



**Ibec submission to the
public consultation on the
River Basin Management
Plan for Ireland
(2018-2021)**

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About Ibec

Ibec is the group that represents Irish business both domestically and internationally. It has over 180 professional services staff in seven locations and is the umbrella group of over 40 different sectoral industry associations. It has over 7,500 members; home grown, multinational, big and small, spanning every sector of the economy. Together they employ over 70% of the private sector workforce in Ireland.

Ibec and its sectors groups lobby government, policy makers and other key stakeholders nationally and internationally to shape business conditions and drive economic growth. The Ibec team includes experts across all of the major policy areas key to business:

- Economics and taxation
- Education and skills
- Energy and environment
- Transport innovation
- Digital economy
- Labour market
- Diversity
- Public services
- All island investment
- Trade
- EU and international affairs

Ibec is a market leader in forecasts and surveys. Ibec's role as public commentator on the economy has been significant, having correctly identified the turnaround during the economic crisis. More recently, Ibec has accurately forecast economic growth rates and identified the opportunities that these, along with low interest rates, provide for national infrastructure investment.

Ibec provides a wide range of professional direct services to members including employer advice and representation on HR and industrial relations issues. The on-the-ground aspect of this service places Ibec in a unique position of being close to the challenges and concerns of employers. This enables the team to better capture and articulate issues affecting competitiveness and business development to government and policy makers.

Introduction

Ibec, the group that represents Irish business, welcomes this opportunity to comment on the second cycle draft River Basin Management Plan (RBMP). This response reflects the views of a representative cross-section of our 7500 member companies. Some are water users, while others provide water services or ecosystem service such as land management.

Water is a vital resource that enables the economy and broader society to thrive. It is essential to industry, agriculture and tourism. Irish businesses therefore have a particular stake in maintaining high quality water catchments. However, the central role of water in our productive economy has inevitably placed a number of pressures on this precious resource. The EPA has rightly identified water body quality management as a priority for its work programme.¹

The EU Water Framework Directive (WFD) mandates each EU Member State to achieve at least good status for all its water bodies. Member States are required to produce River Basin Management Plans that include a range of measures through which this goal will be achieved. The published draft for the second cycle of the RBMP seeks to build on the (admittedly somewhat limited) progress of the first cycle (2009-15) and thereby work towards the goals of the WFD.

Ibec wishes to acknowledge the substantial body of field research that has been conducted in preparation for this consultation. Priority measures, particularly any new ones, should always be solidly grounded in evidence where possible. While recognizing the absolute need to comply with WFD, however, our members would emphasize that any new policy measures should be properly costed and subject to impact assessments. They should not impose an unnecessary burden on businesses, thereby hindering job creation.

We agree that there is a need for improved governance and delivery structures. Adequately resourced local delivery will be vital for successful implementation of the RBMP, but the work needs to be underpinned by a more coherent national governance structure than hitherto. The Department's decision to treat the entire country as a single River Basin District (RBD) is a step in the right direction. A single RBD will certainly be more efficient and more effective in terms of interactions between industry and public bodies. Ibec found it difficult to engage meaningfully with some of the regional authorities during the first cycle.

Working with businesses as concerned stakeholders in ensuring high water quality will provide a sustainable management plan for the country's water bodies. In our view, a bottom-up approach that allows companies, local authorities, and local communities to engage with one another and to collaborate on catchment protection efforts offers the best chance of success.

¹ Environmental Protection Agency, 2012, *Strategic Plan 2016 – 2020*. Available at: https://www.epa.ie/pubs/reports/other/corporate/EPA_Strategic_Plan_English.pdf (pg 4)

Business Activity and Water Use

Arguably, despite the slow progress made during the first cycle RBMP, the quality of Ireland's lakes and rivers compares favourably with that in other EU Member States. Ireland is above the EU average for the percentage of river and lakes water bodies that hold at least good status.² However, while the average quality is reasonably good, there are some specific pressures that require urgent attention. We agree with the emphasis on protecting pristine waters, which tend to be at risk from diffuse pollution sources, rather than from industrial sites. Indeed, industry accounts for just 7% of all the water bodies deemed *At Risk* of falling quality status. Emissions to water from circa 700 sites that are licensed by the EPA under the Industrial Emissions Directive are intensively regulated and carefully monitored, so probably do not require additional measures – indicating that current measures are working for this sector.

