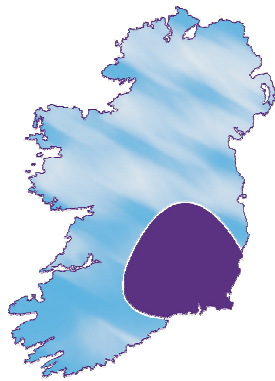


*Water Matters – Have Your Say!*

**Digest of submissions and responses to Significant Water Management Issues Reports**

**South Eastern River Basin District**

**In accordance with Article 14 of the European Communities (Water Policy) Regulations 2003  
(Statutory Instrument No. 722 of 2003)**



**south  
eastern**  
river basin district

**Abbreviations**

|                  |   |   |
|------------------|---|---|
| AC               | - | Advisory Council  |
| DCMNR            | - | Department of Communications, Marine and Natural Resources                |
| DEHLG            | - | Department of Environment, Heritage and Local Government                  |
| EIA              | - | Environmental Impact Assessment   |
| ERBD             | - | Eastern River Basin District  |
| EPA              | - | Environmental Protection Agency   |
| EU               | - | European Union  |
| LA               | - | Local Authority   |
| NGO              | - | Non-Governmental Organisation   |
| NPWS             | - | National Parks and Wildlife Service                                       |
| GIS              | - | Geographic Information Systems  |
| GHS              | - | Global Harmonisation System for Classification and labelling of chemicals |
| GSI              | - | Geological Survey of Ireland  |
| HSA              | - | Health and Safety Authority   |
| IFA              | - | Irish Farmers Association   |
| OSWTS            | - | On-Site Waste Water Treatment Systems                                     |
| OPW              | - | Office of Public Works  |
| RBD              | - | River Basin District  |
| RBMP             | - | River Basin Management Plan   |
| POM              | - | Programme of Measures   |
| RBMP             | - | River Basin Management Plan   |
| REACH            | - | Registration, Evaluation, Authorisation and Restriction of Chemicals      |
| REPS             | - | Rural Environment Protection Scheme                                       |
| SEA              | - | Strategic Environmental Assessment  |
| SERBD            | - | South Eastern River Basin District  |
| SIMCAT           | - | Simulation of the water quality in Catchments                             |
| SI               | - | Statutory Instrument  |
| SME              | - | Small and Medium Enterprises  |
| SuD <sub>s</sub> | - | Sustainable Urban Drainage Systems  |
| SWAN             | - | Sustainable Water Network   |
| SWRBD            | - | South Western River Basin District  |
| UN               | - | United Nations  |
| WFD              | - | Water Framework Directive   |
| WRBD             | - | Western River Basin District  |
| WWTP             | - | Waste Water Treatment Plants  |

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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.

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 22<sup>nd</sup> June 2007 in Ireland and Northern Ireland.

The '*Water Matters*' report for the South Eastern River Basin District was issued jointly by the responsible authorities for the district, namely the county councils of Carlow, Wexford, Kilkenny, Waterford, South Tipperary, Laois, North Tipperary, Kildare, Offaly, Wicklow, Waterford City, Limerick and Cork and the Department of the Environment's Environment, Heritage and Local Government.

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 eight national topics that had been identified as significant within all the River Basin Districts in Ireland and one topic on local issues in the River Basin District such as invasive alien species and high quality areas.

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 2 for the full list of questions.

### 1.3 Consultation and Participation Activities

Consultation on 'Water Matters' reports took place from 22<sup>nd</sup> June to 22<sup>nd</sup> December 2007. Stakeholders and the public were invited to submit comments by post to nominated persons or through the river basin district website ([www.serbd.com](http://www.serbd.com)).

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 South Eastern River Basin District in November 2007. Four public meetings were held by the South Eastern River Basin District Project, as detailed in Table 1. Similar meetings were held in the other River Basin Districts. Summaries of the issues raised at these meetings can be found in Appendix 3 of this document.

**Table 1: Public Consultation Meetings**

| Date                      | Venue                             |
|---------------------------|-----------------------------------|
| 19 <sup>th</sup> November | Newpark Hotel, Kilkenny           |
| 20 <sup>th</sup> November | Comfort Inn, Portlaoise           |
| 21 <sup>st</sup> November | Clonmel Park Hotel, Clonmel       |
| 22 <sup>nd</sup> November | Riverside Park Hotel, Enniscorthy |

### 1.4 Scope of the digest

This digest is a compilation of written submissions received during the consultation period. 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 22<sup>nd</sup> 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 South Eastern River Basin District project website ([www.serbd.com](http://www.serbd.com)).

### 1.5 South Eastern Aspect of the digest

Ten submissions were sent from national organisations and covered national topics. Fifteen submissions were sent from South Eastern based organisations and covered South Eastern related and national topics. All of these submissions are covered in this report. The South Eastern submissions are dealt with in the grey boxes and the national submissions are dealt with in the white boxes of the tables below.

## 2.0 Summary of submissions

### 2.1 Written submissions

A total of 26 written submissions were received by the South Eastern River Basin District. See Table 2 below for a list of organisations and individuals that made written submissions to the South Eastern River Basin District.

### 2.2 Topics covered

Written submissions 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 South Eastern 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.

### 3.0 Detailed Comments

Written 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.

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

| Reference Code | Name                 | Organisation   |
|----------------|----------------------|--|
| SE_SWMI_001    | Nigel Russell        | Waterways Ireland  |
| SE_SWMI_002    | Dr. Elizabeth Cullen | Irish Doctors Environmental Association  |
| SE_SWMI_003    |                      | Irish Wildlife Trust   |
| SE_SWMI_004    | Declan Murphy        | Failte Ireland   |
| SE_SWMI_005    | William Symth        | Irish Concrete Federation  |
| SE_SWMI_006    | Siobhán Egan         | Bird Watch Ireland   |
| SE_SWMI_007    | Nathy Gilligan       | Office of Public Works   |
| SE_SWMI_008    | Thomas Ryan          | Irish Farmers Association  |
| SE_SWMI_009    | Sinead O’Brien       | SWAN   |
| SE_SWMI_010    | Damian Allen         | Forest Service, Department of Agriculture Fisheries and Food   |
| SE_SWMI_011    | P.J. Jackman         | Cashel, Golden, Tipperary Anglers Association  |
| SE_SWMI_012    | Christopher Finlay   | Portarlington Anglers Ltd.   |
| SE_SWMI_013    | N Eacha              |  |
| SE_SWMI_014    | Jim Hurley           |  |
| SE_SWMI_015    | Brian Rickwood       |  |
| SE_SWMI_016    | Pat Durkin           |  |
| SE_SWMI_017    | Charles Tweeney      |  |
| SE_SWMI_018    | John Fitzgerald      |  |
| SE_SWMI_019    | Eamon Moore          | An Taisce, SERBD Management Group, Advisory Council, NGO Network, SWAN, Barrow Catchment Management Steering Group, Barrow Angler’s Club |
| SE_SWMI_020    | Daniel Norton        |  |
| SE_SWMI_021    | Susan Crampton       |  |
| SE_SWMI_022    | Michael Brennan      | Environmental SPC Member   |
| SE_SWMI_023    |                      | South Eastern Network Group  |
| SE_SWMI_024    | Marie Power          | Irish Wildlife Trust   |
| SE_SWMI_025    |                      | Burrin Drainage Committee  |

### 3.2 Submissions and Responses

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

#### 3.2.1 Wastewater and industrial discharges

| <b>Wastewater and industrial discharges</b> |   |   |
|---|---|---|
| <b>Submission Reference No.</b>             | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_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> |
| SE_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.  |
| SE_SWMI_009<br>SE_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   |



| <b>Wastewater and industrial discharges</b> |   |   |
|---|---|---|
| <b>Submission Reference No.</b>             | <b>Issues Identified</b>  | <b>Response</b>   |
|   |   | 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.   |
| SE_SWMI_003<br>SE_SWMI_009                  | 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.  | 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.<br>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. |
| SE_SWMI_003<br>SE_SWMI_009                  | 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”. | 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.  |
| SE_SWMI_009                                 | Prohibit the land-spreading of sludge from sewage treatment plants.   | 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.<br>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 perhaps through mechanisms other than land spreading e.g. through incineration.  |

| <b>Wastewater and industrial discharges</b> |  |   |
|---|--|---|
| <b>Submission Reference No.</b>             | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_003<br>SE_SWMI_009                  | Run a public information campaign providing details about substances, which are not effectively removed by wastewater treatment plants   | The need for additional research in this area has been identified. The results of the research may be used to inform awareness raising programmes.  |
| SE_SWMI_003<br>SE_SWMI_009                  | There is a lack of confidence in local authority policing of Section 4 licences for smaller industrial discharges.   | 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.<br>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.   |
| SE_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. |
| SE_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.  |
| SE_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.   |
| SE_SWMI_012                                 | Waste Water Treatment Plants (WWTP) discharges are causing a problem on the River Barrow.  | The National Programme of Measures (POMS) study on Municipal and Industrial Regulations has identified waters at risk of failing the objectives of the WFD as a result of WWTP and industrial discharges. This allows for a prioritisation process where a priority rating is placed on each treatment plant based on its impact on the waterbody, whether  |

| <b>Wastewater and industrial discharges</b> |   |  |
|---|---|--|
| <b>Submission Reference No.</b>             | <b>Issues Identified</b>  | <b>Response</b>  |
|   |   | discharge to a sensitive area (e.g. a pearl mussel catchment or a nutrient sensitive river), the available dilution/assimilative capacity of the receiving water and the capacity for treatment at the plant. 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 (RBMP). |
| SE_SWMI_015                                 | There is a shortfall in the data available on WWTPs.  | Licensing of WWTPs has come in under the Waste Water Discharge (Authorisation) Regulations S.I. No. 684 of 2007 and more data will be available through this licensing programme.  |
| SE_SWMI_016                                 | Outflow from WWTP should go through a pebbled reed bed system before it reaches the main waterway.                                | All methods of treating effluents will be considered and the most suitable technique used which may include reed-bed systems.  |
| SE_SWMI_017                                 | A pilot study in older parts of a town should be undertaken to assess the task of separating the existing combined sewer systems. | 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.  |
| SE_SWMI_017                                 | Surface water sewers should be laid with any development to by-pass the older combined sewer networks.                            | In the design of new sewerage schemes storm water and sewage are kept separate.  |
| SE_SWMI_017                                 | Solids should be screened from storm water overflows.   | Under the Waste Water Discharge (Authorisation) Regulations all storm water overflows will also be licensed and monitored. It is now policy to screen all storm water overflows and to undertake screening when improvements are ongoing.  |
| SE_SWMI_017                                 | Training and information should be given to SME's on the Local Government Act (Water Pollution) and it's implications.            | Training and education programmes will form part of the implementation of the WFD.   |
| SE_SWMI_017                                 | A study on the viability and a risk assessment of small streams as receiving water for rural development should be carried out.   | The SIMCAT Project (part of the SWRBD Municipals and Industrial Regulations study) will give information on the assimilative capacity of rivers.   |
| SE_SWMI_017                                 | The cost of wastewater treatment has not received the profile it requires.  | The need for additional research in this area has been identified. The results of the research may be used to inform awareness raising programmes.   |
| SE_SWMI_017                                 | Suggested a charge for wastewater treatment.  | A system is in place to charge all commercial users for wastewater treatment. It is government policy not to charge domestic users for water or wastewater treatment.  |

| <b>Wastewater and industrial discharges</b> |  |   |
|---|--|---|
| <b>Submission Reference No.</b>             | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_018                                 | Strict licensing and proper monitoring by the EPA was suggested.   | Licensing of WWTPs has come in under the Waste Water Discharge (Authorisation) Regulations S.I. No. 684 of 2007.  |
| SE_SWMI_018                                 | No WWTP should be sited on flood plains or in areas where inundation or accidental spillages could result in pollution of waterbodies. | Amendment of the Planning and Development Act will be necessary, requiring explicit consideration of the objectives established for waters in the river basin management plans.   |
| SE_SWMI_018                                 | Industrial and municipal plants discharges should not be biologically, chemically or thermally different to the receiving water.       | Licensing of WWTPs has come in under the Waste Water Discharge (Authorisation) Regulations S.I. No. 684 of 2007. Also new regulations are being drawn up by DEHLG that will set new water quality standards. All licenses will have to comply with these standards to ensure compliance with the aims of the WFD.   |
| SE_SWMI_018<br>SE_SWMI_024                  | Not enough emphasis is put on SuDS plus other biological and constructed forms of pollution attenuation methods.                       | SuDs and other alternative new methods of treatment will be encouraged through their incorporation into county development plans as they are reviewed.  |
| SE_SWMI_021                                 | Waste discharges to the River Slaney were noted during the summer to be causing pollution.   | Licensing and upgrade of WWTPs should improve the water quality and reduce the discharges to the River Slaney. There are a number of WWTP in the catchment due for improvement under the Water Services Investment Programme 2007-2009.   |
| SE_SWMI_020                                 | A water pollutants trading scheme should be investigated as a possible way to achieve good status.                                     | For a trading scheme to work a number of conditions would have to be met. The following are some of these conditions: <ol style="list-style-type: none"> <li>1. It would be necessary to be able to measure the assimilative capacity of the receiving water. This would require a good record of the flow or level (to estimate the volume) of the water and a historic record of the water quality. While we have relatively good flow or level records for many of our waters we do not have comprehensive records. Likewise, we have good records of water quality in many waters but not all.</li> <li>2. All of the discharges to the receiving water would have to be measurable and be measured. Discharges fall into two categories, point and diffuse. All point discharges can be measured and most are. However, diffuse discharges are not easily measurable. They arise from land use activities such as agriculture, forestry, construction activities and the disposal of septic tanks into groundwater. In Ireland diffuse discharges</li> </ol> |

| <b>Wastewater and industrial discharges</b> |   |  |
|---|---|--|
| <b>Submission Reference No.</b>             | <b>Issues Identified</b>  | <b>Response</b>  |
|   |   | <p>make up between 75% and 95% of the “pollution” load entering our waters.</p> <p>3. A pricing system would have to be established, in the absence of the data referred to above this would be impossible.</p>  |
| SE_SWMI_018                                 | Suggested that financial and administrative support for all WWTPs affecting protected areas has to be put in place.               | Water Services Investment Programme gives the financial support to upgrade WWTPs.  |
| SE_SWMI_020                                 | A risk assessment of the leakage from sewage pipes should be undertaken.  | 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.   |
| SE_SWMI_024                                 | Introduce legislation that makes sewage infrastructure mandatory prior to development.  | Amendment of the Planning and Development Act will be necessary, requiring explicit consideration of the objectives established for waters in the river basin management plans.  |
| SE_SWMI_024                                 | Requirement that all new urban treatment plants provide tertiary level treatment and upgrade of existing plants to that standard. | Under the Water Services Investment Programmes WWTPs are being upgraded. 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. |
| SE_SWMI_024                                 | Reform the education of engineers to include ecological principles.   | A series of education programmes are being prepared for all local authority officers. Training and education programmes will form part of the implementation of the WFD.   |
| SE_SWMI_024                                 | Sewage discharges into the Tay River are effecting the water quality in Stradbally Cove, Co. Waterford                            | Licensing and upgrade of WWTPs should improve the water quality and reduce the discharges to the River Tay. Tramore and Stradbally WWTPs   |

| <b>Wastewater and industrial discharges</b> |  |  |
|---|--|--|
| <b>Submission Reference No.</b>             | <b>Issues Identified</b>   | <b>Response</b>  |
|   | similarly at Tramore Pier and at Dunhill Village, Co. Waterford. | are due for improvement under the Water Services Investment Programme 2007-2009. |

