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Nature Restoration Law – state of play

- Progress to date
- Elements of the legislation
- An overarching goal
- Ecosystem-specific targets
- Policy options
- Timeline

Progress to date

- Four **consultation workshops** with Member States and stakeholders: (1) Main options and MS restoration activities; (2) ecosystem-specific restoration targets; (3) an overarching goal and definitions; and (4) enabling measures, National Restoration Plans and non-deterioration.
- The **Open Public Consultation** on nature restoration targets received over 111,000 responses.
- A range of possible targets were sent to the contractor for the **impact assessment study**. Thematic impact assessments carried out for the main ecosystem types, and overall options.
- Main ecosystem types: **Inland and Coastal Wetlands, Forests, Agro-habitats and Grasslands, Heathland & scrub, Rivers, lakes and alluvial habitats, Marine ecosystems, Urban, and Soils; and Pollinators** as specific species target.
- Draft Impact Assessment submitted to the **Regulatory Scrutiny Board**.

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Elements of the proposed legislation

...address broad coverage and urgency to act...

STEP 1: things that can be done now

- a) Definitions.
- b) Overarching target for ecosystem restoration.
- c) Specific targets for ecosystems for which data and monitoring mechanisms are available.
- d) Requirements to monitor ecosystems for which data and monitoring mechanisms are not yet fully developed, and establishment of process for developing a methodology for assessing the condition of these ecosystems, allowing for a later setting of baselines and targets.
- e) Implementation requirements, enabling measures and national restoration plans.

STEP 2: things that can only be done a later stage

- a) Set baselines and targets for ecosystems covered by Step 1d).

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2-step approach

Two-step approach for specific targets

	Overall	For ecosystems for which data and monitoring mechanisms are already available ¹	For ecosystems for which data and monitoring mechanisms are not yet fully developed
Step 1: now	<ul style="list-style-type: none">• Provide definitions.• Set an overarching target for nature restoration.• Set implementation requirements including national restoration plans	Set obligation to reach specific targets for which monitoring mechanisms are already available	Develop and/or implement indicators, monitoring mechanism and methodology to assess condition of those ecosystems
Step 2: later			Set baselines and set further specific targets

¹ Primarily corresponding to those that build on and complement the BHD, WFD and MSFD, as well as some of those mentioned in the BDS2030.

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Some Definitions...

Ecosystem restoration is the process of assisting the recovery of an ecosystem to good condition as a means of conserving biodiversity and ecosystem resilience.

- **Restoration** is thereby considered the activity (which includes both active and passive restoration).
- **Recovery** is the outcome sought or achieved through restoration.

Need to be mindful of different rates at which ecosystems can recover. Eg. Marine many decades

Good ecosystem condition means that the ecosystem is in good physical, chemical and biological condition or of a good physical, chemical and biological quality with self-reproduction or self-restoration capability, in which species composition, ecosystem structure and ecological functions are not impaired.

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An overarching goal

- Proposal: **By 2050, ecosystems in the EU are restored to and maintained in good condition**
- Achievement of this overarching goal will also be supported by existing legislation as well as policy measures described in the BDS2030.

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Ecosystem-specific targets in first step

- Targets for **groups of habitats linked to HD Annex I** could cover: **inland and coastal wetlands; forests; agricultural habitats and grasslands; heathland and scrub; rivers, lakes and alluvial habitats.**
- Several targets of the form: Restore HD Annex I habitat areas to good condition, with all restoration measures completed on x% of degraded areas by 2030, y% by 2040 and z% by 2050.
- Note that these targets are more than restoring inside protected areas, since they addresses **Annex I habitats both inside and outside the Natura 2000 network** of protected areas.
- **“Recreation targets”** would include the **conversion of non-Annex I habitats** back to Annex I habitats (e.g. converting a grassland back into a wetland).
- EEA calculations: Annex I related restoration covers between 165 640 and 475 084 km² on land (4-12% of the terrestrial EU area, at least the area of Greece & Belgium together); recreation would cover a minimum of 10 300 km² on land.
- In addition to the above, considerations are ongoing for **targets beyond HD Annex I**:
 - **Marine target** on restoration measures for a set of specific habitats to be completed on 15% (or 10%) of the total marine area by 2030; on **farmland birds and other protected species**; as well as on **pollinators, urban ecosystems** and **soil organic carbon**. For these, indicators, data and baselines are available or would be available by the adoption date or in the near future.

