

## 2010 "INTERNATIONAL YEAR OF BIODIVERSITY" NATURAL PROTECTED AREAS IN TIMIS COUNTY-LEGAL STATUS AND ROUTE TO PROTECTION OF THEIR HABITATS

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**Abstract:** By *biodiversity* we understand the variety of expression of the living world, plant species (flora), animal species (fauna), microorganisms, and the values of biodiversity being integrant part of the natural patrimony which, in the context of sustainable development, must be used by the actual generations without endangering the chance of the future generations to enjoy the same life conditions. United Nations Organizations declared the year of 2010 as "The International Year of Biodiversity", the reason being the decline of the ecosystems, being alarming the negative accentuation of human impact on the natural ecosystems in the last decades. According to a global census realized by the officials of Bird Life International, 45% of the common of the Europe decreased as number, the decline being registered too in the case of 80% of aquatic birds from Australia. Thus, we assist to an accelerate extinction of the vegetal and animal life, reason for why the population informing about the importance of natural habitat protection is equally important as the settlement of a juridical regime of their protection. Considering these aspects, the present paper proposes to approach this subject at specific territorial level, respectively in Timis County, beginning with a stock taking of the existing protected natural areas in Timis County and continuing with analysis of the juridical regime regarding their protection depending on type of the protected natural area and not in the last place the identification of the possible threats on the natural

habitats existing within the protected natural areas. Timis County has a surface by 8697 km<sup>2</sup>, being as extension the broadest county in the country, with a preponderantly plain relief – 85%, and under biodiversity aspect the habitats within Timis County are characterized by specific composition of flora and fauna, components of the biocoenosis influenced by various climatic and edaphic factors. The climatic oceanic influences from the western side of the country, as well as the climatic differences between plain and mountain imposed by the altitude of relief determined the apparition of a large number of habitats. Another factor determining the great variety of habitats is represented by the chemical composition of the substrate rocks (soil, subsoil). It is important to remember that all Member States of the European Union have the obligation to identify the priority habitats of community interest which exist on their administrative territory and to designate those areas as natural areas of community interest components of the ecological network **Natura 2000**, which represents a base stage of the conservation policy of nature within the European Union. Romania, as a Member State of the European Union, ratified the **Birds Directive – 79/409/EEC** and **Habitats Directive – 92/43/EEC**, identifying and designating within Timis County several special protection areas and Sites of Community Importance as integrant parts of the European ecological network Natura 2000.

**Key words:** biodiversity, protected natural area, juridical regime, natural habitats

### INTRODUCTION

Romania, as Member State, totally implemented the stipulations of the **Directive – 79/409/EEC** (modified and completed) regarding the conservation of wild bird species and of the **Directive – 92/43/EEC** (modified and completed) regarding the conservation of natural habitats and of wild species of flora and fauna. The transposing of the stipulation of these directives has been effectuated through a series of normative documents (Laws, Government

Decisions, Orders of Ministry) which we well list as measure they have applicability for the subject approach.

A concerning of Romania to protect the natural patrimony exists before she became a Member State of the European Union, the proof in this sense is the adoption of the Law no. 5/2000 (Official Monitor no. 152/12.04.2000) regarding the approbation of the Arrangement Plan of the national territory – Section III – protected areas, through which different zones important as biodiversity had been designated protected natural areas of national interest.

Timis County was distinguished by the concerning of the local authorities to protect the natural patrimony of Timis County by adopting in the year of 1955 the Decision of County Council no. 19 through which there was approved the list of protected area from Timis County, a normative document comprising 5 annexes referring to: reservations, protected arbors, protected flora and fauna, mineral and geothermal springs. There must be mentioned that the greatest part of the stipulation of this Decision is still applicable in the present, the natural persons and juridical entities having the obligation to assure the favorable conservation status for these areas.

#### **MATERIAL AND METHODS**

The main material used in elaboration of the present paper was represented by the national and community in force legislative documents in the field of nature protection and ecological biodiversity. The used method was the comparative analysis of these legislative documents in order to establish the transposing degree and the legal regime applicable to the natural grassland habitats. Other materials were the Annual/monthly reports regarding the state of environment in Timis County elaborated by Agency of Environment Protection Timis, their consultation having as objective the identification of the possible threats on the natural habitats which exist within the protected natural areas of Timis County.

