

## **NATURA 2000 PAYMENTS AND PAYMENTS LINKED TO DIRECTIVE 2000/60/EC**

### **1. TITLE OF THE MEASURE**

Natura 2000 payments and payments linked to Directive 2000/60/EC

### **2. LEGAL BASIS**

Articles 36 (a) (iii) and 38 of Regulation (EC) No 1698/2005.

Point 5.3.2.1.5 of Annex II of Regulation (EC) No .../2006.

### **3. OBJECTIVE**

To help address specific disadvantages in the areas concerned resulting from the implementation of Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds and Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora in order to contribute to the effective management of Natura 2000 sites

To help address disadvantages in river basin areas resulting from the implementation of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for the Community Action in the field of water policy.

### **4. BENEFICIARIES**

Farmers

### **5. ELIGIBLE AREAS**

Natura 2000 agricultural areas designated pursuant to Directive 79/409/EEC and 92/43/EEC and agricultural areas included in river basin management plans according to Directive 2000/60/EC.

### **6. LEVEL OF SUPPORT**

Support will be granted annually and per hectare of utilised agricultural area -UAA- to farmers in order to compensate for costs incurred and income foregone resulting from disadvantage in the areas concerned related to the implementation of Directives 79/409/EEC, 92/43/EEC and 2000/60/EC.

Support shall be limited to the maximum amount laid down in the Annex of Regulation 1698/2005:

- Initial maximum Natura 2000 payment for a period not exceeding 5 years: 500 EUR per hectare of UAA
- Normal maximum Natura 2000 payment: 200 Euro per hectare of UAA

These amounts may be increased in exceptional cases taking account of specific circumstances to be justified in the rural development programmes.

For payments linked to Directive 2000/60/EC, detailed rules including the maximum amount of support, shall be fixed in accordance with the procedure of comitology (in a later amendment of the implementing Regulation).

## **7. AVOIDANCE OF DOUBLE FUNDING**

Beneficiaries receiving support from this measure shall not be eligible for support from the measure Meeting Standards (article 31 of regulation 1698/2005) as regards the implementation of Council Directives 79/409/EEC and 92/43/EEC.

## **8. RESPECT OF STANDARDS – REDUCTION OR CANCELLATION OF PAYMENTS**

When beneficiaries receiving payments under this measure do not respect on the whole holding, as a result of an action or omission directly attributable to them, the mandatory requirements provided for in Articles 4 and 5 of and in Annexes II and IV to Regulation num. 1782/2003, the total amount of their payments to be granted in the calendar year in which the non-compliance occurs shall be reduced or cancelled.

For beneficiaries in Member States applying the single area payment scheme as provided for in article 143b of Regulation num. 1782/2003, the mandatory requirements to be respected are those provided for in Article 5 and Annex IV to that Regulation, along with those of Directives 79/409 and 92/43 where payments to offset disadvantages of their implementation are granted.

The reduction or cancellation of payments shall not apply for standards for which a period of grace has been granted in accordance with article 26(1)(b) –modernisation of agricultural holdings- during the period of grace.

## **9. VERIFIABILITY AND CONTROLLABILITY**

In order to substantiate the adequacy and accuracy of the calculation of payments under this measure, Member States shall ensure that appropriate expertise is provided by bodies or services functionally independent from those responsible for these calculations. Provision of such expertise shall be evidenced in the rural development programme.

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (213)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**The areas designated to implement Directives 79/409/EEC and 92/43/EEC and the obligations for farmers resulting from the corresponding national/regional management provisions**

**Description of the methodology and the agronomic assumptions used as reference point for the calculations justifying additional costs and income foregone resulting from the disadvantages in the area concerned related to the implementation of Directives 79/409/EEC and 92/43/EEC**

**Amounts of support**

**Evidence as referred to in article 48(2) of the implementing rules allowing the Commission to check consistency and plausibility of the calculations**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

<b>Type of indicator</b>	<b>Indicator</b>	<b>Target 2007-2013</b>
Output	Number of supported holdings in Natura 2000 areas/under WFD	
	Supported agricultural land under Natura 2000/under WFD	
Result	Areas under successful land management	
Impact	Reversal in biodiversity decline (farmland bird species population)	
	Change in high nature value areas	
	Changes in gross nutrient balance	
	Increase in production of renewable energy	

## **Additional programme-specific indicators and quantified targets**

## AGRI-ENVIRONMENTAL PAYMENTS

### 10. TITLE OF THE MEASURE

Agri-environmental payments

### 11. LEGAL BASIS

Articles 36 (a) (iv) and 39 of Regulation (EC) No 1698/2005.

Article 27 and point 5.3.2.1.4 of Annex II Regulation (EC) No .../2006.

### 12. OBJECTIVE

To support sustainable development of rural areas and to respond to society's increasing demand for environmental services. To introduce or to continue to apply agricultural production methods compatible with the protection and improvement of the environment, the landscape and its features, natural resources, the soil and genetic diversity.

### 13. BENEFICIARIES

Farmers and other land managers (for other land managers, only where duly justified to achieve environmental objectives of the measure)

### 14. AREAS COVERED

Support should be made available throughout the territories of the Members states, in accordance with their specific needs.

### 15. AGRI-ENVIRONMENTAL CONTRACTS

Agri-environmental payments will be granted to farmers who make on a voluntary basis agri-environmental commitments.

Baseline: Agrienvironmental payments cover only those commitments going beyond the relevant mandatory standards established pursuant to Articles 4 and 5 and Annexes III and IV to Regulation num 1782/2003 as well as minimum requirements for fertiliser and plant protection product use and other relevant mandatory requirements established by national legislation and identified in the programme.

Minimum requirements for fertilisers must included, inter alia, the Codes of Good Practice introduced under the Nitrates Directive for farms outside Nitrate Vulnerable Zones, and requirements concerning phosphorus pollution; minimum requirements for plant protection products must include, inter alia, requirements to have a licence to use

the products and meet training obligations, requirements on safe storage, the checking of application machinery and rules on pesticide use close to water and other sensitive sites as established by national legislation

Duration of contracts. The commitments shall be undertaken as a general rule for a period between five and seven years. Where necessary and justified, a longer period shall be determined according to the procedure of comitology for particular types of commitments.

## **16. LEVEL OF SUPPORT**

The payments will be granted annually and shall cover additional costs and income foregone resulting from the commitment made. Where necessary, they may cover also transaction cost.

Where appropriate, the beneficiaries may be selected on the basis of calls for tender, applying criteria of economic and environmental efficiency.

Support shall be limited to the maximum amount laid down in the Annex of Regulation 1698/2005:

- Annual crops: 600 EUR per hectare
- Specialised perennial crops: 900 EUR per hectare
- Other land uses: 450 EUR per hectare
- Local breeds in danger of being lost: 200 EUR per livestock unit

These amounts may be increased in exceptional cases taking into account of specific circumstances to be justified in the rural development programmes.

The reference level for calculating income foregone and additional costs resulting from the commitments given shall be the relevant standards and requirements referred to in Article 39(3) of Regulation (EC) No 1698/2005.

Where commitments are normally expressed in units other than those used in the Annex to Regulation (EC) No 1698/2005, Member States may calculate payments on the basis of these other units. In such cases, the Member States shall ensure that the maximum amounts per year eligible for Community support set out in that Annex are complied with. To this end the Member State may:

- (a) set a limit on the number of units per hectare of the farm to which the agri-environment commitments applies, or
- (b) determine the overall maximum amount for each participating farm and ensure that the payments for each farm are compatible with this limit.

## **17. TRANSACTION COSTS**

Member States shall determine the need to provide compensation for transaction cost on the basis of objective criteria.

“Transaction costs” shall mean cost related to letting the transaction take place and not directly attributable to the implementation cost of the commitment it relates to.

The transaction cost element shall be calculated over the length of the commitment period and shall not exceed 20% of the income foregone and additional costs due to the commitment given.

