



Länsstyrelsen i Jönköpings län

# Implementation of the Water Framework Directive

A comparison between Ireland and Sweden







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## Summary

The Water Framework Directive was adopted in 2000. Since then both Sweden and Ireland have made a large number of arrangements in order to implement the directive.

Both countries have been divided into river basin districts (RBD). In Sweden the implementation of the directive on RBD level is organized by Water Authorities and in Ireland a project group lead by a local authority is responsible. The operative work with the directive is carried out by consultants in Ireland and by regional civil servants in Sweden.

The implementation of the directive into national legislation has been finished in Sweden and is being transposed in phases in Ireland. Both countries have prepared and adopted new regulations and Sweden has also adopted a new ordinance and made some changes in existing legislation.

Both countries have established websites, prepared written information (for instance brochures) and have established/are establishing Advisory Councils. Sweden has also created to web based tools for public participation – the Water Map and the data base Water information system Sweden. Ireland has involved NGO's in the implementation by inviting representatives onto advisory councils. Environmental NGO's are represented by SWAN, a network of thirty organisations.

Ireland and Sweden have a lot to learn from each other and continued exchange is recommended. Ireland can for instance learn from the way Sweden works with Advisory Councils and Sweden can learn from the way Ireland organizes the implementation on national level.

## 1. Introduction

The European Parliament and Council agreed the Water Framework Directive (WFD) in October 2000. The WFD addresses all groundwaters, inland surface waters, estuarine and coastal waters. The aim is to achieve and maintain a good status in all of these waters. The implementation of the WFD should be carried out in a common way throughout Europe. One way of facilitating this is to create networks between those involved in the operative work, for example by means of using the existing exchange schemes for civil servants in EU countries. During the autumn 2008 I spent ten weeks at the Department of the Environment, Heritage and Local Government in Dublin and two weeks at the Project office of the Western River Basin District in Galway as part of an exchange scheme between Ireland and Sweden. The exchange was financed by the County Administrative Board in Jönköping, the Skagerrak and Kattegatt Water Authority and the Southern Baltic Proper Water Authority in Sweden and the Department of the Environment, Heritage and Local Government in Ireland. The aim of the following report is to compare the technical and practical implementation of the WFD in Ireland and Sweden. The points of view and conclusions in this report are the authors own.

Compared with many countries in Europe Sweden has a lot of waters of good quality, but there are still a number of problems to deal with in order to achieve the objectives of the Water Framework Directive (WFD). In northern Sweden the main problems are impacts from physical modifications because of log driving and hydropower plants, forestry and paper mills. Locally mines can have an impact on the water quality. In the southern part of the country eutrophication, acidification and physical modifications are the main problems. Deposition of long distance air pollution (nitrogen and sulphur) and low buffering capacity of the soils explains the acidification and the southwestern part of the country is the most impacted. The eutrophication is an impact on both inland and coastal waters in southern Sweden. The main sources are agriculture, households and deposition. In some densely populated areas over abstraction of water can be a problem.

In Ireland eutrophication is the main threat to the water quality. The main sources are agricultural manures and fertilisers, sewage and detergents. According to the characterisation and analysis report submitted to the EU in 2005, the eastern part of Ireland and the Shannon area have the highest proportion of waters at risk of failing good ecological status. The most significant pressures are diffuse pollution sources, particularly from urban areas and agriculture, and physical alterations, particularly channel drainage associated with rivers, impoundments on lakes and activities associated with ports in transitional and coastal waters. In the western part of the country the most important pressures are diffuse sources and physical alterations as well.

Table 1 shows some general figures about size, land use and main industries in Ireland and Sweden.



**Table 1. General facts about Ireland and Sweden.**

	<b>Ireland</b>	<b>Sweden</b>
<b>Area (km<sup>2</sup>)</b>	70 200	450 000
<b>Population (millions)</b>	4,3	9
<b>Population density (Inhabitants/km<sup>2</sup>)</b>	61	20
<b>Forest (%)</b>	12	53
<b>Cultivated land (%)</b>	67	8
<b>Water (%)</b>	2,3	9
<b>Most important export goods</b>	Machinery and equipment, chemicals, food-stuffs	Electronic and telecom, machinery, passenger cars, paper, pharmaceuticals, iron and steel



Ballyvaughan Bay, County Clare. Photo: Anna-Karin Weichert.

## 2. Organization

The aim of this chapter is to compare the organization of the implementation of the WFD on national, regional and local level in Ireland and Sweden.

### 2.1 Sweden

For the purpose of the implementation of the Water Framework Directive (WFD) the river basins in Sweden have been grouped to five river basin districts (RBD): Bottnian Bay, Bottnian Sea, Northern Baltic Proper, Southern Baltic Proper and Skagerrak and Kattegatt (Figure 1). Three of them are international RBD's. Skagerrak and Kattegatt and Bottnian Sea are both shared with Norway and Bottnian Bay is shared with Norway and Finland.

#### 2.1.1 National level

The Swedish Government has the overall responsibility for the WFD. The Swedish Environmental Protection Agency and the Geological Survey of Sweden are responsible for issuing regulations and preparing guidances for the implementation of the WFD. The Swedish Meteorological and Hydrological Institute is responsible for providing data and other necessary information for the implementation. The implementation of the WFD is funded by the Government. In the international RBD's each country finances the implementation within its own borders.

#### 2.1.2 Regional level

In March 2004 the Swedish Parliament decided that Sweden should be divided into five RBD's and that a Water Authority (WA) should manage each RBD. The WA's are placed at County Administrative Board's (CAB) (See Appendix 1). Table 2 contains some information on location, size and waters of the RBD's. Each WA employs a director and 5-10 experts, for example jurists, economists, and biologists. The WA is responsible for coordinating the implementation of the WFD within the RBD. In practise that means that they are responsible for the consultation and establishment of EQS (Ecological Quality Standards), monitoring programmes, programmes of measures and the preparation of a river basin management plan for the RBD. The programmes of measures only address authorities (for Example County Administrative Boards and Municipalities, See Appendix 1) as the ones responsible for performing the measures and single stakeholders are not pointed out. The authorities are supposed to use the legislation in order to make the polluters carry out or pay for the measures.



Figure 1: Sweden has assigned five River Basin Districts. Three of them are international. Skagerrak and Kattegatt and Botnian Sea are shared with Norway and Botnian Bay is shared with Norway and Finland.

### 2.1.3 The Water Board

Each RBD has a Water Board (WB). The purpose of the WB is to make decisions about for example programmes of measures and the river basin management plan.

The chairman of the WB is the County Governor of the county where the WA is placed. The members of the WB are experts and politicians from CAB's and municipalities and representatives from for example agriculture, forestry, companies and university. For example the present Water Board for the Southern Baltic Proper has the following members: five directors (from the environmental or planning field) from the CAB's, one politician from a municipality, one politician from a County Council (See Appendix 1), one leader of a business in the forestry sector, one professor and a chairman of a regional farmers organisation. A WB can have a maximum of 11 members. The Government every third year elects the WB. The first WB's were elected on the 1st of August 2004.

