Iascach Intire Eireann
Inland Fisheries Ireland

[redacted]
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RE: Notice of Statutory consultation on the draft scoping report for the environmental assessment of the CAP Strategic Plan 2023-2027

Dear [redacted]

Thank you for the op portunity to contribute to the Departmental response on the dra ft scoping rep ort for the environmental assessment of the CAP Stra teg ic Plan 2023-2027.These c omm en ts re flec t the view s of IFI in resp ec t of the above.

Background
This c onsu lta tion by The Department of Agriculture, Food and the Marine is part of the wider ongoing engagement with st akehold e rs and a d visory groups on the produc tion of the dra ft scoping report for the environmental assessmen t of the CAP Strategic Plan 2023-2027.

About Inland Fisheries Ireland 's Role
Inland Fisheries Ire land (IFI} is the sta tuto ry a uthori ty tasked under section 7(l) of the Inland Fisheries Act 2010 (No. IO of 2010) with resp onsibili ty fo r the p ro tec tion , management, and conserva tion , of the in land fisheries resource and rec rea tional sea angl ing . IFI is m a nd a te d to ensure that the fishe ries of the State are protec ted. To p rote c t means to keep sa fe , defend, to shie ld from danger, injury or change. "Fisheries" inc lud es all inland fisheries recreational and commercial, sea angling and mollusc fisheries stip ula ted under the Fisheries Ac ts, the p hys ic al ha b ita t upon which the fishe ry relies , the fa cilities and a c c ess, the quantity and quality of the water and the plant and animal life on which fish depend for she lte r and food and the spawning areas where in fish deposit their eggs. The p ro tec tive ro le of IFI relates to all asp ec ts of the aquatic environment and all factors that influence the biotic communities w ithin w a te rs, w hic h in any way rela te to the p rop a g a tio n of fish populations. Ireland has in excess of 70,000 km of rivers and streams and 144,000 ha of lakes, all of which fall under IFI' s fisheries management jurisdic tion. Many of these watercourses discharge directly to the sea and support species which utilise the m ar ine env ironm ent for parts of their life cycle (e.g. salmon , sea trout, e el, lamprey spec ies}.

Aquatic Biological Diversity

Fish need unpolluted water and abundant food in a healthy habitat that provides spawning areas, shelter and freedom of movement. The bed and soil of any surface water and the associated aquatic and riparian vegetation combine to provide the critical elements on which fish depend. A natural river channel is characterised by morphological features which are vital for the life cycle of fish: gravel shoals or reed beds for spawning, pools and riffles where fish rest and feed, and turbulent reaches which enhance oxygenation. A healthy and sustainable fishery characterises and reflects a broader healthy ecology and a biodiverse and sustainable environment.

Under section 7(3) of the IFI Act it is stated that IFI shall in the performance of its functions have regard to (g) the requirements of the European Communities (Natural Habitats) Regulations 1997 (S.I. No. 94 of 1997) and the need for the sustainable development of the inland fisheries resource (including the conservation of fish and other species of fauna and flora habitats and the biodiversity of inland water ecosystems), (h) as far as possible, ensure that its activities are carried out so as to protect the national heritage (within the meaning of the Heritage Act 1995).

The Irish implementing legislation for the Habitats Directive identifies the Minister for Environment, Climate and Communications as having a role in carrying out monitoring of the status of relevant fish species. The present IFI R&D programme addresses elements of this obligation and complements it by including those fish species listed in the current Red Data Book and not covered by the Habitats Directive including the conservation of diadromous species including salmon, shad, smelt, and lamprey. IFI also has responsibility for pollan and the recreational angling aspect of marine fish species. Pollan for example are a rare endangered and protected species listed and protected under Annex 5 of the Habitats Directive. The Irish Pollan *(Coregonus Pollan}* is unique to the Island of Ireland with its current known distribution being limited to five lakes, Lough Allen, Lough Ree and Lough Derg and Lough Neagh and Lower Lough Erne. The Arctic char *(Salve/inus alpinus)* is another example of a highly sensitive fish species endemic to Irish upland waters and which is protected under national legislation. Furthermore the European Eel is endangered and additional protection measures have also been introduced in that regard - it is incumbent on Ireland to ensure that the eel and its range and habitat are properly protected. Please also note that thereare many surface waters, which are not formally designated, but which support populations of Annex II species designated under the habitats Directive.

