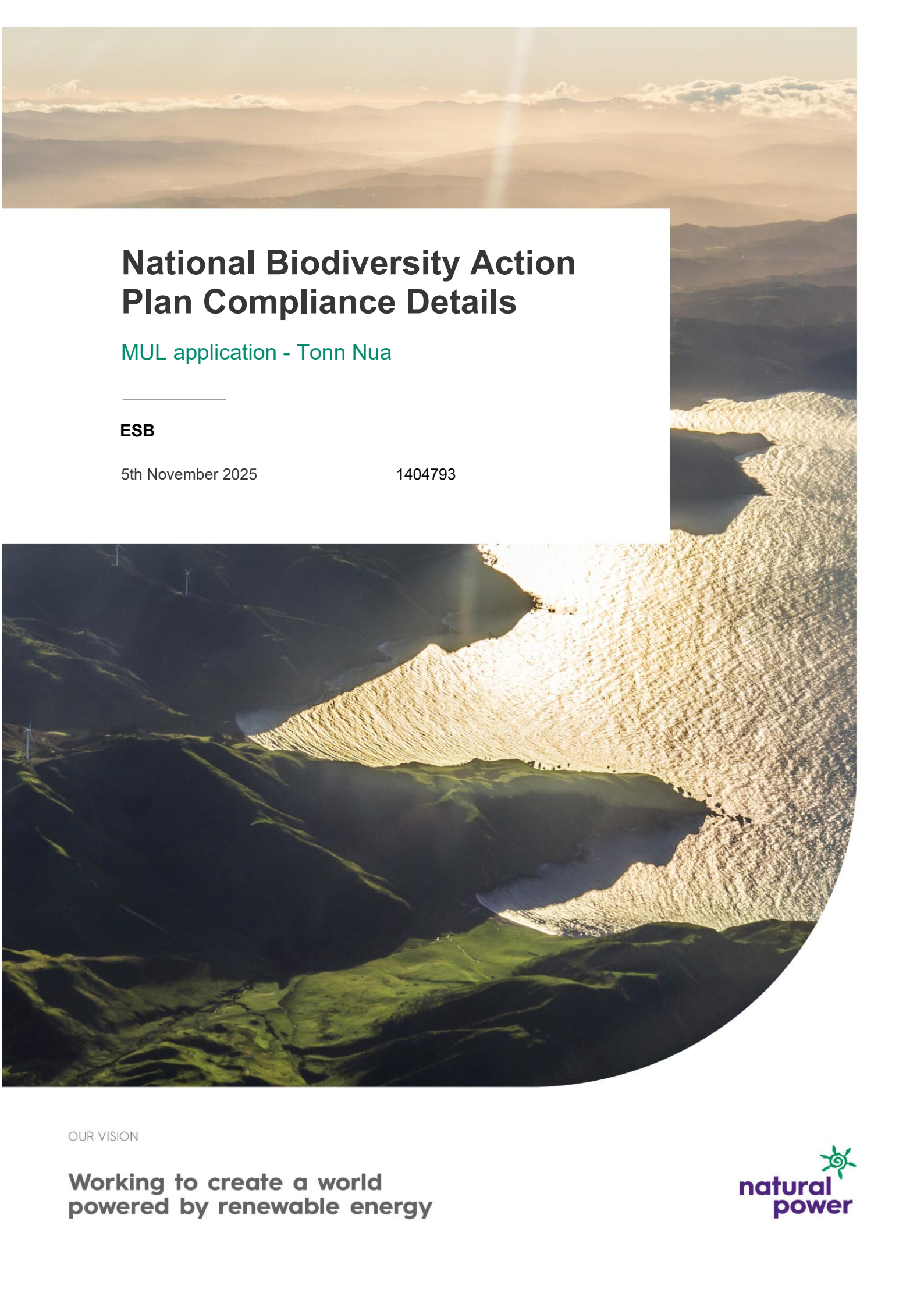




National Biodiversity Action Plan Compliance Details

MUL application - Tonn Nua

ESB

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Glossary

Term	Defination
AEOSI	Adverse Effect on Site Integrity. A legal test under the Habitats Directive and Appropriate Assessment process to determine if a plan or project would undermine the conservation objectives of a Natura 2000 site.
Annex IV Species	Species listed under Annex IV of the EU Habitats Directive, requiring strict protection (includes all cetaceans, some fish, and certain invertebrates).
Appropriate Assessment (AA)	Assessment required under the EU Habitats Directive to consider potential impacts of a plan or project on Natura 2000 sites (SACs and SPAs).
Blue Carbon	Carbon captured and stored by marine and coastal ecosystems such as saltmarshes, seagrass meadows and kelp forests.
CBD	Convention on Biological Diversity. International treaty for the conservation and sustainable use of biodiversity.
Citizen Science	Public participation in scientific monitoring and data collection, often referenced in the NBAP as a means of strengthening the evidence base.
EU Biodiversity Strategy for 2030	European Union policy framework setting biodiversity objectives and commitments to 2030.
Habitats Directive	Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.
IAS	Invasive Alien Species. Plants or animals introduced to an ecosystem outside their natural range that may cause harm to biodiversity, the economy or human health.
MARA	Maritime Area Regulatory Authority. Irish regulatory authority responsible for assessing Maritime Usage Licence (MUL) applications.
MMO	Marine Mammal Observer. Trained specialist who visually monitors for marine mammals during activities that could cause disturbance.
MPA	Marine Protected Area. Area designated for the protection of marine habitats, species and ecosystems.
MSFD	Marine Strategy Framework Directive (Directive 2008/56/EC). EU directive requiring Member States to achieve Good Environmental Status in marine waters.
