THE PRESERVATION OF NATURAL HABITATS

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***Abstract**: The term 'environment' can have a lot of interpretations and has a wide variety of uses in different areas of human society.*
Scientists, economists, lawmakers, politicians and artists have been made aware of the overwhelming importance of the necessity of environmental protection and all describe certain aspects of the environment which, in truth, is unique.
There are, however, as usual two different meanings to the word 'environment'. The first arose from the natural sciences and is related to human society and as such has an ecological approach (the de facto mix of elements and equilibriums which condition the live of a biological group). The second, which is derived from the terminology used by architects and urbanites and which refers to the contact area between the natural and the developed spaces (between the artificial and natural spaces).
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***Key words:** the environment; environmental protection; protected natural areas; natural habitat; sustainable development*

INTRODUCTION

The Romania's geographical space is formed, in a relatively equal part, from the three type of relief – plain, hill, mountain, with various climatic and hydrologic which is different in a number of 52 eco-regions with various terrestrial ecosystems, aquatic, specific for coast areas and Black Sea seaside, steppe and forest steppe, hill, mountain, lakes, water courses and riverside, dry areas and wet areas, including the ones specific for Danube Delta. As it follows Romania is a country with a high biologic diversity, expressed at ecosystems level as at species level.

Generally in Romania, the natural environment it is kept in natural parameters of quality, offering the necessary conditions for specific biologic diversity preservation, excepting large agriculture areas and of some terrestrial ecosystems and aquatic which are under the negative impact of some pollution sources, in which are registered modifications of the structure and of biologic diversity dynamics.

For example, the farmers who administrates agriculture fields and who develops activities in the perimeter and outside the natural protected area have the following obligations:

- To follow the management plan and the rule of natural protected area regarding the use of terrain surfaces with agriculture destination and the regime of agriculture regime, that meaning to rationally use lawns by mowing, pasturing, to produce and cultivate ecologically;
- To follow the evaluation procedure of impact on the environment for plans or projects, as the authorization procedure for activities which may affect significantly the areas naturally protected, according to afferent laws;
- Not to pollute, not to damage and destroy natural habitats which are part of wild nature species;

- Not to capture, not to kill, not to destroy and to harm in any way the wild animals species which are in their natural environment, in none of their biologic cycle stage;
- Not to deliberately disturb the wild animals species, during reproduction period, evolution period, hibernation period or migration period;
- Not to deteriorate or damage the reproduction or resting places of the wild animals;
- Not to deteriorate, not to destroy, not to deliberately collect nests or eggs from the wild;
- Not to cut flowers, not to pick up fruits, not to cut, destroy deliberately wild plants species in their natural habitat, in none of their biologic cycle stage;

Because the ecologic systems are functional systems with complex organization, in generally, the structural modifications at that level are not significant from one year to another, only in the situation of major ecologic accidents and on short term, following, the elimination of perturbing factor the natural environment may be rehabilitated. Due to the lack of practicing the integrated monitoring system which includes also monitoring the biologic diversity, there are no specific data based on which it could be elaborated an exact analysis of their situation, excepting some wild species which are object of some research programs and projects of university structures, museums, research institutes, as of some specialized non-governmental organizations.

MATERIALS AND METHODS

The author of this study applied as a working method: date collection, processing, analyse and formation conclusions.

RESULTS AND DISCUSSIONS

The natural and semi-natural ecosystems in Romania represent almost 47% from the country area. In 261 areas from the entire country area have been identified 783 types of habitats (13 coast habitats, 89 of wet areas, 196 of lawns, 206 of forest; 54 of swamp, 90 of rocks / sands and 135 agriculture. It have been also discovered 44 areas of bird-fauna importance, with a total surface of 6.557 km^2 representing 3 % from the country surface.

The high level of the habitats diversity reflects also a high level of species diversity of flora and fauna. On Romania territory have been discovered 3700 species of plants, from which until now 23 are declared monuments of nature, 74 are extinct, 39 endangered, 171 vulnerable and 1253 rare.

The species specific to pasture represents almost 37% from the total of the existent ones in Romania. There is also a number of 600 algae species and over 700 plants species marine and coast.

