



water matters

"Have your say!"

Digest of submissions and responses to Significant Water Management Issues Reports for Ireland

North Western and Neagh Bann International River Basin Districts

In accordance with Article 14 of the European Communities (Water Policy) Regulations 2003 (S.I. No 722 2003)

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1.0 Introduction

1.1 Background

The EC Water Framework Directive (WFD) was adopted in 2000 and requires that Member States manage their waters on the basis of River Basin Districts (RBDs). There are eight RBDs on the island of Ireland. Three of these are International River Basin Districts (IRBDs) because their catchments lie partly in Ireland and partly in Northern Ireland.

The North South Shared Aquatic Resources (NS SHARE) project is an Interreg IIIA funded cross-border project whose role is to facilitate implementation of the WFD in the North Western and Neagh Bann International RBDs and in the North Eastern RBD (this last RBD is entirely within Northern Ireland).

As part of the process leading to the making of river basin management plans for each RBD, the WFD requires the identification of Significant Water Management Issues (SWMI) in each RBD at least two years before the beginning of the River Basin Management Plan. Significant water management issues are defined as environmental pressures that pose the greatest risk to water bodies in the River Basin District. These are the issues that could cause water bodies to fail to achieve the environmental objectives of the WFD by 2015. The significant issues were identified using the latest information available and consultation with key stakeholder groups including:

- Characterisation reports produced under WFD Article 5 for each RBD
- Further Characterisation studies
- National water quality reports
- Analysis of the sectors and activities that are putting water bodies at risk in the River Basin District
- Consultation with statutory River Basin District Advisory Councils
- Consultations with public authorities and sectoral interest groups

A significant water management issues report was published for each RBD in the form of a booklet titled '*Water Matters – Have your say!*' The booklets were produced to inform stakeholders of the main significant water management issues that were identified as having an impact on water quality in the RBD. They also outlined proposals for what might be done to address these issues in the River Basin Management Plans. These '*Water Matters – Have your say!*' booklets were published on the 22nd June 2007 in Ireland and Northern Ireland. Joint booklets (North and South) were published for the International River Basin Districts.

The '*Water Matters*' report for the North Western IRBD was issued jointly by the responsible authorities for the district, namely the county councils of Donegal, Cavan, Leitrim, Longford, Monaghan and Sligo in Ireland and the Department of the Environment's Northern Ireland Environment Agency (formerly the Environment and Heritage Service) in Northern Ireland.

The '*Water Matters*' report for the Neagh Bann IRBD was issued jointly by the responsible authorities for the district, the county councils of Monaghan, Cavan, Louth and Meath in Ireland and the Department of the Environment's Northern Ireland Environment Agency in Northern Ireland.

The public were invited to submit their comments on the contents of the booklets over a six month consultation period.

1.2 General context and layout of ‘Water Matters – Have Your Say!’ reports

The ‘Water Matters’ booklets were intended to be easily understood and read by people with differing levels of knowledge of the Water Framework Directive. The booklets were divided into 8 national topics that had been identified as significant within all the River Basin Districts in Ireland and 1 topic on local issues in the River Basin District such as invasive alien species, high quality areas, shared water issues, future pressure trends and climate change. Specific questions were posed about each topic seeking the readers’ view about the suggested actions, whether the actions were appropriate and whether something important had been missed. See Appendix 1 for the full list of questions.

1.3 Consultation and Participation Activities

Consultation on ‘Water Matters’ reports took place from 22nd June to 22nd December 2007. Stakeholders and the public were invited to submit comments by post to nominated persons, through the river basin district websites (www.nbirbd.com and www.nwirbd.com), or by filling in questionnaires at the public consultation evenings (see appendix 3 for an example of the questionnaire).

In order to publicise the ‘Water Matters’ booklet and provide opportunities for the public to engage in the consultation process, a series of evening meetings were hosted in the two International River Basin Districts by the NS SHARE project during October and November 2007. Four public meetings were held by the NS SHARE project, as detailed in Table 1. Similar meetings were held in Northern Ireland by the Department of Environment and the Northern Ireland Environment Agency (records of both the NS SHARE and Northern Ireland meetings are available on the NS SHARE website <http://www.nsshare.com/downloads/index.html>).

International River Basin District	Venue	Date
Neagh Bann	Dundalk – Fairways Hotel	30 th October 2007
North Western	Ballybofey – Jacksons Hotel	1 st November 2007
North Western and Neagh Bann	Monaghan – Four Seasons Hotel	6 th November 2007
North Western and Neagh Bann	Cavan – Cavan Crystal Hotel	20 th November 2007

Table 1: Public Consultation Meetings

1.4 Scope of the digest

This digest is a compilation of written submissions received during the consultation period, completed questionnaires and comments made at public meetings for both the North Western and Neagh Bann districts. All submissions are responded to herein and will be considered during the development of the draft river basin management plans. These draft plans must be published by the 22nd December 2008 and are then also subject to a 6 month consultation period. This compendium of submissions and responses is being distributed to those who took part in the process and other interested parties, and will also be available on the NS SHARE project website and the North Western and Neagh Bann district websites.

1.5 North South aspect of the digest

Submissions relating to the Republic of Ireland portions of the Neagh Bann and North Western International River Basin Districts are presented in this digest. Submissions relating to the Northern Ireland portions were dealt with by the Northern Ireland Environment Agency, who have also

published a submissions digest for the Neagh Bann and North Western IRBDs, and for the North Eastern RBD (available from http://www.ni-environment.gov.uk/water/wfd/significant_water_management_issues.htm).

The authorities North and South have consulted during the production of Significant Water Management Issues digests to ensure that all issues raised are clearly identified and responded to as appropriate.

2.0 Summary of submissions

2.1 Written submissions

A total of 12 written submissions were received for the Neagh Bann district and a total of 21 were received for the North Western district. See Appendix 2 for a list of organisations that made written submissions to the NS SHARE project.

2.2 Comments / questionnaires received at public meetings

A total of 10 questionnaires were submitted arising from the public consultation evenings and where relevant, are included in the digest. Other relevant comments and questions made at the public consultation meetings were also included in the digest.

2.3 Topics covered

Written submissions, questionnaires and comments received were examined and were divided into:

- Issues related to the 8 national topics:
 - ◆ Wastewater and industrial discharges
 - ◆ Landfills, quarries, mines and contaminated lands
 - ◆ Agriculture
 - ◆ Wastewater from unsewered properties
 - ◆ Forestry
 - ◆ Usage and discharge of dangerous substances
 - ◆ Physical modifications
 - ◆ Abstractions
- Specific local issues in the Neagh Bann and North Western districts which include issues surrounding invasive alien species, high quality areas, and climate change.
- Additional issues not identified in the ‘*Water Matters*’ reports e.g. aquaculture.
- Issues associated with action themes such as enforcement, resources and public participation.
- Miscellaneous issues that could not be specifically grouped.

3.0 Detailed Comments

Written and verbal submissions / comments are outlined in this section together with a considered response. Submissions and responses are grouped where possible as described above (Section 2.3).

3.1 Referencing system

Reference codes have been assigned to the organisations and individuals that made submissions (see table 2 below). The codes allow the reader to identify the source of the submission and which river basin district it refers to. Some submissions related to both the North Western and Neagh Bann districts. This is reflected in the reference code e.g. NB-NW_SWMI_001. Given that Cavan and Monaghan are in both districts, inputs from those public consultation meetings were considered to relate to both the Neagh Bann and North Western districts (the reference code for these meetings is NB-NW_SWMI_022 etc).

Organisation	Reference Code
Waterways Ireland	NB-NW_SWMI_001
Irish Doctors Environmental Association	NB-NW_SWMI_002
Irish Wildlife Trust	NB-NW_SWMI_003
Failte Ireland	NB-NW_SWMI_004
Irish Concrete Federation	NB-NW_SWMI_005
Bird Watch Ireland	NB-NW_SWMI_006
Office of Public Works	NB-NW_SWMI_007
Irish Farmers Association	NB-NW_SWMI_008
SWAN	NB-NW_SWMI_009
Forest Service, Department of Agriculture Fisheries and Food	NB-NW_SWMI_010
Loughs Agency	NB-NW_SWMI_011
Aquaculture Initiative	NB-NW_SWMI_012
Northern Regional Fisheries Board	NW_SWMI_013
Save the Swilly	NW_SWMI_014
Inishowen Rural Development Project	NW_SWMI_015
Private Forest Owner / Chairman Donegal Forestry Forum / National Chairman IFA Farm Forestry Section	NW_SWMI_016
Forest Link	NW_SWMI_017
Energy Crops Ltd.	NW_SWMI_018
Individual	NW_SWMI_019
Save Our Sea Trout	NW_SWMI_020
Electricity Supply Board	NW_SWMI_021
Attendee at public meeting Monaghan	NB-NW_SWMI_022
Attendee at public meeting Cavan	NB-NW_SWMI_023
Questionnaire submission Monaghan	NB-NW_SWMI_024
Questionnaire submission Cavan	NB-NW_SWMI_025
Attendee at public meeting Ballybofey	NW_SWMI_026
Questionnaire submission Dundalk	NB_SWMI_027
Attendee at public meeting Dundalk	NB_SWMI_028

Table 2. Reference system to identify submissions in the digest.

3.2 Submissions and Responses

The following submissions relate to issues covered in the ‘*Water Matters*’ reports.

3.2.1 Wastewater and industrial discharges

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009	<p>Identified the complex administrative process surrounding the roll out of the Water Services Investment Programme.</p> <p>Noted resource issues in local authorities that have contributed to a significant number of agglomerations still being non-compliant with the Urban Wastewater Treatment Directive.</p> <p>The upgrade of all existing plants that are non-compliant must be initiated immediately and there should be a roll over of the budgets for capital works.</p>	<p>As part of the preparation for the River Basin Management Plan a study on municipal and industrial discharges was carried out. An outcome of this study will be the setting of national priorities for new and up-graded sewage treatment plants. This will inform and expedite the Water Service Investment Programme. Furthermore, new procurement procedures have been put in place to expedite the appointment of design teams and contactors and to shorten timescales for approval of project stages.</p> <p>The Wastewater Discharge (Authorisation) Regulations 2007 require the licensing of municipal discharges by the Environmental Protection Agency. The licenses will require local authorities, inter-alia, to comply with the Urban Wastewater Treatment Directive. Many of the newer waste water treatment plants are being procured using design-build-operate contracts. The conditions of the contracts will ensure that the plants meet the required standards.</p> <p>The study referred to above will identify plants that are non-compliant or are likely to become non-compliant. The works to bring the plants into compliance will be funded by the Water Services Investment Programme.</p>
NB-NW_SWMI_009	Where sewage treatment works are overloaded there should be a moratorium on further development in the area served by the plant until it is upgraded.	Where an overloaded sewage treatment plant is causing deterioration in water status or is preventing the achievement of at least good status in a receiving water, measures will be required to be taken. These measures may include a moratorium on development in the area served by the plant. However, other measures will also be considered.
NB-NW_SWMI_009 NB-NW_SWMI_003	All treatment plants for 200+ population should be upgraded to tertiary treatment levels and all new sewage treatment plants should have tertiary treatment levels.	Tertiary treatment is required when, due to the sensitivity of the receiving water, a higher standard of treated effluent is required. There are different types of tertiary treatment. One example is the exposure of secondary treated effluent to ultra violet light to inactivate microbiological pathogens. This type of tertiary treatment is used to protect bathing and shellfish waters. Another example is the use of chemicals to remove phosphate. This is used if the discharge is to waters that are eutrophic and the nutrient causing the problem is phosphate. In the case of many discharges there would be no benefit in providing tertiary treatment.

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<p>NB-NW_SWMI_003 NB-NW_SWMI_009 NW_SWMI_014</p> <p>NB-NW_SWMI_011</p>	<p>Infrastructure leakage needs to be addressed. Regular monitoring systems must be established to identify, locate and repair leaks. Storm drainage must be disconnected from sewerage infrastructure.</p> <p>Noted concern about the general state of a proportion of sewer networks within the Inishowen area of County Donegal</p>	<p>Leaks from sewers can pollute groundwater and surface waters. It is currently a legal requirement that local authorities provide ‘fit for purpose’ water and waste water distribution and treatment systems. Additionally, a measure that may arise from the study of municipal and industrial discharges may be the requirement for sewerage schemes to have Performance Management Systems in place which will require operational and maintenance programmes. This should assist in identifying any leaks in the system more efficiently.</p> <p>In the design of new sewerage schemes storm water and sewage are kept separate. In old, combined schemes separation of storm water from sewage shall be included in the operational and maintenance programmes.</p>
<p>NB-NW_SWMI_009</p>	<p>Expressed concern that the exemptions set out in Article 7.(1) & 7.(2) of the ‘Waste Water Discharge (Authorisation) Regulations 2007’ allow time derogations up until 2027 for discharges causing the receiving waters to fail to meet good ecological status, for reasons of “technical feasibility” or because improvements would be “disproportionately expensive”.</p>	<p>These exemptions are allowed by the Water Framework Directive but must be fully justified in the River Basin Management Plans. Where exemptions are granted mitigation measures to reduce the impact of the discharges must still be put in place.</p>
<p>NB-NW_SWMI_009</p> <p>NB-NW_SWMI_003</p>	<p>Prohibit the land-spreading of sludge from sewage treatment plants.</p>	<p>Land spreading of sewage sludge is an appropriate method of disposal provided that the necessary precautionary measures are taken. Current regulations require the close monitoring of soil and sludge and provide limits on heavy metals and on when and where the sludge can be spread in order to reduce risk of pollution.</p> <p>If the land spreading of sludge was prohibited there would be a greater demand for artificial fertilisers and the issue of sewage sludge disposal would need to be addressed through mechanisms other than land spreading e.g. through incineration.</p>
<p>NB-NW_SWMI_009</p> <p>NB-NW_SWMI_003</p>	<p>Run a public information campaign providing details about substances, which are not effectively removed by wastewater treatment plants</p>	<p>The need for additional research in this area has been identified. The results of the research may be used to inform awareness raising programmes.</p>
<p>NB-NW_SWMI_003</p> <p>NB-NW_SWMI_009</p>	<p>There is a lack of confidence in local authority policing of section 4 licences for smaller industrial discharges.</p>	<p>Applications for licenses under the Water Pollution Acts 1977 and 1990 are advertised and members of the public can make submissions. Following the granting of a license, members of the public may appeal the license or any of its conditions. Monitoring records of licenses are available for inspection by the public.</p> <p>It is proposed that offices will be set up in each River Basin District. One of the roles of the offices will be to support and co-ordinate the issue of Section 4 licenses by the constituent local authorities.</p>

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NB-NW_SWMI_008	Request that detailed studies of the vulnerability of groundwater and general water quality from licensed discharges be completed and that full consideration be given to these findings when the review of the NAP takes place.	The National Water Framework Directive monitoring programme commenced in January 2007. This includes monitoring of surface waters and groundwater. Using data from this and other programmes all surface waters and groundwater bodies will be classified and the classifications will be included in the River Basin Management Plans. Following publication of the Plans there will be a review of all licensed discharges taking account of the new environmental quality standards. The review of the Nitrates Action Plan in 2009 will take account of the monitoring results and the new environmental quality standards.
NB-NW_SWMI_009	Increased penalties should be imposed for breach of IPPC licence.	Penalties are set in legislation. Summary conviction in the District Court has smaller penalties than conviction on indictment in the Circuit Court where penalties can be up to €1 million.
NB-NW_SWMI_009	Felt that the report does not adequately address the disposal of sewage sludge, cumulative effects of discharges, increased use of food macerators in domestic kitchens, problems with pharmaceutical and personal care products present in trace amounts, detergent use and discharges.	' <i>Water Matters</i> ' did not set out to be a comprehensive report on all water issues. Its aim was to identify significant water management issues and seek the response of the public. When the River Basin Management Plans are being written the additional issues brought forward during the consultation will be considered.
NB-NW_SWMI_012	Called for data relating to the design PE of existing facilities and the actual PE (taking into account seasonal variations such as increases due to tourism) should be made easily accessible.	Information on wastewater discharge applications and licences and population equivalents can be accessed through the Environmental Protection Agency website http://www.epa.ie/terminalfour/wwda2/index.jsp
NB-NW_SWMI_023	Local authority waste water treatment plants are overloaded and the number of treatment plants with secondary and tertiary treatment is minimal.	The Urban Waste Water Treatment Regulations, 2001, specify the appropriate treatment required to allow receiving waters to meet relevant quality objectives. The Environmental Protection Agency is also required under Section 61(3) of the Environmental Protection Agency Act, 1992, to report on the quality of effluents being discharged from treatment plants, sewers or drainage pipes and compliance with the regulations. The EPA is also responsible under the recent Waste Water Discharge Authorisations Regulations, 2007, for authorising discharges subject to meeting the legislative requirements, including treatment levels and operational performance. Waste water treatment plants and networks in need of upgrade will be prioritised under the Water Services Investment Programme on the basis of the risk that they pose to waterbodies. Plants that are non-compliant or are likely to become non-compliant (i.e. plants with only primary treatment) and that are preventing a water body from achieving good status will be funded by the Water Services Investment Programme. Tertiary treatment is required when, due to the sensitivity of the receiving water, a higher

