

Sustainable Water Network (SWAN)

Response to 'Our Ocean Wealth'

Towards an Integrated Marine Plan for Ireland - Seeking your views on New Ways; New Approaches; New Thinking



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Introduction to SWAN

The Sustainable Water Network (SWAN) is an umbrella network of 25 of Ireland's leading environmental NGOs, national and regional, working together to protect and enhance Ireland's aquatic resources through coordinated participation in the implementation of the Water Framework Directive (WFD) and other water-related legislation. SWAN member groups are listed in Appendix I. SWAN has been actively engaged in Water Framework Directive (WFD) and other water policy implementation at both national and River Basin District (RBD) level since 2004, responding to water-related public consultations and representing the environmental sector on WFD River Basin District (RBD) Advisory Councils, the South Eastern RBD Management Group and other water policy-related fora. SWAN is also actively participating in the Catchment Flood Risk Management (CFRAMS) process and representing the environment sector at CFRAMS stakeholder meetings in all RBDs.

Towards an Integrated Marine Plan for Ireland

River Basin Management Plans, required under the Water Framework Directive (WFD), were to provide the key legislative tool for integrated spatial action plans that would ensure good status for all estuaries and coastal waters by 2015. Unfortunately, the current Plans (2009-2015) fail to do this. They rely on existing fragmented legislation as the means by which to meet WFD objectives whilst at the same time highlighting the failure in the past to effectively implement this legislation. The RBMPs, as they apply to transitional and coastal waters, are ineffective in their current form.

The diverse nature of human activities taking place along the coast means that effective management requires an integrated approach. This methodology takes account of the cumulative effect of all of these pressures and their interactions. Effective, collaborative working between Government Departments and State agencies is also required. This multi-departmental approach is a necessary pre-condition for success in particular for our coastal zone due to its dynamic nature and the complex interplay of activities.

The Sustainable Water Network welcomes an Integrated Marine Plan for Ireland because for the coastal zone in particular, the cumulative nature of negative environmental impacts requires management plans that are based on a good understanding of how these threats act together to form collective pressures. SWAN believes that these need to be addressed in a co-ordinated and integrated manner. However SWAN submits that the documents emphasis is on the economic exploitation of the ocean's resources with no definitive proposals on how to protect and sustainably manage these resources is a significant weakness. Good water quality in coastal zones is essential for preserving our aquatic ecosystems and the life-support functions they provide. The protection of Irish coastal waters is of great importance for a range of economic interests, particularly for many remote and rural communities who make a living from the sea.

SWAN wishes to submit the following comments and suggestions in relation to the questions posed on the Integrated Marine Plan for Ireland:

Q1 In 2007, Ireland generated €3.4 billion in turnover, €2.4 billion direct and indirect GVA2 (1.2% of GDP) from our ocean resources. It is generally believed this performance could be substantially improved. What is a sufficiently ambitious yet realistic target for our ocean economy by 2020?

In Briefing Document I, it is stated that 'The figures provided for the value of the Irish Ocean Economy relate only to traded products and services. As such they make no or little allowance for natural resource use, ecosystem goods and services or the costs of environmental degradation. As a consequence, there is a concern that national policy under values the marine resource which could lead to poorly planned unsustainable exploitation'. In relation to this question the Total Economic Value should be considered which would incorporate non-market values and costs, without which an improvement in economic performance could result in unsustainable exploitation of our marine resources as stated in the document.

With regard to employment in the 'Ocean Economy' in Briefing Document III, investment in R&D in the Marine Sector is needed 'to respond to policy development needs' and 'regulation of the sector' in particular to 'ensure the implementation of the Ecosystem Approach to Fisheries Management'. This focus on R&D could largely employ professionals and third level graduates in which a strong emphasis in sustainable and integrated management of resources should be incorporated across the sectors. Employment opportunities should also be maintained and created at a local and community level with particular emphasis placed on supporting coastal communities with a traditional involvement and dependence on the marine resources. These communities could be given employment opportunities in monitoring and in regulation compliance. Such an approach would boost sustainable development, protect biodiversity and coastal infrastructure, support R&D and improve social inclusion as it would provide employment in coastal communities that have been particularly affected by collapsing fishing stocks and fisheries restrictions.

Q2 What contributions can:

- (a) the private sector make to achieving growth potential in this area?
- (b) the public sector make to create an environment that provides the conditions needed for economic growth, investment and job creation in the ocean economy?
- (c) our communities make to the achievement of our growth potential?
- (d) the higher education sector make to the achievement of our growth potential?

