



**2022/0195(COD)**

05.12.2022

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
on nature restoration  
(COM(2022)0304 final – C9208/2022 – 2022/0195(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: César Luena

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on nature restoration**

**(COM(2022)304 final – C9208/2022 – 2022/0195(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2022)304 final),
- having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9208/2022),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
- having regard to the opinion of the Economic and Social Committee of xxx
- having regard to the opinion of the Committee of the Regions of xxx
- having regard to Rule 59 of its Rules of Procedure,
- having regard to the opinion of the Committee on Agriculture and Rural Development, and the Committee on Fisheries
- having regard to the report of the Committee on the Environment, Public Health and Food Safety (A90000/2023),
  1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a regulation**

##### **Recital 1**

(1) It is necessary to lay down rules at Union level on the restoration of ecosystems to ensure the recovery to biodiverse and resilient nature across the Union territory. Restoring ecosystems also contributes to the Union climate change mitigation and climate change adaptation objectives.

(1) ***Biodiversity and nature sustain life on Earth and deliver numerous essential ecosystem services. They are essential for our long-term survival, wellbeing, prosperity and security. Healthy ecosystems provide food, clean water, carbon sinks and protection against increasing natural disaster risks caused by climate change. Importantly, they also play an important role in preventing the emergence and spread of zoonotic diseases. Nature and biodiversity also have value intrinsically and are treasured for recreational, spiritual and aesthetic values, forming an important part of our cultural heritage. As a result, the current biodiversity loss and degradation of nature can have fundamental consequences for our society, economy and human health and well-being. Despite existing efforts and voluntary commitments, Europe continues to lose biodiversity at an alarming rate. Many previously agreed policy targets will not be achieved<sup>1a</sup>. The Union has so far failed to halt the loss of biodiversity, and it did not meet the voluntary target to restore at least 15% of degraded ecosystems by 2020 in line with Aichi Target 15 of the Convention on Biological Diversity. It is therefore*** necessary to lay down rules at Union level on the restoration of ecosystems, ***habitat types and species*** to ensure the recovery to biodiverse and resilient nature across the Union territory ***and sea***. Restoring

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<sup>1a</sup> ***The European environment — state and outlook 2020: knowledge for transition to a sustainable Europe <https://www.eea.europa.eu/soer/2020>***

## Amendment 2

### Proposal for a regulation

#### Recital 8

##### *Text proposed by the Commission*

(8) In its resolution of 9 June 2021<sup>49</sup>, the European Parliament strongly welcomed the commitment to draw up a legislative proposal with binding nature restoration targets, and furthermore considered that in addition to an overall restoration target, ecosystem-, habitat- and species-specific restoration targets should be included, covering forests, grasslands, wetlands, peatlands, pollinators, free-flowing rivers, coastal areas and marine ecosystems.

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<sup>49</sup> European Parliament resolution of 9 June 2021 on the EU Biodiversity Strategy for 2030: Bringing nature back into our lives (2020/2273(INI)).

##### *Amendment*

(8) In its resolution of 9 June 2021<sup>49</sup>, the European Parliament strongly welcomed the commitment to draw up a legislative proposal with binding nature restoration targets, and furthermore considered that in addition to an overall restoration target ***of at least 30 % of the EU's land and seas***, ecosystem-, habitat- and species-specific restoration targets should be included, covering forests, grasslands, wetlands, peatlands, pollinators, free-flowing rivers,

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<sup>49</sup> European Parliament resolution of 9 June 2021 on the EU Biodiversity Strategy for 2030: Bringing nature back into our lives (2020/2273(INI)).

Or. en

## Amendment 3

### Proposal for a regulation

#### Recital 10

##### *Text proposed by the Commission*

##### *Amendment*

(10) The EU Biodiversity Strategy for 2030 sets out a commitment to legally protect a minimum of 30 % of the land, including inland waters, and 30 % of the sea in the Union, of which at least one third **should** be under strict protection, including all remaining primary and old-growth forests. The criteria and guidance for the designation of additional protected areas by Member States<sup>51</sup> (the ‘Criteria and guidance’), developed by the Commission in cooperation with Member States and stakeholders, highlight that if the restored areas comply or are expected to comply, once restoration produces its full effect, with the criteria for protected areas, those restored areas should also contribute towards the Union targets on protected areas. The Criteria and guidance also highlight that protected areas can provide an important contribution to the restoration targets in the EU Biodiversity Strategy for 2030, by creating the conditions for restoration efforts to be successful. This is particularly the case for areas which can recover naturally by stopping or limiting **some of** the pressures from human activities. Placing such areas, including in the marine environment, under strict protection, will, in some cases, be sufficient to lead to the recovery of the natural values they host. Moreover, it is emphasised in the Criteria and guidance that all Member States are expected to contribute towards reaching the Union targets on protected areas set out in the EU Biodiversity

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<sup>51</sup> Commission Staff Working Document Criteria and guidance for protected areas designations (SWD(2022) 23 final).

(10) The EU Biodiversity Strategy for 2030 sets out a commitment to legally protect a minimum of 30 % of the land, including inland waters, and 30 % of the sea in the Union, of which at least one third **are to** be under strict protection, including all remaining primary and old-growth forests. The criteria and guidance for the designation of additional protected areas by Member States<sup>51</sup> (the ‘Criteria and guidance’), developed by the Commission in cooperation with Member States and stakeholders, highlight that if the restored areas comply or are expected to comply, once restoration produces its full effect, with the criteria for protected areas, those restored areas should also contribute towards the Union targets on protected areas. The Criteria and guidance also highlight that protected areas can provide an important contribution to the restoration targets in the EU Biodiversity Strategy for 2030, by creating the conditions for restoration efforts to be successful. This is particularly the case for areas which can recover naturally by stopping or limiting the pressures from human activities. Placing such areas, including in the marine environment, under strict protection, will, in some cases, be sufficient to lead to the recovery of the natural values they host. Moreover, it is emphasised in the Criteria and guidance that all Member States are expected to contribute towards reaching the Union targets on protected areas set out in the EU Biodiversity Strategy for 2030, to an

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<sup>51</sup> Commission Staff Working Document Criteria and guidance for protected areas designations (SWD(2022) 23 final).

Or. en



## Amendment 4

### Proposal for a regulation

#### Recital 13

*Text proposed by the Commission*

(13) It is appropriate to set an overarching objective for ecosystem restoration **to** foster economic and societal transformation, the creation of high-quality jobs and sustainable growth. Biodiverse ecosystems such as wetland, freshwater, forest as well as agricultural, sparsely vegetated, marine, coastal and urban ecosystems deliver, if in good condition, a range of essential ecosystem services, and the benefits of restoring degraded ecosystems to good condition in all land and sea areas far outweigh the costs of restoration. Those services contribute to a broad range of socio-economic benefits, depending on the economic, social, cultural, regional and local characteristics.

*Amendment*

(13) It is appropriate to set an overarching objective for ecosystem restoration **for 2030 to steer the Union's actions on restoration and to facilitate the achievement of ecosystems specific targets. The restoration of ecosystems will** foster economic and societal transformation, the creation of high-quality jobs and sustainable growth. Biodiverse ecosystems such as wetland, **peatland**, freshwater, forest as well as agricultural, sparsely vegetated, marine, coastal and urban ecosystems deliver, if in good condition, a range of essential ecosystem services, and the benefits of restoring degraded ecosystems to good condition in all land and sea areas far outweigh the costs of restoration. Those services contribute to a broad range of socio-economic benefits, depending on the

Or. en

## Amendment 5

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

*Amendment*

(14) The United Nations Statistical Commission adopted the System of Environmental Economic Accounting - Ecosystem Accounting (SEEA EA)<sup>54</sup> at its 52<sup>nd</sup> session in March 2021. SEEA EA constitutes an integrated and comprehensive statistical framework for organising data about habitats and landscapes, measuring the extent, condition and services of ecosystems, tracking changes in ecosystem assets, and linking this information to economic and other human activity.

(14) The United Nations Statistical Commission adopted the System of Environmental Economic Accounting - Ecosystem Accounting (SEEA EA)<sup>54</sup> at its 52<sup>nd</sup> session in March 2021. SEEA EA constitutes an integrated and comprehensive statistical framework for organising data about habitats and landscapes, measuring the extent, condition and services of ecosystems, tracking changes in ecosystem assets, and linking this information to economic and other human activity. ***The proposal for a Regulation of the European Parliament and the Council amending Regulation (EU) No 691/2011 as regards introducing new environmental economic accounts modules<sup>2a</sup> introduces three new environmental account modules, among them ecosystem accounts. Ecosystem accounts present data on the extent and condition of ecosystem assets and the***

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<sup>54</sup> <https://seea.un.org/sites/seea.un.org/files/documents/EA/>

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<sup>2a</sup> ***Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 691/2011 as regards introducing new environmental economic accounts modules***

<sup>54</sup> <https://seea.un.org/sites/seea.un.org/files/documents/EA/>

Or. en

## Amendment 6

### Proposal for a regulation Recital 15

*Text proposed by the Commission*

*Amendment*

(15) Securing biodiverse ecosystems and tackling climate change are intrinsically linked. Nature and nature-based solutions, including natural carbon stocks and sinks, are fundamental for fighting the climate crisis. At the same time, the climate crisis is already a driver of terrestrial and marine ecosystem change, and the Union must prepare for the increasing intensity, frequency and pervasiveness of its effects. The Special Report of the Intergovernmental Panel on Climate Change (IPCC)<sup>55</sup> on the impacts of global warming of 1.5°C pointed out that some impacts may be long-lasting or irreversible. The Sixth IPCC Assessment Report<sup>56</sup> states that restoring ecosystems will be fundamental in helping to combat climate change and also in reducing risks to food security. The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in its 2019 Global Assessment Report on Biodiversity and Ecosystem Services<sup>57</sup> considered climate change a key driver of change in nature, and it expected its impacts to increase over the coming decades, in some cases surpassing the impact of other drivers of ecosystem change such as changed land and sea use.

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<sup>55</sup> Intergovernmental Panel on Climate Change (IPCC): Special Report on the impacts of global warming of 1.5°C and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T.

<sup>56</sup> Climate Change 2022: Impacts, Adaptation and Vulnerability | Climate Change 2022: Impacts, Adaptation and

(15) Securing biodiverse ecosystems and tackling climate change are intrinsically linked. Nature and nature-based solutions **and ecosystems-based approaches** including natural carbon stocks and sinks, are fundamental for fighting the climate crisis. At the same time, the climate crisis is already a driver of terrestrial and marine ecosystem change, and the Union must prepare for the increasing intensity, frequency and pervasiveness of its effects. The Special Report of the Intergovernmental Panel on Climate Change (IPCC)<sup>55</sup> on the impacts of global warming of 1.5°C pointed out that some impacts may be long-lasting or irreversible. The Sixth IPCC Assessment Report<sup>56</sup> states that restoring ecosystems will be fundamental in helping to combat climate change and also in reducing risks to food security. The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in its 2019 Global Assessment Report on Biodiversity and Ecosystem Services<sup>57</sup> considered climate change a key driver of change in nature, and it expected its impacts to increase over the coming decades, in some cases surpassing the impact of other drivers of ecosystem

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<sup>55</sup> Intergovernmental Panel on Climate Change (IPCC): Special Report on the impacts of global warming of 1.5°C and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T.

<sup>56</sup> Climate Change 2022: Impacts, Adaptation and Vulnerability | Climate Change 2022: Impacts, Adaptation and

<sup>57</sup> IPBES (2019): Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn, Germany. 1148 pages. <https://doi.org/10.5281/zenodo.3831673>.

<sup>57</sup> IPBES (2019): Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn, Germany. 1148 pages. <https://doi.org/10.5281/zenodo.3831673>.

Or. en

## **Amendment 7**

### **Proposal for a regulation**

#### **Recital 18**

*Text proposed by the Commission*

*Amendment*

(18) Union climate policy is being revised in order to follow the pathway proposed in Regulation (EU) 2021/1119 to reduce net emissions by at least 55 % by 2030 compared to 1990. In particular, the proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 and (EU) 2018/1999<sup>61</sup> aims to strengthen the contribution of the land sector to the overall climate ambition for 2030 and aligns the objectives as regards accounting of emissions and removals from the land use, land use change and forestry ('LULUCF') sector with related policy initiatives on biodiversity. That proposal emphasises the need for the protection and enhancement of nature-based carbon removals, for the improvement of the resilience of ecosystems to climate change, for the restoration of degraded land and ecosystems, and for rewetting peatlands. It further aims to improve the monitoring and reporting of greenhouse gas emissions and removals *of* land subject to protection and restoration. In this context, it is important that ecosystems in all land categories, including forests, grasslands, croplands and

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<sup>61</sup> Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (COM/2021/554 final).

(18) Union climate policy is being revised in order to follow the pathway proposed in Regulation (EU) 2021/1119 to reduce net emissions by at least 55 % by 2030 compared to 1990. In particular, the proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 and (EU) 2018/1999<sup>61</sup> aims to strengthen the contribution of the land sector to the overall climate ambition for 2030 and aligns the objectives as regards accounting of emissions and removals from the land use, land use change and forestry ('LULUCF') sector with related policy initiatives on biodiversity. That proposal emphasises the need for the protection and enhancement of nature-based carbon removals, for the improvement of the resilience of ecosystems to climate change, for the restoration of degraded land and ecosystems, and for rewetting peatlands. It further aims to improve the monitoring and reporting of greenhouse gas emissions and removals *from* land subject to protection and restoration. In this context, it is important that ecosystems in all land categories, including forests, grasslands, croplands and

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<sup>61</sup> Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (COM/2021/554 final).

Or. en

## Amendment 8

### Proposal for a regulation

#### Recital 22

##### *Text proposed by the Commission*

(22) Soils are an integral part of terrestrial ecosystems. The Commission's 2021 Communication 'EU Soil Strategy for 2030'<sup>64</sup> outlines the need to restore degraded soils and enhance soil biodiversity.

##### *Amendment*

(22) Soils are an integral part of terrestrial ecosystems. The Commission's 2021 Communication 'EU Soil Strategy for 2030'<sup>64</sup> outlines the need to restore degraded soils and enhance soil biodiversity. ***The Commission has also confirmed its commitment to prepare a legislative proposal for a Soil Health Law. At an international level, the EU and its Member States have committed to achieving land degradation neutrality by 2030 in the framework of the 2030 Agenda for Sustainable Development<sup>3a</sup> and the United Nations Convention to Combat***

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***<sup>3a</sup> The 2030 Agenda for Sustainable Development, adopted in 25 September 2015 by Heads of State and Government at a special United Nations summit***

***<sup>4a</sup> UNCCD 2018-2030 strategic framework [https://www.unccd.int/sites/default/files/inline-files/ICCD\\_COP%2813%29\\_L.18-1716078E\\_0](https://www.unccd.int/sites/default/files/inline-files/ICCD_COP%2813%29_L.18-1716078E_0)***

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<sup>64</sup> Communication from the Commission to the European Parliament, Council, the European Economic and Social Committee and the Committee of the Regions. EU Soil Strategy for 2030 Reaping the benefits of healthy soils for people, food, nature and climate (COM/2021/699 final).

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<sup>64</sup> Communication from the Commission to the European Parliament, Council, the European Economic and Social Committee and the Committee of the Regions. EU Soil Strategy for 2030 Reaping the benefits of healthy soils for people, food, nature and climate (COM/2021/699 final).

Or. en

## Amendment 9

### Proposal for a regulation

#### Recital 24

##### *Text proposed by the Commission*

(24) A framework and guidance<sup>67</sup> already exist to determine good condition of habitat types protected under Directive 92/43/EEC and to determine sufficient quality and quantity of the habitats of species falling within the scope of that Directive. Restoration targets for those habitat types and habitats of species can be set based on that framework and guidance. However, such restoration will not be enough to reverse biodiversity loss and recover all ecosystems. Therefore, additional obligations should be established based on specific indicators in order to enhance biodiversity at the scale of wider ecosystems.

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<sup>67</sup> DG Environment. 2017, “Reporting under Article 17 of the Habitats Directive: Explanatory notes and guidelines for the period 2013-2018” and DG Environment 2013, “Interpretation manual of European

##### *Amendment*

(24) A framework and guidance<sup>67</sup> already exist to determine good condition of habitat types protected under Directive 92/43/EEC and to determine sufficient quality and quantity of the habitats of species falling within the scope of that Directive. Restoration targets for those habitat types and habitats of species can be set based on that framework and guidance. However, such restoration will not be enough to reverse biodiversity loss and recover all ecosystems. Therefore, additional obligations should be established based on specific indicators in order to enhance biodiversity at the scale of wider ecosystems. ***Moreover, once common methods for assessing the good condition of the Union’s ecosystems are developed, additional targets based on these common methods may be established by way of***

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<sup>67</sup> DG Environment. 2017, “Reporting under Article 17 of the Habitats Directive: Explanatory notes and guidelines for the period 2013-2018” and DG Environment 2013, “Interpretation manual of European

Or. en

## Amendment 10

### Proposal for a regulation

#### Recital 25

##### *Text proposed by the Commission*

##### *Amendment*

(25) Building on Directives 92/43/EEC and 2009/147/EC and in order to support the achievement of the objectives set out in those Directives, Member States should put in place restoration measures to ensure the recovery of protected habitats and species, including wild birds, across Union areas, also in areas that fall outside Natura 2000.

(25) Building on Directives 92/43/EEC and 2009/147/EC and in order to support the achievement of the objectives set out in those Directives, Member States should put in place restoration measures, **complementary to measures adopted under Directives 92/43/EEC and 2009/147/EC**, to ensure the recovery of protected habitats and species, including wild birds, across Union areas, also in areas that fall outside Natura 2000.

Or. en

## Amendment 11

### Proposal for a regulation

#### Recital 33

##### *Text proposed by the Commission*

(33) It is important to ensure a gradual increase of the areas covered by habitat types that fall within the scope of Directive 92/43/EEC that are in good condition across the territory of Member States and of the Union as a whole, until the favourable reference area for each habitat type is reached and **at least 90** % at Member State level of that area is in good condition, so as to allow those habitat types in the Union to achieve favourable conservation status.

##### *Amendment*

(33) It is important to ensure a gradual increase of the areas covered by habitat types that fall within the scope of Directive 92/43/EEC that are in good condition across the territory of Member States and of the Union as a whole, until the favourable reference area for each habitat type is reached and **100** % at Member State level of that area is in good condition, so as to allow those habitat types in the Union to achieve favourable conservation status.

Or. en

##### *Justification*

*The 90% is the minimum to reach good condition, according to the document 'Reporting under Article 17 of the Habitats Directive: Explanatory notes and guidelines for the period 2013-2018'. A higher target of 100% can therefore be set up.*



## Amendment 12

### Proposal for a regulation

#### Recital 35

*Text proposed by the Commission*

(35) It is important that the areas covered by habitat types falling within the scope of this Regulation do not deteriorate as compared to the current situation, considering the current restoration needs and the necessity not to further increase the restoration needs in the future. It is, however, appropriate to consider the possibility of force majeure, which may result in the deterioration of areas covered by those habitat types, as well as unavoidable habitat transformations which are directly caused by climate change, or as a result of a plan or project of overriding public interest, for which no less damaging alternative solutions are available, to be determined on a case by case basis, or of a plan or project authorised in accordance with Article 6(4) of Directive 92/43/EEC.

