

Wales Wetlands Ecosystem Group

Meeting No: 1

Date: 13 January 2009

Venue: Hafren Meeting Room, 1st floor Ladywell House, Newtown, Tel 01686 613158. (Map attached).

Time: 10:30 – 16:00

Agenda

1. Introductions
2. Confirmation of group membership – any gaps?
3. Review of background to groups' formation as part of the new approach to BAP delivery in Wales.
4. Review of group remit, Terms of Reference and immediate key tasks, leading to development of work programme.
5. Overview of existing policy measures of relevance to wetlands
6. Paper for next meeting of WBP
7. Possible event for Wales Biodiversity Week, 4-16 June 2009
8. AOB – date of next meeting

NOTE:

- Parking is available at Ladywell House on a first come basis
- Lunch will not be provided! There is a shop nearby!
- Please check your e-mail at 4.00 PM on the 12th. in case of late cancellation for bad weather/flu etc!. E-mail me a mobile contact number if you wont have e-mail access.
- The meeting room is on the same floor as the CCW office but not within it.

PSJ, CCW Bangor

7 January 2009

**Chris Uttley – Countryside Council for
Wales**



Wetlands in River Basin Planning. A check list.



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Aim of the talk?



The key aim is to provide a series of shortcuts or checklists for you to use to ensure that each river basin management plan is doing as much as it can for wetlands.

To bypass the puzzling world of WFD process and interpretation.



Wetlands and the Water Framework Directive



Features of WFD & RBMP



- Deadlines extended where-ever possible (to 2027)
- Derogations, less stringent objectives and exemptions used where-ever possible
- Increasing focus on “quick wins” and “statutory priorities”
- Items in the “too difficult”, “too expensive” and “non-statutory” box likely to be sidelined



What does the WFD offer to wetlands?



- Are Wetlands non statutory and too difficult?
- Received wisdom is that wetlands are not automatically included in the WFD and must somehow be squeezed in through creative interpretation. That they are not a statutory part of the WFD.

FORTUNATELY, THIS IS WRONG!



What does the WFD offer to wetlands?



Wetlands will be the direct beneficiaries of measures if:

1. They are designated as part of a water dependent N2K protected area (SAC/SPA).
2. Part of the riparian zone, and so part of the morphological quality element of a surface water body
3. They are identified as a “Groundwater dependent terrestrial ecosystem”.
4. Their creation or restoration is needed as part of a supplementary measure to achieve an Environmental Objective.



Member States obligations for N2K Protected Areas?



- *Article 4. In making operational the programme of measures specified in the River Basin Management Plan....*
- *(1c)for protected areas Member states shall achieve compliance with any standards and objectives within 15 years of the WFD entering into force (unless otherwise specified in the source Directive).*
- Note: *“Shall achieve compliance....”*
“Within 15 years...” i.e. 2015



What are the Objectives?



- The environmental objectives under Article 4 for wetlands SAC/SPA are basically the conservation objectives required to ensure that features meet Favourable Conservation Status
- Compliance with the Habitats/Birds Directive for water dependent features is a prerequisite for compliance with the WFD



Application of the Programme of Measures to N2K wetlands



- The Habitats and Birds Directives are listed in the **Basic Measures** and should therefore be brought to bear in the WFD.
- All aspects of the PoM can be brought to bear to achieve “any standards and objectives” for N2K sites on the register.
- Examples of Measures for N2K wetlands sites: Control of diffuse pollution, Control of drainage, reducing disturbance, invasive species control, morphological restoration, plus the “usual“ (abstraction, point source control)



Do the derogations apply to N2K wetlands?



- Article 4 (8 & 9) state that the application of all the derogations, exemptions and less stringent objectives must be:
 - a. Consistent with the implementation of other existing community environmental legislation and
 - b. Must guarantee at least the same level of protection as existing community.
- i.e. the only derogations that apply to any N2K site on the register are those within the Habitats and Birds Directives. WFD cannot be used to justify achieving less than the N2K directives require.
- This will severely curtail the use of derogations on N2K sites.



Checklist for N2K wetlands



- Check that all wetlands SACs/SPAs are on the register of protected areas?
- Make sure that the RBMP includes specific measures to bring each SAC/SPA wetland into favourable condition by 2015. If not, ask why?
- Check with NE/CCW to see what measures they are proposing for N2K wetlands?
- Ask what monitoring will be carried out under WFD for these wetlands?
- Ask for assurance that any derogations, exemptions or extended deadlines used in the plan are compatible with the Habitats and Birds Directives.
- Check particularly that HMWB & AWB designations will not impinge on wetland protection, restoration & creation



Groundwater dependent wetlands



Rationale

- “Good Groundwater Status” depends upon there being no significant damage to “Groundwater dependent terrestrial ecosystems” from water quantity / quality impacts
- If a GWDTE is significantly damaged then measures must be applied to groundwater to reverse the damage to the wetland.
- “Significant damage” is that level of damage equivalent to causing a feature or site to be in unfavourable condition.
- This means that any SAC/SSSI/LNR wetland that depends upon groundwater, but is not in favourable condition because of groundwater impacts, is eligible for measures to bring the site into favourable condition.



