Water management, nature conservation and waterway management in the EU and the Danube Region

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PA4 Water Quality

The problem: pressures resulting from navigation

- Change of the natural **river structure**
- Changes to river courses, such as the **blocking of connections** to separate channels, tributaries and wetlands
- Disruption of natural flow patterns by **hydromorphological alterations**
- Hindering **fish migration** due to sluices
- Engineering works designed to **remove sediments** and clear channels
- **Accidental pollution** involving oil or hazardous substances
- **Pollution** by discharged bilge water, wastewater from tank washings and sewage from passenger boats

EU policies: navigation

- **TEN-T**: The TEN-T Programme was established by the European Commission to support the construction and upgrade of transport infrastructure across the European Union.
- It covers 12,880 km of inland waterways and serval coastal and inland water ports.
- Relevant ongoing activities include the work on the definition of **"Good Navigation Status"** (GNS).

EU Nature legislation (I)

- The **Habitats Directive** cover around 1000 rare, threatened or endemic **species** of wild animals and plants – often collectively referred to as species of European importance. It also protects some 230 rare **habitat** types in their own right.
- The **Birds Directive** aims to protect all wild birds and their most important habitats across the EU.
- The overall objective of the two directives is to ensure that the species and habitat types they protect are maintained, or restored, to a **favourable conservation status** throughout their natural range within the EU.
- Tools are a strict **protection regime** and the **designation of core sites**, the Natura 2000 network.

EU Nature legislation (II)

- Regarding new developments in and around Natura 2000 sites, Article 6 of the Habitats Directive establishes a **permitting procedure** for any plans or projects that are likely to have a significant effect on one or more sites
- Potentially damaging projects must undergo an **appropriate assessment** to determine the precise nature and extent of the potential impacts on the species and habitats of EU importance present. It is then up to the **competent national authorities** to decide whether or not to approve the plan or project. This can only be done after they have ascertained that it will not adversely affect the integrity of that site.
- Exceptions may be possible for certain plans or projects if they are considered necessary for imperative reasons of **overriding public interest**, there are no other **alternatives**, and all the necessary **compensatory measures** are in place to ensure that the overall

Good water status in the Water Framework Directive

DANUBE REGION strategy
Water Quality

Means meeting all environmental quality standards for chemicals set at EU level:

- 33 + 12 priority substances (Directive 2008/105/EC as amended in 2013)

- 8 other substances previously regulated 76/464/EEC codified 2006/11/EC

Means an expression of the quality of the structure and functioning of aquatic ecosystems including: biological, hydromorphological and chemical elements

- Good surface water status
  - Good **chemical** status + good **ecological** status
- Good groundwater status
  - Good **chemical** status + good **quantitative** status

Means meeting all standards for chemicals:

- quality standards set at EU level: pesticides and nitrates

- threshold values: standards set at national level

Means ensuring a long-term balance between abstraction and recharge, protecting as well associated surface waters and ecosystems.

Exemptions in the WFD

- Art 4.7: **new projects/modifications** to the physical characteristics of a SW body or alterations to the level of bodies of GW, or failure to prevent status deterioration of a body of SW

For all exemptions:

- When applied, strict conditions have to be met and a **justification** has to be included in the RBMP
- exemptions for one water body must not permanently exclude or compromise achievement of the environmental objectives in other water bodies

Art 4.7:

- New modifications leading to a status deterioration are allowed under the following conditions:
  - All practicable mitigation measures are taken
  - The project and the reasons for it are reported in RBMP and hence subject to public consultation
  - The benefits of the development outweigh the benefits of achieving the WFD objectives / the development is of overriding public interest
  - There are no significantly better environmental options

Heavily modified / artificial water bodies in the WFD

- Heavily Modified Water Bodies
  - Designation is possible if modification fulfils certain criteria (art 4.3)
  - Default is restoration
  - Examples: dams, flood protection embankments, ports
- Artificial Water Bodies
  - A water body created by man where there was none
  - Examples: some channels, storage basins
- Objectives for HMWB and AWB
  - Good chemical status
  - Good ecological potential: the best that can be done that is technically feasible, does not significantly interfere with the use and is not disproportionately costly
- Non action is not an option!
- GEP

Related WFD rulings and guidances

- European Court of Justice ruling C-461/13: Member States are obliged to take decisions on a case-by-case basis on exemptions likely to cause deterioration of water status and refuse authorisation from individual projects estimated to compromise the WFD objectives.
- Existing guidance: Good practice in managing the ecological impacts of hydropower schemes; flood protection works; and works designed to facilitate navigation under the Water Framework Directive https://circabc.europa.eu/sd/a/68065c2b-1b08-462d-9f07-413ae896ba67/HyMo_Technical_Report.pdf
- Upcoming guidance on Art. 4.7 WFD. Key issue paper in 2016, draft guidance in preparation. Next meeting: 1-2 June. https://circabc.europa.eu/w/browse/00955803-3372-4d9c-836b-bc56662565eb

EU proposal for cooperation of sectors

- **Proposal of DG-ENV, DG-REGIO and DG-MOVE for setting up a Mixed Environment Transport External Expert Team (METEET) on integrated planning of inland waterways Transport (IWT) Projects** with the view to addressing the environmental issues that may arise during planning and implementation of inland waterways transport projects in the Danube Region
- **First METEET Steering Committee meeting** took place on 23 February 2017 in Brussels, **next meeting planned for 10 May 2017 in Vienna**

Danube level solutions: the work at the ICPDR

- In 2007 the “Joint Statement on Inland Navigation and Environmental Protection” was adopted by the International Commission for the Protection of the Danube River (ICPDR), Sava Commission and Danube Navigation Commission
- It contains principles and criteria for environmentally sustainable inland navigation including the maintenance of existing waterways and the development of future waterway infrastructure.
- During the PLATINA project a detailed manual was prepared on good practices in sustainable waterway planning

EUSDR PA4 water quality main challenges and tools

Main challenges/significant water management issues:

- organic and nutrient pollution,
- hazardous substances pollution,
- hydromorphological alterations.

Tools of implementation:

- alignment of funding,
- cooperation with relevant institutions,
- facilitate project implementation

Opportunities?

- Good navigation status, good water status, good conservation status
- Natural water retention measures: good for flood prevention, CC and drought mitigation, nature conservation, recreation – also good for navigation?
- Early integrated planning and public involvement to find a common agreed approach by the time the project evolves?
- Capitalization of projects (DanubeSediment, JOINTISZA)

An example…

In Budapest, a Green Island helps with making shipping on the Danube more sustainable

- In the center of Budapest the Green Island awaits boats on the Danube seven days a week, day and night. They can take water and fuel and deposit the waste collected on board, including any hazardous waste generated during operation. They can also perform minor repairs and engineering tasks along their way. The waterborne facility is the first in Europe to provide complex, environmentally aware services to boats on the Danube.

THANK YOU

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