

Minute of the 16th Meeting of the National Technical Implementation Group for WFD



18 November 2020



Location: Virtual

Date: 18 November 2020 **Time:** 10:00 – 12:15

Chairperson: Mary Gurrie, EPA

Presentations from this meeting are available in [WFD NTIG OneDrive](#) – if you do not have access to this please email p.morris@epa.ie

Email updates: *The EPA issue updates on the WFD (Catchments Newsletter, public consultations etc) via email – you can sign up for these updates on the front page of www.catchments.ie. We also do a (very brief!) weekly summary of new stories on catchments.ie which you can sign up for here: <https://www.catchments.ie/would-you-like-a-weekly-summary-of-new-stories-added-to-catchments-ie/>*

Catchments Newsletter by post: *you can also opt-in to receiving a hard copy of the Catchments Newsletter by post – please use [this form](#) or email catchments@epa.ie*

Attendance:

See Appendix 1.

Agenda:

1. Welcome, introductions and minutes of previous meeting
2. Updates:
 - DPLGH
 - LA Waters Programme and ASSAP
 - EPA – new critical source area maps
3. Discussion/updates on issues arising
 - Sheep dip
 - Norovirus
 - Developer led infrastructure
 - Linking marine issues with the WFD
 - Land reclamation
4. Clarifications on round table updates
5. AOB

Actions:

1. Irish Water, SFPA and BIM to review the communications protocol for wastewater incidents impacting on shellfish waters.
2. DHLGH to consider the feasibility of updating the shellfish regulations

1.	<p>Minutes of previous meeting</p> <ul style="list-style-type: none"> • Minutes were agreed for the NTIG meeting held in September 2020. • EPA gave an update on the review of the Local Authority inspections framework. EPA provides oversight and sets priorities for Local Authority inspections on an annual basis. A review of the Recommended Minimum Criteria for Environmental Inspections (RMCEI) is underway. The focus for 2021 is to better align with the WFD process and to bring in protection of drinking water.
2.	<p>Updates: 2nd Cycle Implementation / Third Cycle Planning</p> <p>DPLGH - see presentation on OneDrive</p> <ul style="list-style-type: none"> • <i>Infringement cases:</i> <ul style="list-style-type: none"> (a) The 2nd report on the urban wastewater case has been submitted to the Commission. Works are complete at just over half of the sites in question and progress is being made in the remainder. (b) A 2nd reasoned opinion on the WFD transposition case was received in October 2020 on abstractions and hydromorphology. • <i>Nitrates Action Programme:</i> <ul style="list-style-type: none"> (a) An amendment to the Good Agricultural Practice Regulations was signed by the Minister on 16 November. The amendments bring additional measures from the interim review into effect on 1st January 2021. (b) A 6 to 8 week preliminary public consultation on the 4th review of the Nitrates Action Programme will be launched in the coming weeks. A second, more detailed consultation will also be carried out in 2021. • <i>Drinking Water:</i> <ul style="list-style-type: none"> (a) The Department has established a Drinking Water Expert Group to assist in the development of a new legislative approach to protecting drinking water at source. The group has had 4 meetings to date. (b) A revised draft abstractions bill has been approved and moved to pre-legislative scrutiny on 20th October. Further refinement will be needed before the Bill is finalised. (c) The recast Drinking Water Directive is expected to be published shortly. Member states then have 2 years to transpose the Directive into Irish legislation. • <i>Waters of Life Project:</i> <ul style="list-style-type: none"> A Project Manager post is expected to be advertised before Christmas 2020. • <i>Shannon Fish Pass Project:</i> <ul style="list-style-type: none"> The Consultants are preparing the final project proposal. • <i>Water and Planning Guidance:</i> <ul style="list-style-type: none"> The project steering committee is to meet and review the draft document in late 2020. • <i>Draft Third RBMP:</i> <ul style="list-style-type: none"> (a) The development of the draft plan is underway and it is expected to be published in early 2021. (b) Consultants have been engaged to carry out the Strategic Environmental Assessment (SEA). <p>LA Waters Programme - see presentation on OneDrive</p> <ul style="list-style-type: none"> • <i>Catchment Assessment Team progress:</i> <ul style="list-style-type: none"> The catchment assessment team are 63% through their 3-year programme. Desk studies are

underway in 156 PAAs, 98 of which have been uploaded to the WFD app. Field assessments are underway in 124 PAAs. 257 referrals have been made.

