



Minister for Arts, Heritage and the Gaeltacht
Peatlands Policy Unit
Department of Arts Heritage and the Gaeltacht
7 Ely Place
Dublin 2

17th April 2014

Our Ref: DNPS01.1

Re: Draft National Peatlands Strategy, Draft Raised Bogs SAC Management Plan and Review of Raised Bog Natural Heritage Area Network

Dear Minister Deenihan

The EPA acknowledges the Invitation for *Written Submissions on the Draft National Peatlands Strategy* (the Strategy) and on the Draft Raised Bogs SAC Management Plan (*the SAC Plan*) and NHA Review of Raised Bog Natural Heritage Area Network (*the NHA Review*). Attachment 1 includes specific observations on the SAC Management Plan and the NHA Review.

The EPA welcomes the preparation of the Strategy and its overarching *Vision and Values*. The Strategy clearly and objectively sets out what we need to do in order to achieve the overall Vision for Ireland's peatlands. It is clear from the outset that the Strategy is based on a commitment to the responsible and environmentally sustainable management of our peatlands for this and future generations. We welcome the inclusion of previous suggestions and comments provided by the EPA during the development of the Strategy and associated documents.

We see the Strategy as a significant development in the long term conservation and management of our national peatlands resource. In addition, Ireland's obligations under EU and national legislation are fully acknowledged and a road map is set out which will guide achieving compliance with our statutory obligations. The commitments included in the Strategy will need to be reflected by the provision of adequate resourcing and commitment across a range of relevant statutory bodies and key stakeholders to ensure its effective implementation.

The important role of peatlands in providing a range of ecosystem services, including through agriculture, biodiversity maintenance, carbon storage and sequestration, forestry, water regulation and attenuation, amenity areas is at the centre of the Strategy which is welcomed. The recognition of the range of stakeholders and their rights and their respective responsibilities is acknowledged. Engaging with all stakeholders will be an essential component to the success full implementation of the Strategy.

The EPA also welcomes the role the BOGLAND project has had in informing the Strategy. The Strategy has in a short space of time since publication of the BOGLAND Report in 2011 delivered on one of the key strategic conclusions - *a National Peatlands Strategy is clearly required if the protocol for sustainable management of peatlands is to be implemented*. There may now be merits in – reviewing and updating the *Protocol for the Sustainable Development of Peatlands in Ireland* as outlined in the BOGLAND Report, to reflect progress in commitments in the Strategy. It may also be useful to review the high priority research related actions in the BOGLAND Report as potential mechanisms to deliver relevant aspects of the Strategy.

Our specific comments in relation to the draft Strategy are presented under the following headings:

- Implementation and Governance
- Regulation
- Information and Mapping, and
- Cross-Cutting Issues – Water and Climate Change.

Implementation and Governance

An implementation and governance structure is set out in section 5 of the Strategy. The corner-stone of this structure is the establishment of a Peatlands Strategy Implementation Group under the chairmanship of the chair of the Peatlands Council. Relevant Government Departments, agencies and semi-state bodies will appoint representatives to the group, which will assume a coordinating and reporting role to Government on the achievement of the objectives of the National Peatlands Strategy. While welcoming the cross-cutting and collaborative nature of the proposed structures, the EPA is of the view that the proposed structures could be strengthened by assigning a clear leadership and accountability role to the National Parks and Wildlife Service and its parent Department. The role of local authorities as key players and regulators of land management could also be clarified and strengthened. Many other Departments and agencies also need to be involved in providing support to the National Parks and Wildlife Service, its parent Department and local authorities in the implementation of specific actions.

There may therefore be merit in considering a tiered approach to implementation and governance with a relatively small and focussed national coordination group at tier 1, ideally led by the parent Department of the National Parks and Wildlife Service, and accountable to Government for the implementation of the Strategy; a broader consultative group at tier 2, along the lines of that proposed for the Peatlands Strategy Implementation Group and led by the National Parks and Wildlife Service under the chairmanship of the chair of the Peatlands Council; and local consultative groups at tier 3, ideally led by the relevant local authority with local involvement of other relevant government and non-governmental organisations.

Specific time frames over which the strategy will be implemented would also be desirable. In this regard, there would be merit in considering the development of an implementation plan with clear accountability and actions assigned a specific time scale for commencement and duration. A commitment to review the Strategy every 5 years would also be worth considering.

Promoting strong collaboration with key stakeholders in the long term management of peatlands and the services they provide will be critical to ensuring an integrated national coordinated approach to implementation of the Strategy. A commitment to increasing awareness and understanding of these services by the public, landowners and decision makers will promote a proactive approach to implementing evidence based best practice approaches to peatlands management.

