



**PUBLIC CONSULTATION ON THE  
NUTRIENTS ACTION PROGRAMME  
2027-2030**

**ULSTER FARMERS' UNION RESPONSE**

**September 2026**

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## Introduction

The Ulster Farmers' Union (UFU) is the largest farming organisation in NI representing over 11,500 members. UFU membership encompasses farmers from all sectors

across NI and from all farm sizes, reflecting the diverse nature of the agricultural sector in NI. The Nutrients Action Programme (NAP) 2027-2030 is of interest to the UFU and its members because of the impact it will have on the agricultural sector in NI.

The Ulster Farmers' Union (UFU) welcomes the opportunity to respond to the proposed Nutrients Action Programme (NAP) 2027-2030. Our members are committed to environmental stewardship, but successful implementation must be grounded in practical, evidence-based, and economically viable approaches for farm businesses.

## Nutrients Action Programme Review

The Ulster Farmers' Union (UFU) accepts that the Nutrients Action Programme Regulations (Northern Ireland) 2019 requires DAERA to review and, where necessary revise the action programme, at least every four years. The UFU recognises the need for improvements in water quality and acknowledges the obligations placed on Northern Ireland under existing environmental legislation. The Union believes that any revised NAP must balance environmental outcomes with the economic sustainability of commercial food production and farm family businesses.

The NAP consultation that was issued in May 2025 was fundamentally flawed with most of the proposals being totally unacceptable and a revised way forward was necessary. This resulted in the establishment of the DAERA NAP Task and Finish Group which the UFU fully participated in. While not every proposal aligns with previous UFU policy or the views of every member, UFU representatives worked to secure the most practical and proportionate package possible within the context of the legal, environmental and political pressures driving the review.

The UFU acknowledges that the Task and Finish Group provided an opportunity for meaningful stakeholder engagement. The process enabled all stakeholders to influence proposals and secure a more practical negotiated outcome presented in the 2026 consultation compared to the original 2025 NAP proposals.

The UFU emphasises that the success of any revised Nutrients Action Programme will depend not only on the measures implemented but also on the willingness and capacity of farmers to adopt them. Measures that are practical, proportionate, evidence-based and deliverable at farm level are more likely to achieve meaningful environmental improvements than regulatory requirements which lack industry support or cannot be implemented in a cost-effective manner.

Future policy development should continue to be guided by robust scientific evidence, economic impact assessment and meaningful stakeholder engagement. The Task and Finish Group demonstrated the value of collaborative working between government and industry and provided a more effective mechanism for developing practical solutions than the approach adopted in the initial 2025 consultation.

The Union also stresses the importance of recognising the significant investments and improvements already undertaken by Northern Ireland farmers to improve nutrient management, water quality and environmental performance. Future regulatory requirements must build on these efforts and avoid imposing unnecessary burdens that could undermine the competitiveness and viability of commercial agriculture and local food production.

The Union considers that the package presented through this consultation provides a more balanced outcome, having regard to the statutory obligations on DAERA, the need for environmental improvement, and the requirement to maintain a sustainable commercial farming sector in Northern Ireland.

## Planning

Throughout this NAP discussions, the UFU have consistently highlighted that progress in dealing with the organic manures and technological solutions will be hampered because of planning issues. The interim Revised Operational Protocol used by NIEA to assess planning applications is preventing sustainable agricultural development, preventing implementation of many of the policies and measures proposed through the Sustainable Agriculture Programme, Climate Action Plans, Nutrient Action Programme and the draft Ammonia Strategy. The Revised Operational Protocol limits a farmer's ability to respond to changing health and welfare requirements, environmental issues and discourages investment, and disincentivises farmers from making improvements to already existing developments.

As currently drafted, the Revised Operational Protocol is fundamentally flawed in both methodology and implementation. It fails to recognise the distinction between new and replacement or upgraded agricultural developments, leading to double counting of emissions and blocking investment in modern, low-emission infrastructure. In doing so, it undermines the very environmental improvements it seeks to achieve, placing a de facto embargo on progress in sectors that are actively striving to reduce emissions and enhance sustainability.

