Improvement of land management mechanisms for specially protected areas and objects by the example of the Khabarovsk Territory

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Abstract. The Russian Federation possesses significant natural areas, whose legal status is often ambiguous, and the natural recreational and tourist potential is not fully utilized. Specially protected natural areas are often located on land plots that fall into different categories of land, which entails the emergence of various management issues that require the most optimal solutions. The article presents material that concerns the process of transforming forest lands into lands of other categories in the Russian Federation, with the aim of developing and improving the system of state forest management and ensuring its international obligations in the field of environmental protection. This process is considered by the example of the protected area "Shantar Islands" in the Khabarovsk Territory. The practical significance lies in the fact that the developed proposals for the spatial development of the protected area provide for the creation of a tourist center.

1. Introduction
Recently, interest in the problem of rational land use and land management in specially protected natural areas (hereinafter - SPNA) has grown significantly, the range of studies has expanded and a number of works have been published.

In domestic and foreign scientific research, more and more attention has been paid to the problems of land use efficiency and land management. Nevertheless, the issues of the effectiveness of land management in protected areas, their registration in the Unified State Register of Real Estate (hereinafter - USRN) are not sufficiently disclosed and require further development.

The solution to this problem is especially important for the development of land management science in general, as it includes a study of the role of the USRN and land monitoring in information support for rational land use. The object of research in this work is specially protected natural areas of the Khabarovsk Territory. The subject of the research is the effective mechanisms of land management in protected areas.

In the process of research, the Laws of the Russian Federation, Decrees of the President of the Russian Federation and Resolutions of the Government of Russia, regulatory documents of the Khabarovsk Territory, cadastral, reporting economic and statistical information, special scientific literature were used. It should be noted that the works of scientists and researchers from different parts of the world are devoted to the issues of optimal organization of specially protected areas [1–4].
2. Materials and methods
The process of converting forest lands into lands of other categories is a traditional and effective form of environmental protection and land management in the Russian Federation. Development and improvement of the system of state management of forest lands in this area ensure the fulfillment by the Russian Federation of international obligations in the field of environmental protection.

According to the decree of the Government of the Khabarovsk Territory "On the approval of the territorial planning scheme of the Khabarovsk Territory" dated 10.07.2012 No. 232-pr [5], it is possible to organize an ecological network of protected areas in the territory of the region without damaging the main forest and agricultural activities of the region due to the transition to new forms of protected areas and an increase in areas of protected areas with a special protected status up to 10 percent of the territory of the region. The theoretical and methodological basis of the study is the fundamental laws of the development of nature and society, the works of domestic and foreign scientists in the field of cadastre, land management, legal and economic regulation of land relations and land management in regions, municipalities, as well as their information support. The article uses economic and statistical, monographic, abstract - logical and experimental research methods.

3. Research on changing the category of a land plot from the category of forest lands to the category of lands of specially protected areas and objects
This process is considered by the example of the protected area "Shantar Islands" in the Khabarovsk Territory. The territory of the SPNA National Park "Shantar Islands" was formed on the lands of the forest fund of the Chumikanskoye forestry of the Shantar basin in accordance with the Decree of the Government of the Russian Federation dated December 30, 2013 No. 1304 "On the establishment of the Shantar Islands national park", the forestry scheme is shown in Figure 1.

The island complex exists in harsh conditions and is easily vulnerable even with a small anthropogenic impact. The park was created on a rare combination of various species of plants and animals, unique in terms of abundance. In order to preserve the unique nature and improve the management system of this SPNA, it is required to change the category of the land plot from the category of forest lands to the category of lands of specially protected areas and objects.

In accordance with the Federal Law of the Russian Federation "On the transfer of land or land plots from one category to another" of 21.12.2004 N 172-FL [6] to initiate the transfer procedure, the interested person submits required documents to the authorized executive body of the constituent entity of the Russian Federation (Ministry of Natural Resources of Khabarovsk territory) [7]. A schematic representation of the translation procedure in the absence of document returns is shown in table 1.