MUL	Maritime Usage Licence. Licence under the Maritime Area Planning Act 2021 regulating use of the maritime area.
NBAP	National Biodiversity Action Plan. Ireland's statutory biodiversity strategy, currently in its fourth cycle (2023–2030).
Natura 2000	EU-wide network of protected sites under the Birds and Habitats Directives, comprising Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).
NPWS	National Parks and Wildlife Service. Irish government agency responsible for biodiversity conservation and management of the Natura 2000 network.

Term	Defination
OSPAR	Regional seas convention for the protection of the North-East Atlantic marine environment.
PAM	Passive Acoustic Monitoring. Use of underwater hydrophones to detect marine mammals during activities that generate underwater noise.
SCI	Special Conservation Interest. Species or habitat features for which an SPA has been designated.

Abbreviations and Acronyms

Abbreviation / Acronym	Meaning
AA	Appropriate Assessment
AEOSI	Adverse Effect on Site Integrity
CBD	Convention on Biological Diversity
IAS	Invasive Alien Species
MARA	Maritime Area Regulatory Authority
MMO	Marine Mammal Observer
MPA	Marine Protected Area
MSFD	Marine Strategy Framework Directive
MUL	Maritime Usage Licence
NBAP	National Biodiversity Action Plan
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OSPAR	Convention for the Protection of the Marine Environment of the North-East Atlantic
PAM	Passive Acoustic Monitoring
SAC	Special Area of Conservation
SCI	Special Conservation Interest
SISAA	Supporting Information for Screening for Appropriate Assessment
SI works	Site Investigation works
SPA	Special Protection Area
USV	Unmanned Surface Vessel
WFD	Water Framework Directive

1. Introduction

This statement addresses the consistency of the proposed site investigation (SI) works at the Tonn Nua site with Ireland's 4th National Biodiversity Action Plan (NBAP) 2023–2030, as required under Question 4.10 of the Maritime Area Regulatory Authority (MARA) Guidance Note for Applicants (August 2025).

