

HOW TO PRESERVE HERITAGE OF THE PAST?

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*The last word in ignorance is the man who says
of an animal or plant: "What good is it?"*

—Aldo Leopold, American writer,
ecologist, environmental advocate

Walking through Almaty streets and visiting old city parks, you may notice a high number of large stumps and drying trees. It may make you wonder—why are the parks and streets greenery which were created by our ancestors for our own good, now growing thinner and getting a jaded look right in front of our eyes. Why do businessmen first care about cutting trees in front of their “properties” to open a field of view or build a parking lot? Do they even think about the harm they cause to the nature and the city residents? Why do the city officials pay no attention to this outrage? Why do we treat the heritage of the past so ungratefully?! Involuntarily, you start looking for answers to these questions.

All of this is clearly demonstrated on the example of Baum Grove which was created for us by the ancestors.

First trees and shrubs were planted on the territory of the currently existing grove in 1868, i.e. only 14 years after establishing the fortress Vernoe (1854). Governor G.A.Kolpakovskiy personally followed the plantings. In 1877, an oblast forestry officer, forest scientist Eduard Ottonovitch Baum became in charge of the grove. In 1892, he asked to officially allocate the land for the grove which in different times was called Alferovskaya, Vernenskaya, Kazennaya, Kazachya, Razboynichya. “The land occupied by the grove was allocated in 1899 with drawing the borders on the plan and putting up the signs.” Area of the plot was 152 dessiatinas (about 166 hectares).¹ Baum re-designed the old plantings, splitting the territory by a web of straight alleys into squares (blocks). Plantings content was improved by introduction of more valuable species—oak, ash-tree, and linden. Plantings and seeds were brought from the European part and Siberia, but a large percentage of the plantings was represented by the local tree species—elm and English elm.

Simultaneously, the city streets were planted with greenery. Already in 1867, rules of development of the new city stipulated: “Next to every house, seven feet away, it is intended to plant trees in two rows from each side of the street, with a 14 feet space between them which will serve as a sidewalk for

pedestrians.”² Valuable species were also planted—oak, linden, birch, pine, and fruit trees, some of which are still growing.

These successes were noted by the famous botanist A.Regel who visited Verny in 1876: “The city is decorated by various tree plantings everywhere, even in the continually appearing new city districts.”³

From the beginning of 1900s, every spring in Semirechye people celebrated the “Festival of Tree Planting” where free saplings were provided. For example, on this day in 1902, volunteers planted more than fifteen hundred young trees of different kinds along Malaya Almatinka River, the last of those trees, probably, disappeared in the recent years. The grove created with the first-hand participation of E.O.Baum and called in his honour, represents a pitiful sight nowadays.

What happened to the grove during this relatively short period of its existence? Why did it reach such a sad state?

In the first third of the twentieth century, the grove existed as a forest-park with a limited influence of the external factors on the vegetation. The grove was the largest forested area in the city of Almaty. Huge mass of greenery stretched for 3.5 km in length, in some areas reaching a kilometre in width. As the city infrastructure developed, negative impact of the external factors on the grove started to gradually increase. In 1930s, the grove was pushed against from the east side by a railroad built to the station Almaty-2.

In 1950-60, due to development of Seyfullin Avenue to the north, anthropogenic impact on the west side of the grove started to increase.

Even a bigger negative impact on the condition of the trees was brought by a construction of the Big Almaty Channel in 1980s. The very southern part of the grove was split off by the channel; a number of trees was removed during the construction. Thus, the area of the grove shrunk to 130 hectares. But the most important is that the construction of the channel destroyed the existed irrigation system.

Partial destruction of irrigation ditches lead to a change in the ground water level, which abruptly worsened the watering cycle of the trees. It caused water-logging in some areas, and water deficiency in others. These changes caused hundreds of trees to die, including oaks and other valuable species. Beautiful oak alley, which used to be a cultivation standard of these long-lived species, lost its attractiveness.

The grove area became smaller compare to the far gone years of the nineteenth century, when population of Verny was only a few thousand people. Today more than 1.5 million people live in Almaty; 800 thousand cars poison the air with harmful emissions and consume large amounts of oxygen every day. Oxygen content in the city air decreased significantly. One of the reasons causing this is tree cuttings in the city and its vicinities, including mountain forests accurately defined as “the city’s lungs.” People grew the grove, in order

to create favourable conditions for the city residents. And today we observe how this marvellous creation of collaborative work of men and nature is dying.

