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Mr. Noel O'Connor,
Department of Agriculture, Food and the Marine,
Johnstown Castle Estate,
Wexford

By email only: envanalysis@agriculture.gov.ie.

4 July 2012

Re: Requirement for Assessment of Food Harvest 2020

Dear Sirs;

We make this submission as part of the Stakeholder Consultation¹ in relation to *Food Harvest 2020* as published by the Department of Agriculture² on behalf of the 16 environmental groups listed below, many of whom have contributed to its content.

Introduction: Strategic Environmental Assessment

Food Harvest 2020 is a plan or programme as defined in Article 2 of Directive 2001/42/EC and Article 6 of the Habitats Directive 92/43/EEC. The adoption by the State of an 'industry-developed strategy which sets out its vision for the future of the sector' requires assessment under these Directives.

As *Food Harvest 2020* acknowledges:

'Capitalising on Ireland's association with the colour green is pivotal to developing the marketing opportunity for Irish agri-food. This will build on our historic association with the colour and highlight the environmental credentials associated with our extensive, low-input, grass-based production systems. However, this 'green' image must be refined, be substantiated by scientific evidence and communicated effectively over the coming decade if Ireland's commitment to sustainability and the implementation of world-class environmental

¹ <http://www.agriculture.gov.ie/media/migration/agri-foodindustry/foodharvest2020/StakeholderConsultation110512.pdf>

² <http://www.agriculture.gov.ie/media/migration/agri-foodindustry/foodharvest2020/2020FoodHarvestEng240810.pdf>

practices is to become a platform for export growth. Ultimately, through the development of the 'Brand Ireland' concept, consumers in key markets will learn to recognise implicitly that, by buying Irish, they are choosing to value and respect the natural environment.'

In order to assure the reputation of Ireland and make the connection between food production and sustainable development, *Food Harvest 2020* itself correctly reports that:

'Environment deterioration is a global issue and consumer awareness has never been higher. While Ireland's primary food production is sustainable and environmentally friendly, potential negative impacts on the environment must be addressed comprehensively and credibly. **With this in mind, a strategic environmental assessment of the impact of the recommendations of Food Harvest 2020 has been advised by the Committee.**

This recommendation was not accepted by the High Level Implementation Committee [HLIC], chaired by the Minister.

The Minister explained to the Dail that

'In considering how best to implement this recommendation, the HLIC recognised that the targets could be achieved in a variety of ways. Accordingly the committee determined that an environmental analysis of various scenarios related to the implementation of the recommendations in *Food Harvest 2020* was the most appropriate analytical approach to an environmental assessment.'³

'The most appropriate analytical approach' is the recommended SEA.

Habitat protection

Notwithstanding the Minister's rejection of this recommendation of Food Harvest 2020 under the SEA Directive, a formal environmental assessment is required under the Habitats Directive. Habitat loss in Ireland has been well documented by the national authorities with the 2007 Article 17 Report under the Habitats Directive stating that 'only 7% of the habitats examined are in good status, with 46% inadequate and 47% bad'. Species categorized as bad were all dependent on freshwater for at least some parts of their life cycles.⁴

The assessment required to protect these habitats and species consists of an initial screening process to 'identify and characterise any possible implications of the plan or project' for the 14% of Ireland that is protected under European Natura 2000 Sites. If it cannot then be excluded, on the

³ Dáil debates, Thursday, 10 May 2012, *Food Harvest 2020*

⁴ *The Status of Habitats and Species in Ireland*, National Parks and Wildlife Service, 2008
http://www.npws.ie/publications/euconservationstatus/NPWS_2007_Conservation_Status_Report.pdf

basis of objective scientific information, that the plan individually or in combination with other plans or projects, will have a significant effect on a European site, the proposed plan must then be subjected to a formal Appropriate Assessment including a Natura Impact Statement, public consultation, and a decision on the proposed plan in accordance with the requirements of the Habitats Directive.

