

Briefing

US corporation still taking the peat

Summary

- Our lowland raised peatbogs represent one of the most important wildlife habitats in the UK, but they are still being devastated by industrial scale peat extraction, despite their designation as Sites of Special Scientific Interest (SSSIs).
- It is excellent that the UK Government proposed Special Areas of Conservation (SAC) status for our three largest lowland raised peatbogs last August. But it is disappointing that this new designation is yet to be confirmed.
- There are clear indications that the delay is down to ‘filibustering’ by the US based Scotts Company, which is continuing to extract peat from these sites. They have used delaying tactics in similar situations before in their native US.
- There is evidence that the company has increased extraction rates since the Government’s announcement last summer. It is reasonable to assume that the purpose of the filibustering is so that they can secure one last mega-grab of peat from these sites, this summer.
- Another summer of peat extraction will be devastating for these sites.
- The UK Government must confirm SAC status for our lowland raised peatbogs, as a matter of urgency, and ensure that no peat is taken from these sites when the extraction season starts again this spring.

Peatbogs: ‘The UK’s tropical rainforests’.

Our lowland raised peatbogs represent one of the most important wildlife habitats in the UK and are of national and international conservation interest. They form a unique and fascinating home for many rare species, including:

- important populations of wild birds, such as nightjar, woodlark, curlew, merlin, peregrines, hen and marsh harriers, and long-eared owl.
- a wealth of unusual plants, such as the ‘carnivorous’ round leaved sundew, butterwort, and bladderwort. Species like bog rosemary are found nowhere else in Britain, and many species of sphagnum mosses carpet the surface of the bogs in brilliant green, ochre yellow and rusty red.
- thousands of species of rare insects such as the bog hog and the ‘Hairy Canary fly’. Over 3000 species of insects have been found on one site alone (Thorne Moor in south Yorkshire), including the unique ‘Thorne Moors beetle’.

Our peatbogs are also of great cultural and archaeological interest. They are highly valued by people locally and throughout the country. Locked in the peat is an **irreplaceable** archive of past climate, vegetation and human activity dating back thousands of years. Furthermore, our peatbogs play an important role in the global carbon cycle, acting as massive carbon stores.

But, the UK’s raised peatbogs are now reduced to a fragment of what they once were. In 1996, the National Peatland Resource Inventory (NPRI) was published

representing the most comprehensive assessment of the lowland raised bog resource in Great Britain to date. It found that of an original 69,700 hectares, **only 3,836 hectares (or 5.5 per cent) of lowland raised bog could still be described as in a “near natural” state.**¹

His Royal Highness, The Prince of Wales has compared the UK’s remaining peatbogs to tropical rainforests, because of their high conservation importance. In a support letter to the Peatbogs Campaign Consortium (PCC) written in 1998, His Royal Highness said: *“As this millennium draws to a close, I wonder how we will be remembered - as the generation which squandered the UK’s last lowland bogs, or as the generation which saved them for the enrichment of the third millennium?”*

It is now 2001 and the destruction still continues. And - according to local people - it’s worse than ever.

England’s largest remaining lowland raised peatbogs are Thorne Moor SSSI (2000 ha’s) and Hatfield Moor SSSI (1400 ha’s) in South Yorkshire and Wedholme Flow SSSI (780 ha’s) in Cumbria. All three sites are still suffering from industrial scale peat extraction being carried out by the US based multinational: The Scotts Company.

The corporation is able to exploit planning consents that pre-date SSSI designation. Unfortunately, this loophole was not addressed by the (otherwise excellent) Countryside and Rights of Way Act.

Parliamentary interest in peatbogs

There has long been a strong all-party consensus amongst MPs concerning the urgent need to end peat cutting on our lowland raised peatbogs:

- Over 360 MPs signed EDM 11 in support of greater wildlife protection (tabled by the Member for Brighton Pavilion in the 1998-1999 Parliamentary session). The resolution gave direct support to a “Wildlife Bill” which included measures that would have protected peatbogs.
- The issue has been addressed in a number of adjournment debates on wildlife. On 3rd November 1999, for example, Caroline Flint MP (the Member for Don Valley) commented that *“Scotts have turned large parts of Hatfield moors into nothing more than a lunar landscape. ...We cannot ignore*

the issue”.

