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ENCA Document 30/2012 –-Interest Group Sustainable Land-Use & Agriculture; Position Statement 01/2012

ENCA Position-Paper on "Ecological Focus Areas (EFAs)"

Prepared by the ENCA IG Sustainable Land -Use and Agriculture[1]

This statement was approved by the following agencies:

- Countryside Council for Wales
- Environment Agency Austria
- Federal Agency for Nature Conservation, Germany
- Federal Office for the Environment, Switzerland
- Italian Institute for Environmental Protection and Research (ISPRA)
- Scottish Natural Heritage

Summary

In this paper the ENCA welcomes the Commission's proposals to green Pillar 1 of the CAP. Greening Pillar 1 is necessary to complement the role of Pillar 2 in meeting the full range of environmental land management challenges now facing the EU. We emphasize the need for an effective "greening" of Pillar 1, and in particular support the introduction of Ecological Focus Areas on at least a 7% of the agricultural land. We would like to stress the importance of arrangements that will permit the greening measures to be effectively co-ordinated with Agri-environmental Schemes (in the sense of the concept paper of 12th May 2012) so as to give added value with regard to the European biodiversity targets. It is essential that EFAs are implemented by all farms and across all landscapes to consolidate a basic ecological infrastructure for Europe's countryside.

EFAs should not be seen merely as a mechanism for taking land out of production. They are rather another way of managing the land in a more sustainable way with a focus on achiev-

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ing biodiversity and environmental benefits. We therefore submit some proposals in this paper on how to implement EFAs, including the types of features to be considered and the necessary management (e.g. avoiding the use of chemical fertilizers and pesticides). Properly implemented, the greening of Pillar 1 could make a particularly important contribution to the ecological function and the appearance of intensively farmed landscapes. A coherent network of high quality environmental features within these areas is needed to support the ecosystem services which underpin the long term sustainability of European agriculture, its contribution to the wider economy, and the quality of life within rural communities. Tackling the challenges posed by the current state of our soils, air, water and biodiversity will require substantive action across various EU policies, but the proposed EFA measure has the potential to make significant progress with the task that lies ahead.

1. Introduction

Draft legislative proposals for CAP reform during the period 2014-20 were first published by the European Commission on 12 October 2011. These cover the future structure of Direct Payments under Pillar 1 as well as a new Rural Development Regulation under Pillar 2. One of the Commission's main aspirations for the next programming period is to achieve a 'greener' CAP, primarily through allocating 30 per cent of Pillar 1 Direct Payments to new greening measures This is intended to support those farmers undertaking specific 'agricultural practices beneficial to climate and environment'. These measures are defined as crop diversification, the maintenance of permanent grassland and the creation of Ecological Focus Areas (EFAs).

Whilst Pillar 2 measures may often be more effective in delivering precise environmental outcomes, the resources available within this part of the CAP are currently insufficient to meet environmental needs[2]. A **green Pillar 1 is therefore necessary to complement the role of Pillar 2 in meeting the full range of environmental land management challenges now facing the EU.**

In responding to the Commission's earlier Communication on the future of the CAP[3], we stated that *"the proportion of Pillar 1 support dependent on achieving environmental outcomes must be substantial, or compliance with green measures must be a precondition of receiving the basic Pillar 1 payment"*. In addition, *"whilst seeking to create a green infrastructure that supports the provision of ecosystem services and improves the ecologi-*

[2] ENCA statement on "Delivering biodiversity objectives through agri-environment measures of the CAP: evidence of success and the scale of future needs". Accessible at: https://www.encanetwork.eu/library

[3] The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future. COM/2010/0672 final. Accessible at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0672:EN:NOT

cal connections between Natura 2000 sites, the biggest challenge lies within intensively farmed areas"[4].

Of the three greening measures now under consideration within Pillar 1, **EFAs seem likely to provide the greatest environmental benefits,** although much will depend on how the measure is applied within individual Member States. Under the current proposals, farmers will need to ensure that at least 7% of their eligible hectares (excluding areas under permanent grassland[5]) are placed within an EFA[6]. How this will be achieved is currently under debate, and the concept paper on greening[7] has recently made some suggestions that could adapt the measures more readily to the environmental needs of different farming systems across Europe.

