



Embuild

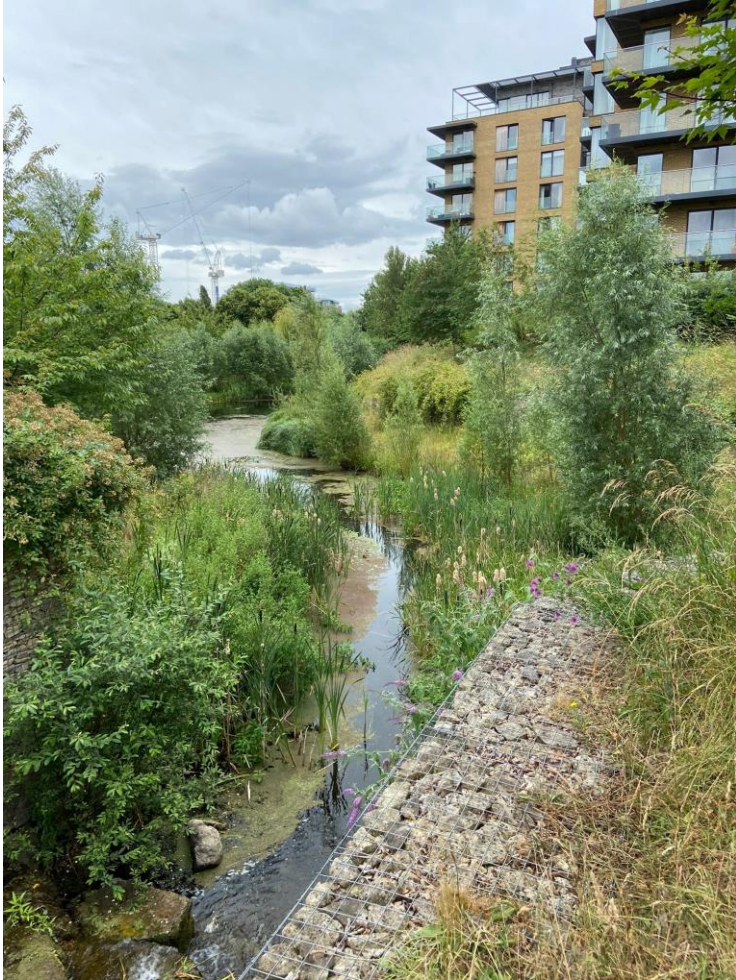
VLAANDEREN

Hoorzitting Europese natuurherstelwet

Marc Dillen
Directeur-generaal

Commissie Leefmilieu Vlaams Parlement
20 juni 2023

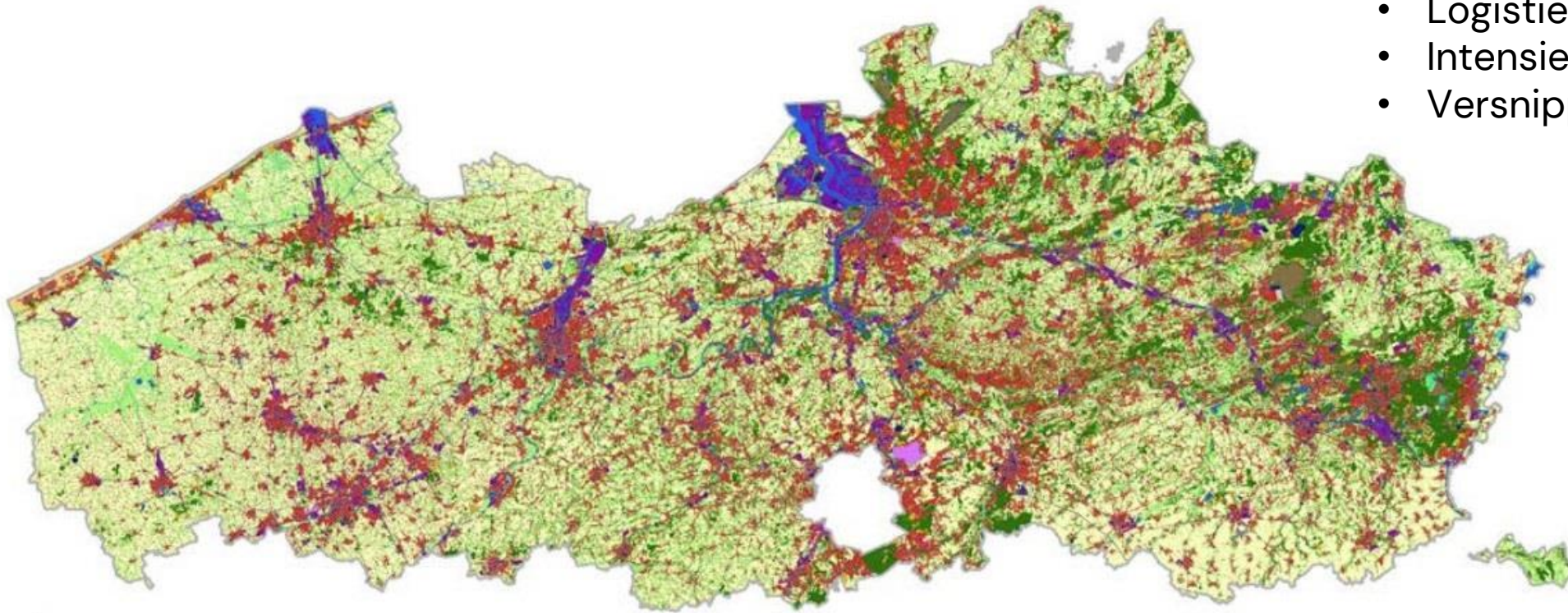
Nood aan meer natuur, meer biodiversiteit, meer bestuivers