**Table 2: River Basin Districts in Sweden. Each River Basin District has a Water Authority, which is placed at a County Administrative Board. The cities are the ones where the County Administrative Boards are located.**

	<b>Bottnian Bay</b>	<b>Bottnian Sea</b>	<b>Northern Baltic Proper</b>	<b>Southern Baltic Proper</b>	<b>Skagerrak and Kattegatt</b>
<b>Responsible County Administrative Board</b>	Norrbottnen	Västernorrland	Västmanland	Kalmar	Västra Götaland
<b>City</b>	Luleå	Härnösand	Västerås	Kalmar	Göteborg
<b>Area incl coast (km<sup>2</sup>)</b>	154 702	146 667	44 000	54 000	73 988
<b>County</b>	2	7	7	10	9
<b>Municipality</b>	28	52	76	91	112
<b>Population</b>	492 000	1 100 000	2 900 000	2 400 000	2 360 000
<b>River Water Bodies</b>	4931	7369	631	963	1710
<b>Lake Water Bodies</b>	1920	3679	336	480	793
<b>Estuary Water Bodies</b>	0	0	18	0	2
<b>Coast Water Bodies</b>	95	62	135	170	110
<b>Groundwater Bodies</b>	655	781	536	580	479
<b>Total number of Water Bodies</b>	7601	11891	1656	2193	3094

## 2.1.4 County Administrative Boards

Sweden has 21 County Administrative Boards (CAB). Each CAB has, according to a commission from the Water Authorities (WA), established a secretariat for the implementation of the WFD on county level. The secretariat is supposed to carry out the characterisation and analysis, produce draft monitoring programmes and programmes of measures. The documents shall be produced in co-operation with neighbour counties, local authorities, organizations and other interested parties. Certain secretariats have also been chosen as coordinators of the implementation of the WFD within a sub-area<sup>1</sup>, which is shared with one or more other counties. The aim is that the implementation shall be carried out in a common way throughout the river basin. The members of the secretariat are civil servants, for example biologists, GIS-experts, or people with previous experience from working with acidification, monitoring and evaluation of ecological value. Except for working at the secretariat most members have other tasks as well, such as liming, protected areas for drinking water supplies and monitoring. A number of other civil servants at the CAB are involved in the work with the WFD from time to time, for example experts on fisheries and contaminated areas. The implementation of the WFD in the work of the CAB also include informing and involving other areas like planning and the work with Sweden's environmental objectives.

<sup>1</sup> Usually one large catchment or a group of smaller catchments. See also chapter 3.1.2.

Some secretariats have a steering group. One example is the secretariat at the CAB in County Jönköping. The aim of the group is to give the secretariat feedback, inform about the current work with the WFD and make sure that no important issues are forgotten. The members of the steering group are representatives from the municipalities, a water society, the Swedish Forestry Agency, the Federation of Swedish farmers and representatives from a number of sections at the CAB.



Lillån-Kattån (River Nissan), Jönköpings län. Photo: Leif Thörne.

## 2.1.5 Working Groups

### **NATIONAL WORKING GROUPS**

A number of National working groups have been established in order to discuss common methods and strategies for the implementation of the WFD. None of the groups is responsible for co-ordinating the work of all the groups. Most of the members of the national working groups are representatives from the Water Authorities. Some of the groups, for instance the groundwater groups and the Water Information System Sweden<sup>2</sup> groups, have representatives from the County Administrative Boards. The groundwater groups also have representatives from the Geological Survey of Sweden. The working groups are:

- River Basin District Co-ordinators
- Quality standards
- Groundwater
- Strategic Environmental Assessment
- Economic analysis
- Monitoring

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<sup>2</sup> Water Information System Sweden is a database where all the results of Sweden's work with the WFD are stored.

- River Basin Management Plans
- Programmes of Measures
- Information and Public Participation
- IT and GIS
- Water Information System Sweden (WISS) Management Group
- Water Information System Sweden (WISS) User Group
- Reporting
- Marine
- Flooding

### **REGIONAL WORKING GROUPS**

Beside the National working groups there are also a number of regional working groups. The aim of these groups is to co-ordinate the implementation on a regional level. One example is the regional groundwater group for the Skagerrak and Kattegatt RBD and the Southern Baltic Proper RBD. Civil servants from the CAB and representatives from the WA's and the Geological Survey of Sweden meet a couple of times per year in order to discuss the implementation of the WFD.

### **2.1.6 Local level**

#### **LOCAL AUTHORITIES**

The municipalities have an important role to play in the implementation of the WFD in Sweden. They have valuable knowledge about the environmental condition on local level. They are responsible for the planning process, which needs to be involved in the work with the WFD. The Municipality is also one of the authorities, who probably will be pointed out as responsible for some of the measures. Two examples of ways for the municipalities to participate in the implementation are membership in Advisory Councils and their representatives in the Water Boards.

#### **LOCAL NGO'S**

A number of local NGO's are important for the implementation of the WFD. Some examples are the local heritage societies, local groups of the Swedish Society for Nature Conservation and local groups of the Federation of Swedish Farmers. The heritage societies are engaged in the preserving of local history and culture. These groups have a lot of local knowledge and one way for them to get involved in the implementation of the WFD is to join an Advisory Council. More information about these NGO's can be found on their web sites:

The Swedish Society for Nature Conservation: <http://www.naturskyddsforeningen.se/In-english/>

Swedish heritage societies can: <http://www.hembygd.se/index.asp?lev=13444>

The Federation of Swedish Farmers: <http://www.lrf.se/In-English/>

## ADVISORY COUNCILS

The Advisory Councils are groups, where everyone who is interested in a certain water can get together and discuss how the quality standards can be achieved and suggest what measures the Water Authority should choose. For more information on the Advisory Councils, see 4.1.2.

## 2.2 Ireland

For the purpose of the implementation of the WFD river basins on the island of Ireland have been grouped into eight river basin districts: North Western, Neagh-Bann, North Eastern, Western, Shannon, Eastern, South Western and South Eastern (Table 2). The Western, Eastern, South Western and South Eastern RBD's lie wholly within Ireland. The Shannon, North Western and Neagh-Bann are international RBD's shared with the UK and the North Eastern RBD lies wholly within Northern Ireland (Figure 2). Table 2: River Basin Districts in Ireland. One local authority in each River Basin District is responsible for the co-ordination of the implementation of the WFD. The cities mentioned are the ones where the district offices are located.

