



European Union Network for the Implementation
and Enforcement of Environmental Law

Development of a planning tool concerning inspection of Natura 2000 sites 2019

*Testing the proposed planning tool for inspections of Natura 2000 sites
(NIRAM) in IMPEL member countries*

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Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Brussels, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 7th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at: www.impel.eu



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<p>Executive Summary</p> <p>Planning is one of the key factors in making inspection work more transparent, systematic and effective. IMPEL project 2018/14 worked on the development of a tool and defined criteria which would manage the frequency of inspection at protected sites (with focus on Natura 2000 sites). During tests it turned out that the IMPEL IRAM-Tool could be further developed for the purpose and the product was a first version of IRAM for Nature (NIRAM).</p> <p>IMPEL project 2019/15 carried out applicability investigations of the NIRAM tool by using the tool at two selected Natura 2000 sites in Slovenia and considered the best way to achieve robust results. The assessment can be carried out by a competent inspector based on his knowledge and information available as a desk task. But it turned out during and after the site visits that the assessment can benefit from close cooperation between different sectors.</p> <p>The 2019 project showed that the IMPEL project report 2018/14 and the IMPELs documents on the Easy tools project (link) can serve as guidance for NIRAM users so that it was not necessary to develop further instructions for potential NIRAM users. But there is still a need for developing training material for providing support to NIRAM trainers in terms of supporting on-site decision making.</p>	
<p>Disclaimer</p> <p>This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations or the Commission.</p>	



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1. Introduction

So far, European nature conservation legislation does not regulate inspection activities concerning nature protected sites. In 2001, the European Parliament and the Council adopted [Recommendation 2001/331/EC](#) providing for minimum criteria for environmental inspections in the Member States (RMCEI). The RMCEI contains non-binding criteria for the planning, carrying out, following up and reporting on environmental inspections. The RMCEI says that inspection activities should be planned in advance and recommends a systematic approach (inspection plan and program). The Communication on the review of the RMCEI [COM (2007)707 final] highlights in section 2.1 that it does not include criteria for the inspection of Natura 2000 sites and it encouraged IMPEL to develop such criteria.

IMPEL project 2018/14 worked on the development of a tool and defined criteria which would manage the frequency of inspection at protected sites (with focus on Natura 2000 sites). During discussion it transpired that the IMPEL IRAM-Tool could be further developed for the purpose and the product was a first version of IRAM for Nature (NIRAM). The applicability of the proposed criteria and the tool had to be confirmed / substantiated through tests and practical work with them.

1.1 Objectives and scope of IMPEL project 2019/15

In the IMPEL project 2019/15 the objective was

- To gather more experience by carrying out tests of the applicability of the NIRAM tool by assessing the inspection frequency for two selected Natura 2000 sites in a host country (Slovenia).
- To identify the parties to be involved in the scoring of the sites.
- To improve the NIRAM-Tool developed so far (if possible).
- To identify which kind of guidance material would be needed for the NIRAM users.

1.2 Methodology

The activities during the project consisted of the following steps:

- Identification of two suitable Natura 2000 sites in the host country
- Gathering information on the sites available to the Inspectorate
- Carrying out an analysis of whether the proposed NIRAM criteria fit



- Carrying out the scoring of the sites by the competent inspector based on their knowledge and information available as a desk based task
- Determining inspection frequency
- Carrying out inspections in cooperation with experts from different sectors (nature protection, water management, agriculture etc.) and making the scoring based on the findings in the field
- Comparing the result of the assessment carried out as a desk task with that achieved during site visits and in the cooperation between experts from different sectors
- Discussion and decision on which kind of guidance NIRAM users would need.

The combination of desk work and checking facts in the field promised to deliver reliable findings.



2. Application of the NIRAM tool – inspection frequency of two selected Natura 2000 sites in Slovenia

After the last extension, in 2013, Slovenia had 355 Natura 2000 sites, 31 sites designated under Bird Directive and 323 sites designated under Habitat Directive. In total Natura 2000 covers more than 38% of the total surface of the country. All together there are 118 bird species, 60 natural habitats and 114 fauna and flora habitat species. Most of Natura 2000 sites are forests (70 %), followed by agriculture land (23 %), infrastructure (2 %), water bodies (1 %) and other (4 %).

For the period 2015-2020 there is a NATURA 2000 SITE MANAGEMENT PROGRAMME (http://www.natura2000.si/fileadmin/user_upload/LIFE_Upravljanje/PUN_ProgramNatura.pdf) adopted which provides conservation objectives for all sites such as conserve, improve, restore, enlarge, research, monitoring, define, not defined. Programme also prescribes conservation measures (type of conservation measure, additional guideline, measures for adapted use of natural resource) and organisation and defines financial sources for their implementation. For certain sites or for their parts specific management plans are made.

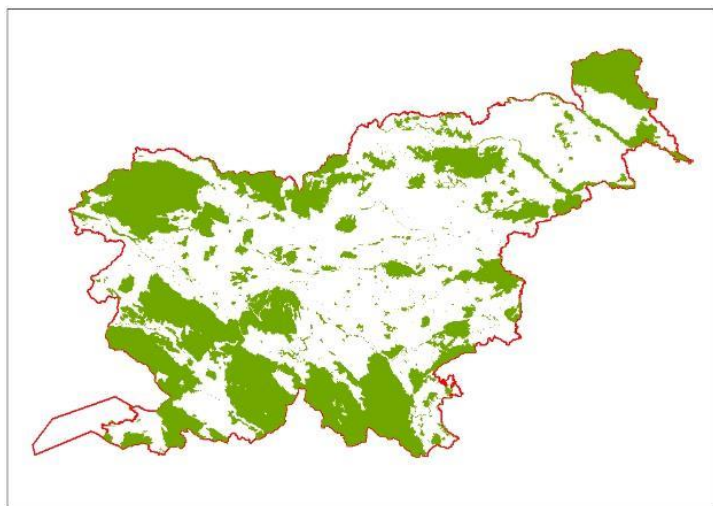


Figure 1: Map of Natura 2000 sites in Slovenia

2.1 Selecting Natura 2000 sites

Due to huge number of Natura 2000 sites in Slovenia, selecting adequate testing sites for carrying out the assessment with NIRAM tool was a significant piece of work - inspectors from State Inspection for the Environment and Nature Conservation and experts from Institute for Nature Conservation and Kozjansko Regional Park were involved. Cooperation was necessary to get all the information on the sites needed for the assessment and to assure their quality.

At the end two NATURA 2000 sites were selected:

- Volčeke; SAC SI3000213 and
- Bohor; SAC SI3000274.

