WORKING DOCUMENT

1. GENERAL INFORMATION ON THE APPROVED RURAL DEVELOPMENT PROGRAMME

Member State: Germany, Land BAVARIA

Programme: Bavarian Rural Development Programme –agriculture and rural areas 2007-2013 (Bayerisches Zukunftsprogramm –Agrarwirtschaft und Ländlicher Raum 2007-2013) approved by the Commission C (2007) 3994 of 5. September 2007 (CCI 2007 DE 06 PDR 004), amended by

- first RDP modification according to Article 6 (1) c) of Regulation (EC) n° 1974/2006 and confirmed by letter DG AGRI D/20280 dated 20/08/2008

- second RDP modification according to Article 6 (1) c) of Regulation (EC) n° 1974/2006 and confirmed by letter DG AGRI ARES 104294 dated 19/05/2009

- third RDP modification according to Article 6 (1) a) of Regulation (EC) n° 1974/2006, approved by COM decision C(2009)5644 on 14/07/2009.

2. LEGAL BASIS FOR THE CHANGE

Fourth RDP modification related to the first implementation of Article 16a of Regulation (EC) No 1698/2005 combined with an increase of the total EAFRD contribution for the entire programme period and a budget transfer between axes going beyond the flexibility ceiling of 1% of the total EAFRD contribution. According to Article 6 (1) a) and Article 7 of R 1974/2006, this revision needs to be approved by Commission decision. Furthermore, the revision is combined with other amendments according to Article 6 (1) c) of R 1974/2006.

The revision has been approved by the Monitoring Committee in the Monitoring Committee on 16 June 2009.

3. REASONS JUSTIFYING THE AMENDMENT / STRATEGY CHOSEN

Strategy

Set –aside and Biodiversity:

Regarding the loss of the obligatory set-aside and its possible negative agroenvironment effects, the following information should be highlighted:

In the year 2007, about 80,000 ha were under obligatory set-aside (without renewable energy) and about 18,000 ha under voluntary set- aside. The development has shown that after the drop of the obligatory set-aside, the voluntary set-aside has been raised by 25,000 ha to a total area of 43,000 ha, which means that a total area of about 55,000 ha is concerned by the loss of set-aside.

The Bavarian RDP 2007-2013 offers from the very beginning 2 measures under AEM 214 aiming to strongly reduce, even stop, any farming activities:

- KULAP (Cultural Landscape Programme) 3.6: Implementing agro-ecological concepts on arable land and

- VNP (Nature Protection Programme) 1.2: Fallow with natural regeneration of the green cover,

both leading at least partly to a compensation of the loss of the obligatory setaside. The support of both measures is differentiating on soil quality, so that also in regions with very good soil quality and potential intensive production, farmers are participating in these sub-measures.

Already in 2008 Bavaria has reacted on the increasing tendency to intensify production by increasing the prime levels of a significant number of agrienvironment relevant sub-measures and the introduction of new measures in order to avoid negative environment effects. The number of applications confirms the rising trend to implement agro environment conditions.

Furthermore, with a post HC modification, another 2 sub-measures under AEM 214 will be proposed aiming to counteract the ecological effects through the loss of the obligatory set-aside and to strongly reduce any farming activity: introduction of fallow stubble land and extensive use of arable land.

Beside that, in April 2008 the Bavarian Government has decided to implement a Bavarian Biodiversity Strategy targeting four central objectives:

- Maintenance of the Biodiversity of Fauna and Flora
- Maintenance of the Biodiversity of Habitats
- Improvement of ecological coherence in land barrier features
- Improvement of environment acknowledgment

By 2020, the existence of supported species should be significantly improved and the stock of endangered species should have reached a stable population level. The Bavarian Biodiversity Strategy is implemented partly with EAFRD support but also outside the RDP with national budget.

A significant number of measures based on Bavarian agro-environment programmes – KULAP, VNP and the biodiversity strategy- are aimed to strongly reduce or even stop farming activities and also to integrate nature protection targets such as biodiversity into the farming activities. Thus, they all contribute to minimise negative ecological effects including those stemming from the loss of the obligatory set-aside.

Furthermore, the selection of areas under set-aside is based on business economical aspects whereas the selection of areas for the implementation of AEM is based on agro-economical and nature protection aspects. Thus, regarding the environmental effects, the implementation of AEM can be more precise, better targeted and more efficient as the obligatory set-aside and consequently, has an increased quality effect regarding environment.

In total, 28 agri-environment sub-measures (KULAP and VNP) but also further measures such as Natura2000 or maintenance of cultural heritage targeting all the

improvement of biodiversity are expected to cover an overall area of more than 1 million ha.

