



# INTERNATIONAL ODRA RIVER BASIN DISTRICT (GERMANY, POLAND, CZECH REPUBLIC)

The draft RBMP for the International Odra RBD<sup>32</sup> was assessed in April 2021. The plan includes numerous exemptions, especially article 4(4) time extensions, without detailed justification, and article 4(7) sustainable development referring to flood prevention, in areas where inland navigation infrastructure is also planned but not referred to in the draft RBMP. The draft RBMP does not provide clear and updated information on the implementation of the previous RBMP's PoM. The international Odra draft RBMP was released on time, and frequently refers to the Polish Odra draft RBMP which had not been published at the time of this assessment.

**Removal and adaptation of barriers:** The draft RBMP provides the number of barriers per country, without further detail. Morphological changes are described as a Significant Water Management Issue, but the solution presented to this problem is the expansion and maintenance of waterways, instead of the removal or adaptation of barriers. No criteria are presented to prioritize

measures, neither are cost-benefit assessments suggested. The only option considered in the plan is to install fish ladders, with good practice examples such as the Malczyce barrage fish ladder in Poland (figure 16), which show clear limitations. No dam removal is planned.

**Inland navigation:** Large-scale inland navigation investments are planned for the Odra basin. However, the draft RBMP does not include any references to the authorization of inland navigation infrastructure projects, and article 4(7) exemptions only refer to flood prevention measures. Even more worrying, the draft RBMP refers to the construction and improvement of waterways as a measure to facilitate the connectivity of aquatic organisms. In the PoM no measures are planned to reduce inland navigation impacts.

**River and wetland restoration:** The draft RBMP includes a list and map of Natura 2000 protected areas, but does not consider the nature-protected areas according to national legislation. It also fails to provide details on the ecological

32. Reference: CZ\_6000; DE6000; PL6000.

requirements of the areas. Nature-based solutions are not explicitly mentioned, and water retention is referred to in terms of construction investments, but not for natural water retention measures. The budget for any restoration measures is unclear, despite Poland's National Program for Surface Water Renaturation developed in 2020.

#### **Drought management and climate**

**proofing:** References to climate change and planned research activities are included in the draft RBMP, as well as a mention of the Polish drought plan, based primarily on new reservoir construction and upgrades.

**Coal mining:** Lignite mines are recognised as an SWMI. However, the draft RBMP lacks data on how much water the sector abstracts. Location, impacts and previously taken measures regarding lignite mines are described in detail for the German and Czech part of the international RBD, but they are missing for Poland, even though most of the mining is located there. The draft RBMP mentions the current and future remediation of

mines but does not provide related measures. The description of planned measures is very general and without specific categories (although they may be included in the upcoming national draft RBMPs), except for Germany which includes the “reduction of dispersed pollution from lignite mining” in the Lusatian Neisse area. Lignite mine drainage is largely exempt from fees and cost recovery in the Odra river basin.

#### **Economic instruments and budget**

**adequacy:** The draft RBMP only addresses water abstraction and supply, and sewage treatment and discharge, as services. It does not present calculations of all financial, environmental and resource costs, and it does not detail cost recovery, even though it states that the costs for urban and industrial water services are fully recovered. It mentions the exemptions from fees for agriculture and fish farms but omits the fact that coal mining and the energy sector are largely exempted from fees for water services. In the draft RBMP, there is no information about the budget allocated to the measures.

**Figure 12:** Fish ladder at the Malczyce barrage presented as a good example. However, this is not an action taken to achieve good water status. It is a measure to mitigate the negative impact of new hydro-technical investment – the obligation to implement it results from article 4.7 of the Directive (“all practical steps have been taken to limit the adverse effects on the status of the water body”), not from article 11. No other mitigating measures in the environmental decision enabling the implementation of this construction have been implemented. Source: International Odra draft RBMP, page 100.



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	Topic	Odra
<b>1</b>	<b>Removal and adaptation of barriers</b>	
	1. Identification of the problem	
	2. Prioritisation	
	3. Cost-benefit analysis and monitoring plan	
	4. Ambition	
<b>2</b>	<b>Hydropower</b>	
	1. Pressures and sectors	
	2. Inventory of planned projects	
	3. Justification and exemptions	
	4. Criteria and thresholds	
	5. Plans for refurbishment and decommissioning	
<b>3</b>	<b>Inland navigation</b>	
	1. Pressures and sectors	
	2. Inventory of planned projects	
	3. Justification and exemptions	
	4. Criteria and thresholds	
	5. 'Working with nature'	
<b>4</b>	<b>Freshwater ecosystem protection and restoration and NBS</b>	
	1. Protected areas and their status	
	2. Prioritisation	
	3. Restoration targets	
	4. Nature-based solutions (NBS)	
	5. Natural Water Retention Measures (NWRM)	
	6. Sound financial mechanism	
<b>5</b>	<b>Water allocation and abstraction control</b>	
	1. Identification of significant water abstractions	
	2. Prospects of new water abstractions, related infrastructure and land uses	
	3. Review of abstraction permits	
	4. Abstraction control	
<b>6a</b>	<b>Drought management</b>	
	1. PoM "climate checks"	
	2. Drought management plans	
<b>6b</b>	<b>Flood management</b>	
	1. PoM "climate checks"	
	3. Link with the Floods Directive	
	4. Land use and flood management	
<b>7</b>	<b>Agriculture</b>	
	1. Assessment of pressures	
	2. Gap analysis and measures	
	3. Diffuse pollution	
<b>8</b>	<b>Coal mines (and combustion)</b>	
	1. Assessment of the problem	
	2. Priority hazardous substances	
	3. Climate change	
	4. Justification and exemptions	
	5. Cost recovery	
	6. Liabilities	
<b>9</b>	<b>Economic instruments and adequacy of budget</b>	
	1. Cost recovery calculation for sectors	
	2. Cost recovery rates and exemptions	
	3. Budget	
<b>10</b>	<b>Exemptions</b>	
	1. Number of exemptions	
	2. Gap analysis	
	3. Art. 4(4) and 4(5) exemption justifications	
	4. Article 4(6) exemption justifications	
	5. Article 4(7) exemption justifications	
<b>11</b>	<b>Review and update on the implementation of the previous RBMP</b>	
	1. Implementation of measures	
	2. Effectiveness of measures	



**NO TARGETS ARE SET FOR RESTORING ECOSYSTEMS BY 2027, AND THE MEASURES ARE DESCRIBED AS "VERY EXPENSIVE AND COMPLICATED IN TERMS OF TECHNICAL APPROACH AND OWNERSHIP".**

		LEVEL OF PERFORMANCE				
		high	good	moderate	poor	N/A
RELEVANCE	Not applicable or relevant for the RBD					
	This problem/ challenge has already been solved in the second RBMP					
	One of the many problems/challenges in this RBD					
	One of the Significant Water Management Issues (SWMI)					
	The main problem/challenge in this RBD					

**Table 22:** Overview of the performance of the draft 2022-2027 RBMP Odra (Germany, Poland, Czech Republic) on key topics by indicator.