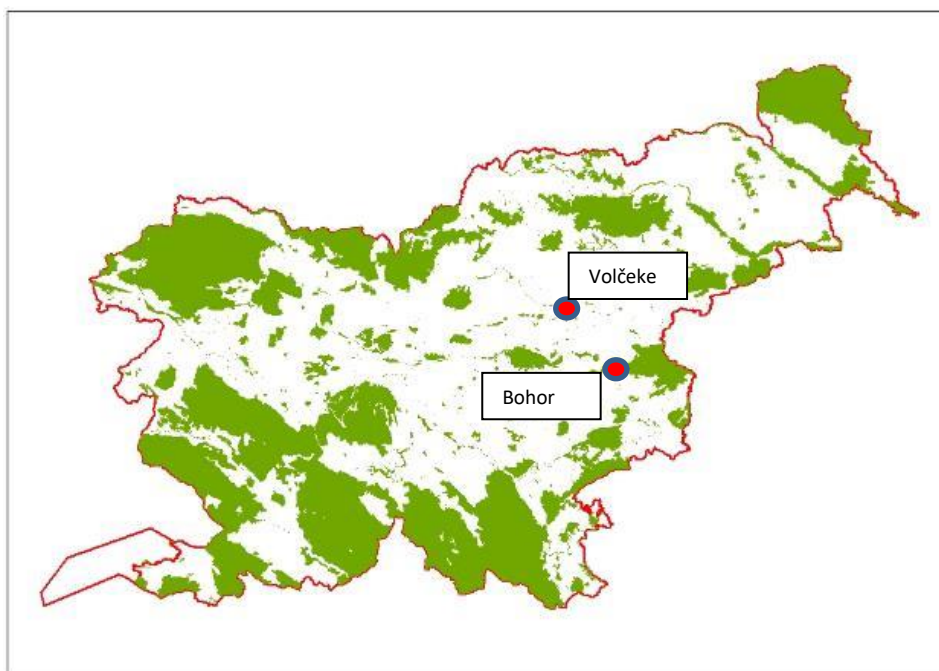


Figure 2: Location of Natura 2000 sites Volčeke and Bohor

The aim was to select two sites that will differ in many attributes such as: location, size, presence of outside activities, presence of custodian, overlapping with other protected areas. None of the selected sites is highly problematic from the inspection point of view, but they differ in many ways. One is located nearby an heavy industrial zone, the other lays far away from it in rural environment. One is small, the other is huge, one has a custodian, the other does not have any. Both of the sites are overlapping with other protected national sites, in one case overlapping is total (100 %), in another less than one third overlap. On the basis



of these differences it was assumed that the tool could be sufficiently tested and clear difference in frequency seen.

2.2. Scoring Natura 2000 sites

For scoring we used NIRAM tool based on two sets of criteria: impact criteria (Table 1) and probability criteria (Table 2). More information on NIRAM tool and criteria is available in IMPEL Report number: 2018/14 (https://www.impel.eu/wp-content/uploads/2019/08/FR-2018_14-Development-of-a-Planning-Tool-for-Inspections-on-Natura-Sites.pdf) and Easy-tools Risk Assessment Guidance Book (https://impel.eu/wp-content/uploads/2014/08/easyTools_Guidance-Book_2012-06-21.pdf).

Table 1- Impact criteria

N°	Criteria	Score			
		0	1	2	3
1	Presence of habitats and/or protected species	0	1	2	3
2	Site vulnerability	0	1	2	3
3	Gravity of offences	0	1	2	3
4	Conservation status of the site	0	1	2	3
5	Presence of activities with likely negative impact on conservation objectives, inside the Natura 2000 sites	0	1	2	3
6	Presence of activities outside the boundary of the Natura 2000 site which are likely to have a negative impact on the site conservation objectives – air quality	0	1	2	3
7	Presence of activities outside the boundary of the Natura 2000 site which are likely to have a negative impact on the site conservation objectives – water quality and water resources	0	1	2	3
8	Likely negative impact on conservation objectives changes in land use	0	1	2	3
10	Presence of activities with favourable impact on conservation	0	1	2	3



Table 2- Probability criteria

No	Criteria	Score		
		-1	0	+1
1	Presence of management plan	-1	0	+1
2	Presence of custodian	-1	0	+1
3	Presence of activities with favourable impact on conservation	-1	0	+1
4	Overlap Natura 2000 sites with national or other international sites	-1	0	+1
5	Likelihood of in combination activities	-1	Not applicable	+1

In the context of the assessment of the inspection frequency of Natura 2000 sites the **NIRAM principles** are the following:

1. The inspection frequency is determined by value of the highest score
2. The inspection frequency is reduced by one score, if the set minimum number of highest scores (called “the Rule”) is not met
3. The inspection frequency can be changed by only one score up or down based on the probability criteria
4. The higher the sum of scores the longer the inspection period.

Each of the selected sites was scored three times:

1. Before site inspection (scoring based on publicly available information in Natura 2000 database)
2. During site inspection (scoring based on theoretical knowledge and data from the field, presented by experts from Nature Protection Institute and Kozjansko Regional Park)
3. After site inspection (scoring based on theoretical knowledge, data from the field and final evaluation).



2.3 Natura 2000 site Volčeke SAC SI3000213

Natura 2000 site Volčeke is situated near Celje, the fourth largest city in Slovenia, therefore the whole area is located in close proximity to urban environment. The site is small, it has only 104 ha. Close to the south west of the site there is a heavy industrial zone (IED installation for production of titanium dioxide), on its south there are two landfills (one for municipal wastes and the other for industrial waste), on the north runs a highway and the east borders the stream Vzhodna Ložnica that runs from the area and contains a number of fish farms. Within the site agriculture is very intensive, there are many fields, intensive orchards, permanent grasslands, overgrown land, trees and shrubs, unused agricultural land, some forests and built-up land and the small stream Vzhodna Ložnica. The whole site overlaps with a protected area designated as state natural riches. Small natural habitats areas and small populations of butterflies are characteristic of the site. Agriculture is intensive and across most of the site the grasslands are not mowed properly (mowing ban from June to August to give butterfly species enough time to reproduce). Conversion of grasslands to fields is often noticed. In Slovenia farmers carrying out agricultural activities are not obliged to follow conservation measures for Natura 2000 and there are many owners of small pieces of land which are hard to convince to change traditional ways of farming. Monitoring of *Maculinea teleius* in 2008 show presence of 1,800 specimen, while during monitoring in 2017 only 500 specimen were counted.

