

6th Screening Workshop

Environmental objectives and exemptions

17 – 19 October 2015

ECRAN 60743

Coordination between WFD and Flood Directive



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Structure of the presentation

EU Flood Directive – objective

EU Flood Directive – requirements

Links with WFD and other directives

EC reporting and compliance checking

Cost of measures



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New challenges: EU Flood Directive

The EU Directive on the assessment and management of flood risks [2007/60/EC] - **an ambitious legal instrument**

Objective

To reduce and manage the risks that floods pose to human health, the environment, cultural heritage and economic activity.

Application

All kinds of floods (river, lakes, flash floods, urban floods, coastal floods, including storm surges and tsunamis), on all of the EU territory in a **three stage process**.

These stages need to be reviewed every 6 years in a cycle **coordinated and synchronized** with the WFD implementation



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Key components and principles

- A **Common approach** with three stages :
 - Preliminary flood risk assessment
 - Flood mapping (= knowing areas at risk of flooding)
 - Flood Risk Management Plans (plans to reduce flood risks, covering all elements of the flood risk management cycle)
- **Principles of flexibility and subsidiarity:**
 - Contents of maps and plans not to be prescribed in detail
 - Precise objectives, deadlines and measures to be decided at local/regional/sub-basin level – against the obligation of coordination in shared river basins.



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EU Flood Directive requirements (1)

It is a **framework directive** that requires MS to follow a certain process, consisting of:

- Undertake a **Preliminary Flood Risk Assessment** (PFRA) by 22 December 2011, to identify areas of existing or foreseeable future potentially significant flood risk (referred to as 'Areas for Further Assessment, or 'AFA's)
- Prepare **flood hazard and risk maps** for the AFAs by 22 December 2013, and,
- Prepare **flood risk management plans** by 22 December 2015, setting objectives for managing the flood risk within the AFAs and setting out a prioritised set of measures for achieving those objectives.



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EU Flood Directive requirements (2)

Preliminary flood risk assessment :

- Action will only be taken in areas where potential significant flood risks exist or are reasonably foreseeable in the future.
- If in a particular river basin, no potential significant flood risk exists or is reasonably foreseeable in the future, Member States would be able to identify them in the preliminary flood risk assessment. For these river basins and/or sub-basins no further action would have to be taken.



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EU Flood Directive requirements (3)

Flood risk maps

- Where real risks of flood damage exist, they must by 2013 develop **flood hazard maps** and **flood risk maps** for such areas, at least a 1 in 100 year event and extreme events
- In the areas identified as being at risk the number of inhabitants potentially at risk, the economic activity and the environmental damage potential shall be indicated.
- Contribute to increase public awareness
- Support the process of prioritising, justifying and targeting investments, and developing sustainable policies and strategies
- Support flood risk management plans, spatial planning and emergency plans.



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EU Flood Directive requirements (4)

- **Overview map** of the river basin district will show areas where more detailed flood hazard maps and flood risk maps are available through national systems
- **Flood hazard maps** showing the extent of flooding associated with the flooding scenarios (high, medium, low probability floods) at the appropriate scale, including water depth or water level and where appropriate the flow velocity or relevant water flow, for the areas identified under article 5 or article 13(1)(a) or (b) (art 6.3 and 6.4)



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EU Flood Directive requirements (5)

- **Flood risk maps** show the potential adverse consequences expressed in terms of **the indicative number of inhabitants** potentially affected under the flood scenarios (art 6.5(a));
- **Flood risk maps** show the potential adverse consequences expressed in terms of the **type of economic activity** of the area potentially affected under the flood scenario (art 6.5(b));
- **Flood risk maps** show the potential adverse consequences [environment] expressed in terms of the **location of installations which might cause accidental pollution in case of flooding and potentially affected areas identified in WFD Annex IV(1)(i) (iii) and (v) the flooding scenarios** (art 6.5(c));
- **Flood risk maps** show **coastal areas** where adequate level of protection is in place, and where article 6.6 will be applied.



