

Sub-measure fiche (annex I to the measure fiche "forestry")

## **Afforestation and creation of woodland**

### **Measure 8**

Article 22 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)

Article XX of Commission Regulation [...]

*This fiche is based on the text of Regulation (EU) No 1305/2013 [EAFRD] and, when relevant, on Regulation (EU) No 1303/2013 [CPR]. Since the Delegated and Implementing Acts supplementing these regulations have not yet been adopted, some modifications to this guidance fiche might be needed after their adoption.*

*This guidance does not represent a binding legal interpretation of Regulation (EU) No 1305/2013. It is therefore essentially non-binding in nature and complements the related legal acts.*

#### **1. RATIONALE OF THE MEASURE**

Afforestation plays an important role in responding to some of the key ecological and societal objectives of the EU Rural Development policy. Afforestation has a favourable impact on soil, water, air and biodiversity. Afforestation and creation of woodland respond to the need of enhancing ecosystems and carbon sequestration and to shift to a low carbon economy. Afforestation also contributes to the protection of the environment, prevention of natural hazards and fires and contributes to the adaptation of climate change.

#### **2. CONTRIBUTION TO FOCUS AREAS AND CROSS-CUTTING OBJECTIVES**

In the context of strategic programming<sup>1</sup> afforestation contributes particularly to:

Priority 5 "*Promoting resource efficiency and supporting the shift towards a low carbon and climate resilient economy in agriculture, food and forestry sectors*", and especially to Focus area 5 E "*Fostering carbon sequestration in agriculture and forestry*" as well as Priority 4 "*Restoring, preserving and enhancing ecosystems related to agriculture and forestry*".

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<sup>1</sup> See the Commission Working Paper "Elements of strategic programming for the period 2014-2020".

### **3. SCOPE, TYPE AND LEVEL OF SUPPORT**

#### **3.1. Type of operation**

The eligible types of operations may be:

Afforestation of agricultural or non-agricultural land, including:

- Plantation of new forest and wooded area (except short rotation coppice<sup>2</sup>, Christmas trees and fast growing trees for energy production<sup>3</sup>).
- Compensation for agricultural income foregone.
- Compensation for maintenance of afforested land

#### **3.2. Beneficiaries**

The eligible beneficiaries may be:

- Public land holders
- Private land holders
- Associations of public or private land holders

The forest land can be owned by the State on condition the holder (manager) of the forest is a private body or municipality. In this case only the costs of establishment are covered by the support.

Limitations of ownership of forests do not apply to the EU's Outermost Regions, as provided in the article 22 of the Rural Development Regulation. Consequently, in the Outermost Regions both the beneficiary and the owner could be the State/region.

#### **3.3. Eligible costs and conditions**

According to the Article 22(1) of the Rural Development Regulation the eligible costs may be:

##### *3.3.1. Eligible costs*

**Establishment costs** may include;

- Cost of plantation and propagation material.

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<sup>2</sup> "short rotation coppice" means areas planted with tree species of CN code 06 02 9041 to be defined by Member States that consist of woody, perennial crops, the rootstock or stools of which remain in the ground after harvesting, with new shoots emerging in the following season and with a maximum harvest cycle to be determined by the Member States, as established in the Article 4(1)(k) in the Regulation (EU) No 1307/2013.

<sup>3</sup> Fast growing trees for energy production refers to produced wood and biomass that is primarily used for energy production. It does not exclude residues resulting from harvest and maintenance.

- Plantation and other necessary costs directly linked to plantation, such as preparation of afforestation plan, soil examination, soil preparation and protection.
- Other related operations, such as storing and treatments of seedlings with necessary prevention and protection materials (for example, inoculation with mycelium or nitrogen collecting bacteria, protection carried out either individually or by fencing the afforested area).
- Necessary treatment connected to the establishment and planting; including watering and cutting.
- Replanting in case of biotic or abiotic calamity causing a large scale failure (during the first year of afforestation). In order to replant, a formal recognition by public authorities acknowledging officially an occurrence of a calamity is necessary. Replanting should be adapted to acknowledged needs. The possibility should be envisaged in the Rural Development Programme.

**Annual premium (maintenance costs) per hectare** may cover;

- Early and late cleanings. The period is up to twelve years.
- Necessary actions in order to ensure the planted trees survive in terms of quantity and quality. These actions are normally composed of weeding, early and late cleaning and may include early thinning (release cutting), depending on tree species and the type of forest.
- Prevention actions against game, browsing animals, pests and diseases in order to ensure long-term results and to avoid unnecessary failure.

**Payments for income foregone** may cover;

- Loss of income from agricultural production.<sup>4</sup>

### 3.3.2. *Further conditions*

- The following minimum environmental requirements shall apply:
  - The selection of species to be planted, of areas and of methods to be used shall avoid the inappropriate afforestation of sensitive habitats such as peat lands and wetlands and negative effects on areas of high ecological value including areas under high natural value farming. On sites designated as Natura 2000 pursuant to Council Directive 92/43/EEC and Directive 2009/147/EC of the European Parliament and of the Council only afforestation consistent with the management objectives of the sites concerned and agreed with the Member State's authority in charge of implementing Natura 2000 shall be allowed;

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<sup>4</sup> In order to calculate the income foregone the Member State/region should ensure that overcompensation is avoided. The other possible payments for the same forest land, such as payments for maintenance and the benefits under the I Pillar of the Common Agricultural Policy should be reduced from the calculation. There is no minimum or maximum thresholds for the payment, provided it covers the agricultural income foregone and does not go beyond it.

