

INCOME

Skrb za vodo

Učinkovito upravljanje onesnaženih vodonosnikov - povezava postopkov za odkrivanje in nadzor virov onesnaženja ter ukrepov za izboljšanje stanja



Notes from the fourth project INCOME workshop titled 'Is the sustainable use of water protection areas an achievable goal?'



Ljubljana, 27.6.2011

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On Thursday, 16.6.2011, at the premises of JP Vodovod-Kanalizacija d.o.o., the fourth workshop titled 'Is the sustainable use of water protection areas an achievable goal?' was held as part of the project Income. The purpose of this meeting was to determine whether the protection of water protection areas, as is currently in force, is an effective long-term and scientifically justifiable solution, whether urban land use with acceptable long-term environmental impact in water protection areas is even possible, and whether the interests that are currently a priority, contribute to the sustainable use of water protection areas. The workshop confronted the, at times, conflicting opinions of representatives of local communities and national institutions handling land use and environmental protection, urban planners, architects and designers, and other engineering organisations, water utilities operators, and the general public. The workshop was held from 9 am to 12:30 pm, and was attended by the 31 participants.

In the introduction to the workshop, mag. Joerg Prestor from the Geological Survey of Slovenia presented the current concept of protection of water protection areas and a comparison of prohibitions, restrictions and conditions for use of space, as they changed with the changing of the regulations since 1988. The presentation showed that with the changes in legislation over the past decade, urban development has strongly spread into the hitherto uninhabited areas. Summaries of research results that served as a technical basis for establishing water protection areas in Ljubljana were shown. In the presentation, Mag. Prestor also compared results from the monitoring of groundwater and the concentrations of some chemical parameters, as we might expect from seepage from the sewerage network. Some parameters display an obvious connection, while from others (such as. Cr +6), it is possible to observe that the causes for occurrences in the aquifer layers lay elsewhere. The results also show that most of the burden to the environment from urban uses is completely uncontrolled (households, transport and other production facilities where industrial waste water is generated and which are not subject to monitoring), as the quantity of waste water from persons subject to monitoring does not constitute the main bulk of wastewater.

Is the protection of water protection areas, as is currently in force, an effective long-term and scientifically justifiable solution?

The workshop put forward many constructive observations and suggestions. Protecting water protection areas according to the existing method, as defined by law, is possible, but according to participants it is not a long-term solution without additional measures. Legislation that is appropriate at the level of laws proves to be ineffective in practice because the implementing regulations are not respected; measures are not clearly defined, thus allowing too many concessions for conditional intervention and certain stakeholder groups; inspection are also inadequate, while consequences are permanent and irreversible. Due to the complexity of professional decision-making and the limited control options, some kind of 'regulation' of professional behaviour, action and sanctions is needed, as a professional is often only subject to his own ethical principles in his work. The workshop participants also agreed that regional planning of water protection areas does not equally treat development and protection requirements, and other public benefits, as the interests of capital and the investors predominantly dominate over security





requirements. Due to pressures from stakeholder groups, concessions are all too often made to established criteria, rather than looking for the best available technology and examples of good practice. Too often, changes are made to implementing regulations for the purpose of allowing stronger interventions into space, which is evidence of inadequate alignment of interests and/or pressure from capital interests. Among other things, management of water protection areas is not optimal because the various professional teams working on the preparation of professional basis do not cooperate among themselves; additional problems are the lack of professional skills of decision-makers, violation of professional ethical principles, and monitoring with results that do not show the real situation.

According to the workshop participants, stakeholders whose work impacts on the use of water protection areas, behave differently: but generally not in the direction of sustainable solutions. There is a lack of an integrated approach to problem solving as the approach is not an interdisciplinary effort. Searching for common solutions is also rare, resulting in partial interests prevailing.

Interests in protecting water protection areas are intertwined with the general public benefits, such as care for a healthy environment (a green environment, healthy food, clean air). Environmental protection is one of the modern principles of spatial planning. Unfortunately there is no cooperation among different professions in the formation of professional bases; they are instead collected separately, resulting in a much weaker message. In the vision of development of Ljubljana, green wedges are given great importance from various environmental and urban aspects. These aspects are seldom comprehensively presented.

