

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2022/696

of 29 April 2022

granting a derogation requested by Ireland pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources

(notified under document C(2022) 2596)

(only the English and the Irish texts are authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources ⁽¹⁾, and in particular paragraph 2, third subparagraph, of Annex III thereto,

Whereas:

- (1) Directive 91/676/EEC lays down rules on the protection of waters against pollution caused by nitrates from agricultural sources.
- (2) Paragraph 2 of Annex III to Directive 91/676/EEC establishes that Member States intending to apply more livestock manure than 170 kg nitrogen per hectare (ha) are to fix amounts so as not to prejudice the achievement of the objectives specified in Article 1 of that Directive. These amounts are to be justified on the basis of objective criteria.
- (3) On 22 October 2007, the Commission adopted Decision 2007/697/EC ⁽²⁾ granting a derogation requested by Ireland pursuant to Directive 91/676/EEC for the purpose of allowing the application of livestock manure up to a limit of 250 kg nitrogen/ha per year, under certain conditions, on farms with at least 80 % grassland, in the context of the Irish Action Programme, as implemented by Ireland by means of the European Communities (Good Agricultural Practices for Protection of waters) Regulations 2006 ⁽³⁾.
- (4) On 24 February 2011, the Commission adopted Decision 2011/127/EU ⁽⁴⁾ amending Decision 2007/697/EC and extending the derogation until 31 December 2013, in the context of the Irish Action Programme as implemented by Ireland by means of the European Communities (Good Agricultural Practices for Protection of waters) Regulations 2010 ⁽⁵⁾.
- (5) On 27 February 2014, the Commission adopted Implementing Decision 2014/112/EU ⁽⁶⁾ granting a derogation requested by Ireland pursuant to Directive 91/676/EEC for the purpose of allowing the application of livestock manure up to a limit of 250 kg nitrogen/ha per year, under certain conditions, on farms with at least 80 % grassland, in the context of the Irish Action Programme as implemented by Ireland by means of the European Communities (Good Agricultural Practices for Protection of waters) Regulations 2014 ⁽⁷⁾.

⁽¹⁾ OJ L 375, 31.12.1991, p. 1.

⁽²⁾ Commission Decision 2007/697/EC of 22 October 2007 granting a derogation requested by Ireland pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 284, 30.10.2007, p. 27).

⁽³⁾ Statutory Instrument No 378 of 2006.

⁽⁴⁾ Commission Decision 2011/127/EU of 24 February 2011 amending Decision 2007/697/EC granting a derogation requested by Ireland pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 51, 25.2.2011, p. 19).

⁽⁵⁾ Statutory Instrument No 610 of 2010.

⁽⁶⁾ Commission Implementing Decision 2014/112/EU of 27 February 2014 on granting a derogation requested by Ireland pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 61, 1.3.2014, p. 7).

⁽⁷⁾ Statutory Instrument No 31 of 2014.

