

Hen Harrier Project

FARMER CONSULTATION REPORT

December 2017



Farmer Consultation

Consultations with farmers were a key part of the development process for the Hen Harrier Programme. They were essential to inform the project team, to establish a commitment to open dialogue and to demonstrate to farmers that the work on the programme had begun. Most importantly it was necessary to inform the project team of the issues of concern to farmers so that they could be appropriately addressed in the Programme design phase. This document summarises the issues raised in the consultation phase and how they contributed to the design of the programme and how the questions asked would now be answered in the Hen Harrier Programme.

Farmer Consultations ran for seven weeks, from early-July to the end of August 2017. During this period the Hen Harrier Project held 31 farmer consultation meetings throughout the SPA network. Over 500 farmers attended the consultation meetings. These were supplemented by meetings with the Farm Representative Organisations and a seminar for farm advisors.

Attitude Assessments

At the beginning of each consultation meeting, the attendees were asked to answer four set questions. These required the farmer to use 5 words to describe their area, the Hen Harrier, the future of farming and their idea of farming in their area in ideal situations. The responses are represented visually through word clouds, see below. The larger the word in the word cloud, the more often it was mentioned.

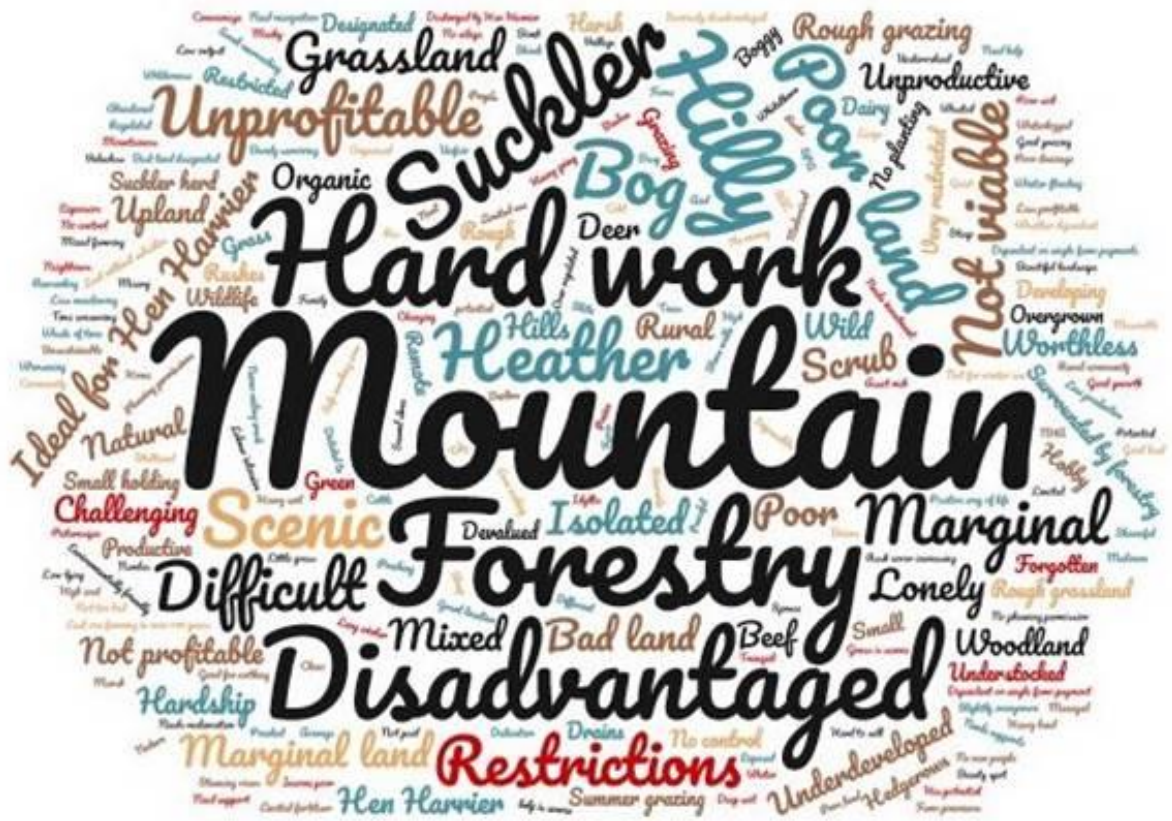
Meeting Reports

In this document we have taken an overview approach to the presentation of participant's comments to illustrate the key points and questions raised by farmers. We have also outlined how the Project will address the core issues. We have grouped responses thematically in the following sections of the document to highlight important areas of agreement, interest and concern. The feedback obtained through the consultation process is broken down into the following sections:

- Key points raised by farmers at meetings;
- Frequently asked questions;
- Questions that could not be answered at the time of the meetings.
- Over-arching themes.

Attitude Assessment Question 1.

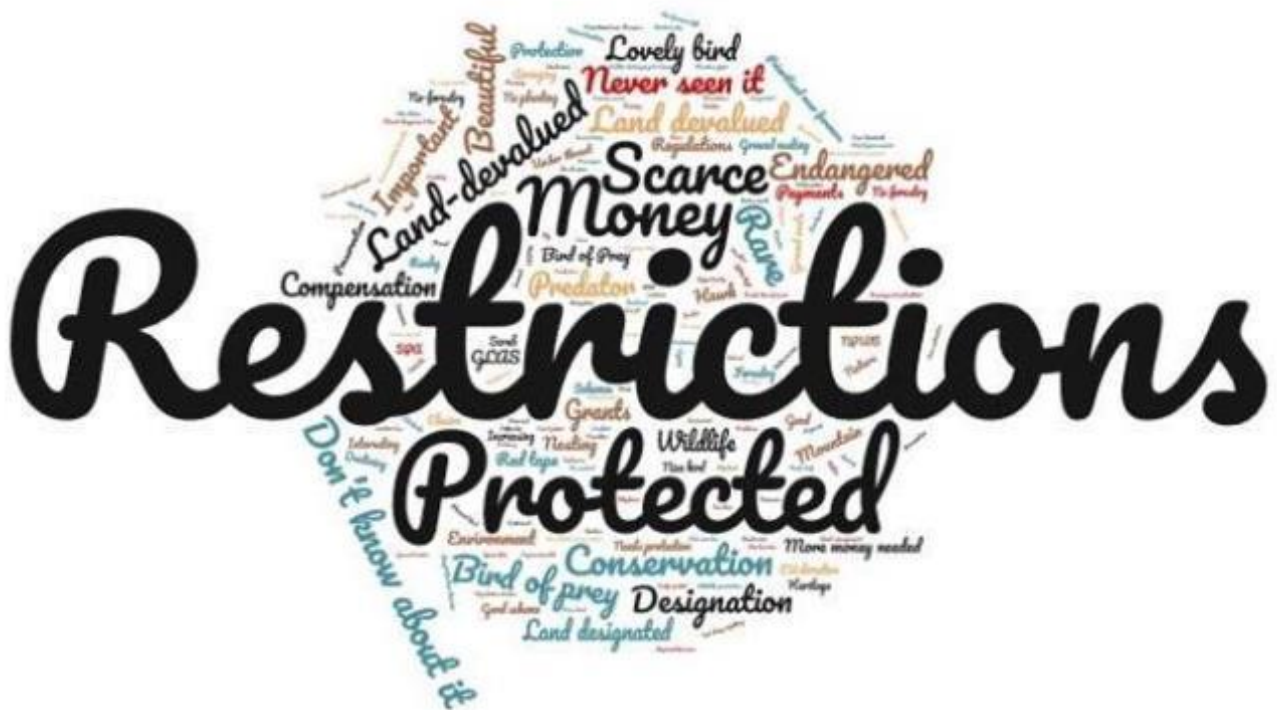
Thinking about **your area and your farm**, write down 5 words that best describe it today:



