

Kistowski, Mariusz

Article

Institutional changes in Polish landscape parks and their influence on the efficiency of governance

Economic and Environmental Studies (E&ES)

Provided in Cooperation with:

Opole University

Suggested Citation: Kistowski, Mariusz (2012) : Institutional changes in Polish landscape parks and their influence on the efficiency of governance, Economic and Environmental Studies (E&ES), ISSN 2081-8319, Opole University, Faculty of Economics, Opole, Vol. 12, Iss. 1, pp. 23-46

This Version is available at:

<https://hdl.handle.net/10419/93183>

Standard-Nutzungsbedingungen:

Die Dokumente auf EconStor dürfen zu eigenen wissenschaftlichen Zwecken und zum Privatgebrauch gespeichert und kopiert werden.

Sie dürfen die Dokumente nicht für öffentliche oder kommerzielle Zwecke vervielfältigen, öffentlich ausstellen, öffentlich zugänglich machen, vertreiben oder anderweitig nutzen.

Sofern die Verfasser die Dokumente unter Open-Content-Lizenzen (insbesondere CC-Lizenzen) zur Verfügung gestellt haben sollten, gelten abweichend von diesen Nutzungsbedingungen die in der dort genannten Lizenz gewährten Nutzungsrechte.

Terms of use:

Documents in EconStor may be saved and copied for your personal and scholarly purposes.

You are not to copy documents for public or commercial purposes, to exhibit the documents publicly, to make them publicly available on the internet, or to distribute or otherwise use the documents in public.

If the documents have been made available under an Open Content Licence (especially Creative Commons Licences), you may exercise further usage rights as specified in the indicated licence.

Institutional changes in Polish landscape parks and their influence on the efficiency of governance

Mariusz KISTOWSKI
University of Gdańsk, Poland

Abstract: The article presents the effects of the changes in the legal regulations, introduced in 2008 and 2009, on the efficiency of administering environmental protection of landscape parks in Poland. These changes concerned the transfer of some human resources and parks' properties to Regional Directorates for Environmental protection (RDOŚ) as well as handing the responsibilities for these parks by the Voivodeship governors over to the voivodeship self-governments. The analysis of the documents and the questionnaire research was carried out in 49 park boards, RDOŚ as well as Marshall Offices and enabled the evaluation of the effects in the scope of: structure of park administration, number and scope of responsibilities of park workers, condition of accomplishment of park protection plans, functioning and members of park councils as well as property and finances of their boards. Evaluation – confirmed by the respondents' answers – shows that there are much more negative effects than positive ones, which lead towards lower efficiency of parks' protection and gradual degradation of their values.

Keywords: *landscape parks, Nature Conservation Act, parks' boards, governance efficiency, Poland*

1. Introduction

Landscape Parks - created on the basis of *Nature Conservation Act* - are one of the most essential elements of the national system of nature and landscape conservation in Poland. 121 parks, which cover an area of 8% of the country (Fig. 1) have been created since 1976. Their functioning influences the dwellers of the area, administrations at various levels, tourists using these parks, scientists carrying out their researches as well as Non-Governmental Organisations (NGOs) responsible for their proper maintenance. The majority of these stakeholders have a positive attitude towards the existence of these parks. However, other groups, especially the

investors who plan to run their businesses against the regulations on park conservation, have a negative attitude towards the existence of parks. These also include developers running tourist and housing enterprises, livestock farms, windmill farms or those who exploit the natural mineral resources. In many cases, such actions had to be given up or their scope was to be restricted in the parks. Thus, during the period of intensified economic growth, as a result of access to EU funds and foreign investors, we observed attempts to limit the protective position of landscape parks.

Figure 1. The situation of Polish landscape parks in general types of natural environment



Source: Author's own elaboration

The first decade of the 21st century was a period of gradual limitation of the role of landscape parks in Polish system of nature and landscape conservation. Apart from the lobbying of the earlier mentioned investors, this situation resulted from many other additional factors, such as (Badora, 2008; Kistowski, 2009; KP, 2011):

- The inefficiency of the Ministry of the Environment resulting in lack of actions in the frame of landscape conservation, despite the ratification of European Landscape Convention by Poland.
- The social pressure on new and traditional tourism sites (especially the seaside and mountain areas), connected with the increase of investments and tourist movements.
- The implementation of the Community Law regarding nature conservation (Habitats and Birds Directives (European Communities, 1992; European Union, 2009)), which are focused on the protection of biological diversity, excluding landscape conservation, treated as esthetic-physiognomy.

Budget financing is focused on the protection of the Natura 2000 areas¹, because not fulfilling the plans for the conservation of those areas on time may result in financial penalties on Poland from European Commission. Whereas, having no plans at all for the conservation of landscape parks, practically, bears no consequences whatsoever.

Problems regarding the protection of landscape parks started in the 90s of the 20th century and were elaborated in more detail by different authors (Kurowski and Witosławski, 2002; Zimniewicz, 2002; Mizgajski, 2003; Kistowski, 2004). They were the result of constantly worsening legal regulations, which would limit the competences of the landscape parks' staff. So far, the latest landscape park was created in 2001. However, the most radical changes in legal regulations took place in the years 2008-2009 and they led to very negative effects - reduction of personnel and responsibilities of the boards of the landscape parks. It all started with the new law coming into force *The Act of 3 October 2008 on the provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessment (Ustawa z 3 października 2008 r. o udostępnianiu informacji o środowisku i jego ochronie, udziale społeczeństwa w ochronie środowiska oraz o ocenach oddziaływania na środowisko)* (Dz.U.2008 No. 199 position 1227), which included some regulations from previous *Environmental Protection Act* and introduced a lot of new regulations, e.g. creating a new

¹ Special Areas of Conservation designed under Habitats Directive, established for protection of biotopes and species of flora and fauna and Special Protection Areas designed under Birds Directive.

administrative structure in the form of Chief (GDOŚ) and Regional Directorates for Environmental Protection (RDOŚ). These actions are carried out by the newly introduced *The Act of 23 January 2009 amending certain laws in connection with changes in the organization and division of tasks of public administration in the voivodeship (Ustawa z 23 stycznia 2009 r. o zmianie niektórych ustaw w związku ze zmianami w organizacji i podziale zadań administracji publicznej w województwie)* (Dz.U.2009 No. 92 position 753), which shifted the responsibilities regarding landscape parks from the voivodeship² government administration (Voivodeship governor) onto self-governing administration at the voivodeship level (Marshall and Voivodeship Board). As a result, *The Act of 16 April 2004 on Nature Conservation (Ustawa z 16 kwietnia 2004 r. o ochronie przyrody)* (Dz.U.2004 No. 92 position 880, the codified version of 5 July 2011) (<http://isap.sejm.gov.pl/>) was also changed.

The main goal of Polish self-governing administration is to support and stimulate the socio-economic development of its regions (*Act of 16 April 2004 on nature protection – Ustawa z 5 czerwca 1998 r. o samorządzie województwa*). Therefore, there is a danger that it will not be able to effectively fulfill tasks regarding protection of nature and landscape, which it is responsible for. After just three years of introducing the new regulations, it is quite difficult to verify this thesis. However, it is possible to determine the direct effects of the changes in the legal regulations, which took place in the parks' boards and which, definitely, influenced the efficiency of their conservation management. These effects are the main scope of this study and its results are presented in this article. The research material was gathered during the study of certain documents (e.g. protection plans of landscape parks, statements of Assemblage of Voivodeships' Marshalls) and publications regarding landscape parks (e.g. Mika, 2004; Broda, 2008) and questionnaires which were taken in the mid 2010 in the landscape parks' boards, Regional Directorates for Environmental Protection (RDOŚ) and Marshall Offices - the institutions involved in the process of park management before and after the changes in regulations. The questionnaire dealt with issues concerning landscape parks' staff condition and transfer of employees to other institutions, carrying out certain tasks (e.g. planning of landscape park protection), functioning of opinion/advisory bodies (park boards) as well as opinions on the influence of institutional changes on efficiency of park management and their protection. Out of

² A voivodship is a Polish administrative unit between the central government and municipality. Although it has different rights and competencies, it is at a similar administrative level as a province or a German *Bundesland*.

