

# The global management of water In France:

«The river basin Agencies »

a 30 years catchment-based management, raising awareness

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## Abstract

In compliance with French national directives, the action program of the French "Agences de l'Eau" ("River basin Agencies") takes the form of a contractual commitment between the various bodies concerned with water, which may together through a "water Parliament":

- *determine the objectives, the development outlines, the priority operations,*
- *contribute a share of the financing (through subsidies or soft loans), no other contribution being involved besides technical advice,*
- *implement the works or have them implemented through a common policy.*

*These programs are presented to the representatives of the elected bodies and the users within the Basin Committee, who vote the receipts (levies) for implementation. All this*

*policy is elaborated in agreement with the regional authorities and, the professional organisations.*

## General outlook

Water resource management in France is based on the water law enacted in 1964, which created river basin institutions. Till then the legislation was "**user oriented**", i.e. it only managed the access to the water resource for the different kinds of users. A new step forward has been done with the National Water Conference, on 1991. This event was the focus point of an extensive process of consultations organised throughout France during 1990, first at a local level and then at a river-basin catchment area level. This conference brought up the broad lines of a new water law enacted on 1992 and could be summarized as « identifying and developing a water community ».

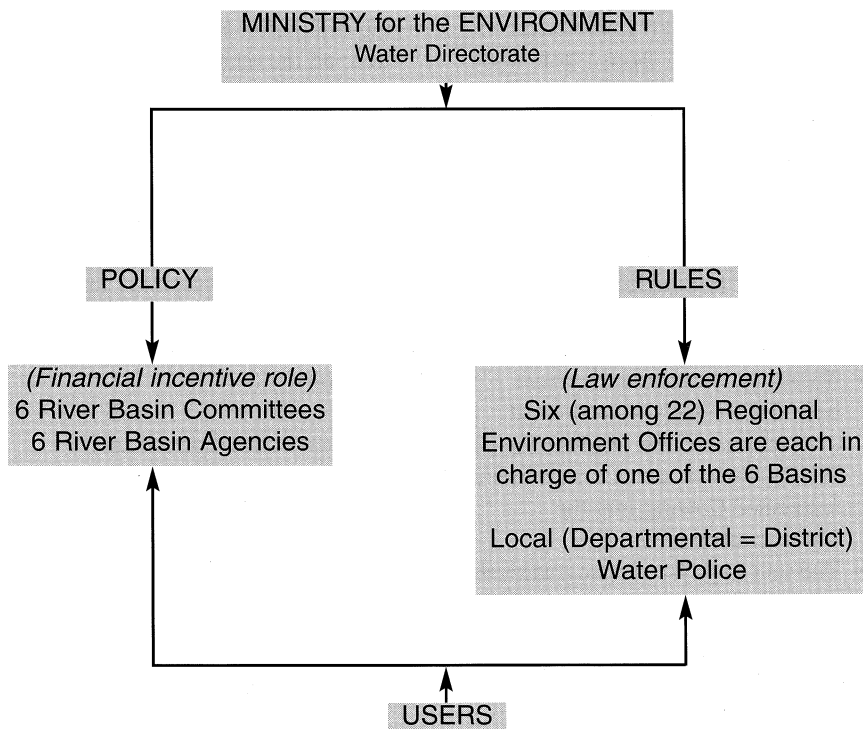
This law modernised the water policy and introduced into french regulation directives from the European Union

(collection and clean up of domestic waste-water e.g.). The basic principle of this law is **overall management of water**, approaching problems throughout the widest overview, while involving every citizen concerned with water: "**Think globally, act locally!**".

Now the french water policy is clearly three-folded:

1. Investment should be related to a "cost recovery" principle: projects designed, implemented and operated by various actors (public or private) are financed by the ones who get the benefits: the "users"; in accordance with economics mechanisms (for ex.: charging for public water-

- supply, water-abstraction and supply for irrigation; ...),
2. The law and all the regulations are enforced at a decentralised level through local water policy; its means have been modernised through the new law (1992 January 3rd),
  3. The policy, implemented through the 6 River Basin Agencies has been strengthened. These institutions working on the polluter-pays principle, give funds (grants and soft loans) and for this (as they are autonomous) collect water levies.
- The general scheme for administration is as following:*



## River Basin Organisations

In France, basin organisations have been created by the water law enacted in 1964. This policy is founded on the participation and co-ordination of representatives of the various elected bodies and of the "water-users" (Agriculture, industry, fishing, navigation, hydroelectric power,...). Operated, since 1968, it is implemented within the six french river catchment areas through original tools at the service of the "water community" including:

- 1- the "so-called water parliaments":  
Basin Committees, (about 100 representatives),
- 2- the "board of ministries":  
Administrative Council for the "RBA", (25 representatives), 3- its "task-force", the 6 River Basin Agencies, (staff: from 150 to 400).

## The principles: identifying a water community

- Hydrographic field of competence: water flows downstream and the problems which it causes cannot be closed off in a regional context: the upstream and the downstream should always be considered.
- Therefore, six large basins have been defined with the watershed division line as criterion, for example, Rhone-Mediterranee-Corse is French watershed flowing into the Mediterranean sea.
- The unit is physical, geographical; it is the hydrographic basin within which the water flows from the source to sea. Within each basin, one will find only one unique organisation: the Basin Committee and River Basin Agency.

