

Opening Statement to the Joint Oireachtas Committee on Agriculture, Food and the Marine, Tuesday 21 September 2021 – Malcolm Noonan T.D., Minister of State for Heritage and Electoral Reform

I wish to thank the Committee for the invitation to attend this meeting and for providing me with the opportunity to make an opening statement.

Peatlands in Ireland

Peatlands have been one of the most abiding features of the Irish landscape since the last Ice Age. They cover a large area of the land surface, occurring as raised bogs, blanket bogs and fens. Peatlands have a key biodiversity value and provide a range of ecosystem services. They are considered among the most important ecosystems of the world because of their huge carbon stores and their ability, when growing, to capture carbon and thus to help regulate climate.

Irish peatlands are a significant carbon store, containing up to 75% of all the national soil organic carbon. On average, peatlands are estimated to contain between 30-70kg of soil carbon per cubic metre, i.e. about 10 times as much as a typical mineral soil.

Over the centuries peatlands have been naturally “cooling” the atmosphere, the opposite to human-induced “warming” caused by the emission of carbon dioxide, by removing CO₂ from the atmosphere. When peatlands are drained or damaged, the peat oxidises and the carbon is released back to the atmosphere. Peat oxidation can be stopped or reduced through the restoration of sites and hydrological management measures. A restored bog can actively sequester carbon and once restored it becomes a carbon store. It is essential to keep the carbon stored in the ground and restore/rehabilitate their hydrological balance (i.e. water must be

maintained close to the peatland surface over most of the year) to return degraded peatlands to sinks or carbon neutral systems.

Review of the use of peat moss in the horticultural industry

Action 5, set out in the National Peatlands Strategy, provides for a review of the use of peat moss in the horticultural industry. To undertake this review, the Department of Culture, Heritage and the Gaeltacht established a working group comprised of representatives from that Department, which chaired the working group, and from the Departments of Agriculture, Food and the Marine and Communications, Climate Action and Environment and the Environmental Protection Agency.

The working group produced an Issues Paper on the review of the use of peat moss in the horticultural industry. This paper was published on 9 October 2019 and submissions were invited on the paper by 31 January 2020. Some 34 submissions were received from industry stakeholders, Environmental Non-Governmental Organisations and the general public and all of these are available to view online. A report on the review of the use of peat moss in the horticultural Industry was prepared by the inter-agency working group on the basis of the submissions received. I published this report in September 2020.

The review report concludes that there are significant positives and negatives arising from ending the use of peat moss in the horticultural industry. There are complexities in terms of the environmental benefits of ending horticultural peat extraction set against the economic consequences for the industry, food security, the lack of as effective an alternative to peat, and the economic and cultural impact on the local communities that would be affected.

Based on the recommendations in the report, I set up a working group comprised of representatives of the relevant Government Departments, State Bodies, Environmental Non-Governmental Organisations and of various sectors within

the horticultural industry. This group, under an independent chairman, Dr. Munoo Prasad, has had 11 meetings to date. As well as discussing the current situation that the horticultural industry finds itself in, the working group has focused on the potential of alternatives to the use of peat in the horticultural industry. It has had a number of presentations, from, for example, the Chair of the UK Growing Media Association, an Associate Professor at the School of Agriculture and Food Science in UCD, Teagasc and from growing media producers and horticultural industry growers.

Peat extraction – Legislative Provisions

In Ireland, large scale peat extraction is subject to a dual consent regime of both planning permission and Integrated Pollution Control licensing by the Environmental Protection Agency.

Under the Planning and Development Act 2000, all development, unless specifically exempted under the Act or associated Regulations, requires planning permission. Under the Planning and Development Regulations 2001, peat extraction (i) in a new or extended area of less than 10 hectare or (ii) in a new or extended area of 10 hectares or more, where the drainage of the bogland commenced prior to 21 January 2002, is exempted development. This exemption is subject to a restriction at section 4(4) of the 2000 Act, whereby that exempted development status is lost if an Environmental Impact Assessment under the EU Environmental Impact Assessment Directive or Appropriate Assessment under the Habitats Directive is required in respect of that development.

