

Attachment 4.1

Consistency of the proposed Maritime Usage with the objectives of the National Marine Planning Framework (NMPF)

The National Marine Planning Framework (NMPF), published in 2021, sets out Ireland’s overarching spatial plan for the sustainable development of the maritime area and serves as the maritime equivalent of the National Planning Framework. The proposed site investigation surveys align with the NMPF ecosystem-based approach. The Overarching Marine Planning Policies (OMPPs) underpin all marine activities and are grouped under three main pillars: environmental, social, and economic. Within each pillar, specific planning policies outline the requirements to avoid, minimise, or mitigate potential adverse impacts.

The proposed site investigation surveys directly align with these pillars as follows:

- **Environmental Pillar** – The baseline data collected will support the protection and enhancement of ocean health, biodiversity, water quality, and sea-floor/water column integrity. By informing the design and location of the outfall, the site investigation surveys contribute to minimising risks of eutrophication, impacts on community assemblages, and impacts on human health. The proposed SI surveys also support climate-resilient planning by addressing the existing risks of flooding and uncontrolled wastewater discharges.
- **Social Pillar** – Addressing longstanding wastewater compliance issues will improve public health, protect heritage assets in the general area, and deliver social benefits to rural coastal communities and tourism. The site investigation surveys will contribute to maintaining and enhancing the quality of the seascape and landscape in Liscannor Bay, which is of significant cultural and tourism value. The site investigation surveys will inform the design of a new WWTP which will aid in supporting a growing population and wider community of the area.
- **Economic Pillar** – The proposal will safeguard existing economic activities, including tourism and recreation, by informing improved WWTP infrastructure that will reduce pollution and improve water quality. The investigations and subsequent infrastructure will also enhance resilience of wastewater services, enabling co-existence with other marine users and supporting critical infrastructure for the region’s sustainable growth as a rural economic hub in the west of Ireland.

The proposed site investigation surveys in Liscannor Bay have been assessed against the framework’s relevant policies. Table 4.1.1 demonstrates how the overall project is consistent with, and in several cases actively supports, the achievement of relevant policy objectives. The proposed site investigation surveys are designed to ensure that decision making is informed by robust environmental data, enabling the identification and subsequent avoidance of sensitive habitats and species and minimise potential adverse effects, if present. The

site investigation surveys will support a sound evidence base for future development while contributing to wider environmental, social, and sustainable marine resource use. No significant effects are anticipated on biodiversity, fisheries, aquaculture, or recreational activities as a result of the proposed site investigation surveys. Accordingly, the proposed maritime usage is considered to be consistent with the objectives and principles of the National Marine Planning Framework.

It is important to note, that while the proposed site investigation surveys themselves do not improve water quality, their purpose is for the future development of improved infrastructure with these goals in mind. Wastewater treatment and disposal is a key sector policy of the NMPF, the objective of which is to *‘support communities and sustainable development in coastal areas through the provision of resilient water services, now and into the future and to bring and maintain public water and wastewater services to acceptable international benchmarks, verified by independent monitoring and reporting, through increased wastewater treatment based on best available techniques, with a focus on, inter alia, ensuring full compliance with the Urban Waste Water Treatment Directive and wastewater licensing requirements’*. The current WWTPs (Lahinch and Ennistymon) are noncompliant with their licencing requirements, and the proposed site investigation surveys align with efforts to ensure future compliance of the new WWTP and minimise adverse impacts to the marine environment (including impacts to recreation, bathing waters (Bathing Water Directive), water quality (Water Framework Directive) and marine life (Birds and Habitats Directives).

Table 4.1.1: Consistency of Maritime Usage with National Marine Planning Framework (NMPF) policy objectives.

