**Submission to draft River Basin Management Plan from Kilkenny PPN workshop held on 3rd August 2017 at the Pembroke Hotel, Kilkenny.**

**In attendance:**

Peter Walsh Chairman Barrow Nore Suir Fishermen

Cllr. Pat Dunphy

Sinead O Brien SWAN

Shem Caulfield Thomastown River Trust/ Community Representative on Kilkenny County Council SPC5

Cllr. Malcolm Noonan

Declan Murphy An Taisce

Mairead Phelan Kilkenny PPN

Mary Brennan An Taisce

Ann Phelan LAWCO

Sadhbh O Neill Environmental Pillar/ PPN Representative on Kilkenny County Council SPC5

Katherine Peacock PPN Development Officer, Kilkenny County Council

**Background**

This workshop was organised on foot of a presentation to the members of the Kilkenny County Council SPC5. The PPN/ Environmental Pillar decided that more input should be sought from interested members of the community so that a more comprehensive submission could be made to the draft RBMP. We were especially fortunate to have presentations from Sinead O Brien of SWAN Ireland, and also Ann Phelan of LAWCO whose combined expertise in the policy and governance of the WFD in Ireland was particularly informative.

The comments below are summarised as a series of recommendations that came from this workshop, but do not reflect necessarily the detailed views of individual organisations or those in attendance. For the purposes of clarity for this submission, the comments and recommendations from the workshop are arranged below thematically, but naturally the issues arose in a different order on the day.

**General comments**

In general, the structure of the plan is clear, and the proposed governance arrangements make sense. However, the scientific emphasis is on quantitative and biophysical indicators and does not reflect the importance of water bodies as living systems, providing both ecosystem services and the habitats for protected species under the Habitats and Birds Directives. In addition, while the collection and presentation of national data is important and necessary for the purposes of putting appropriate structures in place, there is an information gap between the national statistics and the local realities and pressures that makes it difficult for local authorities and other agents to identify priority actions.

The view expressed by the majority of participants at our workshop was that the draft RBMB does not adequately respond to the challenge of meeting the requirements of the WFD in Ireland. In particular, the legal status of catchment management needs further clarification, and additional resources will be required to deliver coherence at catchment level between policies and agencies. In addition, there are possibly too many bodies with functions under the current Plan which makes communication and coordination a challenge.

A recurring theme is the near impossible task of reconciling the objectives of Harvest 2020 with the requirements of the WFD. Our participants could not find any reason to believe that the measures proposed in the draft Plan will be sufficient to improve the quality status of water bodies under further intensification, when of the water bodies at risk of not meeting quality objectives, 64% are at risk due to agricultural practices at current stocking rates. Detailed comments about agricultural policy are listed below; however it must be a priority issue that is tackled at a political and policy level if we are to avoid further deterioration in water quality. The low level of ambition in the plan concerns us greatly. Only 12% of water bodies currently failing to reach WFD standards, will be improved by 2021. What about the 700- water bodies that will fall outside prioritisation exercise? This approach is not consistent with the WFD. If 12% is all we’re aiming for, we need to make this explicit.

Finally, the draft Plan presents an opportunity for the public and interested stakeholders to reflect on the conceptual frameworks we deploy when thinking about water bodies. We are of the view that we need to do everything to shift the perspective of the public, landowners and state agencies, away from thinking of rivers as sewers, to rivers as the arteries of life. Rivers and lakes are also habitats for other species, some of which are at risk of extinction. In Ireland we have 97 species of bumblebees for example, which play a crucial role in pollination. The full potential of the ecosystem services (or natural capital) approach should be deployed in evaluating the costs and benefits or total environmental impacts of any policy or programme.

