

## **The Water Framework Directive: 12-month countdown to December 2015 deadline**

Irish Water Framework Directive River Basin Management Plans published in 2010 have been gathering dust for the past four years. As we enter the final year of the first river basin planning cycle (2009-2015) and the 12-month countdown to the December 2015 WFD deadline, it is timely to assess progress with WFD implementation in Ireland and to ask whether the WFD has really changed anything.

Ireland's rivers, lakes, groundwater and coastal waters are a wonderful heritage and valuable resource. They are also the final recipient and carrier of many chemicals and pollutants that we release, while going about our daily lives and business. Our business, domestic, leisure & development activities all have impacts on the water environment and an integrated, catchment-based approach to the way we manage our water environment is essential if its wildlife, amenity & economic values are to be protected.

The EU Water Framework Directive, introduced in 2000, enshrines this very approach in law and provides a potentially powerful legislative tool to protect our inland and coastal waters. The directive is a significant departure from conventional environmental protection legislation in that it obliges Member States to take an integrated, inclusive and ecological approach to water management. The main objectives of the Directive are to protect and where necessary to improve the quality of all our waters, and to prevent their further deterioration and to achieve 'good status' for all these waters by 2015 (with limited exemptions and extensions to 2027 permitted).

The WFD is very progressive in that it requires the quality 'status' of water bodies to be measured using ecological rather than just traditional chemical parameters; it emphasises active involvement of the public more than any previous EU Directive and the management unit is based on river catchments rather than traditional political divisions (i.e. County & City Councils in Ireland.)

River Basin Management Plans (RBM Plans) are the key water management tools required under the Directive. Plans for each of seven regions in the country for the period 2009-2015 were published in 2010. These Plans describe the waters of each region, their current status and the pressures on them. They also outline in general terms measures to be implemented up to 2015 to meet WFD objectives. SWAN identified a large number of weaknesses in the Plans. The most significant of these is that they do not set out clearly the specific actions which must be taken to restore unsatisfactory water bodies to WFD required standards, or to prevent deterioration.

Notwithstanding their many weaknesses, however, these Plans would have represented a modest improvement to water protection, had they been implemented. However unfortunately they have mostly remained unimplemented for the past four years.

## **12 month countdown to the WFD December 2015 deadline - What has been achieved?**

There was a general consensus when it came into force that the WFD would have a dramatic effect on the way water was managed in Ireland and Europe. Whilst the WFD has been the driver for a significant programme of activity in the areas of water mapping, monitoring and in a gradual move towards more integrated management of water, it is fair to say that its effects in Ireland (like a number of other countries) so far have been far more limited than was hoped. The diversity and complexity of the pressures on water, set against lack of political will and the current fragmented, unwieldy water management structures in Ireland, involving multiple agencies, has meant that hardly any new actions to improve protection of our rivers, lakes, groundwater and coastal waters have been introduced in Ireland as a result of the WFD. In addition, EU Member States, including Ireland, have proceeded with innumerable damaging developments since 2000, with significant negative impacts on our waters, using a liberal interpretation of the exemption provisions of the directive.

So why has the WFD led to so little improvement and why have the River Basin Management Plans not been implemented? For several years SWAN has highlighted the need for a restructuring of the current fragmented water governance system, if we are to deliver the integrated water management required by the WFD. The RBM Plans themselves state that because river basin management is *“currently assigned across a range of organisations with no single body having ultimate responsibility”* and water management is *“fragmented along administrative lines”* it does not *“facilitate analysis, identification and implementation of the most cost-effective solutions to manage water quality”* and that *“there is a need to strengthen and adjust the existing administrative structures to ensure effective delivery of the plans”*. This position is now supported by key government bodies and water management experts including the EPA and City and County Managers Association (CCMA) and the government are belatedly making moves to rectify the situation with a proposed new 3-tier water governance system.

This is set out in a [consultation document](#) issued by the Department of Environment, Community & Local Government (DECLG) as part of the second cycle of WFD planning (2016-2021). This includes the establishment of a high-level interdepartmental Water Policy Advisory Committee, a new WFD Integration & Coordination Unit in the EPA and 3 regional WFD offices. SWAN cautiously welcomes these positive steps. However because this new system is not yet fully up and running, it is too soon to assess whether or not it will provide the consolidated, integrated water management approach necessary if Ireland is to meet its WFD obligations and secure real protection for our water environment.

We will be tracking progress during the 12 month run-up to the WFD deadline in December 2015 so keep an eye on the SWAN website and on our quarterly newsletter. In the meantime, if you are interested in having an input on this, you can make a submission to the Department of Environment, Community and Local Government which has an open consultation until January 30<sup>th</sup> 2015. Please see the consultation document [here](#).