- *Community engagement team:*
 - (a) 135 information meetings have been held in PAAs. These have now moved online due to the pandemic. The team is preparing for public consultation on the third plan.
 - (b) The Community Water Fund has awarded 290 grants, which is a total of €595,000, since January 2018.
 - (c) A dedicated website for hosting all entries for the Stories from the Waterside is under consideration.
 - (d) LAWPRO are supporting a pilot GAA Green Clubs programme, building on the Healthy Club Initiative. The pilot is developing a green club toolkit of resources structured around five main thematic areas aligned with the sustainable development goals, energy, water, waste, biodiversity, travel and transport. The pilot is being launched in December and will be rolled out in 2021 with 50 clubs initially.
 - (e) LAWPRO and the Rivers Trust are organising an event called Communities Caring for Water on Saturday 28 November. All community groups are welcome.
- *The third river basin management cycle:*
 - (a) A review of LAWPRO is underway and a decision on the continuation of the programme into the third cycle is due by the end of 2020.
 - (b) The process to select new Areas for Action for the 3rd cycle is almost complete. 537 new areas have been selected, including 306 to be led by LAWPRO, and 88 to be led by the Local Authorities including 66 Areas for Restoration and 22 Areas for Protection. The new Areas for Action do not include all waterbodies that are At Risk.

ASSAP

- ASSAP has completed 1675 first visits and assessments, 354 second visits and 10 third visits. The Level 5 Covid restrictions have impacted ASSAP's ability to organise visits and there have been no streamside meetings. Zoom meetings have been held but have had varying degrees of success.
- There are three new dairy advisors and one new Teagasc advisor in place.
- Detailed data on the mitigation actions being agreed and not agreed is being captured which will assist with identification of the blockages to implementation. A list of the 10 most frequent issues is provided in the presentation on OneDrive. Note that some actions involve practice change and are listed as 'ongoing' as they will never be 'completed'.
- A draft generic ASSAP logo has been developed that can be tailored with each of the Co-ops own branding as required



- The Teagasc Signpost webinar series will continue into the future. There have been 10 webinars on water quality to date. The average audience is about 300.
<https://www.teagasc.ie/corporate-events/sustainable-agriculture-webinars/>.
- The new Teagasc Signpost Farms programme has been set up to demonstrate sustainability in practice on farm. Although it was initially to be focussed on greenhouse gases, the scope has been widened to include water quality and biodiversity as well. ASSAP will support the programme with water quality assessments on all 70-100 farms. A training programme for private advisors is also being developed.

