Links between landscape features under cross-compliance (GAEC) and EFA

DG Agriculture and Rural Development
European Commission
Outline

• State of play (notifications and implementation)
• Possible link between elements under cross-compliance and EFA qualification
• Outcomes of EFA notifications
• List of LF per MS
• Possible combination LF under cross compliance and LF under regulation nº 639/2014
• LF dimensions under cross-compliance and LF under regulation nº 639/2014

EFA: Ecological Focus Area
GAEC: Good Agricultural and Environmental Condition of Land
State of play of EFA notification and implementation

Notifications

EFA and equivalence notifications in 2015
Equivalence: deadline expired 01-07-2015
EFA (EFA – collective-regional – forest exemption): deadline expired 01-08-2015

New notifications – deadline 15 December 2015
Monitoring output indicators Notification pursuant to Article 65(1)(c) of Delegated Act
- Number of farmers and hectares for farms subject to greening and exempted
- Deadline 15 december 2015 for the first round of notification
Permanent grassland, reference and annual ratio 2015
Simplification – Revision after one year

• **4th simplification package planned for 2016** (application for claim year 2017) provided the environmental objectives as set by the reform are not affected, controllability is ensured and that they bring legal value added.

• **Analysis of the 1st year of greening implementation based on:**
  1 Output indicators: real greening uptake
  Impact and results should be evaluated at least at territorial level
  2 MS experiences and proposals:
    • Council Conclusions of 11 May 2015 indicating priority areas
    • MS presentations, in the context of the Expert Groups (4 expert groups 4th quarter 2015 and 1st quarter 2016), some implementation best practices on greening.
    • DG AGRI will consider exchanges with stakeholder (Civil Dialogue Groups)
Context: Ecological Focus Area (EFA)

- Obligation to ensure EFA on 5% of arable land (above 15 ha arable land) → Possibility to increase to 7% after specific evaluation from 31 March 2007

- MS to decide what can be considered as EFA → List provided in the basic act
  - Terraces;
  - Landscape features including adjacent elements;
  - Buffer strips;
  - Other area related land used as: Land Lying Fallow, Agro-forestry, strips of eligible hectares along forest edges, Short rotation coppice, Catch crops – green cover, Nitrogen fixing crops.
Links between cross compliance and EFA

As regards terraces,

Terraces shall be terraces that are protected under GAEC 7 as referred to in Annex II to Regulation (EU) No 1306/2013 as well as other terraces.

As regards the selection of landscape features, MS can choose:

- from the list provided in the regulations (EU) n° 639/2014 of 11 March 2014
- AND/OR
  - from Cross-compliance especially from Good Agricultural Environmental Conditions (GAEC) (Annex II of regulation (EU) n° 1306/2013)

- As regards Buffer strips

Buffer strips shall include the buffer strips along water courses required under GAEC 1, SMR 1 or SMR10 as referred to in Annex II to Regulation (EU) No 1306/2013, as well as other buffer strips
Links between cross compliance and EFA

As regards Catch crops and green covers

Areas under catch crops or green cover shall include such areas established pursuant to the requirements under SMR 1 as referred to in Annex II to Regulation (EU) No 1306/2013 as well as other areas under catch crops or green cover.

In order to optimise the agronomic and environmental outcome in terms of biodiversity, MS may establish in the scope of GAEC 4 as referred to in annex II to Regulation (EU) n° 1306/2013, the dates after which mechanical destruction of the catch crops and the green cover is allowed.
Links between cross compliance and EFA

Qualification of landscape features and buffer strips for EFA

- Area defined by GAEC 1, SMR1 or SMR 10 or protected by GAEC 7, SMR 2 or SMR 3 can be qualified as EFA and consequently can be accounted in the 5 % obligation.

In return:

Obligations for farmers as regards GAEC 1 and GAEC 7

- There is a ban of removal of elements under GAEC 7 (terraces, landscape features .. )
- There is an obligation to establish the buffer strips under GAEC 1/SMR1 and SMR 10
- Under cross-compliance, administrative penalty shall be imposed in case of non-compliance with the obligation

Impact in term of eligibility (Article 9 of regulation (EU) n° 640/2014 of 11 March 2014)

- Any landscape features subject to the requirements and standards listed in Annex II to Regulation (EU) No 1306/2013 which form part of the total area of an agricultural parcel shall be considered part of the eligible area of that agricultural parcel.
Links between cross compliance and EFA

Definition of catch crops and green cover

Obligations for farmers as regards EFA Article 45 (9) of regulation (EU) n° 639/2014 of 11 March 2014