*Amendment*

(35) It is important that the areas covered by habitat types falling within the scope of this Regulation do not deteriorate as compared to the current situation, considering the current restoration needs and the necessity not to further increase the restoration needs in the future. It is, however, appropriate to consider the possibility of force majeure **causing natural disasters**, which may result in the deterioration of areas covered by those habitat types, as well as unavoidable habitat transformations which are directly caused by **scientifically proven impacts of** climate change, or as a result of a plan or project of overriding public interest, for which no less damaging alternative solutions are available, to be determined on a case by case basis, **outside Natura 2000 sites**, or of a plan or project authorised in accordance with Article 6(4) of Directive

Or. en

## Amendment 13

### Proposal for a regulation

#### Recital 38

*Text proposed by the Commission*

*Amendment*

(38) Where the protection coastal and marine habitats requires that fishing or aquaculture activities are regulated, the common fisheries policy applies. Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>68</sup> provides, in particular, that the common fisheries policy is to implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. That Regulation also provides that that policy is to endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.

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<sup>68</sup> Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

(38) Where the protection *of* coastal and marine habitats requires that fishing or aquaculture activities are regulated, the common fisheries policy applies. Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>68</sup> provides, in particular, that the common fisheries policy is to implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised. That Regulation also provides that that policy is to endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.

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<sup>68</sup> Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

Or. en

## **Amendment 14**

### **Proposal for a regulation Recital 39**

*Text proposed by the Commission*

*Amendment*

(39) In order to achieve the objective of continuous, long-term and sustained recovery of biodiverse and resilient nature, Member States should make full use of the possibilities provided under the common fisheries policy. Within the scope of the exclusive competence of the Union with regard to conservation of marine biological resources, Member States have the possibility to take non-discriminatory measures for the conservation and management of fish stocks and the maintenance or improvement of the conservation status of marine ecosystems within the limit of 12 nautical miles. In addition, Member States that have a direct management interest have the possibility to agree to submit joint recommendations for conservation measures necessary for compliance with obligations under Union law on the environment. Such measures will be assessed and adopted according to the rules and procedures provided for under the

(39) In order to achieve the objective of continuous, long-term and sustained recovery of biodiverse and resilient nature, Member States should make full use of the possibilities provided under the common fisheries policy. Within the scope of the exclusive competence of the Union with regard to conservation of marine biological resources, Member States have the possibility to take non-discriminatory measures for the conservation and management of fish stocks and the maintenance or improvement of the conservation status of marine ecosystems within the limit of 12 nautical miles. In addition, Member States that have a direct management interest have the possibility to agree to submit joint recommendations for conservation measures necessary for compliance with obligations under Union law on the environment. Such measures will be assessed and adopted according to the rules and procedures provided for under the

Or. en

#### *Justification*

*According to the Court of Auditors' "Special Report 26/2020: Marine environment: EU protection is wide but not deep", the joint recommendation procedure of Article 11 of the CFP has been poorly implemented and largely failed to meet its objectives. In this framework, some safeguards are added when coming to the restoration measures under this regulation.*

### **Amendment 15**

#### **Proposal for a regulation**

#### **Recital 39 a (new)**

*Text proposed by the Commission*

*Amendment*

*(39 a) Regulation (EU) No 1380/2013 provides that the common fisheries policy is to be coherent with the Union environmental legislation, in particular with the objective of achieving a good environmental status in the marine environment by 2020 as set out in Article 1(1) of Directive 2008/56/EC of the European Parliament and of the Council,*

Or. en

## Amendment 16

### Proposal for a regulation Recital 40

#### *Text proposed by the Commission*

(40) Directive 2008/56/EC requires Member States to cooperate bilaterally and within regional and sub-regional cooperation mechanisms, including through regional sea conventions<sup>69</sup>, as well as, where fisheries measures are concerned, in the context of the regional groups established under the common fisheries policy.

#### *Amendment*

(40) ***The distribution range of marine ecosystems extends beyond the waters under the sovereignty of any one Member State. Directive 92/43/EEC provides for shared responsibility of Member States for the implementation of that Directive. Moreover, Article 6 of Directive 2008/56/EC requires Member States to cooperate bilaterally and within regional and sub-regional cooperation mechanisms, including through regional sea conventions<sup>69</sup>, as well as, where fisheries measures are concerned, in the context of the regional groups established under the common fisheries policy.***

<sup>69</sup> The Convention for the Protection of the Marine Environment in the North-East Atlantic of 1992 – the OSPAR Convention (OSPAR), the Convention on the Protection of the Marine Environment in the Baltic Sea Area of 1992 – the Helsinki Convention (HELCOM), the Convention for the Protection of Marine Environment and the Coastal Region of the Mediterranean of 1995 – the Barcelona Convention (UNEP-MAP) and the Convention for the Protection of the Black Sea of 1992 – the Bucharest

<sup>69</sup> The Convention for the Protection of the Marine Environment in the North-East Atlantic of 1992 – the OSPAR Convention (OSPAR), the Convention on the Protection of the Marine Environment in the Baltic Sea Area of 1992 – the Helsinki Convention (HELCOM), the Convention for the Protection of Marine Environment and the Coastal Region of the Mediterranean of 1995 – the Barcelona Convention (UNEP-MAP) and the Convention for the Protection of the Black Sea of 1992 – the Bucharest

Or. en

## Amendment 17

### Proposal for a regulation

#### Recital 42

##### *Text proposed by the Commission*

(42) To support the restoration and non-deterioration of terrestrial, freshwater, coastal and marine habitats, Member States **have the possibility to designate** additional areas as ‘protected areas’ or ‘strictly protected areas’, **to implement** other effective area-based conservation measures, and **to promote** private land conservation measures.

##### *Amendment*

(42) To support the restoration and non-deterioration of terrestrial, freshwater, coastal and marine habitats, Member States **should ensure the continuous, long-term and sustained effects of restoration measures, including by, where appropriate, designating** additional areas as ‘protected areas’ or ‘strictly protected areas’, **implementing** other effective area-based conservation measures, and **promoting** private land conservation measures. **Given their priceless value for climate and environment, when restoration measures apply to primary and old-growth forests,**

Or. en

## Amendment 18

### Proposal for a regulation

#### Recital 43

*Text proposed by the Commission*

(43) Urban ecosystems represent around 22 % of the land surface of the Union, and constitute the area in which a majority of the citizens of the Union live. Urban green spaces include urban forests, parks and gardens, urban farms, tree-lined streets, urban meadows and urban hedges, and provide important habitats for biodiversity, in particular plants, birds and insects, including pollinators. They also provide vital ecosystem services, **including** natural disaster risk reduction and control (**e.g. floods, heat island effects**), **cooling, recreation, water and air filtration, as well as** climate change mitigation and adaptation.

*Amendment*

(43) Urban ecosystems represent around 22 % of the land surface of the Union, and constitute the area in which a majority of the citizens of the Union live. Urban green spaces include urban forests, parks and gardens, urban farms, tree-lined streets, urban meadows and urban hedges, and **vegetated rooftops and walls, and** provide important habitats for biodiversity, in particular plants, birds and insects, including pollinators. They also provide vital ecosystem services, **such as provisioning services (e.g. provision of food, fibre and fuel through gardens, allotments and community orchards and woodlands), regulating services (e.g. natural disaster risk reduction and control, climate change mitigation and adaptation, cooling, water and air filtration and flood prevention), cultural services (e.g. benefits for recreation, tourism, urban landscape and**

Or. en

*Justification*

*Vegetated rooftops and walls, often referred to as “green roofs” and “green walls”, are recognized as part of the urban green space, including in EU policies and the Urban Greening Plan draft guidance developed by the Commission. Green roofs and walls can greatly contribute to restoring urban biodiversity by providing a habitat for pollinators, insects and birds in cities, towns and suburbs, and are key to provide ecosystem services, therefore they should be integrated in the recital. The further additions seek to complete the text with services as detailed in the impact assessment.*

**Amendment 19**

**Proposal for a regulation**

**Recital 45**

*Text proposed by the Commission*

*Amendment*

(45) The EU Biodiversity Strategy for 2030 requires greater efforts to restore freshwater ecosystems and the natural functions of rivers. The restoration of freshwater ecosystems should include efforts to restore the natural longitudinal *and* lateral connectivity of rivers as well as their riparian areas and floodplains, including through the removal of barriers with a view to supporting the achievement of favourable conservation status for rivers, lakes and alluvial habitats and species living in those habitats protected by Directives 92/43/EEC and 2009/147/EC, and the achievement of one of the key objectives of the EU Biodiversity Strategy for 2030, namely, the restoration of at least 25 000 km of free-flowing rivers. When removing barriers, Member States should primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply or other uses.

(45) The EU Biodiversity Strategy for 2030 requires greater efforts to restore freshwater ecosystems and the natural functions of rivers. The restoration of freshwater ecosystems should include efforts to restore the natural longitudinal, lateral, *vertical and temporal* connectivity of rivers as well as their riparian areas and floodplains, including through the removal of barriers with a view to supporting the achievement of favourable conservation status for rivers, lakes and alluvial habitats and species living in those habitats protected by Directives 92/43/EEC and 2009/147/EC, and the achievement of one of the key objectives of the EU Biodiversity Strategy for 2030, namely, the restoration of at least 25 000 km of free-flowing rivers. When removing barriers, Member States should primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland

Or. en

#### *Justification*

*Adding vertical and temporal connectivity will increase the flexibility for Member States to choose the barriers and will cover all dimensions of connectivity. Regarding "high ecological", this is a term used in the framework of the Water Framework Directive.*

#### **Amendment 20**

##### **Proposal for a regulation**

##### **Recital 45 a (new)**

*Text proposed by the Commission*

*Amendment*

*(45 a) The restoration of smaller water units of ecological importance is essential for ecosystem connectivity, especially lateral connectivity, and can be an effective way to achieve other targets. With the aim for the Commission to set targets for small water units and for the Member States to implement restoration actions after 2030, an exercise of mapping out these units by 2030 should be undertaken. Data is already available through the Water Framework Directive, Nature Directives and Copernicus, and can be complemented by additional data from Member States.*

Or. en

### *Justification*

*The smaller water units are covered by the impact assessment and are very important in terms of connectivity.*

## **Amendment 21**

### **Proposal for a regulation**

#### **Recital 48**

#### *Text proposed by the Commission*

(48) The proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products *[for adoption on 22 June 2022, include title and number of the adopted act when available]* aims to regulate one of the drivers of pollinator decline by prohibiting the use of pesticides in ecologically sensitive areas, many of which are covered by this Regulation, for example areas sustaining pollinator species which the European Red Lists<sup>76</sup> classify as being threatened with

#### *Amendment*

(48) The proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products **and amending Regulation (EU) 2021/2115<sup>5a</sup>** aims to regulate one of the drivers of pollinator decline by prohibiting the use of pesticides in ecologically sensitive areas, many of which are covered by this Regulation, for example areas sustaining pollinator species which the European Red Lists<sup>76</sup> classify as being threatened with extinction.



***5<sup>a</sup> Proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115 (COM(2022)305)***

<sup>76</sup> European Redlist - Environment - European Commission (europa.eu)

<sup>76</sup> European Redlist - Environment - European Commission (europa.eu)

Or. en

**Amendment 22**

**Proposal for a regulation  
Recital 49**

*Text proposed by the Commission*

(49) Sustainable, resilient and biodiverse agricultural ecosystems are needed to provide safe, sustainable, nutritious and affordable food. Biodiversity-rich agricultural ecosystems also increase agriculture's resilience to climate change and environmental risks, while ensuring food safety and security and creating new jobs in rural areas, in particular jobs linked to organic farming as well as rural tourism and recreation. Therefore, the Union needs to improve the biodiversity in its agricultural lands, through a variety of existing practices beneficial to or compatible with the biodiversity enhancement, including extensive agriculture. Extensive agriculture is vital for the maintenance of many species and habitats in biodiversity rich areas. There are many extensive agricultural practices which have multiple and significant benefits on the protection of biodiversity, ecosystem services and landscape features such as ***precision agriculture***, organic farming, agro-ecology, agroforestry ***and*** low intensity permanent grassland.

*Amendment*

(49) Sustainable, resilient and biodiverse agricultural ecosystems are needed to provide safe, sustainable, nutritious and affordable food. Biodiversity-rich agricultural ecosystems also increase agriculture's resilience to climate change and environmental risks, while ensuring food safety and security and creating new jobs in rural areas, in particular jobs linked to organic farming as well as rural tourism and recreation. Therefore, the Union needs to improve the biodiversity in its agricultural lands, through a variety of existing practices beneficial to or compatible with the biodiversity enhancement, including extensive agriculture. Extensive agriculture is vital for the maintenance of many species and habitats in biodiversity rich areas. There are many extensive agricultural practices ***when conducted in a biodiversity-friendly manner*** which ***can*** have multiple and significant benefits on the protection of biodiversity, ecosystem services and landscape features such as organic farming, agro-ecology, agroforestry ***such as the***

Or. en

## Amendment 23

### Proposal for a regulation

#### Recital 50

##### *Text proposed by the Commission*

(50) Restoration measures need to be put in place to enhance the biodiversity of agricultural ecosystems across the Union, including in the areas not covered by habitat types that fall within the scope of Directive 92/43/EEC. ***In the absence of*** a common method for assessing the condition of agricultural ecosystems ***that would allow setting specific*** restoration targets for agricultural ecosystems, it is appropriate to set a general obligation to improve biodiversity in agricultural ecosystems and measure the fulfilment of that obligation on

##### *Amendment*

(50) Restoration measures need to be put in place to enhance the biodiversity of agricultural ecosystems across the Union, including in the areas not covered by habitat types that fall within the scope of Directive 92/43/EEC. ***Until*** a common method for assessing the condition of agricultural ecosystems ***is developed and until, on this basis, additional*** restoration targets for agricultural ecosystems ***are potentially proposed***, it is appropriate to set a general obligation to improve biodiversity in agricultural ecosystems and measure the

Or. en

## Amendment 24

### Proposal for a regulation

#### Recital 52

##### *Text proposed by the Commission*

##### *Amendment*

(52) High-diversity landscape features on agricultural land, including buffer strips, rotational or non-rotational fallow land, hedgerows, individual or groups of trees, tree rows, field margins, patches, ditches, streams, small wetlands, terraces, cairns, stonewalls, small ponds and cultural features, provide space for wild plants and animals, including pollinators, prevent soil erosion and depletion, filter air and water, support climate change mitigation and adaptation and agricultural productivity of pollination-dependent crops. Productive trees that are part of arable land agroforestry systems and productive elements in non-productive hedges can also be considered as high biodiversity landscape features provided that they do not receive fertilizers or pesticide treatment and if harvest takes place only at moments where it would not compromise high biodiversity levels. Therefore, a requirement to ensure an increasing trend for **the share of agricultural land with** high-diversity landscape features should be set out. Such a requirement would enable the Union to achieve one of the other key commitments of the EU Biodiversity Strategy for 2030, namely, to cover at least 10 % of agricultural area with high-diversity landscape features. Increasing trends should also be achieved for other existing indicators, such as the grassland butterfly index and the

(52) High-diversity landscape features on agricultural land, including buffer strips, rotational or non-rotational fallow land, hedgerows, individual or groups of trees, tree rows, field margins, patches, ditches, streams, small wetlands, terraces, cairns, stonewalls, small ponds and cultural features, provide space for wild plants and animals, including pollinators, **enhance carbon sequestration**, prevent soil erosion and depletion, filter air and water, support climate change mitigation and adaptation and agricultural productivity of pollination-dependent crops. Productive trees that are part of arable land agroforestry systems and productive elements in non-productive hedges can also be considered as high biodiversity landscape features provided that they do not receive fertilizers or pesticide treatment and if harvest takes place only at moments where it would not compromise high biodiversity levels. Therefore, a requirement to ensure an increasing trend for high-diversity landscape features **on agricultural land** should be set out. Such a requirement would enable the Union to achieve one of the other key commitments of the EU Biodiversity Strategy for 2030, namely, to cover at least 10 % of agricultural area with high-diversity landscape features. Increasing trends should also be achieved for other existing indicators, such as the

Or. en

## Amendment 25

### Proposal for a regulation

#### Recital 55

*Text proposed by the Commission*

*Amendment*

(55) In order to reap the full biodiversity benefits, restoration and rewetting of areas of drained peatland should extend beyond the areas of wetlands habitat types listed in Annex I of Directive 92/43/EEC that are to be restored and re-established. Data about the extent of organic soils as well as their greenhouse gas emissions and removals are monitored and made available by LULUCF sector reporting in national greenhouse gas inventories by Member States, submitted to the *UNFCCC*. Restored and rewetted peatlands can continue to be used productively in alternative ways. For example, paludiculture, the practice of farming on wet peatlands, can include cultivation of various types of reeds, certain forms of timber, blueberry and cranberry cultivation, sphagnum farming, and grazing with water buffaloes. Such practices should be based on the principles of sustainable management and aimed at enhancing biodiversity so that they can have a high value both financially and ecologically. Paludiculture can also be beneficial to several species which are endangered in the Union and can also facilitate the connectivity of wetland areas and of associated species populations in the Union. Funding for measures to restore and rewet drained peatlands and to compensate possible losses of income can come from a wide range of

(55) In order to reap the full biodiversity benefits, restoration and rewetting of areas of drained peatland should extend beyond the areas of wetlands habitat types listed in Annex I of Directive 92/43/EEC that are to be restored and re-established. Data about the extent of organic soils as well as their greenhouse gas emissions and removals are monitored and made available by LULUCF sector reporting in national greenhouse gas inventories by Member States, submitted to the *UN Framework Convention on Climate Change*. Restored and rewetted peatlands can continue to be used productively in alternative ways. For example, paludiculture, the practice of farming on wet peatlands, can include cultivation of various types of reeds, certain forms of timber, blueberry and cranberry cultivation, sphagnum farming, and grazing with water buffaloes. Such practices should be based on the principles of sustainable management and aimed at enhancing biodiversity so that they can have a high value both financially and ecologically. Paludiculture can also be beneficial to several species which are endangered in the Union and can also facilitate the connectivity of wetland areas and of associated species populations in the Union. Funding for measures to restore and rewet drained peatlands and to compensate possible losses of income can come from a

Or. en

## **Amendment 26**

### **Proposal for a regulation**

#### **Recital 56**

*Text proposed by the Commission*

*Amendment*

(56) The new EU Forest Strategy for 2030<sup>81</sup> outlined the need to restore forest biodiversity. Forests and other wooded land cover over 43,5 % of the EU's land space. Forest ecosystems that host rich biodiversity are vulnerable to climate change but are also a natural ally in adapting to and fighting climate change and climate-related risks, including through their carbon-stock and carbon-sink functions, and provide many other vital ecosystem services and benefits, such as the provision of timber and wood, food and other non-wood products, climate regulation, soil stabilisation and erosion control and the purification of air and water.

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<sup>81</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. New EU Forest Strategy for 2030 (COM/2021/572

(56) The new EU Forest Strategy for 2030<sup>81</sup> outlined the need to restore forest biodiversity. Forests and other wooded land cover over 43,5 % of the EU's land space. Forest ecosystems that host rich biodiversity are vulnerable to climate change but are also a natural ally in adapting to and fighting climate change and climate-related risks, including through their carbon-stock and carbon-sink functions, and provide many other vital ecosystem services and benefits, such as the provision of timber and wood, food and other non-wood products, climate regulation, soil stabilisation and erosion control and the purification of air and water. ***Forests have also proven positive effects on***

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<sup>81</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. New EU Forest Strategy for 2030 (COM/2021/572

Or. en

## **Amendment 27**

### **Proposal for a regulation**

#### **Recital 57**

*Text proposed by the Commission*

*Amendment*

(57) Restoration measures need to be put in place to enhance the biodiversity of forest ecosystems across the Union, including in the areas not covered by habitat types falling within the scope of Directive 92/43/EEC. ***In the absence of*** a common method for assessing the condition of forest ecosystems ***that would allow for the setting of specific*** restoration targets for forest ecosystems, it is appropriate to set a general obligation to improve biodiversity ***in*** forest ecosystems and measure the fulfilment of that obligation on the basis of existing indicators, such as standing and lying deadwood, the share of forests with uneven-aged structure, forest connectivity, the common forest bird index<sup>82</sup> , ***and*** the stock of organic carbon.

