

Amendments to the River Basin Management Plan for the South Western IRBD

1. Pearl Mussel Objectives Amendments and status amendment to Lough Mahon (Harper's Island)

Some river water bodies that contain Freshwater Pearl Mussel (FPM) Populations at unfavourable conservation status (in a SAC where the species is one of the qualifying interests) currently have an objective deadline of 2015.

As the conservation status of the FPM in these river water bodies is not expected to be at favourable status by 2015 it is proposed to extend the deadline for the achievement of the WFD objectives for relevant river water bodies to 2021 due to technical constraints.

In addition there are three rivers in the South Western RBD where the status has been classified as Good in the latest EPA classification. However based on the conservation status of FPM SAC populations the status should be downgraded to moderate. On this basis the deadline for the achievement of the WFD objectives in these river water bodies have been extended to 2021 also. The EPA has been notified of this and will apply the necessary changes during the next status update.

The status of Lough Mahon (Harpers Island) is not good status as given in the plan, but moderate due to fish status in the overall ecological status assessment. However it was omitted from the EPA status spreadsheet for monitored and extrapolated transitional and coastal water bodies distributed to the RBDs.

In the South Western RBD Plan this will have an impact on the Executive Summary and the Objectives chapters and the following changes are required.

Amendment 1.1 - Executive Summary

Replace '12%' with '9%' in the bullet point at the bottom of page vii of the Executive Summary as shown by highlighted text below. The summary bar chart on the status will also need to be amended to reflect this change.

- 67% of rivers; 82% of lakes; 9% of estuaries; 30% of coastal waters are satisfactory, with high or good ecological status (percentage calculated by number);

Replace '56%' with '58%' in the first bullet point at the top of page viii of the Executive Summary as shown by highlighted text below.

- 33% of rivers; 18% of lakes; 58% of estuaries; 19% of coastal waters are less than good (moderate, poor or bad);

Replace '32%' with '33%' in the second bullet point at the top of page viii of the Executive Summary as shown by highlighted text below.

- 51% of our coastal waters and 33% of our estuaries are yet to have status assigned;

Replace '84%' with '80%' and '16%' with '14%' in final paragraph on page viii of Executive Summary as shown by highlighted text below. The summary bar chart on the objectives will also need to be amended to reflect this change.

The Water Framework Directive also allows alternative objectives to be set for certain waters. It is estimated that implementation of the measures in this plan will result in good status being achieved by 2015 in 80% of rivers, 99% of lakes, 14% of estuaries, 33% of coastal waters and 94% of groundwaters,

with further improvements during the second and third planning cycles. The expected trends in status expected over three planning cycles to 2027 are:

Amendment 1.2 – Surface Water Ecological Status

Replace '2 (5%)' with '1 (2%)'; '12 (7%)' with '10 (6%)'; '24 (56%)' with '25 (58%)'; '136 (82%)' with '138 (83%)' and (32%) with '(33%)' in Table 3.2 under column **Estuaries Number (%) Area km² (%)**, page 30, as shown by highlighted text below.

	River & canals Number (%) Length km (%)	Lakes & reservoirs Number (%) Area km ² (%)	Estuaries Number (%) Area km ² (%)	Coastal Number (%) Area km ² (%)
High	284 (32%) 820 (25%)	51 (57%) 13 (18%)	3 (7%) 17 (10%)	6 (26%) 239 (11%)
Good	314 (35%) 1158 (35%)	23 (25%) 18 (25%)	1 (2%) 10 (6%)	0 (0%) 0 (0%)
Moderate	228 (26%) 1007 (30%)	16 (18%) 41 (57%)	25 (58%) 138 (83%)	7 (30%) 215 (9%)
Poor	64 (7%) 318 (10%)	0		
Bad	1 (0.1%) 11 (0.3%)	0		
Yet to be determined	0	0	14 (33%) 1 (1%)	10 (44%) 1776 (80%)

* It should be noted that status has not been determined for 33% of estuarine waters and 52% of coastal waters. Percentages given include all waters.

Amend **Map 3.2 Surface water ecological status in the South Western RBD** on page 29 to reflect the change in table 3.2 detailed above.

Amend the Estuaries pie chart in **Figure 3.1 Ecological status of surface waters in the South western RBD** on page 31 to reflect the change in table 3.2 detailed above.

Amendment 1.3 – Prevent Deterioration

Replace '5 (12%)' with '4 (9%)' and '29 (17%)' with '27 (16%)' in the column **Estuaries Number (%) Area km² (%)** in Table 4.1 on page 38 as highlighted in the table below. In the footnote replace '32%' with '33%' as highlighted in the text below.