Volčeke is designated as Natura 2000 site for:

Habitat types:

- 6510 - Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)
- 6410 - Molinia meadows on calcareous, peaty or clayey-silt-laden soils (*Molinia caerulea*)

Species:

- 1059 – *Maculinea teleius* – scarce large blue (butterfly)
- 1060 – *Lycaena dispar* - dusky large blue (butterfly)
- 1061 – *Maculinea nausithous* - large copper (butterfly)
- 1032 – *Unio crassus* – thick shelled river mussel

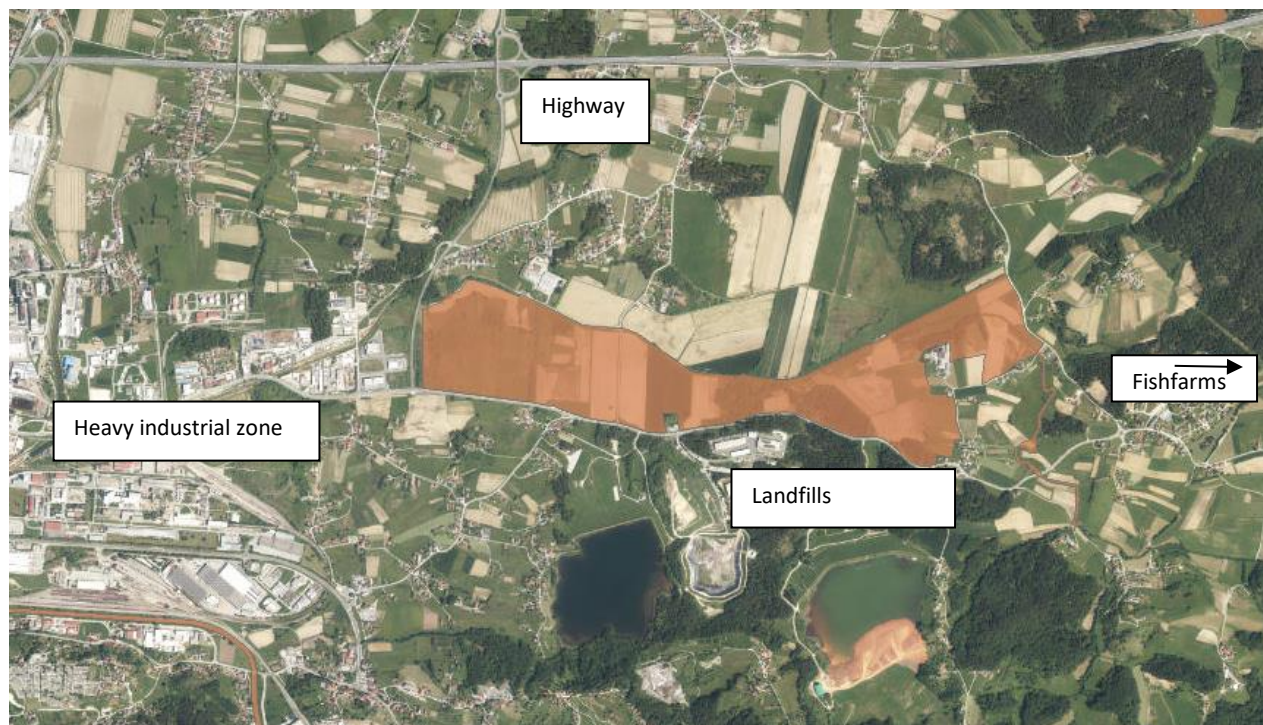


Figure 3: Map of Natura 2000 sites Volčeka

http://gis.arso.gov.si/atlasokolja/profile.aspx?id=Atlas_Okolja_AXL@Arso

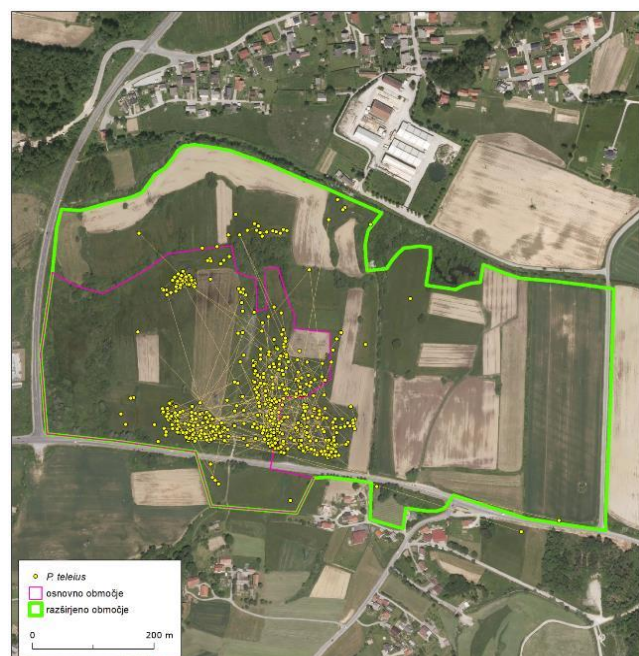


Figure 4: Monitoring of *Maculinea teleius*



Photo 1: Volčeke site inspection, corn field



Photo 2: Volčeke site inspection, typical grassland



Photo 3: Volčeke site inspection, scoring on the field

2.3.1. Volčeke - scoring results

Table 1- Impact criteria Volčeke

No	Criteria	Score			
		Scale	Before site visit	During site visit	Final scoring
1	Presence of habitats and/or protected species	0,1,2,3	0	0	0 Less than 33% of total site area is covered by habitats and species included in Habitats Directive.



2	Site vulnerability	0,1,2,3	3	3	3 Low ecological complexity, low resilience, high sensitivity.
3	Gravity of offences	0,1,2,3	1	1	1 Low offences, inspection gets very few reports on offences, 1 per 3 year.
4	Conservation status of the site	0,1,2,3	2	2	2 More than 25 % site is in unfavourable status.
5	Presence of activities with likely negative impact on conservation objectives, inside the Natura 2000 sites	0,1,2,3	0	0	0 We avoided this criteria because of specific agriculture politics in Slovenia. Farmers during carrying out the agricultural activities are not obliged to follow conservation measures for Natura 2000. Therefore we choose value 0.
6	Presence of activities outside the boundary of the Natura 2000 site which are likely to have a negative impact on the site conservation objectives – air quality	0,1,2,3	1	1	1 Distance of IED installation from Natura 2000 site boundary is app. 2 km.
7	Presence of activities outside the boundary of the Natura 2000 site which are likely to have a negative impact on the site conservation	0,1,2,3	2	3 Change	3 Possible influence of fish farms and landfills



	objectives –water quality and water resources			on the field.	is closer then 0,5 km.
8	Likely negative impact on conservation objectives changes in land use	0,1,2,3	0	0	0 We avoided this criteria because of specific agriculture politics in Slovenia. Farmers during carrying out the agricultural activities are not obliged to follow conservation measures for Natura 2000. Therefore we choose value 0.
9	Presence of activities with favourable impact on conservation	0,1,2,3	3	3	/ After final discussion this criteria was removed from impact criteria to probability criteria.

