

## **Submission on National Marine Planning Framework**

(by McFadden & Peritz on behalf of Donegal SOS<sup>1</sup>  
And The Carrickfinn Trust<sup>2</sup>)

### **This constitutes a direct response to the National Marine Planning Framework baseline report and the public engagement process:**

From the outset I'd like to emphasize that there was very little opportunity for engagement within this consultation process.

Although we personally attended a meeting (with opportunity to address the panel), it was on very short notice and do not believe this is at all equal to the purpose stated of public stakeholder participation.

That this consultation was conducted during working hours would obviously have excluded many, who would also have had vested interest. When we inquired, Sligo was the closest meeting to Donegal, which again shows little regard for participating stakeholders.

This MSP is focused on a national plan to be reviewed and revised every 6 years. That is a big leap of faith to put into a first time, trial & error plan when there is so much at stake.

Considering the negative effects that over-encompassing, top-down policies have had on small coastal communities, which make up a large portion of Ireland, one would hope that smaller-scale, localized plans would be given more consideration at a critical time when some of these communities and our way of life are on the verge of disappearing.

The interests of governing bodies are centralized in certain areas in the country such as Dublin and Cork, whose interests are very different from those of more rural coastal

---

<sup>1</sup> Donegal SOS is a community initiative with over 1.4k Facebook members, concerned and engaged with the present threat of industrial scale Oyster farming in Carrickfinn/Ranafast and Gweedore bay.

<sup>2</sup> Carrickfinn Trust. (2018). *Home - Carrickfinn Trust*. [online] Available at: <http://carrickfinntrust.com/> [Accessed 14 Dec. 2018].

communities such as in Donegal, whose livelihoods are also directly or indirectly very tied to the marine environment (having the country's longest coastline.)

Rural communities are however very under-represented and feel neglected and disregarded in policy decisions. These communities have regularly been devastated by top-down policy that doesn't concern itself with our communities or take those unique circumstances of environment and culture into account.

This plan is meant to consider environmental, economic, and cultural priorities as 3 equally important pillars. There is not much more about culture than reference to shipwrecks within this plan, and wreck diving is a very niche hobby, not at all representative of Ireland's rich maritime culture.

Many peoples' lives will be affected by the implementation and manifestation of this plan. The importance of informing and engaging these people has not been given the level of priority that is called for.

It is not widely announced and the 6 meetings were not realistically accessible to working people or those in areas with severe public transportation limitations.

My concern is that the needs of these people might be overlooked and that they will be blindsided by policy decisions that ignore their local needs and impose new hardships on already struggling areas.

The baseline report suggested that certain themes inform the development of strategic objectives:

**1. Promoting the sustainable development of a thriving ocean economy.**

With that in mind we submit that the current safeguards wholly inadequate.

There is no independent watchdog.

Various aquaculture industries i.e. salmon-farming and oyster beds are creating environmental problems, with no sanctions or culpability, and further development is permitted with no review or safeguards being enforced.

Case Study: There has been no EIS done in our estuary for further development of 100+ acres of oyster-farms. As a **Special Areas of Conservation** and a **Special Protection**

**Area**, this is one of the most scenic areas of Donegal and Gweedore is also one of the most densely populated rural areas in Europe. The adjacent Donegal airport won the title this year of “Most Scenic in the World” and yet the unsightly development in this estuary isn’t even being assessed adequately.

We call into question the licensing of such a large industrial enterprise, let alone the impact on blue mussels, native oysters, sand-eels, the curlew, migrating brent geese ect. Locals vehemently dispute the sustainability of such a large enterprise when the infrastructure on the foreshore is already susceptible to destruction from machinery. However local considerations, from tourism impact to cultural heritage, were disregarded entirely in the license-decision making process.

