

Targeted Consultation for the Stress Test of the Birds and Habitats Directives - Questionnaire for Member States and stakeholders

Fields marked with * are mandatory.

Introduction

Context

The Commission is committed to screening all EU laws under its current term of office to identify areas where EU legislation can be implemented in a smarter way that reduces disproportionate administrative burden whilst still achieving the same objectives.

The stress test of the Birds and Habitats Directives was announced in the Commission's communication [Simplifying for sustainable competitiveness](#) on 10 December 2025 and **is being performed during the course of 2026**. The purpose of the stress test is to screen the Birds and Habitats Directives to ensure that they remain fit to achieve their objectives in the most cost-efficient way, in particular by looking at opportunities to reduce the administrative burden of their implementation.

The stress test will focus on the concerns and suggestions made by a number of stakeholders in the [call for evidence for the Commission's initiative on simplification of administrative burdens in environmental legislation](#), as well as those that have emerged during the [implementation dialogues](#) with Commissioner Roswall.

The issues to be explored are grouped around three main topics:

- Application of Article 6 of the Habitats Directive, with a focus on appropriate assessment procedure for Natura 2000 sites;
- Species protection and derogations, and procedures for adapting the annexes to scientific and technical progress.
- Policy coherence, stakeholder participation, funding support and governance (including monitoring and reporting);

The stress test will involve several steps which are described in the [dedicated webpage](#).

The targeted consultation of Member States and stakeholders: evidence-gathering questionnaire

One of these steps is to perform a **targeted consultation through the evidence-gathering questionnaire** aimed at organisations actively involved in the implementation of the Birds and Habitats Directives, be they public authorities (at national, regional or local level), stakeholders (e.g. economic sector associations and businesses) as well as NGOs and other representatives of civil society.

The aim is to collect as much **factual information** as possible on the administrative burden of implementing the Birds and Habitats Directives in different Member States, as well as on any good **practice examples** that have been put in place to reduce the administrative burden and improve implementation in a cost-efficient manner.

As with all legislation, the implementation of the Birds and Habitats Directives carries with it a cost and an administrative burden for both authorities and stakeholders which is necessary to achieve their objectives. However, this burden may be increased if the implementation of its provisions is inefficient or overly complex. The challenge is to distinguish the necessary from the **disproportionate** administrative burden and, especially, to identify the possible underlying causes in order to better understand how these might best be overcome.

This evidence gathering questionnaire has therefore been launched to help gather as much up-to-date **factual information** as possible from those who are actively involved in implementation. The aim is to help identify whether there are systematic problems that lead to a disproportionate administrative burden across Member States and/or whether such problems are country or sector specific or relate only to certain provisions of the Directives. This questionnaire therefore focusses on collecting facts and figures, as well as practical examples, on the administrative burdens specifically in relation to the three topic areas identified above.

A separate **public consultation** is also underway on the stress test of the Birds and Habitats Directives which is open to all EU citizens. It aims to gather **views and opinions** on the implementation of the Directives (including amongst others, on the efficiency of implementation). It is however much broader in scope than the present evidence gathering questionnaire which aims to gather more detailed and quantitative information on the administrative burden and good practice experiences.

Structure of the questionnaire

The questionnaire contains a total of 136 questions, although some sections and questions are only displayed depending on your previous answers. Completing the full questionnaire is expected to take approximately 40 minutes. Please note that **you can focus on the most relevant/important questions for your administration/organisation**. While none of the questions are mandatory, it is important for the consistency of the data analysis that you reply to all questions that you are asked even if you do not have any information or don't know the answer, by using the options 'not applicable, 'no data' or 'I don't know'.

The Questionnaire is divided into the following headings:

1. Information on the survey participant
2. General questions on administrative burden related to the implementation of the Birds and Habitats Directives
3. Appropriate assessment procedures for plans/projects affecting Natura 2000 sites and derogation procedures (Article 6(3)-6(4) of the Habitats Directive)
4. Protection and/or management of Natura 2000 sites (Article 4 of the Birds Directive and Article 6(1)-6(2) of the Habitats Directive)
5. Implementation of species protection provisions and derogations (Articles 5 and 9 of the Birds Directive and Articles 12, 13 and 16 of the Habitats Directive)
6. Monitoring and reporting (primarily Article 12 of the Birds Directive and Articles 11 and 17 of the Habitats Directive)
7. Policy coherence, stakeholder participation, funding support, benefits and governance

We would be grateful to receive any available evidence that you may have on the issues raised in the questionnaire, both demonstrating that the implementation (of different provisions) is already cost-efficient from an administrative point of view or examples of disproportionate administrative burden that you have identified, including any **example of successful initiatives that have helped to reduce the administrative burden and streamline implementation in a cost-efficient manner.**

Please **support your answers with any available documentation possible** even if only partial (for one region or sector) or semi quantitative or qualitative (e.g. practical examples). This material (e.g. studies, reports, data, with full references and if possible weblinks) should help to demonstrate the extent and/or type of disproportionate administrative burden generated. Although the questionnaire is only in English, you may submit the supporting documentation in any EU language).

We look forward to your contributions. All replies and accompanying documentation will be carefully analysed and key findings and examples will be integrated into a study report that will update the main findings and conclusions of the 2016 fitness check of the nature directives with a focus on the three main topics described above.

Please reply within 5 weeks by the deadline of 30 June 2026

If you have any questions please contact DG ENV Nature Conservation Unit contact point Sophie Evers (sophie.evers@ec.europa.eu) and/or N2K contact point Kerstin Sundseth (ks@ecosystems.be).

Box 1. What is “administrative burden” and what is “disproportionate administrative burden”?

