



Appropriate Assessment (AA) Conclusion Statement

Department of Agriculture, Food and the Marine

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Background and Legislative Context

The process of an Appropriate Assessment (AA) was introduced under Council Directive 92/43/EEC of 21 May 1992, and has been transposed into Irish domestic legislation through the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) as amended.

In accordance with these EU and national legislation requirements for the assessment of the effects of plans and projects to European Sites a Natura Impact Statement for the Common Agriculture Policy Strategic Plan 2023 – 2027 (CSP) has been prepared by a consortium of RSM Ireland and others on the direction of the Department of Agriculture, Food and the Marine (DAFM).

This document is the Conclusion Statement for the Appropriate Assessment of the CSP. It should be read in conjunction with the Natura Impact Statement and the CSP.

DAFM has developed the CSP, pursuant to Regulation (EU) 2021/2015 of the European Parliament and of the Council of 2 December 2021. Ireland's CSP for the period 2023-2027 will underpin the sustainable development of Ireland's farming and food sector by supporting viable farm incomes and enhancing competitiveness, by strengthening the socio-economic fabric of rural areas, and by contributing to the achievement of environmental and climate objectives at national and EU levels.

The new CSP will represent a change in the approach to CAP planning and implementation compared to previous programming periods. Instead of the familiar compliance-based approach followed previously, a new performance-based approach will be adopted.

Appropriate Assessment Screening

An initial screening exercise of the draft CSP was prepared to identify whether or not elements of the CSP had the potential to result in likely significant effects to European Sites. This screening exercise concluded that the potential for an effect on European sites existed, and so an AA was required and conducted.

A broad review of agricultural activities and their interactions with Annex I habitat and Annex II species occurring in Ireland and Northern Ireland was completed. The potential for transboundary effects to European Sites (Natura 2000 Sites) in Northern Ireland was identified during the screening assessment. The primary source material relied upon for this review was the NPWS reporting (NPWS, 2019a, 2019b) completed under Article 17 of the EU Habitats Directive and Reporting prepared by Ireland under Article 12 of the EU Birds Directive. The Joint Nature Conservation Committee (JNCC) reporting on the conservation status of Annex I habitat and Annex II species Northern Ireland were also reviewed.

A range of existing threats and pressures posed by agricultural activities to the favourable conservation condition of Annex I habitats and Annex II species for which SACs are designated and special conservation interest bird species and their associated habitats for which SPAs are designated were identified during the screening exercise. As the CSP was intended to support some of these agricultural activities it was concluded that the CSP had the potential, either alone or in conjunction with other plans or programmes, to result in likely significant effects to European Sites (in view of their conservation objectives), and therefore that a Natura Impact Statement (NIS) was required.

This screening was made available on DAFM's website as part of the statutory public consultation period starting in February 2021. A further wider non-statutory public consultation, from February to April 2021 was held to encourage stakeholder engagement and further inform the environmental assessment of the CSP.

Appropriate Assessment of the CSP

The NIS provided a further and more detailed examination of the threats and pressures posed by the CSP to European Sites and their features of interest (i.e. Annex I habitat, Annex II species, special conservation interest bird species and their associated habitats (where listed)). Certain Conditionality, Pillar 1 and/or Pillar 2 interventions of the CSP were identified as having the potential to adversely affect European Sites, and were subject to further examination.

The NIS reviewed the potential risk of adverse impacts arising from the proposed implementation of the draft CSP and found that, without the implementation of mitigation measures and recommendations, the draft CSP would have the potential to impact upon the integrity of European Sites. In response, DAFM incorporated the mitigation measures and recommendations into the proposed scheme design and implementation where appropriate into the draft CSP.

Public Consultation

The NIS, along with the SEA and the draft CSP were all put on public display for the statutory consultation period from 8 November to 8 December 2021.

On foot of the submissions received a number of amendments were made to the draft CSP (i.e. post-public consultation amendments). These amendments to the CSP influenced the proposed design and implementation of the CSP schemes. These amendments would, *inter alia*, further reduce the risk of a potential adverse effect on the environment, including European Sites and their features of interest, and sought to improve the environmental outcome of the CSP more broadly. The consultation process also identified that a number of recommendation actions should be changed into mitigation measures.