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<sup>82</sup> Common bird index (EU aggregate) - Products Datasets - Eurostat (europa.eu).

(57) Restoration measures need to be put in place to enhance the biodiversity of forest ecosystems across the Union, including in the areas not covered by habitat types falling within the scope of Directive 92/43/EEC. ***Until*** a common method for assessing the condition of forest ecosystems ***is developed and until, on this basis, additional*** restoration targets for forest ecosystems ***are potentially proposed***, it is appropriate to set a general obligation to improve biodiversity, ***the natural processes, the ecological integrity and the resilience of*** forest ecosystems and measure the fulfilment of that obligation on the basis of existing indicators, such as standing and lying deadwood, the share of forests with uneven-aged structure, forest connectivity, the common forest bird index<sup>82</sup>, the stock of organic carbon ***and the native tree species composition. Given the ever increasing risk of forest fires due to climate change Member States should ensure that the measures put in place to achieve the objectives of increasing deadwood, the share of forests with uneven-aged structure and forests connectivity take into account***

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<sup>82</sup> Common bird index (EU aggregate) - Products Datasets - Eurostat (europa.eu).

Or. en

### *Justification*

*Referring to forest ecosystems, it is important to highlight that it is not only about biodiversity but also their ecological integrity and, with it, their performance for climate change mitigation and adaptation, fire prevention, and other ecosystem services that good-quality forests provide. The rest of the amendment is linked to the amendment to Article 10 and to Annex VI.*

## Amendment 28

### Proposal for a regulation Recital 57 a (new)

*Text proposed by the Commission*

*Amendment*

***(57 a) The EU Biodiversity Strategy for 2030 sets out the objective to plant at least three billion additional trees by 2030 in full respect of ecological principles. This objective should be fully integrated in this Regulation. This initiative will act against the ongoing trend of a declining net increase of the EU forest area and will contribute to some of the restoration targets set out under this Regulation. Over time, it will also contribute to increasing the EU forest cover and, with that, the EU land carbon sink and stock. The new EU Forest Strategy for 2030 includes a roadmap for the implementation of this objective, based on the overall principle of planting and growing the right tree in the right place and***

Or. en

## Amendment 29

### Proposal for a regulation Recital 59

*Text proposed by the Commission*

*Amendment*

(59) To ensure synergies between the different measures that have been, and are to be put in place to protect, conserve and restore nature in the Union, Member States should take into account, when preparing their national restoration plans: the conservation measures established for Natura 2000 sites and the prioritised action frameworks prepared in accordance with Directives 92/43/EEC and 2009/147/EC; measures for achieving good ecological and chemical status of water bodies included in river basin management plans prepared in accordance with Directive 2000/60/EC; marine strategies for achieving good environmental status for all Union marine regions prepared in accordance with Directive 2008/56/EC; national air pollution control programmes prepared under Directive (EU) 2016/2284; national biodiversity strategies and action plans developed in accordance with Article 6 of the Convention on Biological Diversity, as well as conservation measures adopted in accordance with Regulation 1380/2013 and technical measures adopted in accordance with Regulation (EU) 2019/1241 of the European Parliament and of the Council<sup>83</sup>.

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(59) To ensure synergies between the different measures that have been, and are to be put in place to protect, conserve and restore nature in the Union, Member States should take into account, when preparing their national restoration plans: the conservation measures established for Natura 2000 sites and the prioritised action frameworks prepared in accordance with Directives 92/43/EEC and **2009/147/EC; the protection measures of the species of birds adopted in accordance with Directive 2009/147/EC**; measures for achieving good ecological and chemical status of water bodies included in river basin management plans prepared in accordance with Directive 2000/60/EC; marine strategies for achieving good environmental status for all Union marine regions prepared in accordance with Directive 2008/56/EC; national air pollution control programmes prepared under Directive (EU) 2016/2284; national biodiversity strategies and action plans developed in accordance with Article 6 of the Convention on Biological Diversity; **marine spatial plans adopted under Directive 2014/89/EU; flood risk management plans in line with Directive 2007/60/EC**; as well as conservation measures adopted in accordance with Regulation 1380/2013 and technical measures adopted in accordance

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<sup>83</sup> Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No

<sup>83</sup> Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No

Or. en

## **Amendment 30**

### **Proposal for a regulation**

#### **Recital 61**

*Text proposed by the Commission*

*Amendment*

(61) Considering the importance of addressing consistently the dual challenges of biodiversity loss and climate change, the **restoration of biodiversity** should take into account the **deployment of renewable energy** and vice versa. The Communication on REPowerEU: Joint European Action for more affordable, secure and sustainable energy<sup>87</sup> states that Member States should swiftly map, assess and ensure suitable land and sea areas that are available for renewable energy projects, commensurate with their national energy and climate plans, the contributions towards the revised 2030 renewable energy target and other factors such as the availability of resources, grid infrastructure and the targets of the EU Biodiversity Strategy. The Commission proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency<sup>88</sup> and the Commission recommendation on accelerating permitting for renewable energy projects and facilitating Power Purchase Agreements<sup>89</sup>, both adopted on 18 May 2022, also provide for the identification of renewables go-to areas. Those are specific locations, whether on land or sea, particularly suitable for the installation of plants for the production of energy from renewable sources, other than biomass combustion plants, where the deployment of a specific type of renewable energy is not expected to have significant environmental impacts, in view of the particularities of the selected territory. Member States should give priority to artificial and built surfaces, such as rooftops, transport infrastructure areas, parking areas, waste sites, industrial sites, mines, artificial inland water bodies, lakes or reservoirs, and, where appropriate, urban waste water treatment sites, as well as degraded land not usable for agriculture. In

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(61) Considering the importance of addressing consistently the dual challenges of biodiversity loss and climate change, the **deployment of renewable energy** should take into account the **restoration of biodiversity** and vice versa. The Communication on REPowerEU: Joint European Action for more affordable, secure and sustainable energy<sup>87</sup> states that Member States should swiftly map, assess and ensure suitable land and sea areas that are available for renewable energy projects, commensurate with their national energy and climate plans, the contributions towards the revised 2030 renewable energy target and other factors such as the availability of resources, grid infrastructure and the targets of the EU Biodiversity Strategy. The Commission proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency<sup>88</sup> and the Commission recommendation on accelerating permitting for renewable energy projects and facilitating Power Purchase Agreements<sup>89</sup>, both adopted on 18 May 2022, also provide for the identification of renewables go-to areas. Those are specific locations, whether on land or sea, particularly suitable for the installation of plants for the production of energy from renewable sources, other than biomass combustion plants, where the deployment of a specific type of renewable energy is not expected to have significant environmental impacts, in view of the particularities of the selected territory. Member States should give priority to artificial and built surfaces, such as rooftops, **where possible in combination with vegetation**, transport infrastructure areas, parking areas, waste sites, industrial sites, mines, artificial inland water bodies, lakes or reservoirs, and, where appropriate, urban waste water treatment sites, as well as

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<sup>87</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU: Joint European Action for more affordable, secure and sustainable energy (COM/

<sup>88</sup> Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency, COM/

<sup>89</sup> Commission recommendation on speeding up permit-granting procedures for renewable energy projects and facilitating Power Purchase Agreements, C(2022) 3219 final.

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<sup>87</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions REPowerEU: Joint European Action for more affordable, secure and sustainable energy (COM/

<sup>88</sup> Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency, COM/

<sup>89</sup> Commission recommendation on speeding up permit-granting procedures for renewable energy projects and facilitating Power Purchase Agreements, C(2022) 3219 final.

Or. en

## Amendment 31

### Proposal for a regulation Recital 65

#### *Text proposed by the Commission*

(65) The European Environment Agency (the ‘EEA’) should support Member States in preparing the national restoration plans, as well as in monitoring progress towards meeting the restoration targets and obligations. The Commission should assess whether the national restoration plans are adequate for achieving those targets and obligations.

#### *Amendment*

(65) The European Environment Agency (the ‘EEA’) should support Member States in preparing the national restoration plans, as well as in monitoring progress towards meeting the restoration targets and obligations. The Commission should assess whether the national restoration plans are adequate for achieving those targets and obligations ***and Member State should take due account of the recommendations of the***

Or. en

## Amendment 32

### Proposal for a regulation

#### Recital 66

##### *Text proposed by the Commission*

(66) The Commission's State of Nature Report from 2020 has shown that a substantial share of the information reported by Member States in accordance with Article 17 of Council Directive 92/43/EEC<sup>90</sup> and Article 12 of Directive 2009/147/EC, in particular on the conservation status and trends of the habitats and species they protect, comes from partial surveys or is based only on expert judgment. That Report also showed that the status of several habitat types and species protected under Directive 92/43/EEC is still unknown. Filling in those knowledge gaps and investing in monitoring and surveillance are necessary in order to underpin robust and science-based national restoration plans. In order to increase the timeliness, effectiveness and coherence of various monitoring methods, the monitoring and surveillance should make best possible use of the results of Union-funded research and innovation projects, new technologies, such as in-situ monitoring and remote sensing using space data and services delivered under the Union's Space programme (EGNOS/Galileo and Copernicus). The EU missions 'Restore Our Ocean and Waters', 'Adaptation to Climate Change', and 'A Soil Deal for Europe' will support the implementation of the restoration targets<sup>91</sup>.

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<sup>90</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206,

##### *Amendment*

(66) The Commission's State of Nature Report from 2020 has shown that a substantial share of the information reported by Member States in accordance with Article 17 of Council Directive 92/43/EEC<sup>90</sup> and Article 12 of Directive 2009/147/EC, in particular on the conservation status and trends of the habitats and species they protect, comes from partial surveys or is based only on expert judgment. That Report also showed that the status of several habitat types and species protected under Directive 92/43/EEC is still unknown. Filling in those knowledge gaps and investing in monitoring and surveillance are necessary in order to underpin robust and science-based national restoration plans. In order to increase the timeliness, effectiveness and coherence of various monitoring methods, the monitoring and surveillance should make best possible use of the results of Union-funded research and innovation projects, new technologies, such as in-situ monitoring and remote sensing using space data and services delivered under the Union's Space programme (EGNOS/Galileo and Copernicus). ***Other publicly or privately available sources may be also used, where appropriate.*** The EU missions 'Restore Our Ocean and Waters', 'Adaptation to Climate Change', and 'A Soil Deal for Europe' will

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<sup>90</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206,

<sup>91</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on European Missions COM(2021) 609 final).

<sup>91</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on European Missions COM(2021) 609 final).

Or. en

## Amendment 33

### Proposal for a regulation

#### Recital 67

##### *Text proposed by the Commission*

(67) In order to monitor the progress in implementing the national restoration plans, the restoration measures put in place, the areas subject to restoration measures, and the data on the inventory of barriers to river continuity, a system should be introduced requiring Member States to set up, keep up-to-date and make accessible relevant data on results from such monitoring. The electronic reporting of data to the Commission should make use of EEA's Reportnet system and should aim to keep the administrative burden on all entities as limited as possible. To ensure an appropriate infrastructure for public access, reporting and data-sharing between public authorities, Member States should, where relevant, base the data specifications on those referred to in Directive 2003/4/EC of the European Parliament and of the Council<sup>92</sup>, Directive 2007/2/EC of the European Parliament and of the Council<sup>93</sup> and Directive (EU) 2019/1024 of the European Parliament and of the Council<sup>94</sup>.

##### *Amendment*

(67) In order to monitor the progress in implementing the national restoration plans, the restoration measures put in place, the areas subject to restoration measures, and the data on the inventory of barriers to river continuity, a system should be introduced requiring Member States to set up, keep up-to-date and make accessible relevant data on results from such monitoring. The electronic reporting of data to the Commission should make use of EEA's Reportnet system and should aim to keep the administrative burden on all entities as limited as possible. To ensure an appropriate infrastructure for public access, reporting and data-sharing between public authorities, Member States should, where relevant, base the data specifications on those referred to in Directive 2003/4/EC of the European Parliament and of the Council<sup>92</sup>, Directive 2007/2/EC of the European Parliament and of the Council<sup>93</sup> and Directive (EU) 2019/1024 of the European Parliament and of the Council<sup>94</sup>. ***For monitoring the progress of the planting of three billion additional trees, the 'Roadmap for planting at least 3 billion additional trees in the EU by 2030, in full respect of ecological principles' that was adopted as SWP***

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<sup>92</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

<sup>93</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,

<sup>94</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p.

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<sup>92</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

<sup>93</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,

<sup>94</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p.

Or. en

## Amendment 34

### Proposal for a regulation Recital 69

#### *Text proposed by the Commission*

(69) The Commission should report on the progress made by Member States towards meeting the restoration targets and obligations of this Regulation on the basis of Union-wide progress reports drawn up by the EEA as well as other analysis and reports made available by Member States in relevant policy areas such as nature, marine and water policy.

#### *Amendment*

(69) The Commission should report on the progress made by Member States towards meeting the restoration targets and obligations of this Regulation on the basis *of reporting conducted by Member States and* of Union-wide progress reports drawn up by the EEA as well as other analysis and reports made available by Member States in relevant policy areas such as nature, marine and water

Or. en

## Amendment 35

### Proposal for a regulation Recital 70

*Text proposed by the Commission*

(70) To ensure the achievement of the targets and obligations set out in this Regulation, it is of utmost importance that adequate private and public investments are made in restoration, Member States should integrate expenditure for biodiversity objectives, including in relation to opportunity and transition costs resulting from the implementation of the national restoration plans, in their national budgets and reflect how Union funding is used. Regarding the Union funding, expenditure under the Union budget and Union financing programmes, such as the Programme for the Environment and Climate Action (LIFE)<sup>96</sup>, the European Maritime Fisheries and Aquaculture Fund (EMFAF)<sup>97</sup>, the European Agricultural Fund for Rural Development (EAFRD)<sup>98</sup>, the European Agricultural Guarantee Fund (EAGF), the European Regional Development Fund (ERDF), the Cohesion Fund<sup>99</sup> and the Just Transition Fund<sup>100</sup>, as well as the Union framework programme for research and innovation, Horizon Europe<sup>101</sup>, contributes to biodiversity objectives with the ambition to dedicate 7,5 % in 2024, and 10 % in 2026 and in 2027 of annual spending under the 2021-2027 Multiannual Financial Framework<sup>102</sup> to biodiversity objectives. The Recovery and Resilience Facility (RRF)<sup>103</sup> is a further source of funding for the protection and restoration of biodiversity and ecosystems. With reference to the LIFE Programme, special attention should be given to the appropriate use of the Strategic Nature Projects (SNaPs) as a specific tool that could support the implementation of this Regulation, by way of mainstreaming available financial resources in an effective

*Amendment*

(70) To ensure the achievement of the targets and obligations set out in this Regulation, it is of utmost importance that adequate private and public investments are made in restoration. **For this**, Member States should integrate expenditure for biodiversity objectives, including in relation to opportunity and transition costs resulting from the implementation of the national restoration plans, in their national budgets and reflect how Union funding is used. Regarding the Union funding, expenditure under the Union budget and Union financing programmes, such as the Programme for the Environment and Climate Action (LIFE)<sup>96</sup>, the European Maritime Fisheries and Aquaculture Fund (EMFAF)<sup>97</sup>, the European Agricultural Fund for Rural Development (EAFRD)<sup>98</sup>, the European Agricultural Guarantee Fund (EAGF), the European Regional Development Fund (ERDF), the Cohesion Fund<sup>99</sup> and the Just Transition Fund<sup>100</sup>, as well as the Union framework programme for research and innovation, Horizon Europe<sup>101</sup>, contributes to biodiversity objectives with the ambition to dedicate 7,5 % in 2024, and 10 % in 2026 and in 2027 of annual spending under the 2021-2027 Multiannual Financial Framework<sup>102</sup> to biodiversity objectives. The Recovery and Resilience Facility (RRF)<sup>103</sup> is a further source of funding for the protection and restoration of biodiversity and ecosystems. With reference to the LIFE Programme, special attention should be given to the appropriate use of the Strategic Nature Projects (SNaPs) as a specific tool that could support the implementation of this Regulation, by way of mainstreaming available financial resources in an effective

<sup>96</sup> Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013 (OJ L 172, 17.5.2021, p. 53).

<sup>97</sup> Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004

<sup>98</sup> Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the

<sup>99</sup> Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund (OJ L 231, 30.6.2021, p. 60).

<sup>100</sup> Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund (OJ L 231 30.06.2021, p. 1).

<sup>101</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013(OJ L 170,

<sup>96</sup> Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013 (OJ L 172, 17.5.2021, p. 53).

<sup>97</sup> Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004

<sup>98</sup> Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the

<sup>99</sup> Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund (OJ L 231, 30.6.2021, p. 60).

<sup>100</sup> Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund (OJ L 231 30.06.2021, p. 1).

<sup>101</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013(OJ L 170,



<sup>102</sup> Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 433I, 22.12.2020, p. 11).

<sup>103</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021,

<sup>102</sup> Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 433I, 22.12.2020, p. 11).

<sup>103</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021,

Or. en

## **Amendment 36**

### **Proposal for a regulation Recital 70 a (new)**

*Text proposed by the Commission*

*Amendment*

***(70 a) Notwithstanding the above, in view of revising the Multiannual Financial Framework and of the preparation of a Multiannual Financial Framework for the next programming period, and in view of facilitating the implementation of this Regulation, the Commission should assess new budgetary options such as the reallocation of funds and the establishment of a dedicated nature restoration fund.***

Or. en

## **Amendment 37**

### **Proposal for a regulation Recital 72**

*Text proposed by the Commission*

*Amendment*

(72) Member States should promote a fair and cross-society approach in the preparation and implementation of their national restoration plans, by including processes for participation of the public and by considering the needs of local communities and stakeholders.

(72) ***Broad public and stakeholder support for and ownership of restoration measures are necessary conditions to ensure the successful implementation of this Regulation.*** Member States should ***therefore*** promote a fair, ***open, transparent, inclusive, effective*** and cross-society approach in the preparation, ***review*** and implementation of their national restoration plans, by including processes for participation of the public and by considering the needs of local communities and stakeholders. ***Member States should also actively promote awareness of the importance of biodiversity and nature restoration and engage with young people***

Or. en

## Amendment 38

### Proposal for a regulation

#### Recital 73

##### *Text proposed by the Commission*

(73) Pursuant to Regulation (EU) 2021/2115 of the European Parliament and of the Council<sup>106</sup>, CAP Strategic Plans are meant to contribute to the achievement of, and be consistent with, the long-term national targets set out in, or deriving from, the legislative acts listed in Annex XIII to that Regulation. This Regulation on nature restoration should be ***taken into account*** when, in accordance with Article 159 of Regulation (EU) 2021/2115, the Commission reviews, by 31 December 2025, the list set

##### *Amendment*

(73) Pursuant to Regulation (EU) 2021/2115 of the European Parliament and of the Council<sup>106</sup>, CAP Strategic Plans are meant to contribute to the achievement of, and be consistent with, the long-term national targets set out in, or deriving from, the legislative acts listed in Annex XIII to that Regulation. This Regulation on nature restoration should be ***added to that list*** when, in accordance with Article 159 of Regulation (EU) 2021/2115, the Commission reviews, by 31 December 2025, the list set out in

<sup>106</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council (EU) of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU)

<sup>106</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council (EU) of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU)

Or. en

## Amendment 39

### Proposal for a regulation Recital 74

#### *Text proposed by the Commission*

(74) In line with the commitment in the 8<sup>th</sup> Environment Action Programme to 2030<sup>107</sup>, Member States should phase out environmentally harmful subsidies at national level, **making** the best use of market-based instruments and green budgeting tools, including those required to ensure a socially fair transition, and supporting businesses and other stakeholders in developing standardised natural capital accounting practices.

