



EPA OPENING STATEMENT

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OIREACTAS JOINT COMMITTEE

ON

HOUSING, LOCAL GOVERNMENT AND HERITAGE

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EPA Delegation

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Introduction

The EPA's mission is to protect and improve the environment as a valuable asset for the people of Ireland and to protect against the harmful effects of radiation and pollution. The Agency has a wide range of responsibilities as environmental regulator, knowledge provider and advocate. Specifically related to water quality, the EPA conducts national monitoring programmes to assess water quality and a national hydrometric monitoring programme to assess flow and levels in rivers, groundwater and lakes. In addition, the EPA's regulatory activities include the authorisation of industrial, waste and waste water facilities and the enforcement of those authorisations.

The General Scheme of Water Environment (Abstractions) Bill proposes new responsibilities for the EPA related to licensing of large and significant water abstractions. This follows on from legislation published in 2018 which established a register of abstractions and is maintained by the EPA. Overall, these measures are designed to protect water bodies from excessive levels of water abstraction and give effect to the Water Framework Directive (WFD) which requires the protection/restoration to good status of all surface and groundwater bodies.

The EPA welcomes the measures in the heads of the Bill. These measures will improve the monitoring and regulatory control of large and significant water abstractions in Ireland. The measures will ensure that the requirements of the Water Framework Directive, regarding the control of abstractions, are met as well as supporting European reporting requirements. They will also assist in improving water resource management in Ireland.

Environmental Impact

While registration and control of significant water abstractions is required under the Water Framework Directive, EPA analysis indicates that overall water abstraction in Ireland is not a major issue for achievement of good status of water bodies.

This is based on a quantitative risk assessment of existing water abstractions, conducted by the EPA, which informed the River Basin Management Plan 2018-2021. This assessment

showed that the level of risk due to abstractions is low at approximately 6% of all water bodies.

Proposed licensing regime

The EPA welcomes the risk-based approach for the proposed licensing regime. This means that abstractions considered low risk to the environment will be addressed by way of registration and/or general binding rules whilst medium and higher risk abstractions will require an assessment of the significance of the abstraction on the environment and licensing where appropriate. This approach balances environmental protection, such as protection of ecology and overall water quality, in a proportionate way while minimising costs and administrative burden.

It is estimated by the EPA that approximately 490 abstractions will require an authorisation. These are abstractions over 250m³/day and include drinking water supply and water abstraction by industry. For the purposes of accountability and transparency, the EPA will publish a guidance document for consultation setting out the principles of authorisation, the assessment methods used and the basis for decision-making following enactment of the primary and secondary legislation. We propose to engage directly with stakeholders in this regard.

The heads of the Bill also include provision for environmental impact assessment and Appropriate Assessment under the European Communities (Birds and Natural Habitats) Regulations 2011. The EPA expects detailed process steps for environmental impact assessment (EIA), in accordance with EU Directive 2014/52/EU and as it relates to the EPA's abstraction licensing function, to be set out in secondary legislation.

Register

The national register of water abstractions was established in 2018¹ and is maintained by the EPA. This requires that abstractions of greater than 25 m³/day be registered. By November 2020, a total of 1,583 abstraction registrations have been received by the EPA and these are estimated to account for approximately 95% of all water abstracted. The EPA

¹ European Union (Water Policy) (Abstractions Registration) 2018

is continuing to promote and secure compliance with the register by engaging with the relevant sectors including agriculture, industry, commercial and golf courses.

Summary

The EPA welcomes the registration and control of significant water abstractions in Ireland to improve understanding of where abstractions are causing a water pressure and to better manage abstractions in areas of high risk in the future. In particular, a risk-based approach for the licensing regime allows the regulatory effort to be directed to where the environmental risk is greatest. The EPA looks forward to the finalising of the Bill and associated Regulations to establish the licensing regime. The EPA is maintaining the national register of water abstractions since 2018 so that there is one national register of water abstractions in Ireland and continues to engage with those sectors that are required to register their abstraction to improve compliance levels.