

1. RIVER BASIN MANAGEMENT

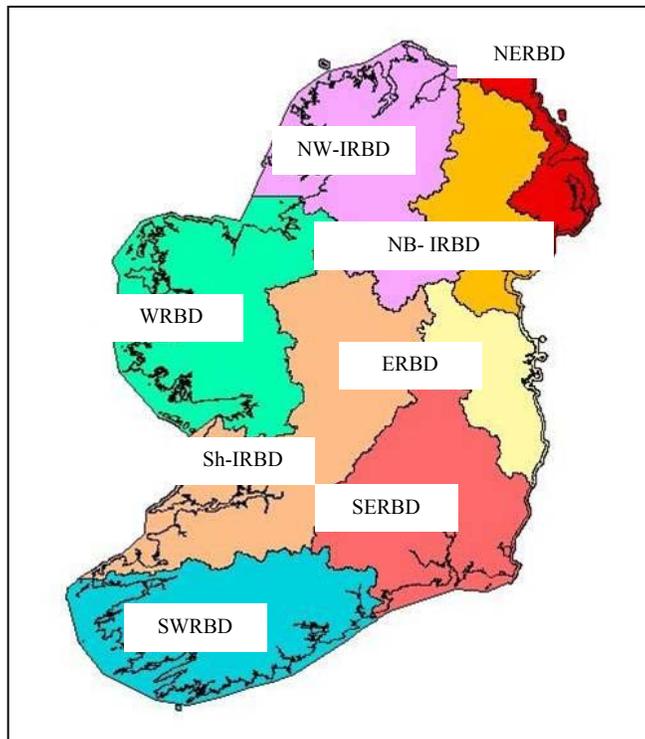
1.1 General

New arrangements are being put in place to strengthen systems for the management of water quality and the protection of aquatic ecosystems. The new arrangements have involved the establishment of areas known as River Basin Districts with the aim of achieving co-ordinated water management by all the relevant public authorities in relation to these new districts. In addition, new bodies known as River Basin District Advisory Councils are being established to provide a forum for the involvement of interested parties. These guidelines are intended to provide background information and recommendations to the relevant public authorities and other interested parties in relation to the establishment of these Advisory Councils.

1.2 River Basin Districts

Seven river basin districts have been established in Ireland. The new districts are drawn by reference to the natural boundaries of river basins (catchments). Each district comprises a group of adjoining river basins together with their associated groundwaters and coastal waters. Three of the districts relate to cross-border areas and are known as International River Basin Districts. The four other districts are situated wholly in Ireland. One further district is situated wholly in Northern Ireland. All eight districts on the island of Ireland are illustrated in the map below and are named as follows:

- Eastern River Basin District
- South Eastern River Basin District
- South Western River Basin District
- Western River Basin District
- North Western International River Basin District
- Neagh Bann International River Basin District
- Shannon International River Basin District
- North Eastern River Basin District (Northern Ireland).



Map 1 – River Basin Districts on the island of Ireland

1.3 Duties of public authorities

The relevant public authorities within each district are required to co-ordinate their efforts with a view to ensuring generally that –

- (a) there is no deterioration in the status of any waters in the district (e.g. waters in excellent or good condition are to be maintained, respectively, in excellent or good condition), and
- (b) by 2015 all waters achieve at least “good status” or such higher status as is required in relation to protected areas.

A six-year planning cycle is being established which requires that a first river basin management plan be made by 2009 and reviewed and updated every six years. The relevant public authorities are required to prepare a comprehensive characterisation report in relation to each district (2005). They are also required to establish classification systems (2006), monitoring programmes (2006), environmental objectives (2009) and a programme of measures (2009) and to make a River Basin Management Plan (2009). The plan is to be reviewed by 2015 and every six years thereafter. All inland and coastal waters are to be addressed i.e. rivers, lakes, transitional waters (.e.g. estuaries), coastal waters and groundwater. All relevant

public authorities are required to promote the active involvement of all interested parties. These new arrangements are being put in place throughout the European Union in accordance with the EU Water Framework Directive.

1.4 EU Water Framework Directive

The EU Water Framework Directive (2000/60/EC) came into force on 22 December 2000 and established a new, integrated approach to the protection, improvement and sustainable use of Europe's waters. The overall objective of the Directive is to bring about the effective co-ordination of water environment policy and regulation across Europe in order to:

- protect and enhance the status of aquatic ecosystems (and terrestrial ecosystems and wetlands directly dependent on aquatic ecosystems) and prevent further deterioration of those systems
- promote sustainable water use based on long-term protection of available water resources
- contribute to the provision of a sufficient supply of good quality surface water and groundwater as needed for sustainable, balanced and equitable water use
- aim at enhanced protection and improvement of the aquatic environment by reducing / phasing out of discharges, emissions and losses of priority substances
- contribute to mitigating the effects of floods and droughts
- contribute to the protection of territorial and marine waters
- establish a register of 'protected areas' e.g. areas designated for protection of habitats or species.

