

Submission on the National Marine Planning Framework Consultation Draft

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Overview

This submission to the Department of Housing, Planning and Local Government, regarding the draft National Marine Planning Framework (NMPF) relates to the function and operation of the plan; sustainability; coastal and island communities; offshore renewable energy; fisheries; seaweed harvesting; and, a proposed coastal/marine national park. It is informed by our experiences as both local residents in coastal communities and public representatives for West Cork, our additional professional perspectives¹, engagements with research, and the priorities and concerns of our constituents.

West Cork is an area defined by its coastal location with fishing and marine tourism being major economic drivers, a rich maritime cultural heritage, and incredible scenery and local biodiversity. Our constituency and municipal district will be among the ones most affected by the new NMPF nationally. It is, therefore, important that as public representatives we ensure that the voice of West Cork coastal and island communities contribute to this draft. We are eager for the NMPF to be realised as soon as possible to assist in supporting local communities and fostering coastal living. Moreover, we are both available to be contacted and offer further input to the progression of the NMPF.

We welcome the opportunity to engage with the National Marine Planning Framework Consultation Draft (NMPFCD) and appreciate the flexibility of the Department in accommodating different perspectives during the Covid19 emergency, although it is regrettable that several of the planned in-person meetings did not occur. We are also encouraged to see the level of engagement from individuals, communities, representative bodies, and other bodies in the process which have helped inform and refine the NMPFCD.

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1. Function and operation of the plan

We welcome the NMPF as a systematic and comprehensive approach to marine planning over a long-term period which will establish and ground developments in Ireland's maritime area. It will assist in providing the necessary guidance to achieve clear aims and objectives for our coastal communities and the maritime sectors. However, greater clarity is required on the role of the NMPF as a document that 'sits at the top of the hierarchy of plans and sectoral policies for the marine area' (pg9) and the authority through which it will be enforced.

Rationale:

As the document that outlines the 'high-level priorities for the enhancement of the marine planning system in Ireland' (pg 15), what are the formal mechanisms and operational protocols by which it will relate to existing and future components of Ireland's marine planning system? For example, under the 'Marine Consents and Licensing' (pg 20) sub-section states that 'The NMPF will 'provide an overarching framework' for the operation of 'existing regulatory regimes or legislative requirements governing the operation of various marine sectoral activities' and that 'As part of their decision-making processes public bodies involved in regulating marine development and activities will become obliged to take into account the objectives of plans, when adopted.' In practice, how is it envisaged that decision-making in the marine sector and the application of regulations and legislation will be shaped by the NMPF? Phrases such as 'overarching framework' and 'take into account' are, in essence, insubstantial and open to broad interpretations and (dis)regard.

The NMPF needs to have a legislative basis and the authority to ensure that it will successfully shape developments in coastal communities and the marine sector in an ordered, prioritised, and transparent manner over the next twenty-years. For this plan to be fully realised it needs to be overseen by a semi-independent body, comparable to the EPA, which can enforce and direct the plan. Regrettably, this state has a poor track record in the implementation of national planning frameworks, such as the abandoned National Spatial Strategy 2002-2020 which was not properly supported, co-ordinated, or adhered to (Kitchin 2014; Ó'Riordáin & van Egeraat 2016). To learn from the mistakes of previous national plans, the NMPF requires proportionate authority to enable its implementation, with due consideration of principles of subsidiarity and changing circumstances, and oversee decision-making in this area.

The NMPFCD makes extensive references to forms of public engagement or consultation within the planning process. A clear definition of what is meant by this - such as the form it would take, the mechanisms involved, the responsibilities of different stakeholders - is essential for the proper function of a plan aimed at local ecological, economic, and environmental

development. Coastal and island communities should be at the heart of the NMPF. Planning should harness and actively employ the capacities of communities to shape and direct projects and developments. Under current and planned policies and structures, the public and local stakeholders are too often unable to meaningfully participate (CoCoNet 2004). In addition, recent campaigns in West Cork, including the Save Our Skibbereen Project (SOS 2019) and Bantry Bay - Protect Our Native Kelp Forest (bantrybaykelpforest.com 2020) illustrate the lengths local communities have to go to challenge planning decisions, which are conducted at great financial and temporal expense. Instead, a participative framework should facilitate the incorporation of public concerns through accessible, proactive, and progressive approaches. The NMPF presents an ideal opportunity to re-imagine a more participative and civic form of planning in Ireland.