75 questionnaires sent, 49 responses from various institutions were gathered (2/3). That is why this study can be considered as representative (Kistowski and Kowalczyk, 2011: 85-96).

2. Legal regulations generating institutional changes in landscape parks

Due to the infringement of regulations regarding introduction of Natura 2000 network and instruments of its management in Poland, The European Commission warned The Polish government from 2005-2011 a few times (e.g. IP/06/1757 of 12 December 2006, IP/10/1584 of 24 November 2010, IP/12/70 of 26 January 2012, see more on http://ec.europa.eu/environment/legal/law/press_en.htm). In 2008 the concept of establishing a new government administration unit, connected with the Ministry of the Environment (separated from its structure) occurred, in order to eliminate these infringements and improve the whole process, which was also connected with the improvement of the procedures of considering environmental criteria while planning and realizing certain undertakings. Thus, on the basis of *The Act of 3 October 2008 on the provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessment*, GDOŚ was established in Warsaw and 16 RDOŚ in the voivodeship capital cities. Some of the workers, who were previously employed in the Ministry of the Environment and other Voivodeship Councils (responsible for environmental protection) became employed by new institutions. However, due to the fact that they were now responsible for much more tasks, this staff as well as separate property turned out not to be sufficient. Thus, the idea was to fulfill this lack with staff and partially with property of the landscape parks' boards, which was justified with the fact that about 2/3 of the total landscape parks' area overlap with Nature 2000 sites and part of the tasks regarding the parks' protection is convergent with the protection tasks of Natura 2000 sites. That is why in the above mentioned act it was required that a part of the staff of the parks engaged in the conservation of the environment, nature, landscape and historical-cultural values, vice-directors and parks' directors (however, after agreement) had to become, within a few weeks, workers of the regional directorates for environmental protection. Moreover, parks' directors were deprived of some of their responsibilities and it was required that the movable and immovable property of the parks, where the Natura 2000 sites were created or are planned for and serve as a place of task fulfillment by the workers given over to RDOŚ, be handed over to

RDOŚ board free of charge. So, from one day to another the boards of the parks lost the majority of their human resources formed over a period of dozens of years.

A few months later there was a continuation of legal changes taking place in the parks, which was no longer directly connected with the establishment of RDOŚ, but was partially a consequence of such changes. It turned out that previous changes could cause a quick disintegration of the parks' management structure. Despite the fact that scientific and NGO circles emphasized that the best solution would be to hand the parks' management over to the new RDOŚ, it was decided that the creative and governing supervisory responsibilities towards them shall be handed by government administration (Voivodeship governors) to the self-governing voivodeships. Thus, in the light of *The Act of 23 January 2009 to amend certain laws in connection with changes in the organization and division of tasks of public administration in the voivodeship*, voivodeship parliaments is responsible for:

- establishing and changing parks' borders and liquidating landscape parks,
- establishing conservation plans of landscape parks,
- providing landscape parks or their teams with the status, which would determine their organizational structure,

while the voivodeship boards are responsible for:

- appointing a park's director, after consultation with the regional council for nature conservation,
- appointing a park's or a set of the parks' council for a five-year tenure.

Carrying out the first two of the above mentioned actions requires the agreement of the communes' boards where the park is located as well as the regional director of environmental protection.

In this way the voivodeship self-governments and their workers employed in the Marshall's Offices were given new tasks regarding management of the landscape parks. They were to be completed by the parks' boards which had at their disposal reduced staff, limited equipment and smaller number of offices as well as unspecified funds, but definitely reduced finances coming from the national budget. So far, they have not been realizing any tasks regarding nature and landscape conservation as they belonged to the competences of voivodeship governors and communes.

3. The effects of institutional changes in landscape parks

The effects of changes in legal regulations were analyzed with regards to five aspects essential in efficient park management. These include:

- structure of park administration,
- number of workers in parks' boards,
- possibility of fulfilling protective tasks resulting from carrying out park conservation plans and range of duties of parks' staff,
- functioning and composition of parks' councils as the director's opinion-advisory bodies,
- property and finances of parks' boards.

The author's studies carried out in the years 2002-2003 (Kistowski, 2002: 38-45, Kistowski and Majchrowska, 2002: 149-171; Kistowski, 2004) were the reference point, which enabled the evaluation of changes in these aspects. While considering the finances, the research done by the Poznań study center served as a reference point (Mizgajski, 2003: 13-22).

In the 35-year-long process of evolution of the structures of landscape park management in Poland, a few types of such structures were created. There was no national policy regarding their creation, but it depended on regional conditions, such as: traditions of nature conservation, the size of voivodeships, financial and residential possibilities of voivodeship governors, human resources but sometimes also local personal connotations. The previous "revolution" in this structure was caused by the changes in administrative borders of voivodeships in 1998 and reduction of their number from 49 to 16. Eventually, the created structure is represented by three main types of administration, which include:

- boards of sets of parks of voivodeships (with their local branches),
- boards of sets of parks, including a few parks but not all in the same voivodeship,
- boards of the individual landscape parks.

Until 2008 there were also a few boards of sets of parks, which did not have a formal status of a set, however, they were functioning on similar rules. Based on many years' observations and analysis it was believed that, from the point of view of efficiency of environmental and landscape conservation, the boards of individual landscape parks had the most efficient structure. That is because their offices are very often situated on the parks' territory or close by, and the staff of their boards are generally more numerous (per park and its area) than in case of voivodeship

boards or set of parks boards and they also have a better access to their area. The following changes, considering the number of particular types of park boards, were the result of new regulations (Fig. 2):

- the increase in the number of voivodeship boards from 5 to 10 and the number of their branches from 23 to 41,
- the decrease in the number of sets of parks (11) and groups of parks (5) from 16 to 6,
- the decrease in number of individual park boards from 28 to 16.

Despite the lack of essential difference between the number of boards and branches in 2003 and 2010, the real number of offices was slightly reduced. It was due to the fact that a few voivodeship boards as well as their branches were functioning in the same offices, so the structure of park administration in one of voivodeships and a few branches were liquidated.