While this is a valid question, it is essential to balance it with a second question on contributions of the private, public, community and higher education sectors to achieving adequate protection and sustainable use of our marine resources.

a) Commercial developments profit by utilizing a commonly owned resource. In return they should be obliged to contribute to a dedicated environmental fund that is used to finance, for example, observer and licence enforcement schemes, construction of coastal erosion mitigation measures, and development of better selective fishing gear. This fund could also be used to remove coastal litter and abandoned and defunct infrastructure such as old aquaculture trestles and cages. As discussed above these schemes would also provide much-needed employment in local communities. Furthermore an environmental guarantee scheme should be included in all licence conditions, the amount of which should be proportionate to the environmental risk of the development. For instance, an environmental guarantee scheme for an oil-production licence should be large enough to cover an on- and offshore oil clean-up operation in the event of a spill.

b) In relation to the public sector, the powers and resources of the Sea Fisheries Protection Agency should be enhanced in order to improve licence monitoring and enforcement. Environmental conservation and resource efficiency should be taken into account by all government departments irrespective of their specific remit. R&D should favour selectivity/ sustainability/ value-added production over absolute capacity.

c) Local communities are chief stakeholders of the local coastal environment and their involvement in coastal developments should go beyond mandatory public consultation processes. For instance there should be a greater emphasis on informing the public on planned coastal and marine developments. Independent Appeals Boards should provide for local community representation.

d) As outlined in Briefing Document III, the higher education sector should respond to the new skill sets and cross-sectoral expertise required by the 'Ocean Economy'. However, it is essential that training and research in all sectors, as a matter of course, reflect on the environmental impacts arising from various types of development.

Q3 What actions should be taken to strengthen our maritime awareness/identity?

A network of Marine Protected Areas (MPAs) or National Marine Parks should be designated, with an associated public awareness and public participation programme. The establishment of these reserves would raise a public awareness of the importance and value of these marine ecosystems in line with the importance that is placed on their terrestrial equivalents. These parks in turn could create employment in the tourism and leisure sectors with

particular attention devoted towards the development and promotion of ecotourism. Further development and investment in marine education would further enhance awareness and skill sets needed for the sustainable development of all our marine resources. It is vital that thorough monitoring and data collection be undertaken to establish the biodiversity and status of our marine species so that conservation efforts can be targeted. The Wildlife Act should be amended to protect species that currently have no legal protection such as the basking shark. Detailed public consultation and involvement in any proposed developments should take place to increase awareness and develop a more effective and integrated system of coastal zone management.

Q4 Is the draft vision for Our Ocean Wealth sufficiently ambitious and realistic or would you suggest an alternative? “By 2020 our ocean wealth will be a key element of our sustainable economic growth. It will be managed in an integrated manner and supported by coherent policy, planning and regulation, generating economic, social and environmental benefits for our citizens.”

SWAN welcomes the proposal that by 2020 our marine resources will be managed “in an integrated manner”. Not only is this achievable, it is vital if we are to achieve sustainable management of our coastal resources and compliance with EU obligations. There are numerous regulations already in place that should provide protection for our coastal waters but despite the quantity of legislation, these regulations have ultimately failed to protect our coastal waters. The regulations are either inadequate in the first instance (e.g. Nitrates Regulations) or they are not enforced properly either due to lack of political will or lack of resources within the responsible authorities. The more fundamental problem with Irish water legislation is the insufficient coordination of controls and the absence of an integrated approach to managing the coastal zone that takes all environmental pressures and their cumulative impacts into account. An integrated coastal zone management plan needs to be developed and more importantly implemented in order to achieve this sustainable economic growth along with social and environmental benefits.

Q5 How can we maximise the benefits of our ocean wealth and protect the marine ecosystem/environment?