*The word “rushy” was the most frequently referenced word during the attitudinal assessments for Q1. It was removed from the word cloud to allow other terms to be exhibited in the diagram.

Attitude Assessment Question 2.

Thinking about the **Hen Harrier**, write down 5 words that you would associate with it today.



Attitude Assessment Question 3

Describe farming in your area in 20 years' time



Attitude Assessment Question 4

Describe farming in your area in 20 years' time, in an ideal world



Main Points raised by Farmers

Abbreviations: Mul: Mullaghanish to Musheramore Mountain SPA; SAu: Slieve Aughty Mountains SPA; SBe: Slieve Beagh SPA; SBI: Slieve Blooms Mountains SPA; SFe: Slieve Felim to Silvermines SPA; Sta: Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA.

Issue	% Frequency	Issues Ranked by Importance (Frequency raised) per Special Protection Area					
		Mul (n=1)	SAu (n=9)	SBe (n=2)	SBI (n=5)	SFe (n=5)	Sta (n=8)
Compatibility with ANC, BPS & GLAS	77.4	-	1	3	5	1	3
Eligibility issues and DAFM Penalties	67.7	1	4	1	2	2	1
Project should pay for the farm plans	51.6	1	11	4	1	3	5
Payments must be proportionate to forest grants	48.4	1	5	2	6	4	9
Confusion and Misinformation on Rush Management	45.2	1	12	5	7	-	2
Restrictions/Consent on land management	41.9	-	6	6	3	7	6
Confusion and Misinformation of Regulations	38.7	-	7	7	8	8	7
Scoring System will result in small payments for small farms	32.3	1	2	-	-	-	4
Should be paid on with GLAS	29.0	-	-	8	4	-	8
Criticism of NPWS & Designation Process	22.6	-	-	9	9	5	14
Farmers Disadvantaged & Livelihood devalued	19.4	-	-	3	10	6	15
Project should be available to all Farmers in SPAs	16.1	-	8	-	12	9	10
Compensation for designation	16.1	-	13	-	-	-	11
There should be an appeals process [Project scores]	16.1	-	-	-	-	-	12
Commonage should be allowed	12.9	-	3	-	11	-	16
Pine Marten are an issue	12.9	-	9	-	-	-	17
Payment should be up-front	9.7	-	-	-	13	10	13
Don't want to be dictated to by DAFM or NPWS	9.7	-	-	-	-	-	-
Land that is not designated should be eligible	6.5	-	10	-	-	11	-
There should be funding for infrastructure/access	6.5	-	14	-	-	-	-
Paying for GLAS & Project Planner would be double payment	3.2	-	-	-	-	-	-
A Guidance Document outlining Natura 2000 & Regulation	3.2	-	15	-	-	-	-

How will the Project complement the ANC, BPS and GLAS schemes?

The compatibility of the Hen Harrier Programme was the issue most frequently raised by farmers at consultation meetings. This is understandable as direct payments are an essential support and farmers cannot afford to put these at risk. The Hen Harrier Programme has been designed to ensure that it is compatible with ANC, BPS and GLAS.

There are three types of payment under the Hen Harrier Project;

- 1) **Habitat Quality Payment-** There is no conflict between the habitat payment and the ANC or BPS schemes. Two issues arise with this payment in respect of the interaction with GLAS. Compliance with GLAS prescription contributes to the delivery of vegetation structure on grassland and Bog/ Heath. To avoid a double payment, the payment in the Hen Harrier programme has been reduced by 40% on grassland and by 20% on bog/ heath for GLAS participants.
- 2) **Supporting Actions-** These are complementary actions undertaken to improve ecosystem services that would benefit the Hen Harrier e.g. planting new hedgerows, grazing firebreaks, putting in water troughs etc. Potential issues arise between two actions, the Safer Nesting Areas Action and the Linear Strips of Wild Bird Cover and the ANC and BPS schemes.

In both cases these areas must be digitised out on the BPS application, they continue to be eligible for BPS but will be ineligible for the ANC scheme. On farms with less than 34 ha this will result in a pro rata reduction in the ANC payment. The payment for these actions is considerably larger than the ANC payment and the farmer who chooses these actions will not be at a loss as a result. On larger farms there is unlikely to be any reduction in the ANC payment as adequate land to fully draw down the ANC payment will remain.

Linear Strips of Wild Bird Cover and Safer Nesting Areas must be digitised out on the BPS system. If this occurs on parcels where an area based GLAS measure has been selected it may result in a pro-rata reduction in the GLAS payment. To avoid double payments, new hedgerow under the Hen Harrier project cannot be on the same site as new hedgerow supported by GLAS 1.

- 3) **Hen Harrier Landscape Payments.** There is no conflict between payments made under habitat quality as it is a Hen Harrier related metric.

Supporting actions include measures designed to help the farmer address issues affecting habitat quality. They also include, support for improving access, provision of drinking water and targeted grazing infrastructure. Training and advisory support will focus on helping the farmer get the optimum benefit from extensive grazing by dealing with the animal health and nutritional requirements of livestock on upland sites. This approach is designed to help the farmer utilise the grazing animal to deliver the desired

environmental outcomes. This will have the added benefit of demonstrating agricultural activity on parcels and help secure continued eligibility for direct payments.

Eligibility issues and DAFM Penalties.

The Hen Harrier Programme is an agri-environmental programme. Land abandonment is not a desired outcome of the programme. Farming for conservation in the uplands will sustain agricultural production and the provision of ecosystem services, it will also demonstrate activity on land and help secure its eligibility for direct payments.

Farmers in SPA lands are protected under Article 32 (2) (b) (i) of Regulation (EU) No 1307/2013. This allows lands that would otherwise be considered ineligible to be paid on provided that:

- 1) It must have been claimed under the 2008 Single Payment Scheme.
- 2) It must have been eligible for payment under the 2008 SPS scheme.
- 3) Any increase in the ineligible area should be directly linked to the management requirements for the habitat.

