



BirdWatch Ireland Opening Statement to the Joint Oireachtas Committee on Agriculture and Marine

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BirdWatch Ireland representatives:

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Skylark in winter stubbles courtesy of Gemma Kelleher

Cathaoirleach, deputies and senators, thank you for the invitation to present the views of BirdWatch Ireland on aspects of the 2022 Nitrates Action Programme or NAP. We intend to focus specifically on the changes in the NAP in relation to arable land and winter stubbles given effect by the Good Agricultural Practice Regulations¹ as amended and our concerns for wild bird species as a result of these changes.

From an overarching perspective, BirdWatch Ireland would like to state that we are very concerned with the poor and declining status of many of Ireland's waterbodies. Good water quality is not only critical for human consumption, but many wild bird species need it too as part of their lifecycle. On May 9th 2019 Dáil Éireann declared a biodiversity as well as a climate emergency. It is critical that

¹ S.I. No. 113 of 2022, effective from the 11th of March 2022 and amended by S.I. No. 393 of 2022

when proposing solutions to address one environmental problem, that we do not make another environmental problem worse.

The 2022 NAP requires tillage farmers in 14 counties to shallow cultivate soils post-harvest and to eliminate 75-80% of winter stubbles to reduce nitrate loss to water bodies. Stubbles are the 6 inches of stalk left after harvest of a crop on arable land. Seed is often spilled and left in the fields during the harvesting process and becomes a winter food source for wild bird species like Linnet, Goldfinch, and Skylark. Birds of prey such as Hen Harrier, Barn Owl and Kestrel are known to forage over winter stubbles and prey on the small birds and mammals. This has been a positive farmer-bird relationship for as long as arable crops have been cultivated. Stubbles do not equal bare soil and the seeds on top of the soil often 'green up' during the winter period without any cultivation. Shallow cultivation results in seeds being turned into the soil making them completely unavailable to wild birds but the seed germination absorbs nitrogen that could otherwise be lost from the soil to the environment.

BirdWatch Ireland is very seriously concerned about this requirement because of the effects the measure could have on wild birds many of whom are already Red or Amber Listed Birds of Conservation Concern. BirdWatch Ireland staff engaged with both the Department of Agriculture and the Department of Housing on this NAP requirement and sent a submission² outlining the evidence in the scientific literature of the importance of winter stubbles for birds³.

Between 1998-2021 there has been 45% increase in the number of farmland birds on the Red List of Birds of Conservation Concern in Ireland, most of these species were common and widespread once. This includes birds of arable farmland like the Yellowhammer. It is important to state that one bird of arable land in Ireland already became extinct in the 90s, that is the Corn Bunting.

A recent satellite tracking study of Hen Harriers in Ireland revealed a low first year survival rate with only 17.7% of individuals in the study surviving to their first year⁴. This study also showed how young Hen Harriers disperse after they leave the nest and the habitats they use. The findings appear to show that arable landscapes are important areas for young Hen Harriers in the early months of their independence. Together with dietary analysis, stubble fields appear to be an important habitat for autumn and winter foraging by Hen Harriers, likely contributing to the higher survival rate of birds that utilise these areas.

Article 6.3 of the Habitats Directive requires that "A plan (like the NAP) or project shall be subject to an appropriate assessment of its implications for the (Natura) site in view of the sites conservation objectives". We have not seen any published government ecological assessment of the impacts of the green cover/winter stubble measure on Hen Harrier Special Protected Areas, or on the sites important for other Annex 1 wintering birds⁵ as required by Article 6.3.

In addition, changes were made to Ireland's CAP Strategic Plan at a very late stage in 2022 to reflect the new NAP rules but in this instance arable farmers anywhere in Ireland, and not just the farmers in the 14 counties listed in the NAP, are financially incentivised in ACREs general winter stubble measure, to shallow cultivate as per the NAP and to leave 20-25% winter stubble. Again, we have seen no evidence of any assessment of the ecological impacts of this change on wild birds in the Natura Impact Statement of the CSP.

² BirdWatch Ireland (2022) unpublished submission on Green Cover requirements available here

<https://birdwatchireland.ie/app/uploads/2023/08/BirdWatch-Ireland-position-paper-on-Green-Cover-requirement.pdf>

³ Gilbert, G, Stanbury, A., Lewis, L., (2021) Birds of Conservation Concern in Ireland 4: 2020–2026 Irish Birds 43: 1–22, available here <https://birdwatchireland.ie/birds-of-conservation-concern-in-ireland/> accessed July 7th 2022.

⁴ McCarthy A, Caravaggi A, Fernández-Bellón D, Irwin S, Lusby J, O'Halloran J. 2021. Landscape and temporal influences on the winter diet of a threatened diurnal raptor, the Hen Harrier *Circus cyaneus*. Bird Study 68(3):408-421. [View paper here](#).

