



OPENING STATEMENT

To the Meeting of The Joint Committee on Agriculture, Food and the Marine

On

“Compliance with the Nitrates Directive: Implications for Ireland”

Session **Wednesday, 21 February 2024 at 5:30 p.m.**

Committee Room 3, LH2000, Leinster House

Coastwatch is a member of the Irish Environmental Network of national eNGOs and member of SWAN the environmental groups working on water. The Coastwatch representatives present today are Karin Dubsky, Director of both Coastwatch and SWAN and Bernadette Connolly, part of the Coastwatch core group and until recently representative on the National Water Forum. In the public gallery we also have Maya Galente, who has helped prepare the material.

Coastwatch is an environmental group established in 1987 with focus on informed citizen participation in environmental protection and management. Citizen science was part of core activities with the Coastwatch autumn shore survey, right from the start and includes nitrate field testing of fresh water entering coastal waters.

The Coastwatch core group made up of scientists, educators and lawyers, regional coordinators and interns bring their skill, including GIS mapping. Coastwatch is currently partner in an international horizon project called **more4nature** seeking transformative change in implementation and enforcement of EU law through citizen science. One of the pioneer case studies addresses nutrient enrichment in bays and estuaries is led by Coastwatch and links to some of the questions the Joint Committee is focussing on. This is explained in more detail in our submission.

At the meeting today we will be presenting our own views on the questions posed as there wasn't enough time to go back to the SWAN members. However we have the SWAN submissions on the NAP and will refer to these in any questions.

We do not have the in house expertise to respond to the first two questions. Here summary of responses to the questions 3 to 6.

QUESTION 3: Is it possible to maintain Ireland's Nitrates Derogation at its current level, while ensuring that there are improvements to Ireland's water quality?

The answer is no. In best case weather and top compliance scenario, &/or farmer own initiative to reduce N inputs we should get improvements, but possible isn't good enough.

- The improvements now needed by 2027 to comply with the WFD are too significant and widespread.
- With climate change, the weather is too unpredictable now;
- NAP compliance, given the current derogation has become too complicated to predict.

QUESTION 4: Is the Nitrates Action Programme fit for purpose in protecting Ireland's water quality?

The answer is not quite. Currently, the NAP covers:

- Limits on farm stocking rates
- Legal maxima for N and P application rates
- Prohibited spreading periods preventing the application of organic and chemical fertilizers during more environmentally vulnerable seasons
- Minimum storage requirements for livestock manure
- Requirements for maintenance of green cover in tillage lands
- Set back distances from waters

Yes it is comprehensive, but implementation rules read impenetrable and inward looking. Nitrate rule changes for 2024 in Sat 17th Feb Farmers Journal only reinforce this and send alarm bells when we think of compliance and enforcement.

QUESTION 5: Are there additional supports required to ensure farmers can be compliant with the Nitrates Action Programme?

The answer is yes, but one would need to redesign the NAP to make it easy to do so.

The Nitrates Action Programme is designed to prevent pollution of surface waters and groundwater from agricultural sources and to protect and improve water quality. Farmers have huge potential to help protect and improve water quality but up to now the NAP focus has been on ever more prescriptions and controls on land. This has brought a growing admin burden and distrust between farmers and other sectors.

Coastwatch would advocate a 2 lane approach:

Lane 1 is based on a solid precautionary approach in all measures from stocking rates, to fertiliser use. Its focus and annexed guide document would be on improving or protecting water quality. In some of the EIP projects such joint approach was piloted, its urgent that it is now rolled out nationally.

For this to work, farmers need

- to be given the supports to assess 'their' water. Farmers don't need to all kick sample streams, but do need to know the basic signs of good and high quality and recognize the signs of eutrophication and silt loss from land. This would be augmented by simple field Nitrate tests to get a better understanding of levels of nitrate in their drinking water, in the discharge from their own ditches and streams and in signs of eutrophication in estuaries and bays.
- To know how to influence/improve water quality. For the first time in years, farmers now have a chance of enhancing the biodiversity value of their lands with wetlands which can also tackle nutrient and silt loss. For years you were penalised for doing this, now under the new CAP it is possible. These 'nature based solutions' work best when local knowledge (which particularly the older farmers still have) is married with practical and scientific knowhow.
- Integration into catchment management plans and other initiatives.

Lane 2 would be for those who want to stay intensive and follow prescriptions. Here the water quality results onus is in the hands of responsible regulatory bodies who have to make sure they get the measures right and enforce fully.

QUESTION 6: Are there additional resources required to ensure the measures required by the Nitrates Action Programme are adequately enforced?

The answer is yes.

In the lane 1 above the focus is on water, on joint work, on farmers involved in catchments and getting to achieve that with their neighbours. Where quality needs to improve, the wetlands, stream bank protection measures etc on the farms need to go in as quick as possible and start to work.

Enforcement is part through existing DAFM inspections and part through peer pressure to get the joint prize of Good or High status water. This version builds on citizen science and community and would bring a transformative change.

A reward system similar to the Blue Flag for beaches would support the community spirit.

We must remember that farmers are not the only ones capable of causing nitrate pollution. And not the only ones who can put in water protection measures. Schemes which bring those in a catchment together also fit with the imminent Water Action Plan.

Citizen science monitoring of indicators and nitrates as carried out by Coastwatch for estuaries and bays is needed for other water bodies too. It is valuable data to augment official monitoring and track whether results are being achieved.

Our full submission will go into more detail on this.

Thank you very much for inviting us and listening to the opening statement.

Contacts:

kdubsky@coastwatch.org and bernieconnolly@coastwatch.org

0868111684

www.coastwatch.org