

International workshop

**Strategic intentions of wind calamity management on protected territories**

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Dear ladies and gentlemen,

In april 2005, the period when strategic solutions for removal of consequences of the windstorm from November 2004 were discussed, community of specialists and representatives of all stakeholders – forest users in the High Tatras region participated in an international conference held in Zvolen with the aim to suggest policy options for storm damage management in protected areas. This conference was organized under the auspices of the Government of the Slovak republic, ECE UN and FAO, reflecting the importance and seriousness of the situation caused by large-scale damage of forest stands. The conference faced a multitude of opinions and interests, which were presented by different stakeholders and referred mainly to the protected area of the Tatra National Park (TANAP). Due to the fact that Slovak republic as a member of EU is bound by EU regulations on nature protection (NATURA 2000) and european agreements on sustainable forest management, it was recommended that a decision-making process about economically effective development was based on protection of natural and cultural heritage using the participatory approach and respecting the law and owner's rights for reaching a consensus.

The general development documents were evolved setting a platform for windstorm damage management along with defining a policy for restoration of damaged forest stands with the aim to set up the forest ecosystems which can provide all needed forest functions in the area of the oldest national park in Slovakia. This intention was reflected in following projects: „Processing the windstorm calamity“, „Forest protection project“, „Forest fire protection project“, „Revitalizations of forest ecosystems in the High Tatras region“. Assessing all the activities done in the region within the 4 years time, where forest stands were damaged by the

windstorm in November 2004, we have to consider mainly the state of forest ecosystems, protected areas and all factors involved in removing the calamity in the High Tatras. From the forestry point of view, we can claim clearly that windstorm damages were removed in the very short time thanks to all stakeholders who participated in the work needed with coordination by the State Forests of TANAP and nonstate forest owners on the state forest land. Practice in removing the calamity confirmed the grounds for the appeal laid in the statement from April 2005 which called for a complex evaluation of all aspects (forestry, biodiversity, water management, landscape and nature protection, eco-tourism and country development). Current state of forests of TANAP presents a situation when the subject of protection of the most precious protected areas is endangered. And it must be remarked that a reason for this is clearly not a calamity wood processing but applying a passive nature protection. As I've stated, processing of the windstorm calamity was managed in relatively short period. Within the State Forests of TANAP was the calamity processed by the end of May 2006 with exception of the sites where no action was allowed, respectively were chosen for a long-term monitoring of development. In the period from 2004 to 2006 it had been processed 1 868 thousand m<sup>3</sup> of calamity felling timber in total. From the total volume of 2 032 465 m<sup>3</sup> of timber, more than 419 thousand m<sup>3</sup> was left unprocessed on sites due to decision made by authorities of state nature and landscape protection, which has been crucial for further development of spruce forest ecosystems in the TANAP area. If we include the felling timber left on sites in the areas with the highest 5th level of protection than the total volume of left timber was 29% from all felling timber (more than 852 000 m<sup>3</sup>) in affected areas of TANAP. Within the sites owned by non-state subjects there was left unprocessed more than 19,5 thousand m<sup>3</sup> for the same reason. This informations represents brief figures about the time scale of processing the calamity, as well as about felling timber, which was left unprocessed from above-mentioned reason.

In terms of annually actualized project of forest protection was emphasised the risk of further calamity caused by biotic disturbances. Implementation of the measures against bark beetle was very difficult in such surroundings full of timber making it attractive for bark beetle insect. Regarding the statements of international conference held in Zvolen in 2005, it can be stated that no aerial application of chemicals was used in the affected area of TANAP and no chemical means applied in the area with the highest nature protection level. This statements has been respected by all forest owners and forest managers who are aware of their responsibility to the future. The amount of felling timber clearly was the starting point for further bark beetle calamity which is culminating at present and which will be probably the

reason of destruction of spruce ecosystems in the TANAP as we know them. If we consider the request of the conference regarding consideration of all social demands of the area, it can't be claimed that this request was respected on all levels of decision-making. Certainly not on the side of nature protection authorities where their request of 10-30% felling timber left on site or slow execution in the process of granting a legal exception on nature protection didn't contribute to preserving the subject of protection or to improving the state of protection of the subject of protection (spruce biotops – blueberry spruce stands). Current state of protected areas confirms that we haven't been able to preserve the state of protected areas which haven't been damaged by the windstorm. Right conditions for preserving or improving the state of protection haven't been created, which was caused by inadequate decisions about implication of protective measures against biotic disturbances as the exception from banned activities, or by slow decision-making process not respecting the bionomy of disturbances development. It is very sad, but essential to realize importance and extend of the measures taken, which for instance led to such consequences as we can see in the case of NPR Nefcerka. Natural values of this unique area will not be preserved for the future generations.

The statement of international seminar also included recommendations on law modification and damage compensation system by implementing the Act about nature and landscape protection and creating an effective and just framework for all forest owners, which makes all types of ownership equal, using compensation measures for non-state forest owners, exchange or buying the land. This closely relates to another challenge to implement a long-term strategy of using the forest land in TANAP. The appeal led to a document based on scientific knowledge with regard to forestry, biodiversity, water management, nature and landscape protection, activities connected with agro and eco-tourism and with respect to national park zonation and securing a development of spatial and territorial planning. Particular resorts were dealing with zonation of national park and we can resume that basic framework of zonation was worked out quite extensively, promising the final approval of zonation of the TANAP. Though, at present zonation is still not approved in the form of general legal regulation.

