

Sustainable Water Network (SWAN)

Rural Development Programme 2014 –2020

SWAN response to public consultation



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1. INTRODUCTION TO SWAN

The Sustainable Water Network (SWAN) is an umbrella network of 25 of Ireland's leading environmental NGOs, national and regional, working together to protect and enhance Ireland's aquatic resources through coordinated participation in the implementation of the Water Framework Directive (WFD) and other water-related policy and legislation. SWAN member groups are listed in Appendix I. SWAN has been actively engaged in Water Framework Directive (WFD) and other water policy implementation at both national and River Basin District (RBD) level since 2004, responding to water-related public consultations and representing the environmental sector on WFD River Basin District (RBD) Advisory Councils, the South Eastern RBD Management Group and other water policy-related fora.

One of SWAN's key roles is to participate in the national debate on the management of the aquatic environment with the support of evidence-based information, analysis, recommendations and international best practice examples. To this end, in 2012 SWAN commissioned and published the report *'The Common Agricultural Policy (CAP): Interactions with the Water Framework Directive (WFD) and implications for the status of Ireland's waters'*¹.

2. INTRODUCTION TO THIS SUBMISSION

SWAN's welcomes the opportunity to comment on the Rural Development Programme. SWAN's position, based on the above commissioned report and a review of literature since 2012, is that a well-funded Rural Development Programme is vital to support farmers to farm in ways that contribute to sustainable water management, protect our most pristine and most vulnerable rivers and lakes, and contribute to improving the quality of water bodies which are thus far failing to meet required national and EU standards under the WFD.

This submission responds to the consultation document primarily from the perspective of achieving sustainable management of our water resources and aquatic environment and meeting the requirements of the Water Framework Directive (WFD).

We welcome the further consultation on the Strategic Environmental Assessment and ex-ante evaluation of the RDP and we would value a meeting with relevant Department of Agriculture Food & Marine (DAFM officials) to further articulate and discuss the ideas presented here.

¹ Available at <http://www.swanireland.ie/wpcontent/uploads/2011/02/SWAN-CAP-WFD-Report.pdf>.

3. HEALTHY WATER: SUSTAINING RURAL COMMUNITIES

Well managed water is essential for sustaining healthy and vibrant rural communities. Agriculture, rural tourism, nature and human health all depend on the integrity of our rivers, lakes, groundwater and coastal waters. They provide drinking water through private wells, group water schemes and public supplies and a clean and a plentiful supply of water is also needed for agriculture and rural businesses. Healthy rivers, lakes and bays are also central to a thriving rural tourism sector in Ireland and, in addition, projects such as the IRD Duhallow² initiative in north Cork and the Ballinderry River Enhancement Project in Co. Tyrone³ demonstrate the social dividend and enhanced social cohesion that a collaborative catchment management project can have on a rural community.

The closure of beaches in 2012 and 2013 due to the health risk of elevated *E.coli* levels, the continued incidences of 'boil water notices' in regional towns due to *Cryptosporidium* outbreaks in public water supplies and the ongoing human distress caused by flooding, highlight the urgent need to address pressing issues for managing our natural water environment. The need to do this is reinforced by the EU Water Framework Directive (WFD), which imposes a statutory obligation on all EU member states to achieve good water status by 2015. Agri-environmental schemes and pilot projects under the RDP have the potential to play a pivotal role in addressing pressures on our natural water resources, supporting land-owners to farm in ways that support sustainable catchment management and contribute to meeting WFD obligations.

4. AGRICULTURE & THE CHALLENGE OF MEETING WFD TARGETS

4.1. Challenges of meeting Water Framework Directive obligations

According to the most recent EPA State of the Environment Report⁴, '*meeting the requirements of the Water Framework Directive (WFD) and protecting our water resources ... are pressing challenges for Ireland.*' The Water Framework Directive establishes in law a comprehensive set of environmental objectives for Irish and EU aquatic resources which require them to be managed in a sustainable manner⁵. It requires all surface and groundwaters to achieve 'good' status by 2015⁶ (with limited application of exemptions) and in addition prohibits any deterioration in the current status of our waters. The most recent EPA water quality report⁷ finds just 52% of river water bodies achieving WFD standards, with 41% of lakes failing those standards, illustrating the scale of activity that will be required in order to meet the objectives of the Directive.

