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**Implementation of the Natura 2000 Network
in Poland – an Opportunity or a Threat
to Sustainable Development of Rural Areas?
Study on Local Stakeholders' Perception¹**

Abstract

Conflicts related to the implementation of the Natura 2000 network can be found in Poland and other European countries. The general causes of those conflicts are known. Some of them lie in the habitat directive itself, and others are related to the transposition of the directive into national environmental law and management systems. The designation of Natura 2000 sites in Poland involved strong protests on a local level, mainly due to the lack of consultations with the stakeholders, or at least with the local governments. In those days, the common argument against the implementation of Natura 2000 was one of severe restrictions on the conduct of economic activities and infrastructure development. Eight years after the official implementation of Natura 2000 in Poland, we would like to state the research question as follows: “Is Natura 2000 a constraint on local development?”

The paper presents the results of the research on the conflicts related to the Natura 2000 sites in Poland, and a perception of the Natura 2000 impact on the local economy, local community, and local citizens' own situation, based on the

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questionnaire surveys conducted at the meetings, where management plans of the Natura 2000 sites were discussed.

It appears that despite many cases of conflicts related to economical activities, new investments or infrastructure identified in municipalities with Natura 2000 sites in Poland, local stakeholders do not consider Natura 2000 only to be a restraint, but also an opportunity.

Keywords: Poland, sustainable development, social conflict, Natura 2000.

Introduction

The Ecological Network of Protected Areas (Natura 2000) was established in the European territory under Council Directive 92/43/EEC. According to the Directive, Natura 2000 is a European network of important ecological sites. Member States are required to propose sites to protect the habitat types listed in Annex I and the species listed in Annex II as Sites of Community Importance (SCI), and if accepted by the procedure described in the Habitats Directive (EEC/92/43) adopted in 1992, they are to designate these sites as Special Areas (SAC). The SAC, together with Special Protection Areas (SPAs), designated under the Birds Directive (2009/147/EC) signed in 2009, form the Natura 2000 network. Article 6, the key provision of the Habitats Directive, not only sets out the framework for site conservation and protection, but also includes proactive, preventive and procedural requirements. Natura 2000 site designation must be linked to an adequate legal protection and conservation regime that is applied in accordance with article 6 of the Habitats Directive. The protection regime must, in particular, contain the necessary conservation measures that correspond to the ecological requirements of the natural habitat types. The conservation measures should be detailed and substantive enough with the aim of ensuring that their implementation delivers the conservation objectives of the site and contributes to the overall objective of the Directive. Development and implementation of these conservation measures are up to each Member State to decide. It is an obligation of Member States to take appropriate steps to avoid the deterioration of natural habitats and the habitats of species as well as significant disturbance of the species for which those areas have been designated. A practical implementation scheme of those obligations is again to be decided upon by national authorities in

each EU country. It is also crucial to ensure that a legal consent procedure is in place for any plan or project likely to have a significant effect, either individually or in combination with other plans or projects, to ensure that the integrity of the Natura 2000 area is not adversely affected (European Commission 2012).

The Habitats Directive implementation caused many problems in almost every country in the European Union: from juridical interventions of the EU against Member States to the protests of stakeholders involved in the use of newly designated areas of Natura 2000. Early stages of the Habitats Directive were marked with severe conflicts in France, Germany, Finland, the United Kingdom, and many other Member States (see, for example, Alphantery and Fortier 2001; Gibbs et al., 2007; Hiedanpää 2002; Krott et al., 2000; Paavola 2004; Paavola 2009; Stoll-Kleemann 2001; Ledoux et al., 2000; Gibbs et al., 2007).