What types of measures might be available?



- Measures may include re-location of abstractions or discharges, diffuse pollution control.
- In some cases (multiple pressures acting on groundwater) it may be more cost effective to control drainage or remove land use impacts than reduce abstraction
- Measures may include “prevent or limit” to reverse contaminant trends (Groundwater Directive), or measures to ensure “no deterioration” of groundwater *sufficient to cause damage to wetlands*



Checklist for groundwater dependent wetlands?



- Make sure the RBMP identifies and lists all wetlands that are GWDTE?
- Ask which ones are significantly damaged?
- Ask which ones are at high risk or good status/low confidence?
- Ask to see specific measures identified in the plan that will reverse significant damage or prevent deterioration of those at high risk?
- Ask which GWDTE will benefit from measures to prevent or limit pollutant trends. Ask which ones will benefit from no deterioration measures?
- Ask what monitoring will be carried out for groundwater dependent wetlands to improve info?



Wetlands that form part of a surface water body



Rationale

Wetlands that form part of the riparian, lake shore or inter-tidal zone form part of the “hydro-morphological quality element” (HQE) for water bodies.

- At High status, water bodies must have full Hydro-morphological functioning i.e. undisturbed
- At Good and less-than-good, morphology must support biological quality sufficient to achieve GES/GEP



What measures would be available?



- Preventing loss of further littoral, riparian and inter-tidal wetlands. (High Status water bodies)
- Creation or restoration of additional wetlands to support GES/GEP



Checklist for wetlands as part of surface water bodies



- Seek clarity on whether wetlands next to or near to Water Bodies are part of morphology quality element water body?
- Ensure measures are identified to protect and maintain existing wetland extent adjacent to the high status water bodies. (i.e. floodplain, littoral or inter-tidal wetlands)
- Ensure measures are identified to restore or create new wetlands required to support biological quality elements at GES/GEP
- Now and in the future - ensure any loss of wetlands due to new development (Article 4 (7)) are fully identified and tests explained in RBMP.



What is Article 4(7)?



- “Lawyers gift”
- “Officials nightmare”

Allows deterioration of ecological status as a result of changes to physical modifications of water body or sustainable human development activities if:

1. All steps are taken to mitigate the impact, and;
2. The reason for the modification are explained in the RBMP, and;
3. The reason for the modification are of overriding public interest and/or delivers more benefits to sustainable development than achieving the environmental objective, and;
4. No better (environmental) alternatives exist that are technically feasible and not expensive.



Wetlands as measures for water bodies and protected areas



Creation or restoration of wetlands maybe a cost effective measure to achieve environmental objectives:

- Benefits for Flood protection
- Benefits for groundwater re-charge
- Nutrient/sediment/pollutant load abatement
- Restoration of flow regime and morphology
- Conservation of biological diversity



Checklist for wetlands as measures



- Ensure RBMP identifies where environmental objectives cannot be achieved by basic measures alone.
- Ensure that wetland creation/restoration have been included in cost effectiveness work as alternatives wherever possible
- Check that each RBMP clearly identifies where wetlands have been created as part of a measure
- Develop score card for RBMPs based on amount wetland created.



Summary



- The WFD can deliver real measures and benefits for wetlands without creative interpretation!
- Vigilance is needed by those reading RBMPs to check that they deliver on statutory aspects of wetlands in WFD
- Perhaps we should develop a league table for RBMPs?

Thank you



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Agenda Item 4.

Key early tasks of Wales Wetlands Ecosystems Group (from WBP paper ‘WBP Future of BAP Biodiversity Mechanism Final Draft 29 Oct 20_final).

