

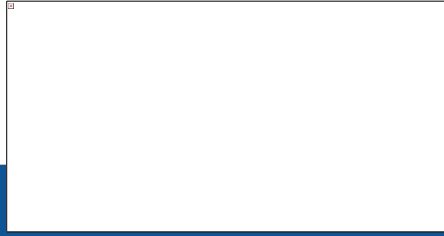


# Natura 2000 – legal framework, implementation and CAP support

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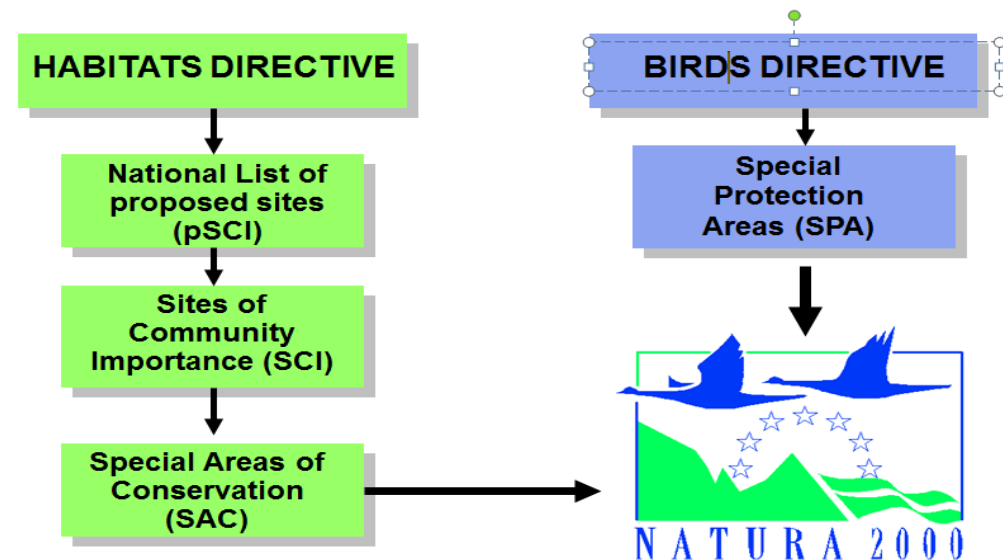
# **EU nature conservation legislation**

with a focus on Natura 2000

# The EU Nature Directives

- The **Birds Directive** (1979), aims to protect all wild birds and their most important habitats across the EU
- The **Habitats Directive** (1992) aims to protect 1000 other wild animals and plants + some 230 rare habitat types
  - creates the term "**Natura 2000**" for sites designated under both directives
- The overall objective of the two directives is to ensure that the species and habitat types they protect are maintained, or restored, **to a favorable conservation status** throughout their natural range within the EU.

**Natura 2000 – based  
on two EU Directives**



# Natura 2000 – CAP support

- Eco-schemes (art. 31 SPR)
- Agri-environment-climate schemes (art. 70)
- Natura 2000 payments (art. 72)
- Non-productive investments (art 73)

NB. data on specific schemes corresponds to approved CSPs in 2023

# Natura 2000 and CAP support

- **SMR 3** (Birds Directive Art. 3(1), 3(2) point b, Art. 4(1)(2) and (4)) and **SMR 4** (Habitats Directive art 6(1) and (2)) are part of conditionality – **baseline** for eco-schemes and agri-environment-climate (AECC) interventions
- **GAEC 9** – protection of environmentally sensitive permanent grassland in N2000 areas - **baseline** for eco-schemes, agri-environment-climate (AECC) and Art N2000 payments
- Birds and Habitats Directive included in **Annex XIII SPR**: CAP Plans to contribute to / be coherent with these Directives and the plans stemming from them (Natura 2000 management plans and PAFs)
- CAP Plans: **Needs assessment** to take this into account and **strategy for SO6** (Biodiversity) to describe how CAP Plans contribute (part of higher environmental ambition)

# Eco-schemes (Art. 31)

- In general, not much specific focus on farmland in Natura 2000 sites
- However, **relevant** interventions planned, notably related to grasslands management, landscape features and soil conservation
- Only DE set out a specific scheme for Natura 2000 areas (“light” scheme at federal level – 40 EUR/ ha)
- LT has a sub-scheme on “management of natural grasslands and wetlands located in Natura 2000 habitats “ (with a specific unit amount) within an overall scheme on grassland/wetland management
- **10 CSP** set out schemes contributing to R.33 (BE-FL, BG, CZ, EL, ES, FR, IT, NL, PT, SI); this allows monitoring area coverage in Natura agricultural areas
- IT set out a higher unit amount for all schemes carried out in designated areas