Furthermore, non-government organisations in many countries expressed their disappointment with the methods of the Natura 2000 implementation (Ferranti, Beunen, Speranza 2010), and many authors confirmed that environmental NGOs played an important role in the process of implementation of Natura 2000 (Fairbrass and Jordan 2001a; Weber and Christophersen 2002; Cent et al., 2007; Cent et al., 2013). Environmental NGOs in many countries were able to influence and participate in the implementation of the Habitats Directive at both European and national levels (Weber and Christophersen 2002); moreover, they could pressure Member States by making complaints about non-compliance with the Directive to the Commission, which, in turn, referred the cases to the European Court of Justice (Paavola 2009; Fairbrass and Jordan 2001b).

According to Kluvánková-Oravská, exclusion of non-state actors from the process of designation of Natura 2000 sites in new Member States originates from communist times, when *internal institutions of civic society were replaced by externally designed, predominantly prescriptive institutions and central planning* (Kluvánková-Oravská et al., 2009).

The process of introducing the Natura 2000 network in Poland was long and complicated. Preliminary analyses of resources of habitats and species requiring protection within the network were prepared in the late 1990s. The first concept of the network was established in 2001 as a result of cooperation between UNEP/GRID and the Institute of Nature Conservation of the Polish Academy of Science (PAS) in Cracow; according to this

concept, the planned Natura 2000 sites would cover 13.5% of the country's area. Work on the assumptions of the Natura 2000 network in Poland continued from 2002–2003 and was conducted by the National Foundation for Environmental Protection in cooperation with the Institute of Nature Conservation (PAS) in Cracow, the PAS Ornithological Station in Gdańsk, and the Environmental Information Centre GRID in Warsaw. Scientists representing these institutions obtained data from the Voivodeship Teams, i.e. groups of specialists, mainly naturalists, appointed by the governors to develop the network concept in each voivodeship. After brief public consultations in 2004, the concept of the Natura 2000 network was cut down following the intervention of the Water Department in the Ministry of the Environment and the General Directorate for National Forests, as well as various objections presented by the municipal authorities. In effect, the list of areas delivered to the EC by the Polish Government in May 2004 included only 72 Special Protection Areas (SPA) (6.8% of the country's area) and 181 Special Areas of Conservation (SAC) (3.6% of the country's area). Restriction of the area covered by the Natura 2000 network resulted in dissatisfaction of the experts and non-governmental organisations engaged in its earlier formation. In December 2004, these environments published the Shadow List of Natura 2000 areas, which was prepared by WWF Poland, the Polish Society for Environmental Protection 'Salamandra', and the Naturalists' Club. The Shadow List of SPAs prepared by the Polish Society for the Protection of Birds was published at the beginning of 2005. The EC opinion (including the complaint submitted in December 2007 to the European Council of Justice on the insufficient proposal of SPAs by Poland) caused the Natura 2000 network to be successively supplemented in the following years. Additionally, with the accumulation of new data, the Shadow List was supplemented — subsequent actual Shadow Lists for habitats appeared in 2006 and 2008. By the end of 2008, the Polish Government designated 141 SPAs (15.6% of the country's area) with a regulation and sent 364 proposals of SACs (8.4% of the country's area) to the EC. In 2008, work began linked to the subsequent extension of the SAC network, and for the second time the list prepared by the experts was restricted during interdepartmental consultations. Remarks of the General Directorate for National Forests restricted parts of the planned Natura 2000 areas, whereas some of them were completely removed from the list after restrictions of the Ministry of National Defence. On 30 October 2009, the

GDEP sent a list of 466 new SACs to the EC; as a result, this part of the network increased to 823 areas covering about 11% of Poland's area. The Bilateral Biogeographic Seminar, which verified the completeness of the SAC network in Poland, was held in March 2010; it indicated the still-existing lack of awareness and allowed the actual Shadow List with 33 new areas in May 2010 to be presented, whose boundaries should be extended. At present, the Natura 2000 network covers almost 1/5 of the country's area. It comprises 845 areas of significance to the EU (habitats – future SACs) and 145 SPAs.