## **18. CONVERSION OF COMMITMENTS**

Member States may authorise one commitment to be converted into another during the period of its operation, on condition that:

- (a) any such conversion is of significant benefit to the environment or to animal welfare or to both;
- (b) the existing commitment is substantially reinforced, and
- (c) the approved rural development programme includes the commitments concerned.

An agri-environment commitment may be converted into a commitment for first afforestation of agricultural land under Article 43 of Regulation (EC) No 1698/2005 subject to the conditions set out in points (a) and (b) of the first subparagraph of this paragraph. The agri-environment commitment shall cease without reimbursement being required.

## **19. ADJUSTMENT OF COMMITMENTS**

Member States may allow agri-environment commitments to be adjusted during the period for which they apply, provided that the approved rural development programme includes scope for such adjustment and that the adjustment is duly justified having regard to the objectives of the commitment.

Such adjustments may also take the form of an extension of the duration of the commitment.

## **20. CHANGES IN NATIONAL AND COMMUNITY LEGISLATION**

A revision clause shall be provided for agri-environmental commitments in order to ensure their adjustment in case of amendment of the relevant mandatory standards or requirements, established pursuant to Articles 4 and 5 of Regulation (EC) N° 1782/2003 and its Annexes III and IV, as well as of the minimum requirements for fertiliser and plant protection product use and of other relevant mandatory requirement established by national legislation.

If such adjustment is not accepted by the beneficiary, the commitment shall expire and reimbursement shall not be required in respect of the period in which the commitment was effective.

## **21. CONSERVATION OF GENETIC RESOURCES**

Support may be provided for the conservation of genetic resources in agriculture for operations not covered by the provisions under paragraph 1 to 4 of article 39 of Council Regulation.

### **12.1. Beneficiaries of support**

Support may cover operations carried out by other beneficiaries than those referred to in Article 39.2 of regulation 1698/2005 (farmers and other land managers)

### **12.2. Support**

Support may be provided for operations not covered by article 39.1 to 39.4 of Regulation 1698/2005 (the rest of agri-environmental measures). Activities entering in agri-environmental commitments as referred to in Article 27.4 of implementing rules shall not be eligible for support.

### **12.3. Operations eligible for support**

The operations for the conservation of genetic resources in agriculture eligible for support shall include the following:

- (a) targeted actions: actions promoting the ex situ and in situ conservation, characterisation, collection and utilisation of genetic resources in agriculture, including web-based inventories of genetic resources currently conserved in situ, including in situ/on farm conservation, and of ex situ collections (gene banks) and databases;
- (b) concerted actions: actions promoting the exchange of information for the conservation, characterisation, collection and utilisation of genetic resources in Community agriculture, among competent organisations in the Member States;
- (c) accompanying actions: information, dissemination and advisory actions involving non-governmental organisations and other relevant stakeholders, training courses and the preparation of technical report.

### **12.4 Avoidance of double funding**

No support shall be granted under conservation of genetic resources for activities eligible under the framework programme of the European Community for research, technological development and demonstration activities.

### **12.5 Definitions**

- (a) “*in situ conservation*” means the conservation of genetic material in ecosystems and natural habitats and the maintenance and recovery of viable population of species or feral breeds in their natural surroundings and, in the case of domesticated animal breeds or cultivated plant species, in the farmed environment where they have developed their distinctive properties;
- (b) “*in situ/on farm conservation*” means in situ conservation and development at farm level;
- (c) “*ex situ conservation*” means the conservation of genetic material for agriculture outside their natural habitat;
- (d) “*ex situ collection*” means a collection of genetic material for agriculture maintained outside their natural habitat.

## **22. AGRIENVIRONMENTAL COMMITMENTS IN SPECIFIC AREAS**

Agri-environmental measures on land set-aside under Article 54 or 107 of Regulation (EC) num 1782/2003 shall qualify for support only if the agri-environment commitments go beyond the basic requirements laid down in article 3(1) of Regulation 1782/2003.

In case of support for mountain areas, with other handicaps, Natura 2000 agricultural areas and agricultural areas included in river basin management plans pursuant to Directive 2000/60/EC, agrienvironment commitments shall, as appropriate, take account of the conditions laid down for support in the areas concerned.

## **23. COMPATIBILITY WITH FIRST PILLAR PAYMENTS AND OTHER RURAL DEVELOPMENT PAYMENTS**

Agri-environmental support for the same production shall not be precluded by environmental measures implemented under common market organisations or direct support schemes listed in Annex I to the implementing Regulation, animal and plant health measures or rural development measures other than agri-environmental and animal welfare support, provided that such support is additional and consistent with the measures concerned.

Various agrienvironment commitments may be combined provided that they are complementary and compatible.

Where measures or commitments referred to in the first and second paragraph are combined, the level of support shall take account of the specific income foregone and additional costs resulting from the combination.

## **24. MINIMAL COMMUNITY REQUIREMENTS REGARDING DIFFERENT TYPES OF COMMITMENTS**

### **15.1 Commitments to extensify livestock farming**

Any commitment to extensify livestock farming or manage livestock farming differently shall comply with at least the following conditions:

- (a) grassland management shall continue
- (b) the whole of the grazed area per livestock unit is maintained, therefore avoiding both over-grazing and under-utilisation
- (c) livestock density shall be defined taking into account all grazing livestock kept on the farm or, in the case of a commitment to limit nutrient leaching, all animals kept on the farm which are relevant to the commitment in question

#### **24.2. Commitments to limit the use of inputs**

Commitments to limit the use of fertilisers, plant protection products or other inputs shall be accepted only if such limitations can be assessed in a way that provides reasonable assurance about the respect of the commitments.

#### **24.3. Commitments to rear breeds or plant genetic resources under threat**

Support may relate to the following commitments:

- (a) to rear farm animals of local breeds indigenous to the area in danger of being lost to farming
- (b) to preserve plant genetic resources naturally adapted to the local and regional conditions and under threat of genetic erosion

The eligible species of farm animals and the criteria for determining the threshold of loss to farming of local breeds are defined in Annex IV of the implementing rules:

Eligible farm animal species	Thresholds under which a local breed is considered as being in danger of being lost to farming (number of breeding females*)
Cattle	7 500
Sheep	10 000
Goat	10 000
Equidae	5 000
Pigs	15 000
Avian	25 000

### **25. RESPECT OF STANDARDS – REDUCTION OR CANCELLATION OF PAYMENTS**

When beneficiaries receiving payments under this measure do not respect on the whole holding, as a result of an action or omission directly attributable to them, the mandatory requirements provided for in Articles 4 and 5 of and in Annexes II and IV to Regulation num. 1782/2003, the total amount of their payments to be granted in the calendar year in which the non-compliance occurs shall be reduced or cancelled.

For beneficiaries in Member States applying the single area payment scheme as provided for in article 143b of Regulation num. 1782/2003, the mandatory requirements to be respected are those provided for in Article 5 and Annex IV to that Regulation.

The reduction or cancellation of payments shall not apply for standards for which a period of grace has been granted in accordance with article 26(1)(b) –modernisation of agricultural holdings- during the period of grace.

The reduction or cancellation of payments shall also apply in cases where beneficiaries receiving agri-environmental payments do not respect on the whole holding, as a result of an action or omission directly attributable to them, the minimum requirements for fertiliser and plant protection product use referred to in Article 39.3 of Council Regulation 1698/2005.

The provisions on reduction or cancellation of payments shall not apply to support provided for the conservation of genetic resources in agriculture (article 39.5 of Council Regulation 1698/2005).

## **26. VERIFIABILITY AND CONTROLLABILITY**

In order to substantiate the adequacy and accuracy of the calculation of payments under this measure, Member States shall ensure that appropriate expertise is provided by bodies or services functionally independent from those responsible for these calculations. Provision of such expertise shall be evidenced in the rural development programme.

