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SLOVENIA AS THE NATURAL PARK OF EUROPE? TERRITORIAL IMPACT ASSESSMENT IN THE CASE OF NATURA 2000

SLOVENIJA KOT NARAVNI PARK EVROPE? PRESOJA UČINKOV NATURE2000 V PROSTORU

Naja Marot, Špela Kolarič, Mojca Golobič

ŠPELA KOLARIČ

Implementing habitat directive in practice – replacement habitat transition moor.
Izveden ukrep habitatne direktive – nadomestni habitat prehodno barje.

Slovenia as the natural park of Europe? Territorial impact assessment in the case of Natura 2000

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ABSTRACT: The implementation of Natura 2000 is causing difficulties in the EU's Member States, including Slovenia. In addition to the positive environmental it also results in the negative economic, social, and governance-administrative effects. To prevent similar quandaries in adopting and implementing EU policies, the project ESPON EATIA developed a participatory process for the territorial impact assessment. Testing the Habitat Directive has shown that in addition to the positive effects regarding the conservation of biodiversity, the directive represents a major obstacle for the economy and the delivery of investments. At the same time it represents the potential of the area for tourism and opportunity for the development of new industries. The regulation contributes to a better quality of life, but also extends the spatial planning procedures and conflicts between investors and the local community. This approach has proven to be an appropriate medium for the exchange of experiences of various stakeholders who are involved in either the preparation or the implementation of the rules and as the proper tool for the global assessment of the effects of selected EU regulation.

KEY WORDS: territorial impact assessment, Habitat Directive, Natura 2000, regional development

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1 Introduction

Natura 2000 – A European ecological network of special areas of conservation was created as a result of the Directive on the conservation of wild birds (Council directive 1979) and the Directive on the conservation of habitats and of wild fauna and flora (Council directive 1992), and represents the largest network of protected areas in the world (Maes et al. 2012). It has been the main contribution to the EU nature conservation policy (Maiorano et al. 2007) until the beginning of the preparation of the European Biodiversity Strategy 2020. In 2012, the network covered 177 million hectares – 17% of the EU Member States (Maes et al. 2012). Slovenia has protected 35.53% of its territory, the largest share of all European countries (European Commission 2012).

The process of defining the Natura 2000 areas is accompanied by numerous conflicts, mainly due to the lack of public involvement, as demonstrated in Slovenia (Marusic 2006) and in other European countries including: France (Alphandéry and Fortier 2001), Germany (Stoll-Kleeman 2001a, 2001b), Finland (Söderman 2009), and Ireland (Bryan 2012). Conflicts arise because of the demarcation of the area that artificially distinguishes between nature and society, between what is protected and what is permitted, and thus restricts the rights of landowners, as for example by the ban on intensive farming and forestry (Bryan 2012; Zonnenveld and Waterhout 2009). Thus, the effects of the Directive are not only environmental, but have a wider impact on the functioning of the community, particularly from the aspect of the economy, social relations, and management (Kryžanovski 2006; Golobič 2006), mainly because of the uncertainties related to assessment procedures and the definition of »favorable status« of the species (Kolarič 2010; Poboljšaj 1997; Treweek et al. 2005, Atkinson et al. 2000, and Slabe Erker et al. 2003).

The representatives of ministries in the field of spatial development, already in 2000, called for mutual coordination of sectoral regulations with a spatial component, in the document European Spatial Development Perspective (shorter ESDP, CEC 1999) proclaimed to prevent these kind and similar effects. Similarly, the White Paper on Governance (CEC 2001) suggests a careful preliminary assessment of the effects of regulation. This idea was most extensively developed in the framework of the ESPON program (European Observation Network for Territorial Development and Cohesion), which in its many studies presents different approaches for exploring the territorial impacts of policies, like: the Common Agricultural Policy (CAP); the Trans-European Network (TEN); and others (Zonnenveld and Waterhout 2009; and Golobič and Marot 2011). Studies involving the territorial impact assessment (TIA) include both, the *ex-ante* and the *ex-post* approaches, quantitative and qualitative methods, as well as different levels of stakeholders and evaluation. In this paper, TIA is understood as an »*ex-ante* assessment, which allows the identification of the effects on the national, regional, and local levels in Member States in order to identify and prevent potential conflicts or the incompatibility of policies. In addition, the method assesses the differences in the effects between the countries and thus contributes to the reflection on the territorial dimension of the effects of EU policies (Fischer et al. 2011, 33).« A new focus in this definition is primarily on the use of the TIA in procedures drafting regulations and the coordination of sectoral policies. The existing practice among EU countries is very different. A TIA is very rarely obligatory, for example in Germany with the provision of the spatial law (Raumordnungsgesetz 2008), according to which TIA is implemented to coordinate proposals for new interventions in space with the objectives of spatial policies and in the Netherlands with filling in the form of a short TIA (Van Ravensteyn and Evers 2004).

In the project ESPON EATIA (short for ESPON and TIA), we researched the possibilities of including the territorial impact assessment in the early stages of the preparation of EU legislation in Slovenia, the UK, and Portugal. The research is based on the assumption that the unexpected effects of regulations often result from poorly thought-out transition into national legislation. Since only the targets of the directives are binding, the selection of measures to achieve them is left to the discretion of Member States. The approach developed within the project was tested on a set of EU Directives including the Habitats Directive (an implementation of Natura 2000 network). The reasons for this choice are: the experience with the current enforcement of the policy, the guideline from ESDP (CEC 1999), according to which »the protective regulations and restrictions on interventions should not have a negative impact on the living conditions of the population,« and the preparation of the audit of Natura 2000. The TIA performed on the Habitat directive explored the territorial impacts of the Directive, their distribution across Slovenian regions and the contribution of the regulation to achieving the objectives of spatial planning policies at the state and local levels.

2 The method

The approaches from the ESPON projects are based on numerical data and models: TEQUILA (Camagni 2006), TEQUILA 2 (ESPON 2010) and a FLAG model for assessing the sustainability of alternatives (Nijkamp and Vreeker 2000) that are to policy makers mostly incomprehensible. Therefore the new TIA approach puts more emphasis on the active participation of stakeholders in the process. The most appropriate starting point for the approach development were the results of the project ARTS (ESPON 2011), which were upgraded to the original »EATIA« approach. The territorial impact assessment is composed of four main phases:

(1) Identifying the need for TIA (screening),
(2) determining the content and emphasis of TIA (scoping),
(3) predicting and describing the impacts (assessment), and
(4) evaluation of the impacts (evaluation).

The development of the approach is based on a participatory principle, involving four workshops attended by the representatives of the ministry responsible for spatial planning, the Office of European Affairs

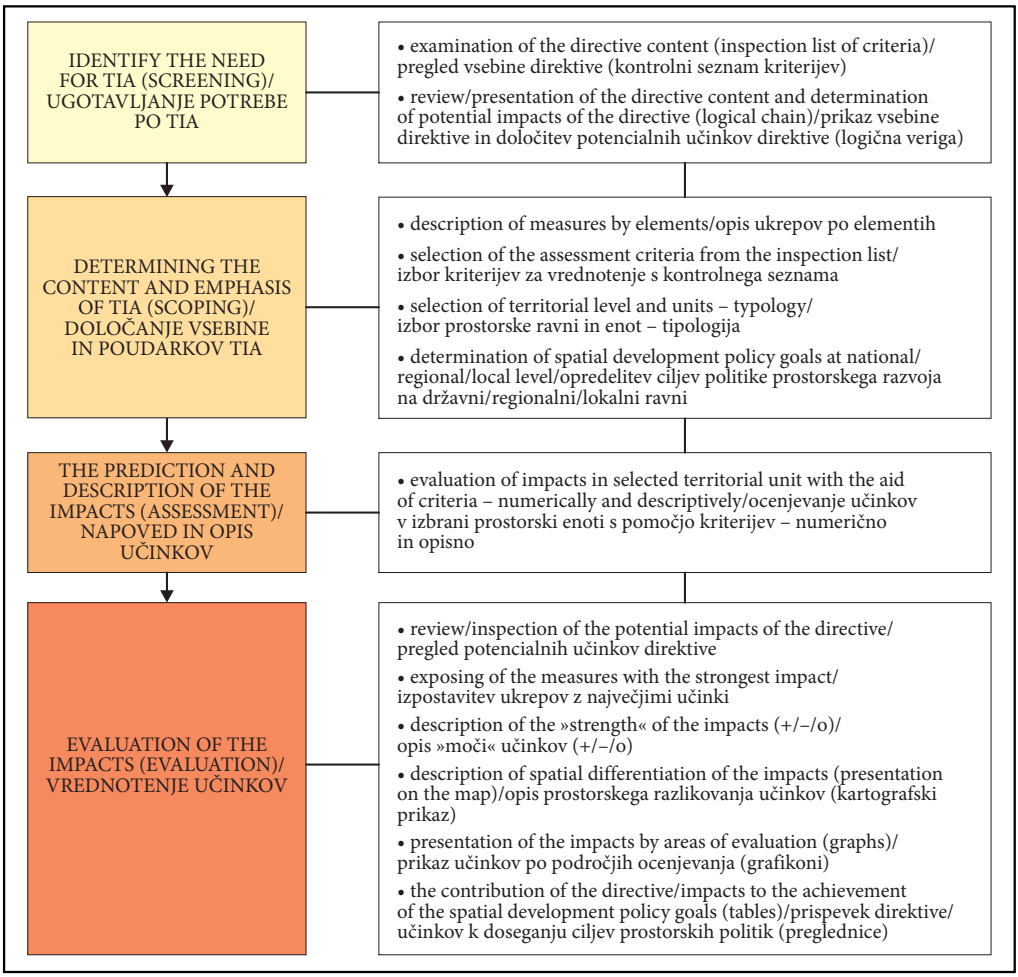


Figure 1: The process of implementing TIA.

of the Republic of Slovenia, regional development agencies, municipalities (Vrhnika, Brezovica, Ig, and Novo mesto), NGOs, and researchers. The first workshop was devoted to the selection of policies for the testing of the approach and the establishment of the starting point (screening). The second workshop was devoted to the assessment and improvement of the proposed approach, the third one to the implementation of the approach in the phase of scoping and assessment, and the last one to reporting on the results and their evaluation. The main subject of the assessment was *a territorial impact*, defined with the help of stakeholders, as »any impact on land use and the management of it or the wider economy, society and environment in a specific spatial unit that occurs as a result of the adoption or transmission of an EU directive or policy.« (Fischer et al. 2011, 33)

The screening phase aimed to answer the following three questions:

1. Will there be significant territorial impacts due to the proposed policy?
2. What will be the character of these impacts and/or with what kind of criteria they can be described?
3. Where (in what types of areas) will the impacts develop?

