

**1. Proposal to identify potential "strict protection" areas according to EC guidelines<sup>1</sup> for the implementation of the European Biodiversity Strategy 2030.**

**A. Aquatic ecosystems of high ecological value represented by watercourses and adjacent wetlands, together with associated buffer zones (mainly represented by riparian forests).**

Conservation values taken into account	Spatial delimitation
<ul style="list-style-type: none"> <li>● Minor waterway riverbed and <b>adjacent wetlands</b> (former meanders, abandoned meanders) of watercourses</li> <li>● <b>Free-flowing watercourses</b> with longitudinal, lateral, vertical and temporal connectivity ensured</li> <li>● Bodies of water with <b>very good and good ecological value</b></li> <li>● Areas with <b>riparian habitats</b> including <b>areas with forest vegetation</b> adjacent to the watercourse (established on agricultural land, former meanders (abandoned meanders)</li> <li>● Areas with <b>forest vegetation, scrubland habitats, grassland habitats in major riverbeds</b> (meadow areas).</li> <li>● spawning areas for <b>fish species</b> of high ecological and/or economic value (sturgeon, trout, carp, etc.)</li> <li>● habitats typical of <b>endemic species</b> (e.g. <i>Romanichthys</i>)</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Protection area</b> of minor and major riverbeds/ river meadows according to the protection distances and delimitation definitions indicated by the Water Law respectively the Methodology for the delimitation of minor riverbeds.</li> <li>● Based on the criteria for the designation of free-flowing rivers established at European level</li> <li>● Delimitations achieved through the implementation of the <b>Water Framework Directive</b> for water bodies in good and very good ecological status</li> <li>● Flood hazard and risk areas and <b>flood mitigation</b> areas according to hazard and risk maps and Flood Risk Management Plans</li> <li>● <b>Nationally representative forests and riparian habitats of community interest</b> or of high conservation value</li> <li>● Use of the "no-go" methodology to identify the list of <b>water course sectors not affected by human activities (GO 111/2020)</b></li> <li>● Delimitations carried out through studies to identify the habitats of endemic species and those of ecological and economic value (ARBDD, INCDDD, IBB, University of Bucharest, etc.).</li> </ul>
<b>Regional priorities for designation:</b>	
<ul style="list-style-type: none"> <li>➤ ensuring the <b>longitudinal, lateral, vertical and temporal ecological connectivity</b> of the river network and adjacent wetlands (with a focus on the connectivity of the highly <b>natural areas</b> not included in the network of protected areas)</li> <li>➤ areas <b>of landscape lacking shelter</b> for terrestrial species</li> <li>➤ areas with habitats and species of <b>community interest</b></li> <li>➤ areas in <b>need of reconstruction</b> or intervention through nature-based solutions to mitigate erosion or flood risk</li> </ul>	
<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>- Correlation with River Basin Management Plans and Flood Risk Management Plans - taking over areas and measures (e.g. maintaining or increasing the area of forests in the river basins ensuring lateral and longitudinal connectivity)</li> </ul>	

<sup>1</sup> [https://environment.ec.europa.eu/publications/criteria-and-guidance-protected-areas-designations-staff-working-document\\_en](https://environment.ec.europa.eu/publications/criteria-and-guidance-protected-areas-designations-staff-working-document_en)

- Correlation with the methodology for designating free-flowing rivers at European level

#### Management measures

##### Restrictions:

- Clearing of forest vegetation except for access/crossing paths necessary for sustainable land management
- Removal of trees from the minor riverbed and water flow protection zone
- Mining of mineral aggregates
- Endangering the connectivity of the river sector (e.g. by installing cross-cutting sills, water catchments, etc.)
- regularisation works on the minor riverbed and banks
- construction of levees and dams