**Agricultural policies that conflict with the objectives of the WFD**

It is very worrying that of the water bodies at risk of not meeting quality objectives, 64% are at risk due to agricultural practices. Due to the particular risks posed by this sector, it is essential that the draft Plan identifies ecologically sensitive and sustainable farming practices based on principles that minimise pollution, waste and greenhouse gas emissions, that maximise the health of local ecosystems and promote local employment and businesses. Our view was that there was a lack of joined-up thinking between agricultural policies and the environmental imperative of protecting improving water quality. We are concerned that the high-consumption and chemical model of food production runs counter to the principle of sustainable development. In addition, the serious environmental costs imposed by intensive agricultural practices and policies tend to be discounted or not counted at all. We believe farmers are getting bad advice – or no advice – in relation to run-offs and land management. Younger farmers in particular do not have a memory of ‘natural’ habitats therefore agri-environmental measures should support and promote the reintroduction of native species and wildlife habitats. We believe that the current agricultural model is not working: it pits economic values against environmental values. Monoculture works against people, nature and animals, and instead, we should be striving to move towards more diverse and ecologically sustainable practices that are consistent with higher quality food production.

In the case of agriculture, the Plan signals that more resources will have to be devoted to farm inspections, nutrient management advisory services, knowledge transfer (and incentives for farmers to engage), as well as enforcement. No budgetary details are given and the plan assumes that local authorities have the resources to do all of this extra inspection work despite the huge growth envisaged in dairy farming under Food Wise 2025. Furthermore, it is not clear from the draft plan what ‘sustainable growth’ refers to: for environmental sustainability to be achieved and existing water quality problems to be resolved, it would appear that herds and stocking numbers would need to be reduced, to meet the objectives of the WFD. How does the plan intend to reconcile the clearly conflicting objectives of the WFD and Food Wise 2025/ H2020? Based on our reading of the draft Plan it would appear that while the RBMP is scientifically informed, FW2025/ H2020 are not. We recommend that Food Wise 2025/ H2020 need to be proofed against the EPA’s catchment characterisation studies.

Based on the research conducted by Teagasc, it clear that Nitrates present a higher transfer risk in more permeable catchments, and thus the pollution potential is highly localised. Yet none of this is highlighted in the RBMB, as the information given is generalised across the whole country. In addition, long lag-times for both N and P effects on water quality mean that agronomic testing should be conducted (and at appropriate intervals) on a field-by-field basis in vulnerable catchments. But are the resources available to ensure that this takes place, and that adequate enforcement is carried out where farmers are not complying with derogation conditions?

Farm wastes are an under-utilised source of bioenergy. We suggest that pilot programmes to support farm-based anaerobic digestion be considered to support farmers who wish to explore this option. It is not sufficient to leave it to the energy markets to establish the correct incentives. GLAS requires more funding, and farmers should be compensated for achieving output rather than measures based targets, which could include the management of farm wastes using AD.

We note that the Teagasc Agricultural Catchments Programme found that of 6 catchments 5 are failing P levels, only grassland catchment is meeting the required standard. We consider that the Nitrates regulations are a ‘one-size fits all’ which does not adequately address problems in specific catchments. Yet the Plan offers no new catchment specific measures to address pollution from agriculture. We believe that targeted measures are required to bring water bodies up to good status by 2021. Where there isn’t enough understanding, the Plan should state that clearly, and set out a research programme to fill information gaps.

Knowledge transfer is very difficult to achieve in practice, and our workshop felt that it could not be relied upon to improve water quality. Knowledge transfer only works in conjunction with compliance/ payments and a fostering of environmental and ecological literacy amongst farmers.

**Flooding and hydromorphology**

Our workshop discussed flooding and flood relief programmes in some detail. We are concerned that the OPW in particular has been reluctant thus far to look at softer flood defences. In order to demonstrate that alternative approaches to flood relief are possible, we need properly structured scientific pilot projects to gather scientific data and appropriate evidence for policy-makers. Local authorities do not have experience or skills in the area of natural flood relief or soft engineering. In addition, planners may not be fully trained or knowledgeable in relation to the requirements of the WFD or the RBMP, so a key recommendation was in-house re-training for local authority engineers and planners on the principles of natural flood management. Regulations should be introduced clearly setting out what constitutes ‘permeable’ surfaces and where and when they are appropriate.

In terms of peak rainfall events, slowing the velocity of water should be the priority. We need to address the problem of new farming methods which collect water too quickly, devising systems for water attenuation. This could be achieved by designating land *for* flooding, and seeking ways to use land as a sponge rather than a culvert. Developers in flood-prone areas should be required to set aside land for flooding, and no development at all should be permitted in areas close to rivers.

