



Ministerie van Economische Zaken

Enlargement of the tidal area of the Zwin: a cross-border Natura 2000 area and the Dutch '*Nature protection Act*'

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Outline presentation

- The Dutch 'Nature conservancy Act 1998'
 - a short introduction on the Dutch Nature policy and the Dutch Nature conservancy Act.
 - *by Eelco Hoogendam*
- The enlargement of the Zwin
 - The dilemma of the ecological mosaic and legal strict rating in the enlargement of the Zwin
 - *by Eva Haverkorn van Rijsewijk*
- Conclusion



Nature policy in the Netherlands

- The Natural way forward: vision on nature policy for the next 10 years
 - Nature at the heart of society
 - Economy and ecology in balance
 - Nature conservation framework still a national responsibility



- Provincial and central government are jointly responsible for investing in the National Ecological Network
- Management by different land management organisations, but also private owners and companies like water extraction companies



Implementation Birds- & Habitatsdirective

- European directives for protection of birds (1979) and habitats (1992)
- Birdsdirective: Protect, maintain and recover for the survival of birds
- Habitatsdirective: Preservation or recovery of natural habitats and populations of wild animals and plants in favourable state of conservation by registration of special conservations areas and the determination of conservation goals
- Summarized: protect unique, distinctive values
- Each European country implements the Birds- & Habitatsdirective in its own way



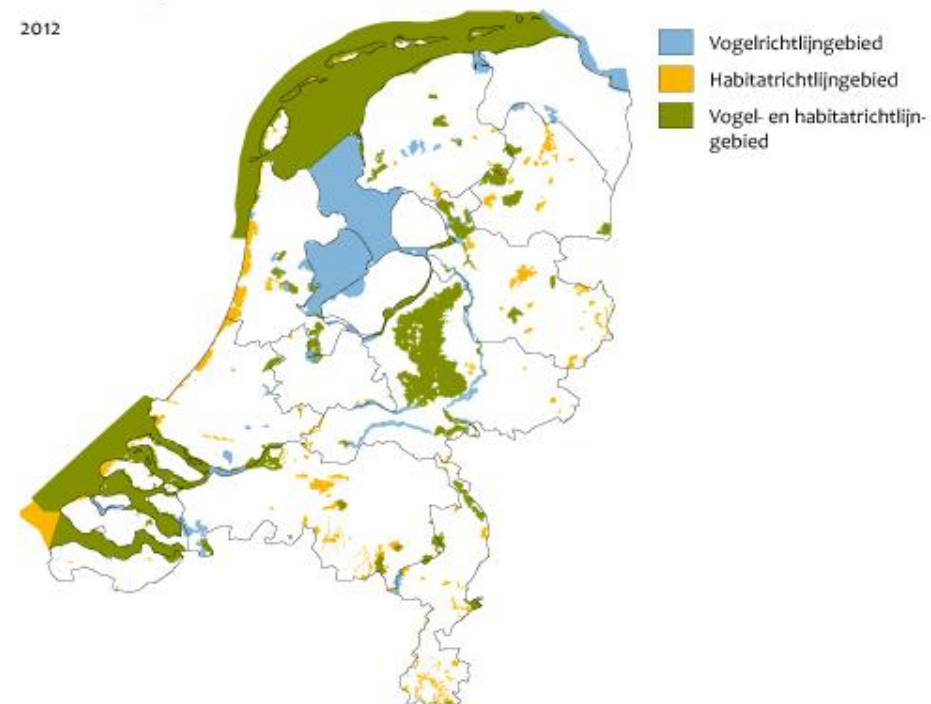


The Dutch '*Nature conservancy Act 1998*'

- The European Birds Directive and Habitats Directive define what areas qualify as Natura 2000 areas
- Nature conservancy Act 1998:
 - Register the area towards the European Union
 - Issue a 'designation order'
 - Draw up a management plan for each Natura 2000 area

Natura 2000-gebieden

2012



Bron: EL&I.

WUR/okt12/1308
www.compendiumvoordeleefomgeving.nl



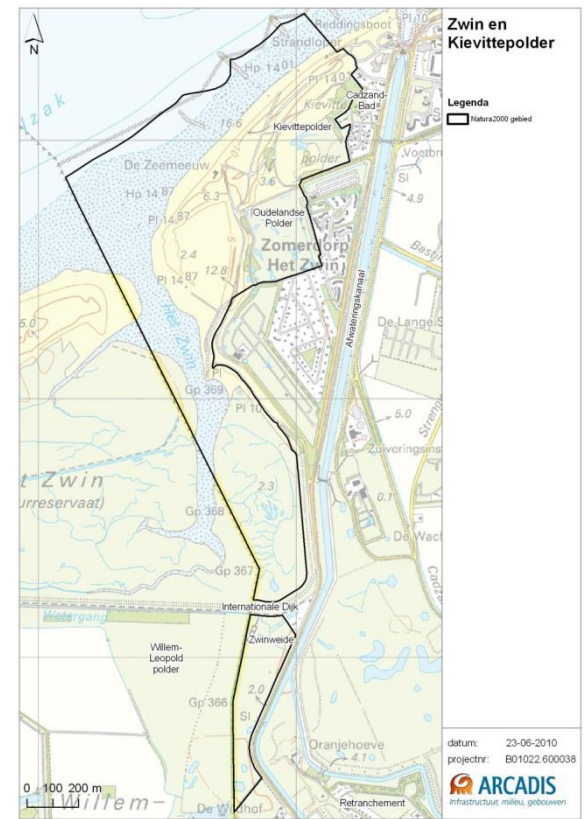
Authorisation under the '*Nature conservancy Act*'

