

Local Policy for a Protected Environmental Area Management: The Case of Limiting Motorized Vehicles in Park of Canigou in Pyrénées Orientales

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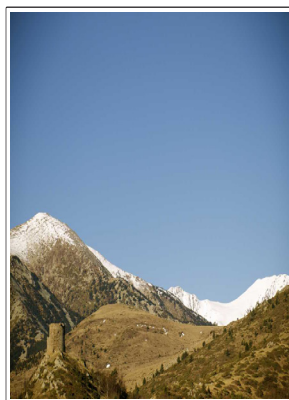
Submitted: 24 Sep 2018; Accepted: 07 Oct 2018; Published: 07 Nov 2018

Abstract

“We regard the recent science –based consensual reports that climate change is, to a large extend, caused by human activities that emit green houses as tenable, Such activities range from air traffic, with a global reach over industrial belts and urban conglomerations to local small, scale energy use for heating homes and mowing lawns. This means that effective climate strategies inevitably also require action all the way from global to local levels. Since the majority of those activities originate at the local level and involve individual action, however, climate strategies must literally begin at home to hit home.”

Introduction

Man foot print on earth will be remarkable even after his extinction and no doubt that the species which will live on this planet after human kind will recognize how the latter damaged the biodiversity and other environment components some time for no useful and harmful needs. From the horse carriage to airplane navigation and the revolution made in land and maritime ones after James Watt discovered the steam machine the impact of new technologies on both resources consumption and harm to biodiversity have caused the human kind future life uncertain in coming generations. However, it's not so late to make tangibles and preventive decisions which could reverse the things. Man is different from animal and from the time he's conscious that he's the main earth polluter, its efforts which culminated at Stockholm, Rio and more recently in Paris Summit promise a new deal on mitigation and maintain the human impact on planned and coordinated level. We are in the era of high mass consumption of mankind power of institutionalization, management, and the preservation of his perpetuity.



However, international, national and local strategies should be translated into policies and the latter into actions as quick as possible because it's high time to act against the environment degradation. Some territory need high priority and their continuous protection policy will be carried out in symbiosis with existing public management tools. European Institutions have begun early to react. The Park of Canigou is among precious French and European territories used and sometime abused by human being. From the ancient time, French ancestors developed in that place the iron extraction and its processing and pastoralism activities. At a given time they were obliged to stop with the iron activities because of risks. Meanwhile, pastoralism and Mountaineering activities continue to be done increasing the degradation of that Catalan pearl. The particularity of Canigou is that as place of economic production, a protected environmental area, and circumscription of French government and especially for the department of PymnéesOrientales it belongs to numerous institutions which must act in institutional symbiosis.

We would like by here propose a study on common policy defined by numerous local French authorities, (region department and communes) and other institutions (French forest Authority) to manage a territory which is at high environmental risk. This will help us to experiment how national and international institutions could be implicated in environmental issues resolution using economical and legal tools with a little bit of innovation. We will begin by presenting Canigou as common patrimony then after we will proceed by presenting its national and local management tools and we will end our work with presenting the success of one policy formulated on the issue of vehicle motorized vehicle traffic in Canigou area [1, 2].

Which canigou is it?

The Canigou is a vast mountainous wooded area which culminates at 2784, 66 m altitude in Catalan Province of France. This is a wide sentinel at the edge of the Mediterranean, which in any case cannot escape the eye of the traveler during all seasons of the year. But it's not only the traveler and tourists who are attracted by those mountains. The latter attracts also the Catalans who consider Canigou as a heritage which represents several interests. In addition of various activities that the Catalan plain of Roussillon and Conflent performed in the massive and near it, Canigou is also a place frequented by many people for several reasons including those related to its legendary status that of Catalan identity symbol, geological curiosity etc. In fact there are in Canigou a variety of flora and fauna of rare species.



The Canigou is a natural area of richness of flora and fauna for which it constitutes ecological niche. According to the inventory of ZNEFF reported in the Action Plan of the European Union, at least 948 species have been identified on the site, three species of spider, a species of mollusk, 27 vertebrate species, a species amphibian, 21 mammal species, including 14 bats, one species of fish, etc. But the Canigou is also a reservoir of flora; at least 238 plant species have been identified through inventories ZNIEFF.

