

Submission to Ireland's CAP Strategic Plan 2023-2027 - Public Consultation on Proposed Interventions

Submitted by

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CAP Measures Supporting the work of LAWPRO / ASSAP to deliver water quality improvement

Introduction

There is a fundamental requirement to align the ASSAP/LAWPRO initiative with CAP measures to ensure that full benefit is derived from both with respect to water quality improvements

Under the Water Framework Directive, Ireland is required to prepare river basin management plans to address national water quality issues every 6 years. Ireland's 2nd River Basin Management Plan (RBMP) was published in April 2018.

Its key innovation is a change in philosophy to supplement the reliance on the regulatory-based 'one size fits all' approach, towards being more collaborative and identifying and implementing 'the right measure in the right place', whilst supporting local communities to get involved in protecting their water resources. This has given rise to the establishment of a new collaborative approach to improving water quality.

This industry and stakeholder collaboration resulted in the Local Authority Waters Programme (LAWPRO) and Agricultural Sustainability, Support and Advisory Programme (ASSAP) being created to provide evidence based approach to pressure identification and farmer focused advisory service in 190 priority areas for action (PAA's). The ASSAP advisory service is provided by Teagasc (20 advisors) and the dairy processing co-ops (10 advisors). This innovative approach has involved key partners in identifying water quality issues and providing holistic solutions.

The fundamental operational elements of ASSAP are:

1. Designation of at risk catchments in RBMP 2 as Priority Areas for Action (PAAs) following a consultative process.
2. The characterisation of the PAA's and the completion of scientific assessments by LAWPRO to identify the location and extent of pressures impacting water quality and the referral of these to ASSAP for action in relation to pressures from agriculture.
3. Based on LAWPRO referrals the ASSAP advisors (Teagasc and Dairy Co-op) assess relevant farms and work with farmers to identify issues and practices that pose a risk to water quality.
4. A plan outlining actions to be undertaken to mitigate impacts on water quality is developed in consultation with the farmer. Follow up visits monitor the level of implementation of measures recommended.
5. The ASSAP have cultivated a partnership approach with farm organisations in the delivery and rollout of the programme.
6. Side by side with the one to one advisory approach ASSAP and LAWPRO work with local communities and groups of farmers to develop an improved understanding of the issues and potential solutions.
7. LAWPRO and ASSAP engage in a close-out process when work in a PAA has been completed to assess level of implementation and early stage impact. Longer term impact is tracked over time.
8. Charting ongoing development and rollout of the programme is overseen by DHLGH and DAFM and includes representation from EPA, Dairy Sustainability Ireland and the Local Authorities.

The ASSAP is currently identifying farm level issues impacting water quality and providing farmers with the mitigation actions best suited to rectify issues specific to their farms and the waterbodies they are

located in. The service is based on high quality scientific work by the LAWPRO teams followed up by advisers with a high level of expertise, knowledge identifying actions at farm level. A wide range of mitigation actions are being proposed to farmers which are selected to optimise the mitigation of the issues identified. The entire programme is predicated on collaborative principles with the full support of government (local and national) industry and farmer organisations. It also endeavours to engage communities to act to support water quality improvement efforts.

ASSAP, CAP and the new Green Architecture

ASSAP and LAWPRO were developed as targeted and collaborative initiatives as part of the River Basin Management Plan 2018 – 2021. It is also referenced as a key water quality initiative under the 'Programme for Government – Our Shared Future. In the initial set-up of the programme the requirement for consistency and complementarity between the RBMP approach and CAP measures were recognised. However, as the cycle of 2014-2020 cycle of CAP was at a mature stage of rollout with funding fully committed to a suite of existing measures there was little or no opportunity to develop a co-ordinated approach between the two policy instruments. In particular this led to a significant problem for the ASSAP service in relation to encouraging farmers to implement the 'right measure in the right place'.