The National Fisheries Resource - sustainable exploitation and the Irish economy

Under section 7(2) of the Inland Fisheries Ireland Act, Inland Fisheries Ireland is the statutory authority responsible for the promotion, marketing, development and improvement of inland fisheries and recreational fishing in both fresh and saltwater. IFI has a mandate to market and promote Irish recreational angling in both the domestic and foreign tourism markets and this brief acknowledges the importance of angling as a significant contributor to the Irish economy. IFI is also the responsible agency in respect of the licensing and management of

commercial and recreational fishing for salmon, with protection responsibilities at sea out to 12 miles from baselines.

Recreational angling contributes more than €800 million to the Irish economy in a normal year, directly supporting over 11,000 existing Irish jobs. Many of these jobs are in rural parts of the Irish countryside and in peripheral regions along our coastline (IFI, 2015}. Within the sector, participation rates totalled 446,000 people who were involved in recreational angling in Ireland in 2015, with over 170,000 of these visiting from outside of the State.

Over a quarter of a million Irish adults (273,000} held a fishing rod in that period, with sea angling along with salmon and brown trout angling, observed as the most popular categories where domestic anglers are concerned. The quality of the Irish angling product, the friendliness and hospitality of the Irish people and the country's outstanding scenery were cited amongst the principal attractions of Ireland as an international destination for visiting overseas anglers.

Recreational fishing is a healthy and sustainable outdoor pursuit which contributes significantly to the Irish economy and forms an important part of our cultural heritage. It is vital that landowners strive to maintain good access to our rivers, lakes and seashores for visiting anglers, especially when considering fencing and other infrastructural works which may restrict access to those waterways. Good angling is also critically dependent upon good water quality and good habitat; these areas are covered in the following sections of this submission.

The EU Water Framework Directive

The EU Water Framework Directive (2000/60/EC} is recognised as a critical regulatory legislative provision. The WFD entered into force in December 2000 and requires the protection of the ecological status of surface and ground waters - this encompasses (among other elements} water quality and requires the conservation of habitats for ecological communities.

One of the primary objectives of the Directive is to establish a framework which prevents further deterioration and protects and enhances the status of aquatic ecosystems. Protection of aquatic ecosystems requires that surface water systems be protected on a catchment basis - a shared objective between all relevant public authorities. Article 5 of the 2009 Surface Water Regulations requires that a public authority, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water. Article 28(2} of the said regulations states that a surface water body whose status is determined to be less than good shall be restored to at least good status not later than the end of 2015.

Climate Disruption and the Biodiversity Crisis

With ambition to deliver in the context of the Strategic Framework for Public Sector Energy Efficiency, the National Adaptation Plan and most recently Ireland's Climate Action Plan (and the recent Climate Bill}, IFI has identified a number of actions and outputs under the strategic heading of 'IFI's Climate Action Framework' which will be further developed along with measures to address the Sustainable Development Goals in IFI's 'Climate Action Mandate', 2020. IFI's actions reflect the fact that all plan and decision makers must prioritise climate

disrup tion , the b io dive rsit y crisis and all associated issues when c onside ring any stra tegic plans / frameworks or proposals such as the CAP Stra t egic Pla n 2023-2027.

Environmental pressures are exacerbated by climate disrup tio n imp a c ts (reflected for example in increased likelihoo d of d roug ht c ondi tions as seen in 2018 and 2020}. Climate disrup tion is a lso resu lting in the a rrival of an inc re asing number of 'exotic invasive species' in Irish waters highlighting the need for comprehensive b iosec uri ty measures to safeguard the aquatic environment from harmful 'alien' introductions.

