

Sustainable Water Network (SWAN)

SWOT Analysis for the CAP Strategic Plan post 2020

- Response to Public Consultation -



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Contents

1.	Introduction to SWAN	1
2.	Water policy context & WFD requirements	1
3.	Public consultation / engagement on the CAP SWOT and Strategic Plan	2
4.	Feedback on SWOT analysis, by objective.....	3
4.1	OBJECTIVE 1.....	4
4.2	OBJECTIVE 2.....	4
4.3	OBJECTIVE 3.....	4
4.4	OBJECTIVE 4.....	4
4.5	OBJECTIVE 5.....	5
4.6	OBJECTIVE 6.....	5
4.7	OBJECTIVE 7.....	6
4.8	OBJECTIVE 8.....	6

1. Introduction to SWAN

The Sustainable Water Network (SWAN) is an umbrella network of 24 of Ireland's leading environmental NGOs, national and regional, working together to protect and enhance Ireland's aquatic resources through coordinated participation in the implementation of the Water Framework Directive (WFD), Floods Directive, Marine Strategy Framework Directive (MSFD) and other water-related policy and legislation. SWAN member groups are listed in Appendix I. SWAN has been actively engaged in Water Framework Directive (WFD) and other water policy implementation at both national and River Basin District (RBD) level since 2004, responding to water-related public consultations and representing the environmental sector on the Irish Water Stakeholder Forum, the National Rural Water Services Committee, the Public Water Forum and the National Water Forum. In 2012 SWAN published the report *'The Common Agricultural Policy (CAP): Interactions with the Water Framework Directive (WFD) and implications for the status of Ireland's waters'*.

2. Water policy context & WFD requirements

The 2018-2021 River Basin Management Plan (RBMP) shows that agriculture is by far the most prevalent pressure on the freshwater environment. As a result of the detailed catchment characterisation undertaken by the EPA, agriculture *"has been identified as a significant issue"* in 67% of 'At Risk' river and lake waterbodies. As was clearly stated in the nitrates derogation review consultation document¹, *"..there was no overall improvement in water quality over the first river basin cycle (2009-2015).."* and last year's EPA Water Quality Indicators report² reports *".. a 3% reduction in river water quality since 2015"* and *"an increase in the percentage of sites with higher phosphorus concentrations that could lead to pollution, from 26.6% to 37.2% .. The increase in river phosphorus concentration is a worrying development."*

Furthermore, Map 5 in this report shows upward trends in phosphate concentrations at river sites³ in counties such as Cork and Waterford which SWAN understands coincide with an increased concentration of derogation farms. Map 11, illustrating winter dissolved inorganic nitrogen levels in estuarine and coastal waters 2015–2017, clearly shows exceedances, again on

¹ Government of Ireland (2019) *Public Consultation 2019 Nitrates Derogation Review*. Dublin

² O'Boyle, B. & Trodd, W. (2018) *Water Quality in 2017: An Indicators Report*. EPA, Wexford

³ for the period 2007–2017

the South Coast. These trends raises significant concerns in the context of the derogation review and emphasise the need for more data to support it, which we deal with in the next section.

It is crucial that the threat posed by agriculture to the water environment is comprehensively analysed by this SWOT analysis so that this leads to appropriate interventions in the CAP Strategic Plan, in order to incentivise farming which is consistent with water protection and WFD objectives and to disincentivise farming practise which poses a risk to water status e.g. inappropriate application of nutrients leading to water pollution; wetland drainage.

Furthermore, the well-recognised policy incoherence between the CAP and water and biodiversity policy / legislation must be identified as a weakness and threat in the current system; Public opinion towards intensive agriculture and its significant impacts on Ireland's natural heritage is evolving and farmers are at risk of losing their 'social license' to farm in the way that is set out, envisaged and actively encouraged by FoodWise 2025.

The above issues are cross-cutting across many of the CAP Strategic Plan objectives and we put them forward as such.

3. Public consultation / engagement on the CAP SWOT and Strategic Plan

The SWOT analysis is an extremely important first step in the CAP 2020+ process since it sets the foundation and context for the implementation of a CAP and specifically the development of the CAP Strategic Plans and the identification and ranking of needs, and subsequently intervention strategies. SWAN therefore welcomes the opportunity to comment. However, in order to facilitate meaningful stakeholders input, adequate and accessible background information is necessary; unfortunately, this information is not provided in this consultation. It is unclear what exactly the SWOT analysis is being conducted on. Furthermore, the objective of the exercise is not explained. This makes responding to the consultation difficult.

In order to better understand the process, SWAN makes reference to the original European Commission '*Proposal for a Regulation of the European Parliament and of the Council*

establishing rules on support for strategic plans to be drawn up by member states under the common agricultural policy' (COM(2018) 392). In particular Art. 103 requires that

"The SWOT analysis shall be based on the current situation of the area covered by the CAP strategic plan and shall comprise, for each specific objective set out in Article 6(1), a comprehensive overall description of the current situation of the area covered by the CAP Strategic Plan, based on common context indicators and other quantitative and qualitative up-to-date information such as studies, past evaluation reports, sectoral analysis and lessons learned from previous experiences."