	South Western	South Eastern	Shannon	Western	Eastern	North Western	Neagh Bann	North Eastern
<b>Responsible Council/Other authority</b>	County Cork	County Carlow	County Limerick	County Galway	Dublin City	County Donegal	County Monaghan	Environment and Heritage Service
<b>City</b>	Cork	Carlow	Annacotty	Galway	Dublin	Letterkenny	Monaghan	Lisburn
<b>Area incl coast (km<sup>2</sup>)</b>	15 000	14 000	18 000	16 683	6650	12 300	8000	4081
<b>County Councils</b>	6	13	18	7	12	9	4	3
<b>Population</b>	500 000	500 000	670 000	400 000	1300 000	< 500 000	> 500 000	>700 000
<b>River Water Bodies</b>	885	662	941	331	362	866	329	111
<b>Lake Water Bodies</b>	90	13	113	323	30	232	26	3
<b>Estuary Water Bodies</b>	43	26	20	68	13	23	10	26
<b>Coast Water Bodies</b>	27	9	11	30	8	23	5	16
<b>Groundwater Bodies</b>	84	151	242	105	75	88	37	8
<b>Total number of Water Bodies</b>	1129	861	1327	857	488	1232	407	164



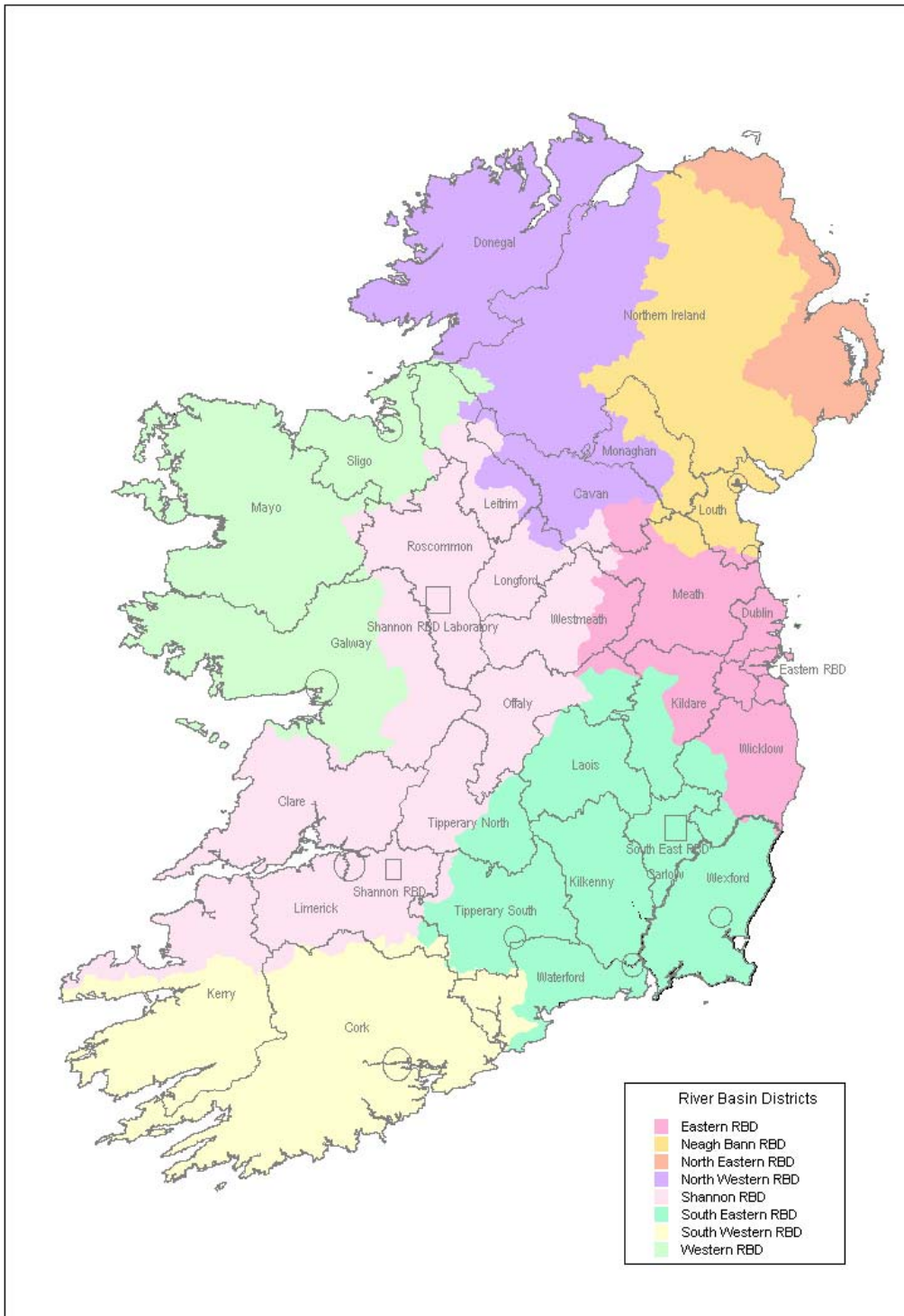


Figure 2: River Basin Districts in Ireland.



## 2.2.1 National level

The Department of the Environment, Heritage and Local Government (DEHLG) and the Environmental Protection Agency (EPA) are responsible for the co-ordination of the implementation of the WFD on national level. The DEHLG prepares the regulations. The EPA is mainly involved in the technical and scientific aspects of the implementation.

## 2.2.2 Working Groups

### **THE NATIONAL CO-ORDINATION GROUP (NCG)**

The group was established by the DEHLG. The aims were to co-ordinate and promote the implementation of the WFD on a national level. The members were:

- River Basin District Coordinating Authorities
- Department of the Environment, Heritage and Local Government
- Environmental Protection Agency
- Environment & Heritage Service, Northern Ireland
- Department of Communications, Energy and Natural Resources
- Marine Institute
- Geological Survey of Ireland
- Department of Agriculture, Fisheries and Food
- Central and Regional Fisheries Board
- Office of Public Works
- Local Government Computer Service Board

The National Co-ordination Group has been discontinued, but arrangements are being put into place for a national implementation committee. The committee is going to coordinate the move from draft plans to final plans.



Cliffs of Moher. Photo: Anna-Karin Weichert.

### **NATIONAL TECHNICAL COORDINATION GROUP (NTCG)**

The NTCG is responsible for:

- The testing and application of the guidance from Europe
- Ensuring coordination and consistency across the Irish RBD's and with other member states (especially the UK, Scotland and Northern Ireland)

The members are:

- Environmental Protection Agency
- Department of the Environment, Heritage and Local Government (Water Quality and National Parks & Wildlife sections)
- Department of Agriculture, Fisheries and Food
- Department of Communications, Energy, and Natural Resources
- Office of Public Works
- Central Fisheries Board
- Marine Institute
- Health and Safety Authority
- South Western RBD
- South Eastern RBD
- Shannon RBD
- Eastern RBD
- Western RBD
- NS-SHARE (North South Share River Basin Management Project represents North Western RBD and Neagh Bann RBD)
- CDM Consultants (consultants assisting on the development of plans in the Eastern RBD)

- RPS Consultants (consultants assisting the development of River Basin Management Plans in a number of the River Basin Districts)
- Compass Informatics (They are developing an IT system for River Basin Management.)

