

2.11 Milchenbach, North Rhine – Westphalia (Germany)

“VILLAGE DEVELOPMENT AND INTEGRATED LAND CONSOLIDATION: BETTER LIVING AND WORKING CONDITIONS FOR THE RURAL POPULATION”

Introduction

Milchenbach is a charming German village, built in traditional style and situated in a valley surrounded by meadows and hilltop forests. But it was also one of the first successful projects for ecologically sound land consolidation, considering all aspects of an integrated land development.



The problems

The Milchenbach project started out with the problems on forestry and agriculture. Farm sizes were too small and plots were fragmented. Simultaneously, with the initiation of the project and in response to a social demand for ecologically less intrusive land consolidation projects, NRW legislation was changed in such a way that the project became one of the first to integrate non-agricultural interests.

In search of innovations

Integration and participation became new demands of rural areas in NRW. An integrated land consolidation procedure has to combine different aims and tools of land development. Therefore it has to promote environmentally friendly agriculture, forestry and village development, including economic, environmental and social aspects.

The innovation is based on integration. Furthermore, the initiative supports flexibility because of its broad scope, having to deal with various demands of different regions. Although the integrated approach exists since 1976 in the Land Consolidation Act, the success of the Milchenbach project is still an inspiration for today's challenges.



Results in the village

An important step for Milchenbach was to implement various village development measures. Road construction; the renewal of typical half-timbered houses; infrastructure development; and ecologic improvements were realised and promoted by public subsidies and consulted by the land consolidation authority. The village roads were also redesigned in a traditional but functional way. Now the public bus is able to pass through Milchenbach.

Trees were planted and green areas created on the roadside and in front of the houses. Some of the renewed buildings are used for tourism today (farm holidays, guesthouses, holiday flats) and provide an important (additional) income source for several villagers. About 500 fruit trees and hedges and shrubs were planted inside and around the village and the traditional dry stone walls were restored.

All these measures made Milchenbach definitely more attractive than before, both to locals and tourists.

The villagers and all local associations were intensively involved in the whole planning process. This co-operation for their village strengthened the social and cultural life. People not only took active part in recreation and hobbies, but also took responsibility (with support of land consolidation) for important services such as water supply.

Relevant data

Size:

946 ha.

Type of Land:

Agriculture and forestry and the village of Milchenbach.

Type of area:

Area with agriculture, environmental and touristic value.

Innovation:

Integrated land consolidation including village renewal

Objectives

Improvement of agricultural and forestry use, maintenance of enterprises, village development and rural development, diversification

Costs

3,3 million €; 700.000 € from the participants and 2,6 million € from the Federal State of Germany, the State of NRW and the European Union

Time schedule

1977 land consolidation decision
 1985 road and water, resources plan
 1986 valuation results
 1985-'95 building of roads and village development measures
 1986 provisional transfer of possession
 1987 publication of the land consolidation plan
 1998 implementation order
 1998-2002 updating of public records

Contact

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Flexible
Decentralised
Integrated
Agricultural area
Environmental sensitive area
Metropolitan area

Results outside the village

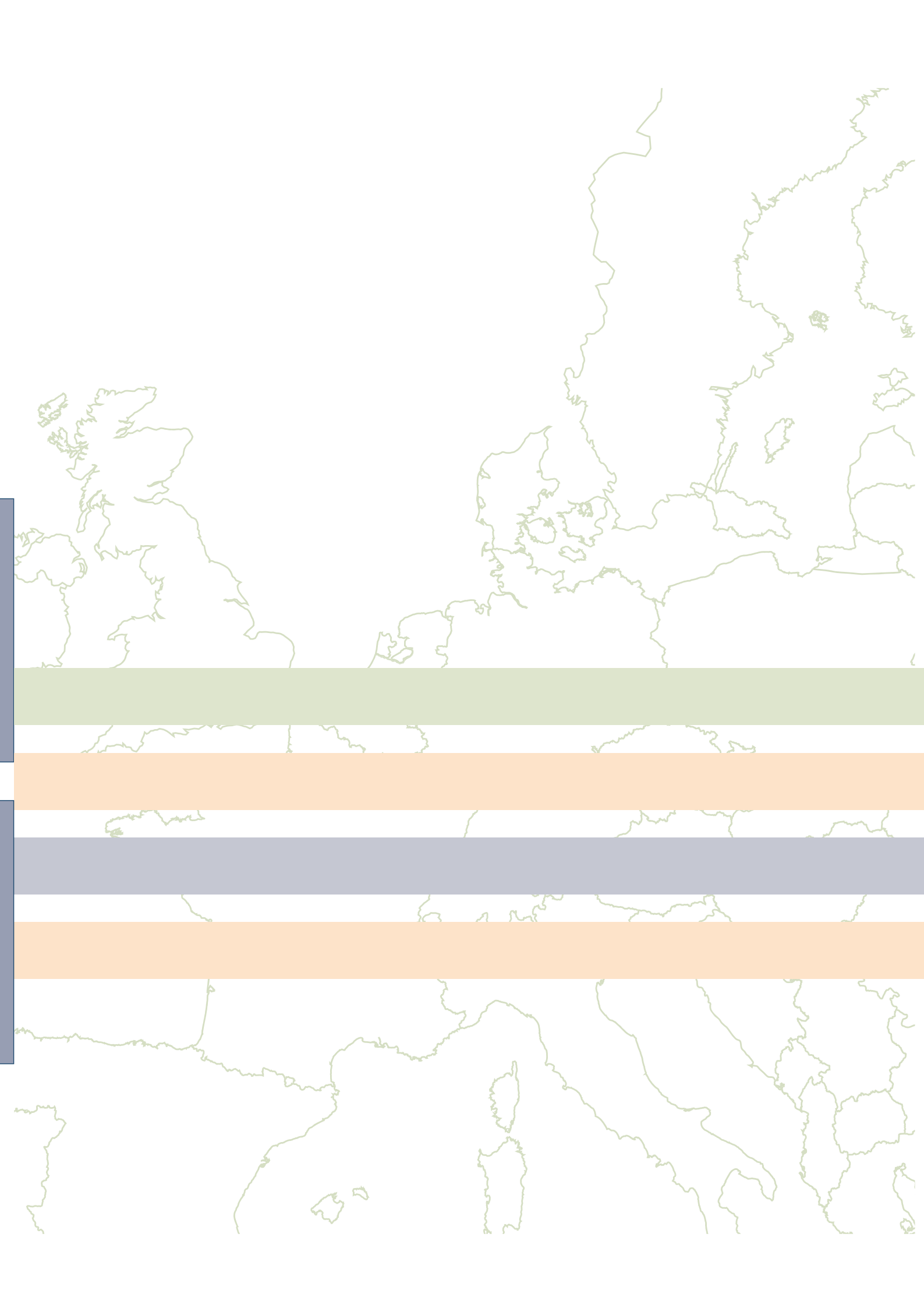
A new road network for agriculture and forestry was developed by the land consolidation procedure. Sixty kilometers of road was built or upgraded. Fragmented and uneconomically shaped agricultural and forestry real property was reallocated (consolidation ratio of average 7 to 1). The time spent for agricultural cultivation could be reduced by 80%, because machine usage for mowing and pressing for silage is now possible. Now the farmers can use their fields and forests in an economic and sustainable way.

Milchenbach itself benefits from the new road network. The big lumber trucks can now drive around the village and do not have to use the narrow village roads as before.

Additionally, a number of ecological measures were realised. Creek valleys and water sources were developed, indigenous hedges and trees were planted and a biotope network implemented. In general, the quality of nature and landscape were improved. Tourists who use the newly constructed paths and roads for hiking can enjoy this beautiful scenery.

Land consolidation and village development contributed to the preservation of the appearance of Milchenbach, its identity, its quality of life and its economic development. Both instruments helped the village to adapt to present and future demands and to maintain it as an attractive place for its residents.





2.12 Port of Antwerp, Flanders (Belgium)

“SPACE FOR INDUSTRY AND NATURE, SOLUTIONS FOR FARMERS”

Introduction

The need for port expansion near Antwerp posed challenges for nature, farmers and even a village. It entailed a vast land claim in an area with both large real property with high value and Natura 2000 designated area, and also threatened intensive agriculture on fertile polder soils. Also, the harbour development threatened the village's future existence.



The problems

In 1998 the Flemish government decided on the expansion of the port of Antwerp (Antwerpen) on the left bank of the river Scheldt (Schelde). A tidal dock was to be built (the 'Deurganckdok'), enabling rapid access by container ships and having the largest tidal dock capacity in the world. After work started, a storm of legal claims by various interest groups brewed to dispute the legitimacy of the procedures that followed.