- (6) On 8 February 2018, the Commission adopted Implementing Decision (EU) 2018/209 ⁽⁸⁾ granting a derogation requested by Ireland pursuant to Directive 91/676/EEC for the purpose of allowing the application of livestock manure up to a limit of 250 kg nitrogen/ha per year, under certain conditions, on farms with at least 80 % grassland, in the context of the Irish Action Programme as implemented by Ireland by means of the European Union (Good Agricultural Practices for Protection of waters) Regulations 2017 ⁽⁹⁾. Implementing Decision (EU) 2018/209 expired on 31 December 2021.
- (7) The derogation granted by Implementing Decision (EU) 2018/209 concerned, in 2020, 6 016 farms, corresponding to approximately 4,9 % of the total number of holdings with grazing animals, 15,9 % of the total number of livestock units and 9,6 % of the total net agricultural area in Ireland.
- (8) On 14 October 2021, Ireland submitted to the Commission a request for an extension of the derogation under paragraph (2), third subparagraph, of Annex III to Directive 91/676/EEC.
- (9) In accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 ⁽¹⁰⁾, Ireland has adopted a new action programme with additional and reinforced measures to comply with the objectives of Directive 91/676/EEC.
- (10) In conformity with Article 5(2) of Directive 91/676/EEC, Ireland applies an action programme throughout its whole territory.
- (11) The data provided by Ireland in the context of the reporting obligation required by Article 10 of Directive 91/676/EEC show that, for the period 2016-2019, the waters are of generally good quality. In this regard, 98,5 % of all monitoring stations for groundwater in Ireland had mean nitrate concentrations below 50 mg/l, and 81,5 % of those monitoring stations had mean nitrate concentrations below 25 mg/l. All monitoring stations for surface water in Ireland had mean nitrate concentrations below 50 mg/l, and 99,2 % of those monitoring stations had mean nitrate concentrations below 25 mg/l. Furthermore 14 % of the surface water monitoring stations reported eutrophication and 10 % reported risk of eutrophication. Regarding trends, 37,5 % of groundwater monitoring stations reported an increase of nitrate concentrations, 45,5 % reported stable trends and 17 % reported decreasing trends. As regards surface water, 11,1 % of monitoring stations reported an increase of nitrate concentrations, 86,2 % reported stable trends and 2,8 % reported decreasing trends.
- (12) The number of livestock in Ireland has increased in recent years. Cattle, pig and sheep numbers increased respectively by 4,78 %, 2,81 % and 0,54 % from the period 2012-2015 to the period 2016-2019, pursuing the increasing trends of the previous reporting period. Average nitrogen loading from livestock manure in the period 2016-2018 was 117 kg nitrogen/ha, compared to 104 kg nitrogen/ha in the period 2012-2015. Average phosphorus loading in the period 2016-2018 was 14 kg phosphorus/ha compared to 15 kg phosphorus/ha in the period 2012-2015. Average chemical nitrogen fertiliser application increased by 13 % in the period 2016-2019 compared to the period 2012-2015. Average chemical phosphorus fertiliser application increased by 24 % in the period 2016-2019 compared to the period 2012-2015. Average phosphorus surplus in the period 2016-2018 was 23,1 kg phosphorus/ha compared to 20 kg phosphorus/ha in the period 2012-2015. Average nitrogen surplus in the period 2016-2018 was 62,3 kg nitrogen/ha compared to 44,8 kg nitrogen/ha in the period 2012-2015.
- (13) In Ireland, 92 % of agricultural land is devoted to grassland. Overall, 67 % of the land area is farmed extensively and has therefore a relatively low stocking rate and low fertiliser inputs, 33 % is farmed under agro-environmental programmes and only 14 % is farmed intensively. Arable agriculture accounts for 6,6 % of use. The average chemical fertiliser use on grassland is 78,3 kg nitrogen/ha and 8,6 kg phosphorus/ha.

⁽⁸⁾ Commission Implementing Decision (EU) 2018/209 of 8 February 2018 granting a derogation requested by Ireland pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 39, 13.2.2018, p. 5).

⁽⁹⁾ Statutory Instrument No 605 of 2017.

⁽¹⁰⁾ Statutory Instrument No 113 of 2022.

