DRAFT Template for 3rd cycle draft RBMP screening1

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Abbreviations and Glossary

• dRBMP: draft River Basin Management Plan

- KTM: Key Type Measure, a clustering of different individual measures under larger headings
- NBS (see also NWRM): Nature-based solutions, for example the opening of river floodplains, restoration of wetlands and watercourses, re-meandering, increasing connectivity with oxbow lakes, removal of regulated riverbanks, restoration and conservation of riparian vegetation and riverbank erosion prevention, revitalization of urban vegetation, etc.
- NVZ: Nitrates Vulnerable Zones
- NWRM (see also NBS): Natural Water Retention Measures, included under the WFD as KTM23 for example the restoration of floodplain meadows and floodplain forests but also reconstruction of drainage systems in agriculture and forestry or the removal of weirs in the context of river restoration, sustainable drainage systems
- PoM: Program of Measures
- RBD: River Basin District
- RBMP: River Basin Management Plan
- WFD: Water Framework Directive

Step 0: Baseline information

Please provide the following information:

- Name of RBD: International Oder river basin
- Code number of RBD: in Czech Republic: CZ_6000; in Germany: DE6000; in Poland: PL6000
- URL link to the draft dRBMP documents: <u>http://www.mkoo.pl/index.php?mid=23&lang=EN</u>(dRBMP available in CZ, PL and DE) PL version is used here for citation the most, also the DE one, a google translated version in English is available <u>here</u>
- Date of publication of the draft dRBMP documents: 22 March, 2021
- Dates for the public consultation on the dRBMP: 22 March 22 September, 2021
- Name of the assessor(s) (person who will analyse the dRBMP): Sara Johansson, Jai Krishna, Paweł Pawlaczyk, Ewa Leś, Katarzyna Czupryniak
- Contact details of the assessors(s), e.g. email: sara.johansson@eeb.org, evvales@gmail.com
- Number of water bodies: 1714 rivers, 428 lakes, 1 transitional, 2 coastal, 109 groundwater [page 14, 18]
- Overall amount of the budget of the PoM (in Euro): ... (And specifying the budget of the measures contributing to the achievement of the WFD objectives:) The estimated costs for measures for the period 2022 to 2027 in the German part of the IRB Oder amount to a total of € 300 million. The cost estimate is based on key values / cost ranges that were determined centrally for Germany, but contain country-specific approaches.

Step 1: Relevance of the topic

Objective: To identify how relevant the different topics are in the selected RBD.

Use: This information will be used in the report's overview matrix and will help us to make an overall scoring of the dRBMP performance.

Instructions: Please assess which category responds to the situation of the selected RBD in each of the topics selected. If you are unsure, please follow up with step 2 first and come back to step 1 afterwards. How to mark? Please leave only the text in the category you have chosen. Note that topic on *Review and update on the implementation of the previous RBMP* applies to all RBDs, and topics on *Economic instruments* and *Exemptions* have a limited range of choices. Please provide a brief information/justification on the selection made. If due to resource constraints you will not work on any of the topics (even if it is relevant), please write this down in the last column.

							Information or justification
1	Dam removal and adaptation of barriers	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	The barriers removal is not planned, actual dams removal is not mentioned at all. Page 49: RBMP includes construction and improvement of waterways as a task in this category! morphological changes are described as a significant water management problem, but the solution to this problem is the expansion and maintenance of waterways
2	Hydropower	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	HPP as one of the bases of the Economic importance of water use, not mentioning that HPP is not considered a green energy anymore.
3	Inland navigation	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	Odra basin is a location of large scale inland navigation investments that will cause threats to the basin itself, country (Poland), and neighbouring countries: 1) <u>https://meta.eeb.org/2021/02/02/controversial-plans-for- destructive-danube-oder-elbe-waterway-moving-forward</u> (Danube- Oder_Labe channel) 2) Odra and Vistula Flood Management Project <u>https://www.dnr.de/fileadmin/Positionen/Joint- Declaration Logos final.pdf</u> , World Bank Project : ODRA-VISTULA FLOOD <u>MANAGEMENT PROJECT - P147460, Fachrepositorium</u> Lebenswissenschaften: Plans to regulate the River Oder pose risks to nature and sustainable use (publisso.de) The RBMP does not include any references to the authorization of inland navigation infrastructure projects, despite such projects being planned in the PL part of the river basin (please see point 1.) and are assessed as a large threat. Moreover, RBMP includes construction and improvement of waterways as a task to remove barriers for aquatic organisms! (Page 49)
4	Freshwater ecosystem protection and restoration and	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd	Not applicable or relevant for the RBD	It was declared that the coordination in the international Odra basin area will cover, among others, developing requirements and priorities to restore linear continuity and create natural morphological structures for

	NBS				RBMP		typical aquatic organisms in the Odra River and in the relevant tributaries. It is worth emphasizing that in Poland these requirements and priorities were defined in the <u>National Program for Surface Water Renaturation</u> developed in 2020. This program indicates that in order to achieve the environmental objectives required by the Water Framework Directive, at least in the Polish part of the river basin, the needs for restoration are very broad, and the Directive shows that restoration measures (as necessary to achieve good condition or potential) must be undertaken before 2027 (only then it is possible to legalize the fact that their effect will occur later, in the derogation procedure from Article 4.4 of the Directive), In the Polish part of the river basin, the measures indicated in the National Program for Surface Water Renaturation (developed in 2020) should necessarily be included in the action program , because they have been identified as necessary to achieve environmental goals for waters or environmental goals for protected areas. These activities can no longer be delayed until after 2027, because the Water Framework Directive does not allow such extensions.
5	Water allocation and abstraction control	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	Water abstraction is one of significant issues in iOder RBMP. Quantities are shown on sub-basin level, only for surface water, in 2 subgroups: 'drinking water' and 'Industry and all other uses', which is insufficient to analyze the issue. It is unclear if mining water and thermal power plants cooling are included. Groundwater abstraction is not included. Groundwater recharge is not estimated. Exploitation index is not calculated.
ба	Drought management	The main problem/challenge in this RBD	One of the Significant Water Management Issues CHANGE?	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	Drought is mentioned many times and preventive measures are planned, but it's impossible to say if they are effective enough, and many measures are potentially harmful for rivers morphology.
6b	Flood management	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	please see 3. and relevant links there.
7	Agriculture	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	Dispersed pollution from agriculture, especially by nitrogen and phosphates, is described as one of important issues and measures are planned in each country, but a concrete description of measures is lacking along with the assessment of their effectiveness and their budget. Water abstraction for agriculture is listed as a problem, but not as a Significant Issue, and not addressed at a satisfactory level. No measures are planned to limit the abstraction of groundwater for agriculture.

8	Coal mines and plants	The main problem/challenge in this RBD	One of the Significant Water Management Issues	One of the many problems/challenges in this RBD	This problem/ challenge has already been solved in the 2 nd RBMP	Not applicable or relevant for the RBD	The given example of less stringent environmental objectives that may be applied in the event of the impact of lignite coal mines on groundwater bodies (drainage of the deposit necessary to ensure safe mining conditions has an impact on groundwater both in the hydrodynamic and hydrochemical aspect) is highly questionable, especially in the light of the EU climate policy. For climatic reasons alone, socio-economic needs should no longer be met by lignite mining and combustion - there are alternative energy sources, and lignite combustion is certainly not the most environmentally beneficial option.
9	Economic instruments and adequacy of budget	Budget and cost recovery have so far impeded achieving good status of water bodies in this RBD	Budget and cost recovery are a major problem/challenge in this RBD	Budget and cost recovery are one of the many problems/challenges in this RBD	This challenge has already been solved in the 2 nd RBMP and no problems are envisaged for the 3 rd cycle		The actual cost recovery calculation is missing - instead dRBMP contains an elaborate description of EU regulations and other definitions, which is to prove that cost calculation is not necessary. Mining and energy sectors are largely exempted from fees for water services, and therefore there is no mechanism to limit water use in these sectors. This issue has been ignored in the iOder RBMP.
10	Exemptions	The dRBMP relies on exemptions (>50% of water bodies)	There are many exemptions (30-50% of water bodies)	There is a minor number of exemptions (<30% of water bodies)	There are no exemptions in the dRBMP		The dRBMP gives many exemptions, e.g. under art 4(7), 4(4). It seems that this indicates an intention to breach the directive. Page 51: In the Polish part of MODO, mainly derogations related to nutrients and the chemical status of waters were indicated. In many cases, postponement of the deadlines for achieving environmental goals was established and environmental goals were relaxed. Derogations have also been established due to the implementation of investments constituting an overriding social interest in accordance with Article 4, paragraph 7 of the WFD, including mainly investments in the field of flood protection (changes in physical characteristics). However many of these exemptions are given to inland navigation projects hidden under 'flood protection'.
11	Review and update on the implementation of the previous RBMP			This topic is relevant for all RBDs			The plan should include an assessment of the performance and effectiveness of the action programs of the past planning period which is not the case here.

Step 2: Indicator assessment and provision of details

Objective: To understand the quality and level of ambition of the selected dRBMP.

Use: This information will be used in the report's detailed scoring of the dRBMP performance, to illustrate if and how far the European Commission's recommendations from the Fitness Check exercise and the report on the second cycle of plans have been taken up (also largely based on WWF's recommendations). We will likely produce an overview table for each of the topics/RBDs, include your texts, and showcase good practice and poor performance.

Instructions:

- Please assess this step for all topics which in Step 1 have been considered as in any other category than "not applicable or relevant for the RBD".
- Please chose for each of the indicators below one classification option, and provide an additional text, indicating the information which you can find in the dRBMP and/or which is omitted in the dRBMP, and e.g., how many pages of the dRBMP are dedicated to it. Please provide a reference in which document and page number this information is included (example: dRBMP Annex 7, page 45-50). *Ideally, the additional text shall be written in a way that it can be directly transferred into the report; or at least include a paragraph to be included*.
- Please indicate in the text box if you have decided to not assess the topic, e.g. due to resource constraints.
- If there are positive elements e.g., fiches, photos or overall maps, or aspects which you consider poor performance, please include in your response (at the end of each section) screenshots to illustrate the final report with examples.

