



European Union Network for the Implementation
and Enforcement of Environmental Law

Safeguarding the Water Environment throughout Europe (SWETE) – Phase 2

Date of report: February 2017

Report number: 2016/09

Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Brussels, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 7th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at: www.impel.eu

Title report: Safeguarding the Water Environment throughout Europe – Phase 2	Number report: 2016/09
Project manager(s): Paul Hickey, Giuseppe Sgorbati	Report adopted at IMPEL General Assembly: Written procedure, March 2017
Authors: Barrie Howe, Rob Hayes, Lorenzo Bonardi	Number of pages: 19 Report: 1 Annexes: 3
Project team Giuseppe Sgorbati, Paul Hickey, Barrie Howe, Stefano Tibaldi, Lorenzo Bonardi, Rob Hayes, Martin Griffiths, Chris Chubb, Adriano Zavatti, Massimo Mauri	
Executive summary: <p>The IMPEL Network has been asked by the European Commission to expand and apply its regulatory capabilities into the Water Environment, specifically on the issue of implementation of the Water Framework Directive (WFD), with the Network’s focus having previously been on industrial emissions and associated processes under IPPC and IED Directives.</p> <p>With this in mind, the Safeguarding the Water Environment throughout Europe (SWETE) project was developed in 2015 with the aim of establishing a better understanding of approaches to WFD delivery across Europe. To do this, the project team has been working to identify examples of best practice and to build a community of experts and water managers across the membership. It is hoped that this project will enable colleagues across Europe to work together to exchange ideas and resolve implementation challenges that might be encountered, initially on water quality issues, but progressing on to water resource regulation.</p> <p>Building on the foundations and findings of phase 1 of the SWETE project, the aims of the second phase were to further develop the Water and Land Expert Team within the network through a dedicated conference in 2016 and to plan for the development of a manual of best practice that could be utilised across Europe.</p>	
Disclaimer: This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations or the European Commission.	

Safeguarding Water Environment throughout Europe (SWETE), phase 2

The aims of the Safeguarding the Water Environment throughout Europe (SWETE) project, which has now completed its second phase, have been to:

- Establish a community of experts across the Network to allow for discussions and exchanges of ideas and best practice. The topics for discussion have initially focussed on water quality (WQ) issues, but will grow to include topics such as water resource regulation (providing common ownership of regulatory options and approaches to deliver Water Framework Directive (WFD) and Industrial Emissions Directive (IED) objectives);
- share WQ regulation knowledge, efficiencies and linkages across the EU, and;
- help to ensure that WFD Objectives will be more readily achieved by Member States.

For phase 2 of the project; the aims of which were developed out of the findings from year 1 of SWETE, a series of actions and outcomes were agreed and identified in the Terms of Reference for the project team to complete by the end of 2016. These were:

- To hold a project team workshop to discuss the findings of phase one and develop the water and land conference (2016); and produce an accompanying report,
- To plan and host the Water and Land Expert Team Conference; and produce an accompanying report,
- Begin to develop a best practice manual,
- Develop an action plan,
- Develop the IMPEL WFD network,
- Plan for the next phase of work (SWETE 3)

This report will provide a review of the project team's progress in completing the listed objectives and of phase 2 of the SWETE project. Included with the report are three annexes, which are listed below:

- **Annex 1** – Report from Project team workshop in Milan (June 2016)
- **Annex 2** – Report from Water and Land Conference in Florence (October 2016)
- **Annex 3** – Terms of Reference for phase 3 of the SWETE Project (SWETE 3)

Progress in 2016

Workshop: A project team workshop was held in Milan in June 2016. The focus of the workshop was to review the outputs and findings from phase 1 of the SWETE project and use these to inform the planning of a conference. It was agreed that the conference would be held in Florence in October 2016 and would be an excellent opportunity to build the water and land network. It was also agreed at the workshop that attendees at the conference should be polled to learn what format would be most helpful for any manual of best practice on water related issues. It was agreed by all that this was a useful and productive workshop and a full report is included in Annex 1.

Water Conference: The water conference was held in Florence in October 2016, with 47 attendees from 12 IMPEL member countries, the European Commission, and other international organizations such as FAO and UNECE. This was an interesting and thought provoking event which highlighted the different challenges and approaches to water management across Europe, and the desire of attendees to work together to solve common problems and share good practice. The findings from the conference have been used to inform phase 3 of the SWETE project in 2017. A report from the conference is included in Annex 2.

