

Environment and Climate Regional Accession Network (ECRAN)

Report on Regional Workshop on Appropriate Assessment on Turkish Pilot Site (Natura 2000)

12 - 14 November 2014, Ankara

## **ENVIRONMENT AND CLIMATE REGIONAL NETWORK FOR ACCESSION - ECRAN**

## WORKSHOP REPORT

Activity 2.7.2A

## REPORT ON THE REGIONAL WORKSHOP APPROPRIATE ASSESSMENT PART I: THEORY OF AA AND THE SCREENING STAGE

12 - 14 November 2014, Ankara, Turkey





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LIST OF ABREVIATIONS						
AA	Appropriate Assessment					
EIA Environmental Impact Assessment						
EU	European Union					
FCS	Favourable Conservation Status					
IPA Instrument for Pre-accession Assistance, EU funding inst Pre-accession aid						
IROPI Imperative Reasons of Overriding Public Interests						
MS	Member State					
PHARE	Poland and Hungary: Assistance for Restructuring their Economies, EU funding instrument for pre-accession aid					
pSCI	Proposed Site of Community Importance					
SAC	Special Area of Conservation					
SCI Site of Community Importance						
SDF	Standard Data Form					
SEA Strategic Environmental Assessment						
SINP	State Institute for Nature Protection (Croatia)					
SPA	Special Protection Area					





### I. Background/Rationale

The key EU instrument on nature protection across the EU MS is the network of sites dedicated to conservation of birds (SPAs) and to selected fauna, flora and habitat types (SCIs) established pursuant to the EU Nature Directives – Birds Directive (2009/147/EU) and Habitats Directive (92/43/EEC) – named Natura 2000. Once this network has been established, the Member States are obliged to develop management measures for particular sites, to actively apply them, and prevent the sites from any deterioration or even destruction. For the latter purpose, addressing especially implementation of various development plans and projects (but in principle *any* activity likely to put the sites at risk), all EU MS have to put into both legislation and practice so-called Appropriate Assessment (AA) – a procedure aimed at revealing if the activities under scrutiny may be harmless or harmful to Natura 2000 sites.

AA is governed by Art. 6 of the Habitats Directive and almost 40 rulings of the Court of Justice of the EU which are binding for the EU MS, too. Understanding and proper implementation of the AA procedure is rather difficult and belongs to major challenges of the pre-accession process. AA is often envisaged to be carried out within the framework of EIA/SEA. It has many advantages but there are some peculiarities of AA compared to the latter procedures which have always to be respected.

In the ECRAN region<sup>1</sup>, the large proportion of the territory of particular countries is still covered by unspoiled and relatively undisturbed nature; as a consequence, relatively larger proportion of their territories will become part of Natura 2000 network, which may lead to conflicts with various developments. Then, improperly carried out AA may contribute not only to irreversible loss of unique natural assets but also to failure of many (useful) development projects. Therefore, early training on AA may be highly beneficial not only for EU Candidate Countries but also for those that have not acquired that status yet.

The objective of the whole series of sub-regional workshops is to provide ECRAN Beneficiaries with the complete picture of the AA from its very beginning (screening) up to the final decision on the acceptability of the project and to present them also the derogation procedure according to Art. 6(4) of the Habitats Directive applicable to projects needed in public interest overriding the interest on protection of Natura 2000 network. The whole process is divided into three workshops, each of them corresponding to relevant stage of the AA according to the Habitats Directive (screening; main assessment; Art. 6(4) derogation procedure).

The third pilot AA is intended for participants from Turkey. Participants from other ECRAN countries can take part if they are specifically interested in this pilot or if for some objective reason they cannot participate at the other series of workshops organised on other pilot sites closer to their country of origin.

<sup>&</sup>lt;sup>1</sup> Under the ECRAN region, successor countries of former Yugoslavia, Albania and Turkey are meant for the purpose of ECRAN Project (<u>www.ecranetwork.org</u>).





#### What is the "best model" for AA?

As mentioned above, AA is governed by the Habitats Directive – an EU legislative tool which provides a lot of flexibility to EU MS as to the way in which AA can be carried out. Across the current EU, AA is carried out in around 90 different ways (as many countries have decentralised administration systems and approaches of their particular provinces differ considerably). It is impossible to say which of these approaches are "correct" and which "inappropriate": the choice of particular approach always depends on cultural and legislative circumstances and traditions as well as on human capacities, administrative system, but also on the extent and shape of Natura 2000 sites in a given country or province. However, the Habitats Directive and the relevant CJEU rulings provide quite a solid framework for showing what the unavoidable steps are of and qualitative requirements for the AA regardless of national administrative arrangements and legislation. All workshops under the task 2.7.2A will aim at showing all these steps and their specificities in light of the best EU practices, providing also recommendations of countries from the region recently joining the EU.







### **II. Objectives of the training**

#### **General objectives**

To present the objective of Natura 2000 network and how the AA is linked with meeting this objective and to explain real pilot site (future Natura 2000 site) and pilot project used for demonstration of the Appropriate Assessment (AA).

### Specific objectives

- Explanation of the place of AA among Member States' obligations regarding management of Natura 2000 network;
- To explain the differences and similarities between AA and EIA;
- To demonstrate what kind of data is needed for AA and what administrative procedures are recommended to be newly introduced;
- To explain the purpose of the 1<sup>st</sup> stage of AA screening, what forms it may have and what data it requires;
- To conduct real screening exercise for the pilot site and project;
- To show experience of a new EU MS with both AA and screening;
- Outline of the upcoming procedure of the main assessment (= subject of the 2<sup>nd</sup> workshop).
- An intrinsic part of the workshop is a field excursion showing the situation in the field on the future Natura 2000 site and helping the participants to understand all the circumstances of this pilot AA.

### Results/outputs

The expected results are:

- Improved understanding of the objectives of Natura 2000 network and the role of AA as one of its protective tools in its maintenance;
- Familiarization with particular requirements of AA in light of CJEU rulings;
- Understanding the differences from and similarities with EIA;
- Familiarization with the pilot site and pilot project;
- Learning about the 1<sup>st</sup> stage of AA (screening) and undertaking the screening for the pilot site;
- Sharing experience with a new EU MS relevant for the region with AA implementation.







#### III. EU policy and legislation covered by the training

**Environmental Impact Assessment (EIA) Directive 85/337/EEC** has been in force since 1985 and applies to a wide range of public as well as private projects which are defined in Annexes I and II. All projects listed in Annex I are considered as being likely to have significant effects on the environment and require an EIA. For projects listed in Annex II, the national authorities have to decide whether an EIA is needed. This is done by a "screening procedure" which determines the effects of projects on the basis of thresholds/criteria or a case by case examination.

The EIA Directive of 1985 has been amended three times, in 1997, in 2003 and in 2009. The initial Directive of 1985 and its three amendments have been codified by Directive 2011/92/EU of 13 December 2011. Directive 2011/92/EU has been amended in 2014 by Directive 2014/52/EU.