Algemene bezorgdheden

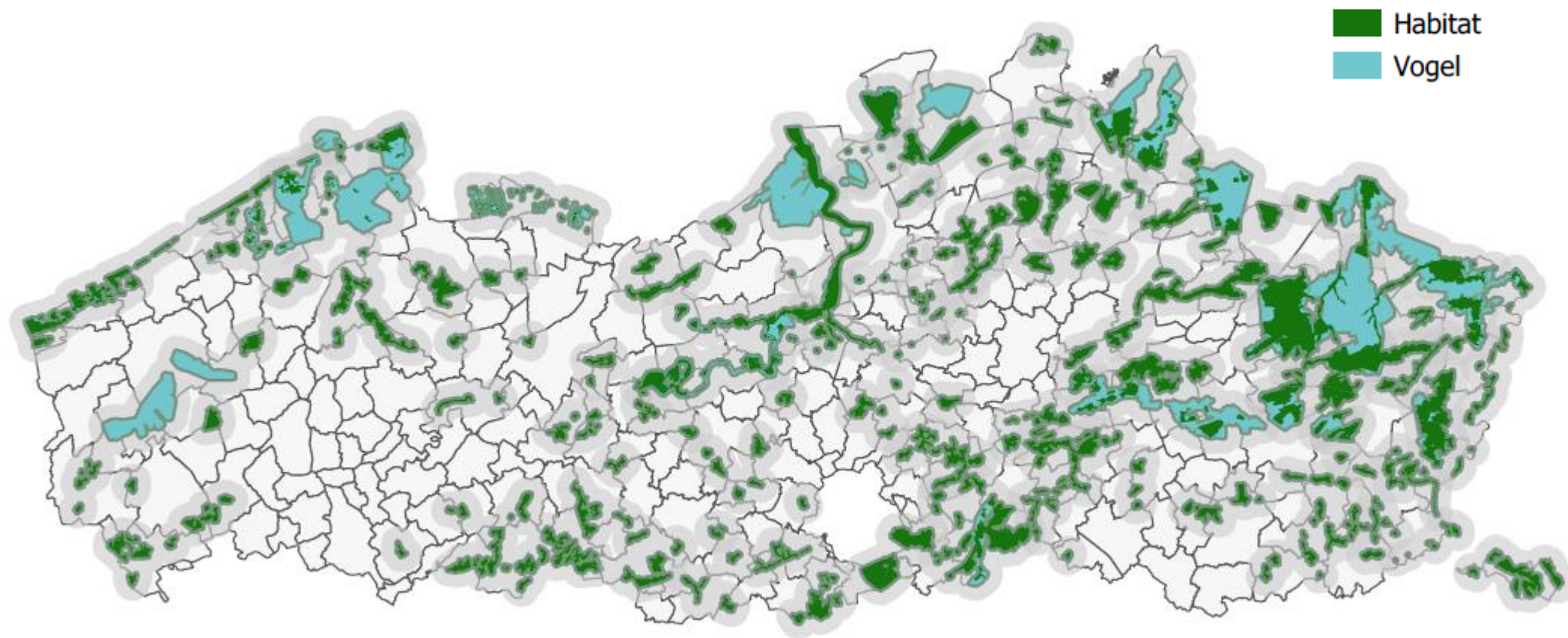
Natuurherstel: specifieke situatie van regio's ?

- Dichtbevolkt gebied
- Internationale havens
- Logistiek knooppunt
- Intensieve landbouw
- Versnipperde natuur