- All actors grouped within the basin organisation are responsible for contributing to a balanced water management: the previous isolated decision makers have become partners; local administrative boundaries have been faded. Thus a "water community" has been identified.
- Polluter pays principle: financial incentives are the driving force of the River Basin Agencies; they finance operations for the "common interest" thanks to the levies paid by the users, either because they are causing pollution, or because of water abstraction on the water supply for purpose like drinking water, industrial use or irrigation.
- Co-ordination and close co-operation: all the actions undertaken at the River Basin level are conducted in close co-operation with the responsible public administrative organisations. A "River Basin delegate mission" made up of civil servants performs the synthesis. Moreover, at the national level, the action of the six agencies is co-ordinated by the Ministry for the Environment.

## The River Basin Committee: a "water parliament"

It is an assembly made up of representatives of the local elected authorities, the users and the governmental organisations.

The power of the committee lies in:

- approving the five-year strategic plan of the RBA and, particularly, the bases for the levies which finance these programs,

- drawing up masterplans for the water resources management and development, and coordinating river development schemes according to the Water Act of 1992 which defines the main guidelines for implementation of the rules and strategy of factors: i.e. mapping out the overall management of the aquatic environment in each river basin.

### **The River Basin Agency: a financial "booster"**

The RBA is a public administrative body, endowed with a civil personality and financial independence. Its goal is to facilitate activities related to the basin which are of public interest. It is considered as the "task-force" of the basin committee.

It contributes through funding (grants or soft loans) community schemes for water resources management, pollution control and the general renewal of the aquatic environment. The River Basin Agencies do not themselves act as prime contractors or project sponsors, but provide technical advises and financial support, within the framework of their own strategy master-plan, for Public and Private sectors projects providing a benefit to the water community.

**The budget of each River Basin Agency is entirely funded** on three kinds of levies charged (and added to the water bill for citizen concern) on the basis of:

- 1- deterioration of water quality: pollution discharged,
- 2- water abstraction and consumption,
- 3- modification of the aquatic environment.

The "polluter-pays" principle applied by the River Basin Agencies ensures that users get fully aware of the environmental impact and cost of water abstraction and pollution. This also fosters a restraining influence on abusive use( water spillage, pollution,diversion,...) by others in the same neighbourhood.

While increasing the sense of responsibility of all of those who cause detriment to the natural environment by resource abstraction or pollution discharge, this principle of levies points out the way to an ecologically-oriented tax system. It is a way to set a tariff for access to the water resource aiming at an internalisation of external costs. This "poll-tax" is being implemented for various detriment like nitrate fertilizers, phosphate in laundry-powder, etc...and seems to be the trend in the near future.

*As an example, let us give details about the present pollution levy. Public bodies or private individuals whose activities generate pollution, pay a levy to the River Basin Agency they depend on. The amount charged is based on the amount of pollution discharged on an ordinary day in the month of maximum discharge. A decree lists the physical, chemical, biological and microbiological elements to be considered in assessing pollution levels. These parameters can be adjusted to take into account other substances likely to be detrimental to the aquatic environment. The elements used for calculating the pollution levy may include suspended solids, oxidizable substances, immediately toxic and inhibitory substances, as well as nitrates and toxic substances with long-*

*term effects. Each parameter has a tariff which can even be adjusted depending on the situation within the basin (i.e. phosphates in a lake catchment area, ...).*

## **Implementation through planning**

### **On one hand: State planning through "SDAGE"**

General master-plan (called SDAGE) has recently been elaborated by each of the 6 River Basin Agencies in conjunction with the local representatives of the State administrations. It came-up with the main guidelines of the policy to be undertaken for the future in order to improve the global situation of the water.

### **On the other hand: RBA's 5 years action-programme (one for each RBA)**

Beside these global guidelines and as the River Basin Agencies are **financially autonomous** institutions, they have to develop their incentive actions through a balance between fund-raising and grants. For this purpose they set up and rely upon five year programmes. The elaboration of these keep going through the following process:

- planning the action programme through definition of the priorities of the levy pressure and of the incentive rates for funding. Studies and questionnaires are sent to the main potential investors during the year preceding the program.
- 5 years implementation of the programme
- evaluation and control in order to adjust and to improve the next programme.

## **Focusing on priorities**

Within the 5 year program, specific actions are focusing on such precise goals as:

- very polluted tributaries asking for emergency action, more incentive funding,...
- specific body needing a global action program such as Mediterranean sea-shore, Leman Lake, Rhone river, ...
- specific policy of investment in a city asking for a common commitment on reliable funding,
- district agreement on financing numerous miscellaneous actions (i.e.:disinfection devices for water supply,...),
- master-plans for developing a scheme in public water delivery in a certain area, land planning for the protection of a water table...

Some of these specific actions, called "contracts", turn out to be real commitments between the River Basin Agency and its partners: the funding can be guaranteed so that the partners (city, district, industrialists, ...) are able to rely on it for their investment, on the other hand the partners feel compelled to implement the program they accepted.

## **Social acceptance and governance:**

With the involvement of every water users in the board of the RBA, **social acceptance** goes through a progress in 3 steps: **One could say that:**

- 1) - **after getting a mutual comprehension of the problems,**
- 2)- **a mutual commitment is raised, and furthermore,**
- 3)- **a mutual implementation occurs ... for a common benefit !**

## **As a conclusion: the basic principles**

The French system of river basin organisations to be set up and operated, needs the achievement of the following principles:

- 1- water should be managed in the framework of an overall balanced strategy along the watershed areas,
- 2- to be implemented this policy should dispose of its own financial means,
- 3- the strategy should be defined and operated through a partnership between decision-makers, public and private "water-users",
- 4- even if there is a solidarity system financed through taxes, note that the customers or "water users" still have to pay for public water delivery service costs
- 5- law enforcement remains a government concern.