Nature Restoration Law final compromise text - 22 November 2023

Main references to rivers in the text

(8) In its resolution of 9 June 2019 , the European Parliament strongly welcomed the commitment to draw up a legislative proposal with binding nature restoration targets, and furthermore considered that in addition to an overall restoration target, ecosystem-, habitat and species-specific restoration targets should be included, covering forests, grasslands, wetlands, peatlands, pollinators, free-flowing rivers, coastal areas and marine ecosystems.

(43) Urban ecosystems represent around 22% of the land surface of the Union, and constitute the area in which a majority of the citizens of the Union live. Urban green spaces include, inter alia, urban forests, parks and gardens, urban farms, tree-lined streets, urban meadows and urban hedges. As the other ecosystems addressed in this Regulation, urban ecosystems provide important habitats for biodiversity, in particular plants, birds and insects, including pollinators. They also provide many other vital ecosystem services, including natural disaster risk reduction and control (e.g. floods, heat island effects), cooling, recreation, water and air filtration, as well as climate change mitigation and adaptation. Increase of urban green space is one important parameter for the increase of the urban ecosystems ability to provide these important services. Increasing green cover in a given urban area slows water run-off (reducing river pollution risk from storm water overflow) and helps keep summer temperatures down, building climate resilience, and provides additional space for nature to thrive. Increasing the level of urban green space will in many cases improve the health of the urban ecosystem. In turn healthy urban ecosystems are essential for supporting the health of other key European ecosystems – connecting natural areas in the surrounding countryside, improving river health away from the city, providing a haven and breeding ground for bird and pollinator species linked to agricultural and forest habitats, as well as providing important habitats for migrating bird, for example.

(45) The EU Biodiversity Strategy for 2030 requires greater efforts to restore freshwater ecosystems and the natural functions of rivers. The restoration of freshwater ecosystems should include efforts to restore the natural connectivity of rivers as well as their riparian areas and floodplains, including through the removal of artificial barriers with a view to supporting the achievement of favourable conservation status for rivers, lakes and alluvial habitats and species living in those habitats protected by Directives 92/43/EEC and 2009/147/EC, and the achievement of one of the key objectives of the EU Biodiversity Strategy for 2030, namely, the restoration of at least 25 000 km of free-flowing rivers, assessed against 2020 when the Strategy was communicated. When removing barriers, Member States should primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply or other uses.

(59) To ensure synergies between the different measures that have been, and are to be put in place to protect, conserve and restore nature in the Union, Member States should take into account, when preparing their national restoration plans: the conservation measures established for Natura 2000 sites and the prioritised action frameworks prepared in accordance with Directives 92/43/EEC and 2009/147/EC; measures for achieving good ecological and chemical status of water bodies included in river basin management plans

prepared in accordance with Directive 2000/60/EC; marine strategies for achieving good environmental status for all Union marine regions prepared in accordance with Directive 2008/56/EC; national air pollution control programmes prepared under Directive (EU) 2016/2284; national biodiversity strategies and action plans developed in accordance with Article 6 of the Convention on Biological Diversity, as well as conservation measures adopted in accordance with Regulation 1380/2013 and technical measures adopted in accordance with Regulation (EU) 2019/1241 of the European Parliament and of the Council47.

(65) The European Environment Agency (the 'EEA') should support Member States in preparing the national restoration plans, as well as in monitoring progress towards meeting the restoration targets and obligations. The Commission should assess whether the national restoration plans are adequate for achieving those targets and obligations, including their adequacy for meeting the Union's overarching objectives to jointly cover, as a Union target, throughout the areas and ecosystems within the scope of this Regulation, by 2030, at least 20 % of land and 20 % of the sea areas and, by 2050, all ecosystems in need of restoration, the objectives to restore at least 25 000 km of rivers into free-flowing rivers in the Union by 2030 as well as the contribution to the commitment of planting at least 3 billion additional trees in the Union by 2030.

