

Management of Natura 2000 sites

By Henk Zingstra

Natura 2000 is a EU wide network of areas protected under the Habitats Directive and/or under the Birds Directive. Areas protected under the Habitats Directive are called Special Areas of Conservation and areas protected under the Birds Directive are called Special Protected Areas. The network includes both terrestrial and marine areas. When an area is designated under the Habitats Directive or under the Birds Directive management of these areas will have to comply with the requirements of Article 6 of the Habitats Directive. Article 6 requires member states to:

- Take appropriate conservation measures to maintain and restore the habitats and species for which the site has been designated to a favourable conservation status;
- Avoid damaging activities that could significantly disturb these species or deteriorate the habitats of the protected species or habitat types

Article 6.1 focuses on the establishment of necessary conservation measures

Article 6.2 focuses on how to avoid deterioration of natural habitats, the habitats of species and the species

Article 6.3 focuses on how to assess plans and projects that likely to have significant effect on the site's conservation objectives

Article 6.4 focuses on how to deal with imperative reasons of public interest (incl. those of social and economic nature) in the assessment procedure and the need for compensatory measures.

To support member states in the implementation of the Habitats and Birds Directives the Commission has made a number of guidance documents available which can all be found via: http://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm.

Specifically for providing guidance to the implementation of Article 6.1 the Commission issued in 2014 a guidance document under the title "[Establishing Conservation Measures under Article 6.1](#)".

More recently in 2018 the Commission issued a document that provides guidance on issuing permits under article 6, e.g. article 6.3 and 6.4. This report incorporates the large body of rulings that have been issued by the Court of Justice of the EU over the years on Article 6.3. It also builds on a series of Commission notes addressing Natura 2000 management, as well as other relevant Commission guidance documents on Article 6 that should be read in conjunction with this one. See: https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/Provisions_Art_6_no_v_2018_endocx.pdf.

According to Article 2.1 of the Habitats Directive "measures taken pursuant to this Directive shall be designed to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest". Crucial in this sentence is the wording "favourable conservation status", which has caused quite some debate in member states; what is exactly favourable conservation status and when is a natural habitat or species in a favourable conservation status.

What "favourable conservation status" means and when a species or habitat type is at a "favourable conservation status" need to be defined by each member state country based on an assessment of the distribution, occurrence and population trends of the habitats and species. Favourable conservation status is assessed at bio-geographical level, country level as well as at site level.

The conservation status of natural habitats is taken as 'favourable' when:

- ✓ Its natural range and areas covered within that range are stable or increasing, and
- ✓ The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- ✓ The conservation status of its typical species is favourable as defined in Article 1(i).

Conservation status of species is favourable (article 1 (i))

- Long term maintenance as a viable component of habitats is secured
- Natural range is not reduced or likely to be reduced
- There is and will be sufficiently large habitat to maintain its species on the long term

Each country has to define its own criteria and set parameters for assessing FCS based on national conditions and processes, which are linked to 1) natural distribution range, 2) typical structures and functions of the habitat types and of the species' habitats, and 3) future prospects. After having identified for each species and habitat type the essential structures and functions and the future prospects, the conservation status can be assessed and required management measures defined.

To achieve or maintain favourable conservation status, member states "shall establish necessary conservation measures" (article 6.1). Although most member states have chosen to use management plans to establish conservation measures, this is not a requirement of the Habitats Directive. Other legislative instruments can also be used to achieve this goal, for instance through physical planning and/or water management legislation. According to the terminology of the Habitats Directive conservation measures include active management as well as putting in place legislation.

- Management can be active or preventive and includes measures like grazing, mowing and cutting, and administrative measures like physical planning, environmental impact assessments and inspection.
- Management measures should be positive and structural and aimed at achieving Favourable Conservation Status (FCS).

A practical guidance document on the elaboration of management plans for N2000 sites was issued in 2018 by the Croatian Ministry of Environment and Energy: "[Protected Areas and/or Natura 2000 Sites Management Planning Guidelines](#)". This document serves as a practical guide for management plans development. The guidelines could help site managers in the process of management plans development recommending the **structure of the process** as well as the **content of the management plan** itself.

The guidelines include recommended content and format of the management plan, a procedure for its adoption and amendments, recommendations related to designing and guiding the plan development process, as well as elaborate certain elements of the management plan in more detail (themes, objectives, activities, indicators, zonation, etc.). Although the guidelines are based on the Croatian Nature Conservation Act the elaboration process and the proposed content of the management plan has a wider applicability.

In order to get support for the measures taken and understanding for the possible limitations in the use of and access to areas designated as a Natura 2000 site is highly recommended to involve stakeholders not only in the selection of sites to be designated as a Natura 2000 site but also in the elaboration of management plans. See for further information about stakeholder involvement this toolbox under "[stakeholder involvement](#)". According to art 17 of the Habitats Directive, every six years member states have to report on the status of the habitats and species that have been listed

under either of the two Directives. See the [“reference portal for reporting under Article 17 of the Habitats Directive”](#) and [“Reporting under Article 17 of the Habitats Directive”](#) for reporting format and guidelines.

