Improvement of navigation conditions: The elements of “Good Navigation Status”

Joint Statement meeting
Budapest, 15 September 2016

Gudrun Maierbrugger, viadonau




Today's session

- Basic information on Good Navigation Status ("GNS") Study and links to environmental requirements

  I. Background and desired study outcome
  II. Ways of involvement and cooperation
  III. First findings and challenges
  IV. Outlook

I. GNS study: Background and purpose

- Study (1/2016 – 12/2017) shall **substantiate Article 15 §3.(b) of TEN-T Guidelines** (Reg.1315/2013) as regards **Good Navigation Status**:

  Member States shall ensure that on the Comprehensive Network

  "***Rivers, canals and lakes are maintained so as to preserve Good Navigation Status while respecting the applicable environmental law***"

  Article 38:

  "For inland navigation infrastructure within the **TEN-T core network**, Good Navigation Status has to be achieved (and thereafter preserved) **by 31 December 2030**."

I. Possible outcome

- **Use of result is "open":**
  - **Technical background** for the legal interpretation of Article 15 §3.(b)

- Clarification of legal obligations (e.g. Interpretive Staff Working Document of TEN-T Guidelines by DG MOVE)
- Checklist with project selection criteria for funding decisions by INEA and for project applicants
- Good Practice Guidance for project implementation
- Process for development of GNS integrating relevant stakeholders

I. Possible outcome

- **No new targets will be set by the study**
  - Proposals, oriented on existing agreements
  - Focus on „how to implement targets“ and „monitor performance“

I. Spatial reference

Entire TEN-T inland waterway network

- Not only core network corridors
- All CEMT ≥IV waterways
- Including (isolated) inland waterways in Sweden, Finland, Lithuania, Italy, Portugal and Spain
- Good Practice also of interest for CEMT <IV waterways and non EU

I. Consortium

- STC-NESTRA (STC-Group)
- viadonau
- PLANCO consulting
- Inland Navigation Europe
- Vlaamse Overheid (Flemish Ministry, Department of Mobility and Public Works)

II. Involvement

- Process is supervised by a **Steering Group** chaired by **European Commission** (Move; Danube Commission, Regio, Env, INEA)

- **Close cooperation with key stakeholders:**
  - European Working Group on GNS
  - Regional workshops
  - Coordination with further ongoing initiatives (UN-ECE, ATG on WFD 4(7)..)
  - Constant bilateral involvement

II. European Working Group on GNS

- Members, experts from:
  - River commissions: CCNR, DC, Moselle Com., Sava Com.
  - National and regional waterway managers and ministries
  - WWF, EEB, ICPDR, ICPR,…
  - IWT industry, ports
  - European Commission
  - Other waterway users/stakeholders/experts

- Method:
  - 3 pan European meetings (2016 – 2017), regional workshops, dedicated meetings and/or surveys

III. First findings, draft GNS concept

1st Pan-European Working Group 20/6/2016

- **Broad range of views** from extensive GNS approaches (information, administrative processes ..) to very focused one (waterway infrastructure)

- Key messages from Working Group:
  - GNS concept shall be flexible and take ***regional conditions*** and ***different user segments*** into account
  - The focus needs to be laid on ***how to achieve and maintain GNS*** rather than setting quantitative targets
  - GNS elements shall ***not duplicate existing legal regulations***
  - Good practices for ***supranational cooperation*** exist, shall be extended
  - GNS shall foster the ***exchange of good practices*** and benchmarks
  - ***Monitoring and implementation*** shall be a major topic in work on GNS

III. Background of GNS concept

- **What is important for Good Navigation Status?**
  - Payload on board, economies of scale
  - Minimising waiting times
  - Reliability and predictability of transport
  - Safety
  - Fuel efficiency
  - Sustainability (a.o. aquatic ecology, working with nature)

- **Article 15 b:** "Rivers, canals and lakes are maintained so as to preserve good navigation status"