The complex history of introducing the Natura 2000 programme in Poland is thus marked with a conflict between ecological organisations, experts, and public administration. The main reasons for this conflict were:

- different visions of Natura 2000 in Poland, which were represented by environmental NGOs and nature protection experts involved in the planning process on one side, and public administration on the other, which resulted in:
- intervention of the Water Department in the Ministry of the Environment and the General Directorate for National Forests, aiming at and resulting in restrictions of the area of the proposed Natura 2000 network in Poland, which caused:
- preparation and submission of a Shadow List of Natura 2000 areas in Poland by environmental NGOs.

The lack of consensus on a national level was also noticed by local authorities (Cent et al., 2010; Grodzińska-Jurczak, Cent 2011; Pietrzyk-Kaszyńska et al., 2012), and contributed to the development of social conflicts with regard to nature protection and the local economy in many parts of Poland (Bołtromiuk, 2010; Pietrzyk-Kaszyńska et al., 2012; Glogowska 2013). These disputes usually engage a variety of stakeholders (local communities and administration, external investors, foresters, and administration of national and landscape parks), and their range and intensity are relatively diverse. The main issues in those conflicts are:

- the lack of conformity to the proposed rules for the protection of Natura 2000 areas, with local development strategies and spatial plans existing in municipalities;
- the fear of restrictions or de facto restrictions on the business activities of entities in the municipalities with Natura 2000;

- the inability of realising certain types of investment (e.g. wind farms) and difficulties in the realisation of others (e.g. construction of roads);
- restrictions on logging;
- the damage caused by wild animals (Bołtromiuk 2010; Glogowska 2013).

Natura 2000 areas are often considered a challenge for the development of rural areas in Poland, as most of the protected areas within the network are located, which is somewhat obvious, in the regions outside the main trends of economic and infrastructural development (Bołtromiuk 2010; Guzal-Dec, Zwolińska-Ligaj 2010). Management paths of Natura 2000 areas must be adapted to the sensitivity of the habitats and species, which were the basis for the inclusion of these areas in the Natura 2000 network. In some cases, the operation of the Natura 2000 network is associated with certain restrictions in economic development, including business activities. In practice, though, a significant part of Natura 2000 sites does not require acute protection regimes, such as those in the reserves or national parks. For most of them, a basic requirement is that their existing functions cannot be changed and the present state of habitats cannot be worsened. This means support for the implementation of the principles of sustainable development, taking into account the natural conditions in planning the new features and the location of the investments or the use of these conditions to determine the new direction of development (Chmielewski, Glogowska, Wrana 2014; Borsa et al., 2014). There is a fairly common belief, often shared by investors and local authorities, that this kind of protection scheme is blocking the construction of infrastructure or investment opportunities (Bołtromiuk 2010). This is not exactly true; in fact, in Natura 2000 areas, only those operations significantly adversely affecting the protected species and habitats are forbidden. It means that the investment, which is indifferent to the object of protection, can be implemented. This similarly applies to investments that negatively impact on species and habitats, other than those that are the subject of protection within the limits of the area in question. Finally, there are specific circumstances under which consent may be granted for investments clearly detrimental to a valuable nature area: when the project is justified by overriding reasons in the public good and there is no possibility of alternatives.

