



Department of
**Agriculture,
Fisheries and Food**

An Roinn
**Talmhaíochta,
Iascaigh agus Bia**

Cross Compliance Farm Advisory Service Training Birr 2009

Good Agricultural
Environmental Condition
GAEC

Legal Framework

GAEC Council Reg. 73/2009 Annex III

This is revised Reg. following the Health
Check



Legal Framework

- # Article 6 of Council Regulation 73/2009 :
- # *"Member States shall ensure that all agricultural land, especially land which is no longer used for production purposes, is maintained in good agricultural and environmental condition."*

Legal Framework

- *“Member States shall define, at national or regional level, minimum requirements for good agricultural and environmental condition on the basis of the framework established in Annex III”*



Legal Framework

- # Article 6 of R.73/2009 leaves flexibility to the Member State to define the precise content of a GAEC standard taking into account local conditions:
- # *"Member States shall define [...] minimum requirements for good agricultural and environmental condition [...] taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures."*

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So the primary objective of the GAEC is to maintain land in good condition.

And each MS must decide its own detailed rules within the legislative framework which reflect the local situation.



Good agricultural and environmental condition referred to in Article 5

OLD

Issue	Standards
<p>Soil erosion:</p> <p>Protect soil through appropriate measures</p>	<ul style="list-style-type: none"> — Minimum soil cover — Minimum land management reflecting site-specific conditions — Retain terraces
<p>Soil organic matter:</p> <p>Maintain soil organic matter levels through appropriate practices</p>	<ul style="list-style-type: none"> — Standards for crop rotations where applicable — Arable stubble management
<p>Soil structure:</p> <p>Maintain soil structure through appropriate measures</p>	<ul style="list-style-type: none"> — Appropriate machinery use
<p>Minimum level of maintenance:</p> <p>Ensure a minimum level of maintenance and avoid the deterioration of habitats</p>	<ul style="list-style-type: none"> — Minimum livestock stocking rates or/and appropriate regimes — Protection of permanent pasture — Retention of landscape features — Avoiding the encroachment of unwanted vegetation on agricultural land

Good agricultural and environmental condition referred to in Article 6

New

Issue	Compulsory standards	Optional standards
Soil erosion: Protect soil through appropriate measures	— Minimum soil cover	— Retain terraces
	— Minimum land management reflecting site-specific conditions	
Soil organic matter: Maintain soil organic matter levels through appropriate practices	— Arable stubble management	— Standards for crop rotations
Soil structure: Maintain soil structure through appropriate measures		— Appropriate machinery use
Minimum level of maintenance: Ensure a minimum level of maintenance and avoid the deterioration of habitats	— Retention of landscape features, including, where appropriate, hedges, ponds, ditches trees in line, in group or isolated and field margins	— Minimum livestock stocking rates or/and appropriate regimes
		— Establishment and/or retention of habitats
	— Avoiding the encroachment of unwanted vegetation on agricultural land	— Prohibition of the grubbing up of olive trees
	— Protection of permanent pasture	— Maintenance of olive groves and vines in good vegetative condition
Protection and management of water: Protect water against pollution and run-off, and manage the use of water	— Establishment of buffer strips along water courses ⁽¹⁾	
	— Where use of water for irrigation is subject to authorisation, compliance with authorisation procedures	

⁽¹⁾ Note: The GAEC buffer strips must respect, both within and outside vulnerable zones designated pursuant to Article 3(2) of Directive 91/676/EEC, at least the requirements relating to the conditions for land application of fertiliser near water courses, referred to in point A.4 of Annex II to Directive 91/676/EEC to be applied in accordance with the action programmes of Member States established under Article 5(4) of Directive 91/676/EEC.

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- # Health Check changes:
- # The Optional standards listed in the third column of Annex III shall be optional except where
 - # (a) *the Member State had defined, for such a standard, a minimum requirement for the GAEC before 1 January 2009, and/or*
 - # (b) *national rules addressing the standard are applied in the Member State*



GAEC

- # **Minimum soil cover**
Issue: Protect soil from erosion
- # **Minimum land management reflecting site-specific conditions**
Issue: Protect soil from erosion
- # **Soil Structure**
Compaction and Machinery use
- # **Arable stubble management**
Issue: Maintain soil organic matter level



GAEC

- # **Retention of landscape features**, including, where appropriate, hedges, ponds, ditches, trees in line, in group or isolated and field margins
Issue: Minimum level of maintenance
- # **Avoiding the encroachment of unwanted vegetation on agricultural land**
Issue: Minimum level of maintenance
- # **Protection of permanent pasture**
Issue: Minimum level of maintenance
- # **Protection and management of water**