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<sup>107</sup> [Reference to be added when the 8<sup>th</sup> EAP has been published].

#### *Amendment*

(74) In line with the commitment in the 8<sup>th</sup> Environment Action Programme to 2030<sup>107</sup>, Member States should phase out environmentally harmful subsidies at national level **and make** the best use of **environmental taxation**, market-based instruments and green budgeting **and financing** tools, including those required to ensure a socially fair transition, and supporting businesses and other stakeholders in developing **and applying** standardised

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<sup>107</sup> [Reference to be added when the 8<sup>th</sup> EAP has been published].

Or. en

#### *Justification*

*Amendment in line with the text of the Decision on 8th Environmental Action Plan.*

## Amendment 40

### Proposal for a regulation

#### Recital 75

##### *Text proposed by the Commission*

(75) In order to ensure the necessary adaptation of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending Annexes I to VII to adapt the group of habitats, to update the information on the common farmland bird index, as well as to adapt the list of biodiversity indicators for agricultural ecosystems, the list of biodiversity indicators for forest ecosystems and the list of marine species to the latest scientific evidence and the examples of restoration measures. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>52</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

##### *Amendment*

(75) In order to ensure the necessary adaptation of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending Annexes I to VII to adapt the group of habitats, to update the information on the common farmland bird index, as well as to adapt the list of biodiversity indicators for agricultural ecosystems, the list of biodiversity indicators for forest ecosystems and the list of marine species to the latest scientific evidence and the examples of restoration measures. ***In addition, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to specify the method for monitoring pollinators, to specify the methods for monitoring the indicators for agricultural ecosystems listed in Annex IV and the indicators for forest ecosystems listed in Annex VI, and to develop a framework for setting the satisfactory levels of pollinators, the satisfactory levels of indicators for agricultural ecosystems listed in Annex IV and the satisfactory levels of indicators for forest ecosystems listed in Annex VI.*** It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>52</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts

## Amendment 41

### Proposal for a regulation

#### Recital 76

##### *Text proposed by the Commission*

(76) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in order to ***specify the method for monitoring pollinators, to specify the methods for monitoring the indicators for agricultural ecosystems listed in Annex IV to this Regulation and the indicators for forest ecosystems listed in Annex VI to this Regulation, to develop a framework for setting the satisfactory levels of pollinators, of indicators for agricultural ecosystems listed in Annex IV to this Regulation and of indicators for forest ecosystems listed in Annex VI to this Regulation***, to set out a uniform format for the national restoration plans, to set out the format, structure and detailed arrangements for reporting data and information electronically to the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the

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<sup>108</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

##### *Amendment*

(76) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in order to to set out a uniform format for the national restoration plans, to set out the format, structure and detailed arrangements for reporting data and information electronically to the Commission, ***to establish a method to provide Member States with a standardised format to identify and assess barriers, and to specify the conduct and methods of the monitoring referred to in Article 12(2)(h)***. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council <sup>108</sup> .

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<sup>108</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

## Amendment 42

### Proposal for a regulation

#### Recital 77

##### *Text proposed by the Commission*

(77) The Commission should carry out an evaluation of this Regulation. Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures. In addition, the Commission should assess the need to establish additional restoration targets, based on common methods for assessing the condition of ecosystems not covered by Articles 4 and 5, taking into account the most recent scientific evidence.

##### *Amendment*

(77) The Commission should carry out an evaluation of this Regulation. Pursuant to paragraph 22 of the Interinstitutional Agreement on Better Law-Making, that evaluation should be based on the criteria of efficiency, effectiveness, relevance, coherence and EU value added and should provide the basis for impact assessments of possible further measures. In addition, the Commission should assess the need to establish additional restoration targets ***and corresponding timelines***, based on common methods for assessing the condition of ecosystems not covered by Articles 4 and 5, taking into account the most recent scientific

Or. en

## Amendment 43

### Proposal for a regulation

#### Recital 78 a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(78 a) This Regulation respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union, in particular Article 37 thereof which seeks to promote the integration into the policies of the Union of a high level of environmental protection and the improvement of the quality of the environment in accordance with the***

Or. en

## Amendment 44

### Proposal for a regulation

#### Article 1 – title

*Text proposed by the Commission*

*Amendment*

Subject matter

Subject matter **and overarching Union objectives**

Or. en

#### *Justification*

*The Commission's proposal contains overarching objectives to 2030 and 2050 but without explicitly calling it that way. While stating that the proposal sets binding restoration targets and obligations across a broad range of ecosystems to achieve the 2030 objective it does not provide for a process by which this overarching objective would be taken into account by Member States and subsequently monitored. It is important to link it in a legally sound manner with the rest of provisions of this Regulation which is why it is proposed to refer to it in subsequent relevant articles.*

## Amendment 45

### Proposal for a regulation

#### Article 1 – paragraph 1

*Text proposed by the Commission*

*Amendment*

**1. This Regulation lays down rules to contribute to:** ~~deleted~~

**(a) the continuous, long-term and sustained recovery of biodiverse and resilient nature across the Union's land and sea areas through the restoration of**

**(b) achieving the Union's overarching objectives concerning climate change mitigation and climate change adaptation;**

**(c) meeting the Union's international commitments.**

### *Justification*

*To make this Article more coherent and to follow the structure of other pieces of legislation, paragraph 1 becomes paragraph 2 and paragraph 2 becomes paragraph 1.*

## **Amendment 46**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1 a. This Regulation establishes a framework within which Member States shall put in place, without delay, effective and area-based restoration measures which shall cover, by 2030, at least 30 % of the Union’s land and sea areas and, by 2050, all ecosystems in need of restoration.***

Or. en

### *Justification*

*To make this Article more coherent and to follow the structure of other pieces of legislation, paragraph 1 becomes paragraph 2 and paragraph 2 becomes paragraph 1. To align the overarching objective to 2030 with the European Parliament position as set out in the report on the EU Biodiversity Strategy for 2030, the rapporteur increases it to 30%.*

## **Amendment 47**

### **Proposal for a regulation**

#### **Article 1 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. This Regulation establishes a framework within which Member States shall put in place, without delay, effective and area-based restoration measures which together shall cover, by 2030, at least 20 % of the Union’s land and sea areas and, by 2050, all ecosystems in need of restoration.***

***2. For that purpose, this Regulation lays down rules to contribute to:***



*(a) the continuous, long-term and sustained recovery of biodiverse and resilient nature across the Union's land and sea areas through the restoration of ecosystems, their natural ecological processes and their ecological connectivity;*

*(b) achieving the Union's overarching objectives concerning climate change mitigation and climate change adaptation;*

*(c) meeting the Union's international commitments.*

Or. en

*Justification*

*To make this Article more coherent and to follow the structure of other pieces of legislation, paragraph 1 becomes paragraph 2 and paragraph 2 becomes paragraph 1.*

**Amendment 48**

**Proposal for a regulation**

**Article 1 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. The overarching Union objectives for ecosystems restoration set out in paragraph 1 shall be taken into account in all policies and measures with a likely impact on achieving them.*

Or. en

**Amendment 49**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*(3 a) ‘passive restoration’ means a holistic process which allows the long-term natural recovery or re-establishment of whole ecosystems with their underlying ecological processes, where natural processes are left undisturbed from pressure and threats to the area’s overall ecological structure and functioning;*

Or. en

## Amendment 50

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 13

##### *Text proposed by the Commission*

(13) ‘urban green space’ means all green urban areas; broad-leaved forests; coniferous forests; mixed forests; natural grasslands; moors and heathlands; transitional woodland-shrubs **and** sparsely vegetated areas - as found within cities or towns and suburbs calculated on the basis of data provided by the Copernicus Land Monitoring Service as established by Regulation (EU) 2021/696 of the European Parliament and of

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<sup>110</sup> Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170,

##### *Amendment*

(13) ‘urban green space’ means all green urban areas; broad-leaved forests; coniferous forests; mixed forests; natural grasslands; moors and heathlands; transitional woodland-shrubs; sparsely vegetated areas; **green roofs and green walls** - as found within cities or towns and suburbs calculated on the basis of data provided by the Copernicus Land Monitoring Service as established by Regulation (EU) 2021/696 of

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<sup>110</sup> Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170,

Or. en

## Amendment 51

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 15 a (new)

*Text proposed by the Commission*

*Amendment*

***(15 a) ‘restoration of the natural connectivity of rivers and natural functions of the related floodplains’ means restoration according to the definitions set in 2.1 section of the Guidance on Barriers***

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***<sup>8a</sup> Guidance on Barrier Removal for River Restoration (European Commission, December 2021)***

Or. en

*Justification*

*A definition of this term which is used in Article 7 of the Regulation is necessary to provide clarity. The proposed definition is based on the EU Guidance on barrier removal for river restoration published in December 2021, which states that “the Commission considers that the concept of free-flowing rivers – to be achieved through barrier removal and the restoration of floodplains and wetlands – translates into a complete absence of artificial barriers and the reinstatement of the natural, multidimensional connectivity of a river” (page 14).*

## Amendment 52

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 15 b (new)

*Text proposed by the Commission*

*Amendment*

***(15 b) ‘rewetting’ means all deliberate actions that aim to bring the water table of a drained peatland (i.e., the position relative to the surface) back to that of the original, peatforming peatland’.***

Or. en

*Justification*

*The definition has been extracted from the Ramsar Convention's "Global guidelines for peatland rewetting and restoration".*

**Amendment 53**

**Proposal for a regulation**

**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex I which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex I that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **60** % by 2040, and on **at least 90** % by 2050.

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex I which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex I that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **65** % by 2040, and on **100** % by 2050.

Or. en

*Justification*

*The 90% is the minimum to reach good condition, according to the document 'Reporting under Article 17 of the Habitats Directive: Explanatory notes and guidelines for the period 2013-2018'. A higher target of 100% can therefore be set up.*

**Amendment 54**

**Proposal for a regulation**

**Article 4 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. Member States shall put in place the restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in Annexes II, IV and V to Directive 92/43/EEC and of the terrestrial, coastal and freshwater habitats of wild birds covered by Directive 2009/147/EC that are necessary to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

3. Member States shall put in place the restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in Annexes II, IV and V to Directive 92/43/EEC **and of the diadromous species listed in Annex III to this Regulation** and of the terrestrial, coastal and freshwater habitats of wild birds covered by Directive 2009/147/EC that are necessary to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.

Or. en

### *Justification*

*Amendment linked to amendments to Annex III.*

## **Amendment 55**

### **Proposal for a regulation Article 4 – paragraph 5**

#### *Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall **consider the need for** improved connectivity between the habitat types listed in Annex I and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

#### *Amendment*

5. **When deciding on and implementing** the restoration measures referred to in paragraphs 1 and 2, **Member States** shall **ensure** improved **connectivity between existing protected areas and the** connectivity between the habitat types listed in Annex I and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types. **If necessary, Member States shall adopt appropriate and effective**

Or. en

### *Justification*

*In addition to the restoration measures adopted under Articles 4(1), 4(2) and 4(3), measures enhancing connectivity among restoration areas, and also between restoration areas and*

*other protected areas, including Natura 2000, should be envisaged. This will increase the effectiveness of the measures adopted, contribute to the non-deterioration of restored areas, to meeting climate adaptation objectives, and is in line with relevant provisions of the Habitats Directive. The initial formulation should be strengthened to establish a clear obligation to improve connectivity.*

## **Amendment 56**

### **Proposal for a regulation**

#### **Article 4 – paragraph 6**

##### *Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex I until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3, until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached, and in which the sufficient quality of the habitats of the species has been reached, do not deteriorate.

##### *Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex I until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3, until the sufficient quality of those habitats is reached. Member States shall ***adopt appropriate and effective measures to*** ensure that areas in which good condition has been reached, and in which the sufficient quality of the habitats of the species has been reached, do not deteriorate,

Or. en

##### *Justification*

*Member States' significant financial investments in restoration will only bear returns (in both economic terms and in the form of ecosystem services), if restored areas remain in good condition over a prolonged period of time, without degrading again. The choice of what measures should be adopted to comply with this obligation should be science-based. By doing so, Member States can - in parallel- also contribute their fair share to the EU Biodiversity Strategy's Union-wide target of a total of 30% protected areas on land and at sea, 10% of which shall be strictly protected.*

## Amendment 57

### Proposal for a regulation

#### Article 4 – paragraph 8 – introductory part

*Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **is** justified if it is caused by:

*Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **may only be** justified if **Member States provide compelling evidence that** it is caused by:

Or. en

*Justification*

*The potential use of the derogation set out in this paragraph should be made clearer.*

## Amendment 58

### Proposal for a regulation

#### Article 4 – paragraph 8 – point a

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure **causing natural**

Or. en

*Justification*

*The potential use of the derogations set out in this paragraph should be made clearer.*

## Amendment 59

### Proposal for a regulation

#### Article 4 – paragraph 8 – point b

*Text proposed by the Commission*

*Amendment*

- (b) unavoidable habitat transformations which are directly caused by climate change; or
- (b) unavoidable habitat transformations which are directly caused by ***scientifically proven impacts of*** climate change, ***provided that the concerned Member State adopted adequate mitigation measures***; or

Or. en

*Justification*

*This derogation is too open-ended, since habitat deterioration is one of the most usual effects of climate change and it is often exacerbated by insufficient collective climate change mitigation efforts, making it extremely difficult to establish whether the transformation is “unavoidable” or not.*

**Amendment 60**

**Proposal for a regulation**

**Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

- (c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

- (c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis, ***provided that the concerned Member State has adopted adequate compensatory measures.***

Or. en

*Justification*

*This amendment follows the wording of Article 6(4) of Directive 92/43/EEC.*

**Amendment 61**

**Proposal for a regulation**

**Article 4 – paragraph 8 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*



*Areas for which the derogations of this paragraph are used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of any of these derogations shall entail the updating of the quantification of the areas to be restored under Article 12(2)(a) and in accordance with Article 15.*

Or. en

## **Amendment 62**

### **Proposal for a regulation**

#### **Article 4 – paragraph 9 – introductory part**

##### *Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, *is* justified if it is caused by:

##### *Amendment*

9. For Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7, ***may only be*** justified if it is caused by ***a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC, for a maximum of 5% of the areas covered by the targets in***

Or. en

##### *Justification*

*The Habitats Directive, and notably its Article 6(4), already provides which exemptions may apply inside Natura 2000 areas. Any attempt at expanding the list of derogations to the Member States' obligations deriving from Article 6 of the Habitats Directive should be removed. Invoking this derogation should also be limited to a certain percentage of the Natura 2000 areas.*

## **Amendment 63**

### **Proposal for a regulation**

#### **Article 4 – paragraph 9 – point a**

##### *Text proposed by the Commission*

##### *Amendment*

**(a) force majeure; deleted**

Or. en

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas, in Article 6(4) which still remains applicable. Any attempt at expanding the list of derogations to the Member States' obligations deriving from Article 6 of the Habitats Directive should be removed.*

**Amendment 64**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) unavoidable habitat transformations deleted  
which are directly caused by climate**

Or. en

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas, in Article 6(4) which still remains applicable. Any attempt at expanding the list of derogations to the Member States' obligations deriving from Article 6 of the Habitats Directive should be removed.*

**Amendment 65**

**Proposal for a regulation**

**Article 4 – paragraph 9 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) a plan or project authorised in deleted  
accordance with Article 6(4) of the  
Directive 92/43/EEC.**

Or. en

## Amendment 66

### Proposal for a regulation

#### Article 4 – paragraph 9 – subparagraph 1 (new)

*Text proposed by the Commission*

*Amendment*

***Areas for which the derogation of this paragraph is used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of this derogation shall entail the updating of the quantification of the areas to be restored under Article 12(2)(a) ) and in accordance with Article 15, and the returning of any public funds received for***

Or. en

*Justification*

*The areas that are in fact not covered by restoration measures should not count towards the achievement of the target. If public funding was received, but at the end no restoration measure was effectively taken, funding should be returned.*

## Amendment 67

### Proposal for a regulation

#### Article 4 – paragraph 10 – point a

*Text proposed by the Commission*

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until ***at least 90 %*** is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

(a) an increase of habitat area in good condition for habitat types listed in Annex I until ***100 % by 2050*** is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. en

## Amendment 68

### Proposal for a regulation

#### Article 4 – paragraph 10 – point b

*Text proposed by the Commission*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats **of the diadromous species listed in Annex III**, of the species referred to in Annexes II, IV and V to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC;

Or. en

## Amendment 69

### Proposal for a regulation

#### Article 4 – paragraph 10 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(b a) an increased connectivity between the existing protected areas and between habitat types listed in Annex I.**

Or. en

## Amendment 70

### Proposal for a regulation

#### Article 5 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **60** % by 2040, and on **at least 90** % by 2050.

1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex II which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex II that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **65** % by 2040, and on **100** % by 2050.

Or. en

### *Justification*

*The 90% is the minimum to reach good condition, according to the document 'Reporting under Article 17 of the Habitats Directive: Explanatory notes and guidelines for the period 2013-2018'. A higher target of 100% can therefore be set up. The Annex II scope for marine habitats is limited to a few marine habitats types, which only cover a small proportion of Union seas (4.5%). The degraded portion of these habitats represents less than 4% of the Union sea area (3.78%, data from the impact assessment) and represents only a small portion of the overarching restoration objective in Article 1.*

## **Amendment 71**

### **Proposal for a regulation Article 5 – paragraph 5**

#### *Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall **consider the need for** improved connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

#### *Amendment*

5. **When deciding on and implementing** the restoration measures referred to in paragraphs 1 and 2, **Member States** shall **ensure** improved **connectivity between existing protected areas and the** connectivity between the habitat types listed in Annex II and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types. **If necessary, Member States shall adopt appropriate and effective**

Or. en

### *Justification*

*In addition to the restoration measures adopted under Articles 4(1), 4(2) and 4(3), measures enhancing connectivity among restoration areas, and also between restoration areas and other protected areas, including Natura 2000, should be envisaged. This will increase the effectiveness of the measures adopted, contribute to the non-deterioration of restored areas, to meeting climate adaptation objectives, and is in line with relevant provisions of the Habitats Directive. The initial formulation should be strengthened to establish a clear obligation to improve connectivity.*

## **Amendment 72**

### **Proposal for a regulation Article 5 – paragraph 6**

#### *Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

#### *Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex II until good condition is reached, and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3 until the sufficient quality of those habitats is reached. Member States shall ***adopt appropriate and effective measures to*** ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate,

Or. en

### *Justification*

*Member States' significant financial investments in restoration will only bear returns (in both economic terms and in the form of ecosystem services), if restored areas remain in good condition over a prolonged period of time, without degrading again. The choice of what measures should be adopted to comply with this obligation should be science-based. By doing so, Member States can - in parallel- also contribute their fair share to the EU Biodiversity Strategy's Union-wide target of a total of 30% protected areas on land and at sea, 10% of which shall be strictly protected.*

## Amendment 73

### Proposal for a regulation

#### Article 5 – paragraph 8 – introductory part

##### *Text proposed by the Commission*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **is** justified if caused by:

##### *Amendment*

8. Outside Natura 2000 sites, the non-fulfilment of the obligations set out in paragraphs 6 and 7 **may only be** justified if **Member States provide compelling evidence that** caused by:

Or. en

##### *Justification*

*The potential use of the derogations set out in this paragraph should be made clearer.*

## Amendment 74

### Proposal for a regulation

#### Article 5 – paragraph 8 – point a

##### *Text proposed by the Commission*

(a) force majeure;

##### *Amendment*

(a) force majeure **causing natural**

Or. en

## Amendment 75

### Proposal for a regulation

#### Article 5 – paragraph 8 – point b

##### *Text proposed by the Commission*

(b) unavoidable habitat transformations which are directly caused by climate change;  
or

##### *Amendment*

(b) unavoidable habitat transformations which are directly caused by **scientifically proven impacts of** climate change, **provided that the concerned Member State adopted adequate mitigation measures**; or

*Justification*

*This derogation is too open-ended, since habitat deterioration is one of the most usual effects of climate change and it is often exacerbated by insufficient collective climate change mitigation efforts, making it extremely difficult to establish whether the transformation is “unavoidable” or not.*

**Amendment 76****Proposal for a regulation****Article 5 – paragraph 8 – point c***Text proposed by the Commission*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis.