Representatives from County Councils also attend the meetings of this group.

### **TECHNICAL SUB-GROUPS**

These groups are established when NCG and NTCG need to address a specific topic further. The members of the sub-groups are drawn from the RBD-projects, National Organisations and Public Bodies. Some examples of sub-groups are Surface Water Risk Assessment, Groundwater Risk Assessment, GIS, Public Participation and Monitoring.



Killiney Bay, County Dublin. Photo: Anna-Karin Weichert.

### **2.2.3 Local level**

The implementation of the WFD on local level is facilitated by means of river basin management projects. The DEHLG provides 100% funding for the projects in the RBD's, which lie wholly within Ireland. The work in the international RBD's has been jointly funded by the DEHLG and the Department of Environment in Northern Ireland. The international RBD's have also received EU funding through the INTERREG programme. The first project to start was the one for the South Eastern RBD in April 2002. The projects are led by local authorities (County Councils or City Councils). One local authority in each RBD is responsible for the co-ordination of the project. They have established a project office with a project co-ordinator and a project consultancy team. The aim is to involve

facilitate participation by all stakeholders in the implementation and prepare a draft river basin management plan for the district. For advice and direction each project has a Project Steering Group and a Project Management Group/Technical Group. The projects ended in December 2008. Structures for future implementation phases are currently being considered.

The local authorities (County Councils and City Councils) make the decisions about the River Basin Management Plans. If the local authorities cannot agree on the plans, it is possible for the County Manager to decide on the plan. All in all there are 34 local authorities in Ireland. A range of public authorities specified in Regulations have roles in implementing measures depending on the type of measure and sector affected.

### **PROJECT MANAGEMENT GROUP**

The objective of this group is to make input to the technical implementation of the WFD. Below the authorities and stakeholders of the Western RBD project management group are listed:

- Local authorities
- Central Fisheries Board
- Western Regional Fisheries Board
- North Western Regional Fisheries Board
- Department of Environment, Heritage and Local Government
- Department of Agriculture, Fisheries & Food
- Department of Communication, Energy & Natural Resources
- The Heritage Council
- Teagasc Offices (The Irish Agriculture and Food Development Authority)
- National Parks & Wildlife Service

### **PROJECT STEERING GROUP**

The objective of the group is to make sure that the contract of the project is followed and decide on how the fund should be spent. Below the authorities and stakeholders of the Western RBD project steering group are listed:

- Local authorities (Leitrim, Mayo and Sligo County Councils)
- Environmental Protection Agency
- North Western Regional Fisheries Board
- The Marine Institute
- Department of Environment, Heritage and Local Government
- White Young Green Consultants
- O'Neill Groundwater Engineering Consultants
- ESBI Consultants, Project Manager
- Galway County Council, Project Coordinator
- Galway County Council

## 2.3 Conclusions

Sweden has fewer and larger RBD's compared to Ireland. In Sweden the size of the RBD's range between 44 000 and 154 702 km<sup>2</sup> and in Ireland 4081 and 18 000 km<sup>2</sup>.

The EPA and the DEHLG are responsible for the co-ordination of the implementation of the WFD on national level in Ireland. Corresponding responsibility rests on the EPA and the Geological Survey of Sweden in Sweden.

Ireland and Sweden have different ways of making decisions on important WFD matters, for instance the River Basin Management Plans. In Ireland the local authorities make the decisions and in Sweden the WB's are responsible. The advantage of the Irish way is that the local authorities have more influence. On the other hand the Swedish way enables involvement of a wider group of interested parties. The participation might contribute to a more positive attitude towards carrying out the Programme of Measures.

The operative work with the WFD is done by civil servants at the WA's and the CAB's on regional level in Sweden and by consultants (except for the project co-ordinator, who works for the local authority) in project groups on local level in Ireland. The advantage of the Swedish method is that the work is carried out by regular staff. It is more likely that those employees will keep working at the authority and their experience will be of great use during the next cycle of the WFD work.

The WFD presents a new way of working with water conservation and it might be of advantage to try different methods of organizing the work before deciding on a more permanent organization. Therefore it might be of advantage to work with the implementation of the WFD as a project like in Ireland. On the other hand project staffs are often hired on a temporary basis and therefore there is always the risk of losing experienced employees.

The Irish RBD projects have steering groups and management groups, who make decisions on how the funding should be used and make an input to the technical implementation. Except for the Water Boards, who make decisions on for instance plans and programs, the Swedish Water Authorities have no management or steering groups. The Water Authorities would probably benefit from having some kind of reference group or steering group and the experiences from Ireland might be useful.

Sweden has a large number of local authorities – 290 municipalities – and they need to be more involved in the implementation of the WFD. In Ireland one of the tasks of the project co-ordinator is to get the local authorities involved in the implementation. Gathered experience could be of great use for the Swedish authorities.

Both countries have started a number of working groups in order to facilitate the implementation of the directive. The way these groups are organized and the number of authorities represented vary. In Sweden none of the groups have a responsibility for the co-ordination. Except for the groundwater and WISS groups, which have representatives from the County Administrative Boards and the Geological Survey of Sweden, the working groups are dominated by representatives from the Water Authorities. In Ireland a technical co-ordination group co-ordinates the work on national level. The group has representatives

from a number of different authorities, project groups and consultants involved in the implementation of the WFD. Sub-groups are established when necessary and report back to the Technical Co-ordination Group. Advantages of Irelands way of working is better communication between different levels and more involvement of those who carry out the operative work. The chance of misunderstandings is less and questions and suggestions can be addressed at once.

## 3. Legislation

The aim of this chapter is to compare the implementation of the WFD into national legislation in Ireland and Sweden.

### 3.1 Sweden

The Swedish Government and Parliament are responsible for making changes to existing legislation and prepare and adopt the necessary ordinances in order to implement the WFD into Swedish legislation.

#### 3.1.1 The Environmental code

The Environmental code (EC) came into force on the 1st of January 1999. The EC is a fusion of 15 former environmental laws and the aim is to promote a sustainable development. More information on the EC can be found on the web site of the Government: <http://www.regeringen.se/sb/d/108/a/1348>.

During 2003/2004 the following changes were made to the EC in order to implement the WFD:

- The Swedish River Basin districts are named and the borders are described.
- One County Administrative Board in each county shall be a Water Authority. The Water Authority is responsible for the implementation of the WFD within the district.
- The Government or the authority that the Government prescribes shall prepare and adopt the regulations, which are necessary for the implementation.

