

DHLGH - Water Division Update – Blue Dot Meeting 28th September 2023

Water and Planning Guidance:

- Public consultation on the draft guidance will commence once the legislative provisions required to underpin the new assessment have been provided for. Work is ongoing to determine whether these provisions can be included in the new Planning Bill.

Third River Basin Management Plan

- We are currently editing and finalising the text and programme of measures for the plan, which will be forwarded for commentary to WPAC in the coming weeks.
- Following that, there are a number of stages to be completed including Appropriate Assessment, graphic design, Irish language translation and finally Ministerial and government approval of the plan.
- It is anticipated that the RBMP will be launched by the end of 2023.

Nitrates Action Programme:

- Interim Review of the 5th NAP is ongoing and additional measures being finalised.
- Discussions ongoing on the derogation reduction from 250 kg N/ha to 220 kg N/ha.
- Public Consultation on NAP Interim Review likely November including NIS and SEA.
- Amended GAP Regulations to be in place for the 1 Jan, 2023.
- Funding for LA Ag Inspectors for the National Agricultural Inspection Programme has been allocated for 21 positions. CCMA have reported that recruitment is underway for these position.
- Budget is being sought for additional NAIP LA positions.

Hydromorphology

- HMWB designation assessments are underway to determine the designation list, which will go for consultation in Q4 2023.
- The National Hydromorphology Programme is due to be launched, which will be supported by a Hydromorphology Expert Group.
- IFI will be funded to undertake barrier mitigation as part of the RBMP.
- A new National Barriers Mitigation programme has been proposed and is awaiting approval. If approved, this will mean the establishment of a new capital programme within IFI to remove and mitigate the environmental impact of river barriers. This includes four pilot barrier mitigation projects that are being progressed to trial methods for dealing with different implementation challenges. These initial pilot projects include Ardnacrusha/Parteen Weir on the Lower River Shannon, Dodder catchment scale multiple barrier mitigation in Wicklow and Dublin, Annacotty Weir on the Mulkear River and Clohamon Weir on the Slaney River.
- Mitigation of Parteen Weir – There are plans to refresh the steering group. An RFT is currently being drafted in consultation with ESB and IFI to find a suitable consultant to oversee and carry out the work packages in line with CDM roadmap.

Environmental Quality Standards (EQS) Directive

- Ongoing - Updating priority substances which will impact the following directives:
 - Directive 2000/60/EC establishing a framework for Community action in the field of water policy,
 - Directive 2006/118/EC on the protection of groundwater against pollution and deterioration, and

- Directive 2008/105/EC on environmental quality standards in the field of water policy.
- Meeting in Brussels in June to discuss the proposed Directive – very high level meeting where Ireland's provided initial feedback & concerns.
- All material was sent to members of the NAECG (National Aquatic Environment Chemicals Group) for comment.
- NAECG will be kept updated as things progress.

Nature-Based Solutions:

- Design Manual for Urban Roads and Streets (DMURS) Advice Note 5: Road and Street Drainage using nature-based solutions was published in August 2023. Available on DMURS website and Gov.ie website
- Engineers Ireland, Royal Institute of Architects of Ireland, Irish Landscape Institute and Irish Planning Institute are developing a Nature-based Solution Seminar and Practical Workshop in January 2024.

Abstractions Legislation:

- The Water Environment (Abstractions and Associated Impoundments) Act 2022 was signed into law by the President on December 23 2022.
- Work has commenced on the drafting of the Regulations associated with the Act, the Department has engaged the services of a drafter and consultation with the EPA on technical requirements is in progress.
- The Department expects that these Regulations will be published towards the end of this year, and will operationalise the provisions of the Act, which substantially transpose this key area of EU Infringement proceedings against Ireland.

Drinking Water Legislation:

- Department drinking water expert and sub groups are continuing work.
- Risk assessment sub group has completed its work – “Risk Assessment and Management Framework for Drinking Water Supply Management” will be published on DHLGH website in coming weeks.
- European DWD meetings scheduled in September for discussions on technical issues - such as workshops on technical guidelines for PFAS, reporting requirements etc.
- Department DWD expert group meeting in Sept.

UWWTD & timelines:

- UWWTD working party meetings were held in early September for fourth reading of text.
- Spanish presidency is aiming for an agreed text by end of Sept with a view that the UWWTD will be on the agenda at the Environment Council in October 2023.
- EU Parliament are also aiming for an agreed text in September.
- The Spanish presidency produced a compromised text which was discussed at July working party meetings, and a further revised text was received before September working party meetings.
- Department UWWTD expert group meeting in September.

Infringements

River Basin Management Plan- Letter of Formal Notice

- A Letter of Formal notice was received on the 15th February 2023 in relation to the late review, adoption and reporting of third river basin management plan.

- The Department issued a formal response to the notice, and as of yet there has been no further communication from the EU Commission.

Drinking Water Directive (THMs) – referred to CJEU

- The Commission has decided to refer Ireland to the Court of Justice of the European Union for failure to comply with the requirements of the Drinking Water Directive (Directive 98/83/EC) in relation to THMs in 30 water supplies (21 public water supplies (Uisce Éireann) and 9 group water schemes).
- Ireland has submitted its Defence and Rejoinder and awaits determination by CJEU (a defendant's answer to the plaintiff's reply).

Urban Waste Water Directive – ECJ Case

- Ireland continues to provide 6 monthly updates to the Commission.
- The seventh progress report was submitted in June.
- An extensive work programme is in place in respect of both the Drinking Water Directive case currently awaiting determination by the CJEU and the Urban Waste Water case, to bring each of the areas listed in the cases into compliance, with Uisce Éireann completing a series of projects as part of a capital investment programme under the Government approved Strategic Funding Plan for public water services.

Water Framework Directive – referred to CJEU

- The EU Commission has referred Ireland to the Court of Justice of the European Union for failing to correctly transpose the Water Framework Directive (Directive 2000/60/EC) into national law (26 January 2023).
- The Department continues to work to resolve the issues raised by the Commission and is working with the Attorney General's Office to prepare Ireland's Defence.