

WHY 2009 IS A KEY YEAR FOR WATER:

For decades water quality has been assessed by the presence of a limited number of chemicals and the bugs found in rivers. This approach showed very real improvements in sewage treatment but is insensitive to many of the problems affecting river ecology. A new system has now been introduced that takes on board a broader range of pollutants and biology including fish and aquatic plants.

This has produced a more accurate picture of the state of our water environment and has shown that our waters are very poor in terms of the life they contain. Nationally over 84% of our rivers, over 85% of lakes, over 97% of our estuaries and over 58% of our coastal waters by length are failing to meet the required biological standard known as "GOOD ECOLOGICAL STATUS" or GES. GES is the standard that sets out the healthy population level for fish and other species living in our waters.

According to European law, the River Basin Management Plans must set out actions that will aim to achieve GES in all waters by 2015. However, as they currently stand, the plans would only result in 19% of rivers at GES by 2015, which is just a 4% increase from today's status. There is no planned improvement for lakes, estuaries and coastal waters.

We believe the level of ambition is inadequate. **This consultation provides the OPPORTUNITY for you to tell the Government that your waters really matter to you!**

Please take the time to fill out the online consultation for your river basin district, it may seem complicated but this document will help you navigate it. Any response you can make is better than none, so do not worry if you do not give a comment for every question – but if you do have the time please try!

Key Things to Remember:

- Focus on the "justification for not achieving good status by 2015" section as this is the reason action on your river is being blocked.
- Questions or comments will need to be quite specific to ensure that the response by EA is not simply a stock phrase
- It's simpler than it looks! – Although the reasoning or supporting information is not available, the text that is contained in Annex B is self-explanatory.
- Make EA aware of what you know – have they overlooked some problems that you know about?

HOW TO RESPOND:

Go to this link <http://www.environment-agency.gov.uk/research/planning/33106.aspx> and then choose your River Basin district (there is a map to help you identify it)

The top right hand corner of the webpage is the link for your response to the consultation. An online form will then offer you the questionnaire. You will be presented with multiple choice answers and a space to say more after each question. We have analysed the questions and outlined our concerns below, but urge you to express them in your own words wherever possible.

Commenting on Individual Rivers

In order to find out about your specific river, you will have to look it up in Annex B of the plan. Please see our guide to understanding Annex B (at the end of this document)

Whats in the South East Plans?

1) Do you agree with the assessment of problems in water bodies ? What would you change?

- Assessment of problems in the **South East RBD** include:
 - Diffuse pollution from rural areas
 - Diffuse pollution from urban areas and transport
 - Flow problems
 - Physical modifications
 - Point source pollution

If you know of a pressure causing a failure, please describe details when answering this question.

Our analysis:

We DISAGREE

We think:

It is difficult to see what problems are affecting specific rivers or other waters. The information for individual waters provided in Annex B will only state that fish or invertebrates are failing but this does not actually tell you what the problems are that cause these failures.

The extent of pressures should be clearly quantified wherever they are known in the main plan document. We are also concerned that significant pressures have either been overlooked or not given sufficient weight. In particular we would like to see more information about how often the cause of failures is due to morphological changes or sediment load in water and what specific measures are being targeted at these pressures.

Furthermore, wherever possible information on the source of a pressure should be highlighted in the main plan documents. The activities causing the pressures should be shown by sector whenever this information is available. This should also be related to the high level measure adopted to address each of these problems. These additions are integral to providing a clear picture of the problems at an RBD level.

2) Do you agree with the proposed objectives – what would you change?

- The plans propose that 9% of assessed surface waters be designated as artificial, with a further 34% designated as heavily modified, i.e. have a use such as flood defence and therefore only have to achieve Good Ecological Potential; therefore nearly half of the South Eastern waterbodies will be subject to a target of good ecological *potential* rather than good ecological *status*.

