

Turkey Establishes Provincial Soil Protection Boards and Announces Rules for Use and Protection of Cultivated Areas

10 May 2018

Turkey's Ministry of Food, Agriculture and Livestock ("**Ministry**") recently announced a new regulatory regime for planning, use and oversight of cultivated areas. These include establishing provincial Soil Protection Boards, as well as introducing rules to soil conservation plans and protecting grass lowlands.

The Regulation Regarding Protection, Use and the Planning of Cultivated Areas ("**Regulation**"), was published in Official Gazette number 30265 on 9 December 2017, entering into force on the same date.

The Regulation outlines details of soil conservation projects, intended to prevent soil degradation by natural causes or human activities.

The Regulation establishes Soil Protection Boards ("**Boards**"), which will each be composed of nine members in each province, each presided over by the province's Governor.

Boards will be responsible for the duties assigned by the Land Conservation and Land Use Law number 5403, plus duties assigned by the Regulation to:

- Screen, evaluate and investigate issues regarding the protection of cultivated areas, to take necessary measures to resolve problems regarding soil protection.
- Direct all initiatives requiring land use, to review and approve projects aimed to improve land.
- Follow and evaluate implementation of soil protection measures at the local level.
- Monitor compliance between national, regional and local plans.
- Receive requests for the use of cultivated lands and pass these to the relevant authorities, with the Board's opinion.

The Regulation introduces detailed provisions for the Ministry to determine land and land assets. Accordingly, the Ministry must

- Make or carry out land classification activities and mapping for soil conservation and use.
- Prepare land use plans.
- Determine the principles and standards for conducting survey studies.

The Regulation categorizes cultivated lands into four types, in line with their use:

- Absolute cultivated lands.
- Special product lands.
- Planted cultivated lands.

- Irrigated cultivated lands.

In principle, cultivated lands must not be used for any activity except agriculture. However, if there is no alternative and the Board considers appropriate, cultivated land can be used for non-agricultural purposes in the following circumstances with Ministry approval:

- Defense purposes.
- Temporary settlement after a natural disaster.
- Oil and gas exploration and operation.
- Mining activities granted under a public interest decision.
- Plans and investments granted under a public interest decision.
- Road, infrastructure and superstructure investments with public interest.
- Investments related to use of renewable energy resources.
- Technological greenhouse investments from geothermal.

Please see this [link](#) for the full text of the Regulation (only available in Turkish).

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