Table 4.1 Water bodies currently at high or good status

Current status	Rivers & canals Number (%) Length km (%)	Lakes & reservoirs Number (%) Area km ² (%)	Estuaries Number (%) Area km ² (%)	Coastal Number (%) Area km ² (%)	Groundwater Number (%) Area km ² (%)
High or Good	598 (67%) 1,979 (60%)	74 (82%) 31 (43%)	4 (9%) 27 (16%)	8 (30%) 572 (16%)	77 (91%) 10,931 (97%)

* It should be noted that status has not been determined for 33% of estuarine waters and 52% of coastal waters. Percentages given include all waters

Amendment 1.4 Restore Good Status

- a) Replace '24 estuaries' with '25 estuaries' in the 4th paragraph on page 39 as highlighted in the text below:

The classification results for the South Western RBD show that 293 rivers and canals, 16 lakes and reservoirs, 25 estuaries, 5 coastal waters and 7 groundwaters are currently below good status and require restoration to good status.

- b) Replace '24 (56%)' with '25 (58%)' and '136 (81%)' with '138 (83%)' in the column **Estuaries Number (%) Area km² (%)** in Table 4.2 on page 39 as highlighted in the table below. In the footnote replace '32%' with '33%' as highlighted in the text below.

Table 4.2 Water bodies currently at less than good status

Current status	Rivers & canals Number (%) Length km (%)	Lakes & reservoirs Number (%) Area km2 (%)	Estuaries* Number (%) Area km2 (%)	Coastal* Number (%) Area km2 (%)	Groundwater Number (%) Area km2 (%)
Less than good	293 (33%) 1336 (40%)	16 (18%) 41 (56%)	25 (58%) 138 (83%)	5 (19%) 307 (9%)	7 (8%) 358 (3%)

* It should be noted that status has not been determined for 33% of estuarine waters and 52% of coastal waters. Percentages given include all waters

Amendment 1.5- Extended deadlines (Table 4.5)

- a) Replace '17' with '54'; '144' with '178' and '16' with '20' under column **Rivers** in Table 4.5, page 41. Replace '22' with '23' and '51' with '53' under column **Estuaries** in Table 4.5, page 41 (see highlights below).

- b) Insert highlighted text in relevant sections of Table 4.5 under **Constraint** and **Action to 2015** as illustrated below.

Table 4.5 Reasons why extended timescales are required in certain water bodies in the South Western RBD

<p>Delayed recovery of highly impacted sites Extend to 2021 Map 4.6</p>	54	-	3	-	-	<p>Overall ecological status</p> <p>Recent EPA surveys suggest that recovery is slower for waters where status is more than one band below good (i.e. poor or bad). Recovery rates have been assessed on a case-by-case basis considering the pressures acting. It is expected that, as a result of the complex mix of pressures present and the level of impact restoration of status to good in certain poor and bad status sites will extend beyond the first plan period.</p> <p>NPWS studies in freshwater pearl mussel sub-basins indicate that the recovery timescales needed to establish populations at favourable conservation status (in accordance with the FPM Regulations) will extend beyond the first plan period.</p>	<p>Programme of measures to be implemented and EPA to monitor and report on status recovery rates</p> <p>Implementation of Sub-basin Management Plans in accordance with the FPM Regulations (SI 296 of 2009)</p>
<p>Combined total number</p>	178	1	23	4	5		
<p>Total as % of all waters</p>	20	1	53	15	6		

c) Revise **Map 4.6 Extended timescales due to delayed recovery of highly impacted sites in the South Western RBD** on page 49 to highlight the locations of these river water bodies in which objectives have been revised.

Amendment 1.6 - The Full Picture

a) Replace '598' with '595'; '1979 (60%)' with '1977 (58%)'; '745 (84%)' with '713 (80%)'; '2444 (74%)' with '2276 (66%)'; '3310 (99.8%)' with '3429 (99.9%)'; '3315 (100%)' with '3434 (99.9%)' in Table 4.8 under column Rivers and Canals Number (%) Length (%), page 54, as shown by highlighted text below.

b) Replace '5 (12%)' with '4 (9%)'; '29 (17%)' with '27 (16%)'; '7 (16%)' with '6 (14%)'; and 163 (98%) with 165 (99%) in Table 4.8 under the column Estuaries Number (%) Area km² (%) on page 54, as shown by highlighted text below.