Dam removal	Classification. Please select one				How does the dRBMP respond to the indicator?
and adaptation	option (by keeping the text in, and				
of barriers	deleting the texts of the other				
	options)				
Indicator 1:	The dRBMP takes stock of all the	The dRBMP takes stock of all the	The dRBMP makes a general	The dRBMP does not	Please describe which information the dRBMP
Identification	barriers on the surface water	barriers on the surface water	statement that there are barriers on	refer to barriers on the	includes regarding the identification of the problem,
of the problem	bodies and describes their negative	bodies including overall numbers,	the surface water bodies, but does not	surface water bodies as a	e.g. numbers and locations, number of pages
	impacts (e.g., flood increase) on the	and details (locations, relation to	provide detailed information on their	problem in the RBD,	addressing the topic.
	ecosystem, including downstream.	status of water bodies) for each of	number and location and their effects	though it should have	
	The dRBMP includes a list of	them (maybe in an annex or	on the status of water bodies. Maybe	been included in the	Number of barriers is given for each country, with
	barriers for which the usage	complementary document to the	some (but not all) of the barriers are	dRBMP.	no further description.
	permits expire and will be revised	dRBMP).	illustrated with information and		Big or important objects are listed as 'Water flow
	during the 2021-2027 period.		maps/pictures.		regulation' infrastructure (dams etc.), but not
					described as an issue. Name, location (sub-unit),
					uses/functions, volume of water retention and anti-
					flood volume are given.
					-
					Page 24 and 49:-morphological changes are
					described as a significant water management

Topic 1: Dam removal and adaptation of barriers

2: Prioritisation	The dRBMP <u>identifies barriers that</u>	The dRBMP states that <u>an</u>	The dRBMP states that an assessment	The dRBMP does not	problem, but the solution to this problem is the expansion and maintenance of waterways Page 100 (DE version page 99): Example of the fish ladder at the Malczyce barrage presented as an example is not an action taken to achieve good water status, but a measure mitigating the negative impact of a new hydrotechnical investment - the obligation to implement it resulted from Art. 4.7 of the Directive ("all practical steps have been taken to limit the adverse effects on the status of the water body"), and is not an implementation of Art. 11. It is worth recalling that so far no other mitigating measures provided for in the environmental decision enabling the implementation of this construction have been implemented! <i>Please describe how the dRBMP refers to</i>
	are a priority for removals, such as obsolete or decommissioned	assessment and prioritisation will be undertaken later, e.g., as part	and prioritisation will be undertaken later, e.g., as part of the PoM, but	refer to prioritising barriers for removal nor	prioritising barriers for removal, and which criteria will be applied.
	barriers, barriers in protected	of the PoM, and mentions the	does not mention the criteria which	to criteria which will be	
	areas, barriers that don't serve a significant nurnose or barriers	criteria which will be used.	will be used.	applied to it.	Preparing the priorities and demands regarding
	whose removal can free the longest portion of river.				to RBMP. Details are not given and criteria don't exist (are to be elaborated as part of this task).
					In ch. II.7.4.1 (page 85) it should be emphasized
					the restoration of ecological continuity, including
					fish passes on damming constructions, is only one
					waters. At least as important and urgent are the
					restoration of watercourse beds, leading to an
					restoration, including restoration of floodplains.
3. CBA and	The dRBMP includes a cost and	The dRBMP includes a detailed	The dRBMP states vaguely that a cost	The dRBMP does not	Please describe if there are references to dam
monitoring	benefit analysis and a monitoring	measure clarifying that a cost	analysis and an (unspecified)	include references to a	removal cost and benefit assessments and monitoring of its affacts in the dBBMD and its Dolla
μαΠ	effects of dam removal on water	assess the effects of dam removal	be undertaken at a later stage.	monitoring plan of dam	monitoring of its effects in the arbivir and its point.
	status, biodiversity, and	on water status, biodiversity, and		removal.	There are no references to cost-benefit analysis of
	communities.	communities, <u>will be undertaken</u>			barriers removal.
		dRBMP.			
4. Ambition	The PoM includes the removal of at	The PoM includes the removal of	The PoM includes the removal of	The PoM is unclear if the	Please describe the information about the specific

least 20% of the obsolete or	2.5%-20% of the obsolete or	barriers, but less than 2.5% of them.	removal of barriers will	measures for the removal of barriers included in the
decommissioned barriers in the	decommissioned barriers in the		be implemented or not:	PoM, including the extension of information
RBD.	RBD.		it may include the	included.
			removal of barriers but	
			does not specify which	The barriers removal is not planned.
			ones or how many.	Actual dams removal is not mentioned at all.
				Page 49 (In DE version page 48): RBMP includes
				construction and improvement of waterways as a
				task in this category!

Example profile for fish ladder from dRBMP 1: Right-hand two-partslot pass at the Malczyce barrage (page 100)

No explanations for fish descent / bed load passage; in addition to the naming of the target fish species sturgeon, there is no further representation of the dimensions (according to the images, the fish passage in Geesthacht on the Elbe appears to be significantly larger: 550 metres long, 16 metres wide, 50 water pools), no data about monitoring. It just mentions the fact that there is preliminary monitoring of effectiveness.

Figure II.7.3:





Reference figure: Elbe fish ladder at Geesthacht (<u>https://group.vattenfall.com/de/verantwortung/umwelt/fischtreppe</u>)



Example profile for fish ladder from dRBMP 2: Fish ladder on the Olsa (Olše) river in Věřňovice (page 103)

No explanations for fish descent / bed load passage; no target fish species is named, no data about monitoring.

Figure II.7.6: Fish ladder on the Olsa (Olše) river in Věřňovice, Photo: Povodí Odry, státní podnik



Example profile for fish ladder from dRBMP 2: Nieder-Neundorf fish pass, (page 105)

No explanations for fish descent / bed load passage; no target fish species is named, no data about monitoring.

Figure II.7.8: General view of the Nieder-Neundorf fish pass Photo: Altus, CTL Celltechnik Lodenau GmbH & CO.KG



Exposures from transverse structures in the German part of the International River Basin District Odra

In the dRBMP there are no maps which shows exposures from diverse structures in the International River Basin District Odra. In order to get at least an impression of the exposures, the maps for the German part are shown below (Red = Significant exposures from transverse structures; Blue = No significant exposures from transverse structures; Grey = Artificial water body, no exposure determined).

Nysa Łużycka water region: https://mluk.brandenburg.de/w/kfge-oder/2021-2027/Karten/Lausitzer-Neisse/BGLAN-Karte2-2.pdf

BG LAN - Karte 2.2 - Signifikante Belastungen durch Querbauwerke Signifikante Belastungen durch Querbauwerke Keine signifikanten Belastungen durch Querbauwerke Künstlicher Wasserkörper, keine Belastung ermittelt Seen, Übergangs- und Küstengewässe Signifikante Belastungen durch Querbauwerke Keine signifikanten Belastungen durch Querbauwerke Künstliche Wasserkörper, keine Belastung ermittelt bfg LAWA Entwurf des Bewirtschaftungsplans zur Umsetzung der Wasserrahmenrichtlinie Fachdaten: Zuständige Behörden der Länder (WFD Report 2022, 22.03.2022) Background Data: Copyright: @ GeoBasis-DE / BKG 2020 Datenstand: 10.12.2020 10 20 40 km © WasserBLIcK / Bundesanstalt für Gewässerkunde (BfG)

Middle Odra water region: https://mluk.brandenburg.de/w/kfge-oder/2021-2027/Karten/Mittlere-Oder/BGMOD-Karte2-2.pdf



BG MOD - Karte 2.2 - Signifikante Belastungen durch Querbauwerke

Lower Odra water region: https://mluk.brandenburg.de/w/kfge-oder/2021-2027/Karten/Untere-Oder/BGUOD-Karte2-2.pdf



BG UOD - Karte 2.2 - Signifikante Belastungen durch Querbauwerke

Szczecin Lagoon water region: <u>https://mluk.brandenburg.de/w/kfge-oder/2021-2027/Karten/Stettiner-Haff/BGSTH-Karte2-2.pdf</u>



BG STH - Karte 2.2 - Signifikante Belastungen durch Querbauwerke

Topic 2: Hydropower

Hydropower	Classification. Please select one option (by keeping the text in, and deleting the texts of the other options)				How does the dRBMP respond to the indicator?
Indicator 1: Pressures and sectors	The dRBMP identifies the sectors responsible for each hydro- morphological pressure on a water body, including explicitly the energy sector. Regarding multi-purpose dams, the pressures are qualitatively and quantitatively split between the sectors. Environmental and resource costs (e.g., evaporation losses) are calculated for the energy sector, including hydropower.	The dRBMP identifies the sectors responsible for each <u>significant</u> hydro-morphological pressure on a water body, including explicitly the energy sector.	The dRBMP refers only <u>generically</u> to the sectors responsible for hydromorphological pressures, <u>including the energy sector</u> .	The dRBMP does not refer to the sectors responsible for hydro- morphological pressure on water bodies or <u>does</u> <u>not refer to the energy</u> <u>sector</u> .	Please describe which information the dRBMP includes regarding the description of the hydromorphological pressures and the sectors responsible for such pressures. Please be explicit about references to the energy sector, e.g., how many water bodies affected, and report if there is an explicit mention or not to large and small hydropower. page 62 (page 61 in DE version) describes HPP as one of the bases of the Economic importance of water use, not mentioning that HPP is not considered a green energy anymore.
2. Inventory	The dRBMP includes an inventory of all the planned hydropower plants, including run-of-the-river and pumped storage plants <u>and describes their</u> <u>expected impacts</u> on the status of water bodies OR the dRBMP mentions that no new hydropower plants are planned in the river basin, and the data/information you have corroborates this statement.	The dRBMP includes an inventory of all the planned hydropower plants, but no information on their expected impacts.	The dRBMP includes an overview information of planned hydropower plants, but <u>without</u> <u>specific data</u> .	The dRBMP does not refer to planned hydropower plants while you are aware of planned projects in the pipeline.	Please describe if and how the dRBMP includes information on planned hydropower plants, and their expected impacts. page 62: "Due to the relatively low abundance of watercourses in theMODO (international Odra basin area), there are no favorable conditions for the use of hydropower to a greater extent." but then (page 63) it is mentioned the potential of Racibórz reservoir: "We cannot expect a significant increase in installed capacity in the future at MODO. Perhaps it will be possible to use the Racibórz reservoir on the Odra River for energy purposes, which currently functions as a dry flood control reservoir. Improved prognostic models may enable the reservoir to be used with a certain constant reserve enabling energy use, without detriment to the anti-flood effect. "
3. Justification and exemptions	No new hydropower plants are planned in the RB.	<u>Proper justification</u> is given for the construction of new planned	<u>No proper justification</u> in accordance with article 4(7) is given	No justification at all is given for the new	No justification is give for the exemptions due to the existing or new HPPs
		hydropower plants, including	for the construction of new	planned hydropower	
		pumped storage, in accordance to $article A(7)$	planned hydropower plants,	plants (i.e., blanket	
				hydropower plants).	
4. Criteria and	The dRBMP	The dRBMP provides stringent	The dRBMP does not make a clear	The dRBMP does not	Please describe if the dRBMP includes

