



ROYAL NORWEGIAN MINISTRY  
OF THE ENVIRONMENT

European Commission  
D-G Environment  
Unit ENV.D.1 –Water  
B-1049 Brussels

Your ref

Our ref  
200500130/- MBK

Date

01 JUN 2012

Dear Madam/Sir,

**Regarding policy options for “A Blueprint to Safeguard Europe's Water Resources” – Norwegian position.**

Referring to the European Commission's document on policy options for “A Blueprint to Safeguard Europe's Water Resources”, which is on public consultation until 7. June 2012, Norway would hereby like to present its positions concerning this matter.

The Water Framework Directive was transposed into Norwegian legislation as “The water regulation” from 1. January 2007. As an EEA/EFTA-State, Norway has prolonged deadlines for implementation of the Directive compared to the EU Member States. With the aim of gaining experience, staying synchronized with the EU member states implementation schedule, and get started with the implementation of the Directive, Norway has however voluntarily chosen to develop management plans for selected water bodies in parallel with EUs first planning period. This has given Norway the opportunity to participate with own experience in the work in the European Common Implementation Strategy (CIS). In this way, we have been able to benefit from this important process of sharing knowledge, experience and tools.

Initially, we would like to express our satisfaction with the Blueprint-initiative's focus on the effective implementation and fulfilment of objectives of the Water Framework Directive. This kind of process including the “Fitness Check” can be useful by contributing to increased focus on prioritized challenges and key success criteria for the future water management.

**General Comments**

In Norway's opinion, the Water Framework Directive is a good and useful directive, with high ambitions for protection and sustainable use of an important, common asset. Also for Norway's part, the Water Framework Directive (WFD) has led to a revitalization of water



management. Focus on integrated river basin management and on the pressures on the aquatic ecosystems, have been strengthened. New arenas for integration and coordination between relevant sectors authorities have been established both at the national, regional and local level. In decisions on new modifications or new activities affecting the aquatic environment, consideration of the effect on the aquatic environment will be conducted in a holistic and targeted manner across all sectors, in accordance with the WFD.

The knowledge base has already been strengthened through the characterization and classification process for the water bodies. Monitoring of the environmental status in accordance with the WFD's obligations will lead to increasingly better knowledge over time concerning long term trends and cause-effect linkages. In Norway, we have developed internet-based tools to present aggregated data, including environmental objectives, status and pressures. The information is now more easily accessible and presented in such a way that it is easy to get an overview, both for decision makers and stakeholders. Together with increased focus on information and broad involvement, this has put aquatic environmental issues increasingly higher on the agenda in policy and in media.

Norway would thus like to point to the fact that the implementation of the WFD already has resulted in significant improvements towards a more integrated and river basin based water management; improved coordination between different sectors, a considerably improved knowledge base, and a renewed focus on aquatic environment as a value and a resource.

The Fitness Check-report shows that the WFD's objective of good water status for all EU waters by 2015 in many cases has not been completely reached, and points to possible areas of improvement of the EU water policy. On the Fitness Check-workshop in February this year, the conclusion was, however, that EU water legislation generally is considered to be sufficient. In summary, it was concluded that lack of fulfillment of the objective must be seen in the context of the Directive's high ambitions; that the implementation is costly and work intensive; and that time is needed for the countries' full implementation. Norway participated in the workshop, and supports these conclusions. Norway recommends that the consideration of possible policy options should be based on the conclusions from this workshop. The Water Framework Directive is a good framework directive, but the implementation is time- and cost consuming in relationship to the administrative issues; the sector integration issues, as well as the effort to improve the knowledge base,

Further, measures to improve water status will often need to be operational for some time before the intended effect is reached and can be documented. In many cases, the knowledge base on cause-effects needs to be strengthened before the correct measures can be identified. It is also important to take into consideration that measures which halt a negative trend also constitute a positive result, even if measureable improvement in the environmental water status takes longer time than originally expected. This is may be particularly relevant in the larger picture – one must first slow down and stop the deterioration of the water status which has been going on in Europe over decades, before one can expect to see significant improvements in water status in general.

