

NATURA 2000 and its impact on forestry in the Czech Republic

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ABSTRACT

Nature conservation has long tradition in the Czech Republic. The article presents survey of different protected areas in different categories. There are also opportunities of getting offsets.

KEY WORDS

Nature conservation, Natura 2000, forests, Czech Republic

INTRODUCTION

Nature conservation in the Czech Republic has had a long tradition and is very closely linked to the forestry. The first nature reserve (also in continental Europe) was established in the forests of this region as early as 1838 (Žofínský prales, Hojná Voda) and soon this was followed by more designations of virgin reserves (e.g. Boubínský prales in 1858). The significant role played by foresters in forest cultivation (improving quality, increasing size, etc.) in the Czech Republic was addressed by for instance Nožička (1957). Foresters, however, have also evoked the importance and protection of original forest stands (e.g. Průša, 1990).

NATURE CONSERVATION AND NATURA 2000

There is currently a widely developed system of small and large size protected localities and regions in the Czech Republic. They were established based on the

Act No. 114/1992 Coll., on the Conservation of Nature and Landscape, as amended.

Small size specially protected localities include the following types of protected areas:

- Nature monuments (1191 areas on 27 200 ha, share of forests 19 000 ha),
- National nature monuments (104 areas on 2800 ha, share of forests 1600 ha)
- Nature reserves (775 areas on 36 300 ha, share of forests 16 000 ha)
- National Nature Reserves (111 areas on 28 100 ha, share of forests 23 000 ha).

Large area specially protected regions include:

- Protected Landscape Regions (25 areas on 1 089 800 ha, share of forests 588 500 ha),
- National Parks (4 areas on 119 500 ha, share of forests 104 000 ha).

The above mentioned data stem from Kopecká & Vanilová (2003).

When accessing the European Union (EU) the existing Czech national system of protected areas had to

be supplemented by the European system – the ecological network of protected areas Natura 2000 so as to meet the requirements of EU legislation. In the field of nature conservation this mainly meant legal transposition and implementation of the two key documents:

- Council Directive 79/409/EEC on the conservation of wild birds („Birds Directive”) – aiming at the protection of European wild birds through the designation of Special Protection Areas (SPA).
- Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora („Habitats Directive”).

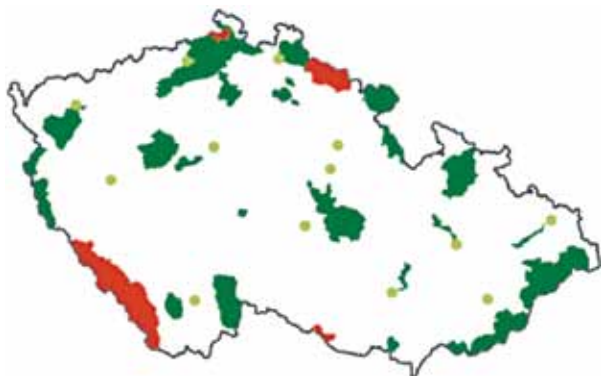


Fig. 1: Large area specially protected regions in the Czech Republic; red – National Parks, green – Protected Landscape Regions, green circles – regional cities (source: Agency for Nature Conservation and Landscape Protection of the Czech Republic)

In practice, it was very difficult to identify birds' sites and natural habitats. Yet, according to the EU ruling it was necessary to compile a national list of the areas comprising the habitats and species listed in the Habitats Directive and the Birds Directive which then had to be submitted to the European Commission by the date of joining the EU (1 May, 2005). The localities were selected based on scientific and technical criteria. Within next three years (by 1 May, 2008) the Czech national list went through an evaluation process. It is obligatory to include Natura 2000 designated areas into national legislation during the following six years (by 1 May, 2014). This seemingly simple process, in practice, and in particular at a legislation level, may encounter several problems. The Government Order No 132/2005 Coll., Laying down a national list of sites of European significance, divides the Czech Republic into the Continental biogeographical region (about 96% of the terri-

tory) and Pannonian biogeographical region (about 4% of the territory). Within the Czech Republic there were designated in total 41 SPAs (Fig. 2).

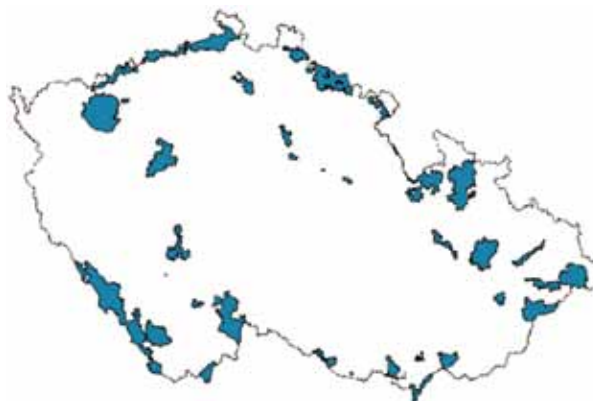


Fig. 2. Special Protection Areas for birds designated in the Czech Republic (source: Agency for Nature Conservation and Landscape Protection of the Czech Republic)

Habitat types required for designation of sites for Natura 2000 are described in the „Habitat catalogue of the Czech Republic” (Chytrý, Kučera & Kočí 2001), which extensively refers to forest typology having a long tradition in national forest planning in the Czech Republic.