The NBAP is Ireland's primary statutory policy instrument for biodiversity conservation, prepared under the framework of the Convention on Biological Diversity and the EU Biodiversity Strategy for 2030. It sets out national objectives, outcomes, policies. Targets and actions to halt biodiversity loss, protect ecosystems, and integrate biodiversity considerations into all sectors. The Wildlife (Amendment) Act 2023 places a duty on public bodies to "have regard to" NBAP objectives and targets in their plans, policies and programmes. MARA must therefore assess applications for consistency with the NBAP.

2. Relevance of the NBAP to the SI Works

The SI works are temporary, small-scale, and proportionate activities that do not involve permanent habitat loss or large-scale disturbance. Their relevance to the NBAP relates primarily to:

- integrating biodiversity into project governance and planning;
- avoiding or mitigating potential adverse effects on protected sites, habitats and species;
- generating baseline ecological data to strengthen national marine biodiversity evidence; and
- enabling sustainable offshore renewable development that reduces climate-driven pressures on biodiversity.

3. Consistency of the SI Works with NBAP Objectives

The SI works are consistent with NBAP objectives, as shown in Table 3.1.

Table 3.1: Alignment of SI works with NBAP objectives

NBAP Objective	Objective Wording	Consistency of SI Works with NBAP Objective
Objective 1: Adopt a Whole-of-Government, Whole-of-Society Approach to Biodiversity	Proposed actions include capacity and resource reviews across Government; determining responsibilities for the expanding biodiversity agenda; providing support for communities, citizen scientists and business; and mechanisms for the governance and review of this National Biodiversity Action Plan	Biodiversity has been fully integrated into the MUL application. Supporting Information for Appropriate Assessment (SISAA, Attachment 4.3.1), a Natura Impact Statement (NIS, Attachment 4.3.2), and Annex IV Risk Assessment (Attachment 4.4) have been prepared by qualified specialists, ensuring robust governance and accountability.
Objective 2: Meet Urgent Conservation and Restoration Needs	Supporting actions will build on existing conservation measures. Efforts to tackle Invasive Alien Species will be elevated. The protected area network will be expanded to include the Marine Protected Areas. The ambition of the EU Biodiversity Strategy will be considered as part of an evolving work programme across Government.	SI works are temporary, non-intrusive, and incorporate embedded mitigation (Section 5 of the Marine Planning and Environmental Considerations document) to avoid disturbance to designated SPAs and species. No permanent habitat loss occurs, and the measures uphold conservation objectives of existing sites and species.
Objective 3: Secure Nature’s Contribution to People	Actions highlight the relationship between nature and people in Ireland. These include recognising the tangible and intangible values of biodiversity, promoting nature’s importance to our culture and heritage and recognising how biodiversity supports our society and our economy.	SI works generate new ecological baseline data (i.e. benthic and marine mammal), which will support the sustainable rollout of renewable energy. This contributes to climate change mitigation, a key driver of biodiversity resilience, benefiting both people and nature.
Objective 4: Enhance the Evidence Base for Action on Biodiversity	This objective focuses on biodiversity research needs, as well as the development and strengthening of long-term monitoring programmes that will underpin and strengthen future decision-making. Action will	SI works provide essential field data to address knowledge gaps in offshore ecosystems, enabling evidence-based marine spatial

NBAP Objective	Objective Wording	Consistency of SI Works with NBAP Objective
	also focus on collaboration to advance ecosystem accounting that will contribute towards natural capital accounts.	planning. This contributes to monitoring obligations and the development of natural capital accounts.
Objective 5: Strengthen Ireland's Contribution to International Biodiversity Initiatives	Collaboration with other countries and across the island of Ireland will play a key role in the realisation of this Objective. Ireland will strengthen its contribution to international biodiversity initiatives and international governance processes, such as the United Nations Convention on Biological Diversity	By generating ecological data to inform Ireland's offshore renewable energy programme, the SI works support EU Biodiversity Strategy targets and international reporting commitments, ensuring Ireland's global contribution is strengthened.

4. Consistency of the SI Works with NBAP Policies

The NBAP is structured around policies, objectives, outcomes, targets and actions. Table 4.1 sets out all marine-relevant items and demonstrates consistency with the proposed SI works.