The issue of scrub control and the effect of scrub on land eligibility was raised by many farmers. Scrub that has expanded since 2008 may have been redlined on BPS maps. This land may be covered under Article 32, where this is the case the Hen Harrier Project will work with participants and DAFM to regularise the situation. Where scrub control is needed to improve access or to manage habitats the Hen Harrier Project will assist the participant to obtain the required consents. In some cases, scrub management may be paid for as a supporting action under the programme.

The Project should pay for the Farm Plans.

The Hen Harrier Project will produce the initial Farm Plan at no cost to the Farmer. This is being done as part of a series of measures to reduce the impact of advisory costs on farmers. These costs are a concern for many farmers. A number of issues contribute to this.

- 1) Application Risk
 - 2) Cash Flow Implications.
 - 3) Effect to the net benefit from participation.
- 1) Application Risk. Advisors and Farmers are clearly worried that significant investment in a Farm Plan may be required in advance of an application. If the application was unsuccessful this investment would be lost. The design of the Programme has removed this risk by basing selection on existing data sources, i.e. BPS Land Parcel data and Hen Harrier monitoring carried out by the Project. The operation of the selection process only requires a single page Expression of Interest form that can be prepared by the applicant at no cost other than postage.

- 2) Cash Flow Implications. We recognise that even if participants can recoup their transaction costs from future payments they still experience a negative cash flow impact in the interim. To minimise this, the Project will produce the Farm Plan at no cost to the participant. Advisory support will still be required to assess habitats and to produce the annual works plan. The design of the Programme narrows the interval between this need for advisory support and payment to 3-4 months.
- 3) Effect on the net benefit from the Programme. The funding for the project is limited. The delivery of the scheme requires advisory input, and this has a cost. Payments to cover these costs could be made directly by the Hen Harrier project to the advisor or be made to the farmer who is then responsible for paying the advisor. Either way the money is coming out of the same fund.

While direct payments from the project to advisors would reduce cash flow issues for farmers, they do create other difficulties, these include linking the advisor too closely to the project team, raising the question who does the advisor work for? and potentially greater overall advisory costs.

A hybrid approach where the project would pay the initial costs and farmers pay the annual costs was considered. This was rejected as it could lead to an expectation that direct payments to advisors would continue leading to confusion and frustration on the part of both advisors and farmers alike.

It was decided to incorporate advisory costs into the habitat payments to farmers rather than pay advisors directly as:

- It is likely that a farmer dealing with an advisor across a range of schemes would be able to get a more competitive price than the Project.
- Direct payments to the advisor creates a risk that the advisor would be seen as an agent of the Project rather than as a support to the farmer.
- The payments to participants include provision for transaction costs. If the Project paid for farm plans directly the provision for transaction costs would have to be dramatically reduced. For most farmers, this would result in a net loss compared to the model proposed.

Payments must be proportionate to Forestry grants.

This is a complex issue. Forestry premia is paid for 15 years followed by an obligation to replant after clear-felling. The premia serve to provide an initial income from the plantation until timber production starts. Forestry premia are paid at a range of different rates depending on the tree species involved and whether the land is enclosed or unenclosed. It would be an error to consider forestry premia in isolation, they represent one part of the income that could be expected over the lifecycle of the plantation. These factors make it difficult to draw a direct comparison with an agri- environment programme.

It is important to appreciate that forestry is not supported in any areas (irrespective of designation) where the dominant vegetation is Purple Moor Grass with Heather or Bog Cotton. A large proportion of the Bog/ Heath in the SPA designated areas is unsuitable for forestry on silvicultural grounds and ineligible for forestry premium irrespective of designation. Of the remainder a significant proportion would only be eligible for payment at the lower unenclosed rate.

The situation is further complicated by the respective relationships between forestry premia and the Hen Harrier programme with other direct payments. New forestry is in most cases eligible for the Basic Payment Scheme, but it is ineligible for the ANC scheme and GLAS. The Hen Harrier Programme is fully compatible with all Pillar I and Pillar II payments (with minor ANC and GLAS exceptions for certain actions). For this reason, it is more applicable to contrast forestry payments with the package of supports available on land used for agriculture.

The Hen Harrier Project recognises the high nature value farmland in these areas and pays for that value. On peat soils, high scores will, when combined with GLAS and ANC payments provide a package equivalent to Sitka Spruce forestry premia on most farms. On mineral soils, suitability for forestry is affected by parcel size and shape and the income from forestry must be considered with potential impacts on remaining farmland if grassland is lost to forestry. This will vary from farm to farm and is not directly related to area.

The overall balance between income from farming compared to forestry premia varies from farm to farm but we are confident that on the majority of farms the package available to support agricultural use is equivalent to forestry premia.

Confusion and misinformation on rush management.

Delivering optimal structural diversity on rushy grassland is best achieved through targeted grazing by livestock. Cutting and weed licking can supplement grazing in achieving the desired outcome.

GLAS has its own rules and participants have their contractual obligations to DAFM. In GLAS 1 participants were required to cut parallel strips in grassland dominated by rushes (>70%) to improve vegetation structure. The Hen Harrier prescription in GLAS 2 & 3 is different, it allows for rush cutting but does not require it.

The Hen Harrier Project will continue to work with Advisors and DAFM to clarify rush management needs on farms participating in the GLAS scheme.

Perceived Restrictions/Consent Issues on land management.

The Actions Requiring Consent in SPAs designated for breeding Hen Harrier are;

- 1) *Agricultural reclamation of heath or bog.*
The Hen Harrier Project recognises the biodiversity value of peatlands and rewards farmers for supporting and enhancing this quality.
- 2) *Construction, removal or alteration of fences, stone walls, hedgerows, banks, or any other field boundary other than temporary fencing.*
Hedgerows are considered as a landscape feature and must be retained as a condition of the Basic Payment Scheme, this applies to all lands and is not linked to the designation. The Hen Harrier Project recognises the value of field boundaries including hedgerows and includes them in the calculation of the field score.
- 3) *Off-road recreational use of mechanically propelled vehicles.*
The use of all-terrain recreational vehicles is not an agricultural issue and is not dealt with by the Hen Harrier Project.

The moratorium on further afforestation in the Hen Harrier SPA areas is to be dealt with as part of the Hen Harrier Threat Response Plan.

The requirement for Screening for Appropriate Assessment to be undertaken under Article 6(3) of the Habitats Directives and submitted with any planning application for development of land in SPA areas are a planning issue for the Local Authority and are beyond the remit of the Hen Harrier Project. The Hen Harrier Project will however assist participants with Screening for Appropriate Assessment arising from agricultural activities.

Confusion and misinformation in relation to regulations.

Discussions with farmers revealed significant confusion on the extent of the regulations that apply in SPAs designated for Hen Harrier, with many convinced that they are not allowed to cut hedges, remove scrub, clean drains etc. The agricultural operations covered by ARCs in these SPAs relate to the drainage of bog or heath and the removal of field boundaries. The maintenance of drains on grassland is unaffected by the SPA designation, the cutting of hedges or the removal of scrub are limited by the legal restrictions applying everywhere, i.e. the prohibition on cutting from March 1st to August 31st.

