

The following is IFA Aquaculture formal submission on the draft National Marine Planning Framework (NMPF), addressing each section of the document as appropriate:

Foreword

In broad terms the objectives of the draft National Marine Planning Framework, address a number of recommendations outlined in the recent 'Review of the Aquaculture Licensing Process', where the report concluded that the aquaculture licensing system was in 'urgent need of reform'.

The 'Review of the Aquaculture Licensing Process' recommended measures to allow for a timely, more streamlined aquaculture licensing system, a number of which are in line with the policies and principles of the proposed draft National Marine Planning Framework, namely:

- A formalised pre-application process;
- Reasonable timescale for each step of the process and streamlining of the aquaculture licensing system;
- Improved public notification and consultation with the public and statutory bodies;
- Transparency of Application process;
- Consider separation of aquaculture licensing function from monitoring and enforcement of aquaculture licenses;
- Integrated policy Framework – developing Marine Spatial Planning framework is essential for future development of sustainable aquaculture sector.

Development of an integrated marine planning system would address a number of these recommendations along with priorities for development of sustainable aquaculture outlined in other government policy documents; 'National Strategic Plan for Sustainable Aquaculture' and the current 'Programme for Partnership Government'.

However, IFA Aquaculture however notes that the functions of Department of Agriculture, Food and the Marine, are excluded from the scope of Marine Planning and Development Bill. It would appear that as a function of this department, aquaculture therefore is not included in the very legislative framework that underpins the marine planning system.

Any legislative framework related to the National Marine Planning Framework must include the Aquaculture sector – in order to succeed in enabling a better integrated marine management, Ireland's marine planning system and any legislative framework must apply to all sectors, including Aquaculture. The Irish Aquaculture sector needs the support of policy to allow for sustainable development of the industry.

2.0 Marine Planning in Broader Context

2.1-2.3. Marine Planning Policy Statement:

It is envisaged that the development of Ireland's first Marine Spatial Plan (MSP) would be a whole of government approach, which will be an overarching framework for marine decision making that is consistent, evidence-based and secures sustainable future for Ireland's marine area – it is integral that the Department of Agriculture, Food & Marine (DAFM) must be part of this whole of government approach in the forward planning process.

IFA Aquaculture recognises that the overarching principles of the Marine Planning Policy Statement (MPPS) could allow for separation of aquaculture licensing function from monitoring and enforcement of licenses into two separate bodies i.e. DAFM/Marine Institute and Department of Housing, Planning and Local Government (DHPLG).

Forward planning should ensure that policies are clear and unambiguous, in order to provide clarity for policy and law makers, the community and users of the marine environment. Policy should make clear where certain activities will be allowed, encouraged or prohibited (subject to lack of conflict with other policies or Regulations). This is essential in order to provide clarity for the community, all water users including those engaged in aquaculture and fishing.

IFA Aquaculture would welcome the opportunity for early and effective public engagement in the application process as it would aid clarity and provide better understanding of the process.

The 'Review of the Aquaculture Licensing Process' recommended pre-application screening process for aquaculture licensing; the proposed forward planning element of the MPPS could facilitate the implementation of this recommendation under the marine planning system. Aquaculture, as a sector with an existing marine planning process, is an example of how a sector could benefit from increased awareness and understanding of marine planning system. Too often public notice of aquaculture licence applications has not been communicated correctly to the public, wider community in a local area and stakeholders affected by a proposed aquaculture development. This results in an increased level of submissions for such a proposed development, which could have been better managed from the outset had there been better understanding and awareness on such an application.

Reform of aquaculture licensing is necessary alongside the Marine Planning Policy Framework (MPPF). policies should be aligned with the licencing system so that it is clear to decision makers what is acceptable. Policy should require all agencies involved in consent and licencing processes to engage in pre-application discussions and encourage pre-application community engagement. Pre-application engagement should be encouraged and facilitated by MPPF to provide greater clarity on the aquaculture licensing process.

2.4 Harnessing Our Ocean Wealth document recommended that an overarching national marine spatial plan was required which would be underpinned by an 'efficient and robust planning and licensing framework'. This would be welcomed by the aquaculture industry as the current aquaculture licensing system is inefficient, and despite numerous government policies highlighting the need for improved efficiencies and reform of the current aquaculture licensing system, progress has been far too slow.

IFA Aquaculture recognises an opportunity for the national marine spatial plan to help address the inefficiencies of the current aquaculture licensing system.

2.39 – 2.41 Marine Consents and Licensing

The NMPF will not replace or remove existing regulatory regimes or legislative requirements governing the operation of various marine sectoral activities. Rather, it will provide an overarching framework for their continued operation.

2.42-2.44 Marine Planning and Development Management Bill: The government proposes to '*modernise elements of the marine development management and enforcement systems*' – a development that would be welcomed by IFA Aquaculture.

The Bill aims to '*Introduce a single State consent system for the maritime area whereby the Ministers for Housing, Planning and Local Government and Communications, Climate Action and Environment will assume responsibility for the State consents for the control of the foreshore, territorial sea, exclusive economic zone and continental shelf elements of the maritime area as appropriate and the granting of leave to apply for development consent/planning permission to An Bord Pleanála/local authorities for projects under their jurisdiction*'

However, IFA Aquaculture however notes that the functions of Department of Agriculture, Food and the Marine, are excluded from the scope of Marine Planning and Development Bill. It would appear that as a function of this department, aquaculture therefore is not included in the very legislative framework that underpins the marine planning system.

This is wholly unacceptable that the aquaculture sector would be excluded from a single State consent system for the maritime area, thereby posing the risk that aquaculture will be omitted from any future marine planning systems and would not be fairly considered under a single State consent system for marine spatial planning.

The Bill also aims to '*Introduce a single development management process for the Maritime Area for activities or developments*'

However, IFA Aquaculture notes that DAFM is also not included in regard to single development management process, and it would appear that this proposed legislative process currently does not apply to the aquaculture sector. If the application process for all other sectors in the maritime area is streamlined, excluding the aquaculture sector, then it creates a situation whereby, aquaculture, with an already lengthy application process, will be unfairly ruled out of increased transparency and competition for space than that of other activities in the marine space.

While all other sectors in the maritime area will benefit from these proposed legislative elements of forward planning and streamlined development management and enforcement, it appears the aquaculture sector will continue with the current aquaculture licensing system administered by DAFM. The Bill is described as a '*cornerstone of the future marine planning system in Ireland*' – the future of marine planning in Ireland must include the aquaculture sector.

2.45 NMPF and Climate Change: Aquaculture provides for one of the most carbon efficient sources of protein, when there is an increasing demand globally for sustainable sources of protein. The draft NMPF states that the *Government Climate Plan to Tackle Climate Breakdown* will highlight the role of marine planning in national climate action efforts, on this note, consideration must be given to the role aquaculture has to play in this regard, through the National Mitigation Plan, the National Adaptation Framework, and the National Development Plan.

3.0 Overarching Marine Planning Policies

Environment – Ocean Health (Existing environmental measures):

3.9 Aquaculture sector complies with obligations outlined in a number of environmental laws such as; Habitats Directive 92/43/EEC, Birds Directive 2009/147/EC, Water Framework Directive 2000/60/EC, Consolidated Environmental Impact Assessment Directive 2014/52/EU; and under the current aquaculture licensing system, the aquaculture sector is required to comply with more environmental legislation than any other sector in the marine space, thereby ensuring the healthy and sustainable use of Ireland’s seas.

A marine planning system that aims to streamline sustainable use of the environment and adopt an ecosystem management approach for all sectors in the marine space would be beneficial, where all sectors in the marine space must comply with environmental legislation equally.

3.12 Under this section it is stated that ‘*The NMPF sets out a range of policies that seek to complement rather than duplicate. Importantly, compliance or alignment with any of the policies in this section should be seen as additional to the important environmental regulations already in place for example the need to undertake an Appropriate Assessment.*’ IFA Aquaculture would like to note the aquaculture already adhering to this process.

Planning Policies - MSFD Led Approach:

3.15 – 3.24

The Marine Strategy Framework Directive (MSFD) requires European Union member states, including Ireland, to achieve or maintain good environmental status (GES) in the marine environment by the year 2020 at the latest. The assessment of the status of the marine environment, the determination of the characteristics of GES including threshold values and environmental targets inform decisions about how to use marine resources sustainably.

