



Technical Project Report

Seminars on Forest Law for the timber industry in Brazil (Output 1.6)

"Community forest management: a sustainable alternative for the Maués State Forest, Amazonas State"

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SUMMARY

The Brazilian environmental legislation can be considered as one of the most advanced in the world, its development has been growing according to the importance of preserving the environment gains strength. A new Law 12,651 / 2012, amended by Law 12,727 / 2012, has been harshly criticized by environmentalists. However, this time the law was enacted, it shows that it is no longer time to seek loopholes that allow more deforestation and avoid the restoration of forests. In its art. 1, introduced by Law 12,727 / 2101, cites principles that are the "sovereign commitment of Brazil with the preservation of their forests and other forms of native vegetation and biodiversity, soil, water resources and of the climate system integrity, to the well being of present and future generations "and the" strategic role of agricultural activity of the role of forests and other forms of native vegetation on sustainability, economic growth, improving the Brazilian population's quality of life. " Based on the principles, this seminar aims to answer questions and approach the changes made by the new Brazilian Forest Code, expanding the perception of the communities involved in the project for a serious execution and support by environmental laws. The main objective is for participants to acquire as much knowledge about the Code and its requirements for the implementation of Sustainable Forest Management.



1. INTRODUCTION

The first Brazilian Forest Code was established in 1934 and released in September 15, 1965 by Law no. 4771 which defined in detail the principles necessary to protect the environment and ensure the well being of the population. And deals with the two main sources of environmental protection - provided through situations of preservation and conservation - which are the Permanent Preservation Areas (APP) and Legal Reserve (RL). The amendment of legislation weakened the protection of the environment, lowering the standard of environmental protection provided by the Federal Law nº4.771 / 65, which contradicted the constitutional obligations to the Government to secure the effectiveness of the right to an balanced ecosystem. A new environment Law 12,651 / 2012, amended by Law 12,727 / 2012, has been criticized environmentalists. However, this time the law was enacted, the ones who want to protect forests, there is no more time to seek loopholes to allow more deforestation and avoid the restoration of forests, we seek to understand more nature protection and understand that the new Law is much better than we had believed. A Federal Law No. 12,651 / 12, taking into account the insertions by the provisional measure 571/12 and the Federal Law No. 12,727 / 12, changes the current systematic about permanent preservation areas of legal reserves and the recuperation accountability system for areas where vegetation has been removed illegally. In Brazil, the government's strategy to ensure the sustainable use of natural resources on private property is based on the adoption of command and control measures established by the Forest Code, under the form of Permanent Preservation Areas (APP) and Legal Reserves (RL).

Ahrens (2010) conducted an analysis of the structure of the Forest Code and found that its articles are listed in a continuous and sequential manner and as recommended by the legislative technique should be organized into thematic groups. Thus, the Forest Code is organized as follows:

1. Forest Characterization and other forms of vegetation as a common interest of goods (article 1);
2. Preservation and Conservation (Articles 2 to 10 and 14 to 18.);
3. Measures against fire (Articles 11, 25, 26 "e", "f" and "l", and 27.);
4. Economic exploitation (Articles 12, 13, 19 to 21, 45 and 46.);



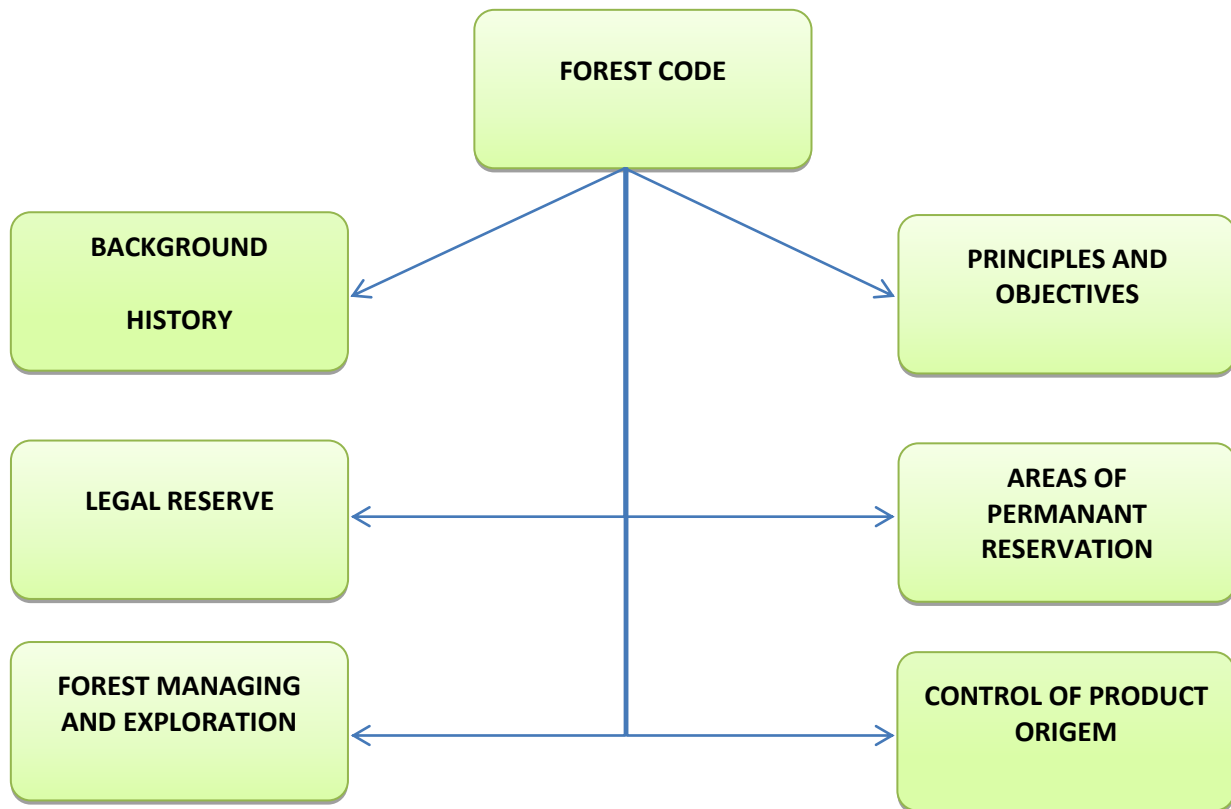
5. Activity Incentives (Articles 38, 39 and 41.);
6. Control and supervision (Articles 22 to 24 and 48.);
7. Forest Education (Articles 42 and 43.);
8. Penalties (Articles 20, sole paragraph, 26 to 37 and 45 § 3.) And;
9. Transitional and final provisions (arts. 44, 47, 49 and 50).