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		standard of treated effluent is required, for example, to protect bathing and shellfish waters. These protected areas have been identified and plants that are impacting on these areas will be upgraded and operated efficiently to provide the necessary level of treatment to meet the objectives of the protected area.
NW_SWMI_014	Sewage from Letterkenny is entering Lough Swilly untreated, Buncrana's sewerage treatment plant only removes solids.	Donegal County Council are currently putting out to tender the Design Build Operate contract for the Letterkenny Sewerage Scheme. The scheme will include a new wastewater treatment plant, a sludge treatment plant, pumping stations, new stormwater treatment, rising mains and the upgrade of sewers. The sewer upgrade is largely completed. It expected that construction of the treatment plant will commence within 12 months.
NW_SWMI_019	Requested detail on the progress being made with sewage infrastructure in Letterkenny.	Buncrana sewerage scheme, which currently has a primary treatment plant including sludge treatment has been approved and is being advanced through the planning stage under the Water Service Investment Programme for 2007-2009. An Environmental Impact Statement for the Inishowen sludge management hub which includes an upgrade to secondary treatment for Buncrana is currently with An Bord Pleanála awaiting approval.
NB-NW_SWMI_011	Noted concern about St Johnston and Ballybofey Sewage Treatment Works.	St Johnston Waste Water Treatment Plant will be upgraded as part of the Serviced Land Initiative under the Water Service Investment Programme for 2007-2009. A Compulsory Purchase Order (CPO) is currently with An Bord Pleanála awaiting approval. Part 8 planning has been obtained and tender documents for the treatment plant are being finalised. It is expected that work on a sewer network upgrade will commence in the coming months. The treatment plant will go to construction following approval of the CPO and completion of the tendering process. It is expected that this should commence in 2009. Ballybofey/Stranorlar sewerage scheme has been upgraded to full secondary treatment for a number of years. There have been problems with overloading mainly from a local industrial source and this has, and is being dealt with under the Water Pollution Act 1977 / 1990.
NW_SWMI_014	Sewage from pumping stations overflows into the Crana River in Donegal following light rains.	Buncrana sewerage scheme has been approved and is being advanced through the planning stage under the Water Service Investment Programme for 2007-2009. Work on this scheme will include the upgrade of pumping stations to ensure increased capacity /efficiency of storm overflow collectors. New Wastewater Discharge (Authorisation) Regulations 2007 require authorisation of waste water treatment works and collection systems by the Environmental Protection Agency. The EPA stipulate conditions to ensure compliance with standards for various substances and conformity with obligations under a number of EU environmental

		Directives. The application date for a licence under the Wastewater Discharge (Authorisation) Regulations 2007 for Buncrana is September 22 nd 2008 and Donegal County Council is in position to meet this deadline. The EPA will periodically review discharge authorisations granted and failure by local authorities to comply with conditions attaching to an authorisation will be an offence.
NB_SWMI_027	Noted problems with raw sewage discharge in Greenore and Omeath.	Raw sewage is discharged via outfall at both Greenore and Omeath. Both centres have populations below the ceilings as set out in Urban Wastewater Directive for secondary treatment requirement. As such they have not been prioritised to date under the Water Services Investment Programme for provision of treatment facilities. However, prioritisation will be considered in the context of the designation of Carlingford Lough as a Shellfish Production Area and the sustainability of maintaining these discharges. The Council would thus be anxious to provide appropriate treatment facilities.

3.2.2 Landfills, quarries, mines and contaminated lands

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009	Felt that the grouping of activities in this section was inappropriate because of the varied impacts and different requirements for responses.	The SWMI report was primarily a non-technical public consultation document for the general public and this necessitated a simplistic approach in combining pressures. Each pressure will be treated separately in this response document.
Landfills		
NB-NW_SWMI_003 NB-NW_SWMI_009	Specific timescales must be set for the characterisation and remediation of historic landfill sites.	The EPA's guidance to local authorities on identification and remediation of historical and illegal landfills covers all of these issues. It is intended that this guidance will form part of the program of measures under the River Basin Management Plan.
NB-NW_SWMI_003 NB-NW_SWMI_009	Closed down landfills should always be capped.	
NB-NW_SWMI_002	Concern over the lack of response to the clean up of historic illegal landfill sites. Recommend water quality monitoring to be completed where illegal dumping has occurred.	

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NB-NW_SWMI_009	It was felt that the focus of this section was on dangerous substances and that other issues were not adequately addressed e.g. sediment and rock dust from quarrying, impacts of temperature variations between discharge waters and receiving waters etc.	'Water Matters' did not set out to be a comprehensive report on all water issues. Its aim was to identify significant water management issues and seek the response of the public. When the River Basin Management Plans are being written the additional issues brought forward during the consultation will be considered.
NB-NW_SWMI_005	The provision of environmental awareness training to staff and management of deep dry worked excavations and wet worked gravel dredging operations should be mandated by way of planning condition as should the presence of an Environmental Management System for the site operations to include emergency response procedures as may be necessary.	These are specific "planning" issues, however it is intended to include a water education awareness program as part of the program of measures and that issues like this would be included.
NB-NW_SWMI_009	Current assessments of vulnerability of groundwater to contamination from new landfills do not incorporate variations in rainfall patterns associated with climate change.	River Basin Management Plans including all Programs of Measures will under go climate change "checking". The European level recommendation is that the 2009 RBMPs will be climate 'checked', i.e. issues will be assessed based on broad climate change information, while later plans will be climate change 'proofed.'
NW_SWMI_014	Concerned about leachate leakage from the Glenalla dump in Donegal into the Glenalla River.	The Glenalla landfill site is located east of Milford on the Fanad Peninsula. It has been licensed by the Environmental Protection Agency for deposition of inert waste for the purposes of restoration and aftercare and has since been capped. Donegal County Council are required to collect and manage leachate under the licence conditions issued by the EPA. A leachate interception drain and on-site collection tank have been installed and the collected leachate is tankered to a wastewater treatment plant for treatment. Donegal County Council continue to monitor this situation on a regular and routine basis and will respond positively to any circumstances requiring remedial intervention to protect water quality.
Quarries		
NB-NW_SWMI_009 NB-NW_SWMI_005 NW_SWMI_014	ICF noted the significant level of demand of aggregates within Ireland and the current lack of capacity within local authorities to license and regulate quarries effectively with the consequence of significant amounts of aggregates being supplied from unlicensed sites. Expressed concern that local quarries are self-monitored.	Local authorities have always sought to apply legislative requirements evenly and fairly to all. Programs are in place by all local authorities to identify and bring all non compliant sites up to the required standard.

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NB-NW_SWMI_005	Expressed concern that demand for aggregates would be met by unauthorised facilities if legitimate industry is unnecessarily restricted in maximising extraction from permitted sites through controlled deep excavation below the water table.	
NB-NW_SWMI_003 NB-NW_SWMI_009	Identified the potential conflict of interest with local authorities licensing and regulating quarries and often being substantial customers as well.	Noted.
NB-NW_SWMI_005	Highlighted that Water Matters reports specified that quarries of 4 years or older must register with local authorities in Ireland under the Planning and Development Act. They note that this process has now concluded with the exception of a small number of appeals to An Bord Pleanala.	Noted.
NB-NW_SWMI_009	A significant number of unauthorised quarries have never closed down which is felt to be a problem of lack of enforcement.	Programs are in place by all local authorities to identify and bring all non compliant sites up to the required standard.
NB-NW_SWMI_011	Rainwater attenuation measures should be implemented for sand and gravel extraction sites. Sand and gravel extraction is a significant water management issue within the Lower Foyle area. The Swilly Burn and the River Deelee both experience increased levels of sedimentation from sand and gravel extraction.	Quarries include all sand and gravel extraction activities. Quarries five years or older registered their extractive activities with local authorities under Section 261 of the Planning & Development Act in early 2004. Now all legitimate extraction sites are obliged to operate environmental management conditions to Best Available Technique principles. The DEHLG and EPA have published guidance for operators of extractive sites such as the use of settlement sumps and lagoons, using appropriate drainage to minimize water runoff into the extraction site and re-using water where possible.
Mines		
NB-NW_SWMI_009	Felt it was an omission that only issues with historic mine sites were dealt with in the report.	Pressures not only, from historical but existing mining sites will be addressed under River Basin Management Plans.
NB-NW_SWMI_009	There is inadequate planning for the “end of life” phase of current mining operations which can mean that potential ongoing negative effects of these operations are not anticipated.	Closure plans for existing mines are a collaborative process involving the Department of Energy, Communication and Natural Resources, the Environmental Protection Agency and the relevant Local Authority. Current environmental standards are applied to all closure plans.
NB-NW_SWMI_009 NB-NW_SWMI_003	Significant bonds should be required of all current mining operations for rehabilitation of old sites.	This is a requirement under current licensing.

Contaminated land		
NB-NW_SWMI_003	Specific timescales must be set for the characterisation and remediation of contaminated land and the process should be overseen by an independent body to ensure appropriate assessment of local authorities' own sites.	The Environmental Protection Agency are in the process of preparing guidance for Local Authorities.
NB-NW_SWMI_009		

3.2.3 Agriculture

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009	The Nitrates Regulations are inadequate to address nutrient enrichment in specific areas and soil P levels are set too high in the Regulations for some regions. Account must also be taken of areas that are naturally high in nitrates (e.g. Burren River). The new phosphate regulations in Northern Ireland should be examined for possible application. In particular the requirement that farmers must prove crop P need with a soil test, or else use zero P fertiliser.	The maximum fertilisation rates in the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations (commonly referred to as the Nitrates Regulations) are based on sound scientific evidence. For instance the phosphorus index system for grassland was revised when the Regulations were introduced. The rate of phosphorus that a farmer can apply to grassland depends on the grassland stocking rate, the P index of the soil, the zone the farm is located in, and the amount of concentrates fed to the livestock. Currently all soil is assumed to be phosphorous index 3 unless a soil test indicates otherwise thereby limiting the amount of phosphorous that may be applied to maintenance levels.
NW_SWMI_013	The development of a uniform environmental threshold P level is unreasonable as it neglects to consider the potential for P transfer. It may be more appropriate to use a phosphorus index for screening areas to determine the relative risk for P loss and to use this to allow more targeted follow-up assessments on the ground with a subsequent identification of prescriptions on agricultural activities/practices set to suit the environmental conditions.	The effectiveness of the National Action Programme under the Nitrates Directive is being monitored and evaluated by various means including an agricultural mini-catchment programme that has been undertaken by Teagasc. The Nitrates Action Programme will be reviewed in 2009 in line with the findings of this monitoring and evaluation.

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NB-NW_SWMI_009	Felt that little, if any action will be implemented to control the impacts agricultural pollution of waters beyond the implementation of the Nitrates Regulations.	A monitoring and evaluation programme is in place to determine the effectiveness of the National Action Programme and attempts to measure how changes in farm management practices affect water quality. Investigation will also be completed into how much the current National Action Programme will contribute to meeting the objectives of protected areas such as water dependent Special Areas of Conservation, shellfish, bathing and drinking water areas. Additional more stringent measures may be needed in these areas which may include the establishment and enforcement of agricultural bye-laws. Supplementary actions may also need to be undertaken in other areas to address agricultural pollution.
NB-NW_SWMI_003	The Nitrates Regulations must be supported through the establishment and proper enforcement of agricultural bye laws.	Work is currently progressing to develop improved farm inspection protocols to ensure inspections for the purposes of the Nitrates Regulations and other legislation are consistent among all local authorities and appropriate follow-up enforcement actions are implemented.
NB-NW_SWMI_008	Noted that the Nitrates Regulations adequately represent farmers' contribution to the achievement of good water status by 2015.	The European Communities (Good Agricultural Practice for the Protection of Waters) Regulations will go a long way to addressing agricultural pollution, however after examination of its effectiveness modifications may be required.
NB-NW_SWMI_008 NB-NW_SWMI_003 NB-NW_SWMI_009	Felt there were too many inspection bodies and that full inspection and enforcement responsibility should be passed to DAFF. Enforcement and monitoring of the Nitrates regulations should be removed from DAFF to an independent body. If this is not politically feasible enforcement should be overseen by the EPA's Office of Environmental Enforcement.	Local Authorities are responsible for carrying out inspections of farm holdings for the purposes of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations. These Regulations are presently being amended requiring inter-alia that the Environmental Protection Agency make recommendations and give directions to a Local Authority in relation to the monitoring and inspections to be carried out. Work is also currently progressing to develop a protocol ensuring consistent inspection is completed by all local authorities. As part of the Single Payment Scheme farmers are required to observe 19 Statutory Management Requirements (SMRs) set down in EU Directives and Regulations on the environment, public, animal and plant health and animal welfare and to maintain land in Good Agricultural and Environmental Condition. This is what is known as cross-compliance. One of the SMRs is the Nitrates Directive. The Department of Agriculture, Fisheries and Food is responsible for on-farm cross compliance checks for the purposes of the Single Payment Scheme.
NB-NW_SWMI_003 NB-NW_SWMI_009	Inspections under the Nitrates Regulations should be on the spot, without notice. No more than 3 days notice should be provided for inspections.	Local Authorities are responsible for carrying out inspections of farm holdings for the purposes of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations. Local Authorities do not, generally, give any advance notice when carrying out such inspections. Under current Regulations provided that the purpose of the control is not jeopardised the

		Department of Agriculture Fisheries and Food may give up to 14 days notice for land eligibility and cross-compliance inspections involving Statutory Management Requirements (SMRs) other than those related to animal identification and registration, food, feed, and animal welfare. For checks involving cattle identification and registration the maximum advance notice is 48 hours provided that the purpose of the control is not jeopardised. For SMRs dealing with feed, food and animal welfare no advance notice may be given. In practice because of a requirement to carry out all inspections under the Regulations at the same time, all cross-compliance inspections, including those relating to Nitrates are carried out without notice. However the farmer is given the opportunity of postponing those elements of the inspection other than those relating to food, feed and animal welfare for a further 48 hours.
NB-NW_SWMI_003 NB-NW_SWMI_009	Review of the Nitrates Regulations through mini catchment studies must be completed in good time, so that additional actions that are seen as necessary can be incorporated into the River Basin Management Plan.	The effectiveness of the current National Action Programme under the Nitrates Directive is currently being monitored and evaluated by various means including an agricultural mini-catchment programme that has been undertaken by Teagasc. As the mini-catchment programme has only recently got underway it is unlikely that there will be any significant output from the programme that could be incorporated in the forthcoming River Basin Management Plans.
NB-NW_SWMI_008	Request that mini catchment studies similar to those being completed to assess the effectiveness of the NAP be completed for other industry types.	Catchment models have been developed to quantify the input of pollution from point sources such as wastewater treatment works and industries with licenses to discharge.
NB-NW_SWMI_009	Farmers in REPS must be encouraged to maintain a farm nutrient balance.	The Rural Environment Protection Scheme (REPS) is a scheme designed to reward farmers for carrying out their farming activities in an environmentally friendly manner and to bring about environmental improvement on farms. Farmers in REPS must comply with 11 basic measures, one of which is to follow a farm nutrient management plan prepared for the total area of the farm. Failure to comply with the conditions of the Scheme will result in penalties and a consequent loss of part or the whole payment for the year, farm holders who incur penalties will be subject to increased inspections.
NB-NW_SWMI_003	Controls should be placed on the amount of fertiliser that can be purchased. Purchases should only be allowed when justified by nutrient management plans.	Under the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations farm holders are required to prepare an estimate of the annual fertiliser requirement for the holding. In addition farm holders are required to record the quantities and types of chemical fertilisers moved on to or off the farm holding and must retain records for at least 5 years. Failure to comply could result in prosecution and reduction in the single farm payment.