- If a Natura conservancy Act license is needed, mostly it is issued by the province, in specific situations (like transboundary projects) by the ministry of Economics Affairs
- Nature conservancy Act license
 - Significant effects of an intervention
 - Appropriate Assessment on the effect of the intervention
 - Intervention may not damage the essential characteristics and values of the area
- In principle, the occasion of the intervention – highway construction, residential building or realization nature – doesn't matter



Designation order Zwin & Kievittepolder

- Zwin & Kievittepolder
 - About 115 ha (in the Netherlands)
 - Birds- & Habitatdirective
 - Partly outside the dike and inside the dike
 - Inside the dike: Zwinweide
- Main conservation purposes
 - H 1140A Mudflats and Sandbanks
 - H 1310A Salty Pioneer Vegetation
 - H 1320 Spartina
 - H 1330A Salt Marshes





Why is extension of the Zwin area necessary?

- The extension is necessary in order to conserve the estuarine habitats: it is necessary to take large-scale measures in order to counteract the silting up;
- Based on the Scheldt Estuary Development Outline 2010, the Netherlands need to realize 600 acres estuarine habitats (extension and improvement);
- A part is realized with the extension of the Zwin.



Lay-out of the extended Zwin





Habitats in the Zwin area today





Conservation purposes for Zwin & Kievittepolder

Code	Habitat types	National conservati on condition	Conservati on purpose - acreage	Conservati on purpose - quality
H 1140 A	Mudflats and Sandbanks	-	=	>
H 1310 A	Salty Pioneer Vegetation	-	>	=
H 1320	Spartina	--	=	=
H 1330 A	Salt Marshes	-	=	>

- moderate unfavorable or -- very unfavorable
- = purpose is conservation
- > objective is quality improvement or area extension



Legal: Acres per habitat for the Dutch part

Code	Current acres	Increase / decrease due to project	Directly after project	After 10 years	Long term
H 1140 A	9,5	+10	19,5	18,7	16
H 1310 A	2,2	- 0,4	1,8	2,4	3,2
H 1320	1,4	- 0,1	1,3	1,2	1,3
H 1330 A	20,2	- 2,0	18,2	18,4	20,3
Total	33,3		40,8	40,7	40,8

Legally, it is a problem that the acres of the salty pioneer vegetation, spartina and salt marshes decrease, even if the total area increases.



Legal: acres per habitat for the total Zwin area

Code	Current acres	Increase / decrease due to project	Directly after project	After 10 years	Long term
H 1140 A	37,1	+28,5	65,6	126,9	89,0
H 1310 A	29,4	+3,5	32,9	33,8	45,0
H 1320	2,5	-0,7	1,9	1,8	1,8
H 1330 A	110,4	-20,6	89,8	89,3	115,9
Total	179,4		190,2	251,8	251,7

For the total Zwin area, there is only a temporary loss for Spartina and salty marshes.

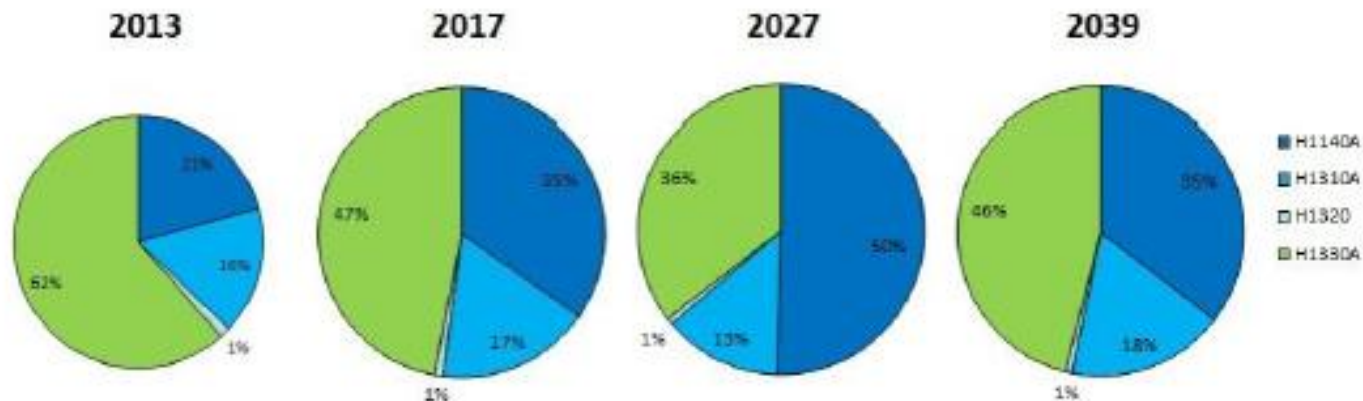


Ecological: mosaic of habitats

- An intertidal area as the Zwin, is per definition dynamic: acres per habitat vary every month, due the storms, tides (erosion and sediment);
- Bookkeeping acres in tenth of acres does not fit with this dynamic character of the area;
- The habitats H1140A, H1310A, H1320 en H1330A are interconnected with each other (succession stages);
- The dynamic proces takes many years.



