

## Joint Oireachtas Committee on Agriculture, Food and the Marine

Wednesday 24 November 2021

### Statement by Minister McConnologue, Department of Agriculture Food and the Marine

#### Nitrates Directive and Ireland's Action Programme

Thank you for the invitation to speak with the Committee this evening on the topic of the **Nitrates Directive**<sup>1</sup> and Ireland's forthcoming **Nitrates Action Programme 2022**. I am joined by Jack Nolan, Senior Inspector, Nitrates and Biodiversity Division for this evening's discussion.

It is important for me to highlight that the regulations governing the Nitrates Action Programme are the responsibility of my colleague, Minister Darragh O'Brien, Minister for Housing, Local Government and Heritage with my Department administering the Nitrates Derogation provided for under the regulation.

My Department is fully engaged in developing and supporting a new revised and strengthened Nitrates Action Programme and Nitrates Derogation in 2022 and this is a key commitment in the Programme for Government. I know just how important the Derogation is to so many farmers and I have been entirely committed to protecting it while improving water quality. The review of the Nitrates Action Programme provides a timely opportunity to review the impact of agriculture on our water environment and support agriculture's ambition to stabilise and improve water quality while seeking as many co-benefits for climate, air and biodiversity as possible.

My Department is working closely in collaboration with Minister O'Brien's Department to collectively develop a cohesive policy response in delivering and implementing policy on water quality to coincide with the delivery of the next River Basin Management Plan. Both Departments are also working closely with the Environmental

---

<sup>1</sup> Council Directive 91/676/EEC 91 concerning the protection of waters against pollution caused by nitrates from agricultural sources

Protection Agency (EPA) in reviewing both water quality monitoring, water quality trends and investigating and understanding the pressures from nutrient, pesticides and sediment losses from agriculture.

We been at the forefront of assessing the regulatory baseline for agriculture and has been proactive in reviewing and balancing measures to minimise the impact of agriculture on the environment.

Ireland is a leader in the EU in protecting the environment through a strong regulation that includes both Nitrogen and Phosphorus in our regulations, unlike most other EU Member States where Nitrogen is the sole nutrient regulated. However, we must recognise that recent trends in water quality have not been in the right direction and my Department is fully supportive of working with farmers to reverse this.

We initiated a voluntary review of the Nitrates Derogation in 2019, covering 7000 farmers who avail of the facility. That review introduced additional measures on such farms to improve on farm efficiencies, such as the use of trailing shoe technology and preventing access to watercourses as examples of new measures introduced to reduce agricultures impact on the environment. Additional measures have also been introduced for a further 5000 farmers in 2021 who do not avail of the derogation but are farming at a similar high level of intensity.

In order to develop future agricultural measures for the protection of the environment as part of the current Nitrates Action Programme review process, Teagasc were asked to review and model the impact of future potential measures. This work concluded that a number of additional measures will further minimise nutrient losses to the environment. The Nitrates Derogation (250 kgs of nitrogen from livestock manure/ha) was considered environmentally safe based on Ireland's grass-based system of production.

I and my Department have been aligning agriculture policies and strategies to ensure a coherent approach to meeting agriculture's commitments to the environmental challenges of climate, air, water and biodiversity. Agriculture has a significant role to

play in meeting environmental targets across all these issues. The strong support and work being delivered by farmers to address these environmental issues must be acknowledged also in this.

Finally, a Nitrates Expert Review Group has been put in place to review the Nitrates Action programme and make recommendations on foot of the two periods of consultation earlier this year will shortly conclude. I look forward to considering its recommendations which I anticipate receiving shortly.

In terms of Ireland's Nitrates Derogation, Ireland has applied for a derogation as provided for in the Nitrates Directive and which to date is being made available on the basis of strict scientific criteria. In line with the current Nitrates Action Programme, Ireland's current derogation expires on 31<sup>st</sup> December 2021.

Ireland is currently negotiating the next Nitrates Action Programme and working through a process to achieve a new programme and derogation. In order to allow these negotiations come to a fruitful conclusion and secure a favourable opinion on Ireland application, a vote on Ireland's derogation has been postponed until early March 2022 by which time Ireland's new Nitrate's regulations should be in place.

I again reaffirm my commitment to delivering a new Derogation while continuing on the pathway of improving water quality.

I thank you for your attention and your time today and we will be happy to take any questions from the members.

