

## Soil management requirements

If you are a Basic Payment Scheme (BPS) claimant, there are soil management rules that you must comply with or you may receive a reduction in your payments. If you have a BPS or Environmental Stewardship inspection, a full land inspection will be conducted taking into account all parcels on the holding. Payment reductions may be applied if you are not complying with the rules. A summary of the rules is provided below.

### **Good Agricultural and Environmental Condition (GAEC) 4: Providing minimum soil cover**

You must take all reasonable steps to protect soil by maintaining minimum soil cover, by providing any of the following cover options:

- vegetative cover from all types of crop, grass and herbaceous forage;
- cover crops and leguminous and nitrogen fixing crops (green manures);
- game cover and crops planted for biodiversity;
- trees, coppice, fruit crops, hops, nursery crops, vines;
- overwintered stubble from combinable crops;
- other stubbles and crop residues such as vegetable, maize and sugar beet.

There are exemptions to this rule if there is agronomic justification for not establishing cover or if establishing a cover would conflict with the requirement to minimise soil erosion (GAEC 5). Details of acceptable agronomic justifications and soil cover are set out in the [Guide to cross compliance in England 2020](#).

Where a suitable agronomic justification applies that is not listed in the guidance, you will need to apply for a derogation from the Rural Payments Agency (RPA) using the details provided on [GOV.UK](#). Your request needs to be sent in writing by email or by post and should include your Single Business Identifier (SBI), details of the fields affected and information about why you are requesting a derogation.

You must have written confirmation that a derogation has been granted before you take advantage of the unlisted agronomic justification. If you were to receive an RPA inspection, the inspector would have details of any derogation that had been granted in advance of the inspection. If one of the listed agronomic justifications applies, you will discuss this with the inspector during their visit.

### **GAEC 5: Minimising soil erosion**

You must put measures in place to limit soil and bankside erosion on your holding. Some examples of practices that may cause erosion if not managed correctly are:

- cropping practices and cropping structures;
- livestock management, including outdoor pigs and poultry, causing overgrazing and poaching;
- wind;
- vehicles, trailers and machinery.

Examples of appropriate measures to limit soil erosion are available in the [Guide to cross compliance in England 2020](#).

Where compaction may cause soil erosion, you must, where appropriate, cultivate post-harvest land and late harvested crops using primary cultivation methods such as ploughing. Alternative primary cultivation methods are included in the [Guide to cross compliance in England 2020](#).

The RPA inspector will look at all of the parcels on your holding and a reduction in your payments could occur if any of the following non-compliances are found:

- soil erosion over a single area greater than 1 hectare. Please note that this is a continuous area and can include land that crosses permanent boundary features, meaning that the erosion is not necessarily limited to one field/parcel.
- bankside erosion, caused by livestock trampling, along a continuous stretch of more than 20 metres long and 2 metres wide of a watercourse

The reduction that is received will depend on the severity of the erosion that is found on your holding.

### **GAEC 6: Maintaining the level of organic matter in soils**

You must maintain good levels of soil organic matter by demonstrating compliance with the following regulations:

You must:

- Not burn crop stubble, except for plant health reasons. Where burning is needed for plant health reasons, it must comply with the Crop Residues (Burning) Regulations (1993) (Regulations 4 (b) and 5).
- Not burn bales and stacks where it will burn stubble.
- Comply with the Heather and Grass Burning Regulations (2007) (Regulations 5(2) and 6(1)(a)).
- Comply with the Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations (2006) (Regulations 4, 9, 26 and 28) and the Environmental Impact Assessment (Forestry) (England and Wales) Regulations (1999) (Regulations 4(1) and 22). Do not plough, cultivate or intensify species-rich and semi-natural habitats so as to conserve organic matter and carbon levels in soils. An environmental impact assessment (EIA) may be required if the land has not been cultivated within 15 years or if it is semi-natural.

More information on GAEC 6 is set out in the [Guide to cross compliance in England 2020](#) on GOV.UK.

### **Get in touch with the FAS**

If you would like free and confidential advice on the soil management rules from an independent adviser, please contact FAS on 0345 345 1302 or [advice@farmingadvice.org.uk](mailto:advice@farmingadvice.org.uk)

### ***Subscribe to the free FAS newsletter***

Our monthly email newsletter includes articles, practical guidance on common issues and updates on any forthcoming legislative changes. If you would like to sign up to receive the FREE FAS newsletter via email please call **0345 345 1302** or email [bookings@farmingadvice.org.uk](mailto:bookings@farmingadvice.org.uk) with 'Register for newsletter' in the subject line.