**Strategic Environmental Assessment (SEA) Directive 2001/42/EC** of the European Parliament and of the Council on the Assessment of the effects on certain plans and programmes on the environment. Plans and programmes in the sense of the SEA Directive must be prepared or adopted by an authority (at national, regional or local level) and be required by legislative, regulatory or administrative provisions.

SEA is mandatory for plans/programmes which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use and which set the framework for future development consent of projects listed in the EIA Directive and/or have been determined to require an assessment under the Habitats Directive. For the plans and programmes not included above, the Member States have to carry out a screening procedure to determine whether the plans/programmes are likely to have significant environmental effects. If there are significant effects, SEA is needed. The screening procedure is based on criteria set out in Annex II of the Directive.

**Habitats Directive 92/43/EEC** of 21 May 1992 of the European Parliament and of the Council on the conservation of natural habitats and of wild fauna and flora. The Habitats Directive protects around 1200 European species other than birds which are considered to be endangered, vulnerable, rare and/or endemic. Included in the Directive are mammals, reptiles, fish, crustaceans, insects, molluscs, bivalves and plants. The protection provisions for these species are similar to those in the Birds Directive. They are designed to ensure that the species listed in the Habitats Directive reach a favourable conservation status within the EU.

In addition to the species protection, Habitats Directive includes also another "pillar" dealing with site protection. It demands EU MS to establish the Natura 2000 network of sites dedicated to conservation of selected species listed in Annex II and so-called "natural habitat types", more than 200 important habitat types listed in Annex I. This network encompasses also the sites classified according to the Birds Directive. Member States are obliged to establish, manage and protect Natura 2000 sites at their territories. The most important reactive protection tool is the Appropriate Assessment carried out following the requirements of Art. 6(3) and 6(4) of the directive.

**Birds Directive 2009/147/EC** of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (this is the codified version of Directive 79/409/EEC as amended) is the EU's oldest



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piece of nature legislation and one of the most important, creating a comprehensive scheme of protection for all wild bird species naturally occurring in the Union. The Directive provides a framework for the conservation and management of, and human interactions with, wild birds in Europe. It sets broad objectives for a wide range of activities, although the precise legal mechanisms for their achievement are at the discretion of each Member State. The Birds Directive bans activities that directly threaten birds, such as the deliberate killing or capture of birds, the destruction of their nests and taking of their eggs, and associated activities such as trading in live or dead birds, with a few exceptions listed in Annex III. In addition to these provisions, Birds Directive asks Member States to establish and actively manage Special Protection Areas for selected bird species and assemblages; these SPAs become part of the Natura 2000 network. The same protective measures (including AA) apply to these sites like to those established under the Habitats Directive.







### IV. Highlights from the training workshop

#### Day 1 – Wednesday, 12<sup>th</sup> November 2014, Ankara and Lake Tuz, Turkey

#### Introduction to the workshop – Petr Roth

An introduction to ECRAN Project was conducted by Petr Roth, ECRAN expert. ECRAN is strengthening regional cooperation among the EU candidate countries and potential candidates in the fields of environment and climate action and assists their progress in the transposition and implementation of the EU environmental and climate acquis.

ECRAN builds on experience gained and results achieved by the RENA (Regional Environmental Network for Accession), in particular those related to environmental and climate investments, transposition and implementation of environmental and climate law, compliance and enforcement, local and regional initiatives, climate action, water management, waste management, air quality, industrial emissions, nature protection, EIA/SEA, NGO support and public participation.

ECRAN includes an environment component, a climate action component as well as the NGOs Environment Forum. The activities under each component are implemented through a system of Working Groups (WGs).

Nature WG focuses on several topics related to the implementation of the nature legislation: Appropriate Assessments as per Art. 6(3) of the Habitats Directive, training on designation of potential Natura 2000 sites and assessment of readiness for Natura 2000 establishment, raising public awareness on the opportunities and benefits offered by Natura 2000, development of participatory pilot management plan and establishment of a Regional Network of Protected Areas.

### Introduction to the pilot site and pilot project – Vlastimil Kostkan

Prior to the field excursion, pilot site and pilot projects were briefly introduced by V. Kostkan, ECRAN AA expert.

#### <u>Pilot site</u>

Lake Tuz (Tuz Gölü), located in Central Turkey (see Fig. 1), around 150 km south of Ankara. It is a lake of tectonic origin with its depth below 0.5 meter. Its surface area is 164,200 ha. It is a salt lake, with salt ratio of approximately 32.4%, while H<sub>2</sub>O density is from 1 to 22.5 cm/g. It is protected under Special Environment Protection Area (SEPA) and is the largest SEPA in Turkey, covering larger area than all other SEPAs combined. It is Turkey's first natural heritage candidate to be considered for inclusion on the UNESCO World Heritage List (in 2013).

Salt extraction has been traditional use in the lake for ages. Several private companies do the extraction based on governmental concessions.







Fig 1. Location of Lake Tuz within Turkey

The lake and its environs are rich in fauna and flora. Currently, it is recognised as Important Bird Area (IBA). Thus, one may expect the site would qualify as a future Natura 2000 site.

#### Populations of Important Bird Area species on Lake Tuz

<b>Season</b> winter	<b>Population estimate</b> 6,618-57,000 ind.
winter	400-1,400 ind.
winter	118 ind.
non-breeding	350-2,160 ind.
passage	820-1,240 ind.
passage	13,000-57,000 ind.
breeding	14.000 breeding pairs
breeding	2-3 breeding pairs
breeding	100 breeding pairs
breeding	40 breeding pairs
breeding	2 breeding pairs
breeding	1-2 breeding pairs
breeding	1-2 breeding pairs
breeding	83-110 ind.
breeding	20 breeding pairs
passage	4.000-8,000 ind.
breeding	15-20 breeding pairs
breeding	400 breeding pairs
breeding	100-120 breeding pairs
passage	800-1,000 ind.
breeding	200 breeding pairs
non-breeding	200-300 ind.
breeding	450-600 breeding pairs
breeding	3-5 breeding pairs
passage	35,000-80,000 ind.
winter	20,000-60,000 ind.
	Season winter winter non-breeding passage passage breeding

#### Habitat types within the Lake Tuz Important Bird Area





Extent (% of site)

Other	26%
Wetlands (inland) Mud flats and sand flats; Standing brackish and salt water	38%
Desert	36%

As the habitat types present belong to those of Anatolian biogeographic region which has not been described for the purpose of Natura 2000classification yet, the pilot AA will only focus on birds as target features of this future Natura 2000 site. However, there is no doubt that in the future the site will be classified as SPA as well as SCI.





