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**Re: Submission to the Draft River Basin Management Plan for Ireland 2022-2027**

To whom it may concern:

The Irish Wildlife Trust (IWT) wishes to make a submission on the draft River Basin Management Plan (RBMP) for 2022-2027.

The generally poor state of our water bodies is set out in great detail in the draft River Basin Management Plan (RBMP) and so it is not intended to repeat these statistics in this submission.

It is clear that the aims of the Water Framework Directive (WFD) are not being met and that, despite some localised improvements since the last RBMP cycle, the overall situation continues to deteriorate.

The aims of the WFD, to achieve 'good status' of all Ireland's water bodies is deeply intertwined with other headline environmental targets such as reducing greenhouse gas emissions and restoring lost biodiversity. As such, compliance with the WFD is a part of Ireland's wider land-use (and sea-use) problem. These could be summarised as an approach to land and sea management that values only the economic value of commodity outputs (various food products, timber etc.) and a disregard for intangible, public goods such as a healthy environment and resilient communities.

It is not possible to disentangle our environmental problems from the economic structures that led to the declaration of a climate and biodiversity emergency by the Dáil in May 2019.

While the draft RBMP makes some progress on past efforts, it fails in so far that even were it to be implemented in full, it would not meet basic legal compliance with the WFD, i.e. achieving at least 'good status' in all water bodies by 2027. This lack of ambition is not tenable as we move deeper into a crucial decade for climate and biodiversity action. Furthermore, it must be noted that previous RBMPs were not fully implemented and this prompts the question as to why it can be believed that this new cycle will be any different?

The draft RBMP acknowledges (pg21) that the plan "must include a programme of measures to protect and where necessary restore **each one** of the 4,842 bodies of water" and that success in this endeavour is "unlikely... without **urgent, substantial and persuasive** measures". But these urgent, substantial and persuasive measures are not to be found in the draft RBMP and this is something that must be addressed if the process is to remain credible. Indeed, by pg54 we learn that only 527 areas are selected for "focussed attention" in this RBMP. The rationale for excluding the remaining water areas is not explained.

**Agricultural** effluent remains the overriding pressure on water bodies and in areas where pollution has worsened since the last RBMP this is closely related to dairy expansion. Despite the excellent work by the Environmental Protection Agency (EPA) in mapping pollution pathways, it is very difficult to see how the numbers of dairy cows can be decoupled from nitrate and phosphate run-off.

The deployment of ASSAP advisors is welcome and no doubt has led to some successful on-farm interventions. It needs to be expanded substantially to include all farms in areas at risk of pollution from this source.

But it is also likely that such voluntary, advisory services will only get us so far. Land only has a given carrying capacity and these hard limits will need to be acknowledged. In order to achieve the (largely overlapping) targets for climate/water/biodiversity the IWT would like to see catchment level modelling carried out by the EPA/Teagasc/National Parks and Wildlife Service to better define these limits and reach targets in a coherent way.

Each catchment will require a level of physical water body (floodplain) restoration, forest establishment, peatland rehabilitation and farming activity that must be balanced. Paying farmers for rewilding and high nature value farming (also known as payments for ecosystem services) will be needed as part of the forthcoming land use plan being prepared by the EPA.

The recently published Nitrates Action Plan highlighted the need for better monitoring and controls of pollution prevention measures. Indeed, the Strategic Environmental Assessment for this plan

emphasised the paltry levels of farm inspections and poor compliance levels for farms in derogation. This leads to a sense of impunity among those with little regard for the rules and punishes farmers who take their obligations seriously. At a minimum, the public needs to be assured that rules are being adhered to.

Nevertheless, the rules in this regard do not go far enough. The IWT believes that **dairy farms** with a derogation should be subject to licence by the EPA and this should include individual farm assessments to determine whether the land and receiving water bodies have the carrying capacity to absorb nutrient run-off.

There is an urgent need to move to a sustainable food production model in Ireland that does not rely upon imported feedstuffs and fertilisers. Such a move towards regenerative and 'high nature value' farming would bring benefits for protecting water and restoring biodiversity while increasing food security and farmer resilience.

**Physical modifications** are an increasing source of pressure on water bodies and are intimately associated with climate adaptation and mitigation, e.g. through the rewetting of peat soils and the restoration of flood plains. It is welcome that the draft RBMP commits to new legislation on the issue of hydromorphology and an associated permitting system. This is urgently needed.