Table 2- Probability criteria Volčke

No	Criteria	Score			
		Scale	Before site visit	During site visit	Final scoring
10	<i>Presence of management plan</i>	-1, 0, 1	1	1	1 For site there is a general management plan but requirements are not followed.



11	<i>Presence of custodian</i>	-1, 0, 1	0	0	0 There is no custodian determined.
12	<i>Presence of activities with favourable impact on conservation</i>	-1, 0, 1	/	/	0
13	<i>Overlap Natura 2000 sites with national or other international sites</i>	-1, 0, 1	1	-1	-1 Whole site overlaps with protected area designated as a state natural feature.
14	<i>Likelihood of in combination activities</i>	-1, not applicable, 1	not applicable	not applicable	0 After discussion we decided to avoid this criteria.



Input of Performance Scores

Operator performance criteria		
	Weight of criteria	Score
3) Management Plan (MP)	1	1
6) Custodian	1	0
11) Overlap of N2K with other national/international sites	1	-1
10) Activities with likely favourable impact	1	0

Mean of operator performance 0

Risk Scores and Inspection Profile

Impact criteria	Risk profile	Inspection weight	Inspection profile
1) Presence of habitats and/or protected species	0	1	0
2) Vulnerability of the habitats in the site	3	1	3
4) Degree of offence	1	1	1
5) Conservation status of the site	2	1	2
7) Activities inside with likely negative impact	0	1	0
8a) Activities outside with negative impact on air quality	1	1	1
9) Changes in land use	0	1	0
8 b) Activities outside with negative impact on water	3	1	3



Assessment done by Horst B ther
Inspection object Voiceke ID SI-3000213
Inspection task Nature Inspection (new)
Date of inspection planning 26.09.2019 Date of last inspection 28.08.2019

Risk ranking number 33211000
Highest risk score 3
Number of highest risk scores 2
Risk category 2
Inspection frequency 36
Latest inspection date 28.08.2022
Maximum inspection effort (100%) 24
Sum of inspection profile 10
Inspection effort (percentage) 41 %
Inspection category B
Sum of risk profile 10
Mean of risk profile 1,3

Remarks



Results after inserting the estimated values into NIRAM tool:

- Scoring before site visit - recommended frequency of the site inspection is once per year.
- Scoring during site visit - recommended frequency of the site inspection is once per three years.
- Final scoring - recommended frequency of the site inspection is once per three years.

Concerning features of Natura 2000 site Volčke frequency of site inspection once per three years reflects the realtime need for how often the site should be inspected. It is not the site of the highest risk and should not be inspected with the highest effort (every year) but because of existing impact from the outside (air and water emissions) and intensive agriculture inside the site, it should be inspected more than once per six years which is the lower frequency of NIRAM tool.

2.4 Natura 2000 site Bohor SAC SI3000274

Natura 2000 site Bohor lies in the SE part of Slovenia. It is a huge site of 6792.622 ha. The area is typically rural with no industry inside the site or in its vicinity. The landscape is hilly, mainly covered by forests and some grasslands. One third of the site overlaps with a national protected area designated as Kozjansko Regional Park which is managed by a park authority. The site is more or less stable, main threats concerning nature conservation are illegal or improper logging, overgrowth of grasslands and intensive pasture. In Slovenia farmers carrying out agricultural activities are not obliged to follow conservation measures for Natura 2000 and there are many owners of small pieces of land which are hard to convince to change traditional ways of farming. A manager is active in raising the awareness of locals to how to run agriculture activities to preserve grasslands with *important orchid sites. Overgrowth of grasslands is forbidden by agricultural law, however mowing of steeper slopes, presents problems for farmers.

Bohor is designated as Natura 2000 site for:

Habitat types:

- 910 – Illiryan *Fagus sylvatica* forests (*Fagus sylvatica* (Aremonio-Fagion))
- 9110 - Luzulo-Fagetum beech forests (*Luzulo-Fagetum*)
- 6510 - Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)
- 6210 - Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites)



Species:

- 1193 – *Bombina variegata* (toad)
- 1087 – *Rosalia alpina* (bug)
- 1061 – *Morimus funereus* (bug)
- 1093 – *Austropotamobius torrentium* (crustacean)
- 1098 – *Callimorpha quadripunctaria* (butterfly)
- 4036 – *Leptida morsei* (bird)