The participants of the workshop also decided on the (non)implementation of TIA for individual policy or a directive.

The scoping phase was dedicated to close examination of the directive content and its possible interpretations. The content of the directive was described with the aid of a logical chain – the schematic presentation of the directive –structured by the individual measures:

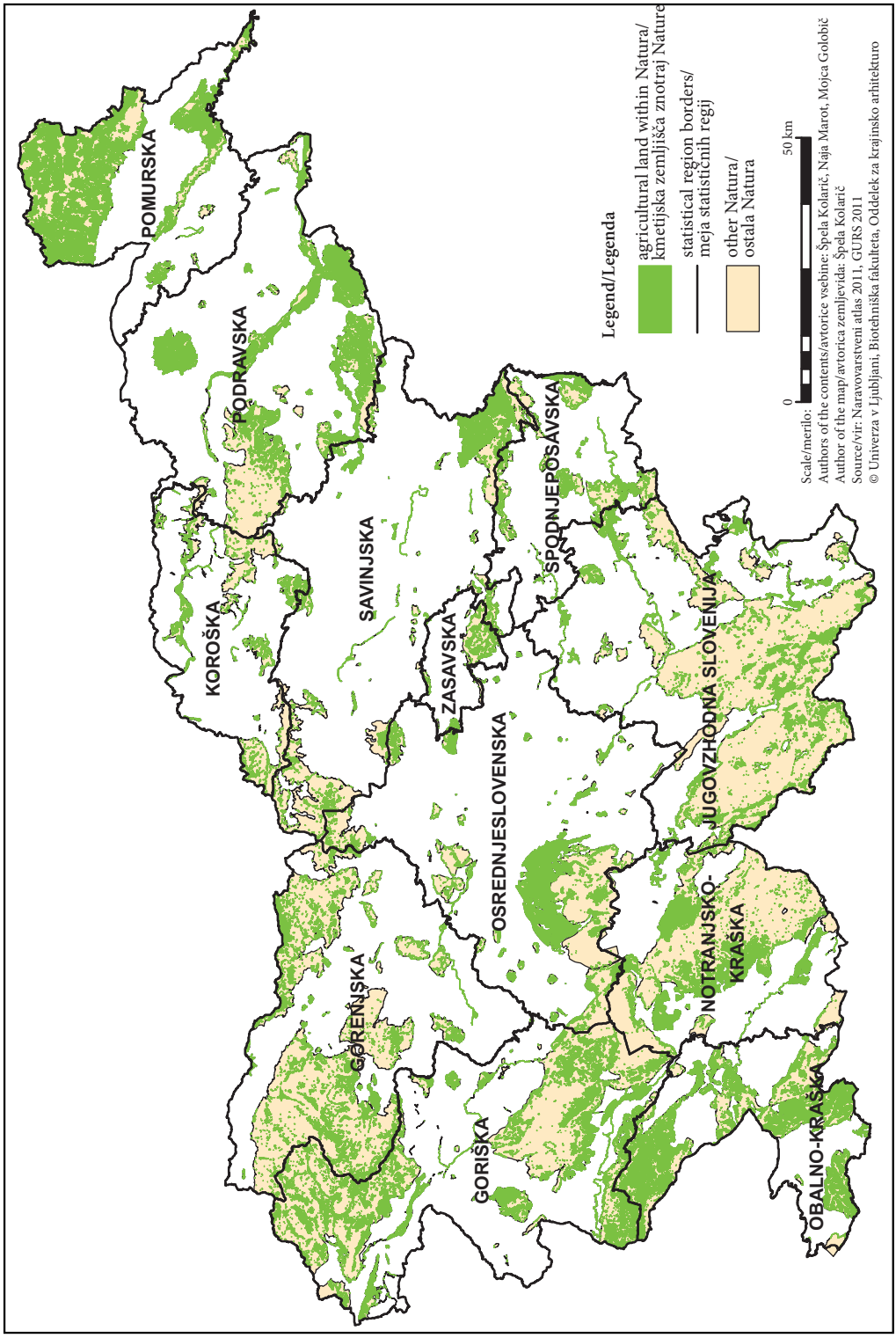
M1: Determining of special preservation areas,
M2: Preservation measures for the Natura 2000 areas,
M3: Environmental impact assessment for the protected areas,
M4: Compensatory measures, and
M5: Measures for reducing administrative burdens.

Each measure was described with four elements: short description, goals, target groups, and the level of implementation. The next step was the selection of the criteria for territorial impact assessment, made by an overview of European and national regulations in the area of territorial cohesion (Territorial Agenda 2011; Spatial Development Strategy of Slovenia 2004) and literature on impact assessments (ESPON 2010). In this phase we also obtained via brainstorming a draft list of territorial impacts which were then organized by areas, and the logical chain was complemented with the connections between the impacts and the measure that caused them.

NUTS3: Twelve Slovene statistical regions were selected as appropriate territorial units for the implementation of the assessment. Because the assessment of the impacts in each individual region would exceed the timely and data processing limitations for the project, the number of territorial units was decreased by introduction of a typology which joined the regions in the groups according to the characteristics connected to the selected directive. The typology was made with the aid of data on surface protected as the Natura 2000 area from Slovenian GIS Nature Conservation Atlas. A greater impact of the directive was presumed in regions with conflicts between nature protection and development tendencies. For each region, the share of area with development potentials within Natura areas was calculated. The first type of a conflict area is the section between agricultural land and Natura 2000 (Figure 2) and the second the section between potential settlement areas and Natura 2000 (Figure 3). A territory with up to 10% inclination within existing settlements or 3 km belt around the settlements and 1 km belt around main roads was defined as a potential settlement area. Figure 4 presents the sum of the both types of the conflict area and the »remaining Natura.« The regions were placed in three groups on the basis of data from Table 1 applying the Ward's method of hierarchical cluster classification, and using the measure of square Euclidean distance (see Figure 5).

The final task of the scoping was the selection of the reference framework for the evaluation, which enables the assessment of the impact of the directive on reaching the spatial development goals. On the European level, the selected goals were those defined by the Terrritoral Agenda of the EU (2011), at the national level those defined in the Spatial Development Strategy of Slovenia (2004), and at the local level those defined in the Act on Spatial Development Plan of the Novo mesto Municipality (2009).