##### Active management measures:

- ✓ Mowing and grazing activities in major riverbeds
- ✓ Timber harvesting for preservation purposes; priority to be given to the harvesting of non-native/invasive species
- ✓ In order to prevent flooding and to eliminate possible blockages in the free flow of water, clearing of riverbeds with removal of woody vegetation will be allowed.
- ✓ Recreational fishing
- ✓ Natural disaster prevention works
- ✓ Ecological reconstruction
- ✓ Establishment of physical blocks eligible for APIA payments and on wooded areas for their maintenance

**A.1. Grounds for identifying as potential "strict protection" areas: (i) high conservation value for biodiversity and (ii) fulfilment of ecosystem services for adapting to and combating the effects of climate change.**

##### Functionality:

- ✓ ensure the protection and **functionality of the aquatic habitats** of watercourses
- ✓ provide biological treatment and retention of pollutants affecting water quality
- ✓ contribute to flood risk reduction through the application of nature-based solutions

##### Connectivity:

- ✓ ensure **longitudinal ecological connectivity** of watercourses
- ✓ provide connectivity & **refuge areas** for terrestrial species in areas with a landscape dominated by intensive agricultural crops (lacking such benefits)
- ✓ ensure the connectivity of **the protected areas network**

##### Representativeness:

- ✓ **Habitats of community** interest/priority (e.g. 91E0\*, 92A0, 91F0, 6430, 3150, 6440, 3240, 3270, etc.) or nationally representative habitats of high conservation value (e.g. willow scrub, waterside vegetation, marshes, streams and brooks)
- ✓ **species of community interest**, some even EU and RO priority/strictly protected, not only aquatic but also terrestrial species that are dependent on these shelter/conservation areas in such landscapes of intensive agricultural crops (e.g. mammals: *Mustela lutreola*, *Castor fiber*, *Lutra lutra*, *Cricetus cricetus*, *Mustela eversmani*, *Felis silvestris*; reptiles: *Emys orbicularis*, *Coronella austriaca*, *Natrix tessellata*; amphibians: *Bombina variegata*, *Bombina bombina*, *Triturus cristatus*, *Triturus montandoni*, *Triturus dobrogicus*, *Hyla arborea*, *Bufo viridis*; fish: *Zingel sp.*, *Romanogobio sp.*, *Sabanejewia balcanica*, *Sabanejewia sp.*, *Rhodeus amarus*, *Cobitis sp.*, *Hucho hucho*; birds: *Falco naumanni*, *Aquila heliaca*, *Asio flammeus*, *Alcedo atthis*, *Lanius collurio* etc.).

#### A.2 Technical and governance grounds

- (i) There are **already legal provisions in place that establish a differentiated protection regime** along watercourses and adjacent wetlands:
  - Water Law 107/1996 (Annex 2) - sets spatial criteria for the designation of protection buffer zones (including for the protection of minor riverbeds); sets the management regime for forests in major

riverbeds, in dike-swale areas, as well as forest strips along unimpounded rivers (forests with special protection functions); regulates the regime of trees and shrubs on land in major riverbeds;

- Nitrates Directive (GO 964/2000 - Order 333/2021) - establishes spatial criteria for establishing buffer zones for protection against nitrate pollution from agricultural sources
- Methodology for the delimitation of minor riverbeds of watercourses belonging to the public domain of the State (Order 2115/2021)

- (ii) **SNP-PAC GAEC 8** which aims to have a minimum percentage (4-7%) of the agricultural area dedicated to **non-productive / fallow or landscape areas or features** - this measure basically provides better coherence and integration of delivery efforts
- (iii) Does not affect existing **APIA payment** schedules for agricultural crops
- (iv) **Conservative subsidies/payments** are required **for these areas to** support conservation efforts; thus these areas will become eligible for payment

- (v) Anticipates the settlement of **binding European provisions**: [EU Nature restoration law](#) and [EUDR](#) (EU Reg. 1115/2023 "Deforestation-free")

- (vi) It prevents deforestation and ensures the conservation of forest vegetation outside the national forest estate in protected areas and supports the achievement of timber harvests within the projected limits for forestry set in the context of EU climate and energy policies for 2030 (LULUCF, RED).