## **27. LESSONS LEARNT FROM IMPLEMENTATION (EXPECTED DIFFICULTIES)**

- Transparency for farmer should be ensured:
  - Too complicated measures deters from participation.
  - Sometimes it is unclear what is comprised in the agri-environmental commitment.
- Obligations requiring changes in the agricultural techniques that go too far for farmers can result in a limited uptake.
- Wrong premium calculation on levels: If the compensation covers only parts of the losses, farmers decide not to participate; an unexpected high uptake may be due to overcompensation.



## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (214)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Confirmation that the cross-compliance requirements are identical to those provided for by Regulation (EC) num. 1782/2003**

**Description and justification of the different types of commitments, based on their expected environmental impact in relation to environmental needs and priorities**

**The description of the methodology and of the agronomic assumptions and parameters (including the description of the baseline requirements which are relevant for each particular type of commitment) used as reference point for the calculations justifying: (a) additional costs; b) income foregone resulting from the commitment made; and (c) level of the transaction costs. Where relevant, this methodology should take into account aid granted under Regulation (EC) num. 1782/2003. Where appropriate, the conversion method used for other units in accordance with article 27.9 of the implementing rules**

**The minimum requirements for fertilizer and plant protection products used and other mandatory requirements; minimum requirements for fertilisers must include, inter alia, the Codes of Good Practice introduced under the Nitrates Directive for farms outside Nitrate Vulnerable Zones, and requirements concerning phosphorus pollution; minimum requirements for plant protection products must include, inter alia, requirements to have a licence to use the products and meet training obligations, requirements on safe storage, the checking of application machinery and rules on pesticide use close to water and other sensitive sites as established by national legislation**

**Amounts of support**

**The measures, objectives and criteria applied in case of the selection of beneficiaries by calls for tender in accordance with the second subparagraph of Article 39.4 of Regulation 1698/2005**

**Evidence as referred to in article 48(2) of the implementing rules allowing the Commission to check consistency and plausibility of the calculations**

**The list of local breeds in danger of being lost to farming and the number of breeding females concerned. That number must be certified by a duly recognised technical body –or breeder’s organisation/association- which must register and keep up-to-date the herd or flock books for the breed. The body concerned must**

**possess the necessary skills and knowledge to identify animals of the breeds in danger**

**For plant genetic resources under threat of genetic erosion, evidence of genetic erosion based upon scientific results and indicators for the occurrence of landraces/primitive (local) varieties, their population diversity and the prevailing agricultural practices at local level**

**For conservation of genetic resources in agriculture: types of beneficiaries, of operations and details on eligible costs**

#### **Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

#### **Quantified targets for EU common indicators**

<b>Type of indicator</b>	<b>Indicator</b>	<b>Target 2007-2013</b>
Output	Number of farm holdings and holdings of other land managers receiving support	
	Total area under agri-environmental support	
	Total number of contracts	
	Physical area under agrienvironmental support	
	Number of actions related to genetic resources	
Result	Areas under successful land management	
Impact	Reversal in biodiversity decline (farmland bird species population)	
	Change in high nature value areas	
	Changes in gross nutrient balance	
	Increase in production of renewable energy	

#### **Additional programme-specific indicators and quantified targets**

## ANIMAL WELFARE PAYMENTS

### 28. TITLE OF THE MEASURE

Animal welfare payments

### 29. LEGAL BASIS

Articles 36 (a) (v) and 40 of Regulation (EC) No 1698/2005.

Article 27 and point 5.3.2.1.5 of Annex II of Regulation (EC) No .../2006.

### 30. OBJECTIVE

To adopt high standards of animal welfare by providing for support for farmers who undertake to adopt standards of animal husbandry which go beyond the relevant mandatory standards.

### 31. BENEFICIARIES

Farmers

### 32. ANIMAL WELFARE CONTRACTS

Animal welfare payments will be granted to farmers who make on a voluntary basis animal welfare commitments.

Baseline: Animal welfare commitments cover only those commitments going beyond the relevant mandatory standards established pursuant to Article 4 of and Annex III to Regulation num 1782/2003 and other relevant mandatory requirements established by national legislation and identified in the programmes.

Duration of contracts. The commitments shall be undertaken as a general rule for a period between five and seven years. Where necessary and justified, a longer period shall be determined according to the procedure of comitology for particular types of commitments.

### 33. ANIMAL WELFARE COMMITMENTS

Animal welfare commitments shall provide upgraded standards in at least one of the following areas:

- (a) water and feed closer to their natural needs
- (b) housing conditions such as space allowances, bedding, natural light;

- (c) outdoor access
- (d) absence of systematic mutilations, isolation or permanent tethering;
- (e) prevention of pathologies mainly determined by farming practices or/and keeping conditions

#### **34. LEVEL OF SUPPORT**

The payments will be granted annually and shall cover additional costs and income foregone resulting from the commitment made. Where necessary, they may cover also transaction cost.

Support shall be limited to the maximum amount laid down in the Annex of Regulation 1698/2005: 500 EUR per livestock unit.

The reference level for calculating income foregone and additional costs resulting from the commitments given shall be the relevant standards and requirements referred to in Articles 40(2) of Regulation (EC) No 1698/2005.

#### **35. TRANSACTION COSTS**

Member States shall determine the need to provide compensation for transaction costs on the basis of objective criteria.

“Transaction costs” shall mean cost related to letting the transaction take place and not directly attributable to the implementation cost of the commitment it relates to.

The transaction cost element shall be calculated over the length of the commitment period and shall not exceed 20% of the income foregone and additional costs due to the commitment given.

#### **36. COMPATIBILITY WITH FIRST PILLAR PAYMENTS AND OTHER RURAL DEVELOPMENT PAYMENTS**

Animal welfare support for the same production shall not be precluded by environmental measures implemented under common market organisations or direct support schemes listed in Annex I, animal and plant health measures or rural development measures other than agri-environmental and animal welfare support, provided that such support is additional and consistent with the measures concerned.

Various agrienvironment commitments and/or animal welfare may be combined provided that they are complementary and compatible.

Where measures or commitments referred to in the first and second paragraph are combined, the level of support shall take account of the specific income foregone and additional costs resulting from the combination.

### **37. CONVERSION OF COMMITMENTS**

Member States may authorise one commitment to be converted into another during the period of its operation, on condition that:

- (a) such conversion is of significant benefit to the environment or to animal welfare or to both;
- (b) the existing commitment is substantially reinforced, and
- (c) the approved rural development programme includes the commitments concerned.

### **38. ADJUSTMENT OF COMMITMENTS**

Member States may allow animal welfare commitments to be adjusted during the period for which they apply, provided that the approved rural development programme includes scope for such adjustment and that the adjustment is duly justified having regard to the objectives of the commitment.

Such adjustments may also take the form of an extension of the duration of the commitment.

### **39. CHANGES IN NATIONAL AND COMMUNITY LEGISLATION**

A revision clause shall be provided for animal welfare commitments in order to ensure their adjustment in case of amendment of the relevant mandatory standards or requirements, established pursuant to Articles 4 and 5 of Regulation (EC) N° 1782/2003 and its Annexes III and IV, as well as of the minimum requirements for fertiliser and plant protection product use and of other relevant mandatory requirement established by national legislation.

If such adjustment is not accepted by the beneficiary, the commitment shall expire and reimbursement shall not be required in respect of the period in which the commitment was effective.

### **40. RESPECT OF STANDARDS – REDUCTION OR CANCELLATION OF PAYMENTS**

When beneficiaries receiving payments under this measure do not respect on the whole holding, as a result of an action or omission directly attributable to them, the mandatory requirements provided for in Articles 4 and 5 of and in Annexes II and IV to Regulation num. 1782/2003, the total amount of their payments to be granted in the calendar year in which the non-compliance occurs shall be reduced or cancelled.

