

# Title: TERRITORIAL DEVELOPMENT FRAMEWORK AGREEMENT (AQST) - “RIVER CONTRACTS”

**Author name: M. Campanini<sup>1</sup>**  
**2<sup>nd</sup> author’s name: M. Clerici<sup>2</sup>**

<sup>1</sup> *Regione Lombardia, Milan, Italy,*

<sup>2</sup> *Regione Lombardia, Milan, Italy,*

...

E-mail: mila\_campanini@regione.lombardia.it

## Index

1. Definition of River Contract
2. Why a contract: objectives and legal regulatory framework standards
3. Description of relevant experience in Lombardy
4. Definition of the territorial area
5. Methodology and tools
6. Roles of the various stakeholders and transboundary aspects

### 1) Definition of River Contract

“River contracts” are set up as interrelated negotiated planning instruments for the process of strategic planning of the requalification or river basins. The adjective “strategic” indicates a course of co-planning in which the methodology and path itself are divided into itineraries with all of the stakeholders. These processes are in fact finalized with the completion of enduring development scenarios for the basins in a fully shared manner.

The “requalification of the basin” is understood in its broadest sense and refers in its entirety to the environmental-landscape aspects as established in the National Law adopted in the European Landscape Convention. The elaboration of enduring development scenarios of the underbasin refers to environmental-landscape requalification processes, which are conscious of the “founding matrices” of the regional territory (hydro-geologic, geomorphology, evolution of the natural and anthropic ecosystem, etc.) and which opportunely interpret the “local settlement history”.

The River Contract is therefore the signing of an agreement that allows for the adoption of a system of rules in which the criteria of public use, economic performance, social value and environmental sustainability intervene in a preferential manner in the search for effective solutions for the requalification of a river basin.

The elements that come into play in this agreement are:

- a community (municipalities, provinces, regions, associations, companies, citizens, etc.)
- a territory (ground, water, settlements, air, etc.)
- a group of policies and projects on various scales/levels

These elements, always within their relationship with one another, must therefore be oriented towards shared objectives for requalification through the appropriate active processes.

## 2) Why a contract: objectives and legal regulatory framework standards

The **Regional Territorial Plan (PTR)** recognizes these processes as an advantageous means for the planning of river basins: such a choice is set as an interpretation of the values expressed in international protocols, municipal directives and national and regional regulations that require the reaching of objectives in reference to water quality, safety, environmental-landscape quality, ecosystems and settlements as well as governance of the decision processes.

The River Contract therefore enters into a regulatory context represented by Directive 2000/60 of Legislative Decree 152/06, Law 14/06 (that ratifies the principles of the European Landscape Convention) and of regional norms and regulations such as: LR 12/2005 (on the governing of the territory), LR 6/73 (on hydraulic works), LR 2/2003 (on negotiated Planning), PSR 2007/2013 (regarding the Strategy for the conservation of biodiversity and the System of ecological networks), as well as the Guideline “10,000 hectares of new green areas” and the Implementation Program provided for in DGR 20 December 2006, n. 3839.

The promotion of a River Contract is intended to implement the passage from policies for environmental conservation to broader policies for the “management of environmental-landscape resources”, operating in multiple sectors:

- protection and conservation of natural environments
- water conservation
- defense of the land
- protection from hydraulic risk
- conservation of natural beauty

To meet this objective the Cdf’s definition is developed as:

a) a shared strategic scenario, or a medium-long term widely shared strategic vision of local development that it intends to pursue (intended as a socio-economic model such as landscape in the general sense, quality of life, etc.) which includes

- a visual representation (cartography)
  - an integrated group of development policies/strategies in synergy with each other
- The strategic scenario thus built and shared would be able to find its formalization through the definition of an Area Plan as provided for in the regional urbanistic regulation;

b) an instrument of evaluation of the policies and their effectiveness and coherence with the objectives;

c) planning of the basin which indicates shared and integrated operations and rules to be implemented within a specific time frame, by the interested parties.

## 3) Description of relevant experience in Lombardy

Beside the already signed river contracts such as the “Olona, Bozzente and Lura River Contract” and the “Seveso River Contract”, and the one for the Lambro, for which the “Towards the Lambro River Contract” process was begun, within the regional territory there are also diverse experiences in various river underbasins that, although being different, all tend to be developed towards the signing of negotiated planning agreements.

Although the Olona, Seveso and Lambro River contracts were promoted by the Region, for smaller scale territorial areas the promoting party can, and in the future may, be an entity that is closer to the location (Province).

#### 4) Definition of the territorial area

The territorial dimension of a River Contract is represented by the scale of the river basin in question and can therefore include the territory not only of many municipalities, but also of more than one province, as is the case of Olona, Seveso and Lambro.

#### 5) Methodology and tools

The undersigned subjects share the principle that only through a synergistic and strong action by all of the public, private and settlement subjects, can the tendency toward the territorial/environmental degradation of river basins be reversed and can the objective of their sustainable development be appropriately accomplished. To that end, they commit, with respect to each of their abilities, to operate within a framework of strong evaluation of the subsidiarity principle, activating all useful tools for the full achievement of their shared goals.

The accomplishment of the AQST – River Contract, foresees the development of a methodology that is articulated into progressive phases and that avails itself of the activation of the tools listed below:

- the construction of a cognitive framework of the criticality of the environmental, landscape and territorial value, of the local policies and projects on which an operational strategy can be founded;
- the definition of a medium-long term strategic scenario
- the elaboration and successive application of a multi-purpose evaluation model for the evaluation of those policies in force and planned;
- the proposal of a plan of action for the realization of strategic scenarios and to adequately achieve the shared goals in an integrated manner.

A preview of such a program is comprised of the “First action plan” in which some already shared actions intended to confront the most significant emergencies of the basin are identified.

- elaboration and realization of an appropriate communication, training and education plan

#### 6) Roles of the various stakeholders and transboundary aspects

The main effort of the River Contract is to coordinate a variety of politics, plans and programs, regarding the river basin, that are developed by all the administrative bodies, in order to share a common strategic scenario and common approaches to the problems of the territory.

Since the actors that are involved in this process are a plenty of villages (almost a hundred of municipalities), provinces, parks and other local authorities, and, in a future prospective, also private partners, a great importance is given to the respect of the roles of all the various stakeholders, in order to minimize interest conflicts.

Conflicts can born not only between public and private sector, but also (and sometimes especially) among local authorities when programs or projects made from an upstream authority can have negative impacts on the downstream territories or on the territories placed on the other side of the river.

These problems are common when dealing with water uses conflicts or interfering infrastructure such as water treating plants, stream-regulating structures, so that a difficult process of negotiation has to be carried on.

This is the reason why the innovative characteristic of River Contract processes is the choice to go in the direction of horizontal subsidiarity: the differentiation of the territorial system requires a flexible system of governance able to settle, on a local level, the conflicts and interests through negotiation processes that comply with the territorial vocation, and capable of “adopting a system”, making the diverse socio-economic intervention planning instruments work along with the territorial planning instruments.

In this case the provinces can have a significant role, even that of covering the Contract promoter, with the support of other supra-municipal areas such as, for example, the PLIS, the Mountain Communities and the park entities that will act as catalysts and aggregators for municipal activities.

The Lombardy Region will therefore have the role of elaborating and updating the appropriate guidelines and addresses, in collaboration with the Po Basin Authority, as well as supporting the provinces by supplying financing (even through the issuing of calls for tender).

*Provide a map of the region showing the rivers where contracts were applied.*

*Provide some major references.*

*For your abstract revision, please use the format given in the attached example and follow the instructions in the text of the example*