Chapter 8 of the ‘Better regulation’ toolbox 2025 of the European Commission defines administrative burdens as those costs borne by enterprises, public authorities, and citizens as a result of administrative activities performed solely to comply with the legal obligations in question (in this case those stemming from the Birds and Habitats Directives). This excludes the administrative

costs that would be incurred regardless of those obligations. This captures a broad range of administrative activities including labelling, reporting, registration, provision of data, as well as monitoring and assessments needed to generate the information.

Addressing the operational objectives of the Birds and Habitats Directives requires inputs in terms of financial, human and institutional resources. This inevitably creates an administrative burden which is necessary if the legislation is to be implemented effectively.

Disproportionate administrative burdens are those which can be reduced without affecting the legislative objectives, requirements or procedures. They may be caused by a range of factors. It is important to know the underlying causes of disproportionate administrative burdens in order to be able to determine whether they are due to the complexity or lack of clarity of the EU legislation itself or whether they are due to other reasons such as overcomplex or unclear procedures, lack of coordination between different authorities involved in the implementation, delays due to many different factors, lack of data, lack of expertise, training and capacity, or human and financial resources.

It is important to distinguish between **administrative burden** and **adjustment costs**, which are both types of **direct compliance costs**. Adjustment costs are those investments and expenses that businesses, citizens, or public authorities have to bear in order to adjust their activity to the requirements contained in a legal rule. **Adjustment costs are not relevant for sections 1 to 6 of this questionnaire.**

An example in the context of a windfarm project:

An **administrative burden** may arise where a project developer is required to undertake procedural and information-related activities to demonstrate compliance with environmental protection requirements. For example, prior to the authorisation of a windfarm project likely to affect a Natura 2000 site or protected species such as birds or bats, the developer may need to prepare an environmental impact assessment study and submit documentation to the competent authorities, participate in consultation procedures, and maintain records concerning mitigation and monitoring measures. The competent authority then needs to assess the application and decide whether the project can proceed. These activities primarily concern the production, management, and transmission of information required under the applicable legal framework.

A **disproportionate administrative burden** may arise where those procedural obligations become unnecessarily complex, repetitive, or disproportionate. This may occur, for instance, where similar information must be submitted separately to several administrative bodies in different formats or where information is repeatedly requested despite the availability of recent equivalent data.

An **adjustment cost** concerns the substantive adaptations and measures that the windfarm developer must implement to comply with legal requirements. In practice, this may include relocating turbines away from migratory corridors or breeding areas, reducing the number or height of turbines, introducing turbine shutdown systems during periods of high bird or bat activity, modifying construction schedules to avoid sensitive breeding seasons, or implementation of compensatory measures. The adjustment burden thus involves changes to the design, planning, or operation of the project itself to align the activity with legal obligations.

Privacy statement

PROTECTION OF YOUR PERSONAL DATA

This specific privacy statement provides information about the processing and the protection of your personal data linked to the current Targeted Consultation for the Stress Test of the Birds and Habitats Directives Questionnaire for Member States and stakeholders.

Controller: European Commission, Directorate-General for Environment, Unit ENV.D3 – Nature Conservation (hereinafter “DG ENV Unit D3”)

Record reference: DPR-EC-01011

1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The data controller involves an external company for conducting the targeted consultation. In case an external company conducts any processing of personal data for the purpose of the processing operation described in the present privacy statement, the external company is a processor pursuant to Article 3(12) of Regulation 2018/1725. The external company is a consortium composed of Trinomics BV (Rotterdam, the Netherlands), N2K (Brussels, Belgium), and IEEP (Brussels, Belgium), hereafter the “Consortium”.

2. Why and how do we process your personal data?

Purpose of the processing operation: The Commission collects and uses your personal information within the framework of a targeted Member States and stakeholder consultation (hereafter, the “targeted consultation”) to obtain your views in the context of the Stress Test of the EU Birds and Habitats Directives.

You are being contacted by DG ENV Unit D3 since it has concluded that your views are relevant and necessary to inform the specific initiative concerned by the targeted consultation.

For the purpose of contacting you for this survey and collect your answers, we may have used:

- E-mail addresses provided by DG ENV Unit D3 as available from implementation activities related to the Birds and Habitats Directives,
- E-mail addresses of stakeholders available online from web presentations and activities of their organisations.

Your participation in the targeted stakeholder survey is completely voluntary.

The subject matter of the survey requires you to provide personal data in your response that may identify or make you identifiable. These personal data will only be published subject to your explicit consent.

For reasons of transparency and openness your views will, in principle, be published on a Europa website, in the form of a summary report. The Commission will only publish your identity if you consent to its publication.

If you opt for confidentiality of your personal data, it is your responsibility to avoid any reference in your contribution that would reveal your identity.

To avoid misuse, anonymous contributions to the Commission may not be accepted, regardless of whether you consent to the publication of your identity together with your contribution.

The stakeholder survey uses the Commission's online questionnaire tool EUSurvey that may require you to login via your 'EU Login' account. 'EU Login' requires certain personal data such as the name, surname and e-mail address of the registrant. For further information, please refer to the privacy statements of 'EU Login' and 'EU Survey' as well as the processing operations 'Identity & Access Management Service (IAMS)' (reference number in the public DPO register: [DPR-EC-03187](#)) and 'EUSurvey' (reference number: [DPR-EC-01488](#)).

The personal data processed may be reused for the purpose of procedures before the EU Courts, national courts, the European Ombudsman or the European Court of Auditor.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

We process your personal data because:

1. processing is necessary for the performance of a task carried out in the public interest (**Article 5(1)(a) of Regulation (EU) 2018/1725**);
2. based on your consent, for one or more specified purposes (**Article 5(1)(d) of Regulation (EU) 2018/1725**):
 - to be contacted for the present consultation
 - to collect and process survey responses
 - to publish the identity of the respondent

The Union law which is the basis for the processing based on Article 5(1)(a) of Regulation (EU) 2018/1725 is the Treaty of the European Union, and more specifically its Articles 1 and 11, Article 298 of the Treaty on the Functioning of the European Union, read in conjunction with Recital 22 of Regulation (EU) 2018/1725), as well as the Protocol 2 on the application of the principles of subsidiarity and proportionality.