The Minister, as Chair of the High Level Implementation Committee, may only implement Food Harvest 2020 after having undertaken this assessment. The assessment must take place before the plan is adopted or implemented. There may already be an infringement of the Habitats Directive as Food Harvest 2020 policies are currently being promoted by the Minister and his Agencies.

Fish farming

Further, fish farming has been excluded from the current environmental analysis on the grounds that it has already been assessed. The Stakeholder Consultation document claims that:

‘As the increased production envisaged for seafood and aquaculture under FH 2020 have already been appropriately assessed, in order to avoid duplication, this sector is excluded from this exercise.’

In fact, the Department has confirmed to us that the assessment referred to is BIM's October 2008 *‘Irish National Seafood Plan: Environmental Report’*.⁵

This was a 2008 study that assessed the implications of an increase in fish farming of 78%, largely by intensification at the exciting locations. *Food Harvest 2020* copies this 78% increase target for aquaculture production between 2010 and 2020 but *Our Ocean Wealth*, the recent consultation document intended to inform an ‘Integrated Marine Plan’ for Ireland reveals that contrary to the 78% increase projected in Food Harvest 2020:

‘There is significant scope for aquaculture expansion in Ireland, including in deep water sites. It is estimated that each new large-scale deep water salmon farming site could generate an extra €100m in exports per annum and create 350 direct jobs with a further 150 indirect jobs in service sector supplying fish feed, netting, transportation and other services. Work is underway to examine and prepare three suitable deep water sites.’⁶

BIM presentations have confirmed this proposal and significant resources have been applied by that organization in the preparation of an Environmental Impact Assessment and license application for the first of

⁵ http://www.bim.ie/media/bim/content/publications/National_Seafood_Plan_Environmental_Report.pdf

⁶ <http://www.ouroceanwealth.ie/SiteCollectionDocuments/FINAL%20CONSULTATION%20DOCUMENT%20Our%20Ocean%20Wealth.pdf>

these sites in Galway Bay that will alone double Ireland's current production. All of this 300% increase in production target is in new locations, and flatly contradicts the 2008 concept of 'maximising the potential of existing licensed sites'.

Forestry

Forestry policy is still based on the 1996 *Growing for the Future*, even though planting rates are more than 50% less than those necessary to achieve 'critical mass' and so the long term investment required for economic viability.

The impact of the missed targets was confirmed in 2003⁷ which also identified 'increasing contradiction in policy between income protection and the maximisation of economic returns from further development of forestry'. Ireland's potential to develop agroforestry systems could bring long-term economic, social and environmental benefits which can only be identified through appropriate analysis before current policies which exclude this form of agriculture are further renewed.

Health, waste, and renewable energy

Food Harvest 2020 itself rightly stresses again and again the importance of Ireland's 'environmental credentials'. In fact, Ireland's environmental credibility would be undermined if the European public was aware that Ireland has the highest level of some of the waterborne diseases and parasites in Europe.⁸

The rate of cryptosporidium infection is the highest in Europe; the e-coli STEC/VTEC case rate is more than double any other EU state. Both are directly (but not solely) related to the inadequate treatment of waste from agricultural activities. And in turn, part of that cause is the failure of Ireland to adopt modern treatment procedures for agricultural waste – specifically anaerobic digestion.

Food Harvest 2020 itself does no more than give this issue two token references to 'pilot projects and a pilot forum' and a recommendation that the pig sector should 'urgently investigate alternative waste usage and disposal options from the pig sector, such as energy/heat production'.

There are 4,500 anaerobic digestion plants in Germany, 4,000 of which are farm based contributing to Germany's requirement to produce renewable energy. The farm animal manure as well as food waste and spoiled silage bails are transformed into fuel and an organic but low nutrient final waste product. Ireland has a handful of these digestion plants, most still struggling to move

⁷ *Forestry: A Growth Industry in Ireland*, Peter Bacon and Associates, June 2003

<http://www.coillte.ie/fileadmin/templates/pdfs/BaconReport.pdf>

⁸http://ecdc.europa.eu/en/publications/Publications/1111_SUR_Annual_Epidemiological_Report_on_Communicable_Diseases_in_Europe.pdf

to full scale production. At the same time farmers are already increasing stock and gearing up to implement Food Harvest 2020.

