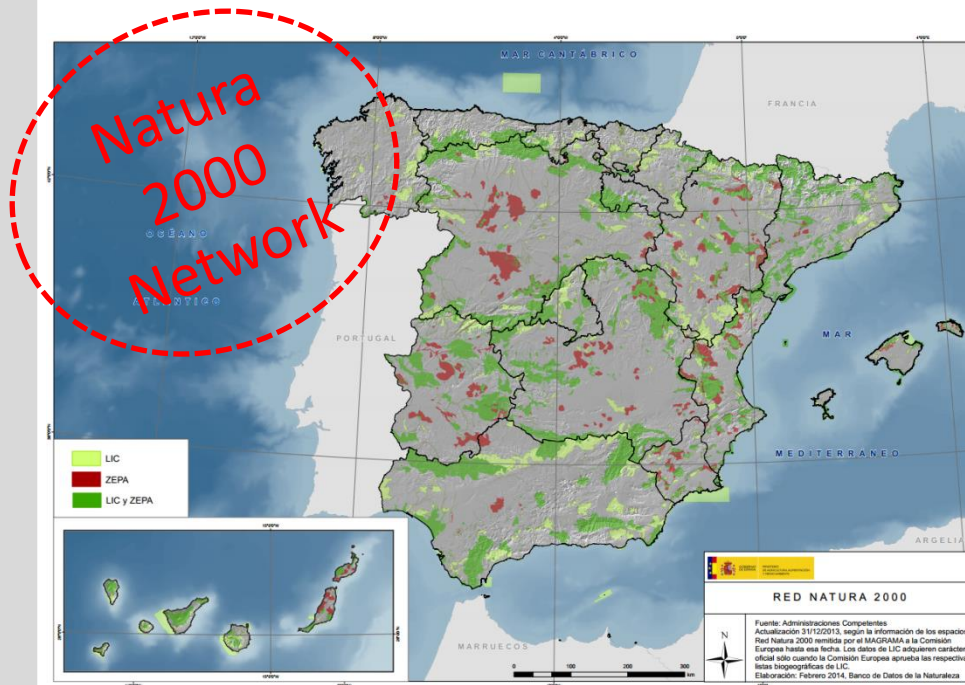


# Conservation banking in Spain: A route to no net loss

# 1. Background

## Natural values:

- The Natura 2000 network is over 14,7 million hectares, more than 27% of Spanish territory
- Overlapping with the Natura 2000 network of protected areas is approximately 42%.



- **Law 42/2007, 13 December** Natural Heritage and Biodiversity.
- Private Real Estate (65%)
- No incentives for conservation for private landowners

1.446 Sites of Community Importance (SCIs) (22,93%)

595 Special Protection Areas (SACs) (19,94%)

## Compensation:

- The declaration of significant impacts is avoided in order to prevent compensatory measures.
- Are not always done in ecologically terms (offsetting was not always required).
- Poor implementation of compensation measures outside the Article 6.4.
- There is no clear explanation of the concept of environmental compensation or offsetting
- Regional Imbalance (powers transferred to CCAA).
- Low level of implementation of the Environmental Liability Law (26/2007).

## NHB'S STRATEGIC PLAN (2011):

- Goal: To mobilize financial resources from all sources to achieve the objectives of the NHB law.
- Find innovative funding mechanisms.
- Objective 8.1: To ensure adequate funding of the policy of biodiversity conservation.
- Action 8.1.7: study and regulate, if necessary, the implementation of biodiversity banks.

# 2. Conservation banking in Spain

## Goals

- No net loss Biodiversity.
- Specific measure from the Government to promote biodiversity.
- Encourage voluntary agreements with landowners and users of natural resources.
- Restore:
  - altered or destroyed habitats and
  - populations of threatened species and areas.
- To compensate, repair and restore net loss of biodiversity in unavoidable and irreparable cases.
- Foster private initiative in biodiversity conservation.
- Use market instruments to enhance the conservation actions undertaken by the private sector.

## Resources involved

### 1. Habitats:

- Community and priority interest (Annex I NHB law).
- Endangered (Endangered Habitats Books Spanish (NHB law)).

### 2. Species:

- From Community-interest and priority (Annexes II, IV and V NHB law).
- Threatened (Spanish Catalogue of Endangered Species, RD 39/2011).

### 3. New legislation:

- Environmental Assessment Law (21/2013) (8<sup>th</sup> Additional Provision)



## Content of the law

### 1. Definition:

- Conservation bank as a sum of credits

### 2. Competent bodies:

- Government, Regions (CC.AA)

### 3. Safeguards

- Restrictions and Property Registration

### 4. Use

- Offsetting in the Environmental Assessment framework
- Offsetting in Liability framework

### 5. Public registration

## Others

- 3. Additional issues (included in law):**
  - Penalties or article which requires compensation in kind.
- 4. Future:**
  - Development regulations (**Guidance**) and ministerial orders.
- 5. Challenges:**
  - No mitigation rule.
  - Change the social trend to invest in environment with European fundings.
  - Ecologist's pressure.
  - Sceptical landowners

# Thank you.

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