You can give us your explicit consent under Article 5(1)(d) of Regulation (EU) 2018/1725 to process your personal data for those specific purposes via a clear affirmative act by ticking the box on the Stakeholder Survey form.

4. Which personal data do we collect and further process?

In order to carry out this processing operation the following categories of personal data will be processed:

- name and surname,
- country of origin,
- e-mail address of the respondent,
- name and type of organisation
- sectors and level of activity
- personal data included in the response or contribution to the Stakeholder Survey, including (personal) opinions

Furthermore, you may spontaneously provide other, non-requested personal data in the context of your reply to the targeted consultation.

Please note that the Data Controller does not request nor expect that data subjects provide any special categories of data under Article 10(1) of Regulation 2018/1725 (that is “personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”) related to themselves or to third persons in their contributions to the targeted consultation activity. Any spontaneous inclusion of these types of personal data is the responsibility of the data subject and by including any of these types of data the data subject is considered to provide his/her explicit consent to the processing, in accordance with Article 10 (2)(a) of Regulation 2018/1725.

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for a maximum of five years after the closure of the file to which the present targeted consultation belongs. A file is closed at the latest once there has been a final outcome in relation to the initiative to which the targeted consultation contributed.

This administrative retention period of five years is based on the retention policy of European Commission

documents and files (and the personal data contained in them), governed by the common Commission-level retention list for European Commission files [SEC\(2019\)900](#). It is a regulatory document in the form of a retention schedule that establishes the retention periods for different types of European Commission files. That list has been notified to the European Data Protection Supervisor.

The administrative retention period is the period during which the Commission departments are required to keep a file depending on its usefulness for administrative purposes and the relevant statutory and legal obligations. This period begins to run from the time when the file is closed.

In accordance with the common Commission-level retention list, after the 'administrative retention period', files including (the outcome of) targeted consultations (and the personal data contained in them) can be transferred to the Historical Archives of the European Commission for historical purposes (for the processing operations concerning the Historical Archives, please see record of processing 'Management and long-term preservation of the European Commission's Archives', registered under reference number [DPR-EC-00837](#)).

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the Commission or of the Consortium. All processing operations are carried out pursuant to [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

The Commission's processors (contractors) are bound by a specific contractual clause for any processing operations of your personal data on behalf of the Commission. The processors have to put in place appropriate technical and organisational measures to ensure the level of security, required by the Commission.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this targeted stakeholder survey and to authorised staff according to the "need to know" principle, in particular to follow-up on the targeted stakeholder survey. Such staff abide by statutory, and when required, additional confidentiality agreements.

Certain personal data may be made public on the Europa website, namely:

- any personal data on which you consented to their publication;

- personal data spontaneously provided by you in your contribution (without it being required by the targeted consultation activity).

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725 public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

Access to your personal data is provided to the Commission's contractors responsible for carrying out the analysis of the stakeholder survey responses and to authorised staff according to the "need to know" principle.

The following processor(s) will have access to your personal data:

1. N2K Group EEIG (European Economic Interest Group) - 23 Rue de la liaison, 1200 Brussels, Belgium
2. Trinomics B.V. – Westersingel 34, 3014 GS Rotterdam – the Netherlands
3. IEEP AISBL - Institute for European Environmental Policy - Norrskén House, 72 Rue du Commerce, 1040 Brussels, Belgium

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data are inaccurate or incomplete. Under certain conditions, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing and the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a), on grounds relating to your particular situation.

Insofar you have consented to the certain processing of your personal data to the Data Controller for the present processing operation, you can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

In accordance with Article 14(3) of Regulation (EU) 2018/1725, your request as a data subject will be handled within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. In such case you will be informed of the extension of the time limit, together with the reasons for the delay.

9. Contact information

The Data Controller: If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller.

European Commission, Directorate-General for Environment, Unit ENV.D3 – Nature Conservation at ENV-D03-ARES@ec.europa.eu.

The Data Protection Officer (DPO) of the Commission: You may contact the Data Protection Officer (DAT-A-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

The European Data Protection Supervisor (EDPS): You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

9. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: [DPR-EC-01011](#).

1. Information on the survey participant

*** 1 Your name:**

Heidi Lettojärvi

*** 2 Organisation/institution/authority:**

Finnish Energy

*** 3 E-mail address:**

heidi.lettojarvi@energia.fi

*** 4 Please select your country:**

- AT - Austria
- BE - Belgium
- BG - Bulgaria
- HR - Croatia
- CY - Cyprus
- CZ - Czechia
- DK - Denmark
- EE - Estonia
- FI - Finland
- FR - France
- DE - Germany
- EL - Greece
- HU - Hungary
- IE - Ireland
- IT - Italy
- LV - Latvia
- LT - Lithuania
- LU - Luxembourg
- MT - Malta
- NL - Netherlands
- PL - Poland
- PT - Portugal
- RO - Romania
- SK - Slovak Republic
- SI - Slovenia
- ES - Spain
- SE - Sweden

*** 5 Type of organisation:**

- NGO
- Public authority
- Business
- Research institution
- Other

*** 7 Level of activity**

- Local

- Regional
- National
- EU
- International

*** 8 Your sector(s)**

- Agriculture
- Forestry
- Fisheries
- Recreational fishing (angling)
- Aquaculture
- Environment
- Nature protection
- Education
- Culture
- Charity
- Water
- Hunting
- Tourism
- Sports and Recreation
- Renewable Energy
- Non-renewable energy
- Energy transmission
- Transport
- Extractive industry
- Energy intensive industry
- Manufacturing
- Other industry
- Housing
- Infrastructure development
- Defence and civil protection
- Research
- Financial and Insurance sector
- Health
- Others (please specify – max 80 characters)

Please confirm you have read and accepted the Privacy Statement

2. General questions on administrative burden related to the implementation of the Birds and Habitats Directives

1 Please estimate the effort (in person-days) in your Member State/organisation related to the administration of the Birds and Habitats Directives over the period of one year.