Table 4.1: Alignment of SI Works with NBAP-Linked Policies and Programmes

Policy / Programme	Summary of Requirement	Relevance to SI Works	Consistency Statement
EU Green Deal	Sets the EU's overarching framework for a sustainable economy, aiming for climate neutrality by 2050, alongside protection and restoration of biodiversity.	Relevant because offshore renewable energy development is a central pillar of the Green Deal, while biodiversity safeguards are required for all enabling works.	The SI works support the Green Deal by facilitating renewable energy deployment while integrating biodiversity safeguards to ensure no ecological harm arises.
EU Nature Restoration Regulation (proposed, formerly referred to as "Nature Restoration Law")	Requires Member States to restore degraded ecosystems, including marine habitats, and set measurable restoration targets to 2030.	Relevant in terms of establishing ecological baselines against which restoration needs can be assessed, although the SI works themselves are not restoration activities.	The SI surveys will generate high-quality data on marine habitats and species that can inform Ireland's compliance with restoration targets once the Regulation is adopted.
Kunming-Montreal Global Biodiversity Framework	Global agreement to halt and reverse biodiversity loss by 2030, including targets for protected areas, ecosystem restoration and sustainable use.	Relevant through Ireland's commitment to implement the Framework, particularly for marine biodiversity and monitoring.	The SI works avoid permanent habitat loss, apply strict mitigation to prevent disturbance, and generate baseline data, all of which contribute to Ireland's delivery of the Framework.
UN Convention on Biological Diversity (CBD)	International treaty requiring conservation of biodiversity, sustainable use of resources and fair sharing of benefits.	Relevant as the NBAP is the national instrument for implementing CBD commitments.	The SI works are consistent with CBD principles: they are precautionary, proportionate, designed to avoid impacts, and contribute new data for sustainable management of marine resources.

Policy / Programme	Summary of Requirement	Relevance to SI Works	Consistency Statement
UN Sustainable Development Goals (SDGs)	Global goals including SDG 14: Life Below Water (conserve oceans) and SDG 13: Climate Action.	Relevant as the works directly interact with the marine environment and support renewable energy development to mitigate climate change.	The SI works contribute positively to SDG 13 by enabling offshore renewable development, and to SDG 14 by ensuring marine ecosystems are protected during survey activities.
EU Biodiversity Strategy to 2030	Seeks to halt biodiversity loss, expand protected areas to 30% of land and sea, and strengthen ecological monitoring and reporting.	Highly relevant to marine ecosystems and protected areas near the SI site.	The SI works avoid adverse effects on SPAs and SACs and provide ecological baseline data that support marine monitoring, consistent with the Strategy's aims.
Birds Directive (2009/147/EC)	Requires Member States to protect wild birds and designate/manage Special Protection Areas (SPAs).	Directly relevant because SPAs occur in proximity to the works and seabirds are sensitive to disturbance.	The NIS concludes no AEOSI for special conservation interest (SCI) bird species.
Habitats Directive (92/43/EEC)	Requires protection of habitats and species, including Annex IV species, and designation and management of Special Areas of Conservation (SACs).	Directly relevant as marine mammals (Annex IV) and SAC habitats may be present in or near the survey area.	Mitigation measures ensure no significant effects. The NIS and Annex IV Risk Assessment confirm no AEOSI.
Water Framework Directive (2000/60/EC)	Establishes a framework to achieve good ecological status of surface, coastal and transitional waters and prohibits deterioration.	Relevant as works could pose pollution or disturbance risks to coastal waters.	Pollution prevention measures and minimal seabed disturbance ensure there is no deterioration in water status.
Nitrates Directive / Nitrates Action Programme	Protects water quality by controlling nitrate pollution from agricultural sources.	Primarily relevant to agriculture and land-based nutrient management. The SI works are entirely offshore.	Not applicable. The SI works do not generate nutrient inputs and have no interaction with this Directive or Programme.