thresholds	completely excludes new hydropower	criteria for new hydropower plants,	statement on specific criteria,	refer to the process of	references, criteria, exclusion lists etc. for new
	plants in the RBD.	such as exclusion zones, or power	thresholds, and procedures to	new hydropower plants	hydropower plants.
		generation thresholds.	assess new hydropower plants.	being authorised.	No authorisation process description.
5. Plans for	The dRBMP establishes the priority of	The dRBMP refers also to the	The dRBMP refers also to the	The dRBMP does not	Please describe the information about the
refurbishment and	the refurbishment or	refurbishment or decommissioning	refurbishment or decommissioning	refer to the	refurbishment of old hydropower plants, and
decommissioning	decommissioning of older outdated	of older outdated plants but not as	of older outdated plants but not as	refurbishment or	detail if the information and measures only
	plants over the construction of new	a priority over the construction of	a priority over the construction of	decommissioning of	target energy production or will also benefit the
	hydropower plants, including pumped	new hydropower plants. Specific	new hydropower plants. No specific	older outdated	status of water bodies.
	storage plants. The PoM includes such	measures are included in the PoM	measures are included in the PoM,	hydropower plants.	
	measures, associated to reviews of	which will lead to improvements of	or if so, no references are made to		No information about decomissioning or
	established ecological flows.	water body status, e.g., associated	improvements of water body		refurbishment of old HPPs.
		to reviews of established ecological	status.		
		flows.			

Topic 3: Inland navigation

Navigation	Classification. Please select one option (by keeping the text in, and deleting the texts of the other options)				How does the dRBMP respond to the indicator?
Indicator 1: Pressures and sectors	The dRBMP identifies the sectors responsible for each hydromorphological pressure on a water body, including explicitly the inland navigation. Environmental and resource costs (e.g., evaporation losses) are calculated for the navigation sector.	The dRBMP identifies the sectors responsible for each <u>significant</u> hydromorphological pressure on a water body, including explicitly the inland navigation sector.	The dRBMP refers only generically to the sectors responsible for hydromorphological pressures, <u>including the</u> <u>inland navigation sector</u> .	The dRBMP does not refer to the sectors responsible for hydro- morphological pressure on water bodies or <u>does not refer to</u> <u>the inland</u> <u>navigation sector</u> .	 Please describe which information the dRBMP includes regarding the description of the hydromorphological pressures and the sectors responsible for such pressures. Please be explicit about references to the navigation projects Page 23: RBMP mentions that there are morphological changes of SWBs due to inland navigation, but without any details. Morphological changes in surface water bodies are described as significant water issue in the iOder RBD on page 24, but not related to inland navigation (although many of them are in fact related to inland navigation) Page 49: dams and morphology changes are described as a problem, but not as a Significant Issue. Sectors responsible are: hydropower, flood prevention, and "regulation of water flow" page 59 describes inland navigation as one of the bases of the Economic importance of water use, not mentioning damaging consequences of planned development (E30 waterway, Donau-Odra-Elbe channel)

2. Inventory	The dRBMP includes an inventory of all the planned inland navigation projects and describes their expected impacts on the status of water bodies	The dRBMP includes an inventory of all the planned inland navigation projects, but <u>no information on their</u> <u>expected impacts</u> .	The dRBMP includes an overview information of planned inland navigation projects, but <u>without</u> <u>specific data</u> .	The dRBMP does not refer to planned inland navigation projects while you are aware of planned projects in the pipeline.	 Please describe if and how the dRBMP includes information on planned inland navigation projects, and their expected impacts. Page 49: RBMP includes construction and improvement of waterways as a task to remove barriers for aquatic organisms! The RBMP does not include any references to the planned inland navigation projects, despite such projects being planned in the PL part of the river basin. For 30 years several river upgrade programs for the Oder River were prepared: Odra 2000, Odra 2005 and finally Odra 2006. The latter became a law of the Republic of Poland in 2001 (<u>https://www.dziennikustaw.gov.pl/DU/2001/s/98/1067</u>). In 2015 Poland started the so-called Odra-Vistula Flood Management Project. Contrary to what the name suggests, it is a barely hidden river upgrade program for which the EIAs have been completed by 2020 at the latest and the approvals have been granted by the Polish environmental authorities. In 2015, Germany and Poland also signed an agreement to upgrade the so-called German-Polish Border Odra, ostensibly for flood protection reasons. The impact for the ecology has not really been assessed yet, neither the effects of a single navigation project nor the cumulative effects of all navigation projects. This is also a shortcoming in the draft RBMP as it does not deal with such works nor their impact for the relevant water bodies. No monitoring exists which clarifies whether the single project is effective and whether it meets the objectives.
3. Justification and exemptions	No new inland navigation projects are planned in the RB.	Proper justification is given for the construction of new inland navigation infrastructure projects in accordance with article 4(7).	No proper justification in accordance with article 4(7) is given for the construction of new inland navigation projects	No justification at all is given for the new planned inland navigation infrastructure projects	Page 51 mentions derogation 4(7) in the PL part of the river basin due to flood prevention projects, which serves to hide the planned inland navigation development. Page 63 refers to the European Agreement on Main Inland Waterways of International Importance (AGN), even it is a treaty under the United Nations Economic Commission for Europe and not a treaty of the European Union. Also AGN is only ratified by Czech Republic and Poland, but not by Germany (<u>https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-D- 5&chapter=11&clang=_en</u>).
4. Criteria and thresholds	The dRBMP completely excludes inland navigation infrastructure projects in the RBD.	The dRBMP provides stringent criteria for assessing new inland navigation infrastructure projects	The dRBMP <u>does not make</u> <u>a clear statement</u> on specific criteria, thresholds, and procedures to assess new inland navigation infrastructure projects	The dRBMP does not refer to the process of new inland navigation infrastructure projects being authorised.	Please describe if the dRBMP includes references, criteria, exclusion lists etc. for inland navigation infrastructure projects. The RBMP does not include any references to the authorisation of inland navigation infrastructure projects, despite such projects being planned in the PL part of the river basin (please see point 1.)
5. Plans for inland navigation	The dRBMP establishes the priority for no new infrastructure for inland	The dRBMP refers to the removal of older infrastructure but not as a	The dRBMP refers to the removal of older infrastructure but not as a	The dRBMP does not refer to the removal of older	Please describe the information about the removal of older infrastructure or measures, e.g., associated to reviews of established ecological flows or working with nature approach for inland navigation projects.

based upon	navigation and for	priority over the	priority over the	outdated	
working with	removing of older	construction of new	construction of new	infrastructure for	In the catalogue of measures no measures are planned related to inland navigation
nature'	infrastructure. The PoM	infrastructure for inland	infrastructure for inland	inland navigation	impacts.
approach	includes such measures,	navigation. Specific	navigation. There are <u>no</u>	and does not	
monitoring	e.g., associated to	measures are included in	measures in the PoM which	include measures	
adjusting and	reviews of established	the PoM which will lead to	will lead to improvements	to minimise	
learning from	ecological flows or	improvements of water	of water body status, e.g.,	impacts.	
the river	working with nature	body status, e.g., associated	associated to reviews of		
through a step-	approach.	to reviews of established	established ecological flows		
hv-sten		ecological flows or working	or working with nature		
approach.		with nature approach	approach.		

Topic 4: Freshwater ecosystem protection and restoration and NBS

Freshwater ecosystem protection and restoration and NBS	Classification. <i>Please select one option</i> (by keeping the text in, and deleting the texts of the other options)				How does the dRBMP respond to the indicator?
Indicator 1. Protected areas	The dRBMP describes the status of each protected freshwater ecosystems	The dRBMP provides an overall description of the status of	The dRBMP provides an overall description of the status of	The dRBMP only includes a list of the	Please describe the dRBMP information and assessment on the status of protected rivers and
and their status	including explicit references to the	protected freshwater ecosystems	protected freshwater ecosystems	protected areas,	wetlands (lakes, transitional coastal lagoons), their
	favourable conservation status of	and defines the specific water	but <u>does not define</u> water quantity	without referring to	dependency on surface or groundwater sources
	habitats or species and defines water	quantities and qualities required	and quality required for achieving	<u>their status</u> or	including quantity, quality and timing, and if there
	quantity and quality required for	for achieving good status (in	good status.	requirements.	are any constraints or gaps when comparing the
	achieving good status (in coordination	coordination with competent			requirements with the current situation.
	with competent authorities for	authorities for biodiversity).			
	biodiversity), identifying gaps with the				The plan states that the register of protected areas
	current management.				contains only Natura 2000 sites; this is also what it
					shows on the map. Meanwhile, the draft verification
					of the Polish register of protected areas, as well as
					the register in force in Poland in the second planning
					period, includes many more areas - also areas
					designated by national law. Admittedly, the
					following sentence was included: "In Poland, apart

					from Natura 2000 areas established under the
					above-mentioned directives, the register in this respect has been extended to forms of nature
					protection established on the basis of national
					legislation (e.g. national parks, nature reserves,
					etc.), for which the maintenance of or the
					improvement of the status of waters is an important
					included in tables or mans
					Page 57: Assessment of the progress made towards
					achieving the environmental objectives for
					protected areas (chapter II.5.5.) Should be based not
					monitoring of protected areas. In particular, the
					approach indicated in the Polish part is completely
					insufficient here, according to which the progress in
					achieving the objectives for protected areas was
					values of selected water quality indicators at
					monitoring points located in the estuary sections of
					larger rivers" over time. Meanwhile, in Poland,
					monitoring of species and natural habitats was
					carried out in parallel, and each authority
					monitor the condition of this area, including aspects
					relating to water conditions. Therefore, the question
					arises where the results of this monitoring were and
					why were they not included here? Or maybe there
					was no proper monitoring at air
2. Prioritisation	The dRBMP identifies freshwater	The dRBMP identifies freshwater	The dRBMP states that freshwater	The dRBMP only	Please describe if and how the dRBMP refers to
	ecosystems that would benefit from restoration, and establishes a priority	ecosystems that would benefit from restoration and establishes	ecosystems would benefit from restoration and includes in the PoM	generically refers to the restoration of	Jresnwater ecosystem restoration, and if the PoM is ready for purpose, by providing, a list of priority
	list, based on <u>clear criteria</u> and reflected	a priority list for action.	a measure to further assess such	freshwater	restoration areas, including specific measures.
	in the PoM.		actions, and to develop criteria and	ecosystems, without	
			priorities.	specific relevant	Page 70 says that" An example is the restoration of
				medoures.	very expensive and complicated in terms of technical
					and ownership. Therefore, for technical and
					economic reasons, it will be necessary to gradually
					2027."

