



Maastricht University

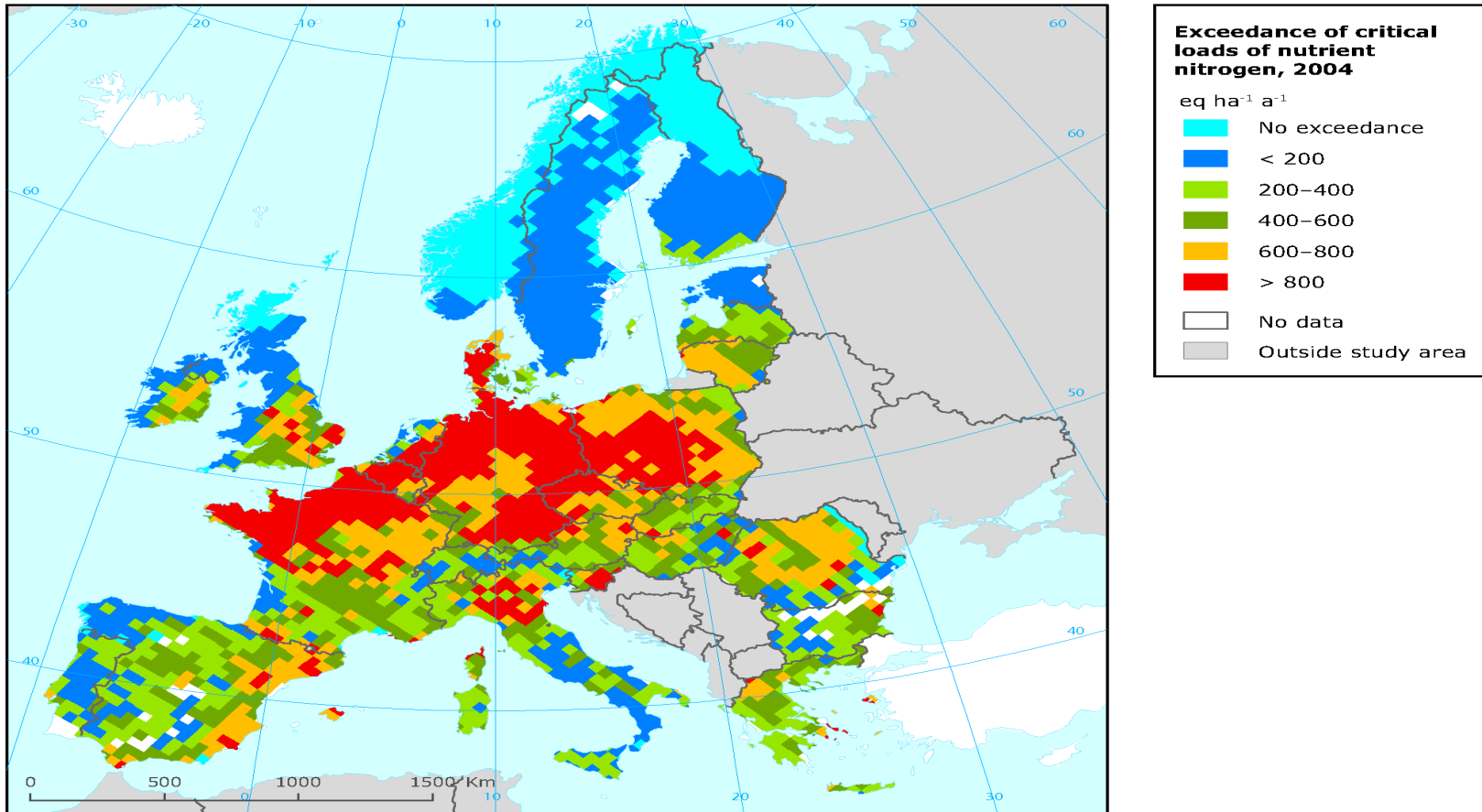
*Leading
in Learning!*

Nitrogen Deposition and Natura 2000

Antwerp, 12-12-12

Chris Backes

Facts: Exceedance 2004



Facts: exceedance 2010



Effects

- Main driver of changes species composition
- Result: habitat loss, rare species disappear, more common species predominate
- Deterioration, no favourable conservation status

