

Appendix 7.1 NIEA WFD Guidelines

Carrying Out a Water Framework Directive (WFD)
Assessment on EIA Developments

A Water Management Unit Guidance note

March 2012

Carrying Out a WFD Assessment on EIA Developments

WMU Guidance note

1. Introduction

1.1 The Water Framework Directive (2000/60/EC) (WFD) was established in law in Northern Ireland on 22 December 2003 through the Water Environment (WFD) Regulations (Northern Ireland) 2003 (SR 2003 No.544).

1.2 The WFD is being implemented in Northern Ireland through three River Basin Management Plans that were published in December 2009. More information on WFD and River Basin Management Plans can be found via the following link:

<http://www.doeni.gov.uk/niea/water-home/wfd.htm>

1.3 A fundamental requirement of the Water Framework Directive is to attain good ecological water quality status and that deterioration in the status of waters is prevented. Any new development must ensure that these two fundamental requirements of the Directive are not compromised.

1.4 The Environmental Impact Assessment Directive (85/337/EEC) requires likely significant environmental impacts to be identified, assessed and mitigated. WMU would regard an impact that would compromise the achievement of a WFD objective or result in the deterioration in the status of waters as a significant impact. A WFD Assessment of the proposed scheme should therefore be carried out and form part of the Environmental Impact Assessment (EIA).

2. Aim of WFD Assessment

2.1 The aim of carrying out a WFD Assessment is to determine if specific components or activities related to the planned development scheme will compromise the attainment of a WFD objective or result in the deterioration in the ecological status of any waterbodies.

2.2 A WFD Assessment should be used as a decision making tool. The scheme proposer should use the conclusions of the assessment to decide whether to proceed with the scheme or to amend elements of the scheme or develop mitigating measures before proceeding.

3. Scope of WFD Assessment

- 3.1 A WFD Assessment should be completed for all EIA Developments, .i.e. those developments with a statutory requirement to carry out an Environmental Impact Assessment under the EIA Directive and the relevant transposing Regulations.
- 3.2 WMU believes this is a proportionate approach as the information required for a WFD Assessment would normally be expected as part of the statutory EIA process.
- 3.3 WMU do not wish to over burden developers of non EIA Developments, however if WMU believe the nature, scale or location of the development is such that it is likely to compromise WFD Objectives WMU may require a WFD Assessment to be completed.

4. Carrying Out a WFD Assessment

- 4.1 Each specific component of the scheme, that may interact with or pose a potential risk to a water body, needs its potential impact assessed. The cumulative nature of a number of such impacts should also be taken into consideration.
- 4.2 Provide a description of the specific scheme component or activity being assessed, e.g. a watercourse diversion, abstraction, piling, construction of a crossing structure, construction of an outfall structure, culvert etc.
- 4.3 Identify the potentially impacted waterbodies and provide baseline data on each waterbody or waterbodies. A large volume of information on individual waterbodies is available on the River Basin Plan Interactive Map available on the NIEA website at:
 - <http://maps.ehsni.gov.uk/wmuviewer/>
- 4.4 Assess the impact of the scheme component or activity against the relevant WFD classification elements and the following WFD Objectives:
 - **Objective 1: To prevent deterioration in the ecological status of the water body.**
 - **Objective 2: To prevent the introduction of impediments to the attainment of Good WFD status for the water body.**
 - **Objective 3: To ensure that the attainment of the WFD objectives for the water body are not compromised.**

- **Objective 4: To ensure the achievement of the WFD objectives in other water bodies within the same catchment are not permanently excluded or compromised.**

Provide a detailed justification on the outcomes of your assessment.

- 4.5 Where your assessment identifies a component or activity which is not compliant with WFD Objectives but which may become compliant with appropriate mitigation, you should detail what mitigation is required.
- 4.6 If the assessment predicts that a proposed scheme will cause deterioration in water body status or prevent a water body from meeting its WFD objectives the scheme should be reviewed, otherwise an assessment is required under Article 4.7 of the WFD.
- 4.7 Include a discussion on the conclusions reached, including levels of confidence.
- 4.8 You should summarise your assessment and conclusions in the tables set out in Schedule A (Surface water impact scoping) and Schedule B (Details of mitigation required). Note that these tables have been produced as a guide only and should be used or amended to suit the specific nature of the development, however the information supplied should clearly indicate the projects compliance with WFD Objectives.

