



12 May 2016

Paper Title	Second Cycle River Basin Management Plans: Priorities for Delivering Water Framework Directive Requirements
Paper Reference:	NRW B 29.16
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Purpose of Paper:	Agree the focus on key themes for delivery of WFD and support a suite of further papers to the Board developing and prioritising programs of work to support delivery.
Recommendation:	<p>The board is asked to note the:</p> <ul style="list-style-type: none"> • summary of the key issues affecting achievement of WFD objectives • emerging strategic themes affecting the water environment in Wales, and the • summary of ongoing or proposed actions to address these, which will form the basis of future board papers.

Impact: To note – all headings might not be applicable to the topic	<p>How do the proposals in this paper help NRW achieve the Well-Being of Future Generations Act principles in terms of:</p> <p>Looking at the <u>long term</u> & Taking an <u>integrated</u> approach: WFD takes a long term view to 2027. It replaced a number of water Directives and provided a framework for integrated management of groundwater and surface water. The actions proposed in RBMPs can deliver multiple benefits. The Environment (Wales) Act will help us focus on a more integrated approach to natural resources.</p> <p>Involving a <u>diversity</u> of the population & Working in a <u>collaborative</u> way: River Basin Management Plans are informed by a series of public consultations. We also work collaboratively with our Liaison Panel members. Further themed work packages will be developed collaboratively and will inform our future work on the development of Area statements</p> <p><u>Preventing</u> issues from occurring: A key element of WFD is to prevent deterioration. Much of the day job activities undertaken by</p>
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Issue

1. A sufficient quantity of good quality water is essential for living organisms and to support Wales' diverse wildlife. People and the economy also derive substantial benefit from Wales' natural water resources. New sustainable and joined-up solutions must be found to the current and future threats to the water environment. The Environment (Wales) Act will help us focus on a more collaborative and integrated approach to natural resource management, looking at the root causes of problems and working with stakeholders to find long-term solutions.
2. This paper acts as a framework document to describe the key barriers and opportunities to meet the Water Framework Directive (WFD) objectives. The paper highlights that the strategic issues mirror some of those identified as thematic actions under the 'LIFE N2K Programme for Wales' (NRW B B 58.15) and the revised Natura 2000 Prioritised Action Framework. The distribution of these issues will differ across Wales and the priorities and opportunities to design and implement appropriate solutions will need to be reflected within Areas Statements. Future Board papers will focus on what we need to do to can tackle these challenges, and will support the development of Area Statements as they emerge

Background

3. River Basin Management Planning works on a six yearly cycle and we are currently at the start of the second cycle which runs to 2021. The plans for the River Basin Districts (RBDs) were approved by the Minister for Natural Resources (and Secretary of State for Environment, Food and Rural Affairs for cross border plans) and are now published¹. We have worked closely with the Environment Agency in producing these documents for the cross border RBDs – Dee and Severn. The documents meet the statutory requirements of WFD, describe the current condition of the RBD and set the Programme of Measures for improving the water environment by 2021. They were informed by a series of public consultations.
4. The baseline for Wales at the start of the second cycle is that 37% of water bodies meet good or better overall status. Objectives were set to meet good or better status in 79% of water bodies by 2021. The focus for the 2nd cycle was proposed in a previous Board paper (NRW B B 44.15) on preventing deterioration, targeting an additional 5% of water bodies to meet good status in 42% of water bodies by 2021 and developing our approach to natural resource management to meet these challenges whilst optimising social and economic outcomes. This is the minimum improvement committed to achieve during the next 6 years. The recommendations of the paper were accepted.
5. However, there is a large gap between achieving the predicted outcomes we have set in the Plans (42% of water bodies in good or better status by 2021) and the overarching objective established through WFD to meet good status in 79% of water bodies by 2021. We will continue to work with WG and our partners to identify further opportunities

to take actions to improve the quality of our waters beyond the 5% improvement. Delivery will be supported further by the products and tools being developed through the Environment Act requirements and the priorities identified within the Welsh Government's (WG) Water Strategy for Wales

