

IMMEDIATE RELEASE

SWAN: Proposed Abstraction Bill will fail to regulate majority of water abstractions in Ireland - creating risk for environment and potential breaches of EU regulations

Dublin, 20 October 2020 – The Sustainable Water Network (SWAN) has today launched a report on water abstraction in Ireland, highlighting the risks and potential impact of the State's insufficient monitoring and regulation. (1)

The Network of twenty-five environmental groups has also expressed significant concern over the draft 'Water Environment (Abstractions) Bill' scheduled for pre-legislative scrutiny this week. The Network has flagged that the Bill sets regulation thresholds so high that the substantial majority of abstractions will remain unregistered and unmonitored, potentially having serious implications for the local environment and future rural water supply.(2) The proposed Bill will also result in potential breaches of key EU environmental directives.(3)

The Network is appealing to policy makers to revise the legislation to align with regulations in Northern Ireland, prioritising protection of the environment and future water supply.(4)

Sinéad O'Brien, SWAN Coordinator said: "The proposed Bill is very much light touch regulation and is a long way off providing meaningful monitoring or controls of the extraction of our most precious resource. The Bill sets exemption thresholds so ridiculously high that the majority of water abstractions would remain unregulated, including agricultural and commercial abstractions. Out of at least 21 water bottling plants in the country - none abstract enough water to pass the proposed threshold for licencing, and only five abstract enough water to even require registration. Under this Bill you can effectively abstract enough water for a town the size of Dungarvan without needing a licence.

"Lack of effective monitoring and regulation of water abstraction means that we essentially have no idea how much of our water resources are being used, where water is being extracted from and for what purpose. This creates all sorts of risks for the local environment including potential depletion of wetlands and damage to biodiversity. With

climate change, future droughts are likely and we will see increased water shortages. With ineffective regulation, rural dwellers abstracting just enough for their own household, may be in the precarious situation of their well running dry as a result of large unlicensed abstractions. It is crucial that we closely monitor and regulate our water resources now to protect them for the future.”

Dr. Elaine McGoff, An Taisce Natural Environment Officer and SWAN Director said:

“This legislation comes on foot of an EU Commission infringement action against Ireland, but instead of fixing things and providing sufficient regulation, it’s doing little to change the situation and will actually result in breaches of other EU directives. It’s like robbing Peter to pay Paul.

“We have a great example of good regulation right across the border. Northern Ireland has a comprehensive regulatory framework which could act as a guiding model for an Irish system. But what this Bill proposes falls way short of regulations up north - it allows for the potential abstraction of one-hundred times more water here without requiring a licence. We’re on the same land mass, the same pressures and environmental conditions apply on both sides of the border, it doesn’t make sense that such different standards would apply. We must get this legislation right to minimise risks of over-abstraction, protect our water environment and future water supply.”

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Notes to editor:

1. SWAN policy report ‘Water Abstraction: Interactions with the Water Framework Directive & Groundwater Directive and Implications for the Status of Ireland’s Waters’ available [here](#).
2. The General Scheme of the ‘Water Environment (Abstractions) Bill’ proposes a registration exemption threshold of 25 cubic metres (25,000 litres) per day – any abstraction points abstracting less than this amount does not require registration. This equates to approximately enough water to fill 104 wheelie bins daily.

The Bill proposes a licencing exemption threshold of daily abstraction rates of 2000 cubic metres (2,000,000 litres) or 250 cubic metres (250,000 litres) in areas of significance, any abstraction points abstracting less than this amount do not require a licence. 2000 cubic metres is enough water to support a town the size of Dungarvan (9,200 people, 3,360 households) or 16,000 dairy cows. 250 cubic metres is enough water to supply 420 households.

3. By not registering any abstractions under 25 cubic metres, Ireland cannot comprehensively assess cumulative impact as required by the Habitats Directive and the Environmental Impact Assessment Directive. It's a legal obligation for decision makers to be able to conclude 'beyond reasonable doubt' that a development won't impact on EU protected sites, and by failing to register or licence any abstractions under 25 cubic metres, the State is providing no practical or legal means to calculate how much water is being abstracted cumulatively, or to protect these sensitive sites from over-abstraction, in contravention of the Habitats Directive.
4. In Northern Ireland abstractions over 10 cubic metres must be registered, and those over 20 cubic metres must be licenced.

The Sustainable Water Network (SWAN) is an umbrella network of twenty-five national and local environmental groups working together for the protection and sustainable management of Ireland's water environment.

SWAN Members: An Taisce, Bat Conservation Ireland, BirdWatch Ireland, Carra/Mask/Corrib Water Protection Group, Cavan Leitrim Environmental Awareness Network, Celebrate Water, Coastal Concern Alliance (Associate), Coastwatch, Coomhola Salmon Trust, Cork Environmental Forum, Cork Nature Network, Dodder Action, ECO-UNESCO, Friends of the Earth, Friends of the Irish Environment, Irish Peatland Conservation Council, Irish Seal Sanctuary, Irish Whale and Dolphin Group, Irish Wildlife Trust, Longford Environmental Alliance, Macroom District Environmental Group, River Shannon Protection Alliance, Save the Swilly, Slaney River Trust, Voice of Irish Concern for the Environment (VOICE).