The financial support of the AEM is with 704 Million \in public expenditure and further 350 Million \in additional national budget the biggest budget part of the Bavarian RDP. Furthermore, the whole budget of measure 323 –cultural heritage – is foreseen to support the maintenance and improvement of natural heritage and thus, also contribute to the objectives of the Water Framework Directive and the improvement of biodiversity.

Broadband

Regarding broadband investments in rural areas, Bavaria supports this sector since 2008 with a special national broadband support programme aiming to ensure efficient broadband connections in rural areas for private and commercial persons (1 megabit/sec.). The total national budget for the broadband support programme is about 47 Million €

The national support programme of Bavaria for broadband investments in rural areas is well running. Up to now, about 6.7 Million € of the total budget amount have already been approved. The up-take of the programme confirms that the integrated approach of the special Bavarian broadband concept with its elements of information and advisory services, competition and support as well as integration of relevant business areas is successful. Thus, it can be concluded that a sufficient broadband structure can be assured in rural areas without a supplementary support possibility via the RDP

Health Check (HC)

Due to the transfer of modulation as well as non-used money from EAGF to EAFRD in the framework of the HC decisions and according to the revised National Strategy Plan of Germany, an amount of 128 410 319 \in EAFRD contribution has been distributed to the German Land Bavaria. This money has to be used for the new challenges listed in Article 16a (1) of R 1698/2005 from January 2010 to 2013.

Recovery Package (RP)

Due to EU decision on the RP and the additional money for the EAFRD and according to the revised National Strategy Plan of Germany, an amount of 15 748 919 €EAFRD contribution has been distributed to the German Land Bavaria. This money has to be used for the new challenges listed in Article 16a (1) of R 1698/2005 including measures accompanying restructuring in the dairy sector and/or broadband investments from January 2009 to 2013. As the objective of the RP should focus on a quick support effect for the beneficiaries in order to help economical development, Bavaria intends to inject the RP money in existing AEM (KULAP) measures matching particularly the new challenges.

An overall amount of 144 159 238 €EU additional budget will be put into measure 214 KULAP and VNS and this HC and RP money of is foreseen for measures

matching particularly the new challenges. Agro-environment measures (AEM) play a dominant role in the Bavarian RDP and a significant number of existing measures and sub-measures meeting the new challenges of climate change, water management and biodiversity is offered.

The concept of the measures regarding the Cultural Landscape Programme is based on extensification of production on a large total area and thus, ensuring broad effects by reducing negative inputs in soil, water and air. Furthermore, special measures such as introduction and maintenance of flowering stripes, hedges or fruit orchards, mowing of meadows in steep slopes, extensive use of meadows and environmentally friendly wine production are all contributing to the new challenges including the objective of biodiversity. The measures according to the Nature Protection Programme are implemented on high nature value areas aiming to protect specific fauna and flora species and thus, to maintain, develop and improve Bavarian cultural landscapes. Furthermore, a large number of other support measures such as flood protection, first afforestation, forest environment, non productive investments in forests and renewable energies as well as the maintenance of cultural heritages are offered in the Bavarian RDP contributing to the objectives of the new challenges.

Therefore, Bavaria did not consider it necessary to introduce new measures/submeasures but propose to use the additional HC & RP money for those existing measures matching particularly the new challenges in order to reinforce the financial budget possibilities.

This will not lead to a change of the general strategy as the existing strategy still is valid and is fully in line with the CSG, the National Strategy as well as the existing regional strategy.

The additional budget of the HC and the RP should be distributed to special submeasures out of the total and large spectrum of AE measures and sub-measures of the Bavarian RDP:

- Five sub-measures of the cultural landscape programme KULAP are related to the new challenge of climate change and cover 60 % of the additional budget.
- Four sub-measures of the KULAP are related to the new challenge of water management and cover 20 % of the additional budget, and
- Five sub-measures (two of the nature protection programme and three of the KULAP) are related to the new challenge of biodiversity and also cover 20 % of the total additional budget.

Budget correction due to a new distribution system of the EU budget to the German Länder

According to the revised National Strategy Plan of Germany, an additional amount of 7 170 550 \in EAFRD contribution has been distributed to the German Land Bavaria.

This additional money will also be injected to the AEM (KULAP and VNS), except for an amount of 883 412 \in , which will be transferred to measure 323. Thus, further 6 287 138 \in will be injected to measure 214.

Overall, budget allocation to axis 2 has a significant share of more than 62 % of the total EAFRD amount and a high share of more than 40% of this budget has been allocated to AEM as well as to measure 323 –cultural heritage. As the range of existing AEM is already widely spread and does cover a large part of the agricultural and forest area, Bavaria is somewhat limited in enlarging the relevant AEM and thus, can only propose some further new sub-measures (KULAP and VNS) aiming to improve biodiversity and water protection (*Post-HC modification under assessment*). The Bavarian Authorities therefore expect an additional amount of only 26 million \notin to be necessary in future for measure 214.

