

<p style="text-align: center;">FOURTH MEETING OF THE EXPERT GROUP ON THE MANAGEMENT OF NATURA 2000</p>

DRAFT MINUTES

26 January 2011

DG Environment, avenue de Beaulieu 5 – 1160 Brussels

Present : Representatives of Member States and stakeholders – list attached
Chair: Micheal O’Briain and François Kremer

*NB: All ppts, background papers etc referred to below are available on the following circa site:
http://circa.europa.eu/Public/irc/env/natura_2000/library?l=/2000_management&vm=detailed&sb=Title*

1. Adoption of agenda ad agreement on minutes of last meeting

The Agenda and minutes of the last meeting are adopted. Participants were reminded that these minutes are intended to capture the range of views and comments made during the meeting without attributing these to any particular organisation or Member State.

2. Setting conservation objectives for Natura 2000

Micheal O’Briain reminded participants that a draft note on conservation objectives had been presented in previous meetings, this is currently in the process of being finalized.

François Kremer provided an overview of the Commission’s current thinking on conservation objectives (see ppt on the circa site), focusing in particular on:

- The need to consider setting conservation objectives at several levels (eg site, regional, national, biogeographical, natural range...). Setting conservation objectives at site level needs to be done with the overall objective of the Directive in mind and taking into account the relative contributions that different sites in the network can make to achieving FCS.
- The establishment of conservation priorities both within the site and amongst the different sites in the network.

Micheal O’Briain explained that the new post 2010 Biodiversity Strategy will set some important targets for nature conservation in Europe. We must therefore be in a position in ten years time to demonstrate that the Natura 2000 Network has made a major contribution to achieving these targets, thanks to significant progress in managing the sites in the network.

If by 2020 we have no improvement in FCS then one may have to conclude that Member States are not doing enough to manage their sites. This may not only lead to legal action against MS but also to a loss of confidence in the effectiveness of the Natura 2000 Network.

In the subsequent discussion the following points and comments were made:

- Several participants felt there is a need for more discussion on the usefulness of setting overall conservation objectives at EU/Biogeographical level. SAC designation has been done differently in different countries and this may make the process of setting conservation objectives at higher level difficult or artificial.
- FCS cannot generally be reached through Natura 2000 site conservation alone since a significant proportion of the habitat types or species are not within the network.
- Also much will depend on the habitat types and species at stake – ie what proportion is inside or outside the network. This is important to know. The Article 17 reports are there to measure FCS at higher level.
- It would be useful to clarify the level of detail required when setting conservation objectives at site level – does it set targets, if so for what, just the designated species or for listed species and habitat types significantly present on the site, or for a wider range of ecological requirements?
- Several participants considered that priority setting amongst sites was maybe not appropriate – the fact that these Natura 2000 sites have been selected as the most representative and best sites for a particular species or habitat type means that they should already be considered priority sites. As a result, all of them would have to be managed effectively and none should be really neglected on grounds that they have a lesser priority.
- Some participants however felt that priority setting at strategic level was useful in deciding where to allocate limited financial resources.
- It was pointed out that the WFD also sets targets for certain water species and that it will be important to avoid conflicting priorities.
- Although the Habitats Directive does not set a timeline for delivering FCS, the new Biodiversity Strategy does set a clear political mandate to make significant progress in the next ten years and it will be important to be able to demonstrate this progress
- However, whilst target setting is important and useful, nature does not always respond that quickly, it may not be possible to show improved FCS for many species /habitat types in the next reporting round despite the fact that the sites are being properly managed.

The Commission pointed out that:

- Setting conservation priorities at strategic level was important to make best use of available resources and to decide where to concentrate efforts but it did not mean that some sites can be ignored.

- The detail required for setting conservation objectives must be such that it allows the necessary conservation measures to be identified and implemented in accordance with Article 6.1.
- It is clear that for some species and habitat types the Natura 2000 network alone will not be enough to ensure FCS and that other measures outside the network (eg species protection measures etc .) will have an important role to play. But this should not prevent us from looking strategically at how the sites can best contribute to achieving FCS and how the Network can be made to be more ecologically coherent.

Participants are requested to provide any further comments on the conservation objectives note and on today's ppt within one month.

As regards the SAC designation note this is currently being reviewed by the Legal Service and will be sent out to the Members of the Habitats Committee in the next weeks. A copy will be put on the circa site for information.

3. Dealing with newly arrived species

The Dutch authorities raised a question concerning how to deal with newly arrived species. There is a fear amongst certain land owners and stakeholders that if they manage their land for nature conservation as requested then it will attract other rare and threatened species as well which will lead to the imposition of even stricter conservation measures.