The lack of recognition for environmental betterment, failure to accommodate welfare-driven upgrades, and disregard for the operational and economic realities of modern farming render the Revised Operational Protocol not only counterproductive but incompatible with key strategic goals, including those outlined in the Programme for Government, the Sustainable Agriculture Programme, the NAP and the Climate Change Act (Northern Ireland) 2022. Unless amended, the Revised Operational Protocol will constrain innovation, stifle productivity, and jeopardise NI's agri-food sector at a time when it should be supported to lead on both environmental stewardship and food security.

The UFU accepts that the draft Strategic Ammonia Reduction Programme is considering a revised approach around replacement / betterment and will continue to

engage with DAERA through our agri-food industry experts and legal advisers on this matter. It is absolutely vital that DAERA are aware that the proposed NAP 2027-2030 measures are dependent on demonstrable progress on ammonia policy and planning.

## Part 2 - Water Quality in NI and the NAP

The importance of good water quality to the agricultural sector cannot be overstated. Productive agriculture depends on a healthy environment, with access to clean and reliable water being fundamental to sustainable food production. The UFU recognises that improving water quality will require sustained, coordinated action across all sectors of society over many years.

While the consultation acknowledges that agriculture has a role to play, it is essential to recognise that farming is not the sole source of water quality pressures and that all sectors must place their part in improving water quality. Significant and longstanding contributions from failing wastewater infrastructure, overloaded wastewater treatment works, septic tanks and urban drainage systems must be addressed with equal urgency. In many areas, outdated and inadequate wastewater systems continue to discharge pollution into watercourses, undermining improvement efforts and placing an unfair spotlight on agriculture.

Water quality improvements will only be achieved through a balanced approach that holds all sectors accountable. It would be both ineffective and unjust for the burden of delivering water quality improvements to fall disproportionately on farmers while persistent pollution from wastewater infrastructure remains unresolved.

Furthermore, water quality outcomes should not be used as a primary indicator in future review periods. A range of indicators are necessary as improvements in water quality can take many years to become measurable, particularly where historic pollution issues exist. Any assessment must recognise the wide range of factors influencing water quality and accurately account for the continued impact of wastewater treatment plants, septic tanks, sewer overflows and urban runoff. Failure to adequately address these sources risks misrepresenting the effectiveness of agricultural measures and unfairly attributing responsibility to the farming sector for problems that originate elsewhere.

After approximately twenty years of the Nitrates Action Programme (subsequently the Nutrients Action Programme), the agricultural sector has played a significant role in supporting improvements in water quality. The agriculture industry has demonstrated a willingness to engage with and implement the required measures, and this contribution should be recognised. At the end of the four-year period, it is important that the impact and role of other sectors on water quality must be acknowledged and fully considered by DAERA.

## Part 3 – Support through advice and funding to deliver change

### Funding Support

Mandatory requirements must be matched by practical and accessible grant support. While the Sustainable Farming Investment Scheme (SFIS) funding will be of assistance, a more appropriate funding budget and substantially increased grant rate (more than the current 40%) is necessary particularly to support LESSE equipment. The ROI offers at least 60% grant support to farmers through their equivalent capital grant schemes.

The UFU is also disappointed that slurry separation equipment has been removed from the scheme and urges DAERA to review this and include in future tranches.

Funding will also be required to assist those sectors which require off-land technologies to deal with their organic manures and it is vital that DAERA recognise that this will be necessary during the NAP 2027-2030 period.

Further specific comments are made on funding of LESSE in section 4.2.

### Advice and Guidance

DAERA and industry stakeholders must commit to assisting farmers with the changes to the NAP regulations. Over the years the UFU has consistently assisted members with compliance individually and more generally in groups as well as raised awareness of the various measures and any deadlines in the press, social media and internal communications.

Any guidance must be practical, helpful and presented in a suitable format. It should be recognised that farmers have different requirements, from hard copy booklets, online guidance and videos.

### Realistic transition periods

The UFU believes all new regulatory requirements should be accompanied by realistic implementation periods, recognising planning constraints, equipment availability, funding availability and the time required for farm businesses to adapt. Compliance deadlines must reflect these practical realities and tolerances must be included.

## Part 4 - Proposed Measures

## 4.1 Nutrient Management – Balanced Nutrient Use, Fertiliser and Manure Controls

As outlined above the measures in section 4.1 are subject to demonstrable progress on ammonia policy and planning.