The problem that occurred and became the object of numerous resolutions of the government of SR, was a new law modification of nature and landscape protection. The Act on nature and landscape protection 543/2002 has been modified several times so far, but for the final solution incl. zonation was demand for the new act wording well-founded.

The Act 454/2007, modifying and amending the Act 543/2002 on nature and landscape protection in the wording of pursuant regulations, simplified the process of allowing the activities connected with forest management in the case of calamity or exceptional situations.

It concerns mainly enabling the activities, which otherwise could be realized only after granting a general exception or special agreement by relevant state authorities of nature protection regarding the areas with higher level of protection and NATURA 2000 proposed areas.

The above-stated novel has simplified the process of granting the exceptions in the way of cumulating the processes into one where granting the exception for particular activity is decided by the highest authority of nature protection.

At the same time if there is a request on applying the measures for forest protection, relevant authority is committed to make a statement by the term of planned activity, if this request was made at least 30 days before realization of the activity. In the case of not deciding by the authority in this term, the request is considered to be granted and forest manager can implement an activity which was requested for.

The Ministry of environment of SR as competent state authority in the field of nature and landscape protection submitted a proposal of new act on nature and landscape protection into the legislative process in 2008. However, after the objection process on intersectoral level this proposal stopped being a subject of further legislative process. At present the proposal of new act has been included in the Plan of legislative tasks for the government of SR on December 2009. Decision on this act can have a great impact on protection of natural values of Slovakia and is essential in regards to commitments of the Slovak republic as a member of EU as well as other intergrational co-operations based on principles of sustainable development – OECD and the UN.

One of the conference appeal was to monitor the markets with respect to stability of round timber prices as well as to availability of managing capacities for removing the damages (felling, forest protection, planting, etc.). Despite the period when this appeal was accepted by the conference participants, this measures have become even more important with regard to world-wide financial and economic crisis. With the aim to provide essential forestry activities regarding all needed functions, in the case of TANAP focusing on ecological forest functions ( soil-protective, water-managing and climatic) and social functions (nature-protective, waterprotective, medical, recreational, cultural), the government of the Slovak republic intends to create sufficient funds for forest revitalization and implementing of silvicultural methods with focus on renewal of „close-tonature“ forests.

Regarding the appeals of conference from 2005, we can confirm their strategic value and correctiveness. Although some of them have been implemented in the field, some of them haven't been successful. Even when no dogmatic proposals were made, but rather open and

flexible solutions were suggested. The conference outputs clearly stated the request for reaching a consensus regarding the management of NATURA 2000 protected areas. With respect to the commitments of the Slovak republic, after all the consensus on protection of NATURA 2000 areas (with using traditional forms of management supporting and improving the state of protection of the subject of protection) was reached by the Ministry of environment of SR, relevant central state authorities in the sector of agriculture, economy and tourism, together with land owners. It is a paradox, that even after the majority agreement there hasn't been any legal implementation of this consensus in the form of legal regulations on environmental protection. As I have already stated, the topic is the object of governmental negotiations where a special attention is paid to the issues of forest protection against biotic disturbances including the fire protection and flood protection; management of forest land; nature and landscape protection; revitalization and development of the areas damaged by disturbances in the forests. Crucial appeals and recommendations of the conference have been the point of governmental negotiations, where the Institute of plenipotentiary of the government of SR for protection of spruce stands and spruce biotops was founded; thus approving necessary co-ordination between particular central state authorities in the field of rational use and protection of spruce stands and biotops; information activities focusing on protection of spruce stands and biotops and process of informing the public and expert community about intentions and decisions of the government of SR in this field; as well as defying the tasks connected with setting and implementing of strategic aims and priorities and co-operation with non-state owners, state forest managers and non-governmental organizations.

It can be considered as crucial that the government have decided about founding the Institute of plenipotentiary of the government of SR based on the state of forest protection; nature and landscape protection; economic, social and environmental aspects of sustainable regional development; with regards to commitments of EU member to create conditions for balanced development of the country by respecting traditional forms of management. The statement of experts and representatives of all stakeholders participating in using the forest land in the High Tatra region and experts on windstorm damage management from the European countries formed the recommendation and appeal towards all stakeholders in Slovakia with the aim of minimalizing a negative impact of the windstorm calamity in the High Tatras in November 2004. After this brief assessment of the appeal implementation we can state the fact, that not respecting the basic principles of co-existing of man and nature is prediction for the loss of irreplaceable cultural, economic and natural values. If we are talking about

significant structure of „close-to-nature“ forests in Slovakia, we have to realize that their preserving is the result of management methods lasting during the whole decade and the century. If the Slovakia is the country with preserved natural values, it is the result of traditional forms of management and racional use of natural resources and not the result of passive nature protection.