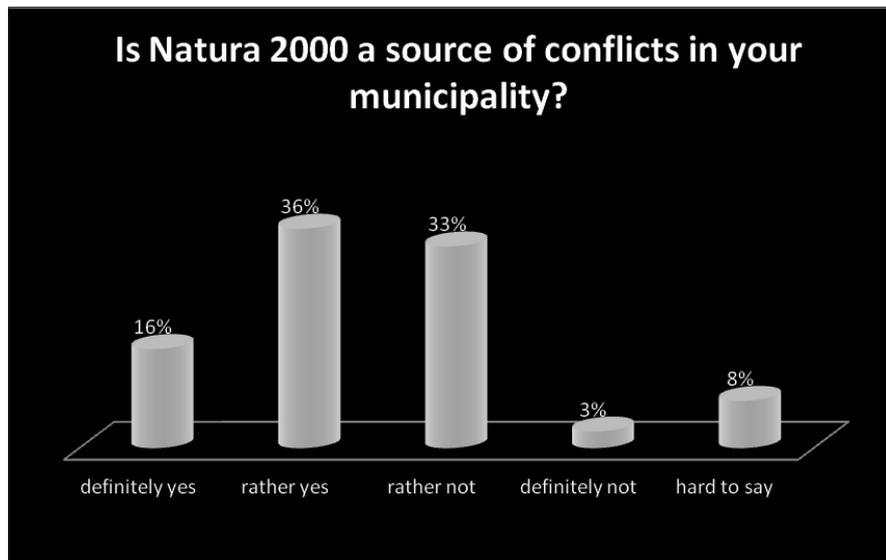
Methods of studies

Field studies focused on conflicts in Natura 2000 areas and the perception of Natura 2000 impact on local sustainable development in Poland were carried out in randomly selected Natura 2000 sites. We carried out auditorium questionnaires during advisory meetings focused on working out management plans for particular Natura 2000 areas. An auditorium questionnaire is a questionnaire to be filled in individually, which is handed to a group of people gathered in one place, e.g. classroom, lecture hall, company room, etc. After the questionnaires have been filled in, they are collected by an authorised person who can offer the participants an additional explanation connected with the correct way of filling in the questionnaire during the course of the study (Dobrodziej 2014). In the case of our study, the auditorium consisted of members of Groups of Local Cooperation, who were organised in order to consult on Natura 2000 sites' management plans. The management plan for a Natura 2000 area is an act of local law, legislated in the form of a regulation of the RDEP (Regional Directorate for Environmental Protection), which establishes the legal framework for all subjects operating within natural and species habitats for which the Natura 2000 area was established. Preparation and implementation of those management plans require the establishment of Groups of Local Cooperation, comprising representatives of state and municipal administration from a given area, non-governmental organisations, farmers, businessmen, and other inhabitants. Auditorium questionnaires were conducted in 2011 and 2012 among members of the Groups of Local Cooperation in Natura 2000 areas in all regions of Poland. Approximately 26% of Groups of Local Cooperation operating from 2011–2012 were surveyed. The survey was conducted with 522 people, including 225 women (43%) and 297 men (57%). Dominant age groups were 31–40 years (29%) and 51–60 years (25%). Nineteen per cent of respondents were from the age of 41–50 years, 17% were from 18–30 years, and only 10% of respondents were over 60 years. As far as the occupational status is concerned, most of the respondents were working full-time (71%), 9% of respondents were self-employed, 7% of respondents are retirees, and the same people indicated that they work on several jobs. An important signal is a very low level of involvement of

pupils and students: only 1% of participants in the consultation meetings. The other categories – housewife, pensioner, and unemployed – were represented by 1% of respondents each. Out of the respondents sampled, only local inhabitants participated in the survey, and there were no other criteria, as the goal of the study was also the identification of categories of representatives who are members of Groups of Local Cooperation. Among them, there were representatives of local authorities (32%), farmers (27%), landowners (11%), local businessmen (9%), non-government organisations (15%), and other inhabitants (6%). The questionnaire of the anonymous survey contained 39 questions, including four specification questions and 35 questions linked to the ecological awareness and functioning of a Natura 2000 area. The questions included those with single or multiple answers, as well as there being questions aimed at evaluating various phenomena. The questionnaire also included open questions concerning conflicts in Natura 2000 areas in the form of tables to be supplemented. The survey participants worked self-dependently after an introduction and description of the aim of the survey made by an IEP-NRI representative. The answers have been coded and introduced into a digital database.