The Supreme Administrative Court withdrew the construction permit and stopped the work, resulting in a daily loss of approximately half a million Euros for stakeholders involved which included the Flemish government itself.

In search of innovations

To solve the deadlock, the Flemish parliament passed the so called "emergency decree" on harbour expansion, by which normal planning legislation could be bypassed in this single instance.

This decision also had to accommodate the claims of various interest groups. It had to incorporate a sophisticated set of accompanying measures including mandatory environmental damage mitigation, since the expansion is located in special protected areas of Natura 2000 sites; and also a social assistance plan for inhabitants and farmers for the loss of valuable arable land.



The complexity of the challenges made it impossible to come up with a one-sided solution. There had to be a dialogue between the governmental bodies, other stakeholders and the local inhabitants to find appropriate solutions.

Relevant data

Project name

Port of Antwerp, expansion on the left bank of the river Scheldt

Innovation

When port enlargement claims vast areas of arable land and nature, land development is put into action to create new nature and find solutions for farmers

Location

Flanders, Belgium

Land use/landscape

Fertile Polder areas in agricultural use, Natura 2000 to be compensated.

History

1998: VLM's first involvement in the port expansions

2001: Emergency decree on port expansion, delineating role of VLM

2002: agreement between partners on detailed division of tasks

2002 and onward: land banking activities

2003 and onward: implementation of nature compensation measures

Project size

Total project area: 521 ha

Managed by nature conservation organisation: 46 ha

Managed under farmer's contracts: 23 ha

Leased out on 1 year basis: 207 ha

Long-lease: 10 ha

Costs

Land banking involved 20 million Euros, except for the 247 hectares of land acquired in the past. Financing by the Flemish government, responsible for the harbor's development.

Status:

In execution

Contact

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Flexible

Decentralised

Integrated

Agricultural area

Environmental sensitive area

Metropolitan area



Finally, the responsibilities of all stakeholders involved after the eventual recommencement of construction was delineated and described in an extensive "matrix of tasks". Two tasks are assigned to the Flemish Land Agency (VLM) based on its extensive experience in land development and land consolidation practices.

First, a development plan was drafted which detailed the implementation of the mitigating measures to protect nature and to coordinate the construction work.

Next, based on agro-economical studies, a land banking project was set up to free land for environmental compensation and find solutions for the farmers affected by land loss due to these compensations.



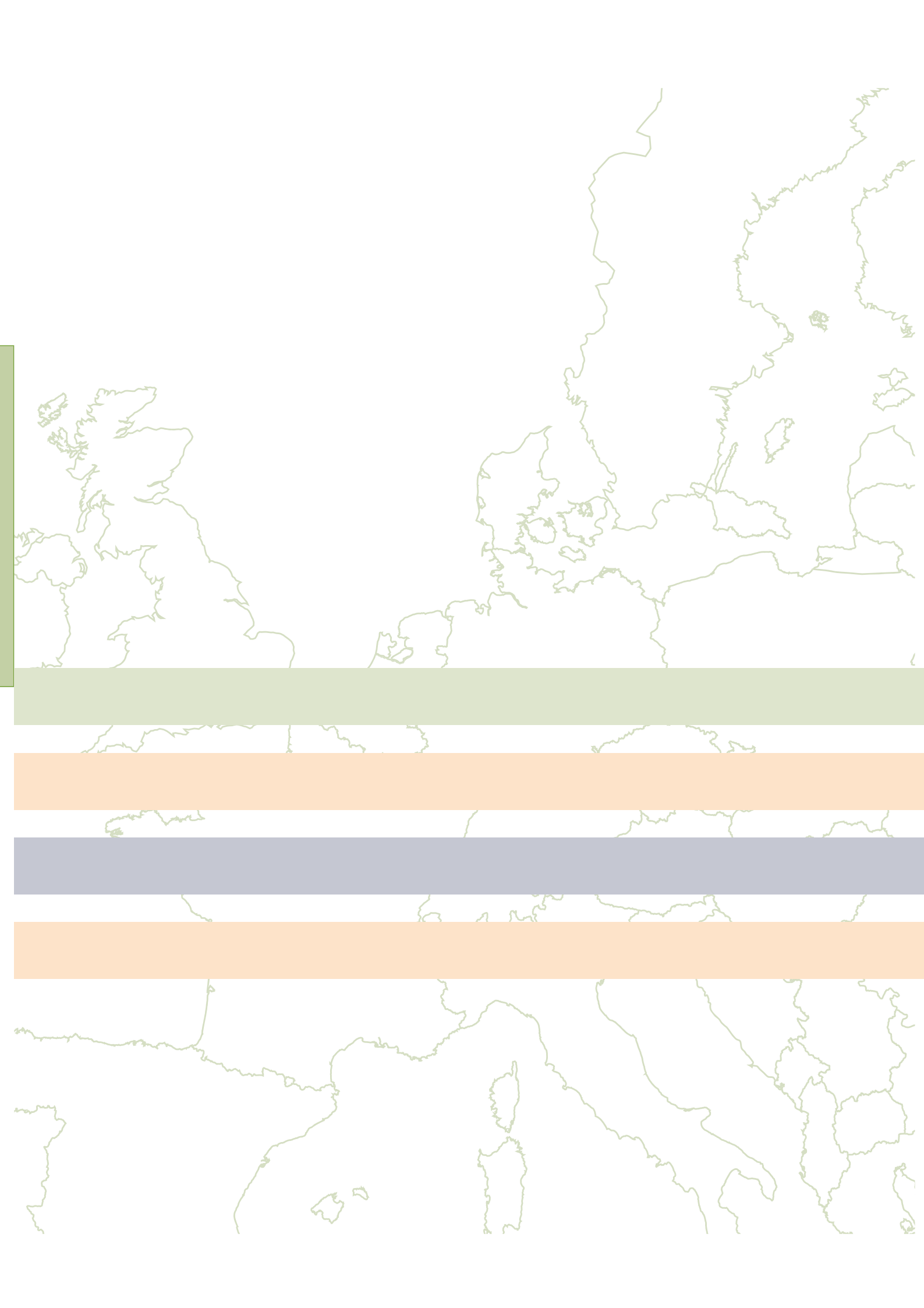
Results

In September 2005, the first container ship unloaded its cargo in the new dock. Meanwhile, restoring green areas and compensating farmers by land banking is still continuing. The land bank succeeded to complete its goals to free more than 500 ha of farmland with only two cases of legally enforced expropriations.

The experience on the left bank of the river Scheldt has led to the awareness of the responsibility the government has in implementing accompanying measures when executing large infrastructure projects. For the harbour extension of Zeebrugge, a similar approach is being followed today.

For VLM, the involvement in the harbour project was one of the first strategic projects, after the demand of a problem owner. This is a deviation from the traditional approach for projects.

Nowadays, this demand-driven approach where the problem owners are in the centre of the process instead of the organisation holding the solutions, is becoming more prevalent. VLM puts each question on the agenda of the Minister who decides on the future process to follow. Hence, the initiation of new projects can be seen as an implementation of a flexible bottom-up approach.



2.13 Schetsschuit Ruiten Aa (The Netherlands)

“MATCHING BY SKETCHING”



Introduction

Designers within the land development agency in The Netherlands felt the urge to redefine their jobs. This led to a new instrument widely used that fits to the actual spatial issues and the need for an integrated instrument. The use of this tool called “the schetsschuit” (the sketch boat) will be illustrated in use at the reconstruction of the traditional river system Ruiten Aa.

The problems

Within DLG the designers were all working on ‘an island’ in their own provinces, with their own way of doing project research. They felt that they needed to work together strengthen their role and visibility as designers in projects and to also strengthen their designs.

By combining their forces they also hoped to achieve national significance in green design by DLG. In a national DLG designers’ workshop, a group of designers came up with the idea of organising workshops together with stakeholders, lead by designers, to visualise ideas and problems and to try to find solutions by sketching on the spot. The DLG North group came up with this idea and Wim Boetze, a designer from this group, invented the name ‘Schetsschuit’ for this tool. It fit perfectly with the instrument DLG was already using, the ‘Dialogue’. With this instrument DLG was already solving problems between stakeholders in projects and ‘Schetsschuit’ added the strong component of visualisation to it.



Innovation: integrated innovation at instrument level

Within five years the initial idea of a floating mobile team of experts, sailing into the project area to explore the various stakes and spatial needs became a widely used and well defined instrument.