#### Pilot project

As there has been no real project putting the pilot site at risk, it had to be fabricated. Therefore, the pilot project to be assessed is Kulu Cargo Airport Project This projects will consist of four kilometers of new runway, 13,000 m<sup>2</sup> of storage capacity for cargo, and connecting roads between the townships Kulu and Fevziye. The airport is expected to receive 80 landings per day, with a possibility to increase this figure to up to 200 landings per day. Location of the assessed airport within the Lake Tuz area is illustrated on Fig. 3.









Fig 3. Location of the pilot project within the Lake Tuz area

### Pilot Project Site Visit

Bus trip and site visit to Lake Tuz took place in the afternoon. Participants visited the area of a small lake with flamingos and other waterfowl as well as the theoretical location of the airport. During the bus roundtrip they all got the flavour of the area, its geography and natural values subject to protection under SEPA.

#### Natura 2000 as an object of Appropriate Assessment – Petr Roth

Presentation on the Natura 2000 network was held, starting with its beginnings. Recognition of inefficiency of separated national nature policies occurred worldwide in 1970s, with the famous statement that "nature does not recognize borders". However, this idea could have been implemented only under certain political conditions. Such conditions only occurred within the European Union covering sufficiently large area to implement transboundary nature protection and conservation.,

Therefore, EU Birds Directive was adopted in 1979 as the first piece of EU legislation in the field of nature protection. All nine the than EU MS had to establish their SPAs. However, since there were no strict rules and instructions, by 2000 there was almost no implementation in the field. In 1992, EU Habitats Directives was adopted (92/43/EEC) introducing an obligation to establish "non-birds" sites (SCIs) across EU 12. Those sites were to create a network, together with SPAs, called Natura 2000. Natura 2000 network sites must always have particular target features comprised of:

- bird species;
- non-bird animal species;
- plant species;
- "natural habitat types".

These target features listed in the Birds and Habitats Directives were selected according to following criteria:

• Habitat type in danger of disappearance; endangered species;







- Habitat type having a small natural range; vulnerable species;
- Habitat type presenting outstanding examples of typical characteristics of biogeographical region; rare species.
- Endemic species and species requiring particular attention.

According to Article 3(1) of the Habitats Directive, "this network, composed of sites hosting the natural habitat types [...] and habitats of the species ... shall enable the natural habitat types and the species' habitats concerned to be maintained or, where appropriate, restored at a favourable conservation status in their natural range." Overall, Natura 2000 aims at contributing to Favourable Conservation Status (FCS) in the country, but FCS does not refer to individual sites, hence it has nothing in common with Appropriate Assessment which only focuses on particular sites.

Rules of establishment of Natura 2000 were presented, stating that each Natura site must have their target features, and in addition, it should have conservation objectives set. Two terms crucial for Natura 2000 AA are "site integrity" and "ecological coherence of the network". Site integrity refers to all those factors that contribute to the maintenance of the target features of a site, including structural and functional aspects. Coherence of Natura 2000 Network means that the network comprises all the sites which should be included, according to the criteria in the Directives. Emphasis was put on the difference between integrity and coherence: integrity refers to individual site while coherence refers to the whole Natura 2000 network. This is important due to different requirements of Article 6(3) and 6(4) of the Habitats Directive.

At the end of the preparatory process, before EU accession, each EU MS should have completed coherent Natura 2000 network on its territory. Then, each EU MS has three types of obligations regarding the network - two proactive and one reactive:

- Proactive obligation No. 1: Establishment of conservation measures and applying them in all sites (Article 6(1));
- Proactive obligation No. 2: Prevention of any deterioration of habitat types and habitats of species, as well as disturbance of species both man-caused and natural (Article 6(2));
- Reactive obligation: Ensure any plan and project likely to affect Natura 2000 network sites is subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.

The latter obligation is the reason for implementation of this task within the ECRAN Project.

### Day 2 – Thursday, 13<sup>th</sup> November 2014, Ankara, Turkey

### Theory of Appropriate Assessment: Petr Roth

Theory of appropriate assessment (AA) was presented having biological assessments as a starting point. Assessments of impacts of plans and projects on natural phenomena are quite common at national level, occurring in various forms and for various purposes, but only two of them are codified by the EU law: Environmental Impact Assessment/ Strategic Environmental Assessment (EIA/SEA – EIA/SEA Directives), and AA (Habitats Directive). Differences between EIA/SEA and AA was clearly presented: EIA/SEA assesses impacts of plans and projects on natural phenomena, resulting in description and taking into account of likely impact, while AA, on the other hand, stands for combination of biological assessment and decision-making process resulting in binding decision on admissibility of plan or project. Thus, AA assessors have much bigger responsibility than EIA/SEA ones, and right execution of AA is very important. Articles 6(3) and 6(4) of the





Habitats Directive were presented, stating that Article 6(3) deals with the assessment procedure, while Article 6(4) deals with derogations from that procedure. This workshop has only covered Article 6(3). - However, it must be stated that Article 6 is not the only source of instructions for AA. The other source is one of the types of EU secondary legislation - rulings of the Court of Justice of the European Union. CJ EU rulings interpret the Directives and are legally binding and must be taken into account both during the transposition as well as implementation.

As regards applicability of AA, there are two scenarios:

- for Special Protection Areas according to Birds Directive (SPA) which should be classified by the date of accession, AA is applicable immediately after such a classification;
- for sites proposed and designated pursuant to the Habitats Directive proposed Sites of Community Importance (pSCI), Sites of Community Importance (SCI), and Special Areas of Conservation (SAC) – the applicability differs. For these types of sites, timing of which is presented on Fig. 4, the following rules apply:





a) pSCIs before accession (blue period): AA is not applicable;

b) pSCIs between accession and approval of the Community list by the EC (red period): only the first part of AA, i.e., Art. 6(3) is applicable; any plan/project must not adversely affect "ecological characteristics of a site"; derogation procedure of Art. 6(4) is not allowed to be applied;

c) once the Community list of SCI has been approved, during the period of their designation as SAC (black period) and beyond, AA is compulsory.

Interpretation of wording of Art. 6(3):

Sentence No 1 of Article 6(3) states that "any plan or project not directly connected with or necessary to the management of the site, but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives."

However, the Article does not necessarily refer to management plans as a whole. An example of management plans for National Parks in the Czech Republic was mentioned. Each of the management plans contains a management section as well as a section on felling trees for income in the buffer zone. The latter part of the management plan does not serve to "site management" in the meaning of "conservation management" and, therefore, should be subject to AA.

Further on, each word and phrase of the Article 6(3) was in details explained to the participants.





AA refers to "site conservation objectives" and its outcomes differ based on these objectives: two situations were presented for identical site and identical project but with different conservation objectives, as shown on the following charts:

## Site A, habitat XY



<u>Conservation objective</u>: just maintenance (Art. 6(2)) AA: new road destroying 0.01 % of the habitat XY <u>Conclusion</u>: impact not significant, road can go on

### Site B, habitat XY

Conservation objective: increase by 75 % by 2019

AA: new road destroying 0.01 % of today's habitat XY which is expected to expand = conservation objective jeopardized (decrease instead of increase)

Conclusion: impact significant, road must stop

Sentence No 2 of Article 6(3) states that "in the light of conclusions of the assessment of the implications for the site and subject to the provision of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

As well as in the previous case, the sentence was interpreted in detail. Here it is important to remember that plan/project must not be permitted if any scientific doubt remains that it will adversely affect the site integrity, and also that opinion of the public is not obligatory.

