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**RE: Public Consultation on the NPWS Draft Strategy Statement 2023-2025**

Dear Sir/Madam

The Environmental Protection Agency (EPA) welcomes the opportunity to provide input to the National Parks and Wildlife Service (NPWS) Draft Strategy Statement 2023-2025. The NPWS is an important stakeholder of the EPA with whom we cooperate and coordinate on several common work areas in the interest of protecting Ireland's environment. Indeed, the existing Memorandum of Understanding between the NPWS and EPA provides a framework for existing and future cooperation. In the context of the urgent biodiversity and climate crises, the EPA recognises the need for an appropriately resourced and focused NPWS, with clearly defined strategic priorities and objectives.

In addition to the points raised in this letter, some further observations are included in the Appendix, in relation to Ireland's Environment (State of the Environment Report (SOER)), EU Biodiversity Strategy 2030, Citizen Science, EPA Engagement with NPWS, National Biodiversity Data Centre, Water Framework Directive, Research, Nature Governance, Governance and Ownership of the National Biodiversity Action Plan, the Natura 2000 network and Data Sharing. These should be taken into account in finalising the Strategy.

### **Collaboration**

In developing the Strategy, it is important that the NPWS considers the interrelated challenges relating to climate, water, air pollution etc. that are also covered by other agencies and organisations. There are many areas where cooperation and collaboration would benefit both nature and wider environmental protection such as in the areas of marine and freshwater protection, monitoring impacts of air pollution on sensitive habitats, land use and climate action, and sharing of data and expertise. It would be helpful to set out in the Strategy the ways in which NPWS will proactively engage in and contribute to enforcement networks, nature and environmental protection projects and related activities.

### **Implementation and enforcement of legislation**

Under the key strategic goals, consider including a commitment "To protect Ireland's biodiversity through implementation and enforcement of national and European nature legislation". In addition, under the core areas listed, consider including greater reference to implementation and enforcement aspects.

### **Natura 2000 network**

The Strategy should reflect the urgent need to bring Ireland into compliance with the requirement of the Habitats and Birds Directive with respect to the protection, conservation, and management of habitats and species. The Strategy should also reflect the significant role for the NPWS in addressing the challenges identified in the European Commission's 2022 Environmental Implementation Review (EIR), the State of the Environment Report (SOER) 2020 and EPA water quality reports (see Appendix for further observations).

### **Regulatory Processes**

EPA staff in the licensing and enforcement areas often find that access to actionable information from NPWS is difficult (e.g., habitat maps for Natura sites, critical loads and critical levels specified for protected sites). Submissions received from NPWS are often very generic and thus lacking any site, or action, specificity necessary for the regulatory (assessment and conditioning) processes for which they are intended.

There are also opportunities for more proactive engagement on regulatory matters not associated with designated protection sites e.g., Environmental Liability Directive incidents which impact on features outside designated sites. It would be extremely beneficial if the NPWS provided nature protection assessment and input to decision making processes in national regulatory processes such as those operated by the EPA (e.g., facility and activity consents, incidents). In addition, in order to support environmental decision making, the EPA would ask that the NPWS makes available in web/GIS format maps and searchable resources and the key emissions assessment support information on site-specific critical loads and critical levels for protected areas. The Strategy Statement could include a commitment to making key relevant information available in a timely manner. These aspects could be captured under Legislation and Licensing in the development of the Strategy.

Enforcement collaboration with the EPA could be further enhanced through more active participation of NPWS in the National Enforcement Network (NIECE). In addition, a replacement NPWS nomination for the EPA-led national Dumping at Sea advisory committee remains outstanding.

### **Ongoing Consultation on the Strategy**

To further assist in the development of the Strategy, there may be merit in convening a workshop(s) with key stakeholders.

### **Conclusion**

The EPA acknowledges the critical role that the NPWS plays in nature conservation and biodiversity protection in Ireland and we look forward to continuing our engagement with the NPWS in the protection of Ireland's environment. If you wish to discuss any aspect of this submission in more detail, please contact Tara Higgins at [t.higgins@epa.ie](mailto:t.higgins@epa.ie).