The moratorium on new forestry was introduced in 2013. It will be reviewed as part of the Hen Harrier Threat Response Plan.

There is clearly a communication problem with the regulatory requirements arising from the designation being misinterpreted by many stakeholders. We believe that many of the issues created or exacerbated by this can be addressed through improved communication between the parties involved. The Hen Harrier Project will work with

Farmers, DAFM and NPWS to assist all parties to a common understanding of the regulations that apply in the Hen Harrier SPAs.

On designated land, issues arise in respect of the planning process, these are a matter for the relevant local authority. The Hen Harrier Project will assist participants with screening for appropriate assessment if this is required by a local authority for developments linked to participation in the programme.

Scoring System will result in small payments for small farms

A digressive payment structure ensures that smaller farms retain a real opportunity to benefit from the Programme. A farm with 20 ha of SPA land will receive a package worth up to €552/ ha between ANC, GLAS and the Hen Harrier Programme (excl. the Hen Harrier bonus). The Hen Harrier Programme can contribute up to €155/ha or 28% of this package. With a score of 8 out of 10 this farmer would receive €2,720 (more if he is not in GLAS). Even after transaction costs this is worth more than the value of two Limousin store cattle, considerably more if the costs of raising the stores is taken into account. Even on a small farm the market for ecosystem services provided by the Hen Harrier Project is very competitive with that for agricultural outputs.

Should be paid on with GLAS

GLAS is a nationwide scheme run by DAFM. Payments in GLAS are capped at €5,000 or €7,000 for GLAS+. The Hen Harrier Programme is restricted to Hen Harrier SPAs. If the funds available to the Hen Harrier Project were added to GLAS they would be spread over the entire country with minimal extra benefit to farmers in the Hen Harrier SPAs.

Criticism of NPWS and the designation Process.

The designation process is outside of the remit of the Hen Harrier Project.

Farmers disadvantaged and Livelihood devalued.

Putting a real value on the habitats that farmers in the SPAs provide is central to the design of the Hen Harrier Programme. This will allow farmers to benefit from a market for ecosystem services, a marketplace where they have a competitive advantage compared to farmers on better agricultural land.

Programme should be available to all farmers in SPAs.

If every farmer and every ha (un-forested designated land) was included, the payment rates would be too low (approx. €53/ ha) to achieve the desired results. Notwithstanding the fact that area-based payments are not allowed under the locally led model such an approach would present a high risk of failure and would not satisfy any of the stakeholders. Ensuring that payments are worthwhile is essential if the projects aims are to be achieved. This is still a pilot project, demonstrating success

increases the prospects for increased funding in future rounds of the CAP potentially allowing greater numbers to participate.

Compensation for designation.

The Hen Harrier Programme is an opportunity for farmers to increase payments on land designated as a Special Protection Area for Hen Harrier. The Programme is only open to farmers with land in the SPAs designated for breeding Hen Harrier.

The Hen Harrier Programme presents an opportunity for farmers to earn an additional income from designated land. This potential to earn an income from land will help underpin its value. Other issues relating to compensation for designation are not within the remit of the Project.

There should be an appeals process.

There will be an appeals process allowing participants who are unhappy with a decision on payments to appeal. This will have an independent chairperson. A participant who is dissatisfied with the outcome of this appeal can make a further appeal to the office of the Ombudsman.

Commonage should be allowed.

Commonage will be paid on in the same manner as privately-owned land. Some administrative differences in relation to scoring are required to ensure uniformity of habitat scores for different shareholders.

Pine Marten are an issue.

Hen Harrier nests are being predated and this is having a negative impact on the population. Current evidence suggests that foxes are the primary problem, but it is accepted that Pine Martens may be significant in certain areas. Pine Martens are a protected species and the Hen Harrier Project will have to work closely with NPWS to identify what if any control or deterrence measures can be put in place where there is a likely impact from Pine Marten predation.

Payment should be upfront.

In a results-based programme payments can only be made when a result has been demonstrated. The demand for an upfront payment may be related to the cash flow implications of transaction costs. The design of the Hen Harrier Programme has ensured that there is no upfront cost and that payments follow advisory costs within 3-4 months.

Don't want to be dictated by DAFM or NPWS.

There are no additional restrictions on participants in the Hen Harrier Programme. The Project Officers will assist participants in their dealings with DAFM and NPWS, it is hoped that this will ensure that any difficulties can be resolved.

The Hen Harrier Programme is a market for ecosystem services. How the participating farmer avails of this opportunity is up to him. The farmer remains free to change his priorities within the programme or to withdraw completely at any time. There is no dictation to the farmer, there will be support, recognition and reward for desirable outputs.

Land that is not designated should be eligible.

The funds available to the project are limited. While a good case could be made for payment on undesignated lands, it is not generally permitted by the governing regulations. Even if it were, the reality is that such payment would be at the expense of designated land.

A limited exception has been made in respect of planting new hedgerows and Linear strips of wild bird cover. This was done in recognition of the value of these actions as in improving connectivity between habitats and in supporting Hen Harrier and their prey species. The unsuitability of the designated land on many farms for these actions was recognised and for this reason a limited exception was agreed with DAFM. It is important to note that even in these cases while the delivery of these actions on undesignated land is allowed, the fund which pays for them was built up on designated land.

There should be a bounty on foxes.

This suggestion was considered but It was deemed that it would be extremely difficult to manage. Some of the difficulties associated with this include;

- There would be no way of confirming if the foxes culled were indeed from the SPAs or whether they were a threat to Hen Harrier nest sites,
- If the methods employed were legal.

Providing a game keeping service across all 6 SPA sites is not a realistic objective. Our approach is to assess vulnerable nest sites based on patterns of success/ failure in 2017 and identify areas where professionally delivered fox control can be carried out with minimal risk of disturbance to nesting Hen Harriers. This control will be contained within an inner cordon around selected nest sites. It can be supplemented by the control of foxes by local gun clubs and farmers within an outer cordon. The objective is to reduce the number of nest failures caused by predation rather than to remove a predetermined number of foxes.

The Hen Harrier Project will seek to utilise the resources available locally and within the project for nest protection to optimise Hen Harrier breeding success.

There should be a coupled payment for cattle.

This suggestion was made by a number of farmers. It correctly identifies the need to restore cattle grazing to these upland areas but the mechanism of doing so through a coupled payment was rejected. The practical difficulties associated with determining if individual animals were grazed on the hill were deemed to be too difficult for a pilot project to manage. There are technical solutions to this such as the use of GPS collars for animals but the cost of doing this across all animals on all participating herds both in terms of equipment and labour would be prohibitive. Instead the project team decided that rewarding grazing through habitat scores linked to the impact of grazing animals was a more appropriate mechanism for supporting sustainable grazing regimes.