- The selection of species, varieties, ecotypes and provenances of trees shall take account of the need for resilience to climate change and to natural disasters and the biotic, pedologic and hydrologic condition, as well as of the potential invasive character of the species as defined by Member States under local conditions of the area concerned. The beneficiary shall be required to protect and care for the forest at least during the period for which the premium for agricultural income foregone and maintenance is paid. This shall include tending and thinnings or grazing, as appropriate, in the interest of the future development of the forest and regulating competition with herbaceous vegetation and avoiding the building up of fire prone undergrowth material. As regards fast-growing species, Member States shall define the minimum and maximum time before felling. The minimum time shall not be less than 8 years and the maximum shall not exceed 20 years;

- In cases where, due to difficult environmental or climatic conditions, including environmental degradation, the planting of perennial woody species cannot be expected to lead to the establishment of forest cover as defined under the applicable national legislation, the Member State may allow the beneficiary to establish or maintain other woody vegetation cover. The beneficiary shall provide the same level of care and protection as applicable to forests;

- In the case of afforestation operations leading to the creation of forests of a size exceeding a certain threshold, to be defined by Member States, the operation shall consist of either:

(i) the exclusive planting of ecologically adapted species and/or species resilient to climate change in the bio-geographical area concerned, which have not been found, through an assessment of impacts, to threaten biodiversity and ecosystem services, or to have a negative impact on human health; or

(ii) a mix of tree species which includes either:

at least 10 % of broadleaved trees by area, or

a minimum of three tree species or varieties, with the least abundant making up at least 10 % of the area.

- The Member State/region should include in their Rural Development Programme an identification of the specific environmental, pedologic and hydrologic conditions of the area and an explanation of how these conditions have been taken into consideration in choosing the species.
- Short rotation coppice, Christmas trees and fast growing trees for energy production are excluded from the Union support under this measure. However, under the measure "Investments in physical assets "support can be sought for the short rotation coppice.
- In case of spontaneous afforestation establishment costs can be provided only to the areas where additional plantation is needed. However, the entire afforested area, regardless the origin of the trees, can be covered by the maintenance costs, if maintenance activities are regularly carried out.

- Areas that can be supported under the measure "afforestation" of Rural Development, are also eligible for claiming direct payments under the Single Payment Scheme or the SAPS (under Pillar I) provided that these areas comply with conditions under point b of Article 32(2) of Regulation (EU) No 1307/2013.

### **3.4. Principles with regard to the setting of selection criteria**

The selection criteria are applicable to this measure. In this section a reference should be made to the European Commission document "*Guidelines on Eligibility Conditions and Selection Criteria*".

It is recommended that the eligible project is in compliance with the relevant forest protection plan as regards the prevention of forest fires and other natural and biotic hazards. A special attention is to be paid to the selection of afforested areas and species (as it is detailed in Article 6 of the Commission Delegated Regulation (EU) No.....).

### **3.5. Links to other legislation (e.g. "baseline" for measures that compensate for costs incurred / income foregone)**

A link to the relevant legislation should be established in the Rural Development Programme.

### **3.6. Aid intensity/amount of support**

The Rural Development Regulation does not fix a maximum support rate for this sub-measure.

### **3.7. Co-financing rate(s)**

This measure is among the measures which contribute to the compliance with the requirement stipulated in Article 59(6) of Regulation 1305/2013 and which requires that at least 30% of the total EAFRD contribution to the rural development programme shall be reserved for measures contributing to climate change mitigation and adaptation as well as environmental issues.

Furthermore, this measure can also benefit from a higher co-financing rate (75%) as it contributes to the objectives of environment and climate change mitigation and adaptation (Article 59(4)(b) of the RD Regulation). In case of the less developed regions, in the outermost regions and in the smaller Aegean islands this co-financing rate can be even higher (85% of the eligible public expenditure) as stipulated in Article 59(3)(a).

## **4. INDICATORS**

In planning the indicators it should be taken into consideration the principles detailed in the Annex IV of Working Paper "Elements of strategic programming for the period 2014-2020". In specifically, it must be noted that individual targets would be set in terms of number of physical hectares on which action is planned for carbon sequestration compared to the total number of forestry land.

## **5. VERIFIABILITY AND CONTROLLABILITY**

Reference to be made to the "*Guidelines on verifiability and prevention of errors*".

## **6. BEST PRACTISES**

It is recommended that the eligible project is in compliance with the relevant forest protection plan as regards the prevention of forest fires and other natural and biotic hazards. A special attention is to be paid to the selection of afforested areas and species. Afforestation can be used for protective purposes, protection against erosion, avalanches, drought, and around human settlements creation of better microclimate or protection against noise or dust.

As a general guidance afforestation should be planned and implemented with consideration of the Pan-European Guidelines for Afforestation and Reforestation with a special focus on the provisions of the UNFCCC which has been endorsed by the Ministerial Conferences on the Protection of Forests in Europe (FOREST EUROPE) and by the Environment for Europe/Pan-European Biological and Landscape Diversity Strategy (PEBLDS).