



Nature protection in permitting and inspection of industrial installations



Consistency of implementation of Article 6(3) and (4) of the Habitats Directive across Member States is important not only for the effectiveness of the Directive, but for the realisation of nature protection in the EU as a whole. It is also important in helping to implement the EU Biodiversity Strategy with the aim of halting biodiversity loss by 2020 and the 'No-Net-Loss' target. The project identified good practices and main challenges and made recommendations for improvement.

Background

A major problem in the implementation of the Habitats Directive (HD) is related to the screening and the appropriate assessment (AA) of plans and projects according to Article 6(3). Typical problem areas are, for example, how to focus on the site protection objectives, assessment of cumulative impacts and drawing conclusions on the significance of their effects.

Content in Brief

In relation to dealing with Natura 2000 in permitting and inspection of industrial installations, the project identified some good practices:

- providing good guidance (general and sector specific) and supporting tools (databases and screening/evaluation tools) on screening and for AA,
- early discussions with / early communication of Natura 2000 aspects in permit procedures and screening,
- setting good and enforceable permit conditions for Natura 2000 sites (concerning monitoring and reporting),
- maintaining good cooperation between competent nature conservation, permitting and inspection authorities,
- providing good working material and training for involved authorities.

Target Group

Nature conservation
ministries and authorities

IED permit and inspection
ministries and authorities

EU Legislation

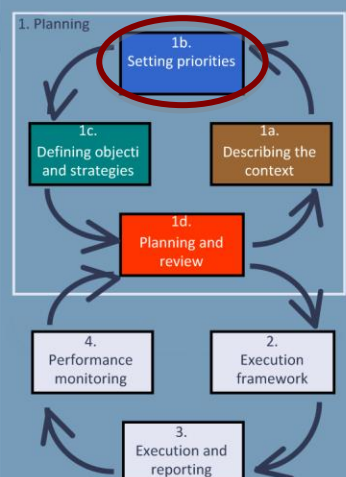
Habitats Directive
(92/43/EEC)

Directive on Industrial
Emissions (2010/75/EC)

Publication date

2015

Inspection Cycle





European Union Network for
the Implementation and Enforcement
of Environmental Law

Key Points

There is a need for measures concerning capacity building through:

- improving knowledge about the use of EU guidance;
- initiating development of new EU guidance, especially sector specific documents;
- exchanging knowledge about screening criteria, criteria for the “significant effects” and assessment methodologies.

Recommendations

- Information about screening and AA (carried out or not and results/consequences) should be integrated into the permit;
- Only clear and well defined conditions concerning Natura 2000 sites that can be inspected and enforced should become part of the permits;
- Dealing with activities without permits (e.g. small farms) causes problems. For the assessment of cumulative effects, permitting authorities need information on their effects;
- A separate IMPEL project on Natura 2000 sites in inspection activities related to industrial installations should be carried out.

Links

Project reports [2014](#) and [2013](#)

Key words

- Habitats Directive Art 6 (3) permit procedure
- Appropriate assessment
- Industrial installations