

# The Water Framework Directive and the Catchment Based Approach

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## Introduction

This paper explains current thinking on the relationship between River Basin Management Planning under the Water Framework Directive and how its delivery can be assisted by a Catchment Based Approach. The Environment Agency is involved in many water management planning activities (e.g. River Basin Management Planning, Water Resources Management Planning, Drought Planning and Periodic Price Reviews). The Agency is currently working towards aligning and integrating these various planning activities. As outlined by Ministers and included in the recent Natural Environment and Water White Papers the Government views the Catchment Based Approach as enabling this integration, effective stakeholder engagement and, most importantly, the delivery process. It developed this policy in response to first cycle implementation of the Directive, acknowledging that the water sector operates routinely at the catchment scale.

## Water Framework Directive – Producing River Basin Management Plans

The Water Framework Directive demands ambitious objectives and targets for water quality and ecology. It also encourages active involvement of stakeholders in planning and action to achieve the best possible environmental outcomes. The Directive sets out three cycles of 'River Basin Planning and Management' leading towards the eventual achievement of 'good ecological status'. The Environment Agency as the Competent Authority for implementation of the Water Framework Directive is responsible for producing River Basin Management Plans in the 11 River Basin Districts in England and Wales. The Agency is working with stakeholders to gather evidence on the state of the environment, understand the causes of environmental problems and actions needed to mitigate the problems. River Basin Management Planning is an ongoing, cyclical process that can be broken down into three main stages:

1. **Identify issues:** By assessing current status of water bodies and the risk of deterioration, the reason for failure and source apportionment
2. **Develop solutions:** Highlighting the actions needed to remedy the issues, by whom and when in a way that progress can be assessed
3. **Agree outcomes:** Assessing the predicted status of waters and by when

## Cycle 1 River Basin Management (2009-2015)

One of the main ongoing programmes of work the Environment Agency is undertaking from implementing Cycle 1 River Basin Management Plans are investigations to:

- Improve certainty of status
- Identify the reasons for any failures
- Identify feasible and proportionate measures (actions) to tackle those problems.

The Agency is committed to completing over 8,000 investigations by December 2012. This work includes progressing investigations that will improve our understanding of the problem (i.e. certainty that an element is failing and identifying reasons for failure) to the point where we can begin to identify and appraise actions. These investigations must also improve our certainty in the status of elements and any reasons for failure sufficiently to avoid, as far as possible, the need to justify alternative objectives on the basis of uncertainty. That is, justifying alternative objectives on the basis of disproportionately expensive (i.e. significant risk of unfavourable costs and benefits) or technically infeasible (i.e. cause of adverse impact unknown).

This will form an initial cut of information that will be shared at catchment level to ground truth and challenge the findings. It will also allow additional actions at the catchment level to be highlighted and then collated at river basin level.

### **Cycle 2 River Basin Planning (2012-2015)**

We are now commencing the Cycle 2 River Basin Planning phase (2012-2015) for Cycle 2 River Basin Management (2015-2021) under the Water Framework Directive. There are a number of statutory consultations required by the Directive (Figure 1). These include:

#### **1. The Statement of Steps and Consultation Measure – (*Working Together*)**

The first consultation required under the Directive is the 'Statement of Steps and Consultation Measures'. The Environment Agency is referring to this as the '*Working Together*' consultation. This will be shared with all catchments in June 2012 for 6 months. These consultations will describe the key steps and timetable for Cycle 2 River Basin Management Planning (Figure 1) and seek people's views on how they wish to be involved in the planning process.

#### **2. Significant Water Management Issues - Consultations**

Significant Water Management Issues are issues that pose the greatest risk to our ability to improve and protect the water environment. Work on identifying these will commence this June (Fig 1) the Environment Agency will be undertaking engagement with national and catchment level stakeholders to explore the evidence for issues and identify options for solving those issues. This engagement will contribute to the understanding of the problems and possible solutions.

Formal Consultations on the Significant Water Management Issues for each River Basin District will be released in June 2013 for 6 months for catchments to ground truth and challenge.

The Significant Water Management Issues consultation documents will summarise the evidence on the scale and causes of the problems to be addressed in each River Basin District underpinned by planned actions in catchments. They will take account of analysis undertaken within catchments. Results of the consultations will inform the production of the mandate for the draft Cycle 2 River Basin Management Plans.

#### **3. Draft Cycle 2 River Basin Management Plan Consultations**

Consultations on the draft Cycle 2 River Basin Management Plans will be released in June 2014 for 6 months in each River Basin District catchment. These will set out the problems, proposed solutions and predicted outcomes. They will take account of analysis undertaken within catchments and catchment level activities. Following the review of consultation responses, a mandate for the Cycle 2 River Basin Management Plans will be produced.

### **The Catchment Based Approach**

The Environment Agency is establishing a project for the transition from the pilot phase to the full roll out in 2013 and with the support of EA operations teams on a catchment scale this should mean that this can be done with minimum disruption to ongoing work already underway in the pilot phase.

#### **Catchment Pilots**

The pilot phase of work is currently underway in 25 catchments up to December 2012. This will enable stakeholders to learn what works well at the catchment level and how best to deliver multiple benefit measures to ensure improvements to the water environment for wider roll out after 2012. Learning is being brought together from the core network of 25 catchment pilots on a quarterly basis as part of a continuous process to share and embed good practice as it emerges. Although most of the non-Environment Agency (15) hosted pilots have been running less than 6 months (the 10 Environment Agency hosted pilots began last summer), good progress is being made.