The aquaculture sector acknowledges its role in the sustainable use of marine resources in order to achieve GES. The aquaculture sector will continue to comply with monitoring and assessment programmes that support descriptors in working to achieve GES.

Descriptors cover a range of pressures on and the state of the marine environment. The descriptors and associated criteria play an important role in the development of environmental targets, monitoring programmes and the programme of measures. The aquaculture sector continues to participate in a number of these monitoring programmes and contributes in this way to achieving GES and development of environmental targets. However, it must be acknowledged there is a balance in achieving these targets and what is practical for the aquaculture sector.

IFA Aquaculture would like to acknowledge that a number of descriptors are noted as being ‘Compatible with GES’, in particular, Descriptor 9 - Contaminants in Seafood showing very high-level of compliance (99.7%) in recently published ‘*Public Consultation on the Marine Strategy Framework Directive 2008/56/EC*’. This is welcome observation for the aquaculture sector.

Biodiversity:

3.25 The aquaculture sector acknowledges its role in protecting marine biodiversity and would welcome further assessment that increase scientific knowledge base, data quality and understanding of their ecology and role in our marine ecosystems improves - as we need a better understanding of the role of how appropriate aquaculture management practices are contributing to protecting marine biodiversity and how this might better inform decision makers in relation to planning policy.

Natural Capital Ecosystem services & DAFM Climate Action Plan:

3.44 & 3.46

Appropriate recognition must be given to the aquaculture and its contribution to marine ecosystem services which make a substantial contribution to welfare, health and economic activities every year. IFA Aquaculture welcomes the draft 'Economic and Social Assessment of the Irish MSFD area' which is included in the '*Public Consultation on the Marine Strategy Framework Directive 2008/56/EC*'. Fisheries & aquaculture worth an estimated €664 million in terms of output value from Irish waters, with carbon absorption services of 42,647,000 tonnes valued at €818.7 million - IFA Aquaculture welcomes this and seeks appropriate recognition for the aquaculture sector in its carbon sequestration services.

Marine Protected Areas:

3.59-3.61

IFA Aquaculture is involved in the Marine Protected Areas (MPA) process required by MSFD, which may result in new protected areas – IFA Aquaculture is a member of an expert group that has been established in help advise the Department on a process for expanding Ireland's network of Marine Protected Areas into the future. The intention is that Ireland puts in place a network of MPAs that is coherent, representative, connected and resilient, and that meets its commitments under the Marine Strategy Framework Directive. The remit of the group includes the consideration of existing area-based protection measures in the marine environment, and provision of advice and recommendations to the Department of Housing, Planning and Local Government on the future steps for the expansion of such a network.

Non-Indigenous Species

Under this section it is outlined that '*Proposals must demonstrate a risk management approach to prevent the introduction of and/or spread of invasive non-indigenous species, particularly when: a) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another*'. Also it is stated in **3.75 & 3.76** '*Proposals that reduce the risk of spread and/or introduction of non-native species should include information demonstrating how this will be achieved such as: biosecurity action planning, implementation and monitoring during the operational stages of a proposal.*'

IFA Aquaculture would like to note that under the Fish Health Directive (2006/88/EC) all aquaculture production businesses, must obtain fish health authorisation (FHA) from the Marine Institute. Part of the requirements for FHA include a Biosecurity plan outlining biosecurity measures and disinfection protocols mitigates risk off disease/invasives introduction.

Water Quality

3.81 IFA Aquaculture have noted concerns regarding aquaculture as being listed as a source of 'Excessive nutrients, including nitrogen and phosphorous'.

IFA Aquaculture would like to clarify that in the context of the Irish Aquaculture sector and would like the following to be noted:

- Aquaculture also contributes to the control of nitrogen/phosphorous removal as shellfish are filter feeders which aids to reduce and mitigate eutrophication effects of Irish coastal waters.
- Shellfish, as filter feeders, actually increase water quality and habitat quality in Irish coastal waters. Shellfish provide a nutrient removal service through feeding which enhances bacterial denitrification, sedimentation rates, reduces turbidity as well as contributing to nutrient sequestration.
- In relation to finfish aquaculture, current WFD classification of coastal waters classifies all coastal water bodies as being of 'High' status for water quality parameters - this includes water bodies which contain salmon farms and indeed all marine aquaculture activities.