This question aims to determine how much working time is related specifically to the administrative burden stemming from the Birds and/or Habitats Directives. For definition of administrative burden, please see Box 1 In the Introduction. 1 person-day = one person working one full day on administrative tasks related to the Directives.

- 0–5 person-days
- 6–20 person-days
- 21–100 person-days
- 101–500 person-days
- 501–2000 person-days
- More than 2000 person-days
- I don't know

2 Exact number of person-days:

The workload depends significantly on the stage of the project and on whether the protected areas or species under the Directives are relevant to the project.

3 Please estimate the amount of working time spent on administrative tasks stemming from the following requirements of the Birds and Habitats Directives:

The aim of this question is to understand which elements of the Birds and/or Habitats Directives mostly cause administrative burdens and what proportion of working time is spent on each element. For definition of administrative burden, please see Box 1 in the Introduction.

	0 - No time	1	2	3	4 - A lot of time	I don' t know	Not applicable
Article 6(3) - appropriate assessment procedure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Article 6(4) – derogation procedure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Natura 2000 protection and/or management procedures (Article 4 of the Birds Directive and Article 6(1) and 6(2) of the Habitats Directive)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Species protection (Article 5 of the Birds Directive and Articles 12 and 13 of the Habitats Directive)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Derogations from species protection (Article 9 of the Birds Directive and Article 16 of the Habitats Directive)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitoring and reporting (Article 9 and 12 of the Birds Directive and Articles 11, 16 and 17 of the Habitats Directive)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5 Do you consider that the implementation of one or more of the following provisions of the Birds and Habitats Directives causes disproportionate administrative burden for your Member State /organisation?

Please note that if the answer is 'Yes' to a provision, a specific section in the questionnaire will appear where you will have the opportunity to provide more details, to explain why you consider that the provision is causing disproportionate administrative burden, and to suggest solutions or share good practices.

	Yes	No	I don't know	Not applicable
Appropriate assessment procedures for plans and projects affecting Natura 2000 sites (Article 6(3) and 6(4) of the Habitats Directive)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection and/or management of Natura 2000 sites (Article 4 of the Birds Directive and Article 6(1) and 6(2) of the Habitats Directive)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strict protection of wild birds/other animal and plant species and derogations (Articles 5 and 9 of the Birds Directive and Articles 12, 13 and 16 of the Habitats Directive)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitoring and reporting (primarily Articles 9 and 12 of the Birds Directive and Articles 11, 16 and 17 of the Habitats Directive)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7 Have you carried out any studies or collected any data on the administrative burden of implementing the Birds and Habitats Directives in your Member State/organisation?

This question aims to identify if any studies (e.g. audits, standard cost models, targeted consultations, benchmarking etc...) have been undertaken to estimate the administrative burden of implementing the Birds and Habitats Directives (as distinguished for example from provisions of national legislation not related to the directives). This includes any studies or audits that might have focussed only on certain provisions or on a particular sector/geographical area: e.g. in relation to applying the Article 6(3) procedure, establishing site-specific conservation objectives and conservation measures, or preparing reports to the Commission (e.g. under Article 17 of the Habitats Directive, derogations reporting under Article 16 of the Habitats Directive).

- Yes
- Partial data available

- No
- I don't know
- Not applicable

9 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers to question 7 above

10 Please describe any initiatives or any good practices to help reduce the administrative burden in the implementation of the Birds and Habitats Directives.

Over the years, many authorities and stakeholders have found smart or innovative ways to reduce the administrative burden of implementing different provisions of the directives thanks to practical experience and feedback from those involved. These good practices are however rarely recorded or shared outside the national/regional/sectoral context and so are very hard to find. We would be interested to hear about any such examples, irrespective of whether they have been applied nationwide or at a local level e.g. in one region/sector.

Examples could, for instance, include measures to reduce administrative burdens by improving cooperation between sectors/levels of government, improving access to and sharing data and information, streamlining documentation and reporting formats (e.g. for preparing management plans, providing guidance, training, or building capacity and increasing targeted resources.)

2000 character(s) maximum

11 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the reduction of administrative burden:

3. Appropriate assessment procedures for plans/projects affecting Natura 2000 sites and derogation procedures (Article 6(3)-6(4) of the Habitats Directive)

1 Have you collected any data on the number of plans or projects that have been subject to the Article 6(3) and Article 6(4) procedures of the Habitats Directive in your Member State/in relation to your organisation.

The purpose of this question is to get a better understanding of the amount of plans and projects that have to be dealt with by public administrations and that are submitted by economic operators from different sectors over a given period of time and to help assess the level of administrative burden this creates.

- No
-

- Yes
- Partial data
- Don't know
- Not applicable

4 Have there been any reviews, studies or assessment of the implementation of the Article 6(3) and Article 6(4) procedures in your Member State/in relation to your organisation?

This question seeks to learn from the findings of any existing reviews that have been carried out about the procedures and whether these findings led to any improvement in the way the procedures are conducted – i. e. to reduce the administrative burden for authorities and/or economic operators. To note that if you have already provided relevant good practice examples in answer to previous questions there is no need to repeat it here.

