



# Potential future EU legislation and actions to support sustainable water management in agriculture

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# Looking forward

# Where to with future legislative initiatives?

- Strategic Dialogue
- Next MFF
- CAP 2028 - 2034

# Strategic Dialogue on the future of EU agriculture

*“We must work together with the men and women in EU farming to secure our food supply for the future. Our farmers face mounting challenges: that is why we want to launch a strategic dialogue on the future of EU agriculture. I am convinced that agriculture and protection of the natural world can go hand in hand. We need both.”*

*Ursula von der Leyen, President of the European Commission, State of the Union 2023*

# The Strategic Dialogue

- Aims to cover all policies around agriculture and food production to strengthen our understanding of current and expected challenges.
- Will be an opportunity to hear the perspectives, ambitions, concerns and solutions of farmers and other key stakeholders from across the agri-food chain.
- will allow for a focused and targeted discussion to find a common ground for the future of the Union's agri-food sector.

# How can we....?

- give our farmers, and the rural communities they live in, a better perspective, including a fair standard of living?
- support agriculture within the boundaries of our planet and its ecosystem?
- make better use of the immense opportunities offered by knowledge and technological innovation?
- promote a bright and thriving future for Europe's food system in a competitive world?

# Water legislation – a retrospective

- Urban Waste Water Treatment Directive (Council Directive 91/271/EEC)
- Nitrates Directive (Council Directive 91/676/EEC)
- Water Framework Directive (2000/60/EC)
- Groundwater Directive (2006/118/EC)
- Drinking Water Directive (EU) 2020/1184
- Floods Directive (2007/60/EC)
- Water Reuse Regulation (EU) 2020/741

# Actions to support sustainable water management in agriculture



# CAP Strategic Plans

- Entered into force January 1<sup>st</sup>, 2023
- Includes stronger protections for water, increased support for sustainable practices
- Setting targets for result indicators (e.g. R.12 (adaptation to climate change), R.21 (protecting water quality), R.22 (sustainable nutrient management), R.23 (sustainable water use), R.24 (sustainable use of pesticides))

# Environmental Objectives of CAP Plans

- SO 4: Contribute to **climate change** mitigation and **adaptation**, including by reducing greenhouse gas emissions and enhancing carbon sequestration, as well as promote sustainable energy;
- **SO 5: Foster sustainable development and efficient management of natural resources such as water, soil and air, including by reducing chemical dependency;**
- SO 6: Contribute to halting and reversing biodiversity loss, enhance ecosystem services and preserve habitats and landscapes
- Sustainable management of water is essential for all 10 of the CAP's social, environmental and economic objectives

# Relevant interventions and practices

- Area based interventions: (agri-environment climate commitments (AECC) and eco-schemes)
- Productive and non-productive investments:
- Natura 2000 and WFD payments
- Horizontal (co-operation, innovation, knowledge transfer, training and advice)

# Important aspects for water – area-based interventions

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## Sustainable water use

- 12 eco-schemes in CAP SPs (resilient/adapted species and varieties, environmentally friendly management practices)
- 17 AECC's to improve water balance (water quality and quantitative management arable crops, precision farming, sustainable use of water, efficient use of water)
- Improving water retention in soil : organic carbon content, crop rotation systems, catch crops, cover crops, agro-forestry

# Area-based

- Art. 70: Payments for management commitments (incl. agri-environment-climate (AECC), organic, forestry)  
-> examples: AECC on improving water retention in soil, promoting use of crops/varieties more drought resistant.

# Relevant practices

- prevention of soil degradation, soil restoration, improvement of soil fertility and of nutrient management and soil biota;
- protection of biodiversity, conservation or restoration of habitats or species, including maintenance and creation of landscape features or non-productive areas;
- actions for a sustainable and reduced use of pesticides, in particular pesticides that present a risk for human health or environment;

# Non-productive investments

- Establishment of landscape features (ponds, terraces, forest features)
- Restoration of wetlands, peatlands and streams
- Enhance water retention in the landscape
- Increase water storage in soils and infiltration into groundwater
- Examples: flood risk mitigation, resilience to droughts, flood plain restoration

# Ecosystem wellbeing

- Eco-schemes: soil conservation, fertility, carbon farming,
- Soil management to improve soil structure and storage of organic matter
- Natural water retention
- Agri-environment-climate commitments



# Article 72 – WFD Payment Measure

## Area-specific disadvantages resulting from certain mandatory requirements

- Allows to compensate farmers for mandatory restrictions/requirements to implement the WFD (measures to be included in national/ regional law/ RBMP)
- Payments for additional costs and income foregone related to these requirements, including transaction costs.
- Measure under-utilised in RDPs/ CSPs despite important potential to contribute to WFD objectives
- Examples include – Drinking water protection Zones (mandatory restrictions on nutrients + pesticides beyond those included in NAP)

# Support to mandatory requirements on agricultural areas linked to Natura 2000 and the Water Framework Directive

- Art. 72: Payments to compensate for constraints – includes WFD payment
- support application of certain mandatory requirements stemming from the two EU Nature Directives and the Water Framework Directive (WFD)
- These annual payments are granted per hectare of agricultural area (and forest) to compensate beneficiaries for costs incurred and income forgone related to the area-specific disadvantages.
- pay for mandatory requirements stemming from the restrictions of Nature Directives and WFD (restrictions linked to fertiliser, pesticide use, requirements for grassland management)

# Important aspects for water

- **Enhanced conditionality** (previously cross-compliance and components of greening)
- Climate change: GAEC 1 – maintenance of permanent GL. GAEC 2 – protection of wetland and peatland
- Water: GAEC 4 – establishment of buffer strips along water courses
- Soil: GAEC 6 – No bare soil in most sensitive periods. GAEC 7 – Crop rotation
- Biodiversity and landscape: GAEC 8 – Non-productive areas / features. GAEC 9 – Ban on converting permanent GL in N2000
- **SMR 1** – WFD
- **SMR 2** – Nitrates Directive
- **SMR 8** – SUPD... etc.

# Important aspects for water – rural development

- Art. 73: Support for productive and non-productive investments
- Knowledge transfer
- Innovation
- Co-operation
- Training & advice

# How Nature based Solutions can help freshwater ecosystem wellbeing

- Nature based solutions (NbS)
  - To ensure soil able to absorb and store rainfall
  - Slow down water runoff
  - by restoring natural functions of surface waterflows
  - Restoration of the functioning of floodplains of rivers

# Thank you



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