The Canigou is a historic area which contains ancient human footprint. When you visit Canigou you can see the traces of exploitation and human occupation; trails, cabins, walls, fountains, mines, chapels, cross, drill. As an example, the Abbey of St. Martin, the abbey of St. Michael Cuxa, are very particular for their architectural structure, awareness of religious heritage etc. The mining heritage does not escape the eye of an observer. For twenty century as testified by archives, each landscape element refers to a myth of history, legend, and oral memory and transmitted from generation to generation reinterpreted. CANIGOU Mountains are also an ideal location for production. Apart from agricultural activities made in its plains, other activities of the pastoral and forestry sector are made on the massif. Strictly spoken, Part mass is used by farmers as cattle grazing space. They pay money to the state. Since 1950, the massive reforestation work has to last to wear a green forest trees in different kinds capable of producing raw materials for various wood workers.

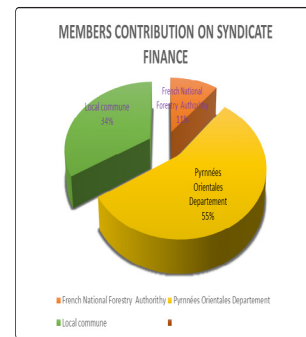
The local authorities syndicate as a centre of decision making on canigou environmental issues

The syndicate mixte, we will use in this work cross financing Syndicate or local authority joint association, is a French institution introduced in France since 1935. According to Etienne FAURE the main and fundamental aim of this institutions is to find how public authorities which utility is different can jointly manage one project. Initially this kind of association was only reserved to the

communes. The law of February 28th 1942 repealed by the order of August 9th 1944 states that joint authority associations are formed by departmental agreement and can include the departments and communes. It's the law no 55-606 of May 1955 which broaden the vocation of above said institutions. It's in the same methodology that Le syndicat mixte de Canigou Grand site was founded to manage the environmental issues in that mountainous area. This cross financing institution is an Association of French National forest authority, the Department of Pyrénées Orientales and Local commune in which the Canigou Mountains are situated.

Cross Financing institution

The Cross financing syndicate roadmap is specified in Chapter four of its status. The Article 15 of the syndicate states that the revenue budget includes the contribution of statutory members. Municipality Council of the Pyrénées Orientales is the first finance contributor with 54% of the total amount, the syndicated commune's contribution is 35% while the national Office of forests gives 11%. Regarding the contribution of commune, the Article 15 as quoted states «The amount of the contribution of the commune is set at 3 Euros per capita. This amount may be modified by the syndicate committee after consulting the chairman of the inter-college for the protection and rational development of Canigou and the minutes of the inter-college for the protection and rational management of Canigou. "It is this mode of contribution and funding that gives the union the character of cross-financing institutions



A case of a decision made at local level, the formulation and the execution of Policy against the motorized vehicle in Canigou Park

As we have already mentioned at the beginning Canigou is increasingly damaged by man. It is used for several reasons, as we have demonstrated in the preceding pages and since long time. However, this use has increased between the years 1980-1990 when the lure of fame and massive endangered its balance and its ecosystem. Christian BOURQUIN said that it was the fatal decade for this site both in terms of motorized traffic and in terms of infrastructures. Projects totally incompatible with the fragility of the environment. The ranking of the site in 1983 has so failed to stem a rampage that earned the Canigou the image of mountain jeeps, scraped on all sides by roads projects of hotels aloft programs and ski stations.

The degradation has continued to take a considerable scale so that a retirement use of the site has established itself in 2001. In this year during the summer period users of the Canigou Mountains could not enjoy their sacred pearl. The following table reproduces according to available data the average speed of cars a day of summer which revolve tracks Canigou.

Average synthesis of cars traffic in Congou during the summer season

PERIOD	2002	2003	2004	2005	2006	2007	2008	2009	2010
From July 4 th to August 24 th	3243	3241	3665	2543	1408	2136	440	583	663
Daily Average	65	65	73	62	47	45	21	23	26

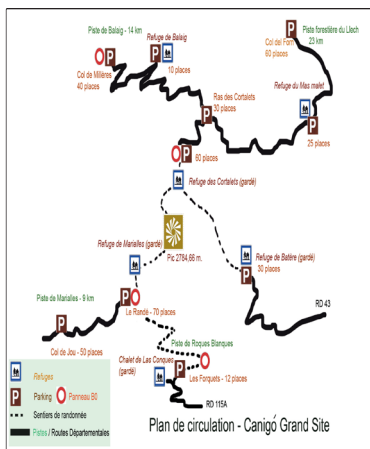
© Archives du syndicat Mixte de Canigou

Even the figures decreased from 2002, it's an evidence that motor vehicle remain a problem in mountains. The latter have 400km of hiking and equestrian trail; at least 10,000 canyoning practitioners attending the mountains, there are 150 climbing routes of all style. In addition of that asit's highlighted in the decree issued by the prefect of Eastern Pyrenees (No 53/2010 of 12 June 2010) "... that forest track pose to motorists and other users who serious risks both because of the instability of rocks overlooking them, particular climatic weather in winter and in case of heavy rain ... "These considerations explain the why motor vehicle should move in a limited way. For that, several measures have been taken and can be grouped into following two series: coercive measures and incentive and compensation one.