Norway thus supports the conclusions from the Fitness Check workshop regarding that we do not see any need for new or more detailed water legislation on European level now. The directive should be given due time to work for several years before significant changes in the legislation are considered, and in this context we would like to point to the planned revision of

the WFD in 2019. Norway finds it important that in the further considering of policy options, sufficient focus should be set on sharing of good experiences and that it should be accepted that the work has taken longer time than originally foreseen when the WFD was adopted.

According to Norway's opinion, a reasonable balance between harmonization and flexibility has been one of the strengths in the implementation of the WFD so far. Natural conditions, water types and impacts can vary considerably between different countries. The consultation document for the Fitness Check underlines the importance of a balance between common commitments and the necessary flexibility to adapt the implementation to national, regional and local conditions. For example, the WFD's ambitious requirements in relation to monitoring network and frequency will probably be more cost-effective in countries with fewer and more heavily impacted water bodies, than in Norway with its large number and less impacted water bodies. Enough flexibility in the legislation is important to facilitate a proper level of cost-benefit in the implementation. Our experience with participation in the European Common Implementation Strategy (CIS) is so far very good.

Norway believes that it is important that the implementation of the WFD also continues to allow for sufficient flexibility in consideration of national, regional and local conditions. The work with implementation of the directive is costly, and it is important that the use of resources is as effective as possible. The main focus ahead should be to facilitate a common learning, with the exchange of good experiences and examples between the countries, for example through organization of work-shops. In some remaining areas, there is still a need for co-operation on supplementary guidance. It is critical that the European Common Implementation Strategy assures sufficient flexibility for countries and regions to allow the necessary possibility to put the correct measure in the right place, so that the countries obtain best possible achievement of the environmental objectives at the lowest possible cost.

### **Specific comments**

In the consultation document's chapter 4, eleven specific problems and proposed measures are described. We comment only those challenges and issues relevant for Norway. Unlike many other countries, Norway has much water, and in addition very few water courses that cross national borders. Problems concerning fair allocation of water resources across national borders and between different uses are thus less relevant in Norway than in many other parts of Europe.

*Problem 1: Here the consultation document underlines that fair allocation of water, including the nature's need for instance for environmental flows, has been poorly implemented at the river basin level.*

These are challenges that, in our opinion, cannot be solved through detailed orders and requirements, but have to be solved through increased mutual efforts in countries where several uses have to be ensured, while at the same time ensuring the necessary environmental flows. Norway has no known challenges related to ensuring water flows for uses in other countries, and we have national rules concerning environmental flows and allocation of water if the unlikely situation of water scarcity should occur.

National guidelines might in this case be more appropriate than common European guidelines, at least for Norway's part. Norway is, however, positive to work-shops aiming to increase

knowledge on environmental flows, combined with the exchange of experiences and good examples.

*Problem 3: Here the consultation document underlines the remaining challenges related to obtaining good integration between the WFD and sector regulations, including the integration of aquatic environmental concerns in the agricultural policy.*

In Norway's view, these are challenges which have to be solved through a gradually improved mutual understanding of cost-benefit, trade-off and synergies across sectors and policy areas which today may be perceived to have conflicting objectives. Processes towards a mutual understanding of the knowledge base, challenges and solutions across sectors are time-consuming, and dependent on the development of arenas for dialogue and confidence-building across sectors with different interests and approaches. Taken into consideration the time such processes necessarily requires, the new arenas for integration nationally, regionally or locally have only existed for a very short period of time, and deserves considerably more time to be able to deliver results.

Norway thus supports the alternatives a) to d), which includes respectively a) that the Commission develops guidance on green infrastructure etc.; b) that the Commission develops guidance for integrated spatial management of both water- and land use, c) development of guidance on agricultural measures to obtain aquatic environmental objectives through the working group for agriculture under WFD CIS and d) development and dissemination of knowledge on innovative solutions under the auspices of the European Innovation Partnerships on agriculture and water.

When it comes to alternative f) concerning enlarging the scope of the Strategic Environmental Assessment Directive to cover all hydropower development plans, we would like to point to that all hydropower developments in Norway today are subject to comprehensive requirements for environmental impact assessments. This is done in the licensing process in accordance with the Environmental Impact Assessment Directive and the WFD article 4.7.