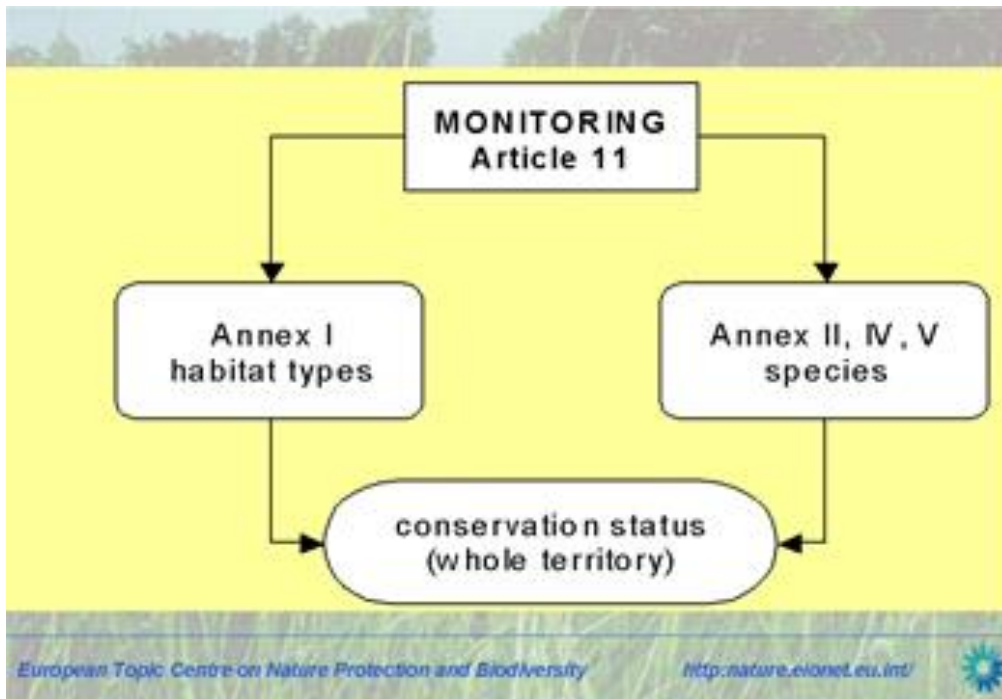


Figure 1 What to be monitored and why according to the Habitats Directive.

Establishing a monitoring system and a data base where monitoring data can be stored are essential elements of the implementation of the Birds and Habitats Directives. Monitoring data need to be gathered both for species listed in the Annexes and for the habitat types for which sites have been designated.

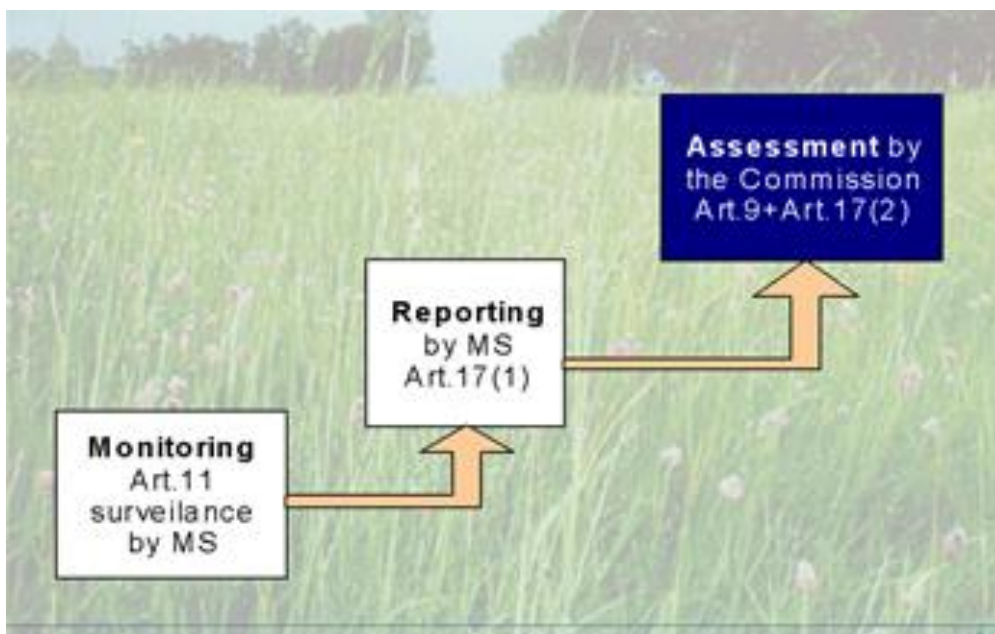


Figure 2 The relation between monitoring and reporting according to the Habitats Directive.

[The results of the 6-year reporting](#) show the progress of the member states in achieving favourable



A Eurosites Management Planning Expert Group document

conservation status per habitat type and per species. The conservation status of habitats and species is not only presented by country but also per bio-geographical region.

As mentioned before the Fitness Check of the Habitats Directive that was carried out in 2017 revealed that 50% of the areas designated under the Habitats and/or Birds Directives did not have a management plan. When looking more into the details of the Fitness Check shows that 24% of the stakeholders that have been consulted for the Fitness Check indicate management planning is an important factor effecting the implementation of the HD and from this 17% of this 24% hindering effective implementation of the HD. (See page 39 Fitness Check).

References and further reading

About the implementation of Art 6(3) and (4)

[Assessment of plans and projects significantly affecting Natura 2000 sites](#)

Forests

[Guide on N2000 and Forests](#)

Hydropower

[Guidance on The requirements for hydropower in relation to EU Nature legislation](#)

Farming

[Guidance on how to support Natura 2000 farming systems to achieve conservation objectives, based on Member States good practice experiences](#)

Aquaculture

[Guidance on Aquaculture and Natura 2000 – Sustainable aquaculture activities in the context of the Natura 2000 Network](#)

Wind energy

[Guidance document on wind and energy developments and Natura 2000](#)

Non-energy mineral extraction

[Guidance document on non-energy mineral extraction and Natura 2000](#)

Climate Change

[Guidelines on Climate Change and Natura 2000 – Dealing with the impact of climate change. On the management of the Natura 2000 Network of areas of high biodiversity value.](#)

Peatlands and Mires

[Guidance for managing Peatlands & Mires in Natura 2000 sites](#)