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Further ecosystem specific targets

- Requirement for MS to **develop monitoring frameworks** for a set of indicators for ecosystem conditions not covered by existing legislation that would lay the basis for setting additional restoration targets at a later stage.
- Enable further targets on: **forests not covered by Annex I, free flowing rivers; specific marine species; further targets on soils; or others not yet defined.**
- For these, we set up **EU wide methodology**, building on MAES, to develop indicators, monitoring mechanisms, and later establish baselines and thresholds for possible future targets.
- These targets would be adopted in **the second step** probably through a future revision of the legislation.

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Synergies

Complementarity and synergy that address gaps:

- Time bound targets for HD. WFD addressing aspects not covered and integrated approach to riverine systems. MSFD allowing fine grained level specifications to target restoration of specific habitats.
- Proper coverage of broad range of ecosystems including non-Annex I habitats, and specifically, forests, soils, pollinators.
- Help accelerate implementation of HD, WFD, MSFD Directives.

There are clear benefits of almost all these targets for **climate change mitigation/adaptation** and impact reduction of natural disasters/extreme events.

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Enabling Measures and Non deterioration

- Prescriptions for enabling measures in **National Restoration Plans** to be developed by Member States: mapping, condition assessment of ecosystems, prioritisation, measures, financing (EU, MS, public private), stakeholder participation and addressing stakeholder needs.
- Development of **EU wide methodology** (MS and Commission Guidance).
- **Commission to review NRPs and assess progress on periodic basis to 2050**. Provide further specifications/guidelines as needed.
- Approach on how to address **non-deterioration** of ecosystems. For example for terrestrial based on three regimes (Annex I within N2000, Annex I outside N2000, and beyond any protection) and possibly establishing additional duties in the nature restoration law. For terrestrial, three “regimes” (a. Annex I within N2000, b. Annex I outside N2000, and c. beyond any protection). Possible duties in the nature restoration law.

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Policy options for Impact Assessment

- **Policy option 1: Baseline scenario**, which assumes the implementation of the BDS2030 but with the exception of the legally binding restoration targets.
- **Policy option 2: Overarching goal**, including requirements for national restoration plans, non-deterioration and MS level.
- **Policy option 3: Specific targets** for ecosystems, habitats and species, including requirements for National Restoration Plans, non-deterioration and process to develop an EU-wide methodology for assessing the condition of further ecosystems.
 - This builds on thematic impacts assessments for each of the main ecosystem types.
- **Policy option 4: Combination** of an overarching goal and specific targets.

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In summary...the preferred option

In the preferred option the Nature Restoration Law would have the goal of ensuring that by 2050 ecosystems in the EU would be restored, and would:

- Establish a number of ecosystem specific targets across a broad range of ecosystems.
- Make use of a two-step approach that establishes ecosystem specific targets for which sufficient information is available now, and establish a process to establish further targets at a later stage.
- Complement and synergise with relevant existing legislation (BHS, WFD, MSFD, LULUCF).
- Outline the elements of National Restoration Plans that Member States would develop to achieve the targets and report on progress. The Commission will evaluate the plans and check on their delivery on a periodic basis.
- Provide additional specifications or guidelines to the law would be developed as needed.
- Ensure a fair and cross-society approach that will involve citizens and stakeholders in decision making and restoration activities and assist those potentially affected by change.
- Overall restoration costs and other costs met through a number of sources at EU level, at MS level and through public/private financing.

....Paves the way to ensure that by 2050 ecosystems in the EU are restored and maintained....

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Timeline

- Mid-July: Meeting with the **Regulatory Scrutiny Board** on the Impact Assessment
- July-November: drafting of the legal proposal, further stakeholder consultations, finalising the Staff Working Document
- Working towards adoption of proposal for end 2021.

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Thank you for your attention

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