

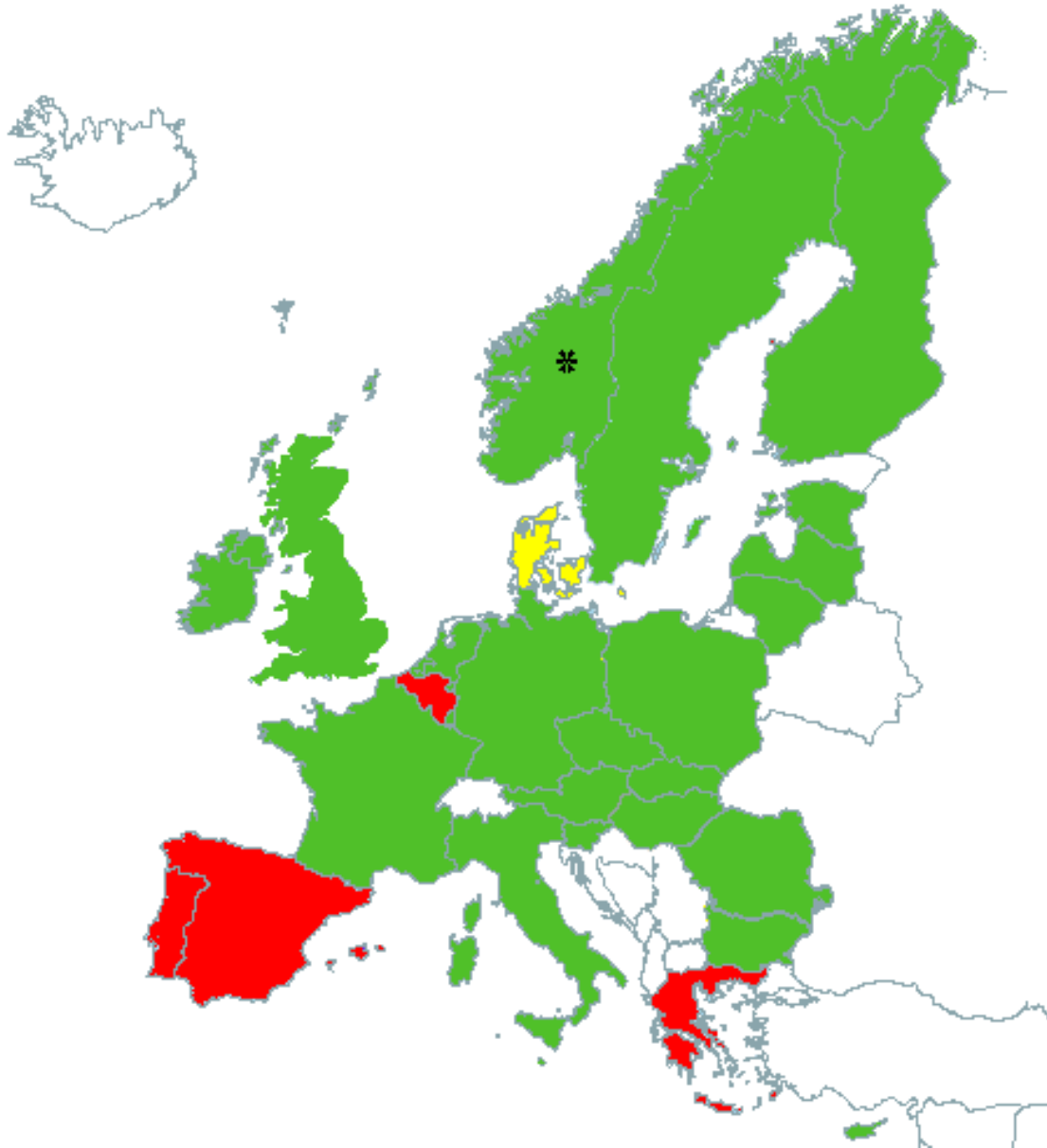
Assessment of the River Basin Management Plans

State of play and preliminary findings

EEA 2012 State of Water Report
Advisory Group Meeting
29 November 2011



State of reporting of river basin management plans



RBMP adopted (22)