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<p>NB-NW_SWMI_003 NB-NW_SWMI_008</p>	<p>Additional financial incentives must be provided to encourage and promote environmentally sensitive farming. Seek re-opening of the Farm Improvement Scheme by DAFF.</p>	<p>Additional financial support in the form of agri-environmental schemes, farm storage facilities or technological solutions may have to be considered in specific catchments.</p>
<p>NB-NW_SWMI_008</p>	<p>Increase in grants available for rainwater harvesting.</p>	<p>An awareness-raising programme may be developed as part of the River Basin Management Plan to promote sustainable water use and encourage rainwater harvesting by all users.</p>
<p>NB-NW_SWMI_009</p>	<p>Investigation into the potential to use the Rural Development Programme (Department of Community, Rural & Gaeltacht Affairs, 2006), to introduce supplementary measures, should be completed.</p>	<p>The Government is committed to implementing a strategy for rural development on the basis of an inclusive approach to sustainable development, the integration of policies, a regional dimension and partnership with the rural community. A number of funding streams are available under the CAP Rural Development Programme 2007-2013 including CLÁR (Ceantair Laga Árd-Riachtanais). CLÁR provides funding and co-funding to Government Departments, State Agencies and Local Authorities in accelerating investment in selected priority developments. These investments support physical, economic and social infrastructure across a variety of measures. The measures introduced under the programme reflect the priorities identified by the communities in the selected areas whom the Minister consulted at the outset. Areas targeted under the CLÁR programme includes parts of Counties: Carlow, Cavan, Clare, Cork, Donegal, Galway, Kerry, Kilkenny, Laois, Limerick, Longford, Louth, Mayo, Meath, Monaghan, Offaly, Roscommon, Sligo, Tipperary, Waterford, Westmeath, Wicklow and all of County Leitrim.</p> <p>The Farm Improvement Scheme, which was provided for in the 2007 – 2013 Rural Development Programme of Ireland, included objectives and measures that are beneficial to the environment and prevention of water pollution.</p> <p>All potential methods of resourcing measures will be investigated.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009 NW_SWMI_015</p>	<p>Alternative disposal mechanisms for slurry (and municipal sludge) other than land spreading need to be provided. The use of bio-digesters for the disposal of slurry should be encouraged and funding made available. Noted that funding for bio-digester schemes is not freely available.</p>	<p>The Department of Agriculture, Fisheries and Food supported the development of new/emerging technologies by providing grant aid to farmers in 2006 for pilot projects under the Scheme of Investment Aid for Demonstration On-Farm Waste Processing Facilities. A bio-energy scheme from Sustainable Energy Ireland provides grants for installation of Combined Heat and Power plants fuelled by biogas from anaerobic digestion. The scheme includes a start-up grant and a guaranteed price of at least 12 cent per kWh. The scheme has a budget of up to €8 million and will provide up to 30% investment grant support for eligible projects. Further details can be found on www.sei.ie/bio_chpgrants.</p>

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NB-NW_SWMI_025	The installation of a digester for pig or animal slurry in the Lough Sheelin area would be a good investment.	
NB-NW_SWMI_003 NB-NW_SWMI_009	The physical disturbance to water bodies, created by agricultural activities (e.g. animal watering sites and uncontrolled access), is not addressed in the document and must be regulated. The Land Drainage Act still allows for the drainage and 'reclamation'/ infilling of wetlands.	The physical disturbance to water bodies from agricultural activities was addressed in the physical modifications section of 'Water Matters – Have your say!' reports. Farmers in the Rural Environment Protection Scheme are required to fence off lakes and watercourses to prevent stock trampling. Supplementary measures to tackle overgrazing and stock trampling in specific areas will be considered as part of the Programme of Measures. The new Floods Directive will introduce a new method of assessing and controlling land drainage activities.
NB-NW_SWMI_009 NB-NW_SWMI_003	Clarify with the relevant statutory agencies the responsibilities for vegetation along the edge of water bodies.	Local authorities maintain Drainage Districts for flood alleviation and land drainage and the Office of Public Works maintains the Arterial Drainage Scheme. However there are large areas where there is no statutory body with a river maintenance responsibility and in this case it is the responsibility of the landowner. In accordance with Ireland's Flood Policy 2004, the Office of Public Works (OPW) will be taking a proactive role in assisting with flood risk management issues where no authority is deemed responsible. There will be a designation process where high flood risk channels can be designated by the OPW for maintenance functions to reduce flood risk. Legislative change is required for this to work fully so it will be a number of years before it is established.
NB-NW_SWMI_003 NB-NW_SWMI_024	The cleaning of slurry tanks, spreader and spreading equipment from water bodies particularly lakes should be prohibited. Note problems with farmers washing out slurry tanks on lake shores.	It is an offence under the Local Government Water Pollution Acts 1977 and 1990 to cause or permit any polluting matter to enter waters. This includes slurry from the washing of slurry tanks and spreading equipment. Incidences should be reported to the local authority.
NB-NW_SWMI_008	The IFA seeks a cost benefit analysis of any further increases in buffer zones for fertilizer spreading over and above the requirements of the Nitrates Directive.	Socio-economic studies will be completed as part of the agricultural mini-catchment programme to evaluate how cost effective measures under the current National Action Programme have been. Modifications to measures will be identified where evidence indicates that water quality targets may not be achieved.

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<p>NB-NW_SWMI_024</p>	<p>Noted concern about the lack of flexibility of slurry spreading. Re-opening of the closed period results in a large concentration of slurry being released. This would be prevented if farmers were allowed to spread slurry in suitable weather periods during the closed season.</p> <p>Note that it is better to ascertain if the land is suitable for slurry spreading not just impose seasonal spreading.</p>	<p>The restrictions on slurry spreading during the prescribed closed period in the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations were based on sound scientific evidence. Even during the open season farmers must comply with measures to ensure that slurry does not enter waterways. The Regulations restrict spreading to suitable weather and soil conditions outside the closed periods.</p>
<p>NB-NW_SWMI_022</p>	<p>Concerned about proposals by the Minister to fine farmers up to €500,000 for indictable offences.</p>	<p>The maximum penalties permitted by the revised Nitrates Regulations are €500,000 and/or one year imprisonment for indictable offences. It is a matter for the relevant court to determine the appropriate level of penalty in any particular case having regard to all the circumstances of the case. Similar penalties were applied by Regulations made by the Minister for offences in relation to unauthorised shipment of waste.</p>
<p>NB-NW_SWMI_011</p>	<p>Noted concern about the increased use of herbicides and pesticides and called for the measurement of such chemicals in drinking water.</p>	<p>The Pesticide Control Service of the Department of Agriculture, Fisheries and Food carries out regular inspections to ensure that all pesticides (including herbicides) are marketed and used in accordance with EU and national legislation. These chemicals are monitored under the Drinking Water Regulations 2007. The Environmental Protection Agency drinking water report for 2006-2007 noted that no pesticides were detected in 86% of samples taken. Of the 14% where pesticides were detected only 2 samples exceeded specified concentrations.</p>
<p>NB-NW_SWMI_003</p>	<p>The impact of intensive agriculture (particularly pigs and poultry) in the border areas of the Neagh Bann River Basin District is not addressed.</p>	<p>Intensive pig and poultry operations are registered through Integrated Pollution Prevention Control (IPPC) licensing governed by the Protection of the Environment Act 1993 and operated by the Environmental Protection Agency. IPPC licences prevent or reduce emissions to air, water and land, reduce waste and use energy/resources efficiently. An IPPC licence is a single integrated licence, which covers all emissions from the facility and its environmental management. Failure to comply with licence requirements can result in prosecution. For example, recently an IPPC registered piggery was prosecuted for a number of breaches of its licence including: carrying out land spreading activities other than in accordance of the Nutrient Management Plan that was agreed by the Environmental Protection Agency, failing to maintain a stock register and failing to maintain a site slurry/manure register.</p>

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NW_SWMI_014	Highly toxic chemicals used in mushroom production are causing pollution in local rivers in Donegal.	No evidence of such pollution has been presented, or available to Donegal County Council. The main active substances used in mushroom farming are insecticides (Diflubenzuron) and fungicides (Prochloraz). These substances were included on Ireland's dangerous substances screening monitoring programme and sites were selected in areas where there is significant mushroom growing. No positive results for either of these substances were detected in the water column, sediment or biota. However, it is very difficult to detect some of these substances, as they are very short lived.
NW_SWMI_014 NW_SWMI_009 NW_SWMI_011 NW_SWMI_003	The dumping of animal carcasses into waterways must be addressed (SS note an example of this in Ards Bay Donegal near to a large "Pacific" oyster farm).	<p>It is an offence under the Local Government Water Pollution Acts 1977 and 1990 to cause or permit any polluting matter to enter waters. This includes the disposal of animal carcasses into waterways. The Fallen Animal Collection Scheme provides for the subsidised collection and destruction of fallen bovines and the disposal of certain other ruminant and non-ruminant animals.</p> <p>Cattle movements and on-farm deaths of cattle are recorded on the national Cattle Movement Monitoring System. Where an animal dies on farm, the carcass must be disposed of to a licensed knackery. On farm burial of cattle is generally prohibited. Failure to keep accurate records of movement and death of animals under the Statutory Management Requirements 6, 7, 8 & 8a - Identification and Registration of Animals (Bovine, Ovine, Porcine) can result in a reduction in the Single Farm Payment received by the individual when Cross Compliance checking is completed by the Department of Agriculture, Fisheries and Food.</p> <p>However unscrupulous operators may illegally dump animal carcasses and incidences should be reported to the Local Authority.</p>

3.2.4 Wastewater from unsewered properties

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_003	Guidance on best practice is ineffective unless it is transposed into regulations.	Agreed. There is an overall need to tighten controls on the siting, installation and maintenance of onsite wastewater systems with national standardisation of site suitability testing and allowable practice.
NB-NW_SWMI_003	A national system of licensing for proprietary systems with an inspection regime, clear responsibility for owners and effective	Proprietary systems are currently certified under the Agreement System. Their suitability will often be site specific and they will normally be assessed on this basis. Recommendations are being included in the measures for onsite wastewater systems which

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<p>NB-NW_SWMI_009</p>	<p>penalties must be introduced. Percolation tests must be made mandatory and be completed by independent qualified scientists (with a charge included in the planning application fee). There should also be a system of accreditation and licensing for septic tank installation companies and sludge removal operators.</p>	<p>include:</p> <ul style="list-style-type: none"> • Approval system for proprietary units. • Establishment of a national / local register of approved, qualified site assessors. • Standardisation of site investigation requirements across all Local Authorities – based on the EPA updated guidance document for Single House Treatment Systems. • Certification of onsite wastewater treatment system installation. <p>The measures include recommendations for Bye Laws relating to duties of owners of onsite wastewater systems to ensure maintenance and regular de-sludging.</p> <p>Sludge removers already come under control under the Waste Management Act and must hold a current licence to remove septic tank sludge for disposal from systems.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009 NW_SWMI_013</p>	<p>Highlighted the importance of planning controls that restrict the building of unsewered properties in areas where the geology and soil are unsuitable for percolation-based treatment systems. There should be improved and more integrated planning for the siting of septic tanks.</p> <p>The Lough Melvin catchment (with poor draining soils and steep slopes) should be considered unsuitable for regular septic tanks.</p>	<p>Pathway risk mapping combining the geology, subsoil permeability and aquifer bedrock type with regard to suitability of general location for on site wastewater treatment systems will be provided to each Local Authority. This will indicate generally high risk areas for the location of such systems. However, even where risk mapping indicates a lower risk category, detailed site investigation by qualified assessors, in accordance with the requirements of the updated EPA Guidance document for single house systems, will still be required as part of the planning process to confirm site suitability.</p> <p>The pathway risk mapping will be combined with a pressure layer map of existing system locations to identify high risk areas which should be targeted for inspections by the Local Authorities and necessary upgrading as appropriate.</p>
<p>NB-NW_SWMI_009</p>	<p>Seek clarity and elaboration on the statement that <i>“Legislation will be amended to clarify and elaborate the statutory basis for the licensing of discharges to soil”</i>.</p>	<p>Article 11(3)(j) of the Water Framework Directive (2000/60/EC) requires a general prohibition on direct discharges of pollutants into groundwater except where they are subject to a specified system of prior authorisation and provided the discharges do not compromise the achievement of the objectives established for that body of groundwater. Irish legislation is being revised and updated to comply with these requirements.</p>
<p>NB-NW_SWMI_008</p>	<p>Opposed to excessive restriction on the siting of new housing for farming families where appropriate systems are installed. Recommend that funding is made available for rural dwellers to upgrade their septic tanks.</p>	<p>Where detailed site investigation for an onsite wastewater system indicates that the location fully complies with the planning requirement and meets the requirements of the EPA updated guidance for Single House Systems then this would not form the basis for a restriction on development.</p> <p>The provision of financial incentives to upgrade existing septic tanks where required is supported by the River Basin District Advisory Councils. This is a policy decision for National Government.</p>

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<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>All proprietary treatment systems should deliver tertiary treatment.</p>	<p>Research undertaken through the EPA Environmental Research Technical Development Initiative (ERTDI) Programme has indicated that a correctly installed septic tank or proprietary treatment system with a correctly installed percolation area on a suitable site will adequately treat wastewater to the required standard without the need for tertiary treatment.</p> <p>However, where proprietary treatment systems result in a discharge to surface waters or where the area is particularly sensitive, such as a groundwater dependent ecosystem for example, then tertiary treatment may be appropriate. The requirement for tertiary treatment will be site specific.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>If sewage infrastructure is installed near an unsewered property connection should be offered at a reduced rate or should be free. New properties near existing infrastructure should be required to connect to it.</p>	<p>The requirement for properties adjacent to existing sewer networks to connect is included in the proposed measures for onsite wastewater treatment systems. The provision of financial incentives is supported by the RBD Advisory Councils. This is a policy decision for National Government.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>Noted the difficulties with biocycle units, some of which are unsuited to use in irregular habitation situations (i.e. holiday homes), as they are subject to “shock loading” when used.</p>	<p>All proprietary treatment systems are biological systems and will reduce in efficiency through long periods of disuse. Large scale systems are subject to control by licence under the Local Government (Water Pollution) Acts 1977 and 1990. Single house systems are generally controlled under the planning requirement for maintenance contracts for such systems. Stricter enforcement of the maintenance contracts is required and will be recommended as an action to be included in the Programme of Measures.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>Awareness raising is required on the effects of household chemicals on septic tank functioning e.g. bleach. Phosphates should be banned from domestic cleaning products.</p>	<p>This issue together with all water matters issues will be the subject of National and Local Awareness campaigns. Voluntary agreements exist to have phosphate free detergents with major suppliers for certain applications. The public awareness programme will highlight this and other issues. In a well designed, well located and well sited percolation area phosphorous will be largely removed by the percolation process.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>Local Authorities should encourage alternative wastewater treatment systems for unsewered properties, such as wetlands and reed beds.</p>	<p>Much research has been undertaken on the use of alternative systems such as wetlands and reed beds. Some limitations have been identified such as reduced uptake of nutrients during dormant plant growth periods and not all sites may be suitable for such systems. The use of such systems will be site specific and will be assessed on a case by case basis and approved as appropriate.</p>

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<p>NB-NW_SWMI_009 NB-NW_SWMI_003</p>	<p>Strict control on land spreading of septic tank contents.</p>	<p>An operator involved in the removal of septic tank sludges must be an approved Waste Contractor under the Waste Management Act. Septic tank sludges must be treated before disposal and are generally treated in Urban Waste Water Treatment Plants. Local Authorities are including septic tank sludge into their Waste Management Plans. Spreading of sewage sludge on agricultural land is controlled by the Waste Management (Use of Sewage Sludge in Agriculture) (Amendment) regulations 2001 and also under Local Authority Sludge Management plans.</p>
<p>NB-NW_SWMI_024</p>	<p>How do we handle sink and washing machine waste in terms of septic tanks?</p>	<p>Chemicals such as bleach can kill the beneficial bacteria that break down the waste inside a septic tank so these chemicals should not be used in excess. Excess amounts of oil, grease and non-biodegradable material should not be disposed of down the drain as they cannot be easily broken down. Phosphorous free detergents should be used where possible and householders should have their septic tank de-sludged regularly.</p>
<p>NW_SWMI_014</p>	<p>In Rathmullan and other coastal communities in County Donegal, untreated sewage from unsewered properties is discharging to Lough Swilly.</p>	<p>Section 70(2) of the Water Services Act, 2007, places a duty of care on owners of premises to ensure that treatment systems for waste water are maintained so as not to cause a risk to human health or the environment. Methods are being developed to prioritise onsite wastewater systems posing the greatest risk to surface and groundwaters. Recommendations are being proposed for the Programme of Measures for the siting of new onsite wastewater systems which include:</p> <ul style="list-style-type: none"> • Approval system for proprietary units. • Establishment of a national / local register of approved, qualified site assessors. • Standardisation of site investigation requirements across all Local Authorities – based on the EPA updated guidance document for Single House Treatment Systems. • Certification of onsite wastewater treatment system installation.

