



An
Coimisiún
Pleanála

Our Case Number: ACP-323980-25

Planning Authority Reference Number:

Mountshannon Community Council
c/o Peggy Boyle
Cappaduff
Mountshannon

V94 D78P

Date: 04 March 2026

Re: Proposed Water Supply Project for the Eastern and Midlands Region
in the counties of Clare, Limerick, Tipperary, Offaly, Kildare, and Dublin.

Dear Sir / Madam,

An Coimisiún Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

The Commission will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Coimisiún Pleanála when they have been processed by the Commission.

More detailed information in relation to strategic infrastructure development can be viewed on the Commission's website: www.pleanala.ie.

If you have any queries in the meantime please contact the undersigned officer of the Commission. Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,



Eimear Reilly
Executive Officer
Direct Line: 01-8737184

PA04

Teil
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Facs
Website
Email

(01) 858 8100
1890 275 175
(01) 872 2684
www.pleanala.ie
communications@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



Mountshannon Community Council

Mountshannon Childcare Centre

Mountshannon, Co. Clare

V94 YW95

Formal Observation / Objection

Re: Shannon to Dublin Water Supply Project

Applicant: Uisce Éireann

To: An Bord Pleanála

Date: 24 February, 2026

1. Introduction

Mountshannon Community Council formally objects to the proposed Shannon to Dublin Water Supply Project.

Mountshannon is situated directly on the shores of Lough Derg within the River Shannon catchment. The environmental condition, water levels, and ecological integrity of Lough Derg materially affect:

- Local employment and tourism
- Recreational and boating activity
- Angling and biodiversity
- Cultural and heritage assets, including Holy Island

The Council therefore has a direct and substantial interest in the environmental consequences of this proposal.

For the reasons set out below, the Council submits that the project, as currently proposed, fails to meet mandatory legal standards under EU and Irish environmental law and should be refused.

2. Water Framework Directive – Failure to Meet Non-Deterioration Obligation

Article 4 of the Water Framework Directive (2000/60/EC) imposes a binding obligation to:

- Prevent deterioration of the status of any water body
- Protect and enhance aquatic ecosystems

In **Bund für Umwelt und Naturschutz Deutschland v Germany (Weser case)**, the Court of Justice confirmed that:

- Authorisation must be refused where a project may cause deterioration.
- Deterioration of a single quality element is sufficient to breach the Directive.

The Shannon system, including Lough Derg adjacent to Mountshannon, is already subject to cumulative pressures including:

- Nutrient loading
- Agricultural runoff
- Wastewater inputs
- Climate-driven hydrological variability

Abstraction during low-flow periods introduces risk of:

- Reduced dilution capacity
- Increased nutrient concentration
- Elevated water temperatures
- Increased frequency and severity of algal blooms

The applicant has not demonstrated, to the strict legal standard required, that deterioration will not occur — particularly under projected future drought conditions.

In the absence of certainty, refusal is required as a matter of EU law.

3. Habitats Directive – Inadequate Appropriate Assessment

The Shannon system is hydrologically connected to multiple European Sites (SACs and SPAs).

Under Article 6(3) of the Habitats Directive (92/43/EEC), consent may only be granted where there is **no reasonable scientific doubt** as to the absence of adverse effects on site integrity.

The strict and precautionary nature of this test was reaffirmed in:

- **People Over Wind v Coillte Teoranta**
- **Sweetman v An Bord Pleanála**

Long-term or permanent habitat degradation constitutes adverse effect on integrity.

Given climate uncertainty, cumulative nutrient pressures, and the scale of abstraction proposed, reasonable scientific doubt remains as to:

- Flow-dependent habitat stability
- Aquatic species conservation objectives
- Downstream ecological resilience

The Appropriate Assessment test is therefore not lawfully satisfied.

4. Cumulative Impacts and Holy Island

The State has acquired **Holy Island** with stated intentions to significantly expand tourism access and infrastructure.

Holy Island and Lough Derg form a single ecological and heritage landscape. The environmental quality of the lake underpins:

- Visitor experience
- Boating and access
- Biodiversity value
- Local tourism employment

The EIAR fails to adequately assess the cumulative interaction between:

- Proposed abstraction
- Existing ecological pressures
- Climate change
- Intensified tourism activity associated with Holy Island

Environmental degradation — or even deterioration in perceived water quality — would undermine public investment and directly affect the economic sustainability of Mountshannon.

Cumulative assessment must be holistic and future-oriented. The current assessment is insufficient.

5. Failure to Exhaust Reasonable Alternatives

Large-scale inter-basin transfer is an extreme infrastructural intervention and must be demonstrably necessary.

The documentation does not establish that:

- Leakage in the Greater Dublin Area has been reduced to best-in-class European standards
- Demand management has been maximised
- Water reuse has been fully implemented
- Decentralised resilience measures have been exhausted

EU environmental law requires rigorous examination of less environmentally damaging alternatives.

Failure to properly assess and exhaust such alternatives renders any consent legally vulnerable.

6. Climate Resilience and Long-Term Sustainability

Climate projections for Ireland indicate:

- Increased summer drought frequency
- Reduced base flows
- Greater hydrological volatility

The abstraction regime appears heavily dependent on historic modelling rather than precautionary, worst-case climate-adjusted scenarios.

Given the permanent nature of the infrastructure and its national scale, modelling must be precautionary and future-proof. This standard has not been met.

Additionally, the long-term energy demand required to pump water over significant distance raises unresolved concerns regarding lifecycle carbon impacts and consistency with national climate obligations.

7. Precautionary Principle

The precautionary principle is a binding principle of EU environmental law.

Where credible scientific uncertainty exists regarding serious environmental harm, decision-makers must err on the side of environmental protection.

The ecological and climate uncertainties surrounding this proposal clearly engage that principle.

8. Conclusion

Mountshannon Community Council respectfully submits that:

1. The proposal fails to satisfy the strict non-deterioration requirement under the Water Framework Directive.
2. The Article 6(3) Appropriate Assessment threshold has not been lawfully met.
3. Cumulative and climate-amplified impacts are inadequately assessed.
4. Less environmentally damaging alternatives have not been demonstrably exhausted.

In these circumstances, An Bord Pleanála is legally obliged to refuse consent.

Please send any queries or further correspondence to Peggy Boyle, Cappaduff, Mountshannon V94 D78P or peggyboyle22@gmail.com.

Signed:

Mountshannon Community Council

Paul Bugler, Chairperson

paul.mcc@mountshannon.ie

Mercedes Kevill, Secretary

mercedes.mcc@mountshannon.ie

Peggy Boyle, Council Member

peggy.mcc@mountshannon.ie