The proposal to create EFAs across the farmed landscape is based on evidence of a widespread decline in farmland wildlife and the failure to meet EU biodiversity targets[8] as well as the requirements of both the Water Framework Directive and the EC Climate Change Strategy. The concept draws heavily on the Swiss practice of allocating a fixed percentage of the agricultural land area to environmental uses.[9]

Results from recent modelling of impacts on farmland biodiversity on an EU scale show, that allocating a minimum of 5% of arable land to EFAs would have a positive effect on biodiversity at an EU level, resulting in an average 1% higher farmland species richness compared with a baseline scenario. Increases are most pronounced within intensively

[4] ENCA Position paper on "The CAP towards 2020". Accessible at: https://www.encanetwork.eu/library

[5] The Commission's recent Concept Paper on Greening (accessible at; http://ec.europa.eu/agriculture/cap-post-2013/legal-proposals/concept-paper-on-greening_en.pdf) suggests that the existing definition of permanent grassland could be extended to include areas where non-herbaceous species are predominant, provided the land is still suitable for grazing. In the case of extensive farming systems such an approach could also serve to reduce the base area on which EFAs are calculated and this is discussed in the subsection 'Avoiding perverse effects' (see later on) .

[6] The draft Regulation on Direct Payments states:

Article 32(1) Farmers shall ensure that at least 7% of their eligible hectares as defined in Article 25(2), excluding areas under permanent grassland, is ecological focus area such as land left fallow, terraces, landscape features, buffer strips and afforested areas as referred to in article 25(2)(b)(ii).

Article 32(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 55 to further define the types of ecological focus areas referred to in paragraph 1 of this Article and to add and define other types of ecological focus areas that can be taken into account for the respect of the percentage referred to in that paragraph.

[7] European Comission, DG Agri, Concept paper-May 2012, agricultural council, Greening, accessible at: ec.europa.eu/agriculture/cap-post.../concept-paper-on-greening_en.pdf -

[8] Biodiversity — SOER 2010 thematic assessment. European Environment Agency. Accessible at: http://www.eea.europa.eu/soer/europe/biodiversity

9 'Swiss Agriculture on the Move: The New Agriculture Act - 10 years on'. Accessible at: http://www.blw.admin.ch/dokumentation/00018/00498/index.html?lang=en

farmed areas. The results stem from changes in land use type and intensity only and do not include measures like creating green infrastructure[10].

While targeted management on smaller areas has been shown to support particular species, scientific evidence suggests that 10-15% of the farmed area may be required as EFAs in order to deliver a full range of environmental benefits, especially where management is less precisely focused.[11] The proposed **minimum allocation of 7% therefore appears to represent a reasonable approach at EU level,** in particular where the management regime is highly generalised and uncropped areas such as field boundaries and existing habitats have also been included in an EFA.

2. The benefits provided by EFAs

EFAs have the potential to contribute to the provision of a wide range of ecosystem services through[12]:

- Safeguarding farmland biodiversity by creating new cropped and uncropped habitats which can be linked with existing patches of semi-natural vegetation;
- Improving water quality through the use of buffer strips adjacent to rivers, lakes and other wetland features;
- Reducing erosion and increasing soil fertility through the use of grass buffer strips and areas of fallow, alongside the maintenance of terraces.
- Reducing GHG emissions as a result of decreased agricultural inputs whilst enhancing soil carbon sequestration and flood management through the creation of small woodlands, shelterbelts and wetlands;
- Enhancing cultural landscapes by protecting existing features as well as creating new features to provide additional diversity.

