

Quick Reference:

Issue	Key dates / progress
Implementation Working Group	Next meeting – postponed until later in month
Interdepartmental Board	Next meeting 10 th September 2008 (as 04/09/08)
North-South Co-ordination Group	Next meeting 23 rd September 2008
Catchment Stakeholder Groups	Local CSG meetings will be held October/November 2008
Article 9 – cost recovery	Independent Water Review Panel second report published in January – consultation planned
Environmental Standards	Reports produced for specific pollutants, Groundwater & Surface Water
Groundwater Daughter Directive	Expect to consult October 2008 on regulations
Hydromorphological Controls	Working group being established to evaluate existing controls
Priority Substances	Daughter Directive due to be published in Official Journal by end 2008
Significant Water Management Issues report	Digest of comments on NIEA Website
NIEA Education & Awareness Raising Activities	Information available on NIEA Website
Abstraction & Impoundment Licensing	Charging scheme proposals submitted to Minister
Bathing Water Directive (Revised)	The Quality of Bathing Water (NI) Regulations 2008 were made on 28 May 2008
Flood Management Policy Review	Executive Paper on Government Response to the Review has been approved. Publication due September 2008
Integrated Coastal Zone Management	CMF Website now live. Major conference was held 10-11 April 2008. Report to follow
Marine Aggregate Extraction	Consultation due on level of fees
Marine Bill	Consultation on the draft UK Bill closed on 26 June
Nitrates Directive	Regulations came into operation June 2008
Non-Agricultural Diffuse Water Pollution	Evidence will be collated from issues identified through the RBMPS
NI Rural Development Programme	Agri-environment Programme was launched 4 June 2008
Planning Policy Statement 2	Review of PPS 2 underway. Drafting at an advanced stage
Planning Policy Statement 14	The Executive will consider options for the revision of draft PPS 14 at the earliest opportunity
Septic Tanks	Review of Legislative Requirements & Data held is ongoing

Shellfish Waters Directive

Consultation Paper due September/October 2008

Sustainable Drainage Systems
(SuDS)

Consultation on draft strategy anticipated autumn 2008

Update Paper to WFD Stakeholder Forum

This Paper provides a brief update on a range of activities which have been ongoing since the last Forum meeting (May 2008) and highlights some areas of future work. Further information on these issues is available if required and further updates will be made for future Forum meetings.

1. Working with other Government Departments

The Implementation Working Group (comprised of officials from various Departments with WFD interests and responsibilities) held its most recent meeting on 8 July 2008. The agenda included an update on the Departmental Committees at which the draft River Basin Management Plans were presented, and a discussion on the upcoming timetable. The minutes from the meetings are posted on the NI Environment Agency Website. View the minutes from the previous meeting at

<http://www.ni-environment.gov.uk/wfd-iwg13-minutes-16april2008.pdf>.

The next meeting was due to be held on 3 September 2008 but has been postponed until later in the month.

The **Inter-departmental Implementation Board** met on 22 April 2008. The Board discussed progress of the draft River Basin Management Plans and the sign-off process of the plans through the Executive. They also reviewed SWMI consultation feedback and received an update from the Coastal and Marine Forum. The next Board meeting will take place on 10 September (as 04/09/08).

2. Co-ordination in International River Basin Districts

The **North South Water Framework Directive Coordination Group** meets quarterly – the latest meeting was on 3rd June, with the next scheduled for 23rd September 2008. The agenda included an update on RBMP preparation in NI and RoI, a discussion on Classification Regulations and an update on the North/South Technical Advisory Group, NS Share project and Strategic Environmental Assessments.

3. Stakeholder / Public Participation

The facilitators' report from the Catchment Stakeholder Group (CSG) evening meetings is now available on the NS Share Website at:

<http://www.nsshare.com/downloads/index.html>

The next series of CSG meetings will take place October/November 2008.

4. WFD Activities

Article 9 – Cost recovery & Incentive Pricing

The Executive plans to publish a consultation document on the recommendations from the Independent Water Review Panel's Strand 2 Report and the proposed charging methodology.

Until the Executive has taken a decision on how future domestic water charges will be determined, it is unclear how the requirements of Article 9 (1) on providing incentives for users to use water efficiently and the polluter pays principle will be met for domestic users.

DRD have provided the following wording to DOE in respect of article 9 based on the Executive's 'current' proposals for water pricing and how they will contribute to the delivery of the Water Framework Directive.