There should be funding for infrastructure/ access.

Improvements to access and infrastructure are needed to allow optimal management of designated lands on many farms. To address this, the Hen Harrier Project will co-invest with participants in improvements of this type. This is an enabling measure that will put farmers in a better position to benefit from habitat payments under the Programme.

Payment for GLAS & Hen Harrier Programme Planner would be a double payment (by the farmer).

We accept that paying an advisor for both roles is an additional cost to the farmer. The programme has been designed to reduce the impact of advisory charges. The initial Farm Plan is free and annual costs occur as close as possible to the expected payment date.

In many cases it may be possible to negotiate a package covering both GLAS and the Hen Harrier Program with an advisor. While price is a factor, a good advisor will make accurate assessments of habitat quality and help you to achieve a better score and a better payment, a poor advisor will cost you money.

Ultimately each farmer will have to decide whether the cost of advisory support outweighs the benefits from the programme.

A Guidance Document outlining NATURA 2000 and other Regulations.

The Hen Harrier Project Officers will advise any farmer on any aspect of NATURA 2000 and other regulations and how they affect their farm. Supporting literature will be distributed at training courses for participants.



Questions in relation to Agricultural elements of the Project

Question (Agricultural Related)	% Frequency
How will the Project complement ANC, BPS and GLAS Schemes?	77.4
How scoring system will work and who does it?	67.7
Where can I get a planner?	51.6
What lands are eligible for payment?	38.7
When will the Project open?	29.0
Will it be worthwhile for a farmer to join the Programme?	29.0
What will the application process involve?	25.8
When will planners be trained?	25.8
Can I plant my land?	22.6
How will farmers be selected for joining the Project?	19.4
Can Commonage get into the Project?	19.4
What level of farmer training will be carried out [Open Days]?	12.9
How much land is in SPAs?	6.5
What kind of actions are likely to be in a plan?	6.5
Why is there an application process?	3.2
Will the Project be using NPWS Maps to target certain areas?	3.2
What permissions are required for actions?	3.2
Wild Bird Cover attracts nuisance birds/vermin, how do we prevent this?	3.2
Is woodland included in the Scorecards? [paid on]	3.2

How the scoring system will work and who does it?

All eligible land will be scored annually with a user-friendly scorecard. The potential points for each field are set by the Hen Harrier Project team in the Farm Plan. The proportion of these earned each year is based on the score for that field. Higher scores earn a greater proportion of the points available, leading in turn to higher payments. This gives the farmer the incentive to manage their fields in ways that improve the condition of habitats and increase their payments.

An annual works plan, completed by a Hen Harrier Farm Advisor contains a list of actions nominated by the farmer. These actions facilitate the enhancement of habitats for the benefit of the Hen Harrier and optimise the participants potential to benefit from increased habitat payments.

Where can I get a planner?

The Hen Harrier Farm Plan is prepared by the Hen Harrier Project team, the farm advisor helps the farmer score the habitats on each field and to produce an Annual Works Plan. A list of trained advisors will be distributed to all participants and will be available on the Hen Harrier Project website (www.henharrierproject.ie).



What lands are eligible for payment?

The Project is open to participants who had land designated as a Special Protection Area (SPAs) for breeding Hen Harrier. This 5-year programme is targeted specifically at farmers with land in Slieve Beagh, Slieve Bloom Mountains, Slieve Felim to Silvermines Mountains, Slieve Aughty Mountains, Stacks to Mullaghareirk Mountains, West Limerick Hills & Mount Eagle and Mullaghanish to Musheramore Mountains Special Protection Areas (SPAs). Land Eligibility for the Hen Harrier Programme is independent of the Basic Payment Scheme. Eligibility for payment under BPS is not a factor in determining land eligibility for the Hen Harrier Programme.

Active turbary, buildings and their curtilage, farmyards, extensive water, forestry, gardens, quarries and roads are ineligible for the Hen Harrier Programme. All other lands can be scored and subject to reaching a minimum score will receive a payment.

When will the programme open?

The Hen Harrier Programme will be open for expressions of interest from farmers with land in Hen Harrier SPAs on December 8th, 2017. The first participants will be offered a contract in January 2018. The contract for Phase 1 applicants, i.e. participants who have returned a signed contract before June 30th, 2018 will be for 5 breeding seasons. The contract for Phase 2 participants, i.e. participants whose contract commenced after June 30th, 2018 will be for 4 breeding seasons. If applicable, the contract for phase 3 applicants, i.e. participants whose contract commenced after June 30th, 2019 will be for 3 breeding seasons.

Will it be worthwhile for a farmer to join the programme?

Biodiversity, water quality, carbon storage/ sequestration and the maintenance of landscape assets are valuable ecosystem services. Farmers have been delivering these services for centuries, but traditional support measures and markets have not recognised this output. The Hen Harrier Programme is designed provide a marketplace where farmers can earn an additional income for the value of the ecosystem services they provide.

The payment structures in the Hen Harrier Programme are designed to optimise the delivery of desired environmental outputs. The three payment streams complement each other, supporting actions enable optimal habitat quality payments with the Hen Harrier payment recognising and rewarding achievement.

A digressive payment structure ensures that smaller farms retain a real opportunity to benefit from the Programme. A 30-ha grassland farm can receive a package of supports worth up to €600 per ha between ANC, GLAS and the Hen Harrier Programme payments.

Ultimately the farmer will have to make the decision on whether this is worthwhile for themselves, they should however note that unlike other schemes the farmer has the



potential to increase his payments in the Hen Harrier Programme. The Hen Harrier Programme is designed as an Opportunity Pathway, how far the participant wishes to avail of this opportunity is a matter for each individual.

What will the application process involve?

The farmer will apply to the programme by submitting an Expression of Interest. This is a single page requesting a farmer's name, address, telephone and herd number. This authorises the Hen Harrier Project to access the applicants Land Parcel data and information on GLAS participation from the Department of Agriculture, Food and the Marine.

This information will be used to select participants and to develop a Farm Plan for successful applicants. The Farm Plan and a Contract Offer will be sent to successful applicants. The contract must be signed and returned to the Hen Harrier Project within one month.

When will planners be trained?

Hen Harrier Advisors are FAS approved advisors who have successfully completed the Hen Harrier Project Advisor training course. The Hen Harrier Project will provide training to suitably qualified Agricultural Advisors interested in the scheme.

Initial Advisor training will commence in January 2018, it will consist of two phases of two days duration each. The second Phase of Advisor training will commence in late May 2018 after the BPS application period has closed. Training dates have been selected to avoid the BPS application period. Advisors will have to attend an annual training event to retain approval.

Can I plant my land?

The Hen Harrier Project has no role in regulating forestry activities. The Forest Service of the DAFM is the body responsible for regulating key forestry activities, including afforestation and forest road construction.

How will farmers be selected for joining the scheme?

Selection is carried out at SPA level. Applicants are ranked against other applicants from the SPA where their farm is located. Applicants will be prioritised as follows.