Also in Romania have been discovered 33792 animal species, from which 33085 invertebrate and 707 vertebrate.

A great variety of species of flora and fauna on Romania territory represents an economic and social importance, having multiple uses in different areas. During last years, the pressure over these resources has grown considerably, being very solicited, especially on extern market. To avoid the over-exploitation of these resources, beginning with 1997 have been regulated the regime of harvesting / catching activities and acquisition of plants and animals from the wild flora and fauna and of other goods of natural patrimony, in commercial scope on internal market and for export.

The term of "habitat" means the place or type of place where naturally exists an organism or population.

Natural habitats: terrestrial or aquatic areas which are distinct by their geographic characteristics, abiotic and biotic, being natural or semi-natural;

Types of natural habitats of community interest: the ones being under disappear in their area of natural spreading or an area of reduced natural spreading following their regress, or are remarkable examples for one or many of the following biographic regions: alpine, atlantic, continental, macaronesian and Mediterranean.

Types of priority natural habitats: the types of natural habitats under danger of disappearance and for which preservation the Community has a particular responsibility.

Preservation of a natural habitat, in the way of "keeping" as far away possible from the influences which action on it and on typical species which are sheltered, influences which may have effects on long term its natural repartition, their structures and functions as the survival on long term, their typical species, it is favorable when:

- Its natural spreading areas the covered surfaces on that area are established or in extension;
- There is the structure and specific functions necessary to maintain on long term and are susceptible to exists in predictable future;
- The preservation stage of species which is typical is favorable.

Preservation of one species habitat, defined environment by abiotic and biotic factors in which lives a specie in any of its biologic stage, in way of not allowing that influences, with impact on species, to have a long term effect on distribution and abundance of its populations, it is favorable when:

- The relatively data to species population dynamic in discussion shows that the species continues and is susceptible to continue, on long term, to be a valid component of its natural habitat;
- The natural spreading area of the species doesn't reduce and presents no risk to be reduced in a predictable future.
- Exists and probably will exist a much expanded habitat in order for its populations to be kept on long term.

The natural habitat it is realized "in situ", the preservation of eco systems and natural habitats, maintaining and recovery of viable population of species in their natural environment. And in case of domestic or cultivated species, in the environment they developed their distinct characters.

The biologic diversity represents a specific particularity of our planet, which assures the optimal functionality of ecosystems, existence and development of biosphere, in generally.

But during the past time, the problem of biodiversity preservation at ecosystems level, species, populations and gene becomes more and more pregnant because of human impact intensification over biosphere.

Under that context, maintaining of biodiversity it is necessary not only for life assurance in present, but for future generations, because it keeps regional ecologic balance and global, guarantees the regeneration of biologic resources and maintenance of an environment quality necessary to the society.

One of the most dangerous consequence of the anthropogenic anti-ecologic activity, anti-human of human it is that biosphere losses it self-regulation capacity. Considering the huge quantity of waste with which the humans pollutes the environment, the most dangerous consequence of these phenomena represents irreversible disposition

of a considerable vegetal species, animals or of some microorganisms, so ecosystems, biosphere deterioration. The biosphere deterioration gets to considerable reduction of vital environment quality.

So, the problem of biologic diversity gets over the limits of scientific problems and is placed at the level of urgent problems of states and international institutes, objectives which have to offer favorable conditions to population.

One of the important documents which regulate that activity is the Convention regarding the biologic diversity (Rio de Janeiro, 1992).

Extension and uncontrolled exploitation of the agriculture fields have caused acceleration of water erosion process of soil and of dehumidification.

As the areas of agriculture field are expended so it is reduced the area of spontaneity nature. It is even less space for wild flora and fauna. The soil can't be re-established, "rest" and at the last the veritable nature disappears.

Following the anthropic impact, the forest ecosystems, of steppe, of riverside, the aquatic and swamps have been fragmented and deteriorated, getting to a population diversity, specific and biogenetic diminished, to a reduced stability.

So, the biodiversity it is affected to all levels by the following anthropic factors. The most significant changes of the flora and fauna produced and are still producing as the result of direct anthropic impact: hunting, animals killing, unregulated collection of plants, as also indirectly: by destroying or changing the natural habitats.

