

# The Environmental Pillar's response to the Marine Planning Policy Statement Consultation

July 2025

*The Environmental Pillar is an organisation that works to represent the views of 38 of Ireland's leading environmental NGOs. We work to promote environmental sustainability and the protection of our natural environment.*

*The Environmental Pillar welcomes the opportunity to respond to the public consultation on The Department of Climate, Energy and the Environment's Marine Planning Policy Statement.*

Proper, careful, integrated marine planning is a crucial part of ensuring our conservation targets are met, our maritime area is biodiversity rich and our seas support a thriving and fair blue economy. The draft MPPS itself recognises this principle (Part 1, page 2): “At its core, marine planning recognises and addresses actual and potential conflicts and seeks to organise human activities in marine areas to achieve economic and social objectives, while ensuring that the activities are environmentally sustainable”. However, the Pillar is concerned that the draft neither acknowledges the intrinsic value of nature and the environment nor acknowledges nature, biodiversity, and ecosystems as the fundamental basis for all economic activity. Instead, they are placed at the very bottom of the value hierarchy rather than being recognised as the essential foundation on which everything else depends. **We would request that language within the MPPS is added or edited to reflect the commitment “to achieving and maintaining a clean and healthy marine environment where biodiversity is protected and restored” under the Environmental stewardship priority set out in the draft document.** A healthy marine environment should be one of the primary driving principles and priorities of the MPPS and the policy framework it underpins.

A key principle stated in the MPPS is to “support the protection of biodiversity but also, where possible, support its restoration” yet the Nature Restoration Law (NRL), now critical to any new policy relating to marine spatial management such as this one, is absent from the main policy statement, and from the policy list included in “2: Background and Context” of the document, despite Ireland's NRL obligations being acknowledged in the Strategic Environmental Assessment.

As it is now a legal requirement for Member States to collect data on all listed marine ecosystems, as per Article 5.6 of The EU Nature Restoration Regulation (2024/1991), we are glad to see the mention of “expand[ing] on work already completed, and work underway, by State agencies and bodies with regard to marine data collection, having specific regard to developing a survey / monitoring programme to improve the quality and scope of evidence base in the marine environment”. **The legal targets**



# Environmental Pillar

**and timelines found within the Regulation should be cited and committed to within the MPPS as a matter of priority.** Without fulfilling these targets, it will be impossible to put measures in place to effectively restore and protect important ecosystems and, in turn, ensure sustainable maritime use.

Additionally, the MPPS states that “*The State will also fulfil its obligations under the Birds and Habitats Directives and the Strategic Environmental Assessment Directive*”, the necessary inclusion of which is welcome, however, **we would also need to see a commitment to outlining appropriate management measures towards achieving these obligation, particularly with respect to management plans and management and enforcement powers for designated SPA and SAC sites which are currently seriously lacking.** We would highlight that Important Bird and Biodiversity Areas (IBAs) were mentioned within Table 5-2 ‘*Nature Designations in Ireland*’ in the MPPS SEA Report as an important tool in identifying critical areas for bird biodiversity in Ireland. BirdWatch Ireland, along with BirdLife International, recently identified and published 73 brand new IBAs for seabirds<sup>[1]</sup>. Many of these IBAs, including 8 colony IBAs and 22 marine IBAs for seabirds, do not have SPA designation or any legal protections. If they were given designation, this would be a great step in fulfilling requirements under the Bird and Habitats Directives and the 30 by 30 goal for Marine Protected Areas (MPAs). Additionally, the use of IBAs would also be helpful in marine spatial planning. For example, using these seabird IBAs as an environmental layer in future DMAPs would ensure critical areas at sea for seabirds are avoided by other marine users and development whenever there is potential for negative impacts to birds. Please see BirdWatch Ireland’s website or their response to the MPPS for more details on IBAs and their importance to marine spatial planning in Ireland. Other similar biodiversity mapping tools for use in ecosystem-based spatial planning are and will be available, such as Important Shark and Ray Areas (ISRAs), Important Marine Mammal Areas (IMMAs) and Important Marine Turtle Areas (IMTAs). **Where and when available, we recommend their integration into spatial planning decisions such as future DMAPs and MPA designation to improve environmental outcomes, with positive knock-on effects on other marine industries and activities. The MPPS should commit to their consideration in the legislative framework.**

In addition to European level obligations, the Environmental Pillar is pleased to see renewed commitment to our 30 by 30 targets under the Stewardship priority “*The State is committed to achieving the designation of 30% of our maritime area as Marine Protected Areas by 2030.*” but notes with concern the absence of any real commitments to or provisions for the definition, designation or spatial expression of MPAs or any Other Effective area-based Conservation Measures (OECMs) which should be enshrined in this policy statement, which is hierarchically above the NMPF and DMAPs. **We would also like to see the commitment to 10% Strict Protection as per the EU Biodiversity Strategy for 2030 be included here, alongside the 30 by 30 target.** There is an ongoing failure to provide for Marine Protected Areas (MPAs) as required by Article 13(4) of the Marine Strategy Framework Directive. Designating MPAs at the start of marine spatial planning processes is key to a truly ecosystems-based approach.