Coercive Policy

Among the tools developed by the joint association include the limitation of the motorized vehicle on the sensitive roads of Canigou. The above shown map shows out roads accessible to private cars and other reserved on which the traffic is the restricted and defined by the Legal system of the prefecture.

The internal document states that "since 2004, traffic orders were taken in consultation within the thematic commissions of the union Combined with the objective of channeling the motorized traffic on four access of the classified site namely Llech tracks, Balaig, Miralles and Roque Blanque." Thus, some roads that were open to the public in the past are closed. The closing process going with the development of infrastructure such as the construction of parking lots, setting up barriers. As shown on the diagram of the plan, the space on which the cars are excluded is marked by Mariailles entry, the entry of Cortalet, the Entry of Batère and the entry Forquets.

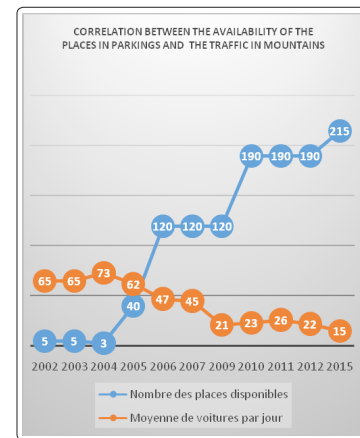


The previous maps clearly explains vehicles may circulate, where the parking are, how to find accommodation shelters, if needed. This is what is called traffic map. The accommodation establishments are called "Shelters" The latter are places where a traveler can take a breath or hikers and sometimes spend the night. These are homes

that were generally used in the past to something like for example the old houses of shepherds. The car parks are places where hikers can park their cars after traveling. The parking connects thus the communal and departmental roads with the Internal Canigou roads. Those roads are closed with the gates which indicate that you enter in protected area.

Tremendous changes

The diagram indicated below demonstrate how the construction and the availability of car parks station and the motorized vehicles to circulate in the Mountains influence each other. Actually, it is since 2004 with the development of the parking area of Millière that the number of cars starts to decrease from 62 to 47. Since then, the increase of place in parking resulted a considerable decline of a number of vehicles to circulate in the mountains. However this decrease cannot be attributed only to the management of car parks because several contingents act in concert as discussed in the following lines. The case of the introduction of the regulatory device is also one of these mean



Regulatory system

Here we call the regulatory system all standards prohibiting or requiring the circulation in the mountain of Canigou and those which specify how the hiker may use the perimeter of Canigou. This system is composed by prefectural decrees which are subject of periodic updating adapting to times of the year. In the case of this paper we will talk about those in force now. Actually, the normative texts in force talk all in their preambles about the sensitivity of the places related to geological structure and the harm caused by motorized vehicles and the possibility of accidents by taking some roads. Thus, they continue by explaining their reason to legislate by restricting the mountains to government property. The cars traffic in the mountains of Canigou are ruled by two decrees which are kept updated every year and for this study we mention the 2015 texts as mentioned below:

- Order No. 32/2012 related to temporary traffic regulations of motor vehicle on the forest roads at LLECH and BALAIG Canigó forest starting from 1 June 2012.
- Order No. 21/2012 related to temporary traffic regulations of motor vehicle on the forest roads at Mariailles Canigó forest starting from 1 June 2012.
- It should be mentioned that those decrees are updated annually and those we mentioned above are the 2012 texts. They were produced by the prefect of the Pyrenees Orientales as the Knight of the region honor. They are based on following legal texts

The scope of application

This field is defined by the first articles of Order No. 32/2012 on the temporary regulation of traffic of motor vehicles on forest tracks and BALAIG Llech in state drill Canigó starting from 1 June 2012 the text states that motor vehicles on roads Llech forestries and BALAIG for their entire length are subject to their disposal. It follows from this that the legislator emits standards on two roads included in the previous paragraph. Apart from these roads circulations standards remain those of the Code of the usual route in France. Strictly spoken, the spaces to which the arrested exercise their injunctions we need to back it, "pose to motorists and other users who use the serious risks and accident manifest both because of the instability of the rocks overhang, particular climatic weather in winter and in case of heavy rain, "besides that" the environment in which these tracks provide access hosts fauna species important ecological interest sensitive to disturbance at certain times