Before 2001, Baum Grove was under authority of the akimat (the city mayor's office). Specifically that is why in 2000, despite of the requirements of the current law "About Specially Protected Natural Territories," it was proposed to give the grove a status of a specially protected territory of local level—landscape park "Baum Grove." Scientific justification and feasibility study were developed. In accordance with the decision of the akimat dated on March 14, 2000, No.249, project design and organization works were assigned to the State Municipal Enterprise "Almatyecologostroy."

Further on, the situation became even more complicated when after the Decree of the Government dated on June 27, 2001; No.877 "About State Natural Reserves and Monuments of the Country Level," the "Baum Grove" was included into the **"List of the State Monuments of Nature of National Level."** The city residents were not involved in discussion of this decision.

Master plan of the city of Almaty adopted by the Decree of the Government dated on December 19, 2002, No.1330, denotes that "territories of the natural complex include: forest and **forest-park zones (Baum Grove).**"

It should be noted that in accordance with the active at that time law "About Specially Protected Natural Territories" dated on July 15, 1997, No.162, a **state monument of nature** is a "specially protected natural **territory with a regimen of a reserve** designed to conserve individual objects of the state natural reserve fund in their natural condition" (Article 43, paragraph 1).

Article 45 of the same law defines the regimen of its utilization:

"1. **Any activity violating the natural condition and integrity** of the state monuments of nature **is prohibited.**

2. State monuments of nature can be utilized in a defined order in scientific, cultural and educational purposes."

In accordance with the paragraph 1, Article 35, a regimen of a reserve had to be established on the territory of monuments of nature, which beside the above mentioned limitations prohibited **"citizens to be on its territory without a special permission** and outside of areas allocated for visiting." But it was widely known that the grove was visited by hundreds and thousands of people daily, different attractions were set-up there. It was reported in numerous publications, press, and Internet.

Thus, an unsolvable contradiction was created: **how could one announce the grove to be a monument of nature at the existing way of its utilization which had been forming for dozens of years? In this situation, the adopted decision practically could not be implemented.**

By calling the grove a monument of nature, **the officials started to violate the requirements of the law themselves.** "Almatyecologostroy" signed an

agreement with the Republic State Enterprise “Kazgiproleskhoz” dated on April 30, 2003, about development of a “Draft Project of Reconstruction of Forest Plantings of the ‘Baum Grove’.” And what about the regimen of a reserve?

In the very beginning of the survey works, the project developer drew attention of the “Almatyecologostroy” to the fact that the old trees cuttings performed since 2000 (400 trees per year) contradicts to the newly established status of the “Baum Grove.” In the project it was noted: “At the technical meeting on May 30, 2003, ...it was decided: “To address the Government of the RK (in accordance with the established procedure) with a petition about changing the status of the ‘Baum Grove’ in order to receive a permission to conduct activities of reconstruction of the overripe woods.” Further it was said: “Author of the project has to state that at the time of completion of the project survey works, no changes to the status of the ‘Baum Grove’ were made.”

Unsatisfactory condition of trees in the grove which was reported numerous times in the press and Internet was confirmed by the survey works conducted according to the above mentioned agreement. During a detailed examination of a part of the grove measured in 43 hectares where the reconstruction was planned to be started, poor condition and, in some places, unsatisfactory condition of trees was identified. As a result of the inventory, 7,636 trees were taken into account. Among them, 5,787 trees reached the stage of natural aging and needed to be cut and replaced by new ones.

The process of intensive dying out of a large number of trees is explained not only by natural aging, but also by rotting of the root system as a result of flooding with polluted waste water in some places and lack of moisture elsewhere. There was no natural equivalent renewal of plantings.

The developed project for reconstruction of the grove site was not implemented due to the fact that it contradicted the established nature protection regimen on the given territory. Nobody took measures to change the legal status of the grove.

In 2008, in accordance with the order of the Forestry and Game Committee of the Ministry of Agriculture dated on April 21, 2008, No.107, “Baum Grove” became a part of the Ile-Alatau State National Natural Park (hereafter—Ile-Alatau SNNP).

In order to carry out activities on this territory, which, in view of the reserve regimen, practically came down to protection, funding and staff units were allocated. But the park’s administration was not able to limit visits of the grove by the population. For many decades the grove has been a favourite recreation spot for the townspeople.

Given the unsatisfactory condition of the grove and the need to carry out their assigned duties, the leadership of the Ile-Alatau SNNP asked the higher organization for explanations. On January 8, 2009, the Forestry and Game

Committee sent the park a reply No.25-02-09-29/29 with such a “meaningful” content that some of its fragments require citation:

“According to the Resolution of the Government of the Republic of Kazakhstan dated on November 10, 2006, No.1074, ‘On Approval of the List of Specially Protected Natural Territories of National Level,’ the state monument of nature ‘Baum Grove’ is a specially protected natural area.