For beneficiaries in Member States applying the single area payment scheme as provided for in article 143b of Regulation num. 1782/2003, the mandatory requirements to be respected are those provided for in Article 5 and Annex IV to that Regulation.

The reduction or cancellation of payments shall not apply for standards for which a period of grace has been granted in accordance with article 26(1)(b) –modernisation of agricultural holdings- during the period of grace.

#### **41. VERIFIABILITY AND CONTROLLABILITY**

In order to substantiate the adequacy and accuracy of the calculation of payments under this measure, Member States shall ensure that appropriate expertise is provided by bodies or services functionally independent from those responsible for these calculations. Provision of such expertise shall be evidenced in the rural development programme.

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (215)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Description and justifications of the different type of commitments, in at least one of the areas identified in article 27 of Commission implementing regulation, based on their expected impact**

**Description of the methodology and of the agronomic/zoo-technical assumptions and parameters (including the description of the baseline requirements as stated in article 40.2 of Regulation 1698/2005 which are relevant for each particular type of commitment) used as reference point for the calculations justifying: (a) additional costs, b) income foregone resulting from the commitment made; (b) level of the transaction costs**

**Confirmation that the cross-compliance requirements are identical to those provided for by Regulation (EC) num. 1782/2003**

**Evidence as referred to in article 48(2) of the implementing rules allowing the Commission to check consistency and plausibility of the calculations**

**Other relevant mandatory requirements established by national legislation**

**Amounts of support**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

Type of indicator	Indicator	Target 2007-2013
Output	Number of farm holdings receiving support	
	Number of animal welfare contracts	

**Additional programme-specific indicators and quantified targets**

## **NON PRODUCTIVE INVESTMENTS**

### **42. TITLE OF THE MEASURE**

Non productive investments

### **43. LEGAL BASIS**

Articles 36 (a) (vi) and 41 of Regulation (EC) No 1698/2005.

Article 32 and point 5.3.2.16 of Annex II of Regulation (EC) No .../2006.

### **44. OBJECTIVE**

To support non-remunerative investments where they are necessary to achieve the commitments undertaken under agri-environmental schemes or other agri-environmental objectives, or where they enhance on-farm the public amenity value of Natura 2000 areas and other areas of high natural value.

### **45. BENEFICIARIES**

Farmers and other land managers

### **46. TYPE OF SUPPORT**

Definition of “non-productive investments”: those investments that do not lead to any significant increase in the value or profitability of the agricultural or forestry holding.

Support shall be granted for:

- (a) investments linked to the achievement of commitments undertaken pursuant to the measure provided for in article 36 (a) (iv) or other agri-environmental objectives
- (b) on-farm investments which enhance the public amenity value of a Natura 2000 area or other high nature value areas to be defined in the programme.

### **47. USE OF STANDARD COSTS**

Where appropriate Member States may fix the level of support provided for in this measure on the basis of standard costs.

Member States shall ensure the following for the calculations and the corresponding aids:

they contain only elements that are verifiable;

- (a) they are based on figures established by appropriate expertise;
- (b) they indicate clearly the source of the figures;
- (c) they are differentiated to take into account regional or local site conditions and actual land use as appropriate;

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (216)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Definition of operations to be supported**

**Description of the link to commitments provided for in article 36(a) (iv) of Regulation 1698/2005 or other agri-environmental objectives**

**Description of the public amenity values of a Natura 2000 area or other high nature value area to be enhanced**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

<b>Type of indicator</b>	<b>Indicator</b>	<b>Target 2007-2013</b>
Output	Number of farm holdings and holdings of other land managers receiving support	
	Total volume of investment	
Result	Areas of successful land management	
Impact	Reversal in biodiversity decline (farmland bird species population)	
	Change in high nature value areas	
	Increase in production of renewable energy	

**Additional programme-specific indicators and quantified targets**

## **FIRST AFFORESTATION OF AGRICULTURAL LAND**

### **48. TITLE OF THE MEASURE**

First afforestation of agricultural land

### **49. LEGAL BASIS**

Articles 36 (b) (i) and 43 of Regulation (EC) No 1698/2005.

Articles 30 and 31 and point 5.3.2.2.1 of Annex II of Regulation (EC) No .../2006.

### **50. OBJECTIVE**

To contribute to the protection of the environment, the prevention of natural hazards and fires, as well as to mitigate climate change, forest resources should be extended and improved by first afforestation of agricultural land. Any first afforestation should be adapted to local conditions and compatible with the environment and enhance biodiversity.

### **51. ELIGIBLE AREAS**

Areas apt for afforestation for environmental reasons such as protection against erosion or extension of forest resources contributing to climate change mitigation.

### **52. DEFINITION OF AGRICULTURAL LAND**

Agricultural land eligible for support for first afforestation shall be specified by the Member State and shall include land where farming takes place on a regular basis.

### **53. DEFINITION OF FOREST AND WOODED AREAS**

The following definitions shall apply subject to exceptions to be duly justified in the rural development programmes.

- (a) "Forest" means land spanning more than 0.5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ. It does not include land that is predominantly under agricultural or urban land use.

Areas under reforestation that have not yet reached but are expected to reach a canopy cover of 10 percent and a tree height of 5 meters are included, as are temporarily unstocked areas, resulting from human intervention or natural causes, which are expected to regenerate.

Forests include areas with bamboo and palms provided that height and canopy cover criteria are met.

Forests include forest roads, firebreaks and other small open areas; forests in national parks, nature reserves and other protected areas such as those of specific scientific, historical, cultural or spiritual interest.

Forests include windbreaks, shelterbelts and corridors of trees with an area of more than 0.5 hectares and width of more than 20 meters.

Forests include plantations primarily for forestry protection purposes, such as rubberwood plantations and cork oak stands. Tree stands in agricultural production systems, such as those in fruit plantations, and agroforestry systems are excluded from the definition of “forests”. The term also excludes trees in urban parks and gardens.

(b) “Wooded areas” means land not classified as “forest”, spanning more than 0.5 hectares; with trees higher than 5 meters and a canopy cover of 5-10 percent, or trees able to reach these thresholds in situ; or with a combined cover of shrubs, bushes and trees above 10 percent. The term does not include land that is predominantly under agricultural or urban use.

#### **54. LEVEL OF SUPPORT**

Support will cover one or more of the following:

- (a) establishments costs. These costs will include the cost for the plantation material, the cost of the plantation and the cost directly linked to and necessary for the plantation.
- (b) an annual premium per hectare afforested to contribute to covering maintenance costs for a maximum of five years
- (c) an annual premium per hectare to contribute to covering loss of income resulting from afforestation for a maximum of 15 years for farmers or associations thereof who worked the land before its afforestation or for any other natural person or private law body. For this purpose, farmers shall mean persons who devote an essential part of their working time to agricultural activities and derive from them a significant part of their income according to criteria to be determined by the Member State.

Support for the afforestation of agricultural land owned by public authorities will cover only the costs of establishment. If the agricultural land to be afforested is rented by a natural person or private law body, the annual premiums referred to above may be granted.

Support to farmers or other natural persons and private law bodies shall be limited to the maxima laid down in the annex of Regulation 1698/2005.

- premium to cover loss of income from afforestation:
  - for farmers or associations thereof: 700 EUR per hectare

- for any other natural persons or private-law bodies: 150 per hectare
- Intensity of aid for establishment costs:
  - 80 % of eligible costs in the areas referred to in Article 36 (a) (i) (ii) and (iii) (mountain areas, in areas with handicaps other than mountain areas, and in Natura 2000 and WFD areas)\*
  - 70% of eligible costs in other areas
  - 85% of eligible costs in the outermost regions\*

\*These rates are not applicable in the case of State owned tropical or subtropical forests and wooded areas of the territories of the Azores, Madeira, the Canary Islands, the smaller Aegean Islands within the meaning of Regulation (EEC) N. 2019/93 and the French overseas departments.

