

Quick Reference:

Issue	Key dates / progress
POMs subgroup Implementation Working Group	Two joint meetings in December and January. Next meeting 5 th March 2008
Inter-Departmental Board	Next meeting 15 th April 2008
North-South Co-ordination Group	Next meeting 4 th March 2008
Catchment Stakeholder Groups	Local CSG meetings February to April 2008
Article 9 – cost recovery	Independent Water Review Panel second report published 28 January
Environmental Standards	Reports produced for specific pollutants and groundwater. Final Report on Surface Water due February
Groundwater Daughter Directive	Expect to consult April 2008 on regulations
Hydromorphological Controls	Ongoing inter-agency discussions
Priority Substances	European negotiations ongoing
Significant Water Management Issues report	Digest of comments received due March 2008
Abstraction & Impoundment Licensing	Charging scheme consultation expected to begin March 2008
Bathing Water Directive (Revised)	Consultation on draft Quality of Bathing Water (NI) Regulations 2008 to issue in w/c 11 February 2008
Flood Management Policy Review	Response drafting ongoing – completion expected March 2008
Integrated Coastal Zone Management	First Coastal Marine Forum Booklet published and CMF Website now live. Major conference to be held Spring 2008.
Marine Aggregate Extraction	Consultation due on level of fees
Marine Bill	Marine Bill Proposals to be presented to Executive in March 2008
Nitrates Directive	Decision on derogation to be transposed in early 2008
Non-Agricultural Diffuse Water Pollution	Aim to consult on proposals in 2008
NI Rural Development Programme	Agri-environment measure delivery details finalised and draft local legislation under consideration by Departmental solicitors.
Planning Policy Statement 2	Drafting at an advanced stage. Delay due to priority of PPS 14
Planning Policy Statement 14	New Draft PPS 14 due in April 2008 for consultation
Septic Tanks	Review of Legislative Requirements & Data held is ongoing
Shellfish Waters Directive	Consultation Paper due April 2008
Sustainable Drainage Systems (SuDS)	Consultation on draft strategy anticipated spring 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 (November 2007) 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** and **Programmes of Measures Group** (comprised of officials from various Departments with WFD interests and responsibilities) held two joint meetings on 12th December 2007 and 31st January 2008. The agendas included discussion on the ongoing compilation of a “catalogue” of basic measures, which will contribute to the development of a section on Programmes of Measures for the draft River Basin Management Plans. The group also discussed the next steps in the objective setting process, draft RBMP work programme and SWMI consultation feedback.

The **Inter-departmental Implementation Board** met on 20 November 2007. The Board discussed progress towards the draft River Basin Management Plans, WFD Fish Monitoring and initial responses from the Water Matters evenings. The decision was made that the minutes from Board meetings will be made available on the [WFD Webpage](#) once they have been approved. The next Board meeting will be held in April.

2. Co-ordination in International River Basin Districts

The **North South Water Framework Directive Coordination Group** meets quarterly – the latest meeting was on 4th December, with the next scheduled for 4th March 2008. The agenda covered the co-ordination of timetables for draft River Basin Management Plans, Environmental Standards, updates on INTERREG IV funding, public participation, and organisation of Strategic Environmental Assessments.

3. Stakeholder / Public Participation

Nine Catchment Stakeholder Group (CSG) evening meetings were held during October and November 2007. The facilitators’ report from these evening meetings is due to be posted on the WFD Webpage. Specific local issues raised will be addressed through the next series of local CSG meetings, which will be held February to April 2008.

4. WFD Activities

Article 9 – Cost recovery & Incentive Pricing

Following the return to devolution, the Independent Water Review Panel was established in June 2007, to carry out a review of the arrangements for the delivery of water and sewerage services in Northern Ireland:

<http://www.iwrrp-ni.org.uk/>

The IWRP Strand One report proposes that current domestic metering plans should be discontinued for the foreseeable future. The report states that, before metering is considered, an appraisal of its costs and benefits relative to other conservation measures should be undertaken. A debate on metering is necessary given that several challengeable assumptions were made about metering, such as what it can contribute to the environment, the reduction to bills for water and sewerage services that it will cause, and its tendency towards encouraging water conservation. The Executive have not taken a view on that position.

The Strand Two report recommends that Building Regulations should be changed to encourage water conservation measures in new buildings and that a reduction in water charges should be used to provide incentives for implementing water efficiency measures in existing dwellings. The Executive have not taken a view on that position.

In 2008/09 there will be full recognition that domestic rates revenue makes a contribution to the funding of water and sewerage services and this will represent householders only contribution to water and sewerage services with the balance paid from the NI Block. Additional contributions will be required from householders from 2009/10 (i.e. above the existing amounts identified within the domestic regional rate).

In addition to the existing contribution from the regional rate, domestic consumers will also pay two thirds of the balance of income required to fully fund water and sewerage services in 2009/10 and the full balance the year after.

Environmental Standards

UKTAG has now published final reports on Environmental Standards and Conditions for specific pollutants and groundwater, and a draft report for surface water standards, along with summaries of comments received during the technical review. A final report on the surface water standards is due in February.

[http://www.wfduk.org/UK Environmental Standards/](http://www.wfduk.org/UK_Environmental_Standards/)

EHS 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 April 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. EHS and PEPG are looking at the current mechanisms in place for controlling these hydromorphological changes, which to date has involved discussions with other departments and agencies (e.g. Planning Service, DCAL, Rivers Agency).