Sustainable utilization of our marine resources should be along the lines of the OSPAR Convention and the ecosystem approach, looking at bio-diversity, species and habitats. From our perspective this involves valuing areas that have been designated as **SAC** and **SPA**. It is simply not acceptable to look at the short-term benefits with regard to commercial enterprises that will in fact jeopardize most every other industry (directly and indirectly) dependent on tourism as well as the ecosystem and legacy of a pristine environment.

This perspective, although formed directly as a consequence with our own concern for our locality also extends to developments such as the Bantry Bay kelp extraction and various other planned coastal developments.

The most recent assessment of the status of EU protected habitats and species in Ireland showed that 91% have unfavourable conservation status. National Parks and Wildlife Service<sup>3</sup> funding has been reduced by 50% since 2011 and An Taisce recommendations are often disregarded in favour of industry. As they state on their website<sup>4</sup>

---

<sup>3</sup> Npws.ie. (2018). *National Parks & Wildlife Service*. [online] Available at: <https://www.npws.ie/> [Accessed 13 Dec. 2018].

<sup>4</sup> Antaisce.org. (2018). *Threats to Nature Conservation - The National Trust for Ireland - An Taisce*. [online] Available at: <http://www.antaisce.org/issues/threats-nature-conservation> [Accessed 13 Dec. 2018].

“Even with a formal legal requirement to assess the impacts of potentially damaging activities, there are numerous ongoing threats to protected areas in Ireland. Many of these can be attributed to poor implementation of the law by the relevant enforcement authorities. Examples include afforestation in inappropriate areas, damaging construction projects, failure to take account of cumulative impacts, pollution, invasive species, agricultural intensification, conversion of land of nature value, overgrazing, etc.”

The lack of oversight and consideration of sustainable practice on our environment should be of upmost priority in progressing this Marine Planning Strategy. The precautionary principle is applied so as not to destroy the bio-diversity that exists. There should be marine & foreshore litter-wardens implemented to ensure that the industries active on the foreshore adhere to best-practice or else have sanctions and penalties enforced. This objective should apply to tourist-enterprises too.

The second theme suggested for informing the development of strategic objectives was:

**2. Establish robust governance, policy and planning frameworks to enable growth of the ocean economy and the sustainable utilization of our marine resources, with an emphasis on ensuring effective and meaningful public and stakeholder participation in the planning process.**

As previously stated, arrangements for stakeholder participation and engagement in this National Planning Framework was utterly inadequate. It could be viewed as ageist and biased against the rural communities that haven't been able to engage adequately with this planning framework.

The process for objecting to aquaculture and marine developments needs to be more transparent and easier, such as the process involved with planning applications or any local development. As it stands objecting to aqua-development is cost-prohibitive as well as time-sensitive.

To refer again to the case study of that local aquaculture development in Donegal, it cost €250 to object to one license. In that bay, there were 4 granted simultaneously, that's €1,000 for an individual to object to the destruction of this estuary. The time scale, where locals have about 4 weeks notification to weigh in on an application that may have been 5 years in process will obviously disadvantage communities that have to mobilize in order to crowd-fund the legal challenges to intrusive development planning.

There are huge challenges for small rural communities to become informed about protected species, EU directives and legislation that might be relevant. This is all a race against the clock, and even so they may not even have the opportunity to have a public consultation or oral hearings to determine whether the development should proceed.

This is where the idea of an independent, funded advocate, which acts on behalf of local communities and the public, helping them with identifying legislative processes and relevant advocacy organizations. This is too important a function to relegate to charities, voluntary bodies and/or concerned individuals.

The baseline report (pg.55) recognizes that BIM “has undertaken a considerable amount of work to ensure a sustainable future for the country’s fisheries, aquaculture and processing businesses.”

The unfortunate knock-on effect in supporting business concerns can be in creating unforeseen conflict with concerned local communities.

Case and point: BIM facilitated an emergency weekend clean-up of the Carrickfinn-Gweedore estuary site, before RTE cameras were able to record the detritus from the presently, modest-sized oyster-farm.