Land use

Natura 2000 met straal van 2,5 km



Stikstofcrisis in Nederland & Vlaanderen



NL: Landbouw,
Industrie, Infrastructuur,
Bouw

VL: Landbouw, Industrie

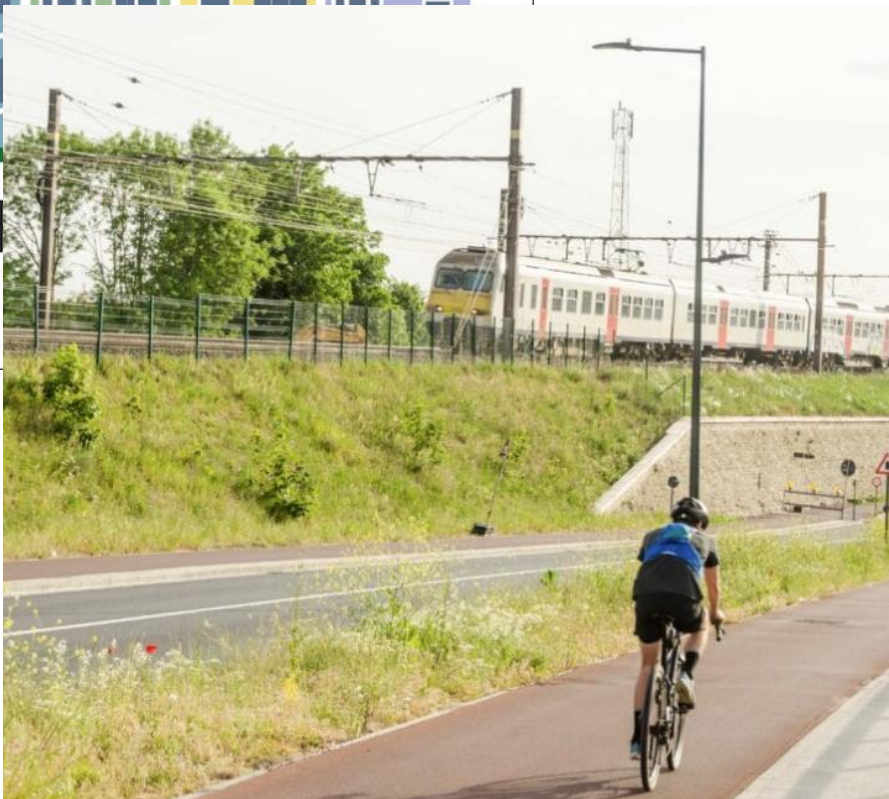


Ingeschatte kost voor bouwsector:
10 à 15 miljard € (NL)

$$\text{NRL} = (\text{NO}_x + \text{NH}_3)^3 \text{ crisis}$$

Onze grote bekommernis:
Gevolgen bij ongewijzigd uitbreiden van regelgeving
m.b.t. Natura 2000-gebieden tot buiten deze gebieden.

Natuurherstelwet: relatie tot andere initiatieven?