Unfortunately, the instrument lost its floating character and took up a more informal appearance. Now a field visit is one of the elements of the programme. The tool evolved into a rapid interactive pressure session in which all the actors of the region have their say. The designers have a central role to facilitate the interaction by visualising and bridging the different perceptions.

The new Schetsschuit formula also includes financial specialists to complete the different spatial scenarios with feasibility studies. At the end, the solutions found are presented to the politicians concerned and other decision-makers, with the hope that they will approve the proposals. The result is the creation of momentum for a faster and more integrated project start-up.

Results in the field

The realisation of the National ecological network by restoring the traditional system of groundwater flows and dynamics in the river Ruiten Aa was the aim in Westervolde. The challenge of the project group was to integrate the sometimes conflicting stakes and spatial needs of nature, agriculture, recreation, cultural heritage, archaeology and water management.

At the start-up phase, a 'schetsschuit' session with all the acting bodies illustrated needs and requirements of the specific actors. The sketches served the commitment of the participating parties. The focus at an early stage on cooperation and teambuilding relieved the conflicting interests of the stakeholders and forced them to work on an integrated solution.



Relevant data

Project name:

Beekdal Ruiten Aa

<http://www.ellersinghuizerveld.nl>

(one of the nature areas that is completed already)

Country:

The Netherlands, province of Groningen, Westervolde, 2400 ha, nature development

Innovation:

Instrument to bridge different stakeholder perceptions through visualisation

Status of the project:

in process

Type of area:

areas with environmental values

Objective(s) of development:

to realize the ecological network by restoring the traditional system of ground water flows in combination with run off in the river system of the Ruiten Aa

Implementation bodies:

DLG (Land Development Agency of The Netherlands) in cooperation with Province of Groningen, Area Committee of Westervolde, Water Board Hunze and Aa's, State Forest Office, Natuurmonumenten, municipalities of Bellingwedde, Vlagtwedde and Stadskanaal

Important other details:

DLG has the multiple role of acquiring needed lands, design and implementation, secretary of the area committee and process guidance.

Flexible

Decentralised

Integrated

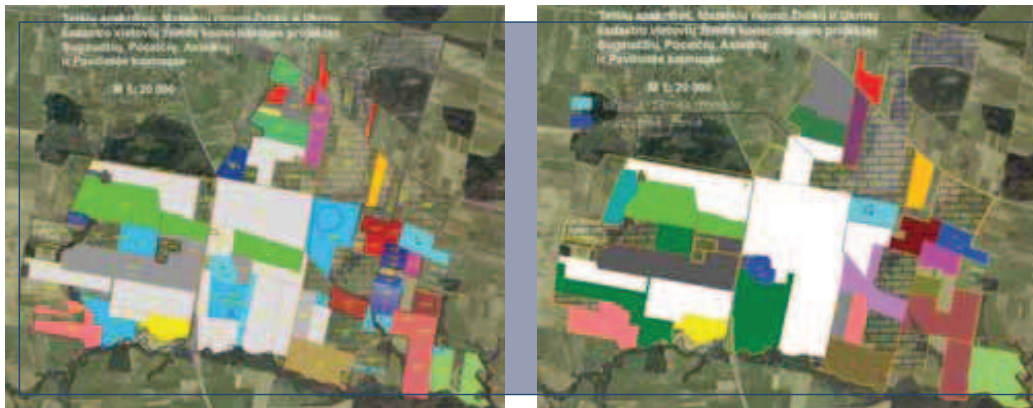
Agricultural area

Environmental sensitive area

Metropolitan area

2.14 Land Consolidation Project in the Židikai and Ukrinai Cadastral Areas of Mažeikiai District, Telšiai County (Lithuania)

“BOTTOM-UP, LEARNING BY DOING”



On the 20th of December 2005, the Governor of Telšiai County approved the boundaries of the land consolidation project on the territory of the Židikai and Ukrinai cadastral areas of Mažeikiai district in north-western Lithuania.

Introduction

In Lithuania, the land ownership situation was very turbulent in the last century. During the independency period (1918-1940), a reform was passed to divide the land into individual farmsteads. In the Soviet period, the land was nationalised and no private ownership remained. When Lithuania regained its independence in 1990, the economic system shifted towards private ownership again and land reform was re-enacted, based on the restitution of land and the restoration of ownership rights. This process is nearly complete in Telšiai County.

However, where restitution has been completed, land fragmentation has become a widespread problem. Most farmers own very small land plots that are highly dispersed in the area of their farms. Many of the rural dwellers own only small household plots up to 2 – 3 ha. The need for land consolidation is becoming increasingly urgent due to the pressure to establish larger and more integrated farms that could develop into competitive agricultural holdings.

Land consolidation: first steps

The main principles for land consolidation were developed and adopted in the "Law on Land" in 2004. This was established between 2000 and 2004 after the completion of several pilot land consolidation projects. In 2005 detailed rules on developing land consolidation projects were approved by a special government resolution.

The project is based on voluntary participation and a bottom-up approach. As the next step, County Governors submitted applications for EU support for 14 land consolidation projects. When EU support was granted, the County Governors organised a tender to select the planners. These 14 projects are the first to be carried out in accordance with the new legislation and the new EU support rules, in a "learning-by-doing" process. One of these land consolidation projects takes place in the Židikai and Ukrinai cadastral areas of the Mažeikiai district, Telšiai County, in north-western Lithuania.



Local initiative and public support

The execution of the project has a bottom-up characteristic. Some farmers in the area wanted less fragmented land parcels and better access to their land. They took the lead and initiative, showing confidence in the development process. A few farmers did not want to participate as they wanted to wait and be certain about future developments. Their land was excluded from the project territory, although to a certain extent they will benefit from the project.

Landowners identified a number of reasons for land consolidation:

- Enlargement of farm holdings;
- Improvement of farm structure;
- Establishment of compact land tenure of the farms;
- Improvement of the local road network;
- Reduction of distances between cultivated land parcels;
- Establishment of a territorial base for infrastructure improvement;
- Identification of the areas where land improvement is necessary (mainly drainage).

Relevant data

Project title:

Land Consolidation Project in the Židikai and Ukrinai Cadastral Areas of Mazeikiai district, Telšiai county

Innovation:

Land consolidation

Location:

North-western part of Lithuania

Project area:

685 ha (with 21 ha of state owned land)

Number of land parcels:

120 (biggest land parcel is ~39 ha, smallest – 0,11 ha).

Average area of land parcel - 6 ha

Number of participants:

54 landowners and 1 trustee of the state owned land

Average productivity factor of agricultural soil - 41 points (highest – 58, lowest – 18 points)

Average price of agricultural land - 1187 EUR/ha

Land use:

agricultural land

Status of the project:

planning phase

Main objectives:

- Improve agricultural and farm structures;
- Improve rural infrastructure;
- Identify areas for land improvement (mainly drainage).

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Flexible

Decentralised

Integrated

Agricultural area

Environmental sensitive area

Metropolitan area

The strong support of the local and regional governments was decisive when choosing this project as one of the 14 EU-backed land consolidation projects. The strong support of the County Governor, Director of the County Land Management Department, and the residents proved to be also very important.

Accomplished activities and expected results

The following important activities have been carried out so far: the surveying of agricultural land properties; the exploration of irrigation and drainage areas in need for reconstruction; the pinning down of road networks and stream boundaries; and the investigation of the wishes and needs of the farmers. The results and findings are the basis of the land consolidation plan.

The expected results are:

- At least 13 landowners will enlarge their farm holdings.
- One landowner owning 15 small land parcels will own three compact land parcels.
- One landowner owning five land parcels will own three compact land parcels.
- Six landowners each owning two land parcels will own one compact land parcel.
- Nine landowners will have better and faster access to their land parcels.
- Thirteen landowners are going to sell their parcels to other participants of the project.
- One state-owned land parcel will be transformed into a 0,50 ha gravel pit.
- 21 ha of state owned land will be concentrated in ~ 6 (half the number) land parcels.



Learning-by-doing: a rewarding strategy

However, there are still some major issues that have to be resolved before the plans can be implemented. These are mainly related to the financial allocations for the full implementation of the land consolidation project.

According to the administrative rules for financing land consolidation projects, eligible expenditures for EU structural funds in the period of 2004-2006 can only be related to the preparatory and planning procedures, cadastral surveying, and legal registration.

The expenditures for the implementation of the plan (such as the construction of the road, maintenance of the drainage systems, etc.) were not included in the list of eligible expenditure. Therefore, when it became clear that there will be no special EU funding available for these costs, individual efforts were made for finding additional financial sources. Regional and local governments and landowners are aware of this financial gap and the fundraising is still continuing. There are several sources available, such as EU support under other project titles, municipality budget, and some private contributions. It is very important to demonstrate the final benefits of land consolidation.