Instead of locals being able to illustrate the adverse visual impact and environmental litter, BIM efforts obscured the general status. While it is laudable that BIM did clean-up the site, local concern arose as this clean-up effort was for one specific purpose: so that the aquaculture site did not look bad on a televised report (in opposition to the 100+ acre development), featured on the main six-one news

### **With regard to the consultation questions proposed:**

We did perceive gaps in this baseline report (**Ref: Q1**)- the greatest being how it relates to local rural communities and the culture of those communities. This report (p29) recognizes heritage assets and “a historic environment that is irreplaceable to coastal communities and is strategic for the on-going development of cultural tourism, such as that of the Wild Atlantic Way initiative.” There is recognition of topographical settings and the coastal towns and harbours that define the character of our Island and yet these rural coastal areas do not have the representatives at policy level protecting their interests.

Bottom-up public engagement is important for effective planning and sustainable management of these maritime resources and ecosystem services. One of the greatest obstacles for achieving shared community goals, arises from the fragmentation of governing bodies which oversee various elements of the environment, an issue then compounded by poor communication.

This fragmentation extends downward, affecting various sectors and stakeholders. And though informed public engagement is required through 2003/35/EC, in practice the intent of the Aarhus Convention is not met, leaving the public feeling ignored and left out of policy development.

Business enterprises cannot be deemed to have priority simply because superficially they appear to offer more commercial employment opportunities. There needs to be some real risk assessment done, to the threats inherent in green-lighting development. People often dismiss visual amenity however the Wild Atlantic Way and the success of this Board Fáilte initiative is predicated on such tourism and emphasises our unspoilt environments.

The financial rewards in facilitating film locations such as Star Wars or GOT and the subsequent tourism cannot be forfeit to bad planning and ill-conceived development. The value of homes and quality of life can just as easily be adversely affected by commercial development and so there has to be community engagement with regard to policy development and implementation.

This need for early engagement, clear communication, and authority transparency is being felt in Ireland's current work to develop and implement a Marine Spatial Plan by March 2021. The intent of 2014/89/EU was to apply marine spatial planning practices in a manner that better coordinated existing conservation-orientated Directives while simultaneously recognizing and respecting the socioeconomic needs of the communities. This requires committed engagement and community empowerment.

**(Ref: Q2)**What people enjoy about their coastal environments as well as the social and economic benefits are often intangibles that aren't recognised in any formal way.

There may be recognition that local shops depend on tourism, pubs/ hotels hiring in the area, but these are what is regarded in terms of visible commercial benefit.

There are benefits in coastal walks and social interaction, the importance of local amenity to these rural economies. The artists and musicians, the writers and histories of the area that are often the reason people search out these far-flung destinations.

Thought should be given to how vibrant these coastal communities are, and the local heritage in terms of built legacy as well as the profile in song and story. The MPS should be focused on encouraging coastal/island festival tourism and non-intrusive environmentally conscious initiatives.

It is vital too that it addresses the importance and benefits of Gaeltacht areas and offers protection for this way of life. Supporting indigenous and culturally- relevant industry should be given priority. This is where we posit community empowerment as one of the highest priorities for this framework.

Along with the WFD, the MSFD builds a framework for providing integrated management of the environment ranging from catchments to the open ocean, by linking other EU sectoral directives.

The Maritime Spatial Planning (MSP) Directive (2014/89/EU) is aimed at advancing and refining this integration. It obliges coastal Member States to use an EBM (ecosystem-based management) approach in order to promote growth and development for maritime resources and space in a way that is sustainable and promotes the coexistence of different sectors of uses and activities.

This Directive obliges the consideration for the three equivalent pillars of environmental, economic and social aspects in pursuit of this development.

This accentuates the importance of maintaining a balance under the MSP in order to ensure that the importance of economic goals do not overshadow the protection and preservation of the environment or threaten its resilience, ensuring that development initiatives do not come at the cost of the integrity of local culture, heritage, and traditions. Public participation is mandated within many of the EU's Directives, and Ireland's 2012 ratification of the Aarhus Convention commits us to the promotion of citizen involvement in environmental matters and the administration of environmental

law.