(67) In order to monitor the progress in implementing the national restoration plans, the restoration measures put in place, the areas subject to restoration measures, and the data on the inventory of barriers to river continuity, a system should be introduced requiring Member States to set up, keep up-to-date and make accessible relevant data on results from such monitoring. The electronic reporting of data to the Commission should make use of EEA's Reportnet system and should aim to keep the administrative burden on all entities as limited as possible. To ensure an appropriate infrastructure for public access, reporting and data-sharing between public authorities, Member States should, where relevant, base the data specifications on those referred to in Directive 2003/4/EC of the European Parliament and of the Council54, Directive 2007/2/EC of the European Parliament and of the Council55 and Directive (EU) 2019/1024 of the European Parliament and of the Council56

Article 3 - Definitions
(14a) 'free flowing river' means a river or a stretch of river whose longitudinal, lateral and vertical connectivity is not hindered by artificial structures forming a barrier and whose natural functions are largely unaffected;

Article 7 - Restoration of the natural connectivity of rivers and natural functions of the related floodplains
1. Member States shall make an inventory of artificial barriers to connectivity of surface waters and, taking into account their socio-economic functions, identify the barriers that need to be removed to contribute to the achievement of the restoration targets set out in Article 4 of this Regulation and of the objective of restoring at least 25 000 km of rivers into free-flowing rivers in the Union by 2030, without prejudice to Directive 2000/60/EC, in particular Articles 4(3), 4(5) and 4(7) thereof, and Regulation 1315/2013, in particular Article 15 thereof.

2. Member States shall remove the artificial barriers to connectivity of surface waters based on the inventory under paragraph 1 of this Article, in accordance with the plan for their removal referred to in Article 12(2), points (e) and (f). When removing barriers, Member States shall primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply, flood protection, or other uses.

3. Member States shall complement the removal of the barriers referred to in paragraph 2 by the measures necessary to improve the natural functions of the related floodplains.

3a. Member States shall ensure that natural connectivity of rivers and natural functions of the related floodplains restored in accordance with paragraphs 2 and 3 are maintained.

Article 11 - Preparation of the national restoration plans
7. When preparing their national restoration plans, Member States shall in particular take the following into account:
(a) the conservation measures established for Natura 2000 sites in accordance with Directive 92/43/EEC;
(b) prioritised action frameworks prepared in accordance with Directive 92/43/EEC;
(c) measures for achieving good quantitative, ecological and chemical status of water bodies included in programmes of measures and river basin management plans prepared in accordance with Directive 2000/60/EC and flood risk management plans established in accordance with Directive 2007/60/EC;
(d) where applicable, marine strategies for achieving good environmental status for all Union marine regions prepared in accordance with Directive 2008/56/EC;

8. Member States may, when preparing the national restoration plans, make use of the different examples of restoration measures listed in Annex VII, depending on specific national and local conditions, and the latest scientific evidence.

Article 12 - Content of the national restoration plans
2. Member States shall include the following elements in their national restoration plan, using the uniform format established in accordance with paragraph 4 of this Article:

(e) the inventory of barriers and the barriers identified for removal in accordance with Article 7(1), the plan for their removal in accordance with Article 7(2) and the length of free-flowing rivers to be achieved by the removal of those barriers estimated from 2020 to 2030 and 2050, and any other measures to re-establish the natural functions of floodplains in accordance with Article 7(3);

Article 14 - Assessment of the national restoration plans
2. When assessing the draft national restoration plan, the Commission shall evaluate:

(c) its contribution to the Union's overarching objectives referred to in Article 1, the specific objectives referred to in Article 7(1) to restore at least 25 000 km of rivers into free-flowing rivers in the Union by 2030 and the commitment referred to in Article 10a of planting at least three billion additional trees in the Union by 2030.

ANNEX VII - LIST OF EXAMPLES OF RESTORATION MEASURES REFERRED TO IN ARTICLE 11(8)

(5) Re-establish the meandering of rivers and reconnect artificially cut meanders or oxbow lakes.

(6) Remove longitudinal and lateral barriers (such as dikes and dams), give more space to river dynamics and restore free-flowing river stretches.

(7) Re-naturalise river beds and lakes and lowland watercourses by e.g. removing artificial bed fixation, optimising substrate composition, improving or developing habitat cover.