Our members include firms involved in forestry and peat extraction with extensive land holdings. These activities are associated with environmental pressures on a substantial proportion of catchments deemed *At Risk*. Forests have the potential to play a key role in integrated catchment planning. Forests protect water bodies and watercourses by trapping sediment and pollutant run-off from adjacent lands. Forests influence water flow by intercepting precipitation, evaporating moisture from vegetative surfaces, transpiring soil moisture and promoting soil infiltration.

There is growing support for the use of targeting tree planting and low impact silvicultural systems in integrated catchment planning. New economic instruments need to be developed to support this approach. Payments for Ecosystem Services (PES) are flexible, incentive-based mechanisms that could play an important role in promoting land use change to deliver water quality targets. These instruments could also link with aims of the wider forests-carbon policy nexus.

It is worth noting that thousands of smaller Ibec members are not EPA licensed. Many are instead subject to local authority permits. It is unclear whether there is a consistent approach by the local authorities in terms of monitoring and enforcement. Additional funding could help to bring them all up to a high standard. Ibec's experience, having administered the Irish leg of the *European Business Awards for the Environment* for more than a decade, is that small businesses generally strive to be environmentally responsible. Many are willing to 'go the extra mile' by engaging in good environmental management practice through voluntary measures, often in co-operation with local communities.

In summary, our members individually have the potential to be valuable implementation partners at a local level. Through Ibec, they are also willing to engage constructively at national or regional level on water catchment policy and governance issues. A selection of practical examples of businesses demonstrating good water management practices can be seen in the appendix at the end of the document.

Enhanced Business Engagement

A key consideration of the consultation process for the RBMP is how best the Department, local authorities and LAWCO should engage with business. Ibec believes that the desired policy outcomes can best be reached through well-designed market-based incentives rather than an increased regulatory burden. Ibec does of course accept the need for authorities to have adequate enforcement powers to deal with deliberate noncompliance. However,

² European Environment Agency, 2012, *European waters - assessment of status and pressures*. Available at: <https://www.eea.europa.eu/publications/european-waters-assessment-2012> (pg 49-50)

policymakers should avoid doing anything that unnecessarily increases the cost of doing business at a time when competitiveness is a crucial concern for the Irish economy in an uncertain international context.

It has been the experience of Ibec members that collaborative approaches to collective action problems that affect cross sectoral industries and wider society are more effective than purely punitive or enforcement approaches. In this regard, it is Ibec's view that a nationally driven but locally led, incentive-based strategy would be the most likely to achieve the desired outcomes of the RBMP. Authorities should only resort to a regulatory 'hard edge' where co-operative approaches fail to deliver improved water management practices. This consideration applies especially to Irish Water, which has made considerable progress in improving the performance of the urban waste water treatment facilities that it inherited from local authorities. The imposition of fines for failure to meet IED licence conditions this fleet of ageing infrastructure would constitute a drain on financial resources at a time when the utility's long-term funding for capital investment needs to be made more secure.

There will be some 'win-win' measures that can help protect water quality, provide valuable eco-system services and thereby enhance a firm's reputation without adversely impacting on its competitiveness. However, it is often the case that mitigation measures will be costly in terms of forest/peatland land set-aside or capital investment to reduce effluent loading. Businesses may be reluctant to make such trade-offs, even though they create amenity benefits for wider society. The corollary is that businesses engaging in good water practices on a voluntary basis ought to be supported with logistical and technical expertise, as well financially where appropriate. Furthermore, the long-term benefits of good water management should be communicated to businesses through all forums for engagement with stakeholders. Conversely, businesses that are in a position to do so should support authorities' efforts to convey the importance of water management to the general public and feed information back to authorities about water bodies with which they interact. These channels of communication should preferably occur at a local level through the Local Authority Waters and Communities Office (LAWCO), which is best placed to deliver stakeholder and community engagement. Where appropriate they could be formalized into partnerships where responsibility for preserving or improving water quality is shared.