Progress on Manual of Best Practice and Action Plans: It was agreed at the workshop in Milan that the best practice manual would be informed through open discussion between attendees at the Water and Land Conference. This approach was taken to ensure that the final product will be helpful to all IMPEL members.

Following discussions in Florence, two topics were identified as areas that the SWETE project should focus on in 2017. These were; '*permitting approaches to discharge regulation*' and '*manure storage*'. These will be the subject of two workshops to be held in 2017, and will build on the good practice presentation material from the conference. The presentations from the conference are available on the Arpa website (see conference report below) and will be uploaded on to the IMPEL website., and will be uploaded onto basecamp for use by the membership. To facilitate technical discussions and knowledge exchange to take place between IMPEL members on these topics, the SWETE project team proposes to make greater use of basecamp, and has already set up dedicated areas for both topic areas under the SWETE project page.

The manure storage workshop will be held in May or June 2017. This will be led by Annette Dodensig Pedersen (Denmark). The discharge permitting workshop will be held in October or November of 2017 and will be led by the English members of the project team (Paul Hickey, Barrie Howe and Rob Hayes). Anabelo Rebelo (Portugal) will also be part of the project team.

Planning can now get underway to establish how the group will work together throughout the year. Work is under way to encourage interested colleagues to join the project team and a note will be posted on basecamp shortly to ask for expressions of interest in the

workshops. We will also contact those who attended the water conference in October to further publicise these events.

IMPEL WFD Network: SWETE has a role to play in helping to establish this network. The conference held in 2016 has already identified a number of interested countries and SWETE will look to engage these individuals/IMPEL members in phase 3 of the project.

Planning for next phase: A copy of the Terms of Reference (also available on the IMPEL website and basecamp) for phase 3 of the project is included in Annex 3.

Information on the IMPEL website:

- SWETE project page:

<http://www.impel.eu/projects/safeguarding-the-water-environment-throughout-europe-swete/>

- Coverage of the Water Conference:

<http://www.impel.eu/protecting-our-waters-exchange-of-member-states-experiences-facilitated-during-impel-conference/>

Annex 1: Workshop Report

Safeguarding the Water Environment throughout Europe (SWETE) Workshop Report 9 and 10 June 2016

ARPA Lombardia headquarters (Milan, via Rosellini n. 17).

Attendees

Barrie Howe (BH) Environment Agency England
Paul Hickey (PH) Environment Agency England
Chris Chubb (CC) Consultant UK
Martin Griffiths (MG) Consultant UK
Marco Talluri (MT) Italy (June 10th only)
Darja Stanic-Racman (DSR) Slovenia (June 9th only)
Marco Falconi (MF) Italy (June 10th only)
Giuseppe Sgorbati (GS) Italy
Lorenzo Bonardi (LB) Italy
Max Mauri (MM) Italy
Stefano Tibaldi (ST) Italy
Adriano Zavatti (AZ) Italy

Day 1 Welcome and opening remarks

GS welcomed the workshop attendees and gave a presentation that put the SWETE project into the wider IMPEL context. He explained the other projects that IMPEL had underway or had completed that linked to SWETE. This included the report identifying WFD implementation challenges in the EU and the 'Doing the Right Thing' project. IMPEL was now starting to consider sectors beyond regulated industry, for example regulation of agriculture. He explained that the water conference need to be inspirational and help build a network similar to what had been achieved for pesticides. The aim should be to create a network that included all the countries in geographical Europe, including the accession countries such as Serbia and Macedonia. The European Commission had a particular interest in Eastern Europe.

He highlighted the following WFD implementation challenges:

- 1) The transposition of WFD into National Law.
- 2) The capacity of countries to plan and make policies to achieve WFD objectives.
- 3) Enforcement and the regulatory cycle.

He explained that more focus was needed on diffuse pollution, over-abstraction and the Marine Strategy Directive.

Introduction to SWETE objectives

PH introduced the aims of the SWETE project. These are to:

- Create a network of water regulators to help achieve WFD objectives across Europe
- Develop an online water manual of best practice
- Host a water conference in October to share examples of good practice.

Technical Summary of the Year 1 SWETE Project and Report

MG gave a presentation of the SWETE 1 work. This focussed on the approach to the questionnaire including its design, objectives and results.

This was followed by a discussion session. ST said that he had found the results very interesting and that it provided useful pointers for further work.