The Directive is a wide-ranging and ambitious instrument of European environmental legislation setting clear objectives to ensure that there is no deterioration in the status of any waters and that at least "good status" is achieved for all European Waters by 2015 or such higher status as is required for protected areas. It requires the carrying out of numerous preparatory tasks leading to the making not later than 2009 of river basin management plans and the implementation, review and updating of the plans on a six-year cycle.

Background information on the Directive and the activities being pursued for its implementation are available on the website www.wfdireland.ie

1.5 Water Policy Regulations

The Water Framework Directive (WFD) was transposed into national law in Ireland by the European Communities (Water Policy) Regulations 2003 (SI No. 722 of 2003)

which provided for essential, technical transposition of the Directive by the required date (22 December 2003). These Regulations, together with the corresponding legislation for Northern Ireland, established the abovementioned river basin districts in relation to the island of Ireland in accordance with the proposals set out in the joint North / South consultation paper “Managing Our Shared Waters” (March 2003, Department of the Environment, Heritage and Local Government and the Northern Ireland Department of the Environment). The Regulations also assigned responsibility for implementation of different elements of the Water Framework Directive to the appropriate authorities e.g. the Environmental Protection Agency, local authorities. In particular, a river basin management plan in relation to any particular district is to be made jointly by the local authorities (city and county councils) in the district.

In the case of each river basin district, the Regulations identify one local authority to serve as co-ordinating authority for all the local authorities in the district. The co-ordinating local authority for each of the districts is as follows :-

River Basin District	Co-ordinating Local Authority
Eastern	Dublin City Council
Western	Galway County Council
South Eastern	Carlow County Council
South Western	Cork County Council
North Western	Donegal County Council
Neagh Bann	Monaghan County Council
Shannon	Limerick County Council

The function of co-ordination at national and international level is exercisable by the Environmental Protection Agency and the Minister for the Environment, Heritage and Local Government.

Other relevant public authorities in relation to river basins districts in Ireland include bodies such as the regional authorities, regional fisheries boards, the Central Fisheries Board, the Commissioners of Public Works, the Electricity Supply Board, Geological Survey of Ireland, the Health and Safety Authority, the Heritage Council, the Local Government Computer Services Board, the Marine Institute, the Radiological Protection Institute of Ireland, Teagasc, Failte Ireland, Waterways Ireland, the Minister for Enterprise, Trade and Employment, the Minister for Communications, Marine and Natural Resources and the Minister for Agriculture and Food.

2. RIVER BASIN DISTRICT ADVISORY COUNCILS

2.1 Terms of reference

The Water Policy Regulations require the establishment by the local authorities in each river basin district of a River Basin District Advisory Council as a permanent forum for direct dialogue and interaction between interested parties and the relevant public authorities. The terms of reference of the councils, as set out in article 16 of the Regulations, are –

to consider matters relating to the preparation of river basin management plans and other matters relevant to the protection and use of the aquatic environment and water resources in the district and to advise and make recommendations on these matters to the relevant public authorities.

The full text of article 16 of the Regulations is set out at Appendix 1.

2.2 Establishment and Membership

The co-ordinating local authority in each river basin district will make the necessary arrangements for the establishment of an Advisory Council for the district . The first generation of Advisory Councils will be established as soon as possible and should all be in place in 2005. Subsequent Advisory Councils will be established as soon as possible after local elections and will remain in place until the retirement of the members of the local authorities in accordance with section 17 of the Local Government Act, 2001 (No. 37 of 2001).

The membership of the Advisory Council will comprise –

- persons appointed by the relevant local authorities in each river basin district, and
- co-opted members who have knowledge, qualifications or experience of relevance to the river basin district .

Regard will be had to the need for a spread of relevant interests, balance between divergent interests and the range of interests that can be accommodated.

The total number of members of an Advisory Council will be determined largely by reference to the number of local authorities in the district (see below).

2.3 Members appointed by Local Authorities

Each local authority in a river basin district will be invited by the co-ordinating authority to appoint two persons as members of the Advisory Council. Each of the appointees must be either an elected member of the local authority or a sectoral representative from one of the Strategic Policy Committees of the authority. It is envisaged that all members appointed to the Advisory Council will retain membership for the lifetime of the Advisory Council but where an appointee ceases to be a member for any reason the relevant local authority will appoint a new member.

The numbers of local authorities in each district , which are as follows -

River Basin District	Number of local authorities in district
Eastern	12
Western	7
South Eastern	13
South Western	6
North Western	6
Neagh Bann	4
Shannon	18

For example, the number of local authority appointees will be 8 in the case of the Neagh Bann IRBD and 36 in the case of the Shannon IRBD.

