



**Address by IFA President Tim Cullinan
to the Joint Oireachtas Committee on Agriculture, Food and the Marine
Tuesday 14th September 2021**

The Nitrates Review must improve water quality, without placing excessive costs on farmers

Chairman and Committee Members,

Thank you for inviting IFA to address you here today. I am joined virtually by the Chair of IFA's Environment & Rural Environment Committee, Paul O'Brien and Geraldine O'Sullivan, Senior Policy Executive for Environment & Forestry.

The outcome of the current review of the Nitrates Action Programme (NAP) will have significant implications for farmers across all sectors of Irish agriculture. IFA fully recognise the important role the NAP plays within the industry.

The objective of NAP is to protect water quality through the promotion of good farming practice, if there are wider co-benefits to climate and biodiversity, this is welcomed. However, the review must not be used by Government to legislate for other policy objectives including emission reduction targets that provide minimal benefits to water quality.

The Government must engage in genuine negotiations with farmers to agree a Nitrates Action Programme (NAP) that achieves its objectives, without placing unnecessary and excessive requirements on farmers. Farmers have made significant investments and changes to farming practices since the introduction of the last NAP. The Water Quality in Ireland 2013-2018 report, which was published in 2019, did not capture the impact of the new measures and programmes that were introduced on farms.

As custodians of the environment, farmers understand their responsibility to comply with regulations to protect and improve water quality. They will continue to engage positively with measures that are scientifically proven

to improve water quality. They will not accept the introduction of excessive regulations that could undermine the viability of the family farm and do little to improve water quality.

Key proposals of concern to farmers

IFA is seeking changes to the following key proposals, that are crucial to protecting viability of farms:

1. The derogation must be maintained, without further onerous requirements. Farmers in derogation make a substantial contribution to the sector and the wider rural economy.
2. The soiled water storage and management proposals are being used by the Department to manage compliance, rather than any scientific justification that they will improve water quality. Soiled water contains 3.3 units of N per 2,500 gallons of slurry, in contrast slurry contains 16 units of N per 2,500 gallons of slurry. The cost of implementation outweighs any benefit to water quality. In addition, the outwintering eligibility must be retained for farms with stocking rate less than 140 kg N/ha.
3. There is no scientific justification that the separation of slurry and clean water on farms stocked below 170 kg N/ha will improve water quality, but it will have a significant cost for farmers.
4. The covering of slurry stores will have limited benefit to water quality, its primary benefit is to reduce agricultural emissions, and must be rejected. This is outside the remit of the Nitrates review and must not be used by Government to deliver climate policy objectives, and renege on its responsibility to support farmers in the low carbon transition.
5. The compulsory use of Low Emission Slurry Spreading (LESS) on farms operating above 100 kg livestock N/ha from 2023 and all Pig farmers from 2023 onwards, is outside the remit of the Nitrates review as it is primarily aimed at reducing emissions rather than improving water quality. While the use of LESS is encouraged, it must be supported via grants rather than enforced under regulation.
6. The proposal to reduce the period for slurry spreading to the 15th September and the impact of this measure on water quality is not supported by science. A more effective measure would be to encourage farmers to spread slurry produced from the previous winter earlier in the season when its nutrients can be optimised.

7. There must be no changes to the technical tables without full consultation and clarity on the proposed changes. Any changes to these tables would require a long transition phase (10 years minimum) as amendments are likely to require substantial long-term investment by farmers.

Overview of Nitrates Review

Every four years the Nitrates Action Programme is reviewed. This year the Nitrates Action Programme is being revised for 2022-2025. After an initial consultation in January the Department issued the second stage of consultation in August, five months after it was scheduled to issue as outlined in the initial consultation document.

Farmers are not responsible for these delays and must be provided adequate time and opportunities to meet and discuss the proposed measures with the Department, to get clarify on these highly technical proposals. The second stage consultation document contains fifteen proposals. These proposals will affect all farmers across all sectors regardless of stocking rate. Many of the proposals are cost-prohibitive on farms, yet there is no mention of supporting farmers or recognition of the impact such proposals will have on family farm incomes.

