



The Irish Wildlife Trust submission to the National Peat Strategy

The draft strategic plan is composed of a number of draft documents including a National Peatlands Strategy, a National Raised Bog SAC management plan and a review of the NHA network. The draft National Peatlands Strategy applies to all 1.47 million hectares of peat soils in the state whether privately or publicly owned.

General comments on the draft strategic plan:

The draft documents are a step forward towards conserving Irish peatlands but cannot be considered sufficient to adequately conserve and restore these habitats. The IWT welcomes the acknowledgement in the report of the valuable ecosystem services provided by peatlands, the plans to regulate private turf cutting activities under and planning legislation, the proposed peatland education plan and the establishment of an inter department peatlands working group, in order to introduce a unified and cohesive approach to peatland issues from government. However, we have a number of concerns with some of the proposals in the strategy document, which are outlined below, namely the de-designation of NHAs, the allowance of limited turf cutting on protected sites and the strategy of providing alternative bogs for affected turf cutters.

De-designation of NHA bogs

The de-designation of some of the NHA peatlands is a retrograde step when we should be moving towards the retention of ALL our remaining peatlands particularly in light of the recent IPCC reports on climate change. The value of peatlands in adapting or mitigating climate change cannot be understated, in addition to the ecosystem services that they provide. It would be far more progressive and proactive to designate the additional sites while enforcing conservation of existing NHAs and SACs.

The IWT also have concerns with the protocol used for de-designation, which balanced the ecological value of the site versus the cost of compensating turf cutters and restoration. The de-designation process should only take a scientific approach with regard to assessment with the ecological value of a site taking top priority as that is the whole purpose of protecting a site in the first place. At the very least any sites of high ecological value that have been selected for de-designation should retain their NHA status and turf cutting should be stopped no matter what the short-term costs to the tax payer.

The long term value of functioning peatlands should outweigh the short term costs of compensating turf cutters on these sites. We strongly urge the government and peatlands council to reconsider the de-designation of these sites and to undertake a cost benefit analysis of conserving these peatlands for the future.

Relocation bogs as a compensation strategy

The IWT feel that the National Peatland Strategy should take a long term approach to compensation by working with local communities affected by the designation of bogs to provide alternative renewable heating fuel. One approach could be the establishment of community woodlands on state owned lands where each household is assigned a plot and native broadleaf trees are sustainably coppiced to provide wood fuel. Grants for the installation of wood burning stoves and house insulation could also be considered as part of the compensation package. Peat

gives off a large amount of CO₂ compared to other fuels, contributing to climate change, which will have serious implications for the population as a whole and it would therefore be better for the strategy to focus on moving people towards renewable fuel sources

The peatlands strategy should also consider the establishment of native woodlands on exhausted cutaway bogs which may help to move these sites from carbon emitters to carbon sinks once again. These woodlands may also be of value in providing wood fuel for turf cutters who can no longer cut turf on protected sites and are a renewable source of energy. The re-vegetation of large cutaway sites will assist the government in meeting GHG reduction targets.

The general public is not recognised as a stakeholder

The general public is not sufficiently recognised as a major stakeholder and has not been adequately considered or represented by the Peatlands Council or within the National Peatland Strategy. The “greater good” should receive greater focus as should the economic benefits of peatland conservation to the wider population.

Ecosystem services

The preparation of the National Peatland Strategy offers significant opportunities to the government to include proposals which will enable them to meet their requirements under several EU Directives. The conservation of blanket bogs in upland areas in particular offers opportunities to ensure we meet our obligations under directives such as Water Framework Directive, Habitats Directive, Fish Directive, Birds Directive and Groundwater Directive. The conservation of all peatland soils offers cost-effective measures to ensure we meet our obligations under the various EU environmental directives. Long term thinking and valuation of such ecosystem services during the process of preparing this strategy is key to long term success of the strategy and the protection of such valuable resources.

The UK is doing significant work on valuing the ecosystem services of peatlands in terms of flooding prevention and water quality. Economic support for the conservation and restoration of peatlands is being provided by the government and water utilities companies in recognition of the savings provided by these habitats. In light of the recent development of Irish water it would be appropriate for the government to explore the opportunities which may be afforded for similar partnerships in Ireland which may also provide additional income to landowners thereby compensating them for changing their land use practices.

It may be appropriate for the government to work in tandem with a group such as the IUCN-UK who have an established peatland policy and are working on providing a valuation system for ecosystem services provided by peatlands.

Compliance with other legislative requirements

The requirement for compliance with other legislation is in our opinion not sufficiently clear in the National Peatlands Strategy. It would be useful to produce a separate specific guidance document for those wishing to cut turf or extract peat from peatlands. This will ensure that there is clarity for the turf cutters and for the planning authorities who will be responsible for enforcement. It will also prevent the common complaint that they were not adequately informed of such requirements. In particular there is a requirement for clarity regarding procedures where drainage of wetlands including peatlands, the clearance or reopening of existing drains in or adjacent to peatlands and excavation of peat on non-designated sites is proposed.

Licensing of turf contractors

The proposed licensing system for turf cutting contractors is to be welcomed as it will increase returns to the exchequer which have long been lost in the black economy in addition to ensuring that the contractor will be accountable for any environmental damage caused by their activities. However, how this system will be implemented is not clear and we would contend that this system must be detailed and included into the National Peatland strategy at this stage. We would also urge the government to put this system in place immediately upon publication of the final peatland strategy documents.

National Raised Bog Management Plan

The national raised bog management plan does not emphasise sufficiently the value of ecosystem services provided by peatlands which are recognised as economic drivers for peatland conservation. (See comment on peatlands strategy and ecosystem services)

The management plan should clearly set out the legal and financial consequences of continued cutting on SAC raised bogs. Cross compliance requirements should also be strongly set out and the consequences in terms of breaching these requirements should be highlighted.