3.2.5 Forestry

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_010 NW_SWMI_017 NW_SWMI_018	Felt the report was too negatively focused. Noted the positive impacts of forestry: <ul style="list-style-type: none"> • Riparian zone planting provides stability, shelter and food for aquatic life • Planting of buffer zones protects against sources of pollution 	The National Forest Estate covers a substantial surface (10%) of the country. It is generally located in the upland areas of catchments where the smaller feeder streams which are important salmonid spawning and nursery habitat locations. Whereas there are many positive benefits from forests there may be a potential to impact on water quality if forest operations are not carried out in a sustainable manner. This is done by the implementation of the Forest Service regulations which are mainly contained in its Code of Best Forest Practice, its Suite of Guidelines and the conditions attached to its various schemes and the licences which it issues. Much of the commercial forest estate in Ireland was planted in the early 1960s prior to the introduction of the current Codes of Practice. Buffer zones and silt control measures would generally not have been installed resulting in planting to stream banks. It is these forests which are now being felled to provide wood material. Their management is a potential source of pressure on receiving waters, While guidelines exist for the harvesting of these areas, their restocking is not subject to specific guidance but it must meet the current afforestation standards. Forestry measures for the River Basin Management Plans (RBMPs) include a recommendation for specific guidance for the management of these older forest stands which will include a suite of measures to be used on a case by case basis.
NB-NW_SWMI_010	Noted concern about the issue of proportionality in the reports. The same space is allocated to forestry as wastewater and industrial discharges which are considerably more detrimental to water quality. This should be addressed in the RBMP.	The Forest Estate comprises 10% of the land area of the country and is sometimes located in sensitive areas of catchments. The potential for impact on water quality may be significant if not managed in a sustainable manner.
NB-NW_SWMI_009 NB-NW_SWMI_003 NW_SWMI_013	Called for a revision the 1946 Forestry Act to remove the requirement to replant in all felled areas, so that sensitive areas and those unsuitable for Forestry are not replanted on.	The Programme of Measures for forestry includes a recommendation to revise the relevant sections of the 1946 Act to exclude the requirement to replant on certain sites (low yield class) or in sensitive areas (such as Freshwater Pearl Mussel catchments). Under the existing act a limited felling license may be issued under which the obligation to replant may be waived by the Minister. Consideration must be given to any beneficial effect of restocking such as the uptake of nutrients from previous crops. The issue of alien species invasion (such as Rhododendron) must also be considered. Deforestation will also have a significant negative bearing on the national Carbon Sequestration balance, generate soil

<p>NB-NW_SWMI_009 NB-NW_SWMI_003</p>	<ul style="list-style-type: none"> - Identified the need to comply with recent ruling from the European Court of Justice by implementing Environmental Impact Assessment to all sub-threshold afforestation in or near protected sites or species. - Proposed the nitrates regulations should be amended to include forestry activities. - Restrictions governing clearfelling must be introduced with strict controls of coup sizes in sensitive areas. - Move away from over-reliance on conifers and increase diversity in planting with an increased broadleaf component. - Low impact silvicultural systems should be implemented and there should be a shift away from over reliance on planting on marginal wet land. 	<p>erosion and reduce future timber supplies to the wood industry.</p> <p>European Communities (Environmental Impact Assessment) (Amendment) Regulations, 2001. (S.I. No. 538 of 2001) introduced the Forestry Consent Scheme. This allows for sub-threshold afforestation to be subject to Environmental Impact Assessment for specific proposals at the discretion of the Minister. All protected sites and their catchments would need to be identified (using the Environmental Protection Agency Register of Protected Areas with continuous updates by National Parks and Wildlife Service for habitats). All applications to the Forest Service (FS) are checked for proximity or inclusion in designated areas by the FS and all afforestation applications are checked for subthreshold EIAs (documented on the Forest Service IFORIS system). If they are included, the application is referred to the relevant statutory body for consultation. Updates of these areas are also updated on FS databases.</p> <p>Fertilisation in relation to forestry is a separate issue and is regulated by the Forest and Water Guidelines, the Forestry Schemes Manual, Codes of Good Practice and by the European Communities (Aerial Fertilisation) (Forestry) Regulations 2006, S.I. No. 592 of 2006.</p> <p>Control of clearfelling is managed though licensing by the Forest Service under the 1946 Forestry Act. Either Limited or General Felling Licenses are issued with conditions. Consultation between Forest Service and National Parks and Wildlife Service, relevant Fisheries Boards and other Statutory Stakeholders takes place where sensitive areas are concerned. In general smaller coup sizes are being felled and felling plans take account of the sensitivity of the catchment receptors in their design. The FS harvesting guidelines specify area limits for clearfelling.</p> <p>Coillte Teoranta follow the principles of Sustainable Forest Management. The long term effect of this policy is to produce uneven aged, multi-storey forest stands with considerable species diversity.</p> <p>Presently the national forest estate comprises over 24% broadleaf species and their planting is supported through Forest Service initiatives and grant aid. However, planting is a commercial enterprise and market driven, and this together with site characteristics often dictates species mix. Low yield class sites will not attract grant assistance or yield commercial crops. This will result in a move to better lands downstream and away from marginal soils in the more exposed upstream locations. In 2006 broadleaf planting was</p>
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	<p>- Increased use of effective buffer zones should be required.</p> <p>- The use of high mycorrhizally active species in the vegetation of engineered buffer zones to ensure their long-term efficiency (such as salix, alder and aspen) should be promoted.</p>	<p>31.4% of all planting. The grant structure also favours planting of broadleaves (higher grant support).</p> <p>Buffer zones are required to be established under the Forestry Schemes Manual and Forest Service Guidance documents. As older plantations are felled buffer zones are being introduced as part of the overall management of the site. The minimum buffer zone requirement is 10m and may vary up to 25 m depending on slope conditions.</p> <p>Consideration has been given to the use of different species in buffer zone areas. However, the selection is often site specific as many plantations are at high elevations where broadleaf species may not establish. The Forest Service together with Woodlands of Ireland have published an information note entitled Native Riparian Woodlands - A Guide to Identification, Design, Establishment and Management. It addresses practical issues such as the management of existing native riparian woodland, restoring native riparian woodland on conifer plantation sites and the establishment of new native riparian woodlands on greenfield sites.</p>
<p>NB-NW_SWMI_009 NB-NW_SWMI_003</p>	<p>Identified that the Water Matters report was inaccurate where it referred to acidification being a result of what is normally known as ‘scrubbing’, without referring to the acidic nature of the needles of Sitka Spruce which cause the more significant portion of the acidification problems associated with forestry.</p> <p>The report also omits the issue of habitat loss as a major problem.</p>	<p>Studies on acidification of waters in Ireland have generally identified coniferous stands with closed canopies (generally greater than 14 years) on poorly buffered sites as being a primary conduit for acidification impact. This arises from scavenging of both anthropogenic pollutants from the air and also sea salts from storm events. The presence of forests <i>per se</i> and the associated forest litter on such poorly buffered sites is being considered in the context of acidification impacts. Broadleaf species also have potential to cause acidification on poorly buffered sites although to a lesser extent and this is also being considered in the measures for forestry.</p> <p>The wood derived from Sitka Spruce is known as White Deal and is the wood type in most demand by the market (up to 90% of timber used in modern house building is White Deal or derived from it).</p> <p>The point about habitat loss is noted and will be referred to in the RBMP. Some work has been undertaken on the feasibility of restoring blanket bogs post clearfelling of the forest and this will be considered where feasible as a measure. Forest Service also consults with NPWS and no planting occurs in a designated area without agreement of NPWS.</p>
<p>NB-NW_SWMI_009 NB-NW_SWMI_003</p>	<p>Reference in the reports to forestry problems being historic is misleading. The recently published Coford “Bioforest” Project Report raises concern that adequate attention is not being paid within current forest policy and</p>	<p>It is recognised that forestry issues are ongoing. However, many of the issues do relate to older forest plantations, now at harvest stage, which were established prior to the introduction of the current suite of Forest Service Guidelines, the Code of Good Forestry Practice and the Forestry Schemes Manual. These publications resulted from progressive ongoing research into forests and associated water quality issues. A recommendation has</p>

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	practice to the threats and pressures being posed by current forestry practices on biodiversity and water quality.	been made to update these documents to reflect recent research work and cross referencing and also to introduce new guidance specifically for the management of older plantations. Forest Service Policy since the 1980s has been to move forestry away from the more difficult peat based sites to more mineral soils and this is reflected in the change in forest soil type locations since that time (National Forest Inventory). Forest Service guidelines are updated based on best available knowledge at the particular time.
NB-NW_SWMI_003 NW_SWMI_014	‘Tunneling’ where tree growth on a river bank blocks light to the river must be prevented.	Tunneling is largely a phenomena of older plantations planted prior to Forest Service Guidelines. Newer plantations, post 1980s’, have established buffer zone widths. As part of felling licenses issued by the Forest Service riparian zones and buffer zones are required to be introduced under any restocking plan. Some shading of streams is desirable to provide refuge for fish species and planting of buffer zones will include selected planting with suitable species. Installation of buffer zones in both afforestation and restocking of sites is now mandatory, which will eliminate the tunneling effect over time.
NB-NW_SWMI_009 NB-NW_SWMI_003	The use of forestry land for the spreading of sewage sludge is a serious concern.	The application of sewage sludge to forests is not common practice as there are significant issues with access, nutrient contents and impacts on water quality associated with its use. The Forest Service have requirements specifying the use of slow release fertilizer, rates of application and concentrations in their Guidance documents. Sewage sludge does not meet any of these requirements. However, it has been used in experimental coppice willow plots but its use as a general purpose forest fertilizer would require significant study and evaluation before it would receive general approval from the Forest Service. Comment for Note: <i>Spreading of sewage sludge is controlled by the Waste Management (Use of Sewage Sludge in Agriculture) (Amendment) Regulations 2001 and also under Local Authority Sludge Management plans. However, the Regulation specifically refers to “agriculture” in the context of growing commercial food crops and not to forestry..</i>
NW_SWMI_016 NW_SWMI_017	Felt forestry in Ireland is a tightly regulated sector with up to date principles adhered to and that the effectiveness of current guidelines and codes of practice was not sufficiently emphasised.	The negative impacts of forestry operations are largely related to poor management or to planting on unsuitable soils, and many of the current water problems associated with afforestation relate to older forest plantations, now at harvest stage, which were established prior to the introduction of the current suite of Forest Service Guidelines, the Code of Good Forestry Practice and the Forestry Schemes Manual.

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NW_SWMI_017 NW_SWMI_018	Noted the government's commitment to increasing the level of forest cover from 12-17% and the commitment in An Strateis to support the forestry sector in Donegal. More work is required to incorporate forestry into the catchment plan rather than single it out as a significant problem for water quality.	It is critical that the large scale and rapid expansion of forestry over the next 30 years takes place in a sustainable, environmentally sensitive manner.
NW_SWMI_013	The effectiveness of guidelines in reducing nutrient and sediment runoff are dependant on specific catchment characteristics, and are therefore limited.	The design of buffer zones is site specific to accommodate site variations.
NW_SWMI_013	Private forestry organisations have not yet agreed a forest standard, but are still eligible to receive grant aid from the Forest Service. Currently when Forest Service grant clearfelling licences to private landholders, it is not standard practice to follow up on whether the landowner has adhered to environmental guidelines	All public and private plantations are subject to the standards set out in the Forest Service regulations. These are conditions of approvals and licences issued by the Forest Service and are subject to inspection by the Forest Service.
NW_SWMI_013	Sensitive catchments should be clearly defined within the forestry sector. Scientific research should be used to establish the parameters that constitute a sensitive catchment and the parameters should be agreed upon by relevant parties such as the Forest Service, Coillte, Forestry Commission and the Forest Service N.I. Statutory mitigation measures must be implemented in catchments of special sensitivity, in particular those with high Q values, salmonid spawning grounds, and those containing the freshwater pearl mussel.	The National Programme of Measures study on Forests and Water has completed fish, invertebrate and chemical monitoring to determine potential impacts from forestry activities, developed national risk maps on acid sensitive sites and produced new guidelines for best practice. For example, the study has developed new guidance for the harvesting of older plantations and sites in sensitive areas, which include specifications for coup felling size, timing of operations and the establishment of buffer zones. These guidelines will be implemented as part of the Programme of Measures in the River Basin Management Plan.
NW_SWMI_013	Noted concerns over forestry planted before guidelines were implemented. A plan should be developed that identifies the risks and makes recommendations on how these older plantations should be managed.	Forestry guidelines have been developed for harvesting of older sites and sites in sensitive areas, which include specifications for coup felling size, timing of operations and the establishment of buffer zones. These guidelines will be implemented as part of the Programme of Measures in the River Basin Management Plan.

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NB-NW_SWMI_011	Recommend biological and chemical sampling of water courses in forested sites greater than 2 hectares and the adoption of buffer zones in newly afforested areas.	Buffer zones are required in all new plantations as part of Forest Service regulations. Biological and chemical water sampling is part of the remit of River Basin Districts, Local Authorities, National Parks and Wildlife Service and the Environmental Protection Agency. The Forest Service does not have statutory responsibility for water issues.
NW_SWMI_013	Note that many private forestry companies within the North Western International River Basin District are not obliged to meet the principles of sustainable forest management.	Under the Forestry Act, 1946 the Minister with responsibility for forestry is empowered to grant aid forestry developments by private individuals with conditions. Currently the Forest Service provides grant aid to many forestry developments including afforestation, forest road developments, urban woodland schemes and woodland improvement schemes. Grant aid is given subject to the adherence of the applicant to a suite of environmental guidelines and the Code of Best Forest Practice. None of these are legally binding but the financial incentives coupled with the licensing requirements serve as a control mechanism.
NB-NW_SWMI_011	Note the impact of forestry plantations, particularly in the Deele and Derg catchments.	Comment noted.

3.2.6 Usage and discharge of dangerous substances

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_003 NB-NW_SWMI_009	When an IPPC license is suspended or revoked the business must cease to operate and this must be enforced through a straightforward legal process.	There is a process set out in the IPPC legislation for the revoking of a license. It is illegal for a business to operate without a license if its operations determine that it requires one.
NB-NW_SWMI_003 NB-NW_SWMI_009	Details of all licences for use and discharge of dangerous substances should be made easily accessible on-line.	All licences are currently available for viewing by the general public on the Environmental Protection Agency website http://www.epa.ie/whatwedo/licensing/ .
NB-NW_SWMI_009 NB-NW_SWMI_003	Prohibit the use of phosphates in detergents.	The approach to this matter in Ireland has been to work with industry to voluntarily reduce the amount of phosphate in detergents. Studies for the River Basin Management Plans indicate that detergents account for only a very small proportion of the phosphates discharged to surface water or groundwater bodies.

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<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>National awareness campaign for the public on prevention of use / misuse / improper disposal of dangerous substances including pesticides.</p>	<p>In any awareness campaign on this matter the impact of dangerous substances on the waster environment would be only one of several aspects to be addressed. At present, the Health and Safety Authority carries out awareness raising work under the remit of REACH (Registration, Evaluation and Authorisation of Chemicals). The Department of Agriculture, Fisheries and Food meets regularly with farmers and growers in relation to pesticides usage. On an international level the Global Harmonisation System for Classification and labelling of chemicals is improving chemical labels to make them more easily understood.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009 NB-NW_SWMI_011</p>	<p>Synthetic pyrethroid in sheep dip should be suspended or banned (its use has been suspended in Northern Ireland, pending a review of its impacts on the aquatic environment). Concerned about the usage of sheep dipping baths. A holistic cross border protocol is required</p>	<p>This matter is being kept under review by the Irish Medicines Board. Targeted monitoring is taking place to investigate its impact.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009 NB-NW_SWMI_002</p>	<p>Concerned about the addition of fluoride to water supplies.</p>	<p>This matter was reviewed recently by the Department of Health and it was decided that the current policy should be retained subject to some changes, the most significant of which was the reduction in the concentration of fluoride.</p>
<p>NB-NW_SWMI_012</p>	<p>Note that the inclusion of aquaculture in this section is misleading because it also refers to shellfish aquaculture where no chemicals are used. This should be qualified in future plans.</p>	<p>Aquaculture will be dealt with as a separate topic in the River Basin Plan. It is recognised that chemicals are only used in finfish farming. However there can be impacts from shellfish aquaculture when sites are dredged for harvesting.</p>
<p>NW_SWMI_014</p>	<p>Chemical usage in fish farms should be independently monitored.</p>	<p>The Department of Agriculture, Fisheries and Food intends to implement regulations in order to control the discharge of certain substances used in the operation of finfish farms located in marine waters. Public consultation on the draft regulations recently closed. The regulations will establish water quality standards for receiving waters for specific substances; impose discharge limits for certain substances as a condition of an aquaculture licence; establish a programme of measures relevant to aquaculture to protect water quality.</p>
<p>NB-NW_SWMI_011</p>	<p>Request information on how domestic sewage sludge and agricultural sludge is disposed of.</p>	<p>The Waste Management (Use of sewage sludge in agriculture) regulations 1998, 2001 prescribe standards for the use of sewage sludge in agriculture. Close monitoring of soil and sludge is required and limits are placed on heavy metals and when and where sludge is spread in order to reduce the risk of pollution. Ireland is fully compliant with European Union sewage sludge policy, and sludge management standards have been developed which utilise best international practice and are in excess of those set by the EU. All local authorities have sludge management plans in place that address the management and control</p>

		<p>sewage sludge in a progressive and environmentally sensitive manner. Disposal of agricultural sludge or slurry is controlled by the Nitrates Regulations under the Nitrates Action Programme.</p>
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3.2.7 Physical modifications

Submission Reference No.	Issues Identified	Response
<p>NB-NW_SWMI_009 NB-NW_SWMI_003</p> <p>NB-NW_SWMI_009</p>	<p>Called for the introduction of a comprehensive registration and authorisation system to control the impact of physical modifications.</p> <p>Noted that the Office of Public Works should not be the statutory authority to administer new regulations.</p>	<p>A registration and authorisation system to control the impact of physical modifications is required by WFD. Measures and controls to ensure that hydromorphological conditions are consistent with the achievement of the required ecological status have to be established in response to Article 11(3) of the Water Framework Directive.</p> <p>The competent authority for administering the necessary measures and controls has yet to be determined.</p>
<p>NB-NW_SWMI_007</p>	<p>Any measures in relation to physical modifications have the potential to impact significantly on OPW Programme of Flood Relief Schemes and statutory maintenance of these schemes and arterial drainage works.</p> <p>Note that some regulation of physical modifications may be necessary but are of the strong view that OPW as a Statutory Undertaker executing works in pursuance of government policy or statutory duties should be exempt from the licensing regime.</p> <p>It is envisaged that the OPW will make the Annual Drainage Maintenance Work Programmes available to the RBDs and will work closely with these forums in relation to water management issues.</p>	<p>Comments are noted and will be considered in the development of measures and controls in relation to physical modifications.</p>