### 4.1.1 Limit chemical phosphorus fertiliser availability through an advisory approach

The UFU supports the principle of only using chemical phosphorus fertiliser where and when it is required. This is good farming practice and considerable efforts have been made by DAERA and agri-food stakeholders, including the UFU, around increasing knowledge and awareness of farmers around good nutrient management. This is a key part of the Soil Nutrient Health Scheme (SNHS) where farmers are provided with soil analysis and training to interpret these results and make appropriate nutrient management decisions.

The UFU support the option proposed as a workable way forward however greater clarity is required on the responsibilities of fertiliser manufacturers, suppliers and merchants noting that the responsibility for the composition and labelling of fertilisers rests with the manufacturers rather than individual merchants.

### 4.1.2 Reducing Northern Ireland's average phosphorus surplus

The UFU recognises that the proposals outlined target higher risk farms and offer pathways and options for these more intensive farmers in Northern Ireland. It is noted that excess phosphorus in soils will impact water quality.

These proposals for ruminants are complex however it is recognised that the various pathways and options are needed to ensure that farmers can continue to operate. Given the complexity it is vital that every effort is made to assist farmers and to ensure that when these measures are implemented, tolerances are put in place for farmers who have demonstrated that they have worked to manage phosphorus.

The UFU is concerned that the Beef Carbon Reduction Scheme (BCRS) may be creating unintended consequences for water quality. To achieve earlier finishing targets, farmers are increasingly relying on concentrate feeds, resulting in greater phosphorus imports onto farms. This risks increasing phosphorus surpluses and nutrient losses to the environment.

DAERA should ensure that all policies are assessed holistically to identify any adverse impacts on water quality. Environmental policies must be aligned to avoid situations where progress towards one target is achieved at the expense of another.

Further work is required around the Soil Phosphorus Protocol to ensure that farmers understand how this will operate. Given the potential for other factors to influence soil P results, it is essential that if farmers don't meet the target reductions, DAERA must recognise that there may be external factors influencing soil phosphorus. They must allow flexibility and an appeals mechanism for farmers who fail to meet the required outcomes for phosphorus where it can be demonstrated that effort has been made by the farmer to manage phosphorus responsibly.

Soil analysis should be retained on farm and only provided to NIEA if the farm is subject to an inspection.

The UFU calls for the Soil Nutrient Health Scheme (SNHS) to be repeated urgently across all zones but participation in this scheme should not be a condition of Farm Sustainability Payments. It is essential that the independence of the SNHS is continued to ensure verification of ongoing updated soil analysis for those farmers who wish to avail of it. There is urgency around this given that farmers in zone 1 were first sampled almost four years ago.

The UFU is supportive of the approach laid out in the P protocols for pig and poultry farmers however it is recognised that the implementation of this requires further discussion to ensure this is practical. It is recognised that the pig and poultry sectors have made considerable progress over recent years to improve feed efficiency and reduce nitrogen and phosphorus in diets. There is some concern over the practicalities of feeding boars and gilts separate diets on some farms.

There are off-land solutions potentially available to reduce P surpluses on farms, and while the pig and layer industries have indicated their willingness to continue to progress such solutions time is needed to develop new infrastructure. There are also considerable barriers linked to planning due to ammonia (interim operational protocol) and the impact on designated sites which must be addressed. DAERA must consider that if they want to support a viable agri-food sector and assist the industry in becoming more sustainable, they must ensure that this can be progressed to allow environmental improvements.

DAERA must recognise that the delivery of phosphorus reduction proposals depends on farmers and others being able to secure planning permission for off land solutions. Where individuals or organisations are prevented through planning from installing necessary end-of-pipe solutions, farmers should not be penalised for failing to achieve the necessary reductions.

A review of certain clauses within the Habitats Regulations is required with amendments made to ensure that the legal framework permits development that promotes environmental improvements.

DAERA must also consider financial support to those farms who need to invest collectively or individually in off-land phosphorus treatment systems for slurry, manure and litter. This is essential to ensure that adequate reductions are delivered.

The use of off-land treatment systems must remain voluntary as an alternative option for those farmers who choose this option to deal with any excess nutrients. It would be unacceptable for farmers to be forced by DAERA to use such treatment plants on a compulsory basis.