## **Stakeholder engagement**

All pilots have started to undertake their stakeholder mapping and in most cases this is an ongoing exercise with pilots expecting lists of potential partners and networks to grow. The pilots will help provide key input to the *Working Together* consultation process.

Commonly, stakeholders are being included as steering groups, task groups and a wider network. This has been an easier task where partners have been working together previously and hosts have been able to use existing networks to start their analysis. Most pilots are undertaking detailed stakeholder analysis and many of the non-Environment Agency pilots have taken up the offer of Sciencewise-ERC funded facilitators to assist them with this task.

## **Identifying issues and Action planning**

By the end of the pilot phase Defra need to be able to see what actions have been identified, what commitment to act has been gained, and when the improvements, as a result of those actions, might be seen. This will be supported by input from the ongoing cycle 1 investigations and insights provided by the River Basin Management Planning process to identify Significant Water Management Issues. As set out in the initial guidance to hosts, it is key for pilots to work collaboratively and seek collective agreement. The December 2012 milestone for the pilot phase was not set as a measure of success or failure but rather as a chance to understand what works. This deadline was determined by the time pressures to complete the pilot phase to inform roll out for the next cycle of River Basin Management Plans. The pace of progress may vary significantly between pilots according to the complexity and number of problems that they seek to address.

## **Catchment Plans**

Catchment plans will help generate increased local action to protect and improve the water environment. They are communication tools; the development of which gives the opportunity to build understanding and partnerships that can drive local action. The content of each catchment plan needs to be driven by its specific purposes. A wide range of groups and organisations may choose to lead the production of catchment plans. These will cover geographical areas and topics of interest to them. It is hoped that through this work a greater understanding of environmental issues and aligned commitment to action will emerge providing collaborative advantage.

## **Catchment Planning IT System**

The Environment Agency is building the IT infrastructure to provide a common data source for catchment planning. The *Catchment Planning IT System* is being developed to provide the ability to share water body data and information with co-delivery partners. The intention is that this will provide a two way flow of information between river basin, catchment and water body (local) scales enabling the local analysis of pressures and plans from catchments to be fed into River Basin Management Plans. Conversely, the intention is that it will also provide the ability for River Basin Management Plans to reflect back data and information for confirmation at the catchment and water body scale. An external user group has been established to identify and ensure end user needs are captured as development requirements for the Catchment Planning IT System. The user group is co-chaired by the Environment Agency and the Rivers Trust (Michelle Walker). Members of the group include representatives from Defra delivery bodies (e.g. Forestry Commission and Natural England), third sector organisations (e.g. Rivers Trusts, Wildlife Trusts and National Trust, and industry groups (e.g. National Farmers Union).

## **Catchment Restoration Fund**

We are administering a new 3 year, £28 million Catchment Restoration Fund to support charitable community groups who want to improve their local water environment. The first deadline for bids was in February 2012 and we received over 50 applications and 150 expressions of interest. The quality of bids has been very good. The first National Assessment panel sat on the 26 April 2012 and decided to grant awards to 9 applications now (with some minor queries answered). A further 30 applications are being taken forward to a National Panel meeting on the 13 June following provision of more supporting information and/or technical assessment. At this stage, 13 applications have been

rejected. The process for round 2 (closing date 18 May 2012) is being reviewed with a target of considering all new applications at a National Assessment Panel meeting on the 4 July.

Stage	Date and duration	What's the purpose?
<b>Working Together</b> (statutory consultation)	June 2012 6 months	<b>"How should we work together to update our River Basin Management Plans?"</b>  Explaining the key steps in the river basin planning process for cycle 2.  Establishing a network of contacts for cycle 2 planning
<b>Significant Water Management Issues</b> engagement (non-statutory)....	June 2012 to March 2013 Approx 9 months	<b>"What are your most significant water environment issues, what are the options for tackling them and which do you prefer?"</b>  Improving the evidence base that supports the development of planning assumptions for cycle 2.  Seeking broad agreement where this is possible.
<b>.... and Consultation</b> (statutory)	June 2013 6 months	<b>"Have we fairly summarised the significant issues and what we can do about them?" Can we agree how to prioritise action?</b>  Sharing our latest evidence including results of our investigations and our assessments of the risk of water bodies deteriorating or not achieving their objectives.  Introducing catchment plans (not statutory documents) and how they relate to the RBD document.
<b>Agreeing planning assumptions and priorities</b> (non-statutory)	October 2013 to March 2014 Approx 6 months	Following the consultation we may facilitate a deliberative phase of engagement for groups of stakeholders where there are conflicting preferences.
<b>Draft River Basin Management Plans</b> (statutory consultation)	June 2014 6 months	<b>"Does this draft plan maximise our collective ambition for the water environment and our commitment to deliver"</b>  Estimating the likely state of the water environment in 2021 and 2027.  Outlining who would be involved to achieve these outcomes in 2021 and 2027, how much it will cost and the benefits. Also to explain how much flexibility there is to change this view and what the impact of the changes would be.
<b>Fine-tuning</b> engagement (non statutory)	October 2014 to March 2015 Approx 6 months	Following the consultation we may undergo an iterative process of fine-tuning with delivery partners to ensure the final plans are the best possible and fully supported.
<b>Final River Basin Management Plans</b> (statutory product)	October 2014 to March 2015 Approx 6 months	<b>"This is our joint plan to address the issues"</b> Publishing the final RBD Management Plans for our stakeholders to use, alongside any catchment plans, as a framework to direct planning and action and to track progress.

Figure 1: Cycle 2 River Basin Planning Phase (2012-2015)