The Committee considers the change in its legal status inadvisable.”

Firstly, the Committee apparently forgot about the Resolution of the Government of June 27, 2001, No.877, according to which the “Baum Grove” was included into the “List of the State Monuments of Nature of National Level.” Secondly, there was no answer to the main question on how the administration of the national park should work under the established status of the grove.

Instead, the Committee summarized the content of the Articles 29 and 30 of the 2006 law “About Specially Protected Natural Territories.” They talk about safeguarding, protection, and restoration of the state natural reserve fund in general, **and not specifically of monuments of nature with a regimen of a reserve.**

Further in the letter, it is indicated:

“The Committee plans to develop a project for restoration and conservation of the monument of nature ‘Baum Grove’ in 2009-2011.

Prior to approval of the project, maintenance activities for the monument of nature should be carried out within the allocated budget and the national park’s own funds in agreement with the Committee.”

What a “good” advice was given by the authorized body! If you follow their instructions, you will violate the law. If you do not follow the instructions of the leadership, you will be punished accordingly. The choice is not great, but it makes the nature and people to suffer.

In December 2015, information on the further development of the “paper” reconstruction of the grove appeared in the publication of Aleksey Azarov⁴ “The Legacy of Eduard Baum in Almaty.”

In 2009, the Forestry and Game Committee, a head organ for all national parks, “held a tender for the project of restoration and reconstruction of the Baum Grove. The tender was won by the company named ‘Centre for Remote Sensing and Geoinformation Systems ‘Terra’.’ In 2009-2011, this company developed a master plan for development of infrastructure of the national monument of nature of the countrywide significance ‘Baum Grove’.”

Representative of “Terra,” Tatyana Utyasheva in her interview for radio “Azattyk” said that an inventory and a comprehensive evaluation of the current ecological conditions of the grove were performed. Specialists came to a conclusion that “as a result of natural aging and lack of maintenance, forest protection and forest restoration works, trees and shrubs of the grove reached

an emergency state and represent a threat to the constantly growing number of visitors. The project authors emphasized that if the project is not implemented, the unique ecosystem of the grove will collapse...

The project is designed for 14 years. According to the project, 80 percent of the existing trees (12537.52 cubic meters of wood) are subjected to cutting, as they are either infected by pests or are very old. It was planned to plant 17 types of landscape groups, alleys of 7,122 trees and shrubs, as well as many other works for cleaning and improving the territory of the grove. At the time when the development of the project was completed (2011), the cost of its implementation was a little more than one billion 110 million tenge.” Under the project, it was planned to clean the Moika creek flowing through the grove and beautify the creek banks with a natural decorative stone. For two years this work was conducted by the akimat.

The question of who should manage the grove has been discussed for many years. The Baum Grove is managed by the Aksai Branch of the Ile-Alatau National Park. But **no funds are allocated to the park for implementation of the projects, so the park administration has only been performing protection of the grove.** Under the former akim of Almaty, it was intended to return the grove to the municipal property, and the new akim B.Baibek confirmed this intention. But this did not happen in 2016.

Author Skyfall of Yvision blogging platform, who publishes a lot of critical articles about the condition of the greenery fund of Almaty, at the request of a reporter of radio “Azattyk” to comment on the situation, said: “Initially, before the Soviet Union collapsed, the grove area was 140 hectares, but by 2006, it was only 130. The area would continue to decrease, fortunately it had been taken out of the municipal property and become a part of a specially protected natural territory... Today the media reports that the grove should be returned to the municipal property, but if this happens, it will be much worse for the grove.”⁵

In Maya Tenizbaeva’s publication appeared in May 2016, “The Baum Grove Should Become a Place for Active Recreation of Citizens—Akim of the Turksib District of Almaty,”⁶ it is reported that negotiations about transferring the grove from the Forestry Committee to the city of Almaty are being conducted at the governmental level.

“Today at a meeting of the public council, the akim of the Turksib district of Almaty, Vladimir Ustyugov, said that, possibly, in the next year, the Baum Grove will pass under the control of the city. And while the grove is under the jurisdiction of the Ministry of Agriculture, the district has no right to engage in improvement of the territory...

Our hands are tied; we cannot cut down dead trees, clean dead-wood. But we help clean up the territory and maintain an overall order. We allocate machinery.