#### 3.1.2 Ordinances

Ordinance on the management of the quality of the water environment SFS 2004:660

The ordinance was adopted in June 2004. In the ordinance there is a description of the borders of the districts. Each district shall have a Water Authority (WA). The WA's have the following responsibilities:

- They shall make it possible for and encourage other authorities and the public to participate in the implementation of the WFD.
- The characterisation and analysis of the district.
- Setting quality standards for surface water bodies, groundwater bodies and protected areas.
- Adopt a river basin management plan for the district.
- Prepare the programmes of measures.
- If a program of measures considers an area of special common interest the WA shall let the Government investigate the draft.



- If the Environmental Protection Agency (EPA) or the Geological Survey of Sweden (GSS) during the public consultation find that the programmes of measures is against this ordinance or the WFD they can request that the WA shall let the Government investigate the draft.
- The establishment of monitoring programs.
- The WA's of the three international RBD's are responsible for the co-ordination of the implementation in those RBD's. There is a special agreement with Finland. Before the WA adopts any plans, programs or quality standards they have to discuss them with Finland and Norway.

The WA's have the right to request that the municipalities supply them with data necessary for the implementation of the WFD.

The EPA (surface water) and the GSS (groundwater) are authorized to prepare and adopt necessary regulations on characterisation and analysis, quality standards, River Basin Management Plans, Programmes of Measures, monitoring and reporting.

The EPA is responsible for the reporting to the European Commission.



Lake Landsjön, County Jönköping. Photo: Maria Carlsson.

#### **ORDINANCE (2007:825) WITH INSTRUCTIONS FOR THE COUNTY ADMINISTRATIVE BOARD**

According to the ordinance one of the tasks of the County Administrative Boards (CAB) is to work with the implementation of the WFD. Each Water Authority (WA) shall have a



Water Board (WB), who is responsible for making decisions in WFD matters (for example Programmes of Measures and River Basin Management Plans). The WB or the WA can delegate to the CAB's to carry out the operative work with the implementation, for example the preparation of drafts (draft Programmes of Measures for instance), carry out monitoring and programmes of measures, be responsible for the co-ordination of the work in the catchments and making decisions. However, decision making for quality standards, programmes of measures and river basin management plans can not be delegated to the CAB's. The WA's shall in co-operation with the CAB's divide the district in sub-areas (usually one large catchment or a group of smaller catchments). The CAB's shall help the WA's with the implementation. Each CAB has to establish a secretariat for the work with the WFD. The WA's and the CAB's shall establish reference groups in order to involve interested parties in the implementation. The ordinance also describes further how the WB's shall be established and how their work shall be carried out. A decision made by a WB cannot be appealed against.

### 3.1.3 Regulations

#### **SURFACE WATER**

- The Environmental Protection Agency's regulations on characterisation and analysis of surface water according to ordinance (2004:660) on the management of the quality of the water environment. NFS 2006:1. The regulation describes identification of water body types and significant pressures, economic analysis, register over protected areas and handling of data.
- The Environmental Protection Agency's regulations on monitoring of surface water according to ordinance (2004:660) on the management of the quality of the water environment. NFS 2006:11. The regulation describes surveillance, operational, investigative monitoring, and additional monitoring of protected areas and handling and reporting of data.
- The Environmental Protection Agency's regulations and general advice on programmes of measures for surface water according to ordinance (2004:660) on the management of the quality of the water environment. NFS 2007:4. The regulation describes the reporting of the programmes of measures and the interim report.
- The Environmental Protection Agency's regulations and general advice on classification of and quality standards for surface water. NFS 2008:1. The regulation describes the classification of ecological status (including the use of expert judgement), establishment of quality standards and handling of data.
- The Environmental Protection Agency's regulation on river basin management plans for surface water NFS 2008:18. The regulation describes what shall be reported and when it shall be reported.



River Tidån, County Jönköping. Photo: Maria Carlsson.

## GROUNDWATER

- The Geological Survey of Sweden's regulation (SGU-FS 2006:1) on characterisation and analysis of groundwater according to ordinance (2004:660) on the management of the quality of the water environment. The regulation describes what information on the groundwater bodies and the groundwater supplies shall be sent to the Geological Survey of Sweden, how data shall be handled, analysis of pressures, economic analysis and register of protected areas.
- The Geological Survey of Sweden's regulation (SGU-FS 2006:2) on monitoring of groundwater according to ordinance (2004:660) on the management of the quality of the water environment. The regulation describes how chemical, quantitative status and protected areas shall be monitored, handling of data and reporting of data.
- The Geological Survey of Sweden's regulation (SGU-FS 2008:2) on status classification and quality standards for groundwater. The regulation describes status classification (including the use of expert judgement and assessment of trends), quality standards (including starting points for trend reversal) and how the results shall be reported.
- The Geological Survey of Sweden's regulation (SGU-FS 2008:1) on the reporting of the programmes of measures for groundwater. The regulation describes the reporting and the interim reporting of the programmes of measures.
- The Geological Survey of Sweden's regulation (SGU-FS 2008:3) on reporting of the river basin management plan for groundwater. The regulation describes what shall be reported and when it shall be reported.

## 3.2 Ireland

The Irish water legislation can be grouped in to three categories: water quality oriented legislation, emission control oriented legislation and water related legislation. The regulations, which transpose the Water Framework Directive into Irish Legislation, belong to the first group. The Department of the Environment, Heritage and Local Government is responsible for the preparation and adoption of the legislation necessary for the implementation of the Water Framework Directive into national legislation.

### **EUROPEAN COMMUNITIES (WATER POLICY) REGULATIONS 2003, (STATUTORY INSTRUMENT 722)**

On 22nd December 2003 the Water Framework Directive was transposed into Irish Legislation by the European Communities (Water Policy) Regulations 2003, (Statutory Instrument 722). The legislation means a number of new tasks. The ones responsible for these tasks are mainly the Minister, the Environmental Protection Agency (EPA) and local authorities. Public participation is an important part of the work with the WFD and the local authorities are supposed to facilitate the participation.

According to the legislation:

- The status of all waters should be protected
- River basin districts (RBD) should be established
- Competent Authorities are established. The EPA is identified as the competent authority for co-ordination and preparation of national reports to the European commission. The local authorities which should work together producing the programmes of measures and the river basin management plans (RBMP) are identified as well as the local authority responsible for the co-ordination in the river basin district.
- A characterisation and analysis (including an economic analysis) should be carried out in each RBD
- A register of protected areas should be developed
- Environmental objectives and monitoring programmes should be established
- Programmes of measures and river basin management plans should be developed.
- The local authorities shall for the purpose of public consultation publish a timetable and work programme for the RBMP's, the significant water management issues and the draft RBMP.
- River basin district advisory councils should be established.