1. Development Farms. The 12 farms that participated in the development phase will be approved if they apply.
2. Farms with Critical Sites, i.e. farms with known nest or roost sites or with land within a defined buffer of a known nest site or winter roost.
3. Remaining applicants are ranked based on the proportion of the farm designated and the area designated as a breeding Hen Harrier SPA.

Selection will be carried out monthly, unsuccessful applicants will be included in the selection exercise for the following month.



Can commonage get into the programme?

Yes, Commonage is eligible for payment. Payment calculations for commonage land will be done in the same way as privately-owned land. On Commonage lands, payment will only be made to Programme participants, it is up to them to ensure that supporting actions applied for on the commonage have the support of the other shareholders.

There will be no distinction in the system used to calculate payments between Commonage and privately-owned land or between owned and leased or rented land. However, each commonage must be scored by a single advisor acting on behalf of all participants. There is nothing to stop advisors working with different shareholders co-operating on this task. This is necessary to avoid the anomalous situation where different scores could be applied to the same parcel of land. In many cases the GLAS commonage advisor may be in a position to do this. Where this is not possible the Hen Harrier Project will work with farmers to identify a solution.

What level of farmer training will be carried out?

Participating farmers must attend an annual training day each year. Payment for this is incorporated into the habitat quality payment. Attending a training course is a requirement for nominating supporting actions in the annual works plan. In addition to this general training the Hen Harrier Project will provide specialist training to selected participants in Controlled Burning, Control of Invasive Alien Species, Nest Protection, Building Wildfire Resilience and Wild Bird Cover. Participants at these additional training days will be paid €100 per day.

How much land is in the Hen Harrier SPAs?

Six SPAs covering a total land area of c.167,117ha (1,671km²) have been designated for the conservation of breeding Hen Harrier. An examination of landcover within the SPAs and the DAFM Land Parcel Identification System (LPIS) shows that the eligible land area for the Project is 56,617.57 ha.

What kinds of actions are likely to be in a plan?

The Hen Harrier Project will invest with the participant in non-productive capital actions, which either enhance Hen Harrier habitat or address infrastructural deficits that limit capacity to deliver increased habitat quality. Examples of the actions that will be supported include, but not limited to:

Habitat Enhancement.
Grazed Fuel breaks
Planting Willow Firebreaks
Drain Blocking on peatland.
Safer Nesting Sites, measures to promote the development of suitable nesting habitat remote from Commercial forestry.
Flail Cutting.
Controlled Burning.
Linear Features and Prey Support.
Linear Strips of Wild Bird Cover.
Planting new hedgerows, Rejuvenating hedgerows through coppicing/ or hedge laying.
Cutting Rides through Scrub.
Fence Markers
Grit Stations
Pheasant Feeders

The Hen Harrier Project will co-invest with the farmer in improving access and in the provision of fencing and water infrastructure that enhance the capacity for optimal management. Actions and their location are selected by the farmer. While the Hen Harrier Project may suggest particular actions, a participant is not obliged to pick any action.

Why is there an application process?

As the Hen Harrier Programme is a voluntary it requires an application from potential participants.

Farmers with land in an SPA designated for breeding Hen Harrier are eligible to participate. A selection process is needed as there is an upper limit on how many participants the Project can accommodate. This process will prioritise applicants farming sites of known importance to Hen Harrier and those who have been most affected by the SPA designation.

Finally, the Hen Harrier Programmes administration is separate from DAFM. Participation involves a contract between the Hen Harrier Project and the individual farmer.

Will the Hen Harrier Project be using NPWS habitat maps to target certain areas?

The NPWS have produced a habitat map for the six SPAs. Although this is a very worthwhile resource, the Hen Harrier Project will not be using the NPWS Map to target farmers for participation. The Project has developed a selection system that prioritises critical sites for Hen Harriers and farmers with large areas or a large proportion of their farm designated.

The NPWS habitat map will be used to inform the production of Farm Plans for successful applicants and to help with interpretation of Hen Harrier monitoring results.

What permissions are required for actions?

On land that has been designated as a Special Area of Conservation (SAC) or as Special Protection Areas (SPA), certain activities can only be carried out with the permission of the Minister. These are known as Actions Requiring Consent (ARCs), they vary depending habitat or species for which the site has been designated.

In SPAs designated for breeding Hen Harrier there are 3 ARCs dealing with the drainage of bog or heath, the removal of field boundaries and the recreational use of off road vehicles. Participation in the Hen Harrier Programme does not place any additional restrictions on farmers. The Hen Harrier Project are in ongoing communication with NPWS to ensure that the process of obtaining consents is as simple as possible.

Depending on the actions chosen, a participant may potentially need tree felling licences from the Forest Service, planning permission from the local authority (for new fencing) or to notify the National Monuments Service regarding works close to archaeological sites. Notification of planned controlled burning to the Fire Service and others may also be required. The Hen Harrier Project will assist participants with obtaining any consents required for actions in the Programme.

Participation in the Hen Harrier Programme does not exempt the farmer from their legal obligations, or from cross compliance requirements. Activities not included in a Hen Harrier Farm Plan may continue to require separate consent.

Wild Bird Cover attracts nuisance birds/vermin how do we prevent this?

The provision of Wild Bird Cover is designed to support potential prey species and to provide hunting opportunities for Hen Harrier. This is best achieved through the provision of small linear strips of wild bird cover where a crop is grown in a strip running along a field boundary (preferably a hedge), the remainder of the field can continue to be grazed and claimed as pasture.

The recommended seed mix will vary depending on the characteristics of the site and identified conservation priorities for the area. In most cases it will be based on Buckwheat and Linseed, fast growing plants that can tolerate poor sites. The small seeds of Buckwheat and Linseed are not as attractive to crows or rats as cereal grains such as Oats. This will reduce the nuisance impact of vermin attracted to Wild Bird Cover sites. These crops mature in late July and attract large numbers of small seed eating birds. This provides hunting opportunities for young Hen Harriers. This will allow them to develop their hunting skills and build up their physical condition prior to their first winter and improve first winter survival rates.



In areas important for wintering Hen Harriers, the recommended mix will include Triticale, this is also tolerant of poor sites. It can tolerate soil pH as low as 4.9, it stands well through the winter and is not as attractive to deer, or rabbits as Oats. It provides a longer lasting food supply for small birds than Oats and provides hunting opportunities for Hen Harrier through the winter. Oats are not recommended as they lodge too easily, the seed is consumed too early in the season and they potentially cause a nuisance by attracting large numbers of rats.

Our objectives for wild bird cover are different from those in GLAS. We seek to provide hunting opportunities for Hen Harrier at key times of the year. As the appearance of a Hen Harrier or other bird of prey will alarm small birds, hunting opportunities are brief irrespective of the area of the cover crop. Consequently, larger numbers of small sites are preferred to a single larger site as they provide additional opportunities for a hunting Hen Harrier. This also fits in better with farmers needs in the uplands, where many would be reluctant to commit an entire field to wild bird cover.