The objective of this seminar was to deepen the knowledge about the provisions of the new Forest Code in order to broaden the vision to fulfill established norms. The Community Forest Management can be done supported by the compliance with the implementing rules set out in State and instructions Normative Resolutions. The communities involved will participate as connoisseurs of the main regulatory framework on the use of forest resources through Community Forest Management Plans, and consequently, the spread of knowledge.

2. APPLIED METHODOLOGY

For the preparation of this product it was performed a bibliographic research on the topic which it was the procedure adopted to further the theoretical and methodological framework of the research, for understanding, construction of scientific knowledge of the subject in question. Simultaneously monitoring in newspapers and magazines daily and weekly releases and the websites of government agencies on the amendment of the Forest Code, the data and information collected were analyzed and systematized in the form of texts and pictures. It is important to mention the approval of the new Brazilian Forest Code in 2012 and its updates concerning procedures for the exploration areas, limits of Permanent Preservation Areas and Legal Reserves, Rural Environmental Registry, Management and Forestry. Projectors were used for the presentation of the seminar with changes in the new code, illustrations of the modified content. Participants not only received the formal presentation, but also interacted with the content taught and its applications, through clarifications of doubts and questions.

3. SUBMISSION OF DATA



4. ANALYSIS AND INTERPRETATION OF DATA AND RESULTS

Participants increase their insight into the relevant aspects of the forest code such as the size of the PPAs, the rules for logging through Community Forest Management. As the project is implemented, those involved will be able to regulate, guide and propagate knowledge in a practical manner with consultation of the technician responsible for the execution, which may be critical in practical suggestions following the criteria required by the Brazilian Forest Code.

PERMANENT PRESERVATION AREAS

They are protected, covered or not by native vegetation areas, the environmental function of preserving water resources, landscape, geological stability and biodiversity, facilitate gene flow of fauna and flora, soil protection and ensure the well-being of human populations.



LEGAL RESERVE

Area located within a rural property or possession, delimited to art. 12, whose function is to ensure sustainable economic use of the natural resources on rural property, assist the conservation and ecological rehabilitation processes and promote the conservation of biodiversity such as and the protection of wildlife and native flora.

FOREST EXPLOITATION

Native Forest Exploration

To explore native vegetation, environmental licensing is needed, with the approval of the Plan for Sustainable Forest Management. - PMFS. It Will undergo technical inspections to monitor the operations and activities in the managed area. Individuals or legal entities are required to reforest areas where raw material coming from removal of vegetation, which through PMFS was approved by the environmental agency.

Control of the origin of forest products:

Control of the origin of wood, charcoal and other forest products or subproducts include national system that integrates data from different coordinated federal entities, supervised and regulated by the appropriate federal agency of Sisnama. Transport by any means, and wood storage, firewood, charcoal and other forest products or subproducts originating from forests of native species, for commercial or industrial purposes, require the permission of the competent organ Sisnama (IPAAM).

5. CONCLUSION

The project seminar is essential for management plans to run within the limits established in relation to permanent preservation areas, Management and Forestry, and not least, the Source Control for transportation and the marketing of these products through Forest Management. The legal reserves as well as the APPs also proffer important ecosystem services that ensure sustainability. Among the most important are those that provide the maintenance of fauna responsible for pollinating forest species and natural pest control. Another alteration of impact is the release registration of the Legal Reserve each property on the sidelines of his registration with the competent Real Estate Registry Office. Registration must take place in the competent environmental authority by being



entered in the Rural Environmental Registry -Car. This Registry will still be created and the control of rural properties with respect to legal reserves will be in charge by this system which will be monitored by SISNAMA, Institute of Amazonian Environmental Protection - IPAAM.

6. RECOMMENDATIONS

Hold another seminar with the start the activities provided in the plans for Community Forest Management, provided in the second phase of the project.

7. IMPLICATIONS FOR PRACTICE

1 and 2) - The marginal strips of preserving any course of natural water (perennial or intermittent) and lakes or natural ponds are:

1) Width of the course of natural water	Forest Tracks	2) Lakes or natural ponds	Forest Tracks
10 meters	30 meters	In rural areas	
10 a 50 meters	50 meters	50 meters	until 20 ha surface body
50 a 200 meters	100 meters	100 meters	over 20 há
200 a 600 meters	200 meters	In urban areas	
over 600 meters	500 meters	30 meters	General

3) Springs must have a minimum radius of 50 meters.

4) For the artificial reservoirs the buffer strips are defined in the environmental permit.

5) The slopes with slopes above 45 °, equivalent to 100% of the line of maximum gradient.



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