

resource efficiency and proposals for next multiannual financial framework are particularly relevant for achieving the sustainable dimension of the strategy. The new general environment action programme will be coherent with this general policy framework.

What are the main problems which this initiative will address?

The 7th EAP will take into account and address the following:

- Rapidly changing external conditions and the increasingly interlinked nature of environmental, economic and social challenges.
- Increased growth in the demand for natural resources and the impacts this has for the environment;
- Enlargement of the EU and a more diversified spectrum of national characteristics and circumstances.
- The results of the EEA's SOER 2010 that the EU is not on track for the following: pressure on ecosystems, biodiversity loss (terrestrial and marine), waste generation and air quality in urban areas. It indicates that there is mixed progress on energy efficiency, the conservation status of the EU's most important habitats and species, decoupling (resource use and economic growth), water stress, water quality and trans boundary air pollution; and that the EU is on track on greenhouse gas emissions, recycling, water pollution from point sources and on bathing water quality
- Uneven implementation record of environmental legislation.
- A longer-term vision for environment policy.

The SOER concluded that the 6th EAP's priority areas are still valid areas for attention but equally that the way of approaching environmental challenge will need to adapt to reflect their changing nature. In addition to the more traditional elements of environmental policy (biodiversity, water, waste, etc) the 7th EAP will build on the actions set out in the Resource Efficiency Roadmap and will also have to deal with:

- Changing the behaviour of consumers to ease pressures on the environment notably in those sectors which impose most of the EU's ecological footprint.
- Exploring the role of urban communities and urban policy to deliver environmental improvements;
- Ensuring an improved policy coherence through better integration;
- Developing a more extensive knowledge base and better indicators to measure progress,
- The environmental determinants for improving public health;
- A renewed emphasis on the international aspect of environmental policy, setting the basis for a global green growth while continuing to strive for better global environmental governance;
- Financing environmental policy objectives based on an appropriate mix of public and private means given the pressures on public budgets.

Who will be affected by it?

The 7th EAP and the actions that potentially may flow from it could affect a broad spectrum of economic actors and sectors such as agriculture, transport, marine, regional etc and citizens in varying degrees and whose actions are now more important than ever for delivering environmental outcomes. Emphasis on better implementation will in particular affect national and regional authorities. The programme will have to recognise that tradeoffs will be necessary to ensure mutual coherence between environmental policy and that of other domains. It will also build on the established orientations for the principal budgetary lines of the new multiannual financial framework.

- Is EU action justified on grounds of subsidiarity?
- Why can Member States not achieve the objectives of the proposed action sufficiently by themselves?
(Necessity Test)
- Can the EU achieve the objectives better? (Test of EU Value Added)

EU policy is justified in light of Article 191 TFEU. Improving the EU's environmental performance requires the adoption of a coordinated policy by the Commission across areas of shared and exclusive competence and given the trans-boundary dimension of many environmental challenges. Such an approach will ensure synergies and coherence between EU policies and across the economy. Given the relevance of environmental legislation for many business sectors, a coherent EU environmental policy will also ensure a level playing for EU businesses and a functioning internal market.

B. Objectives of the initiative

What are the main policy objectives?

To bring about improvements to the EU's and the global environment whilst contributing to the EU's objectives of a smart, sustainable and inclusive economy for 2020 and beyond. An essential part of this will be to deepen integration of environmental considerations into other policy areas, increase policy coherence, develop a more reliable knowledge-base, improve the implementation of existing environmental legislation, renew the international dimension to the EU's environmental policy and provide a longer term vision.

Do the objectives imply developing EU policy in new areas?

The environmental acquis is now quite comprehensive, hence extensive development of environment policy in new areas is not envisaged, with the exemption of land-use. New policy initiatives, to the extent necessary, are more likely to focus on new approaches in policy-making in existing or emerging policy areas involving a more coherent mix of policy instruments. The new EAP will be more strategic and outcome oriented than its predecessor. It will focus on a limited number of priorities and bring together actions to protect our natural capital and ecosystems, improve the resource efficiency of our economies and the implementation of the environmental acquis.

C. Options

- (i) What are the policy options being considered?
- (ii) What legislative or 'soft law' instruments could be considered?
- (iii) How do the options respect the proportionality principle?

The 7th EAP will set out a series of environmental outcomes that should be achieved to contribute to the sustainable, smart and inclusive growth objectives of Europe 2020 and a vision of where environmental policy should be directed for the longer term. Achieving these outcomes and this longer term orientation will require a mix of policy approaches along with a focus on better implementation of existing environmental legislation and action at the international level. However specific initiatives will not be part of the 7th EAP, but will flow from it through proposals put forward by the Commission and initiatives from Member States and other actors. When framing environmental outcomes their implications for EU, MS or regional/local levels will be considered. When preparing the necessary measures to achieve the outcomes subsequent to the adoption of a 7th EAP the choice of legislative versus non legislative routes will be considered. Those subsequent measures, and any arising from the co-decision process, to confirm their viability, will be submitted to the standard Impact Assessment procedure assessing, i.a. the proportionality principle.

