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Marine Planning Policy Statement Public Consultation  
Marine Planning Policy Section  
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### **Marine Planning Policy Statement Consultation**

To whom it may concern:

I am making this submission on behalf of the Sustainable Water Network (SWAN), an umbrella network of 25 of Ireland's leading environmental NGOs, national and regional, working together to protect and enhance Ireland's water environment. Through coordinating the work of the SWAN office with that of our members, SWAN seeks to influence water and water-related policy so as to secure maximum protection for Ireland's aquatic resources, through participation in the implementation of the Marine Strategy Framework Directive (MSFD), the Water Framework Directive (WFD) and other water-related policy and legislation. We are a founding partner of Fair Seas and a member of Seas at Risk and the Irish Sea Network.

SWAN welcomes the opportunity to respond to the Department of Climate, Energy & the Environment (DCEE)'s draft Marine Planning Policy Statement (MPPS). The environmental NGOs in our network are the voice of the natural water environment in Ireland, which must take higher priority in this important planning document.

We welcome a plan-led approach to marine spatial planning and recognise this MPPS to be a vital next stage in Ireland's marine planning governance, particularly given how the various sectors using the marine area are currently fragmented across multiple departments; a cohesive, statutory plan is essential for effective governance.

Marine Plan recently reported that in Ireland seven different government departments share marine responsibilities, with a total of 92 distinct marine agencies; this fragmented governance was recognised as a main barrier to achieving targets. The organogram and legislation “horrendogram” on their recently published [StoryMap](#) (which SWAN fed into, as a stakeholder) are evidence that a cohesive approach to MSP is necessary.

However, SWAN is concerned that despite a written commitment to an ecosystems-based approach to planning, this is not evident in the Statement. “Nature” is never referred to in the main document. The word “biodiversity” is used twice, “restore/restored/restoration” are included only three times, and there is no mention of the Nature Restoration Law. These omissions are a worrying indication of the priority of our marine ecosystems in planning, compared to economic, energy and security uses.

The priorities for marine planning are under the headings Stewardship, Security, Offshore Transmission Infrastructure and Interconnection, Food Security, Telecommunications Security, Maritime Transport Security, Cyber-security, National security/Defence and Prosperity. It is only under a subheading of Stewardship that “*the intrinsic value of the marine environment*” is mentioned, and even then, the environment is still framed as a provider of benefits such as fisheries and cultural services. While issues of energy, economy, security and defence are certainly important factors in marine planning, the importance of nature and biodiversity must be equally valued in the planning system as a driving principle, rather than primarily viewing our maritime area for its economic potential.

The Natura Impact Statement (NIS) included with the MPPS consultation documents references numerous policies, plans and reports committing Ireland to protection and restoration of biodiversity. Despite the NIS going into detail about threats to EU protected species and habitats, and challenges to biodiversity, little of this is reflected in the main text of the MPPS itself.

Given the government’s [Fourth National Biodiversity Action Plan \(NBAP\) 2023-2030](#) published last year aimed to “*deliver the transformative changes required to the ways in which we value and protect nature*” and promised a “*‘whole of government, whole of society’ approach to the governance and conservation of biodiversity,*” the lack of attention to the protection of our seas’ species and habitats within the MPPS is concerning. Ireland’s Article 17 Report published in 2019 is quoted in the NIS, with its report that 15% of habitats were recorded as “favourable”, 46% as “inadequate” and 39% as “bad”; in addition, 57% of species were assessed as “favourable”, 15% as

“inadequate”, 15% as “bad” and 13% as “unknown” or considered to be vagrant species.

One of the Principles of Marine Planning within the draft is “*support the protection and restoration of biodiversity as a necessary prerequisite for healthy and resilient marine ecosystems.*” However, there is far greater focus on the economic potential of our maritime area, and its use in energy and security provision, rather than protection and restoration of biodiversity, as required by the Nature Restoration Law. The NIS with the consultation documents also notes the EU Biodiversity Strategy 2030 as an important policy relevant to the MPPS- all the more reason for biodiversity to take higher priority within the plan. The NIS also includes the challenges for national biodiversity raised in the most recent ‘EPA State of the Environment review - Ireland’s Environment – An Assessment 2024,’ including “*habitat loss due to land use changes as the economy improves, climate change and associated potential change in the range of some habitats/species and the expansion of invasive species.*”