### 3.2.2 Landfills, quarries, mines and contaminated lands

| <b>Landfills, quarries, mines and contaminated lands</b> |   |  |
|--|---|--|
| <b>Submission Reference No.</b>                          | <b>Issues Identified</b>  | <b>Response</b>  |
| <b>Landfills</b>   |   |  |
| SE_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 the River Basin Management Plan.           |
| SE_SWMI_003<br>SE_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. |
| SE_SWMI_003<br>SE_SWMI_009                               | Closed down landfills should always be capped.  |  |
| SE_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.  |  |
| SE_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.   | It is intended that these issues will be addressed in the River Basin Management Plans.  |
| SE_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.  |
| SE_SWMI_009  | Current assessments of vulnerability of groundwater   | River Basin Management plans including all programs of measures will   |

| <b>Landfills, quarries, mines and contaminated lands</b> |   |  |
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| <b>Submission Reference No.</b>                          | <b>Issues Identified</b>  | <b>Response</b>  |
|  | to contamination from new landfills do not incorporate variations in rainfall patterns associated with climate change.  | under go “Climate Proofing”.   |
| SE_SWMI_015  | Should include stricter controls, enforcement and monitoring.   | There are supplementary and additional measures proposed under these areas to ensure compliance with the aims of the WFD.  |
| SE_SWMI_017  | It is suggested that a pilot study be undertaken to quantify the extent of the problem and the resources required to manage the issues, including the costs and the most suitable source of funding.  | The RBMP economic study that is currently being carried out will investigate the resources and costs necessary for the implementation of the WFD.  |
| SE_SWMI_017  | It is considered that industry organisations e.g. Construction Industry Federation should take a greater degree of responsibility in ensuring that it’s members are not only aware of the regulations and risk, but actually comply with the regulations.                     | Training and education programmes will form part of the implementation of the WFD.   |
| SE_SWMI_018  | For landfills in highly sensitive areas there should be containment of leachate.  | Further investigation of leachate has been suggested as part of the Dangerous Substances Programme of Measures Study. It is now a legal requirement to line all landfills and provide treatment of leachate.               |
| SE_SWMI_018  | Illegal landfills need remediation and restoration.   | Manuals on Landfill Restoration and Aftercare have been published by the EPA.  |
| <b>Quarries</b>  |   |  |
| SE_SWMI_009<br>SE_SWMI_005                               | 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. | 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. |
| SE_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.                               |  |
| SE_SWMI_003<br>SE_SWMI_009                               | Identified the potential conflict of interest with local authorities licensing and regulating quarries and often being substantial customers as well.   | The comments are noted.  |



| <b>Landfills, quarries, mines and contaminated lands</b> |   |   |
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| <b>Submission Reference No.</b>                          | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_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. | The comments are noted.   |
| SE_SWMI_009  | A significant number of unauthorised quarries have never closed down which is felt to be a problem of lack of enforcement.  | Programmes are in place by all local authorities to identify and bring all non compliant sites up to the required standard.   |
| SE_SWMI_018  | Quarries and mines are users of large quantities of water and are a threat to surface water and aquifers.   | Abstractions from mines are controlled under the Planning Acts. The ERBD are investigating abstraction nationally and licensing of extractions will be a measure under the WFD. Mines operate under licensing from DCMNR.   |
| SE_SWMI_018  | Quarries and mines discharges should not be different (Chemically, biologically or thermally) from receiving waters.  | New regulations are being drawn up by DEHLG that will set new water quality standards. All licenses will have to comply with these standards to ensure compliance with the aims of the WFD.   |
| SE_SWMI_018  | Inert material on quarry machinery is deposited on roads, washed into watercourses and contaminates rivers and lakes and damages spawning redds. Requirement for improved facilities and more robust means of containment.  | It is standard practice to include wheel washing on all quarry sites under the Planning Acts.   |
| <b>Mines</b>   |   |   |
| SE_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.   |
| SE_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 Communication and Natural Resources, the Environmental Protection Agency and the relevant Local Authority. Current environmental standards are applied to all closure plans. |
| SE_SWMI_009<br>SE_SWMI_003                               | Significant bonds should be required of all current mining operations for rehabilitation of old sites.  | This is a requirement under current licensing.  |
| SE_SWMI_018  | Quarries and mines are users of large quantities of water and are a threat to surface water and aquifers.   | Abstractions from mines are controlled under the Planning Acts. The ERBD are investigating abstraction nationally and licensing of extractions will be a supplementary measure under the WFD. Mines operate under licensing from DCMNR.                               |



| <b>Landfills, quarries, mines and contaminated lands</b> |  |   |
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| <b>Submission Reference No.</b>                          | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_018  | Quarries and mines discharges should not be different (Chemically, biologically or thermally) from receiving waters.   | New regulations are being drawn up by DEHLG that will set new water quality standards. All licenses will have to comply with these standards to ensure compliance with the aims of the WFD. |
| SE_SWMI_018  | Inert material on quarry machinery is deposited on roads, washed into watercourses and contaminates rivers and lakes and damages spawning redds. Requirement for improved facilities and more robust means of containment. | It is standard practice to include wheel washing on all quarry sites under the Planning Acts.   |
| <b>Contaminated land</b>                                 |  |   |
| SE_SWMI_003<br>SE_SWMI_009                               | 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.   |

### 3.2.3 Agriculture

| <b>Agriculture</b>              |   |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_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. | <p>The maximum fertilisation rates in the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations (commonly referred to as the Nitrates Regulations) were 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 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 maintain levels.</p> <p>The effectiveness of the National Action Programme under these regulations 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.</p> |
| SE_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.  | <p>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.</p> <p>Supplementary actions may also need to be undertaken in other areas to address agricultural pollution.</p>  |
| SE_SWMI_003                     | The Nitrates Regulations must be supported through the establishment and proper enforcement of agricultural bye laws.   | 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.  |

| <b>Agriculture</b>                        |   |   |
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| <b>Submission Reference No.</b>           | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_SWMI_008                               | Noted that the Nitrates Regulations adequately represent farmers' contribution to the achievement of good water status by 2015.   | The National Action Programme under 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.   |
| SE_SWMI_008<br>SE_SWMI_003<br>SE_SWMI_009 | Felt there were too many inspection bodies and that full inspection and enforcement responsibility should be passed to DAFF.<br><br>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.<br><br>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. |
| SE_SWMI_003<br>SE_SWMI_009                | Inspections under the Nitrates Regulations should be on the spot, without notice.<br>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.<br><br>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   |

| <b>Agriculture</b>              |   |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
|                                 |   | 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.   |
| SE_SWMI_003<br>SE_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.   |
| SE_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.   |
| SE_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 these basic measures 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. |
| SE_SWMI_003                     | Controls should be placed on the amount of fertiliser that can be purchased.<br>Purchases should only be allowed when justified by nutrient management plans.   | Under the EC (Good Agricultural Practice for the Protection of Waters) Regulations 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 of purchase. Failure to keep adequate records can result in a reduction in the single farm payment.  |
| SE_SWMI_003<br>SE_SWMI_008      | Additional financial incentives must be provided to encourage and promote environmentally sensitive farming.<br>Seek re-opening of the Farm Improvement Scheme by DAFF.   | Additional financial support for agri-environmental schemes, farm storage facilities or technology solutions will be considered in specific catchments.  |

| <b>Agriculture</b>              |   |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_SWMI_008                     | Increase in grants available for rainwater harvesting.  | An awareness raising programme will be developed as part of the River Basin Management Plan to promote sustainable water use and encourage rainwater harvesting by all users.  |
| SE_SWMI_009                     | 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>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 this programme 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> |
| SE_SWMI_003                     | Alternative disposal mechanisms for slurry (and municipal sludge) other than land spreading need to be provided.  | 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.  |
| SE_SWMI_009                     | The use of bio-digesters for the disposal of slurry should be encouraged and funding made available.  | 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   |

| <b>Agriculture</b>              |   |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
|                                 |   | up to €8 million and will provide up to 30% investment grant support for eligible projects. Further details can be found on <a href="http://www.sei.ie/bio_chpgrants">www.sei.ie/bio_chpgrants</a> .   |
| SE_SWMI_003<br>SE_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.<br>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 Rural Environmental Protection Schemes are required to fence off lakes and water courses 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.<br>land drainage activities.  |
| SE_SWMI_009<br>SE_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 a number of years before it is established. |
| SE_SWMI_003<br>SE_SWMI_018      | The cleaning of slurry tanks, spreader and of spreading equipment from water bodies should be prohibited.<br>Washing out of sprayers near watercourses should be prohibited.  | 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 washing of slurry tanks, spreading and spraying equipment. Incidences should be reported to the local authority.   |
| SE_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 are being completed as part of the mini-catchment studies to evaluate how cost effective measures under the current National Action Plan have been. Modifications to measures will be identified where evidence indicates that water quality targets may not be achieved.   |
| SE_SWMI_018                     | Buffer zones and fencing of stream bank zones play a vital role in limiting nutrient input to watercourses and should apply under the Single Payment Scheme.  | The Nitrates Action Plan includes the use of buffer zones and will apply under the Single Payment Scheme. Under Cross Compliance the implementation of the Nitrates Action Plan is a Statutory Management Requirement and there is also a requirement to maintain the land in good   |

| <b>Agriculture</b>              |   |  |
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|                                 |   | agricultural and environmental condition.  |
| SE_SWMI_018                     | Slurry should only be spread in the correct weather conditions.   | The Nitrates Action Plan sets out the weather conditions that slurry can be spread in.   |
| SE_SWMI_018                     | Land Drainage Act needs to be reviewed to meet requirements of the WFD.   | A licensing or registration system is being proposed for all physical modifications along with other additional POMS to control land drainage.   |
| SE_SWMI_018                     | New drainage schemes and modification should need planning referred through the NPWS and fisheries boards.                                  | A licensing or registration system is being proposed for all physical modifications along with other additional POMS to control land drainage.   |
| SE_SWMI_018                     | Monitoring effectiveness of on-farm practices and pollution preventions controls was suggested.   | Mini-catchments study will investigate the effectiveness of the implementation of the Nitrates Action Plan on improving water quality.   |
| SE_SWMI_018                     | Blood tanks and buildings runoff from knackeries should be maintained and contained, with inspections.                                      | Discharges from knackeries are controlled under the Water Pollution Act. New regulations are being drawn up by DEHLG that will set new water quality standards. All licenses will have to be reviewed to ensure compliance with these standards and the aims of the WFD. |
| SE_SWMI_017                     | More investigation is needed on the values of the nitrate level in a stream.  | The WFD monitoring programme begun in January 2007. This monitoring programme will capture the whole picture in regards water quality as biological, general conditions, chemical and hydromorphology elements are being analysed along with nitrate.                    |
| SE_SWMI_017                     | The Nitrate Directive is perceived as being targeted at livestock farmers, but greater emphasis is probably required on the tillage sector. | The Nitrates Directive covers all sources of nitrates from agriculture.  |
| SE_SWMI_017                     | The plan should include a target, by percentage, for the number of farmers in the REPS scheme.  | A series of measures are being proposed to ensure the implementation of the WFD and to improve water quality. The suitability of these measures in particular areas will be examined. REPS is one of a number of possible measures.                                      |
| SE_SWMI_015                     | Breaching of Nitrates Regulations and non compliance with REPS by farmers is taking place.  | Cross-Compliance inspections will ensure implementation of the Nitrates Action Programme.<br>Provision of the Farm Waste Management Plan will improve implementation of the Nitrates Regulations.  |
| SE_SWMI_015                     | Measures to control any breaches in the rules need to be strengthened- use of Codes of Practice and voluntary schemes is not sufficient.    | Nitrates Action Programme is transposed into legislation by the Nitrates Regulations.  |
| SE_SWMI_016                     | Use of pebbled reed bed system to filter runoff from farms was suggested.   | All methods of treating run-of will be considered and the most suitable technique used which may include reed bed systems.   |



| <b>Agriculture</b>                        |   |  |
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| <b>Submission Reference No.</b>           | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_SWMI_024                               | Increased monitoring of farm water pollution was suggested.         | Mini-catchments study will investigate the effectiveness of the implementation of the Nitrates Action Plan on improving water quality.   |
| SE_SWMI_013<br>SE_SWMI_017<br>SE_SWMI_024 | Revise farm education practices                                     | Teagasc are involved in training and education of farmers. Training and education programmes will form part of the implementation of the WFD.  |
| SE_SWMI_024                               | Revise the IFA representation on the River Basin Advisory Councils. | <p>The Co-opted members of the River Basin Advisory Councils come from the following sectors/pillars:</p> <ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Business/Economic</li> <li>• Recreational/Angling</li> <li>• Social/Community</li> <li>• Professional / academic</li> <li>• Environmental Group – Water Quality or Aquatic</li> </ul> <p>As stipulated in the European Communities (Water Policy) (Amendment) Regulations, 2005. The IFA represent the Agricultural sector on the Advisory Councils.</p> |