2.4 Co-opted Members from Sectoral Interests

Advisory Councils are required to co-opt additional members who are representative of interested parties or who have knowledge, qualifications or experience of relevance to its functions in order to facilitate a wide representation of community and sectoral interests. In this context “interested parties” in relation to a river basin district are defined as including persons who –

- (a) are carrying on any business which relies upon the water environment in the district, or
- (b) are carrying on any activities which have or are likely to have an impact on water status in the district, or
- (c) have an interest in the protection of the water environment in the district whether as users of the water environment or otherwise.

The Regulations require that the co-opted members should as far as is practicable include persons, or representatives of persons, who are involved in -

- (a) agriculture,
- (b) business or economic activities,
- (c) angling or other recreational activities which relate to the use of water,
- (d) social or community activities,
- (e) academic, professional or research activities related to water, and
- (f) a body which has the objective of protecting water quality or aquatic ecosystems.

It is envisaged that co-optees will be individuals, or representatives of groups or associations, that are active, or have a relevance, in a locality - or preferably a number of localities - in the river basin district. It will be expected that co-opted members will retain membership for the lifetime of the Advisory Council but where a co-opted member ceases to be a member for one reason or another the Advisory Council may co-opt a new member.

It is recommended that the number of persons co-opted should generally be equal to 50% of the number of persons appointed by local authorities. The Regulations prescribe, however, that the number of co-opted persons must not exceed the number of members appointed by local authorities.

2.5 Co-option Process

All interested parties will be invited, by way of notice published in the national media, to nominate persons for co-option to the Advisory Councils. A nomination form for this purpose will be available from the co-ordinating authority to which the nominations will be sent (see Appendix 2). The nominations will be assessed by the co-ordinating local authority which will prepare a report with recommendations for consideration by the Advisory Council in relation to the co-option of members.

When considering nominees for co-option the Advisory Council will aim to achieve, as far as is practicable, a balance by sectoral representation and by geographic representation across the river basin district. In determining the sectoral representation regard will be had to the need for a spread of relevant interests, balance between divergent interests and the range of interests that can be accommodated.

3. Further Information

Further information in relation to these guidelines can be obtained from Ms Mary O'Brien, Water Quality Section, Department of the Environment ,Heritage and Local Government, Custom House, Dublin 1, Ireland.

Telephone 01-888 2471
Fax 01-8882400
Email marym_o'brien@environ.ie

Further information will also be available from the co-ordinating local authority in each river basin district. Appendix 2 gives contact details for each of the co-ordinating local authorities and sets out a list of the constituent local authorities in each river basin district.

Information in relation all activities being pursued for implementation of the Water Framework Directive in Ireland is available on the website www.wfdireland.ie.

APPENDIX 1

ARTICLE 16 OF WATER POLICY REGULATIONS

Following is the text of article 16 of the European Communities (Water Policy) Regulations, 2003 (No. 722 of 2003) as amended by the European Communities (Water Policy)(Amendment) Regulations, 2005(No.413 of 2005).

River basin district advisory council

16. (1) The relevant local authorities shall, in accordance with this article, establish in relation to each river basin district an advisory council (subsequently referred in this Article as “a council”) to consider matters relating to the preparation of river basin management plans and other matters relevant to the protection and use of the aquatic environment and water resources in the river basin district and to advise and make recommendations on these matters to the relevant public authorities.
- (2) In the discharge of their duties under these Regulations in relation to a river basin district the relevant public authorities shall have regard to the advice and recommendations of the council for the district.
- (3) Subject to this article, the procedures of a council shall be determined by the council.
- (4) Each relevant local authority shall by resolution appoint as members of the council two persons each of whom shall be a member of the authority or of a strategic policy committee established by the authority.
- (5) The chairperson of a council shall be a member of a relevant local authority.

- (6) A council shall by co-option increase its membership to include representatives of interested parties and other persons who may have knowledge, qualifications, or experience relevant to the functions of the council and, insofar as is practicable, the members so co-opted shall include persons, or representatives of persons, who are involved in -
- (a) agriculture,
 - (b) business or economic activities,
 - (c) angling or other recreational activities which relate to the use of water,
 - (d) social or community activities,
 - (e) academic, professional or research activities related to water, and
 - (f) a body which has the objective of protecting water quality or aquatic ecosystems.
- (7) The number of members co-opted to a council in accordance with sub-article (6) shall not exceed the number of persons appointed by local authorities in accordance with sub-article (4).
- (8) A council shall meet at least twice per annum.
- (9) An employee of a local authority shall be assigned the duties of secretary of the council.
- (10) The expenses of a council incurred in accordance with an estimate approved by resolution of the relevant local authorities shall be refunded to the council by the relevant local authorities in proportion to the population of their respective functional areas lying within the river basin district or on such other basis as may be agreed by the relevant local authorities.