Mitigation measures

- Mitigation Measure 1: Aim for all farms to support right measure, right place over plan lifetime
- Mitigation Measure 2: Oversight and monitoring: Monitoring Committee
- Mitigation measure 3: Collaborate and engage with NPWS to address monitoring on permanent grassland
- Mitigation Measure 4: Capacity Building and Training
- Mitigation Measure 5: Eco Scheme Agricultural practice 3: Limiting chemical nitrogen usage
- Mitigation Measure 6: From Food Vision 2030 Capital Investment Scheme
- Mitigation Measure 7: AECM

Other national plans and programmes that were published subsequent to that public consultation and the European commission observation period have been identified and mitigation measures from these will apply as appropriate within the relevant legal and regulatory framework. This includes any statutory requirements arising from the River Basin Management plan and Nitrates Action Plan during the lifetime of these plans, which will be adopted as practice as relevant and applicable in the implementation of the CSP.

Monitoring requirements

In terms of monitoring requirements throughout the lifetime of the CSP cross reporting and cooperation between statutory authorities (DAFM, Department of Housing, Local Government and Heritage (National Parks and Wildlife Service) and Local Authorities will be enhanced to facilitate effective controls and follow up actions, as appropriate. These will include:

- Greater emphasis on targeting controls to ensure effectiveness. This will be achieved by consideration of new information relevant to the SMRs and GAECs, evaluation of outcome of past controls and an effective risk analysis procedure in the selection process.
- Where feasible, checks by monitoring will be introduced to enhance the number of farmers subject to controls.
- Remedial actions will form part of the control process

A monitoring programme has been developed and this is shown in Annex I. It seeks to monitor the effect of the CSP on the environment, cognizant of the risk of adverse effects on the environment, European Sites and their features of interest identified through the SEA and NIS examination processes. It also seeks to use, where relevant, CSP monitoring

requirements. The CSP programming period (2023-2027) will be monitored and evaluated using the new Performance Monitoring and Evaluation Framework as required under EU legislation. This monitoring process will demand a robust governance system as is currently the case in the existing CAP programming period; but in addition will require a reconciliation of expenditure incurred with impacts achieved, through a transparent performance reporting framework based on the reporting of outputs and results with milestones and programme targets.

A screening exercise of these post-public consultation amendments was completed by RSM prior to the submission of the draft CSP to the European Commission on 31 December 2021. This screening determined that there was no need to proceed to a Stage 2 AA examination of the proposed changes.

DAFM submitted the draft CSP to the European Commission, including the agreed mitigation measures and having been subject to revision of scheme design and implementation on foot of the public consultation, by the statutory deadline of 1 January 2022.

Review by the European Commission

The European Commission reviewed Ireland's draft CSP between January and March 2022. On 31 March 2022 the European Commission provided formal feedback (over 241 observations) on the draft CSP. These observations consisted largely of requests for additional information or justifications on the draft plan. DAFM and the European Commission commenced a process of structured dialogue to address the issues identified and agree on changes or provide explanations, clarifications as appropriate.

A screening exercise of these post-European Commission review amendments was completed by RSM Ireland, and this determined that there was no need to proceed to a Stage 2 AA examination of the proposed changes.

Conclusion Statement

DAFM has incorporated the finalised mitigation measures and recommendations into the proposed scheme design and implementation of the CSP schemes where appropriate and relevant. In light of this revised design of the schemes, and the NIS and SEA of the CSP, it can be concluded that, for the purposes of Article 6(3) of the Habitats Directive, the implementation of the CSP, alone or in-combination with other plans or programmes, will not have adverse effects on the integrity of any European Sites.