The level of nuisance from rats is reduced by the smaller size of wild bird cover plots and by the omission of Oats from the seed mix. However, there is still a risk and farmers are advised to locate linear strips away from houses and farm buildings.

Is woodland included in the Scorecards? [paid on]

The Hen Harrier Programme provides for payment on woodland and scrub habitats as these habitats support prey species and in the case of scrub can provide suitable nesting sites for Hen Harrier. For this reason, scrub and broadleaved woodland qualify for payment under the Programme.

Questions in relation to the Economics of the Project.

Questions	% Frequency
How much are the Hen Harrier Project being paid?	32.3
Is payment based on area?	22.6
Do I have to have all my land into the Programme?	19.4
Is there a limit on the amount of land that I can get into the Programme?	16.1
If I have land outside SPA Boundary can I get paid on that also?	12.9
Can the Programme pay on forestry?	9.7
What happens when GLAS is finished?	9.7
Can payments be tax free like forestry?	6.5
Will there be an incentive for farmers who complete 5yrs?	6.5
Are Coillte getting any of the budget?	3.2
Can farmers just do a self-assessment?	3.2
Will farmers get paid for training?	3.2

How much are the Hen Harrier Project being paid [to administer the scheme]?

After an open tender competition, the Hen Harrier Project were awarded a contract to design and administer the Hen Harrier Locally Led Agri-Environment Scheme (LLAES). The budget for the Hen Harrier LLAES is €25,000,000, administrative costs account for approx. 14.4% of the total budget.

Is payment based on area?

The regulations that govern the operation of the Hen Harrier Programme do not permit an area-based payment. Payments to farmers are based on habitat value, actions delivered and presence/ success of Hen Harrier.

Do I have to have all my land into the programme?

All the farmers qualifying SPA land can be considered for payment. There will be situations where farmers prioritise agricultural outputs in preference to ecosystem services. This is their decision, it will affect the payment on that field, but we accept that the farmer makes management decisions in accordance with the needs of the farm enterprise. A farmer remains free to change his management objectives for a field at any time, no consent from the Project team is needed for this.

Is there a limit on the amount of land that I can get into the programme?

No, there is no limit on the amount of land that you can have in the programme. However, new rented/ leased land (i.e. not declared on the 2017 BPS application) will not be paid on. This is needed to protect the projects finances from the impact of large unexpected increases in claimed area. It is also needed to prevent any destabilising impact on land rental prices.



If I have land outside SPA boundary can I get paid on that also?

The only payments available on undesignated land are for the Linear Strips of Wild Bird Cover and the planting of new hedgerows. These actions have considerable value for Hen Harrier prey species as and their prey. This provision is being made in recognition of the difficulties in delivering these actions on the designated lands on some farms. Approval for these actions will be granted if they have potential for delivering a conservation benefit for Hen Harrier.

Can the programme pay on forestry?

Areas of active turbarry, buildings, gardens, quarries and commercial forestry are not eligible to be considered for payment.

What happens when GLAS is finished?

GLAS 1 & 2 contracts will finish at the end of 2020, GLAS 3 contracts will finish at the end of 2021. It is expected that there will be an agri-environment scheme in the next round of the Common Agriculture Policy (CAP).

The Hen Harrier Programme is separate from GLAS and any successor scheme under the next round of the Common Agricultural Policy.

Can payments be tax free like forestry?

Payments under the Hen Harrier Programme constitute income for tax purposes. They should be included as income when preparing annual accounts. Costs associated with participation in the programme, e.g. Advisor charges are tax allowable. Decisions on tax treatment of income are a matter for the Revenue Commissioners.

Will there be an incentive for farmers who complete 5yrs?

The Hen Harrier Programme operates on the basis that payments are for habitat quality and the supporting actions delivered during each breeding season. Whether any future scheme would prioritise participants in the Hen Harrier Programme is unknown at this stage.

Are Coillte getting any of the budget?

To be eligible to apply for the Hen Harrier Programme an applicant must be a farmer, Areas of commercial forestry irrespective of ownership are not eligible to be considered for payment.

Can farmers just do a self-assessment?

A trained professional intermediary is required to help standardise the habitat assessment system. The Hen Harrier Project is not only paying farmers for the quality of the habitats delivered, it is also demonstrating to other stakeholders (incl. other farmers, advisors, DAFM, the EU Commission and taxpayers) that these habitats have



value and that there is a robust mechanism for establishing that value. This could not be done on a self-assessment basis unless the resources available for the projects administration were greatly increased. Such an alternative model would result in less money being available for payment to farmers and would prevent a farmer from accessing independent advice and support from a professional advisor.

Will farmers get paid for training?

The participant is required to attend a training course in each year of the programme. There is no charge for training courses. Attendance at training courses is incorporated into the costings for habitat payments. Payments will be reduced by 10% if the participant fails to attend a training course.

Specialist courses may be provided by the Hen Harrier Project on Controlled Burning, Nest protection, Management of Linear Strips of Wild Bird Cover and Wildfire Prevention. Participants who attend a course of specialist training will be paid €100 per day by the Hen Harrier Project.

Questions in relation to Conservation

Question (Conservation Related)	% Frequency
Who will do the vermin control [nest protection]?	41.9
How many Hen Harrier are in the SPA?	29.0
How do I get designation removed from my land?	12.9
Are NPWS involved in this Project?	12.9
Can you burn for heather management?	3.2

Who will undertake nest protection measures?

Many of Ireland's threatened bird species are upland ground nesting birds e.g. Curlew, Red Grouse and Hen Harrier. Current evidence suggests that Hen Harrier nests are being predated at unsustainable rates. Given the size of the SPAs, totalling more than 167,000ha, a landscape level approach to nest protection is not viable under the current pilot programme.

The Project, through its Hen Harrier Monitoring programme, will identify areas where nest protection would be most valuable. Project Officers will liaise with local farmers to arrange for nest protection work to be carried out at these locations. This work will be done by a mix of participants themselves, local Gun Clubs and professionals employed by the Hen Harrier Project for that purpose.

How many breeding Hen Harrier are in the SPA?

Detailed Hen Harrier monitoring carried out by the Golden Eagle Trust in 2017 showed a breeding population of 76 territorial pairs within the SPA network. The breeding population was determined as 94 territorial pairs in the 2005 national breeding Hen Harrier survey. There is considerable variation in the population size and trends across the different SPAs. The population has increased in the Slieve Blooms since 2005 but has decreased dramatically in the Slieve Aughties.

How do I get designation removed from my land?

The Hen Harrier Project is funded by the Dept. of Agriculture, Food and the Marine through the Rural Development Programme. It was not involved in the designation process. The National Parks and Wildlife Service (NPWS) is responsible for the designation of NATURA 2000 sites (SAC & SPA).