## **55. EXCLUSION OF SUPPORT**

Support shall not be granted:

- (a) for farmers benefiting from early retirement support
- (b) for the planting of Christmas trees

In the case of fast-growing species for short-term cultivation, support for afforestation shall be granted for establishment costs only. “Fast growing species” shall mean species with a rotation time, namely the period between two harvest cuts on the same parcel, of less than 15 years.

## **56. MINIMAL COMMUNITY REQUIREMENTS CONCERNING AFFORESTATION OF NATURA 2000 SITES**

First afforestation in a Natura 2000 site shall be consistent with the management objectives of the site concerned.

## **57. RESPECT OF STANDARDS – REDUCTION OR CANCELLATION OF PAYMENTS**

When beneficiaries receiving payments under this measure do not respect on the whole holding, as a result of an action or omission directly attributable to them, the mandatory requirements provided for in Articles 4 and 5 of and in Annexes II and IV to Regulation num. 1782/2003, the total amount of their payments to be granted in the calendar year in which the non-compliance occurs shall be reduced or cancelled.

For beneficiaries in Member States applying the single area payment scheme as provided for in article 143b of Regulation num. 1782/2003, the mandatory requirements to be respected are those provided for in Article 5 and Annex IV to that Regulation.

## **58. STANDARD COSTS**

Where appropriate Member States may fix the level of support provided for in this measure on the basis of standard costs and standard assumptions of income foregone.

Member States shall ensure the following for the calculations and the corresponding aids:

- (d) they contain only elements that are verifiable;
- (e) they are based on figures established by appropriate expertise;
- (f) they indicate clearly the source of the figures;
- (g) they are differentiated to take into account regional or local site conditions and actual land use as appropriate;
- (h) they do not contain elements linked to fixed investment costs.

## **59. VERIFIABILITY AND CONTROLLABILITY**

In order to substantiate the adequacy and accuracy of the calculation of payments under this measure, Member States shall ensure that appropriate expertise is provided by entities with no hierarchical link with the authorities responsible for these calculations. The entities concerned must possess the necessary skills and knowledge to check and confirm calculations.

## **MEASURE TEMPLATE**

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (221)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Definition of agricultural land**

**Definition of farmer**

**Provisions and criteria for the selection of the areas to be afforested ensuring that the planned measures are suited to local conditions and compatible with the environmental requirements, particularly biodiversity, in accordance with article 50(6) of Regulation 1698/2005 and article 34 of implementing rules**

**Description of the methodology for the calculation of establishment and maintenance cost as well as income foregone to be compensated. Where relevant for the latter, this methodology should take into account aid granted under Regulation (EC) 1782/2003**

**Evidence as referred to in article 48(2) of the implementing rules allowing the Commission to check consistency and plausibility of the calculations**

**Aid intensity for establishment support and amounts and duration of annual premiums contributing to covering maintenance costs and loss of income.**

**Linkage of proposed measures with national/sub-national forest programmes or equivalent instruments and with the Community Forestry Strategy**

**Reference to the forest protection plans for areas classified as high or medium risk for forest fires and the elements ensuring conformity of proposed measures with these protection plans.**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

<b>Type of indicator</b>	<b>Indicator</b>	<b>Target 2007-2013</b>
Output	Number of beneficiaries receiving afforestation aid	
	Number of hectares of afforested land	
Result	Areas under successful land management	
Impact	Reversal in biodiversity decline (farmland bird species population)	
	Change in high nature value areas	
	Changes in gross nutrient balance	
	Increase in production of renewable energy	

**Additional programme-specific indicators and quantified targets**

## **FIRST ESTABLISHMENT OF AGROFORESTRY SYSTEMS ON AGRICULTURAL LAND**

### **60. TITLE OF THE MEASURE**

First establishment of agroforestry systems on agricultural land

### **61. LEGAL BASIS**

Articles 36 (b) (ii) and 44 of Regulation (EC) No 1698/2005.

Articles 30 and 32 and point 5.3.2.2.2 of Annex II of Regulation (EC) No .../2006.

### **62. OBJECTIVE**

To support the establishment of agroforestry systems for their high ecological and social value by combining extensive agriculture and forestry systems, aimed at the production of high-quality wood and other forest products.

### **63. BENEFICIARIES**

Farmers who create agroforestry systems combining extensive agriculture and forestry systems.

### **64. DEFINITION OF AGRO-FORESTRY**

Agro-forestry systems refer to land use systems in which trees are grown in combination with agriculture on the same land.

Taking account of local conditions, forestry species and the need to ensure continuation of the agricultural use of the land, Member States shall determine the maximum number of trees planted per hectare.

### **65. LEVEL OF SUPPORT**

Support will only cover establishment costs

Support shall be limited to the maximum rate laid down in the annex of Regulation 1698/2005:

- Intensity of aid for establishment costs:
  - 80 % of eligible costs in the areas referred to in Article 36 (a) (i) (ii) and (iii) (mountain areas, in areas with handicaps other than mountain areas, and in Natura 2000 and WFD areas)\*
  - 70% of eligible costs in other areas

- 85% of eligible costs in the outermost regions\*

\*These rates are not applicable in the case of State owned tropical or subtropical forests and wooded areas of the territories of the Azores, Madeira, the Canary Islands, the smaller Aegean Islands within the meaning of Regulation (EEC) N. 2019/93 and the French overseas departments.

## **66. EXCLUSION OF SUPPORT**

Christmas trees and fast-growing species for short-term cultivation shall be excluded from support

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (222)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Definition of agro-forestry systems to be supported**

**Forestry use**

**Agricultural use**

**Densities of planting**

**Description of the methodology for the calculation of the establishment cost**

**Aid intensities for establishment support**

**Linkage of proposed measures with national/sub-national forest programmes or equivalent instruments and with the Community Forestry Strategy**

**Reference to the forest protection plans for areas classified as high or medium risk for forest fires and the elements ensuring conformity of proposed measures with these protection plans.**

**Financing**

- Total cost
- Public expenditure

**Quantified targets for EU common indicators**

Type of indicator	Indicator	Target 2007-2013
Output	Number of beneficiaries	
	Number of hectares under new agroforestry systems	
Result	Areas under successful land management	
Impact	Reversal in biodiversity decline (farmland bird species population)	
	Change in high nature value areas	
	Changes in gross nutrient balance	

	Increase in production of renewable energy	
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**Additional programme-specific indicators and quantified targets**

## FIRST AFFORESTATION OF NON-AGRICULTURAL LAND

### 67. TITLE OF THE MEASURE

First afforestation of non-agricultural land

### 68. LEGAL BASIS

Articles 36 (b) (iii) and 45 of Regulation (EC) No 1698/2005.

Article 30 and point 5.3.2.3.3 of Annex II of Regulation (EC) No .../2006.

### 69. OBJECTIVE

To contribute to the protection of the environment, the prevention of natural hazards and fires, as well as to mitigate climate change, forest resources should be extended and improved by first afforestation of non agricultural land. Any first afforestation should be adapted to local conditions and compatible with the environment and enhance biodiversity.

### 70. ELIGIBLE AREAS

Areas apt for afforestation for environmental reasons such as protection against erosion or extension of forest resources contributing to climate change mitigation.

### 71. DEFINITION OF FOREST AND WOODED AREAS

The following definitions shall apply subject to exceptions to be duly justified in the rural development programmes.

- (a) "Forest" means land spanning more than 0.5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ. It does not include land that is predominantly under agricultural or urban land use.

Areas under reforestation that have not yet reached but are expected to reach a canopy cover of 10 percent and a tree height of 5 meters are included, as are temporarily unstocked areas, resulting from human intervention or natural causes, which are expected to regenerate.

Forests include areas with bamboo and palms provided that height and canopy cover criteria are met.

Forests include forest roads, firebreaks and other small open areas; forests in national parks, nature reserves and other protected areas such as those of specific scientific, historical, cultural or spiritual interest.