- Yes
- No
- I don't know

7 Please indicate in which part(s) of the Article 6(3) and Article 6(4) procedure in your Member State /in relation to your organisation you think the disproportionate burden was created:

	Yes	Somewhat	No	I don't know	Not applicable
Screening of plans or projects to determine if they require an appropriate assessment	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The assessment of impact on the Natura 2000 site(s) in light of site conservation objectives (appropriate assessment)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Data collection and surveys needed to carry out the appropriate assessment	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identification of mitigation measures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obtaining the opinion of the general public	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Application of Article 6(4) - derogation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identification of alternatives (Article 6(4))	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identification of imperative reasons of overriding public interest (Article 6(4))	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identification of compensation measures (Article 6(4))	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Informing the Commission about the compensatory measures adopted (Article 6(4))	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Asking for the Commission's opinion (Article 6(4))	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9 To what extent is the administrative burden resulting from one or more of the following potential underlying causes related to Article 6(3) and Article 6(4)?

	0 - Not a cause	1	2	3 - Major cause	I don' t know	Not applicable
The provisions of Article 6(3) and Article 6(4) of the Habitats Directive are not sufficiently clear	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The way Article 6(3) and Article 6(4) has been transposed/implemented in Member State(s) adds an extra layer of complexity/administration ("gold plating")	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are duplications/inconsistencies with other procedures required by EU legislation (e.g. the Water Framework Directive, the Environmental Impact Assessment and the Strategic Environmental Assessment Directives))	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a lack of guidance on Article 6(3)/Article 6(4) procedures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The screening to determine if a plan/project requires an appropriate assessment is applied in inconsistent/too lax/too strict way	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a lack of knowledge about the impacts of plans or projects on species/habitat types/site integrity	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a lack of access to or sharing of existing scientific data needed for the appropriate assessment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Site-specific conservation objectives for Natura 2000 sites are missing, or they are of insufficient quality	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

The appropriate assessment is often not sufficiently detailed or of adequate quality to be used as a basis for making a decision on whether to approve the plan/project	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a lack of cooperation between nature authorities and other authorities involved in the procedure	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a lack of coordination between (or a difference of approaches at) different levels of government and/or fragmented responsibilities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is insufficient expertise or technical capacity or a high turnover of staff within the responsible administration	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is insufficient expertise or technical capacity on the plan or project's proponent's side	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The public consultation process is too complex, time-consuming and/or too difficult to contribute to	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is a culture of risk aversion (e.g. among authorities and/or project proponents) due to the fear of litigation/court cases	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The lack of alternatives is too difficult to prove	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The requirement for compensation is too onerous /strict	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

11 To what extent would the following actions contribute to reducing the disproportionate administrative burden you identified related to Articles 6(3) and 6(4) procedures in your Member State/in relation to your organisation?

	0 - No reduction	1	2	3 - Major reduction	I don't know	Not applicable
Clarify legal provisions of Article 6(3) and Article 6(4) of the Habitats Directive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Remove gold plating from national legislation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better align various procedures linked to EU legislation at national level	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Provide a standardised screening format (digitalised)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve access to or sharing of existing data on Natura 2000 sites, and on past relevant studies on impacts of plans /projects on species and habitat types	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve cooperation between economic sectors and nature authorities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve cooperation between different levels of government	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide more capacity building, training, and/or human resources to handle procedures within the administration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide more capacity building, training, and/or human resources for economic operators	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve public consultation to help reduce the risk of litigation/court cases after the plan/project is approved	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Encourage more strategic planning to direct projects towards areas with least risk of impacts on Natura 2000 sites and /or to facilitate the application of the Imperative Reasons of Overriding Public Interest principle	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13 Please explain further below your answers to questions 7 to 11 above, in particular what could be done to reduce the administrative burden.

This question aims to find out more information about the context in which the problems arise as this will help to develop a better understanding of why the administrative burden is considered to be disproportionate.

This question seeks to offer an opportunity to explain further the problems but if these are already covered in your previous answers above there is no need to repeat it here.

2500 character(s) maximum

A key challenge is that scientific knowledge on habitats and protected species is often incomplete and may change over time. The effects of climate change, noise or other disturbance, and changing conditions such as hydrological changes are often difficult to assess accurately. Assessing impacts on mobile species involves significant challenges. So it is not possible to produce absolute scientific certainty regarding the impacts of a project, particularly at the planning stage. In practice, uncertainty is often interpreted against the project. The application of the precautionary principle should therefore remain proportionate and reasonable.

The scope and depth of the assessments required from project developers should be clarified. It should be clear that the responsibility of project developers is limited to assessing the impacts of their activities, and that they cannot be expected to carry out basic scientific research on habitats or species.

The “likely to have a significant effect” criterion is low and open to interpretation. Both likelihood and significance have been interpreted through the precautionary principle. This easily leads to an obligation to carry out an assessment and create a need for derogation. The need to consider indirect and cumulative effects also makes the rules apply more easily. For Natura sites, the assessments should be carried out in relation to all conservation objectives of the site. A single Natura 2000 site may have several conservation objectives, both habitats and species. The assessment and permitting requirements should be made lighter. As noted above, they should allow for uncertainty and focus on matters that are relevant to the nature value concerned beyond the local occurrence. It should be clarified that deterioration of nature values may be allowed where, on the basis of an overall assessment, the deterioration does not have a significant impact on the objectives of the Directive.

Strict species protection is disproportionate and cost-inefficient for most species. It creates a very heavy administrative burden for project development through assessment and derogation procedures. In species protection, the focus should be on the population level rather than on individual specimens. The possibility for species to avoid a project area should also be taken into account.

14 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the reduction of administrative burden:

15 Please describe any good practice examples and initiatives that have helped to reduce the administrative burden relating to Article 6(3) and Article 6(4) procedures in your Member State/in relation to your organisation.