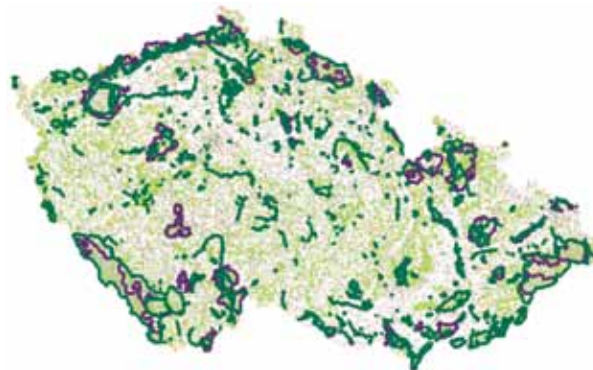


Fig. 3. Natura 2000 Network established in the Czech Republic (source: Agency for Nature Conservation and Landscape Protection of the Czech Republic)

It should be noted that NATURA 2000 sites are not expected to have “a priori” non intervention management. It is important, however, to maintain the condition of nature and phenomena that make a given area defined and included in the system. In some localities, it

provides certain limitations to the owner. In accordance with Czech legislation, these limitations should be compensated in the form of subsidies under the Rural Development Programme Axis II: Improving the environment and the countryside through land management, Title II.2.2. (Payments under NATURA 2000 in the forests) and the Title II.2.3. (Forest-environment payments).

PAYMENTS UNDER NATURA 2000 IN FORESTS

The payment is based on the rules for granting subsidies for forest estates within in the Natura 2000 Network, resulting from the Government Regulation No. 53/2009 Coll., on laying down the conditions for granting subsidies on forest-environment payments, which amends the Government Regulation No. 147/2008 Coll., on laying down the conditions for granting subsidies to maintain the management set of stands of forest stand under NATURA 2000 in forests.

Provisioning the title „Payments under NATURA 2000 in the forests” is intended for private owners, joint owners of private forest or private owners associations with legal personality. Therefore payments are not intended for those cultivating forests owned by the State, such as the Forests of the Czech Republic, the Military Forests and Farms or national parks. The above mentioned support is granted on technical unit and it shall be granted annually and specifically on the area of forest land of 60 euro/ha converted into national currency (CZK) according to the valid exchange rate published in the 1st edition of the Official Journal of the EU in the calendar year for which a payment is granted.

An applicant for a grant to support forests included in the NATURA 2000 must meet eight basic conditions:

- The applicant must be the owner of forest land (land designated for the fulfilment of forest functions) or co-owner, or the member of owners' associations (in this case he must have written consent of the majority owners of co-ownership stakes).
- At least a part of the land is situated in the NATURA 2000 (the applicant can check the website of the Institute of Forest Management in Brandýs nad Labem).
- Into the grant title is classified a part of a stand, whence at least 50% of land is in the NATURA

2000. The grant title can not apply properties which are located in the capital city of Prague.

- The part of a stand in question is included in the management set of stands in which the vegetation type is 2 – fir, 5 – oak, 6 – beech, 7 – other deciduous, 8 – poplar or 9 – low forest.
- Selected vegetation group must have at least one storey at the age of early forest regeneration, while the partial area of the selected floor makes min. 50% of the selected part of a stand (age group is classed according to current age of the part of a forest stand).
- Boundaries of selected part of a forest stand must be clearly identifiable in the field.
- Applicant must have a valid Forest Management Plan or Forest Guideline.
- Each part of a forest stand, which is ment to be included in the title, must appear on the forest land on size of at least 0.5 ha (i.e. the applicant can apply for classification of vegetation as well as the group of area 0.1 hectares, but this group needs to be located in a complex with a minimum size min. 0.5 ha).

A part of applications for the payment of subsidy must also be:

- Commitment of the applicant that for a fixed period (20 years) will fulfill the terms of the classified area of the selected part of a stand.
- The original or a certified copy of the cadastre of land on which the part of a stand in question is (not older than 3 months).
- Verified signatures on the written consent of the co-owners of the majority co-ownership shares.
- Confirmation of the Ministry of the Environment on that at least 50% of the part of a stand in question is situated in NATURA 2000, and at same time acknowledging that it is not in the cadastral territory of the capital Prague.
- Applicant's consent with using data from Forest Management Plan, respectively Forest Guideline submitted to the data warehouse for administrative proceedings in respect of maintaining the management set of stands.
- Developed project as a form issued by the State Agricultural Intervention Fund.
- Copies of forest map (contour, stand map) in scale 1 : 10 000 showing boundaries of the selected part of a forest stand.