Conclusion is that site integrity of all Natura 2000 sites should remain intact in long-term, meaning prevention of any impact from:

- abandonment of land or unsuitable management (Art. 6(1)
- unintentional man-made impacts as well as natural impacts (e.g., succession) (Art. 6(2))
- unintentional man-made impacts from plans and projects (Art. 6(3).

From the wording of Articles 6(3) and 6(4), four stages of AA can be derived:

- Art. 6(3)
  - I. Screening: question "Is there a likelihood of significant effect on a site"? If yes, then  $\rightarrow$
  - II. Main assessment: question "Is the significant effect on site integrity of particular sites likely"? If yes, plan/project must be stopped.
- Art. 6(4) (when plans/projects stopped due to significant impacts)
  - III. Assessment of alternative solutions: if they exist, plan/project must not be implemented; if not:
  - IV. Test of Imperative Reasons of Overriding Public Interests (IROPI) test and compensatory measures.

This workshop deals with stage I only; the remaining ones will be the topic of the subsequent workshop in 2015.







### Appropriate Assessment from Practical Perspective – Petr Roth and Vlastimil Kostkan

## AA and EIA/SEA (Petr Roth)

Both AA and EIA/SEA are biological assessments. Objects of EIA/SEA assessment are listed in Annex I and II of the EIA Directive – these are particular types of project – and assessment of their impacts has to be taken into account only while AA presents combination of an environmental assessment and a decision–making process. If AA and EIA/SEA processes are merged it must be ensured that conclusion of AA within EIA/SEA is made binding.

Scope of AA and scope of EIA/SEA Directives were presented. Scope of AA differs from the latter one because it refers to *any* plan and project likely to have a significant effect on a particular site. On the other hand, EIA Directive relates only to projects defined in Annexes I and II of the Directive, and similarly SEA Directive have exactly defined fields of plans and programmes to which it has to apply.

What was very important for the participants to familiarize with, was the interrelation between EIA/SEA and AA. First, there is direct interrelation in the SEA Directive: plans and programmes determined to require AA must be subject to full SEA. It is not true in the opposite direction: if SEA is needed, AA is not necessarily obligatory unless the given plan/programme is not likely to affect Natura 2000 sites.

As regards the EIA Directive, no such causal interrelationship exists: it only says that Natura 2000 should be taken into account during the assessment.

However, generally it is advisable to merge EIA/SEA and AA processes due to saving time capacities and resources (common administration of both processes). Ideal solution is to merge AA and EIA/SEA in all cases where EIA or SEA re binding, and to establish separate AA procedure for plans and projects not subjected to EIA/SEA, but it must be ensured that the rules and conditions of AA are identical in both procedures and that the outcome of AA is always binding within the outcomes of the "leading" EIA/SEA procedures.

### Who is to carry out AA? (Vlastimil Kostkan)

A person responsible for preparation of AA study can be a person with defined education, professional experience, and/or member of professional bodies. In some EU MS, special license is necessary for AA. Advantages and disadvantages of different approaches to the responsibility for AA preparation were presented, regarding education, experience and special licenses. For example, professional experience can be a guarantee for right conclusions, but on the other hand, there is a possibility for making stereotypes.

Persons and bodies that can be responsible for preparation of AA are the following:

- Commercial consultation companies
  - Licensed;
  - Non-licensed;
- Physical persons
  - Licensed;
  - Non-licensed;
- Scientists or scientific institutions;
- State/public authorities;
- Special agencies.







For each type of person and/or body that conducts preparation for AA, there are pros and cons. For example, freelance experts are flexible, usually specialized for particular type of assessment, but freelancer tends to do everything, and can be overpaid.

Overview of "clients" of the AA who pay for it was presented: they are either developer or state/local authority. If developer is a big company, then there are bigger resources for this task. Also, outcome of AA study can easily be checked by state authority. However, if the developer is small, then financial resources for AA study are also small, sometimes insufficient. If state public authority pays for the study, there is no need for a state audit, and also there is an independence of developer. However, public authorities usually have limited resources, and there is always a possibility of political influence and pressure.

All three state (public) administration levels can carry out the Appropriate Assessment process, central, regional and local level. At the central level, there is better methodological supervision and coordination, as well as coherence in decision-making, but there is also a possibility of impact of political changes, and also familiarity with the sites in question is lacking. Regarding regional level, political influence is also an issue, but there is a better familiarity with the sites and coordination on regional level is better possible. Familiarity with the site(s) is even better on a local level, but in this case, there is a difficult access to information on cumulative impacts due to poor coordination among municipalities.

## Geographical scoping of AA (Vlastimil Kostkan)

For the scope of AA it is important to decide which Natura 2000 sites can be affected by the plan/project. For this, responding to following questions is necessary:

- Is the project inside or outside a N2K site?
- Has the project any linked activities? Where?
- How is designed the infrastructure of the project?
- How is organized logistics relating to project preparation and operation?
- Are there any other projects not directly linked to assessed project which may have cumulative impacts?

It was also stated that project with likely significant effect could be situated far away – up to even hundreds of kilometres from the site, as well as abroad in which case trans-boundary assessment will be necessary.

### Data needed for AA (Vlastimil Kostkan)

For AA preparation it is necessary to use reliable and "fresh" biological data concerning:

- habitats
- species

If there is a need for biological research to fill in gaps in data it should focus on target features and any other species and/or habitats which could probably influence target features (e.g. feeding sources, predators, competitors, alien species...).

For AA performance it is necessary to use data on possible impacts of the project:

- during construction
- during operation



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- during dismantling (at temporary constructions)
- data concerning other projects likely to affect assessed site(s) (cumulative effects).

Appropriate Assessment should be carried out on the base of field research during (at least) one season. For most habitats and species it means spring and summer. Some species (lynx, wolf, otter, beaver, wintering and migrating birds) have specific demands for timing of research for autumn, winter or early spring as well.

There is good experience with databases maintained by state nature conservancy agencies gathering data on habitats and species in long-term. This data, if gathered systematically (including historical records from literature or local organisations) could show trends like ecological succession or long-term changes in population densities.

However, any database cannot substitute field research and recent field data. Similarly, Standard Data Form cannot provide data needed for AA because SDF describes the status of a Natura 2000 site only at the time of its designation and does not contain quantitative characteristics of target features which are indispensable for AA.