Table 4.8 Timescale for achieving at least good status in surface waters and groundwaters (page 54)

Deadline	Rivers & Canals Number (%) Length km (%)	Lakes & Reservoirs Number (%) Area km ² (%)	Estuaries* Number (%) Area km ² (%)	Coastal* Number (%) Area km ² (%)	Groundwaters Number (%) Area km ² (%)
2009	595 (67%)	74 (82%)	4 (9%)	7 (26%)	77 (92%)
	1977 (58%)	31 (42%)	27 (16%)	568 (16%)	10,931 (97%)
2015	713 (80%)	89 (99%)	6 (14%)	9 (33%)	79 (94%)
	2276 (67%)	53 (73%)	34 (20%)	603 (17%)	10,966 (97%)
2021	889 (99.7%)	90 (100%)	29 (67%)	13 (48%)	84 (100%)
	3429 (99.9%)	73 (100%)	165 (99%)	880(25%)	11,289 (100%)
2027	891 (99.9%)	90 (100%)	29 (67%)	13 (48%)	84 (100%)
	3434 (99.9%)	73 (100%)	165 (99%)	880(25%)	11,289 (100%)

*Objectives have not been set for water bodies where status has not yet been determined.

c) Replace '745' with '713' and '7' with '6' in third last paragraph on page 54 as shown by highlighted text below.

It is estimated that implementing the measures in this plan will achieve good status by 2015 in 713 rivers and canals, 89 lakes and reservoirs, 6 estuaries, 9 coastal waters and 79 groundwaters, with further improvements during the second and third planning cycles. Graphs 4.1 – 4.5 illustrate the expected trends in status expected over three planning cycles to 2027.

d) Replace 'Maps 4.9 and 4.10' with 'Maps 4.7 and 4.8' in third last paragraph on page 54 as shown by highlighted text below.

Maps 4.7 and 4.8 summarise the environmental objectives for the district's surface waters and groundwaters.

e) Replace '84%' with '80%'; '16%' with '14%' and '92%' with '94%' in second last paragraph on page 54 as shown by highlighted text below.

Between publication of the draft plan and finalisation of this plan a detailed assessment was made of the expected timescales for recovery of waters following implementation of measures. This assessment indicates that longer recovery timescales can be expected for a larger number of water bodies. In the draft plans 98% of rivers and canals, and 100% of lakes and reservoirs, estuaries, coastal waters and groundwaters were expected to achieve good status by 2015. It is now expected that the good status will be achieved by 2015 in 80% of rivers and canals, 99% of lakes and reservoirs, 14% of estuaries, 33% of coastal waters and 94% of groundwaters.

f) **Graph 4.1 and Graph 4.3** on page 56 illustrating the status trend for rivers needs to be revised to reflect the changes in objectives detailed above.

g) **Map 4.7 Overall Surface Water objectives in the South Western RBD** (page 58) needs to be amended to reflect changes in FPM objectives and estuaries objectives.

2. Appropriate Assessment Terminology Amendment –

Natura Impact Statement is now the agreed term for the statement prepared following an AA. This usage will require the following amendments:

Amendment 2.1 - Glossary and Abbreviations

Include the following term in the glossary after NAP and before NPWS on page v.

Natura Impact Statement (NIS)	Natura Impact Statement - the statement prepared following Appropriate Assessment for Natura 2000 sites as required under the Habitats Directive
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Amendment 2.2 - Strategic Environmental Assessment and Appropriate Assessment for Natura 2000 Sites

a) Replace 'Similarly an Appropriate Assessment (AA) for Natura 2000 Sites was prepared to ascertain any impacts to Protected Areas' with 'Similarly an Appropriate Assessment (AA) for Natura 2000 Sites was carried out to ascertain any impacts to Protected Areas and a Natura Impact Statement (NIS) was prepared' in first paragraph of section 6.1.4 page 82 as shown by highlighted text below.

To ensure that the plan does not have adverse consequences for the wider environment (beyond its focus on waters), an Environmental Report was prepared as part of the Strategic Environmental Assessment (SEA) of the river basin management plan and programme of measures for the South Western RBD in accordance with national and EU legislation. Similarly an Appropriate Assessment (AA) for Natura 2000 Sites was carried out to ascertain any impacts to Protected Areas and a Natura Impact Statement (NIS) was prepared. Statutory consultation about these assessments was undertaken with the relevant bodies in Ireland (Environmental Protection Agency, Department of the Environment, Heritage and Local Government and Department of Communications, Energy and Natural Resources). Views on the Environmental Report, the Habitats Directive Assessment Report and the draft plan were also sought during a consultation period from December 2008 to June 2009. The comments made in the submissions received on the three documents were used to refine and amend the contents of the final plan; their influence is discussed in detail in the SEA Statement. All SEA and AA reports, including the SEA Statement are available with the [environmental assessment background documents](http://www.wfdireland.ie) at www.wfdireland.ie.

b) Replace 'Environmental and Appropriate Assessment Reports' with 'Environmental Report and Natura Impact Statement' in paragraph on page 83 as shown by the highlighted text below.

