

CONSULTATION

Response Document



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Public Consultation on the National Marine Planning Framework Baseline Report

Department of Housing, Planning and Local Government

14 December 2018

Introduction to CIEEM

The Chartered Institute of Ecology and Environmental Management (CIEEM), the leading membership organisation supporting professional ecologists and environmental managers in Ireland, the United Kingdom and abroad, welcomes the opportunity to participate in this consultation process.

CIEEM was established in 1991, received Chartered status in 2013, and has 5,000 members drawn from local authorities, government agencies, industry, environmental consultancy, teaching/research, and voluntary environmental organisations. The Chartered Institute has led the way in defining and raising the standards of ecological and environmental management practice with regard to biodiversity protection and enhancement. It promotes knowledge sharing through events and publications, skills development through its comprehensive training and development programme and best practice through the dissemination of technical guidance for the profession and related disciplines.

Amongst others, CIEEM is a member of:

- National Biodiversity Forum (Ireland)
- Irish Forum on Natural Capital (working group member)
- The Environmental Science Association of Ireland
- Europarc Federation
- IUCN – The World Conservation Union
- Professional Associations Research Network
- Society for the Environment
- United Nations Decade on Biodiversity 2011-2020 Network
- The UK All Party Parliamentary Group on Biodiversity
- The UK Environmental Policy Forum
- Greener UK

CIEEM has approximately 250 members in Ireland who are drawn from across the private consultancy sector, NGOs, government and semi-state agencies, local authorities, academia and industry. They are practising ecologists and environmental managers, many of whom regularly provide input to and advice on SEA and AA.

Comments from CIEEM

CIEEM welcomes the opportunity to participate in the public consultation by the Department of Housing, Planning and Local Government (DHPLG) on the National Marine Planning Framework Baseline Report (NMPF) and would like to make a few considered comments on the consultation document, as follows:

Initial comments from CIEEM

CIEEM would like to see an integration of policies and plans across sectoral interests to prevent conflicts. From the biodiversity perspective, it is hoped that the relevant polices and actions enshrined in the *National Biodiversity Action Plan 2017-2021* and the [draft] *Biodiversity Climate Adaptation Plan* would be included in the overall NMPF.

The following are some specific comments on the NMPF Baseline Report itself:

Page /Paragraph	Comment
Page 4 /Exec. Summary/last paragraph	<p>CIEEM welcomes the statement that the NMPF provides an opportunity for an evidence-based process.</p> <p>It is important that this acknowledged opportunity is maximised throughout, with the evidenced-based approach being implemented in all planning and decision making - in particular with regard to environmental assessment of the implications of any further development on marine ecosystems.</p>
Page 9, 1.5	<p>CIEEM agrees that it is important for a national marine plan to be underpinned by an efficient and robust planning and licensing framework. We consider that, in order to ensure that this planning and licensing framework is robust, it will be necessary to allocate resources to the planning and licensing authorities to ensure that the relevant expertise is in place to provide robust assessment of applications for consent.</p>
Page 13, 2.2	<p>CIEEM welcomes the fact that the three goals of equal importance include an environmental goal.</p>
Page 13, 2.3	<p>It is considered that greater emphasis should be placed on the ecological value of the marine environment/ocean economy.</p> <p>If the goals of economic development and environmental protection are to be given equal importance, then it would seem reasonable for any review of the ocean economy (as referenced and summarised at 2.7) to be not solely in monetary terms with monetary growth targets. This would seem to suggest that the economic goal is given more importance and, unless the environmental (and indeed social) 'economy' is not equally measured in terms of value and targets this is likely to be the case.</p>
Page 13, 2.4	<p>CIEEM welcomes the statement that the protection of our ecosystems and compliance with environmental legislation as an essential component of an ecologically sustainable future.</p> <p>However, in our opinion, how this will be achieved - in particular in respect of</p>