Consequently, a substantial part of the existing budget for measure 214 KULAP and VNS will be available for measures needing intensified support possibilities. This is the case for milk producing farms and enterprises with regard to the actual market situation and the necessary restructuring process. Thus, in a second step, available money should be transferred to those measures needing more support. These measures are notably:

- 121 Modernisation of agricultural holdings and improvement of competition (additional 33,75 million \oplus ;

Already by now, the targeted beneficiaries are milk producing farms and enterprises with special support possibilities for projects linked to high conditions for animal welfare. Actually, about 20 % of the overall projects contribute to the improvement environment by energy savings and/or to the enlargement of renewable energies; no support is possible for projects having a negative environmental effect.

- 211 and 212 Compensation payments in mountain areas and other less favoured areas (additional 79,5 million €);

The compensation payments will be increased within the limits of the NF. The available budget by now for the two measures is not sufficient anymore and needs to be increased in order to ensure a maintenance of farming of grassland in these de-favourite areas by milk producing farms.

Further transfers of available money should be made from measure 214 to

- 311 Diversification (additional 3 million €) and
- 323 Cultural heritage (additional 7 million €).
- 125 Infrastructure (additional 8 million €)

The balance between axes will slightly change compared to the approved programme notably because the HC and RP budget will not count for the balance calculation. The new balance is as follows:

Axis 1 – 25 % Axis 2 – 58 % (plus HC and RP money) Axis 3 – 11 % and Axis 4 - 6 %.

The minimum balances according to Article 17 of R 1698/2005 is respected. *Text of the RDP*

All proposed amendments are reflected in chapter 3 of the RDP.

4 DESCRIPTION OF THE AMENDMENTS PROPOSED

- A) Health Check and Recovery Package Types of operations matching the new challenges according to Article 6 (1) a) and Article 7 (1) d) and C) of Regulation 1974/2006
- B) Other amendments proposed according to Article 6 (1) a) and Article 7 (1) A) of Regulation 1974/2006
- C) Other amendments proposed according to Article 6 (1) c) and Article 9 of Regulation 1974/2006