In the subsequent discussion, the following comments were made:

- Conservation measures (article 6.1) would apply only to those species and habitat types listed on the Habitats Directive that are significantly present on the site (ie all not classed as D in the SDF). If a new species arrives at a site it would be unlikely to have a significant presence which would mean that there was no need to set new conservation measures for this species as well.
- The simple presence of a species would not be enough to trigger conservation measures, first the value of that site for the conservation of that species would have to be assessed. If it would turn out that the site was significant for the species then, there would be a need to revise the SDF and to redesignate the SAC to include this species as well. This would then also have to be subjected to public consultation as well. It would then be important to also consult stakeholders on this.
- The newly arrived species should nevertheless still be considered in the context of Article 6.3 &4 assessments even if no extra measures are introduced specifically to enhance its conservation on the site.
- The question was raised on how to measure 'significance' – is it to be measured in terms of the contribution to the network or because it has a population of x individuals? Much would depend on how well represented the species is in the network already, eg if it is a relatively widespread species or a rare endemic species found only in a handful of sites.

- It was also stressed that the re-appearance of new species in a site can be considered as a very positive thing by many stakeholders. This can also be an important motivating factor for local stakeholders.
- The active re-introduction of a species to a country where it has not existed before could also be an issue but at least here it should be possible to predict its future range and distribution. For such re-introduction Article 22 of the Habitats Directive applies.
- The question was also raised as to what happens when a species is lost from the site. If this is not due to mismanagement then it may be ok to ignore that species when carrying out an appropriate assessment under articles 6.3 and 4. Deletion of species or habitat types from SDFs must always be justified on scientific grounds (natural developments).

In conclusion it was felt that the Habitats Directive provides sufficient mechanisms for dealing with the (re) appearance of new species and that their inclusion in or their removal from the SDF should be scientifically justified.

4. Presentations by Member States

The first presentation gave an overview of designation and management of **Natura 2000 sites in Germany** with a particular focus on two Länder: Nordrhein-Westfalia and Hessen (see ppt on circa). In the ensuing discussion, the following comments/questions were raised:

- The conservation objectives set for each site are quite broad but the individual conservation measures are relatively detailed and specific. There is however some degree of flexibility as to where in the site these measures are applied depending on local stakeholder interest and willingness to participate.
- The contracts being offered to local landowners and users (in Hessen) are quite attractive so there is usually a reasonable uptake. Also, a lot of effort is put into good survey work and intensive discussions with affected stakeholders to ensure that the measures proposed are acceptable to them
- The management plans that are drawn up are binding on the local administration but not on the land owners. These are usually only finalized and approved once the stakeholder dialogue has come to an end and all parties agree on the plan contents. Hessen has used Rural Development money for drawing up the management plans.
- Although in principle money is available for management measures under various EU funding streams (Rural Development, Structural Funds) there is still a problem to use that money, since there is a very strong competition for the national co-financing at the level of the Länder. So, although the EU money is available, there are problems accessing it because nature conservation is not high on the list of priorities for co-financing within the Länder themselves.

The second presentation gave an overview of the designation and management of **Natura 2000 sites in France** (see ppt on circa). In the ensuing discussion, the following comments/questions were raised:

- The average management plan (DOCOB) takes around 2 years to complete
- Once a management plan has been drawn up, one person (a facilitator) is retained at site level to help ensure it is implemented and to coordinate the management of the site;
- Although socio-economic issues are considered in the setting of conservation objectives 'for sustainable development', conservation objectives for species and habitat types still take precedence. The aim is to examine the socio-economic context and identify conservation objectives that make optimum use of current land use activities etc.
- The French approach is anchored in a bottom up approach involving all stakeholders and voluntary involvement (eg contracts paid through agri-env) but if it turns out that the voluntary approach does not work and there is an impasse after several years of discussions, then the Ministry does have the means to make certain conservation measures obligatory if necessary.

5. Experience and principles of establishing the necessary conservation measures for Natura 2000 sites

Micheal O'Briain explained that the purpose of this item of the agenda was twofold: a) to launch an initial exchange of views on establishing conservation measures and drawing up management plans for Natura 2000 and b) to identify areas where participants felt they would like further discussion in subsequent meetings with a view to reaching a common view on certain requirements and procedures.

The establishment of conservation measures in accordance with Article 6.1 is an obligation but the drawing up of management plans is not. Nevertheless the Commission strongly recommends the use of management plans as an excellent way to identifying and planning the conservation measures required.

