Latest developments in European Water Management Legislation
H. Blöch, European Commission
EU policy instruments for protecting our water resources

**EU Environmental Legislation**
- Daughter Directives on Groundwater and Priority Substances; Floods Directive; inter-calibration

**Financial incentives (+/-)**
- All funding regulations (Regional Development and Cohesion Funds, Rural Development Funds) adopted and published

**EU Research Programmes**
- 7th Research Framework Programme (FP7) currently in 2nd reading
### Water Framework Directive
#### State of implementation November 2006

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First analysis shows that a high number of water bodies are at risk:

1. Hydromorphological alterations (inter alia from navigation, pressures of land use in urban and rural areas, hydropower, flood defences) are a common concern across Europe.

2. In several parts of Europe non-delivery on tasks already due (waste water treatment, nitrates pollution from agriculture) plays a considerable role in shaping our waters ‘at risk’. It is unjustified to attribute costs to the WFD, if in fact they are related to old obligations not complied with ...

3. Over-abstraction is a problem in some regions.

Full Commission report to be published March 2007.
Transparency: all WFD environmental assessments available on the Internet

http://forum.europa.eu.int/Public/irc/env/wfd/home

Contact address  env-water@cec.eu.int
Intercalibration of biological monitoring results

Impact
- No or minimal
- Slight
- Moderate
- Major
- Severe

Ecological status
- HIGH
- GOOD
- MODERATE
- POOR
- BAD

Intercalibration

Non-deterioration
Restoration

Courtesy Peter Pollard, Scottish Environment Protection Agency
Environmental objective “groundwater”

Groundwater status

- GOOD
- POOR

Impact

- slight
- major

Groundwater Directive 2006

Non-deterioration

Restoration
Daughter Directive Groundwater
Main elements of political dispute between European Parliament and Council

• Scope of application – with or without agricultural impacts?
• Ensuring precautionary principle “no topping-up of pollution to defined maximum values”
• Revision clause for parameters and values
Daughter Directive Groundwater Agreement in conciliation 17 October 2006

- At EU level, groundwater quality standards set for the following parameters:
  - nitrates; pesticides and biocides;
  - applicable to all sectors of human activity;
  - mandatory review of list of substances and their values;
- Criteria for reversing upward pollution trends (as a rule not later than at 75% of quality standard / threshold value;
- At national / river basin level, threshold values set by Member States, at least for a list of further 10 substances/parameters/indicators:
Daughter Directive Groundwater

- Legally binding and enforceable on environmental objectives
- Flexible on paths/tools to achieve these objectives, thus allowing and encouraging innovation
Daughter Directive Priority Substances
“Combined approach”

- set out in article 10 Water Framework Directive
- pollution control measures set out in a range of EU legislation (emission and process controls; marketing and use restrictions; and waste treatment and disposal) inter alia on existing chemical substances, plant protection products, industrial and other waste water emissions - inter alia on the proposed REACH legislation
- water quality standards detailing “good chemical status” to be set for substances / parameters of EU-wide relevance by EU legislation (WFD Daughter Directives)
- for other substances / parameters at national / river basin level (within the river basin management plans) - under criteria set out in the WFD and taking into account local and regional characteristics
Daughter Directive Priority Substances
EU-wide quality standards and river basin values complementing each other

- EU-wide environmental quality standards (EQS) to be set for substances / parameters of EU relevance as defined in 2001 ‘List of Priority Substances’ (33 parameters); article 16 and annex X WFD;
- Further parameters and values detailing ‘good status’ to be set at national / river basin level.
Daughter Directive Priority Substances
Commission Proposal July 2006

Package of July 2006 on integrated prevention and control of chemical pollution of surface waters in the EU


- Comprehensive impact assessment - looking at three options (1) no regulation; (2) EQS only; (3) EQS and detailed emission control measures;

- Commission Communication accompanying the above.

All documents available on the Internet server of the European Commission.
### Daughter Directive Priority Substances

**List of substances**

EQS for surface waters proposed for 33 substances, including inter alia certain metals and their compounds, plant protection products, detergents and chemical intermediates:

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<td>Atrazine</td>
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<td>Benzene</td>
<td>Brominated diphenylether</td>
<td>Cadmium &amp; compounds</td>
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<td>C(<em>{10})-C(</em>{13}) chloroalkanes</td>
<td>Chlorfenvinphos</td>
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<td>1,2-Dichloroethane</td>
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<td>Lead &amp; compounds</td>
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<td>Tributyltin compounds</td>
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<td>Trichlorobenzenes</td>
<td>Trichloromethane</td>
<td>Trifluralin</td>
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WFD – one coherent management frame; streamlining water legislation

- Drinking Water Directive 1998
- IPPC Directive 1996
- Groundwater Directive 1980
- Surface Water Directive 1975
- Dangerous Substances Directive 1976
- Groundwater Directive 2006
- Priority Substances Directive 2007
- DS Daughter Directives 1981-1986
- Fishwater Directive 1978
- Shellfish Water Directive 1979
- Exchange of Information Decision 1977
- Sampling and Analysis Directive 1979
- Floods Directive 2007

X repealed by 2007; X repealed by 2013; X repealed together with adoption of WFD
Daughter Directive on Priority Substances
**Floods Directive**

Impact Assessment: costs of measures vs damage potential

*Rhine river*: costs 12.3 bl EUR over 20 years, equal to about 7% of the potential damage;

*Odra/Oder river basin*: 3.6 bl EUR over 25 years, equal to the direct damages occurred during one single disaster;

*Loire river basin*: costs 583 EUR, equal to about 10% of the potential damage;

*Vidourle basin*: costs 29 ml EUR over 4 years, equal to 4% of the damage occurred in one single year 2002.
Floods Directive
Key underlying principles

- Addressing diversity of flood events across Europe, e.g. river-prone floods vs flash floods
- Flexibility for planning and action at local / regional / sub-basin level whilst ensuring cooperation/coordination across the basin
- Building on experience, planning and programmes already in place; using existing cooperation structures such as river basin agreements and civil protection plans

Vale de Santarém, source: Hélder Bernardo

Source: http://www.superdresden.de
Floods Directive
Link to the Water Framework Directive

- Clear link to water quality management under the Water Framework Directive, given that river basins and stakeholders are identical;
- Links to be ensured in terms of legislation (synchronisation of review of plans under the Floods Directive and under the Water Framework Directive from 2015 on) and in terms of implementation (EU Water Directors to guide and steer both processes)

Proposal for a EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE on the assessment and management of flood risks
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION
Having regard to the Treaty establishing the European Community, and in particular Article 175 thereof,

EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE 2000/60/EC establishing a framework for Community action in the field of water policy
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION
Having regard to the Treaty establishing the European Community, and in particular Article 175 thereof,
Floods Directive
Political process and time schedule

- Commission Proposal: 18 January 2006
- Council Common Position: November 2006
- European Parliament 2nd reading: to commence at the end of 2006
- Final adoption and publication expected until mid-2007
Thank you for your attention.