# Environmental Pillar

It is extremely regrettable that MPA designation will not occur until after multiple projects go through planning and after the development of DMAPs. This poses the risk that planning applications may be granted in some of the most diverse and ecologically important areas in Ireland's marine waters, which would likely be designated as MPAs in the future, or presently, had the provisions for MPA designation been finalised sooner. It could also lead to the designation of MPAs occurring in the remnant areas after all of the other marine sectors have been allocated their geographical areas. This runs counter to the ecosystems-based approach required by the Maritime Spatial Planning Directive and the Marine Strategy Framework Directive. **In line with current progress being made on MPA legislation, we support Fair Seas' call that the MPPS should reference that any future marine spatial planning relevant law should also be acknowledged in its implementation by government and public bodies.**

**The Environmental Pillar would therefore need to see more emphasis put on the protection and restoration of the marine environment in the MPPS**, which is currently seriously lacking even just in mention in the draft. **The protection and restoration of the marine environment should be cited as a policy priority** in this document in the same way that Offshore Renewable Energy is, as stated on page 12: *"Offshore renewable energy (ORE) is a key policy priority for the Government, and Ireland has the potential to be a world leader in ORE (Offshore Renewable Energy Framework Policy Statement)"*.

A plan-led approach is cited as the first Principle of Marine Planning (Part 5, page 9 "Marine planning should seek to be developed on a plan-led basis"). Using a plan-led approach and moving away from sectoral management can ultimately reduce conflicts, promote coexistence and synergies in the maritime domain and ensure a just transition for coastal communities. While this move to a plan-led approach is welcome, challenges will remain in the national context towards achieving sustainable management so long as responsibilities for governance, management, surveillance and enforcement are fragmented and lack cohesion and alignment across agencies and institutions. It is, for example, indicated that MARA, ABP and Coastal Planning Authorities are responsible for ensuring compliance but the statement lacks clarity as to who holds surveillance and patrolling responsibilities and whether resources will be allocated to these functions in the context of maritime use.

In general, Ireland's legislative and policy framework for the marine area remains incoherent and non-compliant with crucial EU Marine Directives.

European marine policy is set out in a framework called the Integrated Maritime Policy (IMP). Recital 2 of the Maritime Spatial Planning Directive 2014/89/EU explains:

*"The objective of the IMP is to support the sustainable development of seas and oceans and to develop coordinated, coherent and transparent decision-making in relation to the Union's sectoral policies affecting the oceans, seas, islands, coastal and outermost regions and maritime sectors, including through sea-basin strategies*



# Environmental Pillar

*or macro-regional strategies, whilst achieving good environmental status as set out in Directive 2008/56/EC.”*

The Marine Strategy Framework Directive (MSFD, 2008/56/EC as referenced above) is considered to be the environmental pillar of the IMP and requires the achievement of “Good Environmental Status” in the marine area based on a set of 11 descriptors, of which Ireland has worryingly only met six according to the latest report. The Maritime Spatial Planning Directive (MSPD) on the other hand sets out the framework requirements for the spatial planning of human activities in the marine area. Neither Directive stands alone, however, as they sit within the IMP.

Ireland’s National Marine Planning Framework (NMPF) is supposed to be a Maritime Spatial Plan under the Maritime Spatial Planning Directive. Yet we consider that the NMPF does not constitute what can be meaningfully described as a plan for the purposes of the Directive – it does not actually provide a spatial plan for where marine activities will take place, what those activities will be, and what the level of intensity of those activities will be across their distribution. The Maritime Spatial Planning Directive also requires an ecosystems-based approach to be taken in Maritime Spatial Plans, but the National Marine Planning Framework also does not provide any spatial assessment of ecological sensitivities and potential sensitivities in relation to human activities. Consequently, it is virtually impossible to meaningfully assess the potential impacts of human activity in the sea. It is therefore not compliant with the requirements of the Maritime Spatial Planning Directive regarding Maritime Spatial Plans and the ecosystems-based approach.

Thus, the MPPS, as the overarching policy statement above the NMPF and the DMAPs in the marine planning hierarchy, should be a tool to drive compliance with the aforementioned Maritime Spatial Planning Directive and rectify existing deficiencies. **This could be done by reformulating the MPPS document in such a way that it explicitly commits to altering the existing, not-fit-for-purpose NMPF so that it is spatially and temporally explicit and accounts for the locations of marine activities, what those activities are and their respective levels of intensity.** This would allow for an evaluation of the compatibility of multiple activities in the same marine area.

