

LPIS Workshop

22th to 24th April 2014

Some aspects concerning ecological focus areas and permanent grassland



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AGENDA

- A. Ecological focus areas – elements
- B. Ecological focus areas – layer with all elements
- C. Ecological focus areas – type, location and size
- D. Ecological focus areas – stable in time
- E. Experiences with digitizing CC landscape features
- F. Some aspects concerning permanent grassland

A. Ecological focus areas - Elements

Art. 46 (2) of Reg. (EU) No 1307/2013: MS shall decide that one or more of the following are to be considered as ecological focus area:

- (a) land lying fallow
- (b) terraces
- (c) landscape features
- (d) buffer strips
- (e) hectares of agro-forestry

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A. Ecological focus areas - Elements

- (f) strips of eligible hectares along forest edges
- (g) areas with short rotation coppice
- (h) afforested areas
- (i) areas with catch crops or green cover
- (j) areas with nitrogen-fixing crops.

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A. Ecological focus areas - Elements

In Germany it is intended to recognise all (most of) these elements as EFA. Landscape features (incl. terraces) shall be limited to those defined in the context of Cross Compliance.

The use of catch crops is still controversial.

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A. Ecological focus areas - Elements

There will (probably) be

- no regional or collective implementation of EFA
- and no application of specific AECM commitments and/or environmental certification schemes referred to in Article 43(3) of Regulation (EU) No 1307/2013 that are equivalent to the practices set out in Article 46 of that Regulation.

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B. Ecological focus areas – Layer with all (potential) elements

Member States shall ensure that the identification system for agricultural parcels contains a reference layer to accommodate ecological focus areas.

COM: the layer must contain all (potential) elements?
What does this mean?

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B. Ecological focus areas - Layer with all (potential) elements

What about landscape features not at the applicant's disposal? How to decide when updating with new orthofotos takes place?

What about parcels/elements of applicants for small farmers scheme? What if the parcel is leased?

Clarification by COM is needed!!!!

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B. Ecological focus areas - Layer with all (potential) elements



Is the hedge
at farmer's
disposal?
How to
determine?

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C. Ecological focus areas – type, location and size

For each RP, MS has to determine location and size of the EFA (Art. 5 (2) lit. c of draft deleg. act). How to proceed?

Digitize each element, that is stable in time, as point, line or polygon. Two options:

- As polygons and applying weighting factors to the polygon area. Thus receiving EFA-size. Recording type, polygon-area and EFA-size as attributes.
- As lines or points and applying conversion factors and weighting factors? Recording type, length and EFA-size as attributes.

Further options?

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C. Ecological focus areas – type, location and size



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C. Ecological focus areas – type, location and size



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C. Ecological focus areas – type, location and size



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C. Ecological focus areas – type, location and size



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D. Ecological focus areas – stable in time

Which elements have to be classified as stable in time (with determination of type, location and size as described)?

How to deal with elements, that are not stable in time?
Anything to be done in the LPIS?

Clarification by COM is needed!!!!

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D. Ecological focus areas – stable in time

We believe the following to be stable in time:

terraces

landscape features

hectares of agro-forestry

afforested areas

strips of eligible hectares along forest edges with production

areas with short rotation coppice.

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D. Ecological focus areas – stable in time

We believe the following to be not stable in time:

- land lying fallow

- buffer strips?

- strips of eligible hectares along forest edges without production

- areas with catch crops or green cover

- areas with nitrogen-fixing crops.

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E. Experiences with digitising CC LF

From 2005 to 2007, all farmers had to report for each agricultural parcel whether landscape features were situated on the eligible area. Declaration of landscape features according to type, size and location. Landscape features had to be at the disposal of the applicant.

Since 2008, reporting is compulsory only if the respective landscape features have not been specified in the authorities' application documents or if any changes have occurred.

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E. Experiences with digitizing CC LF

Each CC landscape feature is registered by the authorities (type, area, ID, ...). Inclusion in LPIS-GIS as an attribute is obligatory. Digitising as polygon (or point or line) is recommended.

Updating landscape features' registration/ digitisation requires permanently high efforts from the authorities and the applicants.

In 2012: about 2.0 million of CC-LF that sum up to about 120000 ha (average 0,06 ha/LF). Most of them are located on areas with permanent grassland.

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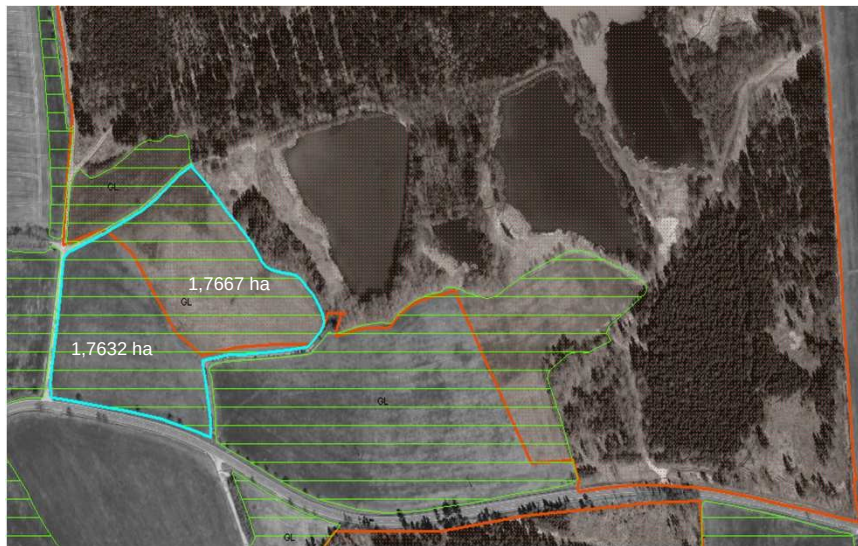
F. Aspects concerning permanent grassland

Art. 5 (2) d draft delegated act:

For each **reference parcel**, Member States shall determine whether provisions for [.....] areas covered with permanent grasslands which are environmentally sensitive in areas covered by Directives 92/43/EEC or 2009/147/EC [.....] apply.

COM Expert Group Meeting of 25th October 2013 : use of 50% rule

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Example 1: 50% rule (red: natura2000-boundary)

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2. Example: Reference Parcel with environmentally sensitive permanent grassland (physical block).....

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....with four agricultural parcels (applicants)



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.....and area of Directive 92/43/EC (hatched)



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F. Aspects concerning permanent grassland

How to deal with 50% rule, if more than one farmer
(more than one agricultural parcel) is affected on a RP?

We see legal problems in determining whether
provisions apply for the RP as a whole.

We need clarification by COM on these points!!!

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Thank you for your attention!

