



Consultation Group on the Review of the WFD

*WD's Meeting
Sofia*

Consultation Group : Aims, Timetable and ToR



- ❖ 2016 discussion started and was titled « lessons learned from implementing the WFD » and MS recognized the urgent need to better understand the upcoming challenges in regard of the 2027 deadline of the end of the third RBMP
 - Following the thoughtstarter (developed under the NL presidency), in 2017 two documents were generated in cooperation with COM: the paper on « Article 4(4) time extensions » (Malta) and on « Natural conditions » (Tallinn)
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- ❖ At the Tallinn WD meeting it was agreed that another ad hoc group should start to work on viable approaches for the 2027 issue and to help and support the review process for 2019.

Consultation Group : Aims, Timetable and ToR

The objective of the MS's ad hoc Consultation group is to inform MS's views to the Commission for the review process of the WFD. The aim is clearly to search for **options to maintain the level of ambition** to achieve good status/potential for all surface and ground waters within a reasonable timeframe. The options may also **include suggestions with the aim of enhancing the efficiency and effectiveness of the implementation** of the directive.



- Involved MS: BE, DE, DK, FIN, FR, LU, MT, NL, PL, SE, IT, UK, NO
- DE , LU and NL volunteered to lead and organize the work of the ad hoc group. FIN joined later

Consultation Group: Timetable?

What happened so far ?

- Kick off meeting in February 2018
- Questionnaire send out to identify the most pre-eminent themes to address in review process
- 2nd Meeting in April 2018
- Oral Presentation at the SCG
- Today: Inform WD about the work done so far and invite them for feedback (collection of items/subjects discussed, not final, nor agreed!)



What is still on the agenda ?

- Vienna Water Conference (Sep 2018): Contribution
- 3rd meeting in September/October 2018
- Inform SCG about the state of play in November meeting
- Prepare final synthesis document for WD for Vienna meeting

Consultation Group : Making the WFD fit for beyond 2027

- ❖ MS's want to keep the level of ambition high (Council conclusions 2016)
 1. Water management
 2. Environmental objectives of achieving good status
- ❖ We have also to work on what is the meaning of high level of ambition
 1. Maintaining the good status/potential as defined in the current directive
 2. Maintain non deterioration principle (with clarifications)
 3. New time horizons for achieving good status in relation to the level of ambition.
- ❖ MS are in search of a solution of a coherent approach also beyond 2027.
- ❖ We have to keep in mind that the WFD was drafted on the knowledge that prevailed at the end of the 90ies of last century !

3 possible OPTIONS for the WFD beyond 2027

Consultation Group : Making the WFD fit for beyond 2027

❖ 0-Alternative: WFD regulation remains unaltered

- Environmental objectives have to be implemented by 2027, except if natural conditions are at stake
- Less stringent objectives will most probably be set according to art 4.5 at large scale.
- Climate change creates accelerating uncertainty in healing ecosystems
- The 2027 deadline will be hard to achieve since several MS indicated that they need more time for reasons of technical feasibility and costs.

❖ 1-Alternative: Abolition of the DEADLINE OF the WFD

- Water management would go on without a binding DEADLINE in the directive
- Deterioration of water status would still be prohibited mostly by CJEU judgment C-461/13 and by agreements taken between partners in international river commissions

Consultation Group : Making the WFD fit for beyond 2027

❖ 2-Alternative: Extending the WFD beyond 2027

- Time extension for more (at least 2) management cycles also taking into account technical feasibility and disproportionate costs
- Extending the length of the management cycles as raised by some MS
- How to deal with uncertainties as basis for prolonged time-extensions
- New technical and scientific insights make this approach coherent
- Climate change and shifting baseline phenomena could be addressed
- Possibility to make coherent legislative adjustments in regards to other relevant environmental directives.

Consultation Group : the issues of chemicals

- ❖ Confusion exists between river basin specific substances (part of ecological status) and priority substances (criteria assessing the chemical status)
- ❖ Including new knowledge and awareness is a key element in this chapter
- ❖ Pharmaceutical and microplastic strategy also will impact this part in future

Overall coherence is needed in determination of the RBSSs and harmonization with other EU-chemical legislation



Consultation Group : Public information and consultation steps

- ❖ Streamline the rules for public consultation taking into account the new electronic communication ways and means making the public participation way more effective and less burden intensive
- ❖ Formal hearing for 6 month seems much too long and fixed dates may even be counterproductive
- ❖ Some MS have suggested a combination of RBMP and PoM (Art 14) and add on top the requirements set out in art 10 of FD
- ❖ RBMP should be used as real planning tools to better communicate with the citizens



Consultation Group : Clear and more simple reporting

- ❖ Current reporting procedure is very burden intensive
- ❖ We must turn to user-friendly and labor-saving reporting tools that are meaningful
- ❖ Streamlining of reporting of different directives based on EU Commissions fitness check commitments
- ❖ Develop new reporting tools in close collaboration with MS
 1. Do not collect every detail
 2. Define priorities for proper assessment
 3. Get the relevant conclusions from reporting



Consultation Group : Communication

- ❖ **Communication of success stories is important**
- ❖ We are of urgent need of communicating the positive results and impacts of the measures taken, in order to guarantee the resources needed for the future measures
- ❖ Because of the “one-out all-out” principle, the communication process has been most challenging
- ❖ A special focus should be put on trends in order to show the progress in the measures taken
- ❖ A coherent approach on chemicals, including deadlines, may help communication
- ❖ A clear distinction should be made in reporting to Commission and informing the public related to the criteria for RBMP/electronic reporting



Consultation Group : Questions/Remarks to clarify in this discussion round:

- ❖ Are we still on the right track?
 1. Is the list of content as proposed complete and the questions we are dealing with the most pertinent one's?
 2. Are we missing something important?
- ❖ Are more countries interested to participate in our meetings?
- ❖ A report will be submitted for endorsement by the WD in Vienna.
- ❖ Is it agreed to inform the stakeholders at the November SCG with a comparable presentation?
- ❖ We would inform WD with the opinion of stakeholders in Vienna.



Consultation Group : Thank you for listening

