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19<sup>th</sup> June 2009

Dear Ms Campbell,

## **CONSULTATIONS ON THE NORTH EASTERN, NEAGH BANN AND NORTH WESTERN DRAFT RIVER BASIN MANAGEMENT PLANS**

I am responding on behalf of the British Hydropower Association (BHA) to the Consultations on the North Eastern, Neagh Bann and North Western Draft River Basin District Management Plans.

The BHA is the trade association for the UK hydropower industry. With around 150 members, the Association represents a wide range of interests: consulting engineering, design, manufacture, investment and operation, and specialist service providers. The BHA represents generators from small owner-operators to large UK and international companies.

The BHA recognises that the RBMPs are strategic plans covering a wide range of activities at different levels. They are extensive and complex making useful comment on the consultation documents difficult, particularly as the scope of their coverage has changed during the consultation period, with for example the introduction of draft fish passage regulations.

It is a concern to the BHA that the introduction of such a comprehensive and technically complex regulatory framework is being made when the world-wide experience of regulation in many important aspects the water environment are limited and some details are yet to be defined. We support a cautious approach by the Northern Ireland Environment Agency in adopting the setting of objectives and defining Programmes of Measures to meet them. We believe that the competent authorities need a high level confidence in the existence of a real problem before taking action to solve it and full consideration needs to be made to technical feasibility and the balance of costs.

We should like to emphasise that hydropower is a non-consumptive water user and that the benefits of its generation of carbon-free electricity is fully taken into account. We believe that the introduction of any measures should be proportionate and evidence-based. The consequences of the implementation of the Water Framework Directive are uncertain for the power sector in general and hydropower in particular. This influences decision making on potential future project.

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Specific comments are set out in the attached annex.

Yours sincerely,

A handwritten signature in dark ink that reads "Adrian Abbott". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Adrian Abbott  
*Policy & Consultations Manager*

## **ANNEX**

### **Q1. Do you agree with the objectives and level of improvement set for Northern Ireland's water environment?**

In general the BHA agrees with the assessment.

### **Q2. Have we identified the most significant pressures affecting the water environment?**

Abstraction and physical modification are set out as problem areas. Hydropower is a non-consumptive abstractor returning the water abstracted, unmodified to water bodies. On physical modification we hope that when consideration is given to reducing their impacts on water bodies, full regard is given to the potential economic benefits of not making any modifications. Many of these modifications have been in existence for decades, centuries even, and may well have contributed to the development of micro-environments. For hydropower, river structures such as weirs, some of which may not have any current use, are potential sites for the generation of carbon-free electricity. Weirs do not affect flow rates. Evidence on the impact by weirs on the migration of fish is vague and there is currently a general lack of detailed evidence on how hydromorphological pressures influence ecology.

Proposals aimed at improving the hydromorphology of water bodies, could have unintended consequences. The natural life of watercourses can sometimes be healthy even when the supporting physico-chemical elements suggest a problem. This emphasises the importance of having confidence that there is a real problem before taking action to solve it. A great deal of importance is attached to fish stocks as an indicator of good ecological status but it is just one of a number of indicators of ecological status.

### **Q3. Have we identified all the important existing measures that are being used to address these issues? Please identify any important existing measures that we have missed.**

We believe that important existing measures have been identified. We believe that in implementing proposals actions should be subject to tests for their cost effectiveness, technical feasibility and benefits.

### **Q4. Can you identify new or existing measures or initiatives, at a regional or local level that you or your organisation can help deliver?**

The BHA is currently working with the environment Agency on Good Practice Guides for Hydropower in England and Wales and with SEPA in Scotland. We would welcome the opportunity to work with the Northern Ireland Environment Agency in a similar way.

### **Q5. What suggestions do you have to improve the linkages this plan has with other relevant plans and programmes?**

The BHA has no particular suggestions to make.

### **Q6. Do you have any suggestions to further develop and enhance arrangements for all interested parties to work together on the implementation of the plan?**

The BHA believes that an important guiding principle should be that the overall costs do not exceed the overall benefits.