

Work package 1

The Relevance of the Landscape Issue in Territorial Development Policies

National Report France

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² Barruet J. and al, 2002. “Contribution to WP1, Identifying the relevance of the landscape issue in regional development policies in FRANCE”, 22 february 2002, REGALP note

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1 Summary

After the Second World War, things changed quickly : there was a multiplication of sectional policies dealing with regional development and country planning ; the notion of landscape appeared in a law. Public opinion showed a growing interest in landscape, becoming a feature of everyday life. Urbanization played then a major role in this growing interest, the landscape becoming a full part of urban problems and issues.

In the seventies, the fast economical and social changes led to growing social and environmental problems for which state centralized actions became insufficient, inducing the rise of environmental policies and the beginnings of decentralisation.

Decentralisation laws were voted at the beginning of the eighties. In the same time, tools for landscape flourished, giving growing responsibilities to local actors. In 1993, the landscape law made landscape an official object of policies. This period is also characterised by the emergence of sustainable development in international and public actions. Following this, landscape shifted from a remarkable object needing protection to an every day preoccupation, which has to be supported by local management. But this last option quickly drops, and finally actions on remarkable landscapes prevailed during this period.

Local sustainable development became again a priority at the end of the ninety's. Political options, defined as soon as in 1995, are reinforced in 1999 and are focused strongly on local development and implementation of contractual instruments. The main policies dealing with territorial development, which are territorial planning policy, joined with environmental policy, and agricultural, forestry and urban policies, are reorganised to improve their coherence, giving a statutory and central place to sustainable development (landscape is then fully integrated as an element of this sustainable development).

In the recent laws for these main policies, landscape is poorly defined and appears to be mobilized in various meanings. The register of ecology is the most widespread. Landscape as the support for human activity comes behind, and seems to be the meaning implied in laws in which no precisions can be found on this notion.

A more precise analysis of the objectives of these different laws regarding the relation between regional development and landscape leads to separate four main categories according to their acceptation of the notion of regional development : regional development by itself, or more widely, sustainable development, or, at the opposite and more restrictively, environment protection, protection against natural hazards, production of agricultural quality goods or satisfaction of social demand. For example, the relation between landscape and regional development is mobilized in the objective of the production of agricultural products which quality is determined by the quality of the land and of its landscape. Objectives dealing with the protection of the environment are more numerous and are reputed to have a positive impact on landscape. Those that come under sustainable development are intrinsically considered to be in favour of the landscape. Main of the objectives yet relate to regional development by itself : for part of them, regional development is a factor of landscape valorisation ; others accept that regional development could have undetermined or even negative impacts on landscape. The reverse remains relevant, some objectives of laws encouraging actions on landscape while accepting that they can influence regional

development in an unknown way. Actions in favour of landscape as a positive factor for regional development are very limited in numbers.

Regional policies, illustrated for the Rhône-Alpes region, are for a large part defined in the national framework and then show the same general objective of sustainable development, dealing with socio-economical development and territorial cohesion, employment, quality of life and environment. Landscape is rarely explicitly mentioned. Contracts between state and regions are the main way for the application of the national orientations in regions. Various instruments are mobilized, from financial aids to contracts, with the possibility of landscape contracts.

The mountain policy had a slightly different evolution because of slow growth in the sixties and seventies comparing to the national situation. So, in the middle of the years 1970, funds were given for agriculture and development of tourism, mainly ski resorts, without taking into account of their impacts on landscape. These impacts rapidly raised and became perceived as strongly negative, leading to control legislation at the end of this decade. The mountain law, formulated in 1985, is the first French policy trying to conciliate economical development and territorial planning. But it felled in a relative lack of interest.

In France, the landscape issue, which has been in existence for more than one century, show its more accomplished expression in the more recent laws that are together dedicated to sustainable development. These laws thus help to formalize the growth of the social demand about local development and quality of life. Landscape is then considered as emblematic of the every day quality of life. But landscape is not, for all that, always well defined or explicitly mentioned in policy instruments.

2 Résumé

L'introduction de la question paysagère en France peut être datée de la fin du XIX^{ème} siècle. Le paysage est principalement assimilé à l'appréciation des sites pittoresques et de l'esthétisme des lieux par une élite bourgeoise. Elle s'accompagne de la mise en place de différents outils de préservation du patrimoine jusque dans les années 1950.

L'après deuxième guerre mondiale marque une inflexion : les politiques sectorielles d'aménagement du territoire se multiplient, le paysage apparaît pour la première fois dans un texte de loi et la sensibilité au paysage se banalise, tout particulièrement du fait de l'urbanisation croissante et de l'intégration des questions paysagères aux problématiques urbaines dans les années 1960.

L'évolution économique et sociale entraîne plus généralement, dans les années 1970, la croissance de problèmes environnementaux et sociaux auxquels l'action centralisée de l'Etat n'arrive plus à répondre. C'est la période de montée des politiques environnementales, ainsi que les prémices de la décentralisation.

Les lois de décentralisation sont votées au début des années 80, et, parallèlement, les outils de prise en compte du paysage se multiplient avec un accroissement de responsabilité des acteurs locaux. La loi paysage de 1993 officialise alors le paysage comme objet de politique publique. Emerge également la notion de développement durable : le paysage devient plus un objet quotidien d'aménagement et de gestion locale qu'un objet remarquable devant être protégé. C'est pourtant cette deuxième option qui prévaudra dans les actions de la décennie 90, la première option du paysage quotidien s'essouffant rapidement.

C'est la fin des années 1990 qui marquera la relance du développement durable local et l'intégration du paysage en tant qu'élément à part entière de ce développement. Les options politiques prises dès 1995 et renforcées en 1999 sont alors très fortes : focalisation sur le développement local et développement des instruments contractuels, réorganisation des différentes politiques publiques pour améliorer leur cohérence globale, en particulier pour assurer l'intégration statutaire du développement durable ; intégration quasi-générale de la question paysagère par la préoccupation du développement durable. Ces options politiques se développent essentiellement dans les politiques d'aménagement du territoire qui sont alors couplées aux politiques d'environnement, dans les politiques agricoles et forestières, dans la politique de la ville, ainsi que, plus marginalement, dans les politiques de la jeunesse et du sport. Comptent également, en matière paysagère, la politique culturelle et les politiques du littoral et de la montagne, bien qu'elles n'aient pas été modifiées récemment.

Dans les lois les plus récentes caractéristiques des politiques d'aménagement du territoire et d'environnement, d'agriculture et de la forêt, ainsi que de la ville, le paysage est une notion, qui, bien que sous-entendue dans les notions plus générales de développement durable ou d'environnement, n'est que peu définie et très diversement mobilisée. Quand précision il y a, le registre du paysage en tant qu'élément écologique reste le plus mobilisé (habitats, ressources naturelles). Vient ensuite le paysage en tant qu'espace supportant l'activité humaine. Cette dernière acceptation semble aussi sous-tendre les lois qui ne précisent pas ce qu'elles entendent par paysage.

Une analyse plus précise des objectifs affichés dans ces différentes lois au regard de la relation développement régional-paysage permet de distinguer quatre principales catégories selon que l'on considère le développement régional en tant que tel, ou plus généralement le développement durable, ou au contraire, plus précisément la protection de l'environnement, la protection contre les risques, le développement de produits agricoles de qualité ou la satisfaction de la demande sociale. Ainsi, dans le cas du développement de la qualité des produits agricoles, la relation développement régional paysage est mobilisée dans l'objectif de développer des productions agricoles dont la qualité est déterminée par celle du terroir de production et de son paysage. Les objectifs relevant de la protection de l'environnement sont eux plus nombreux et sont généralement réputés comme ayant un impact positif sur le paysage. Ceux relevant du développement durable sont eux, par essence, supposés favorables au paysage. La grande masse des objectifs des politiques relève néanmoins du souci de favoriser le développement régional et les effets sur le paysage qui sont supposés ou prévus sont plus nuancés. Si certains de ces objectifs affichent le développement régional comme un facteur de mise en valeur du paysage, d'autres au contraire acceptent implicitement que le développement régional puisse avoir des impacts indéterminés, voire négatifs, sur le paysage. La réciproque reste vraie : certaines lois encouragent les actions sur le paysage tout en acceptant que les influences de ces actions sur le développement régional restent indéterminées. Les actions en faveur du paysage comme facteur favorisant le développement régional restent par contre très limitées.

Les politiques régionales, illustrées pour le cas de la région Rhône-Alpes, sont pour parties cadrées par les lois nationales et relèvent donc du même objectif de développement durable en étant axées sur le développement socio-économique et la cohésion des territoires, l'emploi, la qualité de vie et l'environnement. Le paysage est peu cité explicitement. Les contrats de plan Etat-Régions constituent les principaux instruments financiers pour l'application des orientations nationales en région. La palette des instruments disponibles est assez large, allant d'incitations économiques à des dispositifs contractuels d'incitation ou de planification. Les contrats de paysage concentrent l'aide technique et financière spécialement dédiée aux paysages.

La politique de la montagne suit un chemin un peu différent de cette évolution générale. Leur retard de développement économique au regard de celui des régions de plaine conduit à favoriser, dans les années 1970 des incitations pour le développement économique basé sur l'agriculture et le tourisme, en particulier par la création de stations de ski sans tenir compte, à l'époque, des forts impacts sur le paysage rapidement jugés comme fortement négatifs. La création de procédures de contrôle des unités touristiques dès la fin des années 1970 répondra à cette préoccupation. La loi montagne, formalisée au milieu des années 1980 sera la première politique française à chercher à concilier développement économique et aménagement du territoire. Elle sera cependant victime d'un relatif désintérêt.

Après plus d'un siècle d'existence, la question du paysage dans les politiques de développement régional a donc trouvé en France son expression la plus accomplie dans les lois les plus récentes, dédiées au développement durable. Ces lois ont ainsi formalisé la montée de la demande sociale en matière de développement local et de qualité de vie. Le paysage y est souvent emblématique de la recherche de qualité du cadre de vie quotidien, en étant le point de rencontre entre nature et activités humaines. C'est une notion qui n'est pour autant pas toujours bien définie ou explicitement mentionnée dans les instruments des politiques.

3 Introduction

WP1 aims to identify the relevance of the landscape issue in regional development policies on EU and national level by doing a general comment of public policies and an inventory of laws and associated instruments. As landscape is the privileged entry for this work package, it has to be studied in the framework of the regional policies, so giving indication to the global problematic of the REGALP program on the relation between regional development and cultural landscape.

We will thus present an historical perspective of the emergence of the landscape issue in French administrative and political structure and of its progressive integration in territorial and in sustainable-development policies and actions. In fact, more than landscape issues, it is the RD/CL relation that dominates, leading toward WP3 aiming at the “Evaluation of public policy contributing to the interrelation between regional development and cultural landscape change.”

The presentation will be structured in three parts : an historical perspective first, followed by a more detailed presentation of the landscape issue in the French political and administrative system concerning the regional development and the environment ; and a last step of a first analysis of the relevance of landscape and its relation to regional development in the goals of legislative texts and instruments. Tables describing the main recent legislative texts, instruments and their objectives, follow this analyse and are presented for each main policy found to be relevant : territorial-planning policy, regional policy, agriculture and forest policy, mountain policy, urban and transport policy, environmental and tourism policies.

4 Historical perspective

The landscape question has only recently become an object of French public policies after it has progressed in stages where each has a specific origin, a particular rationale and often different technical characteristics. Again, generally speaking, we may consider that the observable changes are not strictly the same depending on whether the situation is analysed on the scale of mountain regions, including the Alps, or in terms of the country as a whole. Finally, it is perhaps unnecessary to reiterate that the impact of European policies on the formulation and implementation of these policies is not negligible in the observed changes.

4.1 From elite’s landscape to the beginning of landscape as a public everyday good

In France, the landscape problem issue raised at the end of the 19th century. Landscape was then related to the bourgeoisie striving for picturesque places and aesthesis, with the beginning of the passion for tourism. This tendency led unsurprisingly to the definition of patrimonial conservation laws, beginning with the law of 1887 on the protection of historic buildings. This patrimonial conception prevailed until the fifties, concerning both natural and cultural patrimony.

After the Second World War, many sectional policies developed for national development. The term “landscape” occurred for the first time in the text of a law in 1945. The notion of “urban landscape”, which emerged as soon as the beginning of the 20th century, consolidated

in the sixties. Landscape issues began then to be really part of urban problematic : setting up of buildings permits, insertion of landscape in land planning documents in the seventies.

But during this decade, the excessive centralization got to be unsatisfactory in regard to local needs : for the landscape issue, the creation of the "CAUE", local associations for advice in architecture and environment, indicated this decentralization movement.