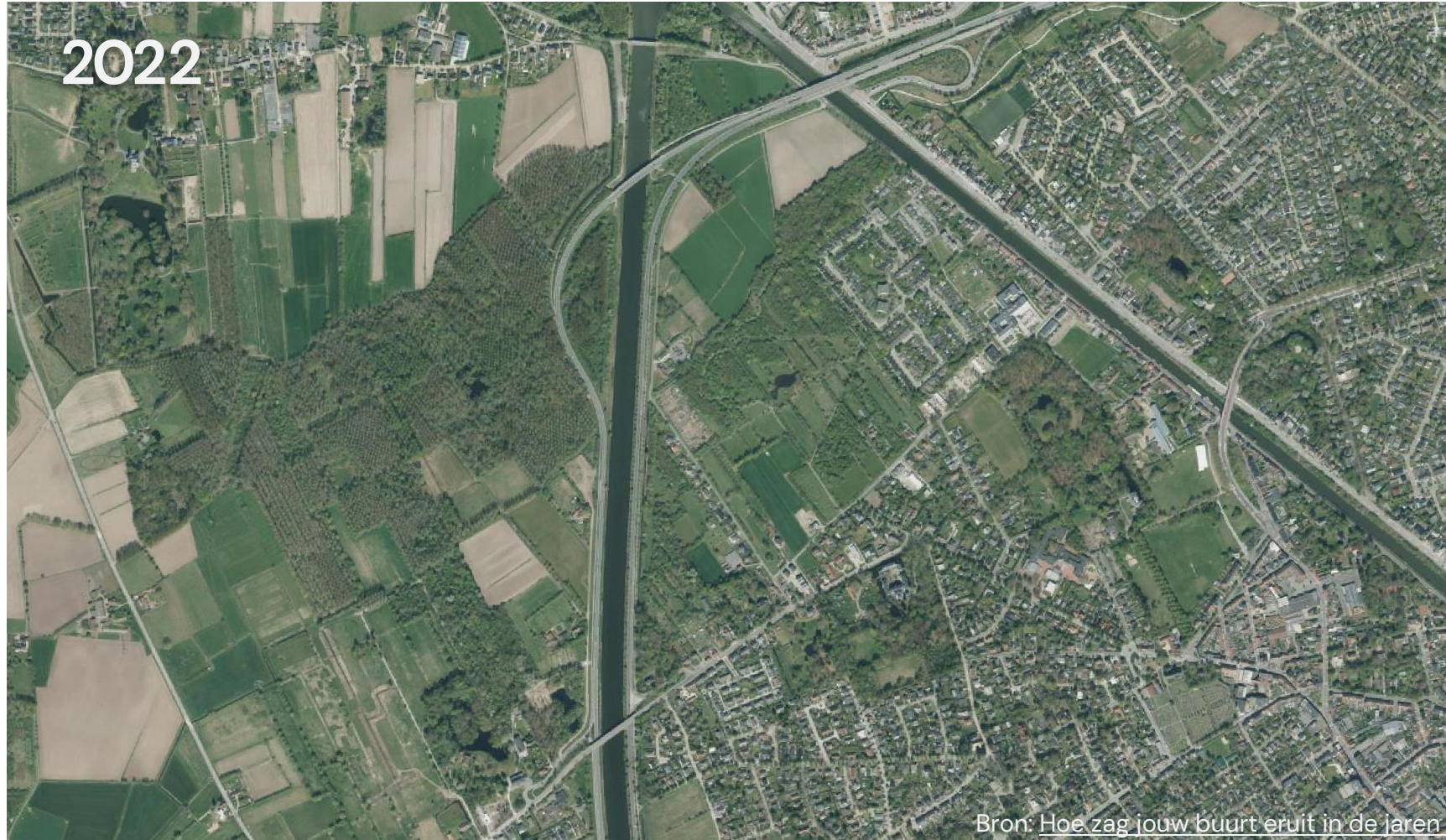


ARE ENERGIE

Natuurherstelwet: terugkijken als leidend principe



Natuurherstelwet: terugkijken als leidend principe



Bron: Hoe zag jouw buurt eruit in de jaren 50? | Stad Gent

Natuurherstelwet: terugkijken als leidend principe



Verloren ecosystemen
in de voorbije 70 jaar/historische data
m.b.t. natuur

Hoe omgaan met

- Wijzigingen in landgebruik?
- Klimaatverandering?

NRL obstakel voor meer biodiversiteit?

- Tijdelijke achteruitgang op korte termijn om vooruitgang op lange termijn te realiseren?
- Compensatie in een ander gebied?

Artikel 3. Definities

Definities: wettekst versus impactanalyse

Article 3 Definitions

The following definitions apply:

- (1) 'ecosystem' means a dynamic complex of plant, animal, and microorganism communities and their non-living environment, interacting as a functional unit, and includes habitat types, habitats of species and species populations;
- (2) 'habitat of a species' means an environment defined by specific abiotic and biotic factors, in which the species lives at any stage of its biological cycle;
- (3) 'restoration' means the process of actively or passively assisting the recovery of an ecosystem towards or to good condition, of a habitat type to the highest level of condition attainable and to its favourable reference area, of a habitat of a species to a sufficient quality and quantity, or of species populations to satisfactory levels, as a means of conserving or enhancing biodiversity and ecosystem resilience;
- (4) 'good condition' means a state where the key characteristics of an ecosystem, namely its physical, chemical, compositional, structural and functional state, and its landscape and seascape characteristics, reflect the high level of ecological integrity, stability and resilience necessary to ensure its long-term maintenance;
- (5) 'favourable reference area' means the total area of a habitat type in a given biogeographical region or marine region at national level that is considered the minimum necessary to ensure the long-term viability of the habitat type and its species, and all its significant ecological variations in its natural range, and which is composed of the area of the habitat type and, if that area is not sufficient, the area necessary for the re-establishment of the habitat type;

Term	Meaning or definition
Restoration	Restoration is the process of actively or passively assisting the recovery of an ecosystem towards or to good condition, of a habitat type to the highest level of condition attainable and to its favourable reference area, of a habitat of a species to a sufficient quality and quantity or of species populations to satisfactory levels, as a means of conserving or enhancing biodiversity and ecosystem resilience. - Restoration is thereby considered the <u>activity</u> (which includes both active and passive restoration measures). - Recovery is thereby considered the <u>outcome</u> sought or achieved through restoration. Full recovery is defined as the condition whereby, following restoration, all key ecosystem attributes closely resemble those of the reference condition (=good condition) Ecosystem restoration includes measures taken for the improvement of the condition of an ecosystem but also the re-establishment (also referred to as 're-creation') of an ecosystem where it was lost as well as measures to improve connectivity of ecosystems. Active/passive restoration: - Passive restoration eliminates the factors of degradation and disturbance and permits natural regeneration of the ecosystem. - Active restoration eliminates the source of degradation and disturbance of an ecosystem and implements measures to accelerate its recovery and to overcome obstacles to that recovery.