  → key focus **physical waterway infrastructure**

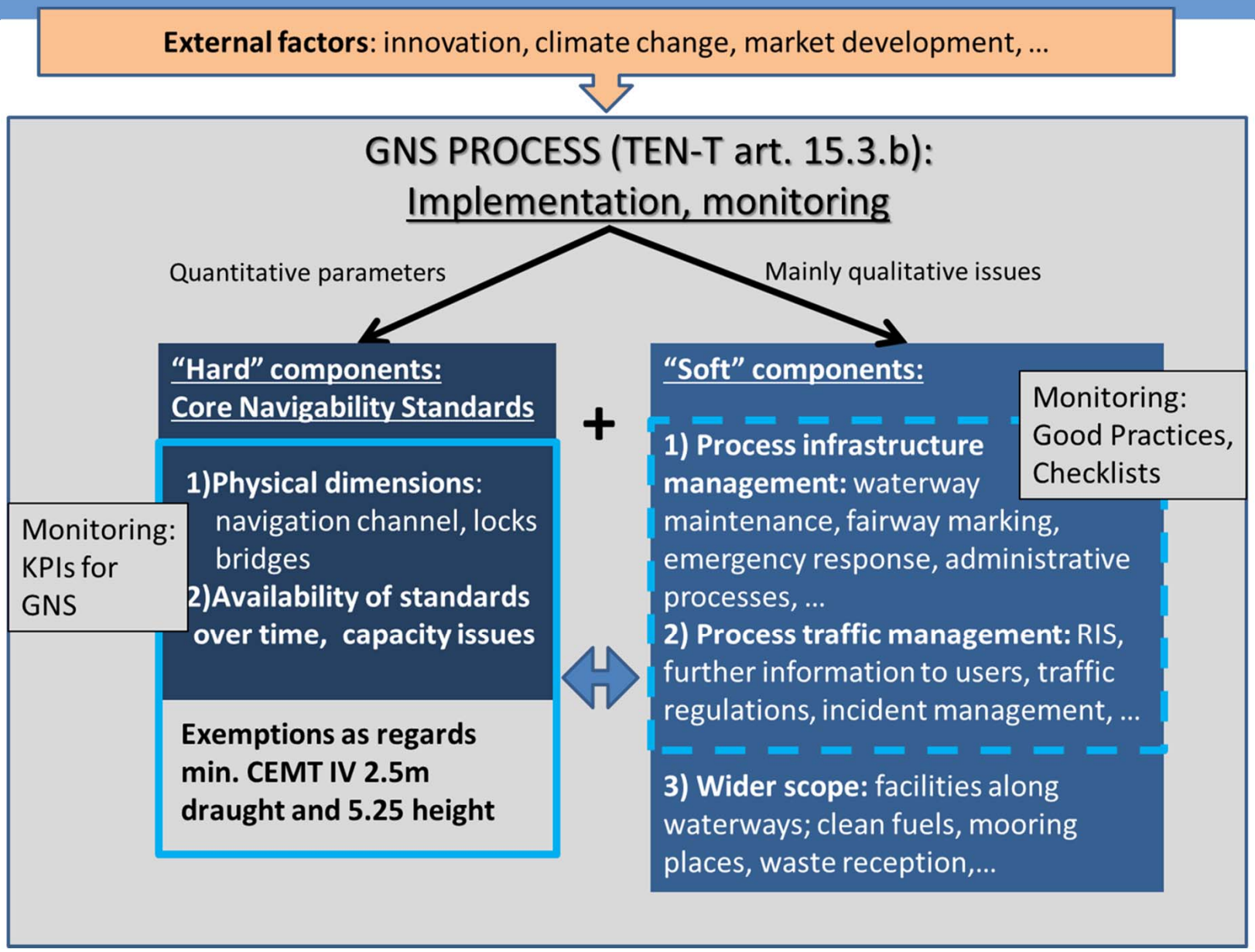
III. Proposed components of the GNS concept

1. **“Hard” GNS components: output** of waterway management creating **navigability standards for transport users**
   - Physical dimensions of **navigation channels, locks and bridges** and their **availability over time**

2. **“Soft” GNS components: qualitative**, more process related
   - Needed to reach good scores on hard parameters (waterway management, traffic management..), waterway-related infrastructure

3. **Minimum standards of a process to achieve GNS**
   - define GNS target values, agree on exemptions, implement and monitor GNS and revise concept, integrate the relevant stakeholders (cross sectoral)

III. Outline of GNS concept



III. Exemption criteria

Article 15 §3a:

At the request of a Member State, in duly justified cases, exemptions shall be granted to Member States by the Commission from the minimum requirements on draught (less than 2,50 m) and on minimum height under bridges (less than 5,25 m).