Forests include windbreaks, shelterbelts and corridors of trees with an area of more than 0.5 hectares and width of more than 20 meters.

Forests include plantations primarily for forestry protection purposes, such as rubber-wood plantations and cork oak stands. Tree stands in agricultural production systems, such as those in fruit plantations, and agroforestry systems are excluded from the definition of “forests”. The term also excludes trees in urban parks and gardens.

(b) “Wooded areas” means land not classified as “forest”, spanning more than 0.5 hectares; with trees higher than 5 meters and a canopy cover of 5-10 percent, or trees able to reach these thresholds in situ; or with a combined cover of shrubs, bushes and trees above 10 percent. The term does not include land that is predominantly under agricultural or urban use.

## **72. LEVEL OF SUPPORT**

Support will only cover establishment costs

In case of abandoned farmland, support shall also cover the annual premium per hectare afforested to contribute to covering maintenance costs for a maximum of 5 years.

When support covering establishment costs is granted to natural persons or private law bodies, it shall be limited to the maximum rate laid down in the annex of Regulation 1698/2005.

- Intensity of aid for establishment costs:
  - 80 % of eligible costs in the areas referred to in Article 36 (a) (i) (ii) and (iii) (mountain areas, in areas with handicaps other than mountain areas, and in Natura 2000 and WFD areas)\*
  - 70% of eligible costs in other areas
  - 85% of eligible costs in the outermost regions\*

\*These rates are not applicable in the case of State owned tropical or subtropical forests and wooded areas of the territories of the Azores, Madeira, the Canary Islands, the smaller Aegean Islands within the meaning of Regulation (EEC) N. 2019/93 and the French overseas departments.

## **73. STANDARD COSTS**

Where appropriate Member States may fix the level of support provided for in this measure on the basis of standard costs and standard assumptions of income foregone.

Member States shall ensure the following for the calculations and the corresponding aids:

- they contain only elements that are verifiable;

- (i) they are based on figures established by appropriate expertise;
- (j) they indicate clearly the source of the figures;
- (k) they are differentiated to take into account regional or local site conditions and actual land use as appropriate;
- (l) they do not contain elements linked to fixed investment costs.

**74. EXCLUSION OF SUPPORT**

Support shall not be granted for the planting of Christmas trees.

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (223)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Provisions and criteria for the designation of areas to be afforested**

**Provisions ensuring that the planned measures are suited to local conditions and compatible with the environmental requirements, particularly biodiversity**

**Description of the methodology for the calculation of establishment and maintenance costs**

**Aid intensities for establishment support**

**Linkage of proposed measures with national/sub-national forest programmes or equivalent instruments and with the Community Forestry Strategy**

**Reference to the forest protection plans for areas classified as high or medium risk for forest fires and the elements ensuring conformity of proposed measures with these protection plans.**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

Type of indicator	Indicator	Target 2007-2013
Output	Number of beneficiaries receiving afforestation aid	
	Number of hectares of afforested land	
Result	Areas under successful land management	
Impact	Maintenance of High nature value farmland and forestry	
	Change in high nature value areas	
	Increase in production of renewable energy	

## **Additional programme-specific indicators and quantified targets**

## NATURA 2000 PAYMENTS

### 75. TITLE OF THE MEASURE

Natura 2000 payments

### 76. LEGAL BASIS

Articles 36 (b) (iv) and 46 of Regulation (EC) No 1698/2005.

Article 30 and point 5.3.2.2.4 of Annex II of Regulation (EC) No .../2006.

### 77. OBJECTIVE

To guarantee a successful implementation of Directives 79/409/EEC and 92/43/EEC through specific support to forest holders to help address specific problems resulting from their implementation.

### 78. BENEFICIARIES

Private forest owners or their associations thereof.

### 79. REQUIREMENTS OF FOREST OWNERSHIP TO RECEIVE SUPPORT

Support shall be granted only for forests and wooded areas owned by private owners or by their associations or by municipalities or their associations.

The following forests and wooded areas shall be excluded from the scope of support:

- (a) forest or other wooded land owned by central or regional governments, or by government-owned corporations;
- (b) forest and other wooded land owned by the Crown;
- (c) forests owned by legal persons at least 50% of whose capital is held by one of the institutions referred to in points (a) and (b).

This limitation does not apply to the tropical or subtropical forests and to the wooded areas of the territories of the Azores, Madeira, the Canary Islands, the smaller Aegean Islands within the meaning of Regulation (EEC) num. 2019/93 and the French overseas Departments.

### 80. ELIGIBLE AREAS

Natura 2000 forest areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.

## 81. DEFINITION OF FOREST AND WOODED AREAS

The following definitions shall apply subject to exceptions to be duly justified in the rural development programmes.

- (a) "Forest" means land spanning more than 0.5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ. It does not include land that is predominantly under agricultural or urban land use.

Areas under reforestation that have not yet reached but are expected to reach a canopy cover of 10 percent and a tree height of 5 meters are included, as are temporarily unstocked areas, resulting from human intervention or natural causes, which are expected to regenerate.

Forests include areas with bamboo and palms provided that height and canopy cover criteria are met.

Forests include forest roads, firebreaks and other small open areas; forests in national parks, nature reserves and other protected areas such as those of specific scientific, historical, cultural or spiritual interest.

Forests include windbreaks, shelterbelts and corridors of trees with an area of more than 0.5 hectares and width of more than 20 meters.

Forests include plantations primarily for forestry protection purposes, such as rubberwood plantations and cork oak stands. Tree stands in agricultural production systems, such as those in fruit plantations, and agroforestry systems are excluded from the definition of "forests". The term also excludes trees in urban parks and gardens.

- (b) "Wooded areas" means land not classified as "forest", spanning more than 0.5 hectares; with trees higher than 5 meters and a canopy cover of 5-10 percent, or trees able to reach these thresholds in situ; or with a combined cover of shrubs, bushes and trees above 10 percent. The term does not include land that is predominantly under agricultural or urban use.

## 82. LEVEL OF SUPPORT

Support shall be granted annually per hectare to compensate for costs incurred and income foregone resulting from the restrictions on the use of forests and other wooded land due to the implementation of Directives 79/409/EEC and 92/43/EC in the area concerned.

Support shall be fixed between the minimum and maximum amount laid down in the Annex of Regulation 1698/2005:

- Minimum payment: 40 EUR per hectare
- Maximum payment: 200 EUR per hectare. This amount may be increased in exceptional cases taking account of specific circumstances to be justified in the rural development programmes.

### **83. STANDARD COSTS**

Where appropriate, Member States may fix the level of support provided for in this measure on the basis of standard costs and standard assumptions of income foregone.

Member States shall ensure the following for the calculations and the corresponding aids:

- (m) they contain only elements that are verifiable;
- (n) they are based on figures established by appropriate expertise;
- (o) they indicate clearly the source of the figures;
- (p) they are differentiated to take into account regional or local site conditions and actual land use as appropriate;
- (q) they do not contain elements linked to fixed investment costs.

### **84. VERIFIABILITY AND CONTROLLABILITY**

In order to substantiate the adequacy and accuracy of the calculation of payments under this measure, Member States shall ensure that appropriate expertise is provided by bodies or services functionally independent from those responsible for these calculations. Provision of such expertise shall be evidenced in the rural development programme.

### **85. RESPECT OF STANDARDS – REDUCTION OR CANCELLATION OF PAYMENTS**

When beneficiaries receiving payments under this measure do not respect on the whole holding, as a result of an action or omission directly attributable to them, the mandatory requirements provided for in Articles 4 and 5 of and in Annexes II and IV to Regulation num. 1782/2003, the total amount of their payments to be granted in the calendar year in which the non-compliance occurs shall be reduced or cancelled.

For beneficiaries in Member States applying the single area payment scheme as provided for in article 143b of Regulation num. 1782/2003, the mandatory requirements to be respected are those provided for in Article 5 and Annex IV to that Regulation.

