

The habitat-based approach

A new species policy

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1 Species policy and the conservation of biodiversity

1.1 Background

Everywhere, at global, European and national levels, biodiversity is in decline. Despite the protection offered by dedicated legislation, the National Ecological Network and Natura 2000 sites and the implementation of various species protection plans we have not succeeded in bringing the loss of biodiversity to a halt. Work on the National Ecological Network and Natura 2000 sites is still in progress. These efforts will have to make a substantial contribution to the conservation and restoration of many plant and animal species. But for the Netherlands to meet to the commitments made under the Biodiversity Convention, an active species policy within and outside these protected sites remains necessary. We must ensure a favourable conservation status for all rare or endangered species in our country.¹ With the current efforts we are not likely to achieve the commitments targeted for 2010 and 2020.²

1.2 Task Force *Impuls Soortenbeleid*

In a bid to boost up species policy the Task Force *Impuls Soortenbeleid*³ was set up in April 2003. Its remit was to improve cooperation and integration and prevent conflicts between species policy and socio-economic and spatial planning policies and to prevent the possible loss of support for species policy arising from such conflicts.

The implementation of conventional species policies, according to the Taskforce in April 2005, did not do enough to achieve the biodiversity objectives. The responsible parties failed to sufficiently consider species policy in their land use plans or projects. There was a lack of the necessary actors and instruments. The result was that some protected species had declined to an unfavourable state of conservation. It could happen therefore, that a single individual of this species would be reason to stop an entire building project, particularly in projects for which an exemption had not been granted in advance. The care for species and populations therefore, called for community-wide involvement. The Task Force conclusions led to an amendment of the Flora and Fauna Act, as a result of which we can now work with codes of conduct. In addition, a Data Authority would be set up, to facilitate access to data on the prevalence and trends in species populations.

¹ As laid down in Articles 2 and 12 of the Habitats Directive and Article 9 of the Wild Birds Directive. The Netherlands is obliged to ensure a favourable state of conservation for all bird species and many rare or threatened plant and bird species. Under Section 7 of the Flora and Fauna Act, the Netherlands is required to compile a list of endangered species and where required put measures in place to restore their status to favourable levels of conservation, to meet international obligations (like EU directives, the Biodiversity Convention etc.)

² Conference of Parties on Biodiversity, Rio de Janeiro, 1992. Objectives: by 2010 the loss of animal and plant species must have been brought to a halt and by 2020, the conditions must be in place to durably ensure a favourable state of conservation for all species and populations naturally occurring in the Netherlands in 1982.

³ In 2006 the Task Force *Impuls Soortenbeleid* was relieved of their responsibilities. The Task Force included representatives of the Ministries of Agriculture, Transport and Water Management, Housing, Spatial Planning and the Environment, Economic Affairs, representatives of provincial and local authorities and the Association of the Provinces of the Netherlands, Union of Local Authorities, NG, VNO-NCW, building corporations, environmental groups and the Dutch Society for the Protection of Birds. The Council for the Rural Area and the Platform Species Protection Organisations were advisory members.

1.3 The habitat-based approach

The Task Force formulated a widely supported proposal for a habitat-based approach, to replace the then current species policy. With this new approach a number of protected species were grouped according to the type of habitat that supported them.

This made it possible to put a coherent package of measures in place for a whole range of species supported by the same type of habitat.

The focus would shift from the protection of individual species to the protection and maintenance of a whole area with different groups of species for which one protection regime could be drawn up. Around the packages of measures new partnerships could be formed.

This proposal became the basis for the habitat-based approach. For despite the passive protection afforded by the Flora and Fauna Act or the 1998 Nature Conservation Act many species in our country were still finding it difficult to survive. For a number of them proactive measures were badly needed. This is where the habitat-based approach comes in.

1.4 Aim

The aim of the habitat-based approach is to boost the effort to achieve the biodiversity objective by improving the habitats of selected species in a sustainable way through greater involvement of society in the implementation of active species policy.