## Direct and indirect effects, cumulative effects of projects and plans (Vlastimil Kostkan)

Direct effects of a project could be:

- Reduction of area of habitats, plant populations or animal territories (e.g., destruction of fishponds with rare species);
- Direct effects on some part of animal life cycle (e.g. migratory birds);
- Killing of individual animals (e.g. wind parks);
- Destruction of habitats or any of their components (e.g. wetland habitats);
- Pollution

Indirect effects of a project could be:

- Change of content of key nutrients of plants/habitats;
- Limitation of food source or changes in the food chain;
- No critical reduction of population size, but the population is fragmented (transportation across the sites);
- Project lies outside Natura 2000 site but causes increase in traffic within the site;
- Invasion of alien species;
- Change of traditional land use (farming, forestry, fishery...) within the site.

Cumulative effects of a project could be:

- Two or more different projects with subthreshold effects could cause significant effect
  - Projects implemented at the same time;
  - Projects implemented item-by-item ("salami slice method");
- Target features are under a stress already before project implementation starts.

In order to reveal cumulative effects, it is necessary to record all recent projects prepared within a Nature 2000 site and is neighbourhood, as well as record all projects assessed in the context of Natura 2000 site.







### Experience from a new EU Member State – Aljoša Duplić, State Institute for Nature Protection, Croatia

In Croatia, Nature Protection Act from 2003 introduced main provisions of ecological network and appropriate assessment. EU nature directives were fully transposed in 2013. Regarding Environmental Protection Acts, in 2007 a linkage was passed for AA and in 2013, EU environmental and nature directives fully transposed. In 2005, a basis was set for Nature protection by-laws, that were passed in 2007, 2009, 2013 and 2014 (in 2007 rulebook on acceptability of project for nature by-law was passed, and in 2014, rulebook on conservation goals and basic measures for conservation of birds in the area of ecological network).

Ecological network of Croatia and its history was presented: it was established in 2007 and in 2013 it changed into Natura 2000 composed of pSCIs and SPAs.



	% land RH	% coastal sea RH	% total area RH	Number of Natura 2000 sites
pSCI	28,38	15,44	23,73	742
SPA	30,23	3,28	20,54	38
Natura 2000	36,67	16,39	29,38	780

Advantage of Croatia was that it had started with AA long before their accession, in 2008, which provided them with the opportunity to develop the AA process, tune it and remove its mistakes. When Croatia entered EU in 2013, there was no need for any new start – data, procedure, as well as capacities and legislative background were already in place.

Croatian model was presented, divided into three parts representing administrative, public and private/ scientific sectors. Administrative sector includes Ministry of Environment and Nature Protection and other country administrations with tasks to prepare legislation, write decisions and implement legal procedures. Public sector includes State Institute for Nature Protection (its AA section comprises of five biologists and one geologist) whose job is to review assessments, collect data and provide expert work in relation to legislation. Private/ scientific companies perform the assessment and conduct field research and data gathering.

Relevant data on Natura 2000 sites in Croatia, including related data on species and habitats as well as maps can be found on <a href="http://natura2000.dzzp.hr/natura">http://natura2000.dzzp.hr/natura</a>. Also, habitat map of Croatia is available through a web application - CRO habitats public map viewer on <a href="http://www.crohabitats.hr">www.crohabitats.hr</a>.

SINP has benefitted from the following EU projects regarding Natura 200 in Croatia:

- Phare 2000 Natura in Croatia ;
- UNDP Coast 2010 project manual for AA;
- IPA SEA Croatia project 2013;
- TAIEX study visits to MS.

Main assessment procedure (AA procedure) was presented and described, as shown in the following chart.



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The procedure starts with the application to competent authorities, going through preparation of the assessment study, SINP opinion and public opinion, ending up with decision of either approving or rejecting the application. If the application is rejected, then starts a procedure of establishing the overriding public interest and compensatory measures.

Over the last several years, there have been more and more AA requests. For instance, in 2012, 317 studies were screened out, and 30 AA were conducted. As per type of development, the majority of AA conducted (35%) is done for windmills. Graphically, it can be seen on Fig. 5. In 2014, 500 screening documents are expected.



Fig. 5

Over the last several years, there are more and more AA request. For instance, in 2012, 317 sites were screened out, and 30 AA were conducted. As per type of development, the majority of AA conducted (35%) is done for windmills. Graphically, it can be seen on Fig. 6.











As stated by Mr. Duplić, it is important to correctly understand Articles 6(3) and 6(4) of the Directive. Directive is complex and needs to be read carefully and discussed – erroneous "absurd" interpretations that spread at the beginning may cause confusion within the business sector. Also, it is important to include various scientist, since they have excellent knowledge of many species, presenting a good basis for many types of assessment. One of the greatest challenges that Croatia has faced has been development of public access to quality data, and also regulation of data ownership.

Since assessment of this type is a biological assessment, the core of people performing the assessment is biologists and ecologists. However, other professions are also important, including geologists, engineers, foresters, etc. More external experts for species and habitats have to be hired. Each assessment is reviewed by SINP, thus state takes responsibility for the quality of the assessment.

If public sector and biological community do not have enthusiasm to implement Nature Directives properly, formal and superficial approach may lead to closed circle of mistakes. Assessments should be simple and short as possible while achieving the needed quality.

### Experience of the Czech Republic: licensing of AA experts – Petr Havel, Czech Ministry of Environment

The Czech Republic has elaborated a sophisticated system of licensing of persons carrying out AA. The license is issued by the Ministry of Environment (MoE) who also care about administration and supervision of the entire licensing system.

The legislative base for the authorization lies in the Act on the Nature and Landscape Protection which prescribes required education, contents of the examination, as well as reasons for withdrawal of the license.

AA experts may be appropriately university educated (MSc. (Ph.D.) degree in natural science, specialization: biology, ecology, applied ecology, nature protection, conservation biology or environment protection) people, familiar with:







- Act on Nature and Landscape protection in general and related regulations, in particular Czech and EU environmental EIA/SEA law
- AA processing and its requirements, EIA and SEA process and its partial steps and methods
- the knowledge in general ecology, landscape ecology, wild flora and fauna ecology and biology, particularly of those of Birds/Habitats Directive interest
- the effects of human activities on habitats and ecological characteristics and biotopes of fauna and flora species, particularly of those of Habitats Directive interest,

having ability to synthesize the acquired data from the standpoint of the AA principles and aims. Contrary to it, for carrying out EIA/SEA, one must have different authorization requiring just any university education, meeting no other requirements.

AA is carried out within the EIA/SEA process but AA study has to always be an independent part of the EIA document. AA expert cooperates with the EIA/SEA expert but is independent in his/her conclusions.

MoE has issued AA methodology on AA principles, framework as well as recommended scale of impact significance. It is in charge of examining applicants for the AA license. Examination is governed by a board composed of representatives of MoE, Nature Conservation Agency of the Czech Republic and Czech Environmental Inspectorate. During the exam, applicants have to prove their expert knowledge, knowledge of the legal system, and undertake and defend a pilot study with AA analysis. License is granted for 5 years, can be extended, but only based on re-examination.