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (224)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**The areas designated to implement Directives 79/409/EEC and 92/43/EEC as well as the obligations for forest owners resulting from the corresponding national/regional management provisions**

**Description of the methodology for the calculations justifying costs incurred and income foregone resulting from the restrictions on the use of forests and other wooded land due to implementation of Directives 79/409/EEC and 92/43/EEC in the area concerned**

**Confirmation that the cross-compliance requirements, which affect the implementation of several rural development measures, are identical to those provided for by Regulation (EC) No 1782/2003.**

**Evidence as referred to in article 48(2) of the implementing rules allowing the Commission to check consistency and plausibility of the calculations**

**Amount of support.**

**Linkage of proposed measures with national/sub-national forest programmes or equivalent instruments and with the Community Forestry Strategy**

**Reference to the forest protection plans for areas classified as high or medium risk for forest fires and the elements ensuring conformity of proposed measures with these protection plans.**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

Type of indicator	Indicator	Target 2007-2013
Output	Number of forest holdings receiving aid in Natura 2000 areas	

	Supported forest land (ha) in Natura 2000 areas	
Result	Areas under successful land management	
Impact	Change in high nature value areas	
	Change in gross nutrient balance	
	Increase in production of renewable energy	

**Additional programme-specific indicators and quantified targets**

## **FOREST ENVIRONMENT PAYMENTS**

### **86. TITLE OF THE MEASURE**

Forest environment payments

### **87. LEGAL BASIS**

Articles 36 (b) (v) and 47 of Regulation (EC) No 1698/2005.

Point 5.3.2.2.5 of Annex II of Regulation (EC) No .../2006.

### **88. OBJECTIVE**

To enhance biodiversity, preserve high nature value forest ecosystems and reinforce the protective value of forests with respect to soil erosion, maintenance of water resources and water quality and to natural hazards, through voluntary commitments with forest holders.

### **89. REQUIREMENTS OF FOREST OWNERSHIP TO RECEIVE SUPPORT**

Support shall be granted only for forests and wooded areas owned by private owners or by their associations or by municipalities or their associations.

The following forests and wooded areas shall be excluded from the scope of support:

- (d) forest or other wooded land owned by central or regional governments, or by government-owned corporations;
- (e) forest and other wooded land owned by the Crown;
- (f) forests owned by legal persons at least 50% of whose capital is held by one of the institutions referred to in points (a) and (b).

This limitation does not apply to the tropical or subtropical forests and to the wooded areas of the territories of the Azores, Madeira, the Canary islands, the smaller Aegean Islands within the meaning of Regulation (EEC) num. 2019/93 and the French overseas Departments.

### **90. DEFINITION OF FOREST AND WOODED AREAS**

The following definitions shall apply subject to exceptions to be duly justified in the rural development programmes.

- (a) "Forest" means land spanning more than 0.5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these

thresholds in situ. It does not include land that is predominantly under agricultural or urban land use.

Areas under reforestation that have not yet reached but are expected to reach a canopy cover of 10 percent and a tree height of 5 meters are included, as are temporarily unstocked areas, resulting from human intervention or natural causes, which are expected to regenerate.

Forests include areas with bamboo and palms provided that height and canopy cover criteria are met.

Forests include forest roads, firebreaks and other small open areas; forests in national parks, nature reserves and other protected areas such as those of specific scientific, historical, cultural or spiritual interest.

Forests include windbreaks, shelterbelts and corridors of trees with an area of more than 0.5 hectares and width of more than 20 meters.

Forests include plantations primarily for forestry protection purposes, such as rubber-wood plantations and cork oak stands. Tree stands in agricultural production systems, such as those in fruit plantations, and agroforestry systems are excluded from the definition of “forests”. The term also excludes trees in urban parks and gardens.

(b) “Wooded areas” means land not classified as “forest”, spanning more than 0.5 hectares; with trees higher than 5 meters and a canopy cover of 5-10 percent, or trees able to reach these thresholds in situ; or with a combined cover of shrubs, bushes and trees above 10 percent. The term does not include land that is predominantly under agricultural or urban use.

## **91. FOREST ENVIRONMENT CONTRACTS**

Forest environment payments shall be granted per hectare of forest to beneficiaries who make forest-environmental commitments on a voluntary basis.

Baseline: these payments shall cover only those commitments going beyond the relevant mandatory requirements.

Duration of contracts: These commitments shall be undertaken as a general rule for a period between five and seven years. Where necessary and justified, a longer period shall be determined in accordance with the procedure of comitology.

## **92. LEVEL OF SUPPORT**

The payments shall cover additional costs and income foregone resulting from the commitment made.

Support shall be fixed between the minimum and maximum amount laid down in the Annex of Regulation 1698/2005:

- Minimum payment: 40 EUR per hectare

- Maximum payment: 200 EUR per hectare. This amount may be increased in exceptional cases taking account of specific circumstances to be justified in the rural development programmes.

### **93. STANDARD COSTS**

Where appropriate Member States may fix the level of support provided for in this measure on the basis of standard costs and standard assumptions of income foregone.

Member States shall ensure the following for the calculations and the corresponding aids:

- (r) they contain only elements that are verifiable;
- (s) they are based on figures established by appropriate expertise;
- (t) they indicate clearly the source of the figures;
- (u) they are differentiated to take into account regional or local site conditions and actual land use as appropriate;
- (v) they do not contain elements linked to fixed investment costs.

### **94. RESPECT OF STANDARDS – REDUCTION OR CANCELLATION OF PAYMENTS**

When beneficiaries receiving payments under this measure do not respect on the whole holding, as a result of an action or omission directly attributable to them, the mandatory requirements provided for in Article 4 of and in Annex III to Regulation num. 1782/2003, the total amount of their payments to be granted in the calendar year in which the non-compliance occurs shall be reduced or cancelled.

For beneficiaries in Member States applying the single area payment scheme as provided for in article 143b of Regulation num. 1782/2003, the mandatory requirements to be respected are those provided for in Article 5 and Annex IV to that Regulation

### **95. CHANGES IN NATIONAL OR COMMUNITY LEGISLATION**

A revision clause shall be provided for forest-environment commitments in order to ensure their adjustment in case of amendment of the relevant mandatory standards or requirements, established pursuant to Article 4 of Regulation (EC) N° 1782/2003 and its Annex III, as well as of other relevant mandatory requirement established by national legislation.

If such adjustment is not accepted by the beneficiary, the commitment shall expire and reimbursement shall not be required in respect of the period in which the commitment was effective.

## **96. VERIFIABILITY AND CONTROLLABILITY**

In order to substantiate the adequacy and accuracy of the calculation of payments under this measure, Member States shall ensure that appropriate expertise is provided by bodies or services functionally independent from those responsible for these calculations. Provision of such expertise shall be evidenced in the rural development programme.

## **MEASURE TEMPLATE**

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (225)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Justification for the commitments, based on their expected environmental impact in relation to environmental needs and priorities**

**Description of the methodology and of the assumptions and parameters used as reference point for the calculations justifying additional costs and income foregone resulting from the commitment given**

**Evidence as referred to in article 48(2) of the implementing rules allowing the Commission to check consistency and plausibility of the calculations**

**Amount of support**

**Linkage of proposed measures with national/sub-national forest programmes or equivalent instruments and with the Community Forestry Strategy**

**Reference to the forest protection plans for areas classified as high or medium risk for forest fires and the elements ensuring conformity of proposed measures with these protection plans.**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

<b>Type of indicator</b>	<b>Indicator</b>	<b>Target 2007-2013</b>
Output	Number of forest holdings receiving support	
	Forest area under support	
	Number of contracts	
	Physical forest area under support	
Result	Areas under successful area management	

Impact	Change in high nature value areas	
	Changes in gross nutrient balance	
	Increase in production of renewable energy	

**Additional programme-specific indicators and quantified targets**

## **RESTORING FORESTRY POTENTIAL AND INTRODUCING PREVENTION ACTIONS**

### **97. TITLE OF THE MEASURE**

Restoring forestry potential and introducing prevention actions

### **98. LEGAL BASIS**

Articles 36 (b) (vi) and 48 of Regulation (EC) No 1698/2005.

