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23rd October 2025

Determination on the Natura Impact Statement (NIS) for Waters of LIFE EU Integrated Project

A chara,

This determination on the Appropriate Assessment (“AA”) was made on 23rd October 2025, by the Ecological Assessment Unit (“the EAU”) of the Department of Housing, Local Government and Heritage (“DHLGH”) in accordance with Regulation 42A(11) of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 (“the 2011 Regulations”).

This determination on the AA relates to the Waters of LIFE EU Integrated Project (WoL). The WoL aims to help reverse the deterioration of Ireland’s most pristine waters. The overall objective of the WoL is to support the implementation of measures to protect and enhance High-Status waters and to support the work of Blue Dot Catchments.

High Status waters or “blue dot” waters bodies are water bodies which are either currently at high status or have been at high status in the recent past and for which a target of restoring them to high status has been set in the River Basin Management Plan for Ireland. These waters have excellent water quality with little or no excess nutrients and healthy riverbeds, free of excess siltation.

The Blue Dot Catchments Programme is a collaborative programme being delivered by a range of agencies as a means of focusing attention and resources towards the protection and restoration of our high status objective waters. The programme also endeavors to raise awareness amongst land managers and state bodies on the sensitivity of these waters.

The Minister for Housing, Local Government and Heritage (‘the Minister’) is the co-ordinating beneficiary for this LIFE Project



Screening for Appropriate Assessment and Appropriate Assessment of implications for European Sites where Minister is Public Authority

The appropriate procedure for the Minister when the Minister is proposing to adopt his/her own plan or project, is provided for in Regulation 42A of the European Communities (Birds and Natural Habitats) Regulations 2011.

Regulation 42A applies where the Minister, proposes to undertake a plan or project which requires Screening for AA, and, if necessary, an AA, before the plan or project can be adopted or undertaken.

Where the Minister proposes to undertake or adopt a plan or project which is not directly connected with or necessary to the management of a European Site, the Minister shall request that a Screening for AA be carried out by the EAU to assess whether on the basis of objective information and in view of the conservation objectives of the site(s), if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.

On the 8th of August 2025, in accordance with the requirements of Regulation 42A(10) of the 2011 Regulations, the Minister furnished the EAU with a request for an AA determination on the Draft Natura Impact Statement for the WoL.

In accordance with Regulation 42A(13) of the 2011 Regulations, the EAU carried out a public consultation and published a notice of the proposed additional measures for the Fifth NAP and the Draft Natura Impact Statement.

The public consultation was launched on the 1st of September 2025 and closed 1st of October 2025.

Under Regulation 42A(15) of 2011 Regulations the Minister can only adopt the additional measures after having received the determination of the EAU that the additional measures shall not adversely affect the integrity of a European site.

Documents provided in support of an Appropriate Assessment

In conducting the AA, the EAU has considered documents provided by the Minister on the 8th , 11th and the 25th of August 2025, in accordance with the requirements of Regulation 42A(10) of the 2011 Regulations, notably:

- Supporting Actions Specifications.
- Spatial geodatabase for WoL Demonstration Catchments.
- Pre-consultation Natura Impact Statement (NIS) for WoL.



Notice of determination and reasons for that determination

The EAU have evaluated and analysed the information contained in the referred to above documents and carried out a determination. Reasons have been summarised below to provide a record of the decision making process.

The adoption of the WoL gives effect to a pilot results-based agri-environment programme that rewards farmers for the environmental services provided by their land and for taking actions to address issues of concern for stream ecosystem health.

There are six categories of Supporting Actions as follows: 1) Farm Infrastructure 2) Green Infrastructure (Nature Based Solutions) 3) Water Crossing 4) Water Provision 5) Other.

Specific targeted supporting actions in WoL are relevant to the assessment under Article 6(3) of the Habitats Directive. The proposed additional measures set changes and reductions of a restrictive and preventative nature in relation to certain agricultural activities, through stock proofing, nutrient pathway interception measures, provision of water to livestock, control of invasive species etc. The WoL provides authorisation or permission as to where or whether such Non-Productive investments (NPIs) related to agricultural activities can or may take place.

The EAU has concluded that the WoL would not have an adverse effect on a European site for the following reasons:

- The proposed additional measures are preventative in nature and aim to improve protection of watercourses, reduce nitrates and contain grazing activities.
- The landowner/farmer/participant/ applicant and their farm plan advisor must consider both the benefits and potential adverse effects on any downstream receptors when applying for approval for the implementation of any Supporting Action(s).
- The decision making process of whether a bespoke measure is funded through WoL is based on a rules matrix. Criteria focusing on the screening and approval for a comprehensive suite of NPIs was previously developed in the form of a rules matrix through the Agri-Climate Rural Environment Scheme (ACRES) programme. The development was undertaken in conjunction with Department of Agriculture, Food and the Marine (DAFM) and its advisors, followed by wider consultation with project stakeholders including the National Parks and Wildlife Service (NPWS). The suite of potential Supporting Actions provided by the WoL scheme are closely aligned with these NPIs and the existing rules matrix for NPIs has been adapted for use in the screening of WoL Supporting Actions.
- The application the rules matrix forms a critical stage of the mitigation approach in terms of eliminating potential impact pathways to European Site(s).
- While a proposed action must pass every test to be authorised, each test is subject to an override by the operator if supported by adequate data. The level of evidence



to justify an override will vary depending on the circumstances following a Screening for Appropriate Assessment as a separate project.

- Regulation 27 and 42A of the 2011 Regulations and Article 6(3) of the Habitats Directive apply.
- As such, these measures have no adverse effects on any particular European site.

Overarching existing obligations to Environmental Assessment

All public authorities are required under Regulation 42 of the 2011 Regulations to carry out AA screening, and where required AA, prior to granting consent for a “project” within the meaning of the EC (Birds and Natural) Habitats Regulations 2011.

Consideration of In-Combination Effects

Article 6(3) of the Habitats Directive requires that in-combination effects with other plans or projects are also considered. European Commission guidance specifically advises that *“as regards other proposed plans or projects, on grounds of legal certainty it would seem appropriate to restrict the in-combination provision to those which have been actually proposed, i.e. for which an application for approval or consent has been introduced”*.

In that context, policy, plans or projects, which are completed, approved but uncompleted, or proposed have been considered in the NIS of the WoL in Section 3.3 with the assessed plans provided in Table 1.

Concluding Statement

Following an analysis of the NIS of the WoL, including in particular, the nature of the changes that could occur and their potential relationship with European Sites, as well as considering other plans and projects, and applying the precautionary principle, in view of the application of a rule based decision making matrix for each measure supporting in the programme in relation to European Site(s), and overarching existing project-level legal obligations under Regulation 27 and 42A of the 2011-2021 Regulations and also under Article 6(3) of the Habitats Directive, the Ecological Assessment Unit of the Department Housing, Local Government and Heritage, in accordance with Regulation 42A(15) of the 2011 Regulations, make a determination that it can be concluded beyond reasonable scientific doubt that the WoL will not adversely affect the integrity of European sites.

The EAU is satisfied that a decision to adopt the WoL will not adversely affect the integrity of European sites.



A handwritten signature in black ink, appearing to read 'Ryan Wilson-Parr', located below the harp logo.

Ryan Wilson-Parr

Head of Ecological Assessment

Department of Housing, Local Government and Heritage

23rd October 2025

Documents provided in support of an Appropriate Assessment are publicly available at the following link:

[Additional measures for Irelands fifth NAP and the associated Natura Impact Statement](#)

Or available from the EAU on request submitted to the following email address:

eau@npws.gov.ie