The existing legislation is considered too strict and not flexible enough by the new participants of the land consolidation project. They can only join the process at a certain stage and this becomes a constraint not only for individual landowners, but also for the project as a whole.

Therefore, currently, certain possibilities to improve the future process of land consolidation for the period between 2007 and 2013 are being stipulated in the National Land Consolidation Strategy. When this strategy is approved, the changes in the legislation:

- Will enable land consolidation to become a more flexible tool, giving more benefits to the participants and the whole rural community;
- Will establish a clearer link between land consolidation as a tool for territorial planning with agricultural, rural and regional development;
- Will provide a link between existing different financial sources that could be used for the final implementation of land consolidation projects.

Therefore, there will be a visible improvement in the quality of life in rural areas as a direct result of the plan.

2.15 Vilaverde Project, Galicia (Spain)

“COMMUNAL FARMING FOR THREATENED VILLAGES”

Introduction

In many Galician rural areas, land is fragmented and abandoned and young people are leaving the villages for the cities. Local agricultural practices are very traditional and not correctly adapted to current market conditions.

The residents of Vilaverde, one of these villages, felt an urgent need to change this situation and started a project with new agricultural practices, using the strong traditional social structure of the village. This project envisions common farming using both private and common land. It is supported by a government program that finances singular projects.



The problems

Life in the village of Vilaverde, in the province of Lugo seemed to end. Many families had barely any income from agricultural activities. The fragmentation of land was so high that agricultural investors were not attracted.

In Vilaverde, and actually in all of Galicia, there was no tradition to rent or let the land, while traditional farming based on the existing farm structure had no future. Rural population was growing old because young people were leaving the villages due to lack of employment. This situation was quite new and so there was no tradition to handle this problem. New and yet untested solutions were necessary.

In search of innovation

One of the inhabitants of Vilaverde, Antonio, worked as a driver at a milk factory outside the village. There he picked up new ideas among which were the common use of land. While speaking with a municipality employee, he got the idea of using the common property of the village in a common way. Antonio discussed this with a technician who worked in this area and knew about a similar initiative in Asturias, Spain. Antonio, the technician and one member from each family travelled to Asturias to learn more. They visited two villages where people used their own plots individually, but also shared one big common plot.

Two alternatives were considered for the Vilaverde situation. The first possibility was that the nine families involved in Vilaverde would create a new farm for common use. This was important because all nine would have the right to use the common land. The other option was that the six farming families would start a common farm using all the private land and renting the common land. However, all families wanted to join the common farm, even those that had no farming activities.

Antonio went to seek advice from the engineer who was responsible for the CAP's agro-environmental scheme in the province of Lugo. He knew him because the engineer, Eloi, had proposed measures to solve the Vilaverde problems ten years before. At that time, the village people were not willing to join common initiatives. This time, it was Eloi who did not believe in the new ideas, nevertheless decided to speak with the landowners. He wanted to find out the motivation behind the new ideas, checking whether they were economic or just emotional. When he found that there was an economic drive, he acknowledged the initiative as serious and agreed to help find subsidies and also to give advice and encouragement.

The first idea was to establish a large company with appropriate equipment. As for the cattle, all the cows would have stayed indoors throughout the year. Eloi thought that this idea was not making the system more efficient. In traditional farming practice, cows stay in the barn only for the night and during the three months of winter. He proposed to leave them outside all the time, a very unusual practice in the area. This would have the advantage of combining low investment with low labour cost and better work conditions, all essential for development.

Results

Now there is only one farm and each family owns a share of it, not only the former farmers, but also people who were just landowners. The farm has almost 150 ha and four parcels comprise all the private parcels (hundreds) and the common lands. Although the new farm is much bigger than the former ones, with more than 150 heads of cattle, its management is much easier and can be done by only two people due to the free range system and the new facilities.

The first real profits were distributed among the families last year according to their share in the farm. Now people are thinking about how to develop new activities to increase profit, for example by selling meat directly to private people. As labour needs in the farm are lower now, the farmers are free to engage in other activities.

On the national political level there was a government program to invest in projects like Vilaverde, but it had not been used frequently. Using this program for the Vilaverde project implied a turning point.

Vilaverde has become an example for new projects in Galicia. A similar project is being developed near Santiago, involving more than 300 families.

Due to political changes in Galicia a new government was elected that believed in this type of projects. They set up a new 6 million Euro program called Singular Projects in order to invest in rural areas.

Relevant data

Project name:
"A Capilla" Agrarian Transformation Society.

Location:
Galicia. Province: Lugo.

Municipality:
"Navia de Suarna"

Innovation:
common farming activities against land fragmentation

Size project:
199 ha involved

Land uses:
grasslands, scrubland and forest.

Status of the project:
completed; finalized in 2001.

Type of area:
Area with environmental values, Natura 2000 Network, most of them linked to traditional agrarian systems.

Objective(s) of development:
To improve the productive structure as well as the efficiency of farming. To increase the size of the farms (mainly grasslands) and to overcome the hard working conditions of traditional farming.

Total cost:
471.820 €. Contributions: Private 74,3%.
Public 25,7%

Planning:
Broad idea mainly by the community, guidelines from public services

Execution:
public services, community and other private companies



Flexible
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Environmental sensitive area
Metropolitan area

2.16 Baixo Vouga Lagunar (Portugal)

“MAKE AGRICULTURE VIABLE, IN ORDER TO PRESERVE AND PROMOTE THE ENVIRONMENT”

Introduction

This project deals with the influences of the river Vouga and “Ria de Aveiro”, where fresh and saltwater meet at one of the environmentally unique places of Europe. Very long and narrow parcels with farming activities, open zones, varied with traditional rice fields characterise this area.



The problems

The goal is to find a balance between environmental conservation, flood management and farming activities.

In this area, the classical ways of keeping the water out were destroyed. The amount of water increased during the 60s. In the 1930s, the tide (salted water) amounted to about 60 million cubic meters and presently, it has increased to 100 – 120 million cubic meters. This phenomenon is due to the enlargement of the Aveiro port and to the strong winds. If the situation remains unchanged, the farmers will abandon the land, leading to the further degradation of the area.

Innovation: more flexible and integrated innovation at instrument level

DGADR is planning an intervention to preserve the existing ecosystems through the preservation of environmental values and the maintenance of agricultural activity. For each zone and system (Special Protection Zone and ecosystems "bocage", "sapal", "caniçal", and "rice fields"), a different kind of land use and intervention was defined within the scope of a LC project:

- (1) mainly nature preservation;
- (2) both agriculture and nature preservation;
- (3) mainly agriculture.

In terms of environmental aspects, there are three different emerging landscape types: the bocage, the open space, and the wet zones. These three different landscape units are all linked by the drainage system, the ditches, and the roads. The complex, as a whole, represents a unique landscape in Europe. However, new aspects, such as eco-tourism, are not suitably developed. This offers new opportunities for the near future.

The farmers planted bushes and trees for wind and sun protection and as fences for the cattle. The parcels are very long and narrow. By maintaining these trees, the farmers can keep the ecosystem that covers 50% of the area of this project alive.

Zea maiz and Lolium spp., two plant species exist in this bocage area in a rotating system. Cows and horses grow up in these fields and they are healthier because they live in a natural environment. There are special horse breeds and the farmers have agreed to keep their pedigree. There are about 3,800 of these animals left and the young animals are raised in natural conditions.

The need for a new kind of intervention was followed by a complaint from the Spanish and Portuguese Environmental Associations that was presented to the European Commission. The accusation was that Portugal was infringing upon the EIE Directive and the Directive on the conservation of wild birds by building a major dike to protect farmland. The Environmental Commission from Brussels investigated the area in question and the claim was cancelled the next day.

Nature and Agriculture have the same interests here. After the dikes were built, the amount of saltwater decreased. In the transition area there are different species of plants and animals that have good living conditions. Saltwater can still penetrate the area by seepage.

Relevant data

Project name:

Projecto de Desenvolvimento Agrícola do Vouga - Baixo Vouga Lagunar.

Innovation:

Flexible land consolidation in harmony with natural values

Country:

Portugal, region of Beira Litoral, Project area is about 3.000 ha, types of land use are agricultural and nature preservation.

Status of the project:
plan.

Type of area:

agricultural and with environmental values.

This area has about 650,000 inhabitants. About 100 inhabitants per square kilometre. 10% are in agriculture, 55% secondary sector, 35% third sector.