The Arterial Drainage Act is hopelessly outdated while the Office of Public Works should not be in a position where it is simultaneously the architect and 'competent authority' for its works. Both require urgent reform. The physical impoundment of a river should be a last resort and there is an urgent need to deploy nature-based solutions at a catchment level to slow run-off rates before reaching the main river channel. This must include peatland restoration, native woodland establishment, broad riparian buffer zones, and drain-blocking on mineral as well as peat soils.

Rivers are naturally dynamic systems and restoration of entire river systems should be undertaken. It is welcome to read in the draft RBMP of the need for a "long-term restoration programme", the establishment of 2,500km of "riverside interception" and the proposed removal of 2,000-7,000 barriers to linear movement. Restoration must include the lateral flow as well as the linear flow to allow for flooding as a natural element of river functioning. This should include not only the establishment of natural riparian vegetation but, where mature trees fall into rivers these should not be removed. Fallen and dead trees provide habitat heterogeneity and are essential steps in nutrient cycling. They have been all but entirely removed from Irish river systems.

The IWT believes a feasibility study for the introduction of **beavers** should be carried out as they are natural ecosystem engineers and can help to restore river systems with greater effectiveness and lower cost than human interventions.

Where hard engineering structures are required to protect homes and infrastructure, this must be minimised to the greatest extent possible. A clear rationale must be produced to justify more hard engineering and restoration must include the removal of existing embankments and flood walls, including the 'day lighting' of rivers that have been culverted, wherever this can be achieved.

Provision for these measures must be included in a new Act to replace the regressive Arterial Drainage Act.

The IWT believes that restoration of natural river hydromorphology must be a priority and the use of designations of rivers as 'highly modified water bodies' cannot be justified in the majority of cases. The IWT will oppose any such administrative moves which seek to avoid difficult but necessary restoration measures.

The section of the RBMP on **Forestry** is particularly weak given that this is the primary pressure on high status water bodies. The forthcoming national Forest Strategy is likely to include measures to address 'legacy' forestry issues, i.e. historic monoculture plantations on peatland sites. These sites need to be restored to their natural condition.

The EU Forest Strategy, which is supported by the Irish Government, calls for moving commercial forestry away from the monoculture/clear-fell model favoured to-date in Ireland. Clear-felling on sloping sites, near water courses or in sensitive catchments must be phased out (i.e. no new forest establishment that will require clear-fell harvesting).

The restoration of ecologically functioning, native forests will bring benefits to water courses, particularly along riparian zones. Except in areas of blanket peat it should be policy to establish broad native forests in these areas that can then connect with other forests, thereby moving to healthy, coherent ecosystems that are climate resilient and nature-rich.

The restoration of all **peatlands** will bring multiple benefits for climate, water and biodiversity. Bord NaMóna must be instructed to restore all of its landholding and cease drainage of sites, e.g. at the Moundillon bogs in Co. Longford.

The continued disposal of untreated and undertreated **urban wastewater** to rivers and coastal areas is a national disgrace. There needs to be investment and rapid action to ensure compliance with the

Urban Wastewater Treatment Directive. Irish Water must bring forth plans for the proper treatment of wastewater in all catchments which have been identified as under pressure from this source.

The draft RBMP ignores the **coastal zone** and this is not acceptable. The programme for Government commits to ending trawling within 6 nautical miles of the coast (something that can aid in restoring seabed integrity) and creating Marine Protected Areas covering 30% of sea area by 2030. The draft RBMP should support the establishment of an inshore area free of bottom towed-fishing gear as well as the creation of robust MPAs, including no-take zones.

**Aquaculture** is a significant problem in the coastal zone, including within Natura 2000 sites.

However, the draft RBMP proposes no strong measures to deal with waste from fin-fish farms, cultivation of potentially invasive species or lack of management measures to support conservation objectives within Natura 2000 sites. There is poor monitoring and data availability on the pressures from aquaculture as they apply to WFD status, this must be addressed.

Above all else, what is required is **policy coherence**. There is an urgent need for the State to take its responsibilities for compliance with environmental law seriously. Adherence to laws, including the WFD (which is now over 20 years old), is a basic minimum requirement in a democratic administration. Compliance with the law is not a statement of any great ambition and yet even as a statement of intent it is missing across a range of government plans, including the draft RBMP. As we approach the final deadline of 2027 for the achievement of 'good status' it is not tenable to seek derogations or pursue 'get out' strategies.

Finally, the IWT supports the call from our colleagues in the Sustainable Water Network (SWAN) for a similar to the Climate Act, with budgets, timelines and sanctions in order to mainstream water protection in government policy alongside climate and biodiversity action and to fix the fragmented water governance system. Together with a proposed Biodiversity Act this trio of laws is needed to deal with the overriding challenge of our times.