<i>Proposed objectives</i>	<i>WFD deadline</i>	<i>Deadline set in plans</i>
Improve rivers from 9% to 23% at good ecological status or good ecological potential by 2015. This means increasing the length of river in good ecological status or potential by 10% before 2015.	2015	2015
Ensure the long term improvement of lakes to good ecological status or potential.	2015	2027
Improve all coastal waters to ensure they reach good ecological status or good ecological potential by 2027. Presently 6% of coastal waters meet good ecological status, whilst 100% is aimed for by 2027. 59% of coastal waters should meet good chemical status by 2015.	2015	2027
Ensure the long term improvement of our estuaries to good ecological status or potential	2015	2027
Seven estuaries (35%) should achieve good chemical status	2015	2015
Ensure no deterioration in groundwater, such that 33 per cent meet good chemical status in 2015, and prevent or limit further pollution. The target is for 100 per cent of groundwaters to meet good chemical status by 2027	2015	2027

Table 1. Proposed objectives with WFD imposed deadlines, and deadlines proposed in the plans

Our Analysis:

We STRONGLY DISAGREE

We think:

The stated level of ambition (a 14% improvement in rivers by 2015) is incredibly low. A lack of information in the plan and associated annexes make it difficult to understand why so little improvement is being proposed, or how greater ambition in later plans is actually going to be achieved.

3) For **some water bodies** we have proposed objectives with **deadlines after 2015** or a **lower overall target**. Do you agree with these changes?

- **Deadlines after 2015** are set actions that “may not be technically feasible in the short term, but can be successfully implemented over a longer period of time.” Investigations may be needed to understand the source of problems and how to solve them, thence proposed objectives have been set for 2021 or 2027.
- “Less stringent objectives” (aka a **lower overall target**) is where for example, *moderate*, rather than *good* ecological status is the target for 2015
- Some water bodies may be identified as requiring **less stringent objectives**, in these cases a 2027 target has been set.

Catchment	Present Status (GES)	2015 Target	Planned overall improvement of status by 2015	Not yet assessed
New Forest	11%	11%	0%	0%
Test & Itchen	12%	15%	3%	<1%
East Hampshire	0%	4%	4%	10%
Isle of Wight	7%	23%	16%	29%
Arun and Western Streams	3%	36%	33%	0%
Adur and Ouse	8%	21%	9%	6%
Cuckmere and Pevensy Levels	20%	36%	16%	19%
Rother	10%	20%	10%	12%
Stour	3%	3%	0%	25%

Table 2. Percentage of rivers attaining good status presently, by 2015. Lower overall targets and later deadlines highlighted in bold.

Our Analysis:

We STRONGLY DISAGREE

We think:

Again this seems very unambitious especially as there is little justification in the plans for such a lack of action.

We cannot agree with this statement without further information being provided in Annex B about why deadlines have been extended. In particular, insufficient justification is given for the use of these extensions (for example what are the measures considered disproportionately costly?). Furthermore, no information is given about what will be undertaken in the second planning cycle so it is hard to see how deadlines have been determined.

4) We have followed a process to assess (appraise) these actions. This process is described in detail in **Annex E**. Do you agree with how we have done this?

Annex E describes the processes undertaken to identify and appraise measures.

This Annex is very technical and dense and is written in a confused manor. This annex should contain a clear description of the national level process for determining whether a measure is disproportionately costly. The back of this Annex contains a list of measures that have

been considered disproportionately costly, but states for each one that a more cost effective alternative has been adopted. However, no information is presented about what these measures are, so no comparison of effectiveness can be made.

Our Analysis:

We STRONGLY DISAGREE

It is impossible for any non-expert to understand how or why actions have been selected. A clear and simple outline about why certain measures have been adopted and others have not should be provided

5) What comments do you have on these actions? Are there any actions we've missed, or any changes you'd propose?

If you have ideas about actions that will address problems/pressures in the waterbody you care about provide details here.

Our Analysis:

The Government and the Environment Agency must not shy away from strong regulation to address problems, where voluntary action is failing. For example, they should use their powers to establish Water Protection Zones that prevent pollution and modifications damaging waters, especially those valuable for their international nature conservation interest.

6) What comments on **Scenario C actions** do you have, including any additional information you can supply about specific actions?

- There are three scenarios that comprise of actions designed to fulfil obligations of the RBMP. Scenario A covers planned actions that will be undertaken anyway under other legislation (e.g. Habitats Directive).
- Scenario B consists of planned actions due to happen. These rely on national decisions and initiatives, as well as new actions that rely on actions and initiatives at the local level proposed in the Thames RBD. However, it is hard to determine how many of these actions are genuinely new and not driven by other Directives such as Freshwater fish, Nitrates etc (Annex C lists the measures also lists the drivers for action so you can check).
- **Scenario C** are entirely new measures but will not necessarily happen due to uncertainty in funding or the effectiveness of the measure. It is unclear how these Scenario C measures will be prioritised.
- The plans lack detail on how to measure the effectiveness of Scenario C measures or how they will be targeted to specific pressures – for example diffuse pollution is recognised as a pressure but the plans lack clear guidance on how this will be managed
- The overall tone of the document seems to favour the adoption of Scenario B measures.