Relevant NMPF Policies	Description	Compliance Assessment
Environmental – Ocean Health Policy 1	Compliance with NMPF policies relating to: <ul style="list-style-type: none"> ▪ Biodiversity ▪ Non-Indigenous Species ▪ Water Quality ▪ Seafloor and Water Column Integrity ▪ Marine litter ▪ Underwater Noise Should include demonstration of contribution to the relevant Marine Strategy Framework Directive (MSFD) targets identified.	Compliant - please see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Biodiversity 1	Proposals incorporating features that enhance or facilitate species adaptation or migration, or natural native habitat connectivity will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals that may have significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity must demonstrate that they will, in order of preference and in accordance with legal requirements: <ul style="list-style-type: none"> ▪ avoid, 	N/A

Relevant NMPF Policies	Description	Compliance Assessment
	<ul style="list-style-type: none"> ▪ minimise, or mitigate significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity. 	
Biodiversity 2	<p>Proposals that protect, maintain, restore and enhance the distribution and net extent of important habitats and distribution of important species will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must avoid significant reduction in the distribution and net extent of important habitats and other habitats that important species depend on, including avoidance of activity that may result in disturbance or displacement of habitats.</p>	Compliant – please see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Biodiversity 3	<p>Where marine or coastal natural capital assets are recognised by Government:</p> <ul style="list-style-type: none"> ▪ Proposals must seek to enhance marine or coastal natural capital assets where possible. ▪ Proposals must demonstrate that they will in order of preference, and in accordance with legal requirements: <ul style="list-style-type: none"> - avoid, - minimise, or mitigate significant adverse impacts on marine or coastal natural capital assets, or if it is not possible to mitigate significant adverse impacts on marine or coastal natural capital asset proposals must set out the reasons for proceeding. 	N/A
Biodiversity 4	<p>Proposals must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or mitigate significant disturbance to, or displacement of, highly mobile species. 	Compliant - please see Attachment 4.3 for report for Appropriate Assessment and Attachment 4.4 for risk assessment for Annex IV species.
Protected Marine Sites 1	<p>Proposals must demonstrate that they can be implemented without adverse effects on the integrity of SACs or SPAs. Where adverse effects from proposals remain following mitigation, in line with Habitats Directive Article 6(3), consent for the proposals cannot be granted unless the prerequisites set by Article 6(4) are met.</p>	Compliant - please see Attachment 4.3 for report for Appropriate Assessment and Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Protected Marine Sites 2	<p>Proposals supporting the objectives of protected marine sites should be supported and:</p> <ul style="list-style-type: none"> ▪ be informed by appropriate guidance ▪ must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites. 	Compliant - please see Attachment 4.3 Supporting Information of Screening for Appropriate Assessment which addresses this.
Protected Marine Sites 3	<p>Proposals that enhance a protected marine site's ability to adapt to climate change, enhancing the resilience of the protected site, should be supported and:</p> <ul style="list-style-type: none"> ▪ be informed by appropriate guidance ▪ must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites. 	N/A

Relevant NMPF Policies	Description	Compliance Assessment
Protected Marine Sites 4	<p>Until the ecological coherence of the network of protected marine sites is examined and understood, proposals should identify, by review of best available evidence (including consultation with the competent authority with responsibility for designating such areas as required), the features, under consideration at the time the application is made, that may be required to develop and further establish the network. Based upon identified features that may be required to develop and further establish the network, proposals should demonstrate that they will, in order of preference, and in accordance with legal requirements:</p> <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate significant impacts on features that may be required to develop and further establish the network, or if it is not possible to mitigate significant impacts, proposals should set out the reasons for proceeding. 	Compliant – the site investigation surveys are intended to provide baseline environmental information, identify sensitive habitat and allow for best practices and optimal site design. Please see Attachment 4.3 Supporting Information of Screening for Appropriate Assessment for more details.
Non-indigenous Species 1	<p>Reducing the risk of the introduction and / or spread of non-indigenous species is a requirement of all proposals. Proposals must demonstrate a risk management approach to prevent the introduction of and / or spread of non-indigenous species, particularly when:</p> <ul style="list-style-type: none"> ▪ moving equipment, boats or livestock (for example fish or shellfish) from one water body to another, ▪ introducing structures suitable for settlement of non-indigenous species, or the spread of non-indigenous species known to exist in the area of the proposal. <p>All vessels used for the proposed site investigations will comply with the latest International Maritime Organization (IMO), Safety of Life at Sea (SOLAS) and environmental requirements for their classification and with any national requirement of the territorial or offshore waters to be operated in. Compliance with national statute will reduce the risk of the introduction or spread of non-indigenous species.</p>	Compliant - all vessels will comply with International Maritime Organization (IMO), Safety of Life at Sea (SOLAS) and environmental requirements. All vessels engaged in the site investigation surveys will comply with the International Convention for the Control and Management of Ships' Ballast Water and Sediments (Ballast Water Management Convention, 2004) and the International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS Convention, 2001). Vessels are operated in accordance with MARPOL requirements and relevant EU and national legislation, including Regulation (EU) 1143/2014 on the prevention and management of the introduction and spread of invasive alien species.
Water Quality 1	<p>Proposals that may have significant adverse impacts upon water quality, including upon habitats and species beneficial to water quality, must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate significant adverse impacts. 	N/A
Water Quality 2	Proposals delivering improvements to water quality, or enhancing habitats and species, which can be of benefit to water quality, should be supported.	Compliant - The site investigation surveys will support the design and development of a new WWTP system which will improve water quality in the region. Please see Attachment 4.5 Consistency with WFD for more information.