Peat extraction involving a new or extended area of 30 hectares or more requires an Environmental Impact Assessment and therefore planning permission. Peat extraction below that threshold may require an Environmental Impact Assessment if it is considered that it would be likely to have significant effects on the environment. Any peat extraction which would be likely to have significant

effects on a European Site (a Special Area of Conservation or a Special Protection Area) requires an Appropriate Assessment and therefore planning permission.

The Environmental Impact Assessment Directive is a European Union law which requires that development consents for certain public/private projects likely to have significant environmental effects should be granted only after an assessment of those effects has been carried out by a competent authority. The first iteration of the Directive was adopted in 1985. This Directive is broadly transposed into Irish legislation through several development and activity consent systems covering, for example, land-use planning, waste permitting, Integrated Pollution Control licensing, roads and motorway construction, and foreshore development.

Peat extraction of an area of greater than 50 hectares requires both planning consent from a planning authority or An Bord Pleanála, as well as Integrated Pollution Control licencing from the Environmental Protection Agency (with reference to the Environmental Protection Agency Act 1992, as amended), both of which regimes require Environmental Impact Assessment to be carried out by the respective competent authorities (i.e. the planning authority and the Environmental Protection Agency) and also Appropriate Assessment if relevant.

The planning system includes the availability of the substitute consent process set out at Part XA of the Planning and Development Act 2000, under which regularisation of any development requiring retrospective Environmental Impact Assessment or Appropriate Assessment under the planning side of the dual consent regime may be sought.

If a proposal for peat harvesting requires retrospective regularisation of historic peat extraction that should have been subject to Environmental Impact

Assessment or Appropriate Assessment, but was not, then the proposed activity would require both substitute consent approval as well as a prospective planning permission under the planning regime, in addition to relevant consents under the Environmental Protection Agency's Integrated Pollution Control licence regime.

Irrespective of whether an alternative consent regime could be put in place, there can be no derogations from the need to comply with the Environmental Impact Assessment and Habitats Directives.

The Horticultural Industry in Ireland

The Horticultural Industry makes a significant contribution to economic output and employment in Ireland. The productive potential of the sector has relied on peat based growing media and peat casing. The sector is divided into subsectors each having unique requirements in terms of peat harvesting.

Harvesting of peat by growing media and mushroom casing manufacturers in recent years has been challenging from a legal and regulatory point of view in the context of planning permission and Integrated Pollution Control licence requirements. Consequently, the working group first examined this issue. Arising from deliberations within the group, the chairman submitted an interim report to me in May last. The interim report sets out (i) the biodiversity value of Peatlands, which also provide a range of ecosystem services, (ii) information on Peatlands used for the production of peat for horticulture in Ireland and on the horticultural industry in Ireland, (iii) the reliance on peat in the Irish horticultural industry, (iv) the challenges in securing alternative growing media to peat, (v) the proposed alternatives to peat, (vi) information on the importation of peat, (vii) the current legislative provisions in relation to large scale peat extraction and (viii) a series

of proposals in relation to the current position the horticultural industry finds itself in.

The interim report also indicates that there is general agreement among the members of the working group that peat for the professional horticulture sector should be available till a target date of 2030 and a maximum target date of 2035, with the amount of peat being used by the sector being phased out over that time. There should be strict monitoring of the reduction by an independent body. The level of reduction would depend on the success of research and development on peat alternatives.

Conclusion

It is clear that a solution to this issue requires a multi-Departmental and multi-agency response in co-operation with the industry and academia. In that regard and following on from the receipt of the interim report, the Departments of Agriculture, Food and the Marine, the Environment, Climate and Communications and Housing, Local Government and Heritage are working on a suite of measures as regards the situation in the horticultural industry.

I understand that Dr. Prasad, the chairman of the working group, is preparing his final report which will focus on the potential of alternatives to the use of peat in the horticultural industry. This report will be presented to the working group before being sent to me. Currently, the final report is to be submitted to me by the end of September.

ENDS