The new green infrastructure provided by EFAs is most likely to be effective in those areas where arable rotations are dominated by winter cropping and intensively managed spring crops or where livestock systems are based on the use of intensively managed temporary grasslands. In particular, the implementation of EFAs will be critically impor-

[10] Westhoek H.et al. (2012) Greening the CAP - an analysis of the effects of the European Commission's proposals for the Common Agricultural Policy 2014-2020. PBL Netherlands Environmental Assessment Agency, The Hague.
[11] Oppermann R., Institute for Agro-ecology and Biodiversity (IFAB) Germany. Presentation to LUPG workshop on EFAs, Brussels 6th March 2012. http://www.cap2020.ieep.eu/assets/2012/3/9/3__Oppermann_IFAB_LUPG_EFAWorkshop_6Mar12.pd
[12] Maximising Environmental Benefits through Ecological Focus Areas. Allen, B., Buckwell, A,. Baldock, D., Menadue H. (2012) Report to Land Use Policy Group by Institute for European Environmental Policy. Accessible at http://www.lupg.org.uk/

tant for re-establishing a minimum level of biodiversity in many of those European regions now dominated by intensive agriculture.

Both the location and subsequent management of EFAs will be critical to realising many of the potential environmental benefits. Establishing at least some EFAs on organic soils or adjacent to streams and other existing habitats will provide maximum benefit in terms of biodiversity, water quality and reduced emissions of greenhouse gases (GHG).

Removing from production those areas which are most difficult to farm alongside protecting existing environmental features will often provide significant environmental and agricultural benefits. At the same time, the creation of areas of fallow and less intensively managed crops will help to sustain a wide range of farmland birds, mammals and rare arable weeds[13]. The precise mix of management required to achieve the best results is often very site specific; suggesting a major role for the various Member State Farm Advisory Services.

Many of the features likely to be associated with EFAs will need regular active management in order to ensure the delivery of maximum benefit. This kind of requirement will apply to areas of less intensively managed arable land, buffer strips, traditional orchards and existing semi-natural wildlife habitats as well as traditional field boundaries such as hedges, stone walls, ditches and terraces. Many of these features were originally established for agronomic reasons but now also provide significant environmental benefits[14].

3. What kind of features should be included within EFAs?

The list of features considered to be acceptable within an EFA needs to be long enough to provide sufficient flexibility for a wide range of agricultural sectors and farm types (see Table 1). At the same time, it will be necessary to ensure that the EFA measure generates “added value” in environmental terms by ensuring a significant step change in the management of more intensively farmed landscapes. In this context, the inclusion of sufficient in-field and other field edge features within individual EFAs may well be critical to their success.

[13] Farm4bio farm-scale management of uncropped land for biodiversity. HGCA Research project sponsored by Defra. Further information accessible at: http://www.hgca.com/content.output/3323/3323/Environment/Biodiversity/Farm4bio%20farm-scale%20management%20of%20uncropped%20land%20for%20biodiversity.mspx

[14] Reflecting Environmental Land Use Needs into EU Policy: Preserving and Enhancing the Environmental Benefits of Unfarmed Features on EU Farmland, Contract No ENV.B.1/ETU/2007/0033, IEEP report for DG Environment

Table 1: Potential types of Ecological Focus Areas[15]

Location	Traditional landscape features	Other features
Field edge	• Hedgerows • Stone walls (including terrace walls) • Ditches • Banks • Field corners	• Grass buffer strips • Wildlife strips, seed mixes and conservation headlands
In field	• Terraces • Archaeological features • Ponds • Trees (single, lines, groups)** • Fallow (part and whole field)	• Skylark plots • Beetle banks • Game bird areas • Wet areas & semi-natural habitats
Outside cultivated areas	• Certain afforested land* • Small areas of woodland • Restored and Re-created Habitats	
	* the current Commission proposal suggests that EFARD- assisted new afforestation on land previously used for agriculture would be eligible. ** may also be found at the field edge	

4. The management of EFAs

The way in which the EFA measure is implemented will have significant implications for its environmental effectiveness. In principle, the use of fertilizers and pesticides should be avoided on the land entered into EFA´s, although some exceptions may need to be made in order to control particularly problematical weed species or where small quantities of farmyard manure are traditionally applied to semi-natural grasslands[16].

