

FACT SHEET, 2/2017 NATURA

Practical problems in implementation of the Appropriate Assessment. Natura 2000

Participating countries: Bulgaria, Estonia, the Czech Republic, Hungary, Slovakia
Time: July – October 2016

KEY AREAS NEEDING IMPROVEMENT AND PROPOSED SOLUTIONS¹

Assessment procedures

- ✓ National rules should be designed in a way that promotes **synergies**, whilst **avoiding waste of resources or creating unwanted side-effects**.
- ✓ In case an EIA or SEA has to be carried out, **carry out the AA²** as part of the same procedure.
- ✓ Where the AA is carried out as part of the EIA or SEA procedure, **pay careful attention to the different assessment criteria and role in the decision-making process** of AA on the one hand and of EIA or SEA on the other hand.
- ✓ Where only assessment of impacts on a Natura 2000 site is needed, the **AA procedure should be used instead of requiring a full EIA**.
- ✓ **Involvement of the public and environmental NGOs** in line with public participation principles.

Taking a strategic approach

- ✓ Drafting **site management plans** which can provide a useful basis for planning future developments in and around protected sites.
- ✓ Carrying out good quality **AA of strategic and spatial plans**.
- ✓ More **specific guidance on habitats, species and the likely effects of common activities on them** at a regional/national level would enable early consideration of conservation needs.

Requirements for experts

- ✓ Setting up a **licensing requirement for the experts** that is specific to the appropriate assessment process.

¹ Based on JE analysis "[Practical problems](#)" and proposed action plan "[Making Natura 2000 Impact Assessments](#)" to EC in January 2017

² Appropriate Assessment

- ✓ To ensure **high level of expertise among the experts** carrying out the assessments and ensure **sufficient number of qualified experts, regular trainings** should be organised for them.
- ✓ **Cutting the direct contractual and financial ties between the developer and the expert** by using the competent authority as “intermediary”.
- ✓ **To ensure that poor performance and providing incomplete assessments will not become a competitive advantage for some experts.**
- ✓ It is essential to provide adequate **sanctions** in cases where the experts are knowingly underperforming their tasks.

Awareness raising and sharing best practices

- ✓ **Public authorities, experts, local citizen groups and NGOs should be trained** about AA rules and ways in which these should be applied at national /regional level.
- ✓ **Sharing of best practices** both at national, as well as at EU level.

Baseline data

- ✓ Member states should ensure gathering of **up-to-date data** on the protected habitats and species on their territory.
- ✓ If no baseline data has been gathered by MS or it is not up to date, it should be the task of **experts to gather it on their own.**
- ✓ While use of pre-existing, publicly available baseline data should be in all cases encouraged, **ignoring relevant and available data should in no cases be accepted** by the competent authorities.
- ✓ It is important to ensure that different authorities holding **environmental information share** it between themselves or alternatively, data is stored in a common database.