



**Iascach Intíre Éireann
Inland Fisheries Ireland**

TO: GreenGov@DCCAIE.gov.ie

RE: Public Consultation Waste Action Plan for a Circular Economy

18 February, 2020.

Dear Sir or Madam,

Thank you for the opportunity to contribute to the consultation on the Public Consultation Waste Action Plan for a Circular Economy.

Background

Inland Fisheries Ireland (IFI) is a Statutory Body established on the 1st July, 2010. Under section 7(1) of the Inland Fisheries Act 2010 (No. 10 of 2010) the principal function of IFI is the protection, management and conservation of the inland fisheries resource. Ireland has over 70,000 kilometres of rivers and streams and 144,000 hectares of lakes all of which fall under the jurisdiction of IFI. The agency is also responsible for sea angling in Ireland.

IFI is mandated to ensure that the fisheries of the State are protected. To protect means to keep safe, defend, to shield from danger, injury or change. "Fisheries" includes all inland fisheries recreational and commercial, sea angling and mollusc fisheries stipulated under the Fisheries Acts, the physical habitat upon which the fishery relies, the facilities and access, the quantity and quality of the water and the plant and animal life on which fish depend for shelter and food and the spawning areas where in fish deposit their eggs. The protective role of IFI relates to all aspects of the aquatic environment and all factors that influence the biotic communities within waters, which in any way relate to the propagation of fish stocks / populations.

Under section 7(3) of the IFI Act it is stated that: *without prejudice to subsection (1), IFI shall in the performance of its functions have regard to –*

(g) the requirements of the European Communities (Natural Habitats) Regulations 1997 (S.I. No. 94 of 1997) and the need for the sustainable development of the inland fisheries resource (including the conservation of fish and other species of



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*fauna and flora habitats and the biodiversity of inland water ecosystems),
(h) as far as possible, ensure that its activities are carried out so as to protect the national heritage (within the meaning of the Heritage Act 1995).*

Regulatory Framework

The EU Water Framework Directive (2000/60/EC) entered into force in December 2000 and requires the protection of the ecological status of surface and ground waters – this encompasses (among other elements) water quality and requires the conservation of habitats for ecological communities. One of the primary objectives of the Directive is to establish a framework which prevents further deterioration and protects and enhances the status of aquatic ecosystems. Protection of aquatic ecosystems requires that river systems be protected on a catchment basis - a shared objective between all relevant public authorities. Article 5 of the 2009 Surface Water Regulations requires that a public authority, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water. Article 28(2) of the said regulations states that a surface water body whose status is determined to be less than good shall be restored to at least good status not later than the end of 2015.

Ireland is now in the second cycle of the Water Framework Directive (2015 – 2021). For this purpose a newer single Catchment Management approach has been adopted and Ireland has been broken into up into 46 large catchments, and 583 sub catchments. The investment plan should recognise that protection of the aquatic environment / habitat not only requires the protection of water quality but also necessitates the protection and maintenance of physical habitat and hydrological processes and regimes. In this context and bearing in mind obligations to ensure sustainable development, the investment plan should consider maintenance and restoration of high quality Q5 sites which has recently been flagged again by EPA as showing a worrying decline.

Inland Fisheries Ireland is the competent authority for fish and has significant responsibilities and powers under S.I. 477 of 2011 whereby Ireland transposed into Irish law its responsibilities under the European Communities (Birds and Natural Habitats) regulations – the Habitats Directive. Furthermore the European Eel is now endangered and additional protection measures have also been introduced in that regard and it is incumbent on Ireland to ensure that the eel and its range and habitat are properly protected.



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Stakeholder Engagement and Consultation

IFI are of the view that the Wind Energy Development Guidelines- Public Consultation in considering the protection of the quality of the aquatic environment must address not only water quality but also include the protection of the physical environment, hydrological processes and biodiversity. Protection of the aquatic environment must imply a greater commitment than merely to prevent fish mortality or protect water quality. The insidious effects of creeping / chronic pollution are often more serious than dramatic discharges which result in instantaneous fish kills, because sub-lethal pollution may reduce growth, inhibit reproduction functions or so alter the habitat as to render it uninhabitable for certain more desirable species. Maintenance of habitat is a particularly important objective of fisheries and broader environmental authorities and should be recognised as a component in the Public Consultation Waste Action Plan for a Circular Economy.

Waste action projects such have the potential to impact on downstream fisheries resources if they are not carried out in an environmentally sensitive manner. When this work is carried out in close proximity to a watercourse, there is a potential for the following negative impacts on the aquatic habitat:

- Damage to the aquatic and associated riparian habitat
- Pollution of waters
- Introduction of non-native species
- Interference with upstream and downstream movement of aquatic life

Comment

Please bear the following general factors in mind:

- Water quality
- Surface water hydrology
- Fish spawning and nursery areas
- Passage of migratory fish
- Areas of natural heritage importance including geological heritage sites
- Biological diversity
- Ecosystem structure and functioning
- Sport and commercial fishing and angling
- Amenity and recreational areas
- Sediment transport

Please add to your list(if relevant) of guidelines and publications the IFI publication: *Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites* <https://www.fisheriesireland.ie/documents/624-guidelines-on-protection-of-fisheries-during-construction-works-in-and-adjacent-to-waters/file.html>



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IFI are grateful for the opportunity to have these views considered and incorporated as a component of the Public Consultation Waste Action Plan for a Circular Economy.

IFI look forward to regular input on the plan and associated plans. Should you require clarification on any of the above or require a consultation meeting please contact the undersigned.

Yours faithfully,

Dr. Gregory Forde
Head of Operations, Inland Fisheries Ireland.