4.2 The rise of environmental policies in the seventies

Environmental issues strengthened in the seventies. Protection and conservation of nature, were promoted by the environmental groups and officially acknowledged by the first United Nations Conference on the Environment and Development (Stockholm, 1972). Though there was not yet any real national environmental policy, the period was characterised by a proliferation of legal and regulatory obligations that clearly ran counter to the concerns arising from the economic crisis in progress (viz. the oil crisis in 1973). The result was major conflict between the "development" and "environmental" rationales.

In mountain regions, the situation was not the same. The conflict between rationales was simply not on the agenda because the regions in question and their communities were confronted with a crisis of their own. The economic downfall of all mountain regions caused by massive rural migration and agricultural abandonment had become most worrisome. The authorities decided to focus their action on two sectors, namely agriculture and tourism. For the first, economic affirmative action was taken in parallel with substantial European funding (see Council Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas). At the same time, an attempt to attract foreign spending resulted in the national Snow Plan (1970-1975) that set out to create large ski resorts, primarily in the Alps. It is this second policy that is important here. Public opinion, local government and elected officials rapidly criticised the results. The Snow Plan was implemented without taking into account the specificities of traditional mountain economic activities and the total disregard of promoters concerning the impacts on the sites and mountain landscapes in general elicited protests. The general public opinion was that the mountains were being massacred. The landscape question thus stood out in its glaring absence, but the time had not yet come for specific strategy.

4.3 The eighties and the decentralization

The beginning of the eighties is marked by the big political event of decentralization, which continues to develop until the middle of the 1990s. In the same time, instruments for landscape grow in number with a concomitant expansion of local actor's responsibilities in community and districts.

This period was also characterised by the emergence of sustainable development in international and public actions. Following this, landscape shifted from a remarkable object needing protection to an every day preoccupation, which has to be supported by local management. In 1984, the national conference for landscape outlined the need to product, develop and manage landscape more than preserve then. But this last option quickly dropped, and finally actions on remarkable landscapes prevailed during this period with the two representative laws for coastal and mountains laws.

The mountain policy was for its part initiated in a first step at the end of 1977 when the government adopted an official position on large tourism installations. The procedure for new

tourism units was created. Urban-planning laws were modified with the introduction of measures designed to protect economic activities and the sites for the new resorts. This step also produced the idea that agriculture and forests structure the landscape in a general context of planning for tourism. A second step, the most important for mountain regions, occurred during the upheaval of decentralisation. It consisted in the formulation of a specific mountain policy. Its originality, and long-standing value as an example, lay in the effort to avoid the conflicts of the previous period in that it addressed both the development and the protection of the given territory. Implemented over 20% of the national territory, it was the first French national policy dealing with both territorial planning and economic development. However, its rapid gearing up, followed by a progressive lack of interest in its implementation, resulted in its equally rapid shelving. This phase ended on a positive note, i.e. the conditions required to promote environmental action together with territorial planning and economic development now existed. They constituted the basis for renewed thought and research in the different fields

But the decade of the eighties remains a period with drastic changes in plastic features of landscape : new and quite disordered landscape in periurban zones, both unwanted and much frequented ; heavy pressure from agricultural activities. Even if local level aroused, the national level stayed in fact, the authorities attempted to put an end to what was perceived as a "haphazard environmental policy". A national environmental plan was set up and public action became more structured. The relations with the other public territorial and sectional policies began to solidify.

4.4 The last phase starting in 1993

It is this phase that is discussed in this document and its various elements are presented below. We will simply list here its main characteristics. Its general contours have clearly been profoundly modified due to changes on the national level. Starting in 1997, French public policy was completely reorganised around the notion of sustainable development promoted by the UN Conference on the environment and development (Rio, 1992).

French public policies underwent major changes these last years. The modifications dealt with both the basic policies (the general orientation) and the manner in which they are implemented. Those changes first became visible in the framework of the national territorial-planning policy. For public opinion, the differences were immediately clear on both the institutional level (the Ministry of the environment and that of territorial planning were merged) and on the political level, because the important, new Ministry was entrusted to an ecologist (D. Voynet) and led to the integration of the three fundamental goals for public action which form the basis for sustainable development. This was followed by the reorganisation of the various national policies to enhance the overall coherence of action on the various intervention levels and thus ensure correct execution of projects. The new organisation is explicitly intended to guide the thinking behind the various public policies newly promoted or revised. New laws set up interfaces between policies in the framework of project implementation.

In parallel, fundamental changes in how action is implemented were introduced. Systemic operation of all public policies was encouraged. Public action opened to include new actors. Partnerships were developed, notably between the State, the regions and Europe. Another particular aspect is that the reference to territories became a constant feature in public action, including in sectional policies. Implementation of public strategies became more and more built on a partnership basis. In short, this phase has produced an effort to integrate the

overriding goals of the policies pursued and a mode of operation concerning the actors involved that is much more complex, but also more open.

Landscape confirmed itself as a particular and important object of measures in territorial contracts and in associations of communities. It also confirmed itself to be an integral part of living environment. As soon as in 1993, landscape held the rank of public object with the "landscape law" of 1993 and in others national projects. In 2000, the setting of the national landscape council would give an increasing place for landscape in public action.

5 The "CL-DR" issue in the French political and administrative system

The French political and administrative system is issued from the application of the principles of « decentralisation » (loi n° 82-213 du 2 mars 1982 relative aux droit et libertés des communes, des départements et des Régions) and of « transfer of competences from State to Regions » (loi n° 83-8 du 7 janvier 1983 relative à la répartition de compétences entre les communes, les départements, les Régions et l'Etat). It is structured in four main territorial levels : state, regions, districts (départements) and communities. This organisation lead to a set of policies including national policies, relayed on the regional level by the local agencies of the various ministries, the policies of the 23 regions, a set of contractual policies between public entities (regions, State, Europe), and finally the national manifestations of European policies.

Generally speaking, "public policies" in France are linked to the action of the various ministries. Each ministry is assigned a set of missions combining the themes of policies in a coherent manner. The links between the themes of policies and the policies is illustrated in Table 1 (Barruet J., 2001). Prior to 1997 in France, the themes "territorial planning" and "environment" were separated and each was the primary theme for a ministry. The action of the two ministries did not always produce synergy. Until mid-2002, the two themes were assigned to and managed by the same ministry, called the Ministry of Territorial Planning and the Environment (MATE). As a result, the entire approach of public action in these fields has been significantly modified. A new government in 2002 led to a new change, with a Ministry of Ecology and Sustainable development, and with land planning coming back to the Ministry of Civil Service and State Reform. But we will keep the configuration of the Ministry of Territorial Planning and the Environment because of the studied laws issued from this ministry.

Legislative and/or legal instruments correspond, in this overly brief presentation, to the major means for modern States to apply public policies. They consist essentially of laws and the commonly associated instruments. Important differences exist between countries with federal, decentralised or deconcentrated structures. In France (a deconcentrated country, i.e. the regions have no legislative powers), the national laws are accompanied by the application texts that are generally found in the other countries as well, namely the decrees, decisions, notifications, etc. The legal and/or technical importance of these associated instruments depends on the instrument itself. What is more, they have been codified. It is possible to include here the European instruments that consist of the regulations, directives, decisions, recommendations, etc. for which the binding character and/or the impact also differ depending on the instrument. The member States incorporate these instruments in their action on the national and lower levels.

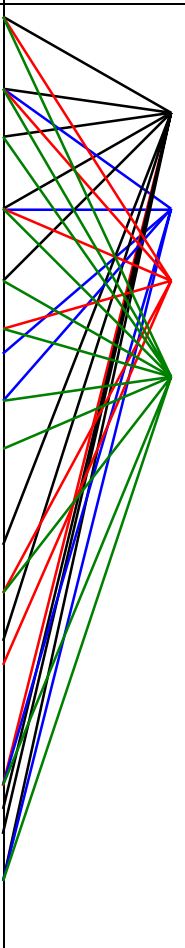
Subjects for policies		Public policies and their national institutions
<ul style="list-style-type: none"> ➤ Spatial Planning ➤ Regional Development ➤ Environment Protection ➤ Protection of Nature and Landscape ➤ and the Cultural Heritage, ➤ Economic policy including tourism ➤ Agriculture ➤ Forestry ➤ Protection from Natural Disasters ➤ Water Resources Management ➤ Energy Policy and Mining ➤ Settlement ➤ Traffic Policy and Infrastructure Planning ➤ Others e.g. military <i>recherche</i> <i>santé</i> <i>sports</i> <i>montagne</i> 		<ul style="list-style-type: none"> ➤ <u>National policies selected</u> <small>5.1.1.1</small> Territorial-planning and environmental policies <i>Min of territorial planning and the environment (MATE)</i> Agricultural and forestry policies <i>Ministry of agriculture and fishery (MAP)</i> Urban and transportation policies <i>Min. of infrastructure, housing and transportation (MELT)</i> Mountain policy <i>Territorial-planning and regional-action agency (Datar)</i> ➤ <u>Regional policies</u> ALL THEMES Regional policies <i>Regional council</i> ➤ <u>Contractual policies</u> ALL THEMES Contracts between the State and the regions (CPER) Contracts between the regions and Europe, via the State (DOCUP) <i>MATE (and regional pref.) and Regional council</i>

Table 1 - links between “public policies” and “policies thematics” for regional development
(Barruet J., 2002)

A global scheme of the French administrative and political system is presented in Table 10 in section 10. This current section put emphasis on main organs and instruments which can have a link with the relation RD / CL for each territorial level.

5.2 National level : ministries and decentralized directions

At the national level, the executive power is distributed among about fifteen ministries (see Table 10, section 10). Five of them are principally dealing with the regional development and the landscape issue.

5.2.1 The Ministry of Territorial Planning and the Environment (MATE)

This ministry, created in 1971, is the youngest one. In spite of this youth, its name and attributions changed many times and especially these last years, as mention in the

introduction to this section. The MATE is composed of different organs which have are summarised in the table below.

One of the main laws concerning the relation between landscape and regional development , the Guidance law on sustainable territorial development and planning (LOADDT, 1999) is issued from this Ministry. The “law on the protection and development of mountain regions” of 1985, issued from DATAR, is also of importance for the REGALP program.

Among the main instruments of these laws which are summarized in Tables TP1/6 to TP3/6 in section 10, “Pays” and “Agglos” are mainly dedicated to the creation of new local organizations, encouraging the communities to join in bigger communities, and encouraging the creation of new territorial formations representing geographical, cultural, economical or social cohesion. This law also creates new instruments called “Schéma de services collectifs”, SSC, “Plan of collective service”, which aims to a national planning in different thematic areas. The one dedicated to natural and rural areas is the more linked to the landscape issue, but the plans for sport and transport also concern this issue. Details on these SSC can be found in Table TP1/6, section 10.

Organs	Means	Actions
Main policies and laws		
Territorial-planning and environmental policies Spatial planning and sustainable development Law 1999 (LOADDT 1999)	SSC SRADT, SIAT «Pays », « Agglos » CPER DOCUP	see table TP1/6 to TP6/6 section 10
Mountain policy Mountain development and protection Law 1985 (LM 1985)	CNM UTN CPER Massifs....	see table LM1/3 to LM3/3 section 10
Central administration		
DNP <i>Direction de la nature et des paysages (MATE)</i> Department for nature and landscapes	Landscape mission	To preserve and restore nature, landscapes and biological diversity.
DATAR <i>Délégation à l'aménagement du territoire et à l'action régionale</i> Delegation for spatial planning and regional action		Cohesion and development of the national territory.
DATAR	CIADT Comité interministériel pour l'aménagement du territoire Interministerial commission for land planning	Definition of policies and priorities for land planning and regional development.
DATAR	CRADT <i>Conférence régionale d'aménagement et de développement du territoire</i> Regional conference for land planning	Regional agencies for land planning and regional development in relation with CIADT.

Regional departments		
DIREN <i>Direction régionale de l'environnement (MATE)</i> Regional department of the environment	Site and landscape division	Including environment in land management, in "CPER" and in "DOCUP" – Preservation of nature, sites and landscapes at a regional scale.
SGAR Secrétariat général pour les affaires régionales <i>(General secretariat for regional affairs)</i>		Definition and implementation of the state policies at the regional level.
Public establishment		
IFEN <i>Institut français de l'environnement</i> French institute for the environment		Technical assistance for the assessment and the evaluation of public policies ; works on environmental thematic.
ONF <i>Office national des Forêts</i> National forestry office	Management plan for state forest	
Specialized institutions		
IGE <i>Inspection générale de l'environnement</i> General inspection for the environment		Permanent mission for control, evaluation, analyses and advice for the implementation of environmental policies.
CNADT <i>Conseil national de l'aménagement du territoire</i> National land planning council		Contribute to the elaboration of regional and sustainable development policies.
CSSPP <i>Commission supérieure des sites, perspectives et paysages</i> Site and landscapes commission	Law 1930-05-02 CDSSPP, local districts	Advice on ranking of remarkable sites and on works in these sites.
CNP <i>Conseil national du paysage</i> National landscape council	Landscape law, 1993	Survey on landscape evolution and social demand for landscapes ; reports on the landscape law ; general orientations for landscape policies.