Ed.: W.K. Hicks, C.P. Whitfield, W.J. Bealey,
and M.A. Sutton

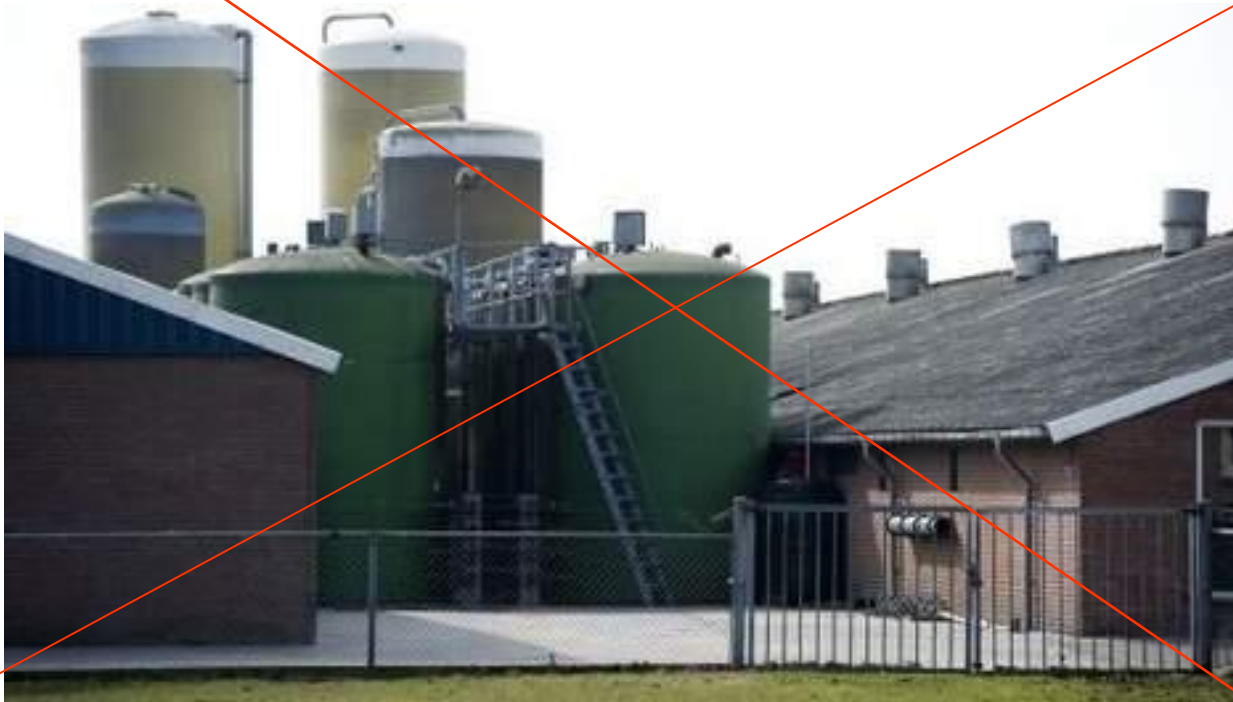
**Nitrogen Deposition and Natura 2000;
Science and Practice in Determining
Environmental Impacts**

COST office 2011

- No systematical approach
- Not adequately addressed
- Huge differences in MS (Backes e.a., Stikstofdepositie en Natura 2000 – een rechtsvergelijkend onderzoek, The Hague 2011)

Approach Dutch Courts

- **If Critical Load is exceeded:**
- Any extra N-deposition may have significant effects
- No permit, unless effect mitigated (= deposition reduced or (?) N is extracted)







Pro's and Con's

- Increase of emissions is “guaranteed”
- Emission reduction measures of new activities thoroughly examined