Assessment - WFD Key Pressures

6. For each failing water body we record the reason for not achieving good status. A water body can have more than one reason and they tend to fall into key themes. The main themes are shown in Annex 1 and are discussed below.
7. **Physical modifications** – These can cause changes to the natural flow, water levels and impact on available habitat. For example;
 - There are many thousands of barriers in our rivers, mostly a legacy of the industrial revolution and also of old milling operations. Together with our partners, we have amended hundreds of barriers to restore fish migration potential. Our Salmon for Tomorrow programme alone delivered 62 fish migration improvements projects improving fish access to over 700km of rivers.
 - We are working with Dŵr Cymru/Welsh Water (DCWW) to identify feasible mitigation measures, e.g. where alterations to water releases from a reservoir or, where it is cost effective, installing eel passes.
 - We have coordinated the Flood Risk Management Plans with the RBMPs through joint consultation and publication of the plans. For delivery we are establishing further coordination through the sharing of data and programmes of work. Mitigation measures which relate to NRW flood risk assets will be incorporated into existing programmes of work where feasible. Some measures will require delivery by others, namely local authorities and private landowners and engagement over this responsibility is essential.
8. **Pollution from minewaters** – Abandoned Metal Mines which cause metal pollution are the reason for not achieving good in 67 Welsh water bodies which cover a total of over 700km of rivers. They are responsible for 8% of our rivers currently failing to meet their required quality objectives. More detail on the challenge we face from abandoned metal mines can be found in Board paper NRW B 30.16.
9. **Pollution from rural areas** - The impacts of poor land management can result in nutrients, pesticides and sediments affecting the water environment. NRW wants to see an effective and efficient approach to integrated land and nutrient management across the whole of Wales. This will help to reduce many of the environmental pressures currently associated with agricultural and forestry production. These issues have already been highlighted in NRW's responses to the WG consultation on the Strategic Framework for Agriculture and the Water Strategy. We have submitted our recommendations to Welsh Government where evidence supports that areas should be designated as Nitrate Vulnerable Zones (NVZ) within Wales. Designation of Nitrate Vulnerable Zones is considered a basic measure under WFD and will help deliver its objectives.
10. **Pollution in urban areas** – Our towns and cities are experiencing increasing rates of soil sealing as we build on green spaces. As a consequence the drainage systems built to take rainfall away are often overloaded and can be discharged to surface waters

causing pollution. Tackling this is complex due to the nature and number of small discharges that collectively have a locally significant impact. This has been recognised by the WG Water Strategy and NRW's Diffuse Pollution Plan, both of which are included in the Programme of Measures in the RBMPs. We also have an opportunity to minimise impacts from historic and future developments through better urban drainage and planning, such as demonstrated in the Llanelli Rainscape project.