A) HEALTH CHECK AND RECOVERY PACKAGE - TYPES OF OPERATIONS MATCHING THE NEW CHALLENGES

agri- environ- ment payments Soil management practices (e.g. tillage methods, catch crops, diversified crop rotation) Reduction of nitrous oxide (N=O), carbon sequestration, Adaption to the effects of climate change on soil KULAP 3.0: extensive crop rotation Land use change (e.g. conversion of arable land to pastures, permanent set-aside) Reduction of nitrous oxide (N=O), carbon sequestration KULAP 4.0: spreading of fertiliser through injection method Extensification of livestock (e.g. reduction of stocking density) and grassland management Reduction of methane (CH4) and nitrous oxide (N=O) KULAP 2.2: grassland extensification by refraining from mineral fertilisation (max. 1,4 AU/ha) Soil management practices (e.g. catch crops, organic farming, conversion of arable land into permanent pasture) Contribution to the reduction of losses of different compounds to water, including phosphorus KULAP 2.3: extensive grassland use alongside water and in other sensitive areas KULAP 3.2: winter greening KULAP 3.3: mulching KULAP 3.5: greening of stripes for water and soil protection	Existing measure 214 Article 39:	Type of operation	Potential effects	Reference for the description of the type of operation in the RDP – <u>all existing measures</u>					
payments Soil management practices (e.g. tillage methods, catch crops, diversified crop rotation) Reduction of nitrous oxide (N ₂ O), carbon sequestration, Adaption to the effects of climate KULAP 3.1: diversified crop rotation Land use change (e.g. conversion of arable land to pastures, permanent set-aside) Reduction of nitrous oxide (N ₂ O), carbon sequestration KULAP 3.4: conversion of arable land to pastures, permanent Extensification of livestock (e.g. reduction of nitrous oxide (N ₂ O) carbon sequestration KULAP 2.2: grassland extensification by refraining from mineral fertilisation (max. 1, 4 AU/ha) Vater management Water management KULAP 2.3: extensive areas Soil management practices (e.g. carbon of arable land into permanent pasture) Contribution to the reduction of methane (CH ₄) and in other sensitive areas Soil management practices (e.g. carbon of arable land into permanent pasture) Contribution to the reduction of lowestock (use) KULAP 2.3: extensive grassland use alongside water and in other sensitive areas KULAP 3.2: winter greening KULAP 3.3: mulching KULAP 3.3: mulching KULAP 3.5: greening of stripes for water and soil protection	-		Climate change						
arable land to pastures, permanent set-aside) Reduction of initious oxide (N2O), carbon sequestration ROULAP 3.4; conversion of atable land to pastures Extensification of livestock (e.g. reduction of stocking density) and grassland management Reduction of methane (CH4) and nitrous oxide (N2O) KULAP 2.2; grassland extensification by refraining from mineral fertilisation (max. 1,4 AU/ha) Water management Water management KULAP 2.3; extensive grassland use alongside water and in other sensitive areas Soil management practices (e.g. catch crops, organic farming, conversion of arable land into permanent pasture) Contribution to the reduction of losses of different compounds to water, including phosphorus KULAP 3.2; winter greening KULAP 3.3; mulching KULAP 3.5; greening of stripes for water and soil protection KULAP 3.5; greening of stripes for water and soil protection		tillage methods, catch crops,	(N ₂ O),carbon sequestration, Adaption to the effects of climate	rotation KULAP 3.1: diversified crop rotation KULAP 4.0: spreading of fertiliser through injection					
Extensification of livestock (e.g. reduction of stocking density) and grassland managementReduction of methane (CH4) and nitrous oxide (N2O)extensification by refraining from mineral fertilisation (max. 1,4 AU/ha)Water managementWater managementSoil management practices (e.g. catch crops, organic farming, conversion of arable land into permanent pasture)Contribution to the reduction of losses of different compounds to water, including phosphorusKULAP 2.3: extensive grassland use alongside water and in other sensitive areasKULAP 3.2: winter greening KULAP 3.3: mulching KULAP 3.5: greening of stripes for water and soil protectionKULAP 3.5: greening of stripes for water and soil protection		arable land to pastures, permanent							
Soil management practices (e.g. catch crops, organic farming, conversion of arable land into permanent pasture)Contribution to the reduction of losses of different compounds to water, including phosphorusKULAP 3.2: winter greening KULAP 3.3: mulching KULAP 3.5: greening of stripes for water and soil protection		reduction of stocking density) and	Reduction of methane (CH ₄) and nitrous oxide (N ₂ O)	extensification by refraining from mineral fertilisation (max.					
Soil management practices (e.g. catch crops, organic farming, conversion of arable land into permanent pasture)Contribution to the reduction of losses of different compounds to water, including phosphorusgrassland use alongside water and in other sensitive areasKULAP 3.2: winter greening KULAP 3.3: mulchingKULAP 3.5: greening of stripes for water and soil protection		Water management							
Biodiversity		catch crops, organic farming, conversion of arable land into	grassland use alongside water and in other sensitive areas KULAP 3.2: winter greening KULAP 3.3: mulching KULAP 3.5: greening of stripes						
			Biodiversity						

No application of fertiliser and pesticides on high nature value agricultural land	Conservation of species-rich vegetation types, protection and maintenance of grassland	VNP: 2.1 extensive mowing in nature protected high value habitats:G 22 (mowing from 15.06.)G 23 (mowing from 01.07.):
Extensive forms of livestock management	Conservation of species-rich vegetation types, protection and maintenance of grassland	VNP 3.1 Extensive meadow management in nature protected high value habitats: sheep, goats, cows or horses (G 31)
Perennial field and riparian boundary stripes biobeds	Protection of bird and other wildlife and improvement of biotope network, reducing entry of harmful substances in bordering habitats, conservation of protected fauna and flora	KULAP 2.6: Extensification of meadowsby cutting restrictionseKULAP 2.7: agri-ecological grassland useKULAP 3.6: agri-ecological arable land use

Complete Table 5.3.6 with indicators (in DE) attached as annex.

Description of amendments proposed

- Injection of an overall amount of 150 446 376 €EU contribution (HC 128 410 319 €, RP 15 748 919 € and distribution correction 6 287 138 €) into measure 214 cultural and landscape programme and nature protection programme (KULAP and VNS).
- ➤ Injection of an amount of 883 412 €EU contribution into measure 323.

The expected impacts of the amendment

Regarding effects and indicators for measure 214 KULAP and VNS, these parameters will not be subject to important changes because the overall objectives and targets will stay unchanged in terms of primes, number of beneficiaries or eligible areas.

Regarding measure 323, the eligible requests for support of investment projects can be met better and faster. Targeted indicators have been adapted accordingly, see annex I of the amendment request, chapter 5.4.

Financial effects

- ➤ Injection of an overall amount of 150 446 376 €EU contribution into measure 214.
- > Injection of an amount of 883 412 €EU contribution into measure 323.

Coherence with the NSP and the regional RDP strategy

The amendment is in line with the NSP as well as with the Bavarian RDP strategy for the priority 2 as well as priority 3.