Table 2 – The landscape competencies and organs of the Ministry for territorial planning and the environment

(from Devanne A.S., 2001 and Barruet et al, 2002)

5.2.2 The Ministry of infrastructure, housing and transportation (MELT)

Even if the Ministry of infrastructure, housing and transportation (MELT) has a determinant action on regional development, few organs of this Ministry are directly concerned by landscape issues. The "DDE", district departments of the ministry, and their regional departments, "DRE" have however many responsibilities concerning landscape issues. This Ministry also includes a state secretary for tourism, with numerous actions for regional development and patrimony, and, quite often, landscape.

Organs	Means	Actions
Main policies and laws		
Urban and transportation policies Urban solidarity and renewal Law SRU, 2000 Transport law LOTI, 1985	SCOT, PLU, ... SSC for transport	see table UT1/2 to UT2/2 section 10
Central administration		
Road department	"1% paysage" ("1%" for landscape)	Implementation of the "1% paysage" policy ; landscape improvement of new roads and motorways.
DGUHC <i>Direction générale de l'urbanisme, de l'habitat et de la construction</i> Department of urbanism, housing and buildings	Landscape mission	Implementation of agglomeration diagnosis ; coherence of public policies of urbanisms, housing and buildings with sustainable development (with MATE).
Secrétariat d'Etat au tourisme State secretary for tourism		Definition of tourism policy ; many action in favor of tourism.
District and Regional departments		
DDE <i>Directions départementales de l'équipement (METL)</i> District Department for equipment	Landscape architect, landscape and architecture advisers. Technical services for urban and transport regulation	Various studies at a district scale Controls of legality of planning documents for urban zones.
DRE <i>Direction régionale de l'équipement</i> Regional department of equipment		Planning and distribution of national funds.
Public establishment		
CDU <i>Centre documentaire d'urbanisme</i> information center on urbanism		
Specialized institutions		
MIQCP <i>Mission interministérielle pour la qualité des constructions publiques</i> Interministerial mission for the quality of public buildings	Landscape architect, landscape advisers	Improvement of the quality of public buildings.

Table 3 – The landscape competencies and organs of the Ministry for equipment, transport and housing

(from Devanne A.S., 2001 et Barruet J. et al, 2002)

The law of transport from this ministry is now 20 years old, and don't include landscape issue. The more recent Plan for collective Service for transport (SSC) presented in section 5.2.1 includes this issue, because of being compatible with the plan for natural and rural areas which explicitly includes landscape issues (SSCENR). A recent law for urban renewal and solidarity gives the basis of land planning by community, helping a better consideration of landscape issue.

5.2.3 The Ministry of agriculture and fisheries

The ministry of agriculture and fisheries have few direct actions on landscapes, although agricultural and forestry policies have a great impact on them. However, the recent

orientation law for agriculture give more places to sustainable development, introducing different environmental objectives which includes, more or less explicitly, landscapes objectives. This law introduces a very peculiar tool that is called “CTE”, “*Contrats territoriaux d’exploitation*” or “territorial farming contracts”, which is a financial contract that can be concluded between the state and the farmers as private persons. These contracts include economical, social and environmental topics and have to add a territorial dimension to farmer’s options and actions. The ministry also deals with rural development and agritourism, both link in many way with landscape issues. The recent guidance law on forestry of 2001 has also taken the option of sustainable development, including some landscapes issues.

Organs	Means	Actions
Main policies and laws		
Agricultural policies Agriculture Law (LOA 1999)	CTE, AOC	see table AF1/4 to AF2/4 section 10
Forest policies Forestry law (LOF 2001)	Forest charters and others instruments	see table AF3/4 to AF4/4 section 10
Central administration		
DERF <i>Direction de l’espace rural et de la forêt</i> Department of rural areas and forest	SSCENR (see table TP1/6 section 10)	Valorization of rural territory ; rural and agri-tourism ; preservation of agricultural and forest areas ; natural resources and soil preservation and management.
DEPSE <i>Direction des exploitations de la politique sociale et de l’emploi</i> Department for farms, social policies and employment	CTE Contrats territoriaux d’exploitation (Territorial farming contracts)	Various actions for farms, including CTE for economical, social and environmental improvement of farm management.
Regional and district departments		
DDAF <i>Directions départementales de l’agriculture et de la forêt</i> District Department for agriculture and forest	Water law, 1992, with SAGE (Schémas d’aménagement et de gestion de l’eau <i>(Management schemes for rivers)</i>) Environment Law 1995 Agriculture Law 1999	Implementation of State for farmers, including agri-environment, agri-tourism. Coordination of land consolidation ; consultation for agricultural buildings etc...
DRAF <i>Direction régionale de l’agriculture et de la forêt</i> Regional department of agriculture and forest	Technical services CTE (see above) SAFER (see above)	
Public establishment		
ONF <i>Office national des Forêts</i> National forestry office	Forest law, 2001 Research ; management of State forest	Economical, social and environmental functions of forest.
Cemagref French institute for agricultural and environmental engineering		Research on rural and environmental topics, including landscape and regional development.
ENSP <i>Ecole nationale du paysage</i> National school for landscape	Learning	Training of landscape architects.
INH	Learning	Training of landscape engineers.

<i>Specialized institutions</i>		
SAFER <i>Sociétés d'aménagement foncier et d'établissement rural</i> Society for land ownership in rural areas		Purchase and sales of rural estates. Information on rural ownership market.

Table 4– The landscape competencies and organs of the Ministry for agriculture and fisheries (MAP) (from Devanne A.S., 2001 and Barruet J. et al, 2002)

5.2.4 The Ministries of culture and of sport

The Ministry of culture (MCC) has a great influence on landscape via its district departments for architecture and patrimony. Their action is mainly in urban zone, but can extend to periurban and rural areas.

The Ministry of sport has for its part a role in the planning of sport resort, with the definition of the collective plan service for sport (SSC Sport) which has to be compatible with the collective plan service for natural and rural areas (SSC ENR) dealing with landscape issues (*loi du 6 juillet 2000 modifiant la loi no 84-610 du 16 juillet 1984 relative à l'organisation et à la promotion des activités physiques et sportives*).

5.3 Regional level : territorial communities

5.3.1 The "Regions"

Born in 1972, the "Regions" became a territorial body in 1983 (laws for decentralization, see table TP5/6 section 10). The region is both an administrative district and a local community, which have a predominant role of land planning. Its two main organs constituted by the "CES", Economic and social council, and the technical departments deals with landscape issues among the other regional competencies.

The "Regions" have several instruments, the biggest one being the "CPER", contracts between the regions and the State. It is a big financial instrument distributing money on priority thematic negotiated with the State. Regions can have contracts with Europe via the State and other many tools, specific to each Region. The table in section 10 for regional policies give some details for the studied region, which is the Rhône-Alpes Region. In this last case, landscape is rarely directly mentioned in regional policies, being included in wider notion of sustainable development, environment and quality of life. However, interviews with regional actors show that there are many instruments concerning the landscape issue : landscape contracts, at the scale of communities, regional natural parks, River contracts, and other tools concerning agriculture (see tables RP4/7 to RP6/7 section 10).

Means	Actions
CES <i>Conseil Economique et Social</i> Economic and social Council	Consultative organ for the regional council for the preparation and the implementation of the CPER, for budget and planning
Technical services , Development and environment service	Regional problems in the field of transports, environment, planning and development

URCAUE Regional union of CAUE (see section 4.2 and Table 6)	In few regions, operational assistance to CAUE
Main policies	
Regional policies	SRADT SSC CPER DOCUP Many other tools, specific to each Region
Contractual policies	Contracts between the State and the regions CPER 2000-2006 Contracts between the regions and Europe, via the State DOCUP 2000-2006

Table 5 – Landscape competencies and organs in “Regions”
(from Devanne A.S., 2001 and Barruet J., 2002)

5.3.2 The Districts (“Départements”)

The French districts have, like the “Regions”, a double status of administrative level and territorial community. These communities can have a great influence on the quality of the living environment and dispose of one organ and one instrument that are directly relevant for landscape issues (CAUE, TDENS).

Means	Actions
Budget of the General council	Land planning and development (optional competency).
TDENS <i>Taxe départementale pour les espaces naturels sensibles</i> Sensitive natural areas tax	Taxes on building permits to finance land acquisition. Preemptive right.
CAUE <i>Conseils d'architecture, d'urbanisme et de l'environnement</i> Association for advice in architecture and environment	Help to communities for landscape problems ; public information.

Table 6 – Landscape competencies and organs in Districts “Départements” (General council)
(from Devanne A.S., 2001 and Barruet J., 2002)

5.3.3 Communities

The communities deal with local affairs. Their capacity of dealing with landscape issues is based on financial and regulation instruments. But this capacity is highly variable and dependent of the size of the communities : in France, many of them are very little and need to collaborate.

Means	Actions
Municipality council	Deliberation documents for community decisions (municipal orders, local urban plan...)
Municipal budget	Management of the municipal patrimony
Elaboration of local urban plans	

Table 7 – Landscape competencies and organs in Communities
(from Devanne A.S., 2001 and Barruet J., 2002)

6 The approach to the *landscape's objectives* in the French current Laws

A detailed survey of the objectives present in the selected laws and instruments mentioned above can be found in the tables in section 10. Objectives are presented, as request for this Work Package, both for the level of the laws (level II) and for the level of the main instruments of these laws (level III). These objectives are not literally reported, but only summarized by a short English translation, which try to be as rigorous as possible.

All the laws that were analysed up to now, except the transport law, refer somehow to landscape, either explicitly or only implicitly. In many cases, the landscape matter is included in the general objective of sustainable development, which is a major part of all the selected policy fields. We propose now a first analysis through these various objectives of the type of reference to the landscape question, and especially to the relation between landscape and regional development.

It will first be done through a rapid analysis of the variety of landscape definitions, which these objectives use and through the type of action on landscape, which is considered. This first categorisation leads to the question of the nature of the links between CL and DR. A systematic analysis of this interrelation is then suggested and applied on objectives of the laws (level II). The extension to the analysis for objectives of level III is afterwards discussed as a transition toward WP3.

6.1 The definition of the term “landscape” in laws

6.1.1 *Natural or human-made?*

The term “landscape” is not defined, as a postulate, within the analysed French laws. It is mentioned, partly explicitly, partly only implicitly in several contexts.

In the context of **ecological environment**, the studied laws which refer somehow to landscape include numerous objectives referring to some of the following items, **natural space / household, natural resources, habitat of flora and fauna, biodiversity, natural heritage** :

- in the spatial planning laws, almost all those aspects of ecological / environmental landscape are mentioned ;
- the agriculture and forest laws refer both to natural resources and biodiversity ; in addition the forest policy also mentions landscape as space of natural household ;
- the mountain policy refers to the landscape as natural household and resources ;
- the urban policy defines landscape as natural space and resources ;
- the environment policy includes landscape as natural space and environment ;
- the coastal policy stresses the aspect of natural household.

These aspects of landscape belong to the widest spread landscape definition. But there are also other definitions.

The context of landscape as a **space of present human economical activity** is then often used in the objectives of the mountain, agriculture and coastal laws, which refer to landscape. **Space of present human settlement activity** is more precisely mentioned in the spatial planning and urban laws. **Heritage and history** are valorised in the spatial planning and mountain law.

Peculiarity of landscape, combining natural and human sides of landscape, is one of the selected landscape feature mentioned in some objectives of the forest, urban, landscape and coastal laws. It is a less functional criterion than others, more focussed on aesthetic or remarkable characteristics.

A quite big number of other objectives keep mentioning the landscape moreover **in a very neutral manner**, which makes it not possible to guess the meaning, although in general they are more likely to concern cultural than natural landscape. They can be found in most of the studied laws, agriculture, forest, spatial planning, environment and coastal policy.

6.1.2 Static or dynamic ? Link with regional development ?

Objectives concerning landscape not only refer to different conceptions of what is landscape but also to the type of actions concerning landscape in a more functional way. This point of view is present within most of the objectives.

These types range from a static to a dynamic position of landscape's status through the different key word **identify and zone, preserve, maintain, maintain quality, ensure quality, manage, protect, valorise, restore quality** (Barruet, 2002).

In a general analysis, it rapidly appears than the objectives concentrate on the two sectors "protection, preservation" and "management". Most of them remain on a global level. The "restoration" and "valorisation" sectors are not at all or barely mobilized.