ANNEX I: MONITORING INDICATORS

Potential Issue Affecting European Sites	Monitoring indicators	Suggested Data sources/indicators. CAVEAT: Suggested datasets becomes available.
Biodiversity, Flora and Fauna		
Addressing habitat fragmentation, decline and loss of connectivity.	<p>R.31 Preserving habitats and species: Share of utilised agricultural area (UAA) under supported commitments supporting biodiversity conservation or restoration including high-nature-value farming practices</p> <p>R.32 Investments related to biodiversity: Share of farms benefitting from CAP investment support contributing to biodiversity</p> <p>% of sites in favourable or improving condition: % of species in favourable conservation status over plan duration</p> <p>R.33 Improving Natura 2000 management: Share of total Natura 2000 area under supported commitments</p> <p>R.34 Preserving landscape features: Share of utilised agriculture area (UAA) under supported commitments for managing landscape features, including hedgerows and trees</p>	<p>EPA ESM and datasets</p> <p>DAFM</p> <p>Ammonia; MARSH Mapping Ammonia Risk on Sensitive Habitats (MARSH) published in the Science of the Total Environment</p> <p>WFD indicators monitored under the WFD monitoring programme for 2022-2027 period.</p> <p>WFD data – and reporting on Areas for Action</p> <p>High status water bodies – reporting</p> <p>Riparian buffers min 3m and measuring these through LPIS and on ground and EIPs and AECMS</p>
Impact on water dependant / hydrologically connected European sites from CAP Pillar 1 and II interventions	<p>R.21 Protecting water quality: Share of utilised agricultural area (UAA) under supported commitments for the quality of water bodies</p> <p>O.1: Number of European Innovation Partnership (EIP) operational group projects (EIP Stream B)</p>	DAFM
Effects of ammonia on habitats and water	<p>Average site ammonia deposition rates in comparison with critical level</p> <p>I.14 and C.47 Ammonia emissions from agriculture</p>	
Farmland and Upland Birds and Waders	<p>I.19 / C.36: Farmland Bird Index</p> <p>O.1: Number of European Innovation Partnership (EIP) operational group projects (EIP Stream B)</p>	DAFM

	R.31 Preserving habitats and species: Share of utilised agricultural area (UAA) under supported commitments for supporting biodiversity conservation or restoration including high-nature-value farming practices	
Soil and Geology		
Change in wetland and agricultural cover	C.05 Land cover	CORINE Soil Observatory data (es 2020) Teagasc Tellus GSI DAFM EPA research projects Ecosystem services mapping EPA ESM and datasets
Peatland soils status	R.12 Adaptation to climate change: Share of utilised agricultural area (UAA) under supported commitments to improve climate adaptation	
	R.14 Carbon storage in soils and biomass: Share of utilised agricultural area (UAA) under supported commitments to reduce emissions or to maintain/or enhance carbon storage (including permanent grassland, permanent crops with permanent green cover, agricultural land in wetland and peatland).	
	R.12 Adaptation to climate change: Share of utilised agricultural area (UAA) under supported commitments to improve climate adaptation	
	R.33 Improving Natura 2000 management: Share of total Natura 2000 area under supported commitments	
Fertiliser use kg/hectare and recycling of nitrogen	Reductions in organic and inorganic fertiliser applications particularly in intensive farms (livestock and arable)	DAFM
	R.22 Sustainable nutrient management: Share of utilised agricultural area (UAA) under supported commitments related to improved nutrient management	
Soil quality	R.22 Sustainable nutrient management: Share of utilised agricultural area (UAA) under supported commitments related to improved nutrient management	
	R.24 Sustainable and reduced use of pesticides: Share of utilised agricultural area (UAA) under supported specific commitments which lead to a sustainable use of pesticides in order to reduce risks and impacts of pesticides such as pesticides leakage	
	R.19 Improving and protecting soils: Share of utilised agricultural area (UAA) under supported commitments beneficial for soil management to improve soil quality and biota (such as reduce tillage, soil cover with crops, crop rotation included with leguminous crops)	

Soil organic matter	<p>Levels of anthropogenic N in estuaries</p> <p>R.14 Carbon storage in soils and biomass</p> <p>R.22 Sustainable nutrient management: Share of utilised agricultural area (UAA) under supported commitments related to improved nutrient management</p>	
Water Resources		
Surface water body ecological status	<p>% in good or high status</p> <p>R.21 Protecting water quality: Share of utilised agricultural area UAA under supported commitments for the quality of water bodies</p> <p>R.22 Sustainable nutrient management: Share of utilised agricultural area (UAA) under supported commitments related to improved nutrient management</p> <p>% of waterbodies failing WFD targets.</p>	<p>DAFM 5th NAP PIP data at catchment level on P and N EIP, Cooperation Where water bodies are failing to meet at least good status or are showing deterioration of status this will be investigated with reference to ongoing programme of measures under RBMP rollout. Data source: EPA and Marine Institute</p>
Agricultural pollution levels in rivers	<p>I.13/C.41: Soil erosion by water: Percentage of agricultural land in moderate and severe soil erosion</p> <p>% reduction in nitrogen losses to waters from agriculture.</p> <p>R.22 Sustainable nutrient management: Share of utilised agricultural area (UAA) under supported commitments related to improved nutrient management</p>	
Impacts on water quality as a result of sectoral activities.	<p>I.15: / C.39 Water quality (including 1.Gross nutrient balance – nitrogen, 2.Gross nutrient balance – phosphorus and 3.Nitrates in ground water.</p> <p>R.21 Protecting water quality: Share of utilised agricultural area (UAA) under supported commitments for the quality of water bodies</p>	
Achieving Good ecological status by 2027 in line with WFD	<p>R.21 Protecting water quality: Share of utilised agricultural area (UAA) under supported commitments for the quality of water bodies</p>	