Water-pricing policies to provide adequate incentives for users to use water resources efficiently

Water pricing for non-domestic users already exists and was extended by the Executive to all non-domestic consumers on 1 April 2008. The majority of non-domestic customers included are/will be metered and charged according to usage. This meets the Directive's requirement for users to use water resources efficiently and promotes the polluter pays principle. Non-domestic water users account for around 30% of the total water consumed in the North so pricing policies in this area make a major contribution to water conservation and achieving the aims of the Directive.

The Executive agreed in October 2007 that additional household payments would be sought from domestic users from April 2009. The methodology which households may make additional payments is under consideration by the Executive.

Disaggregated contributions into at least industry, households and agriculture based on the economic analysis conducted according to Annex III and taking account of the polluter pays principle

The contributions of different water uses can be disaggregated into industry, agriculture and households in line with Article 9(1). The majority of contributions from industry and agriculture are based on actual usage through metering and calculated according to Annex III of the Directive, taking account of the polluter pays principle.

Environmental Standards

The final reports on Environmental Standards and Conditions for specific pollutants, groundwater, and surface water standards, along with summaries of comments received during the technical review are available on the UKTAG Website:

http://www.wfduk.org/UK_Environmental_Standards/

NI Environment Agency has been involved in the UKTAG process and is currently considering adoption of the standards, and where possible, harmonisation of standards within the International River Basin Districts.

Groundwater Daughter Directive

Under the Water Framework Directive, the European Commission proposed the introduction of specific measures to prevent and control groundwater pollution and achieve good groundwater chemical status. The Groundwater Daughter Directive, adopted on 12 December 2006, establishes criteria for assessing the chemical status and for identifying and reversing upward trends in pollution of groundwater bodies.

A consultation exercise is anticipated for October 2008 on Regulations to transpose the Groundwater Daughter Directive.

Hydromorphological Controls

WFD requires control of changes to the physical characteristics of water bodies, where these changes have an ecological impact which could interfere with meeting the objectives of WFD. PEPG are organising a working group, involving other departments and agencies (e.g. Planning Service, DCAL, Rivers Agency, NIEA), to look at the current mechanisms in place for controlling these hydromorphological changes.

Priority Substances Daughter Directive

The Daughter Directive has progressed through second reading stage and is due to be published before the end of 2008 in the Official Journal.

Significant Water Management Issues Report (SWMI)

A digest of comments received in response to the publication of the Significant Water Management Issues report has been drawn up – this is available on NI Environment Agency Website at:

http://www.ehsni.gov.uk/water/wfd/significant_water_management_issues.htm.

NIEA Education and Awareness Raising Activities

NIEA Corporate Communications Unit produces a variety of Educational Resources. A new curriculum resource pack on the subject of Rivers will also be available soon. NIEA also runs a diverse programme of educational and informative events. More information can be found on the Website at:

<http://www.ni-environment.gov.uk/other-index/education.htm>

<http://www.ni-environment.gov.uk/other-index/events.htm>

5. Related Policy Issues / Legislation

Abstraction and Impoundment Licensing

A public consultation on proposals for a Fees and Charging Scheme for the Water Abstraction and Impoundment Licensing Regulations (NI) 2006 commenced on the 31 March 2008 and concluded on 23 June 2008. A total of 26 responses were received. The consultation paper can be viewed at:

http://www.ehsni.gov.uk/ail_fees_and_charges_consultation_paper.pdf

These proposals were to allow recovery of the Department's costs in implementing and administering the licensing system, using HM Treasury guidance.

NIEA also produced water usage estimation tools (in association with the UFU & QPA) to assist farmers and quarry operators calculate water abstraction volumes in these sectors.

Following the consultation exercise, a submission to Minister Wilson in July 2008 proposed that application fees for abstraction and impoundment licensing be introduced with effect from 1 October 2008 and annual subsistence charges from 1 April 2009.

Bathing Water Directive (Revised)

The aims of the revised Bathing Water Directive (2006/7/EC) (rBWD) are to preserve, protect and improve the environment and to protect public health.

It requires the monitoring, assessment and classification of bathing water quality at inland waters, and coastal and transitional waters; the development of a system of bathing water profiles; the undertaking of management measures in the event of specified pollution incidents; and the provision of appropriate, timely and standardised information to the public on water quality.

DOE has transposed the rBWD by making (on 28 May 2008) The Quality of Bathing Water Regulations (NI) 2008, which followed a public consultation on the draft Regulations. A synopsis of consultee responses can be found at:

http://www.doeni.gov.uk/index/protect_the_environment/water/bathing_water.htm .

A final Regulatory Impact Assessment will be posted on DOE's website shortly.

There are currently 24 identified bathing waters in Northern Ireland, the most recent addition being that of Portballintrae (Salmon Rock), which was formally identified on 30 June 2008.