The regulation also includes a list of the relevant public authorities, whose duty it is to work in a way that “achieves or promotes compliance with the requirements of the Directive”. If the Environmental Protection Agency request the relevant public authorities shall provide information and documents necessary for the implementation of the WFD. These authorities in relation to a river basin district are:

- the Environmental Protection Agency
- the relevant local authorities
- the regional authorities in the area
- the regional fisheries boards in the area

- the Geological Survey of Ireland
- Teagasc (The Irish Agriculture and Food Development Authority)
- the Radiological Protection Institute of Ireland
- the Marine Institute
- the Central Fisheries Board
- the Electricity Supply Board
- Waterways Ireland
- Failte Eireann, the National Tourism Development Authority
- the Heritage Council
- the Health and Safety Authority
- the Local Government Computer Services Board
- the Commissioners of Public Works (Office of Public Works)
- the Minister for Enterprise, Trade and Employment
- the Minister for Communications, Energy and Natural Resources
- the Minister of Agriculture, Fisheries and Food

#### **EUROPEAN COMMUNITIES (WATER POLICY) AMENDMENT REGULATIONS, 2005**

In 2005 the European Communities (Water Policy) Amendment Regulations, 2005 were adopted. The aim of these regulations is to give a more detailed description of the advisory councils, for example size, composition, tasks and date of establishment. The regulations amend Section 16 of the European Communities (Water Policy) Regulations, 2003.

At the moment the Department of Environment, Heritage and Local Government are preparing regulations for environmental objectives for groundwater.

All in all there are 15 water quality oriented regulations and acts. Some other examples are:

- Water Services Act 2007. Water services are defined as all services, including the provision of water intended for human consumption, which provide storage, treatment or distribution of surface water, groundwater, or water supplied by a water services authority, or waste water collection, storage, treatment or disposal. The act review, update and consolidate all existing water services legislation.
- EC (Quality of Surface Water Intended for the Abstraction of Drinking Water) Regulations, 1989. Quality standards, methods and frequencies of analysis for surface water intended for use as drinking water supplies.

There are 16 emission control oriented acts and regulations, for example:

- Waste Water Discharge (Authorisation) Regulations, 2007. According to the regulations licences are required for agglomerations of over 500 population equivalent (pe) and less than 500 pe the discharge will be regulated by a certificate of authorisation.
- EC (Good Agricultural Practice for Protection of Waters) Regulation 2006, Statutory Instrument No. 378 of 2006. The Regulation supports the use of agricultural practices, which protect water against pollution and give effect to a number of EU directives, for instance the Nitrates Directive and the Water Framework Directive.



View from Dún Aonghasa, Inishmore. Photo: Anna-Karin Weichelt.

A total of 46 acts and regulations are water related. Some examples are: Environmental Protection Agency Act 1992, Waste Management Act 1996, and Wildlife Act, 1976.

More information on water legislation in Ireland can be found in a report written by the Western RBD:

[http://www.wrbd.ie/PDF/Legislative%20Review%20%20Final June 2007.PDF](http://www.wrbd.ie/PDF/Legislative%20Review%20%20Final%20June%202007.PDF)

### 3.3 Conclusions

The distribution of responsibility for the preparation and adoption of new legislation in order to implement the WFD into national legislation differ between Ireland and Sweden. In Ireland the Department of Environment, Heritage and Local Government is responsible for all of the work. In Sweden on the other hand the Government and the Parliament are responsible for the implementation. They have chosen to make the necessary changes in existing legislation and adopt a new ordinance, but they have authorized the EPA and the GSS to prepare and adopt necessary regulations on characterisation and analysis, quality standards, River Basin Management Plans, Programmes of Measures, monitoring and reporting.

In both countries the EPA is responsible for the preparation and delivery of national reports to the European commission.



The degree of detail of the legislation varies between the countries. The Swedish legislation contains more technical details on what should be included in for instance the Programmes of Measures and the River Basin Management Plans. The Irish legislation on the other hand identifies a greater number of public authorities, who should be involved in the implementation.



River Eske, Donegal town. Photo: Anna-Karin Weichert.

## 4. Public participation

The aim of this chapter is to compare the general work with WFD and Public Participation, the establishment of Advisory Councils and the public consultation of the Significant Water Management issues in Ireland and Sweden.

### 4.1 Sweden

#### 4.1.1 General

The Swedish Water Authorities have made a number of initiatives in order to facilitate public participation:

- A web site with information on the RBD's and the implementation of the WFD in Sweden.
- Three brochures on the WFD (general information on the directive, the most important elements of the implementation and economic analysis)
- A handbook for Advisory Councils
- Arranging of conferences for Advisory Councils
- WISS is the Swedish national database for water bodies. It contains information on classification, monitoring, measures and reports to the European Commission. The database, which is open to the public, has been used since the 10th of January 2006. The address is: [www.viss.lst.se](http://www.viss.lst.se) . (An English version is available.)
- Information about the results of the work with the WFD can also be found on the Water map. [www.vattenkartan.se](http://www.vattenkartan.se) (Only in Swedish.)
- Public consultations on the timetable, work programme and significant water management issues.

#### 4.1.2 Advisory Council

In order to facilitate the public participation on regional and local level Swedish County Administrative Boards (CAB) and Water Authorities (WA) are supporting the establishment of advisory councils.

The aim of the advisory council is to:

- Create a comprehensive picture of the water issues in the area
- Participate in the discussions of the implementation of the WFD
- Contribute in the preparation of draft environmental objectives, quality standards and programmes of measures.
- Create a platform where all parties interested in water issues in a certain area can meet and by means of discussion find common ways to achieve the environmental objectives

The advisory council is supposed to be a local or regional initiative. If an authority or organization wants to establish an advisory council they send in an application to the CAB, which is responsible for the co-ordination of the implementation of the WFD in that river

basin. After that a discussion between the applicant and CAB starts on the basic criteria's for the advisory council. The basic criteria's are the following:

- Both surface water and groundwater should be included
- An advisory council is established for one catchment (it might be practical to include a small stretch of coast) or a coastal area.
- Everyone who is interested shall have the opportunity to participate

When the County Administrative Board and the applicant have agreed on the criteria's of the advisory council an application is sent to the Water Authority. The Water Authority is responsible for making the decision about the establishment of the advisory council.

In Sweden there are already a number of organizations who are involved in the work with monitoring and conservation of waters. One example is the Lake Vättern Society of Water Conservation ([www.vattern.org](http://www.vattern.org)). The network and knowledge of those organizations may be a good foundation for an Advisory Council.

The Authorities support the Advisory Councils in a number of ways:

- The WA's for the Skagerrak and Kattegatt RBD and the Southern Baltic Proper RBD have prepared a guidance document for the establishment of Advisory Council's. The guidance include information on the WFD, how to establish an Advisory Council, how to participate in the implementation of the WFD and some examples of already established Advisory Councils.
- It is possible to apply for financial support from the WA or the CAB for the establishment of an Advisory Council. At the moment there is no financial support for the day-to-day work.
- The WA's are responsible for training programmes about water issues for the Advisory Councils.