**Consultation finalised,
awaiting adoption (1)**

**Consultation on-going or
not started (4)**

(all 5 MS that have not adopted are
before the Court) ☹

Latest news: EL

- has started the consultation of RBMPs of 3 RBDs in mid-Oct
- will start another 4 RBDs by the end of Nov and another 2 RBDs by mid Jan 2012

Assessment of the river basin management plans

Aim of this presentation: to share some **preliminary findings** on the RBMP assessments

- Findings are based on the plans assessed so far.
- They are not comprehensive.
- Validation of findings are on-going
Feedback documents sent to 8 Member States; 3 reply received so far.
- Not all statements apply to all countries or plans.
- Provides general positive and negative impressions
- Negative impressions do not necessarily equate to legal breaches!



Phased assessment of RBMPs

- **Phase 1: first half of 2011**
AT, BG, CZ, FI, NL, SE, SK and FR, UK, DE
- **Phase 2: spring – autumn 2011**
BE-F, EE, IT, HU, IE, LT, LV, RO
- **Phase 3: autumn 2011**
LU, MT, PL, CY, SI assessments starting
NO (arrangement with ESA)
- Pending adoption: EL, ES, PT, DK, BE (other regions)
 - COM cannot guarantee that it can assess anything received after November 2011



Quality of MS reporting

Quality of the COM assessment will be as good as quality of the MS reports !!

Bad reporting = bad/wrong assessment

- + Reporting is a big effort !
- + Very good examples of high quality reporting – will pay off !
- RBMPs and WISE deliveries contain different, sometimes contradictory information
- RBMPs contain links to other documents that are not available
- Key documents on methodologies e.g. on HMWB designation were not reported