Regulation

Currently, the EPA has no role in the licensing and regulation of peat extraction for plots of less than 50ha. The role of the EPA in the regulation of peat extraction is not a requirement of European legislation under the Industrial Emission Directive. The approach to licensing /authorisation of peat

extraction is a key national issue that requires careful Government consideration. The EPA is of the view that the industrial licensing process used to regulate peat extraction in Ireland (for plots greater than 50ha) is not appropriate for managing and regulating ecologically sensitive areas such as peatlands. The EPA therefore welcomes the review of the existing legal framework (A16 in the list of actions) and would like to see this action prioritised as a matter for urgent consideration.

A fit for purpose regulatory regime will also have to deal with the issues around land ownership and the requirements of Environmental Impact Assessment and Appropriate Assessment. Such assessments will require the expertise of the NPWS to fulfil the requirements of legislation. The administrative burden that will be placed on applicants to fulfil the requirements of EIA and AA would need to be determined very carefully before regulations are finalised. For example, there may be a role for NPWS in determining EIA/AA for bog complexes within which individual bog owners can seek simpler permits in the knowledge that the wider EIA and AA have been carried out.

Information and Mapping

The EPA welcomes the inclusion of the recommendation for mapping of the extent of peatlands in Ireland in Section 4.13 Research. The issue of mapping should be given greater prominence within the strategy as a whole and in particular in Section 2.4 - The Extent of Peatlands in the State (pgs. 8 & 9). This section gives the impression that there is full knowledge of the extent of peatlands in Ireland and makes no reference to the key data gap that exists in this area. This gap in knowledge is reflected by the range of disparate data sources used to present the statistics in this section.

The full implementation of many of the Principles and Actions (Appendix VII) will be difficult to realistically achieve without accurate baseline spatial data on peatlands. The EPA therefore recommends the preparation of a national peatlands map as a priority action and component of national environmental data infrastructure. In relation to this, it may be of value to consult with the cross-Departmental/Agency group on land cover mapping (including NPWS, EPA, Teagasc and OSI) which is seeking to have a more coordinated approach to landcover and habitat mapping at a national level.

Cross-Cutting Issues

Water Framework Directive (WFD)

There is potential for stronger linkages to the WFD to be reflected in the Strategy. This is particularly relevant given that good quality water is an essential requirement for the maintenance of peatlands. The Principles and Actions should be reviewed with a view to strengthening the reference and recognition of the role of the WFD and the linkages with the Habitats Directive particularly in the context of peatlands. A stronger emphasis should also be considered in the Strategy to reflect peatlands as Groundwater Dependent Terrestrial Ecosystems in the context of the WFD.

While the ecosystem services concept and interlinkages between science and policy are referred to early on in the Strategy, the WFD should also be integrated elsewhere in the Strategy and the opportunities for the dual benefits of adopting an integrated approach to addressing relevant common issues.

Rural Development Programme (RDP)

Reference is made to the potential role of the proposed Rural Development Plan in achieving some of the overall objectives, principles and actions of the Strategy. There are particular synergies in the context of the proposed Agri –Environment Climate Measures –including the proposed new Green Low - Carbon Agri –Environment Scheme) (GLAS) and GLAS + and Areas of Natural Constraint(ANC) Scheme. It would be worthwhile elaborating more fully on how these and other measures could contribute to achieving the objectives of the strategy.

Climate Change

The emphasis in the Strategy on an evidence based approach to policy development is welcomed. The strategy should reflect an overall objective of seeking to minimise unsustainable activities based on the robust findings from various reports most notably the BOGLAND report referred to previously

The Strategy should strongly signal the longer term objective of sustainable management of all national peatlands which includes the maintenance of the considerable store of carbon within peat across all peatland types and management approaches. In the context of the Strategy providing a framework for the protection of vulnerable systems a more comprehensive exploration of the drivers of activities and behaviours which threaten these systems may be required. This should explore solutions to mitigate these drivers.

The terms “ecosystem service” and “ecosystem function” are not well defined in the Strategy and there are inconsistencies in usage. Ecosystem services and function should be clearly differentiated from other services, functions and benefits which derive from the exploitation of peatlands to the detriment of natural functions of the ecosystem.

The United Nations Framework Convention on Climate Change (UNFCCC) includes a commitment on all Parties to the convention to “*Promote sustainable management, and promote and cooperate in the conservation and enhancement, as appropriate, of sinks and reservoirs of all greenhouse gases, including biomass, forests and oceans as well as other terrestrial, coastal and marine ecosystems;*”

Under the revised reporting rules for the Second Commitment Period of the Kyoto Protocol, Annex 1 Parties must also include, as part of their National Inventory Report, the carbon embodied in the extraction and use of all horticultural peat produced within the country. This includes the carbon content of peat exported to other countries.