⁵ Directive 92 / 43 / EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)

The Government's Climate Action Plan for 2023 sets out a target to increase the area of tillage land in this country by 52,000ha to 400,000ha by 2030 yet the national tillage area is known to be declining. More tillage would be a good thing and a potential win for birds too if managed appropriately. We have national targets and legal requirements for water, climate and for biodiversity yet the green cover requirement while potentially a good action to address nitrate leaching from arable land could be devastating for wild birds. Government needs to ensure more joined up thinking on how we are addressing the environmental problems we face to avoid serious unintended consequences.

We are calling on government to amend the GAP regulations to rescind the shallow cultivation clause, until there is a proper assessment and consideration of the effects of such a change on our wild bird species. The research to understand the effects of these changes is just being initiated by Teagasc and it would make sense to wait until the findings are available to inform the policy as opposed to continuing with measures which are very likely damaging while we wait to learn about the full extent of those damages. I am now going to hand over to my colleague Paul Moore.

Good evening, my name is Paul Moore, I'm a seventh-generation farmer near Midleton in east Cork, tillage and beef are my farm enterprises. I have been involved in wildlife conservation, mainly with BirdWatch Ireland in my spare time for over 30 years, I am one of the founders of the BRIDE Project EIP and I'm a Farming for Nature Ambassador since 2021. In 2022 I became aware of the proposal that arable farmers would have to shallow cultivate stubble fields shortly after harvest as part of the Nitrates Action Programme.

This concerned me from a farming perspective as an added cost and extra workload at a critical and extremely busy time of year on farms where harvesting crops is the priority, and from a bird conservation perspective because I knew the value of cereal crop stubble as a winter farmland bird habitat, both from my own farm and from studies carried out elsewhere.

There has been very little research done in Ireland on how farmland birds use crops and fields during the year and nothing on the use of stubble. Once it became clear that the Department of Agriculture were going to implement this policy, requiring farmers to shallow cultivate 75-80% of their stubble every year I approached BirdWatch Ireland for scientific advice and then set about finding funding for a study on farms in east Cork⁶. The study was funded by Irish Distillers in Midleton to whom I supply grain and South and East Cork Area Development Partnership through the EU Co-financed Rural Development Programme, LEADER, in the South Cork Area. Additional support to locate survey farms was provided by Dairygold Co-op and the local east Cork Teagasc office.

We got a great response from local farmers so much that we were not able to get to survey all the farms that contacted us. In the event over 80 square km were surveyed over the winter of 2022/23 by trained ecologists and the results show a clear indication that shallow cultivation, where the field is cultivated to a depth of three to four inches to encourage germination of the seeds in the soil to soak up nutrients, is a poor habitat for farmland birds and if the practice continues it will likely result in further losses in farmland bird numbers of threatened species like Yellowhammer, Hen Harrier, Linnet, Skylark, Greenfinch and Snipe, all of which use stubble fields throughout the winter,

The final report has been made available to the committee but to briefly summarise the findings, we surveyed 83 square kilometres twice over the winter, counting birds in primarily in stubble (where the ground is not cultivated), cover crops (where seeds are sown in a shallow cultivation manner to grow

⁶ Mee, A., Hynes, L., Kavanagh, L., Moore, P. & Siekaniec, T. 2023. An Assessment of the Winter Distribution, Abundance and Habitat Associations of Farmland Birds on Agricultural Land in South Cork. Report to SECAD partnership, Oct. 2023 available here <https://birdwatchireland.ie/app/uploads/2024/02/Cork-Winter-farmland-bird-habitat-associations-report.pdf>

a crop over winter) and shallow cultivation (where the ground is cultivated up to a depth of 3-4 inches to encourage germination but no seeds are sown). In the first half of the winter, nearly 9000 birds were recorded on surveys, winter stubble held 4,400 of these, Cover crops held 2,400 and shallow cultivation held 1,100. By late winter, stubble and cover crops had retained their importance but shallow cultivation had not as it held even fewer birds.

Teagasc have recently started a study on the effects of the shallow cultivation on farmland birds but by the time that is completed the shallow cultivation requirement on tillage farmers will have been in effect for 6 or 7 years with unknown but potentially severe impacts on farmland birds. While improving water quality is of course an very important goal, attempting to solve one environmental problem by creating another is no solution at all.

It makes no sense to propose a solution to address water quality which could worsen the biodiversity crisis but that's what we are facing as a result of these changes. Many farmers have been working hard through a range of agri-environment schemes over the years to support farmland birds. This change could negatively impact these efforts.

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