Engagement and cooperation between business, public offices, and other stakeholders should deepen in order to ensure the success of this cycle of the River Basin Management Plan. Ibec is of the view that a nationally driven but locally implemented strategy will reap the most benefit for all parties. National high-level strategies should be sufficiently flexible to allow for the principle of 'the right measure in the right place'. Locally devised solutions are more likely to generate the effective solutions to water management issues. Local actors should then be given ownership of implementation. Where the water issues affect wider areas, higher levels of governance should coordinate actors across the affected area. This is why a coordinated governance model is so essential. Actions should be implemented at the level that is most appropriate to ensure an effective response.

Governance of the River Basin Management Plan

Ibec welcomes the increased emphasis on governance and delivery structures in the second cycle of the River Basin Management Plan. Clear lines of accountability over actions from the programme of measures will help to the prospects for successful implementation. Ibec agrees with that the challenges identified in Section 10 of the consultation document the must be addressed. Implementing the right measures in the right places, with coordination across and between the different levels of governance is crucial in this regard.

However, more clarity is needed on the roles and working relationships of the various actors in Section 10.2. Ibec is concerned that in the proposed governance and coordination structures for implementation (Fig 10.1, pg 87) there are too many bodies without precisely defined responsibilities. The concern is that with so many voices in a chain that it does not have a clear hierarchy or division of responsibility over implementation of the plan, accountability may become lost. There are two chains running in parallel, comprised of a number of different actors, whose formal relationships and roles in the implementation of the plan are unclear. The implementation structure does not provide sufficient detail to conclude that implementation will be efficient and accountable. It is also lacking detail regarding the role of the newly formed non-statutory National Water Forum (NWF), which should be empowered to interact at all levels of the proposed implementation structure. Ibec, however, does not consider the statutory Public Water Forum (PWF) to have a useful role. It is currently operating as a sub-committee of the NWF but it should be disbanded as soon as practicable.

In addition Ibec is concerned about where business stakeholders fit into the implementation structure other than indirectly through the NWF. There is no clear path for stakeholder input at regional or national level, suggesting that businesses may only have an input on specific issues at a local level but not on a strategic level. If business' engagement is to come primarily through the NWF, then we would wish to see a clearer link between this body and the RBMP implementation structures. We are supportive of the objectives of the NWF, and have a high regard for its current chair.

Resourcing of Local Authorities

Local Authorities in Ireland have seen significant cuts in funding from central government and a large reduction in staff numbers over the last decade. A number of service areas and responsibilities have been removed from local authorities on efficiency grounds. This includes principal responsibility for water and waste water services, higher education grants, and driving license services. However, local authority resources remain stretched. The number of full time equivalent staff in local government has fallen by 25% since 2008, from 37,243 to roughly 28,100.

These changes raise questions about the potential efficacy of local authorities to implement the RBMP. It begs the question of how the relationship between the Environmental Protection Agency (EPA), the National Coordination and Management Committee and the local authorities will work in practice. What capacity will they have to encourage or compel local authorities to implement the programme of measures, and what recourse do they have in situations where local authorities lack the capacity to do so in their areas remain open questions.