Figure 2: Agricultural Natura 2000 areas in Slovenia. ► p. 96
Figure 3: Potential settlement areas in the area of Natura 2000. ► p. 97
Figure 4: Areas of conflict Natura 2000. ► p. 98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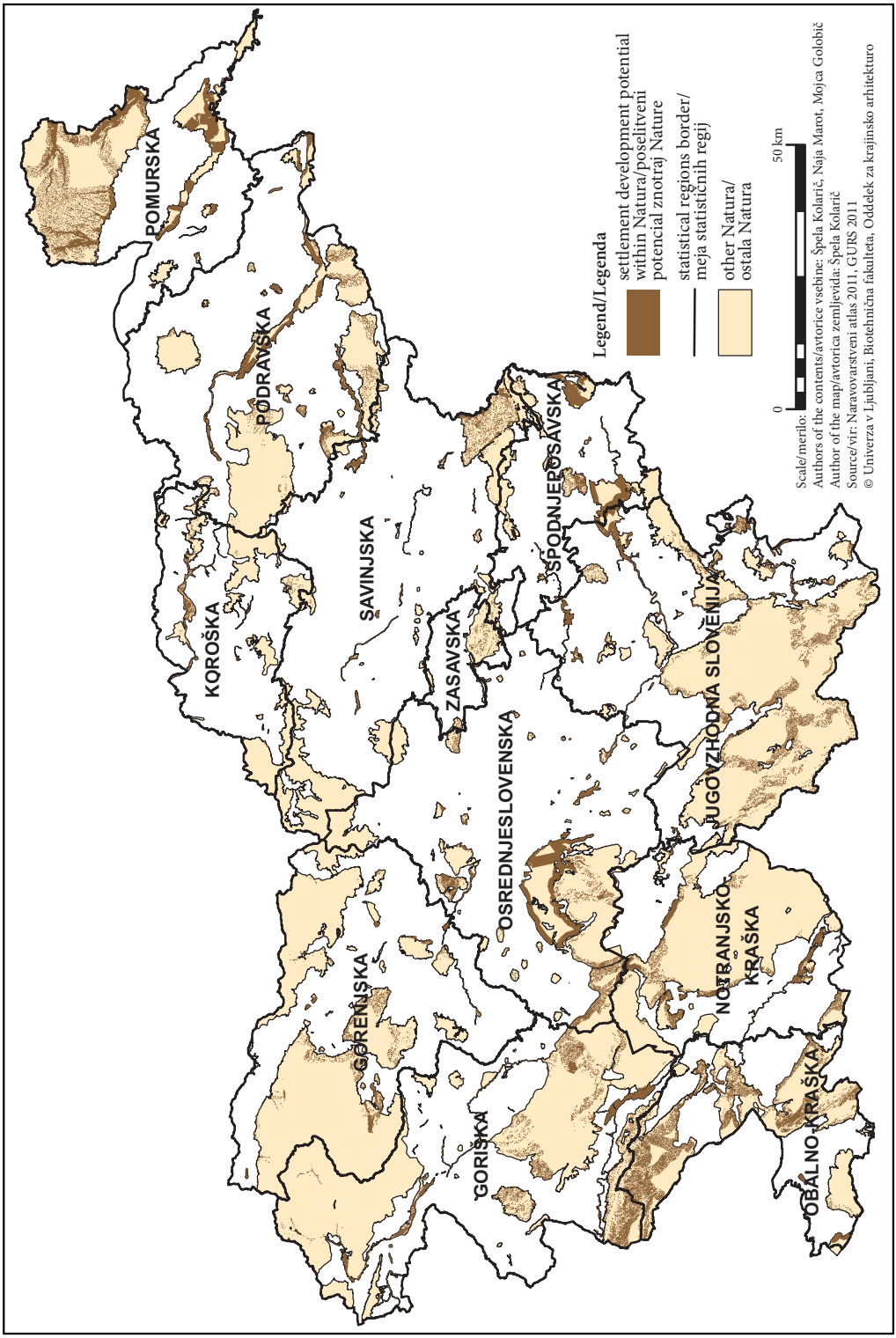
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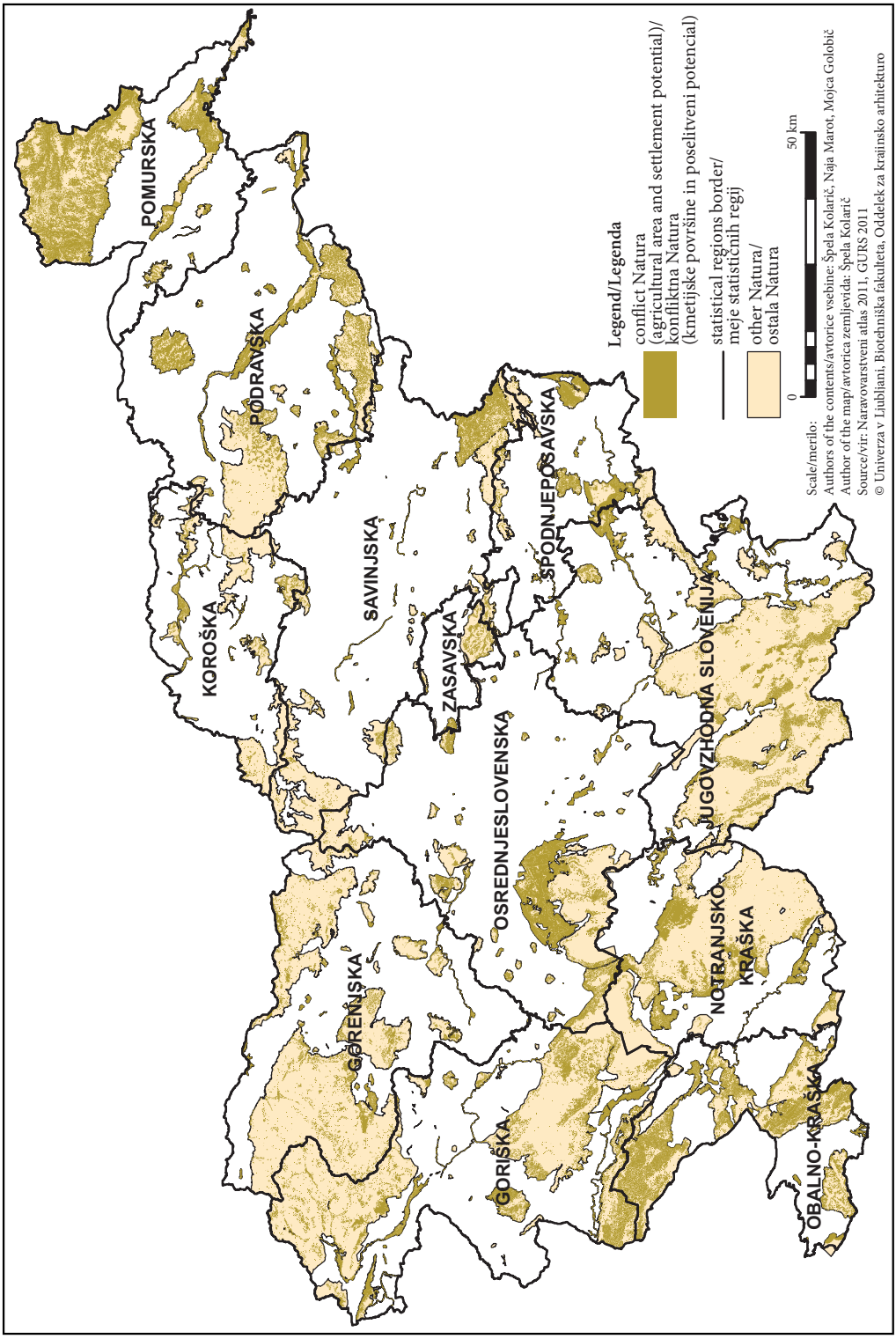
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Legend/Legenda
conflict Natura (agricultural area and settlement potential)/ konfliktna Natura (kmetijske površine in poselitveni potencial)
statistical regions border/ meje statističnih regij
other Natura/ ostala Natura
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Table 1: Data for preparation of the typology for Natura 2000.

Region	Surface area of the region (km^2)	Total surface area of Natura (km^2)	Share of Natura in Region (%)	Surface area »agric. Natura« (km^2)	Surface area of »settlement Nature« (km^2)	Surface area of »the rest of Natura« (km^2)	Share of conflict Natura (%)	Presence of a ski slope (yes/no)	Group of classification*
Carinthia/*Koroška*	1040.80	232.40	22.33	31	12	194	83	1	1
Lower Sava/ *Spodnje posavska*	885.10	163.81	18.51	44	69	92	56	0	1
Central Sava/*Zasavska*	263.50	57.58	21.85	12	1	46	79	0	1
Upper Carniola/*Gorenjska*	2136.60	947.34	44.34	97	96	837	88	1	2
Soča/*Goriška*	2324.70	1095.16	47.11	203	104	858	78	1	2
Southeast Slovenia/ *Jugovzhodna Slovenija*	2683.40	1296.11	48.30	144	148	1099	85	1	2
Inner Carniola-Karst/ *Noranjsko-kraška*	1456.30	780.27	53.58	149	53	618	79	0	2
Coastal-Karst/ *Obalno-kraška*	1044.40	503.45	48.20	168	151	279	55	0	3
Central Slovenia/ *Osrednje slovenska*	2546.70	550.14	21.68	166	114	354	64	1	3
Drava/*Podravska*	2169.70	595.94	27.47	201	200	361	61	1	3
Mura/*Pomurska*	1337.50	581.22	43.45	276	241	244	42	0	3
Savinja/*Savinjska*	2384.20	396.27	16.62	91	213	300	76	1	3

Vir: Nature Conservation Atlas 2011; SORS 2011.

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LEGEND/LEGENDA:

R1: Regions with the smallest area of protected Natura 2000 areas and the smallest scope of agricultural and settelment Natura/Regije z najmanjšim deležem zavarovane Nature 2000, najmanjšo površino kmetijske in poselitvene Nature

R2: Regions with a big scope of protected Natura 2000, medium exposed areas of agricultural and settelment Natura and a large scope of other Natura/Regije z velikim deležem zavarovane Nature 2000, srednje izpostavljenimi kmetijskimi zemljišči in »poselitveno Naturo« ter z veliko ostale Nature

R3: Regons with a medium-sized area of protected Natura 2000 areas, a large scope of agricultural and settlement Natura and a medium scope of other Natura/Regije s srednje velikim deležem zavarovane Nature 2000, veliko površino kmetijskih zemljišč in poselitvene Nature ter srednje veliko površino ostale Nature.

Figure 5: Distribution of regions into the typology according to the type of Natura 2000.

In the third phase – the prediction and description of the impacts – the participants individually identified, in the impact assessment matrix, the impact of the individual measure on the selected criteria within the certain group of regions. The impacts were assigned with strength (expected size or scope of impact) expressed numerically (0 = negligible impact, 1 = medium impact, 2 = strong impact) and direction: + for improving initial condition, – for its worsening, and an explanation of the assessment was desired.

The last phase was the evaluation of the impacts. The impacts and goals were tied together by the criteria since each of the spatial policy goals were assigned appropriate set of criteria according to their content. The average value of the criteria serves for the evaluation of the impacts in the light of selected goals.

3 Results

The analysis of the effects obtained by brainstorming showed the dual nature of the effects of the directive, which are: positive and negative in the area of the environment and spatial development, economy and society and exclusively negative in the area of governance and administration. To illustrate it in the area of the environment and spatial development: the directive contributes to the greater preservation of land with a higher share of unbuilt land and a smaller number of interventions, and at the same time create obstacles for spatial development, due to difficulty of finding sites for larger buildings and changed land use due to the replacement habitats. This is similar in the area of the economy because the directive on one hand limits the locating of the energy power facilities such as wind and hydroelectric plants, and on the other hand it offers potential for development of soft tourism where Natura 2000 presents a brand name. The overview of identified effects is in Table 2.