² <http://www.duhallowlife.com/content/duhallow-life>

³ <http://www.ballinderryriver.org/>

⁴ EPA (2012) '*Ireland's Environment 2012 - An Assessment*', EPA, Wexford

⁵ It applies to surface waters, i.e. lakes, rivers, transitional waters (estuaries) and coastal waters (up to one nautical mile from land) and to ground waters

⁶ Defined as biological conditions deviating only 'slightly' from those found under undisturbed conditions

⁷ McGarrigle M., Lucey J. & O' Cinnéide M. (2010) '*Water Quality in Ireland 2007-2009*'. EPA, Wexford

More recently, the 2013 Integrated Water Quality (IWQ) report for the SE⁸ show that the south-east region of the country is suffering from high phosphate and nitrate levels: Thirty-six percent of rivers did not attain good status for phosphate and 59% did not attain good status with respect to nitrates. Similar was reported in the Louth/Monaghan region for 2011⁹, with only 5 river sites obtaining high quality status, with elevated levels of phosphate and nitrate being of particular concern in the remaining areas.

4.2 Agriculture as a significant water management issue

A common pressure identified in all three of the above reports is diffuse emissions from agriculture to surface and ground waters resulting in nutrient enrichment. While it is clear that onsite waste water treatment systems and municipal wastewater, amongst others are also significant sources of nutrients, it is estimated by the EPA that over 70% of phosphorus reaching inland waters emanates from agricultural sources¹⁰ and in the most recent EPA State of the Environment Report¹¹, agriculture was the suspected cause of pollution at 47% of polluted river sites surveyed in 2007-2009¹.

4.3 River Basin Management Plans: Measures to address agricultural pressures

The WFD River Basin Management Plans (RBM Plans) published in 2010¹², identify agriculture as a significant pressure on the status of surface water and groundwaters. They also state that “*Evidence suggests that...’ the Good Agricultural Practice for the Protection of Water Regulations (the ‘Nitrates Regulations’ or ‘GAPP Regulations’) ‘...will not be sufficient to fully deliver the requirements of the Water Framework Directive in some areas of the country’ and that “the need for supplementary measures will arise” including for ‘high status sites’.*

During the current period of restricted public spending, the RDP represents the best opportunity, and vital funding mechanism, to support these key supplementary measures, highlighted as necessary to achieve agricultural compliance with the WFD.

5. THE RDP & ACHIEVING SUSTAINABLE WATER MANAGEMENT: OVERARCHING COMMENTS

SWAN believes that the RDP 2014-2020 can, if appropriately designed, play a key role in achieving a healthy water environment by supporting land-owners to farm in ways that support sustainable catchment management and contribute to meeting our WFD obligations.

⁸ EPA (2013) Integrated Water Quality Report 2012, South East Ireland. Environmental Protection Agency, Wexford.

⁹ EPA (2012) *Integrated Water Quality Report Monaghan and Louth 2011*. Environmental Protection Agency, Wexford

¹⁰ EPA (2006) *Environment in Focus 2006 - Environmental Indicators for Ireland*. Environmental Protection Agency, Wexford

¹¹ EPA (2012) *Ireland's Environment- An Assessment*. Environmental Protection Agency, Wexford.

¹² Carlow County Council (2010) *Water Matters – Our Plan’, South Eastern River Basin Management Plan 2009 -2015’* Carlow County Council, Carlow

5.1 Key role of RDP in funding measures to meet WFD targets

In relation to meeting WFD objectives, The RDP is a key vehicle for delivering on the Government's commitment to meet Water Framework Directive (WFD) objectives, and must be prioritised with funding, focused at those areas most in need of immediate action, particularly loss of high status waters. RDP funding has been identified by the EU Commission (pers. comm.) as the key mechanism for bridging the gap between what can be achieved through current mechanisms to address agricultural pressures on water, primarily the Nitrates Action Plan, and the additional measures that are needed to meet the requirements of the directive. In its review last year of Member States (MSs) River Basin Management Plans, the Commission specifically requested that MSs demonstrate how the RDP would be used to address current shortcomings in WFD targets.

5.2. High Status Sites: Valuable resources whose decline the RDP can address

SWAN warmly welcomes the potential inclusion of *'farms with high status water quality sites'*, but we regret that this is *'Depending on the budget available'*, as it is SWAN's position that the Scheme is a vital source of funding for the management measures needed for these valuable resources.

Ireland has a relatively high number of high status sites (HSWs) but these are being lost at a rapid rate. An EPA report released last year¹³ shows that there was a dramatic 43% loss of high status river stretches between 1987 and 2008. According to the report the significant causes of this are often relatively low intensity activities including *"land-use changes such as field drainage and fertilisation, one-off housing, forestry activities, wind farms, animal access to waters, and sheep dip pesticides."* Clearly, the WFD prohibits the deterioration in status of such sites of high ecological status and measures need to be put in place to halt the decline.