Relevant NMPF Policies	Description	Compliance Assessment
Sea-floor Integrity 1	<p>Proposals that incorporate measures to support the resilience of marine habitats will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority and where they contribute to the policies and objectives of this NMPF. Proposals which may have significant adverse impacts on marine, particularly deep sea, habitats must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate significant adverse impacts on marine habitats, or ▪ if it is not possible to mitigate significant adverse impacts on marine habitats must set out the reasons for proceeding. 	N/A
Sea-floor Integrity 2	See Sea-floor Integrity 1 (policies 1, 2 and 3 are presented together in the NMPF).	N/A
Sea-floor Integrity 3	See Sea-floor Integrity 1 (policies 1, 2 and 3 are presented together in the NMPF).	N/A
Marine Litter 1	<p>Proposals that facilitate waste re-use or recycling, or that reduce marine and coastal litter will be supported, where they contribute to the policies and objectives of this NMPF. Proposals that could potentially increase the amount of litter that is discharged into the maritime area, either intentionally or accidentally, must include measures (such as development of a waste management plan) to, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate the litter. <p>Demonstration of these measures must provide satisfactory evidence that the proposal is able to manage all waste without creation of litter.</p> <p>Liquid or non-liquid pollutants or waste material will not be dumped, thrown, or otherwise disposed of into the sea. All refuse and materials shall be kept onboard the vessel and safely disposed of onshore according to the MARPOL Convention.</p>	Compliant - The proposed site investigation surveys will not generate marine litter. All waste materials, including any consumables or packaging, will be managed in accordance with vessel waste management procedures and returned to shore for appropriate disposal. Waste handling will comply with MARPOL Annex V (Prevention of Pollution by Garbage from Ships) and relevant national waste legislation, ensuring no release of litter to the marine environment.



