

UPKEEP WORKGROUP

Baveno, 23-24 March 2015

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100 m² rule

For all land covers, the current guidance is to record ineligible features (at least alpha numerically) if they sum up to more than 100 m²

- Member States apply different approaches to this.
- We do not agree that it should apply for ineligible **vegetation** features, because they are often not stable. Also as one area disappears a new area appears and so the net effect on the MEA is often negligible.

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100 m2 rule

Clarity is requested on how the minimum size for the delineation of features during the transition period fits in with the three steps to determine the eligible area using pro-rata.

From 2016 is it mandatory to:

- Record ineligible vegetative features larger than 100 m2 and then apply pro-rata (as per table in Section 2.3.2 of LPIS Guidance) or :
- Record ineligible vegetation features larger than 1000m2 and then apply pro rata to the remainder of the parcel (as per Section 2.6.2). This is the preferred approach.

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Guidance on age of orthoimages

- Is there legislative obligation for 3 years or 5 years update – the group had different understandings
- We suggest a maximum 5 year cycle
- Clarification on the legal basis (where is it written, and if its not written, please write it)

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2% stability threshold

Reasons why we dont like it:

- To quantify the % of change you must digitize the RP anew, lot of work
- May have consequences in the allocation of entitlements.
- Will be a problem in OTSC for parcels with increased area found. If LPIS is not corrected, payment for “excess” area cannot be done.
- Farmer shouldnt be penalized if OTSC findings, after all deductions have been applied, is out of the technical tolerance but within 2% margin of LPIS MEA. Determination of the OTSC area should be equal to MEA LPIS and LPIS updated for next year .

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2% stability threshold

- We have concluded that we have no clear understanding of the 2% stability threshold
- We need more guidance and **good examples** on how and when to apply 2% stability threshold.

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**Three year rule for farming management practices in
the EFA layer**

- Fallow lands are not stable, therefore the 3 year rule should not apply .
- Even if land is fallow for 3 years, this does not mean that it is more likely to remain fallow in Year 4.
- It will be recorded in the declaration anyway

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Difficulty to fit refresh with other activities

- Best practice guidance needed for how and when the findings coming from refresh or ETS remedial actions, can be executed
- 3 months maximum to process raw images is not practical (even if not mandatory)

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UPKEEP METHODOLOGY AS A WHOLE

- Clear guidance is requested on how to deal with 'shifts' in successive ortho imagery, due to the ortho rectification process . These shifts are not always uniform ie one part of the boundary could move west whilst another part moves east.
- Question for MS: How many MS have used the congruency test?
- Legal basis of 4 years for retroactive recoveries

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Thank you for your attention!