Action

1. We recommend that the NMPF requires a semi-independent body to implement the plan and a clear framework for how the national plan will guide or direct regional or local plans, and the capacities for other actors, including, but not limited to, local authorities, regional offices, and semi-state bodies, to engage more fully in planning and its operation.
2. We also recommend the substantial development of the public engagement / stakeholder consultation aspects of the NMPF to enable coastal and island communities to have a greater and meaningful input into the planning process.

2. Sustainability

We welcome the prominence given to issues of environmental sustainability, climate change, and biodiversity in the NMPFCD. It is essential that environmental best-practice and awareness of Ireland's commitments under international agreements on emissions, habitats, and biodiversity underpin the NMPF and its implementation.

Rationale

The importance of the natural environment needs to direct the NMPF to protect coastal communities from the negative impacts of current trajectories in climate change (EPA, 2020). Planning in the marine sector needs to be made through a green lens that prioritises sustainability by ensuring that all activities under the plan proactively help fulfil our commitments to the Paris Climate Agreement and EU emissions targets (DCCA, 2020), as well as the 2030 Agenda for Sustainable Development. In addition, the NMPF should be based on the European Commission's Marine Strategy Framework Directive which protects the marine environment across Europe (Directive 2008/56/EC).

It is encouraging that the NMPFCD states specifically that 'Climate change is a central consideration throughout this draft NMPF' (pg 21) and that 'The NMPF is part of the Government's efforts to squarely incorporate relevant SDG's (set out below) into marine planning and policy' (pg 22). Similarly, the prominence given to environmental issues in the *Report on Public Consultation Process* (DHPLG, 2019A) with, for example, 'Over 50% of the submissions received referred to marine environment and / or nature conservation' (pg 3) and 'Climate change was raised in 42% of the submissions received. Almost all of the respondents recommended that Ireland's NMPF should form an important part of our national response to climate change, with many also highlighting the impacts of climate change on, for example, water quality, marine biodiversity and our coastline' (pg 4).

However, we are disappointed to note that these commitments and sentiments are not fully adhered to within the NMPFCD. For example, the first objective under section 10 Energy - Petroleum is to 'Explore and develop Ireland's indigenous petroleum resources in order to deliver significant and sustained benefits, such as import substitution, fiscal return, national and local economic development and technology learning' (pg 112). This intent, and comparable features of the NMPFCD, are not only environmentally regressive approaches, but are incompatible with the climate change and sustainability commitments outlined earlier. We cannot understand how such internal contradictions were allowed to be included in NMPFCD.

Action

3. We recommend the strengthening of the environmental commitments in the NMPFCD to ensure that real and impactful climate action and sustainable development is foundational to marine planning and its operation. The NMPF needs robust and enforceable principles, and where appropriate targets, to ensure Ireland reaches its international environmental commitments, including the Paris Climate Agreement and the Marine Strategy Framework Directive. As part of this process, we seek the phasing out of offshore drilling for oil and gas to protect our marine health, tourism, and seafood industries.

3. Rural Coastal and Island Communities

As currently structured the NMPFCD, establishes the role of marine planning to help 'achieve ecological, economic and social objectives', but the social dimension is under-developed. While the environmental and economic features of the NMPFCD are directly and indirectly connected to the social elements, a stronger articulation of the role and impacts of coastal and island communities needs to be included. The driving force of the NMPF needs to support these groups.

Rationale

While the overall intention of the NMPF is a comprehensive approach to marine planning for national benefit, the immediate and applied focus should be on the coastal communities themselves whose livelihoods, wellbeing, and viability is dependent on maritime activities. The 'Rural Coastal and Island Communities' sub-section specifically mentions planning 'contributing to access, communications, energy self-sufficiency or sustainability of rural coastal and/or island communities should be supported' (pg 80). These features are vital for coastal and island communities, however, a greater focus on the social dimension should be present.

It would be more reassuring for the communities involved if the NMPF incorporated priorities from the Government's *Islands Policy Consultation Paper*, such as equality of opportunity and enabling a vibrant, harmonious society (DCHG 2019). Although the NMPF performs a different function to a Government Policy, the NMPFCD acknowledges its role in fostering local communities. It is important it therefore lives up to this commitment through a clearer and more substantial explanation of the forms of social and cultural life the plan will encourage. There is also scope for a fuller realisation of public consultation in the planning process in this area.

Action

4. We recommend that greater priority be given to the social aspects within the NMPFCD and that the rights and potential of coastal and island communities be more firmly recognised and supported.