- By ensuring that environmental legislation is enforced and complied with. This can be achieved by monitoring compliance with licence conditions, imposing meaningful financial fines in case of non-compliance, providing public access to monitoring results, ensuring a clear separation between licence holders and licence inspectors;
- By expanding the already existing list of marine SAC’s drawn up by NPWS and establishing an ecologically coherent network of Marine Protected Areas. Following the UK model (<http://jncc.defra.gov.uk/page-4549>) these MPA’s would include Natura 2000 and Ramsar sites, NHA’s pNHA’s and Marine Conservation Zones (designated to protect nationally important marine wildlife, habitats, geology and geomorphology in inshore and offshore waters). These areas should be recognised, dedicated and managed, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. Level protection and the instruments used should be similar or identical to those used for the protection of SAC’s and SPA’s;
- By establishing a data collection network for marine biodiversity through linking existing large-scale research by the Marine Institute, with small-scale, amateur data recording e.g. by recreational SCUBA diving clubs, and the National Biodiversity Data Centre;
- By introducing new regulations as required by the Water Framework Directive for the prior authorisation (ideally licensing) of activities which involve the physical modification of coastal waterbodies e.g. dredging; building of flood defences; harvesting of marine aggregates.
- By recognising that uncompromising commercial exploitation will not provide the best economic return nor value of resource (as demonstrated by the Marine Stewardship council (www.msc.org/) and illustrated by recent commercial fisheries history);
- By implementing programmes aimed at reducing coastal and marine litter;

- By establishing an Inshore Fisheries Forum with NGO and local community representation;
- By improving regulation of fisheries. As outlined above this could be achieved by implementing observer regimes, ensuring total traceability and open/transparent stakeholder involvement;
- By ending subsidies that incentivise large scale trawling

Q6 How can the interests of competing sectors be balanced when it comes to planning the use of our ocean space and what criteria should be used to balance them?

A Marine Authority should be created to coordinate the planning process at sea in an open and transparent manner, similar to that which exists above the high tide mark. A better balance would be achieved by including a well-resourced 'Biodiversity and Environmental conservation sector' in the discussion and decision-making. Considering that at the end of the day all of the competing sectors are dependent on a healthy and stable coastal and marine environment, any decision that impacts on this environment should be consistent with the Ecosystem Approach and the Precautionary Principle'. Marine Spatial Strategy and Planning should be subject to local, regional, national and international scrutiny.

Q7 To what extent could the development of a Maritime Spatial Plan assist in this balancing process?

- By ensuring that the Plan emphasises the Ecosystem Approach and puts mechanisms in place that guarantee environmental law enforcement and compliance.
- By enabling participation of independent stakeholders in the cross-governmental marine coordination group

Q8 Are the opportunities and constraints identified the right ones? (See Page 11 and the sectoral briefing document which is available on www.ouroceanwealth.ie. Are the 'Enablers' the right ones to be focussing on in order to unlock the potential of our oceans? (See Page 16 & 17 and the briefing document III: Getting the Conditions Right which is available on www.ouroceanwealth.ie)

- As demonstrated by several ECJ judgements against Ireland for failure to implement and enforce environmental legislation, there is generally poor environmental awareness at all levels of government
- Although many policy documents set ambitious targets for environmental sustainability and biodiversity protection (see Briefing document III), they tend to be aspirational, non-specific, and non-committal and generally do not translate to the situation on the ground. In most decision-making processes, representation by the environmental sector is poor. 'Public consultation' is often little more than a 'tick-box' exercise rather than a meaningful process to enhance outcomes.
- Recent funding cuts for environmental agencies such as the NPWS and the Heritage Council have been disproportionate while funding for environmental NGO's is perpetually uncertain and tardy. An underfunded and principally voluntary environmental sector therefore has to compete with well-financed and resourced industry lobbyists.
- All discharge licences to estuarine and coastal waters must be reviewed as required by the Surface Water Regulations to ensure that the licensed discharge does not compromise the receiving water meeting WFD targets. This review must take into account the cumulative effects of multiple discharges to a bay or estuary. This review must include tightening of licensing conditions or revocation of licences where it is shown that the discharge is causing environmental damage.
- The provision of onshore facilities for alternative disposal of marine waste at reasonable cost should be

made mandatory for all harbours and marinas to reduce illegal dumping. Likewise, sufficient facilities for the proper disposal or recycling of public litter in coastal areas, accompanied by an awareness campaign is recommended.

