CAP SEA Scoping

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The NPWS is pleased to participate in the consultation in relation to SEA Scoping for the forthcoming CAP Strategic Plan. Observations are provided below in response to the consultation questions provided as part of the Workshop.

SESSION 1

Q1 Are there other plans or programmes that should be identified and reviewed as part of the Strategic Environmental Assessment/Appropriate Assessment process?

The cumulative impact of how various plans and programmes relate to one another and interact needs to be considered. Of particular relevance is the coherence and compatibility of the CAP Strategic Plan's objectives and measures. An example of incoherence and incompatibility to date, which virtually all stakeholders agree on, is that of land eligibility rules rendering natural/semi-natural areas an encumbrance or a negative in terms of CAP support. The European Court of Auditors has highlighted this issue as being in need of reform in the CAP Strategic Plan and if it is not resolved, it will continue to be undermine the objectives of the CAP Strategic Plan.

The current forestry programme is sometimes at cross-purposes to the CAP Strategic Plan objectives, incentivising the afforestation of high nature value less intensive farmland with non-native conifers. It is essential that careful consideration is given to how further afforestation will add to or take from what is sought to be achieved through the CAP.

It will be important to ensure different AECM schemes work together, rather than in competition or at odds with one another, including for example the EIPs, LIFE and the national AES. The Farming For Nature Technical Group have proposed a useful architecture to ensure better coherence and there have been various discussions between our Departments on an improved delivery model.

In terms of Appropriate Assessment, individual actions associated with AECM will need to be assessed at a farm plan scale as well as at the macro scale. Again, the approach suggested by the Farming For Nature Technical Group and supported by this Department would assist in this regard, with the support of local teams to assist in that regard.

Q2 Is there additional information that needs to be considered as part of the baseline data?

For Natura 2000 sites, Site Specific Conservation Objectives (SSCOs) need to be considered at field/farm scale. Screening/Assessment of measures at this scale need to be undertaken in line with SSCOs. From the outset, DAFM need to put in place the infrastructure for such assessments and the support of ecologists will be required.

On the ground information is vital. It is not possible to determine with confidence in national targeting what precise action should be employed in any single field. Schemes should be adaptable and capable of identifying and encouraging the ecological potential of individual farms rather than generic schemes which, while more easily administered, will achieve less ecologically and in some cases may cause harm. This will require ecological expertise.

Other datasets: there are various third party datasets in existence (beyond NPWS datasets or BirdWatch Ireland datasets) which could contribute to informing the CAP Strategic Plan (e.g. National Biodiversity Data Centre and Irish Hen Harrier Winter Survey) for targeting measures and ensuring damage does not occur to particular sites/species/habitats.

Q3 Are there any changes that in your consideration should be made a) to the proposed environmental objectives and b) to the guide questions including the consideration of alternatives?

It is incumbent upon the architects of the CAP Strategic Plan to ensure no ecological or environmental damage ensues from intervention.

The design and implementation of the CAP Strategic Plan should seek to identify win-wins as much as possible. For example, Obj 4 O24 of SWOT: Enhance adaptation to climate change through nature-based solutions. This can be good for society/well-being also. Precision-technology can help with use of fertilisers and pesticides and protection of habitat features.

Greater appreciation and understanding of the vital importance of biodiversity through well designed AECM and AKIS. A more sustainable mindset/culture needed. Farmers are still seen (and see themselves) primarily as food producers rather than custodians of the landscape/environment that sustains all life and is required to produce food. The CAP4Nature.com website has some useful information to draw on.

The environmental objectives relating to water resources include "*Minimise exposure to flood risk in line with the EU Floods Directive*". Flood mitigation works without appropriate and holistic input can drive biodiversity loss. It is important that the environmental objectives are clear that flooding is a natural and essential factor in the maintenance of a number of important ecosystems including certain Natura 2000 sites, and minimising flood exposure at these sites, and/or doing so in particular ways, could be ecologically damaging.

Guide questions

The following questions are provided to measure how the CAP Strategic Plan performs in the context of biodiversity.

