How can we make the Water Framework Directive and the Birds and Habitats Directives work together?
Natura 2000 Biogeographical Process Thematic Networking Event
Follow up from the Continental/Pannonian/Steppic and Black Sea Kick-off Seminar in Luxembourg June/July 2015

Objectives
A workshop on effective integration of water and nature policies was suggested at the Kick-off Seminar for the Continental, Pannonian, Steppic and Black Sea Regions. It was concluded in the wetlands discussion group that a meeting on intersectorial integration of nature conservation into water management would help to better manage water dependent Natura 2000 habitats.

Thus, this Natura 2000 management seminar gathered sixteen participants from nine different countries, among them both nature conservation representatives and water management experts who came together to brainstorm solutions to policy misalignment.

Introduction
Following an introduction and introductory presentations by Ms Zolyomi from CEEweb for Biodiversity and Mr Civic from ECNC, Mr Rehklau from the Bavarian Environmental Agency presented Bavaria’s experience in integrating the three policies.

Group work
After the presentations, participants were split into four smaller groups in order to discuss how to make the Water Framework Directive (WFD) and the Nature Directives work together. Two groups discussed the convergences between the three policies and focused on opportunities (“Synergies Group” 1 and 2) and two groups focused on divergences and problems in synchronizing the three policies (Barriers Group 3 and 4).

After hearing back from all groups, exchanging brainstorming ideas and reporting back to the plenary, we identified four recurring themes which participants then volunteered to discuss. The four themes included:

1. How to get the water authorities and nature authorities to speak a common language?
2. How to ensure implementation and proper land use?

This event has been organised with the financial support of Michael Otto Foundation for Environmental Protection and the European Commission.
3. How to talk to stakeholders?
4. How to solve technical difficulties such as e.g. reporting requirements?

The four groups then presented their brainstorming results back to the plenary.

After the workshop, all participants had the possibility to comment on the workshop notes and contribute further ideas to the discussion online. After the discussion ceased, present report was compiled.

**Outcomes**

Participants left the workshop with the main message that the Water Framework Directive and the Nature Directives can be seen to have common goals and the potential to be implemented jointly and in a mutually supporting manner. Favourable Conservation Status of Natura 2000 species and habitats can be related to Good Ecological Status of water bodies and hydro-morphological and water quality under the WFD. Art. 10 of the Habitats Directive has its parallel under the WFD in the form of Ecological Continuity. Joint monitoring of selected species under both the WFD and the Nature Directives is already carried out in some Members States to save resources and improve intersectorial collaboration. In addition, Natural Water Retention Measures have the potential to integrate the Flood Protection Directive into nature conservation and water management.

However, in order for this to be implemented, the water and nature authorities need to put more effort into cross-sectorial communication and collaboration. As the groups focusing on barriers noticed, there is a lack of communication, consultation of decisions, lack of mutual understanding and cooperation between the sectors. Separate institutions and often terminologies have been reinforcing this divide for the past few decades.

**Recommendations**

Participants to the workshop agreed that facilitating more intersectorial dialogue and cooperation is crucial to bring out the synergies between the policies. Guidance, study tours and fieldtrips, workshops and informal events can all be helpful tools in channeling the knowledge of nature conservationists and water managers towards sustainable water and nature management.

It was specified that guidance on “How to use WFD tools for nature conservation and how to input nature conservation to river basin management and flood defense” including the following aspects would be useful:

- How to formulate conservation objectives to have it properly reflected in River Basin Management Plans (RBMPs)?
- What elements of RBMPs have the most influence on nature?
- Nature conservation in Programme of Measures.
- Water species and habitats with the context of ecological status
- Significance of hydromorphology.
- How to interpret and use Art. 4.7 (derogation) and how to use it against destructive investments?

---

*This event has been organised with the financial support of Michael Otto Foundation for Environmental Protection and the European Commission.*
Ultimately, common planning, decision-making and financial resources for joint management will be crucial in implementing the Nature Directives and the Water Framework Directive in a mutually supportive manner.

In order to read the full report and review workshop results, please visit the [event’s website](#).

**Results from the Luxembourg Seminar, Mr Kristijan Civic**

Following the introductory presentation, Mr Civic further introduced the Natura 2000 Biogeographical Process and the Natura 2000 Communication Platform. Mr Civic presented the results of the Kick-off seminar for the Continental, Pannonian, Steppic and Black Sea Regions which took place in Luxembourg this year. He noted that the four Regions face many common issues, yet, despite the obvious need to do so, developing integrated approaches remains a challenge.