GAEC IRF

GAEC INSPECTION REPORT FORM		GAEC IRF 09	
Inspecting Officers Signatures. & Code(s)		Date	Version 31/07/2009
Applicants name	Herdnumber	LPIS Number if Non-compliant	Result
Group 1 Soil Erosion			
Ground Cover			
1A	Are there fields with finely tilled soils but not in the process of crop establishment or other land with inadequate soil/ground cover? (W= CL,11,31,51)		
Poaching			
1B	Is there evidence of Severe Poaching leading to Soil Erosion? (W= CL,11,31,51)		
Other Soil Erosion			
1C	Are sand dunes overgrazed or otherwise used resulting in erosion? (W=NA,CL 11,31,51)		
1D	Are there any other activities likely to cause soil erosion such as poor tillage practices or inadequate disposal arrangements for soiled water. (W=CL,4,11,31,51)		
GROUP 1 TOTAL			
Group 2 Soil Structure			
2A	Has soil compacted due to misuse of machinery? (W=CL,4,8,11,31,51)		
GROUP 2 TOTAL			
Group 3 Minimum Level of Maintenance			
3A	Is applicant in breach of a DAFF or other approved alternative management plan likely to cause a degradation in land quality?(W=NA,CL,4,8,11,31,51)		
Non Tillage Land			
3B	Is the management regime (grazing, cutting, topping) insufficient to ensure agricultural production to take place the following year? (W=NA,CL,4,11,31,51)		

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Tillage Land		
3C	Is tillage land (including land under Green Cover, Fallow or Regeneration) managed in a manner which conflicts with good husbandry practice? (W=NA,CL,4,11,31,51)	
Permanent Pasture		
3D	If required to do so nationally has applicant failed to obtain prior approval to plough permanent pasture or failed to re-convert land to permanent pasture where necessary? (W=NA,CL,11,31,51)	
3E	Is there evidence of rutting or poaching damage to permanent pasture caused by machinery or animals (W=NA,CL,4,11,31,51)	
3F	Is applicant in breach of the CFP with regard to outwintering or feeding points resulting in damage to Permanent Pasture(W=NA,CL,11,31,51)	
3G	Is applicant exceeding number of sheep allowed on the CFP (W=NA,CL,11,31,51)	
Monuments/Archaeological Sites		
3H	Where monuments or archaeological sites exist is there evidence of damage/disturbance?(W=NA,CL,11,31,51)	
Habitats		
3I	Is there evidence of damage/removal of habitats designated as SPA, SAC, NHA or the illegal cutting of trees or the removal of designated Landscape Features? (W=CL,11,31,51)	
Burning		
3J	Is there evidence of the burning of growing vegetation on cultivated or on non-cultivated land including permanent pasture without the necessary approvals? (W=CL,11,31,51)	
Invasive Species		
3K	Is applicant failing to take appropriate measures to prevent the encroachment of invasive species on to land including permanent pasture? (W=CL,4,11,31,51)	
Noxious Weeds		
3L	Is applicant failing to take appropriate measures to prevent the proliferation of Noxious Weeds? (W=CL,4,11,31,51)	
External Farm Boundaries		
3M	Is applicant failing to maintain stockproof external farm boundaries in fields declared as forage ? (W= NA,CL,4,11,31,51)	
		GROUP 3 TOTAL
Group 4 Protection and management of water:		
4A	Is the applicant failing to protect water from pollution and run-off, and/or mismanaging the use of water? (W=CL,4,11,31,51)	
		GROUP 4 TOTAL
Group 5 Soil Organic Matter		
5A	Has the applicant failed to satisfy the obligations in respect of organic matter sampling and/or failed to obtain and implement Farm Advisory Service remedial action advice where necessary? (W=NA CL,11,31,51)	

Soil Erosion

Tilled Soils

Are there fields with finely tilled soils but not in the process of crop establishment

Commonage

Is applicant in breach of the CFP with regards to outwintering

Is applicant exceeding number of sheep allowed on the CFP

Poaching

Is there evidence of Severe Poaching leading to Soil Erosion

Erosion

Are sand dunes overgrazed resulting in erosion

Is there any other activity causing soil erosion

Soil Compaction

- Has soil compacted due to misuse of machinery

Minimum Level of Maintenance

Management Plan

Is applicant in breach of a DAF or Other approved alternative management plan?