*Amendment*

(c) a project of overriding public interest for which no less damaging alternative solutions are available, to be determined on a case by case basis, ***provided that the concerned Member State has adopted adequate compensatory measures.***

**Amendment 77****Proposal for a regulation****Article 5 – paragraph 8 – subparagraph 1 (new)***Text proposed by the Commission**Amendment*

***Areas for which the derogations of this paragraph are used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of any of these derogations shall entail the updating of the quantification of the areas to be restored under Article 12(2)(a) and in accordance with Article 15.***



## Amendment 78

### Proposal for a regulation

#### Article 5 – paragraph 9 – introductory part

##### *Text proposed by the Commission*

9. For Natura 2000 sites, the non-fulfilment of the **obligation** set out in paragraphs 6 and 7, **is** justified if caused by:

##### *Amendment*

9. For Natura 2000 sites, the non-fulfilment of the **obligations** set out in paragraphs 6 and 7, **may only be** justified if **it is** caused by **a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC, for a maximum of 5% of the areas covered by the targets in**

Or. en

##### *Justification*

*The Habitats Directive, and notably its Article 6(4), already provides which exemptions may apply inside Natura 2000 areas. Any attempt at expanding the list of derogations to the Member States' obligations deriving from Article 6 of the Habitats Directive should be removed. Invoking this derogation should also be limited to a certain percentage of the Natura 2000 areas.*

## Amendment 79

### Proposal for a regulation

#### Article 5 – paragraph 9 – point a

##### *Text proposed by the Commission*

(a) **force majeure;**

##### *Amendment*

**deleted**

Or. en

##### *Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas, in Article 6(4) which still remains applicable. Any attempt at expanding the list of derogations to the Member States' obligations deriving from Article 6 of the Habitats Directive should be removed.*

## Amendment 80

### Proposal for a regulation

#### Article 5 – paragraph 9 – point b

*Text proposed by the Commission*

*Amendment*

**(b) *unavoidable habitat transformations deleted which are directly caused by climate***

Or. en

*Justification*

*The Habitats Directive already provides which exemptions may apply inside Natura 2000 areas, in Article 6(4) which still remains applicable. Any attempt at expanding the list of derogations to the Member States' obligations deriving from Article 6 of the Habitats Directive should be removed.*

## Amendment 81

### Proposal for a regulation

#### Article 5 – paragraph 9 – point c

*Text proposed by the Commission*

*Amendment*

**(c) *a plan or project authorised in accordance with Article 6(4) of the Directive 92/43/EEC. deleted***

Or. en

## Amendment 82

### Proposal for a regulation

#### Article 5 – paragraph 9 – subparagraph 1 (new)

*Text proposed by the Commission*

*Amendment*

*Areas for which the derogation of this paragraph is used shall not count towards the fulfilment of the objectives set in paragraphs 1, 2 and 3 of this Article. The use of this derogation shall entail the updating of the quantification of the areas to be restored under Article 12(2)(a) ) and in accordance with Article 15, and the returning of any public funds received for*

Or. en

#### *Justification*

*The areas that are not covered by restoration measures should not count towards the achievement of the target. If public funding was received, but at the end no restoration measure was effectively taken, funding should be returned.*

### **Amendment 83**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 10 – point a**

##### *Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until **at least 90 %** is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

##### *Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex II until **100 % by 2050** is in good condition and until the favourable reference area for each habitat type in each biogeographic region of their territory is reached;

Or. en

### **Amendment 84**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 10 – point b a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

*(b a) an increased connectivity between the existing protected areas and between habitat types listed in Annex II.*

Or. en

## **Amendment 85**

### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **3** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **5** % by 2050. In addition Member States shall ensure:

*Amendment*

2. Member States shall ensure that there is an increase in the total national area of urban green space in cities and in towns and suburbs of at least **4** % of the total area of cities and of towns and suburbs in 2021, by 2040, and at least **6** % by 2050. In addition Member States shall ensure:

Or. en

*Justification*

*Linked to the increase of the objective in point (a) of this paragraph.*

## **Amendment 86**

### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) a minimum of **10** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

*Amendment*

(a) a minimum of **15** % urban tree canopy cover in all cities and in towns and suburbs by 2050; and

Or. en

*Justification*

*The mean urban tree cover in European cities was in 2018 28.5% (EEA39), 30.2% (EEA38)*

of the city area and 34.7% (EEA39), 35.8% (EEA38) of the Functional Urban Area. <https://www.eea.europa.eu/data-and-maps/dashboards/urban-tree-cover><https://www.eea.europa.eu/highlights/how-green-are-european-cities>

## Amendment 87

### Proposal for a regulation

#### Article 7 – paragraph 1

##### *Text proposed by the Commission*

1. Member States shall make an inventory of barriers to longitudinal **and** lateral connectivity of surface waters and identify the barriers that need to be removed to contribute to the achievement of the restoration targets set out in Article 4 of this Regulation and of the objective of restoring at least 25 000 km of rivers into free-flowing rivers in the Union by 2030, **without prejudice to Directive 2000/60/EC, in particular Articles 4(3), 4(5) and 4(7) thereof, and Regulation 1315/2013, in**

##### *Amendment*

1. Member States shall make an inventory of barriers to longitudinal, lateral, **vertical and temporal** connectivity of surface waters and identify the barriers that need to be removed to contribute to the achievement of the restoration targets set out in Article 4 of this Regulation and **to the achievement** of the **Union** objective of restoring at least 25 000 km of rivers into free-flowing rivers in the Union by 2030.

Or. en

##### *Justification*

*In order to provide a sound basis for action, the inventory of barriers needs to include all the dimensions of connectivity. Regarding the deleted provisions, there is no need to mention them as they continue to apply.*

## Amendment 88

### Proposal for a regulation

#### Article 7 – paragraph 2

##### *Text proposed by the Commission*

##### *Amendment*

2. Member States shall remove the barriers to longitudinal *and* lateral connectivity of surface waters identified under paragraph 1 of this Article, in accordance with the plan for their removal referred to in Article 12(2), point *(f)*. When removing barriers, Member States shall primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply or other uses.

2. Member States shall remove the barriers to longitudinal, lateral, *vertical and temporal* connectivity of surface waters identified under paragraph 1 of this Article, in accordance with the plan for their removal referred to in Article 12(2), point *(e)*. When removing barriers, Member States shall primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply or other uses, *and barriers whose removal has a high ecological impact, including impact on connectivity between marine and freshwater*

Or. en

## Amendment 89

### Proposal for a regulation

#### Article 7 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3 a.** *The Commission may, in order to facilitate the fulfilment of the obligation referred to in paragraph 1, adopt implementing acts to establish a method to provide Member States with a standardised format to identify and assess barriers.*

*Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).*

Or. en

#### *Justification*

*There are different barrier assessment protocols in Europe, the SNIFFER, ICE and ICF protocols being the most well developed. Results in the identification and assessment of barriers can vary depending on the protocol used. It is desirable to have a harmonized procedure.* <https://amber.international/wp-content/uploads/2020/12/D1.1-Guidance-on-Stream-Barrier-Surveying-and-Reporting.pdf>

## Amendment 90

### Proposal for a regulation

#### Article 7 – paragraph 3 b (new)

*Text proposed by the Commission*

*Amendment*

**3 b. Member States shall map out small water units by 2030, with a view to identifying their restoration and recreation potential and assessing their contribution to improving connectivity between habitats. On the basis of the information collected and reported by Member States, the Commission shall assess the situation of EU small water units in order to set restoration targets for small water units, with the aim for Member States to**

Or. en

*Justification*

*Small water units are already covered by the impact assessment.*

## Amendment 91

### Proposal for a regulation

#### Article 8 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. The Commission **shall** adopt **implementing acts** to establish a method for monitoring pollinator populations. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).**

2. The Commission **is empowered to** adopt, **by [3 months after the entry into force of this Regulation], delegated acts in accordance with Article 20** to establish a method for monitoring pollinator populations.

Or. en

*Justification*

*There is some work already done on this subject. JRC proposal on this method: <https://publications.jrc.ec.europa.eu/repository/handle/JRC122225>*

## Amendment 92

### Proposal for a regulation

#### Article 8 – paragraph 3

##### *Text proposed by the Commission*

3. The method referred to in the paragraph 2 shall provide a standardised approach for collecting annual data on the abundance and diversity of pollinator species **and** for assessing pollinator population trends.

##### *Amendment*

3. The method referred to in the paragraph 2 shall provide **guidance on the definition of satisfactory levels for pollinator populations and** a standardised approach for collecting annual data on the abundance and diversity of pollinator species, for assessing pollinator population trends **and the effectiveness of restoration measures adopted by Member States in**

Or. en

## Amendment 93

### Proposal for a regulation

#### Article 9 – paragraph 2 – point c

##### *Text proposed by the Commission*

(c) share of agricultural land with high-diversity landscape features.

##### *Amendment*

(c) share of agricultural land with high-diversity landscape features, **with the view to achieving the 2030 objective of covering at least 10% of the Union's agricultural area with high-diversity landscape features;**

Or. en

## Amendment 94

### Proposal for a regulation

#### Article 9 – paragraph 2 – point c a (new)

##### *Text proposed by the Commission*

##### *Amendment*



*(c a) percentage of species and habitats listed in the annexes of Directive 92/43/EEC related to agricultural ecosystems with stable or increasing trends of their conservation status, until 100% is reached*

Or. en

## **Amendment 95**

### **Proposal for a regulation**

#### **Article 9 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

(b) 105 by 2030, 110 by 2040 and 115 by 2050, for Member States listed in Annex *IV* with historically less depleted populations of farmland birds.

(b) 105 by 2030, 110 by 2040 and 115 by 2050, for Member States listed in Annex *V* with historically less depleted populations of farmland birds.

Or. en

## **Amendment 96**

### **Proposal for a regulation**

#### **Article 9 – paragraph 4 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) 30 % of such areas by 2030, of which at least *a quarter* shall be rewetted;

(a) 30 % of such areas by 2030, of which at least *half* shall be rewetted;

Or. en

*Justification*

*The rewetting is the most effective restoration measure, and should be increased.*

## **Amendment 97**

### **Proposal for a regulation**

#### **Article 9 – paragraph 4 – subparagraph 1 – point b**

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**EN**

*Text proposed by the Commission*

*Amendment*

(b) 50 % of such areas by 2040, of which at least **half** shall be rewetted;

(b) 50 % of such areas by 2040, of which at least **two thirds** shall be rewetted;

Or. en

*Justification*

*The rewetting is the most effective restoration measure, and should be increased.*

**Amendment 98**

**Proposal for a regulation**

**Article 9 – paragraph 4 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 70 % of such areas by 2050, of which at least **half** shall be rewetted.

(c) 70 % of such areas by 2050, of which at least **two thirds** shall be rewetted

Or. en

*Justification*

*The rewetting is the most effective restoration measure, and should be increased.*

**Amendment 99**

**Proposal for a regulation**

**Article 10 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Member States shall put in place the restoration measures necessary to enhance biodiversity of forest ecosystems, in addition to the areas that are subject to restoration measures pursuant to Article 4(1), (2) and (3).

1. Member States shall put in place the restoration measures necessary to enhance biodiversity, **the natural processes, the ecological integrity and the resilience** of forest ecosystems, in addition to the areas that are subject to restoration measures pursuant to Article 4(1), (2) and (3).

*Justification*

*It is important to highlight that it is not only about biodiversity but also their ecological integrity and, with it, their performance for climate change mitigation and adaptation, fire prevention, and other ecosystem services that good-quality forests provide.*

**Amendment 100**

**Proposal for a regulation**

**Article 10 – paragraph 2 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(f a) native tree species composition.***

Or. en

**Amendment 101**

**Proposal for a regulation**

**Article 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 10 a***

***Planting of three billion additional trees***

***1. When identifying and implementing the restoration measures to meet the objectives and obligations set out in Articles 4, 6 and 10, Member States shall contribute to the achievement of the Union objective of planting at least three billion additional***

***2. Member States shall ensure that the objective set out in paragraph 1 is achieved in full respect of ecological principles, ensuring species diversity, prioritizing native tree species and avoiding the use of***

Or. en

## Amendment 102

### Proposal for a regulation Article 10 b (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 10 b*

#### *Preservation of the effects of restoration measures*

- 1. Member States shall ensure the continuous, long-term and sustained effects of the restoration measures referred to in Articles 4 to 10a, in line with Article 12(2) (i), through effective means, including, when applicable, by the designation of protected areas, by the implementation of other effective area-based conservation measures, or by promoting private land conservation measures, taking into account the ecological requirements of the restored*
- 2. When restoration measures apply to primary and old-growth forests, Member States shall strictly protect them.*

Or. en

#### *Justification*

*According to Art 12(2)(i), Member States will include in their Restoration Plans a list of measures ensuring the continued, long-term and sustained effects of the restoration measures adopted to deliver the targets listed in Articles 4 to 10a. Otherwise, Member States risk reversing all the positive outcomes deriving from their restoration activities which would mean both failure to secure the provision of the desired ecosystem services, but also a significant waste of the financial resources invested in such activities.*

## Amendment 103

### Proposal for a regulation Article 11 – paragraph 1

*Text proposed by the Commission*

1. Member States shall prepare national restoration plans and carry out the preparatory monitoring and research needed to identify the restoration measures that are necessary to meet the targets and obligations set out in Articles 4 to **10**, taking into account the latest scientific evidence.

*Amendment*

1. Member States shall prepare national restoration plans and carry out the preparatory monitoring and research needed to identify the restoration measures that are necessary to meet the targets and obligations set out in Articles 4 to **10a as well as the Union's overarching objectives set out in Article 1**, taking into account the latest

Or. en

**Amendment 104**

**Proposal for a regulation**

**Article 11 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2 a. For the restoration measures required under Article 5, Member States shall communicate the information in Article 11(2) of this Regulation and any information relevant and sufficient for the purpose of Article 11(3) of Regulation (EU) No 1380/2013 to Member States having a direct management interest in the fishery that would be affected by such measures by the first day of the month following 12 months after the date of entry into force of**

Or. en

*Justification*

*According to the Court of Auditors' "Special Report 26/2020: Marine environment: EU protection is wide but not deep", the joint recommendation procedure of Article 11 of the CFP has been poorly implemented and largely failed to meet its objectives. In this framework, some safeguards (deadlines) are added when coming to the restoration measures under this regulation.*

## Amendment 105

### Proposal for a regulation Article 11 – paragraph 3

#### *Text proposed by the Commission*

3. Member States shall set, **by 2030 at the latest**, satisfactory levels for each of the indicators referred to in Articles 8(1), 9(2) and 10(2), through an open and effective process and assessment, based on the latest scientific evidence and, **if available**, the framework referred to in Article 17(9).

#### *Amendment*

3. Member States shall set satisfactory levels for each of the indicators referred to in Articles 8(1), 9(2) and 10(2), through an open and effective process and assessment, based on the latest scientific evidence and the framework referred to in Article 17(9)(c). **Member States shall set the satisfactory levels by two years after the adoption of the**

Or. en

## Amendment 106

### Proposal for a regulation Article 11 – paragraph 4

#### *Text proposed by the Commission*

4. Member States shall identify and map the agricultural and forest areas in need of restoration, in particular the areas that, due to intensification or other management factors, are in need of enhanced connectivity and landscape diversity.

#### *Amendment*

4. Member States shall identify and map the agricultural and forest areas in need of restoration, in particular the areas that, due to intensification or other management factors, are in need of enhanced connectivity and landscape diversity **in terms of biodiversity**.

Or. en

## Amendment 107

### Proposal for a regulation Article 11 – paragraph 5 – introductory part

#### *Text proposed by the Commission*

#### *Amendment*

5. Member States shall identify synergies with climate change mitigation, climate change adaptation and disaster prevention and prioritise restoration measures accordingly. Member States shall also take into account:

5. Member States shall identify synergies with climate change mitigation, climate change adaptation and disaster prevention and prioritise restoration measures accordingly, ***including the restoration of lands burned by forest fires and of ecosystems devastated by other natural phenomena.*** Member States shall

Or. en

## Amendment 108

### Proposal for a regulation Article 11 – paragraph 6

#### *Text proposed by the Commission*

6. Member States shall coordinate the development of national restoration plans with the designation of the renewables go-to areas. During the preparation of the nature restoration plans, Member States shall ensure synergies with the already designated renewables go-to areas and ensure that the functioning of the renewables go-to areas, including the permitting procedures applicable in the renewables go-to areas foreseen by Directive (EU) 2018/2001 remain unchanged.

#### *Amendment*

6. Member States shall coordinate the development of national restoration plans with the designation of the renewables go-to areas, ***ensuring that both processes are mutually supportive and do not undermine the achievement of their respective objectives.*** During the preparation of the nature restoration plans, Member States shall ensure synergies with the already designated renewables go-to areas and ensure that the functioning of the renewables go-to areas, including the permitting procedures applicable in the renewables go-to areas foreseen by Directive (EU) 2018/2001 remain unchanged. ***Likewise, when designating new renewables go-to areas, Member States shall ensure synergies with***

Or. en

## Amendment 109

### Proposal for a regulation Article 11 – paragraph 7 – introductory part

*Text proposed by the Commission*

*Amendment*

7. When preparing their national restoration plans, Member States shall **take** the following **into account**:

7. When preparing their national restoration plans, Member States shall **ensure coherence with** the following

Or. en

## **Amendment 110**

### **Proposal for a regulation**

#### **Article 11 – paragraph 7 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the conservation measures established for Natura 2000 sites in accordance with Directive 92/43/EEC;

(a) the conservation measures established for Natura 2000 sites in accordance with Directive 92/43/EEC **and Directive 2009/147/EC**;

Or. en

#### *Justification*

*The Natura 2000 sites are established both in accordance with the Habitats Directive (Directive 92/43/EEC) as well as the Birds Directive (Directive 2009/147/EC). Consequently, both directives should be mentioned here.*

## **Amendment 111**

### **Proposal for a regulation**

#### **Article 11 – paragraph 7 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

**(a a) the protection measures of the species of birds adopted in accordance with Directive 2009/147/EC;**

Or. en



## Amendment 112

### Proposal for a regulation

#### Article 11 – paragraph 7 – point d

*Text proposed by the Commission*

(d) marine strategies for achieving good environmental status for all Union marine regions **prepared** in accordance with Directive 2008/56/EC;

*Amendment*

(d) marine strategies **and measures** for achieving good environmental status for all Union marine regions **adopted** in accordance with Directive 2008/56/EC;

Or. en

## Amendment 113

### Proposal for a regulation

#### Article 11 – paragraph 7 – point f a (new)

*Text proposed by the Commission*

*Amendment*

**(f a) marine spatial plans adopted under Directive 2014/89/EU;**

Or. en

## Amendment 114

### Proposal for a regulation

#### Article 11 – paragraph 7 – point f b (new)

*Text proposed by the Commission*

*Amendment*

**(f b) flood risk management plans in line with Directive 2007/60/EC;**

Or. en

## Amendment 115

### Proposal for a regulation Article 11 – paragraph 8

*Text proposed by the Commission*

8. Member States shall, when preparing the national restoration plans, make use of the different examples of restoration measures listed in Annex VII, depending on specific national and local conditions, and the latest scientific evidence.