Results of the survey

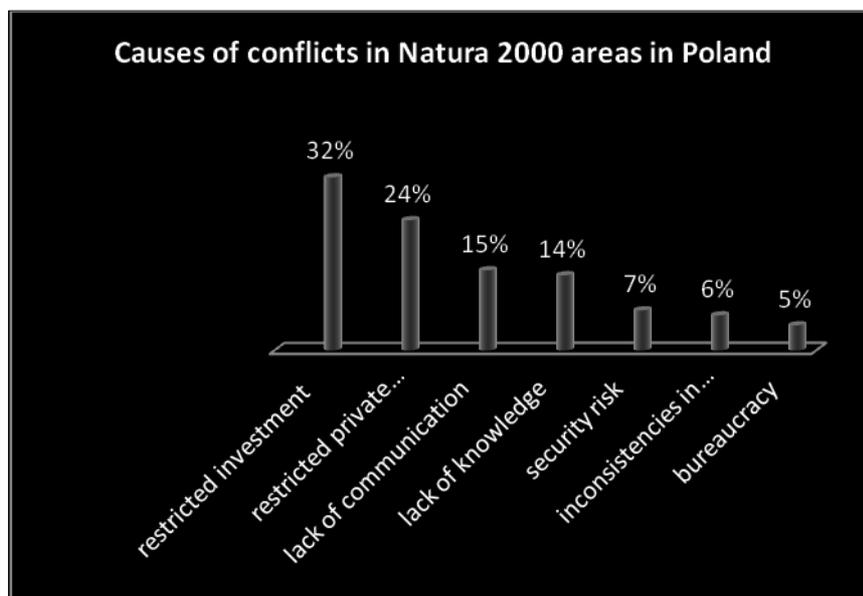
Results of the auditory questionnaire carried out among the participants of the Local Cooperation Groups in selected Natura 2000 areas in Poland have indicated that according to over half of the interviewees, these areas are a source of conflict. According to 16% of the interviewees, the Natura 2000 programme is definitely the source of conflict, and 36% assume that the presence of Natura 2000 areas in their community rather induces conflicts. According to 33% of persons taking part in the questionnaire, functioning of the Natura 2000 areas in their community is not a source of conflict, whereas the remaining 3% assume that it definitely is not a source of conflict. According to 8% of respondents, it is difficult to say clearly whether Natura 2000 areas are the source of conflict in their municipalities (Fig. 1).

Figure 1. Assessment of the Natura 2000 areas as the potential cause of conflicts