In April, we conducted a clean-up with a participation of the akim of Almaty. The territory was straightened up; trees were planted, so I do not think that everything is so bad there. The only thing, the Baum Grove must pass to the city. This issue has long been raised.”

From these publications, it is clear that development of deliberately impossible projects of reconstruction of the grove continues. The regimen of a reserve, established for the grove by law, does not allow these projects to be implemented. And it is simply absurd to cut 80 percent of the plantings on the territory of a monument of nature “Baum Grove.”

Everyone wants to get the grove under their jurisdiction, not solving the main problem—clarifying its status, so that it can be reconstructed and turned into “a zone for active recreation of citizens, with walking and bicycle paths, children’s and sports fields. Even may be with allocated areas for animals.”⁷

It should be noted that even now, despite of its unsatisfactory condition, wild animals live in the grove.

At the established regimen of a reserve on the given territory, proposals for reconstruction and placement of “animal areas” on its territory are clearly illegal.

Proposals to transfer the grove to municipal ownership are even more incompetent, since in accordance with the paragraph 6 of the Article 14 of the Law of the Republic of Kazakhstan “About Specially Protected Natural Territories,” transfer of specially protected natural territories from the category of “national level” into the category of “local level” is not allowed.

The questions in the beginning of this material have long been answered. The same attitude towards our “green friends,” which we are facing right now, took place both in Europe and in North America back in the first half of the nineteenth century! And today, we are just repeating mistakes of others.

How did the developed countries manage to change the situation?

First, by developing and applying an effective legislation. We also need to bring the environmental legislation of the country in line with the requirements of international conventions ratified by the Republic of Kazakhstan, develop a state policy in the field of protection and development of specially protected natural territories.⁸

In the conceptual apparatus of the Convention for the Protection of the World Cultural and Natural Heritage, there is a definition of “cultural landscape.” This is an object of cultural heritage, representing “the joint creations of man and nature,” identified in the Article 1 of the Convention. This status is quite suitable for the Central Park of Culture and Recreation, and the Park Named after the 28 Panfilov Guardsmen in Almaty. Kazakhstan ratified the Convention 23 years ago, in 1994!

Secondly, with each passing year, the growing environmental ignorance of ordinary citizens, businessmen, and officials becomes more and more obvious. An example with the “Baum Grove” and the law “About Specially Protected Natural Territories” is a good confirmation of this. In the fight against this phenomenon, success is achieved not only by legal measures: fines, penalties, bans. It is necessary to stop empty talk about environmental education and awareness. It is time to take the most effective measures for their implementation in all educational and cultural awareness institutions. Developed countries, particularly, follow this path.

There is only a hope that legislators will make a decision allowing to preserve and restore the green spaces created by our ancestors for the benefit of future generations, and the city residents will be able to enjoy this benefit with dignity.

1 Parks of the City of Almaty of 1868-1916. Collection of archive materials and documents.—Almaty, 2005, pp.78-79.

2 Lukhtanov A.G. City of Verny and Semirechye Oblast.—Almaty, 2014, p.223.

3 Same as above.

4 A.Azarov. Heritage of Eduard Baum in Almaty, <http://rus.azattyq.org/a/baum-rosha-almaty/27454704.html> (last visited April 24, 2017).

5 Same as above.

6 M.Tenizbayeva. Baum Grove Must Become a Place of Active Recreation of the City Residents—Akim of Turksib District of Almaty, <https://informburo.kz/novosti/roshcha-bauma-dolzha-stat-mestom-aktivnogo-otdyha-gorozhan-akim-turksibskogo-rayona-almaty.html> (last visited April 24, 2017).

7 Same as above.

8 Considering that since the second half of 2016, in the Majilis of the Parliament of the Republic of Kazakhstan, there is a discussion of the draft law of the Republic of Kazakhstan “On Introducing Changes and Amendments to Some Legislative Acts of the Republic of Kazakhstan on Flora and Fauna,” including the Law of the Republic of Kazakhstan “About Specially Protected Natural Territories,” the Ecological Society Green Salvation prepared comments and suggestions to these normative legal acts.

The full text of the comments can be found on the website of the Ecological Society Green Salvation in the article “Why Is the Law Bad and Why Does it Not Protect National Parks?”, <http://esgrs.org/?p=13769>.

Also see the photo and video attachment to the comments—a slide-film “National Parks Are in Danger,” <https://www.youtube.com/watch?v=OogV7xJvLnk>.

On October 26, 2016, these comments were sent to the President, Parliament, Prime Minister, Minister of Agriculture, and Forestry and Wildlife Committee.