In addition, local implementation and engagement with the plan has been tasked to the newly created Local Authority Waters and Communities Office (LAWCO). The total staff of this new office is 18. Three are regional coordinators and three are specialist support, leaving 12 Community Water Officers for 4,832 water bodies in the state. The concern is that this number may not be adequate to facilitate local and community engagement and cooperation between the variety public and private actors whose support will be required to fully implement the plan. In addition, their workload will include offers of "technical advice and assistance to local authorities, community and voluntary groups on local, regional, national and EU and corporate funding streams with a connection to water management."³

³ Department of Housing, Planning, Community and Local Government, 2017, *Public Consultation on the draft River Basin Management Plans for Ireland 2018-2021*. Available at: <http://www.housing.gov.ie/water/water-quality/river-basin-management-plans/public-consultation-draft-river-basin-management> (pg 93)

Finally, Community Water Officers will also be responsible for education and awareness campaigns and knowledge sharing of lessons learned. The workload appears significant and will need to be monitored to ensure that LAWCO is sufficiently resourced to carry out its function according to the RBMP.

It is important for the local and community led approach that Ibec is advocating that LAWCO is sufficiently resourced to effectively coordinate engagement and cooperation between public and private stakeholders. This will enable locally driven water management projects to flourish and for the knowledge generated to be passed on to other communities.

Conclusion

The points raised in this document represent the views of Ibec's membership. Water is a vital resource that enables the economy and broader society to thrive. Ibec is keen to see the successful implementation of the RMBP. However the implementation must be practical and fair to the enterprises it seeks to regulate. Our members have the potential to be valuable implementation partners at a local level. Through Ibec, they are also willing to engage constructively at national or regional level on water catchment policy and governance issues.

Ibec believes that the desired policy outcomes can best be reached through well-designed market-based incentives rather than an increased regulatory burden. Steps that unnecessarily increase the cost of doing business would be unwelcome during an uncertain economic time for business. A flexible, collaborative, and nationally driven strategy that implements locally devised solutions will be most effective in ensuring the future sustainability of Ireland's water environment. On the pages that follow, Ibec would like to highlight three of the countless examples of good water management by businesses in their community.

If you wish to discuss any of the issues considered in this submission, please contact myself or my colleague, Neil Walker and we would be happy to arrange a meeting.

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Appendix: Practical Case Studies

As discussed above, Ibec is in favour of adopted a locally-focused approach to the plan that goes right down to community level involvement in river basin management. It is in the interest of industry to maintain and improve upon water quality given that water is a valuable and finite resource that many businesses rely on to carry out their activities. The 'Tidy Towns' scheme has already demonstrated how community initiatives can be successful when properly supported.

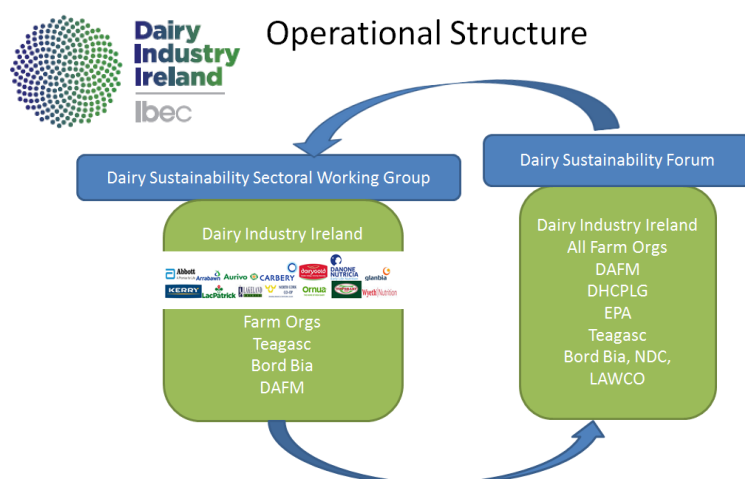
Industry collaboration with the relevant local authority in which they operate – alongside engagement with other stakeholders such as sports clubs, anglers, and anyone else with an interest in preserving water quality – will give Ireland the greatest chance of maintaining its position as a leader in good water management. Locally driven partnerships such as these should serve as a model for business engagement in water management. The following are examples that demonstrate the success of integrated water management by stakeholders.