1.5 Consequences of the new approach

- Central government's responsibility for the implementation of species policy will be devolved to the provincial councils where possible.
- The involvement of various parties in the habitat-based approach makes it possible to establish links with other projects. In this way additional resources could become available for the new policy's implementation on top of the funds already earmarked for it.
- The habitat-based species policy must be taken into account from the very start in any planning and assessment process. This implies that applications for exemptions under Section 75 of the Flora and Fauna Act no longer come at the end of the planning process. And the assessment of such exemptions can take into account the efforts and agreements already made.

1.6 Preconditions for the new approach

- The provincial councils will make an effort to ensure a favourable state of conservation for specific species. Agreements will be put in writing (preferably as part of the Rural Investment Budget).
- The provincial councils will involve various parties in the implementation of the new approach. Species protection organisations, site managers as well as water control boards, the industrial sector, municipal councils.
- The provincial councils will coordinate measures and match them to national ambitions and objectives.

2 The habitat-based approach

2.1 From individual species protection to an integrated approach.

The new approach focuses on groups of protected species in their habitat rather than on individual species, as was the practice. The single species policy did not always prove effective. The new habitat-based approach is about a protection regime that benefits a range of species. It is targeted at habitats supporting a number of threatened species which makes it much more effective. The new approach aims to protect some 300 endangered plant and animal species but by protecting habitats rather than single species, many more, less endangered species are likely to benefit as well. For some species however, specific measures will always remain necessary.

2.2 The habitat-based approach and integration into other policy

The species protection plans carried out so far were independent projects with only tentative links to other activities in the rural area. Under the new approach an effort is made to find links with other projects, like land use plans and redevelopment plans. In this way species protection becomes part of area-specific policy.

Activities intended to maintain or strengthen a population may follow naturally from the activities carried out in the context of projects dedicated to other causes. A pro-active attitude will further the integration of the habitat-based approach into many other policies and projects planned for the rural area.

2.3 A redistribution of responsibilities

The responsibility for species policy always rested with central or provincial authorities in close collaboration with organisations dedicated to species protection and site management. Under the habitat-based approach we see a shift in the division of responsibilities. With a view to the coming into force of the Rural Areas Development Act and its associated Rural Investment Budget it is only natural that provincial authorities should be given a more central role in species protection. They are in the position to identify and mobilise the parties that could be involved in planning and implementing the habitat-based approach. Parties like water boards, municipal councils, site managers, species protection organisations farmers and developers. They do not yet feel sufficient co-responsibility for the protection of species. But for each habitat a whole range of measures and agreements can be put in place in which these parties could be involved. In this way, the interests of planning strategy and species protection could be combined.

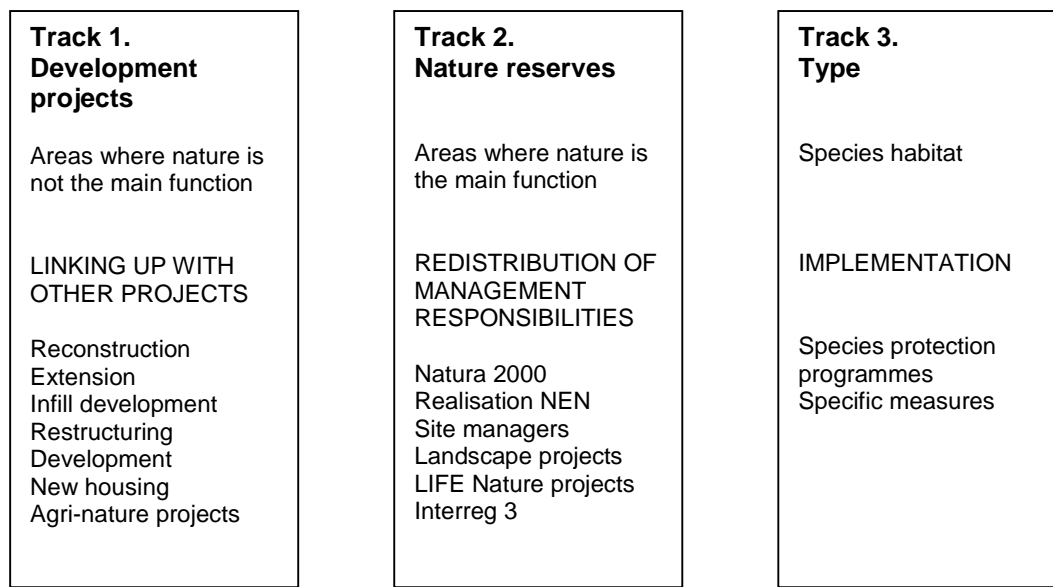
The implementation of the new approach does not bring about changes in the demarcation of nature reserves. It means that species policy is going to play a more active role in the rural planning and policy process.

