The payment for agricultural practices beneficial for the climate and the environment - Greening

MS notifications in 2014 State of play

DG Agriculture and Rural Development
European Commission
DISCLAIMER

This working document has been prepared by DG AGRI staff in order to facilitate the discussion in the Expert group for direct payments. It has the purpose to inform the Expert group of the results of the notifications sent in 2014 and their assessment.

The assessment of the notified decisions and provided information is still ongoing. The information reported at this stage does not prejudge any further clarifications or requests from the Commission to MS.

This document cannot in any circumstances be regarded as the official position of the Commission.
State of play

All MS submitted notification forms for 1 August - 1 October and 15 December (7 forms) except 2 MS for form 15

On-going assessment-results:

- 9. Equivalence: last stage of assessment ongoing
- 10. Permanent grassland – 12. EFA regional-collective: comments already sent in the past months, no other comments from COM are expected
- 11. EFA: letters with comments are going to be sent out for all MS
- 13. EFA forest exemption: letters with comments sent to MS concerned and some points are still under discussion
- 14. Greening payment - method of calculation: only technical verifications
- 15. Environmentally sensitive permanent grassland: some comments to be sent to MS
09. Equivalent practices – State of play

• 3 MS withdrawn from equivalence: forms revised in the system

• Last stage of the assessment for the remaining 5 MS (last 3 months):
  ▪ Request for supplementary information from the Commission sent before 1 November
  ▪ Replies (letters) sent by MS or revising the form in ISAMM
  ▪ Procedure for finalising assessment just launched: following deadlines set in Art. 10 Reg. 640/2014, should finish around the end of February
11. Ecological Focus Areas – comments to MS

Missing information:

- **Landscape features**: cross-compliance definitions, dimensions etc.
- **Strips of eligible hectares along forest edges**
  - Minimum width
- **Catch crops**
  - List of mixtures
  - Period for sowing
- **Short Rotation Coppice**
  - Ban on pesticides and/or mineral fertilisers: clarification on "and/or"
- **Nitrogen-Fixing Crops**
  - Criteria for their qualification as EFA
  - Geographical criteria
11. Ecological Focus Areas – comments to MS

Choices or requirements not compatible with the greening legislation:

- **Land Lying Fallow:** management and requirements
- **Landscape features**
  - **Hedges/wooded strips:**
    - exclusion of some elements of EFA definition; activation of a part of this EFA
  - **Field margins:**
    - maximum period of retention; higher minimum width
- **Strips of eligible hectares along forest edges**
  - Dimensions below minimum dimensions
- **Short Rotation Coppice**
  - Non-indigenous species (e.g. Eucalyptus)
- **Nitrogen-Fixing Crops**
  - Criteria for qualification as EFA outside biodiversity domain
  - Mixtures of species
11. Ecological Focus Areas – comments to MS

Doubts on the compatibility with the greening legislation:

- **Catch crops**
  - Period of sowing starting (too) early in the season (spring)
  - Possibility for mowing or grazing catch crops/green cover
  - Very short presence in the field
  - Conventional crops (e.g. wheat, sunflower) used in the seeds mixture

- **Nitrogen-Fixing Crops**
  - Species that are not nitrogen-fixing crops

Insufficient justification:

- **Nitrogen-Fixing Crops**
  - Criteria underlying the choice of EFA species
  - Geographical criteria: entire territory approach without considerations on the need to meet the objectives of the Nitrates Directive and WFD
11. Ecological Focus Areas – comments to MS

Main recommendations and other observations

- **Land Lying Fallow**
- **Landscape features:**
  - Distinction between Art 45 requirements and cross-compliance
  - Dimensions/limits – other landscape features
- **Catch crops**
  - Percentage requirements (mixtures)
14. Greening payment: method of calculation
Main figures

- MS/regions which will apply the derogation to the uniform payment per ha: only 1 MS and 1 UK region decided not to apply the derogation out of the MS not applying BPS and not going to flat rate

- MS/regions which will apply the greening payment at regional level: 4
15. Environmental sensitive permanent grassland (ESPG) 
Main figures

ESPG in Natura 2000

- Different strategies between MS
  - 11 MS with 100% designated grassland in Natura 2000
  - 4 MS between 50% and 100%
  - 8 MS between 1% and 50%
  - 9 MS with no information (2 form not sent, 6 data not provided or wrong, 1 MS without grasslands)

- Some MS indicated that data are estimation, other that will update the data in the next weeks

Further ESPG outside Natura 2000

- 4 MS/regions apply further ESPG outside Natura 2000
  - 2 MS absolute area is almost double the designated area in Natura 2000
  - 1 MS absolute area is half the designated area in Natura 2000

- Criteria for the designation (Art. 41 Reg. 639/2014): different criteria, at least 2 on 8 provided by the Article

Note: MS are counted as 32 in total, always referring to MS + regions for BE and UK
15. Environmental sensitive permanent grassland (ESPG) Clarification

5. Data on designation of environmentally sensitive permanent grassland areas

<table>
<thead>
<tr>
<th>Total area of permanent grassland in Natura 2000</th>
<th>Total area of designated sensitive grassland in Natura 2000 (Art. 45(1) first paragraph)</th>
<th>Total area of designated sensitive grassland outside Natura 2000 (Art. 45(1) second paragraph)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00 ha</td>
<td>0.00 ha</td>
<td>ha</td>
</tr>
</tbody>
</table>

**Aim of the table under section 5:**
Collect in advance data on hectares of ESPG in and outside Natura 2000, in order to have a complete figure of the situation

The total area of designated sensitive grassland should be based on potentially eligible areas for DP regulation that needs strict protection following Art. 45(1) → green areas in the picture

**Notification 15-12 every year (monitoring data):**
- Hectares covered by environmentally sensitive grassland declared by farmers: red areas → red areas in the picture
- Total number of hectares of designated ESPG → green areas in the picture