

Measure fiche

Forest-environmental and climate services and forest conservation

Measure 15

Article 34 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)

This fiche is based on the text of Regulation (EU) No 1305/2013 [EAFRD] and, when relevant, on Regulation (EU) No 1303/2013 [CPR]. The Delegated and Implementing Acts supplementing these regulations have also been considered in this guidance fiche.

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

1. RATIONALE OF THE MEASURE

First of all, the measure “Forest-environmental and climate services and forest conservation” responds to the needs of promoting the sustainable management and improvement of environmental values in forests and woodland, including the maintenance and improvement of biodiversity, water and soil resources and mitigating and adapting to the effects of climate change.

Secondly, this measure responds to the need to conserve forest genetic resources and activities to develop varieties of forest species able to adapt to specific or changing local conditions. Genetic diversity within individual trees of stand and species diversity are needed to ensure that the forests contribute in full to all the environmental, climatic and societal objectives, as mentioned in the measure fiche “Forestry” detailing the role of the forestry sector in the European Union. Without such diversity, forests lose vitality and become less resilient to pests and diseases, thus unable to provide the expected ecosystem services.

By improving forests biodiversity and the resilience of ecosystems, this measure is an important tool for Green Infrastructure's implementation.

However, it has to be noted that there exist close-to-nature or natural systems where one tree species is strongly dominant and which represent climax state for particular site.

2. CONTRIBUTION TO FOCUS AREAS AND CROSS-CUTTING OBJECTIVES

In terms of intervention logic¹ foreseen for the 2014-2020 Rural Development programming period, this measure contributes to all the Focus Areas of the Priority 4 "Restoring, preserving and enhancing ecosystems dependent on agriculture and forestry".

3. SCOPE, TYPE AND LEVEL OF SUPPORT

3.1. Type of operation

The eligible types of operations may be:

- Forest-environment commitments
- Conservation of forest genetic resources.

3.2. Beneficiaries

The eligible beneficiaries may be:

- Public forest holders
- Private forest holders
- Other private law and public bodies
- Associations of above mentioned entities

The forest land can be owned by the State on condition the holder (manager) of the forest is a private body or municipality. Support may be also provided to public entities for the conservation and promotion of forest genetic resources. In this case, the forest may also belong to and be managed by a public entity.

3.3. Eligible costs and conditions

3.3.1. *Eligible costs – supported operations*

Payments shall compensate beneficiaries for all or part of the **additional costs and income foregone** resulting from the commitments made.

Payments for **forest-environment and climate service commitments** may cover;

- Ensuring the persistence of specific forest habitats and the conditions for their natural regeneration with high species and genetic diversity.
- Conversion of forest stands including;
 - Provoking or allowing natural regeneration and broader species diversity in order to improve biodiversity and climate resilience.

¹ See Annex III of the Commission Working Paper "Elements of strategic programming for the period 2014-2020".

- maintenance of diverse typical forest edge vegetation or understory to preserve forest microclimate and prevent the carbon content of the forest soil.
- developing continuous cover forestry instead of clearcutting, in order to maintain high organic matter content of forest soil.

Environmental management for recreation.

- Low impact silviculture: protection of forest soil, soil friendly harvesting and transporting methods, including transportation and extraction of wood by using horses or cable cranes² as alternative methods in order to protect forest environment while transporting or extracting wood. This transport method may be eligible for support only when it is necessary for environmental purposes and forest regeneration, thus ensuring continuous cover instead of clear cutting.
- Habitat improvements interventions, including the improvement of wildlife corridors, e.g. maintenance of micro-habitats, small open areas, leaving behind decaying and dead trees for biodiversity reasons.
- Transition to mosaic-character forest complex structures by leaving groups of trees after final felling in homogeneous stands, postponement of final felling to protect habitats, soil and water sources, preservation of wetland habitats, suppression of invasive non-indigenous tree and shrub species.

Payments for **conservation of genetic resources** may include;

- Targeted actions: actions promoting the *ex situ*³ and *in situ* conservation⁴, of genetic diversity, characterisation of gene pools, collection and utilisation of genetic resources, including inventories of genetic resources currently conserved *in situ*, *in situ/on-holding* conservation⁵, and *ex situ* collections⁶ (gene banks) and databases.
- Concerted actions: exchange of information for conservation, characterisation, collection and utilisation of genetic resources in EU forestry, among competent organisations in the Member States.