Table 1. The procedure for the transfer of lands from forest lands to lands of specially protected territories and objects

| Stage   | Procedure                                                                                                                                                                                                 |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stage 1 | Submission of an application for the transfer of land with the necessary package of documents                                                                                                                  |
| Stage 2 | Consideration of documents by the Ministry of Natural Resources of the Khabarovsk Territory, preparation of documents, transfer to the Federal Forestry Agency (Rosleskhoz)                                               |
| Stage 3 | Preparation by the Federal Forestry Agency of the draft act of the Government of the Russian Federation on the transfer of land and transfer to the Ministry of Natural Resources of the Russian Federation on the transfer of land |
| Stage 4 | Consideration by the Ministry of Natural Resources of the Russian Federation of the act of the Government of the Russian Federation on the transfer of land with the application of documentation on the transfer of land, sending them to the Government of the Russian Federation |
| Stage 5 | Consideration by the Government of the Russian Federation of the act of the Government of the Russian Federation and documentation on the transfer of land. Publication by the Government of the Russian Federation of the order of the Government of the Russian Federation on the transfer of forest fund lands to lands of other categories |
Currently, the order of the Ministry of Natural Resources and Environment of the Russian Federation of December 25, 2018 N 684 "On approval of the content of the application for transferring forest land to another category and the composition of documents attached to it" dictates the following list of documents attached to the application for transferring forest land to another category [8]:

- a copy of the identity document of the applicant, if an individual acts as the applicant;
- an extract from the Unified State Register of Individual Entrepreneurs or an extract from the Unified State Register of Legal Entities - for individual entrepreneurs, legal entities;
- a document confirming the relevant powers of the applicant's representative (if the applicant's representative applies with the application), with a copy of the identity document of the applicant's representative;
- an act of choosing a land plot, in the form approved by order of the Ministry of Natural Resources of the Russian Federation of November 24, 2004 N 702 "On approval of the form of an act of selecting a plot of forest resources";
- decision of the executive body of the constituent entity of the Russian Federation exercising powers transferred in accordance with part 1 of Article 83 of the Forest Code of the Russian Federation;
- an act of a full-scale technical survey of a land plot, prepared in the manner prescribed by order of the Ministry of Natural Resources of the Russian Federation of November 24, 2004 N 701 "On approval
of the Procedure for the preparation and approval of an act of a full-scale technical survey of a forest area”;

- an extract from the USRN on the main characteristics and registered rights to the real estate object;
- documents on the absence on the land plot requested for transfer of minerals in the bowels under the site of the upcoming development, containing information about the location, cadastral number of such a site, and permission to build a land plot located in the areas of occurrence of minerals, as well as placement in places of their occurrence underground structures in the case of the presence of minerals in the subsoil under the site of the upcoming development, containing information about the location, cadastral number of such a site, issued by the authorized federal executive body providing the relevant state service;

- the conclusion of the state ecological expertise, if its conduct is provided for by federal laws, or documents confirming the compliance of activities related to the use of a land plot for the requested purposes, environmental requirements established by technical regulations and legislation in the field of environmental protection, in order to prevent the negative impact of such activities on the environment, as well as in cases stipulated by federal laws, documents certifying compliance (inconsistency) with state sanitary and epidemiological rules and standards of environmental factors, economic and other activities, products, works and services, as well as draft regulations, operational documentation, associated with the use of the land for the requested purposes;

- documents on the presence (absence) of cultural heritage objects on the land and its location;
- documents on the approval of the construction and reconstruction of capital construction facilities, the introduction of new technological processes and the implementation of other activities that have an impact on aquatic biological resources and their habitat;

- documents on the presence (absence) of encumbrances on a land plot containing information about the location of such a plot;
- consent of the rightholder of the land plot to transfer the land plot to another category, except for the case if the rightholder of the land plot is a person with whom an agreement has been concluded on the establishment of an easement in respect of such a land plot, containing information about the location of such a plot;
- coordination of the activities planned on the transferred land plot with the executive authorities or copyright holders of objects on such a plot, in cases stipulated by federal laws;
- documentation confirming the state or municipal importance of the object, if the transfer of a land plot belonging to the lands of the forest fund under protective forests is carried out for the placement of such an object;

- a document confirming the organization of protected areas in the event that for the organization of such protected areas, a transfer of a land plot related to the lands of the forest fund occupied by protective forests is carried out;

- the scheme of the object located on the land plot, drawn up taking into account the territorial planning documents approved in accordance with the requirements of the legislation on urban planning activities, and agreed with the architecture and urban planning authorities.