### 3.2.4 Wastewater from unsewered properties

| <b>Wastewater from unsewered properties</b> |  |  |
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| <b>Submission Reference No.</b>             | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_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.  |
| SE_SWMI_003<br><br>SE_SWMI_009              | <p>A national system of licensing for proprietary systems with an inspection regime, clear responsibility for owners and effective penalties must be introduced.</p> <p>Percolation tests must be made mandatory and be completed by independent qualified scientists (with a charge included in the planning application fee).</p> <p>There should also be a system of accreditation and licensing for septic tank installation companies and sludge removal operators.</p> | <p>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.</p> <p>Recommendations are being included in the measures for onsite wastewater systems which include:</p> <ul style="list-style-type: none"> <li>• Approval system for proprietary units.</li> <li>• Establishment of a National / Local Register of approved, qualified site assessors.</li> <li>• Standardisation of site investigation requirements across all</li> </ul> |



| <b>Wastewater from unsewered properties</b> |  |  |
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| <b>Submission Reference No.</b>             | <b>Issues Identified</b>   | <b>Response</b>  |
|   |  | <p>Local Authorities – based on the EPA updated Guidance document for Single House Treatment Systems.</p> <ul style="list-style-type: none"> <li>• Certification of onsite wastewater treatment system installation.</li> </ul> <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>   |
| SE_SWMI_003<br>SE_SWMI_009                  | 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>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> |
| SE_SWMI_009                                 | 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> .   | 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 don’t compromise the achievement of the objectives established for that body of groundwater. Irish legislation is being revised and updated to comply with these requirements.  |
| SE_SWMI_008                                 | Opposed to excessive restriction on the siting of new  | Where detailed site investigation for an onsite wastewater system  |

| <b>Wastewater from unsewered properties</b> |  |  |
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| <b>Submission Reference No.</b>             | <b>Issues Identified</b>   | <b>Response</b>  |
|   | housing for farming families where appropriate systems are installed. Recommend that funding is made available for rural dwellers to upgrade their septic tanks.   | 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.<br>The provision of financial incentives to upgrade existing septic tanks where required is supported by RBD Advisory Councils. This is a policy decision for National Government.   |
| SE_SWMI_003<br>SE_SWMI_009                  | All proprietary treatment systems should deliver tertiary treatment.   | 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.<br><br>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. |
| SE_SWMI_003<br>SE_SWMI_009                  | If sewage infrastructure is installed near an unsewered property connection should be offered at a reduced rate or should be free.<br>New properties near existing infrastructure should be required to connect to it. | The requirement for properties adjacent to existing sewer networks to connect is included in the 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.   |
| SE_SWMI_003<br>SE_SWMI_009                  | 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.                               | 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 enforcements of the maintenance contracts is required and will be recommended in the measures programme.   |
| SE_SWMI_003<br>SE_SWMI_009                  | Awareness raising is required on the effects of household chemicals on septic tank functioning e.g. bleach.  | This issue together with all water matters issues will be the subject of National and Local Awareness campaigns.<br>Voluntary agreements exist to have phosphate free detergents with  |

| <b>Wastewater from unsewered properties</b> |   |   |
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| <b>Submission Reference No.</b>             | <b>Issues Identified</b>  | <b>Response</b>   |
|   | Phosphates should be banned from domestic cleaning products.  | major suppliers for certain applications.<br>The public awareness programme will highlight this and other issues.<br>In a well designed, well located and well sited percolation area phosphorous will be largely removed by the percolation process.   |
| SE_SWMI_003<br>SE_SWMI_009<br>SE_SWMI_016   | Local Authorities should encourage alternative wastewater treatment systems for unsewered properties, such as wetlands and reed beds. | 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.   |
| SE_SWMI_009<br>SE_SWMI_003                  | Strict control on land spreading of septic tank contents.   | 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.<br><br>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.  |
| SE_SWMI_015<br>SE_SWMI_017                  | One Off housing –planning permission in unsuitable areas is an issue.   | The WRBD POMS study on On-Site Waste Water Treatment Systems (OSWTS – which comprise of conventional septic tanks and on-site proprietary systems) has produced a methodology that identifies the risk to surface and groundwater. The methodology integrates soil and hydrological parameters with mapped OSWTS pressures, pathways and receiving water bodies to identify areas that are not suitable for conventional septic tanks. It is proposed that planning controls adopt this new risk assessment procedure. Detail of all work that was carried out in the project will be available as a background document to the draft RBMP. |
| SE_SWMI_015<br>SE_SWMI_017<br>SE_SWMI_018   | Proper construction and regular maintenance of on site waste water treatment plants is necessary.                                     | Ministerial Guidance on the development of the RBMP has suggested that section 70(2) of the Water Services Act 2007 places a duty of care on owners of premises to ensure that their septic tanks ("treatment systems") are kept so as not to cause a risk to human health or the   |

| <b>Wastewater from unsewered properties</b>   |  |   |
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| <b>Submission Reference No.</b>               | <b>Issues Identified</b>   | <b>Response</b>   |
|   |  | environment, or nuisance through odours. (Regulations will be made by the Minister during 2008/2009 to give legal effect to this provision.)<br>This should lead to proper construction and maintenance.  |
| SE_SWMI_017                                   | An education programme within the Construction Industry Federation was suggested.  | Training and education programmes will form part of the implementation of the WFD.  |
| SE_SWMI_015<br>SE_SWMI_018<br><br>SE_SWMI_017 | Actions must be enacted through legislation. Regulatory controls, involving certification must be put in place and user guidelines are required.<br>Licensing of all except single house septic tanks is required. | Ministerial Guidance on the development of the RBMP has suggested that section 70(2) of the Water Services Act 2007 places a duty of care on owners of premises to ensure that their septic tanks ("treatment systems") are kept so as not to cause a risk to human health or the environment, or nuisance through odours. [Regulations will be made by the Minister during 2008/2009 to give legal effect to this provision.]<br>This should lead to proper construction and maintenance.<br><br>Certification of Onsite Waste Water treatment plants is being proposed as a measure from the WRBD POMS study. |
| SE_SWMI_018                                   | Consideration of soils, geology, surface water and groundwater must be taken into account for planning.  | Under the WRBD POMS studies one of the basic measures that are proposed is that planning controls will be based on a new risk assessment procedure. The risk assessment will include consideration of soils, geology, surface water and groundwater.  |
| SE_SWMI_018<br>SE_SWMI_024                    | Compost toilets and grey water harvesting –planning guidelines should recommend these in the guidelines.   | As County Development Plans are reviewed the new plans will encourage more environmentally friendly sustainable practices such as the use of compost toilets and grey water harvesting.   |
| SE_SWMI_018                                   | Maps should be produced outlining unsuitable soils and vulnerable zones.   | The WRBD POMS study is preparing maps of the areas unsuitable for on-site waste water treatment plants.   |
| SE_SWMI_018                                   | Inventory of existing sewage system of substandard quality.  | The WRBD POMS has prepared maps of the existing on site waste water treatment plants.   |
| SE_SWMI_020                                   | All county development plans should be amended to include the finalised version of the new septic tank guidance.   | This will be part of the POMS for the implementation of the WFD. County Development Plans will have to be integrated with the River Basin Management Plans.   |
| SE_SWMI_020                                   | A pilot programme on a DED basis should be undertaken to map and model the effect that septic tanks have on pollution levels- with particular effect on nitrogen based pollutants.                                 | The WRBD study has included a pilot programme to examine the effects of on site waste water treatment plants.   |

| <b>Wastewater from unsewered properties</b> |  |   |
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| <b>Submission Reference No.</b>             | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_016                                 | Grant aided system to test and replace septic tanks that are not working.  | Grant aiding is a matter for government policy makers and will not be addressed in the RBMP. It has been proposed as a possible measure by the WRBD study on On-site Waste Water Treatment systems.   |
| SE_SWMI_017                                 | The lack of compliance with conditions and the absence of any planning control and enforcement is an issue.  | The study on OSWTS has produced a methodology that identifies the risk to surface and ground water. The methodology integrates soil and hydrological parameters with mapped OSWTS pressures, pathways and receiving water bodies to identify areas that are not suitable for conventional septic tanks. It is proposed that planning controls adopt this new risk assessment procedure. 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. |
| SE_SWMI_017                                 | The plan should include a requirement that besides publishing the number of planning applications the authority should also publish inspections, the rates of compliance, and actions taken on non-compliance. | It is not within the remit of the RBMP to do this.  |
| SE_SWMI_024                                 | Suggested retraining of council staff in relation to planning for unsewered properties.  | The WRBD is proposing that all inspections and assessments will be carried out by a trained assessor.   |
| SE_SWMI_024                                 | Adoption of GSI criteria for the assessment of site suitability for septic tank systems.   | This will be part of the POMS for the implementation of the WFD.  |
| SE_SWMI_015                                 | Pollution noted in surface and groundwaters in Co. Wexford from unsewered properties.  | The issue of pollution from on site waste water treatment plants has been investigated by the WRBD on a national basis. POMS will be proposed to alleviate pollution from unsewered properties.   |

### 3.2.5 Forestry

| <b>Forestry</b>                 |   |   |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_SWMI_010                     | <p>Felt the report was too negatively focused.<br/>Noted the positive impacts of forestry:</p> <ul style="list-style-type: none"> <li>• Riparian zone planting provides stability, shelter and food for aquatic life</li> <li>• Planting of buffer zones protects against sources of pollution</li> </ul> | 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 |

| <b>Forestry</b>                 |  |   |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
|                                 |  | <p>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.</p> <p>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.</p> |
| SE_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.   |
| SE_SWMI_009<br>SE_SWMI_003      | 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 erosion and reduce future timber supplies to the wood industry.   |
| SE_SWMI_009<br>SE_SWMI_003      | - Identified the need to comply with recent ruling from the European Court of Justice by implementing Environmental Impact Assessment to all sub-threshold   | 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   |

| <b>Forestry</b>                 |  |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>  |
|                                 | <p>afforestation in or near protected sites or species.</p> <p>- Proposed the nitrates regulations should be amended to include forestry activities.</p> <p>- Restrictions governing clearfelling must be introduced with strict controls of coup sizes in sensitive areas.</p> <p>- Move away from over-reliance on conifers and increase diversity in planting with an increased broadleaf component.</p> <p>- Low impact silvicultural systems should be implemented and there should be a shift away from over reliance on planting on marginal wet land.</p> <p>- Increased use of effective buffer zones should be</p> | <p>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).</p> <p>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 through 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</p> |



| <b>Forestry</b>                       |   |  |
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| <b>Submission Reference No.</b>       | <b>Issues Identified</b>  | <b>Response</b>  |
|                                       | <p>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>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 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 is10m 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>SE_SWMI_009</p> <p>SE_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>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 per say 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>   |



| <b>Forestry</b>                 |   |   |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>   |
|                                 | The report also omits the issue of habitat loss as a major problem.   | 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.  |
| SE_SWMI_009<br>SE_SWMI_003      | 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 practice to the threats and pressures being posed by current forestry practices on biodiversity and water quality. | 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 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 |
| SE_SWMI_003                     | ‘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.   |
| SE_SWMI_009<br>SE_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   |

| <b>Forestry</b>                 |   |  |
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|                                 |   | purpose forest fertilizer would require significant study and evaluation before it would receive general approval from the Forest Service.<br><br><i>Note for comment:</i><br><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. A revision to include for forestry application could be considered.</i> |
| SE_SWMI_017                     | High phosphates levels in streams draining an area of forestry that had been clear felled have been found. This type of problem will occur intermittently and should be included for further investigation. | The POMS 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.  |
| SE_SWMI_018                     | Native Woodland Scheme should be expanded and should be encouraged in all farm schemes  | This is a matter for the Department of Agriculture, Fisheries and Food and is not under the remit of the WFD.  |
| SE_SWMI_018                     | Less intensive planting has to take place where glades and other natural areas (other than stream buffer zones and silt traps) can be employed.   | Additional measures for forestry are being proposed by the WRBD for inclusion in the RBMP which have addressed these issues.   |
| SE_SWMI_018                     | Legislation is needed to protect the freshwater pearl mussel from bad forestry practice.  | New guidance has been developed for forestry in sensitive catchments with Pearl Mussel populations.  |
| SE_SWMI_018                     | Improve referral on forest grant application and allocate sufficient resources to ensure the effectiveness of the screening process.  | Additional measures for forestry are being proposed by the WRBD for inclusion in the RBMP which have addressed these issues.   |