#### 4.1.3 Dairy cow nutrient excretion values - based on milk yield

While the dairy cow nutrient excretion values reflect scientific modelling and are in line with other regions, concerns have been raised about the potential impact the revised figures will have on the dairy sector. The scale of this impact must be established before implementation. It is recognised that the changes proposed have the potential to limit milk supply going forward and restrict NI's potential to meet customer demand for dairy products.

The revised dairy cow nitrogen excretion figures will result in significant change for many dairy farmers as they struggle to meet the 170 kg N/ha/year limit. Farmers will move from being compliant to non-compliant simply due to a change of figures. The revised excretion values will result in a significant number of previously compliant dairy farmers being pushed over the 170kgN/ha/year limit and becoming dependent on the derogation (renamed Nutrient Stewardship Programme). This proposal highlights the importance of the Nutrient Stewardship Programme (NSP) for Northern Ireland as more farms in NI will need this option if these revised N excretion rates are introduced. The (NSP) is essential to ensure compliance with this proposed change to figures.

Give the potential for significant impact on the dairy sector, the UFU would propose a phased approach to introduction with incremental moves towards the revised N excretion figures for higher yielding herds over the next NAP period.

While the UFU welcomes the alternatives to the dairy cow N banding system which will result in more accurate dairy cow excretion figures, this does result in further complexity. There will need to be significant resource put forward by DAERA, CAFRE, and the dairy companies working alongside the UFU and others to assist farmers in calculating their own farm figures and working through options for their farm business.

A three-year rolling average system has been proposed to help address anomalies or non-standard years. This approach is helpful however, it may prove difficult and complex to work in practice. An alternative may be a 'Force majeure' type system for abnormal years. Milk yield data must be self-declared with a percentage of submissions verified with a simplistic system put in place for doing so. Milk-yield and other farm data collected for the purposes of calculating nutrient excretion should be

used only specifically for the stated NAP purpose and should not subsequently be available to be used by NIEA and DAERA for unrelated purposes as required under GDPR legislation. Beyond this it will be unattributable to an individual farm holding.

#### 4.1.4 Updated poultry nutrient excretion figures

The UFU supports this measure

#### 4.1.5 Standard values for separated manures and slurries

The UFU supports this measure

#### 4.1.6 Updated chemical nitrogen fertiliser limits for grassland

The UFU supports the proposed changes which match chemical nitrogen fertiliser limits for grassland to target grass yields rather than being determined by sector. Targeted yields must be self-determined by farmers and this information retained on farm until inspected.

#### 4.1.7 Allowance for processed organic fertilisers

The UFU supports this proposal.

### 4.2 Manure Storage and Application Requirements - Ammonia Implications

#### 4.2.1 Reduced slurry application volumes in February and early October

The UFU has no objection to this proposal. However, the UFU have consistently taken the position that farming by calendar dates does not work. As technology develops and allows more precision farming, DAERA must revisit the current closed period. More flexibility is needed and a move towards spreading when soil and weather conditions are appropriate regardless of the date. These parameters need to be flexible in response to changing climate conditions and extended growing season. A recent review of the EC Nitrates Directive has concluded that a more flexible approach to the closed period may be appropriate in future and these findings should be noted by DAERA.

#### 4.2.2 Clearer definition of Low Emission Slurry Spreading Equipment (LESSE)

The revised definition to LESSE demonstrates an improvement to the 2025 proposals and existing definition. However, there are concerns around the potential costs to manufacturers and innovators to allow them to demonstrate the 30% ammonia reductions to meet this proposed definition.

Suitable, affordable and practical low emission spreading equipment is necessary to give confidence to farmers in using LESSE and to avoid other unintended consequences such as spreading slurry in lines that could contaminate silage as outlined to DAERA previously. Engineers and innovators will continue to develop new slurry spreading technology which could reduce emissions further going forward without the need for expensive LESSE equipment or develop adjustments to existing equipment to make this operate better. The UFU would propose that to encourage such innovation that could deliver for farmers and the environment, DAERA provide a budget to allow businesses to test new slurry spreading equipment or tanker modifications and demonstrate compliance with the revised definition. In addition, credible technology recommended by agri-food industry representatives should be evaluated and funded by DAERA as opposed to companies having to provide evidence that their equipment meets the LESSE definition to reduce emissions by 30%.