As SWAN expressed in our February 2024 submission to the Draft offshore renewable energy (ORE) Future Framework Public Consultation, we are supportive of the broader goal of tackling the climate crisis and using renewable energy sources to reach net-zero greenhouse gas emissions by 2050 and decarbonise Ireland’s energy system, but cannot see ORE expansion at the expense of important habitats and wildlife. A nature-first approach to marine planning must ensure MPAs are designated prior to ORE DMAPs, prioritising the protection of nature. However, this MPPS puts ORE at the centre of planning, referencing “offshore renewable energy” or “ORE” twelve times. In a 2021 meeting between the European Commission and DAFM (as noted by the Irish River Project), the Commission “*reiterated its concern that progress on the identification and designation of sites under the Habitats Directive and in particular feeding/foraging areas for seabirds under the Birds Directive is too slow, in particular in the light of Ireland’s offshore ambitions. These two ambitions appear to be on a collision course and it is unclear how sites for development in the marine area can be adequately assessed under Article 6(3) of the Habitats Directive if so few are actually designated or even identified.*”

We welcome the reiterated and necessary commitment in the MPPS to “*achieving the designation of 30% of our maritime area as Marine Protected Areas by 2030.*” However, with less than 10% of Ireland’s seas currently designated as Special Areas of Conservation or Special Protection Areas (and none with the needed management plans) four-and-a-half-years away from this deadline, the Government’s lack of progress of Marine Protected Area (MPA) legislation is stark. This delay is noted in the

NIS, which references the EPA 2024 State of the Environment Report's finding that *"while developments in spatial planning are progressing, the introduction of MPA legislation has been repeatedly delayed."* The commitment to 30% designation in the MPPS must be backed up by action, including effective management plans and stakeholder participation at its core. Protection of the marine environment must be paramount in any marine planning and enshrined in legislation.

We welcome the inclusion of BirdLife and BirdWatch Ireland's Important Bird and Biodiversity Areas (IBAs) within Table 5-2 'Nature Designations in Ireland' in the SEA Environmental Report, and refer to the response submitted by our colleagues in BirdWatch Ireland for further detail on the importance of the IBAs in marine planning. We support their recommendation for the use of IBAs in both designating future MPAs and as a layer in future DMAPs.

The principle that marine planning should *"ensure that the collective pressure of activities is kept within levels that are compatible with the achievement and maintenance of Good Environmental Status [GES] as defined through Ireland's Implementation of the Marine Strategy Framework Directive and the achievement of Good Ecological Status as defined through the implementation of the Water Framework Directive"* is a necessary inclusion. However, Ireland met GES under only six of the 11 MSFD descriptors in the most recent report, highlighting there is much more work to be done to reach these objectives.

There is discrepancy in the plan between the acknowledgement of needing to achieve and maintain GES in our waters and some of the activities referenced in the statement. For example, *"continued development of aquaculture"* is supported, despite the most recent River Basin Management Plan [Water Action Plan 2024](#) identifying aquaculture as one of the most significant pressures/impacts on Ireland's waters. Ireland's most recent [MSFD report](#) also identified three main damaging pressures that aquaculture places on Ireland's marine environment:

- input of nutrients organic material causing eutrophication (D5 Eutrophication)
- input of litter (D10 Marine Litter)
- input or spread of non-indigenous species (D2 Non-Indigenous Species)

Given these pressures, we are concerned to see a commitment to increasing aquaculture development in the Statement, without recognition of its role in affecting our ability to reach GES. It is also referred to as a *"long-standing traditional activit[y] in*

*the marine environment,”* despite having only been practiced in Ireland since the 1980s, according to DAFM’s National Strategic Plan for Sustainable Aquaculture 2030.

However, we welcome the commitment to “*establish and coordinate a marine data repository in line with the principle ‘collect once, use often’ to optimise efficient use of resources, and aims to make marine data available for use by all Government Departments, State bodies, developers, environmental NGOs and the public generally.*” SWAN recognises this as an opportunity for efficient use of resources to gather further data to measure against MSFD and WFD objectives, particularly for species where baseline and monitoring data is lacking.

Before the final version of the Statement is published, SWAN calls for a greater prioritisation of the protection and restoration of our marine ecosystems through this plan-led and cohesive approach to marine spatial planning. The NIS presents the “main potential ecological impacts that could arise from the implementation of the draft MPPS” and it is imperative these are addressed.

Yours sincerely,

*E. Armshaw*

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