

**From:** Patrick Lyne [REDACTED]  
**Sent:** 03 December 2018 10:08  
**To:** Marine Spatial Planning <msp@housing.gov.ie>  
**Subject:** National Marine Planning Framework

Dear Sir/Madam

I note that the Marine Planning seems to acknowledge the impact of submarine cables. However there is no oversight of cable works beyond the 12 mile limit. Companies adopt environmental protocols or not at their own discretion. Reports are not required or available to any known government authority. Additionally a similar lack of oversight and regulation exists for domestic scientific surveys such that there is no regulator and again no required oversight.

Current regulations which are applied within the 12 mile limit and for oil and gas works, do not appear to have corrections applied in line with NPWS guidelines and indeed the NPWS guidelines are currently out of touch with requirements that now apply in most European countries (see [http://www.accobams.org/new\\_accobams/wp-content/uploads/2018/09/GL\\_impact\\_anthropogenic\\_noise.pdf](http://www.accobams.org/new_accobams/wp-content/uploads/2018/09/GL_impact_anthropogenic_noise.pdf) ). Guidelines as they are, currently when incorrectly applied, have yet to see any action taken by regulators. Indeed reports are often simply not submitted in a timely manner as there is lack of responsibility in this area.

It is unclear currently how a marine spatial plan with consideration of the marine environment can be devised or implemented without developing a body with knowledge and responsibility of the works involved. It is not possible currently to find any environmental information on cable routes in progress or completed in recent years outside the 12 mile limit. Almost none of the regulatory reporting required using the NPWS marine mammal mitigation guidelines includes operator reports with the required information as per the guidelines. The guidelines themselves notably do not include a shut- down of operations under any circumstances, even when animals are within an injury zone or worse. Clearly the primary purpose of the guidelines is not the conservation of marine mammals.

Marine development works in fisheries harbours additionally currently does not require a foreshore licence and while works may be carried out under similar regulations, it is unusual for a government body responsible for carrying the works to be in authority also to approve the works. This is equivalent to the DAFM being Judge, jury and prosecutor under law in such cases and this would hardly be viewed as proper.

While an overall plan for Ireland's offshore is welcome it requires proper functioning of the elements that support the plan. As such Environmental regulations need an urgent and thorough review, and clarity and credibility of responsibility needs to be established for government bodies.

Yours faithfully

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