

## PRESS RELEASE

December 2014

### Report to the Flemish Parliament

#### *Protection and Recovery of Groundwater Supplies*

The Belgian Court of Audit examined the way the Flemish authorities use the legal instruments aimed at improving groundwater such as permits, taxation and the greywater subsidies. The Government implemented corresponding measures at a rather slow pace and requested some delay from Europe. The permit policy seems to be fruitful, but it does not cover all groundwater extractions, nor does it provide sufficient legal certainty. Taxation, implemented in 2010, has gradually brought about better attuning to groundwater body quantity. Greywater policy on the other hand was far less successful. All three instruments decreased the use of groundwater, especially in the most vulnerable Sokkel system.

#### ***Policy***

The Flemish region is not richly endowed with groundwater supplies. In 2010, groundwater shortages were noticed in 14 out of 42 Flemish groundwater bodies. The European Water Framework Directive (2000) and the Decree on Integral Water Policy (2003) imposed the provision of a sufficient supply of good quantity groundwater by 2015, with the possibility to postpone until 2021 or even 2027. By the end of 2010, the Flemish Government adopted River Basin Management Plans as well as a Programme of measures 2010-2015 in line with the European Framework Directive and the decree. However, Flanders requested a postponement until 2021. According to the regulation, Flanders had to monitor groundwater body condition based on seven criteria. In 2010 it only used two, which resulted in an incomplete picture. Moreover, Flanders implemented the 2010-2015 programme at a rather slow pace. For the Sokkel system alone, the most endangered of all six groundwater systems, it drew up a water extraction run-down scenario. The draft new River Basin Management Plans 2016-2021 take into account five of the seven criteria. They conclude that 8 out of 42 groundwater bodies are in poor condition. As from 2016 Flanders will draw up area-specific policies for these groundwater bodies. It will request a further European postponement until 2027.

#### ***Groundwater extraction permits***

The rate of groundwater flow under license dropped with 28% between 2000 and 2012 in poor quantity groundwater bodies and with 20% in other groundwater bodies. The highest relative decrease occurred in the Sokkel system. Elsewhere reduction was considerably more limited. In absolute numbers, reduction was the strongest in industry and with drink-water companies. In terms of percentage, reduction was strongest in the commercial and services sectors and in industry. Permitted flow rates increased in agriculture, albeit mainly in good quantity groundwater bodies.

Groundwater extraction permits are regulated by the Flemish Regulations on Environment (VLAREM). These regulations do not pertain to all sorts of groundwater extractions, nor do they take into account groundwater body quantity. Permit policy is inadequately enacted and thus carries the risk of permit granting entities not being able to enforce it and applicants not to get legal assurance. Permit policy is locally implemented and specific to

individual situations. It is not transparent. The permit database is incomplete due to a lack of knowledge about certain extractions or to omissions of extraction entries in the system.

### ***Steering by taxation***

Taxation policy has gradually evolved between 1997 and 2014. Selective tax rises since 2010 have resulted in a better attuning of taxation to groundwater body quantity. Government sets groundwater prices mainly on user categories and volumes consumed. Small scale extractions in layers near the surface are the cheapest. Water companies, extracting 63% of all groundwater, pay a slightly higher fixed rate per cubic metre, regardless of groundwater body quantity. The policy takes groundwater body quantity into consideration only for extractions in delicate, closed-off layers and for large scale consumers. The intended link between groundwater prices and greywater prices, greywater being recycled water for non-human consumption, has not been achieved.

From 2006 to 2011, 14,4% less groundwater has been consumed, water companies being excluded. Consumption decreased more in poor quantity groundwater bodies. The dissuasive policy had the best effects in the Sokkel system. Other groundwater systems showed less clear results as taxation areas do not perfectly coincide with groundwater bodies and as tax databases and permit databases do have different arrangements. From 2001 to 2007 taxation led to a 60% revenue increase and a 7% consumption drop. From 2007 to 2012 taxation shifted more to extraction, leading to only a 0,8% revenue increase but a 7,4% consumption drop.

### ***Greywater Decree***

The Greywater Decree was supposed to narrow the gap between greywater and groundwater prices. The decree aimed mainly at the Sokkel system. It wasn't very successful. Out of 60 million euro greywater projects that had been announced, only five million euro were actually implemented in two projects that even didn't live up to regulation (Waregem in the Sokkel system and Tienen). In Waregem, the project managed to reduce considerably the groundwater extractions, but the delivered greywater sometimes came from groundwater and the greywater is of drinking-water quality. Tienen also reduced groundwater extraction, but only in a good quantity groundwater body.

### ***Minister's answer***

On 28 October 2014, the minister answered that she could agree with the recommendations of the Court of Audit and reaffirmed that some of them had already been included in the draft River Basin Management Plan for 2016-2021 and in the Flemish Government Agreements 2014-2019.

### ***Information for the press***

The Court of Audit exerts an external control on the financial operations of the Federal State, the Communities, the Regions and the provinces. It contributes to improving public governance by transmitting to the parliamentary assemblies, to the managers and to the audited services any useful and reliable information resulting from a contradictory examination. As a collateral body of the Parliament, the Court performs its missions independently of the authorities it controls.

The audit report on *Protection and Recovery of Groundwater Supplies* has been sent to the Flemish Parliament. The full version and this press release can be found on the Court's website: [www.courtfaudit.be](http://www.courtfaudit.be).