If you have already given details of any relevant good practice examples in answers to previous questions, there is so no need to give the same reply here. However, if you have anything more that is specifically related to the Article 6(3) and Article 6(4) procedure, please use this occasion to explain what in your experience has helped to reduce the disproportionate administrative burden.

2000 character(s) maximum

16 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the reduction of administrative burden:

17 Has any of the following EU legislation contributed to a reduction of administrative burden in implementing the Article 6(3) and Article 6(4) procedures in relation to their specific scope:

In recent years, the EU has adopted several new pieces of legislation (or changes to existing legislation) to help streamline the permitting procedures required under EU environmental legislation. The objective was to reduce the administrative burden and the time needed to obtain approval of certain major plans and projects of strategic importance for the EU. As these laws are still relatively new, we are interested to have your

feedback on whether this legislation has contributed to a reduction of administrative burden in implementing Article 6(3) and Article 6(4). in relation to the plans and projects from those sectors.

	Yes	Somewhat	No	I don't know
Renewable Energy Directive (RED III - Directive (EU) 2023 /2413)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Net-Zero Industry Act (NZIA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Trans-European Energy Networks (TEN-E)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Critical Raw Materials Act (CRMA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
CHIPs Act	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

19 **Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the reduction of administrative burden:**

20 **How useful are the following Commission's guidance documents on Article 6(3) and Article 6(4) in reducing the administrative burden?**

Over the years, the Commission has issued a number of EU guidance documents on the Article 6(3) and Article 6(4) procedures, including concerning specific economic activities. These have been developed in close consultation with Member States and stakeholders. See website: https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000/permitting-procedure_en. We would like to have your feedback on how useful these guidance documents have been for reducing the administrative burden.

	0 - Not useful	1- Somewhat useful	2 - Useful	3 - Very useful	I don't know	Not applicable
Methodological guidance on the provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managing Natura 2000 sites - the provisions of Article 6 of the Habitats Directive 92/43/EEC	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other sectoral guidance documents (inland waterway transport, hydropower, non-energy mineral extraction, wind energy developments, fisheries, forestry, farming...)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify below)



22 What further EU guidance would help to reduce any administrative burden of the Article 6(3) and Article 6(4) procedures?

400 character(s) maximum

23 What else could the Commission do to help reduce any administrative burden in relation to the implementation of Article 6(3) and Article 6(4)?

2000 character(s) maximum

The process for amending species lists, or moving species from one annex to another, should be made more flexible. More responsive mechanisms would help ensure that the Directives reflect current knowledge on species status and conservation needs.

24 What are the benefits in the view of your Member State/organisation of the provisions of Article 6(3) and 6(4) of the Habitats Directive?

- Halting biodiversity loss
- Wild bird conservation
- Species conservation (other than birds)
- Habitats conservation
- Other environmental benefits (e.g. water purification, air purification, soil quality, pollination)
- Climate resilience and mitigation (e.g. flood, drought and wildfire prevention) Society (e.g. health, culture, recreation, education)
- Economy (e.g. jobs, tourism, food production, research and innovation)
- Other (please specify in the following question)
- I don't know
- Not applicable

26 If you have selected any of the items in question 24 above, please explain further what the benefits are and whether you could provide any concrete or quantified justification, evidence or figures about those benefits

2500 character(s) maximum

27 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the benefits of the provisions of Article 6(3) and 6(4) of the Habitats Directive:

5. Implementation of species protection provisions and derogations (Articles 5 and 9 of the Birds Directive and Articles 12, 13 and 16 of the Habitats Directive)

1 Do you have any data on the number of plans/projects/activities submitted/assessed/approved /rejected as a result of implementation of species protection and derogations provisions in your Member State/in relation to your organisation?

- Yes (even partial data)
- No
- I don't know
- Not applicable

3 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers to the question above:

6 In your experience, do any of the following aspects of the implementation of species protection rules cause disproportionate administrative burden? (even if no data available)

	0 - Not a cause	1	2	3 - Major cause	I don' t know	Not applicable
Determining the risk of killing/disturbance /deterioration or destruction of breeding sites or resting places of species	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Determining the risk of incidental capture or killing of specimens	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementation of a system to monitor the incidental capture and killing of species	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementation of preventive measures and regulation or prohibition of certain activities, including in relation to projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Control and enforcement measures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

8 In your experience, do any of the following aspects of the implementation of the derogation system cause disproportionate administrative burden? (even if no data available):

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	0 - Not a cause	1	2	3 - Major cause	I don' t know	Not applicable
The procedure for granting derogations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Determining whether there is a satisfactory alternative	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assessing compliance with the reasons that allow the derogation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assessment of potential impact/risk of impact of derogation on the species (i.e. whether the derogation is/is not detrimental to the maintenance of the populations at a favourable conservation status in their natural range)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reporting derogations to the European Commission following the required specifications and format (Habides+ tool)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Supervising the implementation of the derogations and ensuring that all the conditions in the decision are respected during its execution (number of specimens, location, means to be used, etc).	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitoring the overall impact of derogations at national level to prevent potential cumulative effects on the populations of the species concerned	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Specific derogations under Article 16(1) of the Habitats Directive (please specify the legal justification under Art 16(1)a-e)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Specific derogations under Article 9(1) of the Birds Directive (please specify the legal justification under Art 9(1)a-c)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

10 For aspects scored above 2, please explain your answers, in particular what could be done to reduce the administrative burden.

2500 character(s) maximum

The maintenance of energy transmission and distribution networks requires vegetation management in line corridors. For electricity networks, this is necessary for safety and security of supply. Vegetation along lines must be managed both as part of planned maintenance and to repair damage after exceptional situations, such

as storms or heavy snow loads. The Directives should allow such activities to be carried out with a light administrative burden. It should be clear that, for example, maintenance activities on energy network do not conflict with the Birds Directive.