- As part of finfish farming, excess nutrients are artificially introduced into the water column through salmon excretion, in the form of carbon, nitrogen and phosphorus. It is acknowledged that additional nutrients can disturb the natural ratios of nutrient elements in seawater and can increase the availability of nutrients for macro-algal and phytoplankton uptake, which, in turn, can lead to eutrophication. However, the loading rate of dissolved inorganic nitrogen (DIN) from salmon farms generally is relatively low when compared to the natural loading rate.

- Almost all salmon farms in Ireland are of organic status and the location of farms, which are located in exposed, well flushed offshore environments – fish farming sites located in these environments are considered to have reduced nutrient enrichment when compared to natural levels and thus mitigates the risk of eutrophication.

3.89 & 3.90 IFA Aquaculture welcomes the inclusion of aquaculture and its ecosystem services through *‘filter feeding shellfish, such as blue mussels, filter water and absorb nutrients (particularly nitrogen) from the water column thereby improving water quality’* which provides some of the *‘ecosystem services essential to achieving and maintaining a long-term improvement in water quality’*.

3.94 There are 64 designated shellfish areas in Ireland as part of the EU Water Framework Directive requires all Member States to designate waters that need protection in order to support shellfish life and growth. There are physical, chemical and microbiological requirements that designated shellfish waters must either comply with or try to improve, as well as the establishment of pollution reduction programmes where required. In recent years, mis-management of discharge into designated shellfish areas has compromised the water quality in shellfish producing bays across the country.

IFA Aquaculture notes that adequate funding in and resources be made available to ensure tertiary treatment must continue to be rolled out for all coastal Wastewater Treatment plants (WWTP) - specifically WWTP's adjacent to bays and harbours where shellfish production is carried out to sustain food safety, rural jobs and enterprise and compliance with the EU Water Framework Directive (formerly EU Shellfish Waters Directive).

Climate Change:

3.149 IFA Aquaculture welcomes the recognition of *‘The Irish shellfish aquaculture industry plays an important role in the Irish coastal economy. Commercially important farmed shellfish such as mussels and oysters may be at risk from OA and increased ocean temperatures.’*

Economic – Thriving Maritime Economy

The objectives of a thriving maritime economy, including the aquaculture sector, such as; *‘Promote the sustainable development of a thriving ocean economy. Promote the development of vibrant, accessible and sustainable rural coastal and island communities.’* have never been more important and should be given prominent consideration in the Ireland's recovery plan post-Covid-19 crisis.

Infrastructure

3.178-3.182 The shellfish industry depends on an effective wastewater treatment system to prevent loading of wastewater into shellfish production areas, subsequently contaminating their shellfish produce making unfit for market and unsafe for human consumption. There is an opportunity for better co-ordination and management of sewer systems and wastewater treatment systems that discharge to sea through alignment of marine and land planning systems, particularly in the area of water quality in shellfish producing waters. The shellfish industry depends on an effective wastewater treatment system to prevent loading of wastewater into shellfish production areas.

Employment

IFA Aquaculture draft National Marine Planning Framework Submission – April 2020

3.188 Under this section it is stated that *‘Marine planning has a role to play in facilitating growth in new and existing industries which bring associated socio-economic benefits including employment.’* This has never been more important and should be given prominent consideration in the Ireland’s recovery plan post-Covid-19 crisis, to stimulate employment in rural coastal and island communities.

3.189 The current Covid-19 crisis highlights the need for *‘appropriately planned supply chains can help encourage investment and stimulate demand for marine products and services.’*

5.0 Aquaculture

The Aquaculture objectives outlined in the draft National Marine Planning Framework address a number of key aspects that could aid reform of the current aquaculture licensing system, including:

- Support for a diverse, compliant growing aquaculture sector through a modern licensing & enforcement system
- Maintain a best practice aquaculture licensing system which supports future potential of aquaculture
- Further enhance the aquaculture licensing system with the aid of legislative, administrative & scientific expertise, which promotes trust in the regulatory system
- Further develop enforcement strategies which supports a compliant aquaculture industry

The realisation of such objectives would provide to clarity for decision makers (e.g. those issuing licences), clarity for those local businesses wanting to invest in new or existing ventures, and probably most importantly clarity for local communities as to what developments are planned in their areas.