#### **RESULTS AND DISCUSSIONS**

The protected natural areas are terrestrial, aquatic and/or underground zones with perimeter legally established and with special protection and conservation regime, where exist wild species of plants and animals, biogeographic, landscape, geologic, paleotologic, speologic or by other nature systems, with great ecological, scientific or cultural value, which have special protection and conservation regime, established according to legal stipulations.

In conformity with art. 8 of OUG no. 57/2007 with ulterior modifications and completions, the designation of the regime of protected natural area is made as following:

- a) by law, for the natural sites of the universal natural patrimony and for the biosphere reservations;
- b) by Government Decision, for national parks, natural parks, geoparks, wet areas of international importance, special areas of conservation, special protected area, scientific reservations, monuments of nature, natural reservations;
- c) by Order of the Head of central public authority in environment protection, for the proposals regarding the sites of community importance, with the approval of the Romanian Academy, of the central public authority with competence in the field of public administration, of the central public authority in the field of agriculture and rural development, of the central public authority in the field of transports, of the public authority in the field of territory arrangement and of public authority in the field of tourism;
- d) by Decisions of Local or County Councils, for protected natural areas of local or county interest.

The aim of the settlement of the regime regarding the protected natural area, by adopting a normative document, is to establish the special “in situ” measures of protection and

conservation of the goods belonging to the natural patrimony and to assure the appropriate regime of protection, conservation and utilization for the most representative terrestrial, aquatic and/or underground natural habitats of the national biogeographic space with specific floristic and faunal biodiversity.

**The main national normative documents in force, in the field of protected natural areas and of habitat protection, are:**

a) Urgency Ordinance no. 57/20.06.2007 regarding the regime of the protected natural areas, conservation of the natural habitats and of wild flora and fauna, *modified and completed by the Urgency Ordinance of Government no. 154/2008*

b) Order of Ministry of Environment and Sustainable Development no. 1964/13.12.2007 regarding the establishment of the regime of protected natural area for the sites of community importance, as an integrant part of the European Ecological Network Natura 2000 in Romania

c) Government Decision no. 1284/24.10.2007 regarding the declaration of bird special protected areas as an integrant part of the European Ecological Network Natura 2000 in Romania

d) Urgency Ordinance of Government no. 195/22.12.2005 regarding the environment protection, approved by the Law no. 265/29.06.2006, modified by the Urgency Ordinance no. 164/19.11.2008 (Official Monitor no. 808/03.12.2008)

e) Law no. 5/06.03.2000 regarding the approbation of the Arrangement Plan of the national territory – Section III – protected areas

f) Government Decision no. 1586/08.11.2006 regarding the placement of certain protected natural areas within the category of wet areas of international importance

g) Order no. 19/2010 of Ministry of Environment and Forests for approbation of the Methodological Guide regarding the adequate evaluation of the potential effects of the plans or projects on protected natural areas of community interest

h) Order of Ministry of Agriculture, Forests, Waters and Environment no. 552/26.08.2003 regarding the approbation of internal zoning of the natural and national parks, under aspect of necessity for biodiversity conservation.

**The main international conventions in the area of biodiversity ratified by Romania**

a) Law no. 5/25.01.1991 regarding the adhesion of Romania to Convention on Wetlands of international importance, especially as habitat for the aquatic birds

b) Law no. 13/11.03.1993 regarding the adhesion of Romania to Convention on the conservation of European wildlife and natural habitats, adopted in Bern, at 19.09.1979

c) Law no. 58/13.07.1994 regarding the ratification of Convention on Biological Diversity, signed in Rio de Janeiro at 5.06.1992

d) Law no. 13/08.01.1998 regarding the adhesion of Romania to Convention on the conservation of migratory species and wild animal, adopted in Bonn at 23.06.1979

e) Law no. 89/10.05.2000 regarding the ratification of the Agreement on the conservation of African-Eurasian migratory water-birds, adopted in Hague at 16.06.1995

f) The legislation regarding the regime of the protected natural areas, conservation of the natural habitats, of the wild flora and fauna stipulates:

g) the maintaining or restoration into a favorable conservation status of the natural habitats and of the wild species of flora and fauna;

h) the identification of the goods belonging to the natural patrimony which require a special regime of protection for their conservation and sustainable development;

i) the identification of the categories of protected natural areas, the types of natural habitats, the species of wild flora and fauna and other goods of the natural patrimony suitable

for the special regime of protection, conservation and sustainable development;

j) the settlement, organization and development of the national network of protected natural areas, and of its regime too;

k) the management regime of the protected natural areas and the procedures for establishment of the protection regime of other natural areas and goods belonging to the natural patrimony;

l) the protection and conservation measures for the endangered, vulnerable, endemic and/or rare wild species of animals and plants, and also for the protection of geomorphologic and landscape systems of ecological, scientific, esthetic, cultural-historical and other interest, of the natural goods of speologic, paleontologic, geologic, anthropologic interest, and of other natural goods valuable for the natural patrimony which exist within the perimeters of the protected natural areas and/or outside of them;

m) the responsibilities and attributions required to put in application the legal stipulations.