Objectives of development:

promote the development of agriculture; preserve the existing ecosystems through the preservation of environmental values and the maintenance of agricultural activity; making compatible both agriculture and nature preservation interests through land use planning.

Costs:

Project is still in a planning stage

Implementation bodies:

Direcção-Geral de Agricultura e Desenvolvimento Rural (DGADR)

Flexible
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It was always the belief that the most important people there are the farmers, not the technicians. The farmers maintain the land while the role of the technicians is to help and advise the farmers.

This is one of the highest latitudes in Europe where rice can grow. Production of rice is about 1500 kilos per hectare (3 times less than in other areas). Rice is very important for social and cultural reasons and also to keep the humidity at the right level. The farmers who grow rice here used to receive a subsidy from the EC to give them a minimum income. Unfortunately, this subsidy was cancelled.



Results

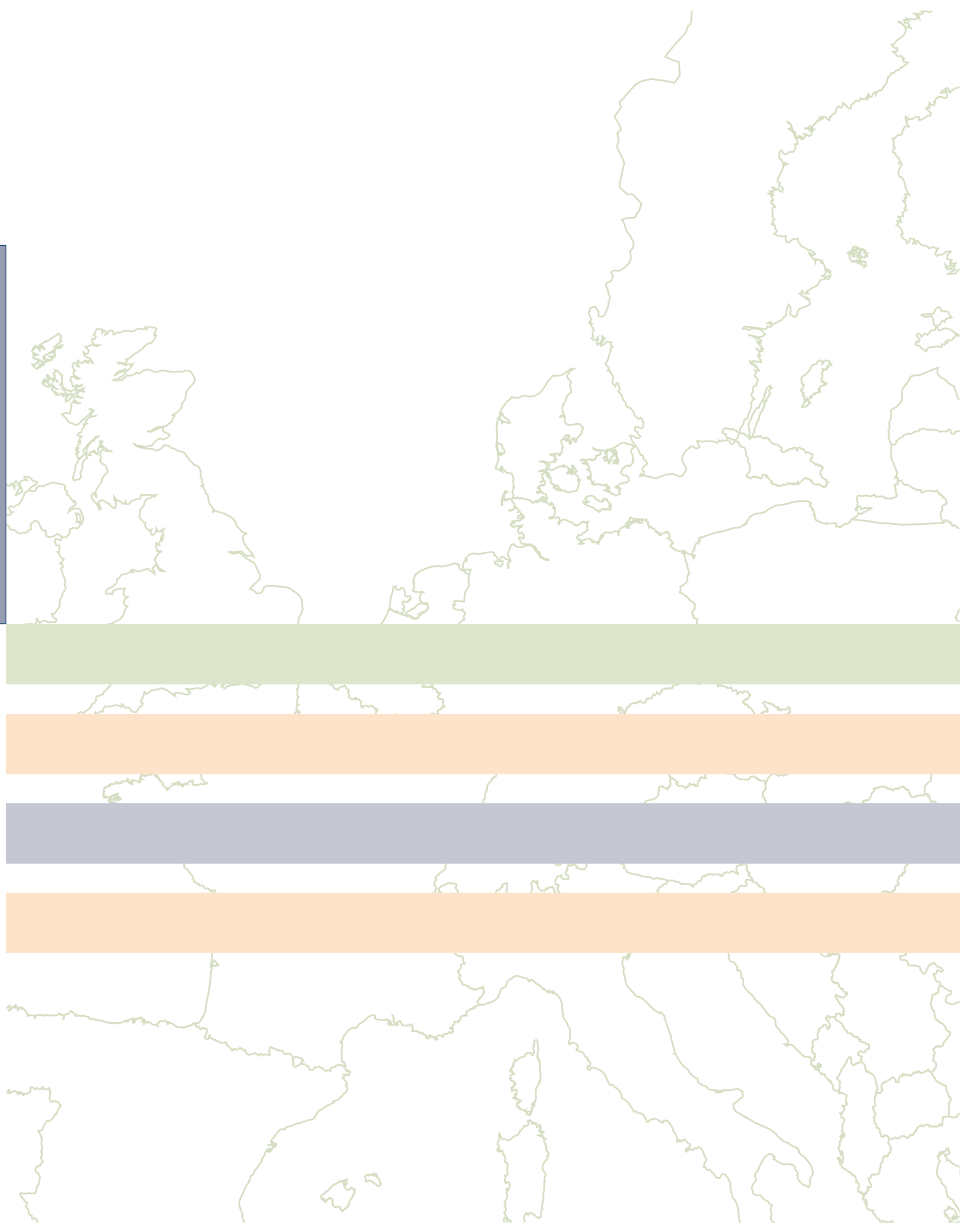
An environmental impact assessment was made as required by the law. The team responsible for this was very interested in the outcome. The main aspects that were analysed in the assessment were performed. Environmental impact on the following was studied:

- The structures to be built
- Work on the saltwater, on the tides, etc
- The land consolidation project.

A study was launched on the possibility of building a structure that would channel water, prevent floods, and lead the water near an industrial area, close to the city of Aveiro, and dilute the locally existing high concentration of heavy metals in the water. The idea was abandoned however, because of the impact on the environment.

How far one could go in cutting the trees and bushes of the bocage was also studied. The impact assessment presented proposals for models on how to manage the available resources. This assessment underlined that this kind of intervention is very important for social and cultural reasons. The farmers are active agents who maintain the area as it is. If you want to preserve the environment, you need farmers and if you need farmers, you have to help them. This idea is widely spread among the ranks of the different organisations.

The main slogan of the project team and the local farmers is "Make agriculture viable, in order to preserve and promote the environment".



2.17 Würselen-Euchen, North Rhine – Westphalia (Germany)

“PUBLIC REQUEST ON LAND VS. CULTURAL LANDSCAPE – REACHING ECONOMIC WIN-WIN SITUATIONS FOR PUBLIC INFRASTRUCTURE MEASURES BY LAND CONSOLIDATION”

Introduction:

The public authority responsible for the road development and maintenance planned a new ring road for traffic reduction in the village “Würselen-Euchen”. The plan showed that the construction would have negative impacts on the agrarian structure and the cultural landscape. This land use conflict was solved by a special land consolidation procedure. Additionally, the economic value added by this procedure was researched by a comprehensive evaluation including a cost-benefit-analysis after project conclusion.



The problems

Because of the increasing traffic passing through the village "Würselen-Euchen" located in the densely populated area between Cologne and Aachen, the public authority responsible for road construction and maintenance planned a ring road connecting to the highway. For road construction and additional nature compensation measures, the authority requested about 35 ha of partly high productive agricultural land and was allowed to take it by expropriation.

However, the impacts of these measures on the agrarian structure and the landscape would have been negative. For example, the stretch of the planned road affected a transaction of 45 agrarian parcels and the local agrarian road network. So the expropriation authority of the district government of Cologne requested for a special land consolidation procedure, the so called "Land Consolidation in Case of Compulsory Purchase".

The targets of the procedure were:

- land acquisition for the development of the road project without expropriation
- prevention or lowering of negative impact on the cultural landscape
- re-allocation of parcels and construction of a new road network for economic agriculture

In search of innovations

Increasing pressure on agriculture by public infrastructure improvement was noted. The development of ring roads, motorways, railway tracks, etc. have a negative impact on agriculture and the landscape.

Land consolidation had been a tool for land management for consolidating and reshaping. In this case it was used to solve these land use conflicts by a special type of procedure called "Land Consolidation in Case of Compulsory Purchase" based on the regular German Land Consolidation Act.

This was done by balancing the public interest and private owners' (farmers) interests relating to property rights granted by the constitution. The land consolidation authority was able to take the requested land by expropriation and apportion the loss of land among a larger number of owners. The authorisation for expropriation was granted by a special law relating to road development. But it was not necessary to expropriate from the owners, because the LC authority was able to buy enough land in the surrounding area of the planned road by using a special financial fund ("revolving fund"). But the possibility for a compulsory purchase could support the solution of the land use conflict.

Relevant data

Size:
490 ha.

Type of Land:
Agriculture and nature elements

Status:
Completed.

