

Requirements of SACs Designation

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Management of Natura 2000*

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Definition of SAC in the Habitats Directive

- Art 1 -

".. means a site of Community importance designated by the MS through a statutory, administrative and/or contractual act where the necessary conservation measures are applied for maintenance or restoration, at a favourable status, of the natural habitats and/or the populations of species for which the site is designated.

Designation of SACs- Requirements

1. Clear legal basis and unquestionable binding force

Designation of SACs- Requirements

2. Formalised through a legally binding act at relevant/appropriate level (regional, national)

? Which types of law underpin SAC designation in MS?

Designation of SACs - Requirements

3. SAC designation involves applying necessary conservation measures

- In tandem: at the same time and not in different procedures**
- ? Applied means: - put in place after the 6 years period
- identified and ready to be implemented**

Designation of SACs - Requirements

4. Designation accomplished within 6 years of SCI adoption

- what happens after the six years?
- Will COM initiate an infringement case?

Designation of SACs - Requirements

5. Border delimitation and list of habitats and species for which the site is designated as SAC

- unless agreed otherwise with the COM they are the same than the SCI what happens after the six years?
- ? to keep legal act simple: cross reference to the SDF can be made?
- ? how legal clarity force be ensured with only reference to the SDF?

Designation of SACs- Requirements

6. Motivation of SAC legal designation: to ensure that the habitat and species for which site was designated are restored or maintained at a favourable conservation status

- Not only renaming SCI as SAC
- ? to simplify legal act: conservation objectives, conservation status and conservation measures do not need to be detailed?
- ? Is it acceptable an additional transparent mechanism clearly referenced in the designation act which ensures that habitats and species will be restored/maintained to FCS on the site?

Designation of SACs- Requirements

7. SAC designation is linked to implementation of Art 6.1

- Conservation measures must be legally enforceable

Designation of SACs- Requirements

8. SAC protection: Art 6.2, 6.3 and 6.4 apply to SAC

- It should be recalled in the legal act for the information of all the stakeholders involved in the conservation of the SAC

Requirements of SAC designation - other issues for discussion-

□ Meaning of priority in Art. 4.4.

- *Order in which the sites should be designated?*
- *Different criteria could be applicable: results of reporting exercise under provisions of Art. 17*