Yours sincerely



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Dr Eimear Cotter

Director, Office of Evidence and Assessment

## Appendix

### **Ireland's Environment: An Integrated Assessment - State of the Environment Report (SOER) 2020**

The EPA publishes State of the Environment Reports every four years, most recently [Ireland's Environment 2020](#). For the various questions asking about the challenges and objectives to set, we refer you to the SOER 2020 Nature Chapter and the overall conclusions and key messages. Nature-relevant aspects are covered in many other chapters in the SOER including land, agriculture, water quality, marine and climate, all of which illustrates the integrated nature of many of these challenges and the coordinated action needed to address them. The overall findings of the SOER report are:

- The quality of Ireland's environment is not what it should be; environmental indicators are going in the wrong direction across many areas and that the outlook is not optimistic unless we accelerate the implementation of solutions across all sectors and society.
- Climate and biodiversity are two of the key challenges that Ireland urgently needs to address. This reflects the emergency status assigned to both sectors by Government.
- An investment in the environment is also an investment in our health.
- The SOER 2020 also highlights that now is the time for development of an overarching environmental policy position for Ireland - to be clear on our ambition to protect Ireland's environment in the short, medium and long-term and on our commitment to live up to the image of a Clean Green Island. This policy position would provide a national vision that all government departments (including NPWS), agencies, businesses, communities and individuals can sign up to, to play their part in protecting Ireland's environment.
- In the context of the Marine Environment, a key SOER 2020 message is that, 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 6](#) of the report addresses the topic of Nature. We acknowledge the key role and expertise of the NPWS in contributing to this chapter as well as to the natural heritage aspects of other sectoral chapters. The key messages from the SOER2020 Nature Chapter (pp 155) are:

- Ireland needs to prioritise actions to protect nature. The challenges facing key species should be the alarm calls needed nationally to focus on the transformative changes required in how we value and protect nature. More engagement on nature protection across stakeholder groups is needed, together with a review of governance, with solutions fast-tracked at policy and regulatory levels to protect habitats and halt biodiversity loss.
- The challenges involved in protecting Ireland's habitats and species are now more serious than ever and need urgent action. But nature can bounce back under the right conditions. Implementing national biodiversity policies, such as the National Biodiversity Action Plan, requires an increased level of collaboration and coordination across multiple sectors and the whole of society. This can also give rise to indirect co-benefits for other sectors and environmental issues such as climate change and water quality.
- Education, monitoring and citizen science initiatives are vital steps in protecting biodiversity. To promote more proactive and widespread engagement we need to continue to systematically survey habitats and species, track threats from invasive species and develop collaborative projects between scientists, farming sectors and the public. Regulatory aspects also need to be in place, with conservation plans for the management of Natura 2000 areas.

Specifically, in relation to Nature, the Conclusions chapter notes that ‘deteriorating trends dominate, especially for EU protected habitats’ and that Ireland is ‘largely not on track to meet policy objectives’.

The report concludes that to achieve the transformative change required to reverse the curve of biodiversity loss, Ireland could learn from the findings of the recent report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) where it recommended five interventions or levers (IPBES, 2019), viz; incentives and capacity-building; cross-sectoral cooperation; pre-emptive action; decision-making in the context of resilience and uncertainty, and; environmental law and implementation. These interventions could be reflected in the relevant aspects of the proposed Strategy and its associated governance and implementation.

### **EU Biodiversity Strategy for 2030 - Bringing nature back into our lives**

The Strategy should reflect the relevant key commitments in the EU Biodiversity Strategy. In particular, the relevant commitments included under Protecting and Restoring Nature in the European Union, under both “A coherent network of protected sites” and “An EU Restoration Plan: restoring ecosystems across land and sea”. The Strategy should ensure its contribution to the achievement of these commitments, through the assignment of relevant metrics/targets as appropriate.