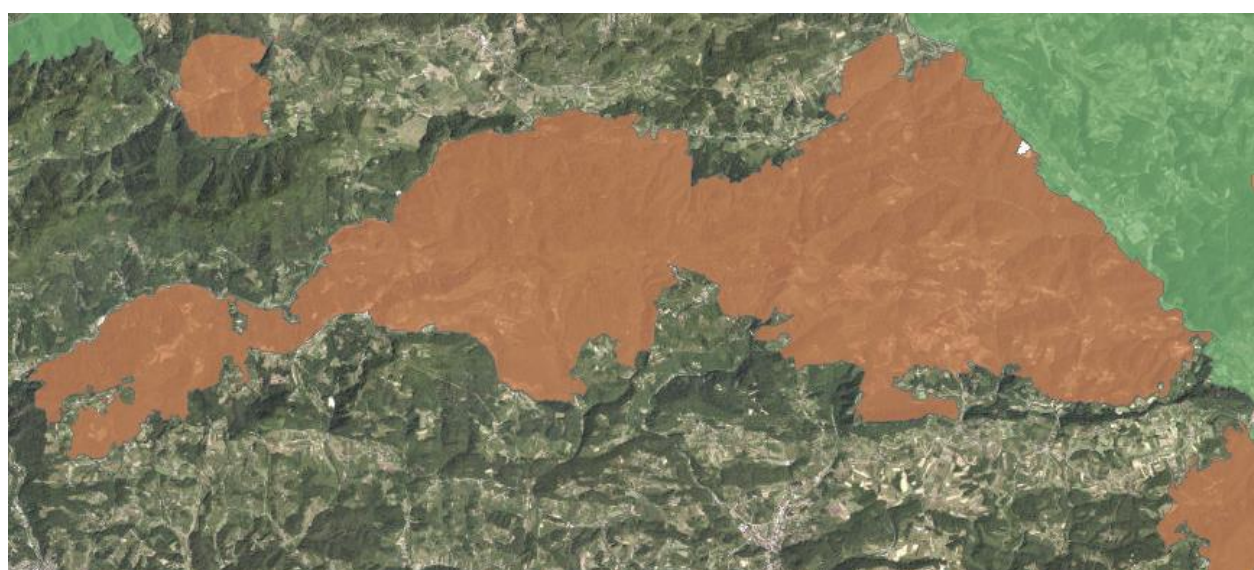


Figure 5: Map of Natura 2000 sites Bohor

http://gis.arso.gov.si/atlasokolja/profile.aspx?id=Atlas_Okolja_AXL@Arso

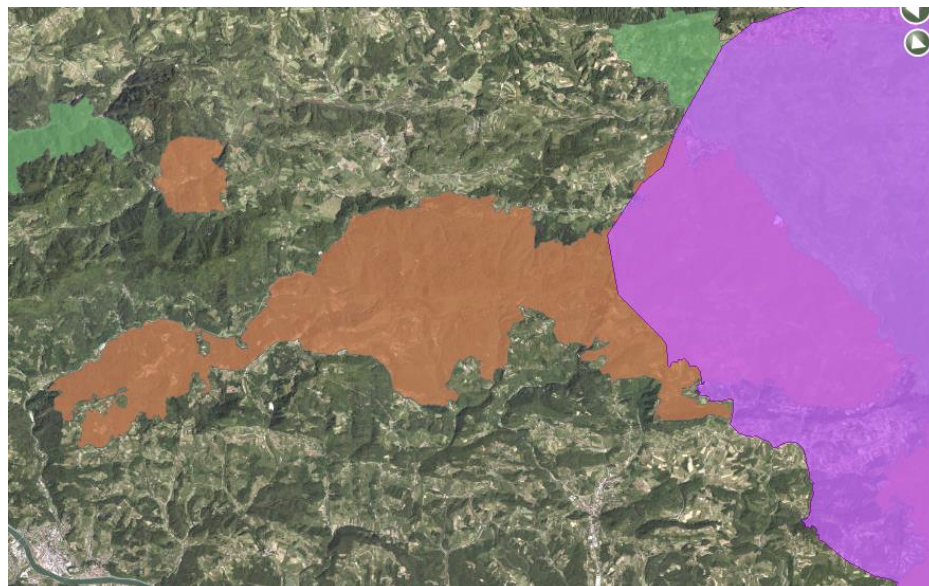


Figure 6: Overlapping Natura 2000 site Bohor and Kozjansko Regional Park

http://gis.arso.gov.si/atlasokolja/profile.aspx?id=Atlas_Okolja_AXL@Arso



Photo 4: Bohor site inspection, rural hilly area with forests and grasslands



Photo 5: Bohor site inspection, typical grassland with *important orchid species



Photo 6: Bohor site inspection, scoring on the field



2.4.1. Bohor scoring results

Table 1- Impact criteria Bohor

No	Criteria	Score			
		Scale	Before site visit	During site visit	Final scoring
1	Presence of habitats and/or protected species	0,1,2,3	3	3	3 Presence of habitats and species of priority interest included in Habitats Directive, *important orchid sites.
2	Site vulnerability	0,1,2,3	0	0	0 high ecological complexity, high resilience low sensitivity
3	Gravity of offences	0,1,2,3	0	0	0 No offences reported to inspection.
4	Conservation status of the site	0,1,2,3	0	1 Change on the field	1 unfavourable - Inadequate when the conservation status of the site is unfavourable up to 25% of the area, due to illegal and improper legal logging, bad conditions for bug species



5	Presence of activities with likely negative impact on conservation objectives, inside the Natura 2000 sites	0,1,2,3	0	2 Change on the field	2 Building forest roads while logging.
6	Presence of activities outside the boundary of the Natura 2000 site which are likely to have a negative impact on the site conservation objectives – air quality	0,1,2,3	0	0	0 No industry inside the site or in its vicinity.
7	Presence of activities outside the boundary of the Natura 2000 site which are likely to have a negative impact on the site conservation objectives – water quality and water resources	0,1,2,3	0	0	0 No industry or other sources inside the site or in its vicinity.
8	Likely negative impact on conservation objectives changes in land use	0,1,2,3	0	2 Change on the field	2 Intensive pasture, logging.
9	Presence of activities with favourable impact on conservation	0,1,2,3	3	3	/ After final discussion this criteria was removed from impact criteria to probability criteria.



Table 2- Probability criteria Volčeka

No	Criteria	Score			
		Scale	Before site visit	During site visit	Final scoring
10	<i>Presence of management plan</i>	-1, 0, 1	-1	-1	-1 For site there is a specific management plan and requirements are followed.
11	<i>Presence of custodian</i>	-1, 0, 1	-1	-1	-1 For one third of the area the custodian is the manager of Regional Park, for other two thirds takes care forest sector.
12	<i>Presence of activities with favourable impact on conservation</i>	-1, 0, 1	/	0	0
13	<i>Overlap Natura 2000 sites with national or other international sites</i>	-1, 0, 1	0	0	0 One third of the site overlaps with protected area Kozjansko Regional Park.



14	<i>Likelihood of in combination activities</i>	-1, not applicable, 1	not applicable	not applicable	0 After discussion we decided to avoid this criteria.
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NIRAM Template - Assessment of Bohor

Assessment done by Horst Büther
Inspection object Bohor **ID** SI-3000274
Inspection task Nature Inspection (new)
Date of inspection planning 26.09.2019 **Date of last inspection** 23.09.2014

Address data

Street	<u></u>		
Postal code	<u></u>	Location	<u></u>

Input of Impact Scores

Impact criteria	Maximum score	Score	Shift of score (weight)
1) Presence of habitats and/or protected species	<u>3</u>	<u>3</u>	<u>0</u>
2) Vulnerability of the habitats in the site	<u>3</u>	<u>0</u>	<u>0</u>
4) Degree of offence	<u>3</u>	<u>0</u>	<u>0</u>
5) Conservation status of the site	<u>3</u>	<u>1</u>	<u>0</u>
7) Activities inside with likely negative impact	<u>3</u>	<u>2</u>	<u>0</u>
8a) Activities outside with negative impact on air quality	<u>3</u>	<u>0</u>	<u>0</u>
9) Changes in land use	<u>3</u>	<u>2</u>	<u>0</u>
8 b) Activities outside with negative impact on water	<u>3</u>	<u>0</u>	<u>0</u>

Minimum number of highest score 4 **Lowest risk category** 1 **Highest risk category** 3

Input of Operator Performance Scores

Operator performance criteria	Weight of criteria	Score



Assessment done by Horst Büther
Inspection object Bohor **ID** SI-3000274
Inspection task Nature Inspection (new)
Date of inspection planning 26.09.2019 **Date of last inspection** 23.09.2014

<u>3) Management Plan (MP)</u>	<u>1</u>	<u>-1</u>
<u>6) Custodian</u>	<u>1</u>	<u>-1</u>
<u>11) Overlap of N2K with other national/international sites</u>	<u>1</u>	<u>0</u>
<u>10) Activities with likely favourable impact</u>	<u>1</u>	<u>0</u>