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NB-NW_SWMI_008	Worried about the increased frequency of flash flood events and called for the introduction of national river maintenance programme.	Flood risk management plans have to be prepared as part of the Floods Directive, and measures prepared to deal with areas identified as being at risk of flooding.
NB-NW_SWMI_003 NB-NW_SWMI_009	Headwater habitats need to be maintained and protected to act as 'sponges' to reduce the likelihood of flooding downstream.	There is an obligation under the Water Framework Directive to prevent deterioration of status in all waters.
NB-NW_SWMI_003 NB-NW_SWMI_009	Expressed concern about building pressures on floodplains and how this would be addressed.	An objective of the Floods Directive is to establish a framework for the management of flood risks, aimed at reducing the negative impacts of floods on the environment (including water). Similarly, an objective of the Water Framework Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater that contributes to mitigating the effects of floods.
NB-NW_SWMI_011	The implementation of the Floods Directive (specifically the preparation of Flood Management Plans by the OPW) should be fully integrated with the implementation of the WFD and the development of river basin management plans. Call for a complete embargo on development in floodplain areas.	The administrative units are the same for the two Directives, i.e. the Floods Directive must be implemented on the level of the river basin districts (which includes not just river basins and sub basins but also associated coastal areas). The implementation cycles and reporting mechanisms of both directives are synchronised as regards their timetables. For example, flood risk management plans are to be completed and published by 22 nd December 2015, corresponding with the first review and update of river basin management plans and their programmes of measures. Also, the public participation aspects of the Floods Directive must be coordinated with those of the Water Framework Directive.
NB-NW_SWMI_003 NB-NW_SWMI_009	Called for Environmental Impact Assessment to be carried out before flood prevention measures are considered.	Current practice is for flood alleviation projects to fully comply with Environmental Impact Assessment (EIA) legislation. Accordingly, all large scale flood relief projects conduct an EIA and smaller scale projects while below the threshold for EIA, typically carry out other forms of ecological assessments particularly where works could affect a Special Area of Conservation or a Special Protection Area.
NB-NW_SWMI_003 NB-NW_SWMI_009	Arterial drainage to improve agricultural productivity which is encouraged by the Land Drainage Act has an impact on hydrology and flow patterns.	Arterial drainage may impact on hydrology and flow patterns. However Arterial Drainage Schemes were traditionally carried out on a catchment basis to allow for the fact that the whole catchment acts as a unit. As required by the Arterial Drainage Acts 1945 to 1995, no flood alleviation or land drainage works are carried out without due regard to the downstream effect of the proposal.
NB-NW_SWMI_009	Recommend that the principle of urban Total Impervious Areas (TIA) be accepted as another aspect of physical modifications. Local authority planners should be required to look at new development proposals with a view to minimising the TIA values by the incorporation of greenbelts, parks, sod roofs	Sustainable Drainage solutions continue to be developed and integrated by local authorities as part of their planning policies e.g. the authorities involved in the Greater Dublin Strategic Drainage Study.

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	and other measures which have the capacity to buffer peak flood run-offs and their associated silt and toxin loads.	
NB-NW_SWMI_003 NB-NW_SWMI_009	A structured programme to address the 'rehabilitation' of previously drained rivers is needed.	Restoration measures are being considered as part of the measures and controls required by Article 11(3) of the Water Framework Directive to ensure that hydromorphological conditions are consistent with the achievement of the required ecological status.
NB-NW_SWMI_001	Waterways Ireland seeks to ensure that when the River Basin Management Plans are drafted its statutory functions are fully incorporated with minimal bureaucracy through agreed methodologies. Look to involvement in developing and maintaining a programme of measures and methodologies such as best practice guidelines for dredging and aquatic weed management necessary for sustainable River Basin Management Plans.	Comments are noted. Measures and controls to ensure that hydromorphological conditions are consistent with the achievement of the required ecological status have to be established in response to Article 11(3) of the Water Framework Directive. However, as with proposals for all significant legislation a Regulatory Impact Assessment will be carried out on any significant regulatory proposals. The assessment process will involve consultation with relevant stakeholders such as Waterways Ireland.
NB-NW_SWMI_011	Expressed concern about the failure to consider the needs of migrating fish and their habitat in the construction and maintenance of works in watercourses.	Control of physical alterations to surface waters is under consideration. This might involve prior authorisation or registration based on general binding rules. Guidelines have been developed to ensure the needs of migrating fish and their habitat are fully recognised during construction and maintenance works in watercourses.
NB-NW_SWMI_011	Note concern in relation to the morphology of the Whitewater estuary.	The National Programme of Measures study on coastal and transitional morphology has developed an impact assessment tool that determines how much a water body has been affected by morphology modifications. It has developed best practice guidance for new developments and for restoring affected areas where it is technically feasible and cost effective to do so. Detail of all work that was carried out in the project will be available as a background document to the draft River Basin Management Plan.

3.2.8 Abstractions

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_003 NB-NW_SWMI_009 NW_SWMI_014	Noted that the bar for defining 'significant abstraction' in new regulations must be set to accommodate projected ecological impacts and predicted recharge rates.	A registration and authorisation system to control the impact of abstractions is required by the Water Framework Directive (WFD). Licensing regulations for groundwater abstractions are currently being considered by DEHLG. Draft technical guidance has been prepared to support the new regulations. The technical guidance includes consideration of both issues raised in this comment.

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NB-NW_SWMI_003 NB-NW_SWMI_009 NW_SWMI_014	Leakage from existing infrastructure must be addressed. Measures must be introduced to rapidly trace and stop leaks from water infrastructure.	Measures and controls to ensure that abstractions conditions are consistent with the achievement of the required ecological status have to be established in response to Article 11(3) of the Water Framework Directive. Reducing leakage is one potential measure to be considered.
NB-NW_SWMI_003 NB-NW_SWMI_009 NW_SWMI_014	Questioned whether the cumulative impact of abstractions will be addressed and noted that low flows must be used to determine acceptable abstraction limits.	The registration and authorisation system to control the impact of abstractions has to be established. Previous work on the Initial Characterisation of risk from abstraction impacts prepared in response to Article 5 of the Water Framework Directive used the concept of ‘net abstractions’ in a water body, accounting for cumulative impacts. Net abstractions are the sum of the all abstractions minus all discharge.
NB-NW_SWMI_003 NB-NW_SWMI_009	Rain water harvesting needs more focus. Requirements for harvesting should be included in new planning consents and grants should be provided for retrofitting of harvesting equipment.	Measures and controls to ensure that abstractions conditions are consistent with the achievement of the required ecological status have to be established in response to Article 11(3) of the Water Framework Directive. Rainwater harvesting is one potential measure to be considered.
NB-NW_SWMI_003	Noted that water charging for all abstraction is necessary.	A registration and authorisation system to control the impact of abstractions is required by the WFD. Licensing regulations for groundwater abstractions are currently being considered by DEHLG.
NB-NW_SWMI_003 NB-NW_SWMI_009	The impact of harvesting of deep water (>3km) reserves for geothermal energy must be considered.	A registration and authorisation system to control the impact of abstractions is required by WFD. Licensing regulations for groundwater abstractions are currently being considered by DEHLG. Draft technical guidance has been prepared to support the new regulations. The technical guidance includes consideration of abstractions for geothermal energy uses similarly to other abstractions unless the system is a closed-loop application where the quantity of water and the location of abstraction/discharge are the same.
NB-NW_SWMI_023	Do River Basin Management Plans include estimations of future water abstraction levels and how will this be controlled?	River Basin Management Plans are not currently addressing future water abstractions as these are not known. The Water Framework Directive requires a registration and authorisation system to control impacts of abstractions and future abstractions will be covered by this system.
NB-NW_SWMI_023	Where water is abstracted is there any planning or controls to re-evaluate the abstraction quantity over a prolonged drought period?	Abstraction schemes are currently subject to planning regulations and large abstractions are subject to Environmental Impact Assessment regulations; issues related to abstractions during drought conditions need to be raised through these processes. The WFD requires a registration and authorisation system to deal with impacts of abstractions on ecological status; if ecological status of the water body was impacted by abstractions then it would be re-evaluated under this system.
NB-NW_SWMI_011	Abstraction of water from Lough Fad is a cause for concern due to the impact on the native Arctic Char population.	Measures and controls to ensure that abstraction conditions are consistent with the achievement of the required ecological status have to be established in response to Article 11(3) of the Water Framework Directive. New regulations are currently being proposed by

		central government for a single registration and licensing system for all significant abstractions from surface and ground waters. Licences will set abstraction limits to preserve water resources and prevent impacts on fish populations, and specify compulsory monitoring requirements.
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3.2.9 Invasive alien species

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_003	Questioned how a waterbody would be deemed to reach good ecological status if an alien species was present in it that could not be removed.	A water body will not achieve high ecological status if an invasive alien species is present. However, good ecological status may be achieved if an alien species is present but is not causing any detrimental ecological impact.
NB-NW_SWMI_009 NB-NW_SWMI_003	Called for regulation of the ornamental plant and animal trade.	The Department of Environment, Heritage and Local Government are currently considering the introduction of regulations under Section 52(6)(a) of the Wildlife Act 1976 to prohibit the possession or introduction of species of bird, animal or flora that may be detrimental to native species.
NB-NW_SWMI_003	Noted that recommendations from the Quercus invasive species report should be implemented and resourced on an all island basis http://www.jncc.gov.uk/PDF/BRAG_NNS_Stokesetal-InvasiveSpeciesinIreland.pdf	The National Parks and Wildlife Service and the Northern Ireland Environment Agency jointly commissioned the ‘Invasive Species in Ireland Project’ in 2006. The project developed a risk assessment process to identify non-native invasive species currently in Ireland that pose the highest risk, and those species which have the potential to arrive here. Management and contingency plans have been produced for the most high risk species.
NW_SWMI_013 NW_SWMI_014	Recommend that monitoring should be implemented for particularly invasive species, to restrict the movement of species across borders. An index of alien species should be prepared for each river basin district. Invasive plants such as Japanese Knotweed and Policeman’s Helmet need attention as there are spreading along the River Leannan and throughout Lough Swilly, Cresslough and Gartan in County Donegal.	As part of the Water Framework Directive, a risk assessment has been carried out based on a list of 10 non-native invasive species judged to pose the greatest threat to waterbodies. The Environmental Protection Agency has identified 8 aquatic species of main concern in Ireland (zebra mussel, water fern, Parrot’s feather, New Zealand pigmyweed or Australian Swamp stone crop, floating pennywort, Nutall’s waterweed, Japanese knotweed and Dace). The Programme of Measures will also seek to prevent the introduction of new non-native invasive species and prevent the spread of previously introduced non-native invasive species through raising public awareness.

NB-NW_SWMI_011	Noted concern about the number of invasive species being recorded in Carlingford Lough.	As part of the ‘Invasive Species in Ireland’ project a website has been developed www.invasivespeciesireland.com . Users can find information on the range of non-native invasive species in Ireland and can report sightings of them through the website’s ‘Alienwatch’ facility. Management plans have been produced for the high risk species aimed at preventing the spread of non-native invasive species.
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3.2.10 High quality areas

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009	Alternative objectives must not be applied to protected areas.	Alternative objectives will not be applied to protected areas. The mechanism for alternative objectives is clearly set out in the Water Framework Directive and must be adhered to.
NB-NW_SWMI_009 NB-NW_SWMI_003 NW_SWMI_014	The possibility of a ‘High Quality Area’ protective designation should be explored.	Sites at “high status” within water bodies, for example Q4-5, Q5, habitat designated areas etc. are being identified and will be included in the River Basin Management Plans as special areas requiring stricter control to ensure no deterioration in status. The location and protection of these sites will be integrated into Local Authority Plans and Programmes. It should be noted that not all sites have been identified and mapped by NPWS and a recommendation is being made that NPWS develop an online database of these sites, regularly update it and provide such updates to Public Authorities and other statutory bodies.
NB-NW_SWMI_002 NB-NW_SWMI_006	Emphasised the importance of wetlands and the need for their incorporation into the catchment management process.	The importance of wetlands is recognized in the WFD. They are assessed as part of the groundwater risk to groundwater dependent terrestrial ecosystems. Designated wetlands have also been identified for inclusion as high status sites in need of protection although the NPWS database is not fully up to date (see above).
NB-NW_SWMI_012	Expressed concern about the lack of published conservation objectives for sensitive areas and the lack of information on the location of important features within the sensitive areas.	National Parks and Wildlife Service are currently preparing conservation management plans for all areas designated for nature conservation. The conservation plan will include descriptive information about the site and a management framework section which outlines objectives and strategies for the site. Maps detailing the sites and the location of habitats within the site will be provided.
NW_SWMI_014	The River Leannan in Donegal has not received protected status, despite surveys demonstrating the basis for this.	The River Leannan and its main tributaries (the lower Glashagh and Lurgy) and lakes including Loughs Fern, Gartan and Akibbon are designated as a Special Area of Conservation (SAC). The river is designated as a SAC due to its populations of freshwater pearl mussel, salmon and otter and because of the presence of Slender Naiad (a water plant) and lowland oligotrophic (low level of nutrients) lakes. Protection of the site is afforded under the European Communities (Natural Habitats) Regulations 1997, 1998 and 2005

		which give powers to the Department of Environment, Heritage and Local Government to regulate damaging activities both within and outside the site.
NW_SWMI_014	The enforcement of a number of conservation designations is weak (e.g. the Local Authority granted development permission in a Special Area of Conservation in Buncrana, Donegal).	The Lough Swilly Special Area of Conservation extends from below Letterkenny to north of Buncrana. It has been designated for a number of habitats and species including estuarine, lagoon, Atlantic salt meadow and old oak wood habitats, and because it supports an otter population. A conservation management plan is being prepared which will detail objectives and strategies for the site.

3.2.11 Climate change

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009 NB-NW_SWMI_002 NB-NW_SWMI_003 NB-NW_SWMI_004	Felt climate change was not dealt with adequately in the reports.	Consideration of climate change within the Water Framework Directive programme was at a very early stage at European level when the 'Water Matters' report was prepared. An approach has now been agreed and this issue will be addressed in the River Basin Management Plans.
NB-NW_SWMI_009 NB-NW_SWMI_002	Noted some of the potential effects of climate change: <ul style="list-style-type: none"> • Reductions in rainfall will result in less water being available to dilute organic effluent. • Increased temperatures will affect water oxygen levels. • Increased vulnerability of groundwater to pollution from increased runoff and also from incursion by sea water resulting from increased sea levels. • Impacts on wetland ecosystems that are sensitive to changes in water balance. 	Comments noted.
NB-NW_SWMI_009 NB-NW_SWMI_003 NB-NW_SWMI_006	Proposed that the draft river basin management plan is climate change 'proofed.'	The European level recommendation is that the 2009 RBMPs will be climate 'checked', i.e. issues will be assessed based on broad climate change information, while later plans will be climate 'proofed.'

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NB-NW_SWMI_004	<p>Recommend findings from studies on catchment based changes due to climate change, produced for the EPA, be included in the River Basin Management Plans e.g. Murphy, C and Charlton, R (2006) “Climate change impact on catchment hydrology and water resources for selected catchments in Ireland”.</p> <p>Murphy, C. and Charlton, R. (2007) “<i>Climate Change and Water Resources in Ireland</i>” In Sweeney, J. (ed) Climate Change: Refining the Impacts, Environmental Protection Agency, Ireland, Government Publications, in press.</p>	Agree.
NB-NW_SWMI_009	Expressed concern for the potential for climate change to be used a ‘catch-all’ excuse for not achieving good ecological status.	Climate change will not be used as a ‘catch-all’ excuse for achieving good ecological status but its consideration may lead to more stringent future limits.