The license can be both taken away and not extended. The former situation can happen when the expert "seriously or repeatedly breaks the law related to area of its activity or does not carry out the AA in accordance with the Act on the Nature and Landscape Protection", the latter if s/he is not able to prove the required knowledge. Anyone can propose to MoE the authorization removal of a particular expert.

So far, results of licensing have been very good – the expert level as well as quality of work of AA experts is generally high. License provided an "exclusive" status; MoE provides support and methodological supervision, and AA experts have a good reputation in the EU.

## Appropriate Assessment Stage I: Screening – Theoretical Basis – Petr Roth and Vlastimil Kostkan

Article 6 of the Directive was mentioned again, putting emphasis on the sentence where projects are sought "likely to have a significant effect on the site". The first question to be asked is: "which sites could be influenced by the given project?" Several possibilities were given as an answer, such as:

- sites directly impacted by land take;
- sites directly impacted by emissions, including noise, water and air pollution, etc.;
- sites indirectly impacted, including transport of pollutants, underground water level change, noise, cutting of migration routes, disturbance by humans, etc.

There is no difference between direct and indirect impacts: important is if the effect is likely significant, nothing more.







Another question to be asked is whether the in-combination effect applies. Here, the rule "first come first serve" applies – particular projects with sub-threshold (insignificant) effects can be granted permission by the moment when the recent one exceeds the threshold of significance – then it must be stopped.

Natura 2000 sites may also have other target features than those listed in the Directives; if so, AA can apply to them, too, in the same manner as those from the directives, but this must be explicitly anchored in national law; if this is not the case then AA applies only to "Natura" target features.

When thinking about screening conclusion, prediction of the future main assessment must not harm the sites while it can harm the investor since this harm is negligible compared to the risk of site destruction.

The screening conclusion can only have two outcomes:

- In case of absolute certainty that project can not affect an Natura 2000 site: "Project XX cannot affect any Natura 2000 site";
- In case of doubt, lack of data, or clear impact: "Impact of project YY on any Natura 2000 site cannot be excluded and therefore the main assessment is needed".

We must never neglect the responsibility of screening-makers, since underestimating of likely impact may lead to site destruction, and its overestimating to "killing" of often large infrastructural projects.

Screening can be very simple, very complicated, or appropriate.

General objective of screening is:

- To record all potentially harmful projects in the country;
- To enable investors and other authorities to get access to data on cumulations.

It is important to mention that screening must be anchored in legislation as to procedure, authorities in charge, and form of the outcome. But as usual, that is not enough. It is recommended to have manual for the whole AA at national level, since it will be tailored to fit national legislation, use national terminology and represent an ancillary tool for both authorities and investors. On the other hand, there are general EU guidelines at the Commission's webpage.

Some countries use screening templates, such as Austria and Germany. The template has a form easy to fill in, it automatically records and storages all the data and procedures and applicants can see the likely result in advance. But the template also has some disadvantages. One of them is that there is no form that can fully cover all life situations, and officials using the forms tend to stop using their own brains.

Second part of the presentations was devoted to the screening approach. One of the first issues was data necessary for screening. Data must be reliable and concern assessed project, as well as data concerning other projects likely to affect assessed sites (cumulative effects). It is necessary to have actual data on the status of target features (habitats and species); older data can be relevant, too in a manner to show trends of target features likely to be affected. Appropriate data is best to take from focused field research and from local biologists, but data from publications and databases must not be neglected, too.

Screening data can be both essential and non-essential. Essential data includes area of habitats, density of populations and ecological relations of target features, while non-essential data are represented e.g. by the comprehensive information about biodiversity, information about species from Red lists, endemic species and protected species on a national level. Non-essential data are of little use for both screening and the subsequent main assessment.







Role of database was shown by Mr. Kostkan at an example of Snezka Mountain in the Czech Republic, and the river otter as representative of animal target features.

#### Screening exercise I – Vlastimil Kostkan

The sites chosen for the exercise were SPA/SCI Protected Landscape Area Beskydy, and SCI Olse, both in the Czech Republic. Beskydy with more than 1,200 km<sup>2</sup> is the second largest SCI in Czech Republic, while the area of SCI Olse is 1.69 km<sup>2</sup>. These areas, together with the planned route of the project – motorway (red dashed line), can be seen on the following maps:



Main target features of the area were large carnivores (wolf, bear, lynx). Participants discussed likelihood of impact of the given project especially on these target features.

#### Day 3 – Friday, 14<sup>th</sup> November 2014, Ankara, Turkey

#### Screening training II – Vlastimil Kostkan

Natura 2000 site SCI CZ0210714 - Lžovické tůně (total area 69 ha 654 m<sup>2</sup>) in the central part of the Czech Republic was used as a training site for AA screening. <u>Target features</u> are as follows:

Code number	Habitat type	Area in SCI (ha)	Area in SCI (%)	Target feature
3150	Natural eutrophic lakes with Magnopotamion or Hydrocharition type vegetation	10ha 1396m <sup>2</sup>	14.55	Yes
6510	Lowland hay meadows ( <i>Alopecurus pratensis,</i> Sanguisorba officinalis)	2ha 4429m <sup>2</sup>	3.50	No
91E0	* Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus</i> <i>excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)	3ha 6693m <sup>2</sup>	5.26	Yes
91F0	Riparian mixed forests of <i>Quercus robur</i> , <i>Ulmus laevis</i> and <i>Ulmus minor</i> , <i>Fraxinus excelsior</i> or <i>Fraxinus</i> <i>angustifolia</i> , along the great rivers (Ulmenion minoris)	19ha 9394m <sup>2</sup>	28.62	Yes

The sign'\*'indicates priority habitat types.







Target species features of Lžovické tůně SCI         Target							
English name	Scientific name	feature					
Species (Animals)							
Northern crested newt	Triturus cristatus	no					
European fire-bellied toad	Bombina bombina	yes					
European beaver	Castor fiber	yes					
River otter	Lutra lutra	yes					
Ground beetle	Carabus variolosus	yes					
* Hermit beetle or Russian leather beetle	* Osmoderma eremita	yes					

The sign'\*'indicates priority species

<u>Project description</u>: objective of the project is reconstruction of permanent water lakes originating from old river meanders as a recreational angling area. Following activities are proposed:

- widening of lakes from 20 30 meters up to 50 meters
- digging out their bottom from current depth of 50 cm to 200 cm
- reconstruction of trails for fishermen
- release of fish for angling

Current situation is shown on the map. There is location of habitats within the site, proposed new lake banks (black dotted line) and anglers' trails (red dotted lines).



After a short description of both the site and the project workshop participants established four working groups having about 20 minutes for independent work and then presentation of their results and rationale behind them. Their task was to decide if this project could significantly affect the target features, i.e., if the screening conclusion would be that AA is needed. The results were commented on by workshop lecturers.