Management plans are also useful for other reasons, for instance for appropriate assessments under Art 6.3 and as a means for using (EU) funding. Colleagues in other DGs of the Commission repeatedly say that the lack of management plans for N2000 is seen as a big obstacle to knowing what activities are needed at each site. This in turn influences how much money is allocated to the implementation of these conservation measures. The latest BAP Assessment¹ revealed that less than 20% of the Natura 2000 sites have a management plan in place.

To launch the discussion François Kremer gave an overview of past activities and studies undertaken on management planning (see ppt on circa site).

Thereafter the following comments were made by the participants:

- Site managers don't have time to find out about good practices in drawing up management plans in other countries so are sometimes constrained to 'reinvent the wheel' – it would be useful to have a summary overview of how each Member

¹ See Commission Staff Working Document: Consolidated profile of 8 October 2010 SEC(2010) 1163 final, page 13

State goes about this and where one can find access to useful documents (eg models for plans, guidelines for drafting, etc...)

- It would be useful to have a common view on what are the main ‘ingredients’ of a Natura 2000 management plan (updating those identified at the Galway seminar)
- There needs to be a consistency of approach between what is discussed here and what is stated in the Article 17 reporting guidelines which is already fairly detailed²: *A management plan should fulfil some minimum requirements: It should indicate the habitat types and/or species and their localities for which conservation measures are planned, it should identify the actual status of the habitat types and species and the desired status which should be reached through the conservation measures, it should define clear and achievable conservation objectives and identify the necessary measures together with the means and a time schedule which can contribute to meeting those objectives.*
- It would also be useful to have an assessment of the effectiveness of the management plans in achieving their conservation objectives and of the efficiency of the different measures used;
- It would be useful to have a list of focal points for different topics relating to implementation of the two Directives in each Member State.

The Commission agreed to coordinate the production of a summary sheet for each Member State on its (a) management planning process (b) the type of management plans that are used – eg models or guidelines ... (c) links and www for where to go for more information.

The Commission will prepare a template/questionnaire for collecting this information from each Member State and will circulate this to the working group to fill in. Whilst this is mainly addressed at Member States it would also be useful to have information from NGOs such as Eurosite and others on their management plan models etc...

France informed the group that its methodological guide on management planning³ is currently being translated into English and will be available in March. Denmark informed that it is drafting a summary document in English of its Natura 2000 management planning process and of its model management plan. Luxemburg informed that it is in the process of assessing how the management plans developed under the first phase have been utilized. The findings from this study will be used to improve the way management plans are developed in the future.

It was proposed that in the next meeting there should also be a particular focus on integrated management planning – be from a sectoral perspective or a spatial perspective and that this should explore some good practice examples⁴.

² See reporting Art 17 guidelines – draft Nov 2010 available under EC Circa ‘Reporting Nature Directives’ site http://circa.europa.eu/Public/irc/env/monnat/library?l=expert_reporting/work-package_revision&vm=detailed&sb=Title

³ <http://www.espaces-naturels.fr/content/download/11160/104521/file/GuideElaborationDocobNatura2000.pdf>

⁴ See study on Ec circa on integrated management planning

6. New biogeographical process for managing Natura 2000

François Kremer gave a presentation of the 'new biogeographical process' (see ppt) which the Commission wishes to launch in order to facilitate and exchange information/expertise on the management of Natura 2000 sites at biogeographical level. The purpose is to create an enabling environment for effective knowledge based management. There is a lot of expertise out there but it is not always readily accessible – a key part of this initiative is therefore to use existing expert networks or, where necessary, to establish new such networks.

In the ensuing discussion, the following comments were made:

- Is a biogeographical approach the best way to look at these issues? It might be better to look at management issues from the perspective of main habitat groups or species, or from the perspective of different threats or sectors, or in function of main land uses such as farming systems or ecosystems such as riverine systems.
- It may also be more useful, in the first instance to focus only on a number of areas where there is a clear need for cross border cooperation or where biogeographical cooperation could be especially useful –eg bringing neighbouring countries together to improve the coherence of their network or site management for certain species/habitats across borders...
- The meetings should not be the sole output, there should also be a mechanism in place to stimulate further and continuous bilateral contacts between relevant experts or organizations.
- The biogeographical seminars should not attempt to be too ambitious and address all habitats and species within a particular biogeographical region as this runs the risk of being too time consuming and unmanageable.
- Also it will be hard to get stakeholder and expert participation and 'buy in' if the seminars are too big and broad. There must be a clear interest for them if they are going to be asked to contribute to the process.
- It was felt that 3 biogeographical seminars a year would be too much – it would probably be better to have 1 biogeographical seminar for every 6 year reporting cycle.
- The Birds Directive should not be forgotten in this process.