Policy / Programme	Summary of Requirement	Relevance to SI Works	Consistency Statement
Marine Strategy Framework Directive (2008/56/EC)	Requires achievement of Good Environmental Status (GES) of marine waters by addressing pressures such as underwater noise, litter and pollution.	Highly relevant because geophysical surveys generate underwater sound and operations could contribute to marine litter if not managed.	The SI works include comprehensive underwater noise mitigation and a strict zero-litter policy. These ensure no conflict with GES objectives.
OSPAR Convention	Regional cooperation agreement for protecting the North-East Atlantic marine environment, including biodiversity, habitats and pollution control.	Relevant as Ireland is a Contracting Party and contributes to monitoring and reporting obligations.	The SI works are consistent with OSPAR principles by applying strict controls on underwater noise, pollution prevention, and waste management. While the surveys are not designed for OSPAR reporting, they align with Ireland's commitments to reduce pressures on marine biodiversity and the wider North-East Atlantic environment.
Wildlife Acts (1976–2023)	National legislation for the protection of species and habitats, including amendments giving statutory footing to the NBAP.	Directly relevant because all activities must comply with Irish biodiversity law.	The SI works are designed to avoid contravention of the Acts. Mitigation measures ensure compliance with species protection and habitat safeguards.
Climate Action Plan	National policy framework for reducing greenhouse gas emissions, scaling up renewable energy and building climate resilience.	Relevant as offshore renewable energy is central to achieving Ireland's climate targets.	The SI works directly support the Climate Action Plan by enabling offshore renewable development. At the same time, mitigation ensures biodiversity is not compromised.
Common Agricultural Policy (CAP) Strategic Plan	Provides the EU and national framework for agriculture, rural development and farmland biodiversity.	CAP measures apply to terrestrial land use and farming practices, which are unrelated to offshore survey activities.	Not applicable the SI works have no interaction with agricultural land or practices. There is therefore no conflict with the CAP, and the works are neutral in relation to its objectives.
Forestry Strategy	National framework for sustainable forestry, including integration of biodiversity and climate objectives.	Forestry is a land-based activity and is unrelated to offshore survey operations.	Not applicable The SI works do not involve forestry or land-use change. They have no interaction with the Forestry Strategy and therefore present no conflict.

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Policy / Programme	Summary of Requirement	Relevance to SI Works	Consistency Statement
River Basin Management Plan (RBMP)	Implements the Water Framework Directive (2000/60/EC) at national and local levels through integrated catchment management.	Relevant as the RBMP is the vehicle for achieving WFD objectives, which are directly applicable to transitional and coastal waters potentially influenced by the SI works.	Consistency with RBMP objectives is demonstrated through the Compliance with Objectives of the Water Framework Directive (Attachment 4.5), which confirms no deterioration of water body status and no hindrance to achieving good ecological and chemical status.
Proposed Marine Protected Areas Bill	National legislation (pending) to designate and manage Marine Protected Areas in Irish waters.	Highly relevant as the Bill will expand Ireland's marine protected area network.	The SI works are consistent with the Bill's aims: they avoid impacts on existing protected sites and may provide new ecological data that can inform designation, monitoring and management of future MPAs.

5. Mitigation Measures

Mitigation has been embedded in the design of the SI works to ensure no adverse effect on designated sites or species and to demonstrate consistency with the 4th NBAP. These mitigation measures are detailed in the Marine Planning and Environmental Considerations report and directly address the pressures identified in the NBAP — disturbance, underwater noise, invasive alien species, habitat integrity, and pollution. The conclusions of the SISAA, NIS, Annex IV Risk Assessment and WFD Assessment confirm that these measures are proportionate and effective.