					It should be noted that the long duration of the planning, approval and implementation of technical structures, resolving ownership issues, long-term restoration procedures for old landfills or achieving sufficient approval for complementary activities, although it could be a reason for extensions in past planning periods, cannot already be a rationale for not taking action by the deadline to achieve the target in 2027.
3. Restoration targets	The dRBMP indicates a target for 2027 (number of km or km2) of freshwater ecosystems to be restored, addressing different ecosystem types (rivers, floodplains, lakes, estuaries). Indicators such as quantity and dynamics of water flow, structure and substrates of riverbeds are <u>defined in</u> <u>the monitoring of the dRBMP</u> .	The dRBMP indicates a <u>quantitative target for 2027</u> (number of km or km2) of freshwater ecosystems to be restored but does not refer to the quality of the restoration.	The dRBMP states that by 2027 freshwater ecosystems will be restored but <u>does not include a</u> <u>auantitative target</u> .	The dRBMP does not refer to any restoration of freshwater ecosystems by 2027.	Please describe if and how the dRBMP establishes targets for freshwater ecosystem restoration, adding the information on how many km or km2, and how the success of the restoration will be monitored. Please see above.
4. Nature-based solutions (NBS)	<u>NBS are prioritised</u> in infrastructure investments (>30% of infrastructure budget) in the PoM, in particular for (inland and coastal) flood risk management, and urban wastewater treatment.	The dRBMP or PoM <u>requests NBS</u> to be considered as alternative or <u>complementary option</u> for all relevant infrastructure investments, especially regarding flood risk protection. However, it remains unclear if NBS will be implemented in practice.	The building of grey infrastructure (dams, levees) for flood risk management and urban wastewater treatment remains the priority (>90%) for infrastructure investments. <u>NBS are a</u> <u>"greenwashing" add-on in the</u> <u>dRBMP</u> , but not used as a relevant infrastructure investment.	The dRBMP does not refer to NBS, or if so, it is only at a generic level without specifying the planned investments in NBS.	Please describe if the PoM includes NBS, priorities or criteria for their application, and if NBS are clearly mentioned in the PoM. If possible, please refer to some specific outstanding measures, or the overall budget (and its share from the PoM) being allocated to NBS.
5. Natural Water Retention Measures (NWRM)	The dRBMP makes clear statements that <u>NWRM prioritised in flood risk</u> <u>management infrastructure</u> <u>investments (accumulating for >30%</u> of flood management infrastructure budget).	The dRBMP requests NWRM <u>to</u> <u>be considered as alternative</u> or complementary option for all flood risk management infrastructure investments. However, it remains unclear if NWRM will be implemented in practice.	The building of <u>grey infrastructure</u> (dams, levees) for flood risk management remains the priority (>90%) for infrastructure investments. NWRM are a "greenwashing" add-on in the dRBMP, but not used as a relevant infrastructure investment.	The dRBMP does not refer to NWRM, or if so, it is only at a generic level without specifying the planned investments in NWRM.	 Please describe if the dRBMP refers to NWRM, priorities or criteria for their application, and if NWRM are clearly mentioned in the PoM. If possible, please refer to some specific outstanding measures, or the overall budget (and its share from the PoM) being allocated to NWRM. Page 89: "steps are taken to restore or maintain natural retention. Good practice activities are important, including hydro-technical works and maintenance works aimed at improving the condition of water or protecting its good condition.", yet focussing on tasks related to the construction and reconstruction of water facilities (to increase retention) (page 94).
6. Sound	The dRBMP applies the economic	The dRBMP states that the	The dRBMP states that the	The dRBMP does not	Please describe how the dRBMP refers to sharing the

ſ	financial	principles of cost recovery and polluter-	economic principles of cost	economic principles of cost	refer to the economic	costs of investments for river and wetland
	mechanism	pays to fund freshwater ecosystem	recovery and polluter-pays will	recovery and polluter-pays will be	principles of cost	restoration.
		restoration; thus, a significant part of	be applied to fund freshwater	applied to fund freshwater	recovery and polluter-	
		the investments (>50%) is burden by	ecosystem restoration; but only a	ecosystem restoration; but the	pays applied to fund	Cost recovery principle is described in iOder RBMP
		water and land users.	minority of the investments	share of the cost of the investments	river and wetland	as fully implemented, but there is no plan to use the
			(<50%). is burden by water and	by water and land users is unclear.	restoration.	funds from water fees for ecosystems restoration,
			land users			only for water management.

Topic 5: Water allocation and abstraction control

Water allocation and abstraction control	Classification. Please select one option (by keeping the text in, and deleting the texts of the other options)				How does the dRBMP respond to the indicator?
Indicator 1. Identification of significant water abstractions	All significant water abstractions are identified, including from surface and groundwater for urban, agriculture, industry and energy production, and other uses, including seasonal variation, total annual demand, consumption, return and loss of water in distribution systems. Illegal abstractions are also estimated, when these are relevant. Sufficient data to calculate the long-term annual average rate of groundwater recharge are available. An Exploitation index for surface or groundwater bodies facing significant abstraction pressures is calculated.	All significant water abstractions are identified, including from surface and groundwater for urban, agriculture, industry and energy production, and other uses. Sufficient data to calculate the long- term annual average rate of groundwater recharge are available. An <u>Exploitation index</u> for surface or groundwater bodies facing significant abstraction pressures <u>is calculated</u> .	The dRBMP identifies significant water abstractions, though it is <u>unclear if all</u> <u>sectors are covered</u> , and which water <u>bodies are affected</u> . The long-term annual average rate of groundwater recharge is <u>calculated or</u> <u>estimated with uncertainties</u> . An Exploitation Index is <u>not</u> calculated for each water body facing significant abstraction pressures.	The dRBMP only includes general statements on abstraction pressures and exploitation levels at the basin or sub-basin scale and does not provide evidence that these are based on solid data.	Please describe if and how the dRBMP refers to significant water abstractions, if all the sectors are included, if the abstractions are described by their seasonal variation, demand, consumption and return rates, and if an exploitation index is calculated and referred to. Water abstraction is one of significant issues in iOder RBMP. Quantities are shown on sub-basin level, only for surface water, in 2 subgroups: 'drinking water' and 'Industry and all other uses', which is insufficient to analyze the issue. It is unclear if mining water and thermal power plants cooling are included. Groundwater abstraction is not included. Exploitation index is not estimated. Exploitation index

					Page 61, table II.6.5 - water abstraction and sewage discharge data for industry, by country. Poland - abstraction and discharge exempted from fees, as well as cooling water discharge, are not included . Page 61, table II.6.6 - water abstraction in the agriculture sector, by country. PL data includes forestry and fish ponds. No information about the data for CZ and DE.
2. Prospects of new water abstractions, related infrastructure and land uses	The dRBMP includes a list of all planned water-consuming land-use changes (e.g., new irrigation developments) and infrastructure impacting ground or surface water flow regimes, including water transfers and reservoirs, and an assessment of how they impact on overall flow characteristics and water balances. In particular, the dRBMP <u>clarifies how circular</u> <u>economy and water reuse infrastructures</u> will foster water allocation for nature.	The dRBMP includes a list of all planned infrastructure impacting ground or surface water flow regimes, <u>including</u> <u>water transfers and reservoirs</u> , and an assessment of how they <u>impact</u> on overall flow characteristics and water balances.	The dRBMP includes a list of all planned infrastructure impacting ground or surface water flow regimes, including water transfers and reservoirs, but <u>no</u> <u>assessment of how they impact</u> on overall flow characteristics and water balances. There are <u>no clear</u> <u>information</u> how new supply measures like desalinisation or water reuse will revert into water allocation for nature.	The dRBMP does not include information on planned infrastructure impacting ground or surface water flow regimes; and if so, only refers to the additional water available for uses, and not to nature.	Please describe if and how the dRBMP refers to planned land use and infrastructure impacting ground or surface water flow regimes, which sort of information is made available, and if the benefits of the investment for nature are clearly described and quantified. The RBMP lists only existing surface water abstraction data and existing significant water transfers.
3. Review of abstraction permits	The dRBMP is explicit about the review of abstraction permits, assess the efficiency and relevance of permits considering foreseen water availability and the economic analysis of water use, including by water users abstracting beyond the permitted amounts. The dRBMP <u>includes a</u> <u>list or number of permits</u> which will undergo the review process, with a described set of criteria. It <u>includes explicitly all those water permits</u> <u>which have benefitted in the previous years</u> <u>from EU-supported investments</u> for irrigation modernization and water savings, when these affect water bodies in worse than good status.	The dRBMP is explicit about the review of abstraction permits, assess the efficiency and relevance of permits considering foreseen water availability and the economic analysis of water use. The dRBMP <u>includes an estimation</u> <u>about the water amount which could</u> <u>be reallocated</u> but does not provide further information.	The dRBMP refers to the review of abstraction permits as a measure to be carried out during the implementation of the PoM, but <u>without specifying the</u> <u>expected number of permits, or the</u> <u>criteria</u> which will be applied in the review.	The dRBMP does not refer to the review of abstraction permits, or just lists it as one of the <u>WFD measures without</u> <u>further references</u> .	No reference to a review of water permits.