Draft scoping report for the environmental assessment of the CAP Strategic Plan 2023-2027
The draft scop ing rep ort for the env ironm ental assessment of the CAP Stra tegic Plan 2023-2027 shou ld fully con sid er and make appropriate reference throughout to susta ina b ility and should make provision for a qua tic bio logic a l d ivers ity, the fisheries resource and stakeho lder interests. This document should recognise that protection of the aquatic environment / habita t not only requires the protection of water quality but also nec essita tes the pro tec tio n and m a inte na nc e of physical hab itat, hydrological processes and regimes and broader biological diversity. In this c onte xt and bearing in mind State obliga tions to ensure sustainable develop men t, it is advocated that these plans prioritise maintenance and restoration of ecological status in all su rface waters with a particular emphasis on high qua lity Q5 sites and systems which continue to show worrying deterioration s in quality.

IFI a d vo ca te a pp lic a tion of the prec a utionar y princ ip le with respect to any proposal or development where potential for adverse effects are not fully und erstood . The b urd en of pro of and assoc ia te d resp onsib ilities resid e with those who argue that a proposed ac tivity is safe and environmenta lly sus ta ina b le. As w ith any d evelop ment , IFI advocate that all measures necessary should be taken in the CAP *Strategic Plan* 2023-27 process to ensure c omp rehen sive pro tec tion of local aquatic ecological integrity, in the first place by complete impact avoidance and as a secondary approach only through mitigation by reduction and remedy.

Education and Awareness - Imp lem enta tion of an awareness c am paign or mea sures, along with training and education based on sc ientific research into the impac ts of existing or p rop osed changes in farming practices is welcome. Enhanced interac tion and cooperation between all agencies with an interest in environmental management shou ld be fa c ilita ted and encouraged in the CAP *Strategic Plan post* 2023-2027 proc ess. Re g ard ing WFD , the Reg iona l O pera tional Committee system provid es a use fu l knowledge shar ing fo rum for a ll parties with an interest in water quality and may have the potential to serve as a useful com munic ation vehic le in terms of the ong o ing CAP *Strategic Plan post* 2023-2027 process.

Intensification of farming practices - In approaching the CAP *Strategic Plan Post 2023* -2027 process it should be noted that any intensification of conventional farming practices can pose an unacceptable risk to natural habitats including fisheries habitat and associated water quality. A reduction in water quality can result in a reduction in dissolved oxygen levels, eutrophication (nutrient enrichment), habitat degradation and ultimately suboptimal fish numbers and even fish kills. Aquatic habitats are potentially subject to many pressures (both direct and indirect) from agricultural practices including uncontrolled cattle access, loss of healthy riparian / buffer zones, damaging erosion, erection of barriers to free fish movement, inappropriate watercourse drainage, inappropriate land drainage, inappropriate or poorly planned and executed forestry practices etc. The protection of natural habitats and associated biodiversity as a component of future more sustainable farming is critical. The introduction of agri-environmental schemes focused on supporting less intensive, more environmentally sensitive farming in general but in particular in high-risk areas should be a key priority in any new strategic plan.

Non-designated habitats and species - IFI note that Food*Wise* 2025 recognises that protection of the aquatic environment / habitat not only requires the protection of water quality but also necessitates the protection and maintenance of physical habitat and hydrological processes /regimes.CAP *Strategic Plan Post* 2023-2027 provides an opportunity for enhanced protection for non-designated habitats and species. IFI advocate the maintenance of watercourses and riparian zones in their open natural state in order to prevent habitat loss and aid in pollution detection. IFI advocate the designation of lands adjacent to surface waters, particularly salmonid systems as areas of open preservation allowing protection / enhancement of biological diversity while providing open space and recreational amenity for river users and natural flood amelioration features.