Furthermore during the Second Commitment Period of the Kyoto Protocol (2013-2020), Ireland is required to account for greenhouse gas emissions and removals associated with Article 3.4 activity Forest Land Management. In addition, Ireland will report emissions and removals associated with Grazing land Management and Cropland Management to the EU during this period (Decision No 529/2013/EU) ¹. This will require spatially explicit information on changes in peatland under forestry

¹ [Decision No 529/2013/EU of the European Parliament and of the Council on accounting rules on greenhouse gas emissions and removals resulting from activities relating to land use, land-use change and forestry and on information concerning actions relating to those activities](#)



and agriculture since 1990. The EPA welcomes any recommendations which recognise the need for spatial information systems included in the National Peatlands Strategy.

Should you have any queries or require further information in relation to the above please contact the undersigned.

Yours Sincerely

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Attachment 1

Submission on Draft National Raised Bog SAC Management Plan (SAC Plan) and Strategic Environmental Assessment Environmental Report and Review of the Raised Bog Natural Heritage Area Network (the NHA Review)

The SAC Plan and the NHA Review clearly set out the proposed approach for the national strategic level management of raised bog SACs in Ireland and is welcomed by the Agency.

The Agency welcomes the level of detail provided in the SAC Plan. There would be merits in the SAC Plan title reflecting the timescale for the first planning cycle (2014-2020). It is acknowledged that a commitment is provided to the mid-cycle review of the Plan and the preparation of second cycle SAC Plan for 2020-2026.

The aims of the SAC Plan, namely the conservation and management of Raised Bog SACs and addressing the needs of turf cutters and land owners are also clearly set out. The link between the NHA Review and the SAC Plan in contributing to the overall Active Raised Bog national target to achieve favourable conservation status is clear.

The inclusion in Chapter 7 of a detailed description of the Benefits of the SAC Plan based on the range of ecosystem service opportunities and the associated ecological functions provided by the national network of raised bogs is acknowledged. The possible role of peatlands for flood attenuation could also be further highlighted where relevant and appropriate.

There would be merits in establishing an Implementation Sub Group to promote on-going stakeholder engagement and monitor the progress in implementing the overall Programme of Conservation Measures of the SAC Plan and the management of the NHA Review network on a priority basis. This will be important in the context of the conservation objectives for active raised bog habitats likely to require a number of plan cycles to be fully realised.

The commitment to the preparation of Guidance documents for planning and conservation management of raised bogs is welcome. It is noted this Guidance will be informed by the proposed demonstration project at Clara Raised Bog SAC. There may be merits in also considering additional similar projects.

The timing of the preparation of the Guidance should be aligned with the schedule for preparation and implementation of the site specific Restoration and Management Plans for the network of Raised Bog SACs and NHAs. In preparing these Management Plans the requirements of the SEA Directive and the Habitats Directive should be taken into account where relevant.

It is clear that the SEA and AA findings and recommendations have been integrated in the SAC Plan. The main threats to raised bogs, the current status of the raised bog SACs and the specific conservation management objectives are described in detail. The Plan also provides a comprehensive series of conservation measures to be taken into consideration, as shown in *Table S.2 - Summary of Proposed Programme of Conservation Measures*. While the proposed mid-cycle review of the plan in 2017 is noted, there would be merits in linking the SAC Plan and SEA related monitoring and, where relevant reporting, to allow the overall effectiveness of plan implementation to be determined.

Specific Comments on the SAC Plan and NHA Review

In relation to the protection of water quality, the SAC Plan and the NHA Review should take into consideration the relevant Programmes of Measures associated with various regional River Basin Management Plans. A clear commitment should be given to integrating these RBMP's at a strategic level, to ensure that surface water quality and associated habitats and species are protected from activities arising out of the Plan. The relevant National Catchment Flood Risk Assessment Studies being undertaken on a River Basin District basis should also be taken into account.

The benefits of considering the offset of carbon credits as a result of the re-wetting of bogs could be further expanded on. Consideration should also be given to integrating the need to manage the considerable store of carbon within peat across all peatland types and management approaches, in the context of reducing / limiting the release of greenhouse gases.

Where relevant recommendations should be included in the SAC Plan and the NHA Review to addressing wider peatlands related biodiversity in the proposed Management Plans for SACs and NHAs.

Consideration should be given to including further information in relation to the proposed governance associated with the SAC Plan and the NHA Review, in terms of the hierarchy and roles/responsibilities of the key stakeholders.

Future Amendments to the SAC Plan

Where amendments to the Plan are proposed prior to adoption, these should be screened for likely significant effects in accordance with the criteria as set out in Schedule 1 of the SEA Regulations and should be subject to the same method of assessment applied in the "environmental assessment" of the Plan.

SEA Statement – *"Information on the Decision"*

Following adoption of the SAC Plan, an SEA Statement, summarising information on the decision should be sent to any environmental authority consulted during the SEA process. A press notice should also be published on adoption of the Plan.