Will the draft CAP Strategic Plan 2023-2027 ….

- Reflect actions and targets set nationally in the Programme for Government, Ag Climatise, the National Biodiversity Action Plan, the National River Basin Management Plan and the Prioritised Action Framework for Ireland?
- Avoid policy conflicts?
- Integrate water, climate and biodiversity objectives in a coherent way?
- Reduce the risk of pollution including from ammonia emissions?

- Ensure waste/slurry from large farms is not impacting on environmentally sensitive sites e.g. exporting slurry from large dairy operations to natural and semi-natural habitats?
- Foster a greater understanding of biodiversity, its importance and how to look after it?
- Operate at an appropriate scales (e.g. river sub-basin catchment level / geographical/ecological themes)?
- Apply measures in a targeted, coherent and integrated way, with appropriate reference to land-use mapping, biodiversity datasets, respond to new information, have inbuilt flexibility – the system needs to be adaptive enough to ensure that no damage biodiversity occurs?
- Value existing habitats/not render existing habitats (of use for biodiversity/carbon/landscape/soil/water) economically worthless to landowners?
- Engage with species experts on particular issues e.g. Hen Harrier non-breeding season, Freshwater Pearl Mussel?
- Deliver expert advisory supports?
- Prioritise funding for habitats/species identified in the PAF?
- Apply caps on payments or regressive payments? Land that is not in an agri-environmental plan becomes intensified using funds derived from lands in the plan? A whole farm approach is best.
- Focus on results with clearly defined indicators of success and incentives for farmers to deliver high quality environmental conditions?
- Provide for Non-Productive Investments in nature restoration?
- Avoid continued push towards landscape/farm homogenisation?
- Buffer against shifts in practices e.g. towards zero grazing, winter cereals? Ag Climatise.
- Recognise the SWOTs of Precision farming technology?
- Apply existing regulations appropriately? EIA Agriculture Regulations thresholds are high and damage can be caused by sub-threshold proposals. Awareness of the EIA (Ag) Regulations is poor.
- Contribute to the restoration targets envisaged by the Biodiversity Strategy 2030.

SESSION 2

Q1 Do you consider that the range of issues covered is appropriate?

The SEA topics are listed separately but the SEA process also needs to address the integration of all the various objectives. They are all cross-cutting especially nature, climate, water, landscape, soil and human health/well-being.

Reference is made to flood management, this has potential to negatively impact on habitats/species/Natura 2000 sites if the hydrological regimes of habitats are altered. Appropriate flood management also has potential to create or enhance biodiversity and nature conservation through the creation or reinstatement of floodplains or other aquatic features, such measures also assist in flood mitigation, climate change mitigation and adaptation.

In considering a status quo approach, one needs to consider that GLAS isn't working for nature as well as was hoped– refer to the European Court of Auditors/ADAS reviews. Ultimately change is required and this Department has had ongoing discussions with DAFM on this matter.

Q2 Do you have further suggestions regarding the scope of the Strategic Environmental Assessment/ Appropriate Assessment and its proposed assessment of the CAP Strategic Plan?

Ultimately, the appropriate assessment will have to be able to conclude that the CAP Strategic Plan will not adversely affect the integrity of European sites. At the same time, the SEA needs to ensure that a high level of environmental protection is ensured, including a high level of protection for biodiversity and especially habitats and species of conservation concern across the entire country (and not just in designated sites).

Article 10 of the Habitats Directive provides that Member States encourage the management of features of the landscape which are of major importance for wild fauna and flora. This includes features such as rivers and their banks, hedgerows and landscape features (such as small wetlands or woodlands) which are essential for the migration, dispersal and genetic exchange of wild species.

A landscape approach is therefore required in designing and applying CAP measures and the measures need to be considered in combination (e.g. there is little coherence in providing support for a species, if another measure or policy is negatively impacting their habitat).

Catchments are not always the most appropriate approach in terms of consideration of impacts e.g. in the case of ammonia deposition.

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