*Amendment*

8. Member States shall, when preparing the national restoration plans, make use of the different examples of restoration measures listed in Annex VII, depending on specific national, **regional** and local conditions, and the latest scientific evidence.

Or. en

## Amendment 116

### Proposal for a regulation Article 11 – paragraph 10

*Text proposed by the Commission*

10. Member States shall, where possible, foster synergies with the national restoration plans of other Member States, in particular for ecosystems that span across borders.

*Amendment*

10. Member States shall, where possible, foster synergies with the national restoration plans of other Member States, in particular for ecosystems that span across borders. ***In the case of marine ecosystems, Member States shall take into account the processes set in Directive 2014/89/EU.***

Or. en

*Justification*

*Seas are cross-border. The Maritime Spatial Planning process would be an appropriate instrument already in place to find synergies between Member States.*

## Amendment 117

### Proposal for a regulation Article 11 – paragraph 11

*Text proposed by the Commission*

11. Member States shall ensure that the preparation of the restoration plan is open, inclusive and effective and that the public is given early and effective opportunities to participate in its elaboration. Consultations shall comply with the requirements set out in Articles 4 to 10 of Directive 2001/42/EC.

*Amendment*

11. Member States shall ensure that the preparation of the restoration plan is open, **transparent**, inclusive and effective and that the public is given early and effective opportunities to participate in its elaboration. Consultations shall comply with the requirements set out in Articles 4 to 10 of

Or. en

## Amendment 118

### Proposal for a regulation Article 12 – paragraph 1

*Text proposed by the Commission*

1. The national restoration plan shall cover the period up to 2050, with intermediate deadlines corresponding to the targets and obligations set out in Articles 4 to **10**.

*Amendment*

1. The national restoration plan shall cover the period up to 2050, with intermediate deadlines corresponding to the targets and obligations set out in Articles 4 to **10a as well as the Union's overarching objectives referred to in Article 1**.

Or. en

## Amendment 119

### Proposal for a regulation Article 12 – paragraph 2 – point a

*Text proposed by the Commission*

(a) the quantification of the areas to be restored to reach the restoration targets set out in Articles 4 **to10** based on the preparatory work undertaken in accordance with Article 11 and geographically

*Amendment*

(a) the quantification of the areas to be restored to reach the restoration targets set out in Articles 4 **to10a** based on the preparatory work undertaken in accordance with Article 11 and geographically

Or. en

## Amendment 120

### Proposal for a regulation

#### Article 12 – paragraph 2 – point b

##### *Text proposed by the Commission*

(b) a description of the restoration measures planned, or put in place, for achieving the targets and obligations set out in Articles 4 to **10** and a specification regarding which of those restoration measures are planned, or put in place, within the Natura 2000 network established in accordance with Directive 92/43/EEC;

##### *Amendment*

(b) a description of the restoration measures planned, or put in place, for achieving the targets and obligations set out in Articles 4 to **10a** and a specification regarding which of those restoration measures are planned, or put in place, within the Natura 2000 network established in accordance with Directive 92/43/EEC **and a description of how these measures complement measures adopted in**

Or. en

## Amendment 121

### Proposal for a regulation

#### Article 12 – paragraph 2 – point c

##### *Text proposed by the Commission*

(c) **an indication** of the measures to ensure that the areas covered by the habitat types listed in Annexes I and II do not deteriorate in the areas in which good condition has been reached and that the habitats of the species referred to in Articles 4(3) and 5(3) do not deteriorate in the areas in which the sufficient quality of the habitats of the species has been reached, in

##### *Amendment*

(c) **a description** of the measures to ensure that the areas covered by the habitat types listed in Annexes I and II do not deteriorate in the areas in which good condition has been reached and that the habitats of the species referred to in Articles 4(3) and 5(3) do not deteriorate in the areas in which the sufficient quality of the habitats of the species has been reached, in

Or. en

## Amendment 122

### Proposal for a regulation

#### Article 12 – paragraph 2 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(c a) a description, when necessary, of the restoration measures to ensure improved connectivity between existing protected areas and connectivity between the habitat types listed in Annex I and II, in accordance with Articles 4(5) and 5(5) .***

Or. en

## Amendment 123

### Proposal for a regulation

#### Article 12 – paragraph 2 – point d

*Text proposed by the Commission*

*Amendment*

(d) ***an indication*** of the measures to ensure that the areas covered by habitat types listed in Annexes I and II do not deteriorate, in accordance with Article 4(7) and Article

(d) ***a description*** of the measures to ensure that the areas covered by habitat types listed in Annexes I and II do not deteriorate, in accordance with Article 4(7) and Article

Or. en

## Amendment 124

### Proposal for a regulation

#### Article 12 – paragraph 2 – point e

*Text proposed by the Commission*

*Amendment*

(e) the inventory of barriers and the barriers identified for removal in accordance with Article 7(1), the plan for their removal in accordance with Article 7(2) and an estimate of the length of free-flowing rivers to be achieved by the removal of those barriers by 2030 and by 2050, and any other measures to re-establish the natural functions of floodplains in accordance with Article 7(3);

(e) the inventory of barriers and the barriers identified for removal in accordance with Article 7(1), **indicating their location, type and characteristics**, the plan for their removal in accordance with Article 7(2) and an estimate of the length of free-flowing rivers to be achieved by the removal of those barriers by 2030 and by 2050, and any other measures to re-establish the natural functions of floodplains in accordance with Article

Or. en

## Amendment 125

### Proposal for a regulation

#### Article 12 – paragraph 2 – point f

##### *Text proposed by the Commission*

(f) the timing for putting in place the restoration measures in accordance with Articles 4 to **10**;

##### *Amendment*

(f) the timing for putting in place the restoration measures in accordance with Articles 4 to **10a**;

Or. en

## Amendment 126

### Proposal for a regulation

#### Article 12 – paragraph 2 – point h

##### *Text proposed by the Commission*

(h) the monitoring of the areas subject to restoration in accordance with Articles 4 and 5, the process for assessing the effectiveness of the restoration measures put in place in accordance with Articles 4 to **10** and for revising those measures where needed to ensure that the targets and obligations set out in Articles 4 to **10** are met;

##### *Amendment*

(h) the monitoring of the areas subject to restoration in accordance with Articles 4 and 5, the process for assessing the effectiveness of the restoration measures put in place in accordance with Articles 4 to **10a** and for revising those measures where needed to ensure that the targets and obligations set out in Articles 4 to **10a** are met;

Or. en

## Amendment 127

### Proposal for a regulation

#### Article 12 – paragraph 2 – point i

##### *Text proposed by the Commission*

- (i) ***an indication*** of the provisions for ensuring the continuous, long-term and sustained effects of the restoration measures referred to in Articles 4 to ***10***;

##### *Amendment*

- (i) ***a description*** of the provisions for ensuring the continuous, long-term and sustained effects of the restoration measures referred to in Articles 4 to ***10a, including, when applicable, the designation of protected areas and strict protected areas, the implementation of other effective area-based conservation measures, and the promotion of private land conservation***

Or. en

## Amendment 128

### Proposal for a regulation

#### Article 12 – paragraph 2 – point k – point i

##### *Text proposed by the Commission*

- (i) the ***relevance of*** climate change scenarios for the planning of the type and location of restoration measures;

##### *Amendment*

- (i) the climate change scenarios for the planning of the type and location of restoration measures;

Or. en

## Amendment 129

### Proposal for a regulation

#### Article 12 – paragraph 2 – point k – point iii

##### *Text proposed by the Commission*

##### *Amendment*

(iii) ***synergies with*** national adaptation strategies or plans and national disaster risk assessment reports;

(iii) ***the*** national adaptation strategies or plans and national disaster risk assessment reports, ***including forestfire prevention and management***;

Or. en

## Amendment 130

### Proposal for a regulation

#### Article 12 – paragraph 2 – point l

##### *Text proposed by the Commission*

(l) the estimated financing needs for the implementation of the restoration measures, which shall include the description of the support to stakeholders affected by restoration measures or other new obligations arising from this Regulation, and the means of intended financing, public or private, including (co-) financing with Union funding instruments;

##### *Amendment*

(l) the estimated financing needs for the implementation of the restoration measures, which shall include ***the estimated staff capacity for the implementation, monitoring and management of restoration measures***, the description of the support to stakeholders affected by restoration measures or other new obligations arising from this Regulation, and the means of intended financing, public or private, including (co-) financing with Union funding instruments;

Or. en

##### *Justification*

*A decisive factor for the successful implementation of restoration plans is the identification of staffing needs (both in terms of number and in terms of capacities/expertise). The same applies to adequate staff capacity for ensuring the long-term, continuous and sustained maintenance of restoration outcomes and the monitoring of progress.*

## Amendment 131

### Proposal for a regulation

#### Article 12 – paragraph 2 – point m

##### *Text proposed by the Commission*

##### *Amendment*



(m) ***an indication*** of the subsidies which negatively affect the achievement of the targets and the fulfilment of the obligations set out in this Regulation;

(m) ***a description*** of the subsidies which negatively affect the achievement of the targets and the fulfilment of the obligations set out in this Regulation;

Or. en

## Amendment 132

### Proposal for a regulation

#### Article 12 – paragraph 2 – point o

##### *Text proposed by the Commission*

(o) a dedicated section indicating how ***observations*** from the Commission on the draft national restoration plan referred to in Article 14(4) have been taken into account in accordance with Article 14(5). If the Member State concerned does not address ***an observation*** from the Commission or a substantial part thereof, that Member State shall provide its reasons.

##### *Amendment*

(o) a dedicated section indicating how ***recommendations*** from the Commission on the draft national restoration plan referred to in Article 14(4) have been taken into account in accordance with Article 14(5). If the Member State concerned does not address ***a recommendation*** from the Commission or a substantial part thereof, that Member State shall provide its reasons.

Or. en

## Amendment 133

### Proposal for a regulation

#### Article 12 – paragraph 2 – point o a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(o a) when applicable, the detailed reasons to invoke Articles 4(8), 4(9), 5(8) and 5(9), with an indication of the planned or implemented mitigation measures.***

Or. en

## Amendment 134

### Proposal for a regulation

#### Article 12 – paragraph 2 – point o b (new)

*Text proposed by the Commission*

*Amendment*

***(o b) a description of the contribution of the restoration measures to the Union's overarching objectives referred to in Article***

Or. en

## Amendment 135

### Proposal for a regulation

#### Article 12 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. The national restoration plans shall, where applicable, include the conservation measures ***that a Member State intends to adopt*** under the common fisheries policy, including conservation measures in joint recommendations that a Member State intends to initiate in accordance with the procedure set out in Regulation (EU) No 1380/2013, and any relevant information on

3. The national restoration plans shall, where applicable, include the conservation measures ***submitted*** under the common fisheries policy, including conservation measures in joint recommendations that a Member State intends to initiate in accordance with the procedure set out in Regulation (EU) No 1380/2013, and any relevant information on those measures.

Or. en

## Amendment 136

### Proposal for a regulation

#### Article 12 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3 a. Where no joint recommendations have been submitted within six months of the provision of sufficient information as provided for in Article 11(3) of Regulation (EU) No 1380/2013, the Member States having a direct management interest shall be deemed, pursuant to the principle of sincere cooperation of Article 4(3) of the Treaty on European Union, to have agreed to the measures proposed by the initiating Member State for the purposes of agreeing joint recommendations under Article 11(3) of Regulation (EU) No 1380/2013. The initiating Member State may directly submit its proposed Joint Recommendations for restoration purposes to the Commission for adoption under Article 11(3) of Regulation**

Or. en

#### *Justification*

*According to the Court of Auditors' "Special Report 26/2020: Marine environment: EU protection is wide but not deep", the joint recommendation procedure of Article 11 of the CFP has been poorly implemented and largely failed to meet its objectives. In this framework, some safeguards (deadlines) are added when coming to the restoration measures under this regulation.*

#### **Amendment 137**

#### **Proposal for a regulation Article 13 – paragraph 1**

##### *Text proposed by the Commission*

Member States shall submit a draft of the national restoration plan referred to in Articles 11 and 12 to the Commission by... [OP please insert the date = the first day of the month following **24** months after the date of entry into force of this Regulation].

##### *Amendment*

Member States shall submit a draft of the national restoration plan referred to in Articles 11 and 12 to the Commission by... [OP please insert the date = the first day of the month following **18** months after the date of entry into force of this Regulation].

Or. en

## Amendment 138

### Proposal for a regulation Article 14 – paragraph 1

#### *Text proposed by the Commission*

1. The Commission shall assess the draft national restoration plans within **six** months of the date of receipt. When carrying out that assessment, the Commission shall act in close cooperation with the Member

#### *Amendment*

1. The Commission shall assess the draft national restoration plans within **four** months of the date of receipt. When carrying out that assessment, the Commission shall act in close cooperation with the Member

Or. en

## Amendment 139

### Proposal for a regulation Article 14 – paragraph 2

#### *Text proposed by the Commission*

2. When assessing the draft national restoration plan, the Commission shall evaluate its compliance with Article 12, as well as its adequacy for meeting the targets and obligations set out in Articles 4 to **10**, as well as the Union's overarching objectives referred to in Article 1, the specific **objectives** referred to in Article 7(1) to restore at least 25 000 km of rivers into free-flowing rivers in the Union by 2030 **and** the 2030 objective of covering at least 10% of the Union's agricultural area with high-diversity landscape features.

#### *Amendment*

2. When assessing the draft national restoration plan, the Commission shall evaluate its compliance with Article 12, as well as its adequacy for meeting the targets and obligations set out in Articles 4 to **10a**, as well as the Union's overarching objectives referred to in Article 1, the specific **objective** referred to in Article 7(1) to restore at least 25 000 km of rivers into free-flowing rivers in the Union by 2030, the 2030 objective of covering at least 10% of the Union's agricultural area with high-diversity landscape features **and the objective referred to in Article 10a of planting at least three billion additional trees in the Union by**

Or. en

## Amendment 140

### Proposal for a regulation Article 14 – paragraph 3

*Text proposed by the Commission*

3. For the purpose of the assessment of the draft national restoration plans, the Commission shall be assisted by experts **or**

*Amendment*

3. For the purpose of the assessment of the draft national restoration plans, the Commission shall be assisted by experts **and**

Or. en

## Amendment 141

### Proposal for a regulation Article 14 – paragraph 4

*Text proposed by the Commission*

4. The Commission may address **observations** to Member States within **six** months of the date of receipt of the draft national restoration plan.

*Amendment*

4. The Commission may address **recommendations** to Member States within **four** months of the date of receipt of the draft national restoration plan.

Or. en

## Amendment 142

### Proposal for a regulation Article 14 – paragraph 5

*Text proposed by the Commission*

5. Member States shall take due account of any **observations** from the Commission in its final national restoration plan.

*Amendment*

5. Member States shall take due account of any **recommendations** from the Commission in its final national restoration plan **and, where necessary, amend their restoration plans accordingly.**

Or. en

## Amendment 143

### Proposal for a regulation Article 14 – paragraph 6

#### *Text proposed by the Commission*

6. Member States shall finalise, publish and submit to the Commission the national restoration plan within **six** months from the date of receipt of **observations** from the Commission.

#### *Amendment*

6. Member States shall finalise, publish and submit to the Commission the national restoration plan within **four** months from the date of receipt of **recommendations** from the Commission.

Or. en

## Amendment 144

### Proposal for a regulation Article 15 – paragraph 1

#### *Text proposed by the Commission*

1. Member States shall review their national restoration plan at least once every **10** years, in accordance with Articles 11 and 12, taking into account progress made in the implementation of the plans, the best available scientific evidence as well as available knowledge of changes or expected changes in environmental conditions due to climate change.

#### *Amendment*

1. Member States shall **regularly** review their national restoration plan **and** at least once every **eight** years, in accordance with Articles 11 and 12, taking into account progress made in the implementation of the plans **and the achievement of the targets set out in this Regulation**, the best available scientific evidence as well as available knowledge of changes or expected changes in environmental conditions due to climate change. **At least every four years, Member States shall formally assess whether the national restoration should be revised in**

Or. en

## Amendment 145

### Proposal for a regulation Article 15 – paragraph 2

*Text proposed by the Commission*

2. When it becomes apparent that the measures set out in the national restoration plan will not be sufficient to comply with the targets and obligations set out in Articles 4 to **10**, based on the monitoring in accordance with Article 17, Member States shall revise the national restoration plan and include supplementary measures.

*Amendment*

2. When it becomes apparent that the measures set out in the national restoration plan will not be sufficient to comply with the targets and obligations set out in Articles 4 to **10a**, based on the monitoring in accordance with Article 17, Member States shall revise the national restoration plan and include supplementary measures.

Or. en

**Amendment 146**

**Proposal for a regulation**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. Based on the information referred to in Article 18(1) and (2) and the assessment referred to in Article 18(4) and (5), if the Commission considers that the progress made by a Member State is insufficient to comply with the targets and obligations set out in Articles 4 to **10**, the Commission **may** request the Member State concerned to submit an updated draft national restoration plan with supplementary measures. That updated national restoration plan with supplementary measures shall be published and submitted within **six** months from the

*Amendment*

3. Based on the information referred to in Article 18(1) and (2) and the assessment referred to in Article 18(4) and (5), if the Commission considers that the progress made by a Member State is insufficient to comply with the targets and obligations set out in Articles 4 to **10a**, the Commission **shall** request the Member State concerned to submit an updated draft national restoration plan with supplementary measures. That updated national restoration plan with supplementary measures shall be published and submitted within **four** months from the

Or. en

*Justification*

*When progress of a Member State is not sufficient, there should be an obligation on the Commission to act.*

## Amendment 147

### Proposal for a regulation Article 16 – paragraph 3

*Text proposed by the Commission*

3. Review procedures referred to in paragraph 1 shall be fair, equitable, timely and free of charge ***or not prohibitively expensive***, and shall provide adequate and effective remedies, including injunctive relief where necessary.

*Amendment*

3. Review procedures referred to in paragraph 1 shall be fair, equitable, timely and free of charge, and shall provide adequate and effective remedies, including injunctive relief where necessary.

Or. en

## Amendment 148

### Proposal for a regulation Article 16 – paragraph 4

*Text proposed by the Commission*

4. Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article.

*Amendment*

4. ***In order to further the effectiveness of the provisions of this Article***, Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article.