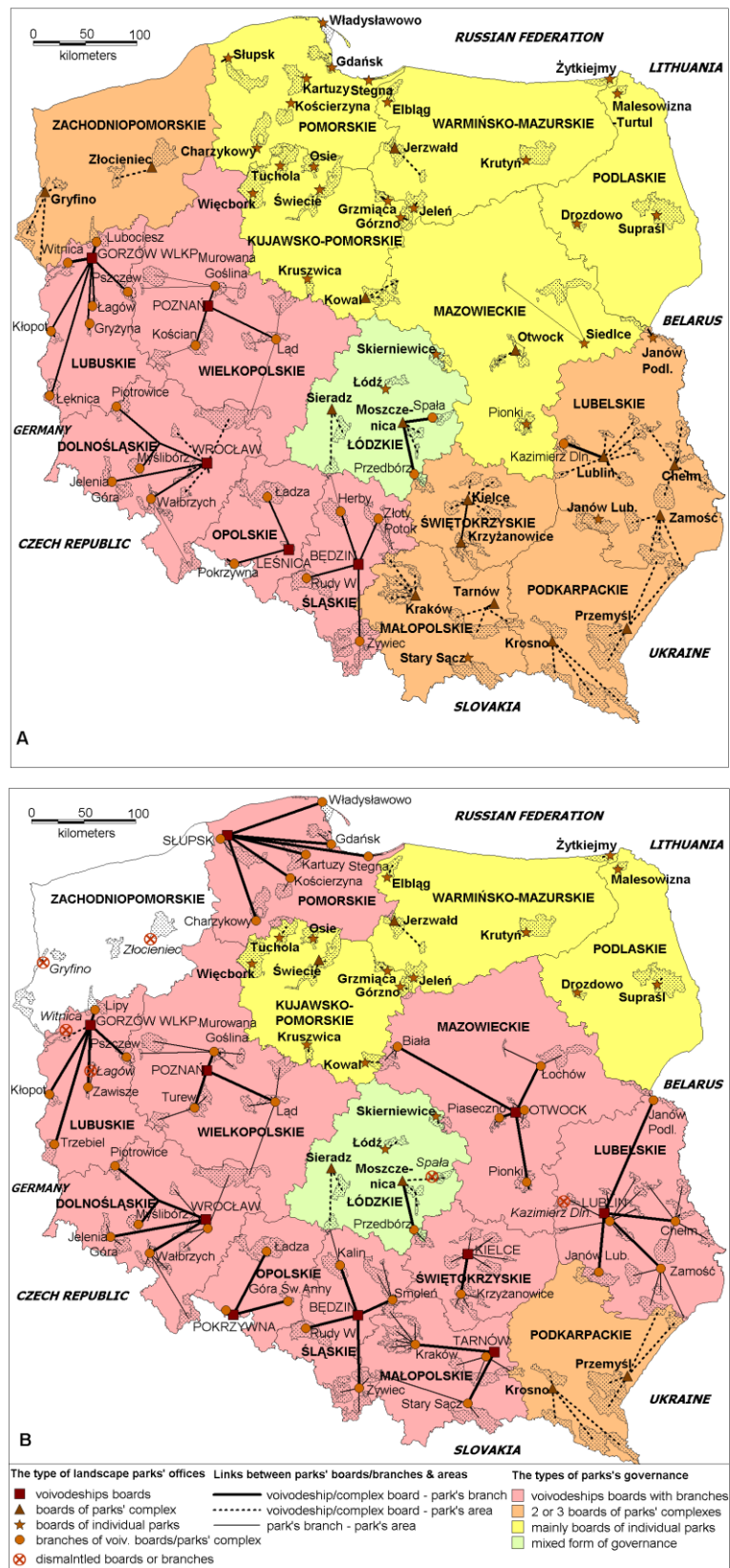
The negative effects of the changes in administrative structures include:

- A doubling in the number of voivodeships and even greater one considering parks (from 39 to 84) managed by voivodeship boards, which pushes the “central” park offices away from the terrain governed by them – the effects can be partially lessened by transforming the former offices of the individual parks’ boards into the branches of the voivodeship boards.
- Almost halving the number of individual park boards, leaving them only in 4 out of 9 voivodeships, where they existed in 2003; this situation can be even worse because of the transformation of the remaining individual boards into the voivodeship boards.
- The total liquidation of the parks’ boards in Zachodniopomorskie voivodeship and liquidation of a few branches of park offices (Kazimierski, Łagowski, Spalski i Ujście Warty), which further separated the administration from the protected terrain.

The positive effects, on the other hand, are as follows:

- Proper arrangement of the administrative structures, which means liquidation of groups of parks.
- Shifting and creating a few new offices of boards and branches; thanks to that Landscape Park Services would function in these cases closer to parks’ terrains.
- Centralization of some administrative operations of parks’ boards (directors, bookkeepers, human resources services), which can, within some time, improve surveillance over the staff, better discipline and more effective accomplishment of the tasks.

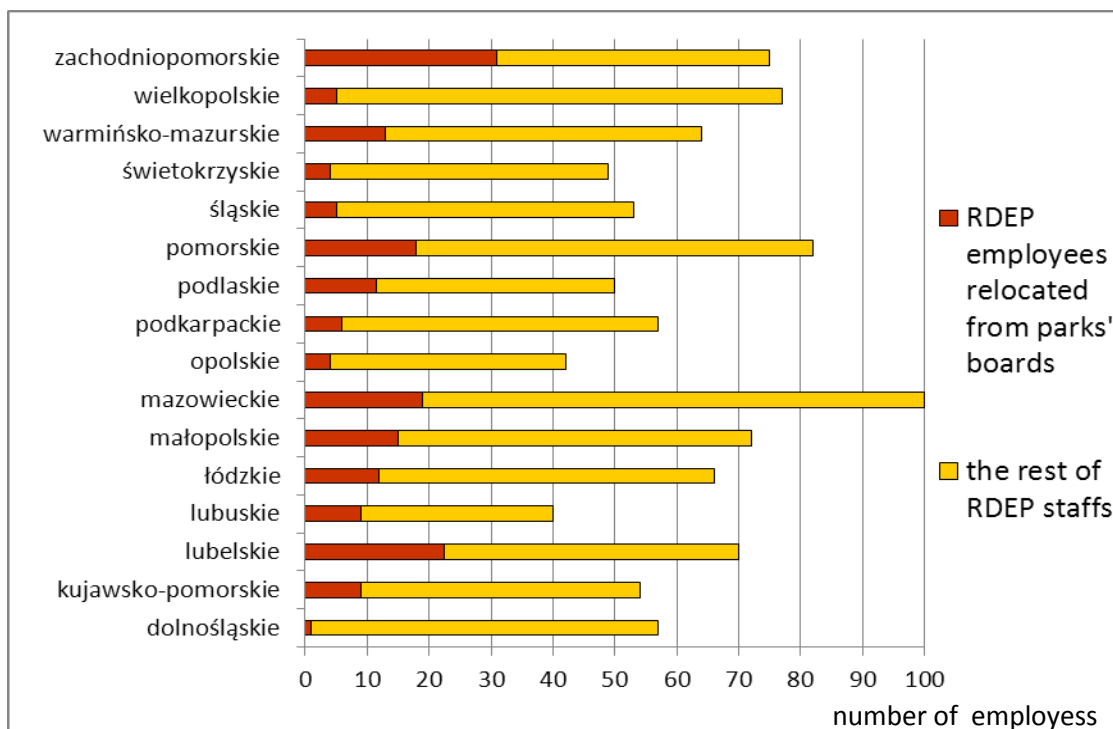
Figure 2. The types of landscape parks' governance in 2003 (A) and 2010 (B)



Source: Author's own elaboration

As a result of the legal requirement of shifting some of the park workers to RDOŚ at the end of 2008 and 2009, about 190-200 former park workers were moved to the latter institution (about 30% of the human resources before the year 2008). Some individuals also changed their work for other institutions. This process was the strongest in the Zachodniopomorskie voivodeship (31 posts shifted to RDOŚ) as well as in the Lubelskie, Mazowieckie and Pomorskie voivodships (ca. 20 posts in each), while the lowest number of shifted posts was in Dolnośląskie (1), Opolskie, Śląskie and Świętokrzyskie (4-5 in each) (Fig. 3). Considering the initial number of the park workers, the whole situation affected mostly the Zachodniopomorskie voivodeship, where RDOŚ gained all the posts and the Mazowieckie voivodship ($\frac{3}{4}$ of all the posts).

