undertaken as a part of the EIA. This further highlights Loughs Agency's reason for refusal as the EIA process has been fundamentally flawed from the beginning. This opinion is supported by Fermanagh & Omagh District Council as set out in their Statement of Case within their Executive Summary:

'*The environmental information is legally deficient in breach of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015.*

Survey data (Loughs Agency from June 2021 and Ricardo Consultants for the Applicant from June 2022) identified juvenile fish (trout) in the lower reaches of Pollanroe Burn. The surveys also identified a very low number of adult fish (trout) in the Curraghinalt Burn. Fish were not identified in these reaches as part of the baseline work for the EIA.

Figure 10

Section 2.7 (figure 11) of the SoC expressed that in the absence of statutory NI EQS values, both statutory and non-statutory EQS values have been used that are adopted by other regulators with the UK. Loughs Agency requests clarification on how this will be accounted for. In addition, Loughs Agency requires clarification and assurances that international standards are not only appropriate for small tributaries in the Foyle area but also transferable to the potential species and habitats likely to be impacted.

- In the EIA concentrations in the Pollanroe Burn were limited to Northern Ireland Drinking Water Standards; for this update they are now limited to acute and chronic Environmental Quality Standards (EQS) or baseline if baseline exceeds EQS. In should be noted that in the absence of statutory NI EQS values, both statutory and non-statutory EQS values have be used that are adopted by other regulators with the UK. In a few instances, and in the absence of other UK standards, international standards are referenced. This is considered protective of fish of various age classes.

Figure 11

Section 2.7 (figure 12) of the SoC states that "*additional baseline data was collected from the 2020 EIA to 2024*". Loughs Agency highlights this as an example of the convoluted nature of the evidence provided by the applicant. Loughs Agency is therefore of the opinion that the environmental evidence base for this application is not robust, and that the environmental assessment should be rescinded and reconsidered from the beginning using contemporary best practice to generate relevant data on appropriate temporal and spatial scales. Any approach other than a wholesale restart of the process is likely to lead to further lack of clarity due to a lack of continuity in datasets.

3. Additional baseline data collected from 2020 to 2024. A review of the discharge consent values is made based on additional baseline data collected from the 2020 EIA to 2024

Figure 12

Section 3 (figure 13) of the SoC states that "*maximum discharge concentrations were adjusted as applicable, so they were not greater than Drinking Water standards*". Loughs Agency is of the opinion that drinking water standards are designed to protect human health, not necessarily the health of river ecosystems. Due to the presence of salmonids, both the Curraghinalt Burn and Pollanroe Burn are entitled to the same protection as the Owenkillew River SAC and Owenreagh River ASSI to support aquatic life rather than drinking water standards.

- Maximum discharge concentrations were adjusted as applicable, so they were not greater than Drinking Water standards, with the aim of providing a minimum drinking water quality in the Pollanroe Burn and Curraghinalt Burn;

Figure 13

Section 3 (figure 14) of the SoC notes that maximum discharge concentrations in small burns (Pollanroe and Curraghinalt) were adjusted to maintain them below acute EQS values, ensuring protection for adult fish. Loughs Agency seeks confirmation on the protection for adult fish and clarification on how the discharge concentrations impact juvenile fish, particularly salmonid species.

Maximum discharge concentrations were adjusted so that that they were not higher than acute/short-term EQS values, with the aim of maintaining maximum concentrations in the small burns (Pollanroe and Curraghinalt) below acute EQS values. This is considered protective of adult fish;

Figure 14

Section 4 (figure 15) of the SoC a value for total suspended solids (TSS) is taken from the EU Freshwater Fish Directive, a value set at 25 mg/l. Loughs Agency is of the opinion that a target value of 10 mg/l should be used as it is considered protective of the freshwater pearl mussel within the Owenkillew catchment. Also, habitat assessments undertaken on the Pollanroe Burn form part of the Loughs Agency's juvenile electrofishing program. During the survey work, the stretch of river being surveyed is classified into spawning, nursery, and holding habitat, with each habitat type given a grade between 1 and 4, with grade 1 being optimal and 4 being suboptimal using DAERA's salmonid habitat assessment criteria. Electrofishing site 15_026 on the Pollanroe Burn, approximately 400 m upstream of its confluence with the Owenreagh River, has been classified as 45% spawning habitat, 40% nursery habitat, and 15% holding habitat. Across all years of surveys (years 2021 and 2022), spawning and nursery habitat have been graded as either 2 or 3. This habitat offers the potential for Atlantic salmon to complete a spawning cycle within the burn.

