



Mr Paschal Hayes
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Department of Agriculture, Food and the Marine
Marine Agencies and Programmes Division
National Seafood Centre
Clonakilty
Co. Cork

29th April 2015

Our Ref: SCP140604.2

Re. Draft Seafood Development Programme and related Strategic Environmental Assessment Environmental Report

Dear Mr Hayes,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 09/03/2015, regarding the above and welcomes the opportunity to make a submission. Please find attached the EPA's submission in relation to the Draft Seafood Development Programme, hereafter referred to as "the Programme", and associated SEA Environmental Report, (the ER). Our submission focuses primarily on the integration of environmental considerations into the Programme and on significant aspects in relation to the ER.

We also refer you to our previous submission on the Scoping Report on the 20th September 2013, attached, which should be taken into account in finalising the Programme.

The EPA recognises the important role the Programme will have in implementing the European Commission's policy recommendations to reform the common fisheries policy. In this context, the EPA notes the potential contribution the Programme will make to the overall objectives of ensuring the on-going competitiveness of Ireland's seafood sector.

In addition, it will provide for the sustainable management of marine food resources, protection of designated marine and coastal ecological sites and also the integration of climate action measures to support achieving a low carbon economy.

The EPA acknowledges the significant role that the seafood industry and related industry and associated fishing community have in assisting Ireland's economic recovery. This role will, however be dependent on Ireland achieving and maintaining a good quality environment. The overall objective of the environmental assessment of the Programme should provide for a high level of protection of the marine and coastal environment, and promote environmentally sustainable seafood development and related management.

While the need to protect Natura 2000 sites in implementing the Plan is described, we would recommend that a stronger commitment is included to integrate the Water Framework Directive (WFD) obligations. This would be in the context of ensuring that the need to achieve and maintain water quality is reflected in the Programme, given its importance in supporting marine/coastal habitats and species and maintaining sustainable commercial fishing operations, recreational fishing and related mari-tourism. In particular, the need to protect sites listed on the WFD Register of Protected Areas, which include Designated

Shellfish areas and Salmonid Waters should also be referred to. A reference should be included to highlight that the second cycle of WFD River Basin Management Plans in Ireland are being prepared. It is recommended that a commitment be made, to taking the relevant aspects of these plans into account, upon adoption, in the context of their role in improving/maintaining coastal water quality which supports shellfisheries.

In terms of action of climate change, the Programme should include a reference to the *Climate Action and Low Carbon Development Bill 2013*, currently under preparation, in the context of ensuring that any relevant requirements are taken into account in implementing the Programme.

Seafood Development Programme

The Plan includes strong consideration of aspects such as compliance with the Habitats and Birds Directives and integrating the requirements of the Marine Spatial Framework Directive (MSFD). The commitment to incorporating the various relevant EU Priorities including climate change mitigation/adaptation is acknowledged. It would be useful to consider describing how the potential impacts of climate change, such as sea level rise, frequency of storms increase, changes in seasonality of weather, sea temperature, ocean acidification, invasive species control/management have been taken into account in the Programme.

There may be merit in including a specific chapter covering the various aspects of environmental protection which are required to implement the Plan successfully. This would provide an opportunity to highlight the critical role of ensuring and maintaining a good environmental status to support further growth and development of the seafood industry.

In *Chapter 2 – Context for Irish Seafood Sector*, we welcome the commitment in subsection *Union Priority 1 – Sustainable Development of Fisheries*, to promoting the development of an ecosystem services approach to sustainable development of fisheries. This will positively influence the protection of marine and coastal biodiversity (including habitats and species). This also has the potential to lead to increased fish-stock availability with effective management and control of fishing activities. We note that the Programme recommends that for this to occur, new industry practices and effective stakeholder engagement are required. The Programme should include a commitment to developing these specific aspects.

Chapter 4 – Seafood Development Programme Strategy sets out the main themes from the SWOT and Needs Analysis to be carried out in relation to addressing the integration of the relevant Union Priorities. We note that the Common Fisheries Policy (CFP), Habitats/Birds Directive, MSFD, European Maritime and Fisheries Fund will have a significant influence on the Programme. We acknowledge that CFP Implementation schemes, which include a Discards ban, maximising sustainable yields of fish stocks, storage requirements for unwanted catch, encouraging energy efficiency schemes, modernising of fishing fleet (including environmental quality systems), Natura 2000 and MSFD Implementation for fisheries and aquaculture should all contribute to providing a sustainable economic resource while protecting designated habitats and species.