4. Abstraction	The drawing establishes a full regime of	The drawing establishes a system of	The draw refers to a progressive	The draivip is <u>not explicit</u>	Please describe the information
control	abstraction controls (surface and	abstraction controls (surface and	system of ensuring abstraction controls,	about abstraction controls	included in the dRBMP and the
	groundwater, impoundment and artificial	groundwater, impoundment and	with the information being available	and lists them just as one	PoM about abstraction controls,
	recharge) with (user-paid) flow meters that	artificial recharge) which covers the	only off-line or limited quality controls.	of the basic measures to	and the details, e.g., new control
	transmit information in real-time to the	major part (>90%) of the water	The information contained in the	be implemented, without	systems, targets, investments, the
	competent authority. In addition, and	abstractions. It includes flow meters	dRBMP is unclear about which	a specific budget	responsible entity to carry out such
	where necessary, the PoM includes on-site	that transmit information in real-time	performance targets (if any) will be	allocation or target.	measures, etc.
	controls and other methods (earth	to the competent authority. An	reached by 2027.		
	observation, drones) to detect and stop	ambitious performance target is set to			No information about any new
	illegal water use.	control illegal water use (e.g.,			plans regarding the abstraction
		inspection within 5 days of any			control.
		complaint).			Page 73 - There is a list (PL an CZ)
					and description (DE) of basic and
					supplementary measures which
					have been and will be
					implemented in each country, and
					among them are abstraction
					control and minimizing
					abstraction. The information is
					very general
					Specific categories of these
					mossures are listed in the table
					II 7 1 (page 78)
					Massures to control and limit
					surface water abstraction are
					planned only in Cormany, only for
					Managements and the 't
					ivieasures to control and limit
					groundwater abstraction are
					planned in Poland (for most
					categories, except mining) and in
					Germany (only for mining and in
					one RBD sub-unit for agriculture
					and communal use). Measures to
					restore depleted groundwater
					resources are planned in Germany
					and Poland.

Example table from dRBMP: table II.2.2: Surface water abstraction recorded in the IRBD Odra (page 21)

	Total			
		Drinking water supply	industrial and others	[thou. m³ / a]
Designation		Roczny pobór wody	y [tys. m³/r] na cele:	
of the area of elaboration	Obszar opracowania	pobór wody przeznaczonej do spożycia	przemysłowe i inne	Lącznie [tys. m³/r]
Upper Odra River	Górna Odra	138 404	192 663	331 067
Middle Odra River	Środkowa Odra	123 516	405 299	528 815
Lower Odra River	Dolna Odra	27 595	1 223 825	1 251 420
Szczecin Lagoon	Zalew Szczeciński	2 751	64 365	67 116
Nysa Łużycka River	Nysa Łużycka	5 252	193 257	198 509
Warta River	Warta	207 236	1 481 699	1 688 935
IRBD Odra	MODO	504 754	3 561 108	4 065 862

Topics 6 and 7: Flood and drought management and climate proofing

Drought	Classification. Please select one				How does the dRBMP respond to the indicator?
management	option (by keeping the text in, and				
	deleting the texts of the other				
	options)				
Indicator 1.	The dRBMP includes a sensitivity	The dRBMP includes a sensitivity	The dRBMP includes a sensitivity	The dRBMP does	Please describe if and how the dRBMP includes the climate
PoM "climate	analysis of the proposed measures	analysis of the proposed measures	analysis of the proposed measures	not include a	check, which methodology and criteria have been applied,

checks"	based on a fully transparent	based on a fully transparent	based on a rather untransparent	sensitivity analysis	and what the main findings are. Has a check been
	methodology to evaluate long-	methodology to evaluate long-term	methodology to evaluate long-term	of the proposed	undertaken for the whole PoM (e.g., in the frame of a SEA)
	term effectiveness and cost-	effectiveness and cost-efficiency	effectiveness and cost-efficiency	measures under	or regarding individual measures? How long/explicit is
	efficiency under changing climatic	under changing climatic conditions.	under changing climatic conditions.	changing climatic	such an assessment?
	conditions. The dRBMP explicitly	The dRBMP explicitly includes some	The dRBMP is ambiguous about or	conditions.	
	forecasts the economics of water	but not all of the following: a	includes several data and knowledge		Page 72 states "An important element in the development
	supply and demand, checks the	forecast of the economics of water	gaps regarding the forecast of the		of action programs is the assessment of: • the
	effectiveness of measures, selects	supply and demand, a check of the	economics of water supply and		effectiveness of measures for the implementation of
	preferably robust adaptation	effectiveness of measures, the	demand, a check of the		environmental objectives according to the WFD indicated
	measures and maximises cross-	selection of preferably robust	effectiveness of measures, the		for water bodies, taking into account the projected climate
	sectoral benefits and minimises	adaptation measures and the	selection of preferably robust		changes; • the impact of actions on mitigating the effects
	negative effects across sectors.	maximisation of cross-sectoral	adaptation measures and the		of climate change (synergy with other strategic
		benefits minimising negative effects	maximisation of cross-sectoral		documents);
		across sectors.	benefits minimising negative effects		yet it's impossible to check the measures not having a
			across sectors.		national RBIVIP for Odra published yet.
					Concept activities and research on climate change are
					foreseen (page 84)
					Page 93 reminds about a national Polish plan to
					counteract the effects of drought which was assessed
					negatively by national experts, mainly due to focus on
					proposals for the construction or/and reconstruction of
					water facilities.
					For Germany as framework on Federal level it is referred
					on the German Strategy for Adaptation to Climate Change
					(<u>https://www.bmu.de/en/topics/climate-</u>
					energy/climate/adaptation-to-climate-change/) including
					the progress reports 2015 (APA II) and 2020 (APA III).
					There the field of action "water" addresses impairment of
					water use due to increasing warming and increased
					summer drought, damage from neavy rain and flash floods
					in urban areas, floods and river floods, rising sea levels and
					the lisk of storm surges.
2. Drought	In RBDs most affected by droughts	In RBDs most affected by droughts	In RBDs most affected by droughts	The dRBMP does	Please describe if and how the dRBMP refers to drought
management	over the past years, the dRBMP	over the past years, the dRBMP	over the past years, the dRBMP	not refer to drought	management, their frequency, the indicators, measures
plans	includes:	includes:	includes:	management; or	and organisational framework included, and the
	• indicators for the severity levels	 indicators for the severity levels 	 indicators for the severity levels 	only includes	differences made between drought and water scarcity
	of droughts,	of droughts,	of droughts,	measures to ensure	(overexploitation).
	 measures to be taken in each 	 measures to be taken in each 	 measures to be taken in each 	(additional) water	
	drought phase including to	drought phase including to	drought phase including to	supply to users,	
	prevent deterioration of water	prevent deterioration of water	prevent deterioration of water	without measures	riedse see above.
	status,	status,	status,	to prevent	

	 and an organisational 	 and an organisational framework 	 And/or an organisational 	deterioration of	
	framework to deal with drought.	to deal with drought.	framework to deal with drought,	water status.	
	Preventive measures such as	The plan includes a variety of	but the three components are not		
	climate-proof water allocation are	measures, but climate-proof water	clearly linked to each other.		
	at the core of the plan.	allocation is not the most important.	The dRBMP is unclear about the		
	The dRBMP clearly separates	The dRBMP clearly separates	differences between droughts and		
	drought from man-made water	drought from man-made water	man-made water scarcity		
	scarcity (overexploitation).	scarcity (overexploitation).	(overexploitation), and thus are the		
			measures.		
3. Link with	The dRBMP includes evidence that	The dRBMP includes evidence that	The dRBMP provides little evidence	The dRBM P	Please describe how the dRBMP refers to the Floods
the Floods	the objectives and requirements of	the objectives and requirements of	that the objectives and	provides no	Directive, and the extent by which the PoM contributes to
Directive	the Floods Directive have been	the Floods Directive have been	requirements of the Floods Directive	evidence that the	mitigating the effects of floods
	considered, and includes the costs	considered. The PoM only	have been considered. The PoM	objectives and	
	and benefits of flood mitigation.	contributes to a limited extent to	only contributes to a limited extent	requirements of the	Flood-related documents are mentioned in dRBMP only,
	The PoM contributes to mitigating	mitigating the effects of floods.	to mitigating the effects of floods.	Floods Directive	technical methods seems to be the only one considered
	the effects of floods.			have been	method of flood management, no evidence of natural
				considered. The	flood protection despite it's efficiency & safety (the most
				PoM does not	cost-effective way to moderate flooding is to protect the
				contribute to	natural systems that are already in place)
				mitigating the	Draft of the update of the ICPO Flood Risk Management
				effects of floods.	<u>Plans</u> by ICPO is published in the consultation process.
					Detailed information on the implemented flood protection
					Investments in the Odra basin is included in the Flood Risk
					Management Plan
4. Land use	The dRBMP includes a clear and	The dRBMP includes some measures	The dRBMP includes statements	The dRBMP does	Please describe which measures are included in the dRBMP
and flood	ambitious list of measures to	to address land-use and its impact	that land-use and its impact on flood	not refer clearly to	to address land-use and its impact on flood protection
management	address land-use and its impact on	on flood protection, e.g., to make	protection will be addressed in the	measure to address	
	flood protection, e.g., to make	farming compatible with floods or to	implementation, but either no	land-use and its	Please see above.
	farming compatible with floods or	remove other uses and	specific measures are included in	impact on flood	
	to remove other uses and	infrastructure.	the PoM yet, or the only ones	protection.	
	infrastructure.		address research and knowledge		
	It also includes <u>clear indications</u>		about the topic.		
	e.g., trom agricultural competent				
	authorities on the funding of such				
	measures (e.g., duration, amount,				
	area which could be addressed).				