Moreover, given the habitat availability combined with the young of the year salmon found in the Pollanroe Burn during the survey in June 2022 (TR6 appendix 16), successful spawning of Atlantic salmon occurs within the burn. As a result, a target value for TSS of 10 mg/l should be used given the nursery habitat present. In addition, Section 1.81 of the TR6 Ecology document submitted as part of the applicant's SoC claims a chute in the Curraginalt Burn is an impassable fish barrier. However, during the electrofishing survey in 2022 carried out by Ricardo Consultants, a 105 mm

brown trout was found in the Curraghinalt upstream run, indicating a brown trout resident population above the chute. Therefore, a target value for TSS of <10 mg/l should be used for the Curraginalt Burn the given the spawning and nursery habitat present.

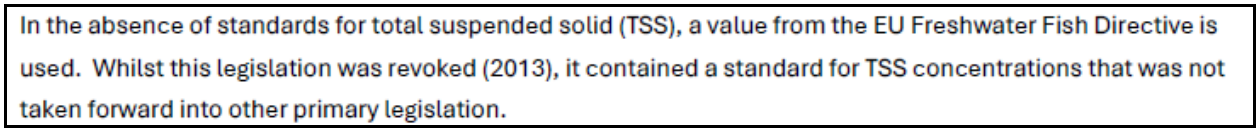
In the absence of standards for total suspended solid (TSS), a value from the EU Freshwater Fish Directive is used. Whilst this legislation was revoked (2013), it contained a standard for TSS concentrations that was not taken forward into other primary legislation.

Figure 15

Section 4 (figure 16) of the SoC states that dissolved organic carbon (DOC) has not been determined within the parameter suite and is replaced by total organic carbon (TOC). Loughs Agency requires clarification on the relevance on data produced via M-BAT, given the organic carbon parameter used for the calculations.

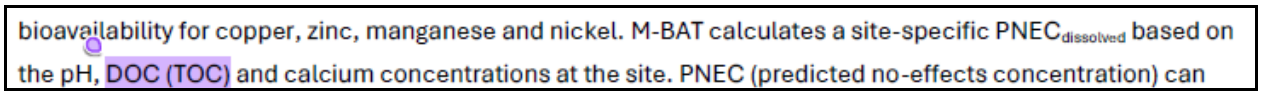
bioavailability for copper, zinc, manganese and nickel. M-BAT calculates a site-specific $PNEC_{dissolved}$ based on the pH, DOC (TOC) and calcium concentrations at the site. PNEC (predicted no-effects concentration) can

Figure 16

Section 4 (figure 17) of the SoC states "*In the 2020 EIA and discharge consent applications these were supplemented by a review of drinking water standards from other jurisdictions".* Loughs Agency is of the opinion that when no local standards exist, using drinking water parameters from other jurisdictions may provide a temporary guideline, but it comes with challenges, especially when considering the discharge of this water back into river systems. If water treated to meet another jurisdiction's drinking water standard is discharged into rivers, it could have unintended

ecological impacts as they may not be stringent enough to protect aquatic life, especially sensitive species such as those found in the Foyle system.