- Environment Minister Michael Meacher has described the devastation of UK peatbogs on a number of occasions as an *“intolerable situation”*.

Government proposals to make peatbogs Special Areas of Conservation (SACs)

Last August, the Government announced its proposals to designate Thorne Moor, Hatfield Moor and Wedholme Flow as Special Areas of Conservation (SACs) under the EU Habitats Directive. The three sites were included in a list of over 80 wildlife areas which English Nature had proposed for the higher level of protection.

The proposals were warmly welcomed by local people and conservation groups. Under the terms of the EU Habitats Directive, planning permissions that may threaten the “conservation integrity” of SACs must be reviewed and, if necessary, revoked. It seemed that an end to peat cutting was in sight.

But the designation process has suffered from serious delays. The Government was originally planning to confirm their proposals by October 2000. It was not until late January 2001, however, that the first list of sites was sent to the European Commission and, to dismay of conservation groups, it did **not** include the peat sites.

Delaying tactics

So why the delay? Could it be that The Scotts Company is ‘filibustering’, to allow a last-ditch mega-grab of peat before the cutting is shut down for good?

Investigations in the US, have shown that this is not the first time that authorities have moved to stop peat cutting by The Scotts Company, and it would seem that the corporation is now adept at using delaying tactics to slow down legal proceedings.

In 1990, the US Government filed a suit against The Scotts Company seeking a permanent injunction against peat extraction at a site in New Jersey. But the company’s lawyers have held the suit in “administrative suspension” ever since and, over ten years later, **the case is still not resolved.**

UK conservationists are now worried that the company is using the same delaying tactics here. The UK Government's statement that it is "*still in negotiations*" with The Scotts Company reinforces these worries.

Delay means destruction

Meanwhile, local conservationists are convinced that The Scotts Company has stepped up peat extraction since the Government announced the proposed SAC designations last August. They warn that another season of full-scale peat cutting will spell disaster for wildlife on Thorne Moor, Hatfield Moor and Wedholme Flow (for an example, see "A Local View" by Helen Kirk, at the end of this briefing).

Their concerns are particularly acute in the case of Hatfield Moor, because there is evidence that another season of cutting may result in the base peat layer being breached. This would destroy the very sensitive hydrological integrity of the bog, and so compromise the options that are available for restoration. Meanwhile, evidence continues to be collected on how past peat cutting has led to local species extinctions. The beautiful golden Baltic bog moss *Sphagnum balticum*, for example, is one of the rarest species within the Back from the Brink programme run by the wild-plant conservation charity Plantlife.

Earlier this year, Plantlife's project officer for the species, confirmed that it no longer grows on Thorne Moor, the species being a victim of degradation through peat extraction.

As the next peat cutting season draws perilously close, local people and conservation groups are still nervously waiting for the Department of Transport and Regions (DETR) to confirm SAC status for England's three largest lowland raised peatbogs, before the damage starts again.

**"We're turning dirt into dollars!"
(Chuck Berger, CEO, The Scotts Company)**

As if the legacy The Scotts Company has already left wasn't bad enough, its plans for the immediate future are even more concerning.

Garden retailers, TV gardening celebrities and even some peat companies have accepted that a peat-free future is "*...not only the preferred route but potentially inevitable*".² Rather than use its position as the world's largest garden product company, with a turnover of over US \$1.7 billion, to assist this transition to peat-free gardening, Scotts has chosen to fight it.

The company recently announced that it will re-launch its peat products under the highly successful "Miracle-Gro" brand, and they ran a £2 million TV advertising campaign in the run up to Easter 2001, to boost UK sales and boost their market share.

The huge marketing effort is a direct challenge to the educational and consumer campaigns run by conservation groups over the last decade. But Scotts are also deliberately misleading consumers in their attempt to increase sales, because no-where on the 'Miracle-Gro' packaging does it mention that the product is peat-based.

