

## NATURA 2000 - The Influence of the European Directives on the Development of Nature-based Sport in Mountain Areas

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**Abstract:** In the countries of the European Community the influence of European directives is increasing. Especially the directive on the conservation of natural habitats and of wild fauna and flora (European Council Directive 92/43 EEC from 1992) and the directive on the conservation of wild birds (European Council directive 79/409 EEC from 1979) are expected to have an influence on the development of nature-based sport. Most of the sport organizations in Germany are expecting negative consequences for their future development concerning nature-based sport in mountain areas. Based on a study of the German sport association possible consequences are analyzed and discussed.

This project gives guidelines for the application and interpretation of these directives, the practicable use and management. The study shows that concerning a possible deterioration three types of sport and recreational activities have to be differentiated. Further more sport events must be evaluated in the future. At least the role and task of the management plan for NATURA 2000 areas is discussed. The management plan helps to choose suitable measures, helps to solve conflicts and to rise the acceptance and transparency for the public. It is demonstrated that the consultation and participation of local people including members of sport and recreational organisations is necessary to reach the best result for the nature conservation and conservation of endangered habitats or species.

### INTRODUCTION

In the countries of the European Community the influence of European directives is increasing. Different directives have to be integrated into national law, regulations and administrative provisions.

In the focus of interest are

- the European Council Directive 92/43/EEC of 21. May 1992 on the conservation of natural habitats and of wild fauna and flora
- and the European Council Directive 79/409/EEC of 2. April 1979 on the conservation of wild birds.

The Directives 92/43/EEC and 79/409/EEC will build up an European coherent ecological network called "Natura 2000". Even most member states still have to classify additional special protection areas, the obligations of the Directives have to be considered.

These directives are expected to have an influence on the development of nature-based sport. In the alpine area and other sensitive habitats which are attractive for sport and touristic activities as well as for nature conservation purposes conflicts are increasing.

So the nature park planning for the "Nature park southern black forest" (see fig. 1) shows that those areas, which are suitable for the winter sport, also are most valuable for nature conservation purposes.

An inquiry of different sport organisations in Germany showed that most of the Sport associations have had negative experiences with these directives. They are all expecting further restrictions and regulations for the nature based sport or outdoor recreation.

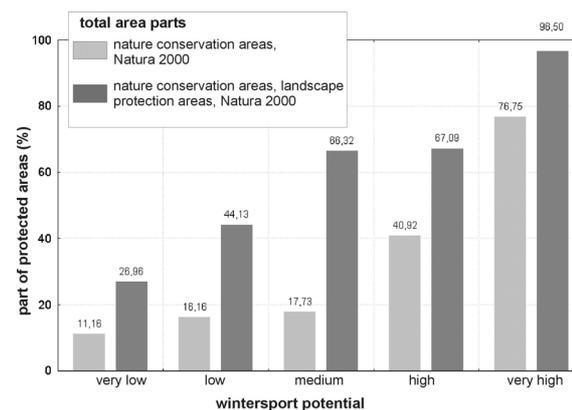


Fig. 1: In the Nature Park Southern Black Forest most of the suitable areas for winter sport are very valuable for nature conservation purposes (Roth et al. 2000)

Therefore the German Sport Association commissioned together with the German Ministry for Environment a special study "Natura 2000 and Sport". Within the study, the possible consequences on the sport were analysed and recommendations for the practical use delivered.

Following we show some of the main results of this study concerning:

- the conception for the protection of biotopes and species
- the deterioration
- the FFH-assessment and
- the management plan.

### CONCEPTION FOR THE PROTECTION OF NATURAL HABITATS AND SPECIES OF COMMUNITY INTEREST

For the sport associations and the general public it is mostly unknown, that the directive's protection conception differs much from those in a traditional protected area. In a nature conservation area the decree is regulating all activities which are forbidden. Those restrictions are binding everywhere inside the frontiers of the protected area. For those regulations it is not important whether in each part of the protected area sensitive species or habitats can be found.

In the opposite the protection in Natura 2000-areas does not end automatically at the frontiers of the area. For the species and the natural habitat types protected by the European directive even a disturbance or an impact outside is not allowed, if the circumstances and the conservation status could get worse. But on the other hand not every impact – even inside the protected area Natura 2000 – is forbidden. It is possible if a favourable conservation status of the natural habitat types of the species of common interests can be preserved.