### 3.2.6 Usage and discharge of dangerous substances

| <b>Usage and discharge of dangerous substances</b> |  |  |
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| <b>Submission Reference No.</b>                    | <b>Issues Identified</b>                         | <b>Response</b>  |
| SE_SWMI_003  | When an IPPC license is suspended or revoked the | There is a process set out in the IPPC legislation for the revoking of a |

| <b>Usage and discharge of dangerous substances</b> |   |   |
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| <b>Submission Reference No.</b>                    | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_SWMI_009  | business must cease to operate and this must be enforced through a straightforward legal process.   | license. It is illegal for a business to operate without a license if its operations determine that it requires one.  |
| SE_SWMI_003<br>SE_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 <a href="http://www.epa.ie/whatwedo/licensing/">http://www.epa.ie/whatwedo/licensing/</a> .   |
| SE_SWMI_009<br>SE_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.  |
| SE_SWMI_003<br>SE_SWMI_009                         | National awareness campaign for the public on prevention of use / misuse / improper disposal of dangerous substances including pesticides.                                    | In any awareness campaign on this matter the impact of dangerous substances on the water 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. |
| SE_SWMI_003<br>SE_SWMI_009                         | 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). | This matter is being kept under review by the Irish Medicines Board. Targeted monitoring is taking place to investigate its impact.   |
| SE_SWMI_003<br>SE_SWMI_009<br>SE_SWMI_002          | Concerned about the addition of fluoride to water supplies.   | 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.  |
| SE_SWMI_013  | Alternative methods should be used for controlling vegetation along rivers such as cutting, extracting and mulching.  | All dangerous substances in use are regulated.  |
| SE_SWMI_015<br>SE_SWMI_018<br>SE_SWMI_024          | Awareness raising campaign is required.   | In any awareness campaign on this matter the impact of dangerous substances on the water environment would be only one of several aspects to be addressed. At present, the HSA carries out awareness raising work   |

| <b>Usage and discharge of dangerous substances</b> |  |   |
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| <b>Submission Reference No.</b>                    | <b>Issues Identified</b>   | <b>Response</b>   |
|  |  | 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 (GHS) is improving chemical labels to make them more easily understood. |
| SE_SWMI_017  | The section should include reference to substances that have no further use and may be stored in a variety of places. These places range from households through industrial premises to farm holdings. | Cross Compliance farm inspections check the chemicals on the farm. The HSA are carrying out awareness raising work under the remit of REACH and an awareness campaign is proposed for the general public.   |
| SE_SWMI_018  | Actions require stronger enforcement and monitoring. Treatment through WWTPs can not be relied upon.   | Further effluent characterisation has been suggested as an additional action as part of the RBMP.<br>WWTP licensing is currently underway.  |
| SE_SWMI_018  | Carcinogenic and hormone disrupting household chemicals manufacturers will have to be approached to formulate and use benign ingredients.  | The implementation of the REACH regulation will address this issue.   |
| SE_SWMI_018  | Agricultural Science Association of Ireland recent statement to the EU to amend the REACH decision to ban some priority chemicals used in farming must be resisted                                     | All chemicals used in farming are under a regulatory framework.   |
| SE_SWMI_024  | Research is required into the impact of antibiotic consumption on water quality.   | The EPA are currently carrying out projects on issues relating to antibiotics.  |
| SE_SWMI_024  | Ban the sale of all toxic detergents and cleaning products.  | All substances are assessed under a regulatory framework before they can be put on the market. All substances are reviewed when additional information becomes available on them.   |

### 3.2.7 Physical modifications

| <b>Physical modifications</b>   |  |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_SWMI_009<br>SE_SWMI_003      | Called for the introduction of a comprehensive registration and authorisation system to control the impact of physical modifications.  | 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. |
| SE_SWMI_009                     | Noted that the Office of Public Works should not be the statutory authority to administer new regulations.   | The competent authority for administering the necessary measures and controls has yet to be determined.  |
| SE_SWMI_007                     | <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. 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> | Comments are noted and will be considered in the development of measures and controls in relation to physical modifications.   |
| SE_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.   |
| SE_SWMI_003<br>SE_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 WFD to prevent deterioration of status in all waters.   |

| <b>Physical modifications</b>   |  |  |
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| SE_SWMI_003<br>SE_SWMI_009<br>SE_SWMI_017<br>SE_SWMI_020<br>SE_SWMI_024 | <p>Expressed concern about building pressures on floodplains and how this would be addressed.</p> <p>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.</p> | <p>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.</p> <p>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<sup>nd</sup> 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.</p> |
| SE_SWMI_003<br>SE_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.  |
| SE_SWMI_003<br>SE_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.   |
| SE_SWMI_009   | <p>Recommend that the principle of urban Total Impervious Areas (TIA) be accepted as another aspect of physical modifications.</p> <p>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,</p>                                    | 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.   |

| <b>Physical modifications</b>   |  |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>  |
|                                 | parks, sod roofs and other measures which have the capacity to buffer peak flood run-offs and their associated silt and toxin loads.   |  |
| SE_SWMI_003<br>SE_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.  |
| SE_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.   |
| SE_SWMI_018                     | New approaches to rectify damage on a catchment and whole system basis are suggested.  | 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 POMS 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 RBMP. |
| SE_SWMI_018                     | Update of legislation and planning laws are required   | Central government is currently considering the introduction of regulations to control physical modifications to surface waters.   |
| SE_SWMI_017                     | A pilot model should be developed for at least one small river catchment. The model would predict high and low flows, and related water quality and take into account climate change.  | A pilot model has been run for the SWRBD project using the SIMCAT modelling tool. This tool will be distributed to the Local Authorities.  |
| SE_SWMI_011                     | Negative drainage schemes are taking place on spawning tributaries and streams and they result in  | Measures will be proposed to alleviate the issue of poor drainage practices.   |



| <b>Physical modifications</b>   |   |  |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
|                                 | siltation.  |  |
| SE_SWMI_015                     | A comprehensive registration and authorisation is needed to control the impact. | 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. |
| SE_SWMI_011                     | Channelisation on the River Multeen on the Tipperary/Dundrum Road.              | Measures will be proposed to alleviate the issue of poor drainage practices. Where it is found that there are negative impacts due to poor drainage practices remediation measures will be proposed.                           |

### 3.2.8 Abstractions

| <b>Abstractions</b>             |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_003<br>SE_SWMI_009      | 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 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.   |
| SE_SWMI_003<br>SE_SWMI_009      | 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.  |
| SE_SWMI_003<br>SE_SWMI_009      | 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. |
| SE_SWMI_003<br>SE_SWMI_009      | Rain water harvesting needs more focus.<br><br>Requirements for harvesting should be included in new planning consents and grants should be provided               | 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.  |



| <b>Abstractions</b>                       |  |  |
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| <b>Submission Reference No.</b>           | <b>Issues Identified</b>   | <b>Response</b>  |
|   | for retrofitting of harvesting equipment.  |  |
| SE_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 WFD. Licensing regulations for groundwater abstractions are currently being considered by DEHLG.  |
| SE_SWMI_003<br>SE_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.   |
| SE_SWMI_018<br>SE_SWMI_023<br>SE_SWMI_020 | Need for new legislation and licensing system. License/enforcement needs to be adequately resourced.   | New regulations are currently being developed by central government for a single registration and licensing system for all significant abstractions from surface and groundwaters. Licences will set abstraction limits to preserve water resources and prevent impacts on fish populations, and specify compulsory monitoring requirements.   |
| SE_SWMI_023                               | Existing controls are inadequate to deal with modern and developing water abstraction/usage practices.   | The Programme of Measures study on abstraction pressures has developed a national abstractions register and completed technical studies to establish the amount of water currently abstracted, predict future abstraction requirements and estimate water resource requirements needed to protect fish populations. 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.<br>New regulations are currently being developed 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. |
| SE_SWMI_023<br>SE_SWMI_018                | Application process should involve applicant identifying spawning areas within 1km of proposed abstraction, carrying out ecological studies on surface waters, identifying zones of contribution for groundwater and identifying all parties potentially | Currently, abstraction schemes are subject to planning regulations and large abstractions are subject to Environmental Impact Assessment regulations, which include provision for public consultations.<br><br>The WFD requires a registration and authorisation system to control the   |

| <b>Abstractions</b>                |  |   |
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| <b>Submission Reference No.</b>    | <b>Issues Identified</b>   | <b>Response</b>   |
|                                    | <p>affected.</p> <p>Larger abstractions should involve an EIA, hydrometric surveys and public consultations. Abstractions application process should also take account of vulnerability mapping and nitrates directive.</p>  | <p>impact of abstractions; licensing regulations for groundwater are currently being considered by DEHLG; draft technical guidance has been prepared to support the new regulations. The guidance includes consideration of zones of contribution and source protection, which take account of vulnerability mapping.</p> <p>Regarding the Nitrates Directive, DEHLG has developed a Nitrates Action Plan that addresses potential for impacts on nitrate on water quality.</p> |
| <p>SE_SWMI_023<br/>SE_SWMI_018</p> | <p>Items to be considered by licensing agency</p> <ul style="list-style-type: none"> <li>▪ min flow retaining in water body for good ecological status/good river condition rather than a % of the overall/dry weather flow</li> <li>▪ has BAT been used to minimise abstraction requirements</li> <li>▪ reuse water rather than further abstraction</li> <li>▪ can rainwater harvesting/impoundment be used instead of or to reduce abstraction</li> </ul>  | <p>The comments are noted.</p>  |
| <p>SE_SWMI_023<br/>SE_SWMI_018</p> | <p>License conditions</p> <ul style="list-style-type: none"> <li>▪ Continuous flow and level monitoring in abstraction waters</li> <li>▪ Maintain records of abstraction on a publicly accessible website (daily, weekly updated)</li> <li>▪ Designate points for intermittent abstractions</li> <li>▪ None from headwaters or sensitive areas e.g. spawning grounds, fresh water pearly mussel</li> <li>▪ Water abstracted should be returned to the same water body/catchment ( at a point close to the abstraction)</li> <li>▪ Non essential abstraction to cease during drought conditions i.e. drinking water</li> <li>▪ Water abstraction should incur a charge per unit abstracted (Ground and surface waters)</li> <li>▪ Penalties for non conformance with license should be realistic, reflect the high respect we should have for our waters and be sufficiently</li> </ul> | <p>The comments are noted.</p>  |

| <b>Abstractions</b>                       |   |   |
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| <b>Submission Reference No.</b>           | <b>Issues Identified</b>  | <b>Response</b>   |
|   | <p>large so that they are a deterrent</p> <ul style="list-style-type: none"> <li>▪ Abstraction licence should contain a max hourly rate as well as an overall daily, weekly, monthly rate</li> <li>▪ Abstracted water should be monitored for quality</li> <li>▪ Annual impact on abstraction water report should be publicly accessible</li> <li>▪ A requirement to attend a water awareness education programme (2 or 3 days long and prepared by the EPA or other statutory body)</li> </ul>   |   |
| SE_SWMI_018<br>SE_SWMI_023<br>SE_SWMI_024 | Awareness campaigns   | A series of education programmes are being prepared for all local authority officers. Training and education programmes will form part of the implementation of the WFD.  |
| SE_SWMI_019                               | Not enough emphasis given to the effects of recharge rates  | The WFD requires a registration and authorisation system to control the impact of abstractions; licensing regulations for groundwater are currently being considered by DEHLG; draft technical guidance has been prepared to support the new regulations. Recharge of groundwater is a central component in this guidance.  |
| SE_SWMI_019                               | <p>All present and future abstractions should be properly assessed for recharge rates and in particular for:</p> <p><u>Rivers</u></p> <ul style="list-style-type: none"> <li>▪ The effects of flow properties and upstream of abstraction points</li> <li>▪ The effects on feeder streams upstream of abstraction points</li> <li>▪ Movement of bed material in suspension and by siltation, particularly relating to salmonid spawning reeds</li> </ul> <p><u>Lakes</u></p> <ul style="list-style-type: none"> <li>▪ Maintaining optimum water levels throughout the year</li> <li>▪ The effects of abstraction on feeder streams to the lake</li> </ul> | <p>The WFD requires a registration and authorisation system to control the impact of abstractions; licensing regulations for groundwater are currently being considered by DEHLG; draft technical guidance has been prepared to support the new regulations. Most of these comments address water balance issues, which are fundamental to assessment of potential impacts from abstractions.</p> <p>Abstractions of surface water bodies (rivers/lakes) do not typically have impacts on upstream feeder streams. With regard to groundwater, the potential for effects on discharge to streams is a component of water balance.</p> |

| <b>Abstractions</b>             |  |   |
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| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
|                                 | <u>Aquifers</u> <ul style="list-style-type: none"> <li>▪ The effects on water table levels surrounding and adjacent to the aquifer</li> <li>▪ The effects on streams fed by the aquifer.</li> </ul>                                  |   |
| SE_SWMI_021                     | River Slaney abstraction is pumped back into the River Barrow and this effects spawning grounds by silting of the river.   | New controls on abstractions will be proposed under the WFD POMS.   |
| SE_SWMI_023                     | Type of abstractions regulated should include intermittent, temporary, permanent/long term and groundwater abstraction   | The WFD requires a registration and authorisation system to control the impact of abstractions. Thresholds may be set for those abstractions requiring only registrations and those also requiring authorisation.   |
| SE_SWMI_023                     | Drilling companies should be licensed  | The WFD requires a registration and authorisation system to control the impact of abstractions; licensing regulations for groundwater are currently being considered by DEHLG; draft technical guidance has been prepared to support the new regulations. The guidance includes recommendations on licensing of drilling companies. |
| SE_SWMI_023                     | No lower limit of abstraction for licence requirement  | The WFD requires a registration and authorisation system to control the impact of abstractions. Thresholds may be set for those abstractions requiring only registrations and those also requiring authorisation  |
| SE_SWMI_023                     | A national central database of abstractions should be compiled   | The WFD requires a registration system to control the impact of abstractions.   |
| SE_SWMI_023<br>SE_SWMI_024      | A system that rewards the economic use of water should be implemented  | This is being investigated as part of the ERBD’s Abstraction Programme of Measures Study..  |
| SE_SWMI_020<br>SE_SWMI_021      | Abstractions from one basin for supply in another basin are an issue   | This is being investigated as part of the ERBD’s Abstraction Programme of Measures Study.   |
| SE_SWMI_017                     | A programme of pipe leakage reduction should firstly require the age and type of pipe work to be recorded.   | There is a National Water Conservation Programme that is currently looking at the age and type of pipes.  |
| SE_SWMI_017                     | The statement “All of that water has to be treated to a high standard to remove impurities and make it fit for consumption” is grossly incorrect. The majority of groundwaters do not receive any treatment other than chlorination. | The comment is noted  |
| SE_SWMI_017                     | Over-abstraction may cause permanent damage to the environment   | The comment is noted.   |
| SE_SWMI_017                     | All sources of water have finite capacities, and work  | The comment is noted. Determination of abstraction volumes will be a  |