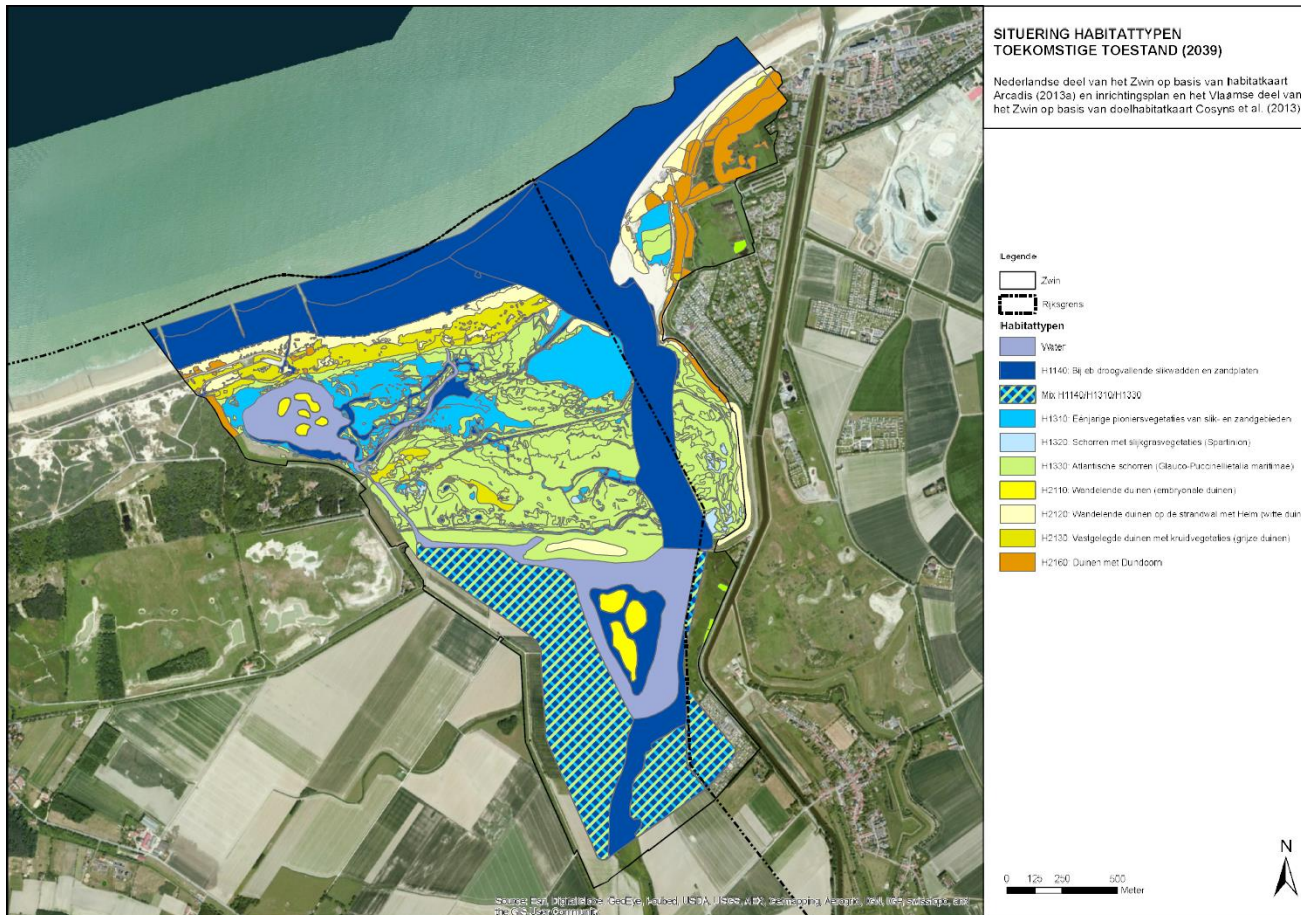
Evolution in time of the proportion of the various habitats in the Zwin area



- Starting from the mosaic concept for the total Zwin in stead of a calculation per habitat type per country, you see that the total acres for the mosaic increase directly after finishing the project, allowing certain exchanges between the habitat types within the mosaic.



Habitats in the Zwin area in 2039





Conclusion

- From European perspective, the extension of the Zwin can be very well approved: 120 acres of additional intertidal area, with a new start of the succession process;
- The Dutch legislation asks for a very strict rating per habitattype. In case of a decrease, it must be clear where and when the lost acres will come back;
- However, starting from the mosaic concept and taking into account the dynamics of an intertidal area and the fact that the Zwin area is a transboundary area, the conclusion has to be that the project is an ecological sound project.