Relevant NMPF Policies	Description	Compliance Assessment
Underwater Noise 1	<p>Proposals must take account of spatial distribution, temporal extent, and levels of impulsive and / or continuous sound (underwater noise) that may be generated and the potential for significant adverse impacts on marine fauna.</p> <p>Where the potential for significant impact on marine fauna from underwater noise is identified, a Noise Assessment Statement must be prepared by the proposer of development. The findings of the Noise Assessment Statement should demonstrably inform determination(s) related to the activity proposed and the carrying out of the activity itself. The content of the Noise Assessment Statement should be relevant to the particular circumstances and must include:</p> <ul style="list-style-type: none"> ▪ Demonstration of compliance with applicable legal requirements, such as necessary assessment of proposals likely to have underwater noise implications, including but not limited to: <ul style="list-style-type: none"> - AA; - EIA; - Strategic Environmental Assessment (SEA); - Specific response to 'strict protection' requirements of Article 12 of the Habitats Directive in relation to certain species listed in Annex IV of the Directive; and - Species protected under the Wildlife Acts. ▪ An assessment of the potential impact of the development or use on the affected species in terms of environmental sustainability; ▪ Demonstration that significant adverse impacts on marine fauna resulting from underwater noise will, in order of preference and in accordance with legal requirements be: <ul style="list-style-type: none"> ▪ avoided, ▪ minimised, or ▪ mitigated, or ▪ if it is not possible to mitigate significant adverse impacts on marine fauna, the reasons for proceeding must be set out. <p>This policy should be included as part of statutory environmental assessments where such assessments require consideration of underwater noise.</p>	<p>Compliant - Acoustic surveys (multibeam, side-scan, sub-bottom profiler) are of limited duration. Soft-start procedures, MMOs, and PAM will ensure noise remains below levels that could cause population-level effects on marine mammals. The duration of the site investigation surveys is temporary and will not result in long-term effects.</p> <p>As per the description of NMPF policy 'Underwater Noise 1', a noise assessment has been included as part of the required environmental assessments, where such assessments require consideration of underwater noise. These include Attachment 4.3 Supporting Information of Screening for Appropriate Assessment, Attachment 4.4 Risk Assessment for Annex IV species, and Attachment 4.6 Consistency of the Proposed Maritime Usage with the objectives of the MSFD.</p>
Air Quality 1	<p>Proposals that support a reduction in air pollution should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must demonstrate consideration of their contribution to air pollution, both direct and cumulative.</p>	N/A
Air Quality 2	<p>All vessels used for the proposed activities should comply with the latest IMO, SOLAS and environmental requirements for their classification and with any national requirement of the territorial or offshore waters to be operated in. This includes regulations around atmospheric emissions. Where proposals are likely to result in or facilitate an increase in air pollution, proposals should demonstrate that they will, in order of preference in accordance with legal requirements and standards:</p>	Compliant - vessels will follow relevant emissions requirements and will not affect air quality.

Relevant NMPF Policies	Description	Compliance Assessment
	<ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate air pollution. 	
Climate Change 1	<p>For the lifetime of the proposal, the following climate change matters must be demonstrated:</p> <ul style="list-style-type: none"> ▪ estimation of likely generation of greenhouse gas emissions, both direct and indirect; ▪ measures to support reductions in greenhouse gas emissions where possible; ▪ likely impact of climate change effects upon the proposal from factors including but not limited to: sea level rise, ocean acidification, changing weather patterns; ▪ measures incorporated to enable adaptation climate change effects; ▪ likely impact upon climate change adaptation measures adopted in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities; ▪ where likely impact upon climate change adaptation measures in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities is identified, these impacts must be in order of preference and in accordance with legal requirements: <ul style="list-style-type: none"> ▪ avoided, ▪ minimised, ▪ mitigated, <p>if it is not possible to mitigate significant adverse impacts, the reasons for proceeding must be set out.</p>	N/A
Climate Change 2	<p>Proposals should demonstrate how they:</p> <ul style="list-style-type: none"> ▪ avoid contribution to adverse changes to physical features of the coast; ▪ enhance, restore or recreate habitats that provide a flood defence or carbon sequestration ecosystem services where possible. 	Compliant - proposal is for baseline environmental surveys to ensure the coast is preserved and sensitive habitats are avoided.
Co-existence 1	<p>Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate. If proposals cannot avoid significant adverse impacts (including displacement) on other activities they must, in order of preference:</p> <ul style="list-style-type: none"> ▪ minimise significant adverse impacts, ▪ mitigate significant adverse impacts, or ▪ if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding. 	N/A
Infrastructure 1	<p>Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported.</p>	N/A
Access 1	<p>Proposals, including in relation to tourism and recreation, should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate significant adverse impacts on public access. 	Compliant – Proposed Maritime Usage will not cause significant impacts to public access.