Study objectives:

- Design catalogue of **feasible exemption criteria to „hard“ GNS components**
- Outline **process** enabling **acceptance of exemptions by EC**

III. Exemption criteria

- **Proposed topics** for exemption criteria:
  - local conditions (hydrology, hydro-morphology, further uses of a river..)
  - environmental requirements (e.g. WFD)
  - cost-benefit-aspects of measures
  - extreme weather events
  - cultural heritage
  - other
- For each topic, criteria need to be specified
- No inflationary use of “exemptions”

III. Exemption criteria: Environment

- GNS concept shall **take into account environmental requirements**, in particular water law
- **Concrete implications** of environmental needs on GNS concept via **exemption criteria**:
  - Possible exemptions from 2.5m draught due to, e.g., water framework directive
  - Possible exemptions from requirements based on water law (e.g. WFD 4.7.) due to good navigation status requirements
- Learn from experiences of WFD implementation since 2000
- Set up suitable process to elaborate common understanding of criteria and measures with all relevant stakeholders

III. Process to develop GNS

Study will define **minimum standards of a process to develop GNS**

- Purpose: not only focus on the output of GNS (=dimensions and availability of fairway channel and locks), but also **how to get there**

- **Integrating all relevant stakeholders** from the beginning

  - To reach agreements on exemptions for CEMT IV draught, height
  - To discuss good practices and possible benchmarks for „soft“ GNS components, if applicable
  - To foster sustainable implementation and maintenance of GNS (measures)
  - To monitor and report GNS implementation

- Keep it flexible and applicable to existing, well-functioning mechanisms

III. GNS Good Practice Guidelines

Background:

- Need for guidelines and good practice examples on **how to develop GNS** confirmed by expert group
- Need for **common understanding of key principles** (vocabulary etc.)
- Illustrate **integrative process on how to develop GNS**
- **Exchange on European level** has proven fruitful in past activities
- For "**soft" GNS elements**, benchmarks shall be outlined
- **Focus** on maintenance of fairway, locks, bridges
- To be seen as **addition** to further key documents (e.g. Manual on implications of Water Framework Directive by DG ENV Ad hoc Task Group, PIANC reports, PLATINA Good Practice Manuals, work of river protection commissions…)

Summary and next steps

IV. Summary

- Study delivers technical background for further work
- Study is work in progress
- Your input is welcome – GNS Working Group, bilateral..
- Building on work that is already there
- Strong cooperation needed with Expert groups (Ad hoc Task Group by DG ENV, river (protection) commissions…)
- Use experiences of WFD implementation

IV. Summary

- Main focus of the **Good Navigation Status** concept is navigation
- Relevant aspects of **environmental legislation** will be taken into account, in particular water legislation
- Aiming at win-win situations and “working with nature”
- **Minimum standards** of process to develop GNS: strong focus on **integration of stakeholders**
- **Good Practice Guidelines** – benchmarks and guidance for sustainable development of GNS

IV. Next steps

- Ongoing bilateral expert contacts and discussions
- Presentation, discussion of concept:
  - Dedicated workshop with experts representing users, 13th of October, Brussels
  - Regional workshop Berlin, 17th of October
  - Discussion of links to AGN with UN-ECE, 2 November, Geneva
  - Ad Hoc Task Group on WFD 4(7), 13-14 December, Brussels
  - Pan-European meeting to validate GNS concept, Q1 2017
- Exemption criteria
- GNS network assessment
- Good Practice guidelines
- ..

Thank you.

Gudrun.maierbrugger@viadonau.org
Quispel@stc-nestra.nl