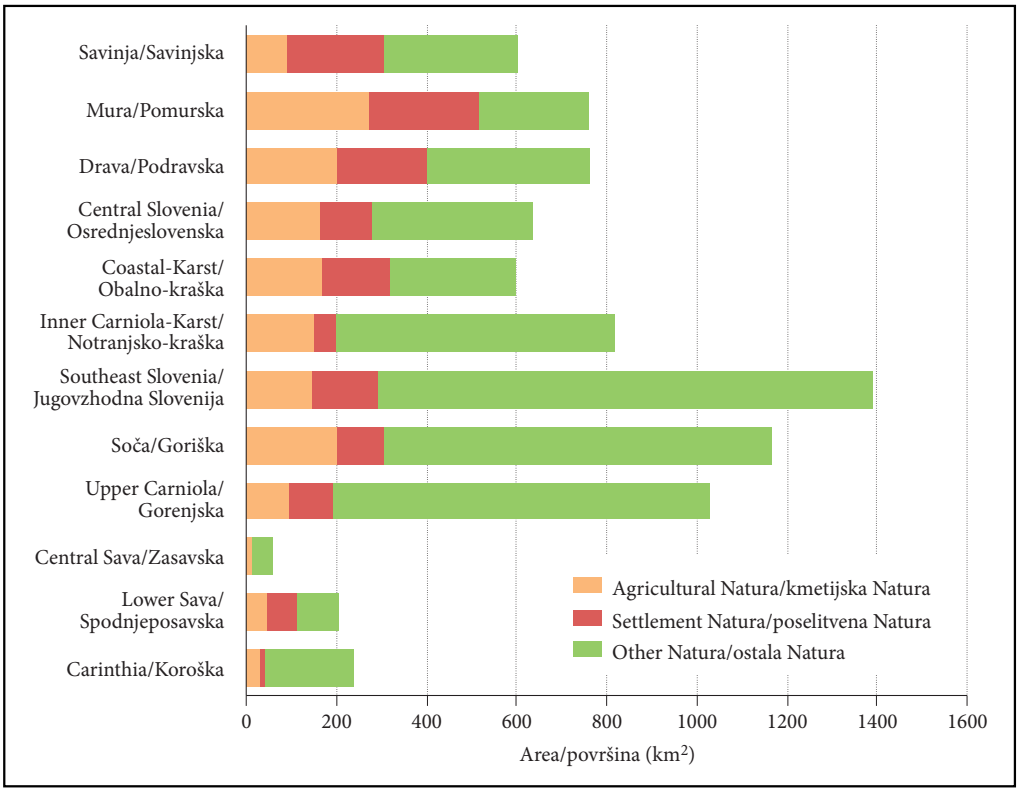

Figure 6: Area of individual Natura 2000 by statistical regions (Nature Conservationa Atlas 2011).

Table 2: The effects of the habitat directive, obtained by brainstorming method.

Economy • Greater attractiveness for visitors, development of soft tourism/ more difficult development • Development of existing and new activities, e.g. environmental sciences/ higher costs, and more demanding conditions for their implementation • Possibilities for co-financing of projects (Life+) • Bigger burdens for the investors, a diminishing number of investments • Encouraging the use of renewable energy sources/ difficulty with locating energy power facilities • Burdening of public finance due to the monitoring, the request for expert research	**Environment and spatial development** • More favorable micro-climate • Greater preservation of water sources and land, less intervention in them (a higher % of unbuilt land, renaturation) • Sustainable architecture in harmony with the surroundings – natural materials, fewer new buildings • Greater preservation of cultural landscape/unwanted changes • Obstruction of spatial planning – locating of buildings, conflicts of sectoral interests, change of land use due to replacement habitats
Social effects • New jobs/changed employment opportunities • Better quality of life • Higher awareness on the importance of nature/increase in conflicts due to the dissatisfaction of public and stakeholders in procedures	**Administrative effects** • Greater burdens for local community due to a different administrative organisation • Extension of planning procedures due to obtaining of new permits, preparation of extra expert research for decision making

The results of the third phase (description and evaluation of the impacts) show that the directive as a whole, according to the demonstration in Table 3, positively effects the environment, space/spatial development and society, is neutral for the economy and extremely negative for governance and administration.

Table 3: Overview of common effects of an individual measure on a field.

Field of assessment	Directive	M1	M2	M3	M4	M5
Environment and spatial development	+	+	+	+	0	/
Economy	0	0	0	–	0	0
Society	+	+	+	+	0	/
Governance and administration	–	–	–	–	—	–

The effect on the groups of region is not territorially differentiated; the same goes for the measures. The differences between the groups of regions become noticeable when we observe the effects of directive's measures on individual criteria. The effect of a measure on the protected areas on the criterion urbanisation is therefore much more negative in the regions with greater urbanisation potential (R3) as in the regions with lower potential (R2). In regions with smallest share of Natura areas (R1) the effect is not expected at all (Figure 7).

At the level of criteria the moderate to neutral effects of the measures on the field of environment and spatial development and the economy are the consequence of aggregating the evaluations scores, which neutralizes positive with negative effects. The measure of defining special preservation areas (U1) therefore from the (environment) protection point of view positively contributes to the preservation of biodiversity, forests, and the quality of land and water. On the contrary, from the point of view of spatial development its effect on urbanisation and the use of renewable energy sources is distinctively negative, because the extensive protected areas represent an obstacle for integrated spatial development solutions. In the field of the economy, the positive effects related to development of »green« tourism (more visitors, higher employment) are in contradiction with the negative effects which are the result of a foreseen decrease of economic growth (fewer investments) and limiting of the development of infrastructure networks (Figure 8). Overall, these effects are presented as neutral – slightly positive/negative.

The contradictory effects of the regulation are reflected also in the confrontation of the regulation with national and local spatial development goals. The contribution of the directive to the implementation of goals of the Spatial Development Strategy of Slovenia (SDSS) is from the point of view of »protection« goals positive, while the effect on development goals is negative. In more detail, the effects of the directive to nature preservation goals (G11, G12, G08), and spatial development harmonized with spatial limitations (G09) are very positive. This is in particular true for the regions with a larger share of agricultural land and development potentials within the Natura (R3). In all groups of regions the implementation of the regulation is favourable for preserving the spatial identity of Slovenia (G10) and for the balanced devel-

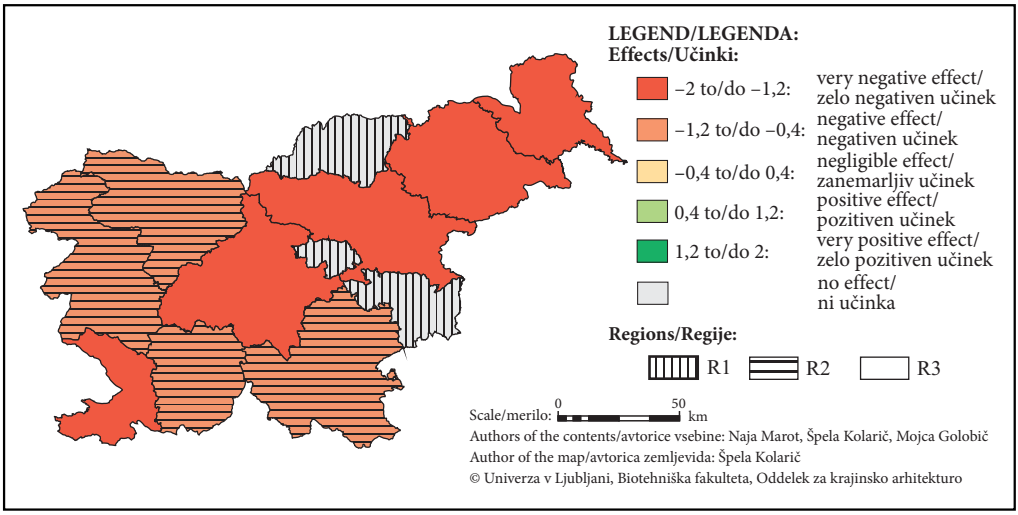

Figure 7: Effect of measure 3: The environmental impact assessment for protected areas on urbanisation criteria.

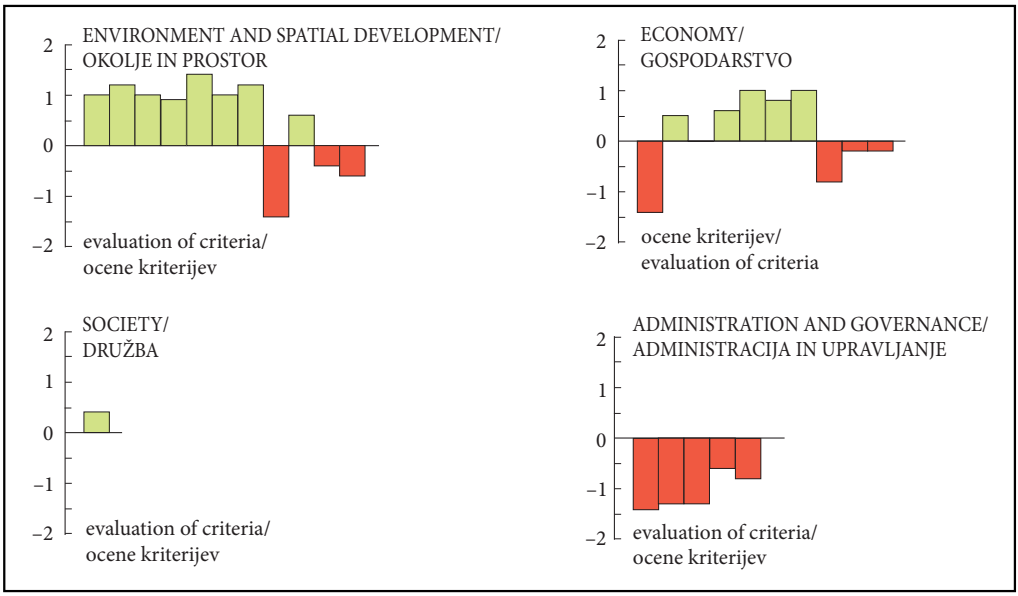

Figure 8: Presentation of the effect of the measure M1 Definition of special preservation areas on criteria by individual field.

opment of areas with common spatial development characteristics (G05). The negative effects are on rational and efficient spatial development (G01) and the connection of infrastructure networks with European infrastructure systems (G07). From the point of view of cities and other settlements, the regulation has a negative impact on the development of polycentric networks (G02), complementarity of functions of rural and urban areas (G06), competitiveness and quality development and attractiveness of Slovene cities in the European territory (G03 and G04).

Table 4: Effect of the habitat directive on the achievement goals of Spatial Development Strategy of Slovenia in individual region type.