Our Analysis:

Some of the most ambitious and environmentally beneficial measures are contained within Scenario C. The plans suggest that in the vast majority of cases, Scenario B measures will be adopted, NOT Scenario C measures.

We think:

The level of ambition should be raised beyond actions that are scheduled to happen with or without the River Basin Plans (i.e. Scenario B measures). Where Scenario C measures will not be implemented, we think that the plans should provide sound justification for lack of action.

7) What support can you offer, such as undertaking any actions or providing resources to help deliver more for your environment?

- Whilst its good to see the actions for waterbodies set out in Annex C, more detail setting out how measures will tackle pressures would be welcomed.
- You understand your watersbodies and may be aware of the action necessary to address the problems on your water body. If so please make the Agency aware of actions that need to be taken.
- If you have the time look at Annex C; see our guide to interpreting and commenting on Annex C.

Our analysis We will support the government to take action on improving the ecological status of water. We feel that it is important to protect the water environment with strong regulation as having life in our waters is an important public good. We will also provide information on what is needed on individual water bodies:

[DESCRIBE WATER BODY PROBLEMS AND MEASURES NECESSARY HERE]

8) Do you agree with our assessment of how climate change will affect the pressures on the water environment?

- If the right action is taken now, then ecosystems are more likely to be stable in the face of climate change in the future. Greater emphasis on ecosystem resilience is needed in the plans, addressing the interactions of existing pressures with climate change
- The water environment is particularly vulnerable to the effects of climate change. Some climatic factors are already having impacts on the water environment. The European Commission has identified water management as the priority area for action in taking into account the impact of climate change.
- The climate change annex provides an excellent, high level of detail of possible interactions between climate change and existing pressures. A useful next step would be to outline mitigating strategies to combat potential impacts.

We Suggest: DISAGREE

We think:

More emphasis should be placed on the importance of ecosystem resilience - the more we do improve our waters now, the better prepared they will be to cope with climatic changes in the future. For example, river ecology will be more resilient in the face of drought in the future if over abstraction is dealt with now. Plans to protect and improve groundwater resources will be vital for people and wildlife in the future.

9) Do you have any other comments on this draft plan that you haven't already told us?

The assessment uses a 'one out, all out' approach, i.e. if the assessment fails on one count it will not reach good ecological status.

Greater clarification of the process/calculations used in the determination of 'technically infeasible' and 'disproportionately expensive' where this has been described as the reason for delaying a deadline.

Our Analysis:

The technical nature and lack of important information make this consultation very hard to engage with meaningfully.

DO YOU HAVE ANY COMMENTS ON YOUR LOCAL RIVER? IF SO ADD THEM TO THIS QUESTION

We would like to see greater clarification of the process/calculations used in the determination of 'technically infeasible' and 'disproportionately expensive' where this has been described as the reason for delaying a deadline.

Our Analysis:

The plans must show clearly the proportion of pollution by sector (e.g. agriculture, water industry etc.) and show exactly how polluters are being made to contribute to solving the problems.

The technical nature and lack of important information make this consultation very hard to engage with meaningfully.

DO YOU HAVE ANY COMMENTS ON YOUR LOCAL RIVER? IF SO ADD THEM TO THIS QUESTION

What's in all those Annexes?

Annex A

Relates to Monitoring (we would suggest looking at the EA monitoring method statement first (http://www.environment-agency.gov.uk/static/documents/Research/Classification_Method_Statement_FINAL.pdf))

- 1) It includes **maps** showing the network of **monitoring stations**
- 2) It includes **maps** showing the **condition of water bodies**;
- 3) It includes maps that show the **surface water body types** that are present;
- 4) It notes the **reference conditions** for each of the water body types present in the river basin district;
- 5) A note on **confidence and precision** of monitoring.

Annex B

- Contains all the waterbody specific information that is available and sets out target status for 2015 for each water bodies in river basin district.
- This information is presented in tables; one table for each water body. The annex is organised so that the tables are grouped by catchments.
- Groundwater, estuary and coastal water bodies are grouped separately on a river basin level.
- This annex also includes some information about proposed actions. Where we EA have identified actions that are relevant to or will benefit a specific water body we have included this information in a table under each catchment heading.