Flood Management Policy Review

Rivers Agency commissioned consultants (RPS) to carry out an independent review of Flood Management Policy for Northern Ireland. Following a public consultation exercise RPS produced their final report in March 2007. A Government response to the Review has been approved and is expected to be published during September 08. This strategic policy framework will guide the direction of flood risk management in Northern Ireland for the foreseeable future.

Copies of the Review Consultation and Discussion Documents and the Final Report can be obtained using the link below to publications.

<http://www.riversagencyni.gov.uk/index/rivers-agency-publications/flood-management-policy-review-documents.htm>

Integrated Coastal Zone Management (ICZM)

In December 2007, the Northern Ireland Coastal and Marine Forum published the first in what it hopes to be a series of CMF booklets covering the many and varied important issues which face the coast of Northern Ireland. The first booklet, entitled 'Integrated Coastal Zone Management – Striking a Sustainable Balance', relates the background to ICZM leading to the formation of the CMF. The publication of a second booklet, which will provide a snapshot of Northern Ireland's Maritime Heritage, has been produced and will be distributed shortly.

Also in December 2007, the CMF web site went live (www.coastalmarineni.com/). The existence of a dedicated website should assist the CMF in its role of raising awareness on ICZM and other coastal issues.

The Forum also hosted a major conference on 10–11 April 2008. This was a joint venture with I-CoNet, The Irish Coastal Network. The main theme of the conference was sea bed mapping and was used as a vehicle to present interim results of a Joint Irish Bathymetric Survey (JIBS) being carried out by the Marine Institute of Ireland and the Maritime and Coastguard Agency from the UK. The project which started in April 2007 with fieldwork commencing in October 2007, covers a 40 mile stretch of the seabed from Malin Head in Ireland to Torr Head in Northern Ireland out to 3 nautical miles. It is part of a larger mapping project around the coast of Ireland. The project was completed at the end of June 2008. A report on the conference will follow shortly.

The Forum will become involved in several projects relating to the coastal zone and the DOE is presently involved in seeking funding through several sources including Interreg IV for these projects. One such project is looking to employ an ICZM Officer to coordinate activity geared towards sustaining the population on Rathlin Island through sustainable tourism and environmental projects.

Marine Aggregate Extraction

The Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (England and Northern Ireland) Regulations 2007 came into operation on 1 May 2007. They aim to ensure that assessment of environmental impacts of extraction of

minerals by marine dredging is a statutory requirement and to provide the public with a greater role in decision making for projects which affect the marine environment.

The level of fees which will apply in Northern Ireland is still to be finalised and will be the subject of a short consultation, led by the Environment and Heritage Service, shortly.

Marine Bill

The UK Government's draft Marine Bill was published on 3 April 2008. The Bill will introduce:

- a new UK-wide system of marine planning;
- a streamlined, transparent and consistent system for licensing marine developments;
- a flexible mechanism to protect natural resources, including marine protected zones with clear objectives;
- improvements to the management of marine fisheries; and
- a new Marine Management Organisation.

The Minister obtained the agreement of the Executive in March 2008 to take forward similar proposals in Northern Ireland for those areas for which she has responsibility (fisheries being a matter for the Agriculture and Rural Development Minister) using a combination of the UK Bill and a Northern Ireland Assembly Bill.

Northern Ireland is included in the draft UK Bill for the provisions relating to the Marine Policy Statement and reformed marine licensing.

Northern Ireland legislative proposals will be developed in 4 key areas; (a) marine planning, (b) marine licensing, (c) marine nature conservation; and (d) an appropriate delivery mechanism, following a period of policy development and consultation.

The proposals will be delivered in Northern Ireland in a manner which will respect fully the devolution settlement and meet local needs by providing the opportunity for the full and meaningful involvement of the Assembly and stakeholders.

An inter-departmental steering group has been established to develop the policy and legislative framework for the separate Northern Ireland draft Marine Bill and provide a composite Northern Ireland response to the UK Government's draft Marine Bill.

Consultation on the draft UK Bill closed on 26 June and Defra officials are working towards the introduction of the UK Bill into Parliament at the start of the next legislative session in November 2008.

The Department aims to consult in autumn 2009 on policy proposals for the Northern Ireland legislation with a view to introducing a Bill into the Assembly in the 2010/2011 legislative session.

Nitrates

The Nitrates Action Programme Regulations (Northern Ireland) 2006 came into operation on 1 January 2007 establishing measures to control the application and storage of livestock manures for all farmers.