M1-M5/Goals	R1	R2	R3
G01 Rational and effective spatial development	–	–	–
G02 Development of polycentric network of cities and other settlements	–	–	–
G03 Greater competitiveness of Slovene cities in the European territory	0^-	–	–
G04 Quality development and attractiveness of cities in the European territory	0^-	0^-	0
G05 Balanced development of areas with common spatial development characteristics	0^+	+	+
G06 Complementing functions between rural and urban areas	0^-	0^-	0^-
G07 Connectivity of infrastructural networks with European infrastructure systems	–	–	–
G08 Rational use of natural resources	+	+	++
G09 Spatial development in harmony with spatial limitations	+	+	++
G10 Cultural diversity as a basis for national spatial identity	+	+	+
G11 Nature preservation	+	++	++
G12 Environment protection	+	+	++

The same as at the national level, also in the case of local community (Table 5), the habitat directive does not contribute to implementation of »development« goals, which is reflected in the negative evaluations of the effects of all the measures on the improvement of spatial conditions for development of new jobs (NM02), development of infrastructure (NM03 and NM04), and common planning of spatial structures in co-operation with neighbouring local communities (NM07). The environmental protection goals (NM01, NM05), are evaluated positively. All measures, with the exception of compensatory measures, have positive effects on the development of tourism (NM06). A two-way effect on the preservation of cultural heritage (NM11) is a consequence of extremely negative effects of all the measures on the public budget.

Table 5: The effect of measures of the habitat directive on the achievement of spatial development goals, as stated in the local spatial development plan of the City Municipality Novo mesto.

R2/ Objective	M1	M2	M3	M4	M5	Average
NM01 Balanced spatial development	0^{+}	0^{+}	0^{+}	0^{+}		0^{+}
NM02 Improvement of spatial and other conditions for development of new jobs	0^{-}	–	–	–	0^{-}	–
NM03 Improvement of accessibility and transport equipment of settlements, economic development zones and tourist areas	–	–	–	–	–	–
NM04 Adequate energy and infrastructure equipment of settlements, econ. dev. zones, and tourist areas	0^{-}	–	–	–	–	–
NM05 Upgrading of recognition of territory and rural areas, landscape and built structures, the creation of new qualities in the space and preservation of natural qualities	+	+	++	0^{+}	++	+
NM06 Development of tourist and leisure activities as important development programmes	0^{+}	0^{+}	+	0^{-}		0^{+}
NM07 Common planning of spatial structures in codependence on neighbouring local communities	0^{-}	–	–	–	–	–
NM08 Unobstructed access of public buildings and surfaces for functionally obstructed people						
NM09 Achievement of environmental goals	+	+	+	0^{+}		+
NM10 Protection of people and their assets from natural and other disasters and prevention or maximum diminishing of their consequences	0^{+}	0^{+}	0^{-}	–	0^{-}	0^{-}
NM11 Preservation of cultural heritage and its inclusion on social and economic development of the municipality	0^{+}	0^{+}	+	–	–	0

4 Discussion and conclusion

As a distinction from the research on the effects of the Natura, which mainly focus on effectiveness of the directive at achieving its basic goal, which is the preservation of biodiversity (Dimitrakopoulos et al. 2004; Maiorano et al. 2007; Pullin et al. 2009), is the territorial impact assessment more holistic, because it besides the environment encompasses also the fields of spatial, economic, social and administrative effects. The results for Slovenia agree with the findings from other EU countries, e.g. Ireland (Bryan 2012), France (Alphandéry and Fortier 2001) and Germany (Stoll-Kleeman 2001a; 2001b) that two-way effects are typical for habitat directive. In the field of economic development, agriculture, forestry, and tourism development opportunities are limited due to the protection, and at the same time, Natura with its idea of promoting sustainable development, presents a great potential for progress of certain fields like traditional craft, farm tourism, ecological agriculture and others (Zielinska 2009; Mrak 2008; Vovk Korže and Sajovic 2009). While those participating in the research did not express serious doubts on contribution for the habitat directive to its basic goal, there appears, mainly in Mediterranean countries, numerous doubts on positive contribution for the directive to protection of habitats (Maiorano et al. 2007; Dimitrakopoulos et al. 2004). In most countries, especially at the local level, the intensive effects on society were identified, Zielinska et al. (2009) for example mentions its contribution to the improvement of quality of life. In our analysis an issue was also added regarding the increased awareness on the significance of environment protection. Conversely, in other countries as well as in Slovenia, social conflicts were raised due to the protection regime, related to the change of procedures for spatial interventions and con-

flicting with desires of land owners or investors. In Ireland and France, these effects showed with the organized rebellion of farmers and other citizens in rural areas, which ended with the adjustment of the borders of the Natura 2000 areas (Bryan 2012; Castro andMouro 2011).

Although the aim of the analysis was to point out the differences in territorial effects, caused by the regulation in individual region type, the results at the level of the policy as a whole did not show greater differences. This can be explained in two ways: the first is related to the way the typology was designed. That this was not very successful was confirmed by the evaluators, who had a difficult time identifying with the artificially created groups of regions, which they did not know how to perceive as a territorial unity, especially due to their notion of the specificities of individual regions. Bryan (2012) proposed as the alternative the simplification of the illustration of territory to only two areas, namely the rural and the urban, because the effects of the Natura 2000 would best distinguish particularly between these two areas. Second, maybe a more crucial explanation is related to the nature of the effects, which are two-way also within individual group of criteria (e.g. environment, economy) but then in aggregating they are neutralized. This finding has an important methodological consequence: the aggregating of the evaluations from the impacts matrices is a risky activity. A look at the results by individual criteria, e.g. quality of infrastructure namely showed us significant differences among the regions.

With the implementation of the territorial impact assessment we showed that the habitat directive does not only have impacts on the preservation of biodiversity, but affects both positively and negatively the economy, society, and governance. The participatory approach to the assessment showed, that a process more open to the public, brings more knowledge, a mutual exchange of information, understanding, and sound solutions. The lack of knowledge and the poor understanding of the directive's content on the different administrative levels could be one of explanations for the problems occurring in the field of governance and administration. The regulation impacts the use of land very directly, therefore it is very important from the point of governance, that we include in the assessment procedure beside the national level (the ministry responsible for preparation of the regulation and representatives of »affected« sectors) also the regional, and above all the local level in which the impacts are the most perceivable, as well as other concerned groups (representatives from economy, non-governmental organizations). In this way, we enable a balanced representation of different interests and anticipate the prevailing of the interests of a specific sector within the decision procedures; in addition also communication and exchange of knowledge are guaranteed.

TIA has brought forward the cumulative impacts of the regulation (Wood et al. 2006; Copper and Sheate 2002; Atkinson et al. 2000) which have not been sufficiently considered until now. By using region as the unit for observation and evaluation of impacts we have solved the problem of isolated evaluation of the individual Natura 2000 area which does not disclose the broad set of impacts in the surrounding area. Territorial impact assessment which covers the four thematic fields and consults a wide group of stakeholders thus meets the needs of the complex treatment and the integration of the public as mentioned by Treweek et al. (2005), Durnik (2012), Bizjak (2012) and as it is stated in the international principles of the good practice as introduced by the International Association of the Impact Assessment (2005).

The presented approach is a combination of *ex-post* and *ex-ante* methods, because we implemented it in a time when a revision of protected areas is pending, in which such an investigation can contribute with useful findings from the point of the content of the assessment results, as well as with the experience from the participative procedure. The presented procedure of TIA enables identification of the unwanted impacts on different areas, with which it helps to improve the effectiveness and implementation of certain directive measures (Fischer et al. 2012). It was demonstrated for instance, that a measure »Simplification of the procedures for reducing the administrative burden« has very little positive and rather negative effects and it is therefore wrongly defined, inefficient, and needs adjustments. Only with a comprehensive view on implementation of a policy we can prevent the truthfulness of the reproaches that Natura 2000 spurs the creation of one big natural park as presumed by Marušič (2006), and achieve its main goal to »*promote the maintenance of biodiversity while taking in account the economic, social, cultural and regional requirements, and the measures adopted on the basis of this directive take in account the economic, social and cultural needs and regional and local characteristics* (Council directive 1992).«

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Slovenija kot naravni park Evrope? Presoja učinkov Nature 2000 v prostoru

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IZVLEČEK: Natura 2000 v državah članicah, tudi v Sloveniji, povzroča težave pri izvajanju, poleg pozitivnih okoljevarstvenih pa prinaša tudi negativne gospodarske, družbene in upravljavsko-administrativne učinke. Za izboljšanje rezultatov sprejemanja in izvajanja EU politik je bil v projektu ESPON EATIA razvit participativen postopek za presojo prostorskih učinkov. Testiranje na habitatni direktivi je pokazalo, da ta poleg pozitivnih učinkov na ohranjanje biodiverzitete, pomeni veliko oviro za gospodarstvo in izvajanje investicij, hkrati pa tudi na turistični potencial območij in možnost za razvoj novih panog. Predpis prispeva k dvigu kakovosti bivanja, vendar tudi podaljšuje postopke prostorskega načrtovanja ter konflikte med investitorji in lokalno skupnostjo. Pristop se je izkazal za ustrezen medij za izmenjavo izkušenj različnih deležnikov, ki so vključeni bodisi v pripravo bodisi v izvedbo predpisov, in ustrezno orodje za globalno oceno učinkov izbranega EU predpisa.

KLJUČNE BESEDE: presoja prostorskih učinkov, habitatna direktiva, Natura 2000, regionalni razvoj

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1 Uvod

Evropsko ekološko omrežje posebnih ohranitvenih območij Natura 2000, ki je nastalo kot posledica direktive o ohranjanju prostoživečih ptic (Council directive 1979) in direktive o ohranjanju habitatov ter prostoživečih rastlinskih in živalskih vrst (Council directive 1992), je največja svetovna mreža zavarovanih območij (Maes in ostali 2012) in bilo do začetka priprave evropske biodiverzitetne strategije 2020 tudi glavni prispevek EU k naravovarstveni politiki (Maiorano in ostali 2007). Leta 2012 je omrežje pokrivalo 177 milijonov hektarjev zemljišč – 17 % površine držav članic EU (Maes in ostali 2012). Slovenija je s 35,53 % zavarovanega ozemlja na prvem mestu med evropskimi državami (European Commission 2012). Proces opredelitve območij Natura 2000 spremljajo številni konflikti, ki so predvsem posledica nezadostne vključitve javnosti, kar se je pokazalo v Sloveniji (Marušič 2006) in v drugih evropskih državah: Franciji (Alphandéry, Fortier 2001), Nemčiji (Stoll-Kleeman 2001a; 2001b) ter na Finskem (Söderman 2009) in Irskem (Bryan 2012). Konflikt nastane zaradi razmejitve območij, ki umetno loči med naravo in družbo, zavarovanim in dovoljenim, in s tem omeji pravice lastnikov zemljišč (Bryan 2012; Zonnenveld, Waterhout 2009), npr. s prepovedjo intenzivnega kmetovanja in gozdarstva. Tako učinki direktive niso le okoljski, ampak imajo širši vpliv na delovanje skupnosti predvsem z vidikov gospodarstva, družbenih razmerij in upravljanja (Kryžanovski 2006; Golobič 2006), na katerega učinkujejo nejasnosti na področju postopkov presojanja in opredeljevanja »ugodnega stanja« vrst (Kolarič 2010; Poboljšaj 1997; Treweek in ostali 2005; Atkinson in ostali 2000; Slabe Erker in ostali 2003).