On the territory of Timis County, according to legal stipulations in force, there were identified protected natural areas of county, national, community and international interest whose percentage of occupation arises from the following graph:

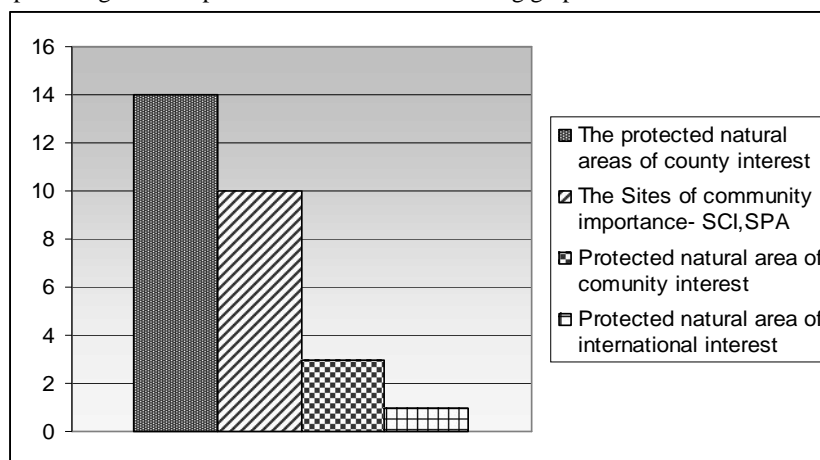


Figure no. 1. The protected natural areas within Timis County depending on the interest form established by the law

Protected natural area of international interest: Ramsar site – The Natural Park Lunca Muresului (located within the counties Arad and Timis) with a surface by 17.166 ha, whence 3157,59 ha in Timis County.

The Sites of community importance, as integrant part of the European ecological network Natura 2000 in Romania, designated within Timis County according to Ordinului no. 1964 din 2007, are the following:

- ROSCI0064 Defileul Muresului Inferior (Pass of Inferior Mures)
- ROSCI0108 Lunca Muresului Inferior (Meadow of Inferior Mures)
- ROSCI0109 Lunca Timisului (Meadow of Timis)
- ROSCI0115 Mlastina Satchinez (Swamp of Satchinez)
- ROSCI0250 Ținutul Padurenilor

The Special protected areas as integrant part of the European ecological network Natura 2000 in Romania, Timis County, according to H.G. no. 1284 from 2007:

ROSPA0047 Hunedoara Timisana  
ROSPA0069 Lunca Muresului Inferior (Meadow of Inferior Mures)  
ROSPA0078 Mlastina Satchinez (Swamp of Satchinez)  
ROSPA0079 Mlastinile Murani (Swamp of Murani)  
ROSPA0095 Padurea Macedonia (Macedonia Forest)

The protected natural areas of national interest designated by the Law no. 5/2000:

1. Mlastinile Satchinez (Swamp of Satchinez) - 236 ha, partially superposed over the sites of Natura 2000
2. Mlastinile Murani (Swamp of Murani) - 200 ha, partially superposed over the site of Natura 2000
3. Insula Mare Cenad (Great Island of Cenad) - 3 ha, included within the Natural Park Lunca Muresului
4. Insulele Igris (Igris Islands) - 3 ha, included within the Natural Park Lunca Muresului
5. Arboretumul Bazos (Wood brush of Bazos) - 60 ha
6. Padurea Cenad (Cenad Forest) -279,20 ha
7. Lacul Surduc (Surduc Lake) - 362 ha
8. Lunca Pogonisului (Meadow of Pogonis) -75,50 ha
9. Locul Fosilifer Radmanesti (Fossils Place of Radmanesti) - 4 ha
10. Movila Sisitak - 0,5 ha
11. Padurea Bistra (Bistra Forest) - 19,90 ha
12. Pajistea cu narcise de la Batesti (Narcissus lawn from Batesti) - 20 ha
13. Saraturile Dinias (Salt marshes of Dinias) - 4 ha
14. Beba Veche - 2187 ha

The rules and measures adopted by OUG no. 57-2007 regarding the regime of protected natural areas, conservation of the natural habitats and of wild flora and fauna, modified and completed by the Urgency Ordinance of Government no. 154/2008 and those stipulated by the normative documents subsequent to this normative document, are applicable for the protected natural areas.