4. Energy – Offshore Renewable Energy

This section relates to the Marine Spatial Plan's mechanism for spatial designation of our marine areas, i.e. zoning. In terms of Offshore Renewable Energy (ORE), wave energy will require special consideration in said mechanism due to its enormous potential but relatively nascent stage of technology readiness in comparison to offshore wind.

Rationale

With the most abundant wave energy resource in Europe, Ireland is uniquely placed geographically to harness this clean renewable energy. In comparison to offshore wind technologies, wave energy is behind in terms of technology readiness but will have hugely significant environmental, economic and societal benefits over offshore wind once deployment readiness has been achieved, these are listed below respectively;

- Environmental – on top of the obvious carbon emitting benefits, with a lower surface area of moving parts to cause bird strikes and a reduced environmentally intensive installation procedure, initial studies have shown that wave energy harnessing will have

a far less overall environmental impact than other ORE types (Jeffrey and Sedgwick, 2011),

- Economic – similar to the success story of Denmark’s pioneering development of an offshore wind energy industry, if Ireland can lead the way to the development of a wave energy industry, such ‘blue growth’ could be worth billions to the Irish economy through the creation of jobs outside of our urban centres, in remote coastal communities at an economic disadvantage in comparison to our large towns and cities (Meally, 2017; Murphy, 2017),
- Societal – considering the well written ORE Policy 9 (p.20) in the Draft National Marine Planning Framework Directive (Dept. of Housing, Planning and Local Government, 2019), where it is stated therein that visualisation assessments will be centrally important to the granting of permission to ORE developers to deploy devices at sea, it should be acknowledged that wave energy converters will protrude above the sea surface to a far lesser extent, and will thus have a much reduced visual impact on the seascape, in comparison to offshore wind developments, perhaps a particularly important factor for western coasts given the outstanding success of the Wild Atlantic Way tourism initiative and natural beauty of the region in general.

The Marine Spatial Plan (MSP) will be Ireland’s implementation of the EU MSP Directive, a directive which clearly encourages action on developing the emerging ORE sector to help us not only achieve our renewable energy and greenhouse gas reduction targets, but also fuel innovative economic growth through the creation of new, high-quality jobs in the ‘blue economy’. In this context, effective and considerate planning for wave energy harnessing, can help make way for a uniquely Irish answer to an EU wide ambition and has the opportunity to breathe life back into communities on the remote, and more economically disadvantaged, west coast, without causing damage to the thriving tourism sector in this area, i.e. along the Wild Atlantic Way.

Action

5. We propose that the mechanism for spatial designation of marine areas be carefully considerate of the aforementioned factors in this submission relating to the enormous environmental, economic and societal benefit that wave energy specifically has to offer as a use of our marine space and that a proportion of ORE designated zones be reserved for wave energy alone, particularly along Wild Atlantic Way coasts, i.e. where the resource is plentiful and coastal tourism is vital. Facilitating the effective coexistence of ORE and coastal tourism in this way, with minimum impact to local environments, should be in the interests of all.

5. Fisheries

The Fisheries section of the NMPFCD presents encouraging and supportive approaches that recognise the role of fishing and related activities for coastal communities and sets out participative models for development. We seek that these intentions are fully realised in the NMPF, with suitable oversight and mechanisms to ensure local communities have a direct and real say in local planning.

Rationale

Fishing has been a way of life for coastal communities in West Cork and across Ireland for generations with a deeply ingrained respect for the seas and responsible use of natural marine resources (Deep Maps, 2020). Fishing and aquaculture activities will continue to be a vital economic and social driver in these areas, demanding appropriate state support and ambitious planning (HO-JSF, 2014). It is essential that the NMPF prioritises the wellbeing and viability of these communities through sustainability, diversification, and shared decision-making. The fisheries planning policies in the NMPFCD indicate a coherent move to provide these areas with the support required that can be implemented in a participative manner.

Policy 2 'Proposals supporting a sustainable fishing industry, including the industry's diversification and or enhanced resilience to the effects of climate change, should be supported' (pg 126) is especially welcome; however, as with other elements discussed, clarity is required on how this will be achieved within the NMPF. Likewise, Policy 6 that 'Ports and harbours should seek to engage with fishing and other relevant stakeholders at an early stage to discuss any changes in infrastructure that may affect them' needs to be enabled through transparent mechanisms and flexible tools to facilitate community participation. This type of process needs to be carried out by trained facilitators who can engage with all stakeholders in a meaningful way throughout development and infrastructural projects, from conception through to completion and maintenance.