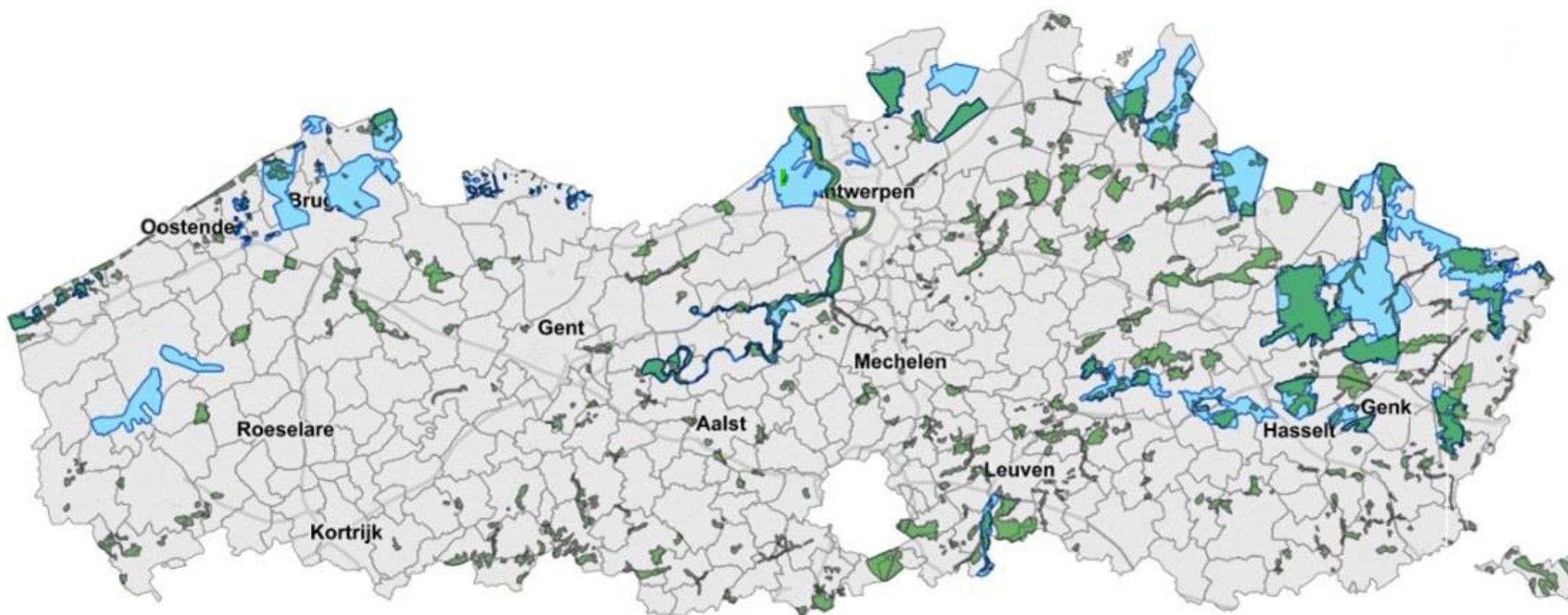
- Vaag ⇒ voor interpretatie vatbaar ⇒ juridische onzekerheid
- Compensatie moet mogelijk gemaakt worden door nieuwe biodiversiteit op andere plaatsen
- Amendementen: nog steeds onduidelijkheid en onzekerheid

Artikel 4.