Appropriate Assessment (Article 6(3) & 6(4) of the Habitats Directive)

Has the increase in fossil fuel and resultant CO₂ emissions been considered when setting down a “buffer zone” of 15km for the Appropriate Assessment process? It seems reasonable to assume that the impact of increased CO₂ emissions due to de-designation of NHA bogs and the resultant impact on climate has the potential to result in adverse impacts on Natura 2000 sites outside of the 15km cited.

Page 13 of the draft National Raised Bog SAC Management Plan contains the following text:

“The Habitats Directive makes provision for damaging activity to be undertaken on SACs in met.

In short these include the following:

- 1. That no alternative exists than to undertake the proposed action;*
- 2. That Imperative Reasons of Overriding Public Interest (IROPI) exist that would justify the damage to the SAC;*
- 3. That compensatory measures can be taken to ensure the integrity of the SAC network;*
- 4. In considering plans and projects involving activities such as turf-extraction, where priority habitats (such as active raised bog) are affected, an opinion of the European Commission is required before consent can be given to a damaging activity.”*

We would contend that there are **NO** circumstances where Article 6(4) is applicable to the proposed raised bog SAC management plan.

1. There are alternatives to the proposed continuation of turf cutting at these sites; these include alternative fuel sources, payment in lieu of fuel, retrofitting of homes to reduce energy needs and compensatory payments for 15 years. The ‘least harm’ solutions from

an ecological perspective must be preferred - economic/social criteria do not override ecological criteria at this stage.

2. IROPI does not and cannot apply in this situation as outlined below.

IROPI – 3 key elements¹

- Imperative– Plan or project must be *necessary* for one or more of the ‘IROPI’ reasons
- Overriding– the interest served by the plan or project *must be superior to and outweigh the harm to the integrity of the site* as assessed in light of the weight given to the protection of such sites under the Directive (long term and permanent)
- Public interest– must serve the interests of the public rather than solely a private interest

The continuation of turf cutting on Natura 2000 sites cannot be considered necessary for any reason. There overriding interest does not outweigh the resultant harm to the site and the loss of a rare and declining habitat and associated ecosystem services. The continuation of cutting does not serve the interests of the public and will only benefit a limited number of private individuals while have negative impacts on the environment.

Additionally Article 6(4) states; *Where the site concerned hosts a priority natural habitat type and/or a priority species, the **only considerations** which may be raised are those relating to human health or public safety, or to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.*

- Turf cutting on a priority habitat is detrimental to human health through the knock on impacts from emissions to the air due to burning, pollution of water courses through run-off, flooding exacerbated by upstream loss of peatlands and the loss of biodiversity which is a requirement to sustain human life.
- Public safety is compromised by turf cutting through the pollution of water courses, impact on air quality and the loss of flood protection provided by peatlands upstream of human settlements. Climate change is exacerbated by the burning of fossil fuels such as turf and the emissions from the peatlands when they no longer function as carbon sinks, it has been acknowledged by recent IPCC reports that climate change is a real threat to human life and as such continued turf cutting will result in further threats to human health and safety.
- There will be no beneficial consequences of primary importance for the environment as a result of continued turf cutting on any peatland sites.

Taking into account all that has been outlined above we wish to express strong concern about consideration being given to IROPI as a route to allow continued turf cutting on Natura 2000 sites.

Additional points

- Cross compliance should be enforced where a landowner in receipt of EU agricultural subsidies or payments commences or continues to damage peatland habitats. This

¹ *Appropriate Assessment – Getting the Project Through; Session 1 –Demystifying Article 6(4).* Presented by Alice Whittaker, Partner Thursday 21 February 2013. http://www.philiplee.ie/Libraries/Publications/Appropriate_Assessment_-_Seminar_Slides_21_February_2013.sflb.ashx

should include drainage, excavation, burning or persecution of species which rely on peatland habitats for breeding or wintering.

- The use of fire as a management tool should not be allowed on designated sites and needs to be limited on all peatland. Fire removes the top surface of peat and temporarily damages the vegetation of the bog leading to a release of CO₂ and soil erosion, which can lead to water pollution downstream.
- Afforestation of raised bogs which can still be classified as Annex I habitats should not be considered under any circumstances. Afforestation of peatlands should only be considered for large cutaway sites and these should not be monoculture non-native plantations but rather native woodlands managed under a continuous cover regime.
- Any review of the use of peat in the horticulture industry should consider the establishment of a realistic timeline for the phasing out this practice.
- Subsidised peat electricity production also needs to be stopped. Without subsidies, such activities would be uneconomic and are contributing to Greenhouse gas emissions. A timeline for the phasing out of peat and the phasing in of renewable biomass, such as willow or forestry by-products at current facilities should be established.
- Wind farms should not be constructed on peatland sites that are pristine or in good condition as this can result in the release of CO₂. See IWT policy document on Wind energy for more detail.
- The IWT welcomes Bord na Mona's plans to carry out restoration of degraded bogs capable of rehabilitation and the protection of cutaway sites deemed of high biodiversity value. However we feel that a further step needs to be taken and that a Midlands National Park should be established on a large area of cutaway bog. The establishment of such a park would allow for large landscape scale habitat restoration through the creation of wetlands, semi-natural grasslands, forest and rehabilitated bog on cutaway sites and would provide a valuable tourist attraction, through the provision of walking and cycling facilities using the existing network of railway lines and access roads currently used for turf extraction. Such a proposal was put forward for the Mount Dillon bog complex in Longford and Roscommon by the National Wetlands Wilderness Park Committee and this project should be now be acted on by Bord na Mona.