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11<sup>th</sup> December 2024

**Re: Submission on the additional measures for Ireland's 5<sup>th</sup> Nitrates Action Programme and the associated Natura Impact Statement**

A cháirde,

The EPA welcomes the opportunity to provide comment on the additional measures being proposed for the 5<sup>th</sup> Nitrates Action Programme, and the associated Natura Impact Statement, issued on 4 November 2024. This submission should be read in conjunction with the following relevant EPA reports which have been published in 2024, and which also form part of this submission:

1. The annual [Water quality monitoring report on nitrogen and phosphorous concentrations in Irish waters 2023](#) required under Regulation 37 of the GAP Regulations
2. A 4-yearly report on water quality prepared in response to [Article 10 of the Nitrates Directive](#) (91/676/EEC).
3. The 4-yearly State of the Environment report<sup>1</sup> which includes chapters on water quality, and on the environment and agriculture.
4. A new early insights nitrogen concentrations indicator report which presents nitrogen concentrations in waters for the first 6 months of 2024<sup>2</sup>.

An additional report on the implementation of the Good Agricultural Practice Regulations, under Article 29(2) of those regulations, will also shortly be published.

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<sup>1</sup> <https://www.epa.ie/publications/monitoring--assessment/assessment/state-of-the-environment/irelands-state-of-the-environment-report-2024.php>

<sup>2</sup> <https://www.epa.ie/publications/monitoring--assessment/freshwater--marine/early-insights-indicator-report-nitrogen-concentrations-in-selected-major-rivers-january-june-2024.php>

Water quality in Ireland is not as good as it should be and as a country, we are not on track to meet our legally binding water quality objectives by 2027. While all sectors have a role to play, nutrient pollution from agriculture remains the most prevalent pressure impacting on water quality. Urgent targeted action, by all farmers, is required to protect and restore water quality and to deliver the environmental outcomes that are required. In catchments where excess nitrogen losses is the issue, this should include full compliance with the GAP Regulations, significant improvements in nitrogen use efficiency to reduce nitrogen surplus, and an overall reduction in nitrogen loads in those catchments where nitrates levels are substantially in excess of the levels needed to support good water quality. Where excess phosphorous and sediment are the issue, full compliance and pathway interception measures to reduce runoff will also be important.

The EPA welcomes the continued focus on strengthening the nitrates action programme, including both the regulatory and the non-regulatory measures. Awareness, engagement, advisory support and incentives are important elements of a compliance assurance framework so ongoing investment in engagement initiatives such as the [Agricultural Sustainability Support and Advice Programme](#) (ASSAP), the [Farming for Water EIP Project](#), the [Local Authority Waters Programme](#) (LAWPRO) and the recently launched Teagasc Water Quality Campaign ([Better Farming for Water- 8 Actions for Change](#)) are all welcome.

The EPA notes the proposal for a tiered framework of measures depending on water quality as an approach to protect natura sites. Key to this approach will be the development of specific, evidence-based, water supporting condition metrics, with targets that will meet the water dependency requirements of each qualifying interest. Such targets are currently in place to support the freshwater pearl mussel, for example, and should be established for all water dependent qualifying interests.

Despite all the positive actions being taken on farms, it is unclear what has been, or will be achieved, in terms of water quality outcomes. EPA welcomes the additional emphasis being placed on the need for evaluation of the measures required to achieve the specific water quality targets, using a catchment-based approach. We note the reference to the EPA evidence base, including the Targeting Agricultural Measures Map, which will be helpful in this regard. As a priority, specific data and evidence on the measures being implemented should be collated and assessed against the existing extensive water quality monitoring datasets to determine whether the measures are working. Ongoing review and an adaptive management approach should be adopted to ensure progress towards the objectives is being made.

The EPA recognises that there is significant public interest in accessing more timely EPA nitrogen concentration data. We have developed an 'early insights' nitrogen concentration indicator based on data from a representative set of 20 monitoring stations which are located at the most downstream locations of our largest rivers. These early insights provide a representative and indicative view as to the likely trajectory of nitrogen concentrations in waters nationally. The full national water quality assessment will be available in 2025.

The early insights data suggest that there has been a reduction in nitrogen concentrations in rivers in the first half of 2024 in comparison to the equivalent period in recent years, which is welcome. EPA has also separately reported a reduction in greenhouse gas emissions from

agriculture in 2023 in comparison to 2022<sup>3</sup>. The report noted decreases in the use of synthetic nitrogen fertiliser (-18%), reductions in livestock numbers (-1.1% non-dairy cattle), and a reduction in milk output per cow (-4.5%). Taking both the 'early insight' nitrates levels in rivers and greenhouse gas emissions figures together, the evidence points towards early signs that nitrogen concentrations in waters may be beginning to improve. Further assessment will be carried out with the full national dataset in 2025.

Yours sincerely

A handwritten signature in cursive script that reads "Eimear Cotter".

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Dr Eimear Cotter  
Director, Office and Evidence and Assessment

Cc Bill Callanan, DAFM

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<sup>3</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/EPA-Provisional-GHG-Report-Jul24-v6.pdf>