• Crop mixture
• Period used for sowing from 1st July to 1st October

Obligations for farmers as regards GAEC 4

• Earliest date for green coverage’s removal (e.g. 15th February)

Definition of Land laying Fallow

Obligations for farmers as regards EFA Article 45 (1) of regulation (EU) n° 639/2014 of 11 March 2014

• No production requirement

Obligations for farmers as regards GAEC 4

• Requirement as regards green cover or stubble
Outcomes of EFA notifications

No of MS per EFA type

- a. Land lying fallow
- b. Terraces
- Hedges or wooded strips
- Isolated trees
- Trees in line
- Trees in groups and field copses
- Field margins
- Ponds
- Ditches
- Traditional stone walls
- Other landscape features under GAEC or SMR
- Buffer strips
- e. Hectars of agro-forestry
- f. Strips of eligible hectares along forest edges - NO PRODUCTION
- f. Strips of eligible hectares along forest edges - WITH PRODUCTION
- g. Areas with short rotation copice
- h. Afforested areas
- i. Areas with catch crops or green cover
- j. Areas with nitrogen fixing crops
Landscape features as Ecological Focus Areas

MS and EFA Landscape features

Number of MS (including region)

Number of Landscape features

<table>
<thead>
<tr>
<th>Number of Landscape features</th>
<th>0</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td></td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td></td>
<td>6</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Landscape features as Ecological Focus Areas

No of MS having selected EFA landscape features

- Hedges or wooded strips
- Isolated trees
- Trees in line
- Trees in groups and field copses
- Field margins
- Ponds
- Ditches
- Traditional stone walls
- Other landscape features under GAEC or SMR

2014 (choices for 2015)
2015 (choices for 2016)
Possible combination of landscape features under cross-compliance and LF under regulation n° 639/2014

- from the list provided in Article 45 (4) the regulation (EU) n° 639/2014 of 11 March 2014

AND/OR

- from Cross-compliance especially from Good Agricultural Environmental Conditions (GAEC) (Annex II of regulation (EU) n° 1306/2013).

Various scenario can be envisaged:

- Landscape features only under GAEC
- Only landscape features defined under Article 45 of the regulation (EU) n° 639/2014
- Some type of landscape features under GAEC and other type of Landscape features under the regulation (EU) n° 639/2014 (mixed situation including situation where GAEC are preponderant)
Possible combination of landscape features under cross-compliance and LF under regulation n° 639/2014.

No of MS* depending on the landscape features definition basis

<table>
<thead>
<tr>
<th>MS incl. Regions</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>MS only GAEC and/or SMR</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>MS only Art.45</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>MS mixed</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>MS mixed predominance GAEC and/or SMR</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>MS mixed predominance Art.45</td>
<td>6</td>
<td>5</td>
</tr>
</tbody>
</table>
Possible combination of landscape features under cross-compliance and LF under regulation no 639/2014
landscape features dimensions defined under cross compliance and those under regulation n° 639/2014

Elements under Article 45 (4) of the regulation (EU) n° 639/2014 of 11 March 2014:

- Compliance with maximum dimensions set out in Article 45 (4).
- No possibility to overshoot the limits.

From Cross-compliance especially from GAEC 7-Annex II of regulation (EU) n° 1306/2013

Member States may specify the definition of each element, e.g. minimum height as regards terrace or maximum widths or minimum lengths for hedge.

Based on working document DS/EGDP/2014/6

"..... In this context, Member States may protect ditches and/or ponds on the basis of GAEC 7 and may specify a width or area different, including higher, than other landscape features qualifying for EFA and not protected by GAEC 7".

Recommendation:

Depending the choice made by Member states on the list of landscape features, consistency should exist between features size, regardless their status (GAEC and elements from Article 45 (4) of reg (EU) n° 639/2014). Different or new limits may be added by MS. Nevertheless those dimensions should improve clarity in term of control and not exclude some possible uses of landscape features by the farmers.
Characterisation of landscape features

**Hedges**

*In GAEC under EFA*
- Width (>= 10 m, e.g. 20 or 30 m)
- Width (<10 m e.g. 2 or 4 m)

*Article 45*
- Width =<10 m

**Ditches**
- Width (>= 10 m, e.g. 12m)
- Width (<10 m e.g. 6 m)

**Field copses**

Maximum area = 0.5 ha

Maximum area = 0.3 ha
Thank you for your attention!

Emmanuel PETEL  
European Commission  
DG Agriculture and Rural Development  
Unit D2 – Greening, cross-compliance and POSEI  

emanuel.petel@ec.europa.eu  
andrea.furlan@ec.europa.eu