We are eager for the plan to actively support fishing and coastal communities. The principle of subsidiarity and appropriate scale should inform the NMPF and its deployment. We welcome the named inclusion of the larger fishing towns in West Cork - Castletownbere and Union Hall - and hope this indicates the significance assigned to these areas as vital economic drivers in the region. In addition, the NMPF has to incorporate structures to incorporate smaller fishing communities, such as Schull, Dunmanus, Durrus, or Turk Head, and island communities to ensure that the Fisher Policies are successfully achieved.

Action

6. We recommend that Fisheries section of the NMPFCD being implemented in a sustainable and participative manner for the good of the coastal and island communities involved. The policies in the Draft are welcomed, but need to be implemented and resourced properly.

6. Seaweed Harvesting (Bantry Bay):

This section relates to the issue of a licence to BioAtlantis (Tralee, Co. Kerry) to industrially extract 1860 acres of native Kelp in Bantry Bay, Co. Cork. We propose that said licence be revoked in order that a more sustainable alternative to exploiting this resource be investigated, with sufficient public engagement, appropriate advertising and Environmental Impact Assessment (EIA) and that no further such licences be issued in the meantime.

Rationale

This is the largest industrial scale native Kelp extraction licence to be issued in Irish or British waters to date, so naturally there are a lot of uncertainties. Despite this, no public consultation, adequate advertisement or EIA has taken place (bantrybaykelpforest.com, 2020). It is my understanding that this is almost certainly a breach of the Aarhus Convention (1998) and could ultimately lead to Ireland being brought before the European Courts of Justice. Seaweed, through a process known as 'blue carbon', plays a vital role in the battle against anthropogenic induced climate change, as kelp and other seaweeds have the ability to draw carbon out of the atmosphere, thus helping to regulate our climate. Furthermore, with the increasing frequency of storms and severe sea states brought on by such recent changes in our climate, seaweed also forms a coastal protection mechanism against coastal flooding and severe wave impacts which cause widespread destruction to coastal infrastructure all along the Irish coast during storm season (Duarte et al, 2017). Through industrial scale mechanical harvesting with complete lack of foresight at Bantry Bay, the seaweed will be cut to the root, leaving the plant incapable of re-blooming for future seasons. The licence that has been granted here allows for the cutting of the kelp plants at 25cm, a length at which the plant is unable to re-grow (Robinson, 2017). The implications of such mismanagement of this precious resource for Ireland's environment and culture could be catastrophic and the creation of barren ground on the seafloor will allow for the introduction of unknown invasive species, the environmental impact of which is shrouded with uncertainty.

Action

7. In accordance with part 5 of the Planning and Development Act (2018), where it is stated that it is the objectives of the Marine Spatial Plan "to analyse and organise activities in the maritime area for the purpose of achieving *ecological*, economic and

social priorities”, we propose that the licence to mechanically harvest at this industrial scale be revoked and that no further such licences be granted, particularly without conduction of public consultation, adequate advertising of intentions and a rigorous EIA (carried out by an external and appropriate body).

8. We recommend that future harnessing of this marine resource be planned in a far more sustainable manner with due consideration of the aforementioned factors in this submission.

7. Coastal National Park

The absence of a process to establish coastal/marine national parks within the NMPFCD should be addressed in the final plan. A coastal/marine national park provides a structure to realise many of the social, economic, and environmental dimensions of the NMPF.

Rationale

Coastal based national parks, such as Pembrokeshire Coast National Park (pembrokeshirecoast, 2020) or Dry Tortugas National Park (NPS, 2020), recognise the spectacular natural and cultural heritage of marine areas and the importance of their preservation and role as sustainable tourist locations. A marine-based national park aligns with the NMPFCD’s biodiversity and tourism policies which can be leveraged to support engagement with the sea and a long-term facility to support coastal and island communities.

West Cork has long been recognised as one of Ireland’s most distinct coastal areas. A recent Irish Research Council funded project by UCC researchers, Deep Maps: West Cork Coastal Cultures (Deep Maps 2020), illustrated the rich maritime environment of the region. It is marked out by its place on the Wild Atlantic Way, its diversity of seascapes and habitats, and its rich history and creative industries.

Action

9. We recommend that West Cork be piloted as Ireland’s first coastal national park. As a thoroughly coastal area with numerous bays and peninsulas, maritime and fishing infrastructures, and seven inhabited islands, it is the ideal combination of active landscape and seascape to trial the development of a living marine-based national park.

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