That means for the sport in sensitive mountain areas on one hand more freedom, on the other hand more responsibility if there are no traditional protected areas, but Natura 2000 areas.

### DETERIORATION

In the Natura 2000-Gebiet a deterioration has to avoid. The scope of the FFH-directive is not only concerning plans or projects. It is also applicable to the performance of activities like sport and recreation in the landscape which do not necessarily require prior authorization.

Concerning nature based sport and recreation activities it is therefore to define what are activities, impacts and disturbances that may cause such a deterioration.

In actual publications in the research field of recreation, sport and environment a very critical view is dominating (see Pröbstl 1998, Ammer et al. 1991, Seewald et al. 1998, Schemel et al. 2000). Furthermore it is criticized that sport and recreational activities get more and more separated.

Therefore and in this context we propose to divide the recreational activities into three different types:

- activities depending on infrastructures (Type 1) like downhill skiing or golf,

- activities depending on special attributes of the landscape (Type 2) like climbing, canyoning or rafting and
- activities without any special facilities (Type 3) like hiking, horse riding or biking.

Activities of **type 1** often are not expected to lead to conflicts. If the facilities in the Natura 2000-area had been installed before the ratification of the directives they can be used as before. The visitors or sportsmen depend on these facilities. Therefore they can easily be managed by information or by their license. The facilities are limiting the number of people and a possible increasing of burdens or disturbing effects. So for example the waiting time at winter sport facilities (skiing lifts) is limiting the number of skiers.

There's an exception of this general positive evaluation, if impacts and disturbances are caused in the surrounding area. This effect may be caused for example by off-piste-skiers. Those developments may cause a deterioration or disturbance.

These disturbance and deterioration should be assessed against the objectives of the directive. If there could be a significant effect – a certain degree of disturbance is tolerated – measures to prevent those effects have to be established. These measures apply only to the species and habitats for which the sites have been designated and should also be implemented, if necessary, outside the sites.

**Type 2** are those activities which do not need a special technical infrastructure but a special property of the landscape like rocks for climbing, wild water for canoeing. The suitable areas for these sports are often very close to nature. Therefore these activities often are expected to get in conflict with the aims of the European directives. Here in general a possible disturbance or deterioration has to be assessed on a case-by-case basis. Two aspects are to consider: the favourable conservation status of the natural habitat or species concerned and the contribution (and frequency) of the site to the coherence of the Natura 2000 network.

Even the present situation in different German secondary chain of mountains (for example the black forest, the upper Danube valley or the National park "Saxon Suisse" near by Dresden) and the alpine area shows that here measures to solve the conflicts are needed. The member state has to take measures which correspond to the ecological requirements of both the natural types and the species of community interest. For the touring-skiing and climbing different spatial or temporary regulations and models had been already established. It is still a task of research to prove the positive effects of these agreements. For those areas it will be necessary to develop a large-scale overall planning in relation to the recreation.

**Type 3** contains all activities, which can be done without special facilities or special structures in the landscape. Most of these activities are using roads for the agricultural or forest use. In the opposite to type 2 mostly each kind of landscape can be used for these activities like hiking, biking or horse riding.

There could occur a deterioration or disturbance as well but it is less probable. Furthermore it is easier to find acceptable solutions and suitable measures because large areas of the landscape can be used.

Even when it is a moderate activity, a deterioration is possible. It may happen if the number of visitors or sportsman is increasing or the intensity is changing. Furthermore the combination of different visitor groups can lead to a deterioration. This slowly increasing effect is described as a “furtive” deterioration. In most cases an entire description including all forms of land use is necessary to solve those problems. A possible instrument for this is the management plan (see below) which is appropriate to integrate the different demands concerning any form of land use.

### FFH-ASSESSMENT

It is the aim of the European community to keep the Natura 2000 areas without any negative effects. But if in the Natura 2000 area or in their surroundings modifications are planned than an appropriate assessment of its implications for the site and the conservation objectives. This new instrument cannot be compared with the environmental impact assessment (EIA), which has a long tradition in the planning process. In the FFH-Assessment all influences, which may cause impacts on the natural habitats and species of community interest in the Natura 2000 areas are to analyze. Only those projects and plans are permitted, which have likely no significant effect on the favourable conservation status and the ecological requirements of the protected species.

Not only projects like a golf course or a half-pipe for snowboarding are to access but also land use or sectoral plans so far as they are likely to have a significant effect on a Natura 2000 site.