When coordinating development and protection requirements in spatial planning a marked difference between theory and practice is noticeable. The participants have the impression that the balance between development, social and environmental issues has not been reached. Urban planners are faced with situations where there are not enough practical directions available, while they also expect professionally reasoned proposals from the competent national and local institutions, where the staff is not trained for this and does not participate in the professional processes, but have a purely formal role in the procedures. Development objectives and the objectives of protection are not sufficiently presented, making it more difficult or practically impossible for the general public and various professions to follow and ascertain how much or even if these objectives were achieved. The categorical opposition to any planned changes is also not the right approach. What is needed is the combined professional search for solutions (protective planning). The participants stressed the need to understand 'development' in a positive sense, yet due to past experiences we often associate 'development of water protection areas' with partial interests. They pointed out that in professional spatial planning, the interest of development is not (should not be) identical to the interests of capital. The development aspect is all too often seen as the one which brings economic contribution in the shortest possible time, while the protection aspect is treated as a cost, which is not true. The long-term protection aspect also brings savings (e.g., human health, no need for sanitation measures, etc...), while the development aspect does not necessarily bring short-term economic gains.

The participants consider it controversial and unacceptable that the person ordering an impact assessment on the environment of a planned intervention is an investor, as in this case, the environmental impact assessment is not independent of that person. The person ordering must be an independent institution at the national level, while it is





also necessary to establish mechanisms that will allow a professional review of the environmental impact assessments.

Is urban land use with acceptable long-term environmental impact in water protection areas is even possible?

Urban land use with acceptable long-term environmental impact in water protection areas is possible if the highest technical levels of safety and security are ensured, but this area should be more systematically managed and controlled, a greater awareness and more intensive cooperation between different professions that would cooperate in spatial planning and land use is also needed. As well as clearly defined long-term objectives, competencies and responsibilities of the competent institutions, defined as indicators and numbers, and not just in abstract. According to the participants, in order to successfully tackle the issues, most of the efforts should concentrate on building up knowledge and awareness of staff involved in the decision-making processes, on recording the situation and establishing mechanisms to promote the participation of various professions, on improving knowledge of the natural conditions of space with effective research and knowledge of the law, searching for examples of good practice and learning from them, and introducing the use of the best technologies.

Stakeholders' Tasks

In order for the quality of groundwater intended for the supply of public drinking water to be acceptable, in terms of the effects of urban land use, a lot depends on government institutions that should ensure scientifically justifiable, sustainable and coherent professional bases, while better inter-ministerial connection and coordination of development programmes should also be achieved. Currently, the care for water is divided among too many ministries. The task of government institutions is concern for implementing the existing legislation and updating it in accordance with new knowledge, coordination of the legislation between ministries, improving control over the quality of groundwater and things affecting it, as well as providing funding. Inter-ministerial and inter-regional cooperation and the optimal use of human, spatial and financial resources could contribute towards improving the problem. The workshop participants have already pointed out that with following the guidelines of the European Union, the situation is only improving. Government officials are aware of their roles, but are avoiding the responsibility.

The local community has a significant impact on the protection of water resources by establishing appropriate strategic and implementation spatial plans based on sustainable oriented implementing regulations. The role of the government and the local community is to combine professions, sector-specific development targets, and to prevent the domination of corporate, local and personal interests. The transfer of legal instruments to the national level has created the impression that the care for water protection areas has moved from the local to the national level, while a water protection area guardian must remain at the local level, where the interest is greatest. Shifting responsibility is irresponsible.

Professional institutions are aware of their roles, but there is no effective dialogue between professions, which decision-makers are adept at exploiting. The profession is expected to clearly represent their views, and to remain





involved in the continuation of procedures and not to treat their tasks as completed with the submission of professional bases. A transfer of skills and greater ability of communication is also expected of the profession.

In the past, the issue of water management and the sustainable use of water protection areas was successfully resolved at the level of water communities; their removal has significantly deteriorated the situation in the field of water management. The participants could not unanimously agree on the possible role of regions in strategic planning; according to some, it does not make sense to increase the volume of administrative tasks, while others believe it does make sense to transfer strategic planning to this level to overcome the purely local interests. According to the opinion of the workshop participants, with the current organisation, these issues should be professionally addressed at the level of the government and the local communities. A key institution for the preparation of professional bases is the Ministry of the Environment and spatial planning with its constituent bodies and with the support of professional institutions such as the Institute for Water of the Republic of Slovenia and the Geological Survey of Slovenia.

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