The public is entitled to access to environmental information and are to be obliged by authorities to access that information in order to allow for the public to participate in environmental decision-making and to pursue reparation when environmental law is overstepped.

Therefore, it is important in the coming year, with the development of Ireland's MSP, that participatory efforts are engaged in order to ensure that the public is sufficiently informed and that the powerful economic pillar does not result in the neglect of what is meant to be at the heart of marine planning: environmental interests.

All this is meant to be built upon three equal-standing pillars, it is very important that the third one, the socio-cultural interests and needs of coastal areas, are not undermined.

Presently there is an unfortunate sense of divide that exists between the general public versus the community of policy makers and bodies that govern the environment that population lives in and utilizes. Both sides play a crucial role in affecting the environment. It is critical that the masses realize their power and the difference their choices and actions can make.

Ireland's aquatic environment is exposed to pressures from a wide array of sources. Those directly visible to the public include the effects of climate change along the coast (such as flooding and erosion) as well as pollution (in the form of litter or runoff). These issues have tangible consequences that threaten livelihoods and well-being. For these reasons, they are an important basis for advocacy to build from. Advocacy that encourages educating the public and including them as significant role players in the attainment of conservation efforts is at the very root of what is necessary for achieving these goals.

Addressing these issues in a holistic and conscious way can have results with benefits that surpass meeting only baseline goals. It would encourage and target valuable changes in mentality, which are necessary in order to achieve changes in lifestyle and consequently affecting lifestyle choices that impact upon the aquatic environment.



The prioritisation of participatory research and transparency among all stakeholders and law makers in order to generate open dialogue, improved communication, trust and cooperation is imperative to the success of this maritime spatial plan and its well-meaning goals.

**(Ref: Q3) The 3 Goals of (HOOW) Ireland’s Integrated Marine Plan:**

In terms of the three main goals of this MPS, the **First Goal** specifically emphasises “delivering business-friendly” in terms of economic recovery and socially inclusive, sustainable growth.

We have witnessed first-hand how that business-friendly approach has hugely disadvantaged a local community, united in objecting to the dramatic over-industrialization of our estuary without robust governance, local consideration or vital sustainability review; in an endeavour that still threatens this Gaeltacht area.

In terms of moving forward we would recommend that a thriving maritime economy, is not simply about being specifically “business-friendly”, but that strategic planning tools (such as SWOT<sup>5</sup>) should be utilised with regard to how developing any particular business concern weighs in relation to the indigenous community, local environment, intangible cultural benefits and social impacts.

The **Second Goal** is focused on the healthy ecosystem. We believe that any proposed business should have to endure robust investigation as to how it impacts the habitats and indigenous species. If it is a sizeable proposition, there should be some regard for phased-in development with appropriate staggered environmental- assessment (and all development should be viewed cumulatively with respect of other developments proposed on the same or adjacent sites). There should be transparency about this data with input from the public to proposed development at a far earlier stage of the process.

The **Third Goal** is to strengthen engagement with the sea, increasing awareness of the value market and non-market in terms of opportunities and social benefits could also

---

<sup>5</sup> ClearPoint Strategy. (2018). *A Detailed SWOT Analysis Example (Applicable To All Industries)*. [online] Available at: <https://www.clearpointstrategy.com/swot-analysis-examples/> [Accessed 13 Dec. 2018].

have a historical approach. Local engagement with the sea was reduced in the 70s when entitlement for local fishermen was revoked. The more recent undertaking to sell seaweed-harvesting rights, could impinge on local custom and legacy rights to harvest on certain areas. It is vital to recognise that small enterprises are in effect keeping heritage alive and we do ourselves a great disservice if the DHPLG makes it challenging or difficult for them to do so.

Small, rural enterprise supports should ensure that red-tape cannot choke the ability of further generations to avail of those resources at a local level.