Mean of operator performance -1

Risk Scores and Inspection Profile

Impact criteria	Risk profile	Inspection weight	Inspection profile
<u>1) Presence of habitats and/or protected species</u>	<u>2</u>	<u>1</u>	<u>3</u>
<u>2) Vulnerability of the habitats in the site</u>	<u>0</u>	<u>1</u>	<u>0</u>
<u>4) Degree of offence</u>	<u>0</u>	<u>1</u>	<u>0</u>
<u>5) Conservation status of the site</u>	<u>0</u>	<u>1</u>	<u>1</u>
<u>7) Activities inside with likely negative impact</u>	<u>1</u>	<u>1</u>	<u>2</u>
<u>8a) Activities outside with negative impact on air quality</u>	<u>0</u>	<u>1</u>	<u>0</u>
<u>9) Changes in land use</u>	<u>1</u>	<u>1</u>	<u>2</u>
<u>8 b) Activities outside with negative impact on water</u>	<u>0</u>	<u>1</u>	<u>0</u>



Assessment done by	Horst Büther		
Inspection object	Bohor	ID	SI-3000274
Inspection task	Nature Inspection (new)		
Date of inspection planning	26.09.2019	Date of last inspection	23.09.2014

Risk ranking number	21100000
Highest risk score	2
Number of highest risk scores	1
Risk category	1
Inspection frequency	72
Latest inspection date	23.09.2020
Maximum inspection effort (100%)	24
Sum of inspection profile	8
Inspection effort (percentage)	33 %
Inspection category	B
Sum of risk profile	4
Mean of risk profile	0,5

Remarks

Results after inserting the estimated values into NIRAM tool:

- Scoring before site visit - recommended frequency of the site inspection is once per six years.
- Scoring during site visit - recommended frequency of the site inspection is once per six years.
- Final scoring - recommended frequency of the site inspection is once per six years.



Concerning features of Natura 2000 site Bohor frequency of site inspection once per six years reflects the real time need how often site should be inspected. Despite the occasional threats such as illegal or improper logging, building forest infrastructure, overgrowing grasslands and intensive pasture, the site is stable, and habitats and species protected through Habitats Directive are in favourable condition.

2.4.2 Testing two selected sites Volčeke and Bohor - Conclusions

Using the NIRAM-tool on two selected NATURA 2000 sites (Volčeke and Bohor) to determine frequency of site inspection proved to be effective in both cases. The final results reflected the real situation on the ground. Site Volčeke which is more vulnerable and exposed to various inside and outside activities with a negative impact on the site conservation objectives needs to be inspected more often. Assessing all the criteria was quite a challenge and therefore cooperation among inspection and other experts (in our case with Institute for Nature Conservation and Kozjansko Regional Park Authority) was necessary. Also data from a geographical database (http://gis.arso.gov.si/atlasokolja/profile.aspx?id=Atlas_Okolja_AXL@Arso) was used.

In the process of scoring some criteria were avoided due to specific agriculture politics in Slovenia. Farmers carrying out the agricultural activities are not obliged to follow conservation measures for Natura 2000, therefore for the site Volčeke two criteria were avoided: *Presence of activities with likely negative impact on conservation objectives, inside the Natura 2000 sites* and *Likely negative impact on conservation objectives changes in land use*.

Due to information obtained from experts directly in the field some criteria were changed during site inspection. On the site Volčeke two criteria were changed: *Presence of activities outside the boundary of the Natura 2000 site which are likely to have a negative impact on the site conservation objectives – water quality and water resources* and *Overlap Natura 2000 sites with national or other international sites* and on the site Bohor three criteria were changed: *Conservation status of the site*, *Presence of activities with likely negative impact on conservation objectives, inside the Natura 2000 sites* and *Likely negative impact on conservation objectives changes in land use*. The fact of changing criteria in the field points out the significance and necessity of cooperation between different sectors for carrying out proper assessment with NIRAM tool.

The tests proved that the NIRAM tool is very flexible and can be adjusted to the needs of different countries and even of individual authorities or inspection bodies.



3. Guidance for NIRAM users

The experience gathered during the project on the development of a planning tool for inspections of Natura 2000 sites and especially the 2019 project, showed that the IMPEL project report 2018/14 (https://www.impel.eu/wp-content/uploads/2019/08/FR-2018_14-Development-of-a-Planning-Tool-for-Inspections-on-Natura-Sites.pdf) and the IMPELs documents on the Easy tools project (https://impel.eu/wp-content/uploads/2014/08/easyTools_Guidance-Book_-2012-06-21.pdf) can serve as guidance for NIRAM users so that it was not necessary to develop further instructions for potential NIRAM users. But there is still a need for developing training material for providing support to NIRAM trainers in order to support correct decision making.

4. Recommendations

When starting the work with the NIRAM-tool in an authority or inspection body, inspectors and experts should become familiar with the definitions of the criteria. They should not spend too much time with the discussion about whether they are really the right ones or not. The scoring should be done with a set of fixed criteria, and it is recommended that all criteria are attempted in the first instance. However, the tool is flexible and can be adjusted to different needs of individual authorities or inspection bodies.

To provide further support for knowledge dissemination across member states, and the technical use of the NIRAM tool, the project team proposes an IMPEL follow-up project in 2020. Its aim is to provide training for NIRAM administrators, coordinators and inspectors in different IMPEL member countries.

The project shall include:

- Exchange of experience concerning the frequency of inspections of nature protected sites (focusing on Natura 2000 sites)
- Making progress in the use of the NIRAM IT tool as a part of the planning of inspections of Natura 2000 sites. It provides a systematic approach which would maximize resources into key areas of concern
- Determine how the NIRAM tool should be publicized to all member states through IMPEL communications team
- The results and the training material will be available for all interested parties.



Annexes



Annex I. Terms of Reference of IMPEL project 2019/15

TOR Reference No.: 2019/15	Author(s): Gisela Holzgraefe and project team Amended by: Elisabete Dias Ramos
Version: 3	Date: 09 August 2019
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input checked="" type="checkbox"/>
Cross-cutting tools and approaches	<input checked="" type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input checked="" type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input checked="" type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other (please describe):	<input type="checkbox"/>
1.3 Full name of work (enough to fully describe what the work area is)	
Inspection of nature protected sites - development of an easy and flexible tool as a part of the planning of inspections of Natura 2000 sites linked to European environmental law and the RMCEI (testing and improving the proposed NIRAM-Tool in different IMPEL member countries).	
1.4 Abbreviated name of work or project	
Testing and improving the proposed planning tool for inspections of Natura 2000 sites (NIRAM) in IMPEL member countries.	

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)
<ul style="list-style-type: none"> Habitats Directive, Council Directive 92/43/EEC of 21 May 1992.