- The hazard of the inadvertent spread of non-indigenous, potentially invasive, species associated with shipping must be addressed through comprehensive legislation on the control of invasive alien species.
- The section provides no strategy or mechanism to address the failure of the aquaculture industry 'to integrate environmental management systems into the core business functions' although one might argue that this would be critical to the sustainable expansion of the industry in Ireland
- According to this section, 'Ireland has an established and a comprehensive system of environmental [and food safety] monitoring for the aquaculture industry'. However, this information is not readily or publicly available. Timely and comprehensive release of monitoring data (as is customary with IPPC licences on land) would greatly improve public confidence in the industry
- Licensing and funding difficulties are listed as the only constraint for the aquaculture sector. These 'licensing difficulties' arise out of the requirement to comply with Environmental legislation. Surely if the sector were serious about promoting 'environmentally sustainable production', compliance with environmental legislation would be regarded as matter of course, not a difficulty to be overcome.
- 'Constraints to aquaculture' fail to mention limits to the capacity of the environment to absorb impacts from aquaculture operations. This is an extremely important issue to address if the industry is to be sustainable and long term. Too many operations within a bay will lead to environmental degradation that will ultimately result in the exclusion of aquaculture activities.
- As aquaculture is highlighted as the area which has substantial growth potential there are a number of areas in finfish production that have a negative impact on the marine environment that need to be addressed such as waste, pathogen introduction, chemical inputs, escapees and global sustainability. Shellfish production techniques such as aggressive harvesting and physical concentration of large volumes of production can also have significant damaging impacts
- In the last decade the Irish salmon aquaculture sector experienced a strong contraction due to oversupply and poor market price (BIM, Status of Irish Aquaculture, 2007). According to the industry itself, market price is subject to strong fluctuations (Marine Harvest, quarterly reports). The Briefing Document (part II) quotes reduced prices for seafood products as a considerable challenge to the aquaculture sector. At the same time, the cost of sea louse mitigation measures and salmon feed continue to increase. This imbalance raises serious questions as to the long-term commercial viability of the salmon farming industry and the employment provided by it.
- SWAN recommends that licences for aquaculture operations should only be issued after an independent assessment of the assimilative capacity of the proposed water body has been carried out (At present this is happens with applications for licences within Natura 2000 conservation sites), taking into account other operations and pressures on the water. Licensing decisions must be based on current research and best practice and also take into consideration new international developments in aquaculture techniques that reduce or eliminate adverse environmental impacts. The development and promotion of sustainable feedstuffs, particularly for Atlantic salmon, that reduce pressures on other marine resources, must be implemented.
- Sea fisheries can pose a number of challenges for good ecological status of coastal waters. Key amongst these is the unintentional catch and discard of non-target species. The use of active gear and high-impact methods such as trawling and dredging can cause injury or mortality to benthic organisms and serious damage to marine habitats.
- Protection of nursery areas from destructive fishing methods, benthic trawling and dredging should be prioritized

- Fishing mortalities caused by Technical Conservation Measures (so called 'by-kill') should be determined before promoting the widespread use of the selective gear as a conservation measure
- Fisheries should be managed by functional unit rather than ICES Areas
- There should be a network of MPA's which enjoy various levels of protection from fishing (see answer to Q5)
- SWAN welcomes the plan 'to provide regulation to ensure compliance with international and national requirements to preserve and protect the marine environment from Ship Source Pollution Prevention', but can't identify which one of the strategies listed is going to help to achieve this objective
- Renewable energy projects must fully assess all direct and indirect as well as cumulative impacts on the marine environment
- The document has not considered oil, gas or mineral extraction in relation to other marine sectors or if and how these activities can be carried out in an integrated and environmentally sustainable fashion.
- The Irish fiscal rate for oil or gas production is one of the lowest in the world and can be offset against the cost of the project. Consequently the potential financial return to the state from this sector is low and does not in any way offset the potential environment impact arising from the activity.
- Once a company has been granted a licence to extract oil or gas, it is under no obligation to sell its product to the Irish State. It is therefore difficult to see how these projects can help to secure Ireland's national energy supply
- The tourism section fails to accord any real priority to sustainable marine (eco) tourism or to ascribe any significant value to it
- Even though 'coastal walking' is listed as a 'product gap' in the vast majority of counties, improving accessibility does not appear to be a priority. Coastal cycling is not even mentioned.
- There is significant potential to marry the goals of marine conservation and tourism e.g. by creating MPAs that exclude all fishing or commercial activity in favour of snorkelling, diving, kayaking, sea bird watching and other non-destructive activities.

'Enablers':

Two very important 'enablers' to implementing an integrated and sustainable marine plan for Ireland are (i) access to information & transparency and (ii) implementation and enforcement of environmental legislation.

- (i) Access to monitoring data collected under licensing conditions is generally very poor. Bearing in mind that coastal and marine developments utilise a commonly owned resource being located in a commonly owned space, an obligation to release their monitoring data in a comprehensive and timely fashion should be self-evident. We welcome the EU INSPIRE Directive and hope it will improve access to environmental data.
- (ii) Briefing document III freely admits that 'implementation, particularly in relation to environmental EU legislation has proved to be challenging', yet we see no mechanism or strategy that is going to be put in place to improve implementation and compliance. It is questionable whether the 'Roadmap to compliance' has led to greater protection of N2000 sites. Because most conservation objectives drawn up under the 'roadmap' are generic, it will be difficult to evaluate successes or failures of Fisheries Natura Plans.

