

**Nitrogen Vulnerable Zones Action Programme Consultation  
Response from LINK Agriculture Task Force  
February 2007**

**Scottish Environment LINK** is the forum for Scotland's voluntary environment organisations - 36 member bodies representing a spectrum of environmental and associated cultural heritage interests with the common goal of contributing to a more environmentally sustainable society. LINK Agriculture Task Force (ATF) is the working group focusing LINK members' efforts on agriculture policy. Its member bodies have interests spanning nature conservation, recreation, landscape and archaeology.

LINK member organisations have around 500,000 members and have much expertise in farming. Member bodies farm over 70 000 ha for biodiversity, landscape and rural development objectives directly and through payment to farmers and crofters. We also work with farming and the wider environment by providing advice to land managers, promoting education to schools and colleges, undertaking policy research that places agriculture in the context of sustainable development, and developing dialogue between stakeholders.

The following members of Scottish Environment LINK support this statement:

- RSPB Scotland
- National Trust for Scotland
- Scottish Wildlife Trust
- Soil Association Scotland
- WWF Scotland

### **General Comments**

LINK welcomes the opportunity to comment on proposals for changes to the NVZ Action Programme. The Nitrates Directive is a key element of the legislative protection afforded to the water environment. It has implications for biodiversity, human health, air pollution and climate change.

With the introduction of the Water Framework Directive (WFD), properly implementing the Nitrates Directive will be necessary in order to reach “good status” by 2012. Implementation of the NVZ Action Programme should be combined as far as possible with the WFD process. For example if catchment officers are introduced, they could work together with farmers using already existing tools at a catchment level within the River Basin Management Plan Process.

LINK is broadly supportive of the measures suggested in the consultation. We believe that the proposals should not be weakened in any way. It is important that the Directive is implemented properly now so that constant re-adjustment is not required. For this reason, we would also be keen to see a phosphorus action programme included. This will be required as part of the WFD and for simplicity, the two programmes should be combined. The links with cross compliance should also be strengthened and clarified. Certain elements such as a nutrient plan should be included as part of GAEC.

The measures suggested will be difficult for farmers to adjust to. We therefore propose the following:

1. Research into new technologies to deal with farm wastes. Research and development should be prioritised into whole farm systems that do not promote extravagant use of soluble nutrients (particularly nitrogen) but succeed in cycling these nutrients within the farm and avoid practices that release these nutrients in quantities that overload physical and biological retention capacities.
2. Inclusion of land use measures which may imply a lower cost than storage and provide additional benefits to biodiversity and landscape.
3. LINK believes that providing sufficient funding to farmers outside the LMC system is essential. There were dedicated funds in place until 2005 and it is highly regrettable that these should be removed as the conditions farmers have to comply with are strengthened.
4. Sufficient advice to farmers about alternatives to increased storage including destocking.

## Specific Comments on the Proposals

- We support the introduction as soon as possible of the 170 kg N/ha farm loading limit for organic nitrates in order to ensure compliance with the Directive.
- We support the inclusion of a mechanism for calculating the levels nitrogen in manure in the Regulation. Sufficient guidance should be provided to farmers about how to use it.
- We are completely against seeking a derogation. We believe that this would put at risk achieving “good status” for waters. It would be a backwards step and only a temporary relief to farmers.
- We support extension of the closed periods to include the wettest winter months. Careful monitoring must be carried out to ensure that these closed periods are sufficient and fulfilling their purpose. The next review should consider their extension.
- We prefer the simpler Option 2 as we believe it is more likely to result in accurate monitoring. When regional monitoring is established, however, this could be reconsidered.
- We strongly support the inclusion of a farm risk assessment map. However, we would like to see nutrient management ideally as part of a strengthened GAEC requirement applicable to all farmers.
- We support the requirement that 26 weeks storage is required for intensive pig and poultry farming.
- We support the requirement that storage facilities should match the needs of the new closed periods. If new storage facilities are required, these should provide at least 26 weeks storage. Although the closed periods are not yet this long, they may be extended when the action programme is reviewed. If farmers had again to increase storage facilities, this would increase the overall cost.
- We support the timescale for implementation of the measures. Delaying compliance could result in penalties from Europe and result in the delay of the approval of other programmes including the SRDP.
- We believe that the regulatory impact assessment does not reflect the true benefits of the proposals. It is unacceptable to include only the costs and benefits to the farming industry. Costs of inaction might include costs to remove nitrates from drinking water, costs to the tourism industry and costs associated with air pollution and even climate change.

For further information, please contact:

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