Za preprečevanje takih učinkov so predstavniki ministrstev na področju prostorskega razvoja že leta 2000 v dokumentu Evropske prostorsko razvojne perspektive (krajše EPRP, CEC 1999) pozvali k medsebojnemu usklajevanju sektorskih predpisov s prostorsko komponento. Podobno Bela knjiga o upravljanju (CEC 2001) predlaga skrbno predhodno presojo učinkov predpisa. To idejo so najdlje razvili v okviru programa Evropsko omrežje za spremljanje prostorskega razvoja, krajše ESPON, kjer so v mnogih študijah predstavili različne pristope za raziskovanje možnih in dejanskih prostorskih učinkov politik, npr. skupne kmetijske politike, evropskega omrežja TEN in drugih (Zonnenveld, Waterhout 2009; Golobič, Marot 2011). Pri tem so uporabili presojo prostorskih učinkov (ang. *territorial impact assessment,* krajše TIA), ki vključuje tako *ex-ante* kot *ex-post* pristop, kvantitativne in kvalitativne metode, različne ravni in deležnike vrednotenja. V tem prispevku TIA razumemo kot »*ex-ante presojo, ki omogoča identifikacijo učinkov na nacionalni, regionalni in lokalni ravni v državah članicah, z namenom prepoznati in preprečiti potencialne konflikte ali neskladnost politik. Dodatno metoda oceni razlike v učinkih med državami in tako prispeva k premisleku o prostorski dimenziji učinkov EU politik*« (Fischer in ostali 2011, 33). Pri tej opredelitvi je nov predvsem poudarek na uporabi TIA v postopkih priprave predpisov in usklajevanja sektorskih politik. Obstoječa praksa se med državami EU zelo razlikuje: v redkih je TIA obvezna, na primer v Nemčiji z določilom v prostorskem zakonu (Raumordnungsgesetz 2008), kjer se izvaja za usklajevanje predlogov novih posegov v prostor s cilji prostorskih politik na izvedbeni in višjih upravljavskih ravneh in na Nizozemskem s pripravo obrazca za izvedbo krajše TIA (Van Ravensteyn, Evers 2004).

V projektu ESPON EATIA (krajše za ESPON in TIA), smo odkrivali možnosti vključevanja presoje prostorskih učinkov v zgodnje faze priprave EU predpisov v Sloveniji, Veliki Britaniji in na Portugalskem. Raziskava temelji na predpostavki, da so nepričakovani učinki predpisov pogosto posledica slabo premišljenega prenosa v nacionalno zakonodajo, saj so zavezujoči le cilji direktiv, izbor ukrepov za njihovo doseganje pa je prepuščen presoji posameznih držav. Pristop smo med drugim testirali na habitatni direktivi (oziroma vzpostavitvi omrežja Natura 2000). Razlog za ta izbor so izkušnje z dosedanjim uveljavljanjem politike, izhodišče EPRP (CEC 1999), po katerem »*zaščitni predpisi in omejitve posegov ne bi smeli imeti negativnega učinka na življenjske pogoje prebivalstva*« in priprava revizije Nature 2000. Z izvedbo TIA smo tako ugotovili prostorske učinke direktive, njihovo razporeditev po slovenskih regijah in prispevek predpisa k doseganju ciljev prostorskih politik na državni in lokalni ravni.

2 Metoda

Pristopi ESPON-ovih projektov se opirajo na numerične podatke in modele: TEQUILA (Camagni 2006), TEQUILA 2 (ESPON 2010) in model FLAG za presojo trajnosti alternativ (Nijkamp, Vreeker 2000) ki pa prepogosto pripravljavcem politik niso razumljivi, zato je bilo pri razvoju predstavljenega pristopa TIA

več poudarka na aktivnem sodelovanju deležnikov. Najprimernejše izhodišče so bili rezultati projekta ARTS (ESPON 2011), ki jih je v izvirni pristop »EATIA« nadgradila projektna skupina, sestavljena iz predstavnikov univerze v Liverpoolu, univerze v Portu, tehniške univerze v Delftu in Biotehniške fakultete Univerze v Ljubljani. Presoja prostorskih učinkov je sestavljena iz štirih glavnih faz:
(1) ugotavljanje potrebe po TIA (ang. *screening*),
(2) določanje vsebine in poudarkov TIA (ang. *scoping*),
(3) napoved in opis učinkov (ang. *assessment*) in
(4) vrednotenje učinkov (ang. *evaluation*).

Tudi razvoj pristopa je temeljil na participativnem načelu, saj so v štirih delavnicah sodelovali predstavniki ministrstva, pristojnega za prostor, Službe Republike Slovenije za evropske zadeve, regionalnih razvojnih agencij, občin (Vrhnika, Brezovica, Ig in Novo mesto), nevladnih organizacij in raziskovalci. Prva delavnica je bila namenjena izboru politik za testiranje pristopa ter določitvi izhodišč (*screening*), druga oceni in izboljšanju predlaganega pristopa, tretja izvedbi pristopa v fazi *scopinga* in presoje, zadnja pa poročanju o rezultatih in njihovi evalvaciji. Predmet presoje je prostorski učinek, s pomočjo deležnikov opredeljen kot *»vsak učinek na rabo prostora, upravljanje z njim ali širše na gospodarstvo, družbo in okolje v določeni prostorski enoti, ki nastane kot posledica sprejema ali prenosa EU direktive ali politike.«* (Fischer in ostali 2011, 33)

V nadaljevanju sta opisana tehnični (metoda, orodja) in upravljavski vidik (vključitev TIA v obstoječe procese oblikovanja politik) postopka.

Slika 1: Postopek izvedbe TIA.
Glej angleški del prispevka.

V *screeningu* je ekspertna skupina opisno odgovorila na tri vprašanja:
1. Ali bodo zaradi predlagane politike nastali pomembni prostorski učinki?
2. Kakšen bo značaj teh učinkov oziroma s katerimi kriteriji ga lahko opišemo?
3. Kje (v kakšnih tipih območij) bodo učinki nastali?

in se odločila o (ne)izvedbi TIA za posamezno politiko ali predpis.

Faza *scopinga* je bila namenjena podrobnejšemu pregledu vsebine direktive in njenim možnim razlagam. Vsebina direktiva je bila opisana s pomočjo logične verige – shematski prikaz direktive – in razčlenitvijo na posamezne ukrepe:
U1: Določitev posebnih ohranitvenih območij,
U2: Ohranitveni ukrepi za območja Natura 2000,
U3: Presoja vplivov na okolje za varovana območja,
U4: Izravnalni ukrepi in
U5: Poenostavitev postopkov za zmanjšanje upravne obremenitve.

Vsak ukrep je bil opisan s petimi elementi: krajši opis, cilji, ciljna skupina in raven izvedbe. Razčlenitvi na ukrepe je sledil izbor kriterijev za vrednotenje prostorskih učinkov, narejen na podlagi pregleda evropskih in nacionalnih predpisov s področja teritorialne kohezije (Territorial Agenda 2011; Strategija prostorskega razvoja Slovenije 2004) in literature o presoji učinkov (ESPON 2010). Presojevalci so za habitatno direktivo izbrali 30 kriterijev. V tej fazi smo z metodo viharjenja možganov pridobili okvirni nabor prostorskih učinkov, ki smo jih razvrstili po področjih in dopolnili logično verigo s povezavami med učinki in ukrepom, ki jih je povzročil.

Kot primerna prostorska enota za izvajanje presoje je bila izbrana raven NUTS3: 12 statističnih regij Slovenije. Ker bi vrednotenje učinkov v vsaki posamezni regiji preseglo omejitve projekta, smo število prostorskih enot zmanjšali z uvedbo tipologije, s katero smo regije združili v skupine glede na lastnosti, povezane z obravnavanim predpisom. Tipologija za habitatno direktivo je bila izdelana s pomočjo podatkov o površini, zavarovani kot območje Natura 2000 iz GIS-a Naravovarstvenega atlasa ZRSVN. Predpostavili smo večji učinek direktive v regijah s trenji med naravovarstvenimi in razvojnimi težnjami. Za vsako regijo je bil zato izračunan delež območja z razvojnimi potenciali znotraj Natura 2000 območij. Prvo potencialno konfliktno območje je presek med kmetijskimi zemljišči in Naturo 2000 (slika 2), drugo pa presek med potencialnimi poselitvenimi območji in Naturo 2000 (slika 3). Kot potencialno poselitveno območje je opredeljen prostor z naklonom do 10 % znotraj obstoječih naselij z dodanim 3-kilometrski pasom okrog naselij in 1-kilometrskim pasom okrog glavnih cest. Slika 4 prikazuje seštevek obeh vrst konfliktnih obmo-

Preglednica 1: Podatki za pripravo tipologije za Naturo 2000.

regija	površina regije (km^2)	celotna površina Nature (km^2)	delež Nature v regiji (%)	površina »kmet. Nature« (km^2)	površina »poselitvene Nature« (km^2)	površina »ostale Nature« (km^2)	delež konfliktne Nature (%)	prisotnost smučišča (da/ne)	skupna razvrstitev*
Koroška	1040,80	232,40	22,33	31	12	194	83	1	1
Spodnjeposavska	885,10	163,81	18,51	44	69	92	56	0	1
Zasavska	263,50	57,58	21,85	12	1	46	79	0	1
Gorenjska	2136,60	947,34	44,34	97	96	837	88	1	2
Goriška	2324,70	1095,16	47,11	203	104	858	78	1	2
JV Slovenija	2683,40	1296,11	48,30	144	148	1099	85	1	2
Notranjsko-kraška	1456,30	780,27	53,58	149	53	618	79	0	2
Obalno-kraška	1044,40	503,45	48,20	168	151	279	55	0	3
Osrednje slovenska	2546,70	550,14	21,68	166	114	354	64	1	3
Podravska	2169,70	595,94	27,47	201	200	361	61	1	3
Pomurska	1337,50	581,22	43,45	276	241	244	42	0	3
Savinjska	2384,20	396,27	16,62	91	213	300	76	1	3

Vir: Naravovarstveni atlas Slovenije 2011; SORS 2011.

