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Subject: Joint Committee for Agriculture, Food and Marine meeting on Wednesday 5 Oct, presentation by Mr Niall Curley Copa Cogeca on EU Nature Restoration Law proposal

Dear Chair, dear Committee members,

I hope this email finds you well.

I am writing to you with regards to the below email, which was circulated to me numerous times yesterday evening. However, it was too late for me to respond to properly respond to before the beginning of the Joint Committee for Agriculture, Food and Marine yesterday at 5:30pm. I wish to respond to this for two reasons, the content that was put forward in this email, and also the number of times that my name was mentioned, which while it is explaining the nature of the conversation, compels me to respond in order to somewhat clear up the discussion.

1. First of all, I must admit, MEP Wallace is correct, and I had in fact misinterpreted the proposal regarding the 20% target on lands that could be used to fulfil the target on agricultural peatlands (please find below in italics the correct analysis). I had misread it at the time, and thus misinformed you, the Joint Committee, on the specificities of this legal proposal. For this, I humbly apologise for misleading you in my presentation and discussion, and I withdraw my remarks. My intention was to inform and to build understanding of the law, and in truth I have done the opposite through my testimony on this issue. I accept my mistake, and I hope you can accept my apology.

*"The relevant section or paragraph is Article 9(4). I have bolded and underlined what I perceive to be the most significant parts of the text. The 20% to which Mr Curley referred is **not** an upper limit on land under peat extraction other than agricultural use, or, in an Irish context, land that is being rewetted by Bord na Móna. That 20% refers **specifically** to organic soils that constitute drained peatlands under land uses **other than agricultural use and peat extraction** (ie forestry). Mr Curley has completed misinterpreted the text of Article 9. There is no limit at all in the Commission proposal on the amount of land under peat extraction that can be counted towards the agricultural ecosystem target."*

However, I do have to point out that the area concerning wetland territories found in Ireland that I showed in my powerpoint, are correct according to the European Commission documents attached to the legislative proposal. To this end, according to the Commission proposal there are **871,294 acres/352,600 hectares** of "wetlands" in "bad condition" in Ireland. This means that they are due for restoration. Bord na Móna owns approximately **197,000 acres/80,000 hectares**. If we simply assume that the land that Bord na Móna owns and manages is automatically under the "**bad condition**" marker, then the Bord na Móna land actually still only covers about **20%/25%** of the total targeted amount of land to be restored. The average acreage/hectarage of the land that is agriculturally drained is not a number I have; however, it would no doubt be somewhere between **70 and 75% of the total area** that is due to be restored. I am not trying to justify my incorrect testimony, however, I do wish to give facts where they are available to understand this law in numbers alone.

2. On another issue raised by MEP Wallace, I have another reaction however. Please find the statement I refer to below.

“Finally, Mr Curley repeatedly referred to rewetting 70% of drained agricultural peatlands as a target for 2050. There is no such target in the Commission’s proposal. The target is for half of the 70% to be rewetted, in other words, 35%. You can see this in Article 9, copied above. And again, to be clear, there is no upper limit to the amount of Bord na Móna land that can count towards this target in the Commission’s proposal.”

Under the current proposal, they make the differentiation in the targets for restoration and rewetting. However, the point I was making, is that under the current annexes, which outline the measures that Member States will be asked to take from to create their National Restoration Plans, they list measures pertaining only to rewetting when they refer to restoration of peatlands. I have attached this document, please find the information on page 50 of 52. The examples of measures for this particular habitat type are :”restore wetlands, by rewetting drained peatlands, removing peatland drainage structures or de-poldering and discontinuing peat excavation” and “apply paludiculture”. These are the only two examples pointed out in this instance. However, during discussions with the Commission, it is expected that under the Czech Presidency (the current one – June-December 2022) that they will do a drafting phase which will allow additional information and clarification to be made. Among these they expect, will be the conversion of arable peatland to peatland pastures. More examples may be forthcoming, however up until now, this proposal does not make a distinction between restoration and rewetting. And I would ask what is the difference between restoring wetland areas and rewetting wetland areas, if not the recreation of high water tables on the land in question. Thus I reject MEP Wallace’s assertion that I am incorrect in this instance.

3. Finally, I take note and awareness of the following statement.

“Personally, I welcome the Commission’s Nature Restoration Law proposal. I will be tabling amendments to the proposal to increase its ambition in a number of respects. I admit too that there is certainly a debate to be had in relation to increasing the ambition of Article 9. However, the first thing we need is a clear understanding of the contents of the Commission’s proposal so that all stakeholders can make informed decisions in terms of the best way forward.”

Nature is an essential part of our world, our planet, our country. However, there can be no misunderstanding on the principle of this: this current proposal will remove thousands of acres/hectares from active production. Increasing the ambition of this proposal, will surely be the demise of hundreds if not thousands of rural areas across Ireland, as when the depopulation that has already taken hold across the country has the removal of active productive agricultural and forestry land from use, you will be taking away the future of these areas and the people who live there.

I thank you for your time, and understanding in this long email, and I once again hope that you will accept my sincere apology if I misled the Committee. I hope you will take into account the issues I have raised above and please do not hesitate to contact me if you have any thoughts, questions, or comments on this topic.

Kind regards,

Niall Curley