- (11) A relevant public authority may provide such assistance, including financial assistance, as the authority considers appropriate in relation to the activities of a council.
- (12) The proceedings of a council shall not be invalidated solely by reason of the fact that there is not any member of the council (including the chairperson) who is a member of a relevant local authority.
- (13) A council shall be deemed to be dissolved on the ordinary day of retirement of the members of the co-ordinating local authority in accordance with section 17 of the Local Government Act, 2001 (No. 37 of 2001).

APPENDIX 2

CONSTITUENT LOCAL AUTHORITIES AND CO-ORDINATING LOCAL AUTHORITY OF EACH RIVER BASIN DISTRICT

The constituent local authorities in each river basin district are listed below together with details of a contact person in each of the co-ordinating local authorities.

Eastern River Basin District

The local authorities which have functional areas within the Eastern River Basin District are Dublin City Council and the County Councils of Cavan, Dun Laoghaire / Rathdown, Fingal, Kildare, Louth, Meath, Offaly, South Dublin, Westmeath, Wexford and Wicklow.

The co-ordinating local authority for the Eastern River Basin District is Dublin City Council and the contact person in that authority is-

Mr Tom Leahy
Deputy City Engineer
Dublin City Council
Civic Offices
Wood Quay
Dublin 8

Tel 01-6722027

Email tom.leahy@dublincity.ie

Western River Basin District

The local authorities which have functional areas within the Western River Basin District are Galway City Council and the County Councils of Clare, Galway, Leitrim, Mayo, Roscommon and Sligo.

The co-ordinating local authority for the Western River Basin District is Galway County Council and the contact person in that authority is-

Maire Ni Chionna
Senior Engineer – Environment Section
Galway County Council
County Hall
Galway

Tel 091-509302
Fax 091-509033
Email environment@galwaycoco.ie

South Eastern River Basin District

The local authorities which have functional areas within the South Eastern River Basin District are Waterford City Council and the County Councils of Carlow, Cork, Kildare, Kilkenny, Laois, Limerick, North Tipperary, Offaly, South Tipperary, Waterford, Wexford and Wicklow.

The co-ordinating local authority for the South Eastern River Basin District is Carlow County Council and the contact person in that authority is –

Mr Eamonn Brophy
Senior Executive Officer - Environment
Carlow County Council
County Offices
Athy Road
Carlow

Tel 059-9170300
Fax 059-9141503
Email ebrophy@carlowcoco.ie

South Western River Basin District

The local authorities which have functional areas within the South Western River Basin District are Cork City Council and the County Councils of Cork, Kerry, Limerick, South Tipperary and Waterford.

The co-ordinating local authority for the South Western River Basin District is Cork County Council and the contact person in that authority is –

MacDara O Hici
Acting Senior Executive Officer
Cork County Council
Environmental Department
Iniscarra
County Cork
Tel 021-4276891

North Western International River Basin District

The local authorities which have functional areas within the North Western International River Basin District are the County Councils of Cavan, Donegal, Leitrim, Longford, Monaghan and Sligo.

The co-ordinating local authority for the North Western International River Basin District is Donegal County Council and the contact person in that authority is –

Mr Donal Casey
Senior Executive Chemist
Donegal County Council
Water Pollution Laboratory
Magheranan
Letterkenny
County Donegal
Tel 074 9122787
Fax 074 9161304
E-mail donal.casey@donegalcoco.ie

Neagh Bann International River Basin District

The local authorities which have functional areas within the Neagh Bann International River Basin District are the County Councils of Cavan, Louth, Meath and Monaghan.

The co-ordinating local authority for the Neagh Bann International River basin District is Monaghan County Council and the contact person in that authority is –

Mr David Fallon
Director of Services Environment and Roads
Monaghan County Council
County Offices
The Glen
Monaghan
Tel 047 30545
Fax 047 82739
Email dfallon@monaghancoco.ie

Shannon International River Basin District

The local authorities which have functional areas within the Shannon International River Basin District are Limerick City Council and the County Councils of Cavan, Clare, Cork, Galway, Kerry, Laois, Leitrim, Limerick, Longford, Mayo, Meath, North Tipperary, Offaly, Roscommon, Sligo, South Tipperary and Westmeath.

The co-ordinating local authority for the Shannon International River Basin District is Limerick County Council and the contact person in that authority is –

Mr Tom Enright
Director of Environmental and Emergency Services
Limerick County Council
County Hall
Dooradoyle
Limerick
Tel 061-496264
Fax 061-496008
Email tome@limerickcoco.ie