In 2.3.2 *Union Priority 2 – Sustainable Development of Aquaculture*, referencing to the new European Union (Water Policy) Regulations 2014 (S.I. No. 350 of 2014) should be considered. This sets out the roles, and responsibilities of the various stakeholders and the associated requirements in relation to river basin management planning.

<http://www.irishstatutebook.ie/pdf/2014/en.si.2014.0350.pdf>

Chapter 8 – Horizontal Principles

We acknowledge that the Programme promotes the integration of sustainable development at all stages (preparation, implementation, monitoring, and evaluation) including provision of advice on sustainable development in fund related activities.

We welcome the inclusion of a commitment to complying with the SEA Directive where relevant, and also the intention to integrate sustainable development principles into the design of measures and operations. We also note that a commitment is made to ensuring that project selection criteria will include aspects such as environmental protection requirements, resource efficiency, climate change mitigation/adaptation, disaster resilience and risk prevention, monitoring and evaluation actions and complying with polluter pays principle.

Chapter 10 –Evaluation Plan

We note the timelines / evaluation milestones in relation to the Programme. We also note in *Chapter 11 – SDP Implementation Structure*, that a proposal to establish a monitoring committee for the Programme is made. Consideration should be given to linking the SEA related monitoring with Programme monitoring aspects, at key evaluation periods over the lifetime of the Plan.

SEA ER Comments

We note in *Section 2 – Scope*, *Table 2-1* which describes the six EMFF Union Priorities – Promoting environmental sustainable, resource efficient, innovate, competitive and knowledge based fisheries and aquaculture to be considered in implementing the Plan.

It would be useful to consider how other significant plans and programmes relating to other users of the sea are to taken into account. In particular, activities which may arise from implementation of the Offshore Renewable Energy Development (ORED), Ireland's Offshore Oil and Gas Exploration (IOSEA5), ISLES Spatial Plan, Harbour and Port Company masterplans may need to be considered.

Chapter 3 - Background

We note the various programmes/plans in *Table 3-1 - Relationship with other relevant Policy/Legislation and SEA objectives*. You should also consider taking into account Agri-Food 2025 (DAFM) currently at SEA Scoping stage, and Food Harvest 2020 (DAFM), in terms of its potential influence on the Programme. This would be in the context of identifying the potential issues which may arise in seeking to expand marine related food production.

Chapter 5 – Environmental Baseline

In *Section 5.2.2 Stock of target fish stocks* that [unnamed] *Table 5.2* identifies that the percentage and number of stocks overfished increased slightly in 2013 and the percentage of stocks with unknown status also increased. In seeking to increase seafood development activities and productivity, in association with other key plans such as Food Harvest 2020 and Harnessing Our Ocean Wealth, the Programme should establish an appropriate monitoring programme and link closely to appropriate mitigation measures to ensure overfishing is discouraged to ensure sustainable fishing is promoted.

Chapter 6 – Impact Identification and Evaluation

In *Section 6.8 Cumulative Effects*, it would be useful to take into account, additional environmental considerations which may arise from increased productivity in implementing this Programme and in association with other Plans such as Food Harvest 2020 / Agri-Food 2025. These additional environmental considerations would include aspects such as transport related effects (noise / greenhouse gas emissions), as well as use/re-use/disposal considerations of bi-products or unwanted catch.

In addition, it is noted in paragraph 4 of *Section 6.8* that a key mitigation measures relates to the need for EIA and licensing in relation to risks posed to habitats and water quality. It should be noted that these are more legal requirements than mitigation measures in their own right.

Chapter 7 – Mitigation and Optimising Measures

It would be useful to provide additional summary tables for associating the key mitigation measures for achieving sustainable fisheries and aquaculture developments.

Monitoring related aspects associated with the environmental criteria assessed, should be more clearly described in the SEA. It would be useful also, to tabulate the SEA Environmental Objectives assessed, in terms of showing the monitoring programme associated with these. We also note that the Programme includes commitments to prepare a monitoring committee. In this regard, we recommended, that you take into account the environmental related monitoring from the SEA and also monitoring related commitments under the Marine Strategy Framework and Water Framework Directives respectively.

Future Amendments to the Draft Programme

The Department of Agriculture, Food and the Marine should determine whether or not the implementation of any proposed Amendments to the Programme would be likely to have significant effects on the environment. This assessment should take account Schedule 1 of the *European Communities (Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004)* Regulations.

SEA Statement - Information on the Decision

Upon adoption of the Programme, a copy of the SEA Statement should be sent to any environmental authority consulted during the SEA process, upon adoption of the Programme.

Should you have any queries or require further information in relation to the above please contact the undersigned. I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: sea@epa.ie.

Yours sincerely



Tadhg O'Mahony

Senior Scientific Officer

SEA Section

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