Under the Nitrates Directive, Member States with a compliant action programme may apply for derogation from the statutory 170 kg N/ha/year livestock manure limit specified in the Directive. The terms and conditions of the derogation are set by the European Commission and must be compatible with achieving the objectives of the Nitrates Directive.

Northern Ireland's derogation application was approved by Commission Decision 2007/863/EC on 14 December 2007. The derogation allows individual farmers who meet specific criteria to seek approval from the Northern Ireland Environment Agency to apply up

to 250 kg N/ha/year from grazing livestock manure. Regulations, transposing the derogation into Northern Ireland legislation, came in to operation on 9th June 2008.

The Nitrates Action Programme Regulations (NAP Regulations) contain a temporary measure allowing the storage of poultry litter in field heaps until 31 December 2008. In the absence of an off-farm solution a group, under DARD's chairmanship, has been set up and tasked with producing an evidence-based paper setting out the viable options for interim measures to store and apply poultry litter within environmental requirements beyond 31 December 2008. DOE is participating in this Group and two meetings have already taken place.

Non Agricultural Diffuse Water Pollution (NADWP)

Evidence of potential risks of Non-Agricultural Diffuse Water Pollution identified through the River Basin Management Plans across Northern Ireland will inform the development of a strategy paper to determine the possible control mechanisms that may be introduced to tackle the problems.

In addition, discussions have commenced on the introduction of Oil Storage Regulations to Northern Ireland in order to complement existing water protection legislation and to prevent pollution of the aquatic environment from inadequate storage facilities.

NI Rural Development Programme

The NIRDP as approved by the European Commission

(see <http://www.dardni.gov.uk/index/rural-development/nirdp2007-2013.htm>)

The agri-environment measure of the NIRDP has evolved to build on the successful features of previous agri-environment schemes, while including a number of new options developed in response to consultation with stakeholders, such as:

- Farm waterways and riparian zone management
- Irish Hare habitat
- Pollen & nectar mixtures for bird and insect habitat

A new Special Environmental Projects option will support landscape-scale actions, with the possibility of collaborative actions especially in ASSI/Natura 2000 areas and around threatened rivers and lakes.

The Programme was launched on 4 June 2008 with the unveiling of the Northern Ireland Countryside Management Scheme. The Organic Farming Scheme within the Programme will launch on 29 August 2008.

Planning Policy Statement 2 (Planning & Nature Conservation) - Review

Drafting work is at an advanced stage on this project. PPS 2 has been included in the programme of work for 2008 – 09, which contains the following target “By 31 March 2009 to have made significant progress towards publication of Draft PPS 2 – Natural Heritage”.

Planning Policy Statement 14 (Sustainable Development in the Countryside) – Review

Progress has been made in developing a more balanced policy approach towards development in the countryside. We would hope the Executive will consider options for the revision of draft PPS14 at the earliest opportunity. The Minister of the Environment is not prepared to allow a building free-for-all in the countryside. In the absence of agreement he is having to seriously consider the possibility of shelving the revised draft of PPS14 and

living with the more restrictive policy. He will make a Statement as soon as practicable. In the meantime the existing policy continues to apply.

Septic Tanks

A review of the legislative requirements and responsibilities relating to on-site wastewater treatment systems and their impact on water quality is being delivered through SNIFFER. A desktop study to validate on-site wastewater treatment systems data held by Water Management Unit and other Government Agencies is being conducted through the NS Share project.

Draft PPS 14 already contains a policy provision for development relying on non mains sewerage and forms part of the review on rural planning policy.

Shellfish Waters Designations

The Shellfish Waters Directive (79/923/EEC) aims to protect and/or improve the quality of coastal and brackish water bodies in which shellfish live, in order to contribute to the quality of edible shellfish products. There are currently 9 designated shellfish waters in Northern Ireland.

The Department is undertaking a review of the shellfish waters designations and aims to publish a consultation paper in September/October 2008 on its proposals. Subject to the outcome of this consultation the Department proposes to make additional designation by the end of January 2009.

Sustainable Drainage Systems (SuDS)

SuDS is the practice of controlling storm water runoff from hard surfaces as close to the origin as possible before discharge to waterway or underground stratum. This will require a change from traditional piped drainage systems to a system with softer engineering (although there is a place too for hard solutions) that effectively mimic natural processes. The design target will be for the discharge from all new developments to have the same quality and volume characteristics as those from the Greenfield site.

The draft SuDS strategy has been circulated to Chief Executives of the relevant departments and agencies. Their responses are currently being written into the strategy which will be forwarded to the Minister for consideration by the Environment Committee with a view to going to Public Consultation in the autumn.