Priority Substances Daughter Directive

Under Article 16 of WFD, the Commission was required to put forward proposals by December 2006 for measures to address pollution by 'priority substances'. This will result in the adoption of a 'daughter directive', which will be then be transposed into national legislation.

The detailed progress in the negotiations can be followed through [Pre-Lex](#). The Council has agreed a common position on the daughter directive and the Commission has issued an opinion, accepting the common position. The negotiations are now going into Second Reading which is likely to take place in the first half of 2008.

Significant Water Management Issues Report (SWMI)

The period for submitting written comments on the Significant Water Management Issues Report finished on 22nd December 2007. A digest of comments received in response to the publication will be drawn up – due to be completed by March 2008.

5. Related Policy Issues / Legislation

Abstraction and Impoundment Licensing

The Minister has given her approval for public consultation on a Fees and Charging Scheme for Abstraction and Impoundment Licensing. It is expected that the consultation will run for 3 months commencing in early March.

In addition, the transitional period that was introduced along side the Regulations ended on the 31st January 2008. Some 300 abstraction/impoundment activities applied within this period. Best practice guidance is also being worked up along with IPPC and Industrial consents for the Quarrying Industry.

A Ready Reckoner has been produced for Agriculture (in association with the UFU) and the Quarry Products Association (NI). These application aids helped to resolve many of the problems associated with determining volumes of abstracted water in these sectors.

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.

There are currently 23 identified bathing waters in Northern Ireland, with another one to be identified formally shortly.

The DOE will transpose the rBWD by making the Quality of Bathing Water (NI) Regulations 2008. The draft Regulations and partial Regulatory Impact Assessment will be subject to public consultation commencing in w/c 11 February 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. In response to this independent report it is intended that the Government collectively will make a response which will provide a Policy Framework for the future delivery of Flood Risk Management in Northern Ireland. The process of drafting the Government Response is ongoing and it is intended to complete this exercise by March 2008 subject to Ministerial approval.

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

<http://www.riversagency.ni.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. Work is currently at an advanced stage on the publication of a second booklet which will provide a snapshot of Northern Ireland's Maritime Heritage.

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 intends to host a major conference in spring 2008. This will be a joint venture with I-CoNet, The Irish Coastal Network. The main theme of the conference will be sea bed mapping and will be 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 Rathlin Island in Northern Ireland out to 3 nautical miles. It is part of a larger mapping project around the coast of Ireland.

The Forum will become involved in several projects relating to the coastal zone and the DOE is presently involved in seeking Interreg IV funding 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 Minister agreed her approach on bringing forward the Marine Bill proposals in Northern Ireland with the Defra Minister, Jonathan Shaw in October 2007. It is the Minister's intention to deliver the proposals in a manner which will reflect fully the devolution settlement and meet local needs by providing the opportunity for the full and meaningful involvement of the Assembly and stakeholders.

She obtained the agreement in principle of other Northern Ireland Ministers with marine responsibilities to that approach in December 2007. The Environment Committee considered the proposals on 31 January 2008 and officials provided an oral briefing. The Minister will take the matter to the Executive in March with a view to making an announcement as soon as possible thereafter.

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 Environment & Heritage Service to apply up to 250 kg N/ha/year from grazing livestock manure. Transposition of the derogation into Northern Ireland legislation in early 2008 is being actively progressed.

Non Agricultural Diffuse Water Pollution (NADWP)

A strategy paper is being developed to identify the main causes of Non-Agricultural Diffuse Water Pollution across Northern Ireland and to determine the possible control mechanisms that may be introduced to tackle the problems identified. A consultation on the proposals is expected in 2008.

In addition, consideration is being given to 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 structure and measures have been developed to build on the successful features of previous agri environment schemes, while including a number of new measures developed in response to consultation with stakeholders, such as:

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

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

Measure delivery details have now been finalised and draft local legislation is under consideration by Departmental solicitors.

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

While drafting work is at an advanced stage on this project, work has been delayed due to the priority associated with the DOE Ministerial commitment to draft PPS 14.

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

PPS 14 is currently under review by an Executive Sub-Committee, which the DOE Minister chairs. The DOE Minister aims to develop a policy based on the principles of sustainability which will support rural communities and allow the rural economy to flourish, both socially and economically, whilst at the same time protecting the countryside from unnecessary development. The DOE Minister intends to reissue a new draft PPS 14 in April 2008 and

this will be followed by a period of public consultation. In addition, stakeholder events will take place between 15 and 22 February 2008 to hear views on the emerging findings of the PPS 14 review. The aim of these events is to provide an opportunity to obtain a wide range of views from key stakeholders.

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.

DOE officials met representatives of the Aquaculture Initiative on 22 November to discuss shellfish waters designations, in particular in Belfast and Carlingford Loughs. Officials confirmed the Department's intention to review the current Shellfish Waters designations during 2008. The Department aims to issue a consultation paper for this review by April 2008 with a view to making additional designations in autumn 2008.

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.

A draft Strategy document has been circulated to members of the cross-organisational steering group, led by Environment & Heritage Service, for comment. It is anticipated that a consultation exercise will take place in spring 2008.