| <b>Abstractions</b>                       |   |   |
|---|---|---|
| <b>Submission Reference No.</b>           | <b>Issues Identified</b>  | <b>Response</b>   |
|   | is required to define these capacities, and so determine the maximum rates of abstraction.  | component of the registration and authorisation system to control the impact of abstractions required under the WFD   |
| SE_SWMI_017                               | A model that would provide data for calculations of the finite capacity of both surface and groundwater sources is suggested.   | The need for a model to define the capacity of water resources would need to be decided on a case-by-case basis.  |
| SE_SWMI_017<br>SE_SWMI_018<br>SE_SWMI_024 | A charge for all water supplied should apply with payment by usage, thus forming an incentive to minimise consumption.  | This is currently under investigation.  |
| SE_SWMI_018                               | Lower thresholds for EIAs for water abstraction   | The WFD requires a registration and authorisation system to control the impact of abstractions. Thresholds may be set for those abstractions requiring only registrations and those also requiring authorisation. |
| SE_SWMI_017                               | A “Flow modelling” project is urgently required. The studies are mentioned on page 37, but included the error that low-flows occur in the summer, they normally occur in September. When planning the studies it is suggested that it includes for linking all the data, e.g. from rainfall to estuary flows and everything in between. | A pilot model has been run for the SWRBD project using the SIMCAT modelling tool. This tool will be distributed to the Local Authorities.   |
| SE_SWMI_017                               | Implement the promised legislation on dual-flush toilets  | The local authorities have legal responsibilities to implement legislation.   |
| SE_SWMI_024                               | Suggested revising Planning Legislation to ensure assessment of water supply and environmental implications of new abstractions as part of planning process.  | The comment is noted.   |
| SE_SWMI_024                               | Location of water-demanding industries closer to supply.  | This is a matter for the planning authorities.  |
| SE_SWMI_024                               | Water supply should remain the responsibility of government and not be privatised.  | This is a matter for government policy.   |

### 3.2.9 Invasive alien species

| <b>Invasive alien species</b>   |   |  |
|---------------------------------|---|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_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.   |
| SE_SWMI_009<br>SE_SWMI_003      | Called for regulation of the ornamental plant and animal trade.   | Regulations will be introduced under the Wildlife Act 1976 to prohibit the possession or introduction of species of bird, animal or flora that may be detrimental to native species.   |
| SE_SWMI_003                     | Noted that recommendations from the Quercus invasive species report should be implemented and resourced on an all island basis<br><a href="http://www.jncc.gov.uk/PDF/BRAG_NNS_Stokesetal-InvasiveSpeciesinIreland.pdf">http://www.jncc.gov.uk/PDF/BRAG_NNS_Stokesetal-InvasiveSpeciesinIreland.pdf</a> | 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.  |
| SE_SWMI_013<br>SE_SWMI_018      | Use and import of exotic plants and animal species should be banned.  | 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.  |
| SE_SWMI_018<br>SE_SWMI_024      | Further survey work is required.  | The NPWS and the Environment and Heritage Service in Northern Ireland 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. As part of the project a website has been developed <a href="http://www.invasivespeciesireland.com">www.invasivespeciesireland.com</a> . 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. Awareness raising campaigns are required to prevent the spread of previously introduced non-native invasives and to prevent the introduction of new non-native invasives. |
| SE_SWMI_018<br>SE_SWMI_024      | A nationwide campaign to eradicate invasive species, replacement with native species, maintaining and retaining hedgerows and planting wildlife friendly gardens was suggested.   |  |
| SE_SWMI_018                     | Maps drawn up of invasive species.  |  |
| SE_SWMI_018                     | Registration of boats to control movements.   |  |
| SE_SWMI_018                     | Control of discharging of ballasts in ports.  |  |

| <b>Invasive alien species</b>   |   |   |
|---------------------------------|---|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_SWMI_024                     | Training of council staff on identification and basic handling guidelines should be provided for.   | A series of education programmes are being prepared for all local authority officers. Training and education programmes will form part of the implementation of the WFD.  |
| SE_SWMI_013                     | The invasive species Himalayan balm can be seen beside the Avonree River, in Friary Meadow, Callan, Co. Kilkenny.<br>Japanese knotweed can be seen upstream of Kilkenny City near the River Nore. | Management plans that have been produced for the high risk species. 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. |

### 3.2.10 High quality areas

| <b>High quality areas</b>       |   |  |
|---------------------------------|---|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_SWMI_009                     | Alternative objectives must 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.   |
| SE_SWMI_009<br>SE_SWMI_003      | 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 RBMPs 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. |
| SE_SWMI_002<br>SE_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).   |
| SE_SWMI_018                     | Completion of Habitats Directive Obligations and Natural Heritage Areas designation                               | The Habitats Directive is a basic measure of the WFD and will be included in the RBMP.   |
| SE_SWMI_018                     | Register of Protected Areas to be given to Advisory Council, Local Authorities and eNGOs                          | The register of Protected Areas is available for download on the SERBD website ( <a href="http://www.serbd.com">www.serbd.com</a> ).   |



### 3.2.11 Climate change

| <b>Climate change</b>                                    |  |  |
|--|--|--|
| <b>Submission Reference No.</b>                          | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_SWMI_009<br>SE_SWMI_002<br>SE_SWMI_003<br>SE_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 ‘ <i>Water Matters</i> ’ report was prepared.<br><br>An approach has now been agreed and this issue will be addressed in the River Basin Management Plans. |
| SE_SWMI_009<br>SE_SWMI_002                               | Noted some of the potential effects of climate change: <ul style="list-style-type: none"> <li>• Reductions in rainfall will result in less water being available to dilute organic effluent.</li> <li>• Increased temperatures will affect water oxygen levels.</li> <li>• Increased vulnerability of groundwater to pollution from increased runoff and also from incursion by sea water resulting from increased sea levels.</li> <li>• Impacts on wetland ecosystems that are sensitive to changes in water balance.</li> </ul> | The comments are noted.  |
| SE_SWMI_009<br>SE_SWMI_003<br>SE_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.’   |

| <b>Climate change</b>           |   |  |
|---------------------------------|---|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_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.</p> <p>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) <i>Climate Change: Refining the Impacts</i>, Environmental Protection Agency, Ireland, Government Publications, in press.</p> | Agree.   |
| SE_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. |
| SE_SWMI_018<br>SE_SWMI_024      | Climate Change impacts on water quality should get a greater reference than what is in the <i>Water Matters</i> booklet.  | The RBMP will include a section on Climate Change and future pressure trends.  |
| SE_SWMI_018                     | Some hazardous substances may be mobilised under high flow conditions resulting from increased heavy winter precipitation.  | Any mobilisation of hazardous substances will be picked up under the WFD monitoring programme  |

### 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

| Aquaculture                               |  |  |
|---|--|--|
| Submission Reference No.                  | Issues Identified  | Response   |
| SE_SWMI_009<br>SE_SWMI_003<br>SE_SWMI_002 | Called for aquaculture to be considered as a national significant water management issue.<br><br>Concern that impacts surrounding aquaculture enterprises had not been dealt with in the Water Matters reports.  | 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. As a result of this we will ensure that aquaculture is dealt with as a separate topic in the River Basin Plan.  |
| SE_SWMI_009<br>SE_SWMI_002                | Expressed concern over the range of impacts of aquaculture. They noted impacts from salmon farming such as: <ul style="list-style-type: none"> <li>• Increased nutrient loading and organic pollution around cages</li> <li>• Unauthorised disposal of waste</li> <li>• Breaches of sea lice limits/infection of wild fish</li> <li>• Decline of wild salmon and sea trout numbers</li> <li>• Use of dangerous substances</li> </ul> <p>Poor maintenance of inter-tidal oyster trestles. Mussel bed cultivation and associated dredging activities can affect biodiversity and indigenous species.</p> | Shellfish cultivation and harvesting activities can result in morphological impacts. Finfish aquaculture has a number of potential impacts such as increased nutrient loading and organic pollution around cages. There are also a range of substances used in finfish aquaculture including veterinary medicines (primarily antibiotics, and sea lice treatments), disinfectants, feed additives and antifoulants. Work is underway to develop a national approach for regulating chemical use and discharge for finfish aquaculture in Ireland. A new sea lice control strategy has also been launched, the strategy is available from:<br><a href="http://www.agriculture.gov.ie/publicat/publications2008/SeaLiceControlStrategy.doc">http://www.agriculture.gov.ie/publicat/publications2008/SeaLiceControlStrategy.doc</a> |
| SE_SWMI_19                                | Inland fish farms present an issue for the water bodies that support them.   | There will be increased control of abstractions as a result of the measures proposed in the RBMP.<br>Also new regulations are being drawn up by DEHLG that will set new water quality standards. All licenses will have to comply with these standards to ensure compliance with the aims of the WFD.  |

| <b>Aquaculture</b>              |   |   |
|---------------------------------|---|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_SWMI_018                     | Aquaculture needs proper up to date scientific assessment.<br>Not enough emphasis put on it.  | All aquaculture sites are licensed. An investigation into the substances used in aquaculture has been carried out.  |
| SE_SWMI_019                     | Controls of aquaculture should include: <ul style="list-style-type: none"> <li>▪ Planning for these facilities should be brought under the Planning and Development Act (presently such developments are moderated on by the Dept. of Agriculture, Fisheries and Food) in order that the public may be advised of the proposed development and can make observation or object</li> <li>▪ EPA licences for these activities should be available for public scrutiny</li> <li>▪ Compliance with planning and licensing conditions should be reported to public bodies and be available for public scrutiny</li> </ul> | All aquaculture operations must be licensed under the Fisheries (Amendment) Act 1997. All aquaculture operations require planning under the Planning Acts.<br>All enforcement actions are <i>sub judice</i> and therefore non-compliance can not be reported unless an action has been taken and then the results of the action are made available.   |
| SE_SWMI_019                     | Concern regarding the methods used for harvesting cockles in Waterford harbour and the effects the practice has on the ecology of the transitional waters a <i>Natura 2000</i> protected special area of conservation.  | The Cockle (Fisheries management and conservation) (Waterford Estuary) regulations 2007 S.I. No 531 of 2007 introduced a suite of conservation regulations for Waterford Harbour. The thrust of S.I. No 531 is to divide the area into control “boxes” in which harvesting would be regulated. Fishing can take place only at certain times of day, daily landings per vessel must be less than a certain weight, there is a size limit on cockles which can be removed (sub-sized must be returned to the water where they have been captured) and there are restrictions on the type of gear to be used. Finally, there is a requirement to report landings; such a regulation already exists in the format of a gatherers’ docket but, hitherto that has not been enforced. As Waterford Harbour is also a SAC it is the responsibility of the competent national authority to authorise cockle extraction in a SAC under the provisions of the Habitats Directive but only when they are sure it will not adversely effect the integrity of the site. S.I. No 531 together with the provisions of the Habitats Directive need to be enforced and implemented with the Waterford Harbour area. |

| <b>Aquaculture</b>              |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_019                     | SACs need protection through planning and conservation considerations. | The National Parks and Wildlife Service 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. |

### 3.3.2 Floods

| <b>Floods</b>                   |   |  |
|---------------------------------|---|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_SWMI_017                     | Flood risk maps should be compiled with county development plans.   | OPW flood maps are available on <a href="http://www.floodmaps.ie">www.floodmaps.ie</a> . Flood Hazard Maps show information on a map about places that may be at risk from flooding. |
| SE_SWMI_017                     | Guidance both general and technical should be provided for people already based in flood risk areas.  | The OPW is the responsible authority in this area.   |
| SE_SWMI_013                     | <b>Floods</b> have eroded the river banks- these should be restored with spindle, willow, hazel, buck thorn and alder whose roots would help contain soil and remove pollutants | If this is found to be affecting water quality remediation measures will be proposed.  |

### 3.3.3 Marine and estuarine issues

| <b>Marine and estuarine issues</b>        |  |  |
|---|--|--|
| <b>Submission Reference No.</b>           | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_SWMI_009<br>SE_SWMI_003<br>SE_SWMI_006 | 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.<br>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 <i>'Sea Change'</i> programme published by the Marine Institute. |
| SE_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.<br>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.   |

### 3.3.4 Drinking Water

| <b>Drinking Water</b>           |                             |  |
|---------------------------------|-----------------------------|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>    | <b>Response</b>  |
| SE_SWMI_013                     | Drinking Water Fluoridation | 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. |