The proposal for a new EAP will allow it to be adopted by Council and the European Parliament in accordance with the ordinary legislative procedure as foreseen in Article 192(3) of the TFEU.

D. Initial assessment of impacts

What are the benefits and costs of each of the policy options?

The pros and cons of environmental actions including and continuing to focus on the priorities of the 6th EAP will be examined. These considerations will include, inter alia, the economic benefits or losses from changes in the availability or productivity of eco-system services and the risks and the potential costs of inaction will also be considered. The assessment will focus on the strategic orientations that the new EAP will provide. Detailed assessment of the benefits and costs of specific measures will be deferred until the preparation of specific and more detailed initiatives.

Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?

Options may imply a change in the policy approaches, tackling the possible trade-offs and highlighting the potential synergies among different policies. Potential impacts on simplification, administrative burden and on specific Member States will be considered. Better implementation of policy will be important part of the 7th EAP. Given the increasingly systemic nature of environmental risk and the global nature of the EU's environmental impact, the impacts on third countries and trade will be considered during the preparation of the 7th EAP.

- (i) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (ii) When will the IA work start?
- (iii) When will you set up the IA Steering Group and how often will it meet? (iv) What DGs will be invited?

The 7th EAP will build on many existing and planned policy streams (eg. review of the Natural Resources and Waste Thematic Strategies, Eco-Innovation Action Plan, Biodiversity targets, Water Efficiency in Buildings,

REACH implementation, Marine Environment Framework Directive, follow up of the SCP Action Plan) and so will deal with the complexity of the interaction between different areas and in general between the economy and the environment.

Given the strategic nature of the 7th EAP, a proportionate impact assessment will be prepared, building on the evaluation of the 6th EAP and assessing the value added to be brought by a new EAP. Additional impact assessments of a more quantified nature addressing specific impacts will be prepared for the development of any specific policy initiative at a later stage, when concrete implementation actions and instruments will be considered.

Upstream coordination with relevant DG's will be an essential part of the work in the preparation of the 7th EAP in particular to identify more integrated and coherent policy solutions. An Inter-service Group will be established.

- (i) Is any of options likely to have impacts on the EU budget above €5m?
(ii) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial regulation? If not, provide information about the timing of the ex-ante evaluation.

The 7th EAP will be framed against the broad strategic orientations for the implementation of the new Multiannual Financial Framework. It will serve as be a reference point to help Member States in their implementation of the various elements of the next multi annual financial perspective and the possible successor to the LIFE+ programme. To ensure full coherence and efficiency and effectiveness of policy action, opportunities to mainstream its policy priorities will be pursued during the implementation of the funding instruments operated by other services, such as cohesion, agriculture, maritime and fisheries, research and innovation funds, as well as external aid programmes.

E. Evidence base, planning of further work and consultation

- (i) What information and data are already available? Will existing impact assessment and evaluation work be used?
(ii) What further information needs to be gathered, how will this be done (*e.g. internally or by an external contractor*), and by when?
(iii) What is the timing for the procurement process & the contract for any external contracts that you are planning (*e.g. for analytical studies, information gathering, etc.*)?
(iv) Is any particular communication or information activity foreseen? If so, what, and by when?

The preparation of the 7th EAP will be based on:

- the final assessment of the 6th EAP prepared by the Commission on the basis of an independent evaluation, stakeholder and public consultations;
- the State of the European Environment Report (2010) prepared by the European Environment Agency, including the thematic assessments and other relevant related data and analysis;
- information and data already available from the Commission for, inter alia, work on resource efficiency, air and water pollution, waste management, eco innovation, financial perspectives and financing environmental priorities (LIFE ex-post evaluation inclusive), international environmental agreements, biodiversity, land use, sustainable consumption and production, Green Growth, eco-innovation, climate change adaptation, beyond GDP, environmental harmful subsidies, etc.;
- existing external studies covering the above;
- new studies being outsourced in 2011 and 2012 to fill specific knowledge gaps;
- cooperation with other DGs;
- the availability of models to define policy implementation pathways and indicators to measure and inform future policy will be considered
- Council Conclusions adopted in December 2010 under the Belgian Presidency and Outlook opinion adopted by the Committee of the Regions on this subject in October 2010.

Which stakeholders & experts have been or will be consulted, how, and at what stage?

All major stakeholders in the business community, including SMEs, NGOs, academia, implementation bodies in MS and civil society will be consulted in public meetings and/or with a public web consultation that will stay open for 12 weeks. Also further targeted consultations and meetings may be organised as necessary in light of the results of the former.