#### 4.2.3 Tiered move to increased use of LESSE

The UFU is opposed to the mandatory use of LESSE for all farms. There would be a significant cost to farms should this be imposed in NI and this is unacceptable. It is recognised that LESSE is an important mitigation option in reducing ammonia emissions and more farmers will need to use LESSE to ensure that ammonia reductions are delivered to demonstrate that NI is working towards UK legal targets. The UFU would highlight that the Union's position within the Task and Finish Group was to not reduce the requirement for LESSE below 75 Livestock Units. However, the UFU recognises the challenges around ammonia emissions and the reduction of the LESSE thresholds outlined in the NAP consultation but notes that around 14,500 smaller farmers will still be permitted to use splashplates. The UFU welcomes the continued exemption for inaccessible land. This must also include small fields.

As outlined previously there needs to be sufficient budget within a funding scheme for LESSE supported by a substantially increased grant rate to assist those farmers who will have to move to using LESSE on a phased basis during NAP 2027-2030. If DAERA are genuine about reducing emissions and improving water quality, it is essential that any support for LESSE is provided in a timely manner and well in advance of legislative deadlines for LESSE use. Failure to time this appropriately will result in many farmers being unable to afford LESSE.

The UFU is aware of considerable delays in manufacturing some LESSE equipment with reports of 12-18 month wait from order to delivery. It is vital that if a farmer can demonstrate that an order has been placed, the farm is deemed compliant even if the equipment is not yet on farm and in use when the regulatory deadline is in place.

DAERA must also consider flexibility to the Sustainable Farming Investment Scheme (SFIS). At present the current scheme rules do not permit modifications to purchased LESSE. This SFIS rule must be kept under review as technology is developed that may modify LESSE and meet the revised LESSE definition.

The UFU would also request that farmers who had previously used contractors who are operating above 200 Livestock Units who now wish to spread their own slurry using LESSE are permitted to avail of the SFIS support scheme. Farmers subject to mandatory LESSE requirements including those above 200 livestock unit should not be excluded from future grant assistance simply because they were required to adopt the technology earlier. There is precedence in other areas as safe and adequate cattle handling facilities are required under health and safety and animal welfare legislation, yet farmers can apply for upgraded equipment under the SFIS.

#### 4.2.4 Pre-Notification of new slurry and silage storage

The UFU recognises that changing the pre-notification requirements from 'prior to use' to 'prior to construction' should be of benefit to local farmers as long as the information which is required to be submitted remains the same. The UFU also welcome the commitment that where NIEA does not respond within 28 days, the tank is deemed to be compliant.

#### 4.2.5 Clarify cover requirement for new above-ground slurry stores

The UFU supports this clarification of the 2019 Regulations.

#### 4.2.6 Limit the use of unprotected granular urea fertilisers

The UFU recognises this is a workable compromise for the continued use of unprotected granular urea fertilisers in Spring. It is important the unprotected liquid urea fertiliser is also still available to be used throughout the year.

#### 4.2.7 Anaerobic Digestate (AD) Measures

The UFU has no objections to these requirements which allow for lower risk separated digestate to be spread under NAP rules while higher risk material follows a more onerous regulatory regime.

The revised framework should actively encourage AD plants to accept feedstock from NI. AD operators should be subject to the same rigorous nutrient management plan inspections as farmers.

### 4.3 Farming Practices to Improve Nutrient Use and Water Quality

#### 4.3.1 Nutrient Stewardship Programme - a revised approach to Derogation

The Nutrient Stewardship Programme (NSP) is crucial to the success of the NAP 2027-2030. A failure to implement this measure would have considerable consequences for the rest of the Nutrients Action Programme and would change the agri-food stakeholder view of NAP, potentially resulting in a withdrawal from previous commitments.

The Nutrient Stewardship Programme is a considerable improvement to the previous derogation that was in place in NI. The enhanced flexibility while maintaining environmental control will ensure that more farmers will be able to operate within this Programme and work towards improved nutrient efficiencies. The introduction of tiers with proportionate inspection regimes is positive.