**Land transfer issues.** In the case of considering the transfer of the protected areas of the Shantar Islands national park, this territory as a real estate object was formed by creating a structural unit - the forestry of the Shantar Islands national park with cadastral number 27: 15: 0001201: 17. The information in the USRN was entered on 12/13/2017 earlier, which was part of the Shantar basin of the Chumikansky forestry. Figure 3 shows the boundaries of the islands of the multi-contour land plot [9].

It should be noted that during the formation of this land plot, its boundaries were determined by the cartometric method in the MSK-27 coordinate system, zone 3 in compliance with the requirements for the accuracy of this method established by order of the Ministry of Economic Development of the Russian Federation of 03/01/2016 No. 90 "On the approval of requirements to the accuracy and methods of determining the coordinates of the characteristic points of the boundaries of the land ... ". The area of the site was 242,595.9891 hectares. In the decree of the Government of the Russian Federation "On the establishment of the Shantar Islands national park" No. 1304 of 12/30/2013, the area of forest land,
which is part of the total area of the park 515,500 hectares, amounted to 241,215.95 hectares. The Federal Forestry Agency, by letter of 24.09.2018 No. AB-03-27 / 15948, returned for revision the materials justifying the transfer of the site due to the inconsistency of the area. According to the decree, the total area of the park was 516 966.86 hectares, including 242 595.9891 hectares of forest land.

**Improving the efficiency of land management in protected areas.** The specifics of determining the efficiency of land management in protected areas is that the indicators of economic efficiency cannot always characterize the result of managing these lands, since the purpose of creating and using lands in this case is to preserve natural diversity, flora and fauna [10]. When using recreational and other resources, economic, environmental, organizational, technological, social effects can be obtained, each of which can be characterized by a system of indicators (table 2).

| Table 2. System of indicators of the use of land resources of protected areas by type of effect |
| --- |
| **Effect type** | **Indicator** |
| **Economical effect** | Investment value of the land plot; costs for the formation of the site; recoupment of costs for the preservation of the natural area; labor intensity and cost of work; net income; differential income; lost profit; loss of production [9]. |
| **Ecological effect** | Ecological diversity; number and area of land contours per 1 hectare; the number and species composition of woody vegetation; the length of ecotones per 1 km²; number and average size of ecologically sustainable areas by type of land, units, ha; coefficient of forest cover of the territory; indicators of the territorial distribution of linear elements; the amount of soil washout, t / ha; the amount of precipitation runoff; the amount of losses of humus and nutrients, t / ha; soil compaction, g / cm³; capital expenditures for environmental protection measures; annual costs of maintaining environmental structures [10]. |
| **Social effect** | Population growth; reducing the incidence of the population; an increase in the life expectancy of the population; employment growth (number of jobs); regional infrastructure development. |
| **Organizational and technological effect** | Reducing the cost of land surveying, state cadastral registration and registration of rights to real estate; transfers to the budget from the collection of fines for violations of the environmental management regime. |

The overall effect of land management in protected areas (economic, ecological, social) is defined as the sum of the effect of direct use, indirect use, the existence of protected areas and information support of land use [11] is represented by the formula:

\[
E_{\text{SPNA}} = E_{\text{dir}} + E_{\text{indir}} + E_{\text{ex}} + E_{\text{inf}},
\]

where \( E_{\text{SPNA}} \) – the overall effect of land management in protected areas; \( E_{\text{dir}} \) – the effect of the direct use of the protected area; \( E_{\text{indir}} \) – the effect of the indirect use of the protected area; \( E_{\text{ex}} \) – the effect of the existence of protected areas; \( E_{\text{inf}} \) – the effect of information support for land management in protected areas.

**4. Conclusion**

The main issues in improving the management mechanisms of protected areas include the territorial organization of land use within the boundaries of protected areas, the establishment of their legal status,
monitoring. Thus, only after the implementation of improvement measures, it is possible to assess their economic efficiency. For example, based on the analysis of the tourism potential of the region, as well as positive and negative factors, the Territorial Planning Scheme for the Khabarovsk Territory provides, including:

- creation of a system of tourist and recreational zones within large urban agglomerations of the region (Khabarovsk), focused on tourism, the main specialization of which is a recreational type;
- in the Tuguro-Chumikansky municipal district - the creation of a seasonal center for receiving tourists, the development of tourist infrastructure on the basis of the Shantar Islands National Park.

We believe that after the transfer of the Shantar Islands National Park, this territory will be able to fully function as a tourist center and bring funds for the development of the regional and federal budgets.

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