Topic 8: Agriculture

Agriculture	Classification. Please select one option (by keeping the text in, and deleting the texts of the other options)				How does the dRBMP respond to the indicator?
Indicator 1. Assessment of pressures	The dRBMP includes a robust assessment of the main pressures from agriculture on each water body, <u>specifying the sector activities'</u> contributions to the overall pressures.	The dRBMP includes a robust assessment of the main pressures from agriculture <u>on each</u> <u>water body</u> .	The dRBMP includes a robust assessment of the main pressures from agriculture but it is presented <u>only at the RBD or</u> <u>other higher levels</u> than for each water body.	The dRBMP <u>does not</u> <u>include an assessment</u> <u>of the main pressures</u> <u>from agriculture</u> on water bodies.	 Please describe the contents of the pressure analysis for agriculture, if all such pressures have been identified and described in detail and at which level. Page 20 and 49 - Dispersed pollution from agriculture is described as one of significant issues (nitrogen and phosphates). Information is very general. Water abstraction for agriculture is not recognized as a problem. Page 29 - the whole ICPO area is vulnerable to nitrogen pollution according to 91/271/EWG directive.
2. Gap analysis and measures	The dRBMP includes an ex-ante assessment of whether the basic measures will be enough to achieve the environmental objectives of the WFD <u>for each water body</u> . If they are not sufficient, the dRBMP contains adequate supplementary measures.	The dRBMP includes an ex-ante assessment of whether the basic measures will be enough to achieve the environmental objectives of the WFD, but <u>this is not</u> <u>necessarily presented for each water body</u> . If they are not sufficient, the dRBMP contains adequate supplementary measures.	The dRBMP includes a <u>general</u> <u>ex-ante assessment</u> of whether the basic measures will be enough to achieve the environmental objectives of the WFD.	The dRBMP <u>does not</u> <u>include an ex-ante</u> <u>assessment</u> of whether the basic measures will be enough to achieve the environmental objectives of the WFD.	Please describe if the dRBMP has undertaken a gap analysis if the basic measures are enough to tackle diffuse pollution by agriculture, and if not, which supplementary measures are included. Please refer also to the budget of these measures and their areas of application. Measures are listed only as generalised categories. No analysis of their effectiveness is included.
3. Diffuse pollution	The dRBMP includes detailed mandatory and voluntary measures to improve farming practices and prevent nitrogen pollution and other nutrients leakages in all water bodies where this constitutes a significant pressure. This includes <u>mandatory basic measures to</u> control discharges from fields and protect water bodies, measures to limit fertiliser use in nitrates vulnerable zones (e.g., fees), the	The dRBMP includes detailed mandatory and voluntary measures to improve farming practices and prevent nitrogen pollution and other nutrients leakages in all water bodies where this constitutes a significant pressure. This includes <u>some but not all</u> of the following measures: mandatory basic measures to control discharges from fields and protect water bodies, measures to limit	The dRBMP <u>states</u> that mandatory and voluntary measures to improve farming practices and prevent nitrogen pollution and other nutrients leakages will be applied in all water bodies where this constitutes a significant pressure but <u>is not clear about the specific</u>	The dRBMP <u>does not</u> <u>include a clear list</u> of mandatory and voluntary measures to improve farming practices and prevent nitrogen pollution and other nutrients leakages.	Please describe the measures included in the dRBMP to tackle diffuse pollution, if these include mandatory and voluntary measures, which measures are foreseen to reduce pollution at source, especially in NVZ etc. Please inform about the budgets associated to the most relevant measures or measure types, as a possibility to compare the

reduction in the use of fertilisers and in the	fertiliser use in nitrates vulnerable zones	application area of effort of such	efforts made for mandatory and
phosphate content of animal feed, and	(e.g., fees), the reduction in the use of	measures.	voluntary measures.
agreements and contracts with farmers.	fertilisers and in the phosphate content of		
The measures are aligned and where	animal feed, and agreements and contracts		Page 78 - all countries have planned
applicable funded by the CAP.	with farmers.		measures to limit the nitrogen and
			phosphates dispersed pollution of
			surface water on most of the ICPO area
			(no details are given).
			All countries have planned measures to
			limit dispersed pollution of surface
			water from agriculture by pesticides
			and other hazardous substances, on
			some parts of the ICPO area.
			Groundwater pollution from agriculture
			- measures planned for most of the
			ICPO area.
			No specific information is given about
			the measures and their effectiveness.
			There is no information about the
			budget, and no clear division between
			mandatory and voluntary measures
			(some measures are described as basic
			or supplementary, but many are not).

Topic 9: Coal mining (and combustion)

Review and	Classification. Please select one option (by				How does the dRBMP respond
update on the	keeping the text in, and deleting the texts of the				to the indicator?
implementation	other options)				
of the previous					
RBMP					
Indicator 1.	The dRBMP mentions past, current and	The dRBMP takes stock of all	The dRBMP makes a general	The dRBMP does not refer	Lignite mines are recognised as
Assessment	planned coal mines in the RBD and describes	the coal mines, including numbers	statement that coal mines present	to coal mines and combustion	a SWMI. However, the dRBMP
of the problem	their negative impact (e.g., lowered	and details (location, relation to	pressure on water bodies in	as a problem in the	is lacking data on how much
	groundwater levels, volumes of water used and	status of water bodies, water	the RBD but does not provide	RBD despite the fact that	water this sector is abstracting.
	discharged, sulphate pollution, redesignation of	abstraction data) for each of them	detailed information on their	there are pressures from	Table II.2.2 presents surface
	surface water bodies as Artificial or Heavily	(maybe in an annex	number and location and their	mining on water bodies in this	water abstraction for industry

	Madified) including the wider	of complementary	offects on the status of water	DBD	lumped together with "athe "
	ivioainea) including the wider	or complementary	effects on the status of water	KRD	iumped togetner with "other".
	impacts associated with coal	document to the dRBMP)	bodies.		As comparison Table II.2.1
	combustion (e.g., climate change,				specifies volumes of water
	mercury emissions from stack and impacts of				discharged by municipal
	cooling water abstraction and				WWTPs Similarly mans with
	discharge on surface water collegical status)				leasting of the liquite mines
	discharge on surface water ecological status)				location of the lignite mines
					are lacking while municipal
					WWTPs are detailed.
					Page 85-89 - the lignite mines
					impacts are described in detail
					for the German part of the
					iOder RBD (including listing the
					mines, geographic scale of
					water impacts, and measures
					taken to-date) and in Czechia
					but such description is lacking
					for Deland, description is lacking
					for Poland, despite the fact that
					most of lignite mining is located
					in the PL part of iOder RBD.
					Description of planned
					measures is very general and
					specific categories of measures
					are not planned in any of the
					are not plainled in any of the
					countries (although are
					supposed to be planned in the
					national RBMPs) - exception is
					DE which declared a measure in
					category "2.1 Reduction of
					dispersed pollution from lignite
					dispersed polition from lighte
					mining" in the Lusatian Neisse
					area.
					Coal combustion is not included
					as a Significant issue and not
					elaborated in iOder RBMP
					Thermal power production is
					montioned only in the context
					of water a betra click for
					of water abstraction for
					cooling.
2. Priority	The dRBMP includes detailed emission	The dRBMP includes	The dRBMP states that mandatory	The dRBMP does not include	The dRBMP lacks an emission
hazardous	pathway inventories tracing back	detailed mandatory and voluntary	and voluntary measures to improve	any emission pathway	pathway inventory for priority
substances	priority hazardous substances to the source	measures to improve industrial	industrial practices and prevent	inventory for priority	substances, including the
500000000	(i.e. not stonning at diffuse pollution or	emissions and prevent pollution	emissions of priority bazardous	hazardous substances for	hazardous substances as well
	(i.e., not stopping at unuse poliution of	ernissions and prevent policion	substances will be seried in all	water bodies where this	
	aunospheric deposition) in all water bodies	or priority nazardous substances in all	substances will be applied in all	water boules where this	as concrete measures to abate
	where this constitutes a significant pressure.	water bodies where this constitutes a	water bodies where this constitutes	constitutes a significant	pollution at source. Coal power
	The PoM includes measures to phase-	significant pressure.	a significant pressure but is not	pressure. PoM does not	plants are the biggest source of

	out hazardous substances including strict implementation of BAT for mercury emission to air from coal combustion plants.	The PoM includes measures to phase- out hazardous substances.	<u>clear about the specific application</u> <u>area</u> of effort of such measures.	include any detailed measures to phase-out priority hazardous substances.	reported mercury emission to air (and atmospheric deposition of mercury is a main pressure on surface water bodies). The majority of surface water bodies in the RBD fail chemical status, still this source is not addressed. Mercury is a priority hazardous substance under phase-out obligations, yet coal power plants in the region are failing to implement strict BAT for mercury from stack. Table II.7.1 (p. 77) only presents very general measures and it is hard to judge how effective they are.
3. Climate change	The dRBMP recognises climate change as a water management issue and recognises the impact (e.g., changed precipitation patterns, disturbed water balances, increased risk for drought). The dRBMP <u>includes a strategy for climate change mitigation and adaptation</u> , including an assessment of the impacts of climate change and water scarcity, hydrological evaluation of water scarcity. Mitigation includes NbS, measures to limit excessive groundwater abstraction. No plans for new coal mines or extension of existing coal mines in the RBD.	The dRBMP <u>recognises climate change</u> <u>as a significant water management</u> <u>issue</u> and includes measures for climate change adaptation and mitigation (e.g. No plans for new coal mines or extension of existing coal mines in the RBD.	The dRBMP <u>identifies changes</u> in precipitation patterns, risk for drought, low water levels etc. as problems, <u>but do not link them to</u> <u>climate change</u> . Measures to address the issues of water balances and water retention do not include measures for climate change adaptation and mitigation. No clear statement about future development of coal mines in the RB.	The dRBMP does not take stock of climate change as a water management issue despite that the RBD is considered to be affected. There are plans for new lignite mines and/or extension of existing mines in the RBD.	The dRBMP mentios increase in efficiency of water use and willingness to prevent and combat consequences of climate change as important measures, but coal mining and combustion are still prominent in the RB, even with plans to expand current mines. Additionally, large water users such as lignite mines are exempt from fees which does not send any signals to promote efficient water use . The pumping and discharge of large amounts of groundwater into rivers or canals is in conflict with water retention and prudent use of water resource.
4. Justification and exemptions	No article 4.7 exemptions are granted to proposed new coal mines as this would inevitably mean decrease in status for the water bodies affected. Exemptions for water bodies impacted by closed and/or existing mines includes detailed justifications for each water body.	<u>No article 4.7 exemptions</u> are granted to proposed new coal mines. The dRBMP justifies exemptions using article 4(4) or 4(5) The dRBMP <u>continues to provide</u> <u>exemptions to water bodies affected</u> <u>by coal mines</u> but does not provide any new exemptions under art 4.7 for new coal mines.	Proper justification is given in accordance with Art. 4(7) for new coal mine projects. Art 4(4) or 4(5) exemptions linked to coal mines and combustion are justified with limited detail or at a general RBD level, with measures to close the gap to achieving good status being described at general level only.	The dRBMP grants article 4(7) exemptions for new coal mining projects. None or poor justification given for Art. 4(4) and Art. 4(5) exemptions linked to coal mining and combustion. Disproportionate cost is given as justification while mine drainage is exempt from	SWB: The dRBMP establishes many exemptions under art 4(7) without giving any details in PL. in DE, there is an open admissions that technical infeasibility under 4-4 includes reasons like 'pollution not clearly assigned to a source' which is the case of Hg