Terrestrische, kust- en zoetwaterecosystemen

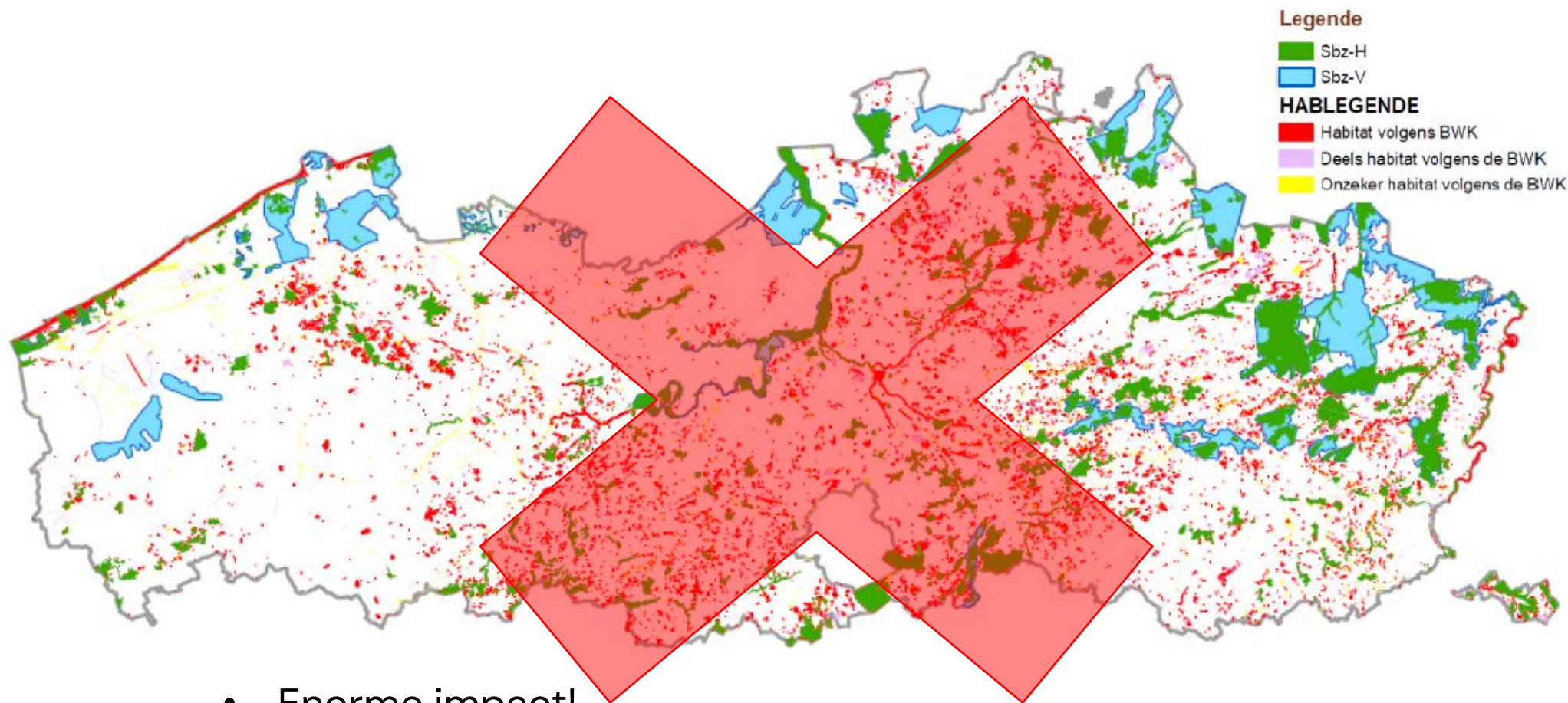
Nu: Natura 2000

Habitat
Vogel



Bestaande situatie is met de stikstofcrisis al problematisch!

NRL: Natura 2000 + gebieden buiten Natura 2000



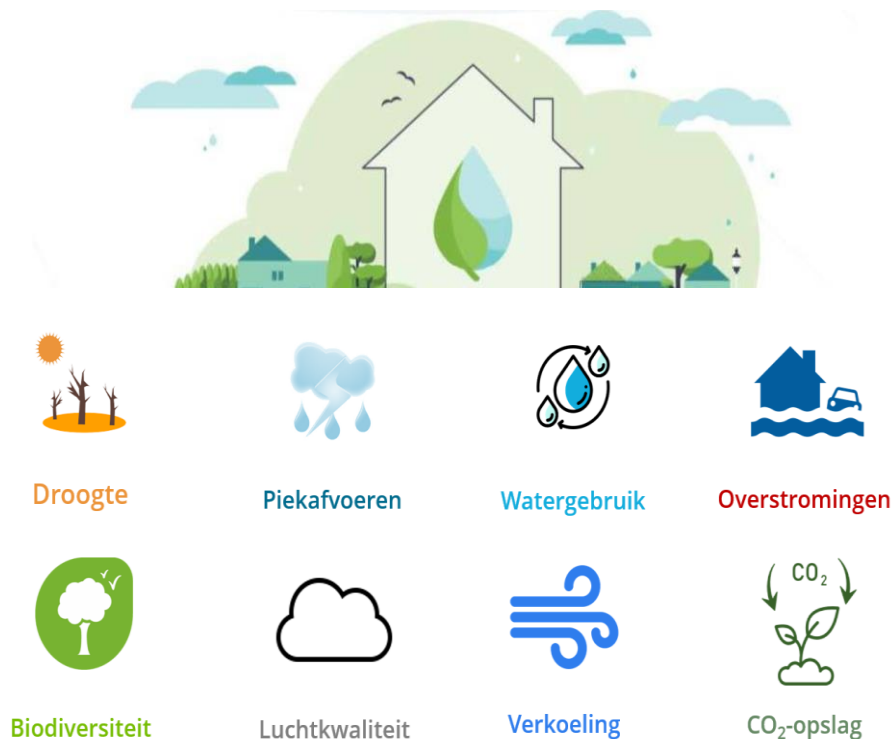
- Enorme impact!
- Amendement: rekening houden met socio-economische impact (één van de vijf aspecten)
- Amendement: uitzondering projecten openbaar belang – woningen?