<ul style="list-style-type: none"> • Birds Directive, Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009. • Action Plan for nature, people and the economy COM(2017) 198. • Environmental Compliance Assurance – EU Action Plan. 	
2.2 Link to IMPEL MASP priority work areas	
<ol style="list-style-type: none"> 1. Assist members to implement new legislation 2. Build capacity in member organisations through the IMPEL Review Initiatives 3. Work on ‘problem areas’ of implementation identified by IMPEL and the European Commission. 	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
2.3 Why is this work needed? (background, motivations, aims, etc.)	
<p>A. Motivations:</p> <p><u>Decline in EU biodiversity</u> The alarming decline in Europe’s biodiversity has driven the adoption, by the European Union (EU) of two key pieces of legislation – the Habitats and Birds Directives – to conserve Europe’s most valuable species and habitats across their entire natural range within the EU.</p> <p>The Birds and Habitats Directives are central to achieving the EU 2020 target of halting and reversing the loss of biodiversity endorsed by Heads of State and Government. The Commission has adopted an ambitious strategy to achieve this objective, comprised of six targets. Target 1 of this Strategy is focused on “Full implementation of EU nature legislation to protect” biodiversity and requires a significant improvement in conservation status. The implementation of EU nature legislation also contributes significantly to other targets of the biodiversity strategy, including in relation to green infrastructure and restoration under Target 2.</p> <p>The Action Plan for nature, people and the economy COM(2017) 198 points out that key factors behind the shortcomings in the implementation of the Nature Directives are e.g. <i>“limited resources, weak enforcement, poor integration of nature objectives into other policy areas, insufficient knowledge and access to data.”</i> The development of an IT tool as a part of the planning of inspections of nature protected sites will provide a systematic approach which would maximize resources into key areas of concern.</p> <p><u>Development of an easy and flexible tool as a part of the planning of inspections of Natura 2000 sites linked to European environmental law and the RMCEI</u></p> <p>During the Green Expert Team Meeting in Trogir (Croatia), from 19 to 21st of September 2016, the need for a planning tool for inspections of nature protected sites was identified. The discussion showed that it is a complex item. The part (2) of the IMPEL project 2017/18 “Roadmap for a planning tool concerning inspection of Natura 2000 sites (including the option of using the IRAM-Tool)” confirmed this need.</p> <p>In 2018 a first version of the tool has been developed. Based on the information about the IRAM tool for planning inspections of industrial installations the work was carried out in three phases:</p>	



- Development of appropriate criteria and a scoring system.
- Transposition of the proposal into the IRAM tool (result: the NIRAM tool).
- determination of the inspection frequencies of selected examples (existing sites in some member countries).

The applicability of the proposed criteria and the tool have to be confirmed / substantiated through tests and practical work with them.

Input from other IMPEL projects and IMPEL's Strategic Work Programme

The IRAM (Integrated Risk Assessment Methodology) tool is a method for assessing the frequency of regulatory/compliance visits to an industrial site. The project intends to evaluate different methods and find out whether the IRAM tool could be expanded out of its current remit to include a risk-based approach to the frequency of visits to Natura 2000 sites.

IMPEL's Strategic Work Programme 2016-2020 presents background information and the key priorities, in line on the 7th EU Action Programme to 2020 "Living well within the limits of our planet" (Decision No 1386/2013/EU). According to both documents a key element for the improvement of shortcomings in the implementation of environmental requirements is an effective system of inspections and surveillance. The development of an IT planning tool for inspections is in line with both programmes. Benefits will be:

- a) Relief for the daily work of authorities.
- b) Transparency.
- c) Simplified approaches to maximize resources.

B. Background:

So far, European nature conservation legislation does not regulate inspection activities concerning nature protected sites. In 2001, recognising that there was a wide disparity between inspection systems in the Member States, the European Parliament and the Council adopted [Recommendation 2001/331/EC](#) providing for minimum criteria for environmental inspections in the Member States (RMCEI). The RMCEI contains non-binding criteria for the planning, carrying out, following up and reporting on environmental inspections. The RMCEI says that inspection activities should be planned in advance and recommends a systematic approach (inspection plan and program). The Communication on the review of the RMCEI [COM (2007)707 final] highlights in section 2.1 that it does not include criteria for the inspection of Natura 2000 sites and it encouraged IMPEL to develop such criteria.

During the Green Expert Team Meeting in Trogir (Croatia), from 19 to 21st of September 2016, the need for a planning tool for inspections was identified. Planning of inspections is one of the key factors to make inspection more transparent, systematic and effective. Criteria on how often Natura 2000 sites should be inspected to ensure sufficient inspection and to contribute to the maintenance of the favourable status of the site are various and differ from country to country. The project team agreed on a two-step approach:

- a) Setting up a roadmap for the development of a planning tool for inspections of Natura 2000 sites in 2017; and
- b) The development of the tool itself from 2018 on.



The IMPEL project 2018/14 provided criteria and developed an IT tool as part of the planning of inspections of Natura 2000 sites in the IMPEL member countries. For that purpose, the project team decided to adjust the already existing IRAM-Tool to the needs in this field.

C. Aim:

The main objective of this project is to contribute to the continuing development of capacity within IMPEL, to the gather forces and to share experience between MS to assure proper implementation and enforcement of the Nature directives and to promote nature conservation.

The IMPEL project 2018/14 provided criteria and a scoring system for a risk-based assessment of the frequency of inspections of nature protected sites (focus: Natura 2000 sites). The project team decided to adjust the already existing IRAM-IT-Tool to the needs in this field and proposed the name NIRAM-Tool (Integrated Risk Assessment Methodology for Natura Sites). The applicability of the proposed criteria and the tool has to be confirmed / substantiated through tests and practical work with them.

To achieve such objective the project team proposes an IMPEL follow-up project in 2019. Its aim is to improve the proposed criteria and to adjust the first version of the NIRAM tool to manage the frequency of nature protected site visits (focussing on Natura 2000 sites). If possible, the tool will also store data collated through inspections over the long term in order to be used by inspection authorities for the purposes of evidence and long-term trends in nature protected sites change.

The aim of further improvement and training can only be achieved by using a multi-annual approach. The timeline will be the following:

- **Project 2019 will consist of:**
 - A first meeting with: test of the NIRAM tool by project group and selected authorities / inspectors in the host country and providing feedback for changes (steps: the host country prepares the scoring of NIRAM criteria, the inspection frequency will be identified, feedback prepared and site visits for second meeting prepared), discussion on the storage of information (currently possible with NIRAM and useful / desired storage capacity).
 - A second meeting with: amendment of phase 2 tool, and preparatory work for the test of the NIRAM tool on selected sites of participating countries and joint inspection of two sites in the host country.
 - A third meeting with: test of the NIRAM tool in another selected country and decision whether NIRAM tool and guidance document need further changes. Assessment of the results of exploring the possibilities for the storage of information / identification of further development. Preparatory work for the training phase 2020.
- **Project 2020 will:**
 - Provide training for NIRAM administrators, coordinators and inspectors in different IMPEL member countries
- **Project 2021 will:**



- If necessary, gather feedback from users and identify needs for improvement and further recommendations for the tool.
- Provide further training for NIRAM administrators, coordinators and inspectors in different IMPEL member countries

Interim reports of progress, key successes and failures will be provided at the end of each project year and a final report at the end of tool development highlighting successes, failures, feedback and lessons learned.