² The payment may cover the difference of costs between the use of horses or cable cranes compared to conventional methods of transporting or extracting wood from forest. The payment may be done also per unit costs, converted from hectare payment, as foreseen in Article 9 of the Commission Implementing Regulation (EU) No .../.. laying down rules for the application 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) and repealing Council Regulation (EC) No 1698/2005

³ ‘*ex situ* conservation’ means the conservation of genetic material for forestry outside its natural habitat

⁴ ‘*in situ* conservation’ means the conservation of genetic material in ecosystems and natural habitats and the maintenance and recovery of viable population of species in their natural surroundings.

⁵ ‘*in situ/on-holding* conservation’ means *in situ* conservation and development at the level of the forest holding

⁶ ‘*ex situ* collection’ means a collection of genetic material for forestry maintained outside its natural habitat

- Accompanying actions: collection and dissemination of information about the genetic patrimonium of forests.
- These actions in conserving genetic resources can cover various activities adapted to the local conditions and specific needs, such as:

(a) in the case of specific forest stands designated as "seed production stands" as source for production of verified reproductive material: costs of approval/concession including the related administrative costs and official declaration, maintenance, and management plan, conservation and breeding of rare tree species and shrubs for seed production and harvest.

(b) for forest stands designated to conserve important genetic resources: maintenance of stands for production of verified reproductive material, including maintenance and harvest of reproductive material (in particular seedlings and vegetative cuttings direct from forest rather than from nursery), forest genetic library and natural regeneration with suitable provenances to conserve and enhance genetic resources.

(c) use of seeds/plants of certified/verified provenance, including use of suitable seeds, cuttings and seedlings from own production for seeding/planting.

(d) in situ conservation: in-situ units of conservation may need different types of silvicultural works:

- prevention of development of other species than the conserved species,
- harvesting seeds, growing seedlings and completion of natural regeneration by additional planting with own genetic resources from the in-situ units of conservation, when natural regeneration is not sufficient,
- silvicultural works required by the management plan,
- conservation and breeding of rare tree species and shrubs, such as die-back resistant elm or ash provenances for seed production and harvesting of cuttings.

(e) ex-situ conservation: inventory, harvest of forest genetic resources, creation and maintenance of ex-situ units of conservation.

- No support under this measure shall be granted for activities funded by the EU framework programme for research and innovation.

3.3.2. *Further conditions*

- Payments shall cover only those commitments going **beyond** the relevant mandatory requirements established by the national forestry act or other relevant national legislation. All such requirements shall be identified in the programme.
- Commitments shall be undertaken for a period of between five and seven years. However, where necessary and duly justified, Member States may determine a longer period in their rural development programmes for particular types of commitments.

3.4. Principles with regard to the setting of selection criteria

See the European Commission document *"Guidelines on eligibility and Selection Criteria"*.

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.

The article 48 (Revision clause) of the Rural Development Regulation is applicable to this measure.

3.6. Aid intensity/amount of support

According to the Rural Development Regulation the maximum support rate is 200 Euros per hectare per year. The amount may be increased in **duly substantiated** cases taking into account specific circumstances to be justified by the Member State/region in the Rural Development Programme.

The basis for payment calculations should be established according to the article 62(2).

In duly justified cases, in operations concerning environmental conservation, support may be granted as a flat-rate or one-off payment per unit for commitments for renouncing commercial use of trees and forests⁷, calculated on basis of additional costs incurred and income foregone. In this case, the use of other unitary cost the result of the calculation should be expressed / transformed to area based annual payment format (euros/hectares/year) as it is indicated in the Annex of the Regulation. This calculation method should be expressed explicitly in the Rural Development Programme.

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).

⁷ In case of ecological needs, such as enhancing biodiversity, beneficiary renounces the commercial use of wood. This one-off payment is a supporting action in order to facilitate the process.

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".

5. VERIFIABILITY AND CONTROLLABILITY

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

6. BEST PRACTISES

Some good examples of what could be done under this measure (based on past experience) are found in the ENRD website or brochures.

This measure may be combined as a complementary instrument with the sub-measure under article 25 "Investments improving resilience and environmental value of forest ecosystems" of the Rural Development Regulation.

As regards the accompanying actions to this measure: advisory actions involving non-governmental organisations and other relevant stakeholders, training courses and the preparation of technical reports can be supported under other measures available under the Rural Development Regulation.

EU Rural Review No. 9: Forestry and rural development:

http://enrd.ec.europa.eu/app_templates/filedownload.cfm?id=ED57142C-E0C7-3E97-E70E-E40EC9E8CCB1

The European Agricultural Fund for Rural Development Examples of Forestry projects:

http://enrd.ec.europa.eu/app_templates/filedownload.cfm?id=6871F084-FDA8-A93F-FF0C-DC38AD30D86C