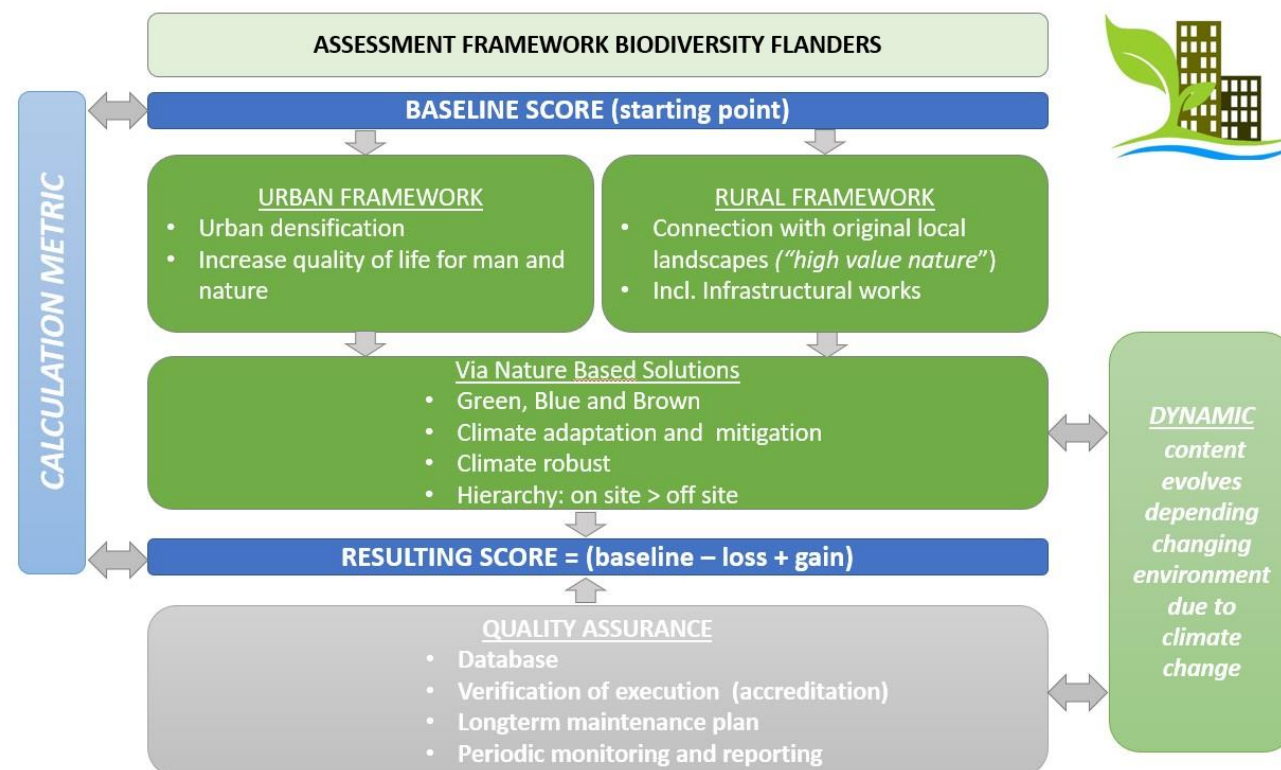
Artikel 6.

Stedelijke ecosystemen

Stedelijke ecosystemen: lopende initiatieven lidstaten



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Stedelijke ecosystemen

Text proposed by the Commission

1. Member States shall ensure that there is no net loss of urban green space, and of urban tree canopy cover by 2030, compared to 2021, in all cities and in towns and suburbs.

Amendment

1. Member States shall ensure that there is no net loss of urban green *and blue* space, and *no net loss* of urban tree canopy cover, by 2030, compared to 2021, in all cities and in towns and suburbs.

For the implementation of this paragraph, Member States may decide in the national restoration plan to group contiguous cities, towns and suburbs.

*By [1 year after entry into force of this Regulation], the Commission, in cooperation with the Member States, shall adopt a **delegated act** to supplement this Regulation by setting a minimum level of urban green and blue space and minimum level of urban tree canopy cover beyond which an exemption from the obligation of no net loss of urban green and blue space and of urban tree canopy cover from that minimum level may be applied.*

2c. By [insert date 2 years after this Regulation enters into force], Member States shall ensure that all cities and towns and suburbs with more than 20 000 inhabitants adopt urban plans on urban green and blue space which may be

integrated into existing urban planning tools.

The Commission may adopt implementing acts to establish standardised templates for the urban plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).

2d. Member States shall ensure cooperation with the local and regional authorities in the implementation of the obligations set out in this Article.

- Groeperen van steden maakt compensatie mogelijk
- Kader voor tijdelijke natuur ?
- Delegated acts & templates for urban plans
- Inbreuk op subsidiariteit ? Lidstaten dienen dit bij de regionale en lokale overheden af te dwingen.

Artikel 7.

Natuurlijke verbindingen van rivieren ...

Rivieren

Article 7

Restoration of the natural connectivity of rivers and natural functions of the related floodplains

1. Member States shall make an inventory of barriers to longitudinal and lateral connectivity of surface waters and 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 barriers to longitudinal and lateral connectivity of surface waters** identified under paragraph 1 of this Article, in accordance with the plan for their removal referred to in Article 12(2), point (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 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.**

Relatie met waterhuishouding en infrastructuurwerken ?
Link met duurzame logistiek en modal shift ?



Artikel 11.