While the type "preservation" implies mainly the idea of keeping a present state (static), the type "restoration" implies the idea of change (dynamic). The category "protection" seems to be close to "preservation". "Management" seems to be applied both for preservation and restoration goals. The notion of "landscape valorisation" could also possibly concern also both actions of preservation and restoration, but seems more based on the existing situation than aiming an important change of a current situation ; but it is also a notion which includes an economic aspect and should therefore be placed near to the regional development. In fact, links between landscape type of actions and regional development objectives appears quite varied and difficult to apprehend. That's why we propose now a first systematic analysis of the relation between landscape objectives and regional development objectives.

6.2 Toward a first systematic analysis of the relation between regional development and cultural landscape

We propose to use the terms **explicit** and **implicit** as operational notions intended to facilitate rapid sorting of the material collected in WP1. These terms apply to the goals of the laws and other instruments.

For the French case, it seems to be useful to consider three categories.

- In the first one, objectives are dealing with the relation RD/CL in an **explicit and direct way**, with a clear expression of both RD and CL objectives.
- In the second one, the relation RD/CL is also **explicitly** mentioned, but **in an indirect way** regarding to how CL and RD are considered. This is due to the presence of notions in which landscape or regional development are frequently a part of related topics, such as the "environment", "land management", or "sustainable development", or "quality of life", "quality and peculiarity of agricultural products". Most of these last topics are of a hybrid nature, mixing environment (including CL) and development (including DR).
- In the third and last category, the relation RD/CL is not explicitly mentioned, but is probably present in an implicit **way** as a reference for action or as a consequence of the objectives of the law.

For each case, explicit objectives which present positive aims are noted "+" (while negative goals, if existing, would be noted "-"). Implicit objectives are noted as unknown "?", perhaps positive or neutral or negative. These notes are attributed either to regional development (RD), cultural landscape (CL), or to related notions of sustainable development (SD) and environment (ENV).

Further nuances are added by considering the direction of the relation (explicit or implicit) which is considered between RD and CL, i.e. what is mainly aimed by the objectives, the first term used in the designation of the category being assumed to be the main one (e.g. RD+CL+ is in favour of regional development considering positive impacts on landscape).

The Table 8 proposes a first classification of objectives of level II illustrated by some examples issued from the French synthesis matrices from section 10. Regarding CL, as mentioned in section 6.1.2, the objectives concentrate on "protection, preservation" and "management" more than on "restoration" and "valorisation". Regarding RD, the explicit objectives concentrate on "economical development" and "cultural and patrimonial development".

One half of the studied objectives with explicit mention to CL actions contains a well-known interrelation between RD and CL (category RD+CL+), the other half is limited to the CL aspect and doesn't give any information about a possible RD/CL interrelation ; those objectives encourage actions on landscape while accepting that they can influence regional development in an unknown way (category CL+RD?). They are mainly located on the intermediate level. Actions in favour of landscape as a positive factor for regional development could be imagined (category CL+RD+) but were not really found : production of agricultural goods related to landscape could be considered to be close to this category.

Many of the objectives yet relate to regional development by itself : for part of them, regional development is a factor of landscape valorisation, as already mentioned in the category RD+CL+ ; others accept that regional development could have not known or even negative impacts on landscape (category RD+CL?).

Objectives dealing with "environment", or sometimes "quality of life", are quite numerous and at a global level. They have the reputation of having a positive impact on landscape

(category ENV+CL+), but this assertion can be discussed and some objectives are classified in a category with unknown effects en CL (category ENV+CL?).

Those objectives, which refer to sustainable development, are quite numerous and are considered to be in favour of the landscape (category SD+CL+).

Regional policies, illustrated for the Rhône-Alpes region, are for a large part defined in the national framework and show the same general objective of sustainable development, dealing with socio-economical development and territorial cohesion, employment, quality of life and environment. Landscape is rarely explicitly mentioned in the global objectives of this regional policy.

Doing such an analysis at the level of the objectives of the law, even if they are taken at a quite global level, can however induce some bias. In most of the studied laws, sustainable development is a postulate which is posed for the whole law as a first objective. However, all the objectives of the law could be considered to include the sustainable development goal, though the category “RD+CL?” would become non relevant. But this question has to be postponed to WP3 dealing with the evaluation of policies and will also be partly discussed in the next section, when comparing objectives of level II and III.

6.3 Objectives in instruments

Placed on an axis from the abstract to the concrete, most of the objectives of the laws are located on the very abstract, global side (e.g. preserve landscape, sustainable spatial development, develop economy) or in the middle between abstract and concrete, which is intermediate (e.g. encourage traditional economy, protection for security reasons, consider multifunction of agriculture). For example, within the large spatial planning law, the level II objectives are of a very global kind, the landscape occurs only in level III objectives concerning the instruments. In fact, the classification done in Table 8 show clearly that much of the level II goals depends on CL+RD?, RD+CL? and SD+CL+ categories which do not precisely specify the RD/CL interrelation. This is also illustrated in Figure 1, which symbolise the position of objectives of level II (bold characters) and level III (normal character) within a symbolic domain between our four main poles constituted by CL, RD, ENV and SD. Laws appears mainly close to these poles than to their interrelation, exception done for the relation RD/CL.

The classification of instruments among the categories of Table 8 is detailed for the main instruments in Table 9.

Sustainable development is, in instruments as well as in laws, one of the main objectives. This objective is the first orientation of territorial and planning instruments and of forest charters. The landscape dimension is more directly mentioned in collective service plans (SSC), regional land planning scheme (SRADT), regional natural parks (PNR) and in instruments of the landscape law (instruments LP) ; regional development is then rather incorporate in sustainable development. For others, “Pays”, “Agglos”, Farming territorial contracts (CTE) or local management plans (PLGE), this is the landscape that tends to be included in the sustainable development notion.

Sustainable development is also a pillar of the numerous instruments of the environment law of 1995, in association with environmental objectives. It’s also the case for local agenda 21 and for some instruments of the landscape law.

	<p>Objectives which explicitly and directly mention the relation RD/CL</p> <p>Explicit objectives encouraging RD in favour of CL</p>
RD+CL+	<p>“ To encourage traditional trade, industry, agriculture and forestry which have formed the cultural landscape and which maintain traditional life in mountain regions” (Mountain law, LM 1985)</p> <p>” To reinforce the agriculture as a producer of services and landscape” (Agriculture law, LOA 1999)”</p>
CL+RD+	<p>Direct objectives encouraging CL in favour of RD</p> <p>So far no example in level II</p> <p>Objectives which explicitly but indirectly mention the relation RD /CL</p> <p>Indirect objectives in favour of RD via SD, supposed to have a positive impact on CL</p>
SD+CL+	<p>“ To satisfy the user’s needs by considering economical, social and environmental conditions which are most advantageous for the community” (Transport law, LOTI 1982)</p> <p>” To consider the economical, environmental and social functions of agriculture (Agriculture law, LOA 1999)</p> <p>” Balanced development combined with social progress, economical effectiveness and environmental protection (Spatial planning and sustainable development law, LOADDT 1999)</p>
RD+ENV+	<p>Objectives in favour of RD, supposed to have a positive impact on CL via ENV</p> <p>So far no example in level II</p>
RD+SD+	<p>Objectives in favour of RD, supposed to have a positive impact on CL via SD</p> <p>So far no example in level II</p>
ENV+RD+	<p>Indirect objectives in favour of CL via ENV, supposed to have a positive impact on RD</p> <p>So far no example in level II</p>
ENV+SD+	<p>Indirect objectives in favour of CL via ENV, supposed to have a positive impact on RD via SD</p> <p>So far no example in level II</p> <p>Objectives with an implicit mention to the relation RD /CL</p> <p>Objectives in favour of CL, without information about concomitant impacts on RD although impacts can be supposed</p>
CL+RD?	<p>“To preserve cultural landscapes” (Forest law, LOF 2001)</p> <p>“To group and organise new constructions (existing villages, hamlets)” (Mountain law, LM 1985)</p> <p>”To maintain landscapes” (Agriculture law, LOA 1999)</p> <p>”To preserve sites, landscapes and heritage” (Coastal law, 1986)</p> <p>Objectives in favour of RD, without information about concomitant impacts on CL although impacts can be supposed</p> <p>“To strengthen competitiveness of the wood branch, economical valorisation of wood and forestry products” (Forest law, LOF 2001)</p> <p>”To contribute to economical and social development” (Transport law, LOTI 1982)</p>
RD+CL?	<p>”To promote tourism development” ” To valorise agricultural, forestry, trade, industrial and energy production” (Mountain law, LM 1985)</p> <p>”To allow local bottom-up planning in order to establish revenue and life condition parity between mountainous and other regions” (Mountain law, LM 1985)</p> <p>”To preserve and develop economical activities related to the proximity to the water, coastal agriculture, forestry, industry, trade and tourism” (Coastal law, LL 1986)</p> <p>Objectives in favor of CL via ENV, without information about concomitant impacts on RD although impacts can be supposed</p>
ENV+RD?	<p>“To protect environment” (Environment law, LE 1995)</p> <p>“To protect natural spaces and resources, environment (soil, water, biodiversity, climatic change, greenhouse effect” (Forest law, LOF 2001)</p>

Table 8– typology of landscape objectives – national laws

The association between regional development and more sectional environmental objectives (RD+ENV+) is the main basis of regional instruments like in contracts between the State and the Regions (CPER) or at a lower territorial level in instruments of districts. It can also be found in one instrument of the mountain law, the new tourist units (UTN). The overall objective is to conciliate regional development and environment (which is a form of sustainable development, but more specified).

Landscape objectives are also explicitly present in urban instruments (SCOT, PLU ; "instruments SRU") and are related to regional development topics. Some instruments of the agricultural also try to valorise this relation between RD and CL.

The interrelation between CL and RD appears then more explicit in the objectives of instruments than in the objectives of the laws, in parallel with the shift from global objectives to more intermediate objectives. Using a very rough classification helped us to give a first overview of the diverse way of taking account of the interrelation landscape/development, with groups of objectives, which lead to noticeable proximities between so different instruments than urban, and agricultural law instruments. But even if objectives of instrument are more precise than those of laws, one of the most difficulties that remain is due to the use, as in laws, of wide notion like sustainable development and environment in which the status of landscape and regional development is not always clear and not unique. Another difficulty is to consider, as we one until now, the objectives by itself and not in their whole context on laws and policies, with many interactions. It obviously appears the need of a deeper analysis that have to go more in details in these interactions for a more restricted field than the one chosen for this preliminary survey.

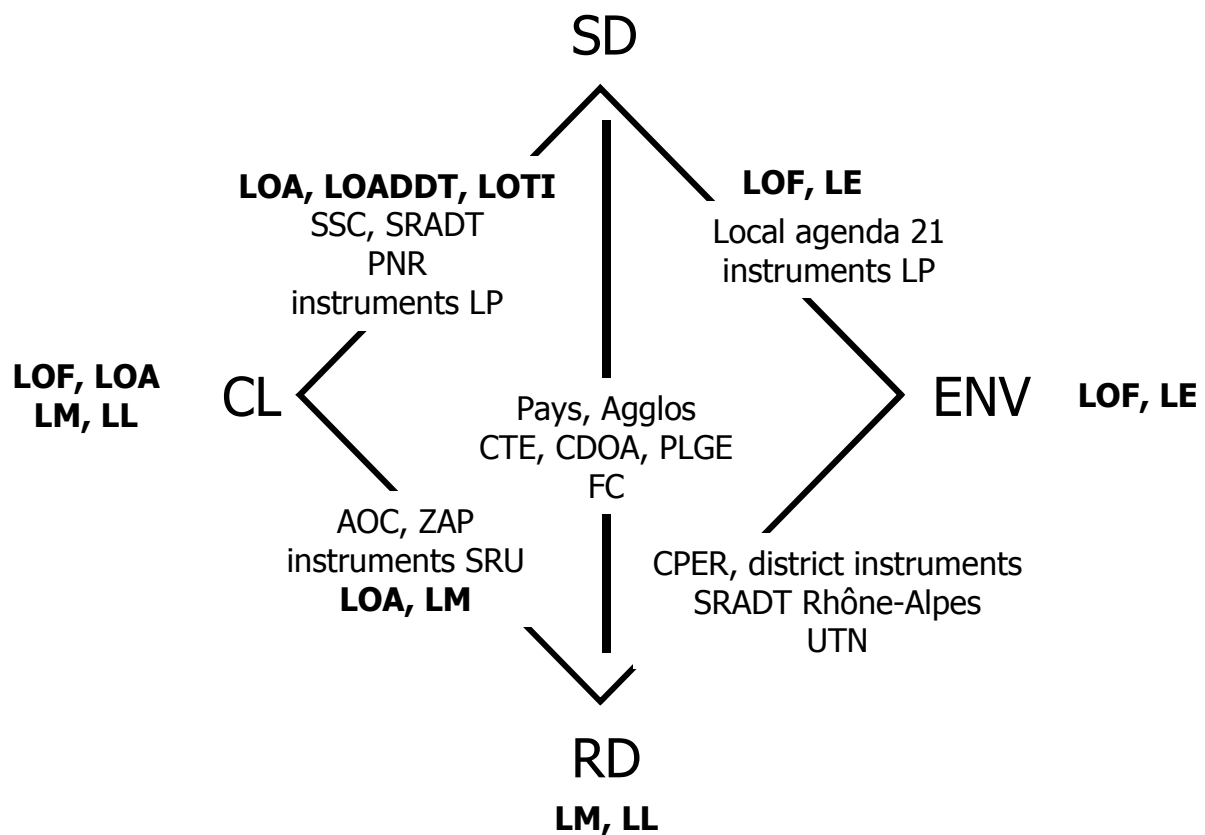


Figure 1 – Schematic representation of the place of ENV, SD, RD and CL objectives in instruments and laws