Germany indicated that it was planning a similar sort of initiative at the Federal level in Germany in order to bring the 16 Länder together and encourage greater cooperation and synergies between them. They would be happy to share the experiences of its first seminar (in a few weeks time) in case this can be useful for deciding how to organize the Commission's new biogeographical process.

The Commission was also asked what it hopes to get out of the new process in terms of deliverables. In reply the Commission stated that the main purpose was to enable the network to function coherently and to create an environment that facilitates MS tasks. The meetings will not lead to the production of binding documents but rather the compilation of useful information and recommendations. Nor is there the

intention to identify gaps in the network. There is no hidden agenda to try to get more sites into the Network. The Commission thanked the participants for their contributions so far. This issue will be discussed further at the next meeting.

7. Information Points relating to on-going work

Financing Natura 2000

The Commission informed the participants that it is in the process of preparing a Communication on financing Natura 2000. This will update the cost estimates of managing the Natura 2000 network. It will also highlight the positive socio-economic benefits of conserving nature and identify ways of ensuring better access to, and greater take of EU funds, for implementing conservation measures in Natura 2000 sites.

The policy must be framed in the context of the Europe 2020 objectives which are mainly about economic growth, jobs, and competitiveness. That is why it is important to emphasise the important socio-economic role nature and Natura 2000 in particular can play, for instance, in the provision of ecosystems services and as a support to rural economies.

The policy will also focus on how to strengthen the integration approach to financing Natura 2000 (there is no interest in creating a single fund for Natura 2000). In this context particular attention will be given to the CAP reform and the possibility of including environmental provisions in the First pillar⁵.

One element to come out of the current review of the financing of Natura 2000⁶ is that there is a need for Member States to develop a more strategic multi-annual planning approach to funding Natura 2000 management – this will help to ensure better access to EU funding and to the securing of appropriate national co-financing.

There is currently a web-based consultation on financing Natura 2000 underway and ***participants are strongly encouraged to contribute to this public consultation.*** http://ec.europa.eu/environment/consultations/natura2000_en.htm. There is also a public consultation underway on the future of LIFE+: <http://ec.europa.eu/environment/consultations/life.htm>

Wilderness and N2000

The Commission informed the group that a new contract has been launched on developing guidelines for the management of wilderness and wild areas in Natura 2000. This will review the current situation as regards ‘wilderness’ in Natura 2000 (both in terms of concept and spatially through mapping and identification of key species and habitat types). It will also present a number of good practice case studies and develop guidelines for managing and conserving wilderness areas in Natura 2000.

⁵ See Commission Communication on CAP towards 2020. http://ec.europa.eu/agriculture/cap-post-2013/communication/index_en.htm

⁶ Study reports available on http://ec.europa.eu/environment/nature/natura2000/financing/index_en.htm

The draft guidelines documents will be ready in September 2011 and will be presented to this working group.

Farming and Natura 2000

The Commission also informed the group of 2-year contract that has been launched for the development of guidance document on the management of farmland in Natura 2000 areas. This contract will analyze the link between Natura 2000 sites and agriculture/farmland (eg listing of species and habitat types protected under the Habitats and Birds Directives that are of particular importance in terms of their relationship with agricultural land and/or practices...).

It will also analyze 27 case studies reflecting the various challenges faced in managing farmland in Natura 2000 sites in order to draw out some good practice advice on a wide range of aspects for inclusion in guidance document. The preliminary reports and the suggestions for the 27 case studies will be presented to this working group for comments and feedback. Thereafter drafts of the guidance documents will also be circulated to the group.

Assessing socio-economic benefits of Natura 2000

Three Commission studies have been launched on

- assessing the overall socio-economic benefits of Natura 2000
- assessing the benefits of conservation actions
- assessing the benefits Natura 2000 brings in terms of tourism and employment

Where possible it will be distinguished between the global benefits of nature to society and the added value of Natura 2000, but this may prove to be difficult to tease out. The projects will also help to define a typology of benefits. The studies should be finalized before the end of the year.

Climate change and Natura 2000

A 12 month contract on developing guidelines for dealing with climate change adaptation in Natura 2000 sites has been launched. The draft guidance will provide:

- an analysis of which species /habitat types are most at risk;
- an assessment of potential approaches to reduce /mitigate/adapt to climate change at site level;
- a review of the contribution that Natura 2000 can made to climate change adaptation;
- a review of the importance of ensuring the connectivity and coherence of the network in the face of climate change.

The draft guidance should be ready in September.

Next meeting

The next meeting of this working group is foreseen for before the summer, participants will be informed as soon as a date has been selected.