Research studies have proposed a critical source area (CSA) based approach for developing supplementary measures for the catchments of HSWs¹⁴. This approach uses catchment-scale risk assessment to identify high risk zones of phosphorus loss and then uses field-scale risk assessments to identify critical source areas of loss. The process then determines catchment-specific supplementary measures. This approach acknowledges that the protection of HSWs is best achieved via a collaborative approach at local level. SWAN proposes that initiatives based on this approach are ideal candidates for RDP funding as it would contribute significantly to Priority 4: *'Restoring, preserving and enhancing ecosystems related to agriculture and forestry.'* In addition, due to the highly collaborative, community-based approach of sub-catchment planning, such initiatives would also play a role in Priority 6 in relation to *'Promoting social cohesion...'* since key to this approach is the participation of as many people from all parts of the community as possible.

¹³ Ní Chatháin et al (2013) *Management Strategies for the Protection of High Status Water Bodies*. EPA, Wexford
http://www.epa.ie/pubs/reports/research/water/STRIVE_99_web.pdf

¹⁴ Doody D.G., Archbold M., Foy R.H. & Flynn R. (2012) *Approaches to the implementation of the Water Framework Directive: Targeting mitigation measures at critical source areas of diffuse phosphorus in Irish catchments*. *Journal of Environmental Management* **93**: 225-234

The EPA has already developed a CSA approach to address water pollution from on-site waste water treatment systems¹⁵ and SWAN would recommend securing participation of the EPA in pilot projects under this theme focussing on sensitive catchments with HSWs.

5.3 Sustainable flood management

SWAN believes that there is an opportunity in the RDP, not currently captured by the proposed measures, to support farming which contributes to catchment-based, sustainable flood management. SWAN recommends the inclusion of measures which support the development of green infrastructure such as the restoration of riparian areas, wetlands and floodplains to retain water, support biodiversity and soil fertility and prevent floods and droughts. These measures would involve compensating farmers to allow their land to flood during certain times of the year and would contribute to Priority 4 in addition to addressing what is becoming a humanitarian issue in terms of housing security in certain flood-prone areas of rural Ireland.

5.4 Ongoing monitoring & evaluation

It is vital that there is ongoing monitoring of all measures under the RDP to evaluate and assess the effectiveness of the programme's measures against indicators related to its priorities, so as to ensure optimum value for money and to facilitate refinement of the programme if necessary in order to achieve priorities of the programme.

5.6 Interaction with FH2020

The EPA has highlighted the Food Harvest 2020 projected 50% increase in dairy production as posing a 'significant threat' to water quality¹⁶ and the 2013 South East Integrated Water Quality Report states that "*The proposed expansion of the agriculture sector, as detailed in Food Harvest 2020...will bring large increases in farm outputs....and the threat of additional diffuse environmental pressures needs to be addressed.*"¹⁷

It is not appropriate for RDP funding to be used for mitigating these impacts of FH2020. In the context of the WFD, it must be used for supplementary, rather than basic/baseline measures. Measures to achieve the requirements of the Nitrates Directive, for example, must be achieved independently of RDP funding and implemented via cross compliance, including necessary measures to mitigate against the likely impacts of the projected increased production in FH2020. RDP funding must be reserved for addition measures only.

¹⁵ Daly D. (2012) *A risk based methodology to assist in the regulation of domestic waste water treatment systems. Paper presented at the International Symposium on Domestic Waste Water Treatment and Disposal Systems*, Trinity College Dublin, Ireland.

¹⁶ EPA (2012) *Ireland's Environment- An Assessment*. Environmental Protection Agency, Wexford.

¹⁷ EPA (2013) *Integrated Water Quality Report 2012, South East Ireland*. EPAgency, Wexford.

6. PROPOSED MEASURES OUTLINES : SPECIFIC COMMENTS

6.1. Green Low-Carbon Agri-Environmental Scheme (GLAS & GLAS+)

The proposed structure with two tiers, in priority lists, is clear and welcome and the proposed level of funding is a significant improvement on the very modest AEOS. However, we don't believe that €5,000/farm is sufficient to adequately incentivise and fund the range and scale of agricultural supplementary measures needed to achieve WFD targets and we would propose minimising the support for dairy intensification under the on-farm capital investments stream and instead increase the proposed funding for GLAS. Nonetheless, we welcome the reference to the WFD and the inclusion of a nutrient resource efficiency plan as a core requirement for all farmers in the scheme. We also welcome the enhanced water protection measures, in particular the mandatory watercourse measure in Tier 1 and the priority access to GLAS that this will provide for farmers with a watercourse on their land.