This assessment is even then needed when plans or projects are located outside a protected side if they may lead to a likelihood of significant effects towards the natural habitat types and habitats species of community interest.

In a second level of the assessment it is to investigate whether other plans or projects are to take into account to measure a possible combination of those effects.

In mountain areas, which attract different recreational activities, such cumulative impacts must be expected.

A series of individually modest impacts by recreation may in combination produce a significant

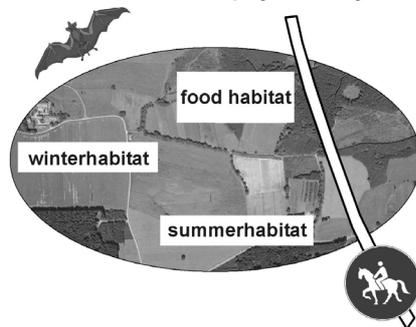
impact. The main contents of the FFH assessment are:

- definition of the project or plan
- the method and database
- the description of the plan or project
- the description of the Natura 2000-site and the conservation objectives
- the description and evaluation of the impact considering measures for optimising
- alternative solutions and mitigation measures
- cumulative impacts
- evaluation of the significance of the impact
- conclusions

The following example (see fig. 2) shows that the assessment should only focus on the implications for the site in view of the site’s conservation objectives. In the first case in a habitat of bat a special riding-path is planned. This path will cross its summer habitat. This project has no influence on the favourable conservation status of its habitats during the seasons. Therefore the riding-path can be realized.

In the other case the riding-path is planned in the Natura 2000 site with very valuable vegetation, a Nardetum. Here we have to expect a significant reduction of this vegetation and a partition of the habitat. Because of these significant impacts this project cannot be realized.

#### Habitat for a bat (*Myotis myotis*)



#### Natural habitat type (Nardetum)

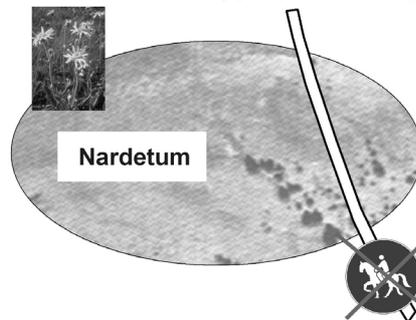


Fig. 2: The assessment of a riding-path focuses only on habitats and species for which the area has been designated.

Projects or plans with a negative assessment study can only be realized if there are no other alternatives and if there exists an imperative reason of overriding public interests, including those of a

social or economic nature. For the purposes of outdoor sports and recreation this exception is not to expect.

Looking at the sport and the recreation in mountain areas the FFH-assessment will be relevant for the future development of facilities for sport and recreation. The realization of new golf courses, a harbour for sailing boats, an airport for gliders and auxiliary sailplanes or facilities for downhill biking or inlineskating near or in a Natura 2000-area could get more and more difficult. It is to examine whether these facilities and their development could cause a significant disturbance or deterioration.

To simplify the screening process we propose to divide those projects into three groups:

- projects where the changes of the facilities are very close to the present situation
- projects where the present situation will be intensively changed
- new projects.

In each case the screening has to decide whether significant effects are plausible either individually or in combination with other projects or plans. It is to expect that in the first case an impact assessment is mostly not necessary.

In the second and third case the competent authority has to implement a screening in detail. It decides whether a significant effect is possible. A larger change of a facility or the development of new infrastructures is considered as a significant negative effect, if they may cause

- a grave reduction of the natural habitat types or habitats of the species,
- a change of the site conditions like the level of the groundwater, the water quality etc. and of the ecological requirements of species for which the area has been designated,
- disturbances,
- a partition of biotopes and habitats.

In the future especially in the mountain area with a high density of valuable natural habitat types and species of community interest it will be more difficult to develop new facilities. This is necessary to ensure a favourable conservation status there.

A deterioration can also be caused by events. Therefore an event can be seen as a project. Many mountain areas are an attractive locality for sport events. Larger events have to be approved by the authority. If here a deterioration is possible an FFH-assessment is (see above) necessary. In this case not only the possible impacts caused by the sport but also those by visitors, the catering service, accompanying persons or a supplement program for example with music and light show are to analyze. The impacts are only relevant if they are significant for the natural habitat types and species of common interest for which the areas have been designated. So a snowboard competition accompanied by loud music is no significant disturbance if a special

vegetation like the Nardetum is to protect. Is this an event in a habitat of the black-cock than it is probably a significant disturbance. If the same event will be organized each year and there are positive results of the monitoring some German countries have the opinion that there is only once an assessment necessary.