It is unclear how the input to the current consultation, which is limited to the 'SWOT' quadrants for each objective, will feed into this much more comprehensive exercise.

To address this weakness in this consultation stage, **SWAN recommends** and requests that there be a **further consultation on a draft of the proposed full SWOT analysis**, when a draft of the *"comprehensive overall description of the current situation ... based on common context indicators and other quantitative and qualitative up-to-date information..."* is presented.

SWAN welcomes the statement on the consultation web-page that the SWOT analysis will be *"essentially a factual account supported by evidence of the current situation facing the sector in Ireland"*. It is clear however, that such an account, can be biased by the underlying assumptions underpinning it. i.e. 'One person's threat is another person's opportunity', depending on one's perspective. For that reason, many perspectives must be involved in the development of the final SWOT, both through comprehensive interdepartmental / inter-agency and stakeholder engagement.

4. Feedback on SWOT analysis, by objective

Notwithstanding the above concerns regarding lack of clarity which limit informed response, SWAN makes the following non-exhaustive proposed additions / amendments / comments on the suggested SWOT, in addition to the overarching comments above. Please consider these as SWAN's initial comments on the SWOT.

4.1 OBJECTIVE 1

THREATS:

- Lack of resilience in current agriculture system due to lack of diversity (on-farm and nationally)
- Lack of responsiveness to changing consumer patterns
- Threat of losing the Nitrates derogation due to water quality declines, rendering recently expanded dairy farms unviable and ultimately, in the worst case, the risk of mandatory cattle slaughter (as in NL).

4.2 OBJECTIVE 2

STRENGTHS:

- *S5: 'Farm productivity levels are increasing'*: Increased productivity is not intrinsically a strength. It may not provide the farmer with a good income and may result in environmental degradation.

WEAKNESSES:

- Lack of competitiveness due to lack of diversity and ability to respond the changing consumer tastes.

THREATS:

- The misleading marketing regarding the environmental sustainability credentials of Irish agriculture is a threat, because, when exposed, it will undermine public and consumer trust in Irish food.

4.3 OBJECTIVE 3

OPPORTUNITIES

- O3: Propose amending the wording as follows: "Potential expansion of organic and specially branded high nature value farming" (which would include a water quality element)

WEAKNESSES:

- Distance between 'farm and fork' and disconnect between consumers and farmers
- Aggressive commercial practise from supermarket multiples and lack of regulation of such; little protection for smaller farmers in particular

4.4 OBJECTIVE 4

WEAKNESSES:

- Significant increase in N inputs contributing in particular to estuarine pollution, in addition to freshwater pollution and climate emissions.

THREATS:

- Ongoing agricultural drainage leading to decreased resilience to climate change

- Climate change related water quality declines (e.g. due to extreme rain fall events) and droughts

4.5 OBJECTIVE 5

STRENGTHS:

- S2: SWAN challenges the assertion that there are low levels of soil erosion to water. LAWPRO catchment assessments are finding unexpectedly high levels of sediment loss to water from agricultural land.
- S7: *"High % of land under agri-environmental-climate commitments "* is not necessarily a strength, unless water and biodiversity improvements are delivered / demonstrated.

OPPORTUNITIES:

- To provide public money for public goods and thus support farmers that deliver biodiversity and water status improvements and withdraw payments from those that cause degradation
- To remove perverse subsidies and the eligible area requirement, which results in removal habitat suitable for biodiversity and, also often for nutrient / pollutant attenuation.

WEAKNESSES

- T1: We propose moving 'Deterioration in water quality' from threat to weakness, since there isn't a threat of this occurring; it is presently happening;
- Add: drainage of wetlands and unregulated interference with riparian and in-stream river environments
- Low levels of inspection and enforcement of water and wetland regulations (Water Pollution Act; GAPP regulations; EIA (Agriculture) regulations) and high levels of non-compliance with GAPP regulations / nitrates directive⁴

THREATS

- Extinction of Freshwater Pearl Mussel and possibly irreversible loss of our most pristine high status waters due to agriculture derived impacts (in combination with other affects)
- Degradation in water status due to continued agricultural modifications of water bodies in the absence of a regulatory system.

4.6 OBJECTIVE 6

STRENGTHS

- S1: SWAN strongly disagrees with the statement that the *"Majority of threatened species are in favourable and stable status"*. Please see Habitats Directive Art. 17 report.

⁴ Lunn, L., Lyons, S. & Murphy, M. (2019) *Predicting Farms' Noncompliance with Regulations on Nitrate Pollution*. Environmental & Social Research Institute (ESRI), Dublin. Available here: <https://www.esri.ie/current-research/noncompliance-with-nitrates-regulations>

WEAKNESSES:

- SWAN agrees with all the identified weaknesses. Propose adding: Low levels of enforcement of nature law

4.7 OBJECTIVE 7

- No comment

4.8 OBJECTIVE 8

OPPORTUNITY

- Reward smaller marginal farms for high nature (and water) value farming so that it is viable for the next generation to stay on the land

WEAKNESS:

- Declining number of increasingly large intensive farms with fewer small family farms; land being leased in parishes to one or two big intensive dairy farmers, with less families earning a living off the land.

THREAT:

- That the above trajectory continues