



An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreachta  
Department of Housing,  
Local Government and Heritage

# Hydromorphology Expert Group: Terms of Reference, Technical Sub-groups, Timelines & Interim Measures

Midlands Park Hotel, Portlaoise  
23<sup>rd</sup> September, 2024

# Feedback on Terms of Reference



**Meeting frequency:** bi-monthly (every second month). Alternate between in-person and online, as appropriate.

**Membership:** Two representatives per organisation, policy and technical experts.

**Technical sub-groups:** Additional expertise from within organisation can be nominated for technical sub-groups, where appropriate.



# Long term: Policy, Legislation & Future Regulatory Framework



**Proposed Chair:** Water Division, DHLGH

## **Key government departments with responsibilities for relevant legislation:**

- DHLGH: Water (WAU & Policy), Heritage (NPWS), Planning (EUIPR)
- DECC: Fisheries
- DAFM: Nitrates, Biodiversity & Engineering
- Dept. of Public Expenditure and Reform: OPW

## **Technical Expertise (as required for each piece of legislation): ???**

- EPA
- IFI
- Waterways Ireland
- LAWPRO
- Teagasc
- Uisce Éireann
- ESB
- Academic Expert

The following key pieces of legislation are likely to be amended and/or repealed\*:

- Planning and Development Act (2000)
- Planning and Development Regulations (2001)
- The Arterial Drainage Acts (1945 and 1995)
- The Local Authorities (Works) Act (1949)
- EIA (Agriculture) Regulations (2011)
- Fisheries Act (1959)
- Foreshore Act (1933)

\*consideration to be given to the Nature Restoration Law, particularly Article 9 (Restoration of the natural connectivity of rivers and natural functions of the related floodplains)

\*examination of the Nature Directives in scoping of requirements

# Long-term: National Restoration Programme



**Proposed Co-Chairs:** DHLGH and DECC supported by IFI

**Key Technical Expertise:** ???

- Stakeholders potentially impacted: ESB, Uisce Éireann, Waterways Ireland, OPW, DAFM (depending on barrier location)
- NPWS
- EPA

**Technical Expertise (as required):** ???

- DHLGH: Water (WAU), Planning (EUIPR)
- LAWPRO
- Teagasc
- Academic Expert

**Pilots:**

- Annacotty
- Clohamon
- Dodder

&

257 no. third cycle RBMP target barriers

# Management of Hydromorphological Pressures – Priority Interim Solutions



## EIA (Agriculture) Regulations:

- Application of regs, transparency of decision-making, self-reporting
- Thresholds
- Maintenance of existing drains not covered
- Potential for cumulative impacts
- No mandatory mitigation measures
- Enforcement & compliance / prosecution?
- Guidance, education and awareness
- Impacts: sedimentation, suspended solids, loss of habitat, altered ecology, changes to hydrology, flood resilience

## Arterial Drainage Maintenance

- Interim amendment to remove automatic maintenance requirement?
- Maintenance code of practice, training, work being done by others (farmers, training programmes)

## Actions: ???

- Identification of chair (Water Advisory Unit – DHLGH)
- Identification of other interim measures across sectors/organisations
- Identification of synergies between sectors/organisations



Action and sub-actions	Action Owner	Not Started	Started	Complete
<b>Hymo 1:</b> A Hydromorphology Expert Group will be established to support the new National Hydromorphology Programme. This Expert Group will identify interim measures, which will be readily implemented during the third RBMP cycle to assist in removing hydromorphological pressures.	DHLGH (Water Advisory Unit)	Work programme to be established		X
<b>Hymo 2:</b> DHLGH will lead the development of a new enhanced and consolidated legislative regime to address pressures on the physical condition of waters.	DHLGH (Water Policy) Supported by WAU, NPWS, EUIPR	X (timeframe 2026)		
<b>Hymo 3:</b> IFI will establish a restoration programme to mitigate the negative impact of past construction in or near rivers.	IFI		X Prioritisation plan TBC	
<b>Hymo 4:</b> A Sectoral Action Work Plan for Hydromorphology will be developed, which will include measures and plans to address the 448 water bodies at risk from hydromorphology, including barriers, channelization, drainage, sediment and flood protection.	DHLGH  Stakeholder support: IFI, DAFM, Forestry, OPW & DECC, LAWPRO, EPA, ESB.	X (timeframe Q4 2024)		
<b>Hymo 5:</b> It is proposed that IFI will lead a multi-agency whole of catchment pilot project on the River Dodder from source to sea with the aim of examining the feasibility of opening up this heavily urbanised catchment to migratory fish species by mitigating the five most significant barriers in the lower reaches and progressing to the next stage, as appropriate.	IFI  Supported by DHLGH & DECC	X (timeframe 2024- 2027)		



Action and sub-actions	Action Owner	Not Started	Started	Complete
<b>Hymo 6:</b> IFI will lead a pilot project to be undertaken for the Annacotty Weir in County Limerick. The project will provide an opportunity to test a collaborative and ecology focussed design approach. It will also test enhanced community engagement opportunities that go beyond the standard consultation practices involved in the planning process, thereby assisting with the design and implementation of the national restoration programme.	IFI		X Environmental reports being finalised	Est. 2025
<b>Hymo 7:</b> Implementation of the roadmap of actions, including the use of state-of-the-art technical solutions, to improve fish migration in the lower Shannon at the Hydroelectric scheme located around Parteen and Ardnacrusha. The pilot project will initially examine the feasibility of mitigation and will progress to the next stages, as appropriate.	DHLGH Stakeholder support: IFI, ESB, project steering group	X Mgmt. board approval, going to tender (5-year roadmap)		
<b>Hymo 8:</b> A proposed pilot project on the Slaney River at Clohamon will aim to improve fish passage at a medium scale hydroelectric scheme through a state and community collaborative initiative.	IFI		X Planning stage	
<b>Hymo 9:</b> In addition to river barrier removal and mitigation other restoration and mitigation work will be developed. This will be partly guided by the framework for prioritising measures for both river restoration and Nature based Catchment Management prepared by the EPA. (scoping report with recommendations 2024/2024)	All – Interim measures	X (2026 onwards)		



Action and sub-actions	Action Owner	Not Started	Started	Complete
<p><b>Action 3.10:</b> The Minister for Housing, Local Government and Heritage will undertake a short public consultation before deciding whether to designate or de-designate water bodies as HMWBs. There were 466 water bodies which the EPA has found to meet the criteria for designation. The Minister will take into account the recommendations of the EPA and the key concerns raised in the submissions to the consultation process.</p>	DHLGH / EPA		X (in progress)	
<p><b>Action 3.11:</b> A review of arterial drainage requirements and the underpinning Arterial Drainage Act will be undertaken in order to inform future land use policy decisions, arising out of the Land Use Review, and to support the preparations for the implementation of the new Nature Restoration Law and the HMWB review process.</p> <ul style="list-style-type: none"> <li>Assessing and advising on the implications of different land use policy options in the future, arising out of the Land Use Review, on arterial drainage requirements and the consequential impacts (both positive and negative) on social, economic, climate, biodiversity and water status objectives and outcomes; and</li> <li>Assessing and advising on the legislative changes to the Arterial Drainage Act necessary to (1) support the national land use policy objectives arising out of the Land Use Review, and (2) ensure that future arterial drainage practices are sustainable and support the environmental objectives set out in the 2021 Climate Action Plan, the WFD River Basin Management Plan, the National Biodiversity Action Plan and the related Nature Restoration Law, as well as flood risk management objectives.</li> </ul>	DHLGH supported by OPW and others	X TBC		