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MODERN LAND MANAGEMENT AS A FUNDAMENTAL TOOL IN PROVIDING THE RATIONAL USE AND PROTECTION OF LAND RESOURCES

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Annotation. *The dynamics of the development of modern land management in the process of land reforming and the full implementation of land reform of the transformative processes as to restructuring of the land fund of Ukraine, as well as the creation of new land arrangements, which would provide for their development guided by the market principles were reasoned. As the result of the implementation of various activity types for land management in the field of land-reclamation management of the agricultural enterprises territory and establishment of an innovative form of ownership, other than a state, private, communal, thus launching a market-oriented land management was indeed necessary to significantly modify the true nature of the modern land management, in particular, to forego the sectoral one and to introduce the sharing principle for territorial reallocation of land: at the national, regional and local levels with further assignment the corresponding documentation on land management to each level. The mentioned land sharing was legally formalized in the provisions of the Law of Ukraine "On Land Management".*
The implementation of other activities regarding the denationalization of lands, transformation of the existing structures of land management, establishment of farms, demarcation of land shares, implementation provided the formalization of leasing relationship and other types of procedural and institutional as well as normative-technical nature were implemented based on the schemes and layouts for land management and other documentation, having formed the basis for the implementation of the state land politics. Thus, the modern land management deems to be one of the fundamental tools needed for the implementation of the state regulatory policies as to the use and protection of lands, and, above all, agricultural ones.
The role of modern land management in providing the ecologically safe and economically efficient use of land, particularly in the conditions of the development of degradation processes, and to a certain extent regulating social relations with respect to land ownership, use and disposal is considered. Its economic, environmental and social effectiveness is substantiated on a specific example.
Keywords: *land management, land resources, economic, ecological, social efficiency, degradation processes*

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Formulation of the problem.

Land has always been and will remain the greatest value of the state and every citizen. Ukraine stands out in the environment of other European countries, first of all, by its powerful land resource potential that provides the food security, which significantly influences its decision at the world level. But land is a limited natural resource. Therefore, the main task consists in the rational use and further protection of land resources.

In the implementation of the land reform, the considerable changes within the framework of land relations have taken place that contribute to the emergence of high-profile social, ecological and economic processes. These processes included state land management, which played a great role in the provision of reasonable use and protection of lands. Primarily, the recovery of evidence-based crops' rotation being infringed during transformational shifts as a cornerstone intervention regarding the degraded processes, the improvement of soil fertility and, in particular, of high-value chernozem types, which make up 33,3 % of the European countries and around 8% worldwide.

Further decentralization of power provides for the need to enhance the role of the state land management in the framework of a significant improvement of land relations at local level, where land resources are being negatively affected, resulting in destroying soil fertility, their industrial and even fitovirus pollution, that in the near future will lead both to the reduction in land productivity and massive environmental degradation.

Last research analysis. The consideration of scientific and methodological approaches and practical guidance regarding the essence and contribution of land management both in the framework of the implementation of land reform and in the current context are being discussed in the works of D. Dobriak, I. Dorosh, A. Martin, L. Novakovskyi, A. Tretiak, R. Tykhenko and others [1-9], where they analyze the need to improve land relations and, as being an integral part of them, land management issues in the current context concerning the formation of new land structure, development and impact of the degradation processes not only on the land resources and environment itself. Particularly high-profile are the approaches regarding the essence of modern land management that adversely affect the social and land relations.

Purpose of the article.

The publication aims to consider and justify the role of the state land management in policy-making concerning rationalization of the use and protection of lands in establishing market-led land relations, acquisition of a new essence of the modern land management, sophistication of the development of land management at local level, justification of their social, ecological and economic performance.

The main instrument of the state that provides the scientific basis for the environmentally safe and economically efficient use and protection of land is the state land management, which as an important component of land relations, is a realizing mechanism for the organization of land use as the main means of production in agriculture and forestry and to some extent regulates social relations concerning the possession, use and disposal of land.

In each period of the development of social relations, a concept is formed defining the purpose, tasks and ways of the social and economic development of productive forces. In this context, eco-

nomic relations determine the matter of land relations and serve as the basis for land management as a mechanism for their implementation [4.6]. This is scientifically and organizationally confirmed in the process of the implementation of a land reform. One of the important tasks of the land reform was the liquidation of the state monopoly on land ownership, and now the processes of land denationalization and transfer to the property of legal entities and individuals continue in accordance with the law. These processes are carried out based on land management projects. Lease relations concerning land use are also developing based on land management projects. It is important to emphasize that land management has significant legislation. Thus, in 2001 the Verkhovna Rada of Ukraine approved new Land Code of Ukraine [1], and in 2003 - the Law of Ukraine "On Land Management" [2]. These basic laws defined the fundamentals of activity in the field of land relations and land management with respect to the regulation of land problems that arise in the process of land use and protection as well as the power of local authorities, local self-government bodies, the duties of legal entities and individuals in ensuring the formation and development of ecologically safe and balanced land use.

Thus, Article 25 of the Law of Ukraine, "On Land Management" specifies the list of the main types of documentation for land management:

- the scheme of land management and feasibility studies for the use and protection of administratively territorial unit land;
- land management projects for the organization and establishment of boundaries of the territories of the nature reserve fund and other environmental protection purposes, health, recreational and historical-cultural, forestry and water protection zones, restrictions on the use of land and their regime forming objects;
- land management projects for re-zoning of land plots;
- land management projects providing the ecological and economic justification for crop rotation and landscaping;
- land management projects for the regulation of settlements;
- working projects of land management concerning the recultivation of disturbed land, landing of low-productive land, protection of land from erosion, flooding, pollution with industrial and other wastes, radionuclides and chemicals, improvement of agricultural land, increase of soil fertility (further working projects);
- technical documentation on land management regarding installation (restoration) of land plot boundaries in field;
- special thematic maps and atlases of land state and use [2];

The analysis of the mentioned list of documents can not be considered exhaustive because according to this article, other types of documentation on land management may be established by the Laws of Ukraine as well as other normative-legal documents. Particularly, the works related to land protection from degradation processes and the reproduction of soil fertility should be distinguished (Table 1).

It should be noted that the scientific bases and practical recommendations for contour-recultivation of sloping arable land have been developed and tested in practice in Ukraine. As a result, there are no alternatives for this organization. It is based on the technological and environmental parameters for the differentiation of the use intensity of sloping ar-

able land. This organization ensures the economic efficiency of land use and the effective protection measures against erosion processes. These methodological approaches have led to the need to revise the structure of land management as the main mechanism to implement their practical implementation in nature.

Thus, the Law of Ukraine, "On Land Management" approved a new status of land management in the system of state measures for regulating land relations, use and protection of land.

It should be emphasized that the division of land management at the national, regional and local levels referring relevant land management documentation to each level is introduced in the law instead of inter-economic and intraeconomic, cadastral and other types of land management.

Under present-day conditions, very important and necessary working projects of land management concerning the rehabilitation of anthropogenic disturbed land, conservation of degraded and low-productive land, land protection from water and wind erosion, flooding, swamping, secondary salinization, drying, landslides, compaction, acidification, pollution with industrial and other wastes, radionuclides, chemical and infectious substances including sunflower, corn and sugar beet viruses and increase of soil fertility are being developed.

This indicates that the state and local authorities do not practically deal with ecological problems of land use. The land attracts some interest only as an object of property and an economic resource but the issue of the ecological state of the territory and its sustainable

1. Types of documentation not defined by the Law of Ukraine "On Land management" that regulate activities for the protection of land from degradation processes and the reproduction of fertility of degraded and low-productive land*

A regulation that determines the need to develop documentation on land management	Name of documentation on land management (new)
Article 25 of the Law of Ukraine «On Land Protection» dated June 19, 2003, No. 962-IV	Project of land protection measures of land plots
Resolution of the Cabinet of Ministers of Ukraine dated January 31, 2001 No. 87 «On the procedure for land use within the boundaries of their possible flooding due to flash floods and deluges (paragraph 7 of the Procedure)	Land management project on the use of flood land with the agricultural purpose
Order of the State Committee of Ukraine of Ukraine dated October 17, 2002 No. 175, «On the Procedure for Land Conservation» (Registered in the Ministry of Justice of Ukraine on February 14, 2003, No. 117/7438 (paragraph 8 of the Procedure)	Land management project for land conservation
Order of the State Committee of Ukraine dated January 4, 2005, No. 1, "On Approval of the Procedure for issuance and cancellation of special permits for the removal and transfer of a fertile soil layer at land plots" (Registered in the Ministry of Justice of Ukraine on January 20, 2005, No. 522/22626 (paragraph 5 of the Position)	Working project of land management including removal, transfer, preservation and application of a fertile soil layer on low-productive land.

**A source:* formed by the authors

development, which is directly related to the planning of balanced land use, is a question of minor importance.

In Ukraine large-scale soil, geo-botanical and other land surveys are practically not carried out in order to obtain information on land quality as well as for the separation of lands affected by water and wind erosion, flooding, radiation, chemical pollution, viral [3.4] contamination and other degradation processes. As a result, the state does not possess sufficiently objective and extremely necessary information about the current state of land resources. Confirming the above-mentioned, it should be emphasized that in recent decades land management has gradually come to development of the most primitive types of land management documentation, which accompanies the procedure for parceling out and removal of land. First of all, the main reason for this is the insufficient attention of the state to the problems of sustainable development of territories and the limited budget funding of land management measures.

It is also due to the fact that unfortunately many heads of local authorities and state administrations are still not fully aware of the role and importance of land management in the questions of sustainable development of territories, balanced land use and creation of favorable conditions for population living, environmental protection, increase of investments in land resources. These problems become extremely urgent under conditions of decentralization of power. In view of the fact that Land Management represents engineering activity, the main task of documentation on land management is the formalization of design decisions adopted by trained specialists in land management.

The matter of project decisions in Land Management consists in the author's idea of the object of Land management (a plot of land, land use of an enterprise or an organization, a territorial zone, an administrative-territorial unit, etc.) with the definition of its spatial characteristics and a legal regime and the solution of social, economic, environmental, sanitary-hygienic, engineering and technical issues, which are included in the text and graphic parts of land management documentation.

An important condition for the adoption of a design decision is its compliance with current normative legal acts, standards and rules. The design decision is realized by transferring it in field and assigning special signs, the registration of corresponding rights to land plots and/or the restriction of these rights. The main sections of design decisions are spatial, functional, economic, financial and budgetary.

Spatial decisions must be recorded in the unified state geodetic coordinate system with their further introduction (after approval of land use) to the database of the State Land Cadastre. In fact, land management documentation is the main source of information for conducting the State Land Cadastre. The mutual consistency of the boundaries of land management objects must be provided by the unity of coordinate space in which they are fixed. Therefore, according to the Decree of the Cabinet of Ministers of Ukraine of 22 September 2004, No 1259, USC-2000 unified state geodetic coordinate system should be applied.

The functional section of the design decision includes the formation of a regulation or rules for use of a land management object, which includes generalization in a descriptive form of permitted and/or prohibited methods of land use within certain spatial units (plots, fields, zones, etc.). This section

should also include establishment of the purpose of a land plot, the schemes of alternating crops in a crop rotation, the content of the provision on the reserve protection zone, requirements for the rules of engineering object protection, and others. As a rule, this section of the design decision is further implemented through the formation and registration of appropriate restrictions on proprietary rights to land plots.

The economic section of the design decision includes calculations related to the justification of the components of the economic-legal and organizational mechanism of the regulation of land relations; compensation of losses to land owners and land users, compensation of losses of agricultural and forestry production; determination of the fee for establishment of the land easement, etc. The financial and estimated section of the project design is an integral part of such types of land use documentation as national and regional land use and protection programs.

The schemes of land management and feasibility studies for land use and protection of administratively territorial units. Its task is to substantiate the value of the complex of interrelated tasks and measures for land use and protection within a land management object, the volumes and sources of resource support for their implementation. These measures should be carried out due to budgetary funds and coordinated with the terms of execution, the composition of performers and the resources of provision. The financial and estimated section is one of the main components of the project design in work projects of land management, which substantiate the estimate of capital investments for the implementation of those or other land management measures, and it is a mandatory document for appropriate funding.

As an example, development of the land management project of LLC AGRO agricultural enterprise in Putivl district, Sumy region is described. During development of the land management project the materials of soil surveys carried out in 2014 by the Institute of Soil Conservation and the materials of sharing of collective property land developed by Cadastre land management company were used.

The relief and hydrography of arable land areas are rather complex and presented by several watersheds. The local watersheds are quite wide and strongly dissected by beams with slopes from 1 to 3 or more degrees. Erosion processes in this area take place on small areas of its study due to the fact that most of the erosive hazardous areas of arable land have been transformed into natural meadowlands.

The land used by LLC AGRO is located on the banks of the Beruushka and Vilshanka rivers. Land use of the company was formed from the property of citizens and provided to the partnership for ten years for commodity agricultural production.

The area of land use of the company is 1567.7 ha and located on 22 land plots.

Based on existing methodological recommendations, the eligibility of arable land for the cultivation of main crops was determined, notably the arable land was divided into 3 subclasses by suitability for the cultivation of food and industrial crops located in the region [7].

The first subclass (most suitable) is characterized by suitability for growing of main crops without any restrictions.

The second subclass *(medium suitability)* is characterized by medium supply with nutrients and in general relief and soil conditions correspond to the agro-ecological requirements for agricultural crops but there are factors that

reduce fertility *(a humus content, development of erosion processes and relief)*.

The third subclass *(limited land suitability)* is characterized by medium or low supply with nutrients and soil cover, relief and other conditions have some negative factors, the elimination of which is associated with additional costs for agro-technical, recultivation and other measures.

Based on the characteristics of soil quality and their economic assessment, the ecological and economic suitability of the arable land of LLC AGRO was substantiated for the cultivation of main regional crops (Table 2).

It is necessary to supplement the characteristic of the suitability of arable lands, which are classified as the III subclass, namely, the relief is complex with a slope of more than 3 degrees on this plot.

According to the bonus score and monetary valuation, by our approaches this plot of land can not be recommended for its removal from arable land and be subject to conservation. However, being used as a part of arable land, this plot can become potentially dangerous with regard to erosion.

Therefore, developing the project of territory organization, in this case the approach of the withdrawal of such erosive hazardous land plots in a hollow land plot is applied. The hollow land plot is used for 2-3 years under herbs, which will increase fertility, improve the structure of soil, and it will return to the proposed crop rotation.

Based on the ecological and economic assessment of the suitability of arable land, two variants of field crop rotation are recommended (Table 3).

Both variants give an opportunity to predict a hollow land plot, and in the second variant, it will be used for 3 years.

Taking into account this approach, one field in both variants of crop rotation is projected to be combined and composed of several sections including the hollow land plot, which will return to the crop rotation in 2-3 years.

2. Ecological and economic suitability of arable land of LLC AGRO for cultivating agricultural crops

Land plot number	Agro group code	Agro group name	Bonus score, cores	Monetary valuation, UAH/ha	Area, ha	Subclass of suitability
1	37в	Clear gray and gray podzolic weakly washed soils	20	12 600	4.01	III
2	40г	Dark gray, podzolic and weakly degraded light loamy soils	39	24 750	58.9	I
3	41г	Podzolic weakly degraded and dark gray strongly degraded light loamy chernozem	45	28 350	203.3	I
4	49г	Dark gray podzolic and degraded soils and podzolic and degraded, weakly washed light loamy chernozem	35	22 050	50.9	II
5	52г	Typical poorly humus chernozem and their complexes with light loamy solonized soils up to 30%	20	12 600	1047.8	II
6	55г	Typical chernozem and highly degraded weakly washed light loamy chernozem	39	24 570	202.8	II
Total			-	-	1567.7	-

3. Planned sown area, predicted yield and gross harvesting of crops according to recommended crop rotation variants*

Crop name	Sown area, ha	Predicted yield, t/ha	Gross amount, tons
I field grain-grass-wheat crop rotation			
Winter wheat	73.6	4.0	294.5
Sugar beet	73.6	38.0	2796.8
Buckwheat	73.6	1.0	73.6
Corn	73.6	7.0	515.2
Spring barley	73.6	2.0	147.2
Clover (hay)	73.6	2.5	184.0
Total crop rotation			4011.3
II field grain-grass-wheat crop rotation			
Winter wheat	91.8	4.0	367.2
Buckwheat	91.8	1.0	91.8
Corn	91.8	7.0	642.6
Oat	91.8	1.9	174.4
Lucerne (on two fields of crop rotation)	183.6	2.8	2570
Total crop rotation			1533.0

**A source:* formed by the authors

4. Economic efficiency of the land management project of LLC "AGRO"*

Crops	Value of output, UAH/t	Production costs, UAH/t	Profit, UAH/t	Profitability, %
Winter wheat	2350	1800	550	30.56
Corn	1750	1352	348	31.43
Spring barley	2100	1620	480	29.63
Oat	1650	1300	350	26.92
Buckwheat	3500	2200	1300	59.00

**A source:* formed by the authors

One of the main tasks that are solved in the land management project as shown on the example of LLC AGRO is the creation of organizational and territorial conditions that contribute to ecologically safe and economically efficient land use with the simultaneous intensification of production processes in agriculture including the rational organization of agricultural machinery use.

In this land management project indicators showing the economic efficiency of planned measures are conditional net income and the level of the profitability of crop industry (Table 4).

The ecological significance of the land management project is to ration land use by suitability ensuring their effective protection and preventing the emergence of degradation processes, and social sig-

nificance consists of the support of proper viable environment and improvement of working conditions.

Conclusions.

The reasoning specified above provide for the following conclusions and suggestions:

1. The implementation of land reforming as well as the corresponding activities have been carried out, predominantly, through land managing at national, regional and local levels. This was the rationale that underpinned the state policy-making within land management, converting the current land management in the basic state regulator for sophisticating and developing the market-led land relations as well as establishing the modern social relations, rationalization of agricultural land management and protection.

2. The newly formed land-use structures require, in the view of rationalization of their use and protection, the new guidance regarding the structures of the area planted, the scientifically sound rotation of crops and their social, ecological and economic evaluation.

3. Based on the results of the experimental designing, the methodological recommendations on the development of layouts designed by "AGRO" LLC. were implemented provided the formation of the crop patterns and shifts based on soil suitability and key staples and the justification and calculations of indicators of ecological, economic and social performance as well.

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СУЧАСНИЙ ЗЕМЛЕУСТРІЙ – ОСНОВОПОЛОЖНИЙ ІНСТРУМЕНТ У ЗАБЕЗПЕЧЕННІ РАЦІОНАЛЬНОГО ВИКОРИСТАННЯ ТА ОХОРОНИ ЗЕМЕЛЬНИХ РЕСУРСІВ

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Анотація. *Обґрунтовано динаміку формування сучасного землеустрою в процесі проведення земельної реформи та здійснення земельної реформи трансформаційних процесів щодо реструктуризації земельного фонду України і створення на цій основі нового ладу земельних відносин, який забезпечував би їх розвиток на ринкових засадах. У результаті виконання різних видів робіт із землеустрою щодо контурно-меліоративної організації території сільськогосподарських підприємств, реформування форм власності на землю і запровадження нових форм власності, крім державної, приватної, комунальної і створення на цій основі нових землекористувань ринкового типу, була реально зумовлена необхідність внести суттєві корективи в сутність сучасного землеустрою, а саме: відійти від галузевого і запропонувати територіальний принцип поділу землеустрою на загальнодержавний, регіональний та місцевий рівні з віднесенням до кожного з рівнів відповідної документації із землеустрою. Зазначений поділ землеустрою юридично було оформлено у Законі України «Про землеустрій».*

Виконання різних видів робіт із роздержавлення земель, трансформація існуючих структур землекористування, створення фермерських господарств, поділ земель на земельні частки (пай), запровадження з оформленням орендних відносин та інших видів організаційно-правового й нормативно-технічного характеру здійснювалося на основі схем і проектів землеустрою та інших видів документації та зумовило на цій основі формування державної земельної політики. Таким чином, сучасний землеустрій став одним із основоположних механізмів проведення державної регулятивної політики щодо використання й охорони земель, у першу чергу, земель сільськогосподарського призначення.

Розглянуто роль сучасного Землеустрою в забезпеченні екологічно безпечного та економічно ефективного використання земель, у тому числі в умовах розвитку деградаційних процесів і відповідною мірою регулюючого суспільні відносини щодо володіння, користування й розпоряджання землею. На конкретному прикладі обґрунтовано його економічну, екологічну й суспільну ефективність.

Ключові слова: *Землеустрій, земельні ресурси, економічна, екологічна, суспільна ефективність, деградаційні процеси, реформування, землекористування, загальнодержавний, регіональний рівень*

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СОВРЕМЕННОЕ ЗЕМЛЕУСТРОЙСТВО – ОСНОВОПОЛАГАЮЩИЙ ИНСТРУМЕНТ В ОБЕСПЕЧЕНИИ РАЦИОНАЛЬНОГО ИСПОЛЬЗОВАНИЯ И ОХРАНЫ ЗЕМЕЛЬНЫХ РЕСУРСОВ

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Аннотация. *Обоснована динамика формирования современного землеустройства в процессе проведения земельной реформы и осуществления земельной реформы трансформационных процессов относительно реструктуризации земельного фонда Украины и создание на этой основе нового строя земельных отношений, который обеспечил бы их развитие на рыночных принципах. В результате выполнения различных видов работ по землеустройству относитель-*

но контурно-мелиоративной организации территории сельскохозяйственных предприятий, реформирования форм собственности на землю и внедрения новых форм собственности, кроме государственной, частной, коммунальной и создание на этой основе новых землепользований рыночного типа, была реально обусловлена необходимость внести существенные коррективы в сущность современного землеустройства, а именно: отойти от отраслевого и предложить территориальный принцип разделения землеустройства на общегосударственный, региональный и местный уровни с отнесением к каждому из уровней соответствующей документации по землеустройству. Указанное разделение землеустройства юридически было оформлено в законе Украины «О землеустройстве».

Выполнение различных видов работ по разгосударствлению земель, трансформация существующих структур землепользования, создание фермерских хозяйств, разделение земель на земельные доли (паи), введение с оформлением арендных отношений и других видов организационно-правового и нормативно-технического характера осуществлялось на основе схем и проектов землеустройства и других видов документации и обусловило на этой основе формирование государственной земельной политики. Таким образом, современное землеустройство стало одним из основоположных механизмов проведения государственной регуляторной политики по использованию и охране земель, в первую очередь, земель сельскохозяйственного назначения.

Рассмотрена роль современного Землеустройства в обеспечении экологически безопасного и экономически эффективного использования земель, в том числе в условиях развития деградационных процессов и соответствующей мерой регулирующего общественные отношения по владению, пользованию и распоряжению землей. На конкретном примере обоснована его экономическая, экологическая и общественная эффективность.

Ключевые слова: *Землеустройство, земельные ресурсы, экономическая, экологическая, общественная эффективность, деградационные процессы, реформирование, землепользование, общегосударственный, региональный уровень*