Non Tillage Land

Is the management regime (grazing, cutting, topping) inadequate to allow agricultural production to take place the following year

Tillage Land

Where a crop is planted, is it grown in a manner which conflicts with normal husbandry practice

Is set-aside land mismanaged under the SPS terms and conditions

Permanent Pasture

If required to do so nationally has applicant failed to obtain prior approval to plough permanent pasture

If required to do so nationally has applicant failed to re-convert land to permanent pasture

Minimum Level of Maintenance

Monuments/Archaeological Sites

Where monuments or archaeological sites exist is there evidence of damage/disturbance?

Habitats

Is there evidence of damage/removal of habitats designated as SPA, SAC.

Burning

Is there evidence of the burning of growing vegetation on non-cultivated land between March 1 and August 31

Minimum Level of Maintenance

Invasive Species

Is applicant failing to take appropriate measures to prevent the encroachment of invasive species

Noxious Weeds




Is applicant failing to take appropriate measures to prevent the proliferation of Noxious Weeds

External Farm Boundaries

Is applicant failing to maintain stock proof external farm boundaries.



Determining the level of sanction

GAEC Sanctioning Grid				
Poaching of Land				
Proportion of farm affected and level of severity		PROPORTION OF FARM AFFECTED		
		0% to 33% of Area	>33% to 66% of Area	>66 to 100% of Area
LEVEL OF SEVERITY	Mild	Weighting= 4	Weighting= 11	Weighting= 31
	Medium	Weighting= 11	Weighting= 31	Weighting= 51
	Heavy	Weighting= 31	Weighting= 51	Weighting= 51
LEVEL OF SEVERITY SAMPLES	MILD			
	Medium			
	Heavy			
Note: Intent should be considered for all breaches where the applicant knowingly and deliberately breached the Cross Compliance requirements.				



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Poaching leading to sanction





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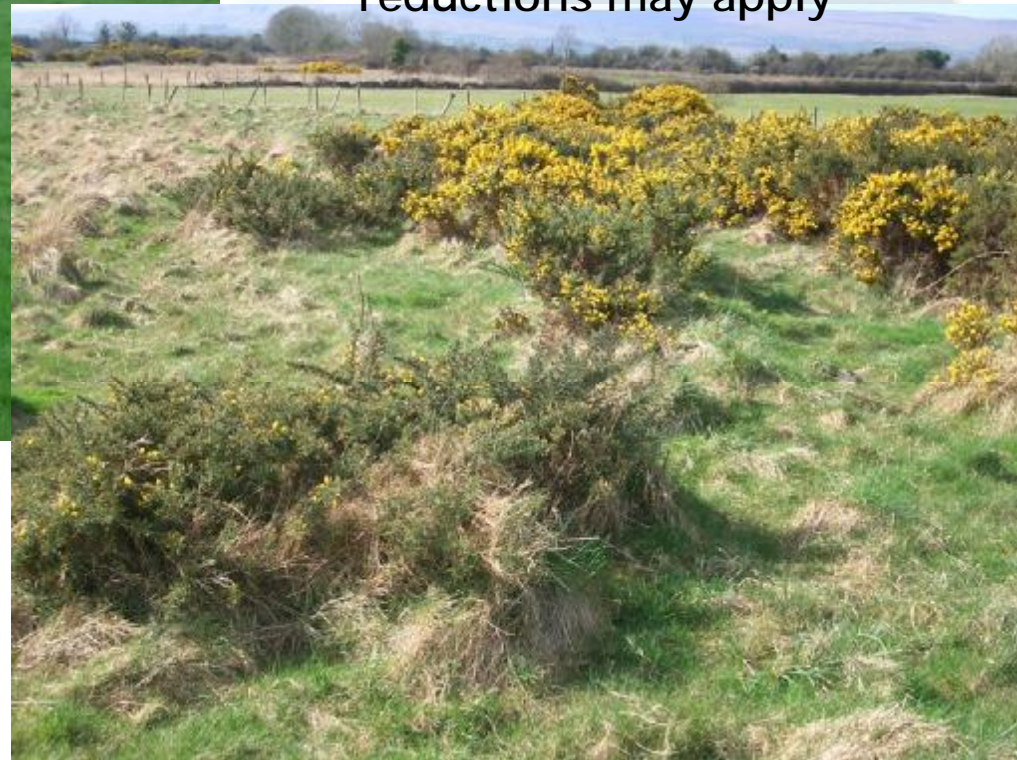
Noxious Weeds



Invasive Species Encroaching



Developing Eligibility issues
reductions may apply





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Soil compaction through Rutting and Erosion Risks





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Example of Soil compaction from excessive trailer weight





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Soil Erosion on Sand Dune





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Invasive Species





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GAEC Final

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