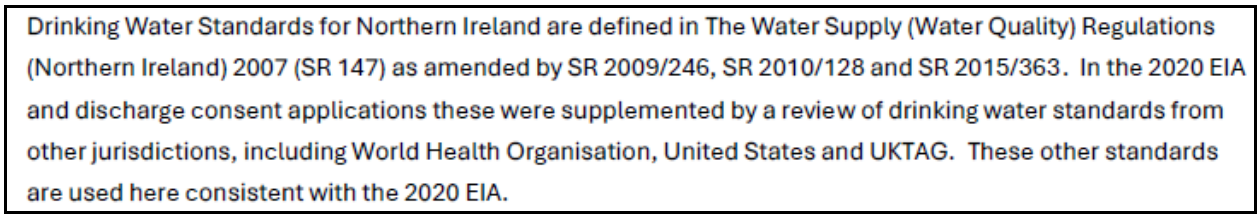
Drinking Water Standards for Northern Ireland are defined in The Water Supply (Water Quality) Regulations (Northern Ireland) 2007 (SR 147) as amended by SR 2009/246, SR 2010/128 and SR 2015/363. In the 2020 EIA and discharge consent applications these were supplemented by a review of drinking water standards from other jurisdictions, including World Health Organisation, United States and UKTAG. These other standards are used here consistent with the 2020 EIA.

Figure 17

Section 4 Table 3 (figure 18) of the SoC cites the use of guideline values for water quality parameters for which there are no statutory EQS values. Loughs Agency is concerned about using third-party guideline values for water quality parameters without statutory EQS values, which may provide a temporary framework and impact river ecology. These standards may not account for the unique ecological, geographical, and climatic conditions of local river systems, such as the Foyle system.

Table 3: EQS and Drinking Water Standards

Parameter	Unit	STANDARDS		
		EQS (if two values they relate to Proposed/Existing Infrastructure sites)		Drinking Water Standards (WSR and others)
		Annual Average	Max (or other)	
pH	s.u.	[a]6.6 – 9.0 or 5.1 – 9.0	*None*	*None*
BOD	mg/L	*None*	3 (90%ile)	*None*
Temperature	°C	*None*	20	*None*
TSS	mg/L	25	*None*	*None*
Nutrients/Salts				
Total Ammonia	mg/L N	*None*	0.2 (90%ile)	0.39[b]
Nitrate	mg/L N	3	124	11.3[c]
Nitrite	mg/L N	*None*	*None*	0.15[d]
Chloride	mg/L	250	*None*	250
Fluoride	mg/L	1	3	1.5
Phosphorus (reactive)	mg/L	*0.016*[e]	*None*	
Sulphate	mg/L	400	*None*	250
Metals (Dissolved)				
Aluminium	µg/L	*None*	*None*	200
Antimony	µg/L	*None*	*None*	5
Arsenic	µg/L	50	*None*	10
Barium	µg/L	620	1100	1.3
Boron	µg/L	1500	29000	1000 (max)
Cadmium	µg/L	0.08	0.45	5
Chromium (III)	µg/L	4.7	32 (95%ile)	*None*
Chromium (VI)	µg/L	3.4	*None*	10
Total Chromium (CrIII + CrVI)	µg/L	8.1	*None*	50
Cobalt	µg/L	3	100	*None*
Copper (bioavailable equivalent[e])	µg/L	14.0/14.5[f,g]	*None*	2000
Iron	mg/L	1	*None*	0.2
Lead	µg/L	7.2	14	10
Manganese (bioavailable equivalent[e])	µg/L	276/136[f,g]	*None*	50
Mercury	µg/L	*None*	0.07	1
Molybdenum	µg/L	73		70
Nickel (bioavailable equivalent[e])	µg/L	12.2/13.2[f,g]	34	20
Selenium	µg/L	3.1	10.48	10
Silver	µg/L	0.5	1	100
Sodium	mg/L	*None*	*None*	200
Uranium	µg/L	15	33	30
Zinc (bioavailable equivalent[e])	µg/L	20.7/21.7[f,g]	*None*	3000

EQS Sources	
SR 351	
Verbruggen et al (2021)	
SEPA, WAT-SG-53 or Scotland River Basin District Standards Amendments Directions 2015	
Freshwater Fish Directive	
CCME	
USEPA (2016)	

Figure 18

Section 5.1.2 (figure 19) states that "*regulating discharges from the mine to values so close to detection is not practical, as it is not possible for the laboratory to measure concentrations at the standard*". Loughs Agency seeks clarification that if high-spec testing is not available, would tests still determine if they're out of range if the reading is within the limit of detection.