3.2.12 Local issues – North Western and Neagh Bann International River Basin Districts

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_023	<p>Highlighted concern about the nutrient enrichment of a number of lakes in Cavan: Lough Gowna – is it monitored for phosphorous?</p> <p>Lough Oughter – noted the significant algal blooms that occur.</p>	<p>Lough Gowna is sampled 10 times per year and is monitored for phosphorous as well as a number of other parameters. An annual report on river and lake sampling within Cavan county is available on the Cavan County Council website. This contains sampling results up to 2006 and includes information on phosphorous levels in Lough Gowna. http://www.cavancoco.ie/cccwspublish/general/documents/d441613101507.doc</p> <p>Significant algal blooms in lakes usually result from high phosphorus levels. They occur particularly in sunny, calm conditions. Even if all nutrient inputs to the lake were stopped, nutrients remain bound within lake sediments and can be released to the water during long recovery periods.</p>

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NB-NW_SWMI_025	Mullagh Lake has become nutrient enriched in recent years possibly as a result of phosphorous and nitrogen from agricultural activities.	<p>Mullagh Lake in County Cavan was classified as ‘hypertrophic’ (excessively enriched with nutrients) in the period 2004-2006 by the Environmental Protection Agency in the ‘<i>Water Quality in Ireland 2006 – Key Indicators of the Aquatic Environment</i>’ report. However, there has been a noted improvement in total phosphorous levels in the lake from 2005 to 2006, with levels decreasing by over half.</p> <p>A number of actions are being implemented by Cavan County Council to address eutrophication problems. Water Pollution (Wastewater Treatment Systems for single Houses) 2004 bye laws have been introduced by the Council to ensure the proper assessment, operation and maintenance of all single house wastewater treatment systems in the county.</p> <p>The Nitrates Action Programme also provides statutory requirements for good agricultural practice to prevent nutrient enrichment of waters from nitrogen and phosphorous. Monitoring and mini-catchment studies that are due to be completed in 2009 will allow the effectiveness of the current Nitrates Action Programme to be assessed. Any adjustments required will be introduced for the 2nd 4 year action programme starting in 2010.</p>
NW_SWMI_009 NW_SWMI_003 NW_SWMI_014	Noted the impact of housing development pressure along the River Leannan in Donegal.	It will be necessary for planning authorities to consider the requirements of the Water Framework Directive and to align planning policy with its objectives. Guidance for the planning authorities on this issue is being prepared by DEHLG.
NW_SWMI_011	Pollution of the Bredagh River in Donegal is a concern that the Loughs Agency would like to see reversed.	Pollution of the Bredagh River is due to the complete lack of sewage treatment in Merville. There has been a long history of public opposition to the development of a plant in this area. This has prevented numerous previous attempts to build a wastewater treatment plant that would eliminate the pollution problems involved. Donegal County Council are currently submitting an Environmental Impact Statement and associated Compulsory Purchase Order for a site to develop a wastewater treatment plant. The site was identified as a result of a recent site selection process. If approval is obtained and the plant is constructed this will eliminate the problems on the Bredagh River.

NW_SWMI_021	<p>The Electricity Supply Board's dams on the River Erne are operated in accordance with the ESB's "Regulations and Guidelines for the Control of the River Erne". The top priority of these regulations and guidelines is the proper management of water in the River Erne so as to avoid any risk to dam safety. In particular during flood periods, water can be discharged through spillways and turbines so as to keep water levels at the dams within prescribed limits. ESB will be available as required to discuss the issue of water management at the dams on the River Erne with the North Western International River Basin District Project during the development of the Management Plan.</p>	<p>The Electricity Supply Board is represented on the Public Authorities Forum for the North Western and Neagh Bann International River Basin Districts. This forum was established to facilitate public authority engagement in implementation of the Water Framework Directive. There is close liaison between the Forum and the NS SHARE River Basin District project.</p>
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3.3 Additional issues identified by participants during the public consultation process

The following submissions were grouped into issues that were not specifically covered in ‘*Water Matters*’ reports.

3.3.1 Aquaculture

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009 NB-NW_SWMI_003 NB-NW_SWMI_002 NW_SWMI_014 NW_SWMI_026	<p>Called for aquaculture to be considered as a national significant water management issue.</p> <p>Concern that impacts surrounding aquaculture enterprises had not been dealt with in the Water Matters reports.</p>	<p>From the recent public consultation on ‘<i>Water Matters – Have your say!</i>’ reports a number of participants identified that aquaculture should be considered as a national significant water management issue. Although aquaculture was included in the booklet as part of the diffuse and morphology activities, aquaculture was not considered as a separate significant water management issue. Aquaculture will be given due consideration during preparation of the draft River Basin Management Plan.</p>

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<p>NW_SWMI_014</p>	<p>In Lough Swilly, County Donegal hundreds of hectares of the Lough have been licensed for bottom-culture mussel cultivation without assessment of the carrying capacity of the bay for this industry. Aquaculture licensing within Special Protection Areas is not properly regulated, specifically in Trawbreaga Bay and Inch Island in County Donegal.</p>	<p>Investigations into the assessment of the carrying capacity of bays are being undertaken by Bord Iascaigh Mhara. The Department of Environment, Heritage and Local Government is consulted before granting aquaculture licences in all Special Protection Areas.</p>
<p>NB_SWMI_028</p>	<p>The hand raking of mussel beds to harvest mussel seed in Dundalk Bay Special Protection Area (SPA) for aquaculture interests in Carlingford Lough is having a negative impact on the SPA and foreshore. How can the sourcing of the mussel seed be controlled so that negative impacts do not occur?</p>	<p>Dredging of mussel seed by Irish registered vessels and reseedling of the seed for the purposes of on-growing within the exclusive fishery limits of Ireland may take place only on issue of a licence under the Mussel Seed (Conservation of Stocks) Order 1987 as amended by the Mussel Seed (Conservation and Rational Exploitation) Order 2003. The National Parks and Wildlife Service (NPWS) have a remit for the protection of Special Protection Area conservation sites and must prepare a conservation plan for each site. Activities within the sites should conform to conservation plan objectives. Breaches of plan objectives lie within the remit of NPWS.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>Moving mussel seed from Lough Foyle to Lough Swilly for bottom cultivation has brought disease. This is a nationwide problem that requires attention.</p>	<p>Since 2003 a joint management strategy for the exploitation of mussel seed in the Irish Sea, Carlingford Lough and Lough Foyle has been implemented north and south. Dredging of mussel seed by Irish registered vessels and reseedling of the seed for the purposes of on-growing within the exclusive fishery limits of Ireland may take place only on issue of a licence under the Mussel Seed (Conservation of Stocks) Order 1987 as amended by the Mussel Seed (Conservation and Rational Exploitation) Order 2003. In Northern Ireland, dredging and movement of seed mussels is controlled by means of a licence granted by the Department of Agriculture and Rural Development under the Sea Fish Conservation Act 1967. All movements of mussel stocks for on-growing/reseedling must comply with any national and EU fish health legislation currently in force and must be accompanied by the appropriate health certification. New regulations (the European Communities (Health of Aquaculture Animals and Products) Regulations 2008)) giving effect to the EU Fish Health Directive (2006/88/EC) came into operation on the 1st August 2008.</p>

3.3.2 Fish stocking

Submission Reference No.	Issues Identified	Response
NW_SWMI_013	Noted that there was no reference to the implications of fish stocking. Currently fish stocking is completed on an ad hoc basis often without notifying the fisheries boards.	The Central Fisheries Board fully appreciate the implications of ill-advised fish stocking and are preparing policy documents on the issue with a view to regulation of such activities.

3.3.3 Marine and estuarine issues

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009 NB-NW_SWMI_003 NB-NW_SWMI_006 NW_SWMI_014	Felt limited attention was given to pressures on the coastal zone. Regulation of the coastal zone is poorly enforced and Ireland must implement a coherent Integrated Coastal Zone Management Strategy for the area covered by the WFD (1 nautical mile from shore).	' <i>Water Matters</i> ' reports drew attention to the various pressures on estuarine and coastal waters, particularly with respect to physical changes. It drew attention to the absence of comprehensive system of control of physical modifications. In preparation for the River Basin Management Plan measures are being investigated for application in Ireland's transitional and coastal waters, one of which is Integrated Coastal Zone Management. Recommendations for a more structured national framework for the regulation of coastal activities are being outlined for consideration. A review of national coastal regulation and integration is identified under the 'Sea Change' programme published by the Marine Institute.
NB-NW_SWMI_009	Queried the support of departments regulating the marine environment to the implementation of the Water Framework Directive.	River Basin Management Plans will help ensure appropriate consideration of the marine environment during regulation. All Departments will be required to comply with programmes of measures defined to meet the WFD objectives. Responsibilities relating to the regulation of coastal developments/ activities are currently being re-organised at Government level. A structured national regulatory framework should clearly define the responsibilities of each Department.

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<p>NB-NW_SWMI_011</p>	<p>Concern over dredging activity in Carlingford Lough.</p>	<p>Dredging of mussel seed by Irish registered vessels and reseedling of the seed for the purposes of on-growing within the exclusive fishery limits of Ireland may take place only on issue of a licence under the Mussel Seed (Conservation of Stocks) Order 1987 as amended by the Mussel Seed (Conservation and Rational Exploitation) Order 2003. Central government is currently considering the introduction of regulations to control physical modifications to surface waters. These controls may involve a licensing regime or registration based on general binding rules. The National Programme of Measures study on coastal and transitional morphology has developed an impact assessment tool to determine how much a water body has been affected by morphology modifications such as dredging activity. Best practice guidance and mitigation measures have been developed for all morphological impact activities. Examples of best practice for dredging activities include the timing of the work, frequency, the extent, the use of improved technology and the beneficial use of sediments. Detail of all work that was carried out in the project will be available as a background document to the draft River Basin Management Plan.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009 NW_SWMI_014</p>	<p>A full-time fisheries officer for Lough Swilly is needed. Trawlers of over 70 feet should be prohibited in Lough Swilly.</p>	<p>These are national policy issues and are outside the remit of the River Basin District project.</p>

3.3.4 Economics

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009	Felt that economics should have been dealt with more thoroughly in the reports and that there was no provision of estimates of the costs of meeting the objectives of the WFD, or how the authorities intend to recover those costs.	An economic analysis of water use was completed for Article 5 of the Water Framework Directive. <i>'Water Matters – Have you say!'</i> reports were written to inform the public of the significant water management issues in the River Basin District and seek their response. It was premature to deal with issues surrounding economics and assessment of cost effectiveness of measures in these initial <i>'Water Matters'</i> reports, these issues will be dealt with the draft river basin management plan. The Water Services National Training group has commissioned the development of guidance and training for local authorities in the use of economics in the objective setting and decision making processes to determine the most appropriate cost effective and not disproportionately expensive combination of measures to be implemented as part of the Programme of Measures. This technical guidance and training will be rolled out in late 2008 and will be available as a background document to the draft river basin management plan. Substantial resources are committed going forward to ensure local authorities have the resources to implement the requirements of the Water Framework Directive.
NB-NW_SWMI_009	The application of disproportionate cost analysis to justify alternative objectives to the achievement of Good Status by 2015 should be applied taking into account Common Implementation Strategy guidance on Economics and the Environment (Common Implementation Strategy for the Water Framework Directive (2000/60/EC), Guidance Document no. 1, <i>Economics and the Environment – The Implementation Challenge of the Water Framework Directive</i>).	The issue of disproportional cost analysis is currently being actively debated at EU level. The methodology for the application of disproportionate cost assessments will be clear and transparent and based on Common Implementation Strategy guidance on Economics and the Environment.
NB-NW_SWMI_006	A truly sustainable approach is required. Social and economic requirements need to be set within environmental limits in order for development to be truly sustainable.	A wide range of social, economic and environmental costs and benefits are associated with the achievement of good status and will be considered.

3.3.5 Water charging

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_003 NW_SWMI_014	Felt water charging is necessary for all users.	The Government's National Water Pricing Policy Framework, 1998 requires all non-domestic customers to be charged for water and wastewater services. This is in line with national and EU policy on the 'polluter pays' principle. The Framework also provides for the recovery of domestic capital costs through the Exchequer and domestic operational costs through the Local Government Fund. This is permitted under the Water Framework Directive, as it is an established practice that does not compromise the objectives of the Directive.
NB-NW_SWMI_008	Stated it was inappropriate for farmers to pay for water leakage outside the farm gate, much of which is due to historical under investment by local authorities in infrastructure.	It is currently a legal requirement that local authorities provide 'fit for purpose' water distribution systems and ensure leakage detection programmes are implemented. The universal installation of water meters for non-domestic customers is required to ensure that users are charged fairly and is due to be completed by the end of 2008.
NB-NW_SWMI_008	Proposed the introduction of a livestock water rate that reflects the water requirements of livestock as opposed to humans.	Under the Government's Water Pricing Policy Framework, all non-domestic consumers of water are to be charged by local authorities for the supply of water. The policy ensures that non domestic consumers benefit from a fair and equitable system of charging. They are only charged for metered water use. The cost of supplying water to the consumer is the same regardless of the end-use.

3.3.6 Development pressure

Submission Reference No.	Issues Identified	Response
<p>NB-NW_SWMI_009</p> <p>NB-NW_SWMI_008</p> <p>NB-NW_SWMI_005</p> <p>NW_SWMI_014</p>	<p>Development and planning is the most serious threat to water quality and lack of integration of planning is core to this.</p> <p>Note the lack of coherent town planning.</p> <p>Strong enforcement policy is required by all planning authorities, who in turn must be sufficiently resourced, both financially and in terms of personnel, to ensure developments of all kinds comply with planning and development legislation.</p> <p>The cumulative impacts of various forms of development and land use activity must be monitored.</p> <p>Noted the pressures of holiday homes in Donegal especially in the coastal zone.</p> <p>Note that there is little or no follow-up, either in terms of monitoring or enforcement, on planning permission that has been granted.</p>	<p>Strategic Environmental Assessment (SEA) is required under the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI 436 of 2004) in the case of Regional Planning Guidelines, County Development Plans, and Local Area Plans. The 2004 Regulations give effect to the SEA Directive in the land-use planning sector. SEA is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt the plan or programme. The assessment must take into account the impact that the development plan will have on the wider environment, including water. General guidance on the relationship between land use and spatial planning and river basin planning was published in recent guidelines from the Department of Environment, Heritage and Local Government. Further guidance to planning authorities on this issue will be prepared by DEHLG.</p> <p>Development Management Guidelines have been drafted by the Department of Environment, Heritage and Local Government (DEHLG) and are available from: http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/FileDownload,14467.en.pdf</p> <p>These are statutory guidelines to which planning authorities must have regard in the exercise of their functions and stress the importance of planning enforcement. The guidelines recognise that enforcement is critical to ensure that the planning control system works properly. The guidelines also highlight the importance that planning authorities ensure that adequate resources are allocated to enforcement activities. DEHLG have also developed proposed revisions to planning fees under the Planning and Development Act, 2000, which is an important step in the commitment to resourcing the planning system.</p>

3.3.7 Resources

Submission Reference No.	Issues Identified	Response
<p>NB-NW_SWMI_002 NB-NW_SWMI_003 NB-NW_SWMI_009</p> <p>NW_SWMI_014</p>	<p>There was concern about the current capacity of local authorities and their ability to act as the competent authority for the implementation of the WFD. Acknowledge the resource limitations under which local authorities operate. There is a recognised deficit of biologists and ecologists in Environment Sections in local authorities. There should be a full review of the current public sector staffing policy.</p> <p>Voiced concern that there is no information available on the provision of adequate resources (personnel and finance) being made to deliver the Water Framework Directive objectives, given the additional workloads involved, or an indication of the likely costs of the necessary measures.</p>	<p>The philosophy of the Water Framework Directive is to have a holistic approach to the maintenance and improvement, where necessary, of the water environment. Local authorities have a very significant involvement in this work at present, e.g. the collection and treatment of sewage, the abstraction and treatment of water for drinking supplies, the investigation and elimination of water pollution by the industrial and agricultural sectors and looking after aquatic amenities such as beaches. Therefore, it is logical that local authorities would be given the central role in implementing the directive. While there are many staff and considerable money devoted to these tasks there will always be a desire of improved performance and additional resources would help in this regard.</p>
<p>NB_SWMI_028</p>	<p>If costs of water quality improvement are so high how will other equally important sectors e.g. education, roads etc. be financed?</p>	<p>Budgets for each sector are identified in the National Development Plan. In the implementation of measures to improve water quality under the Water Framework Directive there will be a prioritisation process to ensure that actions are taken in areas that ensure the greatest environmental improvements. For example, there will be prioritisation of the capital works programme for Local Authority infrastructure to ensure that waste water treatment plants that are impacting on sensitive sites are upgraded first. Principles of sustainability and cost effectiveness will be followed.</p>
<p>NW_SWMI_026</p>	<p>Noted the need for political will to ensure that adequate funding and resources are made available so that WFD requirements are met.</p>	<p>In 2007 the European Commission reported to the European Parliament on progress in implementation of the Water Framework Directive among Member States. Ireland was ranked among the highest in terms of reporting performance. This success to date has been due to very substantial government investment in WFD implementation, through River Basin District projects and commitment of agency resources. The government remains committed to ensuring continued successful implementation.</p>

3.3.8 Public participation / education / awareness

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_009	Public participation is not a direct management issue but a significant horizontal issue. Effective public participation is key to the success of the WFD and should be treated with the same gravity as the other issues identified.	Public participation has been a significant part of the implementation of the Water Framework Directive in the North Western and Neagh Bann International River Basin Districts. Both the North Western and Neagh Bann Advisory Councils are providing valuable guidance during the preparation of the River Basin Management Plan. A series of public meetings were held in both districts on ‘ <i>Water Matters – Have your say!</i> ’ reports. The libraries have been used extensively to display information and distribute booklets on the North Western and Neagh Bann International River Basin Districts (IRBDs). Public participation has been a significant part of the implementation of the Water Framework Directive. Provision to allow for effective and structured public participation was enshrined in the legislation (Water Policy Regulations, SI 722 of 2003) transposing the WFD into Irish law by requiring the establishment of Advisory Councils in each River Basin District (RBD), membership of which is open to any member/group and is publicly advertised. In addition literature is produced as required and made freely available through the network of local authority offices and libraries, and other public authorities such as the Regional Fisheries Boards. Websites were set up for each RBD and are regularly updated. A further series of public meetings will be held for consultation on the draft RBMP. Also RBD and local authority staff regularly participate in events organized by NGOs and other agencies.
NB-NW_SWMI_009	No connection is made between the general public and members of the Advisory Councils in the reports. Names of members and contact details should be clearly presented in reports. There is no transparency or public awareness of what the Advisory Councils do.	Irish legislation (Water Policy Regulations, SI 722 of 2003) required the relevant local authorities to prepare and publish an overview of the significant water management issues identified in the river basin district. The function and make-up of the Advisory Council is explained under the heading “Using local expertise.” The names and nominating organisations of the North Western and Neagh Bann Advisory Council members will be made available through the draft river basin management plan. The Advisory Council provides an effective forum for the exchange of information and opinions between elected representatives, nominees of sectoral interests and project staff. It is acknowledged that there is not widespread knowledge of the role or activities of the Advisory Council.

