

Hydromorphology Expert Group Meeting

Custom House, Wednesday 10 July 2024

Actions:

- All presentations to be circulated.
- Members to revert with comments on Terms of Reference.
- Consideration of technical subgroup attendees.
- A location for the next meeting on 23rd September to be finalised.
- SWAN's draft report on hydromorphology to be circulated before the next meeting.
- Jonathan Turner to revert re terminology, 'pressures on hydromorphology'.

Attendees:

Department of Agriculture, Food and the Marine (DAFM):

- Ted Massey

Department of the Environment, Climate and Communications (DECC):

- Frank Gallagher, Marc Kierans

Department of Housing, Local Government and Heritage (DHLGH):

- EU & International Planning Regulation: Lisa Clifford
- National Parks and Wildlife Service: Áinle ní Briain, Norma O'Hea, David Fenner
- Water Advisory Unit: Colin Byrne, Marie Archbold, Eimear O'Keeffe, Averil Gannon, Lisa Egan, Michael McBride, Roland Gowran.
- Waters of Life: Anne Goggin, Tom Drennan.
- Water Policy: Gary McGuinn, Donal Grant, Paul O'Brien

Electricity Supply Board (ESB):

- David O'Connor

Environmental Protection Agency (EPA):

- Jenny Deakin, Keiron Philips

Inland Fisheries Ireland (IFI):

- Hazel King, Ciara O'Leary

Local Authority Waters Programme (LAWPRO):

- Margaret Keegan

Office of Public Works (OPW):

- Lorna Dempsey

Teagasc:

- Eddie Burgess, Pat Tuohy

Uisce Eireann:

- Mairead Conlon, Emma Oliveira

University College Dublin (UCD):

- Jonathan Turner

Waterways Ireland:

- Daireann McDonnell

Chair: Colin Byrne, DHLGH

- Introduction given to the new National Hydromorphology Programme.

Legislation and Regulation

1) Presentation by Donal Grant (Water Policy, DHLGH): Legislative requirements of the Water Framework Directive and the development of a regulatory framework.

- Link to river basin management plan actions re development of a new enhanced and consolidated regime to address pressures on the physical condition of waters.
- Discussion on steps to develop policy from initial proposals to final bill.

2) Presentation by Marc Kierans (DECC): Land Use Review.

- Background of Land Use Review Phases 1 & 2.
- The final report is due to be published in Q1 2025.

3) Presentation by Lisa Egan (Water Advisory Unit, DHLGH): Guidelines for the incorporation of the Water Framework Directive (WFD) into the Planning system.

- Overview on the development and status of the guidelines.
- Discussion regarding updates required due to emerging case law.

4) Presentation by Ted Massey (DAFM): Update on the EIA (Agricultural) Regulations.

- Discussion regarding the review of the regulations and the issues raised as part of public consultation.

Pressures

5) Presentation by Jenny Deakin (EPA): Hydromorphology as a pressure.

- Discussion of hydromorphology and the WFD, activities causing hydromorphological impacts and how that is assessed.
- Tools in development/research to support assessment of hydromorphology.
- Discussion regarding what scientifically constitutes good riparian zones.
- Discussion regarding the need for rivers to have space and be connected to floodplains.

6) Presentation by Hazel King (IFI): New National Barriers Mitigation Programme.

- Discussion regarding barrier removal as preference in line with Nature Restoration Law. Mitigation to be investigated where removal not feasible.
- Land ownership is an issue when it comes to removal/mitigation, causing delays.
- IFI focusing on public engagement (see Annacotty Weir).
- Redundant barriers should be prioritised as they are obsolete structures.

7) Presentation by Lisa Egan (Water Advisory Unit, DHLGH): Consultation on Heavily Modified Water Body Designation.

- Estimated Q4 in 2024 for public consultation.
- Discussion regarding the meaning of Good Ecological Potential vs Good Ecological status – not a lowering of standards, just changing of standards.

Nature Restoration

8) Presentation by Áinle Ni Bhriain (NPWS): The Nature Restoration Regulation (NRL).

- Discussion on restoration ambition, with particular reference to the natural connectivity of rivers and natural functions of related floodplains. Noted that the work of IFI already includes an inventory of barriers, which will be required under NRL.
- How this links to the EU-wide target of 25,000 km of free-flowing rivers by 2030.
- Further discussion regarding prioritising removal of barriers over mitigation, where feasible, particularly obsolete barriers.
- €3.15 billion to be made available in government funding under the Climate and Nature Fund announced in Budget 2024. Will seek to progress work to achieve NRL targets via this fund.
- Huge overlap in what all of the various agencies and Departments are trying to achieve.

9) Presentation by Averil Gannon (Water Advisory Unit, DHLGH): Nature-based Solutions.

- Discussion around the pilot projects that have been rolled out to provide evidence for the efficacy of Nature-based solutions in an Irish context. Engaging with stakeholders to have 'shovel ready' projects in 2026 to support applications for funding under the Climate and Nature Fund.
- Consideration to be given to joint applications for funding with other divisions/departments where co-benefits achieve objectives for both.

10) Presentation by Eimear O'Keeffe (Water Advisory Unit, DHLGH): Interim actions within the current regulatory framework.

- Discussion regarding what interim solutions may be possible as we work to achieve longer-term goals such as legislation and a full national restoration programme. Need a matrix of what is currently being done and what will be done, with gaps and overlaps.
- Importance of communication of what hydromorphology is and its importance, particularly from an agricultural perspective.
- Noted that this sharing of experiences is helpful to identify overlaps in goals, work and co-benefits of working together.
- Discussion regarding what isn't working, as it should right now and that will influence the development of legislation.
- Possibility for Code of Practice, as awareness of best practice is more effective than enforcement.

11) Presentation by Colin Byrne (Water Advisory Unit, DHLGH): Preparation of a work programme and associated timelines for the delivery of tasks under new National Hydromorphology Programme.

- The Hydromorphology Expert Group set up will report to the Water Policy Advisory Committee (WPAC).
- Currently looking at 3 subgroups, with the option to have smaller technical group meetings:
 - Policy, legislation and future regulatory framework
 - National Restoration Programme
 - Management of hydromorphology pressures
- Group needs to work as a priority to identify interim measures.

General Discussion

- Risk of misinterpretation when it comes to hydromorphology. The meaning needs to be either very clearly explained and should speak about 'pressures on hydromorphology' instead of 'hydromorphological pressures'. Also, need guidance on what it is and what tools are available from a regulatory perspective.

- The group were asked to revert with comments on the draft Terms of Reference within a week.
- The next meeting will be an in-person held on 23rd September, held in a central location to facilitate travel.
- SWAN are at the final stages of drafting a report on hydromorphology, which the department will ask them to present to the group at the next meeting. This draft document will be circulated to the group in advance for review.
- The technical subgroups will be an agenda item for the next meeting, members asked to consider who would be the right person to sit on them.
- A query was raised that in the absence of regulations and guidelines is there possibility for a circular to indicate that we are taking appropriate steps to comply with legislative requirements.