čij in ostalo Naturo. Regije so bile na podlagi podatkov iz preglednice 1 s pomočjo Wardove metode hierarhičnega razvrščanja v skupine in z mero kvadrata evklidske razdalje združene v tri skupine (glej slika 5).

Slika 2: Pokritost Slovenije s kmetijskimi zemljišči znotraj območij Natura 2000.
Glej angleški del prispevka.

Slika 3: Potencialna poselitvena območja na območju Nature 2000.
Glej angleški del prispevka.

Slika 4: Območja konfliktne Nature 2000.
Glej angleški del prispevka.

Slika 5: Razporeditev regij v tipologijo glede na prisoten tip Nature 2000.
Glej angleški del prispevka.

Slika 6: Površina posamezne Nature 2000 po statističnih regijah (Naravovarstveni atlas Slovenije 2011).
Glej angleški del prispevka.

Zadnja naloga *scopinga* je bil izbor referenčnega okvira za vrednotenje, ki omogoča presojo o zaželenosti učinka direktive pri doseganju ciljev prostorskega razvoja. Na evropski ravni so bili izbrani cilji, opredeljeni v Teritorialni agendi (2011), na nacionalni ravni v Strategiji prostorskega razvoja Slovenije (2004) in na lokalni ravni v Odloku o prostorskem načrtu Mestne občine Novo mesto (2009).

V tretji fazi (napovedovanje in opis učinkov) so udeleženci v matriki za ocenjevanje učinkov individualno ocenili učinek posameznega ukrepa v določeni skupini regij po izbranem kriteriju. Učinkom so določili moč (pričakovano velikost ali obseg učinka) izraženo numerično (0 = zanemarljiv učinek, 1 = srednji učinek, 2 = močan učinek) in smer: + za izboljšanje izhodiščnega stanja, – za njegovo poslabšanje, zaželena je bila obrazložitev ocene. Ocena je bila nato združena v sintezni matriki in povzeta.

Zadnja faza je bila namenjena vrednotenju učinkov. Učinke in cilje vsebinsko povezujejo kriteriji, saj smo vsakemu izmed ciljev prostorske politike glede na vsebino pripisali ustrezne kriterije. Vrednosti kriterijev v preseku služijo za ovrednotenje učinkov v luči izbranih ciljev.

3 Rezultati

Analiza učinkov, pridobljenih z metodo viharjenja, je pokazala dvojno naravo učinkov direktive, ki so pozitivni in negativni na področjih okolja in prostora, gospodarstva in družbe, izključno negativni pa na upravljanje in administracijo. Na področju okolja in prostora naj bi direktiva z večjim deležem nepozidanih tal, manjšim številom posegov, povrnitvijo v prvotno stanje prispevala k večji ohranjenosti tal, hkrati pa zaradi težavnega umeščanja večjih objektov v prostor, spremenjene rabe prostora zaradi nadomestnih habitatov in druge prostorske organizacije otežila prostorski razvoj. Podobno je na področju gospodarstva, saj direktiva na eni strani omejuje umeščanje energetskih objektov, kot so vetrne in hidroelektrarne, na drugi strani pa ponuja potencial za razvoj mehkega turizma, kjer Natura 2000 predstavlja blagovno znamko. Pregled učinkov je v preglednici 2.

Rezultati tretje faze (opisa in vrednotenja učinkov v matriki) pokažejo, da direktiva kot celota (preglednica 3) pozitivno učinkuje na okolje in prostor ter na družbo, nevtralno na gospodarstvo in izrazito negativno na upravljanje.

Razlik v skupnem učinku med skupinami regij nismo opazili, prav tako so razlike zanemarljive, če opazujemo učinke posameznih ukrepov direktive. Razlike med skupinami regij postanejo večje šele, ko opazujemo učinke ukrepov direktive na posamezne kriterije. Učinek ukrepa presoje vplivov na varovana območja na urbanizacijo je tako bolj negativen v regijah z velikimi poselitvenimi težnjam (R3) kot v regijah z manj takšnih pritiskov (R2). V regijah z najmanjšim deležem Natura območij (R1) učinka sploh ne pričakujemo (slika 7).

Slika 7: Učinek ukrepa 3 Presoja vplivov na okolje za varovana območja na kriterij urbanizacije.
Glej angleški del prispevka.

Preglednica 2: Učinki habitatne direktive, pridobljeni z metodo viharjenja.

gospodarstvo	**okolje in prostor**
• Večja privlačnost za obiskovalce, razvoj mehkega turizma / otežen razvoj • Razvoj obstoječih in novih dejavnosti, npr. okoljske znanosti / večji stroški in zahtevnejši pogoji za njihovo izvajanje • Možnost sofinanciranja projektov (Life+) • Večje obremenitve za investitorje, zmanjšanje števila investicij • Spodbuja rabe OVE / težavno umeščanje energetskih objektov • Obremenitev državnih financ zaradi monitoringa, priprave strokovnih podlag	• Ugodnejša mikro klima • Večja ohranjenost vodnih virov in tal, manj poseganja vanje (večji % nepozidanih tal, povrnitev v prvotno stanje) • Trajnostna arhitektura, skladna z okolico – naravni materiali / manj novogradenj • Večja ohranjenost kulturne krajine / neželene spremembe • Oviranje prostorskega načrtovanja – umeščanje objektov, konflikti sektorskih interesov, sprememba rabe zaradi nadomestnih habitatov
družbeni učinki	**administrativni učinki**
• Nova delovna mesta / spremenjene zaposlitvene možnosti • Boljša kakovost življenja • Večja osveščenost o pomenu narave / povečanje konfliktnosti zaradi nezadovoljstva javnosti in deležnikov v postopkih	• Večja bremena za lokalno skupnost zaradi drugačne administrativne organizacije • Podaljšanje načrtovalski postopkov zaradi pridobivanja dodatnih dovoljenj, priprava strokovnih podlag za odločanje

Preglednica 3: Pregled skupnih učinkov posameznega ukrepa na področje.

področje presoje	direktiva	U1	U2	U3	U4	U5
okolje in prostor	+	+	+	+	0	/
gospodarstvo	0	0	0	–	0	0
družba	+	+	+	+	0	/
upravljanje in administracija	–	–	–	–	—	–

Na ravni kriterijev so zmerno pozitivni do nevtralni učinki ukrepov na področje okolja in prostora ter gospodarstva posledica združevanja ocen, kjer se smeri različnih prepoznanih učinkov izgubijo v povprečju. Ukrep določitev posebnih ohranitvenih območij (U1) tako z (naravo)varstvenega vidika pozitivno prispeva k ohranjanju biodiverzitete, gozdov, kakovosti tal in vode, a ima z vidika prostorskega razvoja izrazito negativen njegov učinek na urbanizacijo in uporabo obnovljivih virov energije, saj obsežne varovane površine pomenijo oviro celovitim prostorskim rešitvam. Na področju gospodarstva si nasprotujejo pozitivni učinki povezani z razvojem »zelenega« turizma (več obiskovalcev, večja zaposlenost) in negativni učinki kot posledica predvidenega poslabšanja gospodarske rasti (manj investicij) ter omejevanja razvoja infrastrukturnih omrežij (slika 8).

Slika 8: Prikaz učinka ukrepa U1 Določitev posebnih ohranitvenih območij na kriterije vrednotenja po posameznih področjih.
Glej angleški del prispevka.

Nasprotujoči učinki predpisa se odražajo tudi pri soočenju predpisa z nacionalnimi in lokalnimi prostorskimi cilji. Prispevek direktive k uresničevanju ciljev SPRS je z vidika »varstvenih« ciljev pozitiven, medtem ko je učinek na »razvojne« cilje negativen. Podrobneje so učinki direktive na okoljevarstvene cilje (C11, C12 in C08) in prostorski razvoj, usklajen s prostorskimi omejitvami, (C09) zelo pozitivni, še zlasti to velja za regije z velikim deležem kmetijskih zemljišč in poselitvenega potenciala znotraj Nature (R3). Predpis v vseh regijah ugodno deluje na ohranjanje prostorske prepoznavnosti Slovenije (C10) in na skladen razvoj območij s skupnimi prostorskimi razvojnimi značilnostmi (C05). Negativni so učinki na racionalen in učinkovit prostorski razvoj (C01) ter povezanost infrastrukturnih omrežji z evropskimi infrastrukturnimi sistemi (C07). Z vidika mest in naselji predpis negativno vpliva na razvoj policentričnih omrežji (C02), dopolnjevanje funkcij podeželskih in urbanih območij (C06), konkurenčnost ter kakovosten razvoj in privlačnost slovenskih mest v evropskem prostoru (C03 in C04).

Preglednica 4: Učinek habitatne direktive na doseganje ciljev Strategije prostorskega razvoja Slovenije v posameznem tipu regij.