Page /Paragraph	Comment
	<p>compliance with legislation and planning conditions – needs to set out in detail. It will be essential to ensure that sufficient resources are in place in the planning and licensing authorities to ensure compliance with environmental legislation and planning conditions on the ground throughout the operational lifetime of projects.</p> <p>Monitoring of ecosystem structure and functioning should be incorporated and costed into the economic viability of a project to ensure that there are no unforeseen negative impacts to ecosystems particularly where evidence or scientific data is not yet available to accurately predict such impacts in the complex marine environment.</p>
Page 13, 2.7	Please see comment at 2.3 above.
Page 40, 9.12	<p>Whilst CIEEM welcomes the sustainable approach in the development of offshore renewable energy and the acknowledgement that account must be taken of the marine environment but we would like to see a stronger commitment for policies and measures to protect habitats and species in the marine environment (including marine, intertidal and coastal) and for them to be given a clearly stated high priority.</p>
Page 41, 9.13	<p>Environmental monitoring is listed amongst the ten policy actions and enablers but monitoring alone is not sufficient. There needs to be research into the interactions between marine renewable energy development and the marine environment. This is necessary to inform guidance, proper planning and to make the development of the industry sustainable, where the environmental gains achieved by developing a low carbon economy are not at the cost of marine biodiversity (see also comment on 9.12, above)</p>
Page 42, 9.24	<p>As above, reference is made to monitoring and the point above applies. Perhaps there is a difference in the understanding of the term monitoring and what it constitutes. Nonetheless, there is the need for both research and monitoring.</p>
Page 55, 13.18 Fisheries Part 4: Issues for Sustainability	<p>This section raises a number of questions as the information provided appears somewhat vague. In particular, have the current impacts of fisheries been adequately assessed?</p> <p>It is considered that the current situation with regard to the level of impact resulting from current fishing activities (on fish stocks, other marine species and ecosystems etc) should be determined and acknowledged prior to any further development in the fisheries sector in order to ensure that development in fisheries and/or the marine sector is sustainable.</p>
Page 55, 13.19	<p>It is acknowledged in this paragraph that there are concerns about the level of by-catch of birds, sharks and marine mammals in certain fisheries.</p> <p>As with the comment above on 13.18, the current level of impact to species affected should be determined prior to any further development in the marine environment to ensure that environmental impact assessments can be undertaken effectively using up to date scientific data. Any gaps in knowledge</p>

Page /Paragraph	Comment
	<p>should be filled to ensure that there are no negative impacts to species and ecosystem health as a result of future development and growth in the marine sector.</p>
<p>Pages 63 - 69, Parts 1, 2,3 and 4</p>	<p>As stated above, in several comments, the collection of evidence-based data is critical to the protection of the marine environment when developing strategies and polices going forwards.</p> <p>The establishment of environmental targets and indicators, the development of the formal MSDF Monitoring Programme and the Programme of Measures etc.</p> <p>The full and timely implementation of these and others as set out under these sections of the report is critical.</p>
<p>Page 71, 16.1</p>	<p>Reference is made to the role of NPWS. This links to research and guidance but also to resources.</p> <p>The NPWS have limited resources and is therefore limited in its ability to fully input into the marine licensing consent process.</p> <p>With an emphasis on research (e.g. field, literature review, analysis, collation of monitoring data to a central source, use of new technologies) NPWS will be better informed and if they had more resources, they could develop Guidance to inform the marine development sector. This ties in with para 16.24 below</p>
<p>Page 74, 16.24</p>	<p>The increased obligation imposed by nature conservation directives is sometimes perceived as being barriers to development and growth.</p> <p>This perception is a fundamental issue for both marine and terrestrial planning. The development of a marine spatial plan is not likely to be able to address the fundamental issues which have led to the nature conservation directives being perceived as a barrier to development. For example, specific issues such as lack of resources to NPWS to develop informed research-based guidance for the planning system require attention.</p> <p>It is considered that further work is required to change the discourse around the obligations of the nature directives being a barrier to development. Education and awareness are required to promote understanding of the reliance of the economy on marine biodiversity and ecosystem services.</p> <p>CIEEM considers is important that the goal to protect healthy ecosystems (para 2.4) is not just concerned with the protection of European sites, but that biodiversity both within and outside of designated protected areas is protected.</p>

