

Call for Evidence consultation on targeted revision of the Water Framework Directive

A Eurelectric consultation response paper



Eurelectric represents the interests of the electricity industry in Europe. Our work covers all major issues affecting our sector. Our members represent the electricity industry in over 30 European countries.

We cover the entire industry from electricity generation and markets to distribution networks and customer issues. We also have affiliates active on several other continents and business associates from a wide variety of sectors with a direct interest in the electricity industry.

We stand for

The vision of the European power sector is to enable and sustain:

- A vibrant competitive European economy, reliably powered by clean, carbon-neutral energy
- A smart, energy efficient and truly sustainable society for all citizens of Europe

We are committed to lead a cost-effective energy transition by:

investing in clean power generation and transition-enabling solutions, to reduce emissions and actively pursue efforts to become carbon-neutral well before mid-century, taking into account different starting points and commercial availability of key transition technologies;

transforming the energy system to make it more responsive, resilient and efficient. This includes increased use of renewable energy, digitalisation, demand side response and reinforcement of grids so they can function as platforms and enablers for customers, cities and communities;

accelerating the energy transition in other economic sectors by offering competitive electricity as a transformation tool for transport, heating and industry;

embedding sustainability in all parts of our value chain and take measures to support the transformation of existing assets towards a zero carbon society;

innovating to discover the cutting-edge business models and develop the breakthrough technologies that are indispensable to allow our industry to lead this transition.

WG Hydro
Cc: WG Thermal & Nuclear

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The availability of reliable and affordable electricity is needed to boost the competitiveness of the European industry. Replacing imported fossil energy with domestically produced low carbon electricity supports competitiveness-, security- and climate goals, and consequently biodiversity which is under influence of climate change. Fit-for-purpose legislation aligning environmental and energy policies, both in legislation and implementation, is needed to reach these goals.

Eurelectric strongly supports the Water Framework Directive (WFD) as the cornerstone of EU policy to strengthen the sustainability of European waters, and the level of ambition embedded in the Directive. All powerplants and storage assets are subject to strict environmental legislation implemented on a case-by-case basis embedded in the respective national permitting regime.

As it is the purpose of the WFD to strike a balance between environmental, climate and socio-economic goals it should not unduly hamper operation or investments of the activities needed to deliver on EU's overall goals. However, experience shows that the implementation is a challenge in many countries, both technically and economically. In some Member States it is particularly difficult to get new projects approved under the WFD. Further, there should be clearer recognition that ecological status can be influenced by climate change and other non-voluntary phenomena.

Upgrading and expanding hydropower assets is important for providing the increasing need for low carbon storage and flexibility in the European electricity system. Hydropower plants incl. pumped storage can provide all types of services needed for further safe operation of the power grids as well as for the efficient integration of intermittent renewables. These assets have a key role in crisis preparedness through e.g. their superior black start capabilities. Hydropower has a stable supply chain in Europe providing employment and innovation.

Regardless of the scope the Commission has chosen, a potential review of the WFD will affect different sectors. **For the possible targeted revision of the WFD, Eurelectric proposes the following adjustments based on an assessment for several energy technologies:**

- Article 4(4) should still allow extension of deadlines for measures where the (i) scale of improvements required can only be achieved in phases exceeding the timescale, for reasons of technical feasibility, (ii) completing the improvements within the timescale would be disproportionately expensive.
- The exemption in 4(7) should be adjusted:
 - Paragraph 1 should include impacts arising from pollution. In its current wording the article allows exemptions only resulted from new modifications to the physical characteristics of a surface water body or alterations to the level of bodies of groundwater.
 - Paragraph 2 for sustainable human development activities should be made more flexible.
 - Condition c) should include climate change mitigation and security of supply as reasons for modification.
 - Condition d) should be adjusted to reduce unnecessary administrative burden. Other options are already assessed for example in the environmental impact assessment.
- Article 11(3) should be clarified, referring to the ongoing infringement procedures towards several Member States. It should be clarified that the Directive's obligation for periodic reviews of controls, included in the programme of measures does not require the MS to conduct periodic reviews of each individual permit, but to the systems used to control water

abstraction such as registers, licencing regulations etc. Periodic reviews of individual permits would put heavy burden on relevant authorities and are not in line with EU's goals of streamlining the permitting.

Eurelectric pursues in all its activities the application of the following sustainable development values:

Economic Development

- Growth, added-value, efficiency

Environmental Leadership

- Commitment, innovation, pro-activeness

Social Responsibility

- Transparency, ethics, accountability



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