The waste produced by the increased production is also removed from land spreading with its impacts on water quality through eutrophication. It is unlikely that government will be able to avert the foreseeable water pollution issues if we implement Food Harvest 2020 without a major shift in how we handle this waste. Can we afford a policy which brings virtually certain breach of the Nitrates Regulations and the Water Framework Directive in Ireland? Is achieving the targets contingent on maintaining nitrates derogation post 2013? The Minister suggested so in a recent parliamentary reply:

During 2010, Ireland reviewed its Nitrates Action programme putting in place a second Action Programme. As part of this process, Ireland's request to extend the derogation was granted by the Commission and this new derogation runs to the end of 2013, coinciding with the end of the second Nitrates Action Programme.

The renewal of the derogation underpins the efforts of Ireland's agri-food sector to meet its targets under the Food Harvest 2020 strategy. It sets additional requirements on those farming at higher stocking rates to ensure their farming systems are sustainable and environmentally sound including a requirement for full nutrient management planning for the unit. My Department is committed to the proper implementation of the national derogation to ensure its continuance and to environmentally responsible farming.⁹

The Derogation granted by the Commission was based on a decrease in the stocking rates on Irish farms, citing a decline in cattle, pig and sheep numbers of 7%, 3%, and 17% in the period 1997 – 2004.¹⁰ The increase in numbers proposed by Food Harvest 2020 undermines the rationale of the Derogation. If consequently a new request for Derogation is refused post 2013, how can the targets of Food Harvest 2020 be met without infringing the Water Framework Directive?

The impacts of climate change on agriculture also require assessment if the proposed targets are to be met. The Heritage Council highlighted the increasing danger that agriculture production poses to the environment due to climate change impacts in its submission to the Department's 2020 Strategy. It suggested that the changing climate even without increases in stocking rates will result in the production of additional waste:

⁹ Tuesday, 29 November 2011, Department of Agriculture, Food, and the Marine, Nitrates Directive. Deputy Catherine Murphy also asked for the 'fallback strategy if Ireland fails to achieve a further derogation' but this issue was not addressed in the Minister's reply. <http://debates.oireachtas.ie/dail/2011/11/29/00352.asp>

¹⁰ Commission Decision of 22/X/2007, C (2007) 5095 final
<http://www.environ.ie/en/Legislation/Environment/Water/FileDownload,25135,en.pdf>

Other impacts of climate change on agriculture are likely to exacerbate water quality issues. Changes in rainfall patterns will affect grass production, which will require new grazing/housing patterns (Holden *et al* in Sweeney, 2008). This in turn could result in the need for disposal of additional animal waste/slurry – this will then put greater pressure on the need to control diffuse pollution into our surface and ground waters.¹¹

Anaerobic digestion is in fact the biomass circle. The farmer grows the crop. That feeds the livestock. Gases are captured from livestock waste and turned into energy.

The Minister recently informed the Dail that ‘The last Government introduced an anaerobic digester grant aid scheme for which farmers could apply. Just two of the ten applications that were made have actually progressed.’¹²

When agriculture’s contribution to the mix of renewable energy is considered, *Food Harvest 2010* correctly notes:

While opportunities for renewable energy should be exploited where possible, care is required to ensure no conflicts with environmental sustainability requirements, food security, and with other industries. Specific examples would be the need for improved planning in marine and terrestrial environments to ensure renewable developments do not compromise fisheries or biodiversity interests. **Sound application of new and existing measures such as a strategic environmental assessment and the Marine Strategy Framework Directive provide tools to help avoid these potential conflicts.** [Author’s emphasis.]