But not only will the management, also the location of EFAs will be key for yielding environmental gains. Thus, it is essential that EFAs are implemented by all farms and across all landscapes to ensure a basic infrastructure with ecological connections. In order to achieve maximum environmental benefits it would be desirable that at least farms above certain size (e.g. more than 100 ha of arable land and/or permanent crops) receive farm-

[15] Adapted from "Maximising Environmental Benefits through Ecological Focus Areas". Allen, B., Buckwell, A,. Baldock, D., Menadue H. (2012) Report to Land Use Policy Group by Institute for European Environmental Policy. Accessible at http://www.lupg.org.uk/

[16] Similar provisions apply in many agri-environment schemes.

specific advice in terms of planning and establishment of EFAs, e.g. along streams, on organic soils etc).

- ***Eligibility***

Some features of traditional farmland such as hedgerows and stone walls are currently excluded from the area on which Direct Payments can be made. It is not clear whether these features, or other areas presently excluded from 'eligible hectares' can be included in EFAs although there are merits from both an agricultural and an environmental perspective in including them. The need to ensure sufficient added value suggests that some kind of maximum limit should be placed on the extent to which such permanent features are allowed to contribute to the overall requirement of 7%.

We believe that the inclusion of existing semi-natural habitats (whether grazed or ungrazed) should also be permitted within an EFA. Management would need to be in accordance with the requirements of Good Agricultural and Environmental Conditions.

- ***Making allowances for agricultural production***

Agricultural production is not incompatible with management of land for biodiversity. For instance, a minimum level of grazing and/or hay cropping will be necessary to maintain existing semi-natural grasslands whilst cereal crops grown without herbicides and overwintered stubbles provide a source of food for many farmland birds. Arable fallow should also be able to count towards the EFA requirement. Subject to devising suitable implementation rules, a range of other land uses such as arable crops grown without herbicides, overwintered stubbles, green manures and green cover may also be acceptable for inclusion within EFAs on condition that sufficient environmental benefits can be delivered.

- ***The relationship between EFAs and agri-environment schemes***

The question of whether land currently managed under agri-environmental schemes (AES) should also be allowed to count towards the EFA requirement has been addressed within the Commission's recent Concept Paper on Greening[17]. For such farms to be seen as 'green by definition' it is suggested that they would need to be in whole farm agri-environment schemes. In addition these schemes should be more environmentally ambitious than the relevant Pillar 1 greening measure. Provided the necessary implementation mechanisms can be put in place, we consider that this combination of proposals could help to encourage greater participation in the more ambitious agri-environment schemes. At the same time, the Commission's proposals should help to ensure that the EFA measure is still able to provide added value across many of the more intensively farmed landscapes in Europe.

[17] http://ec.europa.eu/agriculture/cap-post-2013/legal-proposals/concept-paper-on-greening_en.pdf

One further advantage of allowing participation in higher level schemes to count towards the Pillar 1 greening requirement is that more advice can be made available to ensure that any new environmental features are sited in the optimal location. Subject to addressing any double funding, the proposed approach should also help to underpin the kinds of more precise and targeted land management which are needed to ensure that each EFA delivers the maximum environmental benefit from any given area of land.

- ***Avoiding perverse effects***

In some situations, the application of the EFA measure could result in undesirable, consequences. For instance, where a small proportion of an extensive HNV livestock farm is devoted to cereals and other fodder crops, the requirement to create an EFA on 7% of the cultivated area may affect the viability of the arable enterprise, leading to more use of silage and/or purchased animal feeds. Any greening obligation should not impose undue constrains on those farms that are already making a substantial environmental contribution.[18]

5. *Conclusions*

Properly implemented, the greening of Pillar 1 could make a substantial contribution to the provision of green infrastructure across Europe, especially within more intensively farmed landscapes. A coherent network of high quality environmental features within these areas is needed to support the continued provision of the ecosystem services which underpin the long term sustainability of European agriculture as well as the quality of life within rural communities and the success of the wider economy. Tackling the challenges posed by the current state of our soils, air, water and biodiversity will require substantive action across a wide range of policy areas, but the proposed EFA measure has the potential to make a significant impact in dealing with the scale of the task that lies ahead.

[18] An increase in the exemption threshold for the crop diversification measure has already been proposed and a similar EFA exemption may also be necessary to protect those types of farms (see EC Concept Paper on Greening, section 4).