**Integrating the WFD with the BHDs – Examples from Bavaria**

By Mr Werner Rehklau, Bavarian Environment Agency Unit Natura 2000

Bavaria could be called „the land of rivers and lakes”: 80% of its Natura 2000 sites are water dependent. The Bavarian approach towards integrating the WFD with the BHDs includes theoretical, scientific, strategic and practical activities, each of which is jointly implemented by different sectorial authorities. Activities to foster joint implementation include peer exchanges, combined monitoring, integrating measures and objectives in BHDs management plans or WFDs river basin management plans (RBMP) and integrated planning on regional or local level.

An ECONAT peer exchange was organised to work out requirements and measures for the joint implementation of BHD/WFD. Results were e.g. proposals for management planning in water-dependent Natura 2000 sites and for water bodies in RBMP integrating BHD objectives, working to combine the „cultures” of the different administrations and finally putting together human and financial resources.

In terms of monitoring activities, common monitoring for fish species was already done in the Art. 17 report for 2013. Some additional plots for Natura 2000 species not present in WFD’s water bodies have also been monitored. The Monitoring of river habitat types was also carried out by using some available data from the WFD monitoring. The integration of WFD data of lake monitoring into the Natura 2000 monitoring is recently in process and will be applied in the 2019 report.
ntegrating Natura 2000 objectives and measures into RBMP begins with the selection of water dependent Natura 2000 sites and within them, the habitats and species related to WFD water bodies. The Natura 2000 objectives then need to be „translated” into WFD’s hydromorphological objectives and measures. Selected objectives should be integrated into RBMPs and each water body should have an implementation scheme.

Integrated planning on the regional or local level is possible when the Natura 2000 site and the WFD water body predominantly overlap and water dependent habitats and species are listed in the Standard Data Form. Common objectives must be achieved jointly by the conservation and water management authorities who should make an explicit decision to work together. The procedure of integrated planning involves coordination by one partner, separate funding yet join tendering, different requirements yet one joint plan as well as effort put into stakeholder involvement, conflict minimisation, facilitation of permission procedures and money saving.

Workshop Group Session Results

Synergies Group 1

- Appropriate implementation of WFD and BHDs \(\rightarrow\) reinforce their objectives
- DG Environment bringing together water and nature and marine directors from MSs
- Joint monitoring of selected species (WFD-HD-BD) \(\rightarrow\) saving money, resources etc.
- Water/Nature conservation Authorities jointly approach stakeholders and each other!
- Common objectives are existing, e.g. improving of ecological status of water bodies, including hydro-morphological and water quality
- Integration of Natura 2000 and WFD into RBMPs and EIAs, Appropriate Assessment (AA) according to HD/BD
- Improving natural retention capacity (also supporting implementation of Flood Protection Directive)

Synergies Group 2

<table>
<thead>
<tr>
<th>What?</th>
<th>General similarity of the objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Art 10 of the HD – Ecological Continuity under the WFD</td>
</tr>
</tbody>
</table>

This event has been organised with the financial support of Michael Otto Foundation for Environmental Protection and the European Commission.
**WFD objectives for protected areas (Natura 2000 objectives if established became WFD objectives)**

**How to explore?**
- To have protected area objectives established on time and “transferable” to RBMP language
- Ensure implementation of objectives for Protected Areas (WFD art 4.1c) to WFD RBMP and (!!!) to Programme of Measures
- Ensure implementation of all plans to land management plans (combined Art 10 of HD, WFD measures and flood prevention)
- Maintain natural processes in rivers (as hydromorphological processes, floods) and traditional land use in river valleys
- Establish rules of “maintenance works” (minimising artificial input, maximising acceptance for natural river processes) consistent with WFD environmental objectives and Protected Areas needs
- Building public awareness (common, integrated message)

**Who?**
Managers of PAs, environmental authorities, all stakeholders participating in Protected Area management planning – water authorities, authorities responsible for land management plans, local people, activists, general public, media → public awareness, tourists,

**When?**
ASAP, RBMP cycle must be taken into consideration!

### Barriers Group 3

<table>
<thead>
<tr>
<th><strong>Problem</strong></th>
<th><strong>Solutions</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of communication, consultations, understanding, cooperation of sectors (strategies, water and nature conservation), division into sectors, knowledge differences / deficiencies - terminology</td>
<td>The EU should put in bigger effort and put together a financial tool for integration</td>
</tr>
<tr>
<td>Land issues (land consolidation – funds, difficult communication with landowners, shaky land-use planning)</td>
<td>Need for more communication, guidance</td>
</tr>
<tr>
<td>Lack of nature-friendly measures implementation (technical measures and expensive investments win, without ES calculations while natural measures are much cheaper)</td>
<td>Need for more control in countries if they include other sectors</td>
</tr>
<tr>
<td>Possibility for different interpretation of the WFD differently by different parties</td>
<td>Need to have common guidelines and best practice examples</td>
</tr>
<tr>
<td>Division into 2 sectors and different institutions</td>
<td>Take care of the technical properties of large investments</td>
</tr>
<tr>
<td>The cost of protecting Natura 2000 (reaching or maintaining FCS)</td>
<td>Implement cheaper and nature-friendly green solutions</td>
</tr>
<tr>
<td>Lack of knowledge &amp; understanding of</td>
<td>Organise consultations</td>
</tr>
</tbody>
</table>