### 3.3.5 Species Preservation

| <b>Species Preservation</b>     |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_020                     | Preserving existing species is very important. Captive breeding programmes should be undertaken for species, both animal and plant | A project to captively breed the freshwater mussel species, <i>Margaritifera durrovensis</i> , the Nore pearl mussel was initiated in late 2004 and the mussels moved to the fish farm May 2005. The two main objectives of this project are: (1) to provide necessary scientific advice and monitor the captive breeding programme for <i>Margaritifera durrovensis</i> , which will initially be funded by the NRA as part of its M7/M8 planning condition fulfilment; (2) to assess rivers within the Nore catchment as potential translocation sites for the natural population of <i>Margaritifera durrovensis</i> , as well as any mussels bred in captivity. |
| SE_SWMI_024                     | Completion of local biodiversity plans and penalties should be imposed for local authorities who do not compile them               | As part of Ireland's commitment under the UN Convention on Biological Diversity, the then Department of Arts, Heritage, Gaeltacht and the Islands prepared a National Biodiversity Plan which seeks that two key measures be put in place by Local Authorities for general application in designated and non-designated sites; the preparation of a Local Authority Biodiversity Action Plan and the designation of a Natural Heritage Officer.   |

### 3.3.6 Species Preservation

| <b>Species Preservation</b>     |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_020                     | Preserving existing species is very important. Captive breeding programmes should be undertaken for species, both animal and plant | A project to captively breed the freshwater mussel species, <i>Margaritifera durrovensis</i> , the Nore pearl mussel was initiated in late 2004 and the mussels moved to the fish farm May 2005. The two main objectives of this project are: (1) to provide necessary scientific advice and monitor the captive breeding programme for <i>Margaritifera durrovensis</i> , which will initially be funded by the NRA as part of its M7/M8 planning condition fulfilment; (2) to assess rivers within the Nore catchment as potential translocation sites for the natural population of <i>Margaritifera durrovensis</i> , as well as any mussels bred in captivity. |



| <b>Species Preservation</b>     |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_024                     | Completion of local biodiversity plans and penalties should be imposed for local authorities who do not compile them | As part of Ireland's commitment under the UN Convention on Biological Diversity, the then Department of Arts, Heritage, Gaeltacht and the Islands prepared a National Biodiversity Plan which seeks that two key measures be put in place by Local Authorities for general application in designated and non-designated sites; the preparation of a Local Authority Biodiversity Action Plan and the designation of a Natural Heritage Officer. |

### 3.3.7 Groundwater

| <b>Groundwater</b>              |  |  |
|---------------------------------|--|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_SWMI_020                     | Mapping of geothermal unit sites is necessary as the effects of high density geothermal units has on groundwater bodies is not known.  | This issue will be addressed by the Groundwater Working Group.   |
| SE_SWMI_020                     | Called for collation of data base logs and also technical guidance should be made available on good practice in drilling boreholes for the safe supply of drinking water and protection of the source. | GSI is the authority responsible for the collation of data base logs. They have published guidelines for the safe supply of drinking water and protection of the source. |

### 3.3.8 Illegal Dumping

| <b>Illegal Dumping</b>          |  |  |
|---------------------------------|--|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_SWMI_018<br>SE_SWMI_020      | Illegal dumping is causing a threat to rivers, groundwater and drinking water supply. Potential sites for illegal dumping should be mapped and monitored by local authorities. | The Local Authorities have been issued with Guidance from the EPA and have been carrying out risk assessments and developing inventories of illegal dumping sites. |

### 3.3.9 Economics

| <b>Economics</b>                |   |   |
|---------------------------------|---|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_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. 'Water Matters – Have you say!' 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 'Water Matters' 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 and cost effective combination of measures to be implemented. 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. |
| SE_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.   |
| SE_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.  |

### 3.3.10 Water charging

| <b>Water charging</b>           |   |  |
|---------------------------------|---|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_SWMI_003                     | 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. |
| SE_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 was completed in 2006.  |
| SE_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.  |

### 3.3.12 Development pressure

| <b>Development pressure</b>     |  |  |
|---------------------------------|--|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_SWMI_009                     | Development and planning is the most serious threat to water quality and lack of integration of planning is core to this.  | <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:<br/> <a href="http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/FileDownload,14467,en.pdf">http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/FileDownload,14467,en.pdf</a></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> |
| SE_SWMI_008                     | Note the lack of coherent town planning.   |  |
| SE_SWMI_005                     | 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. |  |

| <b>Development pressure</b>                   |  |   |
|---|--|---|
| <b>Submission Reference No.</b>               | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_022<br>SE_SWMI_024<br><br>SE_SWMI_022 | Housing development should not go ahead until sewerage and water facilities are put in place<br><br>Zoning should involve a study to be carried out to ensure that existing wastewater treatment plants are adequate to carry such development | 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.<br>The provision of water and sewerage investment programmes by planning authorities must be related to the zoning and sequencing of residential lands and be integrated with the provision of public transport, schools, community and leisure facilities.   |
| SE_SWMI_022                                   | No development within 30m of rivers and streams  | Planning authorities ensure that best practice is adhered to and all relevant risks are assessed when analysing planning applications for developments. The Planning and Development Regulations 2006 require that planning authorities notify and take advice from Regional Fisheries Boards of developments that would involve the carrying out of works in, over, along or adjacent to the banks of waters and to ensure that existing rights of way and access to river banks is maintained.  |
| SE_SWMI_022<br><br>SE_SWMI_024                | All large scale developments should be subject to an EIS<br><br>Planning law requires the developer to carry out ecological assessments and as a result they are not truly objective   | The Environmental Impact Assessment Directive (85/337/EEC), as amended by Council Directive 97/11/EC and by Article 3 of Directive 2003/35/EC (to improve the rights for public participation) requires an Environmental Impact Statement to be prepared for certain development projects such as large-scale industrial or infrastructure projects.<br><br>The Environmental Impact Assessment and production of an Environmental Impact Statement (EIS) is commissioned by the developer. The EIS is consulted on widely and any member of the public or any organisation may comment on the project and its possible environmental effects. These comments must be taken into account by the planning authority. |
| SE_SWMI_017                                   | Developers can cause high levels of pollution and then simply disappear. While bonds are sought for the building phase a similar method over say 30 years could be sought for environmental impacts.   | The long term impacts of all developments are considered during the planning approval stage.<br>This will be brought to the attention of the relevant bodies for inclusion as a supplementary measure.  |

| <b>Development pressure</b>     |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_024                     | Development has been a direct consequence in the decline in the Nore Pearl Mussel Populations and didn't get enough emphasis in this report  | The NPWS are addressing this issue and are preparing management plans for the Nore catchment to protect the Nore Pearl Mussel populations from further decline  |
| SE_SWMI_024                     | Not enough supervision is carried out during construction works<br><br>Silting of rivers as a result of construction works is an issue   | Planning authorities inspect significant developments at critical stages during the construction phase.<br><br>Measures to prevent silting of river beds during construction are undertaken for major road works etc.   |
| SE_SWMI_024                     | Opportunities to modify and integrate existing landscape features into developments/ roadworks are overlooked for more destructive practices   | Planning authorities ensure that where possible existing landscape features are incorporated into developments. The National Roads Authority has developed a series of environmental guidelines to facilitate further the integration of various environmental issues into national road scheme planning. They promote integration of the various cultural, social and ecological aspects of landscape into road scheme planning. |
| SE_SWMI_024                     | Areas that are not designated are not given adequate assessment prior to granting permission<br>Planning permission should not be granted if there is not enough resources to make a proper assessment | Assessment of a planning application is carried out by a planner who has sufficient knowledge of the site in question to enable them to carry out an accurate assessment of the impact of the proposed development.   |
| SE_SWMI_024                     | The law does not specify buffer zones around protected areas. Modifications may thus take place too close to waterways exacerbating problems of run-of and silting.                                    | All Protected areas must meet their objectives by 2015 without any exceptions this will involve taking into account all pressures on the protected areas including those outside the boundary of the protected areas.   |
| SE_SWMI_024                     | Suggested that an overhaul of the planning process is necessary  | Local authorities will be required to realign planning policy in line with water policy within the provisions of the Planning and Development Act 2000.   |
| SE_SWMI_024                     | Suggested that the Rural Housing Plan has failed and should be replaced with a sustainable plan  | The WRBD On-site wastewater treatment systems study will propose measures to alleviate the issue of pollution from unsewered properties   |

| <b>Development pressure</b>     |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_018                     | SEA of NDP should take place to gauge impact of road construction  | Strategic Environmental Assessment (SEA) is the process by which environmental considerations are required to be fully integrated into the preparation and adoption of plans and programmes. Strategic Environmental Assessment is required for all major plans and programmes. Strategic Environmental Assessment applied to plans whose formal preparation or review commenced after 21 <sup>st</sup> July 2004.<br>Under the National Development Plan 2007-2013 under the roads sub-programme, some €13.3 billion will be invested in national roads and €4.3 billion in non-national roads. All major infrastructure developments such as road construction require Environmental Impact Assessment.   |
| SE_SWMI_016                     | Road and housing estates run-off should go through a settling system, possible an artificial lake, then diverted through a pebbled reed bed system | All major infrastructure developments incorporate Sustainable Urban Drainage Systems (SuDS). SuDS techniques ensure that water is either infiltrated or conveyed more slowly to water courses via ponds, swales, filter drains, through the use of permeable paving or other installations.<br><br>New roads have SuDS features incorporated into their design.   |
| SE_SWMI_022                     | Road runoff should have proper inceptors.  |   |
| SE_SWMI_024                     | Suggested monitoring of watercourses adjacent to roads   | A large number of rivers are routinely monitored downstream of bridges for ease of access. Under Ireland's WFD monitoring programme three types of monitoring are completed – surveillance, operational and investigative. Surveillance monitoring involves monitoring watercourses at strategic points to ensure that the results are representative of the overall status of the water body and to detect long term trends. Operational monitoring targets sites to determine the status of water bodies that are at risk of failing the objectives of the WFD and to determine the effectiveness of the programme of measures. Investigative monitoring is used to determine the reason for exceedances and to investigate accidental pollution incidents. |



**3.3.13 Resources**

| <b>Resources</b>                          |   |  |
|---|---|--|
| <b>Submission Reference No.</b>           | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_SWMI_002<br>SE_SWMI_003<br>SE_SWMI_009 | 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. | 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. |

### 3.3.8 Public participation / education / awareness

| <b>Public participation / education / awareness</b> |   |   |
|---|---|---|
| <b>Submission Reference No.</b>                     | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_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. | <p>Public participation has been a significant part of the implementation of the Water Framework Directive in the South Eastern River Basin Districts. The South Eastern Advisory Council is providing valuable guidance during the preparation of the River Basin Management Plan. A series of public meetings were held in the district on ‘<i>Water Matters – Have your say!</i>’ reports.</p> <p>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 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. A website was set up for each RBD and is 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.</p> |

| <b>Public participation / education / awareness</b> |   |  |
|---|---|--|
| <b>Submission Reference No.</b>                     | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_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.”<br>The names and nominating organisations of the South Eastern Advisory Council members will be made available through the draft river basin management plan. They are currently available on the South Eastern website. 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. |
| SE_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 South Eastern 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.<br>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 the Advisory Council to allow active dialogue among members.  |
| SE_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 Environment and Heritage Service Northern Ireland attended both the first and second conference. Further liaison would be beneficial.   |
| SE_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 South Eastern District. 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.   |

| <b>Public participation / education / awareness</b> |  |   |
|---|--|---|
| <b>Submission Reference No.</b>                     | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_002<br>SE_SWMI_009                          | There is a lack of awareness of the value of water by the general public.<br>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.   |
| SE_SWMI_002   | Local activism should be fostered and there should be reference to community engagement in catchment management initiatives.   | Support for local groups can be best provided by local authorities through their environmental awareness officers.  |
| SE_SWMI_003<br>SE_SWMI_009                          | 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.   | The purpose of the Water Matters report was to set out what the main water issues are in the RBD 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.<br>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.<br>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. |
| SE_SWMI_017   | Householders should be receiving a regular “information and education leaflet”, on all aspects of water supply and wastewater treatment, including the impact on the environment   | Awareness campaigns are proposed as supplementary measures.   |
| SE_SWMI_017   | The overall programme should be used in all publications together with the logo; this will introduce an element of continuity.   | The River Basin Management Plan will continue in a similar format to the Water Matters booklet  |

| <b>Public participation / education / awareness</b> |   |   |
|---|---|---|
| <b>Submission Reference No.</b>                     | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_SWMI_017   | Use must be made of promotional materials and competitions for all ages. Individual should be encouraged to register with the web site and prizes might help.   | Prizes are used to encourage involvement at Public Participation events   |
| SE_SWMI_017   | The web site should be updated.   | The SERBD website was updated in Jan 2008   |
| SE_SWMI_017   | The development of GIS provides the ideal tool for the dissemination of information, and the prevention of unsuitable development in defined areas.   | A WebGIS tool will be made available to the public with the RBMP in December 2009.  |
| SE_SWMI_020   | Higher visibility is needed: Use of road signs to denote entrance into a RBD on main transport links  | This idea will be passed to the Public Participation Working Group for possible inclusion in any education awareness campaigns.   |
| SE_SWMI_024   | The input of the stakeholder with the objective of restoring water quality in the region is not clearly visible in the report.<br>The structure of the Advisory Council has too high a representation from Councillors and profit based stakeholders and not enough NGOs. | This will be clarified in the RBMP.   |
| SE_SWMI_024   | Creation of SWAN has led to silencing of members in calling publicly for water issues to be addressed. The Environmental NGO viewpoint is not having an impact.   | This is an issue for the NGOs.  |
| SE_SWMI_024   | Felt that there is not a high degree of public involvement in the WFD implementation  | Public participation has been a significant part of the implementation of the Water Framework Directive in the SERBD. The SERBD Advisory Council is providing valuable guidance during the preparation of the River Basin Management Plan. A series of public meetings were held, number of presentations has been given and the SERBD have been represented at many national and local events. |