Or. en

## Amendment 149

### Proposal for a regulation Article 16 a (new)

*Text proposed by the Commission*

*Amendment*

***Article 16 a***

***Public participation, access to public information and public awareness***



***1. Without prejudice to any other Union law requirements, Member States shall ensure that the public is given early and effective opportunities to participate in the preparation, review and implementation of national restoration plans.***

***2. Member States shall ensure that the public is fully and comprehensively informed. Member States shall set and communicate reasonable and clear timeframes allowing sufficient time for the public to be informed, to participate and express its views, including on the possibility to submit observations. To that end, Member States shall set up a dedicated website and publish there in a timely manner the draft national restoration plan referred to in Article 14, the recommendations of the Commission referred to in Article 14(4), the final restoration plan referred to in Article 14(6), any updates and revisions of national restoration plans referred to in Article 15(2) and (3), the data generated by the monitoring referred to Article 17(7), as well***

***3. The Commission and Member States shall put in place the necessary measures to engage local authorities, civil society organisations, business community, academia, farmers, fishermen, foresters and landowners associations, investors and other relevant stakeholders and the general public, and to foster dialogue and the diffusion of science-based information about biodiversity and the benefits of***

***4. Member States shall promote campaigns to raise public awareness of the importance of biodiversity and nature restoration and engage with young people through programmes and concrete projects and through education and general***

Or. en

## **Amendment 150**

### **Proposal for a regulation Article 16 b (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 16 b**

##### ***Exchange of information and sharing of best practices among Member States***

***1. The Commission shall organise a regular exchange of information and sharing of best practices among Member States, including, where appropriate, with regional and local authorities, on the implementation of this Regulation.***

***2. The Commission shall evaluate and, where appropriate, promote the development of standards of practice or certification schemes that can promote best practices and improve the quality of restoration actions. Where Member States have such standards of practice or certification schemes in place, they shall share the relevant information with the***

Or. en

## **Amendment 151**

### **Proposal for a regulation Article 17 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) the removed barriers to longitudinal, lateral, vertical and temporal connectivity of surface waters and the measures necessary to improve the natural functions of the related floodplains referred to in***

Or. en

*Justification*

*No requirement as regards rivers is included in this Article although this is mentioned in recital 67.*

**Amendment 152**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) the area and condition of the areas covered by the habitat types listed in Annexes I and II, across their territory;

*Amendment*

(g) the area and condition of the areas covered by the habitat types listed in Annexes I and II, across their territory **and**

Or. en

**Amendment 153**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point h**

*Text proposed by the Commission*

(h) the area and the quality of the habitat of the species referred to in Article 4(3), and Article 5(3), across their territory.

*Amendment*

(h) the area and the quality of the habitat of the species referred to in Article 4(3), and Article 5(3), across their territory **and**

Or. en

**Amendment 154**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point h a (new)**

*Text proposed by the Commission*

*Amendment*

*(h a) the percentage of organic soils in agricultural use constituting drained peatlands that has been restored and rewetted, referred to in Article 9.*

Or. en

## **Amendment 155**

### **Proposal for a regulation**

#### **Article 17 – paragraph 1 – point h b (new)**

*Text proposed by the Commission*

*Amendment*

*(h b) the progress towards the planting of three billion additional trees referred to in Article 10a.*

Or. en

## **Amendment 156**

### **Proposal for a regulation**

#### **Article 17 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The monitoring in accordance with paragraph 1, point (a), shall start as soon as the restoration measures are put in place.

2. The monitoring in accordance with paragraph 1, point (a), **(ba), (ha) and (hb)** shall start as soon as the restoration measures are put in place.

Or. en

## **Amendment 157**

### **Proposal for a regulation**

#### **Article 17 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. The monitoring in accordance with paragraph 1, points (a), (b) and (c), of this Article, concerning the stock of organic carbon in cropland mineral soils and the share of agricultural land with high-diversity landscape features, and (e) concerning the standing deadwood, the lying deadwood, the share of forests with uneven-aged structure, the forest connectivity **and** the stock of organic carbon, shall be carried out at least every three years, and, where possible, every year. The monitoring in accordance with that paragraph, point (c) concerning the grassland butterfly index, that paragraph, points (d) and (e) concerning the common forest bird index, and that paragraph, point (f) concerning pollinator species shall be carried out every year. The monitoring in accordance with that paragraph, points (g) and (h), shall be carried out at least every six years and shall be coordinated with the reporting cycle under Article 17 of Directive 92/43/EEC.

5. The monitoring in accordance with paragraph 1, points (a), (b) and (c), of this Article, concerning the stock of organic carbon in cropland mineral soils and the share of agricultural land with high-diversity landscape features, and (e) concerning the standing deadwood, the lying deadwood, the share of forests with uneven-aged structure, the forest connectivity, the stock of organic carbon **and the native tree species composition**, shall be carried out at least every three years, and, where possible, every year. The monitoring in accordance with that paragraph, point (c) concerning the grassland butterfly index, that paragraph, points (d) and (e) concerning the common forest bird index, and that paragraph, point (f) concerning pollinator species shall be carried out every year. The monitoring in accordance with that paragraph, **point (c) concerning the percentage of species and habitats listed in the annexes of Directive 92/43/EEC related to agricultural ecosystems, and that paragraph**, points (g) and (h), shall be carried out at least every six years and shall be coordinated with the reporting cycle under Article 17 of Directive 92/43/EEC **and**

Or. en

## Amendment 158

### Proposal for a regulation Article 17 – paragraph 7

*Text proposed by the Commission*

*Amendment*

7. Member States shall make public the data generated by the monitoring carried out under this Article, in accordance with Directive 2007/2/EC of the European Parliament and of the Council<sup>112</sup> and in accordance with the monitoring frequencies set out in *paragraph 5*.

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<sup>112</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,

7. Member States shall make public the data generated by the monitoring carried out under this Article, in accordance with Directive 2007/2/EC of the European Parliament and of the Council<sup>112</sup>, ***with Directive 2003/4/EC of the European Parliament and of the Council, with Directive (EU) 2019/1024 of the European Parliament and of the Council*** and in accordance with the monitoring frequencies

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<sup>112</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,

Or. en

### *Justification*

*Alignment with recital 67.*

## **Amendment 159**

### **Proposal for a regulation Article 17 – paragraph 8**

#### *Text proposed by the Commission*

8. Member State monitoring systems shall operate on the basis of electronic databases and geographic information systems, and shall maximise the access and use of data and services from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis and processing.

#### *Amendment*

8. Member State monitoring systems shall operate on the basis of electronic databases and geographic information systems, and shall maximise the access and use of data and services from remote sensing technologies, earth observation (Copernicus services ***and other publicly or privately available resources, where appropriate***), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis

Or. en

## Amendment 160

### Proposal for a regulation

#### Article 17 – paragraph 9 – subparagraph 1 – introductory part

*Text proposed by the Commission*

The Commission *may* adopt ***implementing acts*** to:

*Amendment*

The Commission ***is empowered to*** adopt ***delegated acts in accordance with Article 20***

Or. en

## Amendment 161

### Proposal for a regulation

#### Article 17 – paragraph 9 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***The Commission shall adopt such delegated acts by [two years after the entry into force of this Regulation].***

***The methods and frameworks shall not preclude Member States from taking into account their particular physiographic and environmental characteristics.***

Or. en

## Amendment 162

### Proposal for a regulation

#### Article 17 – paragraph 9 – subparagraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***9a. The Commission may adopt implementing acts to:***

***(a) specify the conduct and methods of the monitoring referred to in Article 12(2)(h);***

*Justification*

*It is important that the overall monitoring by Member States takes place in an as uniform way as possible.*

**Amendment 163****Proposal for a regulation****Article 18 – paragraph 2 – subparagraph 1 – point a***Text proposed by the Commission*

(a) the progress in implementing the national restoration plan, in putting in place the restoration measures and progress in achieving the targets and obligations set out in Articles 4 to **10**;

*Amendment*

(a) the progress in implementing the national restoration plan, in putting in place the restoration measures and progress in achieving the targets and obligations set out in Articles 4 to **10a**;

Or. en

**Amendment 164****Proposal for a regulation****Article 18 – paragraph 2 – subparagraph 1 – point e***Text proposed by the Commission*

(e) information on the progress accomplished towards meeting financing needs, in accordance with Article 12(2)(l), including a review of actual investment against initial investment assumptions.

*Amendment*

(e) information on the progress accomplished towards meeting financing needs, in accordance with Article 12(2)(l) **and Article 18a**, including a review of actual investment against initial investment

Or. en

**Amendment 165****Proposal for a regulation****Article 18 – paragraph 2 – subparagraph 2**



*Text proposed by the Commission*

The first reports shall be submitted in June **2031**, covering the period *up to 2030*.

*Amendment*

The first reports shall be submitted in June **2029**, covering the period *until then*.

Or. en

**Amendment 166**

**Proposal for a regulation**

**Article 18 – paragraph 5**

*Text proposed by the Commission*

5. The EEA shall provide to the Commission a Union-wide technical report on the progress towards the achievement of the targets and obligations set out in this Regulation on the basis of the data made available by Member States in accordance with paragraphs 1, 2 and 3 of this Article. It may also use information reported under Article 17 of Directive 92/43/EEC, Article 15 of Directive 2000/60/EC, Article 12 of Directive 2009/147/EC, and Article 18 of Directive 2008/56/EC. The report shall be provided by June **2032** and subsequent reports shall be provided every three years thereafter.

*Amendment*

5. The EEA shall provide to the Commission a Union-wide technical report on the progress towards the achievement of the targets and obligations set out in this Regulation on the basis of the data made available by Member States in accordance with paragraphs 1, 2 and 3 of this Article. It may also use information reported under Article 17 of Directive 92/43/EEC, Article 15 of Directive 2000/60/EC, Article 12 of Directive 2009/147/EC, and Article 18 of Directive 2008/56/EC. The report shall be provided by June **2030** and subsequent reports shall be provided every three years thereafter. ***The report shall be made publicly***

Or. en

**Amendment 167**

**Proposal for a regulation**

**Article 18 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. The Commission shall, as from 2029, report to the European Parliament and to the Council every three years on the implementation of this Regulation.

6. The Commission shall, as from 2029, report to the European Parliament and to the Council every three years on the implementation of this Regulation. ***This report shall include, inter alia, information as to the progress towards attaining the targets and obligations set out in Articles 4 to 10a as well as the Union's overarching objectives referred to in Article 1.***

Or. en

## Amendment 168

### Proposal for a regulation Chapter IV a (new)

*Text proposed by the Commission*

*Amendment*

#### **CHAPTER IVa FUNDING**

##### **Article 18a Funding**

***1. When implementing the obligations set out in this Regulation, Member States shall make use of local, regional and national funds, and of the available European funds to finance restoration actions.***

***2. In view of revising the Multiannual Financial Framework and of the preparation of a Multiannual Financial Framework for the next programming period, the Commission shall carry out an assessment of the gap between restoration funding needs and the available Union funding, necessary for supporting Member States in the implementation of the obligations set out in this Regulation. Based on the assessment, the Commission shall evaluate and identify potential solutions to bridge this gap in the Union budget, such as a reallocation of funds from other Union funds or the establishment of a dedicated***

***3. Member States, the Commission and the European Investment Bank shall improve enabling conditions and facilitate the use of innovative financing mechanisms and promote the mobilisation of private capital for restoration actions.***

Or. en

## **Amendment 169**

### **Proposal for a regulation Article 19 – paragraph 1**

#### *Text proposed by the Commission*

1. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex I in order to adapt the groups of habitat types.

#### *Amendment*

1. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex I in order to adapt the groups of habitat types ***in accordance with the latest scientific***

Or. en

## **Amendment 170**

### **Proposal for a regulation Article 19 – paragraph 2**

#### *Text proposed by the Commission*

2. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex II in order to adapt the list of habitat types and the groups of habitat types.

#### *Amendment*

2. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex II in order to adapt the list of habitat types and the groups of habitat types ***in accordance with the latest***

Or. en

## Amendment 171

### Proposal for a regulation Article 19 – paragraph 3

#### *Text proposed by the Commission*

3. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex III in order to adapt the list of marine species referred to in Article 5 in accordance with the latest scientific evidence.

#### *Amendment*

3. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex III in order to adapt the list of marine species referred to in Article 5 **and of the diadromous species referred to in Article 4** in accordance with

Or. en

## Amendment 172

### Proposal for a regulation Article 19 – paragraph 5

#### *Text proposed by the Commission*

5. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex V in order to update the list of species used for the common farmland bird index in the Member States.

#### *Amendment*

5. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex V in order to update the list of species used for the common farmland bird index in the Member States **in accordance with the latest**

Or. en

## Amendment 173

### Proposal for a regulation Article 20 – paragraph 2

#### *Text proposed by the Commission*

#### *Amendment*

2. The power to adopt delegated acts referred to in *Article* 19 shall be conferred on the Commission for a period of 5 years from [OP please insert the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

2. The power to adopt delegated acts referred to in *Articles 8(2), 17(9)a, 17(9)b, 17(9)c and* 19 shall be conferred on the Commission for a period of 5 years from [OP please insert the date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than three months before

Or. en

## **Amendment 174**

### **Proposal for a regulation Article 20 – paragraph 3**

#### *Text proposed by the Commission*

3. The delegation of power referred to in *Article* 19 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

#### *Amendment*

3. The delegation of power referred to in *Articles 8(2), 17(9)a, 17(9)b, 17(9)c and* 19 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts

Or. en

## **Amendment 175**

### **Proposal for a regulation Article 20 – paragraph 6**

*Text proposed by the Commission*

6. A delegated act adopted pursuant to **Article 19** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Amendment*

6. A delegated act adopted pursuant to **Articles 8(2), 17(9)a, 17(9)b, 17(9)c and 19** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Or. en

**Amendment 176**

**Proposal for a regulation**  
**Article 22 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall evaluate the application of this Regulation by **31 December 2035**.

*Amendment*

1. The Commission shall evaluate the application of this Regulation by **[8 years after the entry into force of this Regulation]. The evaluation shall include an assessment of the degree to which the objectives set out in this Regulation are being attained and of the need to establish additional targets, in particular for**

Or. en

**Amendment 177**

**Proposal for a regulation**  
**Article 22 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Commission shall present a report on the main findings of the evaluation to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of Regions. Where the Commission finds it appropriate, the report shall be accompanied by a legislative proposal for amendment of relevant provisions of this Regulation, taking into account the need to establish additional restoration targets, based on common methods for assessing the condition of ecosystems not covered by Articles 4 and 5, and the most recent scientific evidence.

2. The Commission shall present a report on the main findings of the evaluation to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of Regions. Where the Commission finds it appropriate, the report shall be accompanied by a legislative proposal for amendment of relevant provisions of this Regulation, taking into account the need to establish additional restoration targets, ***including on updated targets for 2040***, based on common methods for assessing the condition of ecosystems not covered by Articles 4 and 5, and the most

Or. en

## **Amendment 178**

### **Proposal for a regulation Annex III – title**

*Text proposed by the Commission*

MARINE SPECIES REFERRED TO IN  
ARTICLE 5(3)

*Amendment*

MARINE SPECIES REFERRED TO IN  
ARTICLE 5(3) ***AND DIADROMOUS  
SPECIES REFERRED TO IN ARTICLE***

Or. en

## **Amendment 179**

### **Proposal for a regulation Annex III – point 25 a (new)**

*Text proposed by the Commission*

*Amendment*

***(25 a) European eel (Anguilla anguilla);***

Or. en

## **Amendment 180**

**César Luena**

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**Proposal for a regulation**  
**Annex IV**

*Text proposed by the Commission*

LIST OF BIODIVERSITY INDICATORS FOR AGRICULTURAL ECOSYSTEMS  
REFERRED TO IN ARTICLE 9(2)

<b>Indicator</b>	<b>Description, units, and methodology for determining and monitoring the indicator</b>
Grassland butterfly index	<p><b>Description:</b> This indicator is composed of species considered to be characteristic of European grasslands and which occur in a large part of Europe, covered by the majority of the Butterfly Monitoring Schemes. It is based on the geometric mean of species trends.</p> <p><b>Unit:</b> Index.</p> <p><b>Methodology:</b> as developed and used by Butterfly Conservation Europe, Van Swaay, C.A.M., <i>Assessing Butterflies in Europe - Butterfly Indicators 1990-2018</i>, Technical report, Butterfly Conservation Europe, 2020.</p>
Stock of organic carbon in cropland mineral soils	<p><b>Description:</b> This indicator describes the stock of organic carbon in cropland mineral soils at a depth of 0 to 30 cm.</p> <p><b>Unit:</b> tonnes of organic carbon/ha.</p> <p><b>Methodology:</b> as set out in Annex V of Regulation 2018/1999 in accordance to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, and as supported by the Land Use and Coverage Area frame Survey (LUCAS) Soil, Jones A. et al., LUCAS Soil 2022, JRC technical report, Publications Office of the European Union, 2021.</p>



<p>Share of agricultural land with high-diversity landscape features</p>	<p><b>Description:</b> High-diversity landscape features are elements of permanent natural or semi-natural vegetation present in an agricultural context which provide ecosystem services and support for biodiversity. In order to do so, landscape features need to be subject to as little external disturbances as possible to provide safe habitats for various taxa, and therefore need to comply with the following conditions:</p> <ul style="list-style-type: none"> <li>a) they cannot be under productive agricultural use (including grazing or fodder production), and</li> <li>b) they should not receive fertilizer or pesticide treatment.</li> </ul> <p>Land lying fallow can be considered as high diversity landscape features if it complies with criteria (a) and (b) above. Productive trees part of arable land agroforestry systems and productive elements in non-productive hedges can also be considered as high diversity landscape features, if they comply with criterion (b) above, and if harvests take place only at moments where it would not compromise high biodiversity levels.</p> <p><b>Unit:</b> Percent (share of Utilised Agricultural Area).</p> <p><b>Methodology:</b> as developed under indicator I.21, Annex I of Regulation 2021/2115, as based on LUCAS for landscape elements, Ballin M. et al., <i>Redesign sample for Land Use/Cover Area frame Survey (LUCAS)</i>, Eurostat 2018, and for land laying fallow, <i>Farm Structure, Reference Metadata in Single Integrated Metadata Structure</i>, online publication, Eurostat.</p>
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*Amendment*

LIST OF BIODIVERSITY INDICATORS FOR AGRICULTURAL ECOSYSTEMS REFERRED TO IN ARTICLE 9(2)

Indicator	Description, units, and methodology for determining and monitoring the indicator
Grassland butterfly index	<p><b>Description:</b> This indicator is composed of species considered to be characteristic of European grasslands and which occur in a large part of Europe, covered by the majority of the Butterfly Monitoring Schemes. It is based on the geometric mean of species trends.</p> <p><b>Unit:</b> Index.</p> <p><b>Methodology:</b> as developed and used by Butterfly Conservation Europe, Van Swaay, C.A.M, <i>Assessing Butterflies in Europe - Butterfly Indicators 1990-2018</i>, Technical report, Butterfly Conservation Europe, 2020.</p>

<p>Stock of organic carbon in cropland mineral soils</p>	<p><b>Description:</b> This indicator describes the stock of organic carbon in cropland mineral soils at a depth of 0 to 30 cm.</p> <p><b>Unit:</b> tonnes of organic carbon/ha.</p> <p><b>Methodology:</b> as set out in Annex V of Regulation 2018/1999 in accordance to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, and as supported by the Land Use and Coverage Area frame Survey (LUCAS) Soil, Jones A. et al., LUCAS Soil 2022, JRC technical report, Publications Office of the European Union, 2021.</p>
<p>Share of agricultural land with high-diversity landscape features</p>	<p><b>Description:</b> High-diversity landscape features are elements of permanent natural or semi-natural vegetation present in an agricultural context which provide ecosystem services and support for biodiversity. In order to do so, landscape features need to be subject to as little external disturbances as possible to provide safe habitats for various taxa, and therefore need to comply with the following conditions:</p> <p>a) they cannot be under productive agricultural use (including grazing or fodder production), and</p> <p>b) they should not receive fertilizer or pesticide treatment.</p> <p>Land lying fallow can be considered as high diversity landscape features if it complies with criteria (a) and (b) above. Productive trees part of arable land agroforestry systems and productive elements in non-productive hedges can also be considered as high diversity landscape features, if they comply with criterion (b) above, and if harvests take place only at moments where it would not compromise high biodiversity levels.</p> <p><b>Unit:</b> Percent (share of Utilised Agricultural Area).</p> <p><b>Methodology:</b> as developed under indicator I.21, Annex I of Regulation 2021/2115, as based on LUCAS for landscape elements, Ballin M. et al., <i>Redesign sample for Land Use/Cover Area frame Survey (LUCAS)</i>, Eurostat 2018, and for land laying fallow, <i>Farm Structure, Reference Metadata in Single Integrated Metadata Structure</i>, online publication, Eurostat.</p>
<p><i>Percentage of species and habitats listed in the annexes of Directive 92/43/EEC related to agricultural ecosystems with stable or increasing trends of their conservation status</i></p>	<p><b>Description:</b> <i>This indicator assesses the conservation status trends of those habitats and species listed in the annexes of the Directive 92/43/EEC related to agricultural ecosystems.</i></p> <p><i>The list species and habitats varies between biogeographical regions and between Member States.</i></p> <p><b>Unit:</b> <i>Percent.</i></p> <p><b>Methodology:</b> <i>as developed under CAP I.19, based on data reported under Article 17 of the Directive 92/43/EEC.</i></p>