The parameters for which the laboratory limit of detection (LOD) is at or below a guideline value or standard are;

- Chromium III, LOD; 6 µg/L, EQS average 4.7 µg/L
- Chromium VI, LOD; 5 µg/L, EQS average 3.4 µg/L
- Silver, LOD; 5µg/L, EQS average 0.5 µg/L

For these parameters above, regulating discharges from the mine to values so close to detection is not practical, as it is not possible for the laboratory to measure concentrations at the standard.

Figure 19

Section 5.2.2 Table 7 (figure 20) expressed a proposed discharge consent value of 50 mg/L TSS. Loughs Agency insists that TSS discharges into both the Curraghinalt Burn and Pollanroe Burn do not exceed **25 mg/l for migratory passage and <10 mg/l for spawning and nursery grounds.**

Furthermore, that table also highlights a proposed discharge consent value regarding temperature of 20ºC. Loughs Agency insists that water temperature should not exceed 18ºC regardless of ambient temperature.

Table 7: Existing Infrastructure Site - Updated Proposed Discharge Consent Values (Non-Metals)					
Parameter	Unit	2020 Discharge Criteria	New Discharge Criteria		Comment
			Spot / Max Criteria	Annual compliance Criteria	
pH	s.u.	6.2-9.0	6.2-9.0	-	UNCHANGED
Temperature	°C	20	20	-	UNCHANGED
TSS	mg/L	50	50	-	UNCHANGED

Figure 20

Section 8 (figure 21) states that "*Overall, the update has reduced many of the discharge consent values*". Loughs Agency seeks clarification on TSS limits and if EQS will be in force with regard to extractable petroleum hydrocarbons (EPH) such as anthracene, benzene, et cetera, as they are listed as priority hazardous substances and priority substances.

Overall, the update has reduced many of the discharge consent values. MAC and average EQS will not be exceeded in Pollanroe Burn to protect fish of various age classes. MAC EQS will not be exceeded in Curraghinalt Burn to protect adult fish which may visit the burn. New criteria have been added for parameters which are considered important for FWPM, i.e., BOD and nitrate, with a consent value added for phosphorus.

Figure 21

ANNEX 3 Section 10, Point 1.26 (figure 22*)* states that the Applicant disagrees with NIEA's classification of the rivers and resulting Phosphorus limits. Loughs Agency questions the Applicant's assessment as High-Altitude rivers (>80m) with Low Alkalinity (<50mg/l CaCO3) have lower discharge targets, and 10 ug/l should be the target.

1.26.	Specifically regarding Phosphorus, two points arise. First, it is made plain within the CSM guidance that these are 'generic targets'. Second, with reference to the footnote to the table, NIEA have seemingly, incorrectly considered the rivers to represent high alkalinity (and high altitude rivers). From available evidence (e.g. see Tables 6-7 regarding water chemistry in the 2017 Surface Water Baseline report), the rivers are classified as low alkalinity. For Phosphorus, therefore, as discussed above, it is determined with reference to JNCC CSM Guidance for Freshwater Fauna, and background water quality data, that 20 ug / l would be the appropriate target.

Figure 22

ANNEX 3 Section 10, Point 1.45 (figure 23*)* states that "*The approach has regard to JNCC guidance and EQS, but crucially it recognises the reality of the existing baseline position in terms of water quality*". Loughs Agency requests clarification on why TSS and EPH values were excluded from JNCC and EQS recommendations.

1.45.	The Applicant has proposed a series of limit (enforcement) values which are fully protective of the aquatic environment, including Freshwater Pearl Mussel and Atlantic Salmon. The approach has regard to JNCC guidance and EQS, but crucially it recognises the reality of the existing baseline position in terms of water quality and qualifying species populations, with due regard had to that evidence.

Figure 23

Conclusion

Loughs Agency have set out through our Statement of Case and this rebuttal that the discharge limits proposed by the applicant are not designed for the protection of fish species within the Curraghinalt and Pollanroe Burns. In spite of holding evidence highlighting the presence of salmonids within both burns since June 2022, the applicant has persisted with proposing discharge limits which are likely to have a significant impact on salmonids and their habitat. Loughs Agency are of the opinion that these applications should be refused based on the omission of consideration of the protected species Atlantic salmon throughout this process with clear deficiencies in the Environmental Impact Assessment and shadow Habitat Regulation Assessment process.