The EU Nature Restoration Regulation and the future requirements, for Ireland to prepare a National Restoration Plan, (within 2 years of the adoption of the Regulation) should be reflected in the relevant section(s) of the Strategy.

#### *EU Biodiversity Strategy: Nature protection - Key commitments by 2030*

- Legally protect a minimum of 30% of the EU’s land area and 30% of the EU’s sea area and integrate ecological corridors, as part of a true Trans- European nature network
- Strictly protect at least a third of the EU’s protected areas, including all remaining EU primary and old growth forests.
- Effectively manage all protected areas, defining clear conservation objectives and measures, and monitoring them appropriately.

#### *EU Biodiversity Strategy: EU Nature Restoration Plan - key commitments by 2030*

- By 2030, significant areas of degraded and carbon-rich ecosystems are restored; habitats and species show no deterioration in conservation trends and status; and at least 30% reach favourable conservation status or at least show a positive trend.
- The decline in pollinators is reversed.
- The risk and use of chemical pesticides is reduced by 50% and the use of more hazardous pesticides is reduced by 50%.
- At least 10% of agricultural area is under high-diversity landscape features.
- At least 25% of agricultural land is under organic farming management, and the uptake of agro-ecological practices is significantly increased.
- Three billion new trees are planted in the EU, in full respect of ecological principles.
- Significant progress has been made in the remediation of contaminated soil sites.
- At least 25,000 km of free-flowing rivers are restored.
- There is a 50% reduction in the number of Red List species threatened by invasive alien species.
- The losses of nutrients from fertilisers are reduced by 50%, resulting in the reduction of the use of fertilisers by at least 20%.
- Cities with at least 20,000 inhabitants have an ambitious Urban Greening Plan.
- No chemical pesticides are used in sensitive areas such as EU urban green areas.

- The negative impacts on sensitive species and habitats, including on the seabed through fishing and extraction activities, are substantially reduced to achieve good environmental status.
- The by-catch of species is eliminated or reduced to a level that allows species

### **Citizen Science**

It is worth noting that there is a very significant citizen interest, and ‘citizen science’ engagement in our natural environment. Such citizens, acting as individuals, communities or landowners, are hugely important in delivering and assuring local nature protection initiatives. It will be important, during the early phase of the Strategy implementation, to map, assess and clearly set out the complex governance landscape for natural heritage to guide the successful and timely delivery of the overall Strategy.

The recent establishment of a Citizens' Assembly on Biodiversity Loss is a welcome development. The role of the Assembly is to examine how the State can improve its response to the issue of biodiversity loss, and to bring forward proposals in that regard. The role of the Assembly, NGOs, the wider public and the importance of stakeholder engagement should be acknowledged within the Strategy, under Engagement and Corporate Functions. The Strategy could also consider using the learnings from the Citizens Assembly to promote the use of citizen science among the organisations with specified nature protection and conservation and wildlife education roles.

### **EPA Engagement with NPWS**

The EPA, in carrying out its various functions collaborates and interacts with the NPWS across a number of environmental areas and for multiple reasons (e.g., Water Framework Directive, EU Nature Directives, research activities). These engagements are summarised in Table 1 below.

An operational MOU exists between the NPWS and EPA. This provides for enhanced engagement and collaboration between the two organisations in areas of mutual responsibility and shared interest. We also acknowledge the role NPWS are playing in relation to the closure and rehabilitation of former Bord na Mona peat harvesting sites, which are regulated by the EPA. In this regard, the Peatlands and People Life project is a significant driver of good practice in relation to peatlands restoration, in particular of raised bogs.

In recognising the skills and experiences required for nature protection and the complex legal landscape, we would ask that the NPWS develop a direct outreach and awareness service (education and training) to assist with maintaining knowledge and competency within partner agencies and local authorities responsible for aspects of nature protection and assessment. This could fit within the Legislation and Licensing elements of the proposed Strategy. Also, as set out above, we would also ask for more active participation of NPWS in the National Enforcement Network (NIECE) and the nomination of an NPWS replacement for the EPA-led national Dumping at Sea advisory committee.

### **National Biodiversity Data Centre**

The National Biodiversity Data Centre (NBDC) is the national centre for the collection, collation, management, analysis and dissemination of data on Ireland’s biological diversity. In order to conserve Ireland’s biodiversity it is necessary to document what biodiversity we have in the first instance, understand how it is distributed across the island of Ireland and its marine waters, track how it is changing over time, and communicate the importance of conserving biodiversity. Addressing these knowledge gaps and building the scientific evidence base to help its conservation is central to the work of the NBDC.

Education, monitoring and citizen science initiatives are vital steps in protecting the environment and biodiversity. To promote more proactive and widespread engagement we need to continue to systematically survey habitats and species, track threats from invasive species and develop collaborative projects between scientists, farming sectors and the public. These are core roles currently fulfilled by the National Biodiversity Data Centre. In the development of the Strategy, we recommend the recognition of the key roles of the NBDC in biodiversity and related data management.

### **Research**

The EPA operates a statutorily mandated environmental research programme that has a broad scope covering the delivery of policy-relevant research across climate, water, air quality, radiation, chemicals, waste, circular economy, behavioural change, environment and health. While there are interactions and co-benefits for nature protection across many of these research areas, we recognise that additional focus and investment is needed nationally in nature and biodiversity related research.

NPWS is ideally positioned to lead a national research strategy for ecosystems, natural capital and biodiversity and secure multi-annual funding to deliver on strategic (including partnership co-funding) needs. This strategy should reflect the need for research to inform relevant policy. These aspects should be reflected in the Strategy under Scientific Advice and Research.

### **Water Framework Directive (WFD)**

There is an intimate relationship between many national SACs and SPAs and water quality. The recently published EPA water quality report highlights key challenges around water protection including the deterioration of estuaries and coastal waters, many of which are also designated as Natura 2000 sites. There is an opportunity for strengthened and formalised engagement between the NPWS and EPA with regard to the WFD. This could include input into the characterisation of pressures, input to developing monitoring protocols, and improved harmonisation in the approach to monitoring.

Given the dependency of many national SACs and SPAs on water quality and quantity, the active participation of NPWS in the National Water Framework Directive Governance structures, such as the WFD National Technical Implementation Group, would be particularly welcome. This could fall within one of a number of aspects of the proposed Strategy - Scientific Advice and Research, Nature Conservation and Engagement and Corporate.

### **Governance and Ownership of National Biodiversity Action Plan**

While recognising the National Biodiversity Action Plan is intended as a whole-of-government Plan, it would seem appropriate that NPWS would take a significant lead role in the overall implementation and governance around the NBAP. The Strategy should reflect this role and set out provisions for implementation and review along with associated reporting.

### **Nature Governance in Ireland**

In the majority of cases the EPA, in protecting the 'environment', also acts to protect nature through managing emissions to Air (including noise and odour), Water, Land as well as protecting people from the harmful impacts of ionising radiation. As noted above, the EPA's role in protecting Ireland's environment brings it in regular contact with the NPWS.

The national governance landscape for natural heritage assets is complex. The NPWS is one organisation that has a specified nature protection, conservation and wildlife education role, with others including Inland Fisheries Ireland, the Heritage Council, the National Biodiversity Data Centre, the Marine Institute, Waterways Ireland, National Museum of Ireland, OPW, Local Authorities and the

Department of Agriculture, Food and the Marine. The EPA through discharge of its environmental protection functions also has a supporting role. The multiple roles of organisations in relation to biodiversity protection should be reflected in the Strategy.

### **Natura 2000 network**

As stated above, the Strategy should reflect the urgent need to bring Ireland into compliance with the requirement of the Habitats and Birds Directive and the significant role for the NPWS in addressing the challenges identified in the European Commission's 2022 Environmental Implementation Review (EIR 2022)<sup>1</sup>, SOER 2020 and EPA water quality reports.