5. Further Advice and Guidance

- 5.1 If you require any further advice or guidance on how to complete a WFD Assessment you should contact the following officers, depending upon which River Basin District your project is to be constructed:

- **North Western River Basin District**

Contact Name: Alvin Wilson
Email: Alvin.wilson@doeni.gov.uk
Telephone: 028 92623230

- **Neagh Bann River Basin District**

Contact Name: Gabriel Nelson
Email: Gabriel.nelson@doeni.gov.uk
Telephone: 028 92623099

- **North Eastern River Basin District**

Contact Name: Bridgeen Magorrian
Email: bridgeen.magorrian@doeni.gov.uk
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SCHEDULE A – WFD Assessment Surface Water Impact Scoping Template

Project Component Data Sheet E.g. Crossing structure, outfall, abstraction, diversion.

(One data sheet should be completed for each proposed component. The example data sheet below should be used as a guide only. It is the responsibility of consultants to provide information relevant to their proposal.)

LOCATION	Grid Reference			AERIAL VIEW SITE PHOTOGRAPH	[Insert Aerial Photograph with annotations]
	Chainage/Map Ref				
	Waterbody Name				
	WFD Waterbody ID				
WATERCOURSE	Designations (within 1 km of component)			AERIAL VIEW SITE PHOTOGRAPH	[Insert Aerial Photograph with annotations]
	WFD Status (Obj 2015/2021/2027)				
	FFD Class. (Salmonid/Cyprinid)				
	Abstractions in vicinity				
WFD ASSESSMENT	WFD Element	Current Status	Assessed Post Works Status	SITE PHOTOGRAPH	[Insert Photograph]
	E.g. Fish	E.g High			
	E.g. Invertebrates	E.g Good			
	As per waterbody				
	As per waterbody				
	As per waterbody				
	As per waterbody				
	As per waterbody				
	As per waterbody				
	Does the component comply with WFD Objectives 1, 2, 3 & 4?				
No		Do not proceed or complete Article 4.7 assessment.	COMPONENT TYPE	Component ID:	
Yes (Justification provided)		Proceed after NIEA agreement.		Component Type	
Yes, with mitigation		Complete schedule B.		Component Description, Dimensions, Length etc	

Schedule B: Details of Mitigation Required to Comply with WFD Objectives - Template.

Scheme Component e.g. Culvert, bridge, other crossing, diversion, outfall, etc..	Objective 1: To prevent deterioration in the ecological status of the water body.	Objective 2 To prevent the introduction of impediments to the attainment of Good WFD status for the water body.	Objective 3: To ensure that the attainment of the WFD objectives for the water body are not compromised.	Objective 4: To ensure the achievement of the WFD objectives in other water bodies within the same catchment are not permanently excluded or compromised.
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:
<i>Component/Activity 1 (Insert ID) E.g Sewage discharges from development</i>	<i>Sewage discharges from the development will go to the local NIW WWTW for treatment(insert name of WWTW). NIW have confirmed that the network and WWTW can accommodate flows from the development.</i>	<i>As stated under Objective 1.</i>	<i>As stated under Objective 1.</i>	<i>As stated under Objective 1.</i>
<i>Component/Activity 2 (Insert ID) E.g. Stormwater drainage</i>	<i>Stormwater drainage will be directed through a SuDs system (see diagram XX) which incorporates oil interceptors etc prior to discharge to (Named waterway).</i>	<i>The SuDs and associated interceptors etc will be subject to a regular maintenance programme to ensure the quality of the discharge is maintained.</i>	<i>As stated under Objective 1 and 2.</i>	<i>As stated under Objective 1 and 2.</i>
<i>E.g. Creation of a transport crossing of XX waterway.</i>	<i>Use of a single span bridge which spans the banks and bed of the waterway. In addition the following mitigation will be used during bridge construction works:</i> <ol style="list-style-type: none"> <i>1. Detail mitigation</i> <i>2. etc..</i> 	<i>The bridge structure will have no impact on the water body within which it will be constructed due to its single span design (see diagram xx).</i>	<i>The bridge spans the waterway and will therefore have no impact on river continuity, water quality, habitat or hydromorphology.</i>	<i>The bridge structure will have no impact on the water body within which it will be constructed or any adjoining water bodies due to its single span design (see diagram xx).</i>
Etc...				