As Aquaculture provides an important social dividend providing employment in rural coastal & island communities through the sustainable production of high-quality food, the sectors contribution in sustaining vitality and viability in coastal areas cannot be ignored.

Legislative Framework

However, IFA Aquaculture however notes that the functions of Department of Agriculture, Food and the Marine, are excluded from the scope of Marine Planning and Development Bill. It would appear that as a function of this department, aquaculture therefore is not included in the very legislative framework that underpins the marine planning system.

In other words, the policies, principles and objectives of the National Marine Planning Framework means little in regard to the aquaculture sector if they are not underpinned by appropriate legislation.

Any legislative framework related to the marine planning system must include the Aquaculture sector – in order to succeed in enabling a better integrated marine management, Ireland’s marine planning system and any legislative framework must apply to all sectors, including Aquaculture. The Irish Aquaculture sector needs the support of policy to allow for sustainable development of the industry.

Integrated Marine Planning System

IFA Aquaculture supports the development of an integrated marine planning system which is aligned with the land-planning system, with clearly set out timeframe for every step of the decision-making process from the outset, through screening, consultation, decision making and appeals. Such measures would meet the implementation requirement of a number of recommendations outlined in government policy documents namely; ‘Review of the Aquaculture Licensing Process’, ‘National Strategic Plan for Sustainable Aquaculture’, Current ‘Programme for Partnership Government’.

6.0 Energy – Carbon capture and Storage

Appropriate recognition must be given to the aquaculture and its contribution to marine ecosystem services which make a substantial contribution to welfare, health and economic activities every year. IFA Aquaculture welcomes the draft 'Economic and Social Assessment of the Irish MSFD area' which is included in the *'Public Consultation on the Marine Strategy Framework Directive 2008/56/EC'*. Fisheries & aquaculture worth an estimated €664 million in terms of output value from Irish waters, with carbon absorption services of 42,647,000 tonnes valued at €818.7 million - IFA Aquaculture welcomes this and seeks appropriate recognition for the aquaculture sector in its carbon sequestration services.

16.0 Seaweed Harvesting

IFA Aquaculture supports growth of viable seaweed industry through sustainable harvesting of seaweed while recognising the economic and social contribution it makes to coastal communities.

As outlined in the NMPF objectives *'a fit for purpose regulatory framework that supports sustainable harvesting and respects existing formal and informal rights to harvest'* is required.

IFA Aquaculture has the ability through the broader organisation of the IFA to create links between seaweed industry and land-based activities, such as agriculture, as well as being suitably placed with regard to monitoring policy relating to seaweed harvesting/aquaculture, particularly in regard to land/sea interactions.

Significant issues regarding existing seaweed harvesting rights need to be addressed as part of the implementation of the NMPF.

19.0 Tourism

19.16-Aquaculture – IFA Aquaculture agrees that a balance needs to be struck between the benefits of aquaculture and tourism, the Failte Ireland/BIM initiative 'Taste the Atlantic: A Seafood Journey' along the Wild Atlantic Way is an example of how aquaculture and tourism can effectively have symbiotic benefits. (<https://www.wildatlanticway.com/highlights/taste-the-wild-atlantic-way>)

20.0 Waste Water Treatment and Disposal

The shellfish industry depends on an effective wastewater treatment system to prevent loading of wastewater into shellfish production areas, subsequently contaminating their shellfish produce making unfit for market and unsafe for human consumption. There is an opportunity for better co-ordination and management of sewer systems and wastewater treatment systems that discharge to sea through alignment of marine and land planning systems, particularly in the area of water quality in shellfish producing waters. The shellfish industry depends on an effective wastewater treatment system to prevent loading of wastewater into shellfish production areas.