Articles 30 and 33 and point 5.3.2.2.6 of Annex II of Regulation (EC) No .../2006.

### **99. OBJECTIVE**

To restore forestry potential in forests damaged by natural disasters and fire and to introduce preventive actions.

### **100. ELIGIBLE AREAS**

Preventive actions against fires shall concern forests classified by the Member State as high or medium forest fire risk according to their forest protection plans.

### **101. TYPE OF SUPPORT**

Where support covers the creation of forest fires breaks, eligible costs may comprise, beyond the cost of establishment, subsequent maintenance cost on the area concerned.

Support for maintaining forests fire breaks through agricultural activities shall not be granted for areas benefiting from agri-environment support.

Prevention actions against fire, referred to in Article 48 of Regulation (EC) No 1698/2005, may cover the following:

- (w) establishment of protective infrastructures such as forest paths, tracks, water supply points, fire breaks, cleared and felled areas, launching of operations to maintain fire breaks and cleared and felled areas;
- (x) preventive forestry practices such as vegetation control, thinning, diversification of vegetation structure;
- (y) setting-up or improvement of fixed forest fire monitoring facilities and communication equipment.

## 102. STANDARD COSTS

Where appropriate Member States may fix the level of support provided for in this measure on the basis of standard costs and standard assumptions of income foregone.

Member States shall ensure the following for the calculations and the corresponding aids:

- (a) they contain only elements that are verifiable;
- (b) they are based on figures established by appropriate expertise;
- (c) they indicate clearly the source of the figures;
- (z) they are differentiated to take into account regional or local site conditions and actual land use as appropriate;

## 103. DEFINITION OF FOREST AND WOODED AREAS

The following definitions shall apply subject to exceptions to be duly justified in the rural development programmes.

- (a) "Forest" means land spanning more than 0.5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ. It does not include land that is predominantly under agricultural or urban land use.

Areas under reforestation that have not yet reached but are expected to reach a canopy cover of 10 percent and a tree height of 5 meters are included, as are temporarily unstocked areas, resulting from human intervention or natural causes, which are expected to regenerate.

Forests include areas with bamboo and palms provided that height and canopy cover criteria are met.

Forests include forest roads, firebreaks and other small open areas; forests in national parks, nature reserves and other protected areas such as those of specific scientific, historical, cultural or spiritual interest.

Forests include windbreaks, shelterbelts and corridors of trees with an area of more than 0.5 hectares and width of more than 20 meters.

Forests include plantations primarily for forestry protection purposes, such as rubber-wood plantations and cork oak stands. Tree stands in agricultural production systems, such as those in fruit plantations, and agroforestry systems are excluded from the definition of "forests". The term also excludes trees in urban parks and gardens.

- (b) "Wooded areas" means land not classified as "forest", spanning more than 0.5 hectares; with trees higher than 5 meters and a canopy cover of 5-10 percent, or trees able to reach these thresholds in situ; or with a combined cover of shrubs, bushes and trees above 10 percent. The term does not include land that is predominantly under agricultural or urban use.

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (226)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Nature of the measures to be implemented**

**Prevention plans**

**Linkage of proposed actions with national/sub-national forest programmes or equivalent instruments and with the Community Forestry Strategy**

**Reference to the forest protection plans for areas classified as high or medium risk for forest fires and the elements ensuring conformity of proposed measures with these protection plans.**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

Type of indicator	Indicator	Target 2007-2013
Output	Number of prevention/restoration actions	
	Supported area of damaged forests	
	Total volume of investment	
Result	Areas under successful land management	
Impact	Change in high nature value areas	
	Changes in gross nutrient balance	
	Increase in production of renewable energy	

**Additional programme-specific indicators and quantified targets**

## **NON PRODUCTIVE INVESTMENTS**

### **104. TITLE OF THE MEASURE**

Non productive investments

### **105. LEGAL BASIS**

Articles 36 (b) (vi) and 49 of Regulation (EC) No 1698/2005.

Point 5.3.2.2.7 of Annex II of Regulation (EC) No .../2006.

### **106. OBJECTIVE**

To support forest holders for non-remunerative investments where they are necessary to achieve the forest-environment commitments and other environmental objectives, or in forests to enhance the public amenity value of the areas concerned.

### **107. TYPE OF SUPPORT**

Support shall be granted for investments in forests:

- (a) linked to the achievement of commitments undertaken pursuant to the measure “Forest environment payments” or other environmental objectives
- (b) which enhance the public amenity value of forest and wooded land of the area concerned.

### **108. STANDARD COSTS**

Where appropriate Member States may fix the level of support provided for in this measure on the basis of standard costs and standard assumptions of income foregone.

Member States shall ensure the following for the calculations and the corresponding aids:

- (a) they contain only elements that are verifiable;
- (b) they are based on figures established by appropriate expertise;
- (c) they indicate clearly the source of the figures;
- (d) they are differentiated to take into account regional or local site conditions and actual land use as appropriate;

## 109. DEFINITION OF FOREST AND WOODED AREAS

The following definitions shall apply subject to exceptions to be duly justified in the rural development programmes.

- (a) "Forest" means land spanning more than 0.5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ. It does not include land that is predominantly under agricultural or urban land use.

Areas under reforestation that have not yet reached but are expected to reach a canopy cover of 10 percent and a tree height of 5 meters are included, as are temporarily unstocked areas, resulting from human intervention or natural causes, which are expected to regenerate.

Forests include areas with bamboo and palms provided that height and canopy cover criteria are met.

Forests include forest roads, firebreaks and other small open areas; forests in national parks, nature reserves and other protected areas such as those of specific scientific, historical, cultural or spiritual interest.

Forests include windbreaks, shelterbelts and corridors of trees with an area of more than 0.5 hectares and width of more than 20 meters.

Forests include plantations primarily for forestry protection purposes, such as rubber-wood plantations and cork oak stands. Tree stands in agricultural production systems, such as those in fruit plantations, and agroforestry systems are excluded from the definition of "forests". The term also excludes trees in urban parks and gardens.

- (b) "Wooded areas" means land not classified as "forest", spanning more than 0.5 hectares; with trees higher than 5 meters and a canopy cover of 5-10 percent, or trees able to reach these thresholds in situ; or with a combined cover of shrubs, bushes and trees above 10 percent. The term does not include land that is predominantly under agricultural or urban use.

## MEASURE TEMPLATE

**Name of the measure**

**Article (and paragraph) which covers the measure**

**Code of the measure (227)**

**Rationale for intervention**

**Objectives of the measure**

**Scope and actions**

**Definition of operations to be supported**

**Description of the link to commitments provided for in Article 36(b)(v) of Regulation (EC) 1698/2005 –forest environment payments- or other environmental objectives**

**Description of the public amenity values to be enhanced**

**Linkage of proposed measures with national/sub-national forest programmes or equivalent instruments and with the Community Forestry Strategy**

**Reference to the forest protection plans for areas classified as high or medium risk for forest fires and the elements ensuring conformity of proposed measures with these protection plans.**

**Financing**

- Total cost
- Public expenditure

**Transition arrangements (including estimated amount)**

**Quantified targets for EU common indicators**

<b>Type of indicator</b>	<b>Indicator</b>	<b>Target 2007-2013</b>
Output	Number of supported forest holders	
	Total volume of investment	
Result	Areas under successful land management	
Impact	Change in high nature value areas	
	Changes in gross nutrient balance	
	Increase in production of renewable energy	

**Additional programme-specific indicators and quantified targets**