- (14) The Irish climate, characterised by an annual rainfall evenly distributed throughout the year and a relatively narrow annual temperature range, promotes a long grass-growing season ranging from 330 days per year in the south-west to around 250 days per year in the north-east ⁽¹⁾.
- (15) The supporting information presented by Ireland shows that the proposed amount of 250 kg nitrogen/ha per year on farms with at least 80 % grassland is justified on the basis of objective criteria, such as long growing seasons and high yields of grass with high nitrogen uptake.
- (16) After an examination of the request from Ireland in accordance with paragraph 2, third subparagraph, of Annex III to Directive 91/676/EEC, and in the light of the Irish Action Programme coupled with the experience gained from the derogation provided for in Decision 2007/697/EC and Implementing Decisions 2014/112/EU and (EU) 2018/209, the Commission considers that the amount of manure proposed by Ireland, corresponding to 250 kg nitrogen/ha per year, will not prejudice the achievement of the objectives set out in Directive 91/676/EEC, subject to certain strict conditions that should apply to farmers covered by authorisation.
- (17) In the light of the data referred to in recitals 11 to 13, the conditions provided for in this Decision should be strengthened compared to those provided for in Implementing Decision (EU) 2018/209. The conditions established as well as the monitoring and control systems should be sufficient to ensure that this derogation is coherent with the legally binding targets of the Water Framework Directive ⁽²⁾, the increasing ambition of Effort Sharing Regulation ⁽³⁾ as well as the aspirational objectives of the European Green Deal concerning nutrient pollution.
- (18) Additional measures should be taken as regards the application of manure and other fertilisers. These measures should contribute to the improvement in nutrient management through optimised fertilisation and limited use of fertilisers. The measures listed in this Decision should be additional to the measures already being applied through the Code of Good Agricultural Practices.
- (19) Yearly administrative controls and field inspections should be increased to 10 % of farms benefiting from an authorisation. Field inspections should be based on a sound methodology, including risk assessment, random controls and the results of controls of the previous years. The national authorities should review the agricultural inspection programme carried out by the local authorities as well as the resources required to perform the inspections. Dissuasive sanctions (including economic) should be applied. Complaints or reports of non-compliance from citizens, non-governmental organisations or whistle-blowers should be followed up.
- (20) In 2023, the Irish authorities should carry out a two-year review of water quality, including nitrate concentration and trophic status. In areas where monitoring data reveal either worsening trends or a situation of pollution or risk of pollution as regards nitrate concentrations or eutrophication, from 2024, the maximum amount of manure applicable that may be applied should be reduced to 220 kg nitrogen/ha.
- (21) The monitoring requirements of nitrate concentration and trophic status in accordance with Directive 91/676/EEC continue to apply. The two-year review should be based on data from this monitoring. Additional monitoring and yearly reporting in the areas covered by the derogation will be necessary.
- (22) Directive 2007/2/EC of the European Parliament and of the Council ⁽⁴⁾ lays down general rules for establishing the Infrastructure for Spatial Information in the Union for the purposes of environmental policies of the Union and policies or activities which may have an impact on the environment. Where applicable, the spatial information collected pursuant to this Decision should be in line with the provisions set out in that Directive. In order to reduce

⁽¹⁾ Teagasc – the Agriculture and Food Development Authority, Ireland.

⁽²⁾ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

⁽³⁾ Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

⁽⁴⁾ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

the administrative burden and enhance data coherence, Ireland, when collecting the necessary data under this Decision, should make use of the information generated under the Integrated Administration and Control System established pursuant to Title V, Chapter II, of Regulation (EU) No 1306/2013 of the European Parliament and of the Council ⁽¹⁵⁾.

- (23) The derogation provided for in this Decision is without prejudice to the obligations of Ireland to apply Council Directive 92/43/EEC ⁽¹⁶⁾, including the ruling of the Court of Justice of the European Union in Case C-293/17 *Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu* ⁽¹⁷⁾, in particular on the interpretation of Article 6(3) of that Directive.
- (24) The conditions laid down in Articles 6 to 9 of this Decision are mandatory conditions for all grassland farms benefitting from an authorisation under the derogation. These conditions are therefore considered as mandatory standards and requirements established in national law for these entities in the meaning of Article 12 and 13 of Regulation (EU) 2021/2115 of the European Parliament and of the Council ⁽¹⁸⁾.
- (25) The measures provided for in this Decision are in accordance with the opinion of the Nitrates Committee set up pursuant to Article 9 of Directive 91/676/EEC,

HAS ADOPTED THIS DECISION:

Article 1

Derogation

The derogation requested by Ireland, by letter of 14 October 2021, for the purpose of allowing the application to the land of a higher amount of nitrogen from livestock manure than that provided for in paragraph 2, second subparagraph, first sentence, of Annex III to Directive 91/676/EEC, namely 170 kg nitrogen, is granted, subject to the conditions laid down in Articles 4 to 12 of this Decision.