11. **Pollution from waste water** – Nutrients and pollutants from sewage and waste water can have a detrimental effect on the water environment. As part of Ofwat's periodic review of prices, we issue a National Environment Programme (NEP) to water companies which sets out the obligations to comply with environmental legislation, which must be delivered as part of their Asset Management Plans (AMP). We are currently in the AMP6 period (2015–2020). The DCWW investment programme for this period includes funding of £41.5m to achieve good ecological status under WFD.
12. **Flow** – The existing abstraction licensing system is no longer able to meet the challenges posed by climate change and future population growth. In addition some water abstractions which can pose a significant risk to water status are currently exempt from requiring a licence. Hence WG and NRW are working on delivering two important pieces of work:
 - **New Authorisations** to bring those exempt abstractions under control (e.g. trickle irrigation, abstractions within exempt geographical areas etc.). Based on our current estimates we expect to licence at least 270 currently exempt abstractions within Wales.
 - **Abstraction Reform** – WG have set out how the water abstraction management system will change in future. We expect the new system, which will be delivered through the Environmental Permitting Regulations, to commence in early 2020s.
13. **Invasive Non-Native Species (INNS)** – the spread of INNS in watercourses across Wales poses a threat to biodiversity, increases flood risk and has a significant economic impact through the costs of preventing further spread. Climate change could increase the frequency and variety of INNS in the future affecting the condition of water bodies.
14. **Integrated Planning**. Whilst it is important to present common themes in WFD failures, it is also important to recognise the benefits of integrated planning. Thematic Action Plans under the 'LIFE N2K programme for Wales' have been used to set out strategic actions required to bring designated features into favourable condition and seek to address fundamental barriers. These include Thematic Action Plans for 'diffuse water pollution' and 'man made changes to hydraulic conditions', which are also major issues for WFD. The data shows that these issues have (or likely to have) an adverse impact on 35% and 40% of Natura 2000 sites respectively and demonstrates the synergy between these two programmes and the need for integrated action planning to meet the needs of various Directives. This is true of a number of our key programmes of work, so for example, our 'Agenda for Change' programme is looking at how NRW works with partners towards achieving sustainable inland fisheries for Wales. This will support wider ecosystem benefits for flora and fauna through the actions of a wide range of stakeholders, and will tackle some of the WFD issues identified in the River Basin Plans.

Next Steps

15. The data for Wales has been submitted to the EU through the Water Information System for Europe (WISE). We will have to report on progress to the EU in 2018. The consultations in preparation for the 3rd RBMP cycle will start in 2018 with the Working Together consultation.
16. We will be considering further how we approach the piece of work differently, using the SMNR Principles and the seven Wellbeing Goals to help identify alternative options and opportunities for delivering better outcomes so that we maximise our contribution to them. We will also further develop what WFD information will feed into the Area Statements as well as identifying potential opportunities.
17. Recommendations on the WFD monitoring programme is expected from the Business Area Reviews.
18. We are currently agreeing targets for delivery for KSP and Operational teams in the Directorate Delivery Plans for the delivery of WFD national and local actions for 2016-17. This will include opportunities to deliver WFD priorities on land that we manage
19. We are working with the Welsh Government strategic water group to draft a plan to develop our approach to applying derogations in the third cycle as much of the evidence gathering and decision making needs to occur during this cycle. This will include cost benefit analysis and assessments of technical infeasibility.

Recommendation(s)

20. The Board are asked to note the emerging strategic themes affecting the Water environment in Wales and the summary of ongoing or proposed actions to address these, which will form the basis of future board papers.

Key Risks

21. There are several risks associated with the delivery of the updated river basin plans:
 - Acceptance by our partners of the objectives and actions we recommend in the plan. Risk owner - NRW
 - Raising expectations of action which may be reduced by political considerations of affordability. Risk owner – WG
 - Lack of resources for delivery of actions specified in the final plans and in running classifications – both staff resource and financial resource. Risk owner - NRW & WG
 - The Service Level Agreement with the Environment Agency came to an end in March 2016 and running of the WFD programme, tools and classifications will be done by NRW staff. This is a significant additional resource and options are being considered as part of the Business Area reviews.

Financial Implications

22. Actions in the updated RBMPs have financial implications for those expected to deliver them. The plans will influence many programmes, including the water companies' investment programmes and the Wales Rural Development Programme including

Glastir.

- 23. Updated RBMPs include economic information on the overall costs and benefits of the actions within the plans, and which sectors need to act. The affordability of the plans was a Ministerial decision.
- 24. The updated RBMPs include the Programme of Measures, many of these are led by NRW and will be delivered through working with partners.

Equality impact assessment (EqIA)

- 25. An EqIA has not been carried out as part of the river basin planning process. No impacts are envisaged.

Index of Annexes

- 26. Annex 1 main reasons for not achieving good status in Wales.
- 27. Annex 2 previous relevant board papers B B 44.15 and B B 58.15 attached for background.

Annex 1

Figure 1: Main reasons for not achieving good status in Wales.