Text of the RDP

All proposed amendments are reflected in chapter 5.4 of the RDP and in the financial tables and the indicative financial table.

B) Other amendments proposed according to Article 6 (1) a) and Article 7 (1) a) of Regulation 1974/2006

Overview: budget transfers going beyond the flexibility ceiling of 1% of the total EAFRD amount

Transfer from existing budget 214 to:

- 121 Modernisation of agricultural holdings -budget transfer
- 125 land consolidation- budget transfer
- 211 Compensation payments in mountain areas -budget transfer
- 212 Compensation payments in other less favoured areas -budget transfer
- 311 Diversification of income budget transfer

and budget transfer from 216 to 214 VNS and 323.

Reasons and implementation problems justifying the amendment

Due to changes of the eligibility criteria (121: raise of eligible maximum investment amounts, 211 and 212: increase of compensation amounts and an underestimated financial coverage for 214 VNS and 323), the budgets for these measures need to be increased in order to be able to meet the objectives of these measures and to ensure proper implementation. On the other hand, the figures and uptake for measure 216 show that the budget for 216 is overestimated and should be lowered.

Description of the change

- ➤ transfer of 33,75 million €EAFRD budget from measure 214 to 121
- transfer of 8 million EAFRD budget from measure 214 to 125
- ➤ transfer of 18,285 million €EAFRD budget from measure 214 to 211
- ➤ transfer of 61,215 million €EAFRD budget from measure 214 to 212
- ➤ transfer of 3 million €EAFRD budget from measure 214 to 311

Total amount of transfers of existing budget 214 to other measures: 124, 25 million \in (about 26 million \in stay supplementary in 214)

- ➤ transfer of 2 million €EAFRD budget from measure 216 to 214 VNS
- ➤ transfer of 7 million €EAFRD budget from measure 216 to 323.

The expected impacts of the amendment

To better meet the objectives of these measures and to ensure proper implementation. Indicators have been adapted accordingly; see annex I of the amendment request, chapter 5.4.

Coherence with the NSP and the regional RDP strategy

The amendment is still in line with the NSP as well as with the Bavarian RDP strategy for the priorities 1, 2 and 3.

Financial effects

Budget transfers between axes as well as within axis 2 of 133 250 000 € Community contribution, going beyond the flexibility ceiling of 1% of the total EAFRD amount.

Text of the RDP

All proposed amendments are reflected in the financial tables and the indicative financial table.

C) Other amendments proposed according to Article 6 (1) c) and Article 9 of Regulation 1974/2006

Overview: all measures and amendments according to the NF

- 121 Modernisation of agricultural holdings change of eligibility criteria
- 211 Compensation payments in mountain areas increase of compensation payment
- 212 Compensation payments in other less favoured areas increase of compensation payment
- 322 Village renewal
- Amendment to chapter 8- reduction of additional national money

Text of the RDP

All proposed amendments are reflected in the relevant measure descriptions and the financial tables of the RDP.

Details

121 Modernisation of agricultural holdings – change of eligibility criteria - according to the NF, 3^{rd} modification request

Reasons and implementation problems justifying the amendment

Experience has shown that necessary modernisation projects are getting bigger and thus, investments volumes are growing. Furthermore, the number of investments for improving animal welfare projects and those for improving quality of work is constantly increasing.

Description of the change

• Increase of the maximum investment volume in general from 200.000 € to 300.000 € and from 400.000 € to 600.000 € in case of farm cooperations. The minimum investment volume will decrease from 30.000 € to 20.000 €

The expected impacts of the amendment

The number of farm co-operation will increase and thus, the economical and competition situation will improve. The eligible requests for support of investment projects can be met better and faster.

Targeted indicators have been adapted accordingly, see annex I of the amendment request, chapter 5.4.

Financial effects

• Increase of the amount of the Community contribution by transfer of 33,75 million €EAFRD budget from measure 214 to 121.

Coherence with the NSP and the regional RDP strategy

The amendment is done according to the NRR and thus in line with the NSP as well as with the Bavarian RDP strategy for the priority 1.

211 Compensation payments in mountain areas according to the NF, 4th modification request – increase of compensation payment

Reasons and implementation problems justifying the amendment

Already from the ex-post evaluation of the former support period it has been proven that the income situation for farms in mountain areas is much lower than that for farms in non handicapped areas. The compensation payments only have had compensation effects of about 36 and 76 percentage points depending on the economic situations of the different years. Small farms in general, difficult working conditions in mountain areas as well as natural limitations of farm growth and an increasing risk of land abandonment are facts that make an increase of the compensation payments unavoidable.

