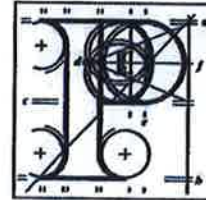


Our Case Number: ABP-313763-22



**An
Bord
Pleanála**

~Inland Fisheries Ireland(Cork)
Sunnyside House
Macroom
Co. Cork
P12 X602

Date: 15 August 2022

**Re: Proposed Fermoy Weir remedial works and fish bypass on the River Blackwater.
Fermoy Weir (Protected Structure), Fermoy, Co. Cork.**

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

Please note that the proposed development shall not be carried out unless the Board has approved it with or without modifications.

If you have any queries in relation to the matter please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Doina Chiforescu
Executive Officer
Direct Line: 01-8737133

AA02

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D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Doina Chiforescu

From: SIDS
Sent: Friday 29 July 2022 13:05
To: Doina Chiforescu
Subject: FW: Part XAB - Proposed Fermoy Weir Remedial Works and Fish Bypass on the River Blackwater, at Fermoy Weir (protected structure), Fermoy, Co. Cork.
Attachments: Submission 28072022 PartXAB Development Consultation.pdf

From: Sean Long <Sean.Long@fisheriesireland.ie>
Sent: Thursday 28 July 2022 11:44
To: SIDS <sids@pleanala.ie>; Bord <bord@pleanala.ie>
Subject: Part XAB - Proposed Fermoy Weir Remedial Works and Fish Bypass on the River Blackwater, at Fermoy Weir (protected structure), Fermoy, Co. Cork.

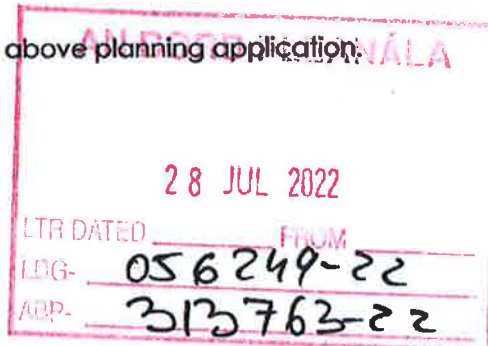
To whom it may concern,
Please find attached submission in relation to the above planning application.
Kind regards
Sean

Sean Long
Director

Iascach Iníre Éireann
Inland Fisheries Ireland

Tel: +353 (0)26 41221 | Email: sean.long@fisheriesireland.ie | Web: www.fisheriesireland.ie

Sunnyside House, Macroom, Co.Cork, Ireland. P12 X602



Help Protect Ireland's Inland Fisheries
Call 0818 34 74 24 to report illegal fishing, water pollution or invasive species.



Iascach Iníre Éireann
Inland Fisheries Ireland

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

AN BORD PLEANÁLA
LDG- _____
ABP- _____
02 AUG 2022
Fee: € _____ Type: _____
Time: 10.03 By: Courier

28 July 2022

**RE: SECTION 177AE and PLANNING & DEVELOPMENT REGULATIONS 2001 (as amended)
PROPOSED FERMOY WEIR REMEDIAL WORKS AND FISH BYPASS ON THE RIVER BLACKWATER, AT
FERMOY WEIR (PROTECTED STRUCTURE), FERMOY, CO. CORK**

Dear Sir/Madam

Inland Fisheries Ireland (IFI) welcomes the opportunity to comment on Cork County Council's application with respect to the proposed re-instatement of Fermoy weir and construction of a bypass channel on the north bank of the river.

IFI notes that within the Natura Impact Statement the options available include 4.2.1 do nothing and 4.2.2 stabilise remaining section of existing weir. These options were ruled out in the report due to the water velocity being 'too fast to facilitate upstream movement of qualifying interest fish species...' however no data is presented on water velocity readings within and downstream of this section of the river to support this analysis. IFI water velocity readings taken in 2019 indicate that water velocities would not be a barrier to the migration of salmon (velocity range $0.35 - 1.62\text{m}^{-1}$), while water velocity in locations were above thresholds for lamprey it is possible to achieve passage using the bottom and edge effects. IFI would recommend that the first two options be investigated further and fully considered.

IFI restate its view that the removal of the weir would be the most beneficial option from a fisheries perspective: returning the river to a more natural hydromorphological state, allowing for free passage of aquatic organisms (including but not limited to: *Austropotamobius pallipes* (White-clawed Crayfish) *Petromyzon marinus* (Sea Lamprey), *Lampetra planeri* (Brook Lamprey), *Lampetra fluviatilis* (River Lamprey) *Alosa fallax fallax* (Twaité Shad) *Salmo salar* (Atlantic Salmon)), sediment transport and improved continuity of the riparian zone in general. At an international level the EU Biodiversity Strategy for 2030, has recognised the need for greater efforts to restore freshwater ecosystems and the natural functions of rivers. It has identified that the removal of weirs and dams will help freshwater ecosystems thrive and facilitate the migration of endangered species, such as Atlantic salmon, Sea lamprey and the European eel. Investing in healthy rivers will also bring many benefits related to ecosystem services, such as flood protection, water purification and greater recreational opportunities.



It has been noted that there are now far fewer signs of adult salmon activity in the environs of the weir, which may reflect that post-breach, salmon are no longer delayed below the structure; this was not the case pre-breach when upstream migrants, reliant on the fish pass, were held below the weir and vulnerable to various predators. Adult salmon do not accumulate or jump at the weir barrier as was the case pre-breach, with fresh-run salmon being caught upstream of Fermoy even in low water conditions indicating their free passage to the upper catchment.

Similarly, the present funnelling of the river to the breach east of the bridge appears ideally suited in facilitating the downstream migration of salmon smolts. The proposed location of the fish bypass channel (option 8 in Natura Impact Statement Report) is flush with the northern bank and may not be readily located by downstream migrants resulting in fish passage being delayed or their being diverted. The development of a fish passage solution would need to be supported by an analysis to support both upstream and downstream migration of fish. Any delay or accumulation of migrating salmon at any stage in their life cycle may lead to increased predation and mortality.

Prior to the occurrence of the breach IFI had recorded a concentration of Sea Lamprey redds immediately downstream of Fermoy weir but not so since, a further indication that the barrier effect on fish passage of the weir may have been reduced significantly. Furthermore IFI has recorded Sea Lamprey redds during the course of survey work ([AMBER 2020 D4.2 Report of Case Studies Demonstrating the Effects of Barrier Removal, Mitigation and Installation](#)) upstream of the breached weir in riffle habitat newly generated at the upstream limit of the formerly impounded channel resulting from the lowering of the water level.

The breaching of Fermoy weir exposed impounded salmon habitat 3.8km upstream at Castle Hyde House. The dewatering of the weir exposed 26,000m² of glide, 11,000m² of riffle and 7,500m² of side arm river habitat. Based on fish survey data this newly exposed habitat supports significant numbers of salmon fry and parr and the spawning of adult sea lamprey. This "restored" habitat would be lost in the event that repair of the weir resulted in raising the impounded water level to its prior state. The dewatering of Fermoy weir and the return of natural processes and ecology in previously impounded sections of river represents the natural regeneration of an aquatic habitat and stresses the importance of barrier removal in accordance with EU Habitats Directive/Water Framework Directive.

It is in this respect that IFI are of the opinion that this work will re-introduce artificial habitat namely the impounded section that will be detrimental to the spawning habitat that has been present in the upstream area since the weir breached in 2016 (Section 3.6 Class 9g in Environmental Impact Assessment Screening Report). It is also our opinion that this work should be subject to an Environmental Impact Assessment as there is a real likelihood of significant effect on the environment as a result of this work. Currently there are limited fish passage issues at the Fermoy weir, reinstating this weir will result in a significant impediment to fish migration and natural river processes within a Special Area of Conservation. The mitigation measures outlined in this application (use of a bypass channel) are only considered when removal or partial removal of a weir are not possible. In this regard partial removal has already taken place.



**Iascach Iníre Éireann
Inland Fisheries Ireland**

In summary, IFI is of the opinion that as a result of the breach at Fermoy weir the free passage of migrant fish has been significantly improved and continues to do so in the period since the main breach event. IFI recommends that further consideration is given to options 4.2.1 do nothing and 4.2.2 stabilise remaining section of existing weir as evidence suggests that the current weir breach is facilitating fish passage and offers habitat and hydromorphology gains upstream of the weir.

Yours sincerely,

Sean Long

Director

South West River Basin District

Inland Fisheries Ireland

References

AMBER 2020 D4.2 Report of Case Studies Demonstrating the Effects of Barrier Removal, Mitigation and Installation. Uploaded onto Amber.International website on deliverables page.