In the rollout of the ASSAP programme the Teagasc and Co-op advisers prepare a plan of action for each farmer identifying the key actions that farmer should take to reduce risks and pressures for water quality. The response from farmers in implementing these actions has been very positive. The recommendations to farmers can include a number of different types of action:-

- Actions which improve compliance with existing regulation
- Actions which are recommended which will improve water quality outcomes above cross compliance but which do not have a significant cost
- Actions which are recommended which will improve water quality outcomes above cross compliance but which have a significant cost associated with them

As currently formulated, actions that ASSAP may recommend to farmers that will have a positive impact on water quality and that are over and above current regulatory requirements are undertaken by farmers at their own cost. In general most farmers agree to undertake measures to improve compliance and where there is little cost involved. However, where there is a significant cost or income foregone our analysis shows that farmers are understandably have some reluctance to implementing these measures. In 2020 DAFM modified the rules around BPS to facilitate the designation of areas taken out of production in order to protect water quality as proposed by an ASSAP adviser to retain eligibility for a BPS payment. Following on from this there is a significant amount of pressure being brought to bear in relation to other lands being managed to deliver other positive environmental outcomes under prescription.

There is now an opportunity to develop an instrument under the CAP Strategic Plan to compensate farmers for implementing actions on the advice of ASSAP advisers for which there is a cost. These measures would be targeted to tackle water quality pressures which have been identified by LAWPRO in their catchments assessments and planned as bespoke measures for farmers: - 'The right measure in the right place'.

The provision of support for these measures are very similar in nature to the design of measures for an agri-environmental scheme. This includes the principle of targeting in relation to a key environmental objective. In this case the targeting is highly specific in relation to identified water quality pressures. Like an agri-environmental scheme the measures included incur a cost on farmers in one or more of three ways

- Taking land out of production or reducing its productive capacity
- Creating a workload for the farmer to implement the measure
- Involving a capital cost for the installation of the measure

Therefore, in respect of paying for the implementation of measures recommended by ASSAP advisors needs to be in line with the tried and tested procedure for inclusion of measures in an agri-environmental scheme.

Unfortunately, inclusion of such measures will not work as part of an agri-environmental scheme like GLAS for a number of reasons. Firstly, the identification of such measures will only take place following the scientific assessment and a farm assessment and will not be available for inclusion in an agri-environmental scheme plan. Secondly, the majority of farmers in Ireland do not partake in agri-environmental schemes and therefore would not be available to provide support for all farmers where actions are suggested by ASSAP advisers.

There is a strong imperative to aligning the environmental instruments of the CAP strategic plan with the measures to be taken in the rollout of Ireland's third river basin management plan. While there was limited opportunity to achieve this when LAWPRO and ASSAP were established in 2018 there is now an opportunity to converge these two key policy instruments and to make a real difference in improving water quality in the priority areas for action. .

An opportunity now exists within the proposed ambition of the new CAP to identify mechanisms by which farmers participating in the ASSAP can be supported by accessing funding to provide compensation for the costs incurred or loss of income in the provision of appropriate mitigation measures in appropriate locations – 'the right measure in the right place', that will provide water quality improvements. However, a bespoke measure will be required which provides access to all farmers within PAAs to be able to apply on an ongoing basis for support based on plans from an ASSAP adviser. It is essential that these measures would be implemented on top of any commitments and payments associated with an agri-environmental scheme.

The proposed 'green architecture' for the next CAP encompasses a layered approach to improving environmental issues on farms. Tier 3 AECM and cross cutting supports provides an opportunity to offer voluntary schemes/programmes that can be designed to tackle specific environmental issues nationally or in certain key locations in the country. This facilitates the concept of putting 'the right measure in the right place' within the parameters of the scheme/programme that a farmer is participating in.

ASSAP Actions and Basic Payment

One of the most consistent issues which are raised with advisers in relation to farmers designating land for environmental purposes is the issue of loss of entitlement for basic payment. Provision was made in the 202 Basic Payment Scheme to allow for the designation of land areas which are fenced off for 'water quality' to remain eligible. There is a need to hold and strengthen this provision

Proposed design and funding for mitigation actions under ASSAP

Based on the analysis of actions recommended in plans completed by ASSAP advisers to date it is worth noting that the extent to which actions which might be eligible for payment are included in plans is limited. The availability of payment would increase the acceptability of such measures to farmers and increase the likelihood of their inclusion in plans.