Vehicles not concerned with the regulation

The Decree on temporary regulation of vehicles in forest nearLlech and Balaig in Canigou mountains , especially in its Article 5 paragraph 1 issued on June 1st 2011 and even alinéa1 Article 3 of the order of the same object on Marialles, mentions vehicles not subject to the driving ban. These vehicles are:

- Vehicles of the national office of Forest (O.N.F)
- Vehicles of the National Hunting Office (O.N.C.F)
- Vehicles Vehi of National police Services and gendarmerie
- The vehicles of the rescue service and the fight against fire

As we can see it, is only the vehicle of public utility which has the permission to access in the mountains. Some of them are the vehicle of the institutions in charge of Canigou domain management and are those which belong to the services of emergency and security. However, all those above mentioned decrees do not mention anywhere the vehicle of local authorities syndicates which headquarters are no far from the domain and which manage the daily policy and security of Canigou mountains

Incentives and compensatory measures: accommodation facilities and animal traction, a true Trans -scalar policy

The policy of motor vehicle limitation in CANIGOU Mountains is also expressed through the measurement to compensate the use of jeeps and other vehicles. The local authorities' association made available other means to make the circulation and crossing easy and comfortable. These means are animal traction, and the accommodation facilities. The latter are used in the case Canigou Mountains users wish to explore a large space of Canigou, which can take more than one day. As vehicles are now banned. They stay a night in those accommodation facilities and continue the exploration the following days.

Another means of vehicle use compensation is the animal traction. Let us study how it works. As mentioned it at the beginning, the mountains of Canigou and especially its high altitude area is frequented for multiple reasons and multiple interests. Even the vehicle use is banned; people continue to be attracted by the mountains and need to transport some bags and other stuffs. Thus, the animal traction is an interesting initiative, which not only allows Canigou users to return to tradition but also, answers to the prohibition of motor vehicle in the domain. By executing this policy of animal traction the Canigou local authority association

collaborates with the departmental committee of equestrian farming. This means that this committee keeps these animals during the winter. Those animals are released in summer for Local authority association use. According the archives in 2006, during only 35 days animal traction had worked in altitude from 1900 to 2100. At least 1100 passengers had been transported with the care of 11 employees on the site and hosted in Cortalet accommodation facilities. Animal traction in the high altitudes of the mountains attracted the attention of many people and media in greater extent. An eight minutes reporting on TV3 was dedicated to him and was the subject of television news on France 2.

It's also important to examine the Trans scalar aspect of the project. Properly; this project management requires the involvement of many institutions. In one part is the Cross financing association of Local and national authorities and the equestrian center of Vernet -les -Bains. The joint Association of Local authorities this partnership can be viewed through the convention between the above said association and the equestrian department center as quoted hereafter. According this agreement, the joint association «puts the following horses : INOIR 10 years, 8 years Keria, Loulou 7 years, 7 years Loupy, Loustic 7 years, and Ninia5 years in the Ninia UDISIS equestrian center of Vernet -les- Bains. The horses are guaranteed by the owner for having no vicious or any contagious disease with an up to date vaccination. A veterinary document will be produced for a proof and will be annexed to this convention The UDSIS equestrian center agrees to house, feed and care for the horses as good family father. When the horses demonstrate a sign of abnormal behavior (illness, tiredness) the equestrian center UDSIS will inform the owner in real time. This alert will be with all the promptness required by a professional. The horses are hosted in free stall when weather conditions permit and litter box on when weather conditions permit and litter box on his terms when the weather likely to affect the health of the animal...” This quotation and other materials supplied before, highlight how the management of animal traction is Trans –scalar.

Conclusion

The purpose of this work was to study how many institutions act in political and legal symbiosis to execute a policy on environmental issue with Canigou mountains management as a case of study. We have studied how a joint association of various institutions at different scales (communes, departments and regions, National office of the forest) carries out a policy preservation of a mountain which was at high environmental risks. The Canigou Mountains are a field of work of different persons and institutions. The policy of preservation of Canigou mountains consist of limiting the motorize vehicle which are harmful to the mountains roads and ways. This policy is executed through various ways especially the construction of infrastructures (parking) establishment of legal system and other compensatory means of transport (animal traction).

The French governance system which mobilize many institutions and many actors on the same issue facilitate the financing , the management of an action make everyone concerned with that action involved in it. For environment activities given how they are becoming public goods and even global goods France can illuminate other countries by its public affairs management.

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