SD : sustainable development ; ENV : environment ; CL : cultural landscape ; RD : regional development

**Table 9 – the landscape issue in the main instruments
(see below)**

First classification according to Table 8 - * Laws and instruments presented in the same order as in section 10, but only for main instruments ; for abbreviations meaning, see section 8

SD : sustainable development ; ENV : environment ; CL : cultural landscape ; RD : regional development ; RISK : natural hazards ; ORG : territories organization ; CULT : culture ; AGR : agriculture

Laws*	Associated instruments*	Observations	
LOADDT	SSCENR	SD, ENV, CL "...ensure the sustainable development of natural and rural spaces..." ; "...keep a favourable quality of environment and landscape..."	SD+CL+
LOADDT	SRADT	SD, ENV, CL "...give essential orientations...for a sustainable regional development" ; "give the main objectives concerning the location of ...equipments, infrastructures... to contribute to the ... environment, sites and landscape"	SD+CL+
LOADDT, CPER	« Pays » « Agglos »	ORG, SD, CULT, AGR "...contribute to territorial organisation and sustainable development..." ; "preserve and qualify natural and cultural heritage, reinforce agricultural spaces and forests pressed by urbanisation"	RD+SD+
LRP	CPER	DR, SD, ENV "...creation of new jobs and activities and to their sustainability nature, compatible with economic efficiency, social equity and environment preservation"	RD+ENV+
LD	"Districts competencies"	RD, ENV "social help, roads, school transports, help to communities, rescue services, economic development, public equipments" ; "rural equipment, environment protection, tourism"	RD+ENV+
LOADDT	SRADT – RA	QUAL, DR, SD, ORG "the quality of live, coherence and solidarity, promote the region" ; "develop a quality approach in production, in science and technology, in urban areas, in environment" ; "develop territories and great strategic projects"	RD+ENV+
CPER RA	CTE, PLGE	RD, SD "increase activity and employment in agriculture" ; "furthering sustainable development in fragile or sensitive areas"	RD+SD+
CPER RA	Development contracts	ORG "support the contract policy with local actors"	
CPER RA, LE	PNR, Park, Natura 2000,	SD, CL "favour a concerted management of natural areas and remarkable landscapes"	SD+CL+
CPER RA	SAGE	RISK, ENV "manage of water areas for natural risks prevention and ecologic restoration"	RD+ENV+
CPER RA	Local agenda 21	ENV, SD "disseminate information about environment and promote sustainable development"	ENV+SD+
LOA	CTE, CDOA	DR, SD, CL	RD+SD+
LOA	AOC, ZAP	DR, CL "designate a product the quality of which is due to the geographical ambiance"	RD+CL+
LOF	Forest charter	SD, RD	RD+SD+
LM	CNM, Massif committees, national plan	DR, ENV "define and precise the objectives and actions of mountain development, management and protection"	RD+ENV+
SRU	UTN, SCOT, PLU...	ORG, CL, RD	RD+CL+
LP	PLU, PNR...	CL, ENV, RD "to identify and locate the landscape elements which should be protected or valorised" ; "to contribute to the policy of environment protection, spatial planning, economical and social development"	ENV+RD?
LE	Various instruments	SD, ENV, CL, RISK	SD+CL+ or ENV+CL+

7 Conclusion

The analysis of the landscape issue in the recent French laws leads to a concrete illustration of the conjunction between a growing social demand of local development and of quality of life and the change of public policies. These joint evolutions are commented in a succinct historical perspective.

Landscape appears as a relevant notion to point out this confluence between changes in social demand and evolution of public policies. But landscape is in fact only one element of a more global preoccupation of sustainable development, which emerge in the seventies and become official in public action in the nineties. In this general preoccupation, mountains regions appears like laboratory places, becoming the place of the first public policy trying to conciliate economic development and territorial planning.

A juridical status was attributed to landscape in the landscape law of 1993. But it remains many difficulties, because of the highly subjective and highly vague nature of the landscape notion. The analyses of landscape objectives in the more recent and representative law thus show the variety of the potential relations between regional development and landscape : around fifteen types of links can be identified, which argue in favour on further analysis and better organisation of this information on policies objectives in a more delimited field.

The administrative system in charge of the implementation of these policy objectives, which has been quickly presented, seems to be quite complex with crosschecks between institutions and organs having common objectives. Regions, Districts and communities have also a significant impact by technical and financial aids. But such an inventory is not sufficient to give information and to lead to a judgment, a priori, of the coherence of the different actions. This needs to go further in the evaluation step.

L'approche de la place du paysage dans les lois récentes permet d'illustrer concrètement la rencontre entre une demande sociale croissante de développement local et de qualité de vie et l'évolution des politiques publiques. Ces évolutions conjointes ont été commentées dans une rapide mise en perspective historique, qui nécessitera d'être précisée dans les phases ultérieures du projet pour certaines politiques.

Si le paysage représente une entrée pertinente pour identifier cette rencontre entre évolution de la demande sociale et évolution de l'action publique, le paysage n'en reste pas moins qu'un élément partiel d'un souci plus global de développement durable qui prend sa genèse dans les années 1970 et s'officialise dans l'action publique dans les années 1990. La montagne occupe dans cette problématique une place de laboratoire, et sera le lieu de la première politique publique cherchant à concilier développement économique et territorial.

Le statut juridique du paysage a été formalisé par loi paysage de 1993, mais continue de soulever un certain nombre de difficultés du fait de la nature très subjective et floue de cette notion. L'analyse plus détaillée de la place du paysage dans les objectifs des lois les plus récentes représentatives des principales politiques comptant en matière de développement régional montre d'ailleurs la diversité des relations possibles entre développement régional et paysage. Au travers de ces quelques lois analysées, de l'ordre d'une quinzaine de types

de cette relation a pu être caractérisée. Ceci milite maintenant pour mieux préciser et organiser cette information en l'approfondissant dans un champ plus délimité.

Le système administratif responsable de la réalisation des objectifs de ces politiques a été rapidement détaillé. Il semble, en première approche, assez complexe avec des recoupements entre différentes institutions ou organes ayant des objectifs communs. Les régions, départements et communes y occupent aussi une place importante, en particulier au travers des aides techniques et financières que ces collectivités peuvent mobiliser. Mais un tel inventaire ne peut permettre de faire la part des interventions respectives des différents échelons territoriaux, ni de juger, a priori, de la cohérence des actions menées, étape qui relève de la démarche d'évaluation prévue dans la suite du projet.

8 Abbreviations and initials

« Agglos »	Agglomeration project and contracts
AGR	Objectives relative to agriculture
AOC	<i>Appellation d'origine contrôlée</i> (Label of guaranteed origin)
CAUE	<i>Conseils d'architecture, d'urbanisme et de l'environnement</i> (Association for advices in architecture and environment)
CDOA	<i>Commission départementale d'orientation de l'agriculture</i> (« département » commission of agriculture)
CDU	<i>Centre documentaire d'urbanisme</i> information center on urbanism
CES	<i>Conseil Economique et Social (Conseil régional)</i> Economic and social Council (Regional council)
CF	<i>Chartes forestières</i> (Forest charter)
CGPlan	<i>Commissariat général du plan</i> (Prime minister plan office)
CIADT	Comité interministériel pour l'aménagement du territoire (Interministerial commission for land planning)
CL	Cultural landscape
CNADT	<i>Conseil national de l'aménagement du territoire</i> (National land planning council)
CNM	<i>Conseil national de la montagne</i> (National mountains Council)
CNP	<i>Conseil national du paysage</i> (National landscape council)
CPER	<i>Contrat de plan Etat Région</i> (Planning contracts between the State and the Regions)
CRPF	<i>Centres Régionaux de la propriété forestière</i> (Regional Centres for forest property)
CRADT	
CSPP	<i>Commission supérieure des sites et des paysages</i> Sites and landscape commission
CTE	<i>Contrats territoriaux d'exploitation</i> (Territorial farming contracts)
DATAR	<i>Délégation à l'aménagement du territoire et à l'action régionale</i> (Delegation for spatial planning and regional action)
DDAF	<i>Directions départementales de l'agriculture et de la forêt (MAP)</i> (District Department for agriculture and forest)
DDE	<i>Directions départementales de l'équipement (METL)</i> (District Department for equipment)
DEPSE	<i>Direction des exploitations de la politique sociale et de l'emploi (MAP)</i> Direction for farms, social policies and employment
DERF	<i>Direction de l'espace rural et de la forêt (MAP)</i> Department of rural areas and forest
DGHUC	<i>Direction générale de l'urbanisme, de l'habitat et de la construction</i> Department of urbanism, housing and buildings

DIREN	<i>Direction régionale de l'environnement (MATE)</i> Regional department of the environment
DNP	<i>Direction de la nature et des paysages (MATE)</i> Department for nature and landscapes
DOCUP	<i>Document unique de programmation</i>
DR	Regional development
DRAF	<i>Direction régionale de l'agriculture et de la forêt</i> Regional department of agriculture and forest
DRE	<i>Direction régionale de l'équipement</i> Regional department of equipment
ENSP	<i>Ecole nationale du paysage</i> National school for landscape
ENV	Environment
IFEN	<i>Institut français de l'environnement</i> French institute for the environment
IGE	<i>Inspection générale de l'environnement</i> General inspection for the environment
INH	<i>Institut national d'horticulture</i> National institute for horticulture
LD 1982	Laws for decentralisation and share of competences
LE 1995	Law about reinforcement of environmental protection 1995 (« Loi no 95-101 du 2 février 1995 relative au renforcement de la protection de l'environnement »)
LM 1985	Loi relative au développement et à la protection de la montagne (Mountain development and protection Law 1985)
LOA 1999	Loi d'orientation agricole (Agriculture Law 1999)
LOADDT 1999	Loi d'orientation pour l'aménagement et le développement durable du territoire (Spatial planning and sustainable development Law 1999)
LOF 2001	Loi d'orientation forestière (Forestry law)
LOTI 1982	<i>Loi d'orientation sur les transports intérieurs</i> (Transport law)
LL 1986	<i>Loi littorale (Loi no 86-2 du 03 janvier 1986 relative à l'aménagement, la protection et la mise en valeur du littoral)</i> Coastal law (Act of management, protection and valorisation of coastal sites)
LP 1993	Loi paysage Loi no 93-24 du 8 janvier 1993 sur la protection et la mise en valeur des paysages et modifiant certaines dispositions législatives en matière d'enquêtes publiques ») Landscape protection and valorisation Law 1993
LRP 1982	Loi portant réforme de la planification (Planning reform law)
MAP	Ministère de l'agriculture et de la pêche (Ministry for agriculture and fisheries)
MATE	Ministère de l'aménagement du territoire et de l'environnement (Ministry for territorial planning and environment)
MCC	<i>Ministère de la culture</i> (Ministry of culture)
METL	<i>Ministère de l'équipement des transports et du logement</i> (Ministry for equipment, transport and housing)
MIQCP	<i>Mission interministérielle pour la qualité des constructions publiques</i> Interministerial mission for the quality of public buildings