**Context:** Romania has according to the [EU observatory on deforestation and forest degradation](#) about 9 million ha of land covered by forest vegetation (according to the FAO definition of forests). Romania reports **7 million ha of forests** (according to [the National Forest Inventory](#)) of which only **6.4 million ha** are classified as national forest land (**FFN**) and are subject to the forestry regime. Approximately **0.3 mil ha** are lands covered with forest vegetation located in the protection zone of watercourses and adjacent wetlands.

2. Proposal for the identification of potential "strict protection" areas according to EC guidelines<sup>2</sup> for the implementation of the European Biodiversity Strategy 2030.

**A. Silvopastoral mosaic landscapes (agro-forestry) with high conservation value, represented by the mix of grassland-forest-woodland habitats.**

<p><b>Conservation values considered</b></p> <ul style="list-style-type: none"> <li>• Ecological functionality of the mosaic silvo-pastoral (agro-forestry) landscape consisting of <b>a mix of forest/forestry</b> habitats outside the national forest and permanent grassland (see A.1)</li> <li>• The mosaic silvo-pastoral (agro-forestry) landscape maximises its conservation value if <b>wetlands</b> and <b>cliff/grotto habitats</b> are included.</li> </ul>
<p><b>Priorities for designation:</b></p> <ul style="list-style-type: none"> <li>(i) increasing the <b>ecological connectivity of forest habitats</b> by 'enveloping' isolated forest bodies in NFF contained in the mosaic</li> <li>(ii) improving the ecological <b>connectivity</b> of the <b>network of protected natural areas</b></li> <li>(iii) areas providing <b>ecological connectivity</b> at regional level and which have been included in <b>ecological corridors</b> identified by scientific projects funded/received by the authorities</li> <li>(iv) areas in designated <b>protected natural areas</b> where forests/tuparials are identified and mapped as <b>Habitats of Community Interest</b> through the AP Natura 2000 MPs</li> <li>(v) areas located in <b>catchment areas at risk of flooding</b></li> <li>(vi) pastures affected by land degradation in <b>need of reconstruction</b> or NbS interventions to mitigate erosion or flood risk</li> <li>(vii) isolated landscape-level grassland-woodland mosaic areas functioning as biodiversity pacemakers for ecologically weak adjacent areas</li> </ul>
<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>- Correlation with National Forest Fund distribution (i).</li> <li>- Correlation with AP network distribution (ii)</li> <li>- Correlation with ecological corridors identified through scientific projects received by the competent authority (iii)</li> <li>- Correlation with protected natural areas MPs (iv)</li> <li>- Correlation with Flood Risk MP where maintaining this mosaic has significant implications (v)</li> <li>- Correlation with APIA database (vi)</li> </ul>
<p><b>Management measures</b></p> <p>Strict protection of the <b>mosaic silvo-pastoral (agro-forestry) landscape</b> through <b>active management measures</b></p> <p><b>Restrictions:</b></p> <ul style="list-style-type: none"> <li>✓ Deforestation<sup>3</sup> forest vegetation</li> <li>✓ Mining of mineral aggregates</li> <li>✓ Change of use category (e.g. to access roads, intravilan) on more than 5% of the landscape (which is why potential area proposals should be declared &gt; 10% ).</li> <li>✓ Afforestation with non-native species</li> </ul> <p><b>Active management measures:</b></p> <ul style="list-style-type: none"> <li>✓ Mowing and grazing activities, including in woodland/woodland areas</li> <li>✓ Timber harvesting (i.e. annually max. 1% of the volume of timber per foot, no more than 2 stand height openings)</li> <li>✓ Harvesting of fruit and mushrooms (with limitations laid down in regulatory acts)</li> <li>✓ Work on natural disaster prevention interventions</li> <li>✓ Ecological reconstruction</li> <li>✓ Establishment of physical blocks eligible for APIA payments and on wooded areas to maintain this mosaic landscape</li> </ul>

