

**EU Water Framework Directive Navigation Task Group
Meeting at PIANC Offices, Brussels
1300 hours, Wednesday 16th September 2009**

Draft Minutes

Present: Jan Brooke, PIANC
Marc Eisma, ESPO
Antonis Michail, ESPO – new e-mail address antonis.michail@espo.be
Erik Mink, EuDA
Axel Netzband, CEDA
Susie Tomson, EBA

Apologies: Nicola Clay, CEDA
Dorothe Herpertz, PIANC
Steve Hull, ESPO
Graham Newman, CEDA
Gernot Pauli, CCNR
Anthony Pepitprez, VNF
Isabelle Ryckbost, EFIP
Karin de Schepper, INE
Albert Willemsen, EURMIG

1. Welcome, introductions and apologies

Participants, including Susie Tomson from EBA, were welcomed to the meeting. It was noted that several apologies were due to an unfortunate clash with an inland navigation PLATINA meeting in Bulgaria.

2. Minutes of last meeting and matters arising

Actions or matters arising but not on the agenda:

- with regard to the new CIS activity on the links between the Birds and Habitats Directives and the WFD, JB submitted the TG response to COM. There does not appear to have been any further activity on this issue but JB will report back after the SCG **Action: JB**
- on hydromorphology, JB submitted the TG remarks to COM who responded, noting the TG concerns and confirming that there is currently no intention to intercalibrate GEP
- the link to the EU Water Conference outputs had been provided with the previous meeting minutes
- on the CIS emissions activity: AW had circulated information following the last TG meeting; JB had endeavoured to contact ECSA but personnel have changed. **Action: JB to take steps to ensure ECSA are aware of the emissions activity**
- ME circulated the SedNet response on EQS to TG members after the previous meeting; **Action: ME volunteered to circulate SedNet newsletter on draft RBMPs**
- JB wrote to all Associations asking them to encourage their members to respond to the draft River Basin Management Plans

3. Strategic Coordination Group (SCG)

JB reported on the May 2009 meeting of the SCG. Key discussions at this meeting included those on:

- the CIS climate change activity (the TG had responded by preparing a paper summarising potential climate change impacts for navigation);
- Working Group E (the TG was asked to take their concerns to the October 2009 meeting of WG E); and
- the 2012 work programme.

With regard to the latter, there remains some concern about how future hydromorphology issues will be handled: it will be important to ensure that practitioners remain involved and that such issues are not dealt with solely by ECOSTAT.

4. Report on EU Water Conference

JB's report on the conference was discussed. It was observed that Member States have very different levels of ambition and that this is something that COM are likely to be particularly interested in. It was also noted that there are outstanding concerns in some Member States about how issues raised during the consultation have been (or will be) dealt with. Insofar as international river basins are concerned, there seems to be relatively little real integration.

It was again acknowledged that COM are very interested in cost recovery and the issue of water use vs. water service: the sector will need to remain engaged in this debate.

5. Environmental Quality Standards daughter Directive

a. Sediment and biota draft guidance

Following e-mail discussion with other TG members, SH responded to COM on the draft sediment and biota guidance. **Action: JB to forward this response**

b. Mixing zones

ME reported that a draft guidance document on mixing zones is currently being finalised. **Action: ME to circulate this draft to the TG when he receives it**

c. Emissions

AW had expressed concern about diffuse sources of PAHs being linked back to shipping. However, as AW had sent his apologies, this item was deferred. In the meantime, AW is asked to provide an update by e-mail and to make the Group aware of any issues requiring attention, any available draft reports, etc. **Action: AW**

d. Outstanding issues for WG E and Water Directors

The two papers prepared by JB with SH and EM were discussed. The TG is content with both papers but asked for a reference to Recital 17 to be added to the section on monitoring in the discussion paper. **Action: JB**

EM confirmed that he will attend the 8-9th October WG E meeting.