Figure 3. The number of RDEP staffs in voivodeships and share of employees relocated from parks' boards (2010)

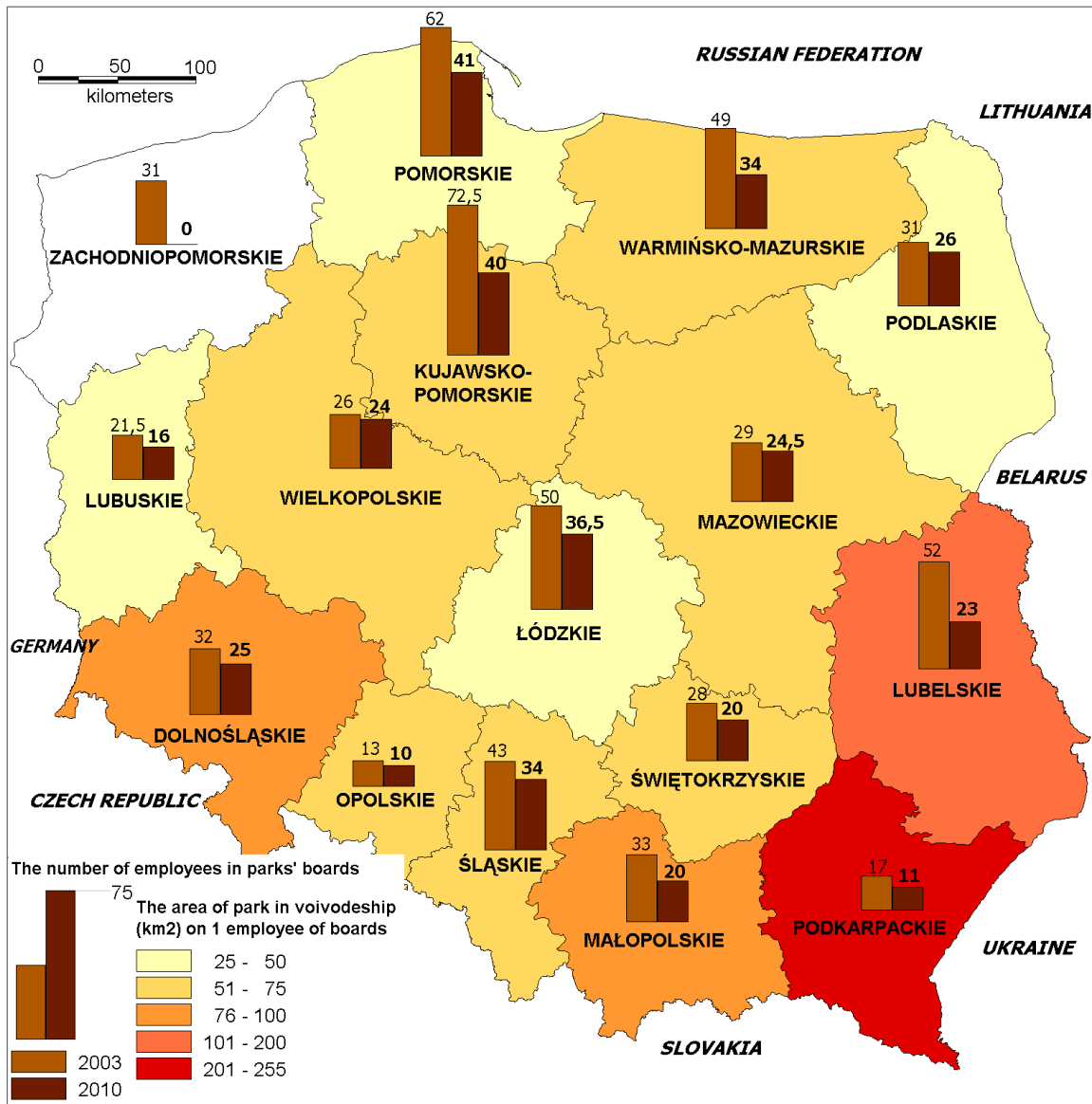


Source: Author's own elaboration based on questionnaire study

However, until the end of 2010 in the Mazowieckie voivodeship, parks' human resources were rebuilt up to 85% of posts from before the reform, and, moreover, two additional branches were created. Nearly half of the parks' workers were shifted to RDOŚ in the following voivodeships: Lubuskie, Małopolskie and Lubelskie. The reduction of human resources affected

the following voivodeships the least: Dolnośląskie, Kujawsko-Pomorskie and Świętokrzyskie, while in the two last regions the number of posts was reduced by the voivodeship self-government, which took over management of the parks. The average number of posts per one park in Poland went down from 5.2 before the year 2008 to 3.2 in 2010.

Figure 4. The absolute number of employees in landscape parks' boards in 2003 and 2010 and index of employment in relation to voivodeship area

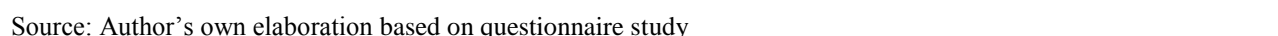


Source: Author's own elaboration based on questionnaire study

Comparing the condition of human resources in 2003 and 2010 we can say that, in the last 8 years, the greatest number of posts is in the following voivodeships: Pomorskie (41) and

Kujawsko-Pomorskie (40), although it was reduced by 33-45%. The situation is quite good in Łódzkie (36.5), Śląskie and Warmińsko-Mazurskie (34 posts in each) (Fig. 4), while the worst situation can be noted in the Opolskie and Podkarpackie voivodeships, where only 10-11 people are working in the all parks' boards. The most critical situation, however, is observed in Zachodniopomorskie West Pomerania, where the park services were fully liquidated. A large decrease in the number of posts (by 2/3) was observed in Lubelskie and Małopolskie (40%) as well as Podkarpackie (35%). The smallest reduction in human resources was observed in the following regions: Wielkopolskie (2 posts), Mazowieckie (4) and Podlaskie (5). As a result, there was also an increase of the park's area index per one worker (Fig. 4). It almost amounts, on average in Poland, to 68 km²/post and this figure is higher than in 2003 by 26 km²/post. The situation seems to be the best in the Łódzkie voivodeship, where the average is 27 km² of park's area per one post and in Podlaskie (34 km²/post). It looks quite satisfactory in the Pomorskie voivodeship (41 km²/post) and Lubuskie (48 km²/post). In the Lubelskie voivodeship the index is 105 km²/post, while it looks really bad in Podkarpackie (254 km²/post). In this situation, while in some regions the distance between the park and its board headquarters is about 100 km, it is quite pointless to expect efficient management of these parks' conservation.