CC presented the initial scope for the on line resource based on the IMPEL regulatory cycle with access to the material through a 'sunburst diagram' to each of the regulatory levels – EU, National and Regulatory. From here there would be links to member states' documents and embedded good practice examples.

There was a discussion about the proposed content and structure. Concerns were raised about the amount of information and links to external websites that the resource would inevitably contain. DSR said that the focus should be on the regulatory level, with information for regulators and applicants. ST said that he felt that the sunburst approach could be difficult to use and that additionally (or instead) a separate index or key word search was required. There were also concerns about the maintenance of the resource, including ensuring that links were kept up to date.

BH suggested that based on this feedback the workshop attendees should consider the form of the manual/on line resource overnight and discuss this further during the appropriate sessions on day 2.

This proposal was accepted bringing day one of the workshop to a close.

Day 2 Resume of Day 1 and Outline for the day

GS gave some more information about related IMPEL projects.

ST summarised day 1 of the workshop including the plans for the online resource and some of the comments about this, including the view that the regulatory level and the regulated should be the key focus for the manual.

GS explained that IMPEL funded projects on an annual basis so guaranteeing funds for developing and maintaining an on-line manual for many years might not be possible.

Shaping the Conference and the on line resource

ST said that we should use the conference to get stakeholder views on the form and content of the manual.

This was followed by a discussion about what the conference should focus on. A draft agenda was agreed.

MT confirmed that a room had been booked at the President's building in Florence. The room capacity was between 50 and 70 people and MT would confirm the capacity. Lunch and other refreshments could not be provided but PH and GS confirmed that this could most probably be covered by funding from their respective organisations.

MT also confirmed that the conference could also be streamed on to the internet at no cost.

Actions

1) **BH, CC and MG** to draft:

- a. a short summary of the meeting,
- b. the conference agenda,
- c. a light touch template for the conference presentations on; WFD, implementation and regulatory issues/priorities,
- d. a communiqué about the conference.

2) **GS and colleagues:**

- a. to invite attendees from the land and water experts group, respondees to the questionnaire, and others as appropriate to the conference.
- b. to organise speakers, agenda and other aspects of the conference, including breakout group facilitators.
- c. to arrange accommodation for conference attendees
- d. to arrange catering for the conference, including Conference Dinner.

Annex 2: Report from IMPEL Water Conference 2016

Safeguarding the Water Environment throughout Europe (SWETE) Conference Report 5 and 6 October 2016

Tuscany Region Presidency Headquarters (Florence, Palazzo Strozzi Sacrati, Piazza Duomo).

IMPEL water experts gathered in Florence, in the Pegasus Room of the Tuscany Region Presidency headquarters, the 5 and 6 October 2016, for an event organized with the support of AssoARPA. The conference in Florence was the second dedicated Water and Land ET conference, following the successful Soils Conference that was hosted in 2015. The Water and Land thematic area of IMPEL is coordinated by an Expert Team coordinator, Prof. Giuseppe Sgorbati.

The conference in Florence saw two productive days of discussion take place between technical experts from across Europe (including 47 attendees from over 12 countries) to analyse the challenges that they have faced when implementing the Water Framework Directive (WFD) in their respective countries. This was an opportunity for these experts to share best practice, exchange knowledge and ideas, and discuss further actions that could be taken to overcome these challenges in the future. The meeting was also kindly attended by representatives of the European Commission and other international organizations such as FAO and UNECE; who delivered some important and insightful presentations on the global water environment.

On day one of the event, a series of interesting presentations were delivered by members of the IMPEL Water and Land Group, to provide attendees with information on all of the work that has been done in 2016. These included;

- An overview of the implementation of WFD, first in Slovenia (by Darja Stanic-Racman, Inspectorate of environment and spatial planning), and second in Romania (by Daniela Cotiga and Madalina David, Romanian Waters);
- Uses of Earth Observation for the detection of illegal abstraction and over-abstraction of water (Enrico Zini and Dario Bellingeri, ARPA Lombardia, Italy);
- Regulatory approaches in England (Barrie Howe, Environment Agency England)
- Discharges of treated wastewater and its reuse (Anabela Rebelo (APA (Agência Portuguesa do Ambiente), Portugal)
- Mapping the regulatory toolkit (Simon Bingham, SEPA (Scottish Environmental Protection Agency)),
- Nitrates and agriculture (Annette Dodensig Pedersen, Danish Ministry of Environment and Food).