Description of the change

Increase of the compensation payments

- o In alpine areas above 1000 m and slopes gradiant above 18 % *: 215 €ha**
 - * at the earliest from 2011 on the basis of a digital modell

o Grassland/fodder crops (except mais) areas: minimum 57 €ha, maximum 215 €ha** (former 180)

** The avarage amount of the compensation payments in mountain areas will not go beyond the maximum amount of 200 /ha according to the NF condition.

 o Arable land except fodder crops areas: minimum 25 €ha, maximum 107,5 €ha (former 90)

Maximum aid amount of 16.000 €per year and farm.

The expected impacts of the amendment

Farming activities and maintenance of the cultural landscape in mountain areas is expected, also for small farms. That should especially serve milk production holdings, which are mainly concerned by restructuring measures of the milk sector.

However, no change of targeted indicators is expected at this stage.

Coherence with the NSP and the regional RDP strategy

The amendment is done according to the NRR and thus in line with the NSP as well as with the Bavarian RDP strategy for the priority 2.

Financial effects

Increase of the amount of the Community contribution by 18,285 million €budget from measure 214 to 211.

212 Compensation payments in other less favoured areas according to the NF, 4th modification request – increase of compensation payment

Reasons and implementation problems justifying the amendment

Already from the ex-post evaluation of the former support period it has been proven that the income situation for farms in less favoured areas is much lower than that for farms in non handicapped areas. The compensation payments only have had compensation effects of about 16 and 40 percentage points depending on the economic situations of the different years. Special regions inside the defined less favoured areas with specific handicaps (risk of income loss due to climate and regional handicaps as well as an intensive need of hand craft work) should be compensated in the same way as mountain areas.

Description of the change

Increase of the compensation payments

- o in alpine areas above 1000 m and slopes gradiant above 18 % *: 215 €ha**
 - * at the earliest from 2011 on the basis of a digital modell
- o Grassland/fodder crops (except mais) areas: minimum 40 €ha, maximum 215 €ha** (former 180)

** The avarage amount of the compensation payments in LFAs will not go beyond the maximum amount of 200 /ha according to the NF condition.

 o Arable land except fodder crops areas: minimum 25 €ha, maximum 107,5 €ha (former 90)

Maximum aid amount of 16.000 €per year and farm.

The expected impacts of the amendment

See description of measure 211

Coherence with the NSP and the regional RDP strategy

See description of measure 211

Financial effects

Increase of the amount of the Community contribution by 61,215 million €budget from measure 214 to 212.

322 village renewal, according to the NF - change of eligibility criteria

Reasons and implementation problems justifying the amendment

The actual level of the aid intensities are based on cost analyses stemming from the year 1993 but investment costs are significantly increased since then and need an adjustment. Should also be supported properly, certain cost intensive and high value architectonical investments in non public areas as well as energy saving investments. The level of aid will thus be increased within the limits of the actual NF.

Description of the change

- Increase of the maximum aid intensity
 - Public objects: from 60000 to 80000 €per object
 - Private objects: from 5000 to 10000 per object
- New: Supplementary support for energy saving investments
 - o public investments: 20000 €
 - o private investments: 10000 €

The expected impacts of the amendment

However, no change of targeted indicators is expected at this stage.

Financial effects

None

Coherence with the NSP and the regional RDP strategy

The amendment is done according to the NRR and thus in line with the NSP as well as with the Bavarian RDP strategy for the priority.

Amendment to chapter 8

Reasons and implementation problems justifying the amendment

The additional national money (top-ups) for several measures (121, 125, 214, 216, 311, 322 and 323) is cut down to the same extend as national co-financing contribution is concerned due to the increase of EAFRD contribution.

Description of the amendment

Updating table 8 (in DE); see annex

5. THE EXPECTED IMPACTS OF THE AMENDMENTS

Descriptions to be found under each amendment

6. OVERVIEW FINANCIAL EFFECTS

➢ HC and RP:	Injection of an overall amount of 150 446 376 \in EU contribution into measure 214
New distribution key:	Injection of 6 287 138 €EU contribution into measure 214 and 883 412 €into measure 323
➤ Available "old" budget:	transfer of 33 750 000 \in EAFRD budget from measure 214 to 121.
Available "old" budget:	transfer of 18 285 000 \in EAFRD budget from measure 214 to 211
Available "old" budget:	transfer of 61 215 000 \in EAFRD budget from measure 214 to 212
Available "old" budget:	transfer of 3 000 000 €EAFRD budget from measure 214 to 311
Available "old" budget:	transfer of 2 000 000 €EAFRD budget from measure 216 to 214
➢ Available "old" budget:	transfer of 7 000 000 €EAFRD budget from measure 216 to 323

The financial tables have been established taking into account the amendment proposals.