3 The habitat-based approach in practice

3.1 The three-track approach.

The habitat-based approach works along three lines:

- A link is sought with other development projects
- A redistribution will take place of management responsibilities
- Specific species protection programmes will be implemented where necessary.



Track 1: Linking up with other development projects.

An effort is made to find links with other projects that are not immediately related to nature. Initiatives like land use plans, redevelopment and urban extension plans, projects to do with the creation of water retention areas, redirecting water courses, and creating room for the river. Such initiatives are typically derived from infrastructure studies, location studies and accessibility studies. The area concerned however may be interesting as potential habitat for endangered species. There are rules and regulations in place (the Flora and Fauna Act, the Nature Conservation Act, the National Spatial Strategy and the policy document on the National Ecological Network) to minimise or compensate a project's negative effects on nature values, to prevent an area's state of conservation from being compromised. These rules and regulations cannot be considered 'active species protection' as they merely provide for a status quo.

The linking up effort intends to go further. The measures put forward under this approach should contribute to the restoration of a favourable state of conservation. In big projects the effects of the measures may only become visible at a later stage but they will cover wider areas and therefore be of considerable greater value to the species concerned. An example is the creation of a rocky substrate in the IJsselmeer as a habitat for the bullhead (*Cottus perifretum*).

Track 2: A redistribution of management responsibilities

This line is to do with the development of areas where nature is the main function. Such areas include nature reserves of the Netherlands Society for Nature and Environment, Natura 2000 sites, parts of the National Ecological Network, nature redevelopment areas, new nature created by the Government Service for Land and Water Management. Areas managed with a view to the conservation of nature values. The conservation effort in these areas is targeted at species which do not necessarily coincide with the species on our national species list that may also be found in the area concerned. Often the management regime in place offers scope for the protection of these listed species. Sometimes there are opportunities to introduce additional measures for their protection or even for the protection of additional species. Then there is a chance to upgrade the regime in place with additional funds.

The Ministry will identify the species on our national list that may benefit from a protection regime in these nature reserves and see what additional measures or adaptations may be necessary to create the best suitable habitat for them.

Track 3: Implementation of specific species protection programmes.

This approach is akin to traditional species policy but is aimed at the most promising habitats for as many species as possible. If possible the track is broadened to include other partners to create maximum impact. Possible projects include: restoration projects, regional and local initiatives often launched by species protection organisations, landscape management organisations, volunteers, working groups etc. Measures under single species protection plans may be scaled up in this way to benefit groups of species.

3.2 A shift in focus

The focus of active species policy is thus shifted from specific species to potential habitats for a range of species in areas where land use projects are planned and where species protection measures can be included in the planning process. The first two tracks: linking up with other development projects and redistributing management responsibilities. The third track, implementing specific species protection programmes, is used for species for which specific protection measures are still required.

3.3 The selection of species⁴

Nature policy in the Netherlands aims to durably ensure a favourable state of conservation for all species and populations naturally occurring in the Netherlands in 1982, some 40,000 species in all. The Red Lists puts these native species in separate categories ranging from 'not endangered' to 'critically endangered' or even 'extinct'. The habitat-based approach targets the species categorised as 'endangered' and 'critically endangered'. Sometimes the species in the category 'vulnerable' are also included.