Type of area:
peri-urban area with agriculture near the incorporated village "Würselen-Euchen"

Innovation:
land consolidation in case of compulsory purchase

Objectives:
Prevention of the negative impacts of a ring road construction for the agrarian structure and the landscape; prevention of expropriation; allocating land for a ring road construction and necessary compensation measures

Costs:
2.600.000 €; 1.250.000 € are paid by the road developer e.g. for new agrarian infrastructure (all figures without the cost for the targeted road construction)

Location:
The incorporated village "Würselen-Euchen" is located in a densely populated area between the cities of Cologne and Aachen close to a slip road of the motorway A44

Time schedule:

1969	Definition of a new ring road line
1995	Preparation of the road construction plan
1997	Application for a land consolidation procedure by the expropriation authority
1999	Land consolidation decision
2001	Plan approval of the ring road plan
2002	Start of the road construction
2003	Finish of the road construction and transfer of possession
2006	Concluding statement of the land consolidation procedure

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Flexible
Decentralised
Integrated
Agricultural area
Environmental sensitive area
Metropolitan area

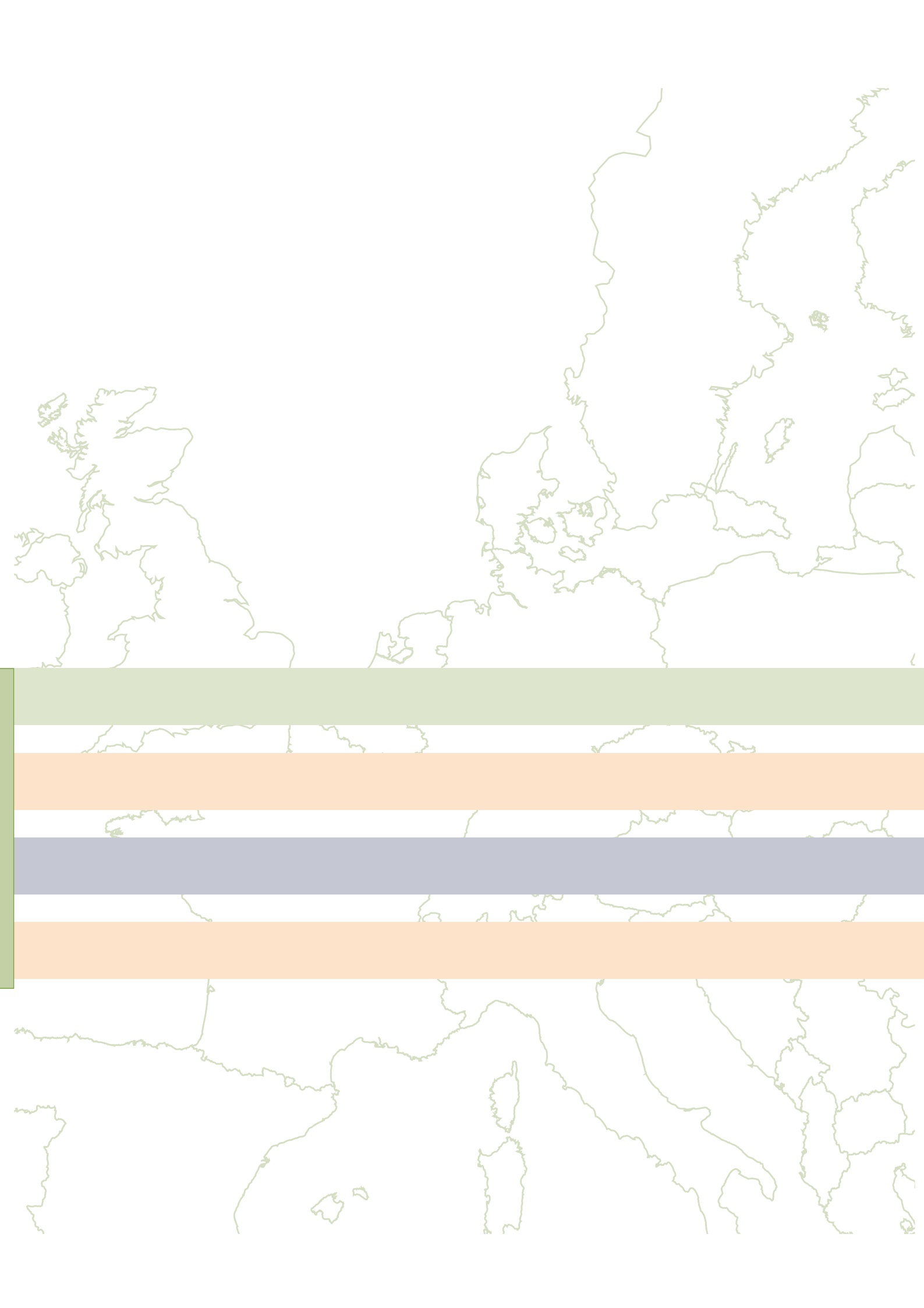
Further, a comprehensive evaluation including a cost-benefit-analysis showed the economic value added by using a land consolidation procedure to support a public measure. The research included all costs of the public authorities relating to the LC procedure as well as all tangible and intangible benefits for all concerned parties (owners, developer of the ring road, other public authorities and the general public). A "consumer satisfaction" survey and interviews with agrarian experts collected opinions and expectations.

Results

The land consolidation procedure offered the possibility for a win-win-situation for all participants. For example the benefits are:

- For the farmers:
Disadvantages caused by the infrastructure project could be avoided and the parcel structure was consolidated (ratio: 1,8 :1).
- For the developer:
The project could begin earlier, because the special type of land consolidation granted the requested land to the developer by an administrative act. Time-consuming trials did not slow down the process. Additionally, the calculated costs for the LC procedure for the developer were lower than the expected costs without land consolidation.
- For the general public:
Disadvantages for the cultural landscape could be avoided. The result of the economic research revealed the positive value. The total costs were 2.604.976 Euro and the tangible benefit was 3.156.086 Euro. But the benefits were higher considering the intangible benefits such as landscape improvement, recreation and tourism and the preservation of local agriculture. Additionally, the "consumer survey" was also positive.





2.18 Žemaitija National Park (Lithuania)

“ZONING PLAN IN LARGE NATURAL AREAS”

Original situation

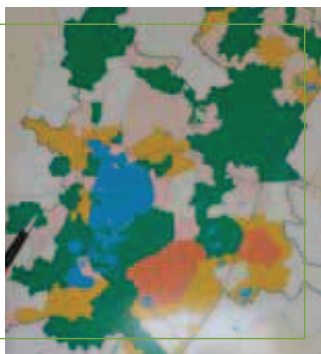
Žemaitija National Park (ŽNP) was established in 1991. Previously, in a small part of this territory there was a landscape reserve of purely state land. The borders of the present park have been defined by scientific studies, in an effort to incorporate nature protection as well as preservation of social and cultural heritage. The first stage of functional zoning in ŽNP was executed in 1992 – 1993 in order to preserve different parts of the protected areas from unsuitable land use.



The plans of the state parks and their boundaries distinguish the following functional priority zones: conservational (strict reserves and reserves), ecological protection, recreational and economical priority, and zones with other purposes. The functional zones are divided into smaller sub-zones to facilitate landscape management.

The first functional zoning plan, developed according to certain territorial planning rules, was approved by the Government in 1997. The director of ŽNP, Mr. Giedrius Norvaisas, was very much involved in the process. At that time this approach applied in large natural areas was very innovative in Lithuania. The zoning concept was implemented in a “learning by doing” way.

For the more detailed management of the territories, other types of territorial planning documents were needed such as special or detailed plans. In 2006, the management plan for the western part of Plateliai lake (an area of 273,23 ha) was developed.



Experiment with zoning

The life cycle of the functional zoning plan is supposed to be 10 years, so the plan was due for renewal. The new theme that justified a new plan was the integration of the cultural heritage.

The challenge was how to provide a sustainable economic perspective to the inhabitants (3000), combined with the development and management of a high value natural environment and landscape and adequate amenities for the increasing recreational activities.

The whole area has been mentioned on the national Natura 2000 list, as a first instrumental EU-oriented step. This could have been achieved

in the early 90s due to the fact that there was still a lot of state-owned land. Today it is far more difficult to satisfy the Natura 2000 policy, because of the implying land use restrictions.

Obstacles

The zoning strategy appeared to be successful. Without it, it would have been much more difficult to achieve the same results because of the ratio of public and private land ownership, 30% versus 70%. Fifty percent of the forest and almost all farmland, for example, is privately owned. Success was achieved in a very short time, since 1991-the beginning of the land reform. The zoning strategy however requires constant follow-up by staff who have to keep an eye out on the activities in the zones.

A particular problem is the fact that the land restitution is not applicable (or only under strict conditions) within the park. This affects the support of inhabitants. Building activities are also strictly limited as only renewals are allowed. This may however offer economic continuity to the existing property owners.

A second new issue to the new zoning plan cycle is the planning of bicycle trails. An increasing number of recreational tourists use bicycles for moving through the park area.