	R.33 Improving Natura 2000 management: Share of total Natura 2000 area under supported commitments. Status of water bodies – compliance with the environmental objective under WFD and MSFD as appropriate.	
Climatic Factors and Air Quality		
<p>Reduce GHG emissions</p> <p>Reduce ammonia emissions year on year under National Emissions Ceiling Directive, Ireland has an ammonia target of 107,500 tonnes in 2030.</p> <p>Atmospheric concentrations of key agricultural pollutants</p>	<p>R.14 Carbon storage in soils and biomass: Share of utilised agricultural area (UAA) under supported commitments to reduce emissions or to maintain or enhance carbon storage (including permanent grassland, permanent crops with permanent green cover, agricultural land in wetland and peatland) GHG Annual recorded sectoral emission statistics R.20 Improving air quality: Share of utilised agricultural area (UAA) under supported commitments to reduce ammonia emission Total fertiliser use/application</p> <p>Chemical nitrogen use: This must be reduced to a target level of 350,000 tonnes by 2025 Cumulative increase in of organic soil rewetting per year [data source: DHLGH]. I.11/ C.40 Soil organic carbon in agricultural land</p> <p>GHG Annual recorded sectoral emission statistics I.10/ C.44 Greenhouse gas emissions from agriculture C.23: Livestock units C.24: Livestock density Biogenic methane reduction of a minimum of 10% by 2030; Reduction of ammonia emissions to below 107,500t by 2030; R.20 Improving air quality: Share of utilised agricultural area (UAA) under supported commitments to reduce ammonia emission I.14// C.47 : Ammonia emissions from agriculture O.14: Number of hectares (excluding forestry) or number of other units covered by environmental or /climate-related commitments going beyond mandatory requirements Annual average background concentrations of NOx, NMVOC, particulates and ammonia at locations recording these parameters.</p>	<p>DAFM GHG reporting (EPA) Fertiliser Register</p>

	R.14 Carbon storage in soils and biomass: Share of utilised agricultural area (UAA) under supported commitments to reduce emissions or to maintain or enhance carbon storage (including permanent grassland, permanent crops with permanent green cover, agricultural land in wetland and peatland)	
Landscape		
Loss of agricultural landscape character Loss of agricultural landscape connectivity Loss of traditional /vernacular agricultural features	Number of local LEADER funded local landscape O.31: Number of supported local development strategies (LEADER) or preparatory actions Sustainable Farm plans-landscape measures R.34: Preserving landscape features: Share of utilised agricultural area (UAA) under supported commitments for managing landscape features, including hedgerows and trees Number of Catchment/landscape Cooperation Projects R.28 Environmental or climate-related performance through knowledge and innovation: Number of persons benefitting from advice, training, knowledge exchange, or participating in European Innovation Partnership (EIP) operational groups supported by the CAP related to environmental or climate-related performance O.1 Number of European Innovation Partnership (EIP) operational group projects Eco scheme tree planting measures O.8: Number of hectares or livestock units benefitting from eco-schemes Uptake of Eco-scheme Space for Nature agricultural practice O.12: Number of hectares benefitting from support for areas facing natural or other specific constraints, including a breakdown per type of areas I.21/C.21: Agricultural land covered with landscape features Recognition of local landscape in marketing of foods/food production	DAFM 2021 Landscape Classification Typology GIS A landscape classification map of Ireland and its potential use in national land use monitoring - ScienceDirect