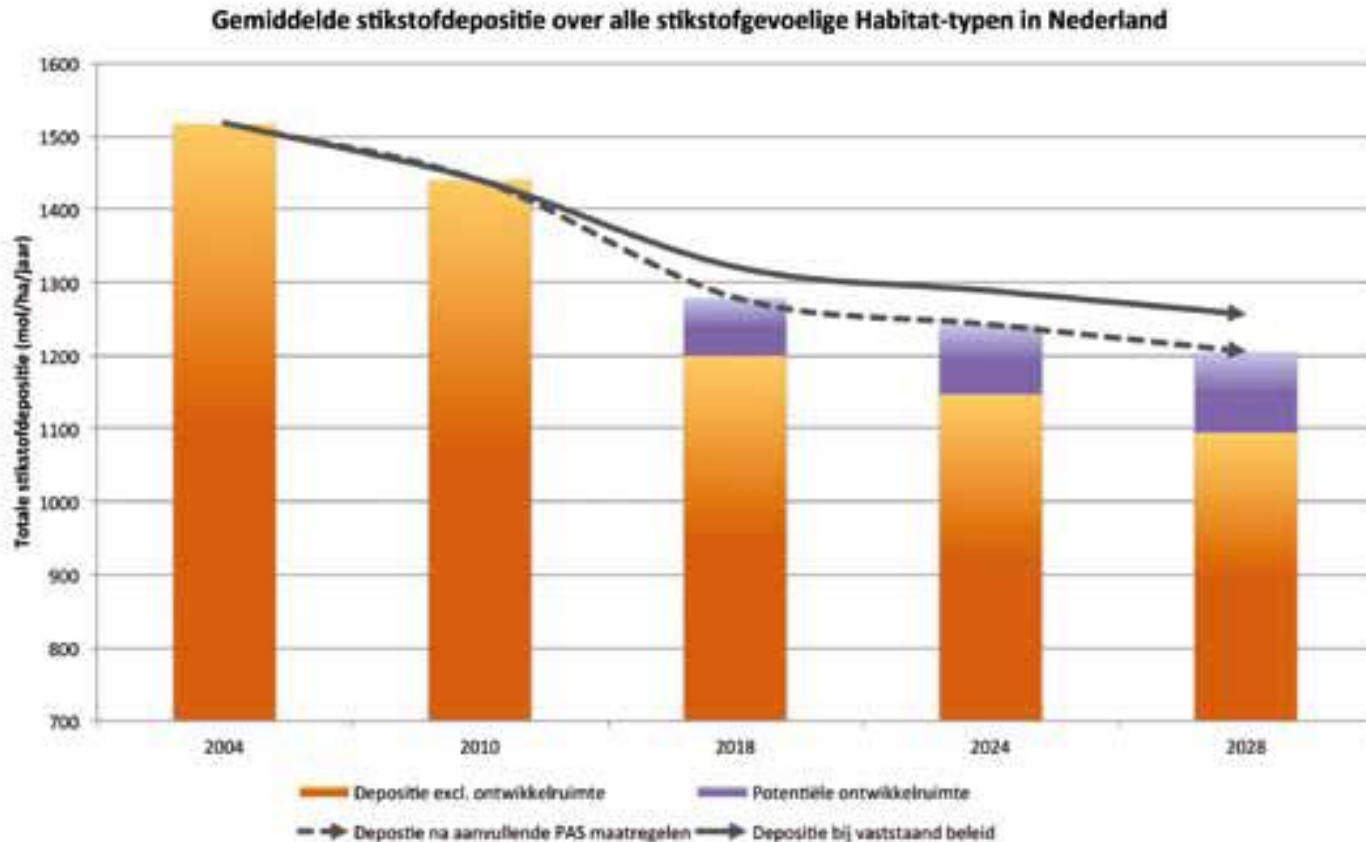
- Concentration on new activities
- Not (cost) effective
- CL taken out of context

New approach: PAS

- **P**rogrammatische **A**anpak **S**tikstof
(**P**rogrammatic **A**pproach **N**itrogen)
- Plan with measures to reduce N-deposition **or** enhance quality of area (maintenance measures) and activities leading to extra N-emissions
- Duty to implement measures



Forecast N-deposition (incl. room for development)



→ **Best Practice?**

Concerns I

- Extensive administrative burden
- Doubts with regard to effectiveness reduction measures (Intern. Review Commission)
- Still not operational

Concerns II

- In accordance with Art. 6 (3) Habitats Dir.??
- Measures: Mitigation or Compensation?
- Especially with regard to maintenance measures which do not reduce N-deposition

Preliminary questions

AB RvS (Council of State) 7-11-2012

- Can significant effects (6 (3)) be excluded if part of protected area is lost and similar area is developed at the same time?
- Or should this be regarded as compensation?