## MANAGEMENT PLAN

A lot of the Natura 2000 sites need a suitable management of its natural or seminatural habitat types and habitats of the protected species. In some sites conflicts between the interest of the nature conservation and the land use or recreational purposes are expected or already known. In those areas a management plan is needed.

The management plan helps to choose suitable measures (for example statutory, administrative or contractual measures), helps to solve conflicts and to rise the acceptance and transparency for the public.

This may contain restrictions for the recreational use and the sport. Therefore it is necessary to know that the European commission explicitly proposed that the management is to develop in cooperation with user groups in a bottom-up-approach. At the moment this aim is only insufficiently known and should be integrated in the now starting planning process. Therefore the management plan should be written in a popular way and – as far as possible – consider the interests of the other user groups. If they get involved into the planning process differentiated measures can be found which are accepted.

A cooperation and a transparent planning process will not only rise the acceptance towards the directives, it will support the realisation in many ways.

## CONCLUSIONS

Even when the administration in Germany has the opinion that “normal” sport and recreational activities cause no problems in Natura 2000 areas, they are to expect.

Whether these activities may have a significant effect on natural habitat types and species of common interest depends on different factors:

- the type of the recreational activities
- the number of sportsmen or recreation-seekers
- the intensity of these activities
- the sensibility of the species or habitat types
- the compromised situation and
- the summarizing effect of different influences like land use, hunting or other recreational activities.

## Role and Task of the Management plan

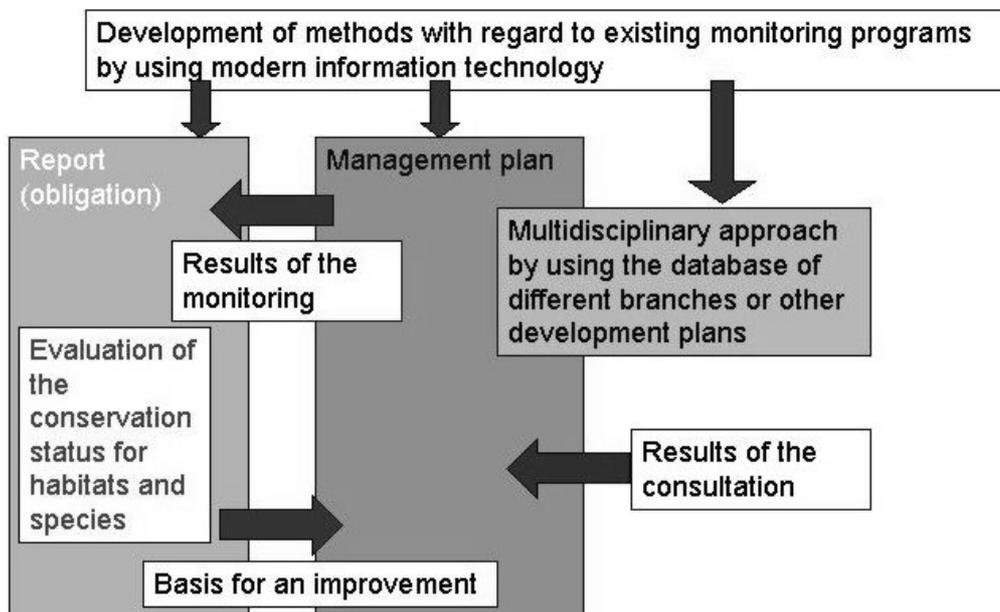


Fig. 3: It is an essential part of the process to establish the management plan using a multidisciplinary approach and to involve local actors and different kinds of land use including sport and recreation.

Therefore in attractive mountain areas there is a need for a differentiated management that brings together the requirement of nature-based sport and recreation and the interests of nature conservation with respect to the objectives of the European directives.

The appropriate instrument is the management plan. In the opposite to the present situation in most parts of Germany the local actors and members of sport associations should be involved in the planning process. Only a bottom-up approach can help to provide further conflicts and to guaranty the effectiveness of the protection.

Further more the actual discussion with landowners and representatives of the sport and recreational associations show that the acceptance of the idea of an European ecological network is very low. On one hand there is more information needed and – very important – a reasonable use of the new instrument, the FFH impact assessment for projects, events and plans for the touristic development.

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