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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on the Environment

Subject:	Nature Restoration Regulation: Working Party Environment meeting on 16 September 2022: Revised Presidency Steering note
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Delegations will find attached a revised steering note prepared by the Presidency with a view to the meeting of the Working Party Environment on 16 September 2022.



Presidency Steering Note

Working Party on the Environment
16th September 2022

Proposal for a Regulation of the European Parliament and of the Council on Nature Restoration

Introduction

The Presidency proposes to continue the examination of the Proposal for a Regulation on Nature Restoration. Following a WPE meeting on 8th September, during which Articles 4 – 7 were covered, the Presidency hereby puts forward an updated steering note in order to guide discussions during the WPE meeting on 16th September. The meeting on 16th September will aim to cover **Articles 8, 9 and 10** of the Proposal and the respective **Annexes (IV, V, VI)**. The abovementioned Articles will also be discussed in the light of the comments provided by the MS delegations on the **definitions included** (mainly) **in the Article 3** of the proposal.

Depending on time and progress achieved during the meeting, the Presidency would also like to examine provisions in **Chapter V** on delegated powers and committee procedure (Articles 19 – 21).

Article 8

Article 8 sets the obligation to reverse the decline of pollinators and to achieve an increasing trend of pollinator populations until satisfactory levels are reached. This will be based on a method for monitoring pollinators that will be established.

Possible points for discussion related to **Article 8** of the Proposal:

- **reversing the decline of pollinator populations** by 2030 and achieving thereafter an **increasing trend of pollinator populations**, measured every three years after 2030; reaching **satisfactory levels of pollinator populations** - 8(1)

Related: Article 11(3) (setting satisfactory levels for indicators)

Definitions: pollinator, decline of pollinator populations





Articles 9 and 10

To improve biodiversity of agro-ecosystems and forest ecosystems, **Articles 9 and 10** set obligations for individual Member States to achieve an increasing trend for a set of indicators that are particularly important for the biodiversity of those ecosystems.

Possible points for discussion related to **Article 9** of the Proposal:

- putting in place the restoration measures necessary to **enhance biodiversity in agricultural ecosystems in addition to the areas** that are subject to restoration measures under Article 4(1), (2) and (3) of the Proposal – 9(1)
- achieving an **increasing trend at national level** of each of the indicators in agricultural ecosystems measured **in the period from the date of entry into force of this Regulation until 31 December 2030**, and **every three years thereafter**, until the **satisfactory levels** are reached – 9(2)
- **choice of indicators** - grassland butterfly index; stock of organic carbon in cropland mineral soils; share of agricultural land with high-diversity landscape features; the common farmland bird index – 9(2)
- values for the common farmland bird index: **110** (of 12 months after the date of entry of Proposal into force = 100) by **2030**, **120** by **2040** and **130** by **2050** / **105** by **2030**, **110** by **2040** and **115** by **2050** – 9(3)
- putting in place restoration measures for **organic soils in agricultural use** constituting **drained peatlands** on **30 %** of such areas by **2030**, of which at least a quarter shall be **rewetted**, **50 %** of such areas by **2040**, of which at least half shall be rewetted, **70 %** of such areas by **2050**, of which at least half shall be rewetted – 9(4)
- putting in place restoration measures incl. **rewetting** in **areas of peat extraction sites** and counting those areas as contributing to achieving the respective targets – 9(4)
- putting in place restoration measures to **rewet organic soils** that constitute **drained peatlands under land uses** other than agricultural use and peat extraction and counting those rewetted areas as contributing, up to a maximum of 20%, to the achievement of the respective targets – 9(4)

Related: Annex IV of the Proposal, Article 4(1), (2) and (3) of the Proposal (Restoration of terrestrial and freshwater ecosystems), Article 11(3) of the Proposal (setting satisfactory levels for indicators)

Definitions: none





Possibility to include definitions based on MS comments: biodiversity, agricultural ecosystem, organic soil, rewetting, increasing trend, high diversity landscape features

Possible points for discussion related to **Article 10** of the Proposal:

- putting in place the restoration measures necessary to **enhance biodiversity in forest ecosystems in addition to the areas** that are subject to restoration measures under Article 4(1), (2) and (3) of the Proposal – 10(1)
- achieving an **increasing trend at national level** of each of the indicators in forest ecosystems measured **in the period from the date of entry into force of this Regulation until 31 December 2030**, and **every three years thereafter**, until the **satisfactory levels** are reached – 10(2)
- **choice of indicators** - standing deadwood; lying deadwood; share of forests with uneven-aged structure; forest connectivity; common forest bird index; stock of organic carbon – 10(2)

Related: Annex VI of the Proposal, Article 4(1), (2) and (3) of the Proposal (Restoration of terrestrial and freshwater ecosystems), Article 11(3) of the Proposal (setting satisfactory levels for indicators)

Definitions: none

Possibility to include definitions based on MS comments: biodiversity, increasing trend

Annex IV

Annex IV contains the list of biodiversity indicators for agricultural ecosystems referred to in Article 9(2).

Possible points for discussion related to **Annex IV** of the Proposal:

- Description, units, and methodology for determining and monitoring (I) **grassland butterfly index**; (II) **stock of organic carbon in cropland mineral soils**; (III) **share of agricultural land with high-diversity landscape features**

Annex V

Annex V – Common farmland bird index at national level. The Farmland Bird Index (FBI) summarizes population trends of common and widespread birds of farmland and is intended as a proxy to assess the biodiversity status of agricultural ecosystems in Europe. FBI is based on specially selected species that are dependent on farmland habitats for feeding and or nesting. National common farmland bird indices are based on species sets that are relevant to each Member state.





Possible points for discussion related to **Annex V** of the Proposal:

- Description and methodology of the FBI index
- Member States with **historically more depleted populations of farmland birds**; member States with **historically less depleted populations of farmland birds** – definition, choice of Member states
- **List of species** used for the common farmland bird index in the **Member States**

Annex VI

Annex VI contains the list of biodiversity indicators for forest ecosystems referred to in Article 10(2).

Possible points for discussion related to **Annex VI** of the Proposal:

- Description, units, and methodology for determining and monitoring (I) **standing deadwood**; (II) **lying deadwood**; (III) **share of forests with uneven-aged structure**; (IV) **forest connectivity**; (V) **common forest bird index**; (VI) **stock of organic carbon**

Articles 19, 20, 21

Article 19 contains provisions to amend the annexes to the regulation. **Articles 20 and 21** set out the conditions for the Commission to adopt delegated and implementing acts.

