

## Appropriate Assessment Conclusion

Of

### National Lead in Drinking Water Mitigation Plan (LWDMP)



In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, Irish Water has undertaken an Appropriate Assessment of the proposed Lead in Drinking Water Mitigation Plan.

In accordance with Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, Irish Water has determined following screening that an Appropriate Assessment is required, as the Plan is not directly connected with or necessary to the management of the sites as European sites and as it cannot be excluded, on the basis of objective information, that the Plan, individually or in combination with other plans or projects, will have a significant effect a European site. A Natura Impact Statement (NIS) was produced which considered the potential for significant impacts arising from the proposed LWDMP to adversely affect any Natura 2000 site; with regard to their qualifying interests, associated conservation status, the structure/function of the site and overall site integrity.

In accordance with Regulation 42(9) and 42(10) in preparing the NIS Irish Water have included the relevant scientific information, and submitted this to the appropriate Minister (NPWS, Development Application Unit, Department of Culture, Heritage and the Gaeltacht) prior to the conclusion of the AA. This determination has been prepared pursuant to Regulation 42 (11) and has been concluded in accordance with Regulation 42(12) and 42(16).

The NIS took a precautionary approach and assessed the impacts that would be anticipated from the LDWMP, providing the necessary inclusion of mitigation measures and guiding principles at the strategic level of the Plan. The policies and objectives of the LDWMP have been devised, as part of an iterative approach, to anticipate and avoid as appropriate measures that would likely have a significant adverse effect upon the integrity of the European Sites. Planned corrective water treatment proposals arising from the implementation of the LDWMP will themselves be subject to Appropriate Assessment legislation when details of location and proposed rates are devised by Irish Water. Furthermore, any AA produced for an individual treatment proposal will be submitted to the NPWS Development Applications Unit (as agents of the Minister for Culture, Heritage and the Gaeltacht) at least six weeks in advance of any treatment commencing.

The potential for direct, indirect and cumulative impacts affecting European sites was assessed in the NIS. The appraisal undertaken in the NIS was informed by modelling and specialist reporting with reference to the ecological communities and habitats potentially affected by the Plan, in order to provide a scientific basis for evaluations.

The Appropriate Assessment determined that there will not be any significant direct, indirect or cumulative impacts which would have the potential to adversely affect the qualifying interests/special conservation interests of any European sites within the study area with regard to their conservation objectives.

It is therefore concluded, beyond reasonable scientific doubt, that the Lead in Drinking Water Mitigation Plan will not give rise to significant impacts, either individually or in combination with other plans and projects, in a manner which adversely affects the integrity of any designated site within the Natura 2000 network. On this basis, Irish Water has determined that the Lead in Drinking Water Mitigation Plan is compliant with the requirements of Article 6 of the EU Habitats Directive as transposed into Irish law.

Signed:



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**GERRY GALVIN**

**CHIEF TECHNICAL OFFICER**

**DATE: 8<sup>th</sup> January 2018**