

The Implementation of EU Framework Directive to Polish legal system

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Seminar for authorities responsible for EU Water Framework
Directive implementation at national level



The major objectives of the water management in Poland

- The improvement of the quality of surface waters and groundwaters
- The provision of the population and the national economy with the necessary quantities of water with adequate quality

The basic legal instruments for the implementation of environmental policy in the scope of water management include:

- the Water Act of 18 July 2001 (Official Journal of the Laws 01.115.1229)
- the Environmental Protection Act of 27 April 2001 (Official Journal of the Laws 01.62.627)
- the Geological and Mining Act of 4 February 1994 (Official Journal of the Laws 94.27.96)
- the Inland Navigation Act of 21 December 2000 (Official Journal of the Laws 01.5.43)

as well as executive orders to these acts

The Water Law Act of 18 July, 2001

(Dz. U. 2001.115.1229 from 11 October, 2001 r).

The legal, organisational and economic measures contained in the Water Act are addressed to both water owners, users and public administration authorities.

REGIONY WODNE W POLSCE

skala 1 : 4 000 000



Planning in Water Management

- water management plans for river basin districts ,
- flood protection and drought effect mitigation plans for the territory of the state, taking into consideration the division for river basin districts ,
- flood protection plans for a water region,
- conditions for the use of waters in a water region,
- conditions for the use of waters in a catchment area, if need be

The authorities responsible for water management

- The minister competent for water management
- The President of National Water Management Board
- The Director of The Regional Water Management
- The Voivode
- The authorities of regional and local governments

Minister competent for water management

- consultation the river basin management plans
- consultation the national flood protection and drought effect mitigation plans
- supervision over the activities of the President of The National Water Management Board

The President of the National Water Management Board

- the implementation of the national water management policy
- the preparation of draft national plans and river basins plans

The Directors of the Regional Water Management Boards establish:

- the conditions for the use of water in water regions and as far as necessary
- the conditions for the use of water in catchment area
- the protective zones for water intakes
- the protective areas for inland water reservoirs

Among a lot of tasks the director is responsible for acting as a party in the administrative proceedings in the cases concerning the water region

The protection of water resources

- executive orders related to water management and water protection

- 1) on the charges for the use of inland waterways and water facilities,
- 2) on the requirements for the inland sea waters and coastal waters which are the living habitat of shellfish,
- 3) on the requirements for the inland waters which are the living habitat of fish under natural conditions,
- 4) on the reference methods for the examination of the degree of biodegradation of surface active agents contained in products the use of which may affect the quality of waters,

- 5) on the requirements for surface waters used for the provision of the population with water intended for human consumption,
- 6) on the requirements for wastewater discharges into waters or to land and the substances particularly harmful for the environment,
- 7) on the criteria for the designation of waters vulnerable to the pollution by nitrogen compounds from agricultural sources,
- 8) on the detailed requirements for programmes of measures to reduce nitrogen runoffs from agricultural sources,
- 9) on the loads of substances allowed to be discharged in industrial effluent.

The strategic goal of water protection is to ensure the quality of waters corresponding to their intended use and the needs related to their ecological functions.

The detailed objectives of water protection

- the improvement of the quality of running surface waters used as the sources of public supply with drinking water,
- the improvement of the equipment of towns/cities and settlements with wastewater collection systems and treatment plants,
- the elimination or limitation of substances particularly harmful for the aquatic environment as discharged in effluent from industrial plants,
- the reduction and prevention of the pollution of waters by nitrogen compounds from sources directly or indirectly related to agriculture

The results of the WFD implementation process in the Odra River Basin District and the Vistula River Basin District

- The typology of surface waters and the identification of bodies of surface waters and groundwater,
- The establishment of the reference conditions corresponding to the types of surface waters (Phase I),

- The implementation of the methodological guidance for the Water Framework Directive 2000/60/EC, entitled *“Guidance on analysis of pressures and impacts – the identification of significant pressures and the assessment of impacts in the River Basin Districts of the Vistula and the Odra Rivers”*;
- Economic analysis of the management of waters for the River Basin Districts of the Vistula and Odra Rivers, along with a concept of future measures,
- The register of protected areas (according to the types of protected areas; Natura 2000, bathing sites, water withdrawals etc.).

The Twinning Agreement signed between Poland and Germany on the implementation of the project “The Implementation of the Water Framework Directive 2000/60/EC”.

The main objective of the project is to assist the public administration in the implementation of WFD and other EU legal acts in the scope of water management in Poland.

The Twinning Agreement signed
between Poland and France on the
implementation of the project “The
Continuation of the Implementation of
the Water Framework Directive
2000/60/EC

The main objective of the project is to assist Poland in its implementation of WFD, including particularly:

- support for the process of the development of River Basin Management Plans and the related programmes of measures;
- support for the measures taken in the process of public participation and in the development of River Basin Management Plans and programmes of measures;

- the preparation of a system of reporting to the European Commission on the implementation of WFD, based on the results of the work of the Working Group on Reporting;
- the provision of assistance in the introduction of the principle of the recovery of costs for services in the range of water management (including the environmental and resource-related costs) into the water pricing system;
- training courses for the public administration competent in the matters of the management of waters in river basins.

International Commission for the Protection of the Odra River against Pollution

At present, within the framework of the Commission, 11 working groups are active.

One of these groups is GR A for “Co-ordination of the implementation of WFD”

Within the framework of this work, a report was drawn up on the implementation of Articles 5 and 6 of WFD and its Annexes II, III and IV. On 16 March 2005, this report was submitted to the International Commission for the Protection of the Odra River against Pollution for its final approval prior to its forwarding to the European Commission.

The draft act amending the water act

The practical use of the particular regulations of the Water Act and the instruments established by this Act for the water management as well as the detailed analysis of regulations related to the transposition Water Framework Directive indicated the need to specify or amend some regulations.

The main objective of this draft is assurance the more specific transposition of the provisions of the Water Framework Directive into the Polish legal system.

To date, the following has been established:

- a normative framework for the functioning of EU regulations, constituted by the Water Act with executive orders
- an institutional framework :
 - the authorities competent in the matters of the water management;
 - the bodies for international co-operation (the International Commission for the Protection of the Odra River against Pollution).

Reporting to the European Commission

Reports approved by the European Commission

- The country report for the Odra River Basin District and the Vistula River Basin District on the implementation of Article 3 and Annex I to WFD
- The report for the international Odra River Basin District on the implementation of Article 3 and Annex I of WFD, drawn up within the framework of the International Commission for the Protection of the Odra River against Pollution.
- (with the implementation date of 22 June 2004)

Reports drawn up

- The country report for the Odra River Basin District and the Vistula River Basin District on the implementation of Articles 5 and 6 and Annexes II, III and IV to WFD – *the report has been submitted to EC*
- The report on the international Odra River Basin District on the implementation of Articles 5 and 6 and Annexes II, III and IV of WFD, drawn up within the framework of the International Commission for the Protection of the Odra River against Pollution

The draft act amending the water act

- the general principles of water management were complemented and regulations were adopted to allow for better co-ordination of Poland's co-operation with other countries in the water management in international River Basin Management Districts
- amendments were made to allow for the correct establishment of necessary environmental objectives (in relation to the quantity and quality of water resources)
- the objectives of water protection were specified, the measures to achieve them were indicated and the deadline for the achievement by the Member States of good status or good potential of water resources was adopted and the departure from these requirements
- a system for public participation in the process of drawing up River Basin Management Plans