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**Re: Public Consultation on Ireland's Marine Strategy Framework Directive Marine Strategy Part 3:  
Programme of Measures**

Dear Sir/Madam

The Environmental Protection Agency (EPA) welcomes the opportunity to comment on the Marine Strategy Framework Directive (MSFD) Marine Strategy Part 3: Programme of Measures as part of the public consultation process by the Department of Housing, Local Government and Heritage. This response focuses mainly on highlighting relevant assessments in our recent State of Environment report and includes specific comments on Descriptor 8. *Contaminants*, which overlap in parts with Descriptor 9. *Contaminants in Seafood*.

The evidence and assessments provided by our State of Environment reports facilitate policymakers and decision makers across all sectors of the economy to make informed decisions about what can be done to help protect and improve our natural environment, including the marine environment. The EPA highlighted the marine environment as one of the 13 key messages of the report:

**SOE8: Marine**

Reduce the human-induced pressures on the marine environment.

**ACTIONS – WHAT IS NEEDED?**

As an island nation with an extensive marine area, Ireland needs to ensure that robust governance and legal frameworks are in place to protect the marine environment.

Chapter 8 of the most recent State of Environment report, *Ireland's Environment: An Integrated Assessment 2020*, presents information on the status of Ireland's marine environment and discusses the main human activities that may damage its waters and the main legislative responses to these challenges. The related topic of Marine Litter (Descriptor 10) is discussed in Chapter 9: Waste (p234) (link: [Environmental Protection Agency – Ireland's Environment – An Integrated Assessment 2020 – Waste \(epa.ie\)](http://www.epa.ie)).

The EPA's assessment of the 11 qualitative Descriptors outlined in Annex 1 of the Marine Strategy Framework Directive is set out in Chapter 8: The Marine Environment (link: <https://www.epa.ie/publications/monitoring--assessment/assessment/state-of-the-environment/irelands-environment-2020---chapter-8---the-marine-environment.php>). These may be useful to refer to when finalising the Programme of Measures.

Chapter messages from Chapter 8 are as follows:

- ❖ Ireland's marine waters are clean and reasonably healthy but not as biologically diverse and productive as they could be. They are affected by several human-induced pressures including fishing, climate change and marine litter such as plastics.
- ❖ The area covered by Marine Protected Areas needs to be expanded significantly to meet the international requirement to conserve 10 per cent of all coastal and marine areas, rising to 30 per cent in future targets under the EU Biodiversity Strategy 2030. The expansion will promote the remediation of environmental damage and the protection of marine ecosystems and biodiversity.
- ❖ As an island nation with an extensive marine area, Ireland needs to ensure that robust governance and legal frameworks are in place to protect marine ecosystems and the services they provide to society. There needs to be governance systems in place that coordinate and integrate the implementation of directives where there are crossovers, such as those covering marine strategy, marine spatial planning, water quality, waste, biodiversity and protecting fish stocks.

Although the following comments focus mainly on Descriptor 8. *Contaminants*, there is some overlap with Descriptor 9. *Contaminants in Seafood*.

- Discharges from wastewater treatment plants into Transitional and Coastal waters may be potential sources of persistent organic pollutants and contaminants of emerging concern entering the marine environment. This is of particular concern near shellfish waters. Investigations into these sources should be prioritised in the upcoming programme.
- There has been widespread low level detects of the per- and poly fluoroalkyl substances (PFAS) across Ireland's coastal and inland waterbodies. These compounds are 'forever chemicals' and have the potential to bioaccumulate, therefore they pose a threat to marine ecosystems and human health. Further monitoring of a wide suite of PFAS compounds would be beneficial to understand their presence in the marine environment.
- Following the revision of the Water Framework Directive (WFD) Priority Substance list (2013/39/EU) at a European level, and the ongoing review of specific pollutants (S.I. 272 of 2009) at a national level by the National Aquatic Environmental Chemistry Group (NAECG), chemical monitoring plans may need to adapt to new contaminants of concern and/or revised environmental quality standards. This may pose a challenge to develop new methods and/or improve the limits of detection for existing methods.
- The chemicals monitoring programme being carried by the Marine Institute under the WFD appears to be a relevant item for consideration. The Marine Institute covers Transitional and Coastal waterbodies (TraCs). The Marine Institute is also developing a WFD Marine Monitoring Programme for 2022 – 2027. Consideration of their finding from this programme on chemical monitoring, for example for any persistent organic pollutants, compounds of emerging concern and mercury would be an area for the programme to consider and link into. The Marine Institute is also involved in various projects relating to

PFAS including monitoring PFAS in finfish (freshwater), shellfish and marine mammals (Dolphins).

- Sources of chemicals in the aquatic environment and emerging chemical issues is an area for consideration. The Persistent Organic Pollutants Regulation, national implementation plan and Mercury Regulation are also relevant in this respect. See: [Chemicals | Environmental Protection Agency \(epa.ie\)](#).
- Consider the use of antiparasitic substances and their fate in the environment. I refer you to the work being carried out by the Department of Agriculture Food and the Marine on [gov.ie - Antiparasitic Resistance \(www.gov.ie\)](#) and the substances they are interested in as part of this work area.
- There appears to be different programmes for shellfish monitoring and related water protection under several pieces of legislation and programmes. The programme may need to be integrated across different areas, and not just WFD, to cover all the relevant bacteriological and chemical testing aspects that are relevant. Consider Urban Waste Water Treatment Plants identified as needing more stringent treatment to protect shellfish waters, referenced in the most recent Urban Waste Water Treatment in 2020 report (<https://www.epa.ie/publications/monitoring--assessment/waste-water/uww-report-2020.php>).

The EPA looks forward to the adoption of the Marine Strategy Framework Directive (MSFD) Marine Strategy Part 3: Programme of Measures and to working together with the Department and other partners and stakeholders towards their full implementation leading to a reduction of human-induced pressures on the marine environment and, ultimately, its enhancement and protection.

Yours sincerely



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