7. ASSESSMENT

- I. Justification and description confirm that amendments are in line with the National Strategy Plan and –for the measures concerned- with the National Framework as well as with the regional programme strategy. The delimitations to the Structural Funds and the Common Market Organisation Programmes funded under the CMO in the sugar, fruit & vegetable and wine sector are set up already in the approved RDP. Apart from a reduction of already approved additional national money (top-ups), which does not lead to state aid relevance, there are no new top-ups or other state aids proposed.
- II. The changes are in conformity with the Council Regulation (EC) N° 1698/2005 and with the Commission Regulation (EC) N° 1974/2006

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Annex: Financial tables and top-up table

Annex

Year	2007	2008	2009	2010	2011	2012	2013	2007-2013 Total
Non convergence region	194.603.554	188.066.285	177.132.759	181.208.774	179.881.679	176.068.876	171.453.625	1.268.415.552
Additional money linked to Article 69 (5)a of R 1698/2005			9.264.070	21.568.242	30.508.878	37.709.030	45.109.018	144.159.238
Total	194.603.554	188.066.285	186.396.829	202.777.016	210.390.557	213.777.906	216.562.643	1.412.574.790

Financial Table – Annual contribution from the EAFRD (in EUR)

Financial plan by priorities (in EUR total period)

Non convergence region

	Public expenditures				
Priority	Total amount	EAFRD contribution in %.	EAFRD		
Priority 1	637.280.000	50	318.640.000		
Priority 2	1.470.692.280	50	735.346.140		
Priority 3	269.524.824	50	134.762.412		
Priority 4	146.800.000	50	73.400.000		
Technical Assistance	12.534.000	50	6.267.000		
Total	2.536.831.104	50	1.268.415.552		

	Public expenditures				
Priority	Total amount	EAFRD contribution in %.	EAFRD		
Priority 1					
Priority 2					
Measure 214	288.318.476	50	144.159.238		
Priority 3					
Priority 4					
Technical Assistance					
Total	288.318.476	50	144.159.238		

Financial plan by priorities (in EUR total period) Additional EAFRD money according to Article 69 (5a) of R 1698/2005

Aufstellung zusätzlicher nationaler Förderung von Maßnahmen (TOP-UPS

Code	Maßnahmen/Schwerpunkte	zusätzliche öffentliche Ausgaben ¹
		in EUR
121	Einzelbetriebliche Investitionsförderung	77.000.000
125	Flurneuordnung u. Infrastrukturmaßnahmen	61.640.000
1	Schwerpunkt 1	138.640.000
214	Kulturlandschaftsprogramm	348.262.001
214	Bayerisches Vertragsnaturschutzprogramm	2.780.329
216	Heckenpflege	1.000.000
216	Artenhilfsmaßnahmen	7.000.000
221	Erstaufforstung landwirtschaftlicher Flächen	4.880.000
223	Erstaufforstung nichtlandwirtschaftlicher Flächen	500.000

Vertragsnaturschutzprogramm Wald	1.000.000	
Beihilfen für nichtproduktive Investitionen -Forst	42.950.000	
Beihilfen für nichtproduktive Investitionen – Vertragsnaturschutzprogramm Wald	1.000.000	
Schwerpunkt 2	409.372.330	
Einkommensalternativen	1.000.000	
Nachwachsende Rohstoffe	2.000.000	
Dorferneuerung	300.000.000	
Erhaltung und Verbesserung des ländlichen Erbes	9.616.588	
Integrierte ländliche Entwicklungskonzepte (ILEK) mit Umsetzungsbegleitung (UB)	1.000.000	
Schwerpunkt 3	271.415.588	
Insgesamt	861.628.918	
	Beihilfen für nichtproduktive Investitionen -Forst Beihilfen für nichtproduktive Investitionen - Vertragsnaturschutzprogramm Wald Schwerpunkt 2 Einkommensalternativen Nachwachsende Rohstoffe Dorferneuerung Erhaltung und Verbesserung des ländlichen Erbes Integrierte ländliche Entwicklungskonzepte (ILEK) mit Umsetzungsbegleitung (UB) Schwerpunkt 3	Beihilfen für nichtproduktive Investitionen -Forst42.950.000Beihilfen für nichtproduktive Investitionen - Vertragsnaturschutzprogramm Wald1.000.000Schwerpunkt 2409.372.330Einkommensalternativen1.000.000Nachwachsende Rohstoffe2.000.000Dorferneuerung300.000.000Erhaltung und Verbesserung des ländlichen Erbes9.616.588Integrierte ländliche Entwicklungskonzepte (ILEK) mit Umsetzungsbegleitung (UB)1.000.000Schwerpunkt 3271.415.588

5.3.6 Zusammenstellung der Art der Vorhaben, die auf Artikel 16a (3)(a) der Verordnung (EG) Nr. 1698/2005 und auf die in Artikel 69(5a) dieser Verordnung genannten Beträge Bezug nehmen.