*This event has been organised with the financial support of Michael Otto Foundation for Environmental Protection and the European Commission.*
| Nature Conservationists regarding water and Water Managers regarding nature conservation | Need to show the benefits of land renting |
|__________________________________________________________|__________________________________________|
| Problems in achieving objectives for Natura 2000 sites through WFD processes and requirements | Need to make available funds – for land buyouts, 5% of OP could be for land buying! |
| Not clear enough formulation of Natura 2000 objectives for the water sector | Programs of measures include Natura 2000 requirements |
| Lack of sufficiently good communication between nature and water managers | Get used to |
| Slow process, papers, permits, change of people, politicians, elections → administrative responsibility | |
| Flood protection consisting in technical solutions → different approaches in solving the impacts of floods | Wide dissemination of good examples of nature-based flood risk management solutions. Public awareness for accepting floods to some extent and not to trust technical solutions |
| Lack of nature-based alternatives | Dissemination of knowledge of good examples of nature-based solution |
| Hydropower and questionable effects of fish bypasses and ladders | |
| “River maintenance” practices not always consistent with the environmental objectives (both WFD and Protected Areas objectives) | Guidance for best practice of river maintenance (minimizing artificial intervention and accept and use natural river hydromorphological processes). Dissemination of good examples of modifications of usual river maintenance practices |
| Donation programs - problem | |
| Technical measures, big investments destroying nature | Strong and detailed transposition of WFD art. 4.7 and relevant ECJ rules (obligation to refuse project negatively influencing environmental water objectives) to national laws (enforcing by EC) |
| Old approach and way of thinking, unwillingness to follow new approach and examples | |
| Lack of good examples or sufficient dissemination of information | Dissemination of good examples and information |
| Insufficient communication with landowners | |
| WFD and BHDs: same terms and definitions but different meaning | |
| Long process of NB measures because of ownership (RBMP plans = GES) | |
## Barriers Group 4

<table>
<thead>
<tr>
<th>Barriers</th>
<th>Solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complicated EU legislation</td>
<td>Join-up in top EU level on water-nature-flood-agri-marine: joint timetables, terminology (cross-comparison table), reporting system, financing!</td>
</tr>
<tr>
<td>Different pressure analysis</td>
<td>MS level should promote better vertical and horizontal coordination. Include also pressure of recurrent interventions in hydromorphology (as “rivers maintenance”).</td>
</tr>
<tr>
<td>Different terminology</td>
<td>Support local decision makers with information</td>
</tr>
<tr>
<td>Lack of coordination of authorities/ regional departments</td>
<td>Establish voluntary bottom-up networks to inform decisions. Support NGOs to disseminate environmental knowledge and to influence decisions</td>
</tr>
<tr>
<td>Different reporting systems</td>
<td>Strategic ex-ante evaluation</td>
</tr>
<tr>
<td>Local politics</td>
<td>Permits should be issued based on ecological flows</td>
</tr>
<tr>
<td>Cumulative effects of hydropower and dykes</td>
<td>Responsible authorities strict scrutiny on environmental rules</td>
</tr>
<tr>
<td>Separate monitoring systems FCE - GES</td>
<td>Early safeguards of development in Natura 2000 sites</td>
</tr>
<tr>
<td>Communication breakdown between EU + practitioners → wild places + FCS → fear of infringement / infraction</td>
<td>Set common deadlines in integrated planning</td>
</tr>
<tr>
<td>Lack of acceptance of European ideas</td>
<td>MS plans integrated strategies to cover all Directives and regional level to implement it (joint measures, timetable and financing)</td>
</tr>
<tr>
<td>Lack of personnel, resources, time</td>
<td>People engagement (belief that this is a good idea and we need to do it for our own good)</td>
</tr>
<tr>
<td>Lack of scientific evidence</td>
<td>More research and joint monitoring</td>
</tr>
</tbody>
</table>