Comments on the Proposed Measures

1. Chemical Fertiliser Register

The Chemical Fertiliser Register must be developed in full consultation with farmers, with rules and guidelines that allow some flexibility including the ability for farmers to take advantage of market conditions and stockpile when prices are keen, as well as purchase for land they do not own or have entitlements, for example, when land is let for summer grazing/silage.

2. Improving Compliance

Communication is integral to improving compliance. The Department needs to improve communication with farmers on compliance and non-compliance issues. A review of cross compliance inspection outcomes has not been published since 2016. This must be addressed with yearly updates to the sector on non-compliance issues to improve understanding and avoid unintended breaches.

The Department needs to adopt a yellow card system for minor non-compliances so that farmers are afforded the time to rectify the non-compliance without incurring a fine.

3. Agricultural Sustainability Support and Advice Programme (ASSAP)

The research shows that supporting farmers to make better decisions regarding how they manage nutrient applications is likely to be the single area with the greatest potential to improve outcomes for water quality on Irish farms - delivering better profits for the farmer while reducing risk of nutrient loss to water.

IFA supports the expansion of the ASSAP programme as set out in the Programme for Government. Targeted prescriptive measures will always be more effective at improving water quality than blanket regulation.

4. Slurry Storage and Management

The outwintering eligibility must be retained for farms with stocking rate less than 140 kg N/ha.

It is unclear what the Department is seeking in the proposal to keep slurry and clean water separate in the farmyards of farms stocked above 170kgN/ha, as this is an existing requirement under cross compliance - SMR 1. Provided farms have ample storage (regardless of stocking rate) there should be no reason why soiled water should be stored separately.

The proposal to spread all slurry by the 15th September should be rejected, as this will have minimal impact on water quality. Instead, we suggest that farmers should be encouraged to spread slurry produced from the previous winter earlier in the season when its nutrients can be optimised. This could be achieved via a measure within the proposed Eco-scheme in the next CAP programme. Any slurry produced on farms between the 15th September and the 15th October should be allowed to be spread prior to the closed period. Given that this would be a small volume of slurry and that grass growth rates are still in the region of 30-50 kg DM/day at this time of year the nutrient value of the slurry can be taken up by the plant, preventing loss over the closed period.

The requirement to cover external slurry stores provides no additional benefit for water quality and should be rejected. This proposal is aimed at mitigating gaseous emissions and should not fall under the remit of the Nitrates Action Programme. By including the regulation, it would restrict the Department's ability to grant aid such investments. The Department have yet to provide guidelines on suitable covers that are cost effective and safe to use as covering slurry stores could lead to hazardous health and safety conditions when agitating.

5. Soiled Water Storage & Management

There is no reason for soiled water to be kept separate from slurry where there is ample storage on farms to store them together. This is a costly proposal that will have not improve water quality but would impose significant costs on farms.

Soiled water contains 3.3 units of N per 2,500 gallons of slurry (Minogue et al., 2015). In contrast slurry contains 18 units of N per 2,500 gallons of slurry. For this very reason soiled water can be spread throughout the closed period, there is no reason why this practice cannot continue.

There are concerns that this is being used by the Department to ensure compliance rather than a measure that will benefit water quality. Farmers will not accept cost prohibitive blanket regulation that will have no positive impact on water quality.

6. Livestock excretion rates

It is accepted that as yield per cow increases, her energy demand and consequently the volume of Nitrogen she excretes also increases. However, the Department must appreciate that the proposal to introduce changes to dairy cow excretion rates will have knock on impacts on land availability, particularly for the livestock and tillage sector. Therefore, this proposal must be implemented on a phased basis over four years to accommodate farmers.

7. Dairy Industry N reduction initiative

IFA is not aware of the Dairy Sustainability Ireland Working group referred to this proposal and understands that this grouping does not exist. It is our understanding that no formal proposal was submitted to the Department and financial support has not been agreed.