Source: Data processed from the questionnaires

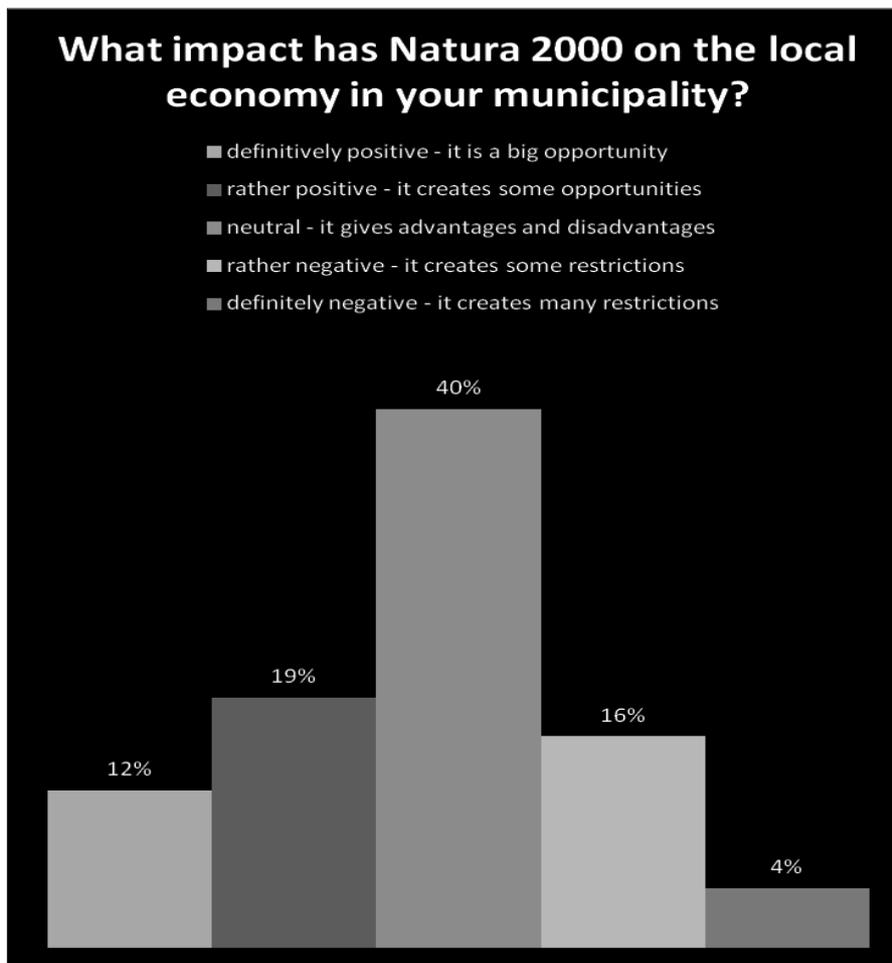
The potential causes of conflicts pointed out by respondents, who indicated that Natura 2000 is a source of conflict, particularly include restricted investments within Natura 2000 areas and restricted private property. Further issues are linked to the lack of communication with the administration of the protected areas, the lack of knowledge about the potential hazards, inconsistencies in designating Natura 2000 areas, and excessive bureaucracy in administration procedures within the Natura 2000 areas. The following chart (Fig. 2) presents the distribution of the obtained answers with regard to the category of the conflict causes.

Respondents represent neutral assessment of the impact of Natura 2000 on the local economy. Forty per cent of the participants claim that Natura 2000 creates both opportunities and limitations. According to 12% of the polled, Natura 2000 definitely has a positive impact on the local economy, with 19% of respondents believing that its effect is rather positive. Sixteen per cent acknowledged that this is a rather negative impact, and 4% definitely negatively assess the impact of Natura 2000 on the local economy (Fig. 3).

Figure 2. Causes of conflicts in Natura 2000 areas in Poland

Source: Data processed from questionnaires

According to Stanny, there are certain development trends of municipalities in Natura 2000 areas in Poland: 1) a high level of ratings of the economic situation recorded attractiveness from a touristic point of view; 2) higher levels of social development are a permanent feature of historical-ethnographic regions (e.g. Kurpie); 3) the interdependence of social development level and the level of economic development are stronger in the group of municipalities with large areas covered by Natura 2000; 4) the class characterised by low levels of socio-economic development has a higher share of municipalities with a small percentage of the Natura 2000 areas; 5) the class characterised by a high level of development represents a greater share in the group of municipalities with a large proportion of areas covered by the Natura 2000 network (Stanny 2010). This dispersal is also observed in our studies on the different perceptions of Natura 2000 sites and their impact on the local economy. The most negative assessment was expressed in the eastern part of Poland, while the most positive was in the western part of the country.