U1-U5/Cilj	R1	R2	R3
C01 Racionalen in učinkovit prostorski razvoj	–	–	–
C02 Razvoj policentričnega omrežja mest in drugih naselij	–	–	–
C03 Večja konkurenčnost slovenskih mest v evropskem prostoru	0^-	–	–
C04 Kvaliteten razvoj in privlačnost mest v evropskem prostoru	0^-	0^-	0
C05 Skladen razvoj območij s skupnimi prostorsko razvojnimi značilnostmi	0^+	+	+
C06 Medsebojno dopolnjevanje funkcij podeželskih in urbanih območij	0^-	0^-	0^-
C07 Povezanost infrastrukturnih omrežij z evr. infrastrukturnimi sistemi	–	–	–
C08 Preudarna raba naravnih virov	+	+	++
C09 Prostorski razvoj usklajen s prostorskimi omejitvami	+	+	++
C10 Kulturna raznovrstnost kot temelj nacionalne prostorske prepoznavnosti	+	+	+
C11 Ohranjanje narave	+	++	++
C12 Varstvo okolja	+	+	++

Enako kot na nacionalni ravni habitatna direktiva tudi v primeru občine (preglednica 5) ne prispeva k uresničevanju »razvojnih« ciljev, kar se kaže v negativno ocenjenih učinkih vseh ukrepov na izboljšanje prostorskih razmer za razvoj novih delovnih mest (NM02), razvoj komunalne in prometne infrastrukture (NM03 in 04) ter skupno načrtovanje prostorskih ureditev v soodvisnosti od sosednjih občin (NM07). Varstveni cilji (NM01, NM05) so ocenjeni pozitivno. Vsi ukrepi z izjemo izravnalnih ukrepov imajo pozitivne učinke na razvoj turizma (NM06). Dvosmeren učinek na ohranjanje kulturne dediščine (NM11) je posledica izredno negativnih učinkov vseh ukrepov na javni proračun.

Preglednica 5: Učinek ukrepov habitatne direktive na doseganje ciljev prostorskega razvoja, zapisanih v občinskem prostorskem načrtu Mestne občine Novo mesto.

R2/cilj	U1	U2	U3	U4	U5	Pov
NM01 Uravnotežen prostorski razvoj	0^+	0^+	0^+	0^+		0^+
NM02 Izboljšanje prostorskih in drugih razmer za razvoj novih delovnih mest	0^-	–	–	–	0^-	–
NM03 Izboljšanje dostopnosti in prometne opremljenosti naselij, gospodarskih con in turističnih območij	–	–	–	–	–	–
NM04 Ustrezna energetska ter komunalna opremljenost naselij, gospod. con in turističnih območij	0^-	–	–	–	–	–
NM05 Nadgrajevanje prepoznavnosti prostora in podeželskih območij, krajine in grajenih struktur, ustvarjanje novih kvalitet v prostoru in ohranjanje naravnih kakovosti	+	+	++	0^+	++	+
NM06 Razvoj turističnih in prostočasnih dejavnosti kot pomembnih razvojnih programov	0^+	0^+	+	0^-		0^+
NM07 Skupno načrtovanje prostorskih ureditev v soodvisnosti od sosednih občin	0^-	–	–	–	–	–
NM08 Neoviran dostop javnih objektov in površin funkcionalno oviranim osebam						
NM09 Doseganje okoljskih ciljev	+	+	+	0^+		+
NM10 Varovanje ljudi in njihovega premoženja pred naravnimi in drugimi nesrečami ter preprečitve ali čim večjega zmanjšanja posledic naravnih in drugih nesreč	0^+	0^+	0^-	–	0^-	0^-
NM11 Ohranjanje kulturne dediščine ter njeno vključevanje v družbeni in gospodarski razvoj občine	0^+	0^+	+	–	–	0

4 Razprava in sklepi

V nasprotju z raziskavami o učinkih Nature 2000, ki se v večini posvečajo (ne)učinkovitosti direktive pri doseganju njenega temeljnega cilja ohranjanja biodiverzitete (Dimitrakopoulos in ostali 2004; Maiorano in ostali 2007; Pullin in ostali 2009), je TIA z upoštevanjem prostorskih, gospodarskih, družbenih in administrativnih učinkov celovitejša. Rezultati za Slovenijo soglašajo z ugotovitvami iz drugih držav EU, npr. Irske (Bryan 2012), Francije (Alphandéry, Fortier 2001) in Nemčije (Stoll-Kleeman 2001a; 2001b), da so za habitatno direktivo značilni dvosmerni učinki. Na področju gospodarstva direktiva omejuje zlasti intenzivno kmetijstvo in gozdarstvo ter turizem, hkrati pa Natura z idejo o spodbujanju sonaravnega razvoja predstavlja velik potencial za napredek panog, kot so tradicionalna obrt, turizem na kmetiji, ekološko kmetijstvo in druge (Zielinska 2009; Mrak 2008; Vovk Korže, Sajovic 2009). Medtem ko sodelujoči v raziskavi niso izrazili resnih pomislekov o prispevku habitatne direktive k njenemu osnovnemu cilju, se številni dvomi o doseganju osnovnega cilja pojavljajo zlasti v sredozemskih državah (Maiorano in ostali 2007; Dimitrakopoulos in ostali 2004). V večini držav so predvsem na lokalni ravni prepoznani intenzivni učinki na družbo, ena izmed avtoric (Zielinska in ostali 2009) omenja prispevek k dvigu kakovosti življenja, v naši analizi je bil dodan še vidik povečane osveščenosti o pomenu varovanja narave. Na drugi strani so tako v Sloveniji kot v tujini zaradi uvedbe varovalnega režima nastali družbeni konflikti, povezani s spremembo postopkov poseganja v prostor ter željami lastnikov zemljišč ali investitorjev. Na Irskem in v Franciji se je ta prizadetost pokazala z organiziranim uporom kmetov in drugega podeželskega prebivalstva, ki se je končal z ustrezno prilagoditvijo meja območij (Bryan 2012; Castro, Mouro 2011).

Četudi je bil namen raziskave opozoriti na razlike v prostorskih učinkih, ki jih predpis povzroči v posameznih tipih regij, rezultati na ravni politike kot celote niso pokazali večjih razlik. To lahko razložimo na dva načina: prvi je povezan z načinom nastanka tipologije, saj so se ocenjevalci težko poistovetili z umetno ustvarjenimi skupinami regij, ki si jih niso znali predstavljati kot prostorsko celoto, še posebej zaradi poznavanja posebnosti posameznih regij. Bryan (2012) je kot alternativo predlagala poenostavitev prikaza prostora samo na dve območij, in sicer ruralno in urbano, saj naj bi se učinki Nature 2000 najbolje ločevali prav med tema dvema območjema. Druga, morda pomembnejša razlaga je povezana z naravo učinkov, ki so tudi znotraj posamezne skupine kriterijev (npr. okolje, gospodarstvo) obojesmerni in se pri agregaciji rezultatov izničijo. To nas opozarja, da je agregiranje ocen iz matrik vplivov zaradi izgube informacij tvegano početje. Vpogled v rezultate na kriterij natančno, npr. kakovost infrastrukture, je namreč prikazal pomembne razlike med regijami.

Z izvedbo presoje prostorskih učinkov smo pokazali, da habitatna direktiva nima le učinkov na ohranjanje biodiverzitete, ampak tako pozitivno kot negativno učinkuje na gospodarstvo, družbo in upravljanje. Participativen pristop presoje je pokazal, da za javnost bolj odprt proces prinese več znanja, medsebojno izmenjavo informacij, razumevanje in utemeljene rešitve. Pomanjkanje znanja oziroma slabo razumevanje direktive na vseh ravneh je lahko tudi ena izmed razlag za nastanek problemov na področju upravljanja in administracije. Predpis neposredno učinkuje na rabo prostora, zato je z vidika upravljanja pomembno, da v postopek presoje poleg nacionalne ravni (ministrstvo odgovorno za pripravo predpisa in predstavniki »prizadetih« sektorjev) vključimo regionalno, predvsem pa lokalno raven, kjer so učinki predpisa najbolj neposredno opazni in druge interesne skupine (predstavnike gospodarstva, nevladne organizacije). Tako omogočimo enakovredno zastopanje različnih teženj in preprečimo prevlado interesov določenega sektorja v postopkih odločanja, hkrati pa zagotovimo ustrezno komunikacijo in izmenjavo znanja.

TIA je pokazala do sedaj največkrat prezrte kumulativne učinke predpisa (Wood in ostali 2006; Copper, Sheate, 2002; Atkinson in ostali 2000). Z uvedbo regije kot prostorske enote smo prešli problem izoliranega vrednotenja vpliva posameznega območja Natura 2000, s katerim težko zaobjamemo širši spekter učinkov in ki povzroči fragmentacijo ocene. Presoja prostorskih učinkov s pokritjem štirih tematskih področij tako zadosti potrebi po kompleksni obravnavi in vključitvi javnosti, kot omenjajo Treweek in ostali (2005), Durnik (2012), Bizjak (2012) in je zapisano v mednarodnih načelih dobre prakse Mednarodne zveze za presoje učinkov (2005).

Prikazan pristop je mešanica *ex-post* in *ex-ante* načina, saj smo jo izvedli v obdobju, ko je potrebna revizija zavarovanih območjih, za katero takšna raziskava doprinese koristne vsebinske ugotovitve in tudi izkušnje s participativnim postopkom. Prikazan postopek TIA omogoča prepoznavanje neželenih učinkov na različna področja, s čimer pripomore k izboljšanju učinkovitosti in izvajanja določenih ukrepov direktive (Fischer in ostali 2012). Tako se je na primer pokazalo, da ima ukrep »Poenostavitev postopkov

za zmanjšanje upravne obremenitve« zelo malo pozitivnih oziroma celo negativne učinke in je torej napačno opredeljen, neučinkovit in potreben prilagoditve. Le s celovitim pogledom na delovanje politike lahko preprečimo resničnost očitkov, da je Natura 2000 kot predpostavlja Marušič (2006) rezervat oziroma naravni park, in dejansko prispevamo k njenemu glavnemu cilju »*spodbujati vzdrževanje biotske raznovrstnosti ob upoštevanju gospodarskih, družbenih, kulturnih in regionalnih zahtev, ukrepi, sprejeti na podlagi te direktive pa upoštevajo gospodarske, družbene in kulturne potrebe ter regionalne in lokalne značilnosti*« (Council directive 1992).

5 Literatura

Glej angleški del prispevka.