Key Features of a proposed intervention

- Eligibility for funding would be open to farmers located in the RBMP identified priority areas for action (PAA's). Only measures identified in the ASSAP plan which focus on resolving the pressures identified could be included.
- Access to the fund would be through an application process with applications made by the farmer through the farmer's agricultural advisor. Based on recommendations from the ASSAP advisor, the farmer can select the relevant measure(s) from a list with associated costings attached for each measure. The costings will go towards covering:
 - Capital costs, e.g. cost of materials, contractor etc.
 - Income foregone for a defined period
 - Implementation and Maintenance of measure for a defined period

A sample list of some of the possible measures for inclusion are presented in Appendix 1.

- There would need to be a capacity to add measures to the menu as new potential measures are developed. The ability to trial and investigate the effectiveness of measures in different settings would be highly desirable.
- Only measures which are beyond regulatory compliance could be funded
- Confirmation of measures would be required on completion of capital works and annually in relation to annual measures.

Overall Costings

The costs associated with the scheme are can be reasonably predicted. By basing the potential measures on existing experience of the ASSAP and developing a number of assumptions it is possible to estimate the likely cost of implementing the scheme.

Over the next 5 years it is envisaged that approximately 10,000 farmers will engage with ASSAP in developing Water Quality Improvement Plans. Of these:

- 25% will implement a Capital Based initiative for water quality at an average cost of €3,000
- 50% will implement measures which will involve the identification of Critical Source areas or other areas where action is required to reduce the output of land. It is assumed that the productive capacity of this area will be reduced by as follows on an area of 1Ha on average.
 - 50% Fully taken out of production
 - 50% reduced productive capacity of 50%

Based on these figures the cost for supporting these measures would be approximately:

- Costs associated with supporting Capital Measures 7,500,000 over the lifetime of the programme. (2500 actions @ € 3000 / action average)
- Costs associate with Land Productive Capacity Reduction due to Measures implemented
 - Loss of Income €3,000,000 per annum for five years –
 - 5,000 farms at 1 Ha per farm
 - 2500 at 1 Ha at 50% reduction in productive capacity ($2500 * 1 * 435$) = 1,087,500 / annum
 - 2500 at 1 Ha at Full reduction in productive capacity ($2500 * 1 * 869$) = 2,175,000 / annum
 - Total €3,262,500 - €16,312,500 over 5 years
- Overall Cost of support over 5 Years €23,812,000

Appendix 1

List of ASSAP recommended mitigation actions delivering water quality improvements and incurring costs to farmers for implementation which might become Measures

Actions	Cost	Income	Capital	Works
Grey water interception ponds	Y	Y	Y	Y
Management of Critical Source Areas (CSA's)	Y	Y	Y	Y
Riparian Buffers - Fenced/Unfenced	Y	Y	Y	Y
Establish field boundaries and hedges	Y	Y	Y	Y
In-field grass buffers	Y	Y		
Establish wetlands	Y	Y	Y	Y
Constructed wetlands	Y	Y	Y	Y
Run off attenuation features - swales etc.	Y	Y	Y	Y
Off line bunds/instream diversion structures	Y	Y	Y	Y
Use of silt fences	Y		Y	Y
No P on sensitive (CSA's) areas (Target index 1)	Y	Y	Y	Y
Attenuate drainage surface filled stone field drains	Y	Y	Y	Y
Plant autumn cover or catch crops	Y	Y		Y
Permeable reactive barriers/de-nitrification trench	Y	Y	Y	Y
Land use conversion from tillage in CSA's	Y	Y	Y	Y
Raise water table in peat lands	Y	Y	Y	Y
Adopt contour ploughing	Y			Y
Prevent livestock access to waters	Y	Y	Y	Y
Ditch/drain blocking	Y	Y	Y	Y
Control of invasive plant species	Y			Y
Culvert installation/improvement plan	Y		Y	Y
Relocation of water troughs	Y		Y	Y
Use of spot spraying for weed control	Y			Y

