

## ANNEX I

### CRITERIA FOR IDENTIFYING WATERS REFERRED TO IN ARTICLE 3 (1)

#### A.

Waters referred to in Article 3 (1) shall be identified making use, *inter alia*, of the following criteria:

1. whether surface freshwaters, in particular those used or intended for the abstraction of drinking water, contain or could contain, if action pursuant to Article 5 is not taken, more than the concentration of nitrates laid down in accordance with Directive 75/440/EEC;
2. whether groundwaters contain more than 50 mg/l nitrates or could contain more than 50 mg/l nitrates if action pursuant to Article 5 is not taken;
3. whether natural freshwater lakes, other freshwater bodies, estuaries, coastal waters and marine waters are found to be eutrophic or in the near future may become eutrophic if action pursuant to Article 5 is not taken.

B. In applying these criteria, Member States shall also take account of:

1. the physical and environmental characteristics of the waters and land;
2. the current understanding of the behaviour of nitrogen compounds in the environment (water and soil);
3. the current understanding of the impact of the action taken pursuant to Article 5.