The analysis of particular boards shows, that among the boards of voivodeship sets of parks, the greatest number of posts are noted in Kielce (Nadnidziańskie and Świętokrzyskie Landscape Parks) – 15 posts, Poznań (Landscape Parks of Wielkopolskie Voivodeship) – 12 as well as in Będzin (Landscape Parks of Śląskie Voivodeship) – 10 posts. The smallest number of posts has been counted in Lublin (3) and Pokrzywna (Opolskie Landscape Parks) – 2. In the branches of voivodeship boards of sets of parks, the number of posts ranges from 2 to 8 (4.2 on average) - Among the sets of parks, the greatest number of posts belongs to Nadpiliczne Landscape Parks (Łódzkie voivodeship) - 12 and Chełmiński and Nadwiślański Landscape Parks (Kujawsko-Pomorskie region) – 8.4, while the smallest belongs to the sets in Podkarpackie voivodeship: Karpackie Landscape Parks in Krosno (6 posts) and in Przemyśl (5), as well as Iławskie Lakeland and Dylewskie Hills Landscape Parks (6) located in Warmińsko-Mazurskie voivodeship. Considering the group of individual parks' boards, quite numerous are two of them: Knyszyński Forest Landscape Parks in Supraśl - 13 posts and Masurian Landscape Parks in Krutyń - 11 posts. Still quite a positive picture considering the number of workers can be observed in the boards of: Suwalskie Landscape Parks in Malesowizna-Turtul (9 posts),



- education, didactics and science (86% boards),
- nature protection (66%),

- landscape protection (59%),
- historical-cultural values protection (45%),
- guards working in the terrain (72%).

Only a few boards (3) employed specialists in IT, and in a few offices there were posts for special management workers (Będzin) or projects' coordination financed by the EU (Opolskie Landscape Parks). The number of boards where the specialists or department supervisors working without any assigned duties dropped from 60% to 20% between 2003 and 2010, which can be considered as a positive process. The comparison of the number of posts in those two years shows, that the number of boards with posts created for spatial management (from 15% to 3%) and environmental protection (from 31% to 21%) workers, has reduced considerably. The decrease in number considering those first posts is particularly worrying because the diligence in management is one of the conditions of maintaining a high quality of landscape.

There were no essential changes in the number of boards with posts regarding nature conservation (71–66%) and IT (9–10%). Concerning nature conservation it may be surprising because in the light of legal regulations, workers on those posts were to be transferred to RDOŚ. A similar situation was to occur in case of posts for landscape conservation workers, which are presently functioning in twice as many boards than in 2003 (a rise from 31% to 59%) and historical-cultural heritage workers where this percentage rose more than six times (from 7% to 45%). These numbers confirm the limited efficiency of the operations undertaken by the legislator, but at the same time, increasing the opportunities for better landscape protection.

In the light of opinions raised following the introduction of legal regulations, which says that parks' boards are to perform tasks mainly in the scope of ecological education and promotion of the touristic values, it is understandable why there are so many posts for education and didactics workers - in 86% of the boards, compared to 60% in 2003. Parks are very well prepared for such actions, considering the additional staff employed in the educational and museum centers. However, the posts for tourism and recreation workers are created only in 31% of the boards (18% in 2003) and boards are not capable of accomplishing those tasks.

Guards also play a very essential role in the task accomplishment. They are often the only people with the knowledge of the entire park area and they directly respond to any breach of law in the terrain regarding environmental protection. The number of parks which employ guards rose from 60% to 72%, which is very positive. On the other hand, the employment of just one guard in

many boards is a negative effect of the staff reduction. However, there are still boards which do not employ a single guard. Such a situation takes place in, e.g., the Lubuskie and Śląskie voivodeships as well as in Karpackie Landscape Parks in Krosno and 10 other individual boards.

Another aspect of the efficient administration of parks is the possession of a valid plan of landscape park protection, which is a basic document enabling the accomplishment of the protective tasks on its terrain. The issue of such plans is taken into consideration only in aspects of quantity, without the analysis of their content, which is essential for carrying out the complex assessments of the quality of such a park protection tool. The regulation from the *Nature Conservation Act*, saying that parks with no plans or in case they were approved before 1st February, 2001 (they were invalidated), new plans ought to be written within 6 months from the date the Act came into force, turned out to be non-feasible. That is why in the years 2005-2010 there were only about 15 of such plans approved for 12% of the parks. However, there was nobody held responsible for breaching the law and the institutions responsible for such matters justified their inactions with the lack of funds for working out the plans or with regulation changes with which the plans were to be adjusted.

Only 23 parks, which is 19% of their total number, had such plans approved to 2010 (Fig. 6). At least a few dozens of plans worked out before 2001 were invalidated. Another 17 plans (14% of the parks) are in varying stages of preparations and it is estimated that till the end of 2012 there will be about 40 parks which shall have their plans approved. However, there will still be only 1/3 of all the objects with such documents, the other ones will be deprived of it, i.e. having no full legal basis for active park protection. Local self-governments and investors would still be able to use the argument that there is no basis for suspending or limiting certain investment actions which they intend to carry out in the landscape parks' area.

The voivodeships in northern Poland (Podlaskie as a whole and partially: Podlaskie, Kujawsko-Pomorskie, Zachodniopomorskie and Warmińsko-Mazurskie) and central (Łódzkie and Mazowieckie) are covered with plans in the highest degree. Four plans were also created in the Podkarpackie voivodeship. The worst situation is in the southern and western Poland, where in Lubuskie, Dolnośląskie, Opolskie, Śląskie and Małopolskie voivodeships there is no single protection plan existing. The same situation is in Lubelskie voivodeship, having the highest number of parks (17).

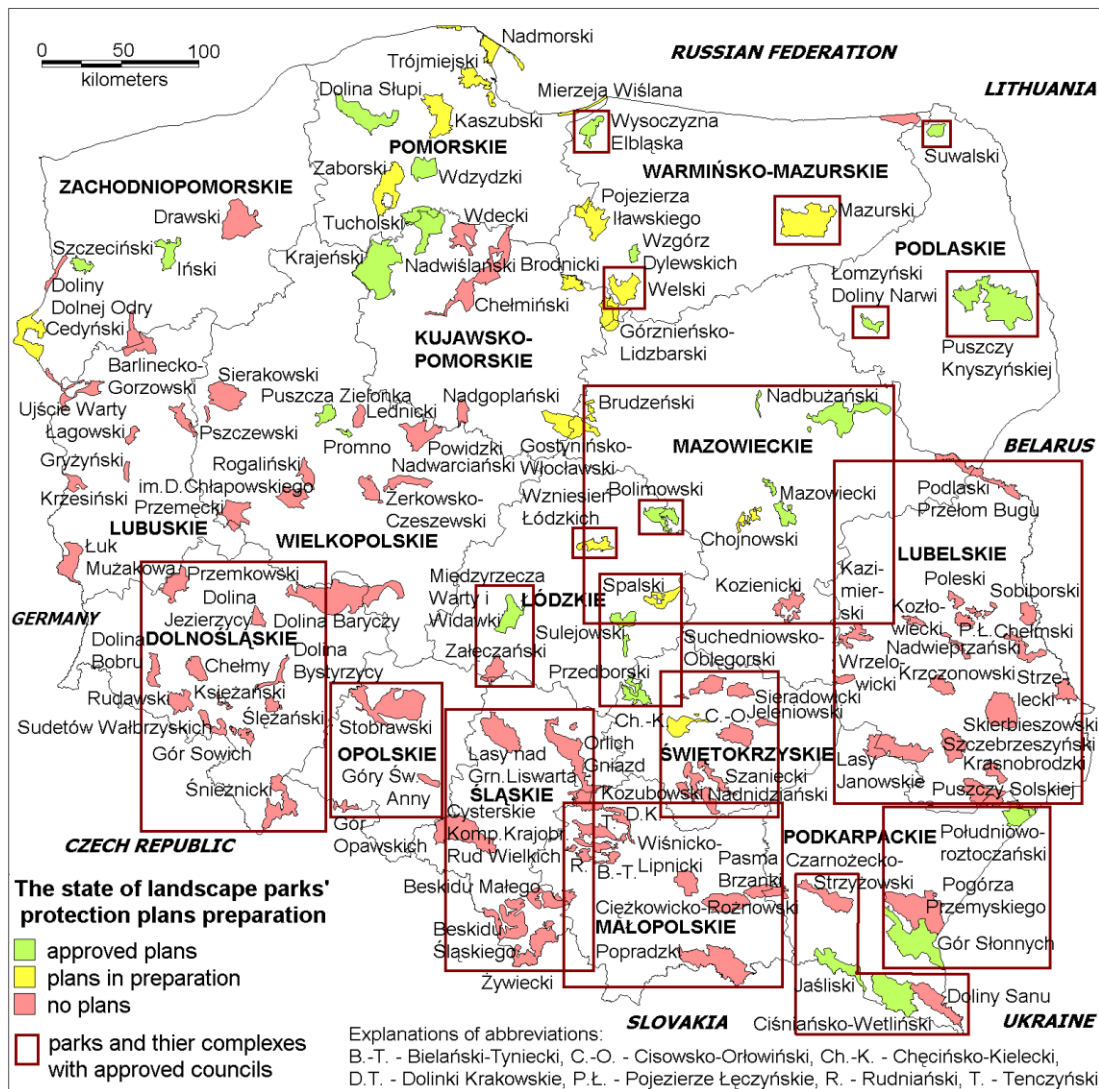
Community participation plays an essential role in the processes of environmental protection. In case of landscape parks, the park's council is the opinion-advisory organ, which in the light of art. 99 point 4 *Nature Conservation Act*, is responsible for:

- 1) assessment of the resources, amenities and elements of the nature, cultural values as well as evaluation of the nature protection programs,
- 2) giving their opinion regarding projects of protection plans,
- 3) evaluation of the realization of protection plans and other tasks regarding nature protection,
- 4) Giving opinions and evaluation of realization of projects and programs considering the landscape park functioning regarding nature protection, education, tourism and recreation.

The change in the legislative situation of parks caused reduction of park boards and their sets from 49 to 32. Thus, the number of park councils was also reduced. This was in particular the case in the voivodeships, where the sets of parks were created, as the councils are appointed for the whole set. From the point of view of savings, it is a rational action for the voivodeship self-government, although the cost of functioning of the boards were low. However, it seems that, due to the reduction in the number of boards, the losses will be much bigger than the gains. The following losses can be identified:

- decrease in the total number of their members, which would prevent many specialists on the parks' tasks issues to join their councils,
- "further separation" of the councils' members from the parks' terrains, which is due to the organization of council meetings in the offices of voivodeship park board and not in their branches,
- difficulties in finding people with the knowledge regarding all the parks in a certain region, especially when there is a great number of parks,
- participation of a small number of communes' and districts' self-governments in the works of councils, which can bring reservations about the process of appointing representatives of this group of subjects and evoking negative reactions among non-represented self-governments regarding the existence of landscape park.

Figure 6. The state of parks' protection plans elaboration and park councils creation in 2010



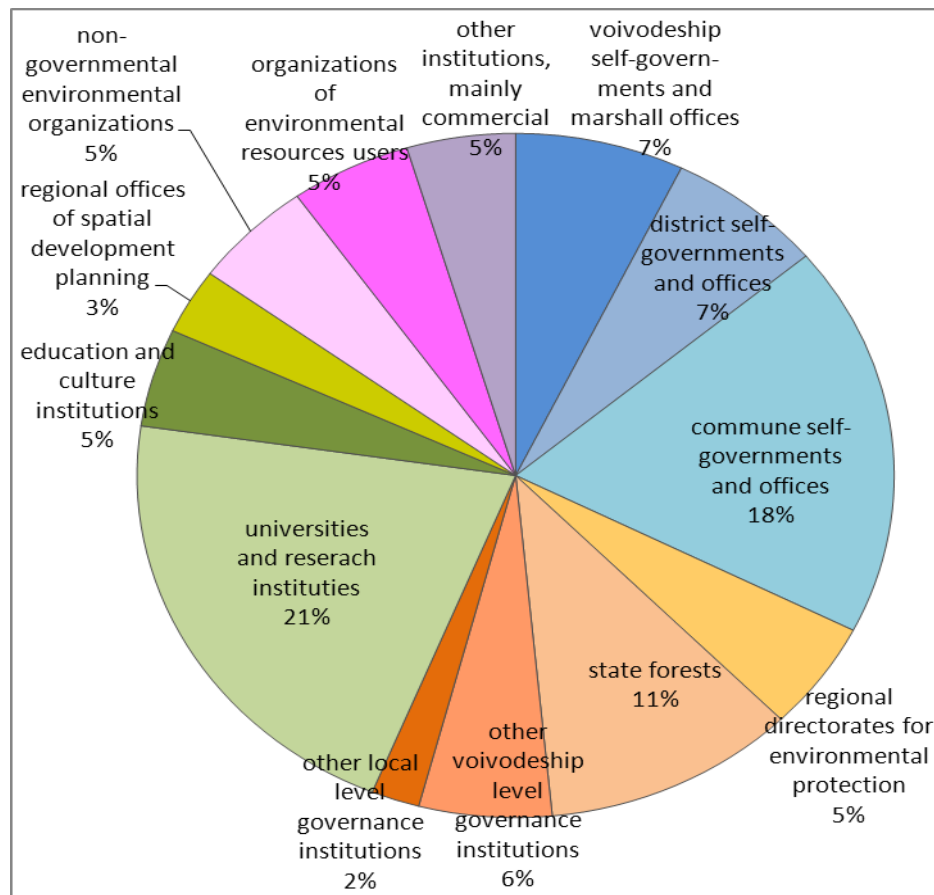
Source: Author's own elaboration based on questionnaire study

The analysis of 11 park councils (for which data were gathered in the questionnaire and from web sites of landscape parks' boards) showed, that the number of councils members oscillated between 15 and 20 persons. The majority of members of the boards are representatives of two institutional groups: universities and scientific-research institutes (21%) as well as communes' self-governments with their commune councils (18%). Along with their district and voivodeship representatives (together with their offices) – 7 % each, they amount to over half of all the councils' members. Bouth 11% of workers of national forests administration and 5% of representatives of NGOs are dealing with environmental protection and management of environmental resources (Fig. 7). Comparing the present personnel of the councils with the

situation in 2003, only small changes in the represented institutions in councils were noticed. The little involvement of environmental NGOs (on average, there was only one person in a council) seems to be the most worrying thing. Regarding the competences, there is also small involvement of representatives of the voivodeship self-governments and Marshall Offices (on average 1.3 per council) as well as the regional directorates of environmental protection (not even up to 1 person per council).

Taking the specifics of the park location into consideration, the “average” personnel of the council should involve, generally speaking, in similar proportions the representatives of five main stakeholders: self-governments, scientific-research institutions, non-governmental organizations, those who use the park environment and institutions governing the park. Considering the above, in a few councils there are significant disproportions, e.g. in the set of parks’ boards of the Dolnośląskie and Lubuskie voivodeships as well as Wzniesienia Łódzkie Landscape Parks, the majority of members are from the communes’ self-governments (30-44% of board members) while in the councils of sets of parks in the Lubelskie and Dolnośląskie regions and Knyszyńska Forest Landscape Parks the majority of representatives are from scientific-research institutions (32-42%).