The applicant shall submit an application for inclusion with necessary attachments to the regional government Agency for Nature Conservation and Landscape Protection for the CR by the deadline 15 May in the first year of twenty-year period. At the same time gives the applicant the application for subsidy. In the case the application is approved the applicant seeks to provide annual grant until 15 May each following year. The application shall be accompanied by forest manager's expert opinion that there was no change in the application.

An applicant for a grant must also meet certain conditions, namely:

- Must not change the conditions specified in the application, in particular there can not be change of stand type of included part of a forest stand.
- In the case of forest regeneration of the selected storey in a selected part of a stand must be respected in the regenerated storey the predominant species composition of the principal tree species. Eventually the type of the forest must be followed in the case of the low forest, and no later than the time of established plantation in subsequent crop (as the dominant representation is considered a representation of the main tree species minimally 5% higher than any other trees in the regenerated storey).
- In the case of forest regeneration in the selected storey in a part of a stand in the last year of the commitment (providing subsidy) it must be complied with dominant species composition of principal species in the regenerated storey of a selected part of a stand, respectively it is complied with the type of the forest in the case of low forest.
- Subsidy recipient must keep species composition or regeneration by coppice shoots of the part of a stand to which the aid is taken, for the duration of the commitment. This must be confirmed by forest manager

at the same time as application for subsidy in the Agency for Agriculture and Rural.

PAYMENTS UNDER FOREST-ENVIRONMENTAL MEASURES

This title results from the Government Regulation No. 53/2009 Coll., on laying down the conditions for granting subsidies on forest-environment payments. In effect, it is very similar to the previous title, but with minor changes. Perhaps most significant is the fact that the subsidy recipient can be any natural person or legal person or an association with legal personality. Therefore this subsidy also applies to governmental organizations (Forests of the Czech Republic, Military Forests and Farms, national parks). Support may receive also the bodies at the leased forests, where they farm. Another significant change from the previous title is the fact that the subsidy is not a fixed amount per area, but it is derived from the share of soil-improving and stabilizing species, which the law sets a minimum share of 20%. In this case, there must be at least 5% more than in the above-mentioned Government Regulation (see Tab. 1). The payment is similar to the previous title.

Obtaining such granting subsidies is similar to the previously described case. A difference lies in the part of a stand. Parts of a stands are included within the age range of 6 to 30 years, stocking is minimally 7 and with the minimal proportion of soil-improving and stabilizing species has to be by 5% higher than the minimum specified for the corresponding management set of stands (*Decree No. 83/1996 Coll., Respectively. Annex 1 of Decree 53/2009 Coll.*). If the minimal proportion of soil-improving and stabilizing species is given using a percentage range then in order to get the grant the number given must be the highest within the range

Tab. 1. Classes of increasing the proportion of soil-improving and stabilizing species beyond the minimal ratio stipulated by law

Share of soil-improving and stabilizing species exceeding specified minimal percentage	Class I. 5 to 15%	Class II. 16 to 25%	Class II. 26 to 35%	Class IV. 36% and more
The amount of subsidy (euro / ha / year)	20	40	60	81
The amount of subsidy in Natura 2000 (and SPAs) (euro / ha / year)	25	49	74	97

i.e. if soil-improving and stabilizing species amount to 5–15% – then 15% is the number given.

CONCLUSIONS

For both granting subsidies there is another important condition to be fulfilled. If the applicant manages both agricultural land and forest he must do so in accordance with the rules of good agricultural and environmental condition as defined in *Annex 3 to Decree No. 147/2008 Coll. in Annex 4 Government Regulation 53/2009 Coll.* If the applicant breaches one of the previous rules a sanction can be taken, even if he complied with the rules of forest management. Compliance of these rules is enforced throughout the duration of granting subsidies.

Both granting subsidies are relatively new. They were launched in 2008. For the first one in 2008 only 9 subsidies were requested which represents the total area of 306 ha; the year 2009 has not been evaluated yet. For the second one there was no request in 2008 and the year 2009 has not been evaluated yet. However, we are expecting a significant increase of subsidies for the two types of grant.

The aim of these subsidies is to improve habitat conservation, and consequently the protection of national natural forests. Introduction of these subsidies is a step

in the right direction. However, it should be noted that the subsidies added to our legal system do not solve all problems. It is a tool how to positively motivate forest owners to comply with the above standard procedures. If the owner or the manager of forest and/or agricultural land suffers a loss resulting from the application of the previous rules, they must receive a compensation in accordance with § 58 of Act No. 218/2004 Coll. But this has never happened.

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