ONF	<i>Office national des Forêts</i> (National forestry office)
« Parks »	<i>Parc National</i> National parks
“Pays”	Territorial formations representing geographical, cultural, economical or social cohesion (LOADDT)
PLGE	<i>Projets locaux de gestion de l'espace par l'agriculture</i> (Local projects for space management by agriculture)
PLU	<i>Plans locaux d'urbanisme</i> Plans for local urbanisation
PNR	<i>Parc Naturel Régional</i> (Natural regional park)
QUAL	Objectives relative to quality
RA	Rhône-Alpes
RD/CL	Relation between Regional development and cultural landscape
SAFER	<i>Sociétés d'aménagement foncier et d'établissement rural</i> Society for land ownership in rural areas
SAGE	<i>Schémas d'aménagement et de gestion de l'eau</i> (Management schemes for rivers)
SCOT	<i>Schéma de cohérence territoriale</i> (Territorial coherence plan)
SD	Sustainable development
SGAR	<i>Secrétariat général pour les affaires régionales</i> (General secretariat for regional affairs)
SIADT	<i>Schémas interrégionaux d'aménagement et de développement du territoire</i> (Interregional plans for spatial planning)
SRADT	<i>Schéma régional de d'aménagement et de développement du territoire</i> (Regional plans for territorial management and development)
SRU 2000	<i>Loi relative à la solidarité et au renouvellement urbain</i> (Urban solidarity and renewal Law 2000)
SSC	<i>Schémas de services collectifs</i> (Plan of collective service)
SSCENR	<i>Schémas de services collectifs des espaces naturels et ruraux</i> (Plan of collective service for natural and rural areas)
TDENS	<i>Taxe départementale pour les espaces naturels sensibles</i> (Sensitive natural areas tax)
UTN	<i>Unités touristiques nouvelles</i> (New touristic units)
ZAP	<i>Zone agricole protégée</i> (agricultural protection zone)

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10 Tables

Table 10 – the political and administrative French system : general view

Territorial level	State	Territorial collectivities
<p>➤ NATIONAL</p>	<p style="text-align: center;">Legislative Pouvoir législatif pm. Assemblée Nationale et Sénat</p> <p style="text-align: center;">Pouvoir exécutif Président de la République et gouvernement ¹</p> <p>Premier ministre Ministère de l'Economie, des Finances et de l'Industrie Ministère de l'Emploi et de la Solidarité Ministère de la Justice Ministère de l'Education nationale Ministère des Affaires étrangères Ministère de la Défense Ministère de l'Equipement, des transports et du Logement (METL) Ministère de la Culture et de la Communication Ministère de l'Agriculture et de la Pêche (MAP) Ministère de l'Aménagement du Territoire et de l'Environnement (MATE) Ministère des Relations avec le Parlement Ministère de la Fonction publique et de la Réforme de l'Etat Ministère de la Jeunesse et des Sports (MJS) Ministère de la Recherche</p>	

¹ Ministères mentionnés : exclusivement les Ministères d'Etat, sans leurs Ministères délégués et sans les Secrétariats d'Etat (les sigles en gras concernent les ministères cités dans cette note).

Suite ...

<p>➤ REGION (22)</p>	<p>Préfecture de Région Secrétariat général pour les affaires régionales (SGAR) <i>Services régionaux de l'Etat, dont :</i> pour le MELT : Direction Régionale de l'Equipement (DRE) pour le MAP : Direction Régionale de l'agriculture et de la forêt (DRAF) pour le MATE : - Pour le MJS : Direction Régionale de la jeunesse et des sports (DRJS)</p>	<p>Conseil régional (CR : instance délibérative) Comité économique et social régional (CESR : donne son avis) <i>Services régionaux</i> (fonctionnaires des collectivités locales)</p>
<p>➤ DEPARTEMENT (95)</p>	<p>Préfecture (de département) <i>Services départementaux de l'Etat, dont :</i> pour le MELT : Direction Départementale de l'Equipement (DDE) pour le MAP : Direction Départ. de l'agriculture et de la forêt (DDAF) pour le MATE : - Pour le MJS : Direction Départ. de la jeunesse et des sports (DDJS)</p>	<p>Conseil général (dirige le département) Conseillers régionaux (délibèrent) <i>Services départementaux</i> (fonctionnaires des collectivités locales)</p>
<p>➤ ARRONDISSEMENT (320 environ)</p>	<p>Sous-Préfecture</p>	<p>néant</p>
<p>➤ CANTON (3850 environ)</p>	<p>néant</p>	<p><i>Circonscription électorale des Conseillers généraux</i></p>
<p>➤ COMMUNE (36000 environ)</p>	<p>néant</p>	<p>Maires</p>



Les deux niveaux majeurs en charge de l'élaboration et de la gestion des politiques publiques françaises.

Territorial-planning policy – France – TP1/6 - SSC

Level II (laws)		Level III (instruments)	
National level	Regional level	Objectives	Regional level
<p>Spatial planning and sustainable development Law 1999 - LOADDT <i>(Loi n°99-533 du 25 juin 1999 d'orientation pour l'aménagement et le développement durable du territoire [...])</i></p> <p>Ministry for territorial planning and the environment; Delegation for spatial planning and regional action</p>		<ul style="list-style-type: none"> - Balanced development combined with social progress, economical effectiveness and environmental protection - Participate to European construction by respecting the subsidiarity principle - Respect the decentralisation principles - Provide recommendations for the actions of local collectivities, agglomerations, countries ("pays"), regional wildlife parks 	<p>Plan of collective services for natural and rural spaces – SSCENR (<i>Schéma de services collectifs des espaces naturels et ruraux</i>) : elaborated by the State with a 20 year perspective</p>
			<p>Plan of collective services for sports (<i>Schéma de service collectifs des transports</i>): elaborated by the State with a 20 year perspective</p>
			<ul style="list-style-type: none"> - Treat the railway as the main means of transport crossing the Alps and the Pyrenees with priority
			<ul style="list-style-type: none"> - To develop access to sports areas and itineraries - To ensure coherence with the SSCENR perspective

Territorial-planning policy – France – TP2/6 - SRADT

Level II (laws)			Level III (instruments)		
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Spatial planning and sustainable development Law 1999 - LOADDT</p> <hr/> <p>(<i>continuing</i>)</p>		See above		<p>Regional plans for territorial management and development - SRADT (<i>Schémas régionaux d'aménagement et de développement du territoire</i>) (LOADDT Art. 5)</p> <hr/> <p>Regional Council</p> <ul style="list-style-type: none"> - includes a prospective analyse and a regional chart, with cartographic documents, which explains the sustainable development project of the region - includes the « Schéma régional des transports » (relation with the transport law 1982 « loi d'orientation des transports intérieurs », Art. 5) - should be coherent with the Plan of collective service SSC (« Schémas de Services collectifs », LOADDT Art. 5). - regional reference for the projects elaboration of the « Schémas interrégionaux d'aménagement du territoire ». 	<ul style="list-style-type: none"> - To give the essential orientations, at medium-term, for a sustainable regional development. - To give the main objectives concerning the location of the large equipments, infrastructures and public services. This location should notably contribute to the preservation and the valorisation of the environment, sites and landscape. - To attends to the coherence of equipment projects with the national and local policies as soon as these policies have an impact on regional development.

Territorial-planning policy – France – TP3/6 - others instruments of LOADDT

Level II (laws)		Level III (instruments)		
National level	Regional level	Objectives	Regional level	Objectives
Spatial planning and sustainable development Law 1999 - LOADDT		See above	Interregional plans for spatial planning <i>(Schémas interrégionaux d'aménagement et de développement du territoire)</i>	- No additional objectives!
			<ul style="list-style-type: none"> - Countries ("Pays") : territorial formations representing geographical, cultural, economical or social cohesion ; country charter (<i>charte de pays</i>) to express the common project of sustainable development according to local agendas 21 	<ul style="list-style-type: none"> - Contribute to territorial organisation and sustainable development - Preserve and qualify natural and cultural heritage, reinforce agricultural spaces and forests which are pressed by urbanisation and man influence
(continuing)			<ul style="list-style-type: none"> - Agglomeration project ("Agglos »"), Agglomeration contracts (<i>contrat d'agglomération</i>) 	<ul style="list-style-type: none"> - Determine the direction of economical development, social cohesion, spatial and urban planning, transport and housing, urban politics, environmental politics, management of resources

Territorial-Planning policy – France – TP4/6 - CPER

Level II (laws)			Level III (instruments)		
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Planning reform Law 1982 ("Loi n°82-653 du 29 July 1982 portant réforme de la planification")</p> <p>Decree of the 31 of July 1998 for the preparation of the Planning contracts between the State and the Regions – CPER 2000-2006 ("Contrats de plan Etat-Région")</p>		<ul style="list-style-type: none"> - The national plan gives the strategic choices and the medium-term objectives for the economic, social and cultural development of the nation as well as the means to reach these objectives. 		<ul style="list-style-type: none"> - Planning contracts between the State and the Regions – CPER (<i>Contrats de Plan Etat Région</i>) – Partnership between "Préfecture" of Region (ED) and Regional Council (R.) - Two contract's sections : <ul style="list-style-type: none"> - regional section (projects on the whole region) - local section (local projects) Tools : see below 	<ul style="list-style-type: none"> - The CPER should be the reflection of the national policy. It is attempt together to the creation of new jobs and activities and to their sustainability nature. That's mean they are compatible with economic efficiency, social equity and environment preservation.
<p>Prime Minister and by delegation to the Ministry for territorial planning and environment</p> <p>Delegation for spatial planning and regional action</p> <p>Prime Minister plan office (<i>Commissariat general du Plan</i>)</p>					

Territorial-Planning policy – France – TP5/6 – Competences of the “départements”

Level II (laws)		Level III (instruments)	
National level	Regional level (“Départements”)	Objectives	Objectives
<p>Laws for decentralisation and share of competences since 1983</p> <p>Ministry of interior</p>	<p><u>General case</u></p> <p>Competences of the “Départements”</p> <p>General Council (“<i>Conseil général</i>”)</p>	<p>1. General objectives of the studied law</p> <p>This law gives to the “Départements” the following competences (objectives):</p> <ul style="list-style-type: none"> - To promote social help - To develop and to lay out roads inside the “département” - To organise and manage school transports - To help communities - To organise and manage fire and rescue services - To facilitate economic development - To manage some public equipments <p>These legal competences are complemented by specific ones depending of local needs :</p> <ul style="list-style-type: none"> - To develop rural equipment - To favour environment protection - To develop tourism activity <p>2. Objectives concerning the relation DR/CL – see below</p>	<ul style="list-style-type: none"> - Financial tools, state endowments to finance the legal competences - Taxes and products of the heritage (settlement and terrain) and services to finance the other actions - Some actions are included in the “CPER”

Territorial-planning policy – France – TP6/6 - Competences of departments” (*continuing*)

		Level II (laws)		Level III (instruments)	
National level	Regional level (“Départements”)	Objectives	National level	Regional level	Objectives
Laws for decentralisation and share of competences since 1983	General case Competences of the “Département”	<p>The management of roads :</p> <ul style="list-style-type: none"> - To improve the roads network 		<ul style="list-style-type: none"> - Programming, maintenance and financing of roads 	
		<p>The help to communities :</p> <ul style="list-style-type: none"> - To protect their environment - To smarten villages - To help for land consolidation <p>The economic development :</p> <ul style="list-style-type: none"> - To help enterprises and rural micro-economies - To help agriculture modernization and young farmers installation - To reinforce the task of agriculture in space conservation - To develop tourism : development of reception capacities; promotion of local products 		<ul style="list-style-type: none"> - Financial and technical help - Financial and technical help - Specific tools and “CTE” - Departmental Comity for tourism (<i>Comité départemental du tourisme</i>) 	
(<i>Continuing</i>)	(<i>Continuing</i>)	<p>The protection of environment :</p> <p>Notably through the policy for <i>Espaces naturels sensibles</i>” (sensitive natural areas) detailed in environmental policy.</p>		<ul style="list-style-type: none"> - TDENS (See table EP1/1) - Pre-emptive right (See table EP1/1) 	

Regional policy – France – RP1/7 – SRADT Rhône-Alpes

Level II (laws)		Level III (instruments)	
National level	Regional level	National level	Regional level
<p>Spatial planning and sustainable development Law 1999 – LOADDT (table TP1/6)</p>	<p>SRADT of Region Rhône-Alpes, currently worked-out on the basis of objectives decided in March 2001. ²</p>	<p>1. General objectives of the SRADT</p> <p>The SRADT of Rhône-Alpes region is structured around 4 main themes :</p> <ol style="list-style-type: none"> 1. To improve the quality of live, the coherence and the solidarity (social and spatial) 2. To position and to promote the region at European and World levels (concerning economy, logistic, formation and culture) 3. To develop a quality approach : in production apparatus, in science and technology, in urban areas, in environment. 4. To develop territories and great strategic projects. 	<p>Four defies have been chosen for Rhône Alpes (RA) region :</p> <ul style="list-style-type: none"> - "RA, espace du développement personnel et de la générosité" (space for personal development and generosity) - "RA, des clés pour l'Europe et le monde" (key for te Europe and te World) - "RA, la haute qualité régionale" (high regional quality) - "RA, la région des territoires intelligents" (region of intelligent territories)

² La présentation du SRADT Rhône Alpes repose sur un document de synthèse intitulé "SRADT 2000-2020, quatre défis pour Rhône-Alpes", réalisé par TAD – Lyon à la demande de la Direction de la Prospective et des Etudes d'aménagement de la Région. Le Conseil Régional a fait sien ce document après vote de l'Assemblée régionale.