Figure 7. The composition of chosen landscape parks' councils in 2011



Source: Author's own elaboration based on questionnaire study and Internet web sites of landscape parks

The last analyzed effect of the legislative changes refers to property and financial issues. The size of the park's property handed over to RDOŚ is difficult to determine. However, on the basis of the interviews with the workers of some selected parks, it can be estimated as $\frac{1}{4}$ of the whole property from before the reform. In many cases parks' boards were obliged to hand over all the estates or their parts. There were also problems with financing their activities from the national budget. The budget subsidies, previously handed to the Voivodeship governors, in 2009 did not fully reach to the voivodeship self-governments (KMWRP, 2010). The exemplary comparisons of parks' budgets in 2003 and 2010 show, that they did not undergo any essential changes, and sometimes they were even lowered. Mizgajski (2003) shows that in 2003 the budgets of landscape parks in particular voivodeships ranged from about 400,000 PLN (Opolskie) to 2,300,000 PLN (Pomorskie), not exceeding 1 mln PLN in the majority of regions. In 2010 Karpackie Landscape Parks in Krosno, which administers 4 big parks and employs 6

people, received 434,000 PLN, while the board of Suwalski Landscape Parks, which manages only one small park and employs 9 people, received 438,000 PLN from the budget funds. Thus, the size of funds given to the parks has little to do with the number of workers and the size of the administered area.

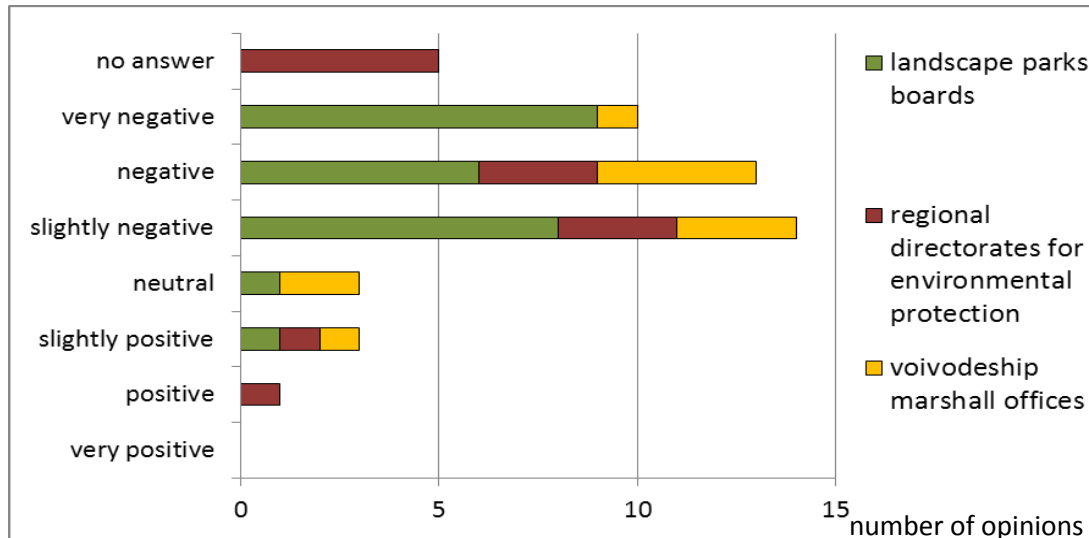
From the point of view of park workers, the most beneficial effect of taking over the park management by the voivodeship self-governments was, generally speaking, a more than doubling of the salaries. In 2003, the net salary of the park directors was 1300-2000 PLN and the deputy managers 1000-1400 PLN while the other workers earned 900-1200 PLN. In 2011 the director's net salary was 3500-4000 PLN, the branch directors earned about 3000 PLN and merit workers 2000-2500 PLN. These pay rises were the result of the differences between the salaries of self-government administration with the former salaries of park staff, which required equalization. However, one needs to take into consideration the fact, that due to the reduction in number of park workers by about 1/3, the scope of tasks which needs to be realized by people still working there is now much greater. Some new tasks regarding the parks' coordination in the whole region arose in many voivodeships. These are often the precursory tasks for park staff, which demand more efforts and additional, new skills.

4. Assessment of the effects of institutional changes for the effectiveness of park governance

The general assessment of the effects of the influence of legislative changes on the efficiency of parks' management and possibilities of parks' protection, carried out by 49 representatives of the studied institutions, is negative (Fig. 8). The effects were considered as negative by $\frac{3}{4}$ respondents, where 20% considered them as very negative, 26% negative, 28% rather negative. Only 3 respondents (6%) said there were no effects, and the same number of people said that the effects were rather positive. There was one respondent who claimed that the effects of the introduced reform are good, and nobody said they were very good. The most negative evaluation came from the boards of landscape parks, slightly less critical from the Marshall Offices, and least negative (although still negative) from RDOŚ. There was a small number of respondents in the two last groups (11 and 13 respectively) who limited the possibilities of formulating final conclusions. It is symptomatic, that 5 out of 13 questioned RDOŚ evaded the evaluation justifying their actions with the lack of competences in this field

(although the persons working there, only two years ago, were responsible for the landscape parks), or referring the question to other institutions. At the same time, RDOŚ workers, who gave their evaluation (5 out of 6 were negative), formulated elaborate and competent commentaries, which shows that the institutions that refused to give their answers probably did so for “political” reasons.

Figure 8. Opinions of institutions’ representatives on the influence of legal changes on governance efficiency



Source: Author’s own elaboration

The representatives of park boards, who evaluated changes as negative (92%), emphasize two main groups of results of the legislative changes:

- structural – referring to all the boards and parks, such as depriving the directors of some of their entitlements, division of nature protection services, unclear definition of the competences of the organs responsible for the supervision of parks (Voivodeship governors), who are not the nature protection organs, lack of coherence in cooperation between RDOŚ and park boards;
- individual – regarding particular parks, including impoverishment of the staff and limitation of the property resources handed over by RDOŚ.

One can observe the domineering opinion, considering the responses of RDOŚ workers, that the supervision over the landscape parks should still be in the hands of government administration, which is GDOŚ, which can be supported by a lot of arguments of legal character.

The limited scope of the commentaries and responses to the questionnaires from the Marshall Offices, shows that the voivodeship self-governments – despite two years which elapsed from the time of introduction of the changes – are still not fully aware of the rank of landscape parks in the national system of nature protection and still have not perfected the instruments of their management.

5. Conclusions

Changes in the legal regulations presented in this article, which took place in the years 2008 and 2009, created a far-reaching consequences for the Landscape Parks Services and possibilities of an efficient management of nature and landscape conservation in their administrative areas. Research shows, that the human resources and property condition of the parks' boards worsened. This, as a result, decreases the possibilities for the efficient accomplishment of the tasks regarding protection of the parks' nature and landscape. The changes that were introduced affected the traditions and principles of functioning of the landscape parks in Poland, which have been created for the past 35 years. This concerned in particular their human resources, which in 1/3 supported RDOŚ (Regional Directorates for Environmental Protection) established at the end of 2008 as well as some of the movables and immovable property. A division of competencies for the protection of various environmental elements of landscape parks (nature, landscape and historical-cultural values) occurred, which made management of this protection quite difficult. The responsibilities of Landscape Parks' Services were slightly reduced, while the financial resources from the state's budget which were to cover their actions were reduced. The policy run by the Ministry of the Environment which, regarding the nature protection, was mainly focused on Nature 2000 sites, gives no hope for the improvement of this situation. Depriving parks of development and lowering the efficiency of management for protection, which has been in place since the beginning of the 21st century, more and more often leads towards the degradation of the environmental and landscape values of the parks.