Action: JB to advise COM that EM will attend; forward the discussion paper; and ask that this topic be added to the Agenda

TG confirmed that letter should be sent to Water Directors also to the EQS Directive equivalent of the Article 21 Committee (if this exists). **Action: JB**

6. CIS climate change activity

a. Task Group contribution

On behalf of the TG, JB had submitted a paper to COM which summarised the main potential implications of climate change for navigation, and set out some options for adaptation. However, little or no attention appears to have been paid to this paper in the CIS draft document (see below).

b. CIS guidance document

The latest draft of the CIS guidance document was discussed. It was noted that navigation interests are not covered adequately. JB was requested to re-submit the Task Group paper with a request that it be used to inform discussion in the final document. **Action: JB**

A number of specific issues were also raised:

- ME: the reference on page 21 to temperature variations highlights the significant uncertainty and illustrates the problems associated with setting quality criteria for temperature;
- ME: the figure on page 33 does not acknowledge that climate change can compromise achievement objectives downstream
- ST commented on the competition between sectors for water in a climate change scenario; also on the problems which may be caused if the WFD precludes the hydromorphological changes necessary to sustain navigation
- ME suggested that more reference is required to the importance of adaptive management practices (e.g. page 50)
- ME commented on the need to recognise changes and the benefit of a sediment management plan in a climate change context?

JB to take account of these comments and those received from inland navigation sector representatives unable to attend the meeting, and to suggest a number of inserts into the text to ensure better reference is made to navigation interests. **Action: JB to contact COM with these comments**

c. PIANC activities

JB reported that PIANC is in the process of setting up a standing group to deal with climate change issues. **Action: JB to circulate relevant PIANC papers for information**

7. Update on EU estuaries and rivers expert groups

On the Estuaries Group, AM reported that COM was not happy with the draft report (produced during the summer by the consultants). The report has now been re-drafted within DG Env (with input from the Sector) and that DG Tren are now reviewing it. Thereafter it will go through inter-service consultation before becoming a Commission Communication. AN confirms that DG WFD team has remained involved in the preparation of the document.

The Rivers Expert Group apparently met in June and will meet again in October. **Action: JB to ask KdS to provide an update**

8. Update on SedNet

AN reported that a SedNet conference will take place in Hamburg in October. M. Kremer will present the outcomes of the Estuary group. The conference will be preceded by a 'Round Table' meeting on sediment management in RBMPs. ME advised that the latter meeting will use a hypothetical case study to explore range of issues; participants will then translate this into their own situations. The meeting will also address how sediments should be best addressed in RBMPs (or elsewhere)? ME will circulate the outcomes to TG when report is produced. **Action: ME**

AN reported that COM (DG Env WFD team) now appears 'open to discussion' on sediment management but only if Member States raise the issue (COM will not lead). AN suggested another idea would be a similar forum to the Estuaries Group – i.e. bring together different DGs as well as stakeholders, etc.

9. Waste Directive

The Waste Directive is adopted and in the process of transposition. However, there are still issues on what eco-toxicity means. EuDA is preparing a discussion paper but it may need a workshop to discuss further. This is an important issue because waste is now directly linked to sediments: research is ongoing. Need to address outstanding scientific concerns

especially regarding bio-assays; need clear screening tools, especially in the marine environment.

10. Update on Marine Strategy Framework Directive (MSFD)

No meeting of the MSFD Task Group took place on September 16th. A teleconference is planned instead but TG members who attend both meetings expressed a view that a meeting would be preferable and that such a meeting is needed before the next Marine SCG meeting *inter alia* to decide who should represent the sector. EuDA noted that 'this Directive is not very relevant' insofar as their lobbying activities are concerned. ST questioned how the Directive will take international conventions into account (EM suggested that 'international law takes precedence') and suggested that it is more about fisheries, and less about other users. However ME noted that several issues nonetheless require attention

11. Any other business

EM raised the ECJ case on the Ems Estuary where the issued Opinion identifies maintenance dredging as a 'plan or project' requiring an appropriate assessment under the EU Habitats Directive. EM advised that such a ruling could have significant implications for maintenance dredging across the EU and confirmed that EuDA are involved in challenging this decision.

12. Date of next meeting

Potentially mid-February 2010 depending on any requirements of Marine Task Group and the date of the February 2009 WFD Strategic Coordination Group. **Action: JB and NC to agree a date and ask PIANC to book a room**