Q9 How can we ensure appropriate governance in national maritime affairs for optimal results (at local, regional, national, European and international level)?

All stakeholders including the environmental sector and the public should be facilitated and encouraged to

participate in the Marine Coordination group. Participants not from the public or private sector should be sufficiently and independently briefed so that they can prepare and formulate evidence-based responses and comments (after the model of the 'frontloading' approach taken by Regional Advisory Councils).

Q10 Suggest ways we can foster and / integrate marine policy and planning in Ireland? With less resources, how can we do it better?

In Briefing Document II each marine sectors is presented in turn with no conceivable attempt at assessing synergistic or conflicting interests and needs. In order to achieve integration the plan will have to be discussed by all stakeholders in inclusive manner, while addressing environmental, resource and financial restrictions. Such an approach would help to reduce duplication, improving efficiency across sectors, and planning.

Having read the background material do you have any specific suggestions / ideas/ comments on what we can do to realise the potential of our ocean wealth?

The plan is strongly weighted toward industry and economic rather than sustainable development and the environment. Integration of the sector targets and ambitions needs to be backed up by more hard facts and analysis to be credible and stress tested by rigorous stakeholder discussion and review. In this context, input from 'bottom-up' stakeholders and disenfranchised, marginalised communities are essential. Returns to coastal communities and state are not adequately evaluated.

Regulations that provide for a specific system of controls and licensing for any activity or works that will physically alter or modify the coastal environment need to be developed and implemented. This is made necessary based clearly on its commitments to the good ecological status of our marine, coastal and estuarine waters. Adequate time must be given for a public consultation on the proposed regulations. Decision-making in relation to these activities must prioritise delivery of WFD targets for ecological status of water bodies as required by the WFD. Coastal development, the exploitation of marine aggregates and dredging and dumping at sea should all be controlled by these regulations and only permitted if the development or activity will not compromise the achievement of WFD targets.

On the basis of WFD water monitoring data, all coastal waters must be classified and a programme of measures set out to bring all waters up to the standards required by the WFD by 2015. The implementation of this programme of measures will require a fully integrated approach, taking into account the cumulative impacts of diverse range of environmental pressures. An Integrated Marine Plan provides an opportunity for this integrated approach.

Effective protection for coastal waters must be given priority status and an integrated management system put in place that involves collaborative effort by all relevant State agencies and other stakeholders required to deliver this protection. Ireland should take this opportunity (in preparation for the Marine Strategy Framework Directive) to take the lead and become an example of best practice in the management of these invaluable aquatic resources

Appendix I

SWAN Member Organisations & Board Members

SWAN National Groups		SWAN Regional & Local Groups	
1.	An Taisce	16.	Carra Mask Corrib Water Protection Group
2.	Bat Conservation Ireland		
3.	Birdwatch Ireland	17.	Cavan Leitrim Environmental Awareness Network
4.	Coastwatch Europe Network		
5.	Coomhola Salmon Trust Ltd.	18.	Cork Environmental Forum
6.	Eco-UNESCO	19.	Longford Environmental Alliance
7.	Friends of the Earth	20.	Macroom District Environmental Group
8.	Friends of the Irish Environment		
9.	Irish Doctor's Environmental Association	21.	Save Our Lough Derg
10.	Irish Peatland Conservation Council	22.	Save Our Lough Ree
11.	Irish Seal Sanctuary	23.	Save The Swilly
12.	Irish Water and Fish Preservation Society	24.	Shannon Whale & Dolphin Foundation
13.	Irish Whale and Dolphin Group		
14.	Irish Wildlife Trust	25.	Slaney River Trust
15.	Voice Of Irish Concern for the Environment (VOICE)		

SWAN Board of Directors:	
Mark Boyden, Chair	Coomhola Salmon Trust
Eamonn Moore, Vice Chair	An Taisce
David Lee, Director	Cork Environmental Forum
Joanne Pender, Director	Irish Wildlife Trust
Joachim Schaefer, Director	Cavan Leitrim Environmental Awareness Network
Karin Dubsy, Director	Coastwatch Europe
Elaine Nevin, Director	ecoUNESCO