The requirement to fence off all watercourses from livestock and provision of buffer zones for tillage are welcome measures under this Tier 1 requirement.

NUTRIENT MANAGEMENT PLANS

Whilst SWAN welcomes the inclusion of the requirement for a nutrient management plan in principle, we would request further detail (and then further input) on this before making comprehensive comment, as the specific targets of the plan and the nutrient thresholds set, will dictate whether, or the degree to which, the plan delivers protection for surface and groundwaters and contributes towards achieving WFD objectives. It cannot set, as its target, the baseline nutrient levels set out in the GAPP regulations, but must deliver additional environmental protection. Furthermore, it is vitally important that the nutrient management plans includes at least **annual field-level soil testing** and an assessment of the risk of loss to water by incorporating **a defined nutrient transport risk assessment**.

In addition, SWAN recommends the following in relation to nutrient management on GLAS farms:

1. Prohibition of spreading of organic fertiliser on Soil P Index 2 and greater under all circumstances;
2. The fertilisation of unimproved and previously unfertilised soils must not be permitted as this poses a threat to high status sites, risking contravention of the WFD;
3. The application of P to any peatland soils (organic content >20%) should not be permitted unless soil tests and a risk analysis are conducted of the potential impact area;
4. A measure specifically aimed at controlling silt runoff from agricultural land and consequent pollution should be included.

It is also very important that the specific ecology and sensitivities of the associated water body and the potential cumulative impacts of pressures are taken into account. Due to the complex nature of the factors involved in making such an assessment, it is important that the plans are drawn up by suitably qualified advisors (See below).

HIGH STATUS WATERS

SWAN welcomes the potential inclusion of 'farms with high status water quality sites', through 'more precise targeting of the Scheme'. However we regret that this is 'Depending on the budget available' as it is SWAN's position that the Scheme is an important source of funding for the vital management measures needed for these valuable resources. (See Section 5.2 for more on these). SWAN recommends an **additional mandatory Tier 1 measure where a farm holding is in the sub-catchment of a High Status Waterbody**. Specific measures would need to be drawn up as part of specially designed sub-catchment management programmes for each HSW sub-catchment. This could be enhanced by the possible application of a dedicated fund under GLAS+ for farmers who take up multiple measures under these HSW sub-catchment management programmes.

PESTICIDES

The active ingredient synthetic pyrethoid (Cypermethrin) in sheep dip is extremely toxic for aquatic environments and was withdrawn from sale in the UK in 2010. According to the EPA¹⁸, sheep dip is the suspected cause of the loss of some previously high status rivers and SWAN recommends as an additional mandatory measure for farms with watercourses the **cessation of usage of sheep dip containing synthetic pyrethoid (Cypermethrin)**.

ENHANCEMENT OF HYDROMORPHOLOGY OF WATER BODIES AND PROTECTION AND ENHANCEMENT OF RIPARIAN AREAS AND WETLANDS

SWAN recommends additional measures for wetland creation/restoration /management and for the protection of watercourses and riparian margins from physical modification e.g. drainage of riparian wetlands. This would include support for the blocking of drainage channels, compensation for the seasonal inundation of floodplain meadows and for the creation of farm ponds.

6.2. On-farm capital investments

SWAN supports funding for trailing shoe low emission slurry spreading equipment, however in terms of funding for dairy expansion; SWAN would caution that there is a significant risk that measures under this strand would be counter-productive in terms of delivering ecosystem objectives under Priority 4. The EPA has highlighted the Food Harvest 2020 projected 50% increase in dairy production as posing a 'significant threat' to water quality¹⁹ and this projected expansion of dairy production, supported by this funding strand, may be directly related to increased pressures in terms of nutrient enrichment to water bodies.

SWAN recommends limiting support for dairy expansion and instead increasing the amount available to participants in GLAS and also in a dedicated, possibly GLAS+, fund for High Status Waters, which in the current proposed RDP are not guaranteed funding.

¹⁸ McGarrigle M. (2010) *Protecting High Status Water Bodies*. Environmental Protection Agency National Water Event , June 9th-10th 2010, Galway

¹⁹ EPA (2012) *Ireland's Environment- An Assessment*. Environmental Protection Agency, Wexford.