The Director: a personal challenge!

"It's creative to work on the park's future, especially since we can now see how it works in practice. What I like personally is the activity variety. I am like a manager now, but I haven't forgotten my background as a forester. I am proud to see the gradual development in some areas. I have a lot of ideas on how to make things better and how to manage and protect. I am interested in this practice and I like discussing



them with my colleagues in Lithuania and abroad, for example with foreign colleagues who are in administrations of the national parks of protected areas. They bring in good ideas."

Perspectives

The new zoning plan is to be considered as a vision on the near term future, a guiding book for the measure to be taken by the local and regional administration, as well as the private institutions (nature protection organisations, land-owners and users).

The learning by doing approach appears to be fruitful. One lesson is that for the creation of the next zoning plan, a better link has to be found between the main global zoning plan and subsequent detailed plans for parts of the park.

Relevant Data

Innovation:
functional zoning plan

Established:
1991

Total area:
21.720 ha

Woodlands:
9.683 ha (44,6%)

Water:
1857 ha (8,5%)

Wetlands:
963 ha (4,4%)

Natural meadows and pastures:
1614 ha (7,4%)

Farmlands: 6794 ha (31,3%)

Settlements: 360 ha (1,7%)

Other: 449 ha (2,1%)

The territory of Žemaitija National Park is divided into the following functional zones:

- Conservation (10.460 ha, 48,1%)
- Protection (3.140 ha, 15%)
- Recreation (520 ha, 2%)
- Farming (7.600 ha, 35%)

Total population:
3500. There are 2 small towns and 53 villages

Cooperation:
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Information:
Vilma Daugaliene, 2007: Legal framework of land management in Lithuania after 1990. Paper presented at UNECE WPLA workshop; May 2007, Munich, Germany.

Flexible
Decentralised
Integrated
Agricultural area
Environmental sensitive area
Metropolitan area

ANNEX I

Terminology within the FARLAND Project

The aim of the Terminology definition is to provide a coherent system of inter-related terms to facilitate unambiguous communication within the FARLAND project. Where possible, consistency with definitions with FIG and FAO was sought.

History:

- At the meeting in Budapest in December 2005 a session was held to define the list of terms important to FARLAND.
- A draft terminology inventory was made by VLM.
- In May 2006 a special meeting was held in Kassel where definitions and the relationships between them were refined.

LEVEL 1: STRATEGIC CONCEPTS

1.1 Land development

Policy program ³⁻¹ for adapting nature and location of land use and/or land ownership for the sake of public or private objectives.

Regional variation: In the United States, land development means constructing buildings on an undeveloped site

1.2 Land consolidation

Instrument ³⁻² primarily concerned with parcel reallocation ²⁻¹

Typically executed in a project-setting according to a procedure ³⁻⁴ that is defined by law

a. Traditional land consolidation

Addressing the problem of too many parcels per farm

b. Modern land consolidation

Addressing a broad range of objectives to promote the general use and development of land, typically in an integrated ¹⁻⁶ way

Regional variation: In The Netherlands, land consolidation projects have to obey spatial planning ¹⁻⁵

1.3 Land banking

Instrument ³⁻² primarily concerned with ownership exchange ²⁻² executed in combination with a land consolidation **1.2** project where ownership rights are joined or exchanged with other owners to reap mutual benefits related to land use
Regional variation: In Galicia land banking is also done by exchanging use rights instead of ownership

a. Traditional land banking

Addressing the problem of farms being too small in size

b. Modern land banking

Addressing a broad range of objectives to promote the general use and development of land

1.4 Rural development

Policy program ³⁻¹ to reduce disparities between urban and rural areas by improving the rural situation

1.5 Spatial planning

a. [Scientific]

The search for and implementation of an optimal adaptation between geography and society

b. [Practice]

The formal framework regulating land use

Regional variation: In the UK, this would normally be called town and country planning

1.6 Integrated

Taking various types of land use into account simultaneously

Opposite: Sectoral

Synonym: Comprehensive, multifunctional

LEVEL 2: IMPLEMENTATION CONCEPTS

2.1 Parcel reallocation

Reorganising the parcels ³⁻⁵ of a number of farmers into consolidated holdings by changing their number, location, shape and orientation with the objective of making the cultivation of land more efficient

2.2 Ownership exchange

Transfer of ownership-rights ⁴⁻² from one natural or legal person to another if necessary using a land fund ²⁻³

2.3 Land fund

Land reserve used for land banking ¹⁻³ purposes held in temporary ownership and management by a land banking agency

2.4 Decentralisation¹

Moving from the centre to the periphery. In governmental terms: shifting of decision-making and executive powers to lower tiers of government and particularly to lower government

2.5 Peri-urban¹

Area on the periphery of the urban area of the town and its suburbs. Typically very dynamic and under pressure of transformation of greenfield sites into developed urban areas

LEVEL 3: BASIC CONCEPTS

3.1 Program

Coherent set of policy objectives for a geographical or thematic unit of society within a predefined financial framework and time-planning with a strategic role, although some selection of instruments^{3,2} may be proposed

3.2 Instrument

Set of activities, steps and decisions combined in a procedure^{3,4} described by law or other rules

3.3 Measure

Any action directly resulting in a concrete change in physical or social reality

3.4 Procedure

Prescribed sequence of activities, steps, and decisions

3.5 Parcel

Smallest unit of land

a. Agricultural parcel

Physical production unit visible in the landscape used for one type of agricultural production

b. Cadastral parcel

Unit surveyed and described in the land registry according to its ownership and/or use

LEVEL 4: CONCEPTS ON LAND TENURE

4.1 Land tenure¹

The relationship, whether legally or customarily defined, among people with respect to land or associated natural resources

4.2 Land ownership

Right to occupy, use and alienate the land

Synonym: freehold

Regional variation: there is a great deal of variation between countries on the exact legal status of an owner

4.3 Land lease

Contractual agreement between a landlord and a tenant for the tenancy of land

Synonym: Tenancy

Regional variation: There is a great deal of variation between countries on the exact level of protection of tenants and regulation of tenancy prices

4.4 Common private land

Land owned by a group of people belonging to one community

4.5 Compulsory acquisition¹

Procedure in which public needs for land or property rights in the pursuit of government policy are met, including compensation of the loss of the owner expropriated

Synonym: Expropriation

Regional variation: In the USA this would normally be called 'taking'

4.6 Pre-emption right¹

Right of first refusal enjoyed by the holder of the right requires the vendor of the land to give the holder the first opportunity to buy on agreed terms

ANNEX II

Partners



VLM – The Flemish Land Agency

The Flemish Land Agency is an agency of the Flemish government dealing with rural and peri-urban issues and rural development in Flanders, one of the regions of Belgium. Together with a number of partners, VLM makes sure that project areas are developed with respect towards local values and identity and the demands of society, using instruments like integrated land development, modern land consolidation, and land banking.

VLM provides support and expertise to the Flemish rural development policy and the European rural development programmes.

VLM helps realize the environmental objectives of the nitrate directive by actively encouraging farmers to opt for sustainable farming, agri-environmental agreements, and by supervising the correct compliance of the manure legislation.

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DGADR

DGADR is an organisation within the central administration of the Ministry of Agriculture, Rural Development and Fisheries that has the mission to contribute to the execution of policies within the scope, among others, of agriculture, irrigation schemes and management of agricultural and hydraulic projects, protection of natural resources and territorial sustainable management, improvement and economical diversification of rural areas by proposing the measures and policy instruments, promoting their use and participating in their monitoring and evaluation. DGADR was formed on the 1st of March, 2007. Prior to that, IDRHa was the FARLAND partner as it was the organisation that had the related competencies.

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GOVERNMENT SERVICE FOR LAND AND WATER MANAGEMENT (DLG) (LEAD PARTNER)

DLG is an agency of the Ministry of Agriculture, Nature and Food Quality (LNV). The service works for administrative constituents and also carries out legal tasks. The service is always looking for means for cooperation and solutions appropriate for the (administrative) wishes and the properties of the area. DLG also collects funding and offers insights in subsidy possibilities. The DLG assignments support several governments.

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ALTEERRA, WAGENINGEN UR

Alterra is the research institute for green living environment. It offers a combination of practical and scientific research in a multitude of disciplines related to the green world around us and the sustainable use of our living environment. Flora and fauna, soil, water, the environment, geo-information and remote sensing, landscape and spatial planning, man and society are just a few of the numerous aspects of our green environment that Alterra focuses on.