#### **RIVER LAGAN ADVISORY COUNCIL, THE SKAGERRAK AND KATTEGATT RIVER BASIN DISTRICT**

River Lagan is the biggest river in southern Sweden. The drainage basin is 6454 km<sup>2</sup> and stretches over four counties and 15 municipalities. A Water Conservation Society for river Lagan was established in 1955. In May 2007 the Society established an Advisory Council for river Lagan. The Council has 50 members – 12 municipalities, one school (Stora Segerstad and Värnamo Upper Secondary School for Natural Resources) and 37 businesses and NGO's (for example forestry, agriculture, anglers and nature conservation). The Advisory Council is responsible for spreading of information about and discussion of the implementation of the WFD on local level.

One example of the work of the Advisory Council is the five public evening meetings at different venues that they arranged during September and October 2008. The purpose of the meetings was to inform about the Advisory Council and the WFD and discuss the results of the classification of river Lagan and gather local knowledge in order to impact and improve the classification. The Advisory Council was responsible for the arrangement of the meetings and the programme was prepared in co-operation with the CAB in County Halland (The CAB in County Halland is responsible for the co-ordination of the implementation of the WFD within the catchment of river Lagan.) In June 2008 a press release



on the results of the classification of Lagan and the public meetings was published. A couple of hundred invitations were also sent per mail or e-mail to NGO's and authorities in the area. At the meeting three short presentations on the Advisory Council, the aim of the WFD and the results of the classification were given. After the presentations the results of the classification was discussed in groups (One group for each sub-catchment.) Between 150 and 170 people attended the meetings. The number of attendees increased with every meeting. About 20 people attended the first meeting and more than 50 people attended the last meeting. Documents with information on the classification results were handed out to those who attended the meetings and it was possible to send in written submissions after the meetings.

According to the experiences from these meetings getting the local press to report on and write about the meetings is the best way to spread information about the meetings. A smaller number of people than expected attended the meetings. One reason might be that a lot of people, especially farmers, did not have time because of an outbreak of the blue-tongue disease (sheep and cattle).



View from Dún Aonghasa, Inishmore. Photo: Anna-Karin Weichelt.

### 4.1.3 Significant Water Management Issues – The Southern Baltic Proper RBD, Sweden

An overview of the Significant Water Management Issues (SWMI) of the Southern Baltic Proper RBD was prepared by the WA. The overview was partly based on 50 interviews with representatives from for instance NGO's, industry, authorities, fishermen, politicians and experts. The interviews were carried out by civil servants from the CAB's.

The public consultation period started on the 1st of February 2008 and ended on the 1st of August 2008. The consultation was announced in 28 papers. The consultation paper was distributed to 845 addresses, for example NGO's, stakeholders, political parties and authorities. The paper was also available on the web page and at the offices of all Municipalities, CAB's and the WA's.

Seven meetings at different venues throughout the district were arranged. The meetings were arranged by the CAB's. At all seven meetings the WA's gave a presentation on the Significant Water Management Issues of the Southern Baltic Proper. Some of the meetings were only about the SWMI and during some meetings other topics, like the results the results of the characterisation and analysis, were also discussed. The extent of the marketing of the meetings varied between the CAB's. Some only sent out invitations by e-mail and post and put up an ad on their web page, while others also advertised in local newspapers.

Approximately 191 people attended the meetings. Among the issues discussed at the meetings were:

- Flooding
- Littering
- Pesticides in groundwater
- The increase in humus concentration in lake water
- Local problems with shortage of water

The WA received 89 written answers and 35 people answered the web based questionnaire. According to a written assessment of the answers the consultation paper was easy to read, but more detailed information was requested. When and how to participate in the implementation is clearly described, but whom to turn to could be better described. Among the issues suggested being included on the list of significant water management issues are: pesticides in ground- and surface water, problems with storm water and flooding, climate change and protection of drinking water supplies.

No assessment of the consultation has been made on national level. The WA of the Southern Baltic Proper has discussed the experiences within the district. Suggested improvements are for example better wording of questions to be answered during the consultation and better feedback to the public.

## 4.2 Ireland

### 4.2.1 General

A number of initiatives have been made in Ireland in order to facilitate public participation:

- DEHLG has produced a document “Public Participation in River Management” on their general approach for Public Participation.
- Public information web site managed by the DEHLG: [www.wfdireland.ie](http://www.wfdireland.ie) (There are links to the web sites of the RBD-projects.)
- An umbrella organisation for thirty of Ireland's leading environmental organisations has been established. The network, Sustainable Water Network (SWAN, [www.swanireland.ie](http://www.swanireland.ie) ) is a way of coordinating their involvement in the work with the WFD. SWAN is funded by the DEHLG.
- DEHLG provides funds to SWAN for them to carry out a project aiming to produce a blueprint for a public awareness campaign.
- Arranging Advisory Council conferences
- Public consultations on the timetable, work programme and significant water management issues.

### 4.2.2 Advisory Council

The local authority in charge of the RBD is responsible for the establishment of an Advisory Council for the RBD as well as providing secretarial support to the Advisory Council. The objective of the Advisory Council is to advise on water matters in the RBD, for example the preparation of the River Basin Management Plan.

#### **THE ADVISORY COUNCIL OF THE WESTERN RBD**

Galway County Council is coordinates the implementation in the Western RBD. In May 2006 the Council arranged a meeting with 14 nominated persons from the 7 local authorities in the RBD. At the meeting 13 persons were co-opted for the Advisory Council. These people had been nominated by stakeholder groups and represent agriculture, angling, academia, business and bodies for the protection of waters. The advisory council meets at least six times a year.

### 4.2.3 Significant Water Management Issues – Western RBD, Ireland

The booklet “Water Matters – have your say!” was published on the 21st of June 2007 and the public consultation ended on the 22nd of December 2007. The Advisory Council representatives contributed with inputs during the development of the booklet.

The Western RBD arranged seven public meetings. Before the meetings promotional fliers were sent to for example local authorities offices, libraries and public authority offices and stakeholders. The flier could also be found on the RBD web site and all local and public authorities were requested to put it up on their web sites to. Information about the meetings was also spread by means of ads in newspapers, ads on the regional radio stations and

the project co-ordinator and the project manager gave interviews on regional radio stations. At the meetings the ones who attended were photographed by press photographers or the Western RBD and the photographs were published in local newspapers.