				fees.	pollution. [this shows the need for proper emission pathways, it shouldn't stop at atmospheric deposition, in particular for a substance under phase-out obligation] 91.9% of SWB in PL, and 59.2 % in CZ will reach good ecological status only after 2027. Likewise, 45% and 71% of SWB in PL and CZ will reach good chemical status after 2021. in DE, ALL SWB will reach good chemical status only after 2027. GWB: The share of GWB which will reach good status after 2027 stands at 8.1%, 55% and 37% for PL, CZ and DE resp. in PL, there is a blanket application of 4-5 for all mining related pressures till the mines are closed. in CZ and DE as well, deadline extensions (beyond 2027) in DE, mercury EQS excedances in biota is listed as a major reason.
5. Cost recovery	The dRBMP <u>applies the economic principles of</u> <u>cost recovery and polluters pay principles</u> to the coal sector. Fees for <u>mine drainage</u> in line with other industrial water abstraction is imposed in the RB, as well as fees for the full volume of water used by combustion plants.	The dRBMP recognises the coal sector among the sectors that asserts the largest pressures on fresh water, if relevant for the RBD. A proper <u>calculation of the financial,</u> <u>environmental and resource costs</u> , in terms of externalities that the society bears due to the use of water resources by the coal sector t is made.	The dRBMP <u>does not include the</u> <u>coal sector</u> among the sectors covered by cost recovery despite the sector being a major water user in the RBD.	The dRBMP does not take stock of the cost recovery and the polluters pay principle in regard to the coal sector. The sector can largely abstract water for free.	Lignite mine draiange is largely exempt from fees in the Oder river basin, despite the fact that lignite mine drainage has been recognised as a SWMI. At the same time, in the PL part of Oder, lack of finances is listed as a water management issue of significant concern and a hurdle to finance environmental measures. A first step should be to apply economic instruments(water fees) to those sectors that assert the largest pressures on

					water bodies.
6. Liabilities	The dRBMP takes stock of the future remediation of mining sites (e.g. restoration of groundwater levels) and includes estimates of impacts and costs as well as ensures the polluters pay principles (i.e., that adequate	The dRBMP <u>takes stock of future</u> remediation of mining sites and includes measures enforcing the polluters pay principles <u>but lack</u> <u>details</u> (e.g. robust estimates on	The dRBMP <u>acknowledges future</u> <u>remediation</u> of mining sites (e.g., restoration of groundwater levels) but does not include any measures to address the problem)	The dRBMP <u>does not</u> <u>address remediation</u> of post- mining landscapes (e.g., restoration of groundwater levels).	Water bodies. Please describe if and how the dRBMP addresses future remediation of decommissioned coal mines.
	financial securities are set aside by operators). If data is lacking, the dRBMP recommends national authorities to <u>commission a study</u> to analyse the cost of remediation/ restoration of decommissioned coal mines.	costs).			The RBMP mentions the current and future remediation of mines, but does not provide any measures related to it. It gives only a very general information about the objectives of the measures that will be planned in the national documents, i.e. preventing further deterioration of water bodies statuses (with focus on GWBs).

Screenshot from EEB Industrial Plant Data Viewer:



Topic 10: Economic instruments and adequacy of budget

Economic	Classification. Please select one ontion				How does the dRBMP respond to the indicator?
instruments	(by keeping the text in and deleting the	1			
and adaguage	(b) Receiving the text in, and deleting the	1			
and adequacy	lexis of the other options)	1			
of budget	1	1			
Indicator 1.	The dRBMP includes a comprehensive	The dRBMP includes a	The dRBMP includes a	The dRBMP provides cost	Please describe which sectors are covered for the cost
Cost recovery	list of the sectors contributing to the	comprehensive list of the	comprehensive list of the	recovery information for	recovery calculation, and which types of costs have been
calculation	largest pressures on fresh water, which	sectors contributing to the	sectors contributing to the	urban, industry and	calculated, as well as how transparent or explicit the
for sectors	cost recovery should apply to,	largest pressures on fresh	largest pressures on fresh	agriculture, but does not	calculation is.
	addressing at least urban, industry,	water, which cost recovery	water, which cost recovery	include explicitly others.	
	agriculture, hydropower and navigation,	should apply to,	should apply to, addressing	For each of the sectors,	The dRBMP lists the main water users in section 6.2.1
	if relevant.	addressing at least urban,	at least urban, industry,	financial costs are calculated,	(public) and 6.2.2 (other). Industry, agriculture, shipping,
	For each of the sectors, proper	industry, agriculture,	agriculture, but does not	but neither environmental or	energy production as well as surface and underground
	calculation of all financial,	hydropower and	include explicitly others as	resource costs, or their	mining and flood protection are listed under "other".
	environmental and resource costs, in	navigation, if relevant.	hydropower and navigation,	calculation criteria are	Volumes abstracted for drinking water supply, agriculture

	terms of externalities that the society	For each of the sectors,	if relevant.	<u>unclear</u> .	and industry are presented, but are not broken down to the
	bears due to the use of water resources	proper calculation of all	For each of the sectors,		main water use sectors.
	for economic development is made. The	financial, environmental	proper calculation of all		
	calculation reflects the value of	and resource costs, in	financial, environmental and		Page 67 - dRBMP mentions the exemptions from fees for
	improved water status, water security	terms of externalities that	resource costs is made, but it		agriculture and fish farms, but omits the fact that the coal
	and the provision of other water-related	the society bears due to	remains unclear which		mining and energy sectors are largely exempted from fees
	ecosystem services, and the non-	the use of water resources	specific aspects are covered		for water services.
	financial benefits of good water status	for economic development	by the calculations		It also states that in the whole International Oder RBD area.
	(e.g. bending the curve on aquatic	is made	by the balance		in the industry and services sectors the costs of water
	high high the curve of a dudie	is made.			supply and sewage discharge are fully recovered - which is
	definition of recovery rates				not true
	demilition of recovery lates.				The dDDMD also falsely states that water convises other than
					The ukbivity also faisely states that water services, other than
					public water supply and communal sewage, are used mainly
					by the private sector which does not receive any subsidies. It
					is not true - many important water services users are state-
					owned companies like PGE, or receive subsidies in many
					different forms (energy and mining companies, hydropower
					units, etc.)
					The dRBMP does not address other water services than
					abstraction / supply and sewage treatment and discharge.
					(hydropower, inland navigation, dams etc. are not included).
					The actual cost recovery calculation is missing - instead
					dRBMP contains an elaborate description of EU regulations
					and other definitions, which is to prove that cost calculation
					is not necessary
2 Cost	Cost receivers is shown 05% for all	Cost manual is shown	Cast manual is between 50	Cost as second is used of four the	Diana describe the cost measure into feather different costors
2. Cost	Cost recovery is above 85% for all		Cost recovery is between <u>50</u>	Cost recovery is varied for the	Please describe the cost recovery rate for the different sectors
recovery	sectors, including environmental and	<u>70%</u> for all sectors,	and 70% for all sectors,	sectors and includes one or	and be explicit whether the rate includes environmental and
rates and	resource costs. There are only a few	including environmental	including environmental and	more sectors which only	resource costs or not. Please describe the exemptions
exemptions	exemptions for specific uses (and not	and resource costs. All	resource costs. All	recover <u>less than 50%,</u>	included and provide information if any sector has been
	whole sectors), and these are properly	exemptions are properly	exemptions are properly	including environmental and	omitted in the cost recovery.
	justified, as established under Art.9 (4)	justified, as established	justified, as established	resource costs; or no	
	WFD ¹ .	under Art.9 (4) WFD ²	under Art.9 (4) WFD ³ .	information on the recovery	Notably, coal mine drainage is largely exempt from fees in
				of environmental and	the RB. despite the fact that it is recognised (in section II
				resource costs are provided.	6.2.2) as one of the main water users in the RB and that the
				Exemptions to cost recovery	coal sector is cause for significant pressures on water bodies
				are unclear, and not properly	in the region. Not implementing cost recovery for a polluting
				iustified	and water-intense sector pushes remediation costs to the
					nublic
					Public.
	1		1		cost recovery for public water supply and nouseholds on the

¹ Art.9(4):

² Art.9(4):

³ Art.9(4):

					other hand is largely implemented. Exemptions to cost recovery are not justified and mostly are not mentioned. The actual cost recovery calculation is missing - instead dRBMP contains an elaborate description of EU regulations and other definitions, which is to prove that cost calculation is not necessary.
3. Budget	The dRBMP allocates a detailed budget to all measures, justifies its adequacy to achieve the WFD objectives <u>and explains</u> <u>the source of the funds</u> . Budget constraints are not considered as a <u>restriction to the PoM</u> .	The dRBMP allocates a detailed budget to all measures, justifies its adequacy to achieve the WFD objectives.	The dRBMP allocates a detailed budget to all measures, <u>without proper</u> justification or explanations about the funding sources.	The dRBMP only includes a <u>generic</u> budget, without proper justification or explanations about the funding sources.	Please describe information of the dRBMP on the overall budget (amount) and if for each measure or groups of measures details are provided on their adequacy and sources. There is no information about the budget allocated to the measures. Catalogue contains only very general information about categories of measures, on the level of sub-unit. No numbers or indicators are given. Many important categories of measures, especially related to lignite mining impacts, are listed, but not planned to implement in any of the iRB countries. "The estimated costs for measures for the period 2022 to 2027 in the German part of the IRB Oder amount to a total of € 300 million. The cost estimate is based on key values / cost ranges that were determined centrally for Germany, but contain country-specific approaches." (draft River Basin Management Plan for the German part of the International River Basin District Odra (2021-2027), page 99, https://mluk.brandenbura.de/w/kfae-oder/2021-2027/BP- Oder-final.pdf

Topic 11: Exemptions

Exemptions	Classification. Please				How does the dRBMP respond to the	
	select one option (by				indicator?	
	keeping the text in,					
	and deleting the					
	texts of the other					
	options)					
Indicator 1:	The dRBMP includes	The dRBMP includes	The dRBMP includes	The dRBMP includes	Please describe the exemptions applied	
Number of	exemptions for less	exemptions for 10-20%	exemptions for 20-30% of	exemptions for more	to water bodies in the dRBMP, their	
exemptions	than <mark>10%</mark> of the	of the water bodies	the water bodies or	than 30% of the water	numbers and compare these with the 2 nd	
	water bodies;	across all water	water bodies from one	bodies OR reduces the	cycle RBMP. Please describe also if there	
	consistently applied	categories OR reduces	water category OR	number of water	are any significant differences regarding	
	through all water	the number of water	reduces the number of	bodies subject to	the water category.	
	categories.	bodies subject to	water bodies subject to	exemptions by less	5,	
	No or only a few	exemptions by more	exemptions by 30-50%	than 30% compared to	Please see Step 1. point 10: The dRBMP	
	exemptions are	than 50% compared to	compared to the 2 nd cycle	the 2 nd cycle RBMP.	relies on exemptions (>50% of water	
	planned under Art.4	the 2 nd cycle RBMP.	RBMP.	The dRBMP relies	bodies)	
	(7), affecting not	A limited number of	The dRBMP relies	significantly on Art.4 (7)	,	
	more than 5 water	exemptions are planned	significantly on Art.4 (7)	exemptions, affecting		
	bodies.	under Art.4 (7), affecting	exemptions, affecting	more than 50 water		
		only 5-20 water bodies.	more than 20 water	bodies.		
			bodies.			
2. Gap					Please describe if the dRBMP includes	
analysis					such a gap analysis, and at which scale	
-					(water body, groups, sub-basin, RBD) this	
					is developed. Please describe the	
					information included (measures, reasons	
					for delay, expected timetable for	
					implementation). Please describe how	
					detailed and extensive the information is	
					presented, and if supporting documents	
					are made available to the public.	
					No such analysis is included	
3. Art. 4(4)				The dRBMP includes no		Please describe the Art.4 (4) and 4(5)
and 4(5)				or only a poor		exemptions applied in the RBD, and the
exemption				justification of the		information provided in the dRBMP. Please also
justifications				exemptions, with		specify how the dRBMP justifies the
				lacking details.		exemptions, the level of detail provided and if
						the disproportionate cost justification relies
						(only) on an assessment of affordability.
						In table II.5.1.(page 51) a very large share of
						SWBS /surface water bodies is struck, for
						which it is predicted that they will achieve the

				environmental target after 2027. It seems that this indicates an intention to breach the directive. Such a situation could be accepted only if by 2027 all actions necessary to achieve the environmental goal were taken for all of these surface water bodies and it would be convincingly explained why it was not possible to take these actions earlier. Then, and only then, the delay in achieving the target could be legalized under the derogation from Art. 4.4 of the directive. The discussion of possible grounds for derogation should be supplemented with statistics showing the scale of the derogation to
4. Article 4(6) exemption justifications				Please describe the Art.4 (6) exemptions applied in the RBD, and the information provided in the dRBMP. Especially include information how the last similar flood or drought event took place, and how exceptional it has been. Please also specify the measures taken to reduce the impact of the exceptional event, especially to
5. Article 4(7) exemption justifications	>	>	The dRBMP includes no or only a poor justification of the exemptions, with lacking details and not following the good practice guidance.	safeguard the water body status – if possible, with cost information. Please describe the Art.4 (7) exemptions applied in the RBD, and the information provided in the dRBMP. Especially include information which type of developments are included, how many developments and water bodies will be affected, and regarding the length and detail of the justification, and if the justification is water body specific and relies on recent data. Please inform also if the benefits of achieving good status have been identified and quantified, and if all relevant ecosystem services are included. Page 51 mentions derogation 4(7) in the PL part of the river basin due to flood prevention projects, which serves to hide the planned inland navigation development. The dRBMP gives many exemptions under art

			4(7) without stating the details under which categories of art $4(7)$ in Pl

Topic 12: Review and update on the implementation of the previous RBMP

Review and update on the implementation of the previous RBMP	Classification. Please select one option (by keeping the text in, and deleting the texts of the other options)		How does the dRBMP respond to the indicator?
Indicator 1: Implementation of measures		The dRBMP does not provide a clear and updated information about the level of implementation of the 2nc cycle POM measures or its information is not clear for those measures only targeting the environmental	Please describe the data and information included in the dRBMP on the implementation of measures under the 2 nd cycle PoM. Please be specific regarding the information available explaining which types of measures have faced the most significant delays in implementation, and their causes.
		objectives.	The plan should include an assessment of the performance and effectiveness of the action programs of the past planning period. The text itself contains references to the previous planning cycle, but it is not a detailed comparison.
2. Effectiveness of measures			Please describe the data and information included in the dRBMP on the effectiveness of measures under the 2 nd cycle PoM. Please be specific regarding the information available explaining which types of measures have been assessed, if these have been compared, and which recommendations have been made for the 3 rd cycle dRBMP and how these recommendations have been implemented.

Place for any screenshots of the dRBMP document (please indicate what can be seen, why it is a good practice or poor performance and the source, including the page number):

Step 3: Complementary topics

Objective: To gather additional information on country- or RBD-relevant topics.

General remark about relation of dRBMPs and national RBMP and possibility to make holistic assessment: this document (dRBMP for Odra basin) refers to the individual national water management plans that are still awaiting. In fact, until the national plans are made available for consultation, the deadline for dRBMPs plan consultation cannot run. Action plans are a key part of PGW. The summary of action programs presented in the analyzed document should be assessed negatively, mainly because they are referred to consultations before the action programs themselves have been established and disclosed.

Other remarks:

- It was rightly stated that "The condition for assessing the status of water is reliable and comparable monitoring results". However, it should be developed that due to the acceptance of the OneOut-AllOut principle for evaluation, the condition for making the evaluation is examining all the required elements. Without this, water status assessments assess only the upper possible limit of the actual water status. In particular, this applies to most of the data from Poland - for the majority of ACUs the set of required indicators has not been tested, and thus the diagnoses of "good condition" of some SWBs/surface water bodies are not reliable. This reservation concerns in particular the data presented in Chapter II.4.1.1. - for many SWBs given here as being in a good condition or potential, in fact we do not know whether their condition or potential is really good or only insufficiently investigated. This problem also affects the credibility of the data presented in Table II.5.1, we do not know whether the SWB listed there actually achieved a good condition or potential.

- When presenting the results of the **monitoring** and assessment of the state of water in Poland, the problem of changing the designation of the SWBs should be highlighted. Monitoring until 2021 is carried out in relation to the old SWB scheme, and the plan for 2022-2027 is prepared for the new one. Interpretation of the results of the current monitoring for the purposes of the new plan is therefore difficult and sometimes only approximate. In the summary for the international river basin that this plan is, this problem should be highlighted as it is important for the interpretation of the data.

- The discussion of **monitoring and evaluation methods** in individual countries should be supplemented with methods of monitoring and evaluation of hydromorphological elements. Although they do not directly affect the classification of the condition (except for distinguishing a very good condition from a good condition), they are very important as an element of the interpretation of the causes of bad conditions and, consequently, as a premise for planning actions necessary to achieve a good condition.

For example, in Poland it is the HIR method (Hydromorphological River Index), having a variant of field monitoring and a variant of simplified estimation of the so-called HIRk from chamber data - this approach was used, for example, in the determination of heavily changed water bodies and in the construction of the National Water Restoration Program in Poland.

Remarks regarding maps:

- Map A2, contrary to its title, does not show all updated SWBs in the basin.

- Map A6 does not show all protection areas/PAs intended for the protection of habitats or species included in the national registers. For example, in Poland only Natura 2000 sites are shown, but no areas designated by national law are shown, even though they are also included in the register.

- The data on the A12 map are unreliable, because for many of the SWBs presented here, the complete set of biological quality elements was not examined. Due to the OneOut-AllOut principle, it is not authorized in such situations to draw a conclusion about the ecological state/potential, one can only draw a conclusion about the upper limit of the assessment of this state.

- table numbering: The DE version of the MP has no continuous numbering for the tables. In the PL and CZ version it is correct.

Use: This information will be used in the report's detailed scoring of the dRBMP performance, in the country section.

Instructions:

- If you consider relevant to raise additional topics in the report (e.g. hydrpopeaking, illegal water use, HMWB, indicators), please prepare a short section text in the table below. *Ideally, the additional text shall be written in a way that it can be directly transferred into the report; or at least include a paragraph to be included.*
- If there are positive elements e.g., fiches, photos or overall maps, or aspects which you consider poor performance, please include in your response (at the end of each section) screenshots to illustrate the final report with examples.

Problem	Please provide a description of the problem and its relevance		
RBMPapproach	Please inform how the RBMP deals with the topic		
NGO judgment	Please describe how you consider the dRBMP is performing, and if so, which are the main strengths and weaknesses of the dRBMP approach		