#### Experience of a new EU MS – Screening Example - Aljoša Duplić

Screening is not directly mentioned in Article 6, but it is rather hidden behind the words "appropriate", it is a part of appropriate assessment. However, practical purpose is essential - to make implementation of the project possible, to reduce procedure expenses and to also speed up the procedure. The procedure was not fully new - in Croatia, measures and conditions of nature protection had had to be issued to any activity that may have negative impact in relations to target features even before.

Screening requests per year in Croatia are shown on the following graph, where 2014 was counted up to September 30:









In Croatia, from the overall number of projects only a limited number need screening, and from them even a small number need real the main assessment.

So far, selection for screening has been quite successful though there is more demands from some counties and less from other. But even small activities to be implemented in nature are sent to screening if there is a likely impact. However, there can some problems occur, for example with small projects. Small projects generally have only a direct impact.

Projects that avoid going for screening get no opinion from nature protection authorities and cannot go further in the permitting process. In addition, some national bodies require screening opinion as an obligatory document for processing the project applications for EU funds. In such cases, even if the proponent may correctly assume that his project may not have an impact, his application would be rejected since he did not go to screening.

Problem of screening is that it is not allowed (according to the Directive) to ask for fulfilling conditions in this stage. Thus, instead of proscribing measures (sometimes very simple like different timing of project), nature protection has to ask the proposer to amend his project with information when the project will be carried out and then resubmit it to let it screened out.

There is always risk in of underestimation in the screening procedure. Mistakes that have been made in screening may occur in unlikely projects, e.g. ecological agriculture project may impact the nearby lake, etc.

Involvement of central expert institution like SINP that has a team that sets standards for screening and carries out screening is an advantage.

With regards to these problems, several projects in Croatia were presented:

- Crna Mlaka revitalisation of fishponds;
- Dretulje aquaculture project;
- Airport at the island of Rab;
- Gravel excavation in the river Kupa.





### Importance of screening: The AA screening procedure in the Czech Republic – Petr Havel

A proponent that intends to implement a plan or project which may, either individually or in combination with other plans or projects, have a significant effect on integrity of a Natura 2000 site shall be obliged to submit proposal of the plan or project to a nature protection authority to obtain its opinion. The nature protection authority shall issue a reasoned (justified) opinion within 30 days from the day of application. If the nature protection authority in its opinion does not exclude the likelihood of a significant impact, then the given plan or project has to be subjected to the main assessment.

The opinion should contain the subject of the opinion, possible effects of the plan/ project, potentially affected Natura 2000 sites and their target features, the verdict based on all the previous parts, and in the end, how the verdict was reached and based on.

Thus, the outcome is a clear conclusion based on the likelihood of significance of the effects of a plan or project on the target features and integrity of the site.

#### Pilot screening and conclusion of the workshop – Vlastimil Kostkan and Petr Roth

At the very end of the workshop, all participants together were asked to respond the question: "Is the Lake Tuz pilot project likely to significantly affect the Lake Tuz site"? Based on all the information presented during the duration of the workshop, the final answer was unanimous "yes". Therefore, the pilot project will continue with Main Assessment undertaken by V. Kostkan in the field in spring 2015 and the second AA workshop aimed at theory of main AA, presentation of the field results of the main assessment, and explanation of the provisions of Art. 6(4) of the Habitats Directive. Tentative timing of the latter will be either late spring or, more probably, early autumn 2015.







## ANNEX I – Evaluation

Participants' evaluation

Que	estion	N°. Responses	Yes	No	Partially	Do not know
1. Was the workshop carried out according to the agenda		24	23 (95)%	0 (0)%	1 (4)%	N/A
2. Was the prop structured?	gramme well	24	23 (95)%	0 (0)%	1 (4)%	N/A
3. Were the ker to the topics ac	y issues related Idressed?	24	24 (100)%	0 (0)%	0 (0)%	N/A
4. Did the work to improve you	shop enable you r knowledge?	24	21 (87)%	0 (0)%	3 (12)%	N/A
5. Was enough questions and o	time allowed for discussions?	24	23 (95)%	0 (0)%	1 (4)%	N/A
	Speaker/Expe	rt N°. Response	s Excellen	t Goo	d Satisf	actory Poor
6. How do you	Mr Roth	24	19 (79)%	o 4 (16)	)% 0 (0	0)% 1 (4)%
assess the quality of the	Mr Kostkan	24	14 (58)%	b 10 (41	)% 0 ((	0)% 0(0)%
speakers?	Mr Duplić	22	10 (45)%	b 10 (45	)% 2 (9	9)% 0 (0)%
	Mr Havel	23	16 (69)%	6 (26)	)% 1 (4	4)% 0 (0)%
Que	estion	N°. Responses	Yes	No	Partially	Do not know
7. Do you expect any follow-up based on the results of the workshop (new legislation, new administrative approach, etc.)?		24	23 (95)%	1 (4)%	N/A	N/A
8. Do you think that further TAIEX assistance is needed (workshop, expert mission, study visit, assessment mission) on the topic of this workshop?		23	22 (95)%	1 (4)%	N/A	N/A
9.Were you satisfied with the logistical	Conference venue	24	22 (91)%	0 (0)%	2 (8)%	0 (0)%



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arrangements if applicable?	Interpretation	20	20 (100)%	0 (0)%	0 (0)%	0 (0)%
	Hotel	21	19 (90)%	0 (0)%	2 (9)%	0 (0)%

Comments :

- Participants could have been provided with a lunchbox for the field trip;
- Topics of the workshop were well addressed and the speakers were competent to explain their subjects. Answers to questions were also very illuminating;
- Site visit could have been organised better. Reasons beyond control is understandable but still we should have seen more of the pilot site;
- There is need to follow up the Appropriate Assessment workshop;
- I hope that follow-up workshops are arranged. I also appreciate if TAIEX continues to arrange the communication for the realization of the similar workshops;
- TAIEX should cover all expenses including DSA of invited participants (experts, etc.) that come from different cities of Turkey.