Annex C

Sets out tables of the actions (programmes of measures) that are proposed for each sector to carry out. These actions are also noted in annex B, where they are summarised in tables for the catchments in which they will be implemented.

The tables of actions in this annex provide information on the pressure that is being dealt with, how this would be done and the lead organisation involved (see below).

It presents these as scenarios for each sector:

- Scenario A: basically the baseline describing things that are in place due to other legislation;
- Scenario B: what is being brought forward;
- Scenario C: it is uncertain whether they will happen – we must support the best proposed actions so they will end up in the final plan.

Annex D

Sets out the actions needed to improve Protected Areas by 2015, there are a number of different protected areas covered but the Natura 2000 sites (Special protection Areas and Special Areas of Conservation) are probably of most interest.

Annex E

This Annex is supposed to describes the process used to identify and appraise measures, and to develop proposed water body objectives for the first cycle of river basin management. However, it is highly complex, difficult to follow and missing key parts of the decision making.

Annex F

Outlines which existing legislation, both national and European can be used to contribute to River Basin plans.

Annex G:

Provides a summary of the significant pressures and the risks resulting from humans' activities on the status of surface water and groundwater.

Annex H

Sets out the possible impacts of climate change on each RBD but does not attempt to use this information to influence the content of plans, classification or adoption of actions

Annex I

Attempts to explain the criteria used to designate water bodies as candidates for artificial water bodies or for heavily modified water bodies. Heavily modified waterbodies are waters that have been classified in this way because they incorporate a certain use such as flood defence or navigation. This is not a very clear description of the process, and it is not clear how and why certain measures/actions are being brought forward.

Annex J

Sets out how some of the boundaries of waterbodies have been changed since their initial delineation.

Annex K

Provides an assessment of the current level of cost recovery for water services together with information on relevant cross subsidies.

Annex L

Outlines the consultation and engagement process nationally and within the River Basin District – Some of these processes such as the UKTAG consultations have had very limited environmental NGO involvement.

Annex M

Sets out the names and addresses of competent authorities for river basin planning within the River Basin District and a note of their legal status and responsibilities. The annex also gives, for external enquirers, our contact points and procedures for obtaining background documentation and information.

Annex N

This is an essential glossary and lists the technical terms and abbreviations used in the main document and annexes of the draft River Basin Management Plan.

Annex 1 - Responding on specific Water Bodies

Annex B contains all the available information on individual waterbodies but do not expect too much in the way of detail. In order to help you respond to the limited information available we have provided a number of worked examples on the following pages.

EXAMPLE (1)

Page of Annex B

Map Reference:	12010		
Water body ID and name:	GB107041012010	Lidsey Rife	
WB Category:	River		
Current Overall Status:	Bad		
Proposed Status Objective(s):	Good Ecological Status by 2027, Good Chemical Status by 2015		
Proposed Status Objective (Overall):	Good Status by 2027		
Justification if proposed objective is not good status by 2015:	Still to be determined - Assessment insufficiently advanced,		
Protected area designation:	Bathing Water Directive, Nitrates Directive, Urban Waste Water Treatment Directive		
Hydromorphological Designation:	Not Designated	Surveillance Site:	No
Reason for Designation:			

Ecological Status

Current status (and how confident we are that the water body is less than good status) Bad (High)

Elements currently achieving good or high status

Elements at high status Ammonia, pH, Copper, Zinc, Ammonia

Elements at good status (and how confident we are that the water body is less than good status)

Elements currently achieving less than good ecological status

Element (and how confident we are that the water body is less than good status)	Predicted status, and date by when it will be achieved	Justification for not achieving good status in 2015
Dissolved Oxygen (Bad, High)	Bad by 2015	Objective still to be determined - Assessment insufficiently advanced
Fish (Bad, High)	Bad by 2015	
Invertebrates (Moderate, Medium)	Moderate by 2015	
Phosphate (Moderate, High)	Moderate by 2015	Objective still to be determined - Assessment insufficiently advanced

Supporting quality elements currently achieving high ecological status

Supporting elements including where there is a risk of limiting the achievement of good ecological status

Element (current status and confidence)	Predicted status, and date by when it will be achieved	Justification for not achieving good by 2015
quantity and dynamics of flow (not good, high)	not good by 2015	Disproportionately expensive - Measure not worthwhile

Ecological Potential Assessment for hydromorphology

Hydromorphological mitigation measures currently absent and future plans

Chemical status

Current status (and confidence in this) Good

EXAMPLE RESPONSE (1)

Water Body ID: GB107041012010

Name: Lidsey Rife

Map Ref: 12010

Elements Currently at Less than Good Status:

Dissolved Oxygen (Bad, High) Objective still to be determined – Assessment insufficiently advanced

The information in Annex B should clearly state when the assessment will be carried out as EA must have a timetable for this on going work.