National Dairy Sustainability Forum

Sustainability is at the heart of the Irish Dairy industry's current improvement goals. Water quality in turn is central to that improvement story. As the Department is aware, Ibec members are already deeply engaged in promoting sustainability. The Dairy Industry Ireland's '**Dairy Sustainability Forum**' seeks to provide an industry led approach to securing sustainable dairy practices at all levels which will;

1. Encourage and support on-farm water & soil environmental best-practice;
2. Respond to the sustainability expectations of international customers;
3. Improve on-farm productivity & profitability;
4. Drive water and soil quality improvement driving measurable environmental goods in water and soil for the benefit of all on the island.
5. Demonstrate a positive dairy sector initiative to help respond to regulatory risks in proactive partnership with state agencies.

The initiative is based on a pro-active and collaborative - whole of sector and whole of government - approach to the issues. The initiative has full representation from the Department of Agriculture, Food & the Marine, the Department of Housing, Planning, Community & Local Government, LAWCO, the EPA, Teagasc, Bord Bia, IFA, ICMSA, ICOS, Macra, as well as the whole primary and secondary processing sector as represented by Dairy Industry Ireland.



The first phase of its activity over the course of 2017 identified by the Dairy Sustainability Forum incorporates three main objectives, namely;

- A) Farm level information programme to promote best practice soil nutrient management;
- B) Farm level information programme to promote good farmyard practice; and
- C) The establishment of 180 Pilot Farms across six separate dairy processors. (6x30)

The challenge for IDIA is to establish the support framework to deliver short-term on the above objectives to create a platform that can be utilised and deployed to energise positive awareness and response to the initiative across the dairy farmlands of Ireland.

These in turn will contribute positively to the objectives of the River Basin Management Plan (2018-2020) and provide a basis for a further roll out of the project based on measureable progress for our national water quality.

Improving Natural Habitats at Astellas Ireland Kerry Plant AICL (KP)

As a significant part of the AICL (KP) site includes a Nature Reserve which forms part of a designated Special Area of Conservation (SAC) and Natural Heritage Area (14.6 acres). The river Laune flows along by the site boundary and forms part of the SAC. AICL (KP) have a Nature Reserve Plan to protect and enhance the ecological value and biodiversity of this reserve.

The aims and achievement of the Plan are as follows:

- Conserve and enhance, the ecological value of all habitats
- Conserve notable plant and animal species
- Encourage sustainable recreational and educational use
- Improve public awareness

AICL (KP) maintain strict controls on all emissions, discharges and new developments on site so as to ensure no activities can occur that will endanger the biodiversity and habitats in the nature reserve or the river Laune. Any works planned for the site must have a pre-approved method statement so as to ensure that activities are strictly controlled. Emergency procedures are in place including a fire water lagoon so as to prevent any potential impact in the event of an emergency.

As part of AICL (KP)'s involvement with the Killorglin Tidy Towns, AICL (KP) provide resources for various sustainability initiatives; from energy days to promotion of biodiversity. AICL (KP) has supported the community by providing a walkway along the river Laune and erecting biodiversity and historical information boards giving information of the local flora and fauna through AICL (KP)'s Nature Reserve along the River Laune. AICL (KP) have committed to maintaining the river walkway and have held voluntary clean up days involving plant personnel.

Community information boards created by AICL (KP) employees are in place in strategic locations around the Killorglin town area for the benefit of locals and visitors alike. Every quarter AICL (KP) generate a biodiversity newsletter that is distributed to the local schools and to the employees at AICL (KP). These newsletters are produced to try and engage the staff and local community in the flora and fauna that the locality has to offer.

AICL (KP) have also worked with local interest group "Save our Laune" this group works on the eradication of invasive species like Japanese Knotweed along the river Laune. AICL (KP) have provided both personnel and financial support to help them establish the extent of the infestation and develop plans to help eradicate the invasive species.