Further discussion is needed with Stakeholders on the detail around implementation, administration and inspection

The requirement for whole-farm soil sampling for participation in NSP, reemphasises the need for the urgent repetition of the Soil Nutrient Health Scheme as previously stated.

Concerns have been raised by farmers, who are currently derogated and will enter tier 1 of the NSP but other farmers who have a nitrogen loading of greater than 170 kg N/ha, but are not currently in a derogation, will be able to enter tier 2 of the NSP. This will put farmers who met the current rules at a competitive disadvantage to other farmers who did not meet the current NAP guidelines.

There should be a review of the 70% grassland requirement under NSP. The UFU support home grown cereals and it has been highlighted that some farmers entering the NSP will have to take fields out of home cereal production in order to meet this requirement.

### 4.3.2 Mitigation Measures for late harvested arable crops

This is accepted as being a practical and sensible control measure.

### 4.3.3 A focused approach to improving water quality

The UFU welcomes the change of approach to focused areas moving towards a voluntary package but would highlight that this must be fully resourced by DAERA in terms of staff and additional funding.

Focused-area assessments must consider all sources of water pollution, including wastewater infrastructure and septic tanks,. The assessment of pollution sources should involve appropriately independent expertise, funded by DAERA, rather than relying on DAERA's own assessment.

Any funding must be in addition to the agriculture ring fenced budget to ensure effective delivery. The UFU supports catchment-based approaches, working with farmers and other partners in local areas in a non-regulatory way and believes this is the best way to achieve results and to target the problem catchments in this way. The Sustainable Agriculture Land Management Strategy recommended this as a way forward and numerous projects have proved that this is a successful model. The Sustainable Catchment Programme is another positive example of how this model can deliver effective results for farmers and the environment. We strongly encourage DAERA to embrace this method when it comes to tackling water quality in focused areas and allocate sufficient resources to ensure that it happens rather than adopting a broad-brush high level regulatory approach

### 4.3.4 Nutrient Efficiency Roadmap for NI farming

The UFU supports this proposal of a co-designed roadmap focusing on nutrient efficiency.

## 4.4 Utilising Technology

### 4.4.1 Enhanced online system for recording slurry and manure exports and imports

While the UFU strongly supported retaining the current arrangements with online export submissions made by 31 January of the following year it is noted that this has not been deemed acceptable to other stakeholders.

The proposals with the NAP 2027-2030 consultation document presents an improvement to the draconian regime that was initially proposed in 2025.

As the NAP regulations operate on a calendar year basis, there may need to be a re-evaluation of the dates for submissions of paperwork that are included in the consultation document. It is also important to note that during discussions it was agreed that the 15-mile distance would be measured from the farm holding rather than the farm address this needs to be built into the system.

There are significant concerns that there is a lack of ability to use online recording within the farming community. Currently a large percentage of farmers use agents and consultants to assist with slurry export and other paperwork. The UFU welcome the proposal to facilitate farmers who are not IT literate or who do not have access online due to broadband/network issues in rural areas by permitting registration of movements by phone call as is done for cattle movement records. The UFU would highlight that any new IT system is piloted on real farms to ensure it is fit for purpose before being formally introduced. Changes to reporting of slurry movement should be delayed until reporting systems are fully functional.

There are also significant concerns around the implications for exporters/importers if verification is missed and the impact of this. This could result in breaches, penalties and a break down in relationships between farms therefore it is vital that any system that is introduced allows the exporter to view if the importer has verified genuine movements.

There needs to be a clear appeals process for farmers who exported slurry to others and where the importers do not verify receipt but had received the import. The new system proposed is complex with significant scope for genuine errors to be made e.g. measurement of mileage. It is essential that DAERA build in appropriate tolerances and an amnesty in the initial two years for genuine mistakes under the new system, particularly as farmers become familiar with increased reporting requirements.

It is vital that this new system does not deter farmers from importing slurry and therefore the redistribution of nutrients in NI. There is a risk that the administrative burden and risk of penalties must not discourage farms from legitimately importing slurry, as this would undermine the redistribution of nutrients which the NAP itself seeks to encourage. Many farmers do not want the paperwork or the risk. All stakeholders must commit to assisting and educating farmers who genuinely import slurry around the new system and encourage these legitimate movements to ensure that organic manures are not substituted on less intensive farms with chemical fertilizers.