On day two of the conference, break-out groups were established to enable participants to discuss in more detail specific areas of interest; including highlighting what they would want from a manual of best practice. The reflections from these discussions were fed back to the plenary.

A dedicated website for the event was produced, and all of the presentations are available to download.

The website for the event can be accessed at:

<http://www.arp.at.toscana.it/notizie/eventi/2016/impel-water-conference-2016/impel-water-conference-2016>

The presentations are available at:

<http://www.arp.at.toscana.it/documentazione/presentazioni-convegni/presentazioni-slides-impel-florence-20161005.zip>

As the conference concluded, Giuseppe Sgorbati, Expert Team Co-ordinator for the Water and Land Group, reflected on the success of the event; and described the IMPEL network's expansion into this area as *“Very important for tackling the big issues in the Water and Land environment that are being felt by IMPEL members across Europe. Since the group was formed in 2014, we have already had considerable success in bringing organisations together. Our experiences at the conference and over the past two years will be used to inform our work programme in the future.”*

Chris Dijkens, Vice-Chair of the IMPEL Network, praised the work of the Water and Land Group and added *“It has been wonderful to see the progress over the past couple of years, and this conference saw some excellent key note speeches delivered to underline the importance of this work. As the European Commission said during their presentation, a lot of work still needs to be done in this field, so it is clear that the work of this group will only become more important as it continues to develop.”*

Plans are already underway for a third conference in 2017. Details on the topics to be discussed will be made available in due course.

Annex 3: SWETE 3 Terms of Reference

TOR Reference No.: 2017/12	Author(s): Paul Hickey (Environment Agency, UK)
Version: 01	Date: 14th October 2016
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input checked="" type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting – tools and approaches -	<input type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input type="checkbox"/>
Comparison studies	<input checked="" type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other (please describe): technical workshops	<input type="checkbox"/>
	<input checked="" type="checkbox"/>
1.3 Full name of work (enough to fully describe what the work area is)	
Safeguarding the Water Environment Throughout Europe 3	
1.4 Abbreviated name of work or project	
SWETE 3	

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)

Water Framework Directive

Nitrates Directive
 Industrial Emissions Directive
 Urban Waste Water Treatment Directive
 Habitats and Birds Directives
 Marine Strategy Framework Directive
 Floods Directive

2.2 Link to IMPEL MASP priority work areas

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Assist members to implement legislation 2. Build capacity in member organisations to help WFD implementation and improve aquatic environments and land quality 3. Work on 'problem areas' of implementation identified by IMPEL, the European Commission and water management practitioners to share and/or develop good practice to help with these problem areas. | <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> |
|--|---|

2.3 Why is this work needed? (background, motivations, aims, etc.)

IMPEL was asked by the European Commission to expand and apply its regulatory capability into the water environment arena (and specifically on the implementation of the WFD) having previously focused on industrial emissions and associated processes under IPPC and IED Directives.

Good management of the water environment requires member states to be aware of emerging issues, be prepared to meet the challenges that they present, and improve current practices where needed. These objectives are facilitated by IMPEL members working in collaboration.

SWETE seeks to build a common understanding of our regulatory approaches, build networks of experts and develop shared resources to enhance technical resilience.

2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

Previous phases of SWETE produced a summary of current regulatory practice on water quality regulation and, through a workshop at the 2016 IMPEL Water Conference (5/6 October 2016), identified some initial priority areas for more in depth technical collaboration. These are;

- Guidance tool for controlling manure storage capacity and;
- Wastewater discharge permitting.

SWETE3 will develop an in-depth analysis of these priority areas, with the aim of collating best practice (through the use of internet based training resources) and identifying future areas of challenge. In doing so it will nurture networks of regulatory experts in these areas to help build technical resilience.

2.5 Does this project link to any previous or current IMPEL projects? (state which projects and how they are related)

SWETE (2015)
SWETE 2 (2016)

3. Structure of the proposed activity

3.1 Describe the activities of the proposal (what are you going to do and how?)

1. Establish technical working groups on 2 priority areas to develop best practice with scope for more detailed follow up in 2018;
 - Technical Working Group One - Manure Storage Guidance
Proposed activities: a technical workshops (may also include a site visit)
 - Technical Working Group Two – Wastewater permitting
Proposed activities: a technical workshops (may also include a site visit)
2. Production of learning resources for manure storage and wastewater permitting.
3. Production of a web based framework to host learning material for the W+L community

3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)

- Best practice resource (to be defined) for slurry/manure storage and wastewater permitting.
- Creation of a community of practitioners in these areas.
- Building and further developing the IMPEL water network.
- Web based framework to host learning material for the W+L community

3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)

Milestones to include:

- 2 technical workshops (to be programmed)
- Best practice resource in the two priority areas November 2017.
- Web based framework November 2017

3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)

Risk: Failure to identify/gain support from technical leads in IMPEL members.

