

31 May 2018

By email to: rojasorrego@ramsar.org

Martha Rojas Orrego
The Ramsar Secretariat
Rue Mauverney 28
CH-1196 Gland
Switzerland

Dear Secretary General

Invitation to intervene to protect Ramsar sites in Northern Ireland from alarming levels of increasing agricultural pollution

I write to alert you to an increasing and existential threat to all Ramsar sites in Northern Ireland.

The increasing pressure from agricultural intensification is overloading these sites with dangerous and accumulating levels of pollution. Despite Northern Ireland being vulnerable to agricultural pollution the government is dramatically expanding our intensive agriculture sector through a strategy called Going for Growth which was not subject to a Strategic Environment Assessment.

Northern Ireland has now critically exceeded its thresholds from agricultural emissions. We have a crisis with nitrates, ammonia, and phosphates and the ecological character of all Ramsar sites is now being adversely affected. Rather than maintain or enhancing these sites the Northern Ireland government, the UK member State, and the Northern Ireland Environment Agency are aware of the degradation yet have so far refused to take meaningful action. In fact new intensive farms continue to be approved.

The government in Northern Ireland has confirmed that over 90% of European protected sites in Northern Ireland (SPAs and SACs) and international sites (Ramsar) have now exceeded thresholds at which adverse damage occurs

I contend that the Member State is in breach of Article 3.2 of the Convention, "Each Contracting Party shall arrange to be informed at the earliest possible time if the ecological character of any wetland in its territory and included in the List has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference."

Contracting Parties commit to inform the Secretariat of such changes and it is understood that, thus far, these recent urgent problems have not been reported to your Secretariat.

Appendix One with this letter summarizes the nitrates crisis in Northern Ireland, a submission to the UK Environment Audit Committee is from page 1. Appendix Two summarizes the ammonia crisis, Northern Ireland's Dirty Secret document, which is page 23 onwards. (Please note that appendix one

itself contains two notes relating to Ballynahone Bog, page 11, and an objection to the Limavady Pig factory, page 15.)

Cross border upland Ramsar habitats, such as Slieve Beagh and lowland raised bogs such as Ballynahone Bog, are being adversely affected. Lough Neagh was the first designated Ramsar site in Northern Ireland in 1976. Since that time unauthorized and unlawful sand extraction has resulted in up to 2million tons of sand substrate being removed from the bed of the Lough each year. The ongoing hypereutrophic status is now compounded with immediate threats from ammonia due to a significant rise in the intensive pigs, poultry, and dairy cattle farms.

We also have evidence that both jurisdictions in Ireland may be failing adequately to monitor transfrontier movement of pig/poultry emissions and manure across the Irish border and the impact of discharges into land and water that has the potential to impact on Ramsar sites in another jurisdiction. There are significant lacunae in the traceability of manure and how the disposal is managed.

Now Northern Ireland (part of the UK Member State) is pushing for a further third derogation from the European Commission under the Nitrates Directive. At the very least an inquiry and further public consultation should be established into this matter.

The Department of Agriculture, Environment, and Rural Affairs in Northern Ireland has embraced the programme of intensification that is Going for Growth and its environmental regulation function, the Northern Ireland Environment Agency, is compromised as it is wholly controlled by the same Department.

The Northern Ireland Environment Agency has a Memorandum of Understanding with the Ulster Farmers Union and now is encouraging farmers to derogate from the Nitrates Directive and earlier this year introduced a new policy which states that farmers may not need to notify the regulator in advance of slurry spreading in the closed winter season. In addition:

“The Northern Ireland Environment Agency (NIEA) is introducing a new online application process for farmers wishing to apply for a nitrates derogation in 2018 and is taking this opportunity to encourage more applications. This year the application process has been simplified and it has been designed to rule out errors which will reduce the number of applications refused.” (DAERA website)

Furthermore, in a letter of 26th April 2018 the Chief Executive of the Northern Ireland Environment Agency (Ref: CEQ 31/18) has now strongly encouraged project splitting of larger intensive projects yet the environmental impacts will be the same, harder to monitor, and cumulative impacts will again slip through the net. He states "Producers intending to expand beyond IPPC Thresholds must consider remodelling the supply chain with sow and rearing units on separate sites to facilitate growth while complying with IPPC requirements".

The recent expansion of the Northern Ireland pig and poultry population increases the total volume of Ammonia emissions from agriculture at a time when over 90% of Northern Ireland's protected sites have already exceeded critical Levels of ammonia at which ecological damage occurs. Yet the agency continues to support expansion in the approval of planning applications through the IPPC consenting process.

I urge you to consider certain interventions with both the European Commission and most definitely the Member State to ensure:

1. No further derogation under the EC Nitrates Directives is permitted as this is contrary to the precautionary principle and the wise use of wetlands;
2. Raise these issues with the UK Contracting Party to ask for a moratorium on all new intensive farm applications until these complex issues for Northern Irish Ramsar sites are assessed cumulatively;
3. Carry out a fact finding mission to Northern Ireland to witness and take evidence on the crises for Ramsar sites and transfrontier implications for the Republic of Ireland similar to the Ramsar Advisory Mission to Lough Neagh as reported in 1989;
4. You consider a cross boundary regional initiative on the island of Ireland to reverse this dramatic degradation of wetland ecosystems;
5. Under the Montreaux Record, where changes in ecological character have occurred, are occurring, or are likely to occur you should consider inserting all Northern Ireland sites on the risk register; and
6. Bring these matters to the attention of the Ramsar COP in July 2018.

Yours sincerely

A handwritten signature in black ink, appearing to read 'James Orr', written in a cursive style.

James Orr

Director Northern Ireland

Friends of the Earth

Cc

Claire Moriarty, Permanent Secretary, DEFRA

Mark Griffin, Secretary General, DCCAE