According to stipulations enunciated by this normative document, there is obligatory the elaboration of a Management plan and of a regulation for each protected natural area. According to art. 22, within the area of national interest, the Management plan will define and will delimit internal zones, each having a well defined goal, including the establishment of allowed activities and the interdictions regarding the development, being both a technical and juridical very important instrument.

The protected natural areas of county interest designated by the Decision of the County Council of Timis no. 19/1995:

1. Padure-Parc Buzias (Forest-Park of Buzias)- 25,16 ha
2. Padurea Dumbrava (Dumbrava Forest) -310,00 ha
3. Parcul Banloc (Park of Banloc) - 8,00 ha

By the Decision of the County Council no. 19/1995 there also were designated a number of 15 protected natural areas, whence 14 had their juridical status and became protected natural areas of national interest, designated by the Law no. 5/2000, and for one of them the status of protected natural area has been removed starting with 2009 (The Botanic Park of Timisoara).

The upper mentioned natural areas occupy a total surface by 31328,44 ha, which represent 3,60% of the entire surface of the county. Their plotting depending on conservation objective is the following:

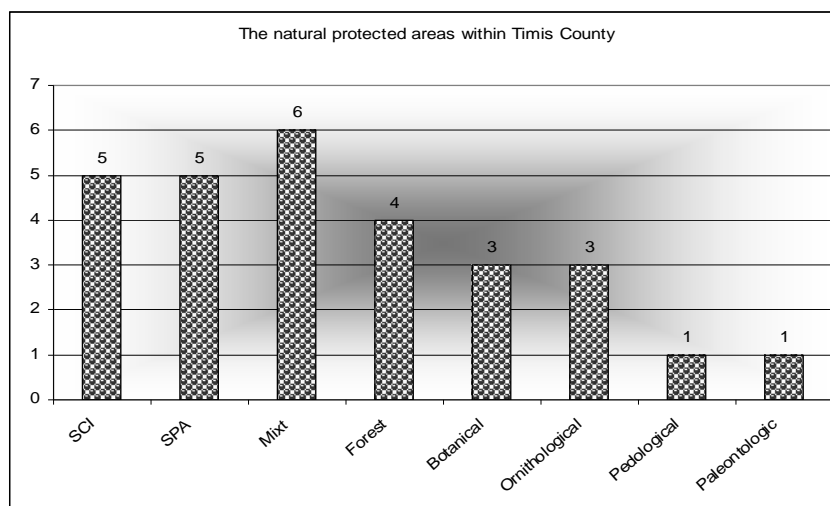


Figure no. 2. The natural protected areas within Timis County depending on conservation objective

Pressures on the protected sites identified in the course of time:

- ornithological reservations threatened by the anthropic activities (fishing, boats access, construction of vacancy houses, unorganized tourism, hydro-technical arrangements, hunting, poaching, collecting of biological material, reed ingathering, illegal cutting of wood vegetation, mowing, arson);
- forest reservations threatened by losses caused by diseases and pests, unorganized tourism, chaotic depositing of wastes;
- botanical reservations threatened by excessive grazing, ingathering of protected species of wild flora and fauna, chaotic depositing of wastes;
- pedological reservations threatened by excessive grazing, soil erosion, chaotic depositing of wastes;
- paleontologic reservations threatened by soil erosion caused by the intensification of the leaching processes.

### CONCLUSIONS

As can be observed within the paper, the Timis County has designated a significant number of protected natural areas, their conservation objectives being various.

The existence of a well-defined legislative framework, with obligations and responsibilities for every natural person or legal entity, with attributions for the responsible organisms in this field, was not sufficient in present to eliminate the negative aspects found within the protected natural areas, existing further the threats of the anthropic activities already mentioned. We consider that a significant contribution to improve this aspect will be achieved by elaborating and implementing as soon as possible the Management plans and regulations of the protected natural areas, these constituting an extremely useful technical and juridical instrument for the activity of control and regulation performed by the competent authorities in the field of environment protection. There is not sufficient to designate a protected natural area, the designation representing the recognition of the importance of that area, the establishment of the specific and obligatory measures for its favorable conservation, which must be immediately followed by their implementation in order to reach the conservation objectives.

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