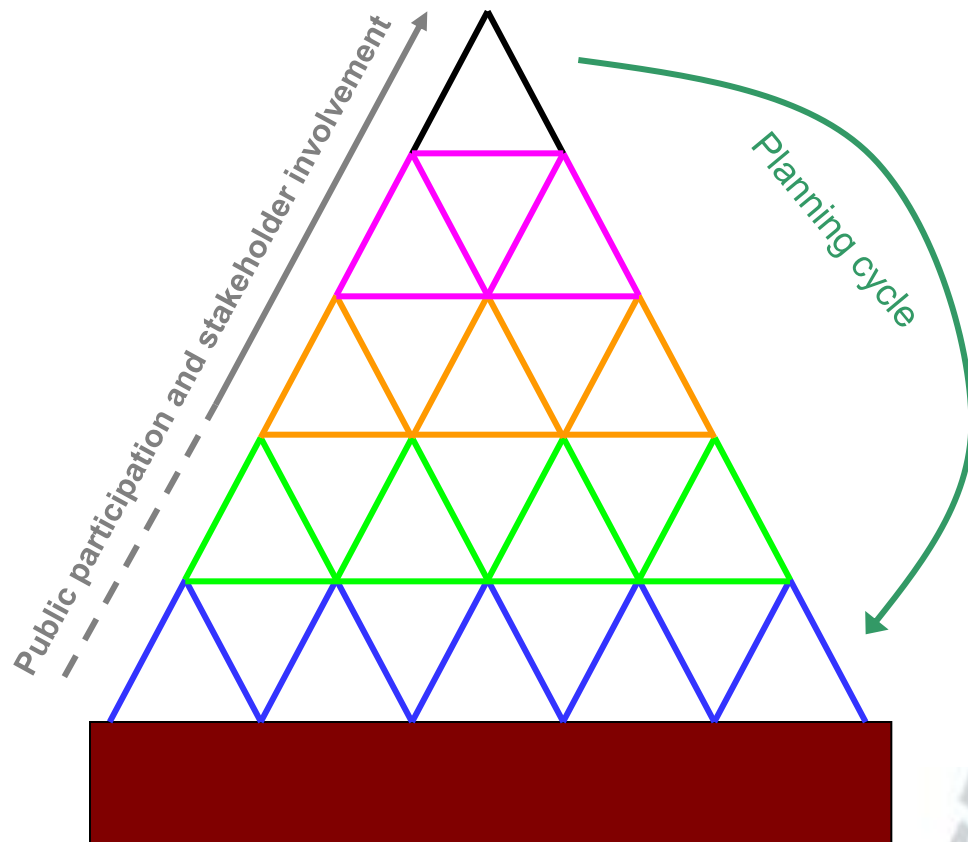


Reminder: topics for WFD assessment

1. Governance
2. Characterisation of the RBD
3. Monitoring of surface waters and groundwater
4. Classification of the ecological status of surface waters
5. Designation of HMWB and definition of ecological potential
6. Chemical status of surface waters
7. Assessment of groundwater status
8. Environmental objectives and exemptions
9. Programme of measures – general
10. Measures related to groundwater
11. Measures related to agriculture
12. Measures related to chemical pollution
13. Measures related to hydromorphology
14. Measures related to Article 9 (water pricing policies)
15. Additional measures in protected areas
16. Strategy to deal with water scarcity and droughts
17. Adaptation to climate change



Planning process



Implementation of measures

Programme of measures

Setting objectives

Monitoring

Characterisation, pressure and impact and economic analysis

Transposition, RBD delineation, competent authorities, administrative set-up, coordination arrangements



Some general preliminary findings

- + A lot of effort put into preparation of the plans
- + High uptake of the common framework and common language on water management provided by the WFD
- + Integration of ecological perspective into water management
- + Enhancement of international cooperation
- + Public participation, stakeholder involvement
- + Impressive improvement in the knowledge base
- Low ambition in many of the plans (extensive use of exemptions)
- Lack of concrete measures and expected achievements
- Lack of comparability in some issues (e.g. chemical status!)
- Dressing “business-as-usual” as WFD



Topic-specific findings:

1. Governance

Coordination at basin level (administrative set-up)

- + Adaptation of water administration to better cope with WFD challenges
- Coordination mechanisms are not always clear

International co-ordination

- + Significant enhanced cooperation, in particular in large international basins
- Less developed in smaller trans-boundary catchments (even not mentioned or not recognised as international)

Public participation and stakeholder involvement:

- + Generally significant efforts on consultations including a variety of outreach methods
- Information on the impact of the consultation not transparent in some cases

Transparency and accountability

- + Generally the RBMPs are easily accessible
- Background documents and sub-plans are not always possible or easy to find.



2. Monitoring

- + All Member States have monitoring programmes for surface* and groundwater.
- It appears that in some cases the monitoring programmes reported in 2007 have not been fully implemented. The amount of monitoring data available is frequently quite low.
- It is unclear to what degree monitoring is sufficient for detecting existing pressures and impacts including upwards trends in groundwater.

*except Malta



3. Classification ecological status

- + Some good examples of countries that have developed methods for most of the quality elements
- + Very significant progress in knowledge and exchange of information among MS' experts (WFD and CIS process catalytic effect)
- Criteria for defining reference conditions are not always transparent and not defined at all.
- WFD-compliant methods for ecological classification not yet developed for all BQEs.
- It appears that hydromorphological alterations are not being sufficiently detected by biological classification tools.
- It is not always transparent how the intercalibration results have been translated into the class boundaries of the national methods
- It is not clear if the status assessments are actually the starting point for planning the programmes of measures



4. Heavily modified water bodies

+ Good examples identified – it can be done!

HMWB designation

- Description of **designation process** too general or unclear
- Assessment of **significant adverse effects** and of **significantly better environmental option** very weak or lacking

Good ecological potential (GEP)

- Often GEP has not been defined.
- Some MS have only defined the boundary between good and moderate ecological potential
- Some MS generally equate GEP with status quo = no measures needed (!!)



5. Classification chemical status

- + Some Member States decided to go for an early implementation of the EQS Directive – despite the deadline for transposition was after the adoption of the river basin management plans (July 2010)
- Due to varying degrees of early implementation of the EQS Directive and varying implementation choices (e.g. analysis on water/sediment/biota), comparability of chemical status in the first plans is difficult



6. Groundwater status

- + First ever EU overview of groundwater status
- Insufficient data quality
- Link to surface water not considered as required by the definition of good groundwater status (impact on surface water and groundwater dependent terrestrial ecosystems)
- There is no information about threshold value exceedances at monitoring points
- There are no methodologies established for trend assessments and/or reversals or they were not carried out
- Lack of international coordination