2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

In project phase 2019:

- Exchange of experience concerning the frequency of inspections of nature protected sites (focusing on Natura 2000 sites).
- Systematic assessment of the robustness of the criteria proposed for the sector and testing the draft NIRAM tool will improve the tool and increase the applicability.
- The proposed NIRAM IT tool as a part of the planning of inspections of Natura 2000 sites will provide a systematic approach which would maximize resources into key areas of concern,

For the development of a common understanding and sharing as well as spreading knowledge interim reports will be produced. The results will be available for all interested parties.

2.5 Does this project link to any previous or current IMPEL projects? (state which projects and how they are related)

2013: "Nature protection in permitting and inspection".
 2014: "Nature protection in permitting and inspection of industrial installations Implementation of Art. 6(3) of the Habitats Directive" – general overview.
 2015: "Nature protection in permitting and inspection of industrial installations Implementation of Art. 6(3) of the Habitats Directive" – evaluation of the Guidance Document "Wind energy developments and Natura 2000" and development of a Sector specific guidance document on Article 6(3) HD in permitting of farm projects (pigs and poultry).
 2016: Nature protection in permitting and inspection of extractive industry (quarries and open cast mining) – Implementation of Art. 6(3) of the Habitats Directive.
 2017/18: Nature protection in permitting and inspection: Implementation of Art. 6(3) of the HD.
 (1) Inspection of non-energy extractive industry (quarries and open cast mining).
 (2) Roadmap for a planning tool concerning inspection of Natura 2000 sites (including the option of using the IRAM-Tool).
 2018/14: Development of a planning tool for inspections of nature protected sites with focus on Natura 2000 sites.



3. Structure of the proposed activity

3.1 Describe the activities of the proposal (what are you going, to do and how?)
<p>Working with a core team for the preparation of the project activities:</p> <ul style="list-style-type: none">• A first meeting with: test of the NIRAM tool by project group and selected authorities / inspectors in the host country and providing feedback for changes (steps: the host country prepares the scoring of NIRAM criteria, the inspection frequency will be identified, feedback prepared and site visit for second meeting prepared), discussion on storage of information• A second meeting with: amendment of phase 2 tool, preparatory work for the test of the NIRAM tool on other selected sites and joint inspection of two sites in the host country.• A third meeting with: test of the NIRAM tool in another selected country and decision whether NIRAM tool and guidance document need further changes. Preparatory work for the training phase 2020. Identification of further work concerning storage of information. <p>Preparation of the documents / outputs of the project phase 2019.</p>
3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)
<ul style="list-style-type: none">• Defined frequencies for inspection of Natura 2000 sites.• A set of improved criteria to be used for the NIRAM IT tool.• Decision on improved NIRAM tool.• Amount of resources needed for the planning of inspection by using the NIRAM tool.
3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)
<ul style="list-style-type: none">• Identification of core team members: January 2019.• Identification of contributors to the project selected coordinators / inspectors: February/March 2019.• First core team meeting plus selected coordinators / inspectors: March 2019.• Invitation for the second meeting: April 2019.• Second meeting of core team and selected coordinators / inspectors: End of June 2019.• Third meeting of core team and selected coordinators / inspectors: August 2019.• Draft final report for green expert team: September 2019.• Submission of the draft interim report to GA: November 2019.
3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)



4. Organisation of the work

4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)
Gisela Holzgraefe, Ministry for Energy Transition, Agriculture, Environment, Nature and Digitalisation of Land Schleswig-Holstein, Germany.
4.2 Project team (who will take part: name, organisation and country)
Experts from Germany, Portugal, Slovenia, Croatia, Latvia, Romania, Spain and England.
4.3 Other IMPEL participants (name, organisation and country)
4.4. Other non-IMPEL participants (name, organisation and country)
e.g. ENCA, Habitats Committee, ORNIS Committee, JASPERS, Working group for Appropriate Assessment procedure. Working group on EIA (Espoo Convention) and SEA (Kyiv Protocol), possibly others with experience in the use of different planning tools, e.g. IRAM.

5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible

	Year 2019 (exact)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	18,970 €			
How much money is to be co-financed?				
Total budget	18,970 €			

6. Detailed other costs of the work for year 2019

6.1 Are you using a consultant?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6.2 What are the total costs for the consultant?	N/a.
6.3 Who is paying for the consultant?	N/a.



6.4 What will the consultant do?	N/a.
6.5 Are there any additional costs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Namely: 1,230 €
6.6 What are the additional costs for?	For the participation in IMPEL green expert team meetings and for transportation to the on-site inspections.
6.7 Who is paying for the additional costs?	IMPEL.
6.8 Are you seeking other funding sources?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:
6.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:

7. Communication and follow-up (checklist)

	What		By when
7.1 Indicate which communication materials will be developed throughout the project and when <i>(all to be sent to the Communications Officer at the IMPEL Secretariat)</i>	TOR ^{✓*}	<input checked="" type="checkbox"/>	
	Interim report ^{✓*}	<input type="checkbox"/>	
	Project report ^{✓*}	<input checked="" type="checkbox"/>	
	Progress report(s) [✓]	<input checked="" type="checkbox"/>	
	Press releases	<input type="checkbox"/>	
	News items for the website ^{✓*}	<input checked="" type="checkbox"/>	
	News items for the e-newsletter	<input checked="" type="checkbox"/>	
	Project abstract ^{✓*}	<input checked="" type="checkbox"/>	
	IMPEL at a Glance [✓]	<input type="checkbox"/>	
	Other, (give details):	<input type="checkbox"/>	



7.2 Milestones / Scheduled meetings (for the website diary).	See 3.3.
7.3 Images for the IMPEL image bank.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7.4 Indicate which materials will be translated and into which languages.	
7.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required.	
7.6 Identify which groups/institutions will be targeted and how.	COM, non-IMPEL participants, e.g. ENCA, Habitats Committee, ORNIS Committee, JASPERS, working group for appropriate assessment procedure. Working group on EIA (Espoo Convention) and SEA (Kyiv Protocol).
7.7 Identify parallel developments / events by other organisations, where the project can be promoted.	

**) Templates are available and should be used. *) Obligatory*

8. Remarks

Is there anything else you would like to add to the Terms of Reference that has not been covered above?

In case of doubts or questions please contact the [IMPEL Secretariat](#).

Draft and final versions need to be sent to the [IMPEL Secretariat](#) in word format, not in PDF.

Thank you.