This event has been organised with the financial support of Michael Otto Foundation for Environmental Protection and the European Commission.
1. How to get the water authorities and nature authorities to speak a common language?
   - Need to train/educate each other regarding the Directives
     - WFD managers on Nature Directives
     - Habitat Directive managers on WFD
     - Elaborate guidance for naturalists “How to use WFD tools for nature conservation and how to input nature conservation to river basin management and flood defense” (may be CEEweb activity). Proposed contents: how to formulate conservation objectives to have it properly reflected in RBMP? What elements of RBMP have the most significant influence to nature? HMWB and nature? Nature conservation in Programme of Measures. Water species and habitats with the context of ecological status? Significance of hydromorphology. How to interpret and use art 4.7 (derogation) and how to use it against destructive investments? First ECJ ruling for WFD. Environmental-friendly measures of flood risk management.
     - Have joint excursions for at least 2 days with wine + food 😊
     - Talk about: what are the objectives? What do you measure? What kind of pressure? What solutions do you use? How do you join objectives together?
     - Build awareness of common rules of Nature & WFD directives (as obligation to refuse each project negatively influencing conservation

This event has been organised with the financial support of Michael Otto Foundation for Environmental Protection and the European Commission.
objectives of Natura 2000 site or waterbody; common and strict understanding of “overriding public interests” and “alternative solutions”;
- Include also recurrent activities in waters, as “river maintenance”, elaborate common good practices (guidance for nature-friendly river maintenance, including natural river processes to the standards of the rivers maintenance)

- Clarification of interpretation of the WFD by European Court of Justice:
  - Dissemination existing ECJ rules;
  - Complaint work (complaints to EC), to achieve clarification and binding interpretation by ECJ.

- Give them a test to work on a particular river section or waterbody to look for joint solutions
  - Get out and look at a real river together
  - Explore what approach was taken before
  - What is the integrated solution?
  - Putting together the people (the how and why will vary by Member State)
  - Working Groups of joint solutions
  - Conferencing
  - Common plans
  - Guarantee real plan implementation (crucial!)

- Decide how they will plan and implement joint delivery in a catchment or river basin / river section /sub-catchment

- Need for financial resources for joint implementation
- Timetable for implementation with short 6 years + long term goals
- Joint monitoring of environmental outcomes \( \rightarrow \) adjust in the future

2. How to ensure implementation and proper land use?
- Get money for land consolidation (but guarantee saving all ecological structures during the land consolidation)
- Connection and enforcement of flood protection using environment-friendly measures
- Enforcement strong taking environmental objectives under considerations, both for project authorisation or in recurrent activities in waters
- WFD and the BHDs \( \rightarrow \) all local authorities should receive training
- Communicate with land owners and municipalities
- Raise up economic aspects of Natura 2000 and WFD implementation (they are already aware of the environmental priorities, flood protection etc.; include angling and tourism benefits from natural rivers)

3. How to talk to stakeholders?
- Approach them properly (be a friend, speak their language, invite them to an informal party, make them bring their families)
- Place a value of what you are selling
- Touch their interests
- Invite stakeholders whom you already have established cooperation with

*This event has been organised with the financial support of Michael Otto Foundation for Environmental Protection and the European Commission.*
• Enable stakeholders to share their good experience among themselves in a casual setting
• NGOs should get familiar with the official goals of the state authorities before starting communication
• Include media and present the cooperation as a positive example to the voters
• Officialise the cooperation
• If you have good cooperation, make them sign a letter of cooperation/an agreement of support so that in the future you have a paper to support your claims
• Use participatory approach
• Offer them help in the preparation of local action plans
• Give them a chance to promote the municipality
• Use the municipality’s logo and promote it
• Choose the right people to speak with

4. How to solve technical difficulties such as e.g. reporting requirements?
• Cross reference between Protected Areas and Natura 2000 sites
• Formulate Protected Areas objectives in a way transferable for water management (define Protected Area water needs as clearly and precisely as possible)
• Clarification of Art. 10 of the Habitats Directive as it is not binding and too loose
• Lack of management plans → need to make management plans but lack of money, lack of political will (need to use the argument of Climate Change)
• Lack of clear objectives of the Natura 2000 sites (formulated in the way transferable for water management) → lack of experts
• Strong environmental objectives under the Water Framework Directive → need good cases, to build awareness among experts regarding the mechanisms and public awareness.
• WFD objectives (regarding what threatens the Good Ecological Status or deteriorate Ecological Status) should be integrated with Natura 2000 management plans → this should especially be applied to Natura 2000 management plans currently under preparation.
• Need to raise awareness in the water sector to have more focus on nature conservation → this is a question of money ....
• Ergo: best support is awareness raising and communication!