Fast-moving water bodies have been observed by Fishermen on the Suir catchment to actually reduce the water quantity available in the river. The river levels actually *drop* as a result of current land management practices, and this has an effect on the fisheries, certain fish stocks and biodiversity of the river.

**Abstraction**

In Ireland due to copious rainfall we tend to ignore the problem of *water quantity*. Yet water availability in excellent quality cannot be taken for granted. Diminished quantities affect fish stocks downstream, and potentially group water schemes relying on ground water. We are concerned that the current national register for water abstractions is not observed closely enough, and further enforcement and vigilance is required to ensure that all abstractions are consistent with the regulations and WFD.

**Domestic Septic Tanks**

It is of great concern that 38% of the Irish population live in rural areas with private waste water treatment systems. Whilst considerable effort has been made in recent years to ensure good practice in the case of new houses, there is still a problem with older dwellings that may have incorrect connections to storm drains. One suggestion would be to link the WWT system type to a house’s BER rating, so that potential purchases have access to information about the status of the system, in a manner that would reflect on the value of the property. This is chiefly a compliance issue that requires dedicated planning enforcement and certifiable checks. As for new dwellings planning rules should mandate zero risk of pollution to ground and surface waters.

**Information, education and public engagement**

Reading the plan as local environmentalists and concerned citizens, it is hard to see which parts are relevant to our water bodies in Kilkenny, and what policies and measures need to be put in place to protect them. If public participation is truly ‘deep and meaningful’, citizens need access to education and information about water in a way that empowers them to get involved in activities such as citizen science, and informed policy engagement. While focusing on the amenities of water bodies, and efforts such as litter picking, clearing of invasive species and so on are very important and useful, these are no substitutes for the real challenge of democratising water policy and engaging communities in taking ownership (in River Trusts for example) of their water bodies.

We noted with disappointment that the recent debates over water charges have failed to engage public opinion in relation to matters related to water quality, and in particular, the strength of the objections to water charges have meant that there is no political support for measures to address the link between high consumption and water quality. In this regard, it is necessary for science- and evidence-based policy to inform the public debate more thoroughly.

For the purposes of presenting information in a way that is helpful to local authorities in fulfilling their obligations under the Plan, more precise and detailed data is required for each sub-catchment clearly identifying water quality problems and identified sources, and including farm-scale data also (especially regarding Nitrates use and derogations).

It was suggested by SWAN that for the 46 identified catchments, Ireland should have 46 trained ecological advisors so that catchment specific guidance and advice is available. We were cognisant of the fact that neither the local authorities nor LAWCO can fulfil this function under current arrangements. Resourcing meetings – giving money to local groups to set up rivers trusts. Need serious funding (INTERREG funding or something)

Finally, we are concerned that the structures proposed in the RMBM will not facilitate public engagement. Regional workshops will make real decisions, but these do not include representation from environmental interests/ stakeholders. Efforts to engage with the public will require more resources to support the establishment of River Trusts, as well as structures to assist in engagement. Thus far it is not clear how LAWCO will meet that requirement. A fundamental priority should be to promote and motivate the public to use water bodies – for swimming, fishing and other amenities. Actually encouraging people to use our water resources will tend to lead to more environmental awareness – it can’t be just a desk exercise. Finally the heritage value of fishing (in particular snap-net fishing in the SE) should be explored and highlighted as another way to engage the public.

**Restoration**

The environmental pillar is concerned that the plan does not specify that where water quality objectives have not been met due to infrastructural or other developments, especially where these have been carried out by a local authority directly, that the ecological status of water bodies needs to be restored to its original condition. In the case of the Nore/ bridge / flood relief works in previous years, there is ample ecological data upon which to gauge the impacts of the bridge works on the river beds, and banks. Local authorities who undertake such works and should be required to conduct rigorous ecological assessments both before and after works commence (subject to, and in addition to those under EIA) and measures put in place to return the ecosystems to their original condition. If that is not possible, the works should not be undertaken.

**Access to land**

There is a further problem, unique to Ireland, in how to facilitate access to private land. Need to deal with that on a case by case basis. We note that it is very difficult to engage public in characterisation if they can’t access the rivers! We urge the Department to fully support efforts to improve public access to land via legislation.