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KASSEL UNIVERSITY, CHAIR FOR LANDSCAPE PLANNING (UNIK)

Kassel University has expertise in landscape planning and environmental management related to land development.

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Germany



MINISTRY OF THE ENVIRONMENT AND CONSERVATION, AGRICULTURE AND CONSUMER PROTECTION (NORTH RHINE – WESTPHALIA)

"Integrated Rural Development" in NRW comprises the coordination, financing and implementation of regional activities (LEADER) and "Village renewal" as well as land management and land consolidation. The units II-6 and II-7 of the ministry are concerned with these tasks. Unit II-6 is responsible for all general issues concerning an "Integrated Rural Development" including village renewal. Unit II-7 is responsible for "Land Management" and "Land Consolidation". The activities of the units are focused on strategic and coordinating tasks.

The responsibility for the operational level, the implementation, and the execution of local measures is placed on five district governments (Arnsberg, Detmold, Düsseldorf, Köln and Münster) with local offices within the rural areas.

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RESEARCH INSTITUTE FOR SOIL SCIENCE AND AGRICULTURAL CHEMISTRY (MTA TAKI)

RISSAC is the scientific centre in Hungary for soil science, agrochemistry and soil biology. The Institute is primarily responsible for fundamental research in these fields with significant applied research, education, advisory and information activities, and extensive national and international cooperation. RISSAC is the coordination centre of numerous national and international programmes.

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Hungary

THE MINISTRY OF AGRICULTURE OF THE REPUBLIC OF LITHUANIA

MINISTRY OF AGRICULTURE OF THE REPUBLIC OF LITHUANIA (ZUM)

The Ministry of Agriculture of the Republic of Lithuania is an institution of the executive power of the Republic of Lithuania. The Ministry carries out state governance functions in relation to the land, food, fisheries and rural development established in laws and other legal acts and implements the state policy in these areas.

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Lithuania



NATIONAL LAND SERVICE UNDER THE MINISTRY OF AGRICULTURE OF THE REPUBLIC OF LITHUANIA (NLS)

The National Land Service develops and pursues the state policy in the field of land management and administration, land reform, real property cadastre, accounting, geodesy, development of cartographic and geo-referential databases and information systems.

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Lithuania



UNIVERSITY OF SANTIAGO DE COMPOSTELLA (USC)

The motto of the University of Santiago de Compostella is "education and knowledge at the service of society". It is a singular institution due to its history, the impressive campus settings of Compostella and Lugo, its dynamism, and its commitment to modernisation. Founded in 1495 by Don Lope Gómez de Marzoa, this institution maintains one of the most important academic traditions in Europe, being always attentive to the growing demands of society and open to international collaboration.

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Galicia, Spain



XUNTA DE GALICIA
CONSELLEIRÍA DO MEDIO RURAL



MINISTRY OF RURAL AFFAIRS OF GALICIA

The Ministry of Rural Affairs of Galicia is responsible for the implementation of policies in rural areas related to agrarian structures and infrastructures, forests, agrofood production, agroforest research and training, and rural development issues.

The General Directorate of the Agrarian Structures and Infrastructures is responsible for land development issues and the Galician Rural Development Agency (AGADER) is responsible for rural development policies.

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ANNEX III

Working Groups

Three working groups were created within the FARLAND project for the 3 thematic fields: Review and exchange, Future Approaches and Promotion and Dissemination.

The working group Review and Exchange consisted of:

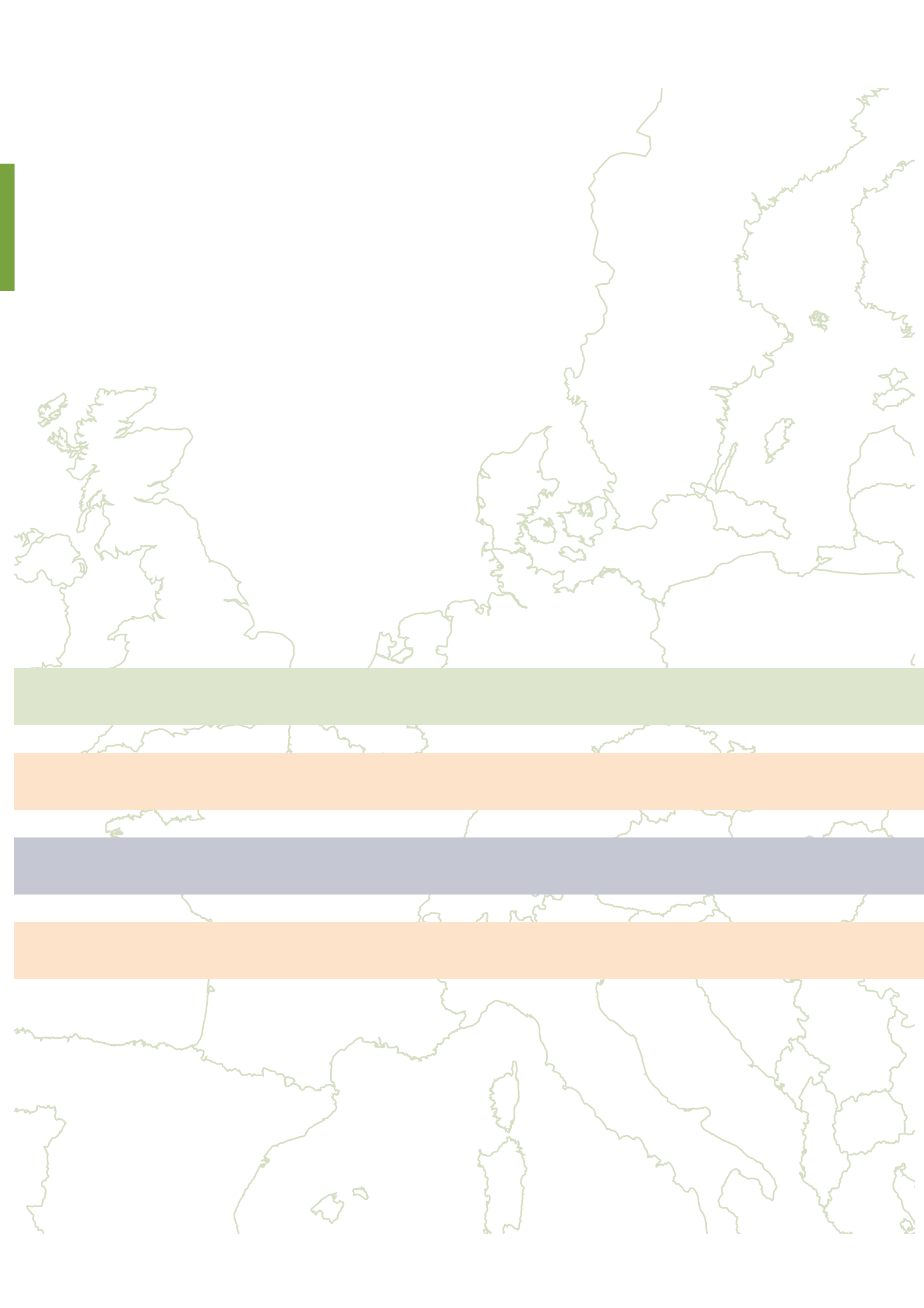
- W. Timmermans – Alterra (Chair)
- P. van der Jagt – Alterra
- A. Stiller – NRW
- H. Pflug – NRW
- D. Miranda – USC
- V. Daugaliene – NLS
- D. Liutikas – ZUM
- J. Reyniers – VLM
- B. Bos – DLG
- M. Pais – DGADR
- Sz. Bíró – TAKI
- C. Zolle Fernández – Ministry of Rural Affairs of Galicia
- D. Bruns – UniKassel

The working group Future Approaches consisted of:

- O. Jongeneelen – VLM (Chair)
- I. van Dinderen – VLM
- M. Lodts – VLM
- A. Wizesarsky – NRW
- H. Pflug – NRW
- R. Crecente – USC
- D. Bruns – UniKassel
- V. Daugaliene – NLS
- H. Moen – DLG
- M. Ambar – DGADR
- A. van den Brink – DLG
- Sz. Bíró – TAKI
- A. Vázquez – Ministry of Rural Affairs of Galicia

The working group Promotion and Dissemination consisted of:

- Zs. Flachner – TAKI (Chair)
- J. Niermann – NRW
- Q. Onega Lopez – USC
- E. Abts – VLM
- V. Daugalienė – NLS
- D. Liutikas – ZUM
- B. Gulickx – DLG
- T. van Dijk – Alterra
- F. Caetano – DGADR
- I. Calvo – Ministry of Rural Affairs of Galicia



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