11 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on species protection rules and administrative burden:

12 For specific derogations under Article 16(1)a-e of the Habitats Directive and/or under Article 9(1) a-c of the Birds Directive, please specify the relevant reasons for derogations or other aspects contributing to administrative burden

80 character(s) maximum

13 For aspects scored 2 or above, please explain your answers, in particular what could be done to reduce the administrative burden.

2500 character(s) maximum

An animal species that moves over a large area may also be one of the conservation objectives of a Natura 2000 site. For these species, it is unclear and unpredictable how their presence affects projects outside Natura 2000 sites. In most cases, project developers are willing and able to avoid Natura sites, but the possibilities for carrying out projects outside Natura areas should be made clearer.

14 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the derogation system and administrative burden:

15 To what extent is the administrative burden you have identified the result of one or more of the following potential underlying causes related to species protection and derogations (even if no data available):

	0 - Not a cause	1	2	3 - Major cause	I don' t know	Not applicable
Differences between species protection provisions under the Birds and the Habitats Directives (Articles 5 of the Birds Directive and 12 /13 of the Habitats Directive)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Differences between derogation provisions under the Birds and the Habitats Directives (Articles 9 of the Birds Directive and 16 of the Habitats Directive)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Unclear guidance on species protection provisions, e.g. regarding deliberate capture or killing, deliberate disturbance, satisfactory alternatives, the scope of serious damage	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stricter national interpretation of species protection provisions than required by the Birds and Habitats Directives	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The level of evidence to justify derogations is stricter than required by the Birds and Habitats Directives	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of coherence and diverging practices among authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overly application of precautionary approach	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of capacities in the authorities (staff, expertise, etc.) and digital systems	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Data and knowledge gaps, inadequate knowledge and difficulties in access to data (e.g. on species distribution)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Structural weaknesses in enforcement of species protection rules (e.g. lack of effective enforcement tools)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Complex requirements for reporting to the Commission in relation to the use of derogations under the Directives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

17 Please explain your answers, in particular what could be done to reduce the administrative burden.

2500 character(s) maximum

For project developers, it is essential that species data are up to date and accessible. Public results of surveys carried out by different operators should also be easily available and usable, as this would support better planning, reduce duplication of work and improve the quality of assessments.

18 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the underlying causes of administrative burden in relation to species protection and derogations:

19 What can be done in your Member State/in relation to your organisation or at European level to reduce any administrative burden related to species protection and derogations?

	0 - No reduction	1	2	3 - Major reduction	I don't know	Not applicable
Clarify the species protection provisions in the Directives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simplify the derogation reporting to the Commission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Improve coordination between different authorities and levels of government involved in species protection and derogations	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support Member States in developing and sharing standardised approaches for recurrent derogation cases that do not impact the conservation status of species (e.g. templates, pre-defined conditions), to reduce administrative burden while ensuring compliance with the directives.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase resources, technical capacity and skills of national/regional/local administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide further guidance at EU level	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Address data gaps or insufficient data	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve access to data and digitalisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implement conflict resolution mechanisms to address conflicts between species protection and damage caused by those species	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

21 Please explain your answers, in particular what could be done to reduce the administrative burden and any existing good practice that helped to streamline the implementation of species protection provisions and/or reduce its administrative burden

If you have any relevant good practice examples specifically related to strict species protection and derogations, please use this occasion to explain what in your experience has helped or could help to reduce administrative burden.

2500 character(s) maximum

22 **Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on what can be done to reduce administrative burden:**

23 **Has the recently adopted EU legislation relevant for implementation of protection regime and derogations led to a reduction in administrative burdens?**

	Yes	Somewhat	No	I don't know
Renewable Energy Directive (RED III - Directive (EU) 2023/2413)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Net-Zero Industry Act (NZIA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Trans-European Energy Networks (TEN-E)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Critical Raw Materials Act (CRMA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
CHIPs Act	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

24 **How useful has been the following Commission's guidance on the species protection regime and derogations in reducing the administrative burden?**

The Commission has issued a number of EU guidance documents on species protection and derogations. We would like to have your feedback on how useful these guidance documents have been for you.

	1 - Not useful	2 - Somewhat useful	3 - Useful	4 - Very useful	I don't know	Not applicable
Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (Document C(2021)7301)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Guidance document on the general system of protection of bird species - Article 5 and Article 9 of the Birds Directive (Document C(2026) 2274)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Guidance document on hunting under the Birds Directive (2008)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

26 What further EU guidance would help to reduce the identified administrative burden in relation to the species protection regime and derogation?

400 character(s) maximum

27 Do you consider that modernising the institutional procedure for updating the annexes of the Birds and Habitats Directives, following scientific and technical progress, currently governed by outdated procedures (Article 15 of the Birds Directive and Article 19 of the Habitats Directive), would improve the efficiency of Directives in achieving their objectives?

For example, the Commission could be given [delegated powers](#) to adapt the annexes according to scientific criteria.

- Yes
- No
- I don't know

28 Please explain why and if yes, how and for which Annexes.

2500 character(s) maximum

29 What else could the Commission do to reduce the administrative burden identified in relation to species protection and derogations?

2500 character(s) maximum

30 What are the benefits in the view of your Member State/organisation of the species protection provisions and derogations?