Intel and the Rye River

The Intel Ireland Campus located at Collinstown Industrial Park, Leixlip, County Kildare, is Intel's fourth largest manufacturing site. Over €12 billion has been invested in turning the 360 acre former stud farm into the most technologically advanced industrial location in Europe.

The site is situated on the banks of the Rye River which runs along the northern border of the Intel campus. The Rye River is an important tributary of the River Liffey, and is considered one of the most important salmon spawning grounds in the Liffey catchment. A portion of the land surrounding the river, including the section bordering the Intel campus, is classified as a Special Area of Conservation (SAC). Given the sensitive location of the site, Intel Ireland are very aware of the importance of high quality and sustainable environmental performance and community engagement.

When Intel first located on the site the Rye River was at risk due to large over growth. Intel set an objective to improve the condition of the river as a community amenity and to improve its quality as a salmon and trout fishery. The initial focus of the project was the section within Intel lands but as time progressed the overall river was incorporated into the project.

In 1993 Intel commenced a clean-up of the river, both banks and bed. This project, funded by Intel, was carried out in conjunction with Fisheries Boards, Water Bailiff, Leixlip & District Angling Association and OPW. As a result of the partnerships formed through the rejuvenation project, the 'Friends of the Rye River' group was established. This is a key group of local stakeholders who are concerned about the long term viability of the river and Intel plays a leadership and facilitation role in terms of bringing together all interested parties and exploring ways the river can be improved.

One of the focus areas of this group, primarily through Kildare County Council representative, is to create awareness of the potential impact of upstream discharges from commercial and agricultural sources and work to manage them to maintain river quality. The group still meet on a quarterly basis on the Intel site.

Representatives on the team include:

- Leixlip & District Angling Association
- Ryevale Lawns Residents Association
- Inland Fisheries Board
- Kildare County Council
- Aquens Ltd, from University College Dublin
- Carton House
- Intel Ireland

Shortly after the river clean-up project in 1993, Intel began working with environmental consultants, Aquens, to produce an annual limnological study. The River Rye remains to be the only river in Ireland with a documented study dating back this far. The survey measures water quality at designated sites and studies macroinvertebrate, salmon and trout in the river.

In 2001 a project was undertaken to encourage butterflies and bees into the area through the planting of specially designed beds that would attract these. A free standing interpretive board was produced detailing the restoration work on the Rye, wildlife and the history of the area, which is situated beside the Rye in the village of Leixlip.

In 2005 a project involving the construction of a series of vortex stone weirs, excavation of pools and placement of salmon spawning gravels at intervals throughout the river downstream of Sandford Bridge was completed. Additional pool excavation was carried out in 2013.

To further encourage awareness of the natural habitats on the site in general, Intel commissioned a report over a one year period on Flora and Fauna throughout the site by Eanna Ni Lamhna and Richard Collins. This study was also used as an opportunity to create:

- Employee awareness of the flora and fauna on site through quarterly talks.
- Flora and fauna photographic competition.
- Art work for employees children.
- Nature walks for local schools.

In 2012, to mark the 20th Rye River annual limnological study, Aquens and Intel published the findings of the 20 years of data collected on the river in a book called “The Remarkable Rye Water”. This publication presented some of the emerging trends in the data as analysed by Aquens, as well as some information on other plant and animal life associated with the Rye Water valley to give some sense of its wealth of wildlife, which drew on the aforementioned Flora and Fauna study commissioned by Intel Ireland. The book was also seen as a platform to explore future opportunities and challenges for those who cherish the Rye Water.

Maintaining the high quality of the River Rye has its challenges however. The river is affected by a number of aspects beyond the control of the core team, for instance the quality of the river is directly impacted by its tributaries. There is also a significant cost association with the rejuvenation and ongoing surveying. It is imperative that awareness and commitment to the initiative is maintained. Intel is playing their part in this by encouraging employee involvement through creative awareness campaigns and promoting engagement with a variety of stakeholders through the Friends of the Rye River group.

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