The Maritime Area Planning (MAP) Act provides for Designated Maritime Area Plans (DMAPs) to cover specific regions of Ireland’s marine area. DMAPs must be consistent and aligned with the National Marine Planning Framework (NMPF) and need to be developed in the same way and to the same standard as a Maritime Spatial Plan under the requirements of the Maritime Spatial Planning Directive (MSPD). However, even if DMAPs were developed in full compliance with the MSPD, they cannot fix the issues with the NMPF’s non-compliance - the problems with the NMPF cannot be incrementally fixed with individual DMAPs. This leaves the EU-required ecosystems-based approach still compromised. Furthermore, the overarching Offshore Renewable Energy Development Plan II (ORED II) has yet to be completed which is supposed to “Provide an evidence base to facilitate the future identification of Broad Areas most suitable for the sustainable development of ORE in Ireland’s maritime area”. This is important for the development of DMAPs.

The development of ORE is a key step towards the decarbonisation of Ireland's energy system and necessary in national and global efforts to tackle the climate crisis. Therefore, we are largely welcoming of Ireland's ambitions to achieve targets of up to 37GW by 2050. However, the overall marine planning approach taken to date is not yet plan-led or ecosystems-based and remains inconsistent with EU Directives.

The expansion of ORE must be undertaken with careful consideration of the impacts it can have on the environment and associated species, many of which are already at risk from human activities. Many steps have already been taken and continue to be taken to take these impacts into consideration and we continue to work with Government and stakeholders to address, reduce and mitigate against these. Legislation is a key part of this process and maintaining or restoring a healthy environment should always remain at the core of new and existing legislation relevant to these developments and marine planning in general.

**We seek the inclusion of provisions for conducting cumulative impact assessments early in the planning process, not just at project consent stage within marine spatial planning policies** and note that these cumulative impacts are not restricted to national borders. Therefore, we welcome the inclusion of the principle that *"Marine planning should see to evolve in a way that takes advantage of international and regional collaboration mechanisms and seek to identify transboundary opportunities and address challenges to inform marine planning activities"* (Part 5, page 9) and **emphasise that transboundary collaboration and co-management of environmental impact mitigation must be integrated into any new marine spatial plans and maritime activities**, including but not exclusively industrial fisheries, shipping and offshore renewable energy.

We also note from the MPPS SEA report the following on page 97:

*'However, many synergies also exist including, for example, the colocation of aquaculture activities with offshore wind; potential for multi-use offshore wind and oil and gas platforms; reliance on ports in facilitating the necessary development of both offshore renewable generation and grid infrastructure; potential protections for biodiversity through offshore wind developments serving as de-facto no-take zones'*

While this colocation and multi-use of space must be explored and implemented where possible and beneficial, **we ask for caution around multi-use and biodiversity gains from offshore marine developments in particular**. While this is a possibility in the long term for some species, uncertainties and knowledge gaps still remain for many others, including impacts and recovery times, and for others still, such as bats and birds, this would simply not be the case. Baseline and monitoring data remains lacking for many species and the impacts they will face from cumulative impacts and multiple uses.

For this reason, we strongly welcome the commitment to create a marine data repository in line with the principle "collect once, use often" to optimise efficient use of resources available to all stakeholders. Open data accessibility will be key to reducing impacts of repeated survey activities, filling key ecological knowledge





# Environmental Pillar

gaps, advancing ecosystem-based sea use management and increasing public confidence in maritime use decisions. Alongside this repository, **we recommend and would wish to see consolidation of any and all spatial data layers on ecosystems, sectoral zones, pressure layers, MPA, SAC/SPAs or others in a publicly accessible GIS platform**, which would also align with EU Directive 2007/2/EC (INSPIRE).

Finally, the understanding of prosperity in the document is lacking from an environmental sustainability perspective. It frames Ireland's marine planning primarily as a tool for unlocking economic potential through the expansion of maritime infrastructure, offshore energy, and coastal development. While there is some acknowledgement of the need to "minimise environmental impacts," this is presented as a secondary consideration to investment, efficiency, and sectoral growth. From an environmental and economic sustainability perspective, this framing reflects an outdated view of prosperity, which fails to account for ecological boundaries, intergenerational equity, or long-term resilience.