- Halting biodiversity loss
- Wild bird conservation
- Species conservation (other than birds)
- Habitats conservation
- Other environmental benefits (e.g. water purification, air purification, soil quality, pollination)
- Climate resilience and mitigation (e.g. flood, drought and wildfire prevention)
- Society (e.g. health, culture, recreation, education)
- Economy (e.g. jobs, tourism, food production, research and innovation)
- Other (please specify in the following question)
- I don't know
- Not applicable

32 If you have selected any of the items in question 29 above, please explain further what the benefits are and whether you could provide any concrete or quantified justification, evidence or figures

2500 character(s) maximum

33 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the benefits of the species protection provisions and derogations

7. Policy coherence, public/stakeholder participation, funding support, efficiency and governance

Policy coherence

1 In your experience, is any disproportionate administrative burden created by implementing the Birds and Habitats Directives jointly with EU legislation in the following sectors:

	Yes	Somewhat	No	I don't know
Agriculture (Common Agricultural Policy)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Forestry (e.g. LULUCF)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Water (e.g. Water Framework Directive)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marine and maritime policy (Marine Strategy Framework Directive , Marine Spatial Planning Directive)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fisheries (Common Fisheries Policy)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Energy (e.g. Renewable Energy Directive , TEN-E)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Industry (e.g. Critical Raw Materials , Net Zero Industry Act)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transport (e.g. TEN-T)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Defence (e.g. European Defence Industry Programme)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 To what extent is the disproportionate administrative burden you identified a result of one or more of the following potential underlying causes:

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	0 - Not a cause	1	2	3 - Major cause	I don' t know	Not applicable
Structural inconsistencies between policy objectives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Structural inconsistency between legal instruments in the above-mentioned policy areas and requirements under the Birds and Habitats Directives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementation issues at national/regional/local level	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unclear or overly complex national legislation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of human resources and/or of technical capacity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient ecological data and baselines	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of or insufficient spatial or strategic planning	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of or insufficient guidance from the European Commission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4 Please explain further below your answers to questions 1 and 3 under Policy coherence, in particular what could be done to reduce the administrative burden.

2500 character(s) maximum

Green transition projects, in particular renewable energy generation and energy transmission and distribution infrastructure, are essential from the perspective of EU and Finnish climate, competitiveness and industrial policy as well as security of supply and resilience. The Birds and Habitats Directives should consistently take into account the need to enable projects of strategic importance or overriding public interest. A cross-cutting principle should be that those projects can be carried out on the basis of an overall assessment, without the need for burdensome derogation procedures.

Recent EU legislation and legislative proposals have, to some extent, recognised the strict requirements arising from the Birds and Habitats Directives and have sought to facilitate the implementation of certain projects. The Renewable Energy Directive already includes important exemption. The broader exemption is proposed by the Environmental Omnibus initiative. While these developments are welcome, Finnish Energy emphasises that the necessary changes should be set directly into the Birds and Habitats Directives in order to ensure the clarity and coherence of the legislative framework.

5 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers in regard to policy coherence and administrative burden:

6 Please share any good practice experiences of effective and efficient implementation of the Birds and Habitats Directives with one or more of the above-mentioned policy areas.

2500 character(s) maximum

Public/stakeholder participation

1 Do existing public/stakeholder participation mechanisms entail any disproportionate administrative burdens?

- Yes
- Somewhat
- No
- I don't know

2 If you answered "Yes" or "Somewhat", please explain your answer

1000 character(s) maximum

3 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on public/stakeholder participation and administrative burden:

Funding and financial support

1 To what extent do existing funding instruments adequately support the implementation of the Birds and Habitats Directives?

	Fully adequate	Rather adequate	Rather inadequate	Fully inadequate	I don't know
EU funding instruments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
National/regional funding	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Private funding	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers to question 1 under Funding and financial support:

Benefits and efficiency

The Birds and Habitats Directives aim to protect the most valuable and threatened biodiversity in the EU. To assess the effectiveness and efficiency of the directives and their implementation it is essential to compare them with the associated benefits.

1 How significant are the benefits associated with the implementation of the Birds and Habitats Directive in your Member State/in relation to your organisation?

	0 - No benefits	1	2	3 - Major benefits	I don't know	Not applicable
Halting biodiversity loss	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wild bird conservation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Species conservation (other than birds)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Habitats conservation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other environmental benefits (e.g. water purification, air purification, soil quality, pollination)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Climate resilience and mitigation (e.g. flood, drought and wildfire prevention)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Society (e.g. health, culture, recreation, education)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Economy (e.g. jobs, tourism, food production, research and innovation)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify in the following question)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 Please explain your answers to question 1 under Benefits and efficiency, in particular elaborate on the chosen level of significance for the benefits of the Birds and Habitats Directives you have identified and if you can provide concrete quantified evidence to support it.

2500 character(s) maximum

4 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) that can support your answers on the benefits associated with the implementation of the Birds and Habitats Directives:

5 How do the costs of implementing the Birds and Habitats Directives compare with the associated benefits? Please explain and, if possible, provide concrete quantified examples.

NB: this question considers a wider range of compliance costs, which include adjustment costs as well as administrative costs (see definitions in Box 1). Adjustment costs are the incremental costs (i.e. those in addition to business as usual) of complying with new regulations other than charges and administrative costs.

2500 character(s) maximum

6 Please attach any documentary evidence (studies, practical examples, analyses; in any EU language) evaluating how the costs of implementing the Birds and Habitats Directives compare with the associated benefits.

Governance

1 Is the governance framework in your Member State (or across Member States for organisations or activities operating in several Member States) causing disproportionate administrative burden for the implementation of the Birds and Habitats Directives (e.g. interaction between different levels national/regional/local, competencies spread across different bodies, role of expert bodies such as agencies)?

- Yes
- Somewhat
- No
- I don't know

2 If you answered "Yes" or "Somewhat", please specify.

2500 character(s) maximum

You have reached the end of the questionnaire - thank you very much for your contribution!

Contact

[Contact Form](#)