Regional policy – France – RP2/7 – SRADT Rhône-Alpes – (*continuing*)

National level		Regional level		Level II (laws)		Level III (instruments)	
National level	Regional level	Objectives	National level	Regional level	Objectives		
<p>Spatial planning and sustainable development Law 1999 - LOADDT</p> <p>(<i>continuing</i>)</p>	<p>SRADT of Region Rhône-Alpes,</p> <p>(<i>continuing</i>)</p>	<p>2. Objectives concerning the relation DR/CL The relation DR/CL is particularly taken into account in the objectives 3 and 4.</p> <p><i>Objectives related to the quality approach :</i></p> <ul style="list-style-type: none"> • To develop high quality in production apparatus : <ul style="list-style-type: none"> - To sustain agriculture - To integrate environment factors in production process - To product environmental goods and services • To develop urban high quality : <ul style="list-style-type: none"> - To develop quality in facilities and living environment - To develop environment high quality : - To preserve natural environment like water - To adapt future modes of transport - To control the affectation of space - To preserve landscape heritage - To institute precaution principle in all facilities acts <p><i>Objectives related to territories and strategic projects :</i></p> <ul style="list-style-type: none"> • To transform territories and society : <ul style="list-style-type: none"> - To anticipate and have a prospective approach - To experiment and innovate in territories approach - To react in response to future stakes • To develop great strategic projects : <ul style="list-style-type: none"> - To organise relevant territories for strategic regional projects. 					

Regional policy – France – RP3/7 – CPER Rhône-Alpes

Level II (laws)		Level III (instruments)	
National level	Regional level	National level	Regional level
<p>Planning reform Law 1982 - CPER 2000-2006 (see table TP1/6)</p>	<p>CPER of Region Rhône-Alpes <u>(continuing)</u></p>	<p>1. General objectives of the CPER</p> <p>The CPER of Region Rhône-Alpes is an essential component of the policy for national and sustainable development. Its main purpose is to truss the convergence between politic actors on common priority objectives.</p> <p>Two great strategic lines have been chosen :</p> <ul style="list-style-type: none"> - To develop employment and social and spatial cohesion - To strengthen the attractiveness and the international influence of the region <p>These lines are translated into three mean orientations :</p> <ul style="list-style-type: none"> - Employment (especially youth accompanying) - Sustainable economic development - Spatial organization and strengthening solidarities (social and spatial) 	

Regional policy – France – RP4/7 – CPER Rhône-Alpes (*continuing*)

Level II (laws)			Level III (instruments)		
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Planning reform Law 1982</p> <p>CPER 2000-2006 <i>(continuing)</i></p>	<p>CPER of Region Rhône-Alpes <i>(continuing)</i></p>	<p>2. Objectives concerning the relation DR/CL</p> <p>The contract is organized in 14 programmes. Six of them concern the relation DR/CL, for which the main objectives are summed up below.</p>		<p>Prog 6 : Agriculture and forest</p> <ul style="list-style-type: none"> - Chart, technical secretary and regional commission for farmers installation - Integrated programmes for agricultural development - Territorial farming contracts - CTE (<i>Contrats territoriaux d'exploitation</i>), see national agricultural policy. - Local projects for space management by agriculture – PLGE (<i>Projets locaux de gestion de l'espace par l'agriculture</i>) : technical and financial help to conciliate agriculture and forest activities with natural environment and attractiveness of rural and suburban areas - Financial help to the development of pastoralism in mountain pasture : to develop pastoralism to fight against agricultural abandonment 	<ul style="list-style-type: none"> - To increase the activity and employment by favouring farmers installation and by promoting quality and products diversification - To reinforce the regional unity by furthering sustainable development in fragile or sensitive areas - To sustain agriculture in mountain

Regional policy – France – RPS/7 – CPER for the region Rhône-Alpes (*continuing*)

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
Planning reform Law 1982 CPER 2000-2006 <i>(continuing)</i>	CPER of Region Rhône-Alpes <i>(continuing)</i>	2. Objectives concerning the relation DR/CL <i>(continuing)</i>			
				- Observation of tourism economy (specially prospective reflection) - Contracts between enterprises and medium-mountain stations	- To favour a sustainable tourism : preservation of cultural, natural, landscape and built resources - To develop tourism as a structuring factor of spatial cohesion and social identity in urban, industrial and rural areas.
			- Prog 8 : Transport and communication - The CPER itself and specific conventions	- To readjust the weight of road transports and less polluting transports to these ones - To manage a real <i>intermodal</i> transport policy	
	- Prog 14 : Organization and development of territories. - Territorial contracts : "Pays" contracts, global development contracts, agglomeration contracts ("Pays", CGD, "Agglos"). - Development contract (<i>Contrat de développement de Rhône-Alpes</i>) : to incite and accompany the application of local projects	- To support the contract policy with local actors			

Regional policy – France – RP6/7 – CPER Rhône-Alpes (*continuing*)

Level II (laws)		Level III (instruments)		
National level	Regional level	Objectives	Objectives	
<p>Planning reform Law 1982 - CPER 2000-2006 <i>(continuing)</i></p>	<p>CPER of Region Rhône-Alpes <i>(continuing)</i></p>	<p>2. Objectives concerning the relation DR/CL <i>(continuing)</i></p>	<p>National level</p> <p>Regional level</p> <p><i>Prog 9 : Environment</i></p> <ul style="list-style-type: none"> - Natural regional parks and national parks – PNR - Parcs (<i>Parc Naturel Régional, Parcs Nationaux</i>) : to conciliate economic development with natural and cultural heritage - Peripheral area of National parks : to protect the environment, to welcome and inform public, to participate in local development - Natura2000 network - Landscape contracts (<i>Contrats de paysage</i>) : technical and financial help to apply a programme of actions in favour of landscape at the scale of a group of communities. 	<ul style="list-style-type: none"> - To favour a concerted management of natural areas and remarkable landscapes
			<ul style="list-style-type: none"> - River or lake contracts, and Management schemes for rivers – SAGE (<i>Schémas d'aménagement et de gestion de l'eau</i>). 	<ul style="list-style-type: none"> - To manage water and aquatic areas (natural risks prevention, ecologic restoration)
			<ul style="list-style-type: none"> - Local Agenda21, Environment observatory 	<ul style="list-style-type: none"> - To disseminate information about the status of the environment and to promote sustainable development. - Financial help towards projects improving protection and promotion of natural regional environment

Regional policy – France – RP7/7 – CPER Rhône-Alpes (*continuing*)

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
Planning reform Law 1982 CPER 2000-2006 <i>(continuing)</i>	CPER of the Region Rhône-Alpes <i>(continuing)</i>	2. Objectives concerning the relation DRCl <i>(continuing)</i>		Prog 11 : Town policies, settlement, social and spatial solidarities - Town contracts between the town, the State and the region.	- To contribute to a balanced development of town (notably support to property policies)

Agriculture and Forest policy – France - AF1/4

Level II (laws)		Level III (instruments)	
National level	Regional level	Objectives	Objectives
Agriculture Law 1999 (Loi n°99-574 du 9 Juillet 1999 d'orientation agricole) Ministry for agriculture and fisheries		<ul style="list-style-type: none"> - To consider the economical, environmental and social functions of agriculture - To participate in spatial planning in favour of sustainable development - To consider the specific situation of mountain regions, to maintain favourable conditions in mountain regions - Sustainable and balanced economical development, preservation of agricultural enterprises, development of employment - To reinforce the agriculture as a producer of services and landscape, to promote the elaboration of high quality products - Preservation of natural resources and biodiversity - Maintenance of landscapes - To pursue actions for the benefit of all users of rural spaces 	<ul style="list-style-type: none"> - Territorial farming contracts - CTE (<i>contrats territoriaux d'exploitation</i>): contracts between farmers and the State, defining the governmental subsidies and the farmers obligations
			<ul style="list-style-type: none"> - Financial aids (<i>aides financières</i>): subsidies, loans, reduction of interest rates, tax exemption - Departmental commission of agriculture - CDOA (<i>commission départementale d'orientation de l'agriculture</i>) : Including representatives of environment protection organisations ; gives its opinion about territorial farming agreement projects

Agriculture and Forest policy – France - AF2/4

Level II (laws)		Level III (instruments)		
National level	Regional level	Objectives	Objectives	
<p>Agriculture Law 1999</p> <p><i>(continuing)</i></p>			<ul style="list-style-type: none"> - Label of guaranteed origin – AOC (<i>appellation d'origine contrôlée</i>) for a product or a production area 	<ul style="list-style-type: none"> - To designate a product (for marketing reasons), the quality of which is due to the geographical ambiance (natural and human factors)
			<ul style="list-style-type: none"> - Modifications of the rural Code (<i>code rural</i>) = basic for judicature; modifications carried out via act 	<ul style="list-style-type: none"> - Management of agricultural and forest spaces to consider economical, environmental and social functions
			<ul style="list-style-type: none"> - Management document for agricultural and forest spaces (<i>document de gestion de l'espace agricole et forestier</i>): "department level"; has to be consulted while elaborating documents for urban development 	<ul style="list-style-type: none"> - No additional objective!
			<ul style="list-style-type: none"> - Classification as agricultural protection zone (<i>zone agricole protégée</i>) 	<ul style="list-style-type: none"> - Preservation of agricultural areas of general interest for the reason of production quality or geographical situation
			<ul style="list-style-type: none"> - (Orientation of) Agronomical research 	<ul style="list-style-type: none"> - Give orientation to research following the principles of sustainable development and preservation of natural resources

Agriculture and Forest Policy – France – AF3/4

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Forest Law 2001 (<i>Loi n° 2001-602 du 9 juillet 2001 d'orientation sur la forêt</i>)</p> <hr/> <p>Ministry for agriculture and fisheries</p>		<ul style="list-style-type: none"> - Sustainable development - Protection of natural spaces and resources, environment (soil, water, biodiversity, climatic change, greenhouse effect) - Preservation of cultural landscapes - Rural development, strengthen competitiveness of the wood branch, economical valorisation of wood and forestry products - Satisfaction of social demands on forests, Development of the qualification of employment - Protection against natural hazards 	<ul style="list-style-type: none"> - Clearing legal obligation (<i>obligation de débroussaillage</i>) : policy power, fines... 	<ul style="list-style-type: none"> - Forest charter (<i>Chartes forestières</i>) : contracts between territorial collectivities and the State 	<ul style="list-style-type: none"> - To achieve the realisation of the forest policy
				<ul style="list-style-type: none"> - To clear spaces for reasons of security, maintenance of agricultural neighbourhood areas, preservation of natural spaces or remarkable landscapes 	
				<ul style="list-style-type: none"> - Communal or intercommunal planning commissions (<i>Commission communale ou intercommunale d'aménagement foncier</i>), including a qualified person in protection of nature and landscape 	<ul style="list-style-type: none"> - To control freehold exchanges and cessions (to avoid damages to landscape)

Agriculture and Forest Policy – France – AF4/4

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
Forest Law 2001 <i>(Loi n° 2001-602 du 9 juillet 2001 d'orientation sur la forêt)</i>				Regional Centres for forest property <i>(Centres Régionaux de la propriété forestière)</i> : public institutions in each region dealing with management and production of private forests. It exists also a national association including the regional centres.	- To give orientations to private forest owners to promote environmental and social demands, to adopt sustainable forestry methods that are compatible with an economical valorisation of wood
				National office of forests (<i>Office national des Forêts</i>) : public institution dealing with 3 main tasks concerning forests (protection, production, public service) : managing 12 mio ha of public forests; 11 600 employees.	- Protection, rehabilitation, surveillance and valorisation of natural spaces and cultural landscapes
<i>(continuing)</i>					

Mountain policy – France – MP1/3

		Level II (laws)		Level III (instruments)	
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Regulation of protection and planning in mountain areas 1977 (Décret 77-1281 du 22 novembre 1977, approuvant la directive d'aménagement national relative à la protection et à l'aménagement de la montagne),</p> <p>Ministry for territorial planning and the environment</p>		<ul style="list-style-type: none"> - Avoid ground competition within agricultural activities - Promote touristic development - Group and organise new constructions (existing villages, hamlets) - Limitate setting and urbanisation above the forest limit - Encourage traditional trade, industry, agriculture and forestry which have formed the cultural landscape and which maintain traditional life in mountain regions 	<ul style="list-style-type: none"> - Urbanisation rules (Règles d'urbanisme): <ul style="list-style-type: none"> - take into consideration land use plans (<i>plan d'occupation des sols (POS)</i>) and environment protection zones (<i>zones d'environnement protégé (ZEP)</i>) not yet in force, apply the national urbanisation regulation (<i>Règlement national d'urbanisme</i>) 		<ul style="list-style-type: none"> - To join new constructions to old ones or group them - To protect agricultural land
			<ul style="list-style-type: none"> - Protection of water plans (plans d'eau) : particular protection of waters and their environment 		<ul style="list-style-type: none"> - To preserve watersides in a natural state - To prohibit or make difficult the construction of new roads - To ensure pedestrian access to watersides
		<ul style="list-style-type: none"> - Strict regulation for new touristic unities - UTN (<i>unités touristiques nouvelles</i>) : preliminary study, administrative authorisation for each realisation phase 			<ul style="list-style-type: none"> - No additional objective!