Article 2

Definitions

For the purpose of this Decision, the following definitions shall apply:

- (a) 'grass' means permanent grassland or temporary grazing land of less than 4 years;
- (b) 'grassland farms' means holdings where 80 % or more of the agricultural area available for manure application is grass;
- (c) 'grazing livestock' means cattle (with the exclusion of veal calves), sheep, deer, goats and horses;
- (d) 'parcel' means an individual field or a group of fields, homogeneous regarding cropping, soil type and fertilisation practices;
- (e) 'fertilisation plan' means an advance calculation about the planned use and availability of nutrients;

⁽¹⁵⁾ Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549).

⁽¹⁶⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

⁽¹⁷⁾ Case C-293/17 *Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu* (ECLI:EU:C:2018:882).

⁽¹⁸⁾ Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).

- (f) 'fertilisation account' means the nutrient balance based on the real use and uptake of nutrients;
- (g) 'commonage' means a land parcel which is held by two or more persons in specified shares or jointly and originally purchased from the Irish Land Commission under the Land Purchase Acts, including land over which two or more persons have grazing rights or the right to take turf.

Article 3

Scope

The derogation granted pursuant to Article 1 shall apply to grassland farms for which an authorisation has been granted in accordance with Article 5 ('an authorisation').

Article 4

Annual application and commitment

1. Grassland farmers who want to benefit from a derogation shall, each year, submit an application for an authorisation to apply livestock manure containing up to 250 kg nitrogen/ha per year to the competent authorities. The application shall contain a declaration stating that the grassland farmer will submit to the controls provided for in Article 11.
2. In the application referred to in paragraph 1, the applicant shall undertake, in writing, to fulfil the conditions laid down in Articles 6 to 9.

Article 5

The granting of authorisations

Authorisations to apply an amount of livestock manure on grassland farms containing up to 250 kg nitrogen/ha per year shall be granted subject to the conditions laid down in Articles 6 to 9.

Article 6

Conditions regarding application of manure and other fertilisers

1. The amount of livestock manure from grazing livestock applied to the land each year on grassland farms, including by the animals themselves, shall not exceed the amount of manure containing 250 kg nitrogen/ha per year, subject to the conditions laid down in paragraphs 2 to 6 of this Article. From 2024, as a consequence of the two-year review, this maximum amount shall not exceed 220 kg nitrogen/ha per year in the areas referred to in Article 12.
2. The total nitrogen inputs shall neither exceed the foreseeable nutrient demand of each crop nor the maximum fertilisation rate applicable to grassland farms as established in the Nitrates Action Programme, and shall take into account the supply from the soil. Total nitrogen application shall be differentiated on the basis of the stocking rate and grassland productivity.
3. A fertilisation plan shall be prepared and kept for each grassland farm. The fertilisation plan shall describe the crop rotation of the farmland and the planned application of manure and other fertilisers. That plan shall be available on the grassland farm for each calendar year, before 1 March of that year. That plan shall include at least the following:
 - (a) the crop rotation plan specifying the following:
 - (i) the acreage of parcels with grass;
 - (ii) the acreage of parcels with crops other than grass;
 - (iii) a sketch map indicating the location of individual parcels;
 - (b) the number of livestock on the grassland farm;
 - (c) a description of the housing and manure storage system, including the volume of manure storage available;

- (d) a calculation of the manure nitrogen and phosphorus produced on the grassland farm;
- (e) the amount, type and characteristics of manure delivered outside the grassland farm or to the grassland farm;
- (f) the foreseeable nitrogen and phosphorus crop requirements for each parcel;
- (g) results of soil analysis related to nitrogen and phosphorus soil status if available;
- (h) the nature of the fertiliser to be used;
- (i) a calculation of nitrogen and phosphorus application from manure for each parcel;
- (j) a calculation of nitrogen and phosphorus application from chemical and other fertilisers for each parcel.

The fertilisation plan shall be revised no later than 7 days following any change in agricultural practices at the grassland farm.

Fertilisation accounts, including information related to the management of nitrogen and phosphorus inputs and the management of soiled water, shall be prepared and kept for each grassland farm. They shall be submitted to the competent authority for each calendar year by 31 March of the following calendar year.

A liming programme shall be adopted based on a nutrient management plan and associated to soil analysis results.