			Neue" oder	Beschreibung orhabens im	Zielvert Output-Indikator				
	Art der Vorhaben	Potenzielle Wirkung	«Existierende" oder "Nene" Art des Vorhabens (E oder N)	Bezug zur Beschreibn der Art des Vorhabens Programm	draza bi der gofð ráersen kon dni ræchafti chen Be- trieb e	Gesamiförderfläche (ha)	Tatsächlich geförderte Fläche (IIa)	Gesamtanzahl der Ver- träge	ARZAN der Mapnah- men im Zusammenhang mit genetischen Pe s- venreen
			E	KULAP 3.0: Extensive Fruchtfolge	6.000	145.000	145.000	6.000	
	Bodenbewirtschaftungspraxis (2.B. Methoden der Bodenbe- arbeitung, Zwischenfruchtan- bau, diversifizierte Fruchtfol- gen)	Reduzierung von Distickstoffoxid (NzO), Kohlenstoffindung, Anpassung an die Auswir- kungen des Klimawandels auf den Boden	E	KULAP 3.1: Vielfältige Fruchtfolge	2.800	130.000	130.000	2.800	
Maß- nahme 214			E	KULAP 4.0: Ausbringung flüssiger Wirtschaftsdünger durch In- jektionsverfahren	2.600	4.000	4.000	2.600	
	Änderung der Flächennutzung (z.B. Umwandlung von Acker- flächen in Weideland, Dauer- stilllegung)	Reduzierung von Distickstoffoxid (NrO), Kohlenstoffbindung	E	KULAP 3.4: Umwandlung von Ackerland in Grünland	450	1.200	1.200	450	
	Extensivierung der Tierhaltung (z.B. niedrigere Bestandsdich- te) und Grünlandwirtschaft	Reduzierung von Methan (CH4) und Distickstoffoxid (N2O)	E	KULAP 2.2: Grünlandextensivierung durch Mineraldünger- verzicht (max. 1,4 GV/ha)	9.500	130.000	130.000	9.500	
	Bodenbewirtschaftungspraxis (2. B. Zwischenfrucht-anbau, ökologischer / biologischer Lanobau, Umstellung Acker- land auf Dauergrünland)	Beitrag zur verringerten Auswaschung verschiede- ner Verbindungen, ein- schließlich des Phosphor- eintrags ins Wasser	E	KULAP 2.3: Extensive Grünland- nutzung entlang von Gewäs- sem und sonstigen sensiblen Gebieten	7.200	21.000	21.000	7.200	
			E	KULAP 3.2: Winterbegrünung	2.500	19.000	19.000	2.500	

		E	KULAP 3.3: Mulchsaatverfahren	4.200	44.000	44.000	4.200	
		E	KULAP 3.5: Grünstreifen zum Ge- wässer- und Bodenschutz	1.000	800	800	1.000	
(Biologische Vielfalt) Kein Einsatz von Dünge- und Pflanzenschutzmitteln auf öko- logisch wertvollen landwirt- schaftlichen Flächen	Erhaltung artenreicher Vegetationstypen; Schutz und Pflege von Grünland	E	VNP: 2.1 extensive Mahnutzung naturschutzfachlich wertvol- ler Lebensräume: G 22 (Mahd ab 15.06.) G 23 (Mahd ab 01.07.):	2.500 2.500	6.000 5.000	6.000 5.000	2.500 2.500	
extensive Tierhaltung	Erhaltung artenreicher Vegetationstypen; Schutz und Pflege von Grünland	E	VNP 3.1 Extensive Weidenutzung naturschutzfachlich wertvol- ler Lebenzräume, - Bewei- dung durch Schafe, Ziegen, Rinder oder Pferde (G 31)	4.000	10.000	10.000	4.000	
	Schutz von Vögeln und anderen Wildtieren und bessere Vernetzung von	E	KULAP 2.6: Extensivierung von Wiesen mit Schnittseit- punktauflage	3.000	11.000	11.000	3.000	
Mehrjährige Feld- und Ufer- randstreifen sowie Biobedsysteme	Biotopen, reduzierter Ein- trag von Schadstoffen in angrenzenden Habitaten, Erhaltung geschützter Tie- re und Pflanzen	E	KULAP 2.7: Agrarökologische Grünlandnutzung	300	600	600	300	
		E	KULAP 3.6: Agrarökologische Ackernutzung	1.800	6.000	6.000	1.800	