Reclamation - IFI wish to highlight the critical need for adequate regulation and governance of reclamation schemes or activities at scales where there is the potential for significant impacts on watercourses. Impacts can include siltation (during construction) and improved or enhanced drainage/ conveyance which can lead to increased river velocities, steam power and can accelerate bank erosion. Planning permission is often not a requirement. Such works can directly result in loss of flood plain areas with associated flood capacity impacts.

Instream works and a 'Room for the River' approach - IFI advocate in general, that there is a presumption against any instream interference. It is only in exceptional circumstances e.g. if there is a risk to infrastructure (e.g. outfalls, intakes, bridges) or other sustainable activity (e.g., flood risk management, water supply) that instream works should be considered and then only following consultation and agreement with IFI and other relevant agencies. If there is no significant risk to these activities then the requirement for instream works (such as gravel removal or drainage) should be reconsidered. Where essential, instream works should only be undertaken in a justified, co-ordinated and sustainable manner with minimal impact on biological diversity and natural river processes.

Performance-based model - Any proposed shift from a compliance based to a performance-based model of CAP delivery must comprehensively recognise and meaningfully address current and future sustainability and environmental challenges and responsibilities facing Ireland. IFI welcomes new CAP proposals focused on enhanced climate and environmental ambition post 2020 and advocates the maximisation of environment / biodiversity and climate-oriented measures and supports which will directly impact positively on Ireland's inland fisheries resource.

Supporting Ireland's Farmers
IFI wish to highlight the critical importance of meaningfully supporting Ireland's farmers in meeting and exceeding mandatory requirements under any new CAP scheme in the protection of our environment, the preservation of our biodiversity and in contributing to positive climate action and Ireland's sustainability in the context of the UN Sustainability Development Goals. Again, exceeding mandatory requirements in respect of agri-environment / climate commitments / ecoscheme delivery will either directly or indirectly result in improvements in Ireland's surface water ecological status.

Other points of note:

- We note that IFI are not mentioned in the data sources to be consulted for the SEA {SEA Scoping doc p.30). Please visit www.fisheriesireland.ie to read about our various publications, data sets and guidelines.
- The critical importance of protecting riparian zones and particularly trees {in light of warming river temperatures under climate change scenarios). Tree shelter belts are also useful in reducing on-farm ammonia emissions to the atmosphere. The recently introduced protection of/ payment scheme for these features is welcome.
- Further elaboration is required in respect of how water quality/ biodiversity measures will be assessed under the new Performance Monitoring and Evaluation Framework {PMEF)?
- IFI advocate farm-specific environmental schemes that are results based.
- Regulatory inspection regimes should reflect the scale of the task associated with ensuring GLAS compliance.
- The Fisheries Acts are mentioned in page 71 but only in the context of aquaculture. The Inland Fisheries Act 2010 {as amended) should be listed in the context of IFI's role in the protection, management and conservation of the inland fisheries resource and our role in respect of fisheries habitat.

Concluding Remarks
The long-term environmental sustainability of any activity that may impact on the status of fish species, their habitats, fisheries and/or the recreational angling or related commercial activities that may utilise these resources is of primary concern to IFI. IFI is among the public bodies that have a role in making policies, plans or programmes relevant to surface waters in Ireland. Critical and sensitive habitats and species {both designated and otherwise) must be protected. A number of fish species and associated habitats are protected under European

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Directives in Ireland. From an IFI perspective, all fish species and associated habitats within its remit require protection and management for conservation and development. IFI advocates application of the precautionary principle when considering the fisheries resource in the current process. In addition, all available consideration and support should be afforded to the national 'Blue Dots Catchment Programme' which focuses on the protection or restoration of high ecological status water bodies - a vital component in fisheries ecology, freshwater ecosystems and in Ireland's aquatic biological diversity more generally.

Should you require clarification on any of the above orrequire a consultation meeting please contact [redacted] at Inland Fisheries Ireland.

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