In his 2021 report for the UK Government, *Economics of Biodiversity*, Dasgupta provides an economist's understanding of the importance of ecological health to human prosperity<sup>[2]</sup>. He defines prosperity as the capacity of both current and future generations to enjoy a good quality of life, which depends critically on the sustainable management of all forms of capital: produced, human, and natural. He emphasises that "*human prosperity depends on our most precious asset: Nature*" (2021, p. 8). This framing moves beyond traditional measures of economic growth such as GDP, arguing that prosperity cannot be measured solely by economic activity if it comes at the expense of degrading natural capital, i.e. the ecosystems, biodiversity, and environmental services that underpin life and economic activity. He stresses that the depletion of natural capital erodes the wealth and well-being of future generations, violating principles of intergenerational equity (Dasgupta, 2021, pp. 20–22). Prosperity, therefore, is best understood as a function of inclusive wealth, the aggregate of all capital assets, physical, labour and ecological. (Dasgupta, 2021, pp. 33–35)<sup>[3]</sup>.

The European Union increasingly frames prosperity as inseparable from environmental and social sustainability, using the term to refer to not just economic activity but long-term well-being within ecological boundaries. In the European Green Deal<sup>[4]</sup>, prosperity is understood in terms of a "*fair and prosperous society*" that is climate-neutral and resource-efficient, where "*economic growth is decoupled from resource use*" (European Commission, 2019, p. 2). Here, prosperity is linked not to exploitation of natural resources, but to a sustainable, regenerative and inclusive economy. The EU Biodiversity Strategy for 2030<sup>[5]</sup> reiterates that "*protecting and restoring biodiversity is crucial for building our resilience and preventing the emergence and spread of future diseases, and for securing long-term food security and prosperity*" (European Commission, 2020, p. 1). In this strategy, prosperity depends on functioning ecosystems and biodiversity and not just on economic or technological advancement. Similarly, the Just Transition Communication<sup>[6]</sup> frames prosperity as something that must be equitably shared, stating that the green transition must be "*fair and socially acceptable for all... ensuring that no one and no region is left behind*" (European Commission, 2020b, p. 2). Economic development

which does not protect the natural heritage for local communities and future generations cannot be understood as equitable and runs counter to promoting prosperity for all.

Finally, the EU *GDP and Beyond*<sup>[7]</sup> agenda acknowledges that GDP growth alone is insufficient for measuring real prosperity and calls for a broader set of “*indicators that reflect social, economic and environmental concerns*” (European Commission, 2009, p. 2). These frameworks and policy documents share a consistent theme, that prosperity cannot be measured solely through economic activity, but must be based on a respect for ecological limits, healthy ecosystems, environmental sustainability, social inclusion, and intergenerational equity.

**The Environmental Pillar recommends that the "Prosperity" section be revised to reflect a more integrated understanding of sustainable development. This revised approach should place the following principles at the core of how prosperity is defined and measured:**

- **Respect for ecological limits**
- **Commitment to biodiversity restoration**
- **Enhancement of human wellbeing**
- **Intergenerational equity**
- **Community resilience and social equity**

*We are open and available to discussing these points further and remain available to meeting with the department in person.*

Contact: Dr Jenny Bortoluzzi, MARÉIRE Project Coordinator, [jenny@ien.ie](mailto:jenny@ien.ie),  
<https://environmentalpillar.ie/>

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[1] Auchincloss, C., Handley, J., Newton, S., Clarke, B., Donaghy, A., Duggan, O., Davies, T., Mitchell, D. (2025). Ireland: Important Bird and Biodiversity Area identification for seabirds. Project Report (Activity 1). BirdWatch Ireland, Wicklow. Available at:

<https://birdwatchireland.ie/publications/ireland-important-bird-and-biodiversity-area-identification-for-seabirds/> (Accessed: 24th July 2025)

[2] Dasgupta, P. (2021) *The Economics of Biodiversity: The Dasgupta Review*. London: HM Treasury. Available at:

<https://www.gov.uk/government/publications/final-report-the-economics-of-biodiversity-the-dasgupta-review> (Accessed: 16 July 2025).

[3] See also Kate Raworth in her work *Doughnut Economics: Seven Ways to Think Like a 21st-Century Economist* (2017), which provides a critique of GDP-focused models and instead defines prosperity as a condition/state where every human being has



# Environmental Pillar

their essential social needs (food, health, education, housing, income, voice, community) met and the opportunity to flourish within the environmental/ecological limits of the planet.

[4] European Commission (2019) *The European Green Deal*. COM(2019) 640 final, p. 2. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52019DC0640>

[5] European Commission (2020) *EU Biodiversity Strategy for 2030: Bringing nature back into our lives*. COM(2020) 380 final, p. 1. [https://ec.europa.eu/environment/strategy/biodiversity-strategy-2030\\_en](https://ec.europa.eu/environment/strategy/biodiversity-strategy-2030_en)

[6] European Commission (2020) *The Just Transition Mechanism: Making sure no one is left behind*, p. 2. [https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal/finance-and-green-deal/just-transition-mechanism\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal/finance-and-green-deal/just-transition-mechanism_en)

[7] European Commission (2009) *GDP and Beyond – Measuring progress in a changing world*. COM(2009) 433 final, p. 2. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52009DC0433>