

# Regional Workshop on Strategic Planning in Water Sector

3 – 4 June 2015

ECRAN 59649

Requirements for national planning documents as part of the Acquis  
**Action Programme for implementation of  
the Nitrates Directive**



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## Structure of the presentation

Challenges for WFD and Agriculture

PoM – Implementation of Nitrates Directive

Nitrates Directive objectives

Nitrates Directive requirements and timetable

The Nitrates Directive commitments

Monitoring programmes

NVZ designation and Action Programmes

Synergies, reporting and policy implications



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# Challenges for WFD and Agriculture

**Meeting the objectives of the WFD** – achieving “good ecological status” by reducing the pressure from agricultural activities identified in Article 5 reports and the DRBMP

**Dealing with the Context** – the diversity of circumstances in the Countries, especially regarding preparation for EU accession and therefore the availability of EU rural development measures



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## What we know

Agriculture is one of the **major causes of water degradation!**

There are strong interrelations between agricultural practices, water quality and water quantity

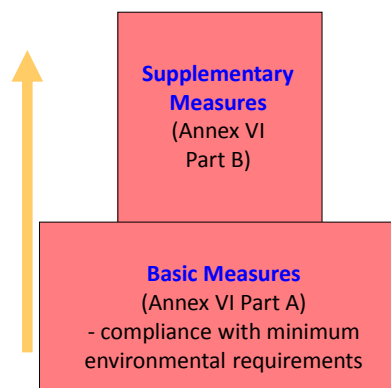
The primary goal of the WFD is to achieve “good status” of all waters and agricultural practices can cause failure to meet this objective

The main “tool” in the WFD to reduce pressure from agriculture is Art. 11 - PoM

The main “challenge” within the PoMs will be how to encourage farmers to

- a) avoid bad practices and
- b) adopt more good practices

Question: **What is the most appropriate mix of policy and/or practical measures to achieve this?**



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# WFD Approach on selecting measures in the RBMP/PoM

- BASIC MEASURES:
  - minimum set of obligatory measures
  - WFD Art. 11/3 and Annex VI part A
    - UWWT Directive
    - **Nitrates Directive incl. Action Programme etc.**
- SUPPLEMENTARY MEASURES:
  - set of additional measures to reach the environmental objectives
  - WFD Art. 11/4 and Annex VI part B
    - Legislative, administrative, economic instruments
    - educational projects, research etc.



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## Nitrates Directive

The Nitrates Directive forms an integral part of the Water Framework Directive and is one of the key instruments in the protection of waters against agricultural pressures.



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## The Nitrates Directive objectives

- Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources:
  - Reducing water pollution caused or induced by nitrates from agricultural sources
  - Preventing further such pollution is crucial for water protection to fully implement the ND



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## Nitrates Directive requirements

- Water monitoring
- Identification of polluted waters
- Identification of waters which could be affected by pollution if measures are not taken
- Designation of Nitrates Vulnerable Zones (NVZs), review (4 years)
- Designation of NVZs not required if an AP is implemented on the whole territory
- Establish a code of good agricultural practice (CGAP)
- CGAP to be implemented by farmers on a voluntary basis
- Implementation of the measures of the GGAP: mandatory in NVZs
- Measures to be included: at least those in Annex II
- Design and implement action programmes in NVZs
- Measures: at least those in Annex III and CGAP
- Assess effectiveness of action programmes
- Report on directive implementation to the EC every four years

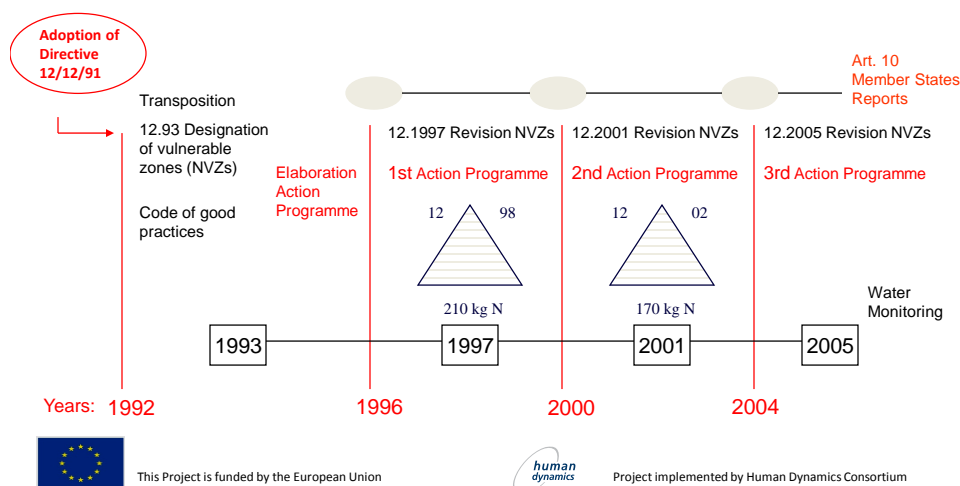


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# The Nitrates Directive Implementation calendar



## The Nitrates Directive Commitments

### In advance of accession

- establish a complete monitoring system (surface and ground waters)
- detect and designate waters affected by pollution
- designate the Nitrates Vulnerable Zones (at least one year before accession)

### By accession

- establish a Code of Good Agricultural Practices
- establish action programmes



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## Water monitoring and identification of polluted waters (1)

### Nitrate concentration in Freshwaters

- sampling stations Directive 75/440/EEC
- other sampling stations representative of surface waters

When?