At the corporation's recent Annual Shareholders Meeting, Chief Executive, Mr. 'Chuck' Berger even boasted about how the company has turned "*...dirt into dollars*".

Actions

- **Please write to Environment Minister Michael Meacher, about this issue. Urge him not to get 'bogged down' in negotiations with The Scotts Company.**
- **Ask him to confirm SAC status for our lowland raised peatbogs, as a matter of urgency, so as to ensure that no more peat is taken from these sites.**
- **Please write to your local MP, and ask him/her to also write to Mr. Meacher on this issue.**

A Local View - from Hatfield Moor, February 2001

"To all Members of Parliament, in All Parties:

I have lived on the edge of Hatfield Moor virtually all my life. Childhood and teenage memories are of a wonderful wilderness, a haven for unique and enigmatic biodiversity. A place on which to escape from the pressures of life, to relax and recuperate from every day stresses and strains. A site of

amazing natural history interest, a place where new species could be discovered, by the amateur as well as the professional.

Now the devastation is heartbreaking. The last decade has seen a US multinational plunder a UK national treasure so that they can make massive short term profits.

And over the last couple of seasons the pace of devastation has increased. Last year it was phenomenal, with extraction going on 24hrs a day, 7 days a week. They ran an extra long extraction season, with the cutting only stopping in October when the bogs became too wet for the heavy machinery to continue.

The Scotts Company took so much of our peat at the end of last year, they didn't know what to do with it all. Once they ran out of storage space in the factory compound, they started using the factory car park as an overflow. When that was full, they had to hire storage yards in a nearby village. And then, with sick irony, when that was full up, our precious Yorkshire soil was stored back where it belongs - on the moor - but this time processed and sealed up in 50 litre plastic bags, mislabeled as "multi-purpose" compost.

Never has the rape and pillage of our moors been so intense.

It is now February, and there are still massive piles of cut peat sitting on the moor waiting for the drier weather when it will be transported to the factory for processing. In all the years that I have been privileged to roam the moors, I have never seen so much at this time of year.

But they are already engineering the bog to rip even more peat out the ground this year! It is so wet at the moment, and yet, they are out there - with heavy equipment - cutting deep drainage ditches in the hope that they can start the extraction sooner rather than later. In places, their massive plant machinery is punching through the bottom peat layer and exposing the underlying sands and gravel. They are

destroying the very sensitive hydrological integrity of the bog - rather like turning a plastic bowl into a colander.

The Scotts Company claim that they do not work areas of "current conservation value". Rubbish! I have records of vegetation being cleared in mid season, even though it was home to breeding nightjars (supposedly a protected species). I have also seen The Scotts Company's preparation work, undertaken prior to each cutting season, which regularly involves the clearance of invertebrate feeding areas (which in turn are a food source for nightjar). Are they doing this just to prevent any possible expansion of the wildlife interest?

And all this - just so that a massive US multinational can make obscene profits out of selling Yorkshire soil.

I am not a campaigner by choice. I would genuinely have preferred to retain my anonymity and enjoy the simple peace and quite of the moors that I have lived by all my life.

But I speak out, and I speak the truth, because the carnage, the rape and the pillage must stop, and it must stop now! As big business gears up for its final assault on this precious bit of Yorkshire, the politicians, the statutory agencies, the local authorities and the Government must come to our defence.

If we wait until the peat cutting starts again this spring, it may be too late."

Helen Kirk

(Helen Kirk is the Executive Secretary of the Thorne and Hatfield Moors Conservation Forum).

References

1. Lindsay, R.A. & Immirzi, C.P. (1996) *An inventory of lowland raised bogs in Great Britain*, Scottish Natural Heritage Research, Survey and Monitoring Report, No. 78.
2. B&Q (1998) *How Green is my Patio? - The Third B&Q Environmental Report*.
3. Comment taken from transcript of speech made by Mr. Charles Berger, Chief Executive and CEO of The Scotts Company, at the Annual Shareholders Meeting, January 18th 2001.

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