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EU Flood Directive requirements (6)

Flood risk management plans

- Developed and implemented at river basin/sub-basin level to reduce and manage the flood risk.
- Include
 - (i) the analysis and assessment of flood risk,
 - (ii) the definition of the level of protection, and
 - (iii) identification and implementation of sustainable measures applying the principle of solidarity.
- Update required due to possible changes over time due to climate change and changes in land use.



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Links with the Water Framework Directive (1)

The Commission proposes that :

- the **administrative units** shall be the same for the two Directives, ie the Floods directive shall be implemented on the level of the *river basin districts* (which includes not just river basins and sub basins but also associated coastal areas) identified in the WFD article 3
- the **competent authority** responsible for the WFD shall also be responsible for the flood risk management actions
- the principles for **coordination within the river basins** are the same
- the **implementation cycles and reporting mechanisms** shall be synchronised as regards the timetables
- the **public participation and information mechanisms** of the WFD – synergy on reporting



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Links with the Water Framework Directive (2)

<ul style="list-style-type: none"> • General purpose – mitigate the effects of floods • Designation of water bodies at risk from heavy modifications • Exemptions <ul style="list-style-type: none"> – temporary deterioration, extreme or exceptional floods, force majeure – new modifications to water bodies • Pressure and impact assessment, including of flow regulation, morphological changes... • Cost recovery of impoundments • Programme of measures <ul style="list-style-type: none"> – Controls of impoundments – Measures to prevent and/or reduce impacts of accidental pollution as a result of floods • Supplementary measures <ul style="list-style-type: none"> – wetland restoration 	<ul style="list-style-type: none"> • Administrative arrangements – competent authorities and units of management – river basin districts • Coordination and synchronisation of flood risk maps (characterisation of river basins) & flood risk management plans (river basin management plans) • Synchronisation with review cycles (6 years) • Similar arrangements for international cooperation • Coordination of public participation • Use of same Committee • Reporting - WISE
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Links with the Water Framework Directive (3)

Basic understanding of „coordination“: between information and harmonisation

- Preliminary flood risk assessment (*FRMD Art. 4(3)*)
 [exchange of information](#)
- Potential significant flood risk areas (*FRM Directive, Art. 5(2)*)
 [coordination](#)
- Flood hazard maps (FHM) and flood risk maps (FRMs)
(FRM Directive, Art. 6(2))
 [prior exchange of information](#)
- Flood risk management plans (*FRM Directive, Article 8(2)*)
 [coordination](#)



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Links with the other Directives

- Some traditional flood risk management measures have a negative impact on the quality and quantity of waters, or on biodiversity-rich areas.
Examples: dams or dikes
- In all these cases, environmental legislation asks for the evaluation of better, feasible environmental options to such infrastructure.
- Requirements of the **Habitats Directive**, the **Water Framework Directive**, the **Environmental Impact Assessment** and **Strategic Environmental Assessment Directives** set out such requirements
- **The EU Floods Directive requires that flood related measures in those Directives are part of the Flood Risk Management plans to be prepared by 2015.**



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Reporting to the European Commission

Criteria for checking the compliance of the following aspects:

- **completeness** of the coverage of the maps as regards **Areas of potential significant flood risk** and areas identified under article 13(1)(b), and the coverage as regards **flood scenarios and potential adverse consequences**
- **transparency** of procedures, methodologies, reports and information provided to the public and to neighbouring MS
- **consideration of the relevant different types of floods**, as relevant based on the preliminary flood risk assessment
- **compare methodologies and the use of information across MS, RBDs**
- identify if, and if so how, **climate change** has been taken into account when scenarios are identified.



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Cost of measures vs costs to society due to floods damage

- Costs of prevention, protection and preparedness can be substantial ...
- ... but so are the costs to society of the damage caused by floods!
- It make economic sense to select measures which have multiple benefits for society – for the environment as well as for flood protection !
- Measures that are robust and flexible in view of the uncertainties surrounding the effects of climate change should also be favoured (**“no - regret”**).



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Thank you!



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