Mountain policy – France – MP2/3

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
Mountain development and protection Law 1985 <i>(Loi n° 85-30 du 9 janvier 1985 relative au développement et à la protection de la montagne)</i>		<ul style="list-style-type: none"> - Allow local bottom-up planning in order to establish revenue and life condition parity between mountainous and other regions - Recognise the right to a specific development and to consider the differences by innovating and adapting legal disposals - Valorise agricultural, forestry, tradal, industrial and energetical production - Diversificate the economical activities - Develop recreational and touristic infrastructure - Preserve landscape, promote cultural heritage 	<ul style="list-style-type: none"> - National mountains Council – CNM <i>(Conseil national de la montagne)</i> : presided by Prime Minister, including representatives of parliament, massif committees, national mountain organisations...; coordination of public actions in the mountain areas 		<ul style="list-style-type: none"> - To define and precise the objectives and actions of mountain development, management and protection
			<ul style="list-style-type: none"> - Seven massif Committees <i>(Comités de massif)</i>, including representatives of regions, departments, communities, wildlife parks, professional agricultural organisations...; coordination of public actions in the massifs 		<ul style="list-style-type: none"> - To define and precise the objectives and actions to develop, manage and protect the massifs
			<ul style="list-style-type: none"> - National plan (plan de la Nation) : contains specific disposals about mountain development, management and protection 		<ul style="list-style-type: none"> - No additional objective !

Mountain policy – France – MP3/3

National level	Level II (laws)		National level	Level III (instruments)	
	Regional level	Objectives		Regional level	Objectives
<p>Mountain development and protection Law 1985 (Loi n° 85-30 du 9 janvier 1985 relative au développement et à la protection de la montagne)</p>			<p>Regional plan (plan de la Région) : contains specific disposals about economical, social and cultural development of each massif</p>		- No additional objective !
			<p>Plan agreements (contrats de plan) : fixes the priority of governmental actions in favour of economical, social and cultural development in the different massifs</p>		- No additional objective!
(continuing)			<p>Interregional massif development plans (Schéma interrégionaux de développement et d'aménagement de massif) : elaborated and approved by the regional councils (conseils régionaux)</p>		- No additional objective!
			<p>New touristic unities – UTN (unités touristiques nouvelles) : instrument for state control: administrative authorisation procedure according to urbanisation code (code d'urbanisation) art. L 145-9</p>		- No additional objective!

Urban and transport policy – France – UT1/2

Level II (laws)		Level III (instruments)	
National level	Regional level	National level	Regional level
<p>Urban solidarity and renewal Law 2000 (Loi n° 2000-1208 du 13 décembre 2000 relative à la solidarité et au renouvellement urbain),</p> <p>Ministry for equipment, transport and housing</p>		<p>Objectives</p> <ul style="list-style-type: none"> - Sustainable development: balance between urban / rural development, preservation of agriculture and forestry, protection of natural sites and cultural landscapes, preservation of remarkable urban entreties and cultural heritage - Diversity of urban functions and social mixture in urban and rural living areas - Spare and balanced use of natural, urban, periurban and rural spaces - Preservation of quality of air, water, soil, ecosystems, green spaces, natural and urban sites and landscapes - Protection against acoustical nuisances - Prevention from natural hazards and technological risks 	<p>Objectives</p> <ul style="list-style-type: none"> - To fix spatial organisation and rehabilitation of urban spaces - To have a balanced development between urbanisation, establishment of equipment and services, landscape protection
			<p>National level</p> <p>- Territorial coherence plan and sectoral plan – SCOT & SS (<i>Schema de coherence territoriale et Schema de secteur</i>)</p>
		<p>National level</p> <p>- Communal map (<i>Cartes communales</i>)</p>	<p>Objectives</p> <ul style="list-style-type: none"> - To delimitate the construction sectors - To identify the necessary installations for collective equipments, agricultural and forestry cultivation, valorisation of natural resources
		<p>National level</p> <p>- Public freehold establishments (<i>Etablissements publics fonciers locaux</i>)</p>	<p>Objectives</p> <ul style="list-style-type: none"> - Acquisition and cession of freehold and real property in order to realise spatial planning

Urban and transport policy – France – UT2/2

		Level II (laws)		Level III (instruments)	
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Transport Law 1982 (Loi 82-1153 du 30 Décembre 1982 d'orientation des transports intérieurs)</p> <hr/> <p>Ministry for equipment, transport and housing</p>		<ul style="list-style-type: none"> - Satisfy the user's needs by considering economical, social and environmental conditions which are most advantageous for the community - Contribute to economical and social development, to balanced and sustainable spatial development - Contribute to expand international exchanges 	<ul style="list-style-type: none"> - Plan of collective service for transport (<i>Schema de service collectifs des transports</i>), see LOADDT, table TP1/6. 		<ul style="list-style-type: none"> - Treat the railway as the main means of transport crossing the Alps with priority

Environmental policy – France – EP1/5

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Landscape protection and valorisation Law 1993 (« Loi no 93-24 du 8 janvier 1993 sur la protection et la mise en valeur des paysages et modifiant certaines dispositions législatives en matière d'enquêtes publiques »)</p> <hr/> <p>Ministry for spatial planning and for environment</p>		<ul style="list-style-type: none"> - To protect and valorize remarkable territories which are of a particular interest according to their landscapes - To determine the orientations and fundamental principles of landscape protection 		<ul style="list-style-type: none"> - Documents of urbanism (<i>documents urbains</i>) like sectoral plans, land use plans (<i>Plans d'occupation des sols</i>) within the urbanisation code 	<ul style="list-style-type: none"> - Compatibility with the governmental directives - Authorisation to identify and locate the landscape elements which should be protected or valorised
			<ul style="list-style-type: none"> - Modifications of codes (rural, urbanisation) and other laws in favour of landscape preservation 	<ul style="list-style-type: none"> - Regional wildlife parks (<i>Parcs naturels régionaux</i>) - Park charter (<i>charte du parc</i>) : elaborated by the region and the concerned communities 	<ul style="list-style-type: none"> - to contribute to the policy of environment protection, spatial planning, economical and social development - preservation of landscapes and natural and cultural heritage - to determine the orientations of protection, valorisation and development and the measures to implement them

Environmental policy – France – EP2/5

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Law about reinforcement of environmental protection 1995</p> <p>(« Loi no 95-101 du 2 février 1995 relative au renforcement de la protection de l'environnement »)</p> <p>As a modification of the Law for the definition and the application of development principles 1985 (loi n°85-729 du 18 juillet 1985 "relative à la définition et à la mise en oeuvre de principes d'aménagement")</p> <p>Ministry for territorial planning and the environment</p>		<ul style="list-style-type: none"> - Sustainable development : satisfy the needs of today's generation without endanger the ones of future generations - to protect environment - to ensure a balance between urban and rural zones 	<ul style="list-style-type: none"> - National commission of public debate (<i>commission nationale du débat public</i>) : organises public debates concerning the elaboration of public projects with environmental impacts 	<ul style="list-style-type: none"> - Departmental Council of environment (<i>conseil départemental de l'environnement</i>): deals with all questions about environment 	<ul style="list-style-type: none"> - no additional objectives
			<ul style="list-style-type: none"> - Regional committee of environment (<i>comité régional de l'environnement</i>) : voluntary institution dealing with statements, propositions and conciliation about environmental subjects and projects of regional interest 	<ul style="list-style-type: none"> - no additional objectives 	
			<ul style="list-style-type: none"> - Inventory of regional landscape heritage (<i>inventaire du patrimoine paysager de la région</i>) : no details 	<ul style="list-style-type: none"> - no additional objectives 	
			<ul style="list-style-type: none"> - Prevention plans for foreseeable natural hazards (<i>plans de prévention des risques naturels prévisibles</i>) 	<ul style="list-style-type: none"> - To localise the endangered spaces, define the prevention and protection measures and the using conditions 	

Environmental policy – France – EP3/5

Level II (laws)			Level III (instruments)		
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Law about reinforcement of environmental protection 1995</p> <p><i>(continuing)</i></p>		<p>see above</p>			
				<p>- Inventory of departmental natural heritage (<i>inventaire départemental du patrimoine naturel</i>) : shows periodically changes of sites, landscapes and environment protection and valorisation measures</p>	<p>- No additional objectives</p>
				<p>- Orientation report (rapport d'orientation) : elaborated by the State to express measures</p>	<p>- To ensure the protection and management of natural sites and landscapes</p>
				<p>- Intercommunal projects for the management of natural spaces and cultural heritage (<i>projets intercommunaux de gestion des espaces naturels et du patrimoine</i>) : voluntary instrument within the scope of competence in spatial planning, environmental protection and valorisation</p>	<p>- To favour the restoration and the sustenance of natural spaces, landscape and constructed heritage</p> <p>- To incentive agricultural practices which respect the environment</p>
			<p>- Wildlife park guardians (garde champêtre)</p>		<p>- No additional objectives</p>
			<p>- Modifications of codes (rural, urbanisation...) and acts in favour of environment protection</p>		<p>- No additional objectives</p>

Environmental policy – France – EP4/5

Level II (laws)			Level III (instruments)		
National level	Regional level ("Départements")	Objectives	National level	Regional level	Objectives
<p>Law about reinforcement of environmental protection</p> <hr/> <p>(<i>continuing</i>)</p>				<p>General Council (<i>Conseil général</i>)</p>	<p>- Tax for sensitive natural areas - TDENS (<i>taxe départementale pour les espaces naturels sensibles</i>) : « Département » tax for sensitive natural areas to buy, to lay out, to look after and to open to visitors the sites</p> <p>- Pre-emptive right for sensitive natural areas so that the General Council has priority to buy a territory.</p>
					<p>To give « Départements » competences in elaboration and application of a management and visitors facilities policy in the sensitive natural areas in order to preserve quality of sites, landscape, natural environment and to safeguard natural habitats (Art. 142-1) – see table TP5/6</p>

Environmental policy – France – EP5/5

Level II (laws)		Level III (instruments)			
National level	Regional level	Objectives	National level	Regional level	Objectives
<p>Act of management, protection and valorisation of coastal sites 1986 (Loi no 86-2 du 03 janvier 1986 relative à l'aménagement, la protection et la mise en valeur du littoral)</p> <p>Ministry of environment</p>		<ul style="list-style-type: none"> - Research and innovation effort about the particularities and resources of coastal sites - Biological and ecological balance, fight against erosion - Preservation of sites, landscapes and heritage - Preservation and development of economical activities related to the proximity to the water, of coastal agriculture, forestry, industry, trade and tourism 	<p>Decree which fixes a list of protection areas and their light development</p>	<ul style="list-style-type: none"> - Specifications of the urbanisation code regarding to management and protection of coastal sites : urban planning documents (<i>documents d'urbanisme</i>), limitation of urban extension, constructions in rural areas and camping sites, restrictions of new road construction 	<ul style="list-style-type: none"> - Preservation of coastal spaces, remarkable or characteristic landscapes considering the natural and cultural coastal heritage, spaces in favour of biological balance - Protection of agricultural, pastoral and forestry preservation and development sites - To provide natural areas as an interruption of urbanisation
			<p>Report about the application of the act and the specific measures in favour of the coastal sites</p>	<ul style="list-style-type: none"> - Convention between the community and the public or private person who initiates to expand a site for tourism in order to ensure its management, promotion and animation 	<ul style="list-style-type: none"> - No additional objective - To preserve coastal sites, remarkable landscape, natural and cultural heritage
					<ul style="list-style-type: none"> - No additional objective

Tourism policy – France – TP1/1

		Level II (laws)		Level III (instruments)	
National level	Regional level ("Départements")	Objectives	National level	Regional level	Objectives
<p>Decree about the creation of a permanent conference of rural tourism 2001 (Décret 2001-440 du 23 mai 2001 portant création de la conférence permanente du tourisme rural)</p> <p>Ministry for equipment, transport and housing, Ministry for agriculture and fishery, Ministry for spatial planning and the environment State</p>		<ul style="list-style-type: none"> - No general objectives 	<ul style="list-style-type: none"> - Permanent conference of rural tourism: authority of exchange and dialogue between the different actors of rural tourism 		<ul style="list-style-type: none"> - To establish a national policy about tourism in rural spaces