Greening: Maintenance of permanent grassland (Flanders, BE)

Expert Group Meeting for Direct Payments "Greening"

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Brussels, 19 January 2015
Greening - maintenance of permanent grassland

Includes:
- 1. *Generic protection* of permanent grassland
- 2. Protection of environmentally sensitive permanent grassland (ESPG)
1. Generic protection of permanent grassland

- Ratio = \( \frac{\text{areas of permanent grassland}}{\text{total agricultural area}} \) in Flanders

may not decrease by more than 5 % compared to the reference ratio

- Referentieratio = 28 %

- Ratio 2015 = 28 %

- Difference of ratio is stable
1. Generic protection of permanent grassland

Designation of permanent grassland

- **Administrative approach:**
  - Parcel with “permanent grassland” is designated by the attribute “PG”
  - The attribute is allocated to the parcel by the administration, based on the **crop codes** the farmer has declared in his single application

  - Parcel “permanent grassland” = each parcel
    - with a crop code = “grassland type” in the single application
    - five years outside crop rotation

  In practice: grassland parcel at least five years outside crop rotation
  => from 1 January of the sixth year it gets a status and attribute ‘PG’
1. Generic protection of permanent grassland

Permanent grassland (PG) or arable land (AL) in 2015?

- **Parcel with crop code referring to grassland**

<table>
<thead>
<tr>
<th>Parcel</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>counts in 2015 as</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel 1</td>
<td>61</td>
<td>61</td>
<td>61</td>
<td>61</td>
<td>61</td>
<td>60</td>
<td>PG</td>
</tr>
<tr>
<td>Parcel 2</td>
<td>62</td>
<td>62</td>
<td>62</td>
<td>62</td>
<td>62</td>
<td>60</td>
<td>PG</td>
</tr>
<tr>
<td>Parcel 3</td>
<td>62</td>
<td>62</td>
<td>62</td>
<td>701</td>
<td>701</td>
<td>700</td>
<td>PG</td>
</tr>
<tr>
<td>Parcel 4</td>
<td>62</td>
<td>62</td>
<td>311</td>
<td>701</td>
<td>701</td>
<td>700</td>
<td>AL</td>
</tr>
<tr>
<td>Parcel 5</td>
<td>901</td>
<td>61</td>
<td>61</td>
<td>61</td>
<td>61</td>
<td>60</td>
<td>AL</td>
</tr>
<tr>
<td>Parcel 6</td>
<td>62</td>
<td>61</td>
<td>61</td>
<td>61</td>
<td>61</td>
<td>201</td>
<td>AL</td>
</tr>
</tbody>
</table>

- Until 2014: 61 = perm. grassland, 62 = temp. grassland, 311 = winter wheat, 701 = annual grass clover, 901 = potatoes
- From 2015: 60 = grassland, 201 = silage maize, 700 = grass clover
2. Protection of environmentally sensitive permanent grassland (ESPG)

- **Mandatory designation of ESPG in Natura 2000 areas.**

- **ESPG =**
  
  - permanent grassland parcels *which need strict protection in order to meet the objectives* in the designated sites under Natura 2000 directives
  
  - permanent grassland parcels *situated in peat and wetlands*
2. Protection of environmentally sensitive permanent grassland (ESPG)

- Parcels ESPG shall **not be converted or ploughed**
- Parcels are **designated** administratively by taking the **overlay** of parcels in **Natura 2000 areas** that are already protected by nature law, with **permanent grassland parcels**
- **pre-printed in the single application**
2. Protection of environmentally sensitive permanent grassland

- **2016: additional designation of ESPG In the area the “Polders”**
  - Enhanced designation within N2000-areas
    - PG where a change to the vegetation is subject to a nature permit
  - Designation outside N2000-areas
    - PG where a change to the vegetation is forbidden
    - PG where a change to the vegetation is subject to a nature permit
    - PG designated as historical PG within agricultural area with a high nature value (micro relief)
2. Protection of environmentally sensitive permanent grassland (ESPG)

Which areas are designated?

Green = 2015 - Red = 2016
2. Protection of environmentally sensitive permanent grassland (ESPG)

Which areas are designated?

Total area of permanent grassland in Natura 2000: 32 554 ha
Total area of designated ESPG in Natura 2000: 18 098 ha
Total area of designated ESPG outside Natura 2000: 4 083 ha
2. Protection of environmentally sensitive permanent grassland (ESPG)

How are the areas indicated?

Single Application — administrative part of the eSA

<table>
<thead>
<tr>
<th>Perceel</th>
<th>Aangegeven opp. (ha)</th>
<th>Referentie opp. (ha)</th>
<th>Hoofdeelt</th>
<th>Bestemmingen</th>
<th>Status blijvend grasland onder vergroening</th>
<th>Ecologisch kwetsbaar BG (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>0,71</td>
<td>0,71</td>
<td>60 - Grasland</td>
<td>A</td>
<td>BG</td>
<td>20 - 30%</td>
</tr>
<tr>
<td>27</td>
<td>0,67</td>
<td>0,67</td>
<td>60 - Grasland</td>
<td>A</td>
<td>BG</td>
<td>90 - 100%</td>
</tr>
<tr>
<td>28</td>
<td>0,58</td>
<td>0,58</td>
<td>60 - Grasland</td>
<td>A</td>
<td>BG</td>
<td>90 - 100%</td>
</tr>
</tbody>
</table>
2. Protection of environmentally sensitive permanent grassland

How are the areas indicated?

Single application - *graphical part* of the eSA
Discussion point:

- Organic farmers shall be entitled ipso facto to the greening payment (art. 43(11) of Regulation (EC) No 1307/2013)
  - When an organic farmer ploughs an environmentally sensitive permanent grassland,
    - Is this a non-compliance with the permanent grassland requirements (non-compliance with the third subparagraph of Article 45(1) of Regulation (EU) No 1307/2013), leading to a reduction of his greening payment?
    - Is the obligation to reconvert the area into permanent grassland and to reverse the environmental damage caused in order to restore the environmentally sensitive status applicable on this organic farmer in the framework of greening?
Thank you for your attention!

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