The SEA Statement documents how the recommendations of both the Environmental Report and Natura Impact Statement, as well as the views of the statutory consultees and other submissions received during

consultation, have influenced the preparation of the final South Western RBD plan and programme of measures. It also provides information on the arrangements put in place to monitor and mitigate any significant environmental effects of implementing the plan.

Amendment 2.3 – Appendix 5

After 'Ensure that appropriate assessment is carried out' insert 'and a Natura Impact Statement prepared' in paragraph 2 of Relevant Actions under Birds and Habitats Directives in Appendix 5: South Western RBD Action Programme (page 101) as shown by highlighted text overleaf.

Appendix 5: South Western RBD Action Programme

BIRDS AND HABITATS DIRECTIVES (79/409/EEC and 92/43/EEC)	
<p>European Communities (Natural Habitats) Regulations (SI 94 of 1997) as amended in 1998 and 2005: Purpose: to ensure the protection of habitats and species of European importance.</p> <p>Relevant actions: Designate sites hosting habitats and species of European importance for inclusion in the Natura 2000 network as needed. Establish appropriate conservation measures, and management plans where necessary, to ensure achievement of favourable conservation status.</p> <p>Ensure that appropriate assessment is carried out and a Natura Impact Statement prepared in relation to activities which are likely to impact on designated sites and, where necessary, regulate activities. Introduce compensatory measures to ensure the coherence of the Natura 2000 network if damaging activities are allowed to go ahead.</p> <p>Promote education on the need to protect species and habitats, encourage research necessary to achieve the aims of the regulations.</p> <p>Environmental Objectives (Freshwater Pearl Mussel) Regulations (SI 296 of 2009): Purpose: To set legally binding objectives for water quality in rivers, or parts of rivers, inhabited by freshwater pearl mussels Margaritifera and designated as Special Area of Conservation (SAC) so as to protect this species. The regulations also require steps to be taken to attain those objectives.</p> <p>Relevant actions: Establish environmental quality objectives. Undertake monitoring, assess conservation status and investigate pollution. Develop management plans (sub-basin plans of River Basin Management Plans), including any necessary measures, to ensure achievement of environmental quality objectives.</p> <p>Examine discharge authorisations to designated areas and establish if they require review.</p> <p>Monitor the implementation of the sub-basin management plans and ensure their implementation.</p>	<p>DEHLG-NPWS, DEHLG</p> <p>Relevant parties DEHLG-NPWS, DEHLG,</p> <p>DEHLG</p> <p>DEHLG-NPWS</p> <p>Public authorities</p> <p>DEHLG</p>

3. Action Programme Amendment

Insert the text highlighted below under Other Issues in Appendix 5: South Western RBD Action Programme (page 117) which relates to the preparation of “pollution reduction programmes for the purposes of achieving water quality standards in designated shellfish waters’ included under the Programme of Measures in Section 5.2.6 of the RBMP.

OTHER ISSUES		
Climate change: all measures have been assessed to ensure that the plan adequately considers the potential impacts of climatic change (see Chapter 6) – this will be reviewed as climate change information improves.	DEHLG, EPA	2009–2015 National
Invasive alien species: support measures being developed by the national alien species study (conducted by QUERCUS) and local investigations at district level	DEHLG-NPWS, local authorities	2009–2015 National
Cruising and boating: enforce pump-out control and speed restrictions at district level.	Waterways Ireland, local authorities	2009–2015 Prioritised sites
Eutrophication of lakes and estuaries: Focused local management plans including programmes of measures.	Waterways Ireland, local authorities	2009–2015 Prioritised sites
Aquaculture: strengthen regulation (applying appropriate assessment and developing biodiversity approaches at EU level). Propose national standards and implement shellfish pollution reduction plans. A multi-department Marine Coordination Group has been established.	DAFF, local authorities, DEHLG	2009–2015 Designated sites

4. European Communities (Assessment and Management of Flood Risks) Regulations 2010 Amendment

Recent publication of these regulations requires the following change:

Replace 'Regulations transposing the Floods Directive are expected soon' with 'Regulations transposing the Floods Directive have been made (SI 122 of 2010)' in the first paragraph of section 6.1.2 **Flood risk management plans** on page 81 as shown by highlighted text below.

The Report of Ireland's Flood Policy Review Group 2004 set out a new policy on the management of flood risks which is consistent with the new Floods Directive (2007/60/EC). This includes the preparation of catchment-based Flood Risk Management Plans that will set out the long-term strategy and a prioritised set of measures for managing flood risks, both structural and non-structural. Regulations transposing the Floods Directive have been made (SI 122 of 2010). Implementation of the *Water Framework Directive* and the *Floods Directive* is to be coordinated. The principal requirements of the *Floods Directive* are: