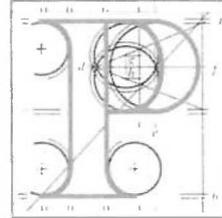


Our Case Number: ACP-323980-25

Planning Authority Reference Number:



An
Coimisiún
Pleanála

The Local Authority Waters Programme (LAWPRO)
c/o Anthony Coleman
The Lodge
Ballingarrane Estate
Clonmel
Co. Tipperary
E91 X370

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

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The Local Authority Waters Programme Submission to An Coimisiún Pleanála – Case 323980 - Water Supply Project for the Eastern and Midlands Region

25th February 2026

The Local Authority Waters Programme (LAWPRO) works on behalf of Ireland's 31 local authorities to protect and restore good water quality in our rivers, lakes, estuaries, ground and coastal water through catchment science and local community engagement. As such LAWPRO is a key stakeholder in ensuring the quality of our national waters.

While not a statutory consultee, LAWPRO is a local authority shared service led jointly by Tipperary and Kilkenny local authorities. To date, LAWPRO have engaged directly with Uisce Éireann on this project, and through Tipperary County Council consultations. During these engagements, LAWPRO communicated some specific environmental and operational concerns in relation to the project, some of which have been considered in this application, and others that have yet to be fully addressed. LAWPRO note that the Environmental Impact Assessment Report (EIAR) and the Natura Impact Statement (NIS) for this application focus mainly on environmental impacts associated with the construction and operation of the infrastructure being proposed, and only partly addresses the environmental impact as a result of the proposed abstraction.

LAWPRO is aware that a separate application process for the abstraction licence is required for this project which has yet to be submitted and evaluated. This presents a significant challenge given that the full environmental impact of the proposed abstraction, including impacts on the Lower Shannon, has yet to be fully determined. Many of the LAWPRO's concerns relate directly to potential environmental impact on the Lower River Shannon SAC (002165) and from Limerick Dock (IE_SH_060_0900) to the Upper Shannon Estuary (IE_SH_060_0800).

Environmental and Ecological Concerns - Lower Shannon

From a review of the Environmental Impact Assessment documentation, hydrological and water quality modelling, and supporting technical appendices relating to the proposed abstraction from Lough Derg/Parteen Basin LAWPRO have identified some concerns.

Fish Ecology

The documentation does not capture a complete picture in terms of the unique aquatic ecology within the lake and downstream. Of heritage, scientific and cultural importance are the native

fish species within Lough Derg. Some of these, such as distinct genetic groupings of trout, the Irish Pollan, and “landlocked lamprey” are unique to the lake and form some of the most interesting and important biodiversity features associated with the lough.

Anglers traditionally, applied names such as “Gillaroo” and “Croneen” to trout which displayed phenotypic features (body colour and physical shape) associated with some these trout variants. These and the folklore associated with them hold potential to increase the attractiveness of the lough to the “culturally curious” overseas and local visitors.

Downstream of the lake and dependent on an adequate supply of freshwater during critical periods of their lifecycle, important fish species include Atlantic salmon (e.g., Castleconnell fishery, Plassey, Thomond weir (no longer in operation)). The value of the tailrace as an ecological habitat for salmon and other fishes is unknown. Other fish species of significance include Sea lamprey, river lamprey, brook lamprey (all Annex 11 species under the EU Habitats Directive as with Atlantic salmon), European smelt (one of the most important sites in Ireland and European eel. Several other fishes associated with the estuary dependent on a freshwater influence include Slob trout, Sea trout and founder. The latter two are migratory and semi migratory forms of brown trout. Slob trout once supported a recreational fishery in Limerick City.

The risk of impact on Lower Shannon is more significant than presented for a number of reasons. The ecological system in the Lower River Shannon SAC (002165) and from Limerick Dock, (IE_SH_060_0900) to the Upper Shannon Estuary (IE_SH_060_0800) is already stressed with salmon (and other species) at critically low levels, and with the flows being already significantly regulated. An assumption is that provision for Atlantic salmon (upstream and downstream migration passage etc) in place within the current ESB generation operation is optimal. Given the system is flow-sensitive, small changes matter disproportionately, especially in drought scenarios as observed in 2018. Critically the downstream impacts undertaken as part of this assessment appear to be assumed, not demonstrated, with key regulatory concerns remaining unresolved. In addition, IFI and NPWS explicitly highlighted that drought already impacts the downstream ecology.

The assessments do not appear to adequately demonstrate that abstraction is safe for the Lower Shannon under low-flow conditions because downstream ecological impacts are inferred, not modelled. The key risks remain

- flow-sensitive species (e.g. Atlantic salmon and Lamprey sp.),
- reduced dilution capacity and dependence on fixed compensation flow,
- critical uncertainties are not fully taken into account including ESB operational response under stress conditions and ecological thresholds for low flow.

While the environmental assessment is technically robust for hydrology at Lough Derg / Parteen, it is not sufficiently robust for ecological impacts in the Lower Shannon, particularly under drought conditions, climate change scenarios and cumulative system stress.

Fish Passage considerations: Under the current Water Action Plan 2024 (River Basin Management Plan), work is underway to manage the implementation of a roadmap to mitigate the impact of barriers to multi-species fish migration in the Lower Shannon catchment. Our understanding is that this roadmap aims to mitigate the impact of barriers to multi-species fish migration in the Lower Shannon catchment including the Design of a New Multi-species Fish Pass at Parteen Weir, an **Environmental Flow Study Programme**, Tailrace Barrier Feasibility Study, Downstream Fish Passage Feasibility Study, A new multi-species Fish Pass Feasibility Study at Ardnacrusa, development of an integrated solution and a Lower River Shannon Management Plan. The current Uisce Eireann application does not appear to have taken this measure, under River Basin Management Planning process, into account, and as the Environmental Flow Study Programme recommendations have yet to be advanced, these cannot at this point be provisioned for.

Hydrological Modelling

The assessment includes long-term simulation of flows and levels over a 52-year period (1972–2023) which considers testing under historical drought conditions (most notably 2018), abstraction rates at 154 Ml/d and 300 Ml/d, and climate change scenarios. The modelling indicates that there will be no significant change to water levels in Lough Derg or Parteen Basin, and that compensation flows (10 m³/s) can be maintained, and the abstraction is offset by reductions in water used for hydropower generation.

The assessment concludes that there will be no measurable hydrological impact downstream of the tidal limit at Limerick Dock. However, this conclusion is based on system operation assumptions (ESB flow management) and model boundaries rather than detailed downstream hydraulic modelling.

While we are aware that a separate process for evaluating the proposed abstraction licencing regime has yet to be made, our assumption is that a planning decision will be based on the abstraction details contained in this application.

The Lower Shannon is identified as a regulated and already stressed system supporting sensitive species, notably Atlantic salmon where populations are already at approximately 5% of their conservation limits. Reduced counts have been observed during low-flow/drought years. The ecological function of the Lower Shannon is strongly linked to the flow of water, the levels of dissolved oxygen and sediment dynamics.

The assessment undertaken incorporates some cumulative and climate considerations including limited climate change scenarios and cumulative effects (e.g. Ardnacrusa dam regulation, abstraction). It concludes that no significant residual effects after mitigation measures are implemented. However, the climate analysis appears to be undertaken using a

system-scale and is not receptor-specific. In addition, ecological responses to compound stressors are not quantified.

The conclusion of no downstream impact is reliant on operational assumptions including ESB maintaining lake levels and compensation flows. However, the system performance under extreme or competing demands is not tested. There is a lack of direct Lower Shannon modelling including no detailed hydraulic or ecological modelling of the Lower Shannon reach. As a result, potential changes in flow variability, velocity, habitat availability are not quantified. There is also a limited assessment of low-flow ecological risk for the lower Shannon.

Climate Change

Although drought scenarios are included there is also no explicit linkage between flow changes and ecological thresholds. This is significant given the known sensitivity of salmon and other species to low-flow conditions. The assimilative capacity of the project for the lower Shannon is not fully addressed with regulatory consultees (IFI and NPWS) identifying the need to assess the downstream dilution capacity. Reduced flows scenarios may increase pollutant concentrations and can affect water quality locally which is not fully quantified. In addition, environmental flow considerations are tested at a high level (sensitivity analysis), however they are not clearly used to constrain abstraction under stress scenarios.

Conclusions

The available evidence indicates that the abstraction can likely be accommodated within the existing regulated Shannon system. Large-scale hydrological changes to Lough Derg and Parteen Basin are minimal and within operational limits. However, for the Lower Shannon there is insufficient evidence to robustly conclude that no impact will occur, particularly under low-flow (drought) conditions, future climate scenarios and cumulative system pressures. This is because downstream impacts are inferred from system behaviour and are not directly modelled. Ecological sensitivities are acknowledged but not quantitatively assessed and critical thresholds (flow, habitat, water quality) are not explicitly tested.

While the abstraction appears hydrologically manageable at a system scale, the assessment does not adequately demonstrate that the ecological integrity of the Lower River Shannon will be protected under low-flow and climate-stressed conditions. This would require more robust hydraulic and ecological modelling of the Lower Shannon.

Recommendation:

The following should be considered in relation to the Lower River Shannon SAC (002165) and from Limerick Dock (IE_SH_060_0900) to the Upper Shannon Estuary (IE_SH_060_0800):

- **quantification of flow changes under abstraction (including % reductions),
assessment of ecological thresholds (e.g. Atlantic salmon habitat requirements),**

- **More survey information on the aquatic biodiversity potentially impacted (within the lake e.g., pollan spawning beds) to fishes downstream of the dams (e.g., European smelt)**
- **Safeguards incorporated to address in combination (e.g., current hydro-generation impacts) effects including provision for environmental flow recommendations that may be required post Water Action Plan fish passage measure work**
- **an evaluation of assimilative capacity under reduced flows conditions,**
- **testing of extreme and compound scenarios including a multi-year drought with abstraction scenarios.**

Other abstraction concerns:

The depth of pipe at the abstraction point was not clear in the documents provided which is an important consideration that can potentially impact the ecology and temperature of the lake if taken at an incorrect level. This could have the effect of abstracting cooler water if at lower depth which in turn could impact on the overall temperature dynamics and potentially contribute to pressure on the ecosystem, particularly during the summer.

There is an assumption that Ardnacrusha dam will remain in place for the longer term to ensure a continuous supply of raw water for the project. The dam is approximately 100 years old and will require maintenance and remedial works during the medium to long-term. Does the planning application sufficiently address this aspect in the context of the overall infrastructure project?

Proposed Community Benefit Scheme

The inclusion of a Community Benefit Scheme as part of the project to support social and economic development under the categories of Economy, Education and the Environment, is to be welcomed. However, it is concerning that the proposed scheme appears to only focus on the construction phase of the project, with Uisce Éireann proposing to close the fund at the end of construction. No proposal has been made in relation to the addressing potential long-term environmental impacts during the lifetime of the project itself. This was highlighted by LAWPRO and others in previous consultations and appears not to have been included in the proposed scheme.

Uisce Éireann have stated that it recognises the unique nature of this project and is proposing a ‘bespoke’ community benefit scheme rather than benchmarking against other strategic infrastructure developments. However, the proposed ‘bespoke’ scheme does not go far enough in recognising the truly unique nature of the project particularly the long-term potential environmental impact on lower Lough Derg and the Lower Shannon areas (see above). It is essential that any proposed fund supports communities in these areas specifically, and assist them achieve the environmental objectives of the following policies in the longer term:

- Water Framework Directive – e.g., public participation requirements in Article 14.

- Drinking Water Directive – e.g., risk management actions to address Drinking Water Source Protection pressures such as agriculture, etc.
- United Nations Sustainable Development Goals – e.g., Goal 14 – Life below water.

It should be noted that there are examples nationally of other significant infrastructure developments such as windfarm projects that have longer term community gain funds in place. A more expansive community gain fund should therefore be established and funded for the operational lifetime of the project.

Recommendation:

A community gain fund be established and funded for the operational lifetime of the project which is reflective of its long-term environmental impact. The annual level of funding should be increased in line with the consumer price index and reviewed periodically.

Any proposed scheme should prioritise groups and projects that bring added benefit to the local communities living within the catchment of Lough Derg, with a focus on restoring and protecting the water resource of the Lough.

LAWPRO would agree that ‘Option B’ would provide a robust governance and administration model and that local authorities (with the support of LAWPRO) are best placed to identify and administer such funding. In addition, Local Authorities should also be financially supported to administer any proposed fund.

Community gain projects that compliment drinking water source protection initiatives to improve the quality of raw water (helping to reduce treatment costs) and support existing habitats should be prioritised. Such projects with long term environmental benefits may include:

- River and lake restoration projects
- Water quality awareness initiatives
- Invasive species management
- Angling and sustainable tourism

Such projects should be prioritised and build on work undertaken by LAWPRO and other stakeholders (including local angling clubs, ESB fisheries conservation, Inland Fisheries Ireland, etc.) and initiatives relevant to the Water Framework Directive¹ and Habitats Directive² applicable to Lough Derg and surrounding water bodies.

¹ [Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy](#)

² [Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora](#)

Management of Proposed Treatment Plant & Distribution Network

The potential impact of the proposed water treatment plant (to be located at Birdhill, County Tipperary) and the management of same, including any proposed discharges to the local environment, must have appropriate control measures including appropriate risk assessments and risk management practices incorporated to avoid any negative impact to the environment and local ecology. Residual discharges and chemical spills from drinking water treatment plants not managed appropriately have in the past caused significant environment and ecological damage which must be avoided.

Adequate mitigation will be required throughout construction, particularly in sensitive areas along the proposed pipeline route, to avoid negative impacts to surrounding ecology and waterbodies. In addition, subsidence concerns (particularly in peat substrate) will require significant mitigation to protect local waterbodies. It is noted that the EIAR has identified specific risks requiring mitigation that will require robust and ongoing management during construction and post construction reinstatement.

Consideration should be given to undertaking further investigations on contingency arrangements for water storage to mitigate against potentially large water losses in the event of major leaks, or in situations where abstraction cannot be maintained at the threshold levels.

Signed:

Is mise,

Anthony Coleman
Director of Services
Local Authority Waters Programme