Among the factors which have a harmful influence on flora and fauna, are:

- Intensive revaluation of agriculture field occupied with natural vegetation. The intensive utilization of the field is a factor which influence essentially on biologic biodiversity of ecosystems. The agriculture field covers almost 2500 thousand ha, which represents 75,6 % from the country area, in which the plowing percentage is almost 70%.

A huge impact over biodiversity it has the intensive exploitation of soil layer over the last 30 years. As result of these activities have been extended the surfaces of eroded soils, affected by landslides, saline, degraded due to clogging with low humidity, de - structured, with negative balance of humus, etc.

In assembly all these, provoked decreasing fertility of soil resources and degradation of soil biologic diversity.

- Deforestation. Under the forest fund, in the last two centuries important changes succeeded. The main problems of this department are the following: insufficient degree of afforestation; continuous decrease of forest biodiversity; the low bio-productive and eco-protective potential of the forests.

The increase in the last 4-5 decades of forest culture percentage in forest fund provoked decrease of gene-fund of native species from forest area. Also once the trees are damaged, it is intensified the quality diminishing of stationary potential. Diminishing of stationary conditions leads inevitable to simplifying the structure and composition of forest communities and predomination of the mono – dominant trees.

The essential factors of quality and quantity changing of forest biodiversity components are is pasture in the woods, fact which has negative impact on regeneration process of these.

- Draining wetlands and improved land use. A negative impact on biodiversity at specific levels and ecosystem has been the hydro-improvement, which intensively developed between '60-'70. The draining, changing of river courses, lead to total destroy of plants associations and of aquatic animal habitats and swamp. In the past

these territories were habitats for species as: otter, European mink, ermine, egret, swan, goose. Because of destroying these habitats , abundance of many species have been suddenly reduced, and some of them became rare.

- poaching and disturbance during breeding animals. In our days the higher influence on most species, economically important, is the hunting and poaching and disturbance during breeding animals. These are the main causes of decreasing the number of deer and wild boars. They lead to sudden decrease or even local disappearance of some precious species such as otter, European mink, ermine, egret. The excessive hunting of animals from vulnerable species category and endangered leads to real degradation of the population and their disappearance.
- pollution of natural ecosystems with industrial waste. Environment pollution with toxic industrial wastes and house wastes has a negative impact on biodiversity. This pollutants are accumulated in soil and water, organs and tissues, are inserting in trophic chains and provoke various disorders of the living organisms functionality, biotypes and of ecosystems in generally. Thermal pollution of the water is not so significant, but produces serious modifications of the biologic cycle.
- The total surface of natural protected area in Romania under the Law no 5/2000 regarding the approval of the Improvement plan of the national territory – section III – protected areas is of 1.234.710 ha, that means 5,18% from the country surface, as it follows:

Romania surface - 23.839.100 ha
Surface of protected natural areas - 1.234.608 ha

The percentage of natural protected areas – 5,18%, from which the Danube Delta is spreading on 2,43 % from the country surface.

CONCLUSIONS

So taking into consideration the extended surface of natural protected areas, once the GUO no.57/2007 have been approved, regarding the conditions for natural protected areas, natural habitats preservation, of wild flora and fauna, have been presented the sanctions for not considering these natural protected areas, sanctions that could mean civil liability, material, contravention or incarceration, as it is the case.

From the point of view of environment law importance, international juridical literature, the juridical responsibility it is considered an alternate way to realize the interest in environment protection and development, especially considering the hardness of legal sanctions.

By legal sanctions of against – environment facts, beside the known purpose, it is considered the education of the punished one and of the others citizens for implementing such ecologic consciousness, of environment in generally, without which couldn't be realized the complex tasks of preventing the pollution, depollution and improvement of environment conditions.

Constraint legal report, which contains many favors and obligations, of material nature (substantial) and procedural law, is the result of illicit facts and need legal sanctions. So any break of legal norms may lead to a legal report of constraint which establishes between the state and the author of the illicit deed.

The environment law is an independent branch. This institutions is in close connection with the others institutions of these law branch, it cannot be considered just a

variety of the liability contravention, but as a specific responsibility, ecologic, with lots of specific characteristics, which constitutes the base of such liability under autonomy.

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