No clarification is provided in terms of the movements of organic manures to the Republic of Ireland (ROI). Imports and exports of livestock manures between NI and ROI are regulated by the Animal By-Product legislation with requirements to notify DAERA Veterinary Services. This will also present difficulties for farms who own land

on both sides of the border and are currently moving organic manures within their own unit but different jurisdictions. The revised system must ensure that north south movements can continue to operate smoothly.

The UFU oppose the proposed use of geotagged photographic evidence as some farmers may struggle to do this and it is believed to be disproportionate to the scale of the concern.

#### 4.4.2 Extending the system to processed slurry solids and digestate movements

Same comments as 4.4.1 apply.

### 4.5 Additional Measures to Support Environmentally Sustainable Farming

#### 4.5.1-4.5.4 Measures

The UFU is supportive of the proposals outlined in this section around revised guidance on storage, revised silage bale storage requirements (no significant change), voluntary buffer strips on arable land and voluntary liming. All of these are in line with the UFU position in our previous Union response to the 2025 consultation.

DAERA must continue to recognise Force Majeure circumstances such as TB breakdowns where animals may have to remain on the farm unexpectedly and create additional, unavoidable pressure on slurry storage capacity. The UFU would also advocate for a funding scheme for measures which reduce the amount of clean or rain water entering slurry storage, rather than relying solely on advice.

Voluntary liming should be supported through an appropriate funding scheme if DAERA wishes to achieve meaningful uptake in improvements in soil nutrient efficiency.

## 4.6 Definition Updates & Technical Amendments

### 4.6.1 Definition of Appropriate Person

While the UFU supports the revision of the definition of 'appropriate person' from someone who is in control of 'livestock manures' to 'organic manures' which ensures that other manures such as anaerobic digestate/solids, residues etc are also covered.

Concerns have been raised around the willingness of NIEA to consider any appropriate person other than the farmer when pursuing breaches. The UFU are aware of many instances where a contractor has been at fault despite being instructed correctly by the landowner/farmer and the farmer has been breached and penalised. NIEA must ensure that they are fairly investigating all appropriate persons when breaches have been identified. Where it can be demonstrated that the farmer has correctly informed the contractor of the NAP requirements e.g. the location of waterways, risk areas, spreading in appropriate conditions then the farmer should be exempt from penalties.

### 4.6.2-4.6.6 Measures

The UFU is supportive of the measures proposed in this section which include:

- 4.6.2 Definition of Farmyard manure
- 4.6.3 Updating terminology
- 4.6.4 Covering of Lagoons (not required)
- 4.6.5 Definition of heavy rain
- 4.6.6 Changes to the Phosphorus content of livestock feed

## 4.7 Implementation - Including Inspections/Enforcement

### 4.7.1 False or misleading information provisions

Those who assist farmers work on the best available information provided to them. Farming situations could change throughout the year and the 'appropriate persons' may not be made aware of changes which could result in previously submitted information becoming inaccurate.

The vast majority of those assisting farmers, including the UFU, strive to ensure that they help them comply with regulations including the record keeping requirements. The UFU would have some concerns around how an overzealous inspector would interpret 'false and misleading' and it needs to be clear that genuine errors would not qualify as false and misleading information. There needs to be clear distinction between deliberately providing false information and genuine human error, with an appropriate route of appeal where someone believes an innocent mistake has been treated as an offence or breach.

It is right that blatant fraudulent activity by an ‘appropriate person’ should not result in penalties to the farmer and the UFU would support the proposal that they should be held responsible under the revised regulations.

#### 4.7.2 Increased inspections based on risk

While the UFU would prefer emphasis from DAERA to be on education and advice and the focus of resources in these areas, it is accepted that some level of inspection will be necessary. The UFU would support the proposals for simpler and more focused inspections and where necessary a fair and proportionate penalty system.