<sup>2</sup> [https://environment.ec.europa.eu/publications/criteria-and-guidance-protected-areas-designations-staff-working-document\\_en](https://environment.ec.europa.eu/publications/criteria-and-guidance-protected-areas-designations-staff-working-document_en)

<sup>3</sup> According to the EUDR definition

**A.1.** Grounds for the identification of **high conservation value agro-forest mosaic landscapes** consisting of grassland-forest-woodland habitats as potential "strict protection" areas: (i) **high conservation value** for biodiversity; (ii) increases coherence of the Natura 2000 network and improves connectivity of Natura 2000 sites; (iii) fulfilment of **ecosystem services** for **adapting to** and combating the effects of **climate change** (4.1.4. Other ecosystems)

**Representativeness:**

- ✓ Community interest/priority **issues**
- ✓ EU and RO **species of Community interest** or priority/strictly protected **species**
- ✓ the transition area between permanent grassland and forest is an **extensive area of ecotone** that harbours a **high specific biodiversity**.
- ✓ essential for **preserving the cultural identity** of local **communities** in areas where there is **traditional use**

**Proportionality:**

- ✓ covers **specific large areas at national level** (more than 3 million ha at national level)

**Connectivity:**

- ✓ ensures maintenance/improvement of **functional connectivity** of isolated forest bodies in NFF for **forest dependent species** with reduced dispersal capacity (e.g. insects, fungi etc.)
- ✓ constitute **core distribution areas of connectivity networks** (i.e. they are natural landscapes with high favorability for mammals); constitute a mix of favorable habitats included in **ecological corridors** (see connectivity projects implemented in RO for large carnivores as umbrella species)

**Functionality:**

- ✓ ensures **the functionality of protected areas** through the conservation of habitats of Community interest (convergence with Natura 2000 site management plans)
- ✓ together with grassland habitats, functionally support **zoocenoses specific to transition zones**
- ✓ have a **higher resilience** compared to artificially created forests (through afforestation of agricultural land), being naturally established through **natural processes of succession**
- ✓ have a **high adaptability**, with a high capacity for evolution due to the increased dynamics and the large number of characteristic edifying species

**A.2** Technical and governance grounds

(vii) Non-forest forests/woodlands (except for those which are designated as Habitats of Community Interest by management plans), **can be legally deforested** because: (\*) they do not benefit from dedicated management regulations, and (\*\*) the APIA payments for permanent grassland encourage the increase of eligible physical blocks to the detriment of areas covered by forests/woodlands.

(viii) **Does not** affect existing **APIA** payment schedules for grassland

(ix) Land on which forestry vegetation is in place will retain its agricultural use. **Conservation subsidies/payments** may also be granted for these areas, which will become eligible for payment to support conservation efforts

**Background.** According to the [EU observatory on deforestation and forest degradation](#), Romania has about **9 million ha** of land covered by forest vegetation (according to the FAO definition of forests). Romania reports **7 million ha of forests** (according to [the National Forest Inventory](#)), of which only **6.4 million ha** are classified as national forest land (**NFI**), for which the forestry regime is applicable. Approximately **1.2 mil ha** are lands covered with forest vegetation (wooded pastures) which together with permanent meadows / pastures and cliffs form a mosaic landscape with high conservation value of over **3 mil ha**, absolutely significant at national level especially in terms of biodiversity.

(x) **It prevents legal deforestation** and ensures the **conservation of forest vegetation** outside the national forest estate and supports the **achievement of timber harvests** within the projected limits for forestry set in the context of EU climate and energy policies for 2030 (**LULUCF, RED**).

(xi) **Anticipates the settlement of binding European provisions:** [EU Nature restoration law](#) and [EUDR](#) (EU Reg. 1115/2023 "Deforestation-free")