The habitat-based approach also targets species protected under the Flora and Fauna Act. These are the species listed in Annex IV to the Habitat Directive and the species in

⁴ Different lists circulate in nature policy circles. They will be looked at during the evaluation of the Flora and Fauna Act planned for 2006/2007.

Annex 1 to the *Besluit vrijstelling beschermde dier- en plantensoorten*. These species do not always coincide with the 'vulnerable', 'endangered' and 'critically endangered' species on the Red Lists. Although some of the species under a protection regime like badger, natterjack and a number of bat species are not endangered in the Netherlands, they will be put on the species list, because they are among the species that require EU-wide protection and the Netherlands has committed itself to this. For those starting a project the habitat-based approach makes it easier to go through an exemption procedure for these species under the Flora and Fauna Act.

Strictly speaking, the habitat-based approach focuses on some 300 species. Earlier projects and some pilots have shown that less threatened species also reap the benefits. The Red List is established every seven years and may be amended after a mid-term review, prior to the start of the establishment of a new rural investment budget. Red List amendments are made in consultation with the provincial authorities, site managers and species protection organisations involved.⁵

3.4 The central role of provincial authorities

The provincial authorities will be responsible for the implementation of national active species policy. The redistribution of management responsibilities requires a tailor-made approach and provincial authorities have their ear close to the ground. They know what development projects are being planned in their province and what parties might have a role to play in species protection. In this way they can ensure all stakeholders are involved in the early stages of the planning process. They could, for instance, approach the industrial sector, which always played a marginal role and draw them in. Provincial authorities are eminently placed to encourage and realise the integration of species protection in other projects. The commitment of provincial authorities is a precondition for the new approach.

Provincial councils will make an effort to ensure a favourable state of conservation for specific species. If they need a better understanding of specific species or the required protection measures they can make use of the expertise of other parties, like site managers or organisations dedicated to species protection.

⁵ Obviously provincial authorities or other initiative takers are free to also protect species on the list categorised as vulnerable or susceptible. Many species could benefit from the protective regime aimed at the project's target species.

4 Implementation of the habitat-based approach

4.1 From central to provincial authorities

The Netherlands is obliged to durably ensure a favourable state of conservation for all listed plant and bird species. In consultation with provincial authorities and other policy partners the Ministry of Agriculture will redistribute the responsibilities for our national commitments. In this way, a clear division of responsibilities is ensured. What has been agreed will be laid down in 12 provincial species protection plans. These plans will be based on the following points:

- The province must have the required potential habitats and species within its borders;
- It must be able to put a protection regime in place in accordance with the three-track approach;
- It is responsible for the type of measures put in place and bears the costs;
- There will always remain species for which a central protection regime is more appropriate.

A provincial species protection plan will have to be agreed by central and provincial authorities. It should give a description of the species policy commitments and how they will be realised.

4.2 Devolution where possible, centralisation where necessary

Long-term agreements can be laid down under the Rural Investment Budget. The provincial authorities are accountable to central government for the implementation of the plan, details of which are laid down in work agreements. Progress reports will document the ongoing project and provide the arguments for any changes in execution.

Provincial authorities are not allocated the entire budget for species policy. Central government has earmarked a small part of the budget for the preservation of non-listed species and to set up a fund for unforeseen calamities the costs of which cannot be passed on to the provinces.

4.3 Habitat expertise

The habitat-based approach is a new policy that can be implemented in various ways. As a result, quite a number of questions may be raised, the answers to which may require specialist knowledge. It is important therefore that the Government sets up a body of experts to address these questions and provide guidance. This will promote the sound implementation of plans, which in turn will increase public support. Experts may be recruited from existing networks like the *Overlevingsplan Bos en Natuur* network.

4.4 Monitoring

The effects of the new policy approach on the conservation of biodiversity need to be measured. To this end a monitoring programme should be set up. The Data Authority will look at existing monitoring networks and assess the need for additional monitoring

programmes or reviews. The monitoring results will be laid down in a report and could be sent to Brussels. The results may be reason to intensify the habitat-based policy.