

Marina Quarter Ltd

Marine Environmental Surveys for Haggardstown and Marshes Upper Large- scale Residential Development

Attachment 4.1 Consistency of Proposed Maritime Usage with
Objectives of the National Marine Planning Framework

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List of Abbreviations

Abbreviation	Spelled out in full
NMPF	National Marine Planning Framework
OMPP	Overarching Marine Planning Policies
MSFD	Marine Strategy Framework Directive
EIAR	Environmental Impact Assessment Report
NIS	Natura Impact Statement
SAC	Special Area of Conservation
SPA	Special Protection Area
RIB	Rigid Inflatable Boat
IMO	International Maritime Organization
SOLAS	Safety of Life at Sea Convention
MARPOL	International Convention for the Prevention of Pollution from Ships
EPA	Environmental Protection Agency
RBMP	River Basin Management Plan
WSSPS	Water Services Strategic Plan
NPF	National Planning Framework
MARA	Maritime Area Regulatory Authority

1. Introduction

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 marine environmental 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.

2. Main pillars of NMPF

The proposed marine environmental surveys directly align with these pillars as follows:

- **Environmental Pillar** – The surveys will generate project-specific baseline data on intertidal habitats, subtidal benthic communities and sediment conditions within the receiving environment of the existing Dundalk WWTP outfall. This baseline will document ecological conditions before wastewater flows from the Proposed Development become operational and will provide a repeatable benchmark against which potential future changes may be assessed. The data will support consideration of the relevant Qualifying Interests of Dundalk Bay SAC, particularly Estuaries [1130] and Mudflats and sandflats not covered by seawater at low tide [1140], including their associated marine community types. When considered alongside operational, effluent and water-quality monitoring, the survey results may also inform wider assessment of WWTP performance and compliance. The surveys will not themselves improve water quality or determine regulatory compliance; rather, they will provide objective ecological evidence to support environmental assessment, future monitoring and evidence-based decision-making. The proposed survey activities are temporary, localised and small-scale and will be undertaken in a manner that avoids or minimises disturbance to protected habitats, benthic communities and the seabed. The proposed maritime usage is therefore consistent with the environmental pillar of the NMPF and contributes to the evidence base supporting the sustainable management of the marine environment.
- **Social Pillar** – Dundalk Bay is an important natural and recreational resource that supports coastal amenity, environmental education, recreation and protected waterbird populations. Establishing a reliable ecological baseline will support informed decision-making and the long-term monitoring of the receiving environment. The proposed surveys will not involve permanent infrastructure or any long-term restriction of public access or marine activities. Vessel-based and intertidal work will be of short duration and will be planned to minimise interference with navigation, recreational access and

other users of the maritime area. The proposed maritime usage is therefore consistent with the social pillar by supporting transparent, evidence-based environmental assessment while maintaining continued use and enjoyment of the bay.

- **Economic Pillar** – The surveys will provide an appropriate evidence base for environmental assessment of the Proposed Development’s wastewater pathway and for future monitoring of the receiving environment. This will support informed planning and environmental decision-making in relation to a land-based development with a connection to the maritime area through Dundalk WWTP and its existing outfall. The proposed surveys will be temporary and limited in extent, with no permanent occupation of the maritime area. Survey activities will be scheduled and managed to minimise potential interference with navigation, fisheries and shellfish interests, recreational activity and other existing marine uses. By providing necessary environmental information while remaining compatible with established uses of the bay, the proposed maritime usage is consistent with the economic pillar and the NMPF objective of enabling sustainable and proportionate use of Ireland’s maritime area.

3. Consistency with NMPF Policy Objectives

The proposed marine environmental surveys in Dundalk Bay have been assessed against relevant policies of the NMPF. **Table 1** demonstrates how the overall project is consistent with, and in several cases actively supports, the achievement of relevant policy objectives.

Table 1 Consistency of Proposed Maritime Usage with relevant NMPF policy objectives.

Relevant NMPF Policies	Description	Compliance Assessment
Environmental – Ocean Health Policy 1	Compliance with NMPF policies relating to: Biodiversity, Non-Indigenous Species, Water Quality, Seafloor and Water Column Integrity, Marine litter, Underwater Noise Should include demonstration of contribution to relevant 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 statutory environmental assessment and decision by the competent authority. Proposals that may have significant adverse impacts must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on species	N/A

Relevant NMPF Policies	Description	Compliance Assessment
	adaptation/migration or habitat connectivity, or set out reasons for proceeding if not possible.	
Biodiversity 2	Proposals that protect, maintain, restore and enhance the distribution and net extent of important habitats and important species will be supported, subject to statutory environmental assessment and decision by the competent authority. Proposals must avoid significant reduction in distribution/net extent of important habitats and avoid disturbance/displacement of habitats relied upon by important species.	Compliant – please see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Biodiversity 3	Where marine or coastal natural capital assets are recognised by Government: proposals must seek to enhance assets where possible; demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on natural capital assets, or set out reasons for proceeding if mitigation is not possible.	N/A
Biodiversity 4	Proposals must demonstrate (in order of preference): avoid, minimise, or mitigate significant disturbance/displacement of highly mobile species.	Compliant – please see Attachment 4.3 for Supporting Information of Screening for Appropriate Assessment and Attachment 4.4 for risk assessment for Annex IV species.
Protected Marine Sites 1	Proposals must demonstrate they can be implemented without adverse effects on integrity of SACs or SPAs. Where adverse effects remain after mitigation, consent cannot be granted unless Habitats Directive Article 6(4) prerequisites are met.	Compliant – please see Attachment 4.3 for report for Supporting Information of Screening 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	Proposals supporting objectives of protected marine sites should be supported and: be informed by appropriate guidance; demonstrate accordance with legal requirements including statutory advice from relevant authorities.	Compliant – please see Attachment 4.3 Supporting Information of Screening for Appropriate Assessment which addresses this.
Protected Marine Sites 3	Proposals enhancing a protected marine site's ability to adapt to climate change, enhancing resilience, should be supported, informed by guidance and in accordance with legal requirements including statutory advice.	N/A
Protected Marine Sites 4	Until ecological coherence of protected marine site network is examined, proposals should identify features that may be required to further establish the network using best available evidence and demonstrate (in order of preference): avoid, minimise, or mitigate significant impacts on those features, or set out reasons for proceeding if mitigation is not possible.	Compliant – the marine environmental surveys will provide baseline environmental information, identify sensitive habitat and allow for robust impact assessment, monitoring and mitigation if necessary. Please see Attachment 4.3 Supporting Information of Screening for Appropriate Assessment for more details.

Relevant NMPF Policies	Description	Compliance Assessment
Non-Indigenous Species 1	Reducing risk of introduction/spread of NIS is a requirement of all proposals. Proposals must demonstrate a risk-management approach to prevent introduction/spread, particularly when: moving equipment/boats/livestock between waterbodies; introducing settlement-suitable structures; or spread of known NIS. Vessels must comply with latest IMO, SOLAS, and national territorial/offshore requirements to reduce NIS risk.	Compliant – The survey vessel, DDV/ROV equipment, grab and sampling equipment will follow standard biosecurity cleaning/disinfection procedures, where required, to reduce the risk of introduction or spread of non-indigenous species. IMO/SOLAS/MARPOL vessel classification compliance reduces NIS introduction/spread risk.
Water Quality 1	Proposals with potential for significant adverse impacts on water quality must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on water quality.	N/A
Water Quality 2	Proposals delivering improvements to water quality or enhancing habitats/species beneficial to water quality should be supported, subject to statutory assessment, where contributing to NMPF objectives.	N/A
Sea-floor Integrity 1	Proposals incorporating measures supporting resilience of marine habitats should be supported. Proposals with potential for significant adverse impacts on marine/deep-sea habitats must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts, or set out reasons for proceeding if mitigation is not possible.	Compliant – seabed impact from grab deployments is spatially very small, temporary, and physical recovery expected in <12 months. Usage supports resilience by informing baseline condition and future mitigation planning in the EIAR. For more information see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Marine Litter 1	Proposals facilitating waste re-use/recycling or reducing marine/coastal litter should be supported. Proposals potentially increasing litter must demonstrate (in order of preference): avoid, minimise, or mitigate litter via waste plan, and manage all waste without litter creation. Pollutants/waste will not be disposed at sea; refuse kept onboard and disposed onshore per MARPOL.	Compliant – survey will not intentionally dispose of any material at sea. Vessel waste will be retained onboard and disposed of onshore via standard vessel waste procedures in accordance with national waste legislation.
Underwater Noise 1	Proposals must take account of spatial distribution, temporal extent, and levels of impulsive/continuous underwater noise that may be generated, and potential for significant adverse impacts on marine fauna. If potential for significant impact identified, a Noise Assessment Statement must be prepared and inform determinations. Must include demonstration of compliance with legal requirements including Annex IV and Wildlife Act species protections where relevant.	Compliant – The proposed surveys will generate only minor, temporary emissions associated with short-duration vessel mobilisation and survey activity.

Relevant NMPF Policies	Description	Compliance Assessment
Air Quality 1	Proposals supporting reduction in air pollution should be supported, subject to statutory assessment, where contributing to NMPF objectives. Proposals must demonstrate consideration of contribution to air pollution (direct/cumulative).	N/A
Air Quality 2	Vessels must comply with latest IMO, SOLAS, and national emissions requirements when operating in territorial/offshore waters.	Compliant – vessels will comply with IMO, SOLAS, and national emissions standards during the temporary survey period.
Climate Change 1	For lifetime of proposal, must demonstrate: estimation of likely GHG emissions (direct/indirect); measures supporting reductions; impact of climate effects on proposal (e.g., SLR, acidification, weather); adaptation measures; impact on coastal climate-adaptation measures and adjacent activities; and demonstrate (in order of preference): avoid, minimise, mitigate impacts, or set out reasons for proceeding if mitigation is not possible.	N/A
Climate Change 2	Avoid adverse changes to physical coast; enhance/restore/recreate habitats providing flood defence or carbon-sequestration services where possible.	N/A
Co-existence 1	Consider space optimisation including co-existence/co-operation with other activities. If unable to avoid significant adverse impacts/displacement, must (in order of preference): minimise, mitigate, or set out reasons for proceeding.	Compliant – survey deployments are short-duration and spatially minimal, enabling co-existence with existing foreshore and estuarine users. No exclusion zones or displacement of ongoing activities anticipated.
Infrastructure 1	Appropriate land-based infrastructure facilitating marine activity (and vice versa) should be supported; proposals facilitating diversification/regeneration of marine industries should be supported.	N/A
Access 1	Tourism/recreation proposals must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on public access.	Compliant – Surveys are temporary, spatially very small and will comprise short-duration vessel-based and intertidal survey activity. No restriction to coastal or marine public access is anticipated.
Access 2	Proposals demonstrating enhanced/inclusive public access should be supported where contributing to NMPF objectives, subject to statutory assessment.	N/A
Employment 1	Demonstrate contribution to a net increase in marine-related employment, especially aligned to Irish coastal community skills and sustainable resource use/skills diversification.	N/A

Relevant NMPF Policies	Description	Compliance Assessment
Heritage Assets 1	Enhance significance of heritage assets where possible; otherwise demonstrate (in order of preference): avoid, minimise, or mitigate harm; or show public benefits outweigh harm if mitigation not possible.	A desktop assessment of heritage assets from Ireland's Marine Atlas found that there is one shipwreck within the MUL area (latitude 54.00764, Longitude - 6.34633, Wreck number W00274) but that it does not overlap with any sampling locations and will not be affected by the proposed maritime usage.
Rural Coastal and Island Communities 1	Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural/island communities should be supported and be inclusive of ongoing education, skills development, and marine-sector training, improving sustainability, social benefits and resilience.	N/A
Seascape and Landscape 1	Demonstrate how likely significant impacts on seascape/landscape were considered. Must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts; or set out reasons for proceeding if mitigation is not possible.	Compliant – usage is temporary, spatially very small and limited to short-duration vessel-based and intertidal survey activity. No long-term seascape or landscape effects are anticipated.
Social Benefits 1	Proposals enhancing/promoting social benefits should be supported; otherwise must demonstrate (in order of preference): minimise, or mitigate significant adverse impacts displacing activities generating social benefits.	N/A
Social Benefits 2	Proposals increasing understanding/enjoyment of marine environment (natural, historic, social value) or promoting conservation management, education, and skills should be supported.	N/A
Transboundary 1	Proposals with transboundary impacts beyond maritime/terrestrial or neighbouring jurisdictions must show evidence of consultation with relevant public bodies and consider transboundary impacts across lifetime.	N/A
MSFD Descriptors – Biodiversity & Food Webs	Maintain biological diversity and ecosystem health consistent with Good Environmental Status.	Compliant – For more information see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Fisheries Policy 1	Safeguard sustainable commercial fisheries and avoid significant disruption to fishing activity.	Compliant – Survey activity is temporary and spatially minimal. Use of a suitably equipped survey vessel and short-duration station-based sampling will ensure no significant disruption to local fisheries.

Relevant NMPF Policies	Description	Compliance Assessment
Aquaculture Policy 1	Support sustainable aquaculture development while avoiding conflicts with other marine uses.	N/A
Wastewater Treatment and Disposal Policy 1	Irish Water proposals relating to treatment/disposal of wastewater that: i) service national social/economic development under NPF; ii) resolve EPA Priority Areas; iii) contribute to objectives of RBMP 2018–2021, WSSPS 2018–2025, MSFD 2012–2020 should be supported, provided safeguards are met.	N/A