



An Roinn
Ealaíon, Oidhreacht agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht



Memorandum of Understanding

Environmental Protection Agency

and

Department of Arts, Heritage and the Gaeltacht (National
Parks and Wildlife Service)

The objective of this Memorandum of Understanding (MoU) is to identify and improve cooperation and coordination in areas of mutual responsibility and shared interest between the Environmental Protection Agency (EPA) and National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht (DAHG) to assist both organisations in delivering on their responsibilities.

Signed:

Niall Ó Donnchú
Assistant Secretary
DAHG

Date:

27/1/2016

Signed:

Laura Burke
Director General
EPA

Date:

16/2/2016

1 Introduction

This Memorandum of Understanding (MoU) between the National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht (DAHG) and the Environmental Protection Agency (EPA) is intended to provide a framework for enhanced cooperation in areas of mutual responsibility and shared interest, leading to greater efficiency and effectiveness in the delivery of the respective work programmes of both organisations.

Environmental Protection Agency

The EPA is an independent public body established under the Environmental Protection Agency Act, 1992. The EPA has responsibilities for a wide range of licensing, enforcement, monitoring and assessment activities associated with environmental protection. Primary responsibilities of the EPA include:

- Drinking water and water quality regulation;
- Environmental licensing;
- Enforcement of environmental law;
- Environmental planning, education and guidance;
- Environmental research;
- Monitoring, analysing and reporting on the environment;
- Radiological protection;
- Regulating Ireland's greenhouse gas emissions;
- Strategic environmental assessment;
- Waste management; and
- Water Framework Directive coordination, characterisation, assessment and reporting.

Department of Arts, Heritage and the Gaeltacht

The Minister for Arts, Heritage and the Gaeltacht oversees the conservation, preservation, protection and presentation of Ireland's heritage and cultural assets.

The Minister is, *inter alia*, responsible for the designation of sites and the monitoring of the conservation status of habitats and species listed on the Annexes of the Birds Directive 2009/147/EC and the Habitats Directive 92/43/EEC. The Minister is further responsible for biodiversity policy and the implementation of the Wildlife Acts.

2 Purpose of Memorandum of Understanding

DAHG and EPA jointly affirm their commitment to cooperate and coordinate on common work areas in the interest of protecting the environment in Ireland. This commitment will facilitate the exchange of information and data, which will help support our respective responsibilities and provides a platform for promoting best practice in areas of common interest. The memorandum does not override the statutory duties and powers of either organisation, rather it expresses a convergence of will between the parties, indicating an intended common line of action to ensure that the best possible service is delivered.

In recognising each organisation's respective statutory responsibilities and obligations, the EPA and DAHG shall endeavour to cooperate closely in relation to the implementation of the Water Framework Directive and EU Nature Directives, particularly with regard to knowledge sharing and the coordination and collaboration of monitoring activities under these Directives. The EPA and DAHG will also cooperate closely in relation to the implementation of the Environmental Liability Directive, particularly with regard to the assessment of damage to protected species and natural habitats.

The two Parties will also cooperate on other matters relevant to knowledge of and protection of the environment including research, land cover mapping, natural capital and the mapping and assessment of ecosystem services.

3 General Principles of Cooperation

The purpose of this MoU is to record the agreement that has been reached by the Parties. A summary of the key areas of both existing and future potential cooperation is presented below. The Parties agree to:

- Continued bi-lateral coordination between the Parties to ensure that common goals and potential areas of conflict are managed effectively;
- Exchange of data and advice relating to the assessment and management of ecosystems and areas protected under the Water and Nature Directives;
- Where appropriate, cooperate closely in the assessment of damage to protected species and natural habitats.
- Where appropriate, collaborate on relevant environmental monitoring activities to ensure that the work programmes of both organisations can be effectively implemented;
- Continue to cooperate and collaborate in areas such as collaborative training in common monitoring methods and tools, with the aim of sharing and exploiting existing expertise to the betterment of both organisations;
- Subject to the availability of resources, participate in key groups chaired by either organisation including WFD National Implementation Group, National Biodiversity Working Group, National Landcover and Habitat Mapping Group, Dumping at Sea Advisory Group and others as agreed by both organisations;

- Where appropriate, promote scientific/technical cooperation through commissioning mutually beneficial research projects including through the EPA's research programme.
- Where appropriate, contract support services of mutual benefit such as monitoring programmes.
 - Where services are contracted on behalf of both parties a collaborative agreement will be drawn up and formally agreed by both Parties to include the agreed contracting lead, procurement procedures, time schedules, budgets, cost sharing procedures, methodologies, administration, related burden sharing and any other matters deemed to be appropriate.

4 Operational Liaison

DAHG and EPA will appoint designated contacts for implementation of the MoU and they shall meet jointly on an annual basis (minimum) to monitor and review the implementation and effectiveness of this MoU. This forum shall be known as the ***DAHG/EPA Liaison Group***. The members of the Group shall be agreed by the relevant Programme Manager of the EPA and the relevant Principal Officer of DAHG and may include additional members as work programmes require.

The Liaison Group shall report on an annual basis for submission to the Board of the EPA and the Management Advisory Committee of DAHG outlining the effectiveness of the implementation of the MoU and setting out recommendations for further opportunities for cooperation if relevant.

5 Memorandum of Understanding Review

This MoU will come into force on the date of signing and shall remain in force until replaced or if either Party wishes to withdraw from the MoU.

The effective operation of this MoU may be subject to change or revision following annual review of progress by the Liaison Group, with recommendations for change made to, and accepted by, the respective signatories. However, where consensus and subsequent agreement may not be achievable, the views of EPA will prevail in respect of the responsibilities of EPA and the views of the Minister of Arts, Heritage and the Gaeltacht shall prevail in respect of the responsibilities of the DAHG.

6 Confidentiality

Both parties shall maintain full right title and interest in any intellectual property right in any work product developed solely by them under this memorandum.

The rights of the two organisations to restrict information regarded as confidential under each organisation's relevant legislation will be respected at all times.

7 Working Groups

DAHG and EPA may agree to establish working groups or make other arrangements to examine matters of common interest. Such groups may examine matters of a technical, legal or administrative nature where cooperation may provide opportunities for more effective operations between both organisations. Such working groups as may be established from time to time will operate under Terms of Reference agreed by the DAHG/EPA Liaison Group.