It is recognised that milk processors can play a positive role in supporting farmers through ASSAP, Joint Programmes with Teagasc and the provision of lending structures such as Milk Flex and Dairy Flex and such activities should be encouraged. However, there are concerns that this is an attempt by the Department to shift responsibility to milk processors.

It is not the remit of milk processors to ensure compliance with the Nitrates Action Programme.

8. Chemical Fertiliser controls

The use of Low Emission Slurry Spreading (LESS) equipment, protected urea and clover can and will reduce our dependence of chemical N. However, farmers need proper guidance and support to adapt to these technologies.

A 15% reduction in chemical N will impact family farm incomes in the region of €5,000, this is too severe. It is vital that we see beneficial results from a 10% reduction prior to increasing this further.

9. P Build up Allowances

IFA supports the extension of P Build Up Allowance programme.

10. Green cover on Tillage Ground

Where straw is chopped following harvesting, shallow cultivation should take place within 7 days post harvesting. The funding for the Straw Incorporation Measure (SIM) scheme should be increased to ensure higher uptake. Where straw is baled post harvesting, shallow cultivation should take place 28 days post harvesting.

For farmers practising zero or strip till establishment systems, the use of straw rakes or rollers to encourage natural regrowth/ regeneration of a green cover post harvesting should be permitted.

Requirement for cover crops ahead of spring crops in tillage areas has been identified as especially vulnerable to nitrate loss or leaching.

Later maturing crops such as potatoes and beet will require an annual derogation which takes into account weather and soil conditions in respect of the requirement to shallow cultivate and/or establish a crop within seven days of harvesting.

IFA suggests that on farm trials for inter-row sowing of maize crops with grass species should be investigated and especially in counties where critical source areas have been identified.

11. Organic Matter Determination

The Department needs to provide greater clarity on how the soil test information provided from all soils in the indicative Teagasc/EPA layer for >20% organic matter will be used.

To minimise costs on farm, where land has been certified by a Farm Advisory System Advisor that soils on a holding/field in such areas are mineral soils there should be no requirement required to be soil tested for Organic Matter.

12. Soil Test

The review of the Morgan P test is support as farmers need a test that accurately determines the amount of available P in the soil.

13. Grazing Land Management

The Department need to clarify the definition of short-term grazing.

There are concerns about the use of a nominal distance (30 km) to determine whether land should be included for whole farm stocking rates. Provided that slurry is spread uniformly across all holdings there is no rationale for this proposal. If fertiliser and slurry is not typically spread on commonage or rough grazing land, this land can provide valuable grazing for young stock in particular on farms. Therefore, in such a scenario we recommend that rather than being excluded entirely from the stocking rate calculation that its contribution to grazing is considered in the overall farm stocking rate.

These proposals will have a significant impact on land availability, farmers may not be able to secure land in their locality for their livestock.

14. Review of Technical tables

The Review of Technical tables review must be done in full consultation with stakeholders. No details have been provided by the Department, without clarity and proper consultation on proposed changes it is far too late to be revising reference figures.

Any changes to these tables must be based in science and would require a long transition phase (10 years minimum) as amendments are likely to require substantial long-term investment by farmers.

15. Air Quality

The compulsory usage of LESS on farms operating above 100 Kg livestock N/ha from 2023 and for all Pig farmers from 2023 onwards, is outside the remit of the Nitrates review, as it is primarily aimed at reducing emissions rather than improving water quality. While the use of LESS is encouraged, it must be supported via grants rather than enforced under regulation.

The Department must continue to encourage farmers to use LESS equipment by continuing to provide grant support and through initiatives like the Eco-scheme and Agri-environmental schemes.

Conclusion

IFA fully appreciate the challenges that the current review of the NAP present. We stand ready to work with the Government and its representatives to find practical solutions that can achieve the objectives of the Nitrates Review without placing undue and unnecessary requirements on farmers that, in some cases, will put the viability of their farm business at risk.

Thank you.