# Agri-environment climate commitment interventions (Art. 70)

- **AECC support covers additional costs and income foregone** resulting only from commitments which go **beyond the baseline of relevant mandatory requirements** and standards established by Union and national law, as well as conditionality. Transaction costs can be paid for.
- AECC, as a general principle, are of **a multi-annual nature** (five to seven years) and must be different to ES (no double funding)
- **Voluntary** commitments that farmer enters into (unlike Art 72 which compensates for mandatory restrictions). As regards links with N2000, the AECC should be devised based on the relevant Natura management plan

# AECC continued

## **In CSPs: types of AECC interventions in Natura designated land:**

- Most common interventions are grazing and mowing regimes for HD Annex 1 designated grasslands (low density, species rich grasslands, no fertilisers/pesticides, extensive grazing and mowing regimes)
- Measures to protect farmland-dependent species declining due to more intensive practises
  - e.g. retaining stubble or food sources throughout winter
- Species-specific restoration measures
  - e.g. large hamster, protected bird species (eg corncrake, crane, ibex)
- Measures to help coexistence of farming with large carnivores (together with NPI)
  - e.g. bears, wolves



# AECC continued

- Other habitat specific measures e.g.
  - rewetting peatland and wetlands to restore the habitats and the species dependent on them
  - maintaining dry farming of cereals on steppes to retain the species adapted to these environments
  - preservation of traditional farming methods in orchards and vineyards
- **R.33 Improving Natura 2000 management** (share of total Natura 2000 area under supported commitments): EU average = **25,54%** (ranging from 3.3% (SE) to 89.9% (FR)) – zero in LT, LU, MT)

## Combination of AECC with other interventions

- investments: especially NPI – enhances biodiversity outcomes
- Organic & Art 72 - possible and to be encouraged, make sure double funding is avoided. Interventions need to be clear about restrictions (Art 72), or the commitments (AEC, ES).

# AECC continued

## **Bigger/better/more joined up: CSP options for maximising results**

- Collective AEC (NL, DE ) + cooperation (trial for larger scale restoration possibilities)
- Using cooperation intervention along with AECC – e.g. IE ACRES Cooperation
- Results based payments (e.g. IE, SI, NL, AT, DE (not exhaustive)).

# N2000 payments (Art. 72)

- Payments for disadvantages/ restrictions stemming from **Birds/ Habitats Directives** (or WFD)
- Covers **agricultural areas** and **forest areas** in **N2000**, and other specific nature protection areas with restrictions for farming and forestry
- Dual nature: **income support** to compensate farmers & foresters for costs incurred/ income foregone due to disadvantages resulting from mandatory requirements – but also fosters acceptance of these restrictions by farmers & foresters (-> **environmental objectives**), hence link to SO1 and SO4-6 (esp. SO6)

# N2000 / WFD payments (Art. 72)

- Natura 2000 payments on agricultural land: 13 MS (AT, CZ, SI, SK, BE (Wa), BG, DE, ES, HU, IT, LT, PT)
- Natura 2000 payments in forest areas: 12 MS (CY, HR, LV, EL, BE (Wa), BG, DE, ES, HU, IT, LT, PT)
- WFD payments: 5 MS (AT, DK, ES, IT, LU)
- % of N2000 agricultural land supported with N2000 payments: EU: 7,7% (ranging from 0.5% to 40%)

# N2000 / WFD payments (Art. 72)

## **Constraints compensated on agricultural land relate to:**

- restrictions of (or ban of) fertilization
- Restrictions of (or ban of) plant protection products
- Restrictions on mowing and grazing (cutting times and frequencies, obligations to leave part of the grassland uncut, etc.)
- Obligation to leave part of the arable land unharvested (e.g. to feed fauna and respect rest and breeding areas for birds).
- limitations on livestock density
- prevention of the spread of invasive alien species
- restrictions on irrigation
- ban of drainage and of changes in the hydrological regime
- other specific management obligations to protect and preserve specific habitat types and species.

# Non-productive investments – NPI (Art. 73)

- Can cover up to 100 % of the cost of environmental investments - which have an environmental benefit but little or no productive purpose and so are unattractive economically for farmers
- NP investments can include, e.g. scrub management and removal; restoration of traditional farmland structures, such as terraces, stone walls and sheep pens; restoration of wetlands and peatlands, ponds, reed-beds, marshes and ditches.
- NPI can cover infrastructure needed for Natura 2000 habitat management, such as **restoration of wetland hydrology, and access tracks, fencing and machinery. And footpaths, bird-watching hides and information for visitors**
- Ideally we would see NPI combined with area-based interventions to maximize biodiversity outcomes. A number of MS do this in the CSPs.

# Thank you

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