There are 64 designated shellfish areas in Ireland as part of the EU Water Framework Directive requires all Member States to designate waters that need protection in order to support shellfish life and growth. There are physical, chemical and microbiological requirements that designated shellfish waters must either comply with or try to improve, as well as the establishment of pollution reduction programmes where required. In recent years, mis-management of discharge into designated shellfish areas has compromised the water quality in shellfish producing bays across the country.

IFA Aquaculture notes that adequate funding in and resources be made available to ensure tertiary treatment must continue to be rolled out for all coastal Wastewater Treatment plants (WWTP) -

specifically WWTP's adjacent to bays and harbours where shellfish production is carried out to sustain food safety, rural jobs and enterprise and compliance with the EU Water Framework Directive (formerly EU Shellfish Waters Directive).

21.0 Implementation Arrangements

IFA Aquaculture agrees that *'the success of the NMPP will be dependent upon its effective implementation.'* IFA Aquaculture however notes that the functions of Department of Agriculture, Food and the Marine, are excluded from the scope of Marine Planning and Development Bill. It would appear that as a function of this department, aquaculture therefore is not included in the very legislative framework that underpins the marine planning system.

In other words, the policies, principles and objectives of the National Marine Planning Framework would be difficult to implement in regard to the aquaculture sector if they are not underpinned by appropriate legislation. A streamlined consenting process subject to decision making by Local Authorities and An Bord Pleanála, delivered in a timely manner meets a number of the recommendations outlined in the 'Review of the Aquaculture Licensing Process'.

Any legislative framework related to the marine planning system must include the Aquaculture sector – in order to succeed in enabling a better integrated marine management, Ireland's marine planning system and any legislative framework must apply to all sectors, including Aquaculture. The Irish Aquaculture sector needs the support of policy to allow for sustainable development of the industry.

Concluding Comments:

Marine planning integrated system with identifiable forward planning, development management and enforcement elements, would be viewed as an improvement by the aquaculture sector to the current aquaculture licensing system.

However, IFA Aquaculture however notes that the functions of Department of Agriculture, Food and the Marine, are excluded from the scope of Marine Planning and Development Bill. It would appear that as a function of this department, aquaculture therefore is not included in the very legislative framework that underpins the marine planning system.

If the marine planning system in the maritime area is streamlined, excluding the aquaculture sector, then it creates a situation whereby, aquaculture, with an already lengthy application process, will be unfairly ruled out of increased transparency and competition for space than that of other activities/sectors in the marine space – this is unacceptable for the aquaculture industry.

Any legislative framework related to the marine planning system must include the aquaculture sector – in order to succeed in enabling a better integrated marine management, Ireland's marine planning system and any legislative framework must apply to all sectors, including aquaculture.

An integrated marine planning system which is aligned with the land-planning system, with clearly set out timeframe for every step of the decision-making process from the outset, through screening, consultation, decision making and appeals. Thus, providing clarity; clarity for local communities as to what could happen in their areas; clarity for decision makers (e.g. those issuing licences), and clarity for those local businesses wanting to invest in new or existing ventures. Lack of clarity causes delays which costs jobs, reduce the viability of coastal communities and impact adversely on the environment. IFA Aquaculture believes increased public participation would further aid clarity, understanding and awareness of aquaculture, and all marine based developments.

Policies should be clear and unambiguous and related to specific areas by a map where appropriate.

Development of an integrated marine planning system would address a number of recommendations and priorities for development of sustainable aquaculture outlined in government policy documents; 'Review of the Aquaculture Licensing Process'; 'National Strategic Plan for Sustainable Aquaculture' and the current 'Programme for Partnership Government'.

As outlined in the 'Review of the Aquaculture Licensing Process' consideration must be given to the separation of aquaculture licensing function from monitoring and enforcement of aquaculture licenses into two separate bodies – an effective Marine Spatial Planning system can aid to implement that recommendation through the separation of monitoring and enforcement function of aquaculture licensing from DAFM.

IFA Aquaculture would welcome the rationalisation of enforcement of the marine planning system under the Marine Planning and Development Management Bill. However, the aquaculture sector must be included as part of any legislative framework for the marine planning system, in order in to ensure the consistent application of the NMPF by all marine planning bodies in their decision-making roles.