However, there were also some positive results of the introduced changes. However, they do not balance the negative effects discussed. First of all, there is, on the average, a more than doubling of the salaries for the parks' workers, as well as partial arrangement and unification of

the structures responsible for their management. However, in order to at least inhibit the negative processes caused by the changes in the law, it is necessary for the parliament, government and self-government administration to undertake certain actions leading towards:

- ensuring the proper level of budget financing for the tasks of the administration of landscape parks,
- changes in the legal regulations aimed mainly at introducing the obligation of protection of the high-value landscapes (referring to the *European Landscape Convention*), precise definition of the functions of landscape parks' buffer zones as well as reducing the veto of the commune self-governments considering creation and expansion of parks,
- organizational-structural unification of Landscape Parks' Services at the national level, which would increase the possibilities for staff to have physical contact with the park areas as well as enable the improvement of the parks' human resources and property stability, which was violated by the legislative changes.

Literature

- Ustawa o samorządzie województwa* (1998). (Dz.U. Nr 91, poz. 576). (*Act of 5 June 1998 on Voivodeship Self-government* (Official Journal of Laws 1998 No. 91, Item 576)).
- Ustawa o ochronie przyrody* (2004). (Dz.U. Nr 92, poz. 880). (*Act of 16 April 2004 on nature protection* (Official Journal of Laws No. 92, item 880)).
- Ustawa o udostępnianiu informacji o środowisku i jego ochronie, udziale społeczeństwa w ochronie środowiska oraz o ocenach oddziaływania na środowisko* (2008). (Dz.U. Nr 199, poz. 1227). (*Act on Access to Environmental Information and its Protection, Public Participation in Environmental Protection and Environmental Impact Assessments* (Official Journal of Laws No. 199, item 1227)).
- Ustawa o zmianie niektórych ustaw w związku ze zmianami w organizacji i podziale zadań administracji publicznej w województwie* (2009). (Dz.U. Nr 92, poz. 753). (*Act on amending certain acts regarding reorganization and redistribution of competences of the public administration at the provincial level* (Official Journal of Laws No. 92, item 753)).
- Badora, K. (2008). *Problemy ochrony krajobrazów wiejskich na przykładzie Opolskich Parków Krajobrazowych*. In: *Krajobrazy Polski – nasze dziedzictwo przyrodnicze i kulturowe na przykładzie opolskich parków krajobrazowych*. Góra Świętej Anny: Zespół Opolskich Parków Krajobrazowych.
- Broda, M. (2008). *Wybrane konflikty w parku krajobrazowym „Orlich Gniazd” oraz w obrębie jego otuliny przejawem antropopresji na obszarach prawnie chronionych*. In: Hibszer, A.; Partyka, J. (eds.). *Między ochroną przyrody a gospodarką – bliżej ochrony*: 153-163. PTG. Sosnowiec-Ojców: Ojcowski Park Narodowy.
- European Communities (1992). *Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora*.
- European Union (2009). *Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds*.
- InE (2008). *Stanowisko nt. przyszłości parków krajobrazowych w Polsce*. Warszawa: Instytut na Rzecz Ekorozwoju.

- Kistowski, M. (2002). *Znaczenie przepływów informacji i zastosowania technik komputerowych w ochronie i popularyzacji parków krajobrazowych w Polsce*. In: Kurowski, J.K.; Witosławski, P. (eds.). *Funkcjonowanie parków krajobrazowych w Polsce*. Łódź: Wydawnictwo Uniwersytetu Łódzkiego.
- Kistowski, M. (2004). *Wybrane aspekty zarządzania ochroną przyrody w parkach krajobrazowych*. Gdańsk-Poznań: Bogucki Wydawnictwo Naukowe.
- Kistowski, M. (2009). *Wpływ istniejącego i planowanego zagospodarowania przestrzennego na środowisko przyrodnicze i krajobraz Mierzei Wiślanej*. In: Turek, M. (ed.). *Problemy turystyki morskiej i regionów nadmorskich*: 41-65. Sopot: Europejska Szkoła Hotelarstwa, Turystyki i Przedsiębiorczości, Szkoła Wyższa w Sopocie.
- Kistowski, M.; Kowalczyk J. (2011). *Wpływ transformacji modelu zarządzania parkami krajobrazowymi na skuteczność realizacji ich funkcji w przestrzeni Polski*. Biuletyn KPZK PAN 247: 1-164.
- Kistowski, M.; Majchrowska, A. (2002). *Optymalizacja obiegu informacji w parkach krajobrazowych*. In: Zimniewicz K. (ed.). *Zarządzania parkiem krajobrazowym w warunkach zrównoważonego rozwoju*. Poznań: Wydawnictwo Akademii Ekonomicznej.
- KMWRP (2010). *Stanowisko Konwentu Marszałków Województw RP z 15 września 2010 r. w sprawie finansowania z budżetu państwa zadań przyjętych od administracji rządowej dotyczących parków krajobrazowych i obszarów chronionego krajobrazu*. Warszawa: Konwent Marszałków RP.
- KP (2011). *Rozwój krajowego systemu obszarów chronionej przyrody w latach 2007-2011 – ocena realizacji zadania 30 "Krajowej strategii ochrony i zrównoważonego użytkowania różnorodności biologicznej oraz Programu działań na lata 2007-2013"*. Świebodzin: Klub Przyrodników.
- Kurowski, J.K.; Witosławski, P. (2002). *Funkcjonowanie parków krajobrazowych w Polsce*. Łódź: Wydawnictwo Uniwersytetu Łódzkiego.
- Mika, M. (2004). *Turystyka a przemiany środowiska przyrodniczego Beskidu Śląskiego*. Kraków: IGIGP Uniwersytetu Jagiellońskiego.
- Mizgajski, A. (2003). *Finansowanie ochrony przyrody. Doświadczenia i perspektywy*. Poznań: Bogucki Wydawnictwo Naukowe.
- Mizgajski, A. (2003). *Problemy finansowania ochrony przyrody w Polsce*. In: Mizgajski A. (ed.). *Finansowanie ochrony przyrody. Doświadczenia i perspektywy*. Poznań: Bogucki Wydawnictwo Naukowe.
- Zimniewicz, K. (2002). *Zarządzania parkiem krajobrazowym w warunkach zrównoważonego rozwoju*. Poznań: Wydawnictwo Akademii Ekonomicznej.

Zmiany instytucjonalne w polskich parkach krajobrazowych i ich wpływ na skuteczność zarządzania parkami

Streszczenie

Artykuł przedstawia skutki zmian w przepisach prawnych wprowadzonych w 2008 i 2009 r. dla skuteczności zarządzania ochroną środowiska parków krajobrazowych w Polsce. Zmiany te dotyczyły przeniesienia części pracowników i majątku parków do RDOŚ oraz przejęcia odpowiedzialności za parki przez samorządy województw od wojewodów. Analiza dokumentów i badanie kwestionariuszowe przeprowadzone w 49 zarządach parków, RDOŚ i urzędach marszałkowskich, pozwoliły na ocenę skutków w zakresie: struktury administrowania parkami, liczebności i zakresu obowiązków pracowników parków, stanu wykonania planów ochrony parków, funkcjonowania i składu rad parków oraz majątku i finansów ich zarządów. Ocena – potwierdzona przez opinie respondentów – wskazuje na zdecydowaną przewagę skutków negatywnych nad pozytywnymi, które prowadzą do spadku skuteczności ochrony parków i stopniowej degradacji ich walorów.

Słowa kluczowe: parki krajobrazowe, Ustawa o ochronie przyrody, zarządy parków krajobrazowych, skuteczność zarządzania, Polska