4. Livestock manure shall not be spread in the autumn before grass cultivation.
5. At least 50 % of slurry produced on the grassland farm shall be applied by 15 June. Low-emission slurry spreading equipment shall be used for all slurry applications.
6. The stocking rate allowance on commonage areas shall not exceed 50 kg nitrogen/ha. Chemical fertiliser shall not be permitted on commonage areas.

Article 7

Conditions regarding soil sampling and analyses

1. Periodic nitrogen and phosphorus analysis in soil shall be done for each grassland farm.
2. Sampling and analysis shall be carried out at least once every 4 years for each type of area with similar features with regard to crop rotation and soil characteristics.
3. At least one analysis per every five hectares of grassland farm shall be carried out.
4. The results of the nitrogen and phosphorus analysis in soil shall be available for inspection at the grassland farm.

Article 8

Conditions regarding land management

1. Farmers who wish to plough grassland shall do so between 1 March and 31 May.
2. Ploughed grass on all soil types shall be followed by a crop with high nitrogen demand immediately and no later than 3 weeks after ploughing grass.
3. Crop rotation shall not include leguminous or other plants fixing atmospheric nitrogen. This shall, however, not apply to clover in grassland with less than 50 % clover and to other leguminous plants that are undersown with grass.
4. All new grass reseedings on the grassland farm shall incorporate at least 1,5 kg/ha of naked clover seed or at least 2,5 kg/ha of pelleted clover.
5. Parcels shall be equipped with fences ensuring a minimum distance of 1,5 metres between livestock and watercourses, and drinking points shall be installed at a minimum distance of 20 metres from a watercourse.

*Article 9***Condition for livestock feeding**

A maximum of 15 % crude protein in concentrate feed for grazing livestock shall be allowed each year between 15 April and 30 September.

*Article 10***Monitoring**

1. The competent authorities shall ensure that maps are drawn up every year showing the following:
 - (a) the percentage of grassland farms in each county which are covered by authorisations;
 - (b) the percentage of livestock in each county which is covered by authorisations;
 - (c) the percentage of agricultural land in each county which is covered by authorisations;
 - (d) local land use.
2. The competent authorities shall monitor root zone water, surface water and groundwater. They shall also, both under derogation and non-derogation conditions, provide the Commission with data on nitrogen and phosphorus in the root zone and nitrate concentrations in surface and groundwater.
3. The monitoring shall be carried out at farm-field scale and in agricultural monitoring catchments. The monitoring sites shall be representative of the main soil types and levels of intensity, the prevalent fertilisation practices and the main crops.
4. The competent authorities shall conduct reinforced water monitoring in agricultural catchments located in proximity to the most vulnerable water bodies.
5. The competent authorities shall carry out surveys on local land use, crop rotations and agricultural practices for grassland farms covered by authorisations.
6. Information and data collected from nutrient analysis, as referred to in Article 7(1), (2) and (3), shall be used for model-based calculations of the magnitude of nitrate and phosphorus losses from grassland farms covered by authorisations.

*Article 11***Controls**

1. The competent authorities shall carry out administrative controls in respect of all applications for authorisation to assess compliance with the conditions set out in Articles 6 to 9. Where it is demonstrated that those conditions are not fulfilled, the application shall be refused and the applicant shall be informed of the reasons for the refusal. Every year, the competent authorities shall carry out administrative controls for at least 10 % of the grassland farms covered by authorisations with regard to land use, livestock number and type and manure production and export.
2. The competent authorities shall establish a programme for field inspections of grassland farms covered by authorisations on a risk basis and with appropriate frequency, taking account of the results of controls of the previous years and the results of general random controls of legislation transposing Directive 91/676/EEC and any other information that might indicate non-compliance with the conditions set out in Articles 6 to 9. Every year, field inspections shall be carried out in at least 10 % of the grassland farms covered by authorisations to assess compliance with the conditions set out in Articles 6 to 9.
3. Where it is established, in any year, that a grassland farm covered by an authorisation does not fulfil the conditions set out in Articles 6 to 9, the holder of the authorisation shall be sanctioned in accordance with national rules and shall not be eligible for an authorisation the following year.
4. The competent authorities shall be granted the necessary powers and means to verify compliance with the conditions for an authorisation granted under this Decision to verify compliance with the conditions set out in Articles 6 to 9 prior to and after granting an authorisation under this Decision.