### 4.8 Scientific evidence, robust data and modelling

The UFU agrees that the development, implementation and future review of the NAP should be based on robust scientific evidence, reliable data and transparent assessment. It is essential that all regulatory measures remain evidence-led, proportionate and capable of delivering measurable environmental improvements whilst maintaining productive farming. The UFU believes that monitoring results and modelling outputs should be subject to ongoing review to assess effectiveness and ensure future policy decisions are targeted appropriately. Furthermore, assessments must consider all significant sources impacting water quality to ensure that responsibilities and regulatory requirements are applied fairly.

While scientific evidence is important, there also needs to be independence with openness and transparency around methodologies and the way research is carried out. Research around NAP and water quality needs to be published and shared with stakeholders.

Data provided by farmers for a specified NAP purpose should be used only for that purpose and should not subsequently be repurposed or shared within DAERA/NIEA for unrelated regulatory, enforcement or planning purposes.

## Part 5 – Governance, monitoring and review

The UFU supports appropriate monitoring and review arrangements but believes that governance frameworks must recognise the significant efforts already undertaken by Northern Ireland farmers to improve nutrient management and environmental performance. Future assessments should be based on measurable outcomes and robust evidence rather than assumptions regarding agricultural impacts.

The Union is concerned that the two-year review of chemical fertiliser use risks creating some uncertainty. Any decision to introduce further requirements, strengthen existing measures or convert voluntary actions into mandatory obligations must be supported by clear scientific evidence demonstrating both the need for intervention

and the likely environmental benefit and the impact of such a change on farm businesses must be assessed. Measure 4.1.1 on chemical phosphorus fertiliser on grassland must be the only measure to be reviewed after two years.

The UFU believes that governance and review arrangements must assess all significant contributors to water quality pressures and should not place disproportionate emphasis on agriculture where improvements are not being delivered due to factors outside the control of farm businesses.

The Union considers that meaningful stakeholder engagement must remain central to the review process. Any future policy changes should be developed following consultation and be accompanied by appropriate funding, practical support and economic assessment to ensure the long-term sustainability and competitiveness of Northern Ireland agriculture. The UFU does not support a presumption that further regulation should automatically follow where environmental improvements are not immediately evident.

All consultation responses submitted to DAERA must be made publicly available online.

## 7. Conclusion

The UFU recognises that the proposals now under consultation represent the outcome of extensive engagement involving farming, environmental and industry stakeholders. While some members will hold differing views on individual measures, the Union believes its participation secured a significantly more practical and achievable NAP package than would otherwise have been the case. The UFU's focus remains on ensuring that environmental improvements are delivered in a way that protects the long-term sustainability and competitiveness of Northern Ireland agriculture and will continue to engage with DAERA and NIEA on the next steps in this process.

The UFU considers that regulation alone will not deliver the required environmental outcomes. Any additional requirements placed on farm businesses must be supported by appropriate funding, advisory services, technology development and infrastructure investment to ensure farmers have the tools necessary to achieve compliance and deliver measurable improvements in water quality.

It is essential to recognise that farming is not the only source of water quality pressures and that all sectors must play their part in improving water quality. Significant and longstanding contributions from wastewater treatment plants and septic tanks must be addressed. Water quality improvements will only be achieved through a balanced approach that holds all sectors accountable.

Where monitoring accurately demonstrates that water quality is not showing anticipated improvements, DAERA should examine other pollution sources and the underlying evidence rather than automatically imposing further restrictions on farmers.

After approximately twenty years of the Nitrates Action Programme (subsequently the Nutrients Action Programme), the agricultural sector has played a significant role in supporting improvements in water quality. The agriculture industry has demonstrated a willingness to engage with and implement the required measures, and this contribution should be recognised. As the end of the four-year period, it is important that the impact and role of other sectors on water quality must be acknowledged and fully considered by DAERA.

It is also essential that progress on planning is secured. The UFU remains concerned that planning and ammonia policy continue to be major barriers to the successful implementation of NAP measures and wider environmental objectives. The current NIEA Revised Operational Protocol is restricting investment in modern farm infrastructure, limiting farmers' ability to improve efficiency, animal welfare and environmental performance. The success of the proposed NAP 2027-2030 measures is dependent on meaningful progress in ammonia policy and planning reform.

The UFU remains committed to working with DAERA and other stakeholders to improve water quality. However, success will depend on partnership, appropriate investment, realistic implementation periods, progress on planning reform and recognition that responsibility for water quality improvement extends beyond agriculture alone.