7. Objectives and exemptions

- + Generally transparent information about the water bodies that are subject to exemptions due to technical feasibility, natural conditions or disproportionate costs
- + Some good examples of setting additional objectives for protected areas and hence how the WFD should contribute and work with other legislation
- Justification of the exemptions in line with the WFD and the CIS guidance is lacking
- No transparent criteria on deciding on disproportionate costs
- Despite the guidance, different understanding of terms complicates the assessment (e.g. technical feasibility)
- Unclear why most plans do not make any reference to article 4.7, even if there are large projects in the pipeline – indicator for lack of integration?
- Often additional objectives for protected areas are not established (e.g. nature protected areas)



8. Programmes of Measures

- + Provides a good overview of all actions taken to improve the aquatic environment at the river basin scale
- + Typical issues coordinated at basin scale: river continuity, nutrient pollution
- Often the definition of measures is too vague, there is no clarity on scope, extent, no financial commitment, no responsible actor identified...
- Approach towards the calculation of costs varies a lot and hence figures are difficult to compare
- The selection and contribution of the measures to the WFD achievements remains unclear
- In most cases no additional measures are being implemented in protected areas to contribute to the achievement of the objectives under other relevant EU legislation (e.g. Habitats Directive, Shellfish)



e.g. Measures in agriculture

Agriculture is a significant pressure

- + Important improvement of knowledge but agriculture pressures remain high:
Nitrogen 92%, Phosphorus 82%, Pesticides 76%, Eutrophication 87-92%, Hydromorphology 39-66%, Erosion 26-47% and Water use 21-32% as 1/8/2011
- Sometimes agriculture's role in pressures (in particular on hydromorphology) is not clearly identified or distinguished from other sectors.
- Some areas still suffer from missing data (nitrate, phosphorus and pesticides) which hampers the proper identification of the origin of the problem.

Measures in agriculture

- + In general, MS have included agricultural measures in the RBMPs.
- + RBMPs include a great variety of technical and non-technical measures, also some references to economic instruments (as agricultural measures) exist
- Missing details in the programmes, but a lot of references to background documents, national programmes and legislation
- Concerns remain whether these measures provide a real added value and are sufficient to reach the WFD objectives.
- Level of commitment (scope, timing, financing) is unclear.



e.g. Water pricing policies

Water pricing policies

- + Increased transparency through the information in the RBMP
- Few MS making changes in water pricing policies to help achieve more sustainable water use. The RBMPs mainly report a *status quo* of existing pricing policies.
- Most Member States have a narrow interpretation of water services, whereby only public water supply and wastewater treatment is covered.
- Incentive pricing is rarely referred to in plans.

Cost-recovery

- + Households and industry mentioned in most plans
- Cost-recovery rate is often presented per service, but not showing how much each user group contributes.
- Agriculture is often excluded without clear justification, even if it poses an important pressure.
- Not clear how financial costs are calculated. There are varying methodologies for the calculation of cost recovery, which makes it very difficult to compare.

Environment and resource costs

- + It seems there are some examples of integration of environmental and resources costs in the calculation of cost recovery
- Most commonly stated that methodologies are missing on how to calculate these.



9. Water scarcity and droughts

- + Most MS acknowledge the problem and have started to identify measures to tackle it.
- Water scarcity and droughts are often not differentiated or are defined in different ways.
- The datasets on water quantity are insufficient to plan proactively, and the quality of data is limited.
- The programme of measures still needs to improve significantly in order to develop coherent and effective sets of measures. Water supply measures are significantly stronger reflected than demand side measures.
- The influence of other sectoral policies on the reduction of water scarcity and the mitigation of drought effects is not described in any of the RBMPs.
- In international basins, there is still a major gap to deal with water quantity in a way that reduces conflict risks and contributes to the WFD environmental objectives.



Next steps

- Communication of preliminary results to Water Directors at their meeting on 8-9 December 2011
- QA of RBMP assessments for the remaining MS (batch 2 and 3) – by end 2011 / beginning 2012
- Feedback letters to Member States (sent: SK, BG, SE CZ, NL, AT, LT and FR). Next: UK, DE and BE (FL) – finalise all until March 2012
- Conceptual planning of assessments on topics across EU – end 2011 / beginning 2012
- Development of outline of COM Report on RBMP assessments – 1st quarter 2012
- Planning and implementation of EP Pilot Project „Pressures and measures“ – closely linked with RBMP assessments