Inter-dependency and personal relationships with costal environment as part of our heritage, health and well-being, cannot be overstated. Facilitating local consultation in terms of access and development planning is vital in recognition to this.

Scope of this should also include guidelines on costal memorials, in terms of how it impacts or benefits users. There was a specific case of distressing vandalism on a grave memorial of a county councillor that was placed on a beach pier. This caused a family grieving, further pain.

In terms of strengthening the engagement with the sea it would serve us well if we focus attention and resources on attracting the city-sized cruise ships, and the tourism potential involved with these huge ocean liners that could land at under-used harbours, such as in Rathmullan. This is a rural coastal community with a deep water harbour that once housed the Royal Navy fleet but now sits, under-used in an area where an injection of the resources and revenue that could come from such adjustments could bring huge opportunities for the local community, with knock on effects into other potential industries.

An entire blue tourism industry could grow from such an opportunity, breathing life back into rural coastal Donegal and providing the alternative for the younger generations to stay rather than having to move away in order to make a living. The Marine Spatial Plan could very purposefully address the isolation of coastal communities in terms of infrastructure by focusing on Atlantic links.

In terms of alignment with the NPF (**Ref: Q5**) we believe that the National Framework itself has further disadvantaged coastal communities and disregards many disadvantaged socio-economic communities, including Gaeltacht areas. It would be vital

that the MSP doesn't do the same. It is important that policy doesn't regard coastal communities as areas where rural populations can be imposed on, to install unsightly industrial-sized, aqua-developments that are in keeping with EU fishery targets, but not at all in keeping with the stated aforementioned goals!

**(Ref: Q4)** In terms of the most appropriate means of supporting the objectives of the plan a blended approach would be best considering the many other development authorities and statutory bodies that the MSP impacts.

**(Ref: Q6)** In terms of climate change adaption measures we think it is vital that our kelp forests be maintained and valued for their contribution to maintaining the balance. It is in our interests to future-proof our shores by engaging the public in foreshore replanting and as previously stated in directly empowering them in the bottom-up engagement that will impact on meaningful environmental change. Public participation is key.

**(Ref: Q7)** At the moment Brexit and the uncertainty that surrounds our borders is confusing a lot of cohesive planning. However it is vital that there should be a trans-boundary co-operation. At present the Scottish have very robust foreshore protections ideally that would be mirrored in our MSP.

**(Ref: Q8)** From personal perspective Donegal the neglected county, with the longest coast has the least infrastructure to maximize any coastal development or enterprise. In our opinion some special regard needs to be given to these disadvantaged rural (& Gaeltacht) communities.

As previously discussed, Environmental Assessments are vital to protect coastal communities and habitats from unsustainable development. **(Ref: Q9)** We consider the success of this entire process, as dependent on ensuring environmental protection. This should be considered as a top-level objective and far more valid than appearing "business-friendly." In keeping with OSPAR and Aarhus Convention we think any strategic environmental assessment should be based in local knowledge and marine biodiversity best practice.

We agree that this document is an important milestone (**Ref: Q10**) and in terms of the appropriate hierarchy we would like to see implemented for future marine planning, our opinion is based on a reversal of traditional structure, where regional planning cannot be applied to over-ride local concern and coastal communities.

Thank you for your time and consideration.

**This submission was authored by**  
**Marion Rose McFadden, MSc, Technology Management, UL**  
**&**  
**Atalya Peritz, MSc, Coastal & Marine Environments**  
**NUI Galway, School of Geography & Archaeology**

And also ratified by these members of the 2018 NUIG MSc Coastal & Marine Environments class:

Harriet Dundon,

Eilís Mc Manamon,

Amy Wilmont,

Yassmine Daouk,

Holly Goodnow,

Kellie Heney,

Jennie Lynch

On behalf of Donegal SOS and The Carrickfinn Trust this document represents a great many Donegal residents that vehemently share our concerns on the present policy and community stakeholder participation in Marine planning.