Key tasks defined by WBP (cross referenced to identified sections of WBP paper <i>WBP Future of BAP Biodiversity Mechanism Final Draft 29 Oct 20_final</i>) circulated 6/1/09.	Comments and early suggested priorities for the group – for discussion at first meeting
1. Set objectives/targets for the habitat and relevant species at the Wales and LBAP level (<i>App I, sect II.1.</i>)	<ul style="list-style-type: none"> • Review/modify(?) objectives/targets established in 2005 for the 2nd generation of plans (see paper <i>Wetland HAP new targets</i> circulated 6/1/09). How well do these tie in with Wales Environment Strategy targets? • Review / modify <i>pro rata</i> targets derived from above for LBAPs and issued on WBP website (see Excel file <i>Copy of disaggregated Hab targetswbpversept1st07 WBG website version</i> circulated 6/1/09).
2. Prioritise the most important actions needed to deliver the four lowland wetland habitat action plans (<i>main text, p.3, 4.II</i>)	<ul style="list-style-type: none"> • Identify and prioritise actions. • Develop an implementation plan for Welsh wetlands for sanction by partners and WBP. Would need to (i) prioritise actions, (ii) identify mechanisms and players, both new and existing, (iii) identify funding requirements.
3. Identify and carry out priority projects for delivery (<i>main text, p.3, 4.II</i>)	<p>Needs to flow out from 2. Immediate possibilities include:</p> <ul style="list-style-type: none"> • Development of funding bids / mechanisms to develop one or more Wetland Restoration Projects across Wales – e.g. need Project Officers with a budget to undertake capital works, and then money to build local capacity through grazing/machinery rings etc for ongoing management. • Advice to WAG on strategic funding requirements • Policy reform • Production of guidance on key priorities and geographical areas for action • Development of vision ‘glossy’ for Welsh wetlands?
4. Set targets at the LBAP level (<i>main text, p.3, 4.II</i>).	<p>See 1 above – also:</p> <ul style="list-style-type: none"> • Need to review usefulness of <i>Priority Habitats of Wales</i>. • What do LBAPs want? Would more specific guidance be helpful?

	<ul style="list-style-type: none"> • Possible role for a Welsh Wetland Vision
<p>5. Engage appropriately with local partnerships to align delivery (<i>App I, sect II.1.</i>)</p>	<p>Relevant to 4 above.</p> <ul style="list-style-type: none"> • Run project to determine what local partnerships (= to LBAPs?) actually need us to provide? • Opportunity to achieve this presented by WBP plan to run 3 regional Workshops in February/March 2009 to roll out the new BAP approach in Wales to LBAP Partnerships and other staff working at a local/regional level.
<p>6. Coordinate possible funding & research bids (<i>main text, p.3, 4.II</i>), identify opportunities for leveraging resources and coordinate bids for research or implementation (<i>App I, sect II.1.</i>)</p>	<ul style="list-style-type: none"> • Mostly covered by 3 above. • Influence development of proposed biodiversity and geodiversity grant aid scheme.
<p>7. With local biodiversity partnerships, agree the most important areas for landscape-scale delivery (<i>main text, p.3, 4.II</i>), identify priority areas for delivering biodiversity enhancements and improving connectivity at a landscape scale (<i>App I, sect II.1.</i>)</p>	<ul style="list-style-type: none"> • Key landscape scale areas for lowland wetlands are fairly obvious – e.g. Dyfi Estuary, Cors Caron, Anglesey Fens, Lleyf Fens, Mynydd Bach Peatlands (Ceredigion). • We could run a project to define and develop these, but how to engage with LBAPs and Regional Spatial Planning Fora? • Lowland wetlands relatively poorly interconnected with the exception of coastal and floodplain grazing marsh. Key emphasis should be on wetlands as part of a wider semi-natural landscape – with marshy grassland, heath etc.
<p>8. Identify knowledge gaps and address directly or recommend to WBP how they should be filled(<i>App I, sect II.1.</i>)</p>	<ul style="list-style-type: none"> • Developing markets for wetland products.
<p>9. Identify policy blockages and through representation to policy group help drive policy development and monitor outcomes(<i>App I, sect II.1.</i>)</p>	<ul style="list-style-type: none"> • Undertake review of policy measures of relevance to wetland habitats; identify areas where reform or new policy development is needed.
<p>10. Instigate monitoring to enable reporting against progress with habitat/species targets (<i>App I, sect II.1.</i>)</p>	<ul style="list-style-type: none"> • Difficult one! • Issue relevant to BAP delivery generally – not just wetlands. • Suggest we refer back to WBP for guidance.

11. Coordinate reporting for habitats and species (<i>App I, sect II.1.</i>)	<ul style="list-style-type: none"> • V incomplete picture on BARS
12. Further develop ecosystem approach, taking into account ecosystem services and carrying capacity (<i>App I, sect II.1.</i>)	<ul style="list-style-type: none"> • JNCC project is looking at this with respect to wetlands. CCW project also.
13. Provide advice on habitat management for land managers (<i>App I, sect II.1.</i>)	<ul style="list-style-type: none"> • Collate and disseminate existing guidance – develop web facility (hosted by WBP). • Support development of local nodes of expertise – e.g. Pembs Wetlands Partnership, Anglesey & Llyn Fens LIFE project, Project Officers elsewhere.
14. Liaise with other ecosystem groups where joint approaches would be beneficial (<i>App I, sect II.1.</i>)	<ul style="list-style-type: none"> • Meeting of ecosystem group chairs has been mooted. • Dereliction issue of equal relevance to grasslands and heathlands group. • Diffuse pollution relevant to freshwater group.
15. Provide representation to any UK habitat groups established (<i>App I, sect II.1.</i>)	<ul style="list-style-type: none"> • CCW a member, but future role of the UK level group very unclear. • Important to retain links – there is much we can learn from.

PSJ, CCW Bangor
7 January 2009