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NB-NW_SWMI_009	Feedback from Advisory Council members recommended that more time should be given to active dialogue amongst members instead of presentation based meetings. Members also feel that since their advice to management committees is non-binding it renders them ineffective and powerless.	The early meetings of the North Western and Neagh Bann IRBD Advisory Councils were weighted towards dissemination of information to members. It was necessary to ensure that members were made aware of the extent and detail of the work being carried out. Latterly, meetings have been more balanced with ample opportunities for members to raise issues and to interrogate the information being provided. By its nature it is necessary to have presentations to get information and key messages/issues across to members. However, workshop formats are regularly used in both Advisory Councils to allow active dialogue among members. No feedback has been received to say that members are not satisfied with the operation of Advisory Councils to date insofar as the Council members agree their own agenda and meetings format.
NB-NW_SWMI_009	There has been no facilitation of cross border sectors in WFD participation to date, with Advisory Councils and the National Stakeholder Forum in NI operating independently.	Members of the Northern Ireland National Stakeholder Forum attended the second national conference for River Basin District Advisory Council members. Officials from the Northern Ireland Environment Agency (formerly the Environment and Heritage Service) attended both the first and second conference. Further liaison would be beneficial. The North Western and Neagh Bann IRBD Advisory Councils requested cross-border participation from the relevant authorities in Northern Ireland. A representative of the Northern Ireland Environment Agency is a corresponding member for the two Advisory Councils and the Public Authorities Forum.
NB-NW_SWMI_009	Advertising needs to be done extensively and effectively in the relevant local areas before WFD public participation meetings.	Public meetings were recently held as part of the Significant Water Management Issues consultation in the North Western and Neagh Bann Districts. Several methods of attracting members of the public to the meetings were used including direct mail, email notification, media advertisement, interviews on radio and articles in newspapers. None the less, attendances have been relatively low.
NB-NW_SWMI_002 NB-NW_SWMI_009	There is a lack of awareness of the value of water by the general public. Called for a national TV campaign on water and its importance, and the prohibition of phosphorous in detergent could be used as a 'carrier' for wider public relations relating to the WFD.	A national campaign could contribute to the raising of awareness of the value of water. Consideration is being given to the merits of such a campaign. Work will be required to determine the scope of such a campaign, the audiences to be targeted, the messages to be conveyed, and the most appropriate timing.
NW_SWMI_014 NB-NW_SWMI_002	Local activism should be fostered. There should be reference to community engagement in catchment management initiatives.	Support for local groups can be best provided by local authorities though their environmental awareness officers.

<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>Felt that the report does not make sufficiently clear the link between feedback on the SWMI and the process of drafting the draft River Basin management Plan.</p>	<p>The purpose of the Water Matters report was to set out what the main water issues are in the River Basin District and how it is proposed to address them in the River Basin Management Plan. It is a public consultation document to raise awareness among the general public of the whole river basin planning process and provide opportunity for comment from the public on the suggested actions.</p> <p>Submissions received from the 6 month consultation period on the significant water management issues are currently being incorporated into the draft River Basin Management Plan. Organisations and individuals who identified important issues during the consultation period will be able to see their comments reflected in the plan and identify how they will be addressed through the Programme of Measures.</p> <p>There will be a further opportunity to shape the River Basin Management Plan during the 6 month consultation period on the plan from December this year. If stakeholders feel their submissions have not been adequately dealt with in this digest or the draft plan, further representation can be made.</p>
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3.3.9 General comments on the ‘Water Matters – Have Your Say!’ reports

Submission Reference No.	Issues Identified	Response
<p>NB-NW_SWMI_009 NB-NW_SWMI_003</p>	<p>Ambiguous language in sections relating to actions that will be implemented to address water management issues. Feel that in many of the chapters no concrete actions have been proposed. Some of the measures that were put forward were accompanied by qualifiers and vague language.</p>	<p>The River Basin Management Plan will encompass a Programme of Measures. The measures proposed are being informed by studies that are only now coming to completion. It would have been premature to provide details of measures in ‘Water Matters’. The draft River Basin Management Plan will detail the specific Programme of Measures for the River Basin District and a web mapping tool will allow users to identify objectives and measures for individual water bodies.</p>
<p>NB-NW_SWMI_009</p>	<p>It is felt that recent improvements in water quality have been overstated in the report. Additionally it is felt that failings to meet the current measures were not highlighted adequately.</p>	<p>‘Water Matters’ referred to improvements which had been noted by the EPA in the ‘Water Quality in Ireland 2006 – Key Indicators of the Aquatic Environment’ report. See http://www.epa.ie/downloads/pubs/water/indicators/name.23540.en.html for the full report. With regard to historical failures the emphasis was put on achieving the new water quality standards rather than looking back.</p>
<p>NB-NW_SWMI_003 NB-NW_SWMI_009</p>	<p>Noted that a number of the references to background documents within the Water Matters reports were difficult to find on the RBD websites.</p>	<p>The North Western and Neagh Bann International River Basin District websites have been up-dated and it should now be possible to access the documents referred to in ‘Water Matters’.</p>

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NB-NW_SWMI_009	Concern about the access to geographical data because of the limitations of current Ordnance Survey Licensing procedures.	The RBD project teams have been working with the County and City Managers' Association and Ordnance Survey Ireland to provide a full geographical database which will make it easy for members of the public to obtain data. Information on water bodies, risk assessments, water quality etc. can be currently accessed through the Environmental Protection Agency's ENVision system at http://maps.epa.ie .
NW_SWMI_013	Recommended that more detailed maps should be available of the River Basin District. Noted the absence of Lough Melvin in the NWIRBD Water Matters map.	The draft river basin management plan for the North Western International River Basin District will be available for a 6 month consultation period from December 22 nd this year. It will have links to a web based mapping system that will have detailed maps displaying classification results, objectives and measures for all waters. Lough Melvin will be included in these maps.
NW_SWMI_026	Who decided on what was to be included in the Water Matters booklets?	The issues to be included in the Water Matters booklets were based on previous studies and knowledge, and initial consultation with key stakeholders, including River Basin District Advisory Councils, sectoral interest groups and eNGOs. The National Technical Co-ordination Group (including representatives of the Environmental Protection Agency, National Parks and Wildlife Service, Marine Institute, Department of Environment, Heritage and Local Government, Local Authorities and River Basin District Projects) considered the issues of greatest significance for inclusion in the booklets.

3.3.10 Enforcement

Submission Reference No.	Issues Identified	Response
<p>NW_SWMI_014</p> <p>NB-NW_SWMI_022</p> <p>NB_SWMI_028</p>	<p>Concern about the lack of enforcement of existing legislation.</p> <p>Noted that all work on the WFD would be in vain if there was not proper enforcement of legislation and saw this as a major gap in the Water Matters reports.</p> <p>Lack of enforcement – irresponsible behaviour of certain sectors is going unpunished at the cost to the environment and other sectors such as tourism.</p>	<p>Proper enforcement of existing legislation is essential to the success of implementing the Water Framework Directive and achieving good water quality by 2015. The Minister of the Environment recently launched a report on the enforcement of environmental law in Ireland and announced that an increase in funding of over 40% has been secured for the Environmental Protection Agency. Extra resources will also be made available to the National Parks and Wildlife Service. Much of the funding will be spent on additional staff to implement comprehensive monitoring and enforcement of environmental legislation.</p> <p>The Office of Environmental Enforcement within the EPA is dedicated to the implementation and enforcement of environmental legislation in Ireland. Local Authorities recognise the challenge and the necessity of obtaining adequate resources to ensure that existing legislation is enforced.</p> <p>The EPA has also established an Environmental Enforcement Network to foster co-operation between the various public service bodies involved in the enforcement of environmental legislation, so that a higher and more consistent standard of enforcement is achieved throughout the country.</p>
<p>NB-NW_SWMI_012</p>	<p>Noted the current lack of implementation of the Shellfish Waters Directive for a large number of shellfish growing areas.</p>	<p>At present, there are 14 areas designated as shellfish waters under the Shellfish Waters Directive and the Quality of Shellfish Waters Regulations 2006. The Minister for Communications, Marine and Natural Resources established action programmes in respect of each of these areas. These action programmes are subject to ongoing review by a Committee established by the Minister. Work is currently being completed to develop water quality standards for shellfish areas as well as appropriate licence requirements for discharges. A comprehensive monitoring system will be put in place to determine compliance of all sites with requirements relating to Shellfish waters. Local Authorities are required to develop pollution reduction programmes to address the pressures on the Shellfish water. Waters that are not compliant with specified standards will require detailed modelling to determine pressures and identify appropriate measures to be implemented. New regulations are pending that will increase the number of designated shellfish waters by a further 54 sites.</p>

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NB-NW_SWMI_022	Expressed concerns over inequality of prosecutions between different sectors. Noted a recent case where industry was fined a nominal sum for water pollution and compare this with the levels of money that can be taken off farmers for non-compliance with cross compliance regulations.	The setting of fines and issues of legislation are outside the remit of the River Basin Districts. Legal structures and instruments provide a framework within which environmental management and enforcement is undertaken. However, the Law Reform Committee of the Law Society has completed a review of the enforcement of environmental law in Ireland. The recommendations will be considered and proposal are likely to be brought forward in due course.
NB_SWMI_028	Can EPA prosecute the Local Authorities if they are failing their discharge limits?	The new Waste Water Discharge (Authorisation) Regulations made in 2007 provide for the authorisation of discharges from local authority waste water treatment plants by the EPA. The EPA will stipulate conditions to ensure compliance with standards for various substances and conformity with obligations under a number of EU environmental Directives. The EPA will periodically review discharge authorisations that have been granted. If a Local Authority fails the discharge limits, the EPA can direct the Local Authority to take action, and if the necessary action is not taken, they are subject to prosecution under the Environmental Protection Agency Act 1992.
NB_SWMI_028	The polluter pays principle is not being implemented. For example in Lough Sheelin 50% of the farmers prosecuted were registered in the REPS scheme.	The European Communities (Good agricultural practice for the protection of waters) Regulations amended the 2006 Regulations providing for increased penalties and for prosecution on indictment of offences. The principle of recovery of the costs associated with damage or negative impact on the aquatic environment in accordance with the polluter-pays principle is also enshrined in the European Communities (Water Policy) Regulations (S.I No. 722 of 2003) which transposed the European Water Framework Directive into National legislation.

3.3.11 Pollution response

Submission Reference No.	Issues Identified	Response
NW_SWMI_026	It must be clear who a pollution complaint is made to. There must be transparent follow up of the incident and ownership.	The EPA provides detailed guidance on the process of making an environmental complaint. This is available on-line at https://www.epa.ie/whatwedo/enforce/report/ and additional information is provided in the EPA leaflet ' <i>See Something, Say Something - How To Make An Environmental Complaint</i> '. Rather than go through this complaints process you have the option of bringing your own actions under many sections of environmental law. ENFO has produced a leaflet ' <i>Citizen's Role as Enforcer of Environmental & Planning Law</i> ', which explains this. ENFO can be reached on LoCall 1890 200 191 or http://www.enfo.ie/

NW_SWMI_024	When angling groups report pollution incidents there is unsatisfactory follow up and response.	If no satisfactory outcome is achieved after the local authority investigates a pollution incident the EPA should be contacted. The EPA will then investigate the issue and resolve it where possible. The Office of Environmental Enforcement of the EPA has online complaint forms that can be filled in. When a complaint is made to EPA, they will inform you how the complaint will be dealt with. To hear more about progress on the complaint, the relevant local authority or the EPA office where the complaint was lodged should be contacted.
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3.3.12 Assessment of water quality and status

Submission Reference No.	Issues Identified	Response
NB-NW_SWMI_022	The 2006 EPA Water Quality report states that 1/3 of moderately polluted rivers are due to agriculture. How is this determined?	The EPA ‘ <i>Water Quality in Ireland 2006 – Key Indicators of the Aquatic Environment</i> ’ states that eutrophication of rivers, lakes and tidal waters continues to be the main threat to surface waters with agricultural run-off and municipal discharges being the key contributors. The EPA noted that the majority of the recorded instances of slight and moderate pollution can be attributed to the impact of nutrients inputs from both agricultural and municipal sources.
NB-NW_SWMI_023	The 2006 EPA Water Quality report indicated that the Erne system is grossly over-polluted.	The EPA water quality report indicated that there were a number of seriously polluted stretches on the Erne system and one seriously polluted station at Belturbet. A new treatment plant has been installed at Belturbet and water quality has significantly improved.
NW_SWMI_026	The time lag in producing generic water quality reports is not acceptable. There should be an obligation to make all environmental data available in a timely fashion.	In preparation for reporting under the Water Framework Directive, the EPA are establishing an electronic reporting and data storage system that will greatly improve availability of information to stakeholders. The system will be in use in all River Basin Districts and information will be reported to the public through a web based mapping system.

<p>NB-NW_SWMI_022</p>	<p>What is good water quality status? When will this information be available to base the plan on?</p>	<p>The EPA published a national water monitoring programme in October 2006, http://www.epa.ie/downloads/pubs/water/other/wfd/ Monitoring of waters commenced in December 2006. The results of the monitoring programme will be used to classify the status of all surface waters.</p> <p>There are four quality elements to be considered for each surface water category, in order to assess its ecological status (or ecological potential for heavily and artificially modified waters) and chemical status; they are as follows:</p> <ul style="list-style-type: none"> • Biological quality elements. • General physico-chemical conditions. • Relevant specific synthetic and non-synthetic pollutants. • Hydromorphological elements - dealing with water flows, physical characteristics, etc. <p>Groundwater bodies will be classified according to quantitative and chemical status. New surface water classification regulations that are being developed will assign responsibility to the EPA to formally classify all surface water bodies according to prescribed classification systems prescribed within the regulations and based on results from the national monitoring programme. Provisional classification must be completed in time for the River Basin Management Plans by September 2009 with final classification to be assigned by 22nd March 2011.</p>
<p>NB-NW_SWMI_023</p>	<p>Responsible authorities complete extensive monitoring but do not address the problems that monitoring reveals.</p>	<p>The Water Framework Directive sets out a new approach to water management. It requires waters to be monitored and classified (i.e. whether they are of high, good, moderate or poor status). Once waters have been classified, legally binding objectives for each water body are set based on the classification results. Targeted measures will be applied to ensure that water bodies achieve objectives. This new approach will ensure that the problems that monitoring reveals will be addressed.</p>

3.3.13 Water Framework Directive

Submission Reference No.	Issues Identified	Response
NB_SWMI_028	How are we to meet the timelines for the objectives of the WFD when in many locations throughout the country problems have not even started to be addressed?	It is incorrect to assert that nothing has been done to date. All requirements of the WFD have been met so far and Ireland has been ranked highly by the European Commission in terms of its performance in implementing the WFD. The River Basin Planning cycle runs over three 6-year cycles. The 1 st plan runs from 2009-2015; the 2 nd from 2015-2021; and the 3 rd plan from 2021-2027. It may not be possible (for technical and/or economic reasons) to implement all improvements in the 1 st cycle of the River Basin Management Plans and provisions have been made in the Directive for alternative objectives in limited circumstances.
NW_SWMI_026	Does the WFD override other EU policies such as the renewable energy policy?	River Basin Management Plans and Programmes of Measures are subject to Strategic Environmental Assessment (SEA). The SEA process is running in parallel with the river basin planning process and will assess the positive and negative impacts of alternative strategies for achieving WFD objectives on a variety of broader environmental, social, and sustainability issues. This will highlight any conflicts that may arise between proposed measures and other existing policies such as the renewable energy policy.
NB-NW_SWMI_022	There is a need for a joined up approach to implementation of the WFD in the International River Basin Districts. Who is responsible in Northern Ireland?	Structures for implementation of the Water Framework Directive differ between the two jurisdictions. In the Republic of Ireland Local Authorities are responsible for implementation of many aspects of the WFD. In Northern Ireland the Department of the Environment and its agency the Northern Ireland Environment Agency are the responsible authority. There are structures in place to ensure that a joined up approach is being taken. Representatives from both jurisdictions sit on a joint North South Water Framework Co-ordination group and on specific North South Technical Advisory Groups. The responsible authorities for the North Western and Neagh Bann International River Basin Districts are working in collaboration with the Northern Ireland Environment Agency in the development of a joint River Basin Management Plan and co-ordination of Programme of Measures in cross border areas.