**Vorbereiding nationale
herstelplannen**

Vorbereiding nationale herstelplannen

- (a) for each habitat type:
 - (i) the total habitat area and a map of its current distribution;
 - (ii) the habitat area not in good condition;
 - (iii) the favourable reference area taking into account the documented losses over at least the last 70 years and the projected changes to environmental conditions due to climate change;
 - (iv) the areas most suitable for the re-establishment of habitat types in view of ongoing and projected changes to environmental conditions due to climate change;

- Back to the '50? ≠ landgebruik ≠ klimaat
- Amendement: historische data ⇒ hoe interpreteren?
- Juridische (on)zekerheid voor burgers en bedrijven?



Delegatie aan de Europese Commissie

Delegatie aan de Europese Commissie

Text proposed by the Commission

Amendment

2a. Member States shall put in place measures to ensure reduction of light pollution by 2030. The Commission shall adopt guidelines on measures to reduce light pollution.

2b. The Commission shall adopt delegated acts in accordance with Article 20 to establish methods for the monitoring of urban green and blue spaces and urban tree canopy cover.

The Commission shall adopt delegated acts in accordance with Article 20 to establish methods and indicators for the monitoring of urban biodiversity.

2c. By [insert date 2 years after this Regulation enters into force], Member States shall ensure that all cities and towns and suburbs with more than 20 000 inhabitants adopt urban plans on urban green and blue space which may be

Text proposed by the Commission

The Commission may adopt implementing acts to:

(a) specify the methods for monitoring the indicators for agricultural ecosystems listed in Annex IV;

(b) specify the methods for monitoring the indicators for forest ecosystems listed in Annex VI;

(c) develop a framework for setting the satisfactory levels referred to in Article 11(3).

Such implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).

Amendment

The Commission may adopt delegated acts in accordance with Article 20 by 30 months after the entry into force of this Regulation to:

(a) specify the methods for monitoring the indicators for agricultural ecosystems listed in Annex IV;

(b) specify the methods for monitoring the indicators for forest ecosystems listed in Annex VI;

(ba) specify the conduct and methods of the monitoring referred to in Article 12(2), point (h).

The Commission shall, adopt delegated acts in accordance with Article 20 by [30 months after the entry into force of this Regulation] to

(c) develop a framework for setting the satisfactory levels referred to in Article 11(3).

In preparing those delegated acts, the Commission shall take into account the varying physiographic and environmental characteristics of Member States.

- Niet-essentieel onderdeel van regelgeving?
- Inmenging in bevoegdheden lidstaten?
- Procedure met openbare raadpleging?

Impact assessment

Impact assessment onvoldoende

What are the costs of the preferred option (if any, otherwise of main ones)?

The main costs will stem from the restoration of ecosystems and their maintenance. Some costs may occur due to foregone incomes, such as to farmers, forest owners or fishers, while transitioning to more sustainable practices; these costs could be partially or totally covered under EU and other sources funding. The preferred option also entails administrative costs to develop common monitoring systems, to develop and implement national restoration plans, to check progress. Costs would occur at both Member State and EU level.

- Impact op bouw, betaalbaar wonen, industrie?
- Kostprijs van transitie ?
- Kostprijs sluiting ondernemingen (geen vergunning meer) ?

Conclusie

Conclusie



YES

- Meer natuur, meer biodiversiteit, meer bestuivers
- Focus op doelstellingen



NO

- Ingewikkelde en vage wetteksten
- Algemene en juridische onzekerheid
- Betutteling van lidstaten door overdreven detailniveau
- Weinig tot geen aandacht voor specifieke situatie lidstaten/regio's
- Geen flexibiliteit
- Focus op het verleden i.p.v. op de toekomst
- Geen oog voor bestaande initiatieven
- Geen of onvoldoende afstemming met andere initiatieven (betaalbaar wonen, water management, duurzame mobiliteit, groene energie)

Contact



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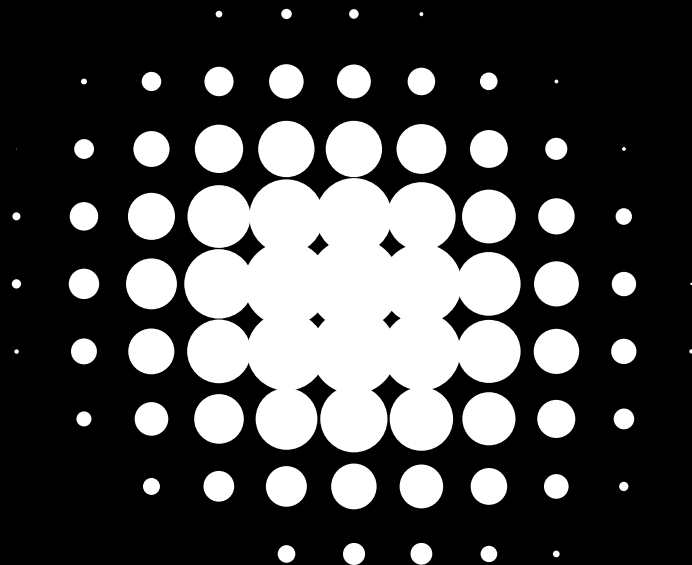
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