- at least one year every four years
- monthly and more frequently during flood periods



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## Water Monitoring and identification of polluted waters (2)

### Nitrate concentration in Ground waters

- sampling stations representative of groundwater aquifers

When?

- At regular intervals



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## Water monitoring and identification of polluted waters (3)

### Eutrophic Status

- Fresh surface waters
- Estuarial and coastal waters

### Definition of Eutrophication

- Enrichment of water by nitrogen compounds causing an accelerated growth of algae and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of water concerned



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## Criteria for identification of polluted waters (Annex I)

- Nitrate concentration equal or higher than 50 mg/L in groundwaters and surface waters
- Upwards trends so that 50 mg/L nitrate concentration could be reached if actions are not taken
- Eutrophic status of freshwaters, estuaries and coastal waters
- Trend towards eutrophication if actions are not taken



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## Towards the standardisation of the monitoring procedures under ND (1)

### Monitoring guidelines prepared by EC

- Procedures for monitoring of surface waters (sampling frequency, sampling site selection, timing)
- Procedures for monitoring of groundwaters (frequency, site selection, timing)
- Procedures for monitoring of estuarine, coastal and marine waters



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## Towards the standardisation of the monitoring procedures under ND (2)

### Monitoring guidelines prepared by EC

- Indicators of eutrophic status of freshwaters, estuaries and coastal waters
- Monitoring in NVZs for the assessment of action programme effectiveness
- Monitoring procedures for Member States which apply the action programme to the whole territory



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## Designation of NVZs

Nitrates Vulnerable Zones are areas of land draining to polluted waters

Two possible approaches:

- Designation of specific zones
- No designation of specific zones and implementation of the action programme on the whole territory



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## Measures included in the Action Programmes

- Measures to be included in the Action Programmes: Annexes II and III
- Member States may establish different Action Programmes for different vulnerable zones or part of zones (art.5.2)
- Member States could identify additional and reinforced actions (art. 5.5) in NVZs.

**Examples of measures** to be included in the Action Programmes:

- Minimum storage capacity
- Prohibition periods of fertiliser application
- Maximum Nitrogen amount applied with livestock manure: 170 kg/hectare
- Limitation of application of fertilisers: fertilization according to a nitrogen balance
- Fertilisation procedures near water courses, on slopes, on frozen, water logged, snow covered soils
- Vegetation cover in winter periods.



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## Action programmes

- All Member States have drawn up action programmes (about 300)
- The quality of programmes is improving
- Across the 27 EU Member States, 39.6% of territory is subject to the implementation of action programmes.



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## Synergies WFD - Nitrates Directive

- Water Framework Directive (2000/60/EC) – target of good status for all waters by 2015
- EC Nitrates Directive (91/676/EEC) – Nitrates Action Programme – a key role in delivering an improvement in water quality
- Art 10 of the WFD emphasises requirements of Nitrates and other remaining Directives
- Requires action on failures (PoMs)



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## Reporting to EC - Nitrates Directive (Art 10)

The report should include information related to:

- codes of good farm practice
- designated nitrate vulnerable zones (NVZs)
- results of water monitoring and
- a summary of relevant aspects of actions programmes for vulnerable zones.

2008 - 2008 report all 27 MS submitted formal reports



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## Findings of the EC report

- All M. S. have transposed the directive, set up a comprehensive monitoring network, established a code of good practice, and designated at least partially their vulnerable zones (except Ireland).
- CAP can contribute to the purposes of the Nitrates directive.
- Controlling nitrate emission is still primarily the task of transposition and implementation of the Nitrates Directive.
- Cost-efficiency studies on preventive measures should also be encouraged, in order to focus action programmes and practice changes towards the most efficient one
- Investments dedicated to urban wastewater treatment will be inefficient regarding nutrients if a parallel effort is not devoted to an effective reduction of agricultural nutrients losses.



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## Policy implications (I)

- Nitrates Directive is a key instrument to protect water from nitrate pollution from agricultural sources
- Significant progress has been made in implementation in the recent years
- Further progress are required in Nitrates Vulnerable Zone Designation and Action Programme implementation
- WFD and CAP – two major policies in Europe
- Timetables are not matching, but “windows of opportunity” exist



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## Policy implications (II)

- Need a common understanding of both policies and a coordinated approach
- Aim: sustainable (economic, social, environmental) rural areas and reaching the aims of WFD (good environmental status) at least cost
- RDP provides several measures for sustainable water mgt
- Water pricing can be a powerful measure for reaching WFD objectives
- Facing social and economic effects of WFD implementation for agriculture is crucial

⇒ **Success will depend on thorough implementation of actions and commitments of the countries and on effective and coordinated contribution of the international community.**



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# Thank you!



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