5.1. Birds (SPAs)

The 4th NBAP places strong emphasis on protecting seabirds and waterbirds through the conservation of Natura 2000 sites and the expansion of the protected area network. Although the SI works are temporary and localised, vessel movements and survey activity have the potential to cause short-term disturbance if not carefully managed. Nonetheless, the NIS (Attachment 4.3.2) concludes for all Special Protection Areas that there is no adverse effect on site integrity (AEOSI), alone or in combination.

5.2. Marine Mammals

The NBAP highlights the importance of reducing underwater noise and safeguarding marine species. Geophysical and geotechnical surveys could generate underwater noise audible and potentially injurious to marine mammals, but mitigation protocols have been designed to keep risk well below significant thresholds:

- Pre-start monitoring for relevant equipment;
- Soft-start/ramp-up of equipment where possible to allow animals to move away, and restart protocols after breaks; and
- All activities logged and reported.

Attachment 4.4 Annex IV RA conclusion: Negligible risk of auditory injury after mitigation; disturbance considered trivial; collision risk unlikely and non-significant. Favourable conservation status of marine Annex IV species will not be compromised. NIS (Attachment 4.3.2) concludes for all marine mammal protected sites that there is no adverse effect on site integrity (AEOSI), alone or in combination.

5.3. Invasive Alien Species (IAS)

Outcome 2H of the NBAP requires stronger control of IAS.

To prevent the spread of invasive alien species, all vessels undertaking the work under the MUL will adhere to the relevant standards of hull antifouling and ballast-water management in accordance with international best practice (i.e. the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM) and 2023 Guidelines For The Control And Management Of Ships' Biofouling to Minimize The Transfer Of Invasive Aquatic Species).

5.4. Pollution and Habitat Integrity

The NBAP calls for reductions in pollution and stronger protection for marine habitats, including blue carbon features. Measures embedded in the SI works include:

- Zero over-board waste policy, with waste recording and audits; and
- Spill kits on all vessels, with crew trained in response;

WFD conclusion: No deterioration of ecological or chemical status of coastal/transitional waters is predicted.
 MSFD conclusion: Works will not compromise achievement of Good Environmental Status, as pressures from noise, litter, and seabed disturbance are avoided or effectively mitigated.

5.5. Overall Outcome

Together, these mitigation measures ensure that the SI works:

- Avoid permanent habitat loss;
- Reduce disturbance to birds and marine mammals to negligible levels;
- Prevent the introduction or spread of IAS;
- Protect sensitive habitats and water quality; and
- Ensure no adverse effect on site integrity, alone or in combination.

This operationalises the NBAP's precautionary and ecosystem-based approach in the marine environment and demonstrates that the proposed SI works are fully consistent with national biodiversity policy.

6. Conclusion

The proposed SI works at Tonn Nua have been designed and assessed in full consideration of the 4th National Biodiversity Action Plan (2023–2030).

- **Objectives:** The works integrate biodiversity into planning and decision-making, address urgent conservation needs, strengthen the marine evidence base, and support Ireland's international biodiversity commitments.
- **Marine outcomes and actions:** As demonstrated in Table 3.1 and Table 4.1, the SI works are consistent with all relevant NBAP items, including SPA/SAC protection, control of IAS, marine habitat mapping, monitoring, pollution reduction, and compliance with EU directives (Birds, Habitats, WFD, MSFD).
- **Mitigation:** Embedded measures (i.e. MMO/PAM protocols for mammals, biosecurity, waste and spill controls) ensure that impacts remain temporary, localised, and reversible. The SISAA, NIS, Annex IV RA, and WFD Assessment all conclude *no AEOSI, no deterioration of water quality, and no significant effect on Annex IV species*.
- **Evidence contribution:** The surveys will generate high-quality ornithological, marine mammal, benthic and fisheries datasets that directly strengthen Ireland's biodiversity evidence base and support future MPA designation and management.

The SI works are proportionate, precautionary, and ecosystem-based. They uphold the statutory biodiversity duty under the Wildlife (Amendment) Act 2023 to have regard to the NBAP, and they ensure that the proposed maritime usage is fully consistent with national biodiversity policy.



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