Relevant NMPF Policies	Description	Compliance Assessment
Access 2	Proposals demonstrating appropriate enhanced and inclusive public access to and within the maritime area, and that consider the future provision of services for tourism and recreation activities, should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF.	N/A
Employment 1	Proposals should demonstrate contribution to a net increase in marine related employment in Ireland, particularly where the proposals are in line with the skills available in Irish coastal communities adjacent to the maritime area. Proposals should: <ul style="list-style-type: none"> ▪ improve the sustainable use of natural resources; and ▪ diversify skills to enable employment in emerging industries. 	N/A
Heritage Assets 1	Proposals that demonstrate they will contribute to enhancing the significance of heritage assets will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals unable to contribute to enhancing the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference: <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate harm to the significance of heritage assets, and ▪ if it is not possible, to mitigate harm, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of the heritage assets. 	Compliant - Archaeological assessments are included in the site investigation surveys to identify underwater heritage so that it may be avoided, if present.
Rural Coastal and Island Communities 1	Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural coastal and / or island communities should be supported. Proposals should ideally be inclusive of continual education, skills development and training in marine sectors, thus improving the sustainability, social benefits and economic resilience of rural and island communities.	N/A
Seascape and Landscape 1	Proposals should demonstrate how the likely significant impacts of a development on the seascape and landscape of an area have been considered. Proposals will only be supported if they demonstrate that they, in order of preference: <ul style="list-style-type: none"> ▪ avoid, ▪ minimise, or ▪ mitigate significant adverse impacts on the seascape and landscape of the area. <p>If it is not possible to mitigate significant adverse impacts, proposals must set out the reasons for proceeding. This policy should be included as part of statutory environmental assessments.</p>	Compliant - The site investigation surveys are temporary, vessel-based, and confined to a site boundary and will have no long term impact on existing seascape or landscape of Liscannor Bay.

Relevant NMPF Policies	Description	Compliance Assessment
Social Benefits 1	Proposals that enhance or promote social benefits should be supported. Proposals unable to enhance or promote social benefits should demonstrate that they will, in order of preference: <ul style="list-style-type: none"> ▪ minimise, or ▪ mitigate significant adverse impacts which result in the displacement of other existing or authorised (but yet to be implemented) activities that generate social benefits. 	Through evidence-based design and planning, the site investigation surveys informing the outfall location will improve community engagement and access to the marine environment.
Social Benefits 2	Proposals that increase the understanding and enjoyment of the marine environment (including its natural, historic and social value), or that promote conservation management and increased education and skills, should be supported.	N/A
Transboundary 1	Proposals that have transboundary impacts beyond the maritime area, on either the terrestrial environment or neighbouring international jurisdictions, must show evidence of consultation with the relevant public authorities, including terrestrial planning authorities and other country authorities. Proposals should consider transboundary impacts throughout the lifetime of the proposed activity.	N/A
MSFD Descriptors – Biodiversity & Food Webs	Maintain biological diversity and ecosystem health consistent with Good Environmental Status.	Compliant – please see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Sector-Related Policies		
Fisheries Policy 1	Safeguard sustainable commercial fisheries and avoid significant disruption to fishing activity.	Compliant - The proposed MUL boundary overlaps pot fishery and net fishery activity and a periwinkle harvesting site. Based on overlap with the proposed survey boundary, there is potential for interaction with active fisheries operating in Liscannor Bay. The site investigation surveys are short-term and localised and therefore no significant disruption to fishing activity in Liscannor Bay is anticipated from the Proposed Maritime Usage.
Aquaculture Policy 1	Support sustainable aquaculture development while avoiding conflicts with other marine uses.	Compliant - there are no licensed aquaculture sites in Liscannor Bay. No impact on aquaculture is expected.
Wastewater Treatment and Disposal Policy 1	Proposals by Irish Water related to the treatment and disposal of wastewater that: <ol style="list-style-type: none"> i) service the social and economic development of the country under the National Planning Framework; ii) resolve environmental issues at priority areas identified by the EPA; iii) contribute to the realisation of the objectives of: <ul style="list-style-type: none"> • Ireland's River Basin Management Plan 2018 – 2021 • The Water Services Policy Statement 2018 – 2025 • Marine Strategy Framework Directive 2012 - 2020 should be supported, provided they fully meet the environmental safeguards contained within relevant authorisation processes.	Compliant – the purpose of the site investigation surveys is to provide baseline information to aid in addressing current non-compliant WWTP infrastructure and improve the treatment and disposal of wastewater in the locality.