Since all six SPAs designated for breeding Hen Harrier were adopted in 2007, the period for appeals has now lapsed.



Are NPWS involved in this Project?

The Hen Harrier Programme is administered by the Hen Harrier Project. The NPWS provide specialist scientific advice to an Inter-Departmental Steering Group that oversees the operation of the Hen Harrier LLAES. The Hen Harrier Project engages with NPWS Conservation Rangers and other staff to ensure that they are familiar with the Projects aims and its approach.

Can you burn for heather management?

In scenarios where controlled burning is appropriate, a detailed burning plan will be drafted by the Hen Harrier Farm Advisor working closely with the Project team. The Hen Harrier Project will assist participants with making the required notifications to the Fire Service and others in advance of a planned burn.

Specialist locally co-ordinated courses will be provided by the Hen Harrier Project on Controlled Burning. The Project may also assist in the provision of specialist equipment needed for this purpose.

Questions that could not be dealt with on the day.

Question (Conservation Related)	% Frequency
What are the payments?	100.0
How many Farmers will get into Programme?	41.9
Who Pays the Planner?	41.9
When will the open days be held?	35.5
Can farmers leave the scheme without clawback of moneys?	32.3
How would disputes be settled?	32.3
Where is compensation for designation?	16.1

What are the payments?

There are three payment types.

- 1) The Habitat Quality payment. The potential habitat value for each field is determined by the Hen Harrier Project Team. This calculation is based on the type and extent of habitat available for Hen Harrier and on GLAS participation. For example, on a 10 Ha field of Bog/ heath where the farmer is not in GLAS there are 750 potential habitat points available. If the farmer was in GLAS the Potential Habitat Points would be 600.

On a 4-ha grassland field where the farmer is not in GLAS has 400 potential points, if the farm is in GLAS the potential is 240 points.

The proportion of these points earned by the farmer is dependent on the habitat quality or "Field Score" as measured on a 1-10 scale. For example, if a field had a Potential Habitat Value of 150 and a field score of 5 it would earn 75

points. If the field score increased to 6, the number of earned points would increase to 90.

The points earned over the entire farm are converted to a monetary value by reference to the following table.

Total Habitat Points	€
1-1000	2.00
1001-2000	1.50
2001-3000	1.00
>3000	0.75

For example, a farmer who has earned 2,500 points will receive a payment of;

1000 x €2	= €2,000
1000 x €1.50	= €1,500
500 x €1	= <u>€500</u>
Payment	= €4,000

- 2) In addition to this the farmer has access to a fund to support investment in supporting actions. The annual value of this fund is up to €1,600 (€40/ha capped at 40 ha).
- 3) The Hen Harrier payment is a dividend shared between participants who have made a significant contribution to the provision of quality habitat (at least one field with a field score of 6 or greater). It recognises and rewards this achievement and its contribution to the presence/ success of Hen Harrier at local and SPA level. This payment is worth up to €50 per ha (capped at €1,000 per farm). This payment is made in the spring separate from the main habitat and actions payment in the Autumn.

How many farmers will get into the Programme?

Current estimates are that the program will eventually have 1,100 – 1,200 participants, many of these will be farming more than 40 Ha, the remaining participants would be in the 19 -40 ha range or if farming less than 19 ha would be likely to include a critical site.

Who Pays the Planner?

The participant pays the advisor for assessing habitats and the production of an annual works plan. Advisory support has a cost, irrespective of who pays for it, the money is coming out of the same fund. The model chosen is considered to offer the best value for participating farmers. Other models were considered but were rejected as they would require either;

- 1) The payment of advisors directly by the Hen Harrier Project would reduce the funds available for payments to farmers.
- 2) The transaction cost incorporated into the costings for payments to farmers would be greatly reduced.
- 3) The advisor would be seen as an agent of the Hen Harrier Project.
- 4) The farmer would be deprived of access to independent advice and support.

When will the Project hold Open Days?

It is intended that the Farm Open Days will run in Spring 2018 once the Project launch has been completed and applicants are approved into the Programme. These will be advertised locally, we will also notify farmers who attended the consultation workshops by phone of the scheduled Open Days in their areas.

Can farmers leave the Programme without a clawback of moneys?

The Hen Harrier contract is between the Hen Harrier Project and the participating farmer. It runs from the date of issue of a contract letter until December 31st, 2022. We are committed to achieving the best outcomes for everyone involved. However, if a participant wishes to withdraw from the Programme they are free to leave after one month's notice to the Hen Harrier Project. There will be no clawback of funds paid to date.

How will disputes be settled?

Participants have the right to appeal decisions made by the Hen Harrier Project in respect of decisions on claims for payment. A participant who wishes to make an appeal should notify the Project Manager in writing within one month of the disputed decision. The appeal will be considered by an appeals board.

The Appeals Committee will consist of:

- An Independent Chairperson.
- The Project Manager or a Project Officer other than the Officer who made the decision which is the subject of the appeal.
- A Project Officer or a Hen Harrier Farm Advisor not linked to the decision which is the subject of the appeal.

The Appeals Committee will seek to decide on any appeal within 3 months. The participant has the right to further appeal any decision to the Office of the Ombudsman. There is no right of appeal to the Agriculture Appeals Office as that office can only consider appeals in respect of a decision of an Officer of the DAFM.

Responses to over-arching themes and discussions

Design of Payment Rates.

The Project Team must ensure that the funds available are used to the best possible effect. This requires striking a balance between the rate of payment and the number of participants. To do this the Project Team had to consider the finite resources available and the need to deliver sustainable agricultural and conservation outcomes. The payment system is designed to deliver a significant payment to those who engage with the programme and deliver high quality habitats. This incentivises success but leaves the farmer free to choose between a market for agricultural products and one for ecosystem services.

In the consultations with farmers and farming organisations, some were in favour of including every farmer and every ha in the programme. The idea that participation should be restricted to very large farms was also expressed. Payments of €370 per ha or payments equivalent to forestry premia were also proposed.

These approaches are not viable in the present circumstances. If every farmer and every ha was included, the payment rates would be too low (approx. €53/ ha) to achieve the desired results. Notwithstanding the fact that area-based payments are not allowed under the locally led model such an approach would present a high risk of failure and would not satisfy any of the stakeholders.

The higher area-based payments suggested would limit the area covered by the program to approx. 11,000 ha and the number of participants to approx. 3-500. Selecting participants, even if the programme were restricted to those with more than 19 ha would be an impossible task. A small number of participants would receive very high payments and the majority would receive nothing, such an outcome would be divisive and likely to cause further discontent.

Even if this approach were permitted by the governing regulation, the area covered would be too small to deliver the required conservation objectives. In addition, the prospects for building community engagement would be poor as too many people would be left behind.

With both the “paying on every ha” and the “€370/ ha” models, the net result would be to reduce the prospects of success and potentially undermine future agri-environment schemes. The model chosen is inevitably a compromise providing worthwhile payments covering as much land and to as many participants as possible.

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