6.3. Knowledge Transfer Measures

SWAN welcomes the proposal for funding for flagship European Innovation Partnership (EIP) projects based on *'specific output locally led agri-environment projects.'* These provide, in SWAN's view, an ideal opportunity to fund a number of community-led, sub-catchment management pilot projects, utilising the Critical Source Area approach to tackling the challenges of diffuse pollution, and focusing on sensitive (sub-) catchments with valuable sites of high water status. Such an approach is recognised as the best approach to catchment management, but due to the complexity of issues and cumulative impacts involved, pilot projects are required in the first instance to examine how best this approach could be optimally used in Ireland.

SWAN is very supportive of the excellent success of the Burren Farming for Conservation Scheme, but we disagree that a choice should have to be made between either that or the establishment of new pilot projects.

In relation to the *'Proposed continued professional development for advisors'*, SWAN welcomes the acknowledgement that up-skilling is required and that *'There is a clear link between CPD for agricultural ...advisors and the success of the proposed AECM....'* We further welcome the inclusion of water management as a topic which 'could' be covered through the CPD (Continuing Professional Development) programme. In the first instance it is our position that this element is vital and must be included in such a programme. Such a programme should include training on the requirements for implementing the WFD and dissemination of knowledge related to WFD measures such as advice on use, application and storage of pesticides and plant protection products; measures to minimise nutrient and sediment run-off from farms and measures related to drainage and other physical alterations of a watercourse or riparian zone.

Catchment management and aquatic conservation are very particular disciplines: Practitioners would normally hold a science degree, often with a MSc. in environmental, catchment management or aquatic science. We don't believe that CPD would be adequate to up-skill agricultural advisors to the level of scientific understanding needed to advise on sub-catchment and on farm management often involving a complex interplay of cumulative impacts. In light of the fact that the Rural Development Regulation itself requires that those providing advisory services should be appropriately qualified and have *'advisory experience and reliability with respect of the fields in which they advise'*, we recommend the recruitment of appropriately qualified dedicated agri-environmental and ecological advisors.

6.4. LEADER

It is important that initiatives in this funding stream also contribute to the cross cutting theme of the environment, in addition to social inclusion and enterprise priorities. SWAN welcomes the inclusion of *'Environmental issues, including the protection and sustainable use of water resources ...'* in the initial list of proposed themes to be supported under the LEADER element of RDP 2014-2020. SWAN is fully supportive of funding for such initiatives and would urge funding support for them. At the recent stakeholder event on the LEADER element of the RDP, there was much interest expressed by leaders in the rural development community in environmentally focused initiatives as part of LEADER. There is enormous potential for water-related eco-tourism initiatives such as coastal and river-side and lake-side cycle-ways and walking and canoeing trails, which would also provide a valuable - and largely free - amenity for local rural communities. SWAN recommends that a dedicated theme to that effect be included in the LEADER element of RDP 2014-2020.

APPENDICES

Appendix I

SWAN Member Organisations

SWAN National Groups		SWAN Regional & Local Groups	
1.	An Taisce	16.	Carra Mask Corrib Water Protection Group
2.	Bat Conservation Ireland		
3.	Birdwatch Ireland	17.	Cavan Leitrim Environmental Awareness Network
4.	Coastwatch Europe Network		
5.	Coomhola Salmon Trust Ltd.	18.	Cork Environmental Forum
6.	Eco-UNESCO	19.	Longford Environmental Alliance
7.	Friends of the Earth	20.	Macroom District Environmental Group
8.	Friends of the Irish Environment		
9.	Irish Doctor's Environmental Association	21.	Save Our Lough Derg
10.	Irish Peatland Conservation Council	22.	Save Our Lough Ree
11.	Irish Seal Sanctuary	23.	Save The Swilly
12.	Irish Water and Fish Preservation Society	24.	Shannon Whale & Dolphin Foundation
13.	Irish Whale and Dolphin Group		
14.	Irish Wildlife Trust	25.	Slaney River Trust
15.	Voice Of Irish Concern for the Environment (VOICE)		

Appendix II

SWAN Board of Directors

SWAN Board of Directors:	
Mark Boyden, Chair	Coomhola Salmon Trust
Eamonn Moore, Vice Chair	An Taisce
David Healy, Director	Friends of the Irish Environment
David Lee, Director	Cork Environmental Forum
Elaine Nevin, Director	ECOUNESCO
Joachim Schaefer, Director	Cavan Leitrim Environmental Awareness Network
Karin Dubsy, Director	Coastwatch Europe
Mindy O'Brien, Director	Voice of Irish Concern for the Environment