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## Workshop – Speakers' Evaluation

Question	N°. Responses	Yes	No	Partially	Do not know
1. Did you receive all the information necessary for the preparation of your contribution?	4	3 (75)%	0 (0)%	1 (25)%	N/A
2. Has the overall aim of the workshop been achieved?	4	4 (100)%	0 (0)%	0 (0)%	N/A
3. Was the agenda well structured?	4	2 (50)%	0 (0)%	2 (50)%	N/A
4. Were the participants present throughout the scheduled workshop?	4	4 (100)%	0 (0)%	0 (0)%	N/A
5. Was the beneficiary represented by the appropriate participants?	4	4 (100)%	0 (0)%	0 (0)%	N/A
6. Did the participants actively take part in the discussions?	4	3 (75)%	0 (0)%	1 (25)%	N/A





7. Do you expe beneficiary will follow-up based results of the w legislation, new administrative a	ect that the undertake d on the vorkshop (new v approach etc.)	4	3 (75)%	0 (0)%	N/A	1 (25)%
8. Do you think beneficiary nee TAIEX assistant expert mission, assessment mis topic of this wo	that the ds further ce (workshop, study visit, ssion) on the orkshop?	4	3 (75)%	1 (25)%	N/A	N/A
9. Would you be ready to participate in future TAIEX workshops?		3	3 (100)%	0 (0)%	N/A	N/A
10.If						
applicable, were you satisfied with	Conference venue	4	3 (75)%	0 (0)%	1 (25)%	0 (0)%
the logistical arrangements?	Interpretation	4	4 (100)%	0 (0)%	0 (0)%	0 (0)%
	Hotel	4	4 (100)%	0 (0)%	0 (0)%	0 (0)%

Comments:

• Some of the representatives from the countries of former Yugoslavia (especially from Macedonia) were not very active, even though of their absence on the Macedonian workshop. The other participants from Turkey, Kosovo, Serbia and Monte Negro were active and attentive listeners of the workshop.

















## Annex II - Agenda

#### Day 1 – Wednesday, 12 November 2014, Ankara, Turkey

Topic: Appropriate Assessments Chair and Co-Chairs: Petr Roth and Vlastimil Kostkan Venue: Lake Tuz and Ankara, Turkey								
Start	Finish	Торіс	Speaker	Sub topic/Content				
08:30	09:00	Registration						
09.00	10.00	Welcome, introduction to the workshop and the pilot site	Petr Roth, Vlastimil Kostkan, ECRAN	<ul> <li>Introduction to the workshop</li> <li>Aim and route of the field trip</li> </ul>				
10.00	12.30	Bus trip to Lake Tuz						
12.30	14.30	Lake Tuz – NW and SW lake shore, reconnaissance of the pilot project location	All participants	<ul> <li>Familiarization with the pilot area</li> <li>Explanation of occurrence of target features</li> <li>Location of elements of the pilot project</li> </ul>				
14.30	16.30	Bus transfer to Ankara	a, participants prepare for t	the classroom part of the workshop				
17.00	18.30	Introduction to the topic: Natura 2000 network as an object of Appropriate Assessment (AA)	Petr Roth, ECRAN	<ul> <li>Natura 2000, its objective and place within EU biodiversity policy</li> <li>Interrelationship between the Nature Directives as regards Natura 2000; Natura 2000 and ecological network</li> <li>Natura 2000: target features, conservation objectives, site integrity, (ecological) coherence of the network</li> <li>Obligations referring to N2K: proactive and reactive</li> </ul>				







Topic: Appropriate Assessments Chair and Co-Chairs: Petr Roth and Vlastimil Kostkan, ECRAN Venue: Ankara, Turkey					
Start	Finish	1 Topic Speaker Sub topic/Content			
08:30	09:00	Registration			
09.00	10.30	Theory of Appropriate Assessment	Petr Roth, ECRAN	<ul> <li>AA: combination of biological assessment and decision-making process</li> <li>Art. 6 Habitats Directive: obligations regarding Natura 2000 in time, meaning of particular provisions</li> <li>Role of CJEU judgments</li> <li>AA: tool to maintain site integrity and network coherence</li> <li>Analysis of AA process: semantic analysis of the wording of Art. 6(3) Habitats Directive and its legal and factual interpretation, particular "stages" of AA and their objectives</li> </ul>	
10.30	11.00	Coffee Break			
11.00	12.30	Appropriate Assessment from practical perspective, linkages to and differences from EIA/SEA	Petr Roth & Vlastimil Kostkan, ECRAN	<ul> <li>AA vs. EIA/SEA: combination of environmental assessment and decision-making process; "scope" of AA vs. scope of EIA/SEA; administrative and procedural view: merging/keeping separate procedures (pros and cons)</li> <li>Who is to carry out AA? EU approaches, pros and cons</li> <li>"Scoping" of AA</li> <li>Data needed for AA (both on project and the sites), difference between data for SDF and data for AA</li> <li>AA: need for qualitatively new procedures and new or enforced administrative structure (role of</li> </ul>	







				AA in the approval of EU-funded projects)	
12.30	13.00	Experience of a new EU MS	Aljoša Duplić, State Institute for Nature Protection, Croatia	<ul> <li>"Bottom-up" view of a representative of the country from the region</li> </ul>	
13.00	14.30	Lunch Break			
14.30	15.00	Experience of the Czech Republic: licensing of AA experts	Petr Havel, Ministry of Environment, Czech Republic	<ul> <li>Possible solution of problems with low expertise of AA assessors</li> </ul>	
15.00	16.00	Introduction to the pilot AA: pilot site and pilot projects	Vlastimil Kostkan, ECRAN	<ul> <li>Familiarization with the pilot site and pilot project</li> <li>Preparation for screening exercises</li> </ul>	
16.00	16.50	AA stage I: Screening – theoretical basis	Petr Roth & Vlastimil Kostkan, ECRAN	<ul> <li>Objective of screening and its unambiguous outcome</li> <li>Weight of screening conclusion (big investments versus priceless and irreparable natural assets)</li> <li>Indirect and cumulative effects</li> <li>Data needed for screening</li> <li>Possible forms of screening</li> <li>Screening template – pros and cons</li> <li>Pre-screening</li> </ul>	
16.50	17.20	Coffee Break			
17.20	18.00	Screening exercise I	All participants		
18.00	18.20	Q & A, end of Day 2	Petr Roth & Vlastimil Kostkan, ECRAN		







Topic: Appropriate Assessments Chair and Co-Chairs: Petr Roth and Vlastimil Kostkan Venue: Ankara, Turkey						
Start	Finish	Торіс	Speaker	Sub topic/Content		
08:30	09:00	Registration				
09.00	10.00	Screening exercise II	All participants			
10.00	11.00	Experience with screening: example of Croatia	Aljoša Duplić, State Institute for Nature Protection, Croatia	Croatian experience with screening		
11.00	11.30	Coffee Break				
11.30	12.30	Importance of screening: disadvantages of oversimplification	Petr Havel, Ministry of Environment, Czech Republic	Czech experience with screening		
12.30	13.30	Lunch Break				
13.30	14.30	Pilot screening	Vlastimil Kostkan, ECRAN	<ul> <li>Data presentation</li> <li>Screening exercise in groups</li> <li>Screening conclusion</li> <li>Summary of needs for upcoming stage II: data, way of cooperation, support, resources</li> </ul>		
14.30	14.50	Follow-up, organisational matters, end of the workshop	Petr Roth & Vlastimil Kostkan, ECRAN			







# ANNEX III – Participants

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## ANNEX IV – Workshop materials (under separate cover)

Workshop materials including presentations, exercise materials and agenda, can be downloaded from:

http://www.ecranetwork.org/Files/workshop\_on\_AA\_pilot\_site\_Turkey, 11-14\_November\_2014.zip