Approximately 185 people attended the meetings. The participants were from all sectors of the society and stakeholders in the basin. A great number of issues were discussed at the meetings, for example:

- Concern over the standard of Waste Water Treatment Plants
- There is a need for closer cooperation between Local Authority Planning, Environment and Water Services Sections to ensure a comprehensive approach to ensuring sustainable development
- Management and operation of quarries
- Illegal waste disposal
- Forestry management practices
- Enrichment of waters from agriculture practices
- On site waste water treatment systems

The support for the WFD is good and people see it as an opportunity to change things for the better. A lot of people are requesting more education or awareness programmes connected to the different steps of the implementation. People would for example like to see practical examples of cause and effect and the impacts of measures.

After the public consultation an overall assessment for the country showed that more effort is needed in order to engage the public in the WFD process. Some of the suggested improvements are a national media campaign for all the RBD's before a public consultation as an alternative or complement to ads in local newspapers and a national awareness campaign for water quality issues (The campaign should be run along the lines used for "the Race Against Waste Campaign".)

The public also had the possibility to send in written submissions. The Western RBD received 39 written submissions.

More information on the public consultation of the Significant Water Management issues for the Western RBD can be found in two reports on their web site: [www.westernrbd.ie](http://www.westernrbd.ie).

## 4.3 Conclusions

Both countries have web sites informing the public about the implementation of the WFD on national and district level. At the moment Sweden's web pages are only in Swedish. A translation of those pages to English would facilitate the exchange of experiences between the countries.

An area where Ireland can learn from Sweden is the accessibility of the results of the work with the WFD. Sweden's data base WISS (Water Information System Sweden) and the Water map have been in use for a couple of years and the gathered experience could be of use if Ireland would be interested in setting up a similar system.

Sweden could benefit from Ireland's experiences from SWAN. NGO's have an important part to play in the implementation of the WFD and there is a need to involve them more in the work in Sweden. The ongoing SWAN-project on public awareness could be of use for both countries. The project includes both a blueprint for a public awareness campaign and a survey assessing the knowledge and importance of water issues among stake holders and the general public as well as the success of former environmental campaigns.

Both countries are arranging conferences for Advisory Councils. Both parts would benefit from an exchange of experiences from those conferences. For example in 2008 a National Advisory Council Conference in Ireland was arranged by SWAN in co-operation with the South Eastern RBD and Carlow County Council. The conference, "Valuing Our Waters – The Benefits of Good Water Quality to the Community" was non-technical and included for instance practical examples of what is being done on the ground. More information about the conference can be found on SWAN's web site:  
<http://www.swanireland.ie/latestNewsFull.php?id=77>

Both countries are establishing or have established Advisory Councils. The way of establishing, the size of the area it represents and the representation differ between the countries. In Ireland the establishment of Advisory Councils was initiated by the local authorities (All Advisory Councils in Ireland have been established.). The number of members is fixed and related to the size of the river basin district. Members are elected councillors nominated from local authorities, environmental NGO's, agriculture, recreational sector, business and academia. There are eight Advisory Councils in Ireland – one for each River Basin District. In Sweden the establishment of Advisory Councils is supposed to be a local initiative. The number of members is not fixed and all interested parties can join the Advisory Council. There can also be more than one Advisory Council in each RBD. The Swedish method gives the public more influence and the way of public consultation can be adjusted to local needs (for instance the size of the area). More influence over the implementation might also lead to a more positive attitude to the river basin management plan.

The comparison between the public consultation on the SWMI in the Western RBD in Ireland and the Southern Baltic Proper in Sweden shows that Sweden can learn a lot from Ireland. The public consultation in the Western RBD was carried out in a common way throughout the district and a thorough assessment of both the written submissions and the issues raised at the meetings was prepared. An assessment of the public consultation on national level has also been prepared.

## 5. Recommendations

The WFD is a quite new area and more co-operation and exchange of experiences is recommended. This evaluation shows that both Ireland and Sweden have a lot to learn from each other and would benefit from future exchange. It is recommended that Sweden translates its national WFD web site to English. (Using "Google translate" to translate the web pages could be an alternative.) A translation of the river basin management plan would also be of great use.

Sweden could learn from Ireland in the following areas:

- Organization of national working groups
- Participation of NGO's (SWAN)
- Management of the RBD's
- Arrangement and assessment of public consultation

Ireland could learn from Sweden in the following areas:

- Water Information System Sweden
- The Water Map
- Advisory Councils



Lough Nafuoey, Connemara. Photo: Anna-Karin Weichelt.

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**Go raibh mile maith agat (Thousand thanks to you)! All the best! Hope to welcome my friends from Ireland in Sweden soon!**

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Förordning (2202:864) med länsstyrelseinstruktion (Ordinance (2007:825) with instructions for the County Administrative Board)

Lagans Vattenvårdsförening (River Lagan Water Conservation Society)  
<http://www.lagansvattenvardsforening.com>

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Neagh Bann International River Basin District <http://www.nbirbd.com>

Nils-Erik Linnér, Lagans Vattenråd (River Lagan Advisory Council)

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Shannon International River Basin District <http://www.shannonrbd.com>

South Eastern River Basin District <http://www.serbd.com>

South Western River Basin District <http://www.swrbd.ie>

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## Appendix 1 Swedish Authorities

### What is a County Administrative Board?

The County Administrative Board is a government authority that works close to the people in the county. On one hand it is an important link between the people and the municipal authorities and on the other hand the government, parliament and central authorities. The County Governor leads the work of the County Administrative Board (CAB). The CAB is working with issues extending across the whole society. Agriculture, Community planning, Cultural environment, Driving licenses, General elections, environmental protection and social issues are a just a few examples of the responsibilities of the CAB. Some of the tasks of the CAB are the implementation of national objectives, development on county level, the establishment of regional objectives and safeguarding the rule of law.

More information on the work of the County Administrative Board can be found on:  
<http://www.lst.se/lst/en/>



Figure 3: Counties in Sweden

## What does a Municipality do?

There are 290 Municipalities in Sweden. Size and population vary a lot. The size of the population of the municipalities range from 770 000 in Stockholm city to 2600 in Bjurholm. The biggest Municipality is Kiruna with 20 000 km<sup>2</sup> and the smallest one is Sundbyberg with 9 km<sup>2</sup>. Politicians manage the Municipalities. The compulsory tasks of the Municipalities are education (primary and secondary), day care, elderly care, public transportation, health care, drinking water supply, waste, social services, support for disabled, library, roads, sports grounds, planning, emergency service and emergency preparedness, and health- and environmental protection. Among the voluntary tasks of the municipalities are after-school recreation centres for junior schoolchildren, culture, economic development and employment.

## What does a County Council do?

There are 18 County Councils in Sweden. Politicians, who are elected by the people in the county, rule the County Councils. The compulsory tasks of the County councils are: health care, dental care (for children and young people younger than 20 years) and public transportation (in co-operation with the municipalities). There are also a number of voluntary tasks, for example culture, education, tourism and regional development.

More information about municipalities and county councils can be found on the web page of the Swedish Association of Local Authorities and Regions: