



European Commission
1st Public Consultation on the CAP "Health Check"

January 2008

1. The Woodland Trust welcomes the opportunity to respond to this consultation. The Trust is the UK's leading woodland conservation charity. We have four main aims: no further loss of ancient woodland, restoring and improving woodland biodiversity, increasing new native woodland and increasing people's understanding and enjoyment of woodland. We own over 1,000 sites across the UK, covering around 20,000 hectares (50,000 acres) and we have 300,000 members and supporters.

Responses to specific questions:

1.1 Simplifying the Single Payment Scheme

- *Do you agree that member states should be allowed to adjust their SPS model towards a more flat rate of support, at national or regional level?*

We support measures that would allow movement away from payments based on historical receipts towards a flatter rate system, since this is more equitable and moves away from payments based on rates of intensive production.

1.2 Cross compliance

- *What would be the potential outcome of maintaining cross compliance at its existing standards*
- *What impacts do you see emerging with the possible addition/deletion of certain legal requirements of GAEC standards?*

Cross-compliance conditions serve to reinforce existing legislation, and to ensure that farmers manage their land in a way that delivers a basic level of environmental protection/improvement. We would not wish to see weakening of these conditions to the detriment of the environment. In fact, we believe a review of cross-compliance conditions offers an opportunity to strengthen and add to the minimum standards required to qualify for Single Farm Payment and therefore to begin tackling some of the major environmental challenges which the consultation document rightly highlights under Section 3.2.

We would like to see additions and alterations to the current GAEC conditions through amendments to Annex IV of Council Regulation 1782/2003, (or other regulatory measures which will have the same effect). In particular we would like to see amendments to the fourth Issue in Annex IV which deals with a: "Minimum level of maintenance: Ensure a minimum level of maintenance and avoid the deterioration of habitats". The amendments we propose below would have the impact of enabling better maintenance,



protection and enhancement of these habitats by improving on the current standards and climate-proofing them for the future.

For example:

- The fourth Issue in Annex IV of Council Regulation 1782/2003 could be amended to make it more effective in dealing with the effects of climate change by the addition of ‘resilience’ to the Issue statement.
 - Justification: Resilience refers to the capacity of the habitat to cope with, and survive change. Ensuring resilience of habitats is crucial to preventing deterioration of habitats in the long term.
- The third Standard under this Issue (“Retention of landscape features”) could be amended to include wildlife and habitats, more accurately reflecting the aim expressed in this Issue.
 - Justification: The spirit of the issue is protection of habitats and wildlife not just landscape features. In its current form the standard is too narrow .
- The fourth Standard under this Issue (“Avoiding the encroachment of unwanted vegetation on agricultural land”) should be removed.
 - Justification: This Standard does not fit under the Issue and in fact could be seen as contradictory to it. The Issue is about maintaining habitats, not adjacent agricultural land. This standard currently prevents Member States allowing expansion of habitats on to agricultural land. Expansion and connectivity of habitats is crucial to ensuring the resilience and survival of our habitats and species under climate change, as recognised in Article 10 of the Habitats Directive (92/43/EEC). The Standard therefore acts contrary to the Issue under which it is listed.
 - Suggested wording: none, remove the Standard.
- A new standard could be added under this Issue to expand and connect habitats to ensure that climate-proofing of the Issue statement follows through into delivery.
 - Justification: Expansion and connectivity of habitats is crucial to their resilience and ability to cope with climate change and thereby to avoid deterioration.

In practice this could amend Annex IV to the following:

ANNEX IV
Good agricultural and environmental condition referred to in Article 5

Issue	Standards
Soil erosion:	— Minimum soil cover



Protect soil through appropriate measures	<ul style="list-style-type: none"> — Minimum land management reflecting site-specific conditions — Retain terraces
Soil organic matter: Maintain soil organic matter levels through appropriate practices	<ul style="list-style-type: none"> — Standards for crop rotations where applicable — Arable stubble management
Soil structure: Maintain soil structure through appropriate measures	<ul style="list-style-type: none"> — Appropriate machinery use
Minimum level of maintenance: Ensure a minimum level of maintenance by improving resilience and avoiding the deterioration of habitats'	<ul style="list-style-type: none"> — Minimum livestock stocking rates or/and appropriate regimes — Protection of permanent pasture — Retention of landscape, habitat and wildlife features -Expand and ecologically connect habitats - Avoiding the encroachment of unwanted vegetation on agricultural land

The impact of these amendments, or other measures which could enact them, at the Member State level would be to enable them to make strong statements within their national definitions of GAEC, for example:

- Explicit protection of ancient, veteran, hedgerow, traditional orchard and boundary trees
- Protection of ancient woodland, wood pasture and parkland and semi-natural habitats including hedges
- Inclusion of 2m buffers around all ancient and semi-natural habitats
- Prevent overgrazing in woodland and wood-pasture and relaxation of undergrazing where environmentally beneficial to do so- i.e. allowing scrub to develop adjacent to woodland
- A percentage of all land holdings to be designated for management for biodiversity and other environmental public benefits (see response below on set-aside)

2.2 Cereals set-aside

- *Do you consider that abolition of set-aside in the current context of market and policy developments is appropriate?*
- *What measures do you consider appropriate in order to maintain environmental benefits associated with set-aside?*

While set-aside was not introduced with the aim of providing environmental benefits, it actually makes a major contribution to biodiversity. As a measure to reduce surplus production of cereals, set-aside is no longer required. The Woodland Trust supports its abolition, but only if a suitable replacement policy is first established that will prevent loss of the environmental benefits that set-aside currently provides. Set-aside should not be abolished without any replacement mechanism.



Key environmental benefits of set-aside include reduced inputs, buffering of watercourses and other habitats, especially semi-natural habitats, linking habitats and protecting soils and archaeology, as well as its value in providing a food source for farmland birds, and a habitat for invertebrates and plants. The area covered by set-aside is considerable: it covers 3 per cent of the utilised agricultural area in the UK, and across the EU the area covered by set-aside varies between 0 and 13.9 per cent. The environmental benefits of set-aside are widely distributed across the countryside, and it therefore has an important role in facilitating adaptation to climate change, by contributing to a less intensive, more permeable landscape. The EU cannot, therefore, afford to lose the environmental gains that set-aside has provided.

We would like to see a new mandatory mechanism introduced before set-aside is abolished, requiring each farm holding receiving Single Farm Payment to designate a percentage of land to be managed for biodiversity and other environmental public benefits, such as water quality under GAEC conditions (cross-compliance). An assessment is urgently needed of the amount of land required on each holding to replicate and enhance the environmental benefits provided by set-aside.

Where these benefits cannot be achieved through cross-compliance, there may be a need for the relevant activities to be included in agri-environment schemes, but this should only be achieved with additional funding moved from Pillar 1 to Pillar 2, so that provision for existing agri-environment measures through Pillar 2 is not eroded.

3.2 Climate change, bioenergy, water management and biodiversity

- *Do you consider that existing instruments under both pillars of the CAP are sufficient to respond to these challenges?*
- *If you consider that strengthening Rural Development instruments is needed, what would be your proposal in better addressing these new challenges?*

Existing instruments under both pillars of the CAP are not adequate to respond to the major challenges outlined. Climate change is the greatest threat to biodiversity and ultimately to human life. Land-use policy has a key role to play in tackling this urgent issue. In the short term, measures could be introduced through the Health Check that would better enable mitigation against and adaptation to the effects of climate change. However, in the longer term we believe a more radical approach is needed, sweeping away the current two-pillar system and replacing it with an integrated European Sustainable Land Management Policy.

Tackling climate change requires action across whole landscapes. Our vision is of a more ecologically functional landscape, achieved through retention, protection and enhancement of existing semi-natural habitats, linking and buffering of these areas of high biodiversity value through habitat creation, and, in the intervening matrix, a reduction in the intensity of land use – for example, a move away from highly intensive agricultural production with high levels of inputs.

Responding to challenges in the water environment will similarly require action across landscapes. Meeting the challenges of the Water Framework Directive and the Nitrates Directive, among others, will require significant land use change. While measures to reduce inputs are crucial, positive measure, such



as buffering water courses and pollution sources with trees and woodland should be given a higher priority.

In the short term, first steps towards this could be taken through strengthening of GAEC requirements as outlined under 1.2 above. In addition, we believe that more could be achieved through Rural Development instruments, in particular agri-environment schemes. For example, we would like to see protection of all semi-natural habitats, including all ancient woodland and ancient trees, including significant buffers around them, as a compulsory element in all agri-environment schemes.

Subsidies for biofuel crop production should be abolished. Current evidence suggests that biofuels may produce only marginal benefits in terms of greenhouse gas savings, and the market is already providing significant incentives that are driving production.

In the longer term, the Woodland Trust supports a move to a single European Sustainable Land Management Policy, replacing the current two-pillar structure. This would replace the current system which is dominated by decoupled production subsidies linked to a basic level of compliance with statutory requirements, with a system geared towards rewarding farmers for positive land management activities that deliver significant environmental and biodiversity benefits and improvements. The Woodland Trust is a member of Wildlife and Countryside Link, a consortium of UK environmental organisations, and co-authored its policy statement "Beyond the Pillars", which proposes such a change¹.

3.3 Strengthening rural development

- *Do you think the proposed increase in modulation will help in achieving rural development objectives, especially those linked to new challenges*
- *How do you think the extra funds should be allocated to better respond to those challenges?*

The Woodland Trust welcomes the proposal to increase the rate of compulsory modulation, and would ideally like to see an even greater increase than that suggested. We also believe that Member States should still be able to voluntarily modulate at a higher rate in order to fund agri-environment measures. While the proposed increase in modulation will go some way to tackling the new challenges identified, such as climate change, the scale of these issues, and the need for adequate funding to tackle them, does need to be recognised. In the longer term it will be essential to target considerable resources towards environmental protection and improvement (see our response in 3.2 on a Sustainable Land Management Policy for the future.)

Extra funds raised from increased compulsory modulation should be targeted at agri-environment measures, in particular at protection, expansion and buffering of semi-natural habitats, and at adapting farming practices to make them more sustainable.



¹ Wildlife and Countryside Link, 2007 *Beyond the Pillars: Wildlife and Countryside Link's policy perspective on the future of the CAP*