It is also unclear what further action is going to be taken on this problem in subsequent plans as they are still aiming for GES by 2027.

Phosphate Objective still to be determined – Assessment insufficiently advanced

The information in Annex B should clearly state when the assessment will be carried out as EA must have a timetable for this on going work.

It is also unclear what further action is going to be taken on this problem in subsequent plans as they are still aiming for GES by 2027.

Fish (High Confidence, bad by 2015)

Currently no justification is given for this failure, the final plans must contain a justification for this. If the status is bad with high confidence then we should ask, “why is no action being taken to address the problem?”

Invertebrates (Confidence Medium, Moderate by 2015)

Currently no justification is given for this failure, the final plans must contain a justification for this. If the status is bad with high confidence then we should ask, “why is no action being taken to address the problem?”

YOUR INFORMATION:

If you know the reason for fish failures tell EA and ask them how they will take this information on board.

If you know of other problems let EA know

EXAMPLE (2)

Page of Annex B

Map Reference:	12590 [GO to Adur and Ouse Catchment Map] [GO to Actions for this section]		
Water body ID and name:	GB107041012590	Ouse (Sussex)	
WB Category:	River		
Current Overall Status:	Moderate		
Proposed Status Objective(s):	Good Ecological Status by 2027. Not Yet Assessed		
Proposed Status Objective (Overall):	Good Status by 2027		
Justification if proposed objective is not good status by 2015:	Technically infeasible - Cause unknown, Disproportionately expensive - Measure not worthwhile,		
Protected area designation:			
Hydromorphological Designation:	Not Designated	Surveillance Site:	No
Reason for Designation:			

Ecological Status

Current status (and how confident we are that the water body is less than good status)	Moderate (Medium)
--	-------------------

Elements currently achieving good or high status

Elements at high status	Ammonia, Ammonia, Dissolved Oxygen, pH
-------------------------	--

Elements at good status (and how confident we are that the water body is less than good status)

Elements currently achieving less than good ecological status

Element (and how confident we are that the water body is less than good status)	Predicted status, and date by when it will be achieved	Justification for not achieving good status in 2015
Phosphate (Poor, High)	Poor by 2015	Disproportionately expensive - Measure not worthwhile
Fish (Moderate, Medium)	Moderate by 2015	technically infeasible - cause unknown

Supporting quality elements currently achieving high ecological status

Element	Current Status
Hydrology	High

Supporting elements including where there is a risk of limiting the achievement of good ecological status

Element (current status and confidence)	Predicted status, and date by when it will be achieved	Justification for not achieving good by 2015
quantity and dynamics of flow (support good, high)	support good by 2015	

Ecological Potential Assessment for hydromorphology

Hydromorphological mitigation measures currently absent and future plans

Chemical status

Current status (and confidence in this)	Not Yet Assessed
---	------------------

Elements currently achieving good or high status

Adur & Ouse *South East*

For help in understanding this table please refer to Figure B.4.1 in this Annex

EXAMPLE RESPONSE (2)

Water Body ID: GB107041012590

Name: Ouse (Sussex)

Map Ref: 12590

Elements Currently at Less than Good Status:

Phosphate (Poor by 2015)

It is unclear from the plans about what is causing the phosphate problem. We think the final plans should list the sources of phosphate that are causing the failure.

It is also unclear what actions have been considered "not worthwhile", the final plans should state which measure has been considered too costly and what further action is going to be taken on this problem in subsequent plans as they are still aiming for GES by 2027.

Fish (Medium Confidence. Moderate by 2015)

The final plans should not simply express confidence in terms of low medium and high but express this as a percentage. The waterbody information in cases like this should state the confidence, in terms of a percentage, that fish are at less than good status.

What further investigative work is being undertaken and could the final plans list the most likely causes of failure?

YOUR INFORMATION:

If you know the reason for fish failures tell EA and ask them how they will take this information on board.

If you know of other problems let EA know