The European Commission's 2022 EIR notes that Ireland has made progress in designating its terrestrial Natura 2000 network with the terrestrial designations now considered to be complete. While Ireland has made some progress in drawing up conservation objectives, there is still a lack of clarity over Ireland's conservation measures. These are to deliver on their objective of maintaining or restoring species and habitats of community interest to a favourable conservation status across their natural range.

The EIR also highlights significant knowledge and designation gaps in Ireland's marine Natura 2000 Network, especially under the Birds Directive. A particular concern is the delay in finalising the list of sites of community importance (SCIs), and the designation of marine Special Protection Areas under the Birds Directives as many of these areas are under pressure from development. The Strategy should recognise these gaps and delays and assign appropriate resources with a view to resolving them.

The EIR raises concerns over the conservation of raised and blanket bogs as Special Areas of Conservation (SACs). It recognises that significant progress has been made on raised bog sites, restoration has still to be completed on many raised bog sites and started on most blanket bog SACs. The issue of illegal turf cutting on raised bog SACs and the lack of progress in ensuring turf cutting on blanket bogs is managed in a compatible with the conservation of this habitat. These should be reflected in the relevant Strategy commitments.

Other significant aspects highlighted in the EIR include the bad conservation status of forests areas protected under the nature directives with over half assessed as bad conservation status.

### **Data Sharing**

NPWS hold important data relevant to the Water Framework Directive register of protected areas and Article 17 habitats directive reports. The Strategy should commit to ensuring the completion and availability of site-specific data on Special Areas of Conservation and Special Protection Areas.

Dedicated NPWS resources to facilitate data sharing and to deliver site-specific data for protected habitats EPA regulatory and Water Framework Directive activities are recommended, which in turn would facilitate better assessment of local and regional nature protection issues.

These aspects could be reflected in the Strategy under Nature Conservation Wildlife Enforcement and Nature Protection and Engagement and Corporate Functions.

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<sup>1</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=comnat%3ASWD\\_2022\\_0260\\_FIN](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=comnat%3ASWD_2022_0260_FIN)

**TABLE 1: Summary of EPA Engagements with NPWS**

<b>Nature of Engagement</b>	<b>EPA Office</b>	<b>Description of Work (e.g.)</b>
<b>Regulatory</b>	OES, OEE	AA; EIA; Licensing; Enforcement; Closure & Aftercare planning; Environmental Liability; statutory planning; statutory and ordinary consultee for regulatory processes
<b>Committees</b>	ORM, OEA, OES, OEE, ODG	Committees, Forums, Working Groups and National Implementation Committees (e.g., Water Framework Directive, National Peatlands Strategy, Ministerial Biodiversity Working Group, SEA and AA Forums, National Biodiversity Action Plan, CAP Strategic Plan); MOU operation and its Liaison Group; preparation of Guidance.
<b>Research</b>	OEA (OES, ORM, OEE)	Project proposals evaluation, steering, co-funding, and national Research Co-ordination; EU research projects liaison
<b>Monitoring &amp; Data</b>	OEA, ORM	Information exchange; Hydrometrics (wetlands) data exchange; Protected Areas registers; species records (e.g., crayfish); water quality (for Habitats Directive); National Ecosystems Monitoring Network
<b>Assessment &amp; Reporting</b>	OEA	State of the Environment Report, including providing regular updates to the Ireland's Environment portal; EEA EIONET; Water Framework Directive; Habitats and Birds Directives
<b>Consultee</b>	All	NPWS are a regular organisational consultee for EPA where new policy or initiatives are being developed (EPA Strategy, EPA Research Strategy, SEA and enforcement guidance, etc)
<b>Other</b>	OEA	Shared equipment & sites for monitoring

**OES:** Office of Environmental Sustainability; **OEE:** Office of Environmental Enforcement; **ORM:** Office of Radiation Protection & Environmental Monitoring; **OