

Attachment 4.6

Consistency of the proposed Maritime Usage with the objectives of the Marine Strategy Framework Directive

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1 Compliance with Marine Strategy Framework Directive

The EU Marine Strategy Framework Directive, 2008 (MSFD)¹ aims to protect the marine environment and requires the application of an ecosystem-based approach to the management of marine human activities, enabling a sustainable use of marine goods and services. The MSFD aims to ensure clean, healthy, and productive oceans and seas and sustainable use of marine environment for current and future generations.

In order to implement the MSFD each member state is required to:

- Describe what they consider is a clean, healthy, and productive sea i.e., Good Environmental Status (GES);
- Monitor and assess the quality of their seas against GES; and
- Ensure they take appropriate action by 2020 to maintain or achieve GES.

GES is key to compliance with the MSFD. GES is described by 11 Descriptors, namely: marine biodiversity; non-indigenous species; commercial fish/shellfish; elements of marine food webs; eutrophication; sea floor integrity; alteration of hydrographical conditions; contaminants; contaminants in fish and seafood for human consumption; marine litter; and introduction of energy, including underwater noise. Ireland's 2024 assessment under Article 8 of the MFSD² sets out the status of the eleven qualitative descriptors that describe the state of the marine environment and the pressures it faces.

The basic principle of GES is to ensure sustainable use of marine resources. When assessing a project against MSFD requirements, it is assessed on its impact on GES. A project may not improve a GES, but it should not have a permanent negative impact on any of the GES Descriptors. **Table 1-1** sets out the current status of each of the descriptors and an assessment of the Limerick Flood Relief Scheme SI works against the 11 descriptors of GES.

¹ [Directive - 2008/56 - EN - EUR-Lex](#) accessed May 2026

Table 1-1: Current status of GES descriptors in Ireland, and assessment of the proposed Maritime Usage

MSFD Descriptor		Objective	Current National Status (DHLGH, 2024)	Assessment of Consistency
D1	Marine biodiversity	Biological diversity is maintained. The quality and occurrence of habitats and the distribution and abundance of species are in line with prevailing physiographic, geographic and climatic conditions.	GES has been achieved for some elements of biological diversity, but the status for many species groups is unknown. Numerous species, in particular a significant proportion of fish species, are not in GES.	Limerick City and County Council has undertaken a Supporting Information for Screening for Appropriate Assessment (SISAA) report, a Natura Impact Statement (NIS) and a Risk Assessment for Annex IV species report in respect to the proposed SI activities. These three reports address potential impacts on biological diversity (including protected habitats and species) and mitigation measures have been proposed in the NIS. With the implementation of these measures, marine biodiversity will not be impacted by the proposed maritime usage.
D2	Non-indigenous species (NIS)	Non-indigenous species introduced by human activities are at levels that do not adversely alter the ecosystems.	GES has been achieved within Ireland's marine environment.	To ensure that the proposed activities will not result in the unintended introduction of non-indigenous species, the following mitigation has been proposed in the NIS to ensure that no spread of invasive species occurs: <ul style="list-style-type: none"> The proposed SI works will utilise industry standard practices to reduce the spread of invasive species, these include washing equipment before and after arrival to the site in a designated area, desk-based research of invasive

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				<p>species within the area and avoidance where possible;</p> <ul style="list-style-type: none"> All reasonable practical measures will be taken to ensure that all vessels used are free of invasive species on their hulls and in their ballast water. <p>With the implementation of this mitigation, the status of this descriptor will not be impacted by the proposed maritime usage.</p>
D3	Commercial fish and shellfish	Populations of all commercially exploited fish and shellfish are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock.	GES has been achieved for 29 stocks of commercially exploited fish and shellfish in Ireland's marine environment. GES has not been achieved for 46 stocks, and 99 stocks remain in unknown status.	<p>This descriptor is assessed as incidental bycatch and commercial fisheries and shellfish (fish mortality rate, spawning stock biomass and age and size distribution).</p> <p>Following a review of data held on Ireland's Marine Atlas, is confirmed that the MUL application area does not overlap with known spawning and nursery grounds for commercial fish or shellfish species. Therefore, there will be no interaction between survey activities and important stocks of finfish and shellfish during spawning periods.</p> <p>It is not expected that the proposed activities will result in either incidental bycatch or a significant disturbance to</p>

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				<p>populations of commercially exploited stocks.</p> <p>There are a number of licensed aquaculture sites (for Pacific oysters, European flat oysters and blue mussels) within the Shannon estuary³, with the closest site is approx. 20 km from the MUL Area, along with three classified shellfish growing areas in Carraigholt, College Bay and Rinneville Beds⁴ approx. 60 km from the MUL boundary. Given the location of the proposed SI works to the licenced aquaculture sites and shellfish growing areas, the proposed activities within the MUL Area will not impact on licenced aquaculture sites or shellfish growing areas. Therefore, the status of this descriptor will not be impacted by the proposed maritime usage.</p>
D4	Food webs	All elements of the marine food webs, to the extent that they are known, occur at normal abundance and diversity and levels capable of ensuring the long-term abundance of the	Environmental Status for food webs remains unclear.	Impacts on habitats and associated prey species and community complexes have been assessed in the SISAA and NIS reports. These impacts will be limited to the MUL Area and temporary in nature, and therefore, the balance and diversity

³ [Ireland's Marine Atlas](#) Accessed May 2026

⁴ [Shellfish Classified Areas | Sea Fisheries Protection Authority](#) Accessed May 2026

MSFD Descriptor		Objective	Current National Status (DHLGH, 2024)	Assessment of Consistency
		species and the retention of their full reproductive capacity.		in marine food webs will not be impacted as a result of the proposed maritime usage.
D5	Eutrophication	Human-induced eutrophication is minimised, especially adverse effects thereof, such as losses in biodiversity, ecosystem degradation, harmful algae blooms and oxygen deficiency in bottom waters.	GES has been achieved for eutrophication within Ireland's marine environment.	The proposed maritime usage does not involve the addition of nutrients to the marine environment and as such will not impact this descriptor, maintaining GES.
D6	Sea-floor integrity	Sea-floor integrity is at a level that ensures that the structure and functions of the ecosystems are safeguarded and benthic ecosystems, in particular, are not adversely affected.	GES has been achieved in 74% of Ireland's assessment area, however, 15% remains either not assessed or unknown, while 11% is not in GES.	The benthic environment being sampled as part of the proposed SI works will experience temporary disturbance due to some of the methods proposed. However, the area of sediment to be removed/disturbed is minimal and expected to recover rapidly. Impacts to seabed habitats have been assessed in the SISAA and NIS report. Overall, the SI works will not negatively impact on the GES status of this descriptor.
D7	Hydrographical conditions	Permanent alteration of hydrographical conditions does not adversely affect marine ecosystems.	GES has been achieved within Ireland's marine environment.	The proposed SI works will not significantly alter the hydrographical conditions (e.g. changes in wave action, currents, salinity, temperature) in the areas to be surveyed. There will be no impact on the GES status of this descriptor.

MSFD Descriptor		Objective	Current National Status (DHLGH, 2024)	Assessment of Consistency
D8	Contaminants	Concentrations of contaminants are at levels not giving rise to pollution effects.	GES has been largely achieved for concentrations of contaminants in seawater, sediments and biota in Irish coastal and marine waters and with few exceptions concentrations are at levels that ensure the protection of the marine environment	Given the standard legal and regulatory pollution control requirements that apply to all vessels (MARPOL, The Sea Pollution Act, 1991; see SISAA Report), the nature of the proposed SI works, their limited scale and duration, and the insignificant increase in vessel activity, it can be excluded that the SI activities will negatively impact on the GES status of this descriptor.
D9	Contaminants in seafood	Contaminants in fish and other seafood for human consumption do not exceed levels established by Union legislation or other relevant standards.	GES has been achieved for contaminants in seafood.	Due to the proposed MUL activity locations relative to licensed aquaculture sites and designated shellfish areas, along with the nature and duration of the activities proposed, the proposed MUL activity will not result in the introduction of contaminants in fish or seafood and therefore, will not impact on the GES status of this descriptor.
D10	Marine litter	Properties and quantities of marine litter do not cause harm to the coastal and marine environment.	Good environmental status has not been achieved for beach litter in Ireland's marine environment. The status of macro litter on the seafloor remains unknown, while micro and macro litter floating and micro litter on the seafloor remain unassessed.	The proposed activities will not result in the introduction of marine litter to the marine environment, and thus will not impact on the achievement of GES status of this descriptor

MSFD Descriptor		Objective	Current National Status (DHLGH, 2024)	Assessment of Consistency
D11	Energy, including underwater noise	Introduction of energy, including underwater noise, is at levels that do not adversely affect the marine environment.	GES has been achieved within Ireland's marine environment.	The impacts of underwater noise introduced as a result of the proposed activities are assessed in the SISAA and Risk Assessment for Annex IV Species. Mitigation measures are proposed in the NIS which comply with DAHG (2014) <i>Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters</i> . Therefore, the SI activities will not impact upon the GES status of this descriptor.