### 3.3.14 General comments on the ‘Water Matters – Have Your Say!’ reports

| General comments on the ‘Water Matters – Have Your Say!’ reports |   |   |
|--|---|---|
| Submission Reference No.   | Issues Identified   | Response  |
| SE_SWMI_009<br>SE_SWMI_003<br>SE_SWMI_018                        | 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. | 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 ‘ <i>Water Matters</i> ’. The draft River Basin Management Plan will detail the programme of measures and a web mapping tool will allow users to identify objectives and measures for individual water bodies.   |
| SE_SWMI_009  | 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.  | ‘ <i>Water Matters</i> ’ referred to improvements which had been noted by the EPA in the ‘ <i>Water Quality in Ireland 2006 – Key Indicators of the Aquatic Environment</i> ’ report. See <a href="http://www.epa.ie/downloads/pubs/water/indicators/name.23540.en.html">http://www.epa.ie/downloads/pubs/water/indicators/name.23540.en.html</a> for the full report. With regard to historical failures the emphasis was put on achieving the new water quality standards rather than looking back. |
| SE_SWMI_003<br>SE_SWMI_009                                       | Noted that a number of the references to background documents within the Water Matters reports were difficult to find on the RBD websites.  | The South Eastern RBD website has been up-dated and it should now be possible to access the documents referred to in ‘ <i>Water Matters</i> ’.  |
| SE_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 <a href="http://maps.epa.ie">http://maps.epa.ie</a> .   |
| SE_SWMI_017  | All people who responded should be included in a database and all other relevant correspondence should be sent to them  | A database has been created of people/organisations that submitted a response to the consultation and Significant Water Management Issues Digests and any other relevant correspondence will be distributed to all participants. The South Eastern RBD website will also be used to disseminate information to the public and comments or queries can be addressed to the website.  |

| <b>General comments on the ‘Water Matters – Have Your Say!’ reports</b> |   |  |
|---|---|--|
| <b>Submission Reference No.</b>   | <b>Issues Identified</b>  | <b>Response</b>  |
| SE_SWMI_017<br>SE_SWMI_024  | The introduction should have used a scoping process and / or a matrix   | ‘Water Matters – Have your say!’ reports were produced to inform the general public of the significant water management issues in the River Basin District and to identify whether the most important issues had been identified using accessible language. The use of a scoping process or matrix would have over-complicated the document. |
| SE_SWMI_017   | The use of the word pollution in the document creates the wrong impression in relation to WWTP discharges and suggests that the treated water should not be discharged to a watercourse | The use of the word ‘pollution’ referred to inadequately treated wastewater effluent which contains pollutants such as nutrients, bacteria, organic material or dangerous substances.  |

### 3.3.15 General Recommendations

| <b>General Recommendations</b>  |   |   |
|---------------------------------|---|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>  | <b>Response</b>   |
| SE_SWMI_017                     | The management and coordination of the plan will require a much greater degree of cooperation than appears to exist at present. | Local authorities are putting in place plans to set up regional offices to ensure that Water Framework Directive activities are co-ordinated on a River Basin District level. 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.  |
| SE_SWMI_020                     | Cognisance to be taken of all submission to each RBD  | All submissions have been analysed and addressed as appropriate in the digest.  |
| SE_SWMI_024                     | NPWS are under resourced. Suggested an increase in manpower   | The National Parks and Wildlife Service (NPWS) is part of the Department of Environment, Heritage and Local Government (DEHLG). Resources are committed for the DEHLG and the NPWS arising out of responsibilities to implement the Water Framework Directive. The Minister of the Environment recently announced that extra resources will be made available to the National Parks and Wildlife Service. |
| SE_SWMI_024                     | EPA monitoring should be accessible to the public   | EPA monitoring can be accessed online through their ENVision map system where information on river, lake, coastal, estuarine and groundwater quality can be viewed though <a href="http://www.epa.ie">www.epa.ie</a> Water quality reports are also available on the site.  |



### 3.3.16 Species Preservation

| <b>Species Preservation</b>     |  |   |
|---------------------------------|--|---|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>   |
| SE_SWMI_020                     | Preserving existing species is very important. Captive breeding programmes should be undertaken for species, both animal and plant | A project to captively breed the freshwater mussel species, <i>Margaritifera durrovensis</i> , the Nore pearl mussel was initiated in late 2004 and the mussels moved to the fish farm May 2005. The two main objectives of this project are: (1) to provide necessary scientific advice and monitor the captive breeding programme for <i>Margaritifera durrovensis</i> , which will initially be funded by the NRA as part of its M7/M8 planning condition fulfilment; (2) to assess rivers within the Nore catchment as potential translocation sites for the natural population of <i>Margaritifera durrovensis</i> , as well as any mussels bred in captivity. |
| SE_SWMI_024                     | Completion of local biodiversity plans and penalties should be imposed for local authorities who do not compile them               | As part of Ireland's commitment under the UN Convention on Biological Diversity, the then Department of Arts, Heritage, Gaeltacht and the Islands prepared a National Biodiversity Plan which seeks that two key measures be put in place by Local Authorities for general application in designated and non-designated sites; the preparation of a Local Authority Biodiversity Action Plan and the designation of a Natural Heritage Officer.   |

### 3.3.17 Groundwater

| <b>Groundwater</b>              |  |  |
|---------------------------------|--|--|
| <b>Submission Reference No.</b> | <b>Issues Identified</b>   | <b>Response</b>  |
| SE_SWMI_020                     | Mapping of geothermal unit sites is necessary as the effects of high density geothermal units has on groundwater bodies is not known.  | This issue will be addressed by the Groundwater Working Group.   |
| SE_SWMI_020                     | Called for collation of data base logs and also technical guidance should be made available on good practice in drilling boreholes for the safe supply of drinking water and protection of the source. | GSI is the authority responsible for the collation of data base logs. They have published guidelines for the safe supply of drinking water and protection of the source. |

## 4.0 What happens next?

The local authorities responsible for implementation of the WFD in the South Eastern River Basin District 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.

Draft River Basin Management Plans will be published for public consultation by 22<sup>nd</sup> December 2008. The consultation will run until 22<sup>nd</sup> 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**

Carlow County Council  
Wexford County Council  
Kilkenny County Council  
Waterford County Council  
South Tipperary County Council  
Laois County Council  
North Tipperary County Council  
Kildare County Council  
Offaly County Council  
Wicklow County Council  
Waterford City Council  
Limerick County Council  
Cork County Council

### **Website**

<http://www.carlow.ie/>  
<http://www.wexford.ie/>  
<http://www.kilkennycoco.ie/>  
<http://www.waterfordcoco.ie/>  
<http://www.southtippcoco.ie/>  
<http://www.laois.ie/>  
<http://www.northtipcoco.ie/>  
<http://www.kildare.ie/>  
<http://www.offaly.ie/>  
<http://www.wicklow.ie/>  
<http://www.waterfordcity.ie/>  
<http://www.lcc.ie>  
<http://www.corkcoco.ie>

### **Departments / Agencies etc.**

Central Fisheries Board  
Department of Agriculture, Fisheries and Food  
Department of Communications, Energy and Natural Resources  
Department of Community, Rural & Gaeltacht Affairs  
Department of Enterprise, Trade and Employment  
Department of Environment, Heritage and Local Government  
Electricity Supply Board  
Environmental Protection Agency  
Fáilte Ireland  
Forest Service

### **Website**

<http://www.cfb.ie/>  
<http://www.agriculture.gov.ie/>  
<http://www.dcmnr.gov.ie/>  
<http://www.pobail.ie/>  
<http://www.entemp.ie/>  
<http://www.environ.ie/en/>  
<http://www.esb.ie/>  
<http://www.epa.ie>  
<http://www.failteireland.ie/>

[http://www.agriculture.gov.ie/index.jsp?file=forestry/pages/forest\\_service.xml](http://www.agriculture.gov.ie/index.jsp?file=forestry/pages/forest_service.xml)

Geological Survey of Ireland  
Health and Safety Authority  
Heritage Council  
Irish Medicines Board

<http://www.gsi.ie/>  
<http://www.hsa.ie/eng/>  
<http://www.heritagecouncil.ie/>  
<http://www.imb.ie/>

## South Eastern River Basin District

|  |   |
|--|---|
| Local Government Computer Services Board     | <a href="http://www.lgcsb.ie/">http://www.lgcsb.ie/</a>                         |
| Marine Institute                             | <a href="http://www.marine.ie/Home/">http://www.marine.ie/Home/</a>             |
| National Federation of Group Water Schemes   | <a href="http://www.nfgws.ie/">http://www.nfgws.ie/</a>                         |
| National Parks and Wildlife Service          | <a href="http://www.npws.ie/en/">http://www.npws.ie/en/</a>                     |
| Office of Public Works                       | <a href="http://www.opw.ie/">http://www.opw.ie/</a>                             |
| Radiological Protection Institute of Ireland | <a href="http://www.rpii.ie/">http://www.rpii.ie/</a>                           |
| Southern Regional Authority                  | <a href="http://www.sera.ie">http://www.sera.ie</a>                             |
| Southern Regional Fisheries Board            | <a href="http://www.srfb.ie/">http://www.srfb.ie/</a>                           |
| Sustainable Energy Ireland                   | <a href="http://www.sei.ie">http://www.sei.ie</a>                               |
| Teagasc                                      | <a href="http://www.teagasc.ie/">http://www.teagasc.ie/</a>                     |
| Waterways Ireland                            | <a href="http://www.waterwaysireland.org/">http://www.waterwaysireland.org/</a> |

### **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) **current Amendment (2008)?**
- 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)

### **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 South Eastern district?
- Q2.** What is your view of these suggested themes? Have we missed something that would be helpful within the South Eastern district?
- Q3.** What is your view about the suggested actions to control problems related to wastewater and industrial discharge within the South Eastern 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 South Eastern 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 South Eastern 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 South Eastern 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 South Eastern 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 South Eastern 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 South Eastern 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 South Eastern 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 South Eastern district?
- Q12.** What is your view about the suggested actions to address sensitive area problems within the South Eastern district?

## Appendix 2

### SERBD Public Meetings Summary

#### **Meeting 1:**

**Kilkenny 19<sup>th</sup> November 2007**

Attendance: 15 people + 2 Local Authority Staff

#### General queries/discussion

- How was SERBD structure set up?
- There is a need to be open about the information and the real problems for water quality– this will help LAs get funding
- However with openness there is a responsibility to handle the information to avoid panic
- Development pressure - will take along time for infrastructure to catch up
- Ireland allows planning to take place before infrastructure – GB doesn't
- The EPA monitoring programme has errors – eg Nuenna river sample point is not downstream of the discharge points – also dependence on the county council data queried – there is a need to be able to stand over the data
- LA have resource restrictions to deal with water quality
- Water pricing policy should be considered – the one off charge for development is not adequate and for example does not cover running costs of treatment facilities
- Climate change affecting bird populations – the importance of protected areas is becoming more publicly acceptable
- Global warming is having an effect on habitats, specifically, and on the temperature of rivers.
- Funds needed to implement RBMPs
- Increasing habitats and biodiversity would form a natural barrier preventing pollution from entering waters, for example siting artificial lakes to catch runoff from roads
- Education on water conservation is very important
- VAT reductions on eco-friendly goods
- Climate change should be taken into consideration
- Cobblestones or similar should be used rather than concrete in car parks and driveways

#### Municipal and Industrial WWTP

- How many plants need treatment upgrades?
- Are upgrades able to accommodate the high level of development and growth in the district?
- Macerators should be banned as they raise the BOD of the waste that needs to be processed by WWTPs. Place added pressure on treatment plants.
- The Kilkenny draft county development plan includes a policy discouraging the use of macerators.
- It is important to separate sewage and storm overflow
- Fines should be increased for industrial polluters
- It is important to separate sewage and storm overflow
- Fines should be increased for industrial polluters

## Abstractions

- Groundwater sources are not well controlled
- Water conservation should be considered eg the Kilkenny pilot
- Effect of global warming combined with abstractions will be detrimental
- Issue of Barrow as possible abstraction for Dublin- water levels in the Barrow have already reduced significantly in the past 20 years.
- Trans-catchment transfer of water shouldn't be permitted. Is already happening between the Slaney and the Barrow through the abstraction at Rathvilly for Carlow.
- Water conservation programmes
- Water charges
- The Eastern RBD Abstraction study: should produce required average daily flows (ADF) required for good status. Some studies work on average annual flow which is meaningless.
- Could dams be installed in the headwater regions to provide water supply for low-flow months?
- New homes should have sustainable urban drainage technology such as underground tanks for storing rainwater to be used for washing machines and to flush toilets or even just water butts. This requirement should be part of the planning process. Water pricing would provide an incentive to use these types of technologies.
- The impacts on surface waters of groundwater abstractions should be considered.

## Septic Tanks

- Do development schemes come into planning system – better control and guidance needed for creeping development?
- Taxes have been invested for urban infrastructure – the same should apply to septic tanks in rural areas as the owner should not be unduly penalised
- Licensing of septic tanks should be brought in
- Kilkenny SPC wrote to the Minister of the Environment suggesting that grants be available for upgrade of septic tanks and for group water schemes. The Minister said he would consider this.

## Dangerous Substances

- There should be a tax on chemicals that affect septic tank operation
- Use of environmentally friendly detergents and house hold products should be encouraged through incentives

## Protected Areas

- There are still exemptions to SAC designations

## Agriculture

- Tillage, nutrients and pesticides are potential impacts in SE due to soils and practices
- A seachange is occurring in the farming community- a new generation of farmers is bringing improvement to general understanding of environmental implications of management practices. The LAs commission the EPA to do river quality monitoring. The results for Kilkenny, for example, are reviewed. The last report identified the River Glory and the river Breagagh as having water quality problems. Farm surveys have been undertaken and schedules of works agreed and commenced. For the Breagagh, a programme of works is starting in early 2008.
- Farmers should be encouraged to bio-digest their animal wastes for fuel.