The Sub-Committee on ‘Job Creation Through Use of Renewable Energy Resources’ Debate on 22 July 2009¹³ was told of changes in this area that continue to make anaerobic digestion more attractive – issues which are absent from *Food Harvest 2020* because of its failure to assess anaerobic digestion at a national strategic level. These include:

‘combined heat and power plants; higher prices being paid for electricity generated; the advent of district heating; more stringent environmental legislation pertaining to the regulation of the disposal of waste; the cessation of the disposal of organic matter to landfill; and the nitrates directive, which prohibits excessive nutrient application to farmland. New uses for digestate, particularly the liquid fraction, are being examined, including its use as a fertiliser for willow and

¹¹ <http://www.agriculture.gov.ie/media/migration/agri-foodindustry/foodharvest2020/foodharvest2020/submissionsreceived/Heritage%20Council%20Submission%20on%202020%20Strategy.pdf>

¹² <http://www.kildarestreet.com/debates/?id=2012-06-14.399.0&s=climate+change#g408.2>

¹³ <http://debates.oireachtas.ie/BUE/2009/07/22/00003.asp>

miscanthus. These crops are growing in importance as there is a growing market for woodchip and wood pellets for home heating.’¹⁴

The Sub-Committee was informed that:

‘The changes to the regulatory framework concerning how we deal with waste and the increasing costs of importing fossil fuels are resulting in an environment in which anaerobic digestion, if correctly planned and executed, is becoming economically viable. For example, to comply with the landfill directive’s target of removing all organic matter from landfill by 2016, this country would be required to develop additional capacity to manage upwards of 1 million tonnes of organic matter. Much, if not all, of this could be utilised in anaerobic digestion to generate bio-gas heat and power. The resulting digestate, after further treatment, could be utilised as a soil conditioner or, after further drying through the CHP system, could be used as a biofuel itself.’

A key issue that has held back the agricultural sector in developing anaerobic digestion along continental models is the failure to work hand in hand with the Department of Communications, Energy and Natural Resources.

As the Dail Committee was told:

‘While the tendering system has worked for wind energy production, it does not suit anaerobic digestion. It has worked in Germany, France and Spain which operate a feed-in-tariff system, whereby the large plants receive a lower price, while the smaller plants receive a higher price. Any operation under 500 kW is much easier to embed in the ESB network and it means a turn around time of six months as opposed to a two to three year queue for grid access.’

Conclusion

Ireland already has the highest number of environmental infringement proceedings per capita in the EU. Nationally, this failure to legally assess Food Harvest 2020 risks contributing further to this record and undermines the Government’s Strategy Statement 2011 – 2014¹⁵, which calls on all Ministers and Departments to ‘Help to reform and restore trust in the institutions of the State, and in Ireland’s reputation at home and abroad, learning lessons from the past.’

¹⁴ <http://debates.oireachtas.ie/BUE/2009/07/22/00003.asp>

¹⁵ http://www.taoiseach.gov.ie/eng/Publications/Publications_2012/Strategy_Statement_2011_-_2014.pdf

We request that you immediately take steps to comply with the requirements of the SEA, Habitats and Birds Directives and that you let us know of your plans in this regard without delay. In the absence of such assurances, we think it only fair to point out that some of the signatory groups will consider taking appropriate further steps such as legal action and/or formal complaints to ensure that environmental law is implemented in Ireland.

Respectfully yours,

Tony Lowes and Caroline Lewis, Directors,
Friends of the Irish Environment

And on behalf of:

An Taisce, Bat Conservation Ireland, BirdWatch Ireland, Coastwatch Europe, Feasta, Friends of the Earth, Friends of the Irish Environment, Forestfriends, Global Action Plan, Hedgelaying Association of Ireland, Irish Doctors Environmental Association, Irish Wildlife Trust, Irish Natural Forestry Foundation, Just Forests, The Organic Centre.