Mitigation: We have developed the scope and focus of SWETE3 in collaboration with the members of the Water and Land Expert team. In doing so we have tried to learn from experiences from others in the IMPEL network (specifically the Cross Cutting Team). We have targeted work areas where there is a consensus for action and a good baseline of expert contacts to build from.

4. Organisation of the work

4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)

Paul Hickey (Environment Agency, UK) – Technical work streams on wastewater permitting and manure storage

4.2 Project team (who will take part: name, organisation and country)

Barrie Howe, Gill Bellamy, Pete Baker (Environment Agency, UK)
Annette Dodensig Pedersen (Danish Ministry of Environment and Food)

4.3 Other IMPEL participants (name, organisation and country)

Torkil Groving (Danish Agency for Water and Nature Management)
 Ana Isabel Garcia (General Inspection for Agriculture, Sea, Environment and Spatial Planning Portugal)

4.4. Other non-IMPEL participants (name, organisation and country)

N/A

5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible

	Year 1 (exact)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	€12080			
How much money is to be cofinanced				
Total budget				

6. Detailed event costs of the work for year 1

	Travel € (max €360 per return journey)	Hotel € (max €90 per night)	Catering € (max €25 per day)	Total costs €
<u>Event 1</u>				
<i>Workshop</i>				
<i>May 2017</i>				
<i>Milan or London</i>				
<i>6</i>				
<i>2</i>	2160	1080	300	3540
<u>Event 2</u>				
<i>Workshop 2</i>				
<i>October/November 2017</i>				
<i>Milan or London</i>				
<i><No. of participants>>6</i>				
<i>2</i>	2160	1080	300	3540
<u>Event 3</u>				
<i><Type of event></i>				
<i><Data of event></i>				
<i><Location></i>				
<i><No. of participants></i>				
<i><No. of days/nights></i>				

Event 4				
<Type of event>				
<Data of event>				
<Location>				
<No. of participants>				
<No. of days/nights>				
Total costs for all events				7080

7. Detailed other costs of the work for year 3

7.1 Are you using a consultant?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7.2 What are the total costs for the consultant?	€5000
7.3 Who is paying for the consultant?	IMPEL
7.4. What will the consultant do?	Web development
7.5 Are there any additional costs?	<input type="checkbox"/> Yes Namely: <input checked="" type="checkbox"/> No
7.6 What are the additional costs for?	
7.7 Who is paying for the additional costs?	
7.8. Are you seeking other funding sources?	<input type="checkbox"/> Yes Namely: <input checked="" type="checkbox"/> No
7.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs	<input type="checkbox"/> Yes Namely: <input checked="" type="checkbox"/> No

8. Communication and follow-up (checklist)

	What		By when
8.1 Indicate which communication materials will be developed throughout the project and when <i>(all to be sent to the communications officer at the IMPEL secretariat)</i>	TOR ✓ * Interim report ✓ * Project report ✓ * Progress report(s) ✓ Press releases News items for the website ✓ * News items for the e-newsletter Project abstract ✓ * IMPEL at a Glance ✓ Other, (give details): resource to share regulatory approaches and good practice examples from across Member States	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	01/01/2017 - Date TBC Dates TBC Ahead of conference TBC Quarterly March and October - TBC
8.2 Milestones / Scheduled meetings (for the website diary)	TBC		
8.3 Images for the IMPEL image bank	<input type="checkbox"/> Yes <input type="checkbox"/> No		
8.4 Indicate which materials will be translated and into which languages			
8.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required			

8.6 Identify which groups/institutions will be targeted and how	
8.7 Identify parallel developments / events by other organisations, where the project can be promoted	

✓) Templates are available and should be used. *) Obligatory

9. Remarks

Is there anything else you would like to add to the Terms of Reference that has not been covered above?

In case of doubts or questions please contact the [IMPEL Secretariat](#).

Draft and final versions need to be sent to the

[IMPEL Secretariat in word format, not in PDF.](#)

Thank you.