## Water charges & leaks

- If the consumer had to pay for water it would be treated differently. Less wastefully. Currently, fully treated drinking water for toilets and farm cleaning.
- Rainwater should be harvested for use for such purposes, & for use in gardens.
- Until water conservation is incentivised, it won't be conserved. The plastic bag levy worked very well in reducing use. A change of attitude is needed regarding water use.
- It is a standard condition of planning that each house built must now have a water meter.
- Issue of loss of water from leaking pipes. Current leakage levels are unacceptable. Problem is, if the system is if leaks are repaired in one section, it increases pressure elsewhere in the system and new leaks will occur. Improving the infrastructure is a government resource issue and investment needed to implement improvements.
- If leaks were addressed, charging would be better received.

#### Public participation

- The project should include not just input from the public but their participation
- A booklet/programme should be put together for children
- A promotional scheme such as the "Race against waste" should take place for Water Matters

#### Pump-out Facilities

- Not enough pump-out facilities are provided for pleasure boats on the River Barrow. There is one in Carlow Town Park but there is a need for more around Graiguenamangh (where last weekend there were 67 boats moored- and no pump-out) and other areas on the Barrow. If the council put them in then Waterways Ireland would maintain them.
- There is an impasse whereby Waterways Ireland will maintain if the Local Authority will install them as they are on Local Authority property.
- Pump-out facilities are very poor in some areas and need to be improved

#### Barriers to continuity

- Some small weirs can pose barriers. \concern is not just to salmon but for Sea lamrey and other species also.

#### Salmonid Waters' Designations

- Why is just the Nore main channel designated as salmonid? Many of the major tributaries should also be designated salmonid.

#### Biological Monitoring

- Some cross-checking between different countries methods used is necessary.

#### Alien Species

- This is a very important issue which has ruined some waters in the southeast



## Meeting 2:

Portlaoise 20<sup>th</sup> November 2007

Attendance: 6 people

### General queries/discussion

- Why is the SE more polluted than other areas?
- Previous development planning eg gateway towns has not taken account of water quality impacts
- Good to have some positive information to give people
- Who will adopt the plan?
- Queries on how the blame for pollution is apportioned (agri sector) – background not adequately addressed.

### Municipal and Industrial WWTP

- Concern over systems in the area for small populations
- Separation of storm foul would help to prevent overflow
- Some plants in Laois have seen large investment and improvements but other face lack of capacity due to development
- Need to invest to allow future development
- Farmers observe pollution from small plants (also licensed discharges)

### Abstractions

- Rainwater harvesting would be seen as a major benefit – farm organisations would support this type of initiative – find out about the Kilkenny pilot. Reps 4 is out at the moment- the REPS scheme provides a good opportunity for encouraging the harvesting of rain water.
- Farmers are considering sourcing gw supplies for non consumptive use. Farmers realise that using treated water for non-consumptive use is unnecessary.
- Water metering in a new scheme currently under construction in Ballacolla will provide info on domestic use – the all users are paying by volume. This is a public-private-partnership project pumping water from gw/spring. Any leaks will be readily apparent.
- Leakage reduction is being focussed on in Laois; currently stands at 50% leakage. Laois is trying to get this down to 30% which is the best that can be attained in a rural scheme.

### Water Charges

- Water charging policies were seen as supportable if the water was of good quality and people are paying for what they use rather than supporting other users. It could be said that currently the feeling is that commercial users are paying for domestic users.
- Charging was acknowledged as necessary.

### Septic Tanks

- Concern about the pollution contribution in some rural areas
- Lack of LA enforcement on new installations. There appears to be no follow up on planning conditions.
- Cavan studies are of interest

### Dangerous Substances

- Effects of hormones that pass through treatment plants
- P free laundry detergents initiatives should be extended to dishwashers

#### Protected Areas

- What is the situation with the freshwater pearl mussel at Durrow?
- Need to ensure that protected uses are kept (bathing fishing boating)

#### Agriculture

- IFA are to make a national submission
- The money invested in storage by farmers should be acknowledged (€1 billion) – evidenced by uptake in aggregates industry
- Laois had a high uptake of grants – dealt with CoCo to get the applications processed
- Approach to farm surveys seen as very good example including direct contact with farming organisations – there is concern that the legislation was forced from above and could be mis-used
- Grant schemes suspended 2 month in – ineffective
- REPS 4 has some new measures eg preventing animals entering the rivers but doesn't include ability to look at alternative water sources (ditto grants not covering alternative sources)
- Concern on statement of review in 2009 – what info will be available b that time
- Low cost storage solutions should be incorporated in the plan – planners seem reluctant to accept these
- Milk quotas are changing and cereal prices will dictate changes in practices
- New REPS should encourage catch crops

#### Forestry

- Acidification problems seen in some Slieve Bloom streams
- Newer planting is different

#### Other issues

- Boat pump outs – need to be operated consistently. Joined-up thinking needed as currently there is an issue with too many parties involved and no clarity on who does what.
- Peat extraction has caused siltation problems
- Road runoff – who will maintain SUDS? There is a problem of settling ponds at roadsides not being maintained and toxic sludge building up.

### Meeting 3:

Clonmel 21<sup>st</sup> November 2007

Attendance: 15 people + 5 Local Authority Staff

#### General Issues

- Resources needed in LAs. Should not just be paperwork. Need monitoring and maintenance. Proper training of LA staff
- Antisocial behaviour in towns driving people out to the country.
- Rubbish being dumped on river banks
- Car washes should be investigated and monitored
- Should be provision for the two Councils (North and South) to come together
- Walkways by rivers should be maintained to improve people's appreciation of rivers. Access across land running by rivers should be permitted
- Quarries
- There should be one clear point of contact for the public when dealing with the LA or the RBDs. The outcome of an investigation into a pollution event should be returned to the people who raised the issue.
- There should be clear guidance with all the regulations brought in and there should be a list of the people responsible attached. Advice similar to that given by Teagasc to farmers should be available for individuals when imputing a septic tank for example.
- Hydropower is something that will become important in years to come. There should be a clear guidance set out now before it becomes an issue.
- Resources are required – both people and finances
- Growth in populations in towns has put all systems under pressure from water supply to treatment
- Flooding is increasing – climate change – role of floods directive
- Concern that the directive is going too far without considering the human needs and the sustainability arguments – eg pearl mussels more important than people
- Public awareness - need for a national campaign with TV ads (tie to drinking water), hard to get support at public meetings unless there is an issue

#### National Issues

- Waste water treatment plants are regarded to be huge polluters
- Ineffective enforcement:
- Old dump sites- closed landfills. None of these sites are lined. Just covered over with topsoil and left to leach into groundwater.
- Forestry is a major problem- trees planted right up to water course banks firstly, and secondly, the smothering of fish spawning beds when the forests are felled. Similar problem with the Pentlands and sedimentation. Removal of hedgerows has a similar effect.

#### Local Issues

- Loss of mayflies locally
- Algal growth due to P enrichment
- Toxic chemicals in the sediments of the Clodiagh near its confluence with the Suir.
- Quarry close to Clonmel contains toxic chemicals- EPA say it is contained but everybody locally knows that when it rains there is significant toxic spillage.

- Disposal of dairywashings in holed in the ground as a milk enhancer is used that is not safe to spread on grass.
- Raw sewage entering the Suir in Clonmel at the end of Anglesea Street
- 12 houses with septic tanks that are not working.
- Apartments in Clonmel town that are not connected to a sewer. There is a soakpit that needs to be emptied every couple of months. This is not emptied regularly enough and so spillage direct to the Suir occurs.

### Physical Modifications

- The cleaning of streams
- concern regarding the effects of the OPW flood alleviation works on habitat and fisheries.
- The river Anner- drained and habitat cleaned out of the river channel.

### Good things

- Applauded the stopping of drift netting
- The Gle:nary Stream was awarded the Iasc award.
- REPS is good for the protection of hedgerows for biodiversity but also prevents erosion from the land and sedimentation of fish spawning beds from occurring.

### Septic Tanks

- Should be in appropriate areas not in areas where there isn't any percolation. The old practice wasn't good.
- Septic tanks polluting groundwater in the area
- Should be doing investigations into septic tanks regularly
- Should be registration or licensing
- There should be mandatory testing to ensure they are working correctly
- On site waste water treatment plants for nursing homes and small hotels may not be efficient systems and they should also be monitored.

### Flooding

- Development on floodplains
- Draining of wetlands
- Development takes precedence over everything

### Municipal and Industrial WWTP

- Past improvement in treatment plant reduced water pollution which changes the fish stocks
- Poor investment in infrastructure – behind development needs
- Sewerage sludge disposal needs to be considered
- Trend in macerators increase loading to plants – could byelaws be consider (eg Dublin fats)

### Abstractions

- Water conservation measures should be included
- Also alternative sources – see agriculture
- Protection of water sources should be put in place
- New drinking water regulations – EPA controls are ignoring the scale of the resource problem and demanding high standard drinking waters
- Car washes – could water be reused?

### Dangerous Substances

- Usage in gardens, households, car washes – how far will licensing go
- Protected Areas
- Concern the SPAs are too close to the river bank – not large enough area protected
- Need to retain river bank habitat

### Agriculture

- Overgrazing problem in Comeraghs – has caused runoff and pollution problems
- Links to precautionary boil water notice Glengary draining water source?– LA have taken action also stock levels noted to be lower than before
- Farmers are investing in storage infrastructure – LA saw large increase in planning applications
- Grants are being paid to leave area beside the river unfertilised – codes of good practices & REPS 4 initiative
- Restricting stock drinking points – can this be a national requirement?
- Can alternative sources of water be provided for farm animals – well grants are limited is a public supply can be provided but this is treated water

### Physical modifications

- Overgrazing causing runoff and other drainage in catchments all contributing to increased spates and flooding
- Concern on floodplain loss – eg Cappaquin

### Other issues

- Alien species must be addressed – some LAs are already taking an interest in these

## Meeting 4:

Enniscorthy 22<sup>nd</sup> November 2007

Attendance 13 people + 2 Local Authority staff

### Group 1

#### General queries/discussion

- Resources are required
- Enforcement required
- Growth in population has put all systems under pressure
- Public awareness – people think there is no problem unless fish are dead – there is a food chain – if the bed is smothered the insects won't be there for the fish
- Continuous monitoring is required to prevent pollution
- Solar panels are a fantastic investment
- There is a danger that people will grow tired of having their activities regulated
- Algal blooms are a particularly unpleasant result of pollution to waters
- People should be educated about the dangers to the environment of household chemicals
- Use of rainwater for cleaning. There should be guidance available on what you can do

#### Municipal and Industrial WWTP

- Sewerage systems in Co. Wexford performing poorly – upgrade proposals are out of date before they can be put in place
- Private developments given permission subject to on site system – was found that some houses were connected to the main sewer – Carlow council eventually took action – the issue is council putting developers funds over the environment – the proposed solution is that the council should sign off the completion before occupancy
- EPA aren't forcing the councils to act quickly enough even after pollution incidents
- Plants are now going to be licensed
- Monitoring should be carried out by external body not by council.

Are reed beds useful? Reed beds used in Ferns WWTP are not working very well. It needs time before it will work as it should.

#### Abstractions

- The Slaney suffers from very low flow at Enniscorthy in drought periods – prevents life migration & damages tourism
- The main abstraction concern is at Rathvilly where water is transferred to the Barrow system
- Also smaller abstraction issues – agricultural irrigation schemes/ Coillte– why aren't these taking water and storing it at flood times for irrigation
- Why can't EU prevent catchment transfers?
- Can Carlow obtain another source – groundwater being considered but high in nitrates
- Abstraction from the Slaney, which started 25 years ago, is resulting in low flows which impacts on fishing, boating, recreation and the natural beauty of the river.
- Water pricing for domestic use should be introduced but a fair system must be put in place
- Grey water should be re-used in washing machines and to flush toilets
- Households should collect rainwater
- Any licenses for any abstractions should be made publicly available

#### Dangerous Substances

- Concern on the substances used in wash machines etc effecting septic tank operation

### Agriculture

- Concern that riparian zone spreading width in CoGAP was reduced – this is for some activities and the accuracy of spreaders has improved
- Some farmers are spreading in breach of the closed season

### Physical modifications

- River needs some maintenance work to allow access and clear blockages but boards and councils are not interested – trust working on this themselves
- Nore barriers to migration study is ongoing

### Septic Tanks

- Restrictions are being put in place through planning requiring adequate land
- New technologies are available where sites require them
- Maintenance of septic tanks should be regulated and enforced
- Maintenance schedule should form part of planning permission
- Possible incentives for septic tanks improvements- a means tested grant system
- Soil type in the Owenavarragh Catchment may lead to pollution from septic tanks as there is not enough percolation
- Alternatives such as group schemes should be looked at especially in problem areas.
- An Taisce counting of septic tanks incorrectly
- Extra filtering of septic tanks
- Group agreed with registration system similar to Cavan Bye laws

### Other issues

- Waste disposal – illegal dumping to the rivers is a particular concern – council undertake enforcement and had emergency response team in place
- Quarry and cement plant washings overflowing to river

### Alien species

- Alien species pose a great threat to the environment, methods for preventing them should be investigated

### Agriculture

- Use of fertiliser now controlled by REPS. The cost of nitrates and phosphate and nitrates has also increased so smaller quantities are being used
- Nitrates Action Programme should be more aligned to actual weather than time of year. This summer there was heavy rain regularly and it was not a suitable time for spreading.
- Silage run off is a major problem if it gets into river. This year the dilution was in the rivers but it should be closely checked other years.
- Possible sources of pollution in Wexford are smaller farmers who are outside the cross compliance schemes. Used of round feeders in inappropriate areas.

### Drinking Water

- Ecoli in group water schemes



- Should be alarm system
- LA looking at paying a member of the scheme to monitor it and carryout routine maintenance.

#### Dangerous Substances

- There should be an educational programme on the more environmentally friendly products