Or. en

## Amendment 181

César Luena

## Proposal for a regulation

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**EN**

## Annex VI

Text proposed by the Commission

### **LIST OF BIODIVERSITY INDICATORS FOR FOREST ECOSYSTEMS REFERRED TO IN ARTICLE 10(2)**

<b>Indicator</b>	<b>Description, unit, and methodology for determining and monitoring the indicator</b>
Standing deadwood	<p><b>Description:</b> This indicator shows the amount of non-living standing woody biomass in forest and other wooded land.</p> <p><b>Unit:</b> m<sup>3</sup>/ha.</p> <p><b>Methodology:</b> as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, Pathways for Common Reporting, Springer, 2010, and taking into account the methodology as set out in Annex V of Regulation 2018/1999 in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories.</p>
Lying deadwood	<p><b>Description:</b> This indicator shows the amount of non-living woody biomass lying on the ground in forest and other wooded land.</p> <p><b>Unit:</b> m<sup>3</sup>/ha.</p> <p><b>Methodology:</b> as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, Pathways for Common Reporting, Springer, 2010, and taking into account the methodology as set out in Annex V of Regulation 2018/1999 in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories.</p>
Share of forests with uneven-aged structure	<p><b>Description:</b> This indicator refers to the share of forests available for wood supply (FAWS) with uneven-aged structure in forests as compared to even-aged structure in forests.</p> <p><b>Unit:</b> Percent of FAWS with uneven-aged structure.</p> <p><b>Methodology:</b> as developed and used by FOREST EUROPE, <i>State of Europe's Forests 2020</i>, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, <i>Pathways for Common Reporting</i>, Springer, 2010.</p>
Forest connectivity	<p><b>Description:</b> Forest connectivity is the degree of compactness of forest covered areas. It is defined in the range of 0 to 100.</p> <p><b>Unit:</b> Index.</p> <p><b>Methodology:</b> as developed by FAO, Vogt P., et al., <i>FAO – State of the World's Forests: Forest Fragmentation</i>, JRC Technical Report, Publications Office of the European Union, Luxembourg, 2019.</p>

Common forest birds index	<p><b>Description:</b> The forest bird indicator describes trends in the abundance of common forest birds across their European ranges over time. It is a composite index created from observational data of bird species characteristic for forest habitats in Europe. The index is based on a specific list of species in each Member State.</p> <p><b>Unit:</b> Index.</p> <p><b>Methodology:</b> Brlík et al. <i>Long-term and large-scale multispecies dataset tracking population changes of common European breeding birds</i>, Sci Data 8, 21, 2021.</p>
Stock of organic carbon	<p><b>Description:</b> This indicator describes the stock of organic carbon in the litter and in the mineral soil at a depth of 0 to 30 cm in forest ecosystems.</p> <p><b>Unit:</b> tonnes organic carbon/ha.</p> <p><b>Methodology:</b> as set out in Annex V of Regulation 2018/1999 in accordance to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, and as supported by the Land Use and Coverage Area frame Survey (LUCAS) Soil, Jones A. et al., <i>LUCAS Soil 2022</i>, JRC technical report, Publications Office of the European Union, 2021.</p>

#### Amendment

### **LIST OF BIODIVERSITY INDICATORS FOR FOREST ECOSYSTEMS REFERRED TO IN ARTICLE 10(2)**

Indicator	Description, unit, and methodology for determining and monitoring the indicator
Standing deadwood	<p><b>Description:</b> This indicator shows the amount of non-living standing woody biomass in forest and other wooded land. <b><i>Fire and phytosanitary risks and relevant related mandatory prescriptions should be taken into account.</i></b></p> <p><b>Unit:</b> m<sup>3</sup>/ha.</p> <p><b>Methodology:</b> as developed and used by FOREST EUROPE, <i>State of Europe's Forests 2020</i>, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, <i>Pathways for Common Reporting</i>, Springer, 2010, and taking into account the methodology as set out in Annex V of Regulation 2018/1999 in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories.</p>
Lying deadwood	<p><b>Description:</b> This indicator shows the amount of non-living woody biomass lying on the ground in forest and other wooded land. <b><i>Fire and phytosanitary risks and relevant related mandatory prescriptions should be taken into account.</i></b></p> <p><b>Unit:</b> m<sup>3</sup>/ha.</p> <p><b>Methodology:</b> as developed and used by FOREST EUROPE, <i>State of Europe's Forests 2020</i>, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, <i>Pathways for Common Reporting</i>, Springer, 2010, and taking into account the methodology as set out in Annex V of Regulation 2018/1999 in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories.</p>

Share of forests with uneven-aged structure	<p><b>Description:</b> This indicator refers to the share of forests available for wood supply (FAWS) with uneven-aged structure in forests as compared to even-aged structure in forests. <i>Fire and phytosanitary risks and relevant related mandatory prescriptions should be taken into account.</i></p> <p><b>Unit:</b> Percent of FAWS with uneven-aged structure.</p> <p><b>Methodology:</b> as developed and used by FOREST EUROPE, <i>State of Europe's Forests 2020</i>, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, <i>Pathways for Common Reporting</i>, Springer, 2010.</p>
Forest connectivity	<p><b>Description:</b> Forest connectivity is the degree of compactness of forest covered areas. It is defined in the range of 0 to 100. <i>Fire and phytosanitary risks and relevant related mandatory prescriptions should be taken into account.</i></p> <p><b>Unit:</b> Index.</p> <p><b>Methodology:</b> as developed by FAO, Vogt P., et al., <i>FAO – State of the World's Forests: Forest Fragmentation</i>, JRC Technical Report, Publications Office of the European Union, Luxembourg, 2019.</p>
Common forest birds index	<p><b>Description:</b> The forest bird indicator describes trends in the abundance of common forest birds across their European ranges over time. It is a composite index created from observational data of bird species characteristic for forest habitats in Europe. The index is based on a specific list of species in each Member State.</p> <p><b>Unit:</b> Index.</p> <p><b>Methodology:</b> Brlik et al. <i>Long-term and large-scale multispecies dataset</i></p>
Stock of organic carbon	<p><b>Description:</b> This indicator describes the stock of organic carbon in the litter and in the mineral soil at a depth of 0 to 30 cm in forest ecosystems.</p> <p><b>Unit:</b> tonnes organic carbon/ha.</p> <p><b>Methodology:</b> as set out in Annex V of Regulation 2018/1999 in accordance to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, and as supported by the Land Use and Coverage Area frame Survey (LUCAS) Soil, Jones A. et al., <i>LUCAS Soil 2022</i>, JRC technical report, Publications Office of the European Union, 2021.</p>
Native tree species composition	<p><b>Description:</b> <i>This indicator refers to the share of native forests within a territory and the diversity of species associated with them. In very specific cases and conditions, some similar non-native species adapted to the local ecological context and habitats conditions can play a role in terms of increased resilience to climate change and be counted under this indicator.</i></p> <p><b>Unit:</b> m<sup>3</sup>/ha</p> <p><b>Methodology:</b> <i>as developed by the Commission and Member States in the Guidelines on Biodiversity-friendly afforestation, reforestation and tree planting.</i></p> <p><i>In addition, the methodology used by national forests inventories:</i></p> <ul style="list-style-type: none"> <li>- registration of the tree species composition of all forests plots, permanent and temporary.</li> <li>- notification of rooted and non-rooted native tree species within the plot following the code of the Red list of European tree species.</li> <li>- development of statistics on share of native tree species in forests following the collected data.</li> </ul> <p><i>The Red list of European tree species summarises all known native European</i></p>

## **Amendment 182**

### **Proposal for a regulation Annex VII – point 14 a (new)**

*Text proposed by the Commission*

*Amendment*

***(14 a) Reduce forest vulnerability by means of landscape-scale interventions (e.g. by reducing tree density, ensuring presence of forest openings and gaps and favouring heterogeneous forest structure).***

Or. en

## **Amendment 183**

### **Proposal for a regulation Annex VII – point 22 a (new)**

*Text proposed by the Commission*

*Amendment*

***(22 a) Promote integrated landscape restoration as a long-term planning tool linking bottom-up methods involving stakeholders with top-down strategies that considers the timescale and required commitment.***

Or. en

## **Amendment 184**

### **Proposal for a regulation Annex VII – point 22 b (new)**

*Text proposed by the Commission*

*Amendment*

***(22 b) Buffer sensitive ecosystems against eutrophication, desiccation and other pressures.***

Or. en

## **Amendment 185**

**Proposal for a regulation  
Annex VII – point 27 a (new)**

*Text proposed by the Commission*

*Amendment*

***(27 a) Implement passive and assisted natural regeneration of marine areas where possible, with appropriate buffer zones with low-impact activities.***

Or. en

## **Amendment 186**

**Proposal for a regulation  
Annex VII – point 28**

*Text proposed by the Commission*

*Amendment*

(28) Reduce various forms of marine pollution, such as nutrient loading, noise pollution ***and plastic waste.***

(28) Reduce various forms of marine pollution, such as nutrient loading, ***plastic waste and underwater*** noise pollution , ***both impulsive and continuous.***

Or. en

## **Amendment 187**

**Proposal for a regulation  
Annex VII – point 28 a (new)**

*Text proposed by the Commission*

*Amendment*

***(28 a) Reduce continuous underwater noise pollution from shipping by mandating reduced vessel speeds, and prevent or reduce impulsive noise pollution through effective mitigation measures that minimise***

Or. en

## **Amendment 188**

**Proposal for a regulation  
Annex VII – point 28 b (new)**

*Text proposed by the Commission*

*Amendment*

***(28 b) Restore marine ecosystems damaged by industrial activities, such as hydrocarbon exploration (including seismic acquisition) and exploitation activities.***

Or. en



# EXPLANATORY STATEMENT

## I. Background

Healthy ecosystems provide us with numerous ecosystem services essential to our long-term survival, well-being, prosperity and security. They provide us with clean food, water and air, act as carbon sinks contributing to the regulation of our planet's temperature and combat climate change, protect us against the increasing risks of natural disasters and prevent the emergence and spread of zoonotic diseases. They are also a vital element of our cultural heritage, treasured for their recreational, educational and aesthetic values.

The EU and the world as a whole are facing environmental challenges of unprecedented urgency and magnitude. Numerous studies such as the IPBES report, IPCC reports, the Global Biodiversity Outlook or the report on the state of the environment in Europe show that, despite efforts, biodiversity loss and ecosystem degradation continue at an alarming rate in the EU and around the world.

As set out in the EU Biodiversity Strategy for 2030, the EU has legal frameworks, strategies and action plans to protect nature and restore habitats and species, but under existing frameworks, protection has been incomplete, restoration has been on a small-scale and the implementation of the legislation has been insufficient.

## II. Position of the rapporteur

The rapporteur welcomes the proposal for a regulation on nature restoration and its design, containing an overarching restoration objective as well as specific objectives by ecosystems, habitats and species, such as specific targets for forests, agricultural ecosystems, urban ecosystems, peatlands, pollinators, free-flowing rivers, as well as for terrestrial, coastal and freshwater ecosystems and marine ecosystems, as requested by this Parliament.

While fully supporting the proposal, the rapporteur considers that biodiversity loss has such disastrous consequences for our society, economy and human health and well-being, that the proposal should be strengthened while maintaining a realistic approach. To ensure a successful implementation, the rapporteur considers it essential to strengthen the provisions regarding transparency and information, the participation of the public and the sectors concerned, the exchange of best practice and financing.

### Objectives

With regard to the **objectives**, the rapporteur considers it appropriate to support the position previously adopted by this Parliament in relation to the **general restoration objective**, to ensure that at least 30 % of the EU's land and seas are restored by 2030. In addition, the rapporteur proposes to increase some of the **specific objectives**, such as the restoration of terrestrial, coastal and freshwater ecosystems in Article 4, the restoration of marine ecosystems in Article 5, the objectives of restoring urban ecosystems and the objective of

rewetting drained peatlands under agricultural use. In the case of terrestrial, coastal and freshwater ecosystems and of marine ecosystems the target of 90 % of the Commission proposal is the minimum required to achieve good status for these ecosystems, according to the guidelines on reporting under Article 17 of the Habitats Directive. This does not mean that the EU should not aim for 100 % by 2050, given the urgency of the situation and the need for action.

As regards **urban ecosystems**, according to data from the EEA, most European cities already have more than 10 % urban tree cover, so the rapporteur sees it feasible to increase this target and the Member States' objectives of increasing the total national area of urban green spaces.

As regards the **peatlands** targets, the rapporteur welcomes the inclusion of a specific peatland target as requested by this Parliament, and supports the objectives for the restoration of organic soil for agricultural use that constitute drained peatlands. Given that the impact assessment accompanying the proposal stipulates that there is insufficient data to set a target for forestry uses, and since returning only 3 % of EU agricultural peatlands to their wet state would reduce greenhouse gas emissions from agriculture by up to 25 %, the rapporteur prefers to focus on the restoration of agricultural peatlands and not extend the target to drained peatlands under forestry use. The rapporteur considers that the restoration of peatlands under other uses should be addressed when the Commission assesses the implementation of this regulation and has more data on it. However, as the most effective solution for peatlands restoration and climate mitigation and adaptation is peatlands rewetting, the rapporteur proposes to increase the objectives of rewetting of peatlands under agricultural use. In the EU, drained and degraded peatlands account for approximately 5 % of the EU's total greenhouse gas emissions, so their restoration is key on our path to climate neutrality.

In relation to the provisions that allow **derogating from the restoration objectives of Articles 4 and 5**, certain adjustments are proposed by the rapporteur to make them more precise and avoid their inappropriate use. In particular, in the case of Natura 2000 areas, derogations should be limited to what is already set out in Article 6(4) of the Habitats Directive, which remains applicable. Otherwise, a “de facto” amendment of the Habitats Directive would be made via this regulation. The rapporteur also limits the possible use of this derogation to a maximum of 5 % of the areas covered by the objectives of Articles 4(1), 4(2), 4(3) and 5(1), 5(2), 5(3), to prevent Member States from continually using projects of overriding public interest as a reason for not complying with the provisions of this regulation.

Furthermore, the rapporteur proposes new indicators to measure the biodiversity of **agricultural and forest ecosystems**. In the case of agricultural ecosystems, the rapporteur includes the objective already contained in the Biodiversity Strategy of reaching 10 % of high diversity landscape elements by 2030 and adds the percentage of species and habitats listed in the Annexes to Directive 92/43/EEC related to agricultural ecosystems. In the case of forest ecosystems, the rapporteur proposes to add the indicator of native tree species composition, and adjusts some indicators in Annex VI to address the problem of forest fires and phytosanitary risks.

As regards **free-flowing rivers**, the rapporteur considers not only lateral and longitudinal but

also vertical and temporal barriers, to include all dimensions of connectivity in the inventories and to give Member States greater flexibility in their choice of barriers that should be dismantled. The rapporteur also addresses not only obsolete barriers but also those whose removal has a high ecological impact, including the impact on connectivity between marine and freshwater ecosystems and migration corridors.

### **Planting 3 billion trees**

The EU's 2030 Biodiversity and Forest Strategies set out the objective of **planting at least 3 billion additional trees in the EU by 2030**, while fully respecting ecological principles. The rapporteur has decided to include this objective in his amendments given the enormous importance of it for the restoration of terrestrial, urban or forest ecosystems in Articles 4, 6 and 10.

### **Principle of non-deterioration**

The rapporteur strengthens the **principle of non-deterioration** by creating a specific article on the continuity of the effects of restoration measures through the designation of protected areas, the implementation of other effective area-based conservation measures, or the promotion of private land conservation measures. It will be up to Member States to decide whether and how to extend their network of **protected areas**. Notwithstanding the foregoing, when restoration measures applies to **primary and old growth forests**, the rapporteur proposes that Member States strictly protect them.

### **Financing**

The availability of **public and private financial resources** is key to the proper implementation of this regulation. Public funding for restoration should be secured at European, national and regional levels. At European level, there is funding available for the restoration of our biodiversity and ecosystems, but it is not sufficient and is currently dispersed in various instruments and funds, which may render it less effective. Therefore, the rapporteur proposes an article addressing the future need for a dedicated permanent financial instrument for restoration, which would entail coherent financial planning of all EU legal instruments and strategies that improve biodiversity over the next decade and beyond.

### **Speeding up deadlines**

Given the urgent need for restoration measures to have an impact in this decade, the rapporteur proposes to shorten the **deadlines** for the submission of national nature restoration plans, for their revision, for the submission of the first reports and for the Commission's assessment of the implementation of this regulation. The rapporteur believes that we are at a critical time if we want to be able to reverse the loss of biodiversity and therefore proposes to speed up the whole process set out in this regulation.

### **Delegated acts**

The rapporteur considers that certain topics in the Commission proposal that are to be

specified in secondary legislation should clearly be subject to **delegated acts**, instead of implementing acts as proposed by the Commission, given the considerable margin of discretion left. This concerns, for example, the establishment of a method for monitoring pollinator populations or the framework for setting satisfactory levels.

### **Public participation, access to public information and public awareness**

Support of the public and stakeholders for the foreseen restoration measures is crucial to ensure the successful implementation of this regulation. The rapporteur therefore proposes to create a specific article on **public participation, access to public information and public awareness**, to ensure there is an open, inclusive and cross-cutting approach in the preparation, review and implementation of national restoration plans. The rapporteur also considers it essential that young people are made aware of the importance of biodiversity and nature restoration and are engaged through programmes and concrete projects and through education and general information.

Finally, in order to continue the restoration actions of this regulation, the rapporteur lays the foundations for the Commission to present **new restoration targets** from 2030 onwards, such as for small water units or ecosystems not covered by Articles 4 and 5 as well as intermediate targets by 2040.

**ANNEX: LIST OF ENTITIES OR PERSONS  
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the draft report:

<b>Entity and/or person</b>
Oceans Care
SEO/BirdLife
Ministry for Agriculture and Forestry of Finland
UK Department for Environment, Food & Rural Affairs
Asociación Agraria de Jóvenes Agricultores (ASAJA)
Coordination Nationale Eaux et Rivières Humaines
Association of Austrian Electricity Companies
The Nature Conservancy
Sociedad Europea de Restauración Ecológica
OCEANA
Think Sustainable Europe
Wetlands International - European Association
EDF Group
European Environment Agency
Confederation of European Paper Industries (CEPI)
Asociación Española de Fabricantes de Pasta, Papel y Cartón (ASPAPPEL)
Planet (satellite images provider)
European Fishing Tackle Trade Association (EFTTA)
European Anglers Alliance (EAA)
Confederación Española de Industrias Extractivas de Rocas y Minerales Industriales (COMINROC)
Swedish Forest Industries