	<p>EPA - see presentation on OneDrive</p> <ul style="list-style-type: none"> • EPA has developed draft new edition pollution impact potential (PIP) maps for nitrogen and phosphorus. The maps can be used to help farmers, advisors and policy makers to the right agricultural measures in the right place. • The new PIP V3 maps have been updated with 2018 DAFM stocking rate information. The phosphorus map also has two new added layers: the focused delivery paths which show where the overland pathways in the landscape are; and the delivery zones/points where the delivery paths intersect with streams and rivers. The size of the points is scaled relative to potential increasing loads of phosphorus to watercourses. • The maps are being tested by LAWPRO and ASSAP in the field. Work is ongoing to review the draft maps and to agree explanatory vocabulary.
3.	<p>Discussion/updates on issues arising - see presentations on OneDrive</p> <p>i. Sheep dip</p> <ul style="list-style-type: none"> • Spent sheep dip has been implicated in toxic events in various waterbodies, especially in Donegal. • EPA engaged a consultant at the end of 2019 to look at a regulatory mechanism for management and disposal of spent sheep dip and work is underway. • An early warning reporting mechanism, known as 'Red Dot Plus', is now in place. As soon as EPA biologists see evidence that a toxic event has taken place, an alert is forwarded to a number of public body representatives so that immediate action can be taken. • Other actions to be progressed include: <ul style="list-style-type: none"> (a) engagement with DAFM on appropriate measures; (b) engagement with Donegal Co. Co. and the Catchment Care team who have been working on this issue; (c) development and implementation of a communications strategy for Donegal sheep farmers. <p>ii. Norovirus</p> <ul style="list-style-type: none"> • Norovirus, which comes mainly from urban wastewater, especially in winter, can impact on oyster production and is a serious concern for the shellfish industry. • LAWPRO has had extensive discussion on the issue at the Regional Operational Committees. A number of issues have been raised such as public consultations during the licensing process, and use of chlorine. • Irish Water is required under a number of urban wastewater discharge licences to do an assessment of the impacts of the discharge on designated shellfish areas. Of the 17 assessments done to date, three have shown an impact: Donegal Bay, Drumcliff and Killary Harbour. These will need to be prioritised in the next Irish Water Investment plan. The remainder of the assessments need to be completed urgently and work is underway. • Communication of incidents and overflows is important for the sector to allow proactive management of any potential pollution events. There is a legal requirement in the licenses for Irish Water to notify the Marine Institute, the SFPA and BIM when incidents occur. The question was raised as to whether any improvements in the communications to growers were required, and if so how? ACTION: Irish Water, SFPA and BIM to review the communications protocol.

	<ul style="list-style-type: none"> Some members indicated that there is a perception that subsuming of legislation into WFD has not been as effective as required and that there would be benefits in bringing forward new shellfish regulations. ACTION: DHLGH to consider the feasibility of updating the shellfish regulations. <p>iii. Developer-provided infrastructure (DPIs)</p> <ul style="list-style-type: none"> Developer-provided infrastructure is where planning permission required a developer to construct appropriate wastewater treatment facilities for housing estates which were intended to be taken in hand by the Local Authorities. The Local Authorities no longer have the capacity to do this with Irish Water in place, and in many cases the developers are no longer in business, and the systems are not being adequately managed. There were 834 of these estates nationally in August 2018, but it is not known how many of these are a risk to water quality. The WFD characterisation process has identified 29 waterbodies impacted by Developer-provided infrastructure (DPIs). Members indicated there is a need for long terms solutions to be developed, on a prioritised basis. The DHLGH has programme funding to remediate 26 estates which was announced in September 2020. This will cover about 10% of the DPI houses in the country. The Department is engaging with Local Authorities to deliver on pilot projects (Cork, Clare, Carlow). The focus is on the low hanging fruit where the estates can be connected to Irish Water infrastructure. There is a study ongoing on the issue and its impacts which will feed into the 2022-2024 funding cycle. About two thirds of the estates will likely not be able to connect to Irish Water infrastructure and a longterm solution will be needed for these. It is estimated that approximately €300M will be needed to resolve the issues. DHLGH welcomes input from LAWPRO and others on the environmental impacts to assist with these programmes. DHLGH are awaiting a report from Irish Water to assist with scoping the next programme. The water services guidelines now state that no further DPIs should be put in place without agreement with Irish Water on a longer term solution. This should ensure that this is not an issue with current or future developments. <p>iv. Linking marine issues with the WFD</p> <ul style="list-style-type: none"> <i>Delayed to next meeting</i> <p>v. Land reclamation</p> <ul style="list-style-type: none"> <i>Delayed to next meeting</i>
4.	<p>Clarifications on the round table updates</p> <p>GSI circulated an update – see OneDrive for copy</p> <p>A LIFE project proposal for a project in Lough Cara has just passed through the concept note stage and will hopefully progress next year. EcoEye also focused an episode on the lake this year.</p> <p>NPWS queried whether landslides and their implications for water quality are an appropriate issue for this forum to look at? The EPA Environmental liabilities team are involved with the working group looking at the recent landslides. The GSI landslide database and landslide susceptibility map is also available. A draft landslide hazard map is under development and there are discussions ongoing with DHLGH regarding adding them to MyPlan.</p>