NB-NW_SWMI_022	What are the implications of the WFD for the future and what real changes will we be able to see?	<p>The WFD brings a new philosophy of water resource management that is comprehensive and based on sustainability and the ecological needs of the communities of animals and plants that depend on water. Water management will no longer be based on administrative areas, but on natural catchments. This will require fundamental changes to the way in which the competent authorities discharge their responsibilities.</p> <p>The principal of public participation is firmly enshrined in the WFD. Statutory bodies have been established in each river basin district to provide for stakeholder input from the various pillars of society. The WFD sets clear objectives and transparent mechanisms for measuring success. Information will be readily available through new reporting structures. Achievement of WFD objectives will mean that all our waters will be at good status at least, while still allowing for sustainable use by all sectors of society.</p>
NB-NW_SWMI_023	How much progress has been made with implementing the directive specifically with regard to putting in measures?	<p>Many basic measures are already in place by way of existing regulations and legislation, and codes of practice. For example, the Nitrates Action Programme addresses diffuse pollution from agricultural sources, while Waste Water Treatment Plants now require a license under the new Waste Water Discharge (Authorisation) Regulations 2007. The Department of Environment, Heritage and Local Government are currently considering or preparing additional measures, including regulations for quality standards for surface water classification; a registration and licensing system for all significant water abstractions; regulations dealing with physical modifications of waterbodies.</p> <p>Supplementary measures to be targeted in specific areas are being prepared through National Programmes of Measures studies aimed at critical pressures on our water bodies.</p>
NB-NW_SWMI_022	What is the mechanism for modifying the River Basin Management Plan? When will it be modified?	<p>The draft River Basin Management Plan will be produced by December 2008 and will go through a 6 month consultation phase. Stakeholder comments will be taken on board when finalising the plan in 2009. When the plan is adopted it will be reviewed again in 2015 and every 6 years thereafter.</p>

3.3.14 Miscellaneous submissions

Submission Reference No.	Issues Identified	Response
NB_SWMI_028	How safe are reservoirs and water supply structures in relation to sabotage and intentional contamination of water supply?	New structures are generally very secure, however some older facilities may require some upgrade works. The security of installations and reservoirs is an issue for individual Local Authorities and each has policies in place in relation to security and inspections.
NB_SWMI_028	What is Loughs Agency remit in relation to WFD?	The duties of public authorities in general (including regional fisheries authorities) are set out in Article 3 of the Water Policy Regulations 2003. Along with other regional public authorities, the Loughs Agency is represented on the Public Authorities Forum for the North Western and Neagh Bann International River Basin Districts. This forum was established to facilitate public authority engagement in implementation of the Water Framework Directive. There is close liaison between the forum and the NS SHARE River Basin District project.
NB_SWMI_028	How do Local Authority Heritage Plans fit into the WFD process?	Local Authority Heritage Plans cover monuments; archaeological and heritage objects; architectural heritage; flora; fauna; wildlife habitats; landscapes; seascapes; wrecks; geology; heritage gardens and parks and inland waterways. The Water Framework Directive requires the integration of relevant plans and programmes into the River Basin Management Plan. Liaison between River Basin District projects and local Heritage Officers will help to ensure that the work and actions they are involved in are considered when preparing the plans.
NW_SWMI_026	Attended a number of the public consultation meetings in Northern Ireland and noted that although there was good representation by stakeholders there was a lack of councillors and MLAs which will contribute to the lack of political awareness.	The facilitator's report on the public consultation meetings in Northern Ireland lists local councillors among the attendees. Not all attendees identified themselves. Arrangements for implementation of the Water Framework Directive differ north and south. In Northern Ireland the River Basin Management Plan will be adopted through central government. In contrast, in the Republic of Ireland the plan will be adopted by the elected members of the County Councils.
NW_SWMI_026	Questioned the independence of the Environmental Protection Agency.	The EPA is an independent public body established under the Environmental Protection Agency Act, 1992. The other main instruments from which it derives its mandate are the Waste Management Act, 1996, and the Protection of the Environment Act, 2003. The EPA are responsible for independent reporting to inform decision making by national and local government.

North South Shared Aquatic Resources

NB-NW_SWMI_022	What proposed measures are there for protection of drinking water supplies?	Drinking water sources are included in a register of protected areas and drinking water resources must be protected. This applies to all groundwaters and surface waters that are used, or may be used in the future, as a source of drinking water for more than 50 people, or where the rate of abstraction is above 10 cubic metres a day. Deterioration in the quality of these waters must be avoided to reduce the treatment needed to make the water suitable for drinking, meeting the standards in the drinking water directive. Central government is currently considering policy in relation to safeguard zones where there is an identified need to protect individual drinking water sources.
NB-NW_SWMI_022	Who takes regulatory control for Group Water Schemes?	The European Communities (Drinking Water) Regulations 2007 apply to Group Water Schemes supplying more than 10 cubic metres per day on average or serving 50 or more people. Local Authorities have been assigned a supervisory role in group water and private water supplies. The EPA are mandated to provide guidelines to sanitary authorities in relation to smaller supplies that are exempted under the above regulations. Details on local Rural Water Liaison Officers who can provide more information on group water schemes can be found through the following link http://www.environ.ie/en/Environment/Water/WaterServices/RuralWaterProgramme/FileDownload,2811,en.xls
NW_SWMI_026	Noted concern about the dumping of sludge in channels around wind turbines in Donegal.	There has been no evidence made available to Donegal County Council to support this allegation, nor is there a record of any complaint being made relating to this allegation. If such evidence is made available the Council's Pollution Control section will investigate the matter and deal with it under the relevant legislation. Ireland is now fully compliant with European Union sewage sludge policy, and sludge management standards have been developed which utilise best international practice and are in excess of those set by the EU. All local authorities have sludge management plans in place that address the management and control sewage sludge in a progressive and environmentally sensitive manner. Currently Donegal County Council transport sewage sludge to Limerick for disposal. New dryers are being commissioned for Donegal Town and Letterkenny Waste Water Treatment Plants. These will transform sludge into pellets which can be spread to land or used as fuel.
NB-NW_SWMI_022	Will grant aid be available to Group Water Schemes to encourage protection of the water at source and allow for implementation of measures such as fencing off water sources?	The protection measures for drinking water sources have yet to be brought forward.

North South Shared Aquatic Resources

NB-NW_SWMI_022	Noted it was important that the project looked at other examples of implementing water management activities in other countries to help with harmonisation of cross border issues (e.g. the River Muse in Netherlands/Belgium).	Case studies are beneficial. Studies to develop a National Programme of Measures take best practice case studies from other member states into account. The opportunity to get details of the River Muse work was welcomed by NS SHARE project staff at the public consultation evening.
NB_SWMI_027	Note poor water pressure in Greenore village. Excessive amount of lime in water in Cooley and Greenore. Water in Cooley is too hard unsuitable for washing, heating etc.	Water in Cooley / Greenore is classified as “very hard”. The water supplied meets the standards set out in the Drinking Water Directive which requires Louth County Council to provide potable water for drinking purposes. No standard is set for water hardness. The effects of hard water on heating / washing can be mitigated through on-site treatment by the user, or by use of harvested rainwater. National policy to date precludes provision of treatment facilities for the softening of water.
NB-NW_SWMI_024 NB-NW_SWMI_025	Concerned about pollution from boat wash out and engine emissions. Concerned about pollution from high powered speed boats and jet skis.	Waterways under the remit of Waterways Ireland include the Barrow Navigation, the Erne System, the Grand Canal, the Lower Bann Navigation, the Royal Canal, the Shannon-Erne Waterway and the Shannon Navigation. Six of these navigations have bye-laws and Waterways Ireland has responsibility for the enforcement of these byelaws, the Lower Bann, has a voluntary code of practice. The bye-laws ensure imposition of mandatory speed limits in channel stretches and prevent the release of polluting matter into waterways in accordance with the Local Government Water Pollution Act 1977 / 1990. Waterways Ireland are in the process of developing environment and heritage policy and codes of practice to ensure the further protection of inland waterways. In the North Western district on the Shannon-Erne waterway 6 onshore sites provide pump out facilities for boats, on Lough Erne (upper and lower) a further 7 pump out facilities are provided. Cavan County Council has recently introduced water craft bye laws which impose speed restrictions on jet skis and fast power craft in specific areas in a number of lakes in the county.
NB-NW_SWMI_024	Questioned when barley straw for algae treatment stops being effective and when should it be removed?	Studies have shown that barley straw releases algacidal compounds when it decomposes in water after 4-5 weeks. Limited research has been completed on the effectiveness of barley straw for algae treatment and there remain uncertainties about when the straw stops being effective, when it should be removed and whether there is the potential for the introduction of pesticides into the water from the straw.
NB-NW_SWMI_025	Noted the excessive amount of packaging of supermarket products which results in litter.	While packaging is an issue of concern in general environmental terms, it is not of direct relevance to the Water Framework Directive. The Environmental Protection Agency’s Office of Environmental Enforcement takes a lead in developing producer responsibility initiatives for packaging waste.

4.0 What happens next?

The local authorities responsible for implementation of the Water Framework Directive in the North Western and Neagh Bann International River Basin Districts are committed to considering the comments received through this recent consultation exercise during preparation of draft management plans. Submissions will help to refine and inform the specific content of the plans, for example aquaculture will now be addressed as a topic in its own right.

Draft River Basin Management Plans will be published for public consultation by 22nd December 2008. The consultation will run until 22nd June 2009. We would therefore encourage all those with an interest in the protection and enhancement of the aquatic environment to fully participate in the consultation process.

5.0 References

County Councils located within the North Western and Neagh Bann International River Basin Districts

North Western IRBD

Donegal County Council <http://www.donegalcoco.ie/>
Leitrim County Council <http://www.leitrimcoco.ie/>
Sligo County Council <http://www.sligococo.ie/>
Longford County Council <http://www.longfordcoco.ie/>

Neagh Bann IRBD

Meath County Council <http://www.meath.ie/>
Louth County Council <http://www.louthcoco.ie/>

North Western and Neagh Bann IRBDs

Monaghan County Council <http://www.monaghan.ie/>
Cavan County Council <http://www.cavancoco.ie/>

Departments / Agencies etc.

Department of Environment, Heritage and Local Government <http://www.environ.ie/en/>
National Parks and Wildlife Service <http://www.npws.ie/en/>
Department of Agriculture, Fisheries and Food <http://www.agriculture.gov.ie/>
Forest Service http://www.agriculture.gov.ie/index.jsp?file=forestry/pages/forest_service.xml
Department of Communications, Energy and Natural Resources <http://www.dcmnr.gov.ie/>
Department of Community, Rural & Gaeltacht Affairs <http://www.pobail.ie/>
Environmental Protection Agency <http://www.epa.ie>
Office of Public Works <http://www.opw.ie/>
Waterways Ireland <http://www.waterwaysireland.org/>
Marine Institute <http://www.marine.ie/Home/>
Health and Safety Authority <http://www.hsa.ie/eng/>
Irish Medicines Board <http://www.imb.ie/>

North South Shared Aquatic Resources

Department of Health and Children <http://www.dohc.ie/>

Sustainable Energy Ireland www.sei.ie

National Federation of Group Water Schemes <http://www.nfgws.ie/>

Bord Iascaigh Mhara (Irish Sea Fisheries Board) <http://www.bim.ie>

Departments - Northern Ireland

Department of the Environment <http://www.doeni.gov.uk/>

Northern Ireland Environment Agency (formerly Environment and Heritage Service) <http://www.ni-environment.gov.uk>

Department of Agriculture and Rural Development <http://www.dardni.gov.uk/>

Regulations

European Communities (Drinking Water) Regulations 2007 ((S.I. No. 106/2007)

European Communities (Water Policy) Regulations, 2003 (S.I. No. 722/2003)

European Communities (Water Policy) (Amendment) Regulations 2005 (S.I. 413/2005)

European Communities (Natural Habitats) Regulations 1997, 1998 and 2005 (S.I. No. 364/2005)

European Communities (Good Agricultural Practice for the Protection of Waters) Regulations (S.I. No. 378/2006)

European Communities (Environmental Impact Assessment) (Amendment) Regulations, 2001. (S.I. No. 538/2001)

European Communities (Aerial Fertilisation) (Forestry) Regulations 2006 (S.I. No. 592/2006)

Waste Management (Use of sewage sludge in agriculture) Regulations 1998, 2001 (S.I. No. 267/2001)

Wastewater Discharge (Authorisation) Regulations 2007 (S.I. No. 684/2007)

Quality of Shellfish Waters Regulations 2006 (S.I. No. 268/2006)

European Communities (Health of Aquaculture Animals and Products) Regulations 2008 (S.I. No. 261/2008)

Acts / Orders

Local Government (Water Pollution) (Amendment) Act, 1990

Arterial Drainage Act, 1945

Planning & Development Act, 2000

Forestry Act, 1946

Protection of the Environment Act, 1993

Wildlife Act, 1976

Foreshore Act, 1933

Fisheries (Amendment) Act, 1997

Sea Fish Conservation Act, 1967

Protection of the Environment Act, 2003

Waste Management Act, 1996

Environmental Protection Agency Act, 1992

Mussel Seed (Conservation of Stocks) Order 1987 as amended by the Mussel Seed (Conservation and Rational Exploitation) Order 2003

APPENDIX 1

Questions asked in the ‘Water Matters – Have your say!’ booklets

- Q1.** Do you agree that these are the key causes of water problems within the river basin district?
- Q2.** What is your view of these suggested themes? Have we missed something that would be helpful within the river basin district?
- Q3.** What is your view about the suggested actions to control problems related to wastewater and industrial discharge within the river basin district? Are these actions appropriate? Have we missed something important?
- Q4.** What is your view about the suggested actions to control problems related to landfills, quarries, mines and contaminated lands within the river basin district? Are these actions appropriate? Have we missed something important?
- Q5.** What is your view about the suggested actions to control problems related agriculture within the river basin district? Are these actions appropriate? Have we missed something important?
- Q6.** What is your view about the suggested actions to control problems related to unsewered properties within the river basin district? Are these actions appropriate? Have we missed something important?
- Q7.** What is your view about the suggested actions to control problems related to forestry within the river basin district? Are these actions appropriate? Have we missed something important?
- Q8.** What is your view about the suggested actions to control problems related to dangerous substances within the river basin district? Are these actions appropriate? Have we missed something important?
- Q9.** What is your view about the suggested actions to control problems related to physical modifications within the river basin district? Are these actions appropriate? Have we missed something important?
- Q10.** What is your view about the suggested actions to control problems related to abstraction within the river basin district? Are these actions appropriate? Have we missed something important?
- Q11.** What is your view about the suggested actions to control problems related alien species within the river basin district?
- Q12.** What is your view about the suggested actions to address sensitive area problems within the river basin district?
- Q13.** What is your view about the suggested actions to address the shared water issues within the river basin district?
- Q14.** What is your view about our approach to assessing future risks within the river basin district?

APPENDIX 2

Source of 'Water Matters' submissions

Name	Organisation	NBIRBD	NWIRBD
Nigel Russell	Waterways Ireland	√	√
Elizabeth Cullen	Irish Doctors Environmental Association	√	√
Joanne Pender	Irish Wildlife Trust	√	√
Mary Stack	Failte Ireland	√	√
William Symth	Irish Concrete Federation	√	√
Siobhan Egan	Bird Watch Ireland	√	√
Nathy Gilligan	Office of Public Works	√	√
Thomas Ryan	Irish Farmers Association	√	√
Sinead O'Brien	Sustainable Water Network (SWAN)	√	√
Damian Allen	Forest Service, Department of Agriculture Fisheries and Food	√	√
Declan Lawlor	Loughs Agency	√	√
Joanne Gaffney	Aquaculture Initiative	√	√
Harry Lloyd	Northern Regional Fisheries Board	X	√
John Mulcahy	Save the Swilly	X	√
Kate Burns	Innishowen Rural Development Project	X	√
John Jackson	Private Forest Owner / Chairman Donegal Forestry Forum / National Chairman IFA Farm Forestry Section	X	√
Aoife Smith	Forest Link	X	√
Nick Maskery	Energy Crops Ltd.	X	√
Patrick Perry	Individual	X	√
Michael Harte	Save Our Sea Trout	X	√
Brian O'Mahoney	Electricity Supply Board	X	√
TOTAL		12	21

APPENDIX 3

Questionnaire distributed at public consultation evenings

Water Matters Consultation Form

Venue _____

Date _____

1. What are the water management issues of most concern in this area?

2. What are your views on the suggested actions to control these issues?

3. Do you consider these actions appropriate – will they solve the problem?

4. Have we missed something?

Optional

Name (Capital letters): _____

Contact details (email/postal address): _____

Did you find the format for the evening useful (Yes/No): _____