*Problem 9: Here the consultation document underlines that there is a lack of knowledge and tools to consider cost-benefit of implementing or not implementing water status improvement measures, and methods to calculate environmental and resource costs as a basis to ensure adequate cost coverage for water services.*

According to Norway's opinion, water pricing is a typical example of an issue for which it is important to retain a reasonable balance between one-size-fits-all obligations and the necessary flexibility to adapt the implementation to national, regional and local conditions and needs. The main challenges in water management vary significantly across Europe, especially between south and north. In many south-European countries, water scarcity is the main problem, and it is undoubtedly need for strong economical incentives to ensure water efficiency and fair allocation of the available water. In Northern Europe, especially Scandinavia, there is however usually more than enough water left for all end users. When there are challenges in the north, these are usually related to conserving or obtaining good ecological and chemical status.

Norway can, however, support alternative a) on development of guidance and methods to calculate environmental and resource costs of implementing or not implementing water quality improvement measures, as a support for the next management plan period, given that the implementation is sufficiently flexible so that it can be adapted to national, regional and local needs. Norway is, however, critical to alternative b) which proposes that such a methodology should be included as an Annex to the WFD, especially because this can lead to requirements that are not flexible enough to allow focus on the most significant problems in different countries and regions.

*Problem 10: Here the consultation document underlines that water and sector policy on state level in some cases are too fragmented, and that there is a lack of capacity and resources to fully address the water management objectives.*

We would like to point to our comment on page two that the implementation of the WFD is time and cost-demanding, both in relationship to organization of the work, sector integration, knowledge gathering and implementation of water improvement measures. We have also pointed to the fact that the new arenas for integration nationally, regionally and locally only have existed for a very short period, and deserve significantly more time to be able to deliver results. Significant re-organization in the states' water management at this point would disturb the implementation of the WFD and be a setback in relation to the integration and confidence-building that has already been obtained. This would then cause a delay the achievement of the WFDs objectives. Norway thus only supports alternative a) with continued focus on dissemination of good examples under the auspices of CIS, and promotion of river basin management approach in the extended EU and internationally (outside EU/EEA) (alternative e).

*Problem 11: The consultation document here underlines that there still is room for improvement related to dissemination and sharing of data and information across national borders, to ensure a harmonized water management.*

Norway only supports alternative a) on strengthened sharing of data and other information through further development of the Water Information System for Europe (WISE). We would further like to inform that the implementation of the WFD has inspired the development of a new, cross-sectorial og internet-based water information system called "Vann-nett" in Norway ( <http://vann-nett.nve.no/portal/> ). The system has been a success in making the information on the aquatic environment more clearly and easily accessible for both decision makers and other stakeholders.

*Problem 12: The consultation document states that competing demands for water resources may lead to an estimated 40% supply shortage on the global scale, and that mismanagement of water resources can even lead to migration flows from developing countries.*

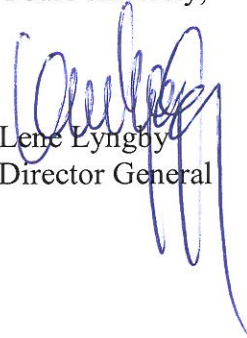
Norway is positive to the proposal in alternative a) in the context that development of integrated and sustainable water management should be included in development and foreign aid co-operation.

## **Concluding remarks**

In conclusion, we would like to express that according to our opinion, the WFD has led to a revitalization of the water management in Norway as well as the EU. We strongly believe that the good processes for integration and increased knowledge that has been initiated, over time increasingly will lead to the achievement of the intended objective of good water status in Europe. It is important that the use of resources in this implementation work is effective, and that tools and flexibility ensure that the correct measures can be applied at the right places, so that best possible water status improvement is obtained at lowest possible cost. According to Norway's view, this will give better results than further detailing of common legislation. The management regimes under the WFD are still under development, and it is crucial to harvest experience with the existing legislation and allow for the adaptation to the different conditions in different states, before considering the need for any new legislation.

We look forward to a continued active participation in the European Common Implementation Strategy for the WFD.

Yours sincerely,



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