5.	<p>AOB</p> <ul style="list-style-type: none"> • The HSE environmental health services would like to raise the issue of movements of organic fertilisers at next meeting as there is a gap in knowledge of where this slurry goes, and the loads on land.
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Appendix 1: NTIG membership and attendance list – Nov 2020

Name	Organisation	Attended	Apologies	Name	Organisation	Attended	Apologies	Name	Organisation	Attended	Apologies
Deirdre MacGabhann	ABP			Stephen Fennell	EPA			Noreen Mc Cleery	NIEA / DAERA		
Anne Marie O'Connor	ABP			Jenny Deakin	EPA	X		Richard Gray	NIEA / DAERA		
Mike Murphy	BIM	X		Marie Archbold	EPA	X		Deirdre Quinn	NIEA / DAERA		
Joanne Gaffney	BIM			Patrick Morrissey	EPA			Oonagh McCann	NIEA / DAERA		
Catherine Butler	BIM			Andy Fanning	EPA	X		Joanne Livingstone	NIEA / DAERA		
Brian O Loan	BIM			Kevin Collins	Forest Service			Silke Hartmann	NIEA / DAERA	X	
Alan Dunney	CAROs			Ken Bucke	Forest Service			Mark Adamson	OPW	X	
Deborah Meghan	Coillte	X		Monica Lee	GSI	X		Conor Galvin	OPW	X	
Philip O' Dea	Coillte	X		Martin Cormican	HSE			Peter McGoary	SFPA	X	
Aoife Crowe	CER			Cathal Gallagher	IFI			Pat Murphy	Teagasc;	X	
Jack Nolan	DAFM			Serena Keane	Irish Water	X		Noel Meehan	Teagasc		
Bernard Harris	DAFM	X		Niall Horgan	Irish Water			Billy O Keeffe	TII	X	
Dymphna Kehoe	DAFM			Claire Colman	Irish Water			Paula Treacy	WI	X	
Clare Casey	DAFM	X		Ray Spain	LAWPRO	X		David Joyce	CCMA/Cork	X	
Colin Byrne	DHPLG			Bernie O Flaherty	LAWPRO	X					
Donal Grant	DHPLG			Fran Igoe	LAWPRO	X		Guests			
Graham McGovern	DHPLG	X		Carol McCarthy	LAWPRO	X		Katie Smart	IW	X	
Imelda Averill CCMA	DCC			Sean Keating	LAWPRO	X		Daireann McDonnell	Waterways ireland	X	
Mary Gurrie	EPA	X		Margaret Keegan	LAWPRO	X		Deirdre Tierney	EPA	X	
Eva Mockler	EPA	X		Ruth Hennessy	LAWPRO	X		Kara McNulty	DHLGH	X	
Anthony Mannix	EPA	X		Maeve Ryan	LAWPRO	X		Luke Varley	DHLGH	X	
Paddy Morris	EPA	X		Bernie White	LAWPRO	X		Lisa Holland		X	
Matt Craig	EPA	X		Gary O'Connell	LAWPRO	X		Mairead Kenny		X	
Noel Byrne	EPA	X		Evin McGovern	MI	X		Geoffrey Robinson	BIM	X	
Karen Creed	EPA			Cliona O'Brien	NPWS	X					
Suzanne Wylde	EPA	X		Barry Deane	NFGWS	X					
Shane O' Boyle	EPA			Kerry Anderson	NIEA / DAERA						