Article 12

Two-year review

1. The competent authorities shall submit, by 30 June 2023, with the report described in Article 13, corresponding to the year 2022, an annex containing the results of monitoring as regards the nitrates concentrations of groundwater and surface waters and the trophic status of surface water bodies, based on the monitoring network and requirements of the Nitrates Directive 91/676/EEC and including at least maps showing those areas draining into waters where monitoring data reveal:

- (a) average values of nitrate concentrations above 50 mg/l or increasing trends of nitrates concentration compared to 2021;
- (b) 'Eutrophic' status or 'could become eutrophic' status with a stable or worsening trend compared to 2021.

Waters identified by either point (a) or (b) of the first subparagraph shall be considered as polluted, at risk of pollution or showing worsening trends. The data for the estimation of the average values shall cover the period from 1 January 2020 to 31 December 2022. For the assessment of trends, the data from 2021 and 2022 shall be compared.

2. For the elaboration of the annex referred to in paragraph 1 of this Article, the data used shall be taken from the monitoring network set up under Directive 91/676/EEC.

3. As from 1 January 2024, in areas draining into polluted or at-risk-of-pollution waters or presenting worsening trends, additional measures shall be applied under the Nitrates Action Programme. For farms that have been granted an authorisation pursuant to this Decision and located in such areas, the amount of manure that may be applied to the land shall not exceed 220 kg nitrogen/ha per year.

4. The competent authorities shall inform the Commission, by 30 September 2023, of the outcomes of this two-year review, and in particular on the areas and farms with an authorisation where the maximum amount of manure to be applied is 220 kg nitrogen/ha per year and of the additional measures to be applied within the Nitrates Action Programme.

Article 13

Reporting

The competent authorities shall, every year by 30 June, submit a report to the Commission containing the following information:

- (a) maps showing the percentage of grassland farms, the percentage of livestock and the percentage of agricultural land covered by authorisations for each county, as well as maps on local land use, as referred to in Article 10(1);
- (b) the results of ground and surface water monitoring as regards nitrate and phosphorus concentrations, including information on water trends, both under derogation and non-derogation conditions, as well as the impact of the derogation granted under this Decision on water quality, as referred to in Article 10(2);
- (c) the results of soil monitoring as regards nitrogen and phosphorus concentrations in soil water and as regards mineral nitrogen in soil profile, both under derogation and non-derogation conditions, as referred to in Article 10(2);
- (d) a summary and an evaluation of data obtained from the reinforced water monitoring, as referred to in Article 10(4);
- (e) the results of the surveys on local land use, crop rotations and agricultural practices, as referred to in Article 10(5);
- (f) the results of the model-based calculations of the magnitude of nitrate and phosphorus losses, as referred to in Article 10(6);
- (g) an evaluation of the results of the administrative controls and field inspections as referred to in Article 11(1) and (2);
- (h) trends in livestock numbers and manure production for each livestock category and in grassland farms benefitting from an authorisation;

- (i) a comparative analysis of controls of grassland farms covered by authorisations and grassland farms not covered by authorisations, including data on the following:
- field inspections;
 - administrative controls;
 - agricultural inspections in the context of cross-compliance arrangements;
 - statistics on non-compliance.

The spatial information contained in the report shall, where applicable, comply with Directive 2007/2/EC. In collecting the necessary data, Ireland shall, where appropriate, make use of the information generated under the Integrated Administration and Control System set up in accordance with Article 67(1) of Regulation (EU) No 1306/2013.

Article 14

Application

This Decision shall apply in the context of the Irish Action Programme as implemented in the Statutory Instrument No 113 of 2022, European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022.

This Decision shall apply until 31 December 2025.

Article 15

Addressee

This Decision is addressed to Ireland.

Done at Brussels, 29 April 2022.

For the Commission
Virginijus SINKEVIČIUS
Member of the Commission