Response to consultation questions

In respect of the questions posed and as set out on page 102 of the Report, our initial response in relation to those relevant to our sector are as follows:

No.	RESPONSE
1	<p>CIEEM considers that there is a need for emphasis on research as well as monitoring. Also, as per comments above, it is critical to place the value of ecosystems alongside that of economy if they are truly to be addressed equally as the goals imply.</p>
2	<p>As above, emphasis needs to be placed on the value of ecosystem services provided by the marine environment, with the inclusion of the value of ecosystem services affected in the economic viability and feasibility of a project.</p> <p>Further research to understand those ecosystem services and the protection of marine ecosystems as the highest priority over and above that of economic considerations is considered vital.</p> <p>In light of recent evidence over extinction crisis in many ecosystems in the world, expansion of human activities in the marine environment needs to be undertaken with caution and with a goal of 'no impact' to the marine environment or the ecosystem services it provides.</p>
3	<p>Recent climate change objectives at COP 24 refer to the need to decrease consumption. The level of economic activity should be determined based on food and prosperity that is needed to sustain healthy human populations and not to fuel ever increasing consumption of, and overuse, of materials and resources.</p> <p>In light of this the concept of sustainable development and how it is to be applied in the marine plan, it is considered that this needs to be further elaborated and more clearly defined in order to avoid inappropriate level of development in the marine environment.</p> <p>It is recommended that there should also be an objective to further study and increase knowledge of the marine ecosystems in order that they may be protected from impacts from marine sector activities.</p>
9	<p>The assessment of cumulative impacts is one of the most difficult aspects of environmental assessment and should be underpinned by appropriate guidance and crucially, availability of information and data in order to assess cumulative impacts effectively.</p> <p>The environmental objectives to be used should include no loss or degradation of habitats and no decline in biodiversity and the restoration of already degraded habitats and the preservation of ecosystem services.</p>
11	<p>Greater resources need to be provided to licensing and regulatory authorities in order to monitor compliance with relevant legislation, licensing and planning consents. There needs to be sufficient number of personnel (with the appropriate expertise) on the ground to inspect and ensure compliance</p>
12	<p>Key indicators should include the conservation status of marine habitats and species.</p>

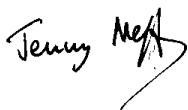
CIEEM wishes to draw the Department's attention to the recently published CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*. Chartered Institute of Ecology and Environmental Management, Winchester; and in particular to the following paragraphs of the Guidelines concerning the marine context, at 5.36 and 5.37:

"The Marine Context

5.36 Within marine and estuarine environments, the assessment of impacts and the evaluation of significance have some distinct considerations that are not always associated with terrestrial or freshwater habitats. For example, marine environments are often very dynamic and highly changeable over varying timescales. They can also exhibit high levels of physical and ecological connectivity even across quite wide expanses (coastlines, estuarine systems and transnational boundaries) and are also generally less visible and accessible for observation and monitoring. These factors influence the potential nature, scale and extent of environmental changes as well as the way in which marine and estuarine species and habitats are sensitive/vulnerable to these changes. They also influence the extent to which we can understand and quantify cause and effect responses. These distinctive factors and the particular role of uncertainty in the context of the Precautionary Principle need to be recognised for EIAs that cover marine environments.

5.37 It is also important to recognise that adaptive mitigation and monitoring strategies (Adaptive management) can often be adopted successfully to resolve residual uncertainties about the significance of effects of impacts in the marine environment and to provide necessary assurances as to the absence of negative effects. Adaptive management is a decision process that promotes flexible decision making that can be adjusted in the face of uncertainties as outcomes from management actions and other events become better understood. Careful monitoring of these outcomes both advances scientific understanding and helps adjust policies or operations as part of an iterative learning process."

CIEEM is the professional representative body of ecological practitioners and environmental managers who record and evaluate Irish biodiversity throughout their work, including within the context of planning and development, including in the marine environment. Our members are knowledgeable about the natural heritage of Ireland and CIEEM is therefore well placed to provide input and advice to the Department in respect of ecological aspects of the National Marine Planning Framework going forwards.



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December 2018