Cultural Heritage		
Loss of vernacular features Impact on setting of archaeological and built heritage features Adaptive reuse of farm and rural buildings	Number of AECM farmers/EIP/Cooperation with archaeological measures and support by archaeologist	DAFM DRCD
	R.38 LEADER coverage: Share of rural population covered by local development strategies	
	O.31: Number of supported local development strategies (LEADER) or preparatory actions	
	O.1 Number of European Innovation Partnership (EIP) operational group projects	
Material Assets		
Improving energy efficiency at farm level (energy, fertiliser, water)	EPA Smart Farming scheme numbers of updates. R.15 Renewable energy from agriculture, forestry and from other renewable sources: Supported investments in renewable energy production capacity, including bio-based (in MW) O.20: Number of supported on-farm productive investment operations or units R.16 Investments related to climate: Share of farms benefitting from CAP investment support contributing to climate change mitigation and adaptation, and to the production of renewable energy or biomaterials I.12/C.42: Sustainable production of renewable energy from agriculture and forestry C.43: Energy use in agriculture, forestry, and food industry	SEIA data DAFM LUCLUF reporting
Reducing waste (including hazardous)	Availability of recycling schemes available to farmers and waste streams from farm activities.	
Population and Human Health		
Generational Renewal	R.36 Generational renewal: Number of young farmers benefitting from setting up with support from the CAP, including a gender breakdown O.30 Number of supported operations or units for generational renewal (excluding setting-up support)	Institute of Public Health HSE Health and Safety Authority CSO

Farm Income	<p>I.26: Distribution of CAP support I.3 / C.25 Agricultural factor income C.27: Farm income R.4 Linking income support to standards and good practices: Share of utilised agricultural area (UAA) covered by income support and subject to conditionality R.6. Redistribution to smaller farms: Percentage of additional direct payments per hectare for eligible farms below average farm size (compared to average) R.7: Enhancing support for farms in areas with specific needs: Percentage additional support per hectare in areas with higher needs (compared to average) R.8 Targeting farms in specific sectors: Share of farms benefitting from coupled income support for improving competitiveness, sustainability or quality O.4: Number of hectares benefitting from basic income support O.5: Number of beneficiaries or hectares benefitting from payments for small farmers O.6: Number of hectares benefitting from complementary income support for young farmers O.7: Number of hectares benefitting from complementary redistributive income support</p>	<p>Teagasc Family Farm Survey EPA ESM and datasets DAFM</p>
Rural enterprise and diversification Access to quality food/ welfare/ organics	<p>R.1 Enhancing performance through knowledge and innovation: Number of persons benefitting from advice, training, knowledge exchange, or participating in European Innovation Partnership (EIP) operational groups supported by the CAP in order to enhance sustainable economic, social, environmental, climate and resource efficiency performance Number of rural enterprises supported via LEADER R.10 Better supply chain organisation: Share of farms participating in producer groups, producer organisations, local markets, short supply chain circuits and quality schemes supported by the CAP R.38 LEADER coverage: Share of rural population covered by local development strategies R.37: Growth and jobs in rural areas. New jobs supported in CAP projects Number of training courses relating to environment including climate change supported by CAP and Leader</p>	

Water body and water quality statistic relating to blue flat status, WFD data, shellfish areas, etc including boil notice

O.17 Number of hectares and number of other units benefitting from support for organic farming
O.18 Number of livestock units (LU) benefitting from support for animal welfare, health or increased biosecurity measures
R.29: Development of organic agriculture. Share of utilised agricultural area (UAA) supported by the CAP for organic farming, with a split between maintenance and conversion
I.28 / C.48 Antimicrobials Sales/use of antimicrobials in food producing animals
I.18 /C.49 Risk, use and impacts of pesticides

Traditional skills courses supported by LEADER
R.21 Protecting water quality: Share of utilised agricultural area (UAA) under supported commitments for the quality of water bodies
R.22 Sustainable nutrient management: Share of utilised agricultural area (UAA) under supported commitments related to improved nutrient management
I.15 / C.39 Water quality (including, 1.Gross nutrient balance – nitrogen, 2.Gross nutrient balance – phosphorus and 3. Nitrates in groundwater Water Framework Directive Data on surface, ground, transitional waters. Number of private wells with e coli/ pesticide traces (not annual)