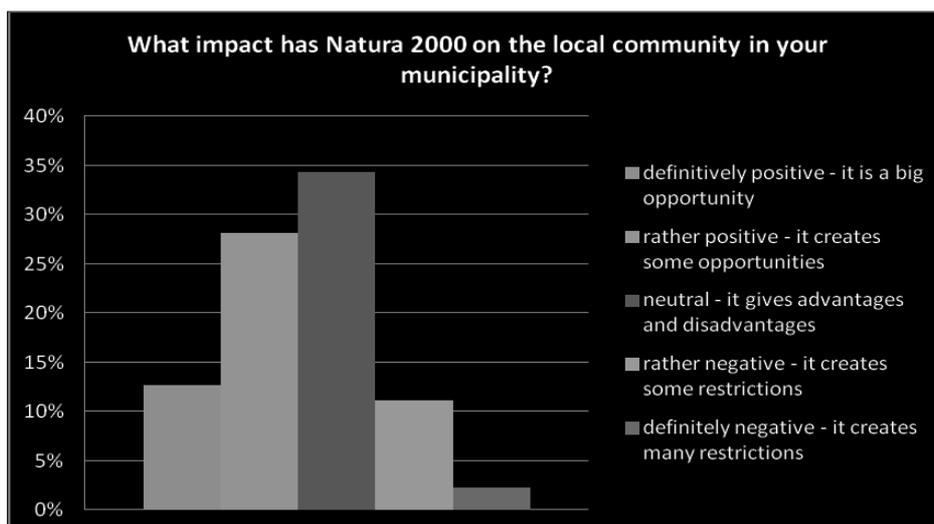
Figure 3. Evaluation of the impact of Natura 2000 on the local economy.

Source: Data processed from the questionnaires

There are many definitions of sustainable development, including the one that appeared in 1987 in the so-called Brundtland Report: „Development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (Brundtland Commission 1987). Sustainable development also promotes the idea that

social, environmental, and economic progress are balanced and attainable within the limits of Earth's natural resources. It is generally accepted that sustainable development calls for a convergence between the three pillars of economic development, social equity, and environmental protection (Drexhage, Murphy 2010). For that reason, we have also asked the local stakeholders for their opinion on the Natura 2000 impact on the local community. Thirty-two per cent of the respondents assessed it as neutral, 13% as definitely positive, 28% as rather positive, 11% as rather negative, and 2% as definitely negative (Fig. 4).

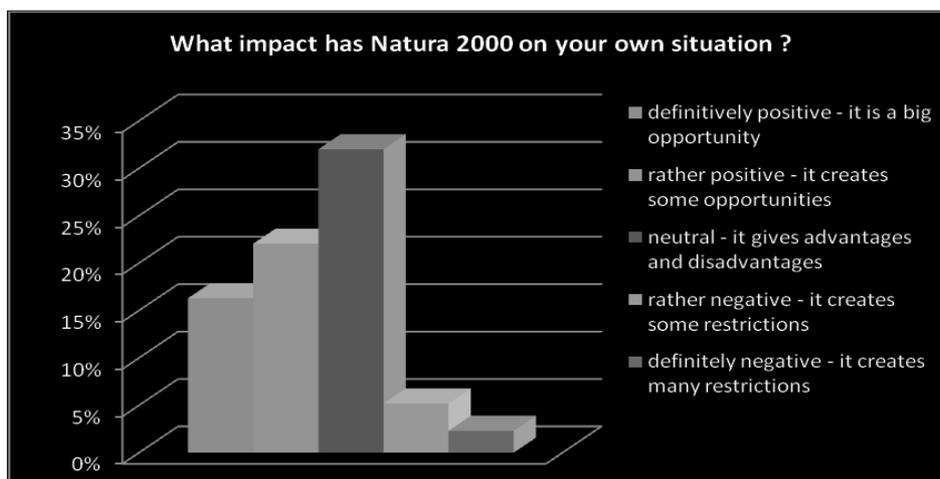
Figure 4. Evaluation of the impact of Natura 2000 on the local community



Source: Data processed from the questionnaires

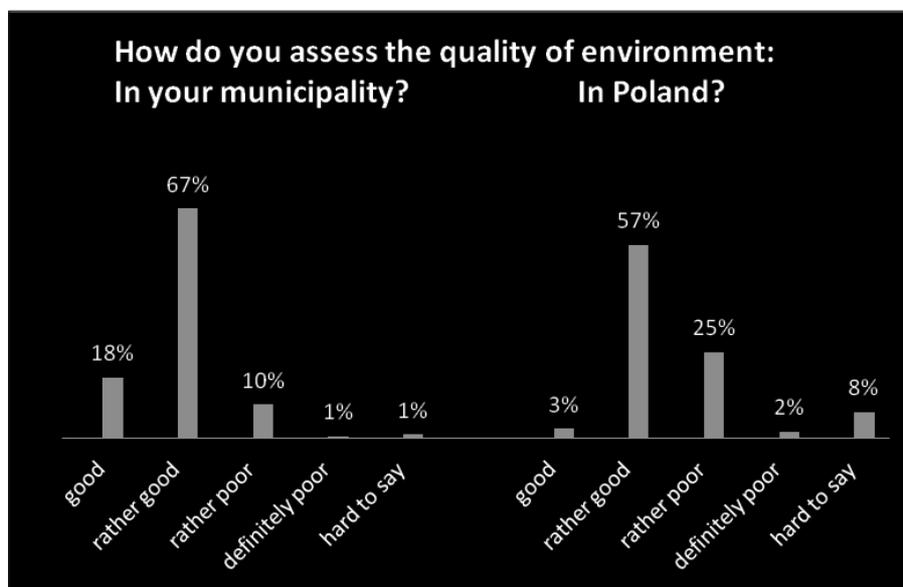
When asked about the impact of Natura 2000 on their own situation, local stakeholders recognised it as neutral–positive. Thirty-two per cent of respondents said that Natura 2000 has a neutral impact on their situation, 22% of respondents a rather positive impact on their situation, and 16% of respondents a definitely positive impact (Fig. 5).

Figure 5. Evaluation of the impact of Natura 2000 on interviewees' own situation



Source: Data processed from the questionnaires

Figure 6. Assessment of the quality of the environment in respondents' municipalities and in Poland



Source: Data processed from the questionnaires

The next question in the survey was related to the assessment of the quality of the environment, which, next to society and economy, is the third pillar of sustainable development (Drexhage, Murphy 2010). Local residents of municipalities with Natura 2000 sites quite often claimed that the quality of the natural environment in their municipalities is higher on average than in Poland. Eighteen per cent of respondents assessed it as a good-quality natural environment, and 67% a natural environment of quite good quality. In the same survey, they evaluated the quality of the natural environment in Poland: only 3% said that it was a good-quality natural environment, and 57% a natural environment of quite good quality (Fig. 6).

Discussion and conclusions

Field studies in the form of auditory questionnaires in selected Natura 2000 areas confirm that Natura 2000 sites are considered by local stakeholders to be not only a threat, but also an opportunity for sustainable development. On the other hand, intense development of infrastructure in Poland causes numerous conflicts linked to the planned investments. Similar conflicts are observed in the case of renewable energy investments, such as wind farms or biogas plants as well as activities linked to shale gas prospecting. This means that new investments within Natura 2000 areas should be planned carefully and with particular attention paid to the natural and social conditions. However, with time, a gradual decrease of some types of conflicts can be expected through legislation processes aimed at improving the quality of legal regulations in environmental protection, as well as numerous information and educative campaigns referring to municipal authorities, residents, and businessmen.

A very urgent issue remains the development of management plans for all of the Natura 2000 sites in Poland. Local authorities have repeatedly called for the need to draw up the plans, and even reduce the time required for their preparation from 6 to 2 years from the time of the designation of the Natura 2000 area. In the opinion of the local authorities, one of the reasons for blocking the investments in Natura 2000 areas is the lack of management plans, in which all constraints regarding economic activities and investments are described in detail (Bołtomiuk 2010). This problem has also been present in other EU countries, e.g. Italy, where in order to avoid the stagnation in local investments, the decision has been made

that management plans must be created if the site cannot be included in broader territorial plans. According to Ferranti, the idea of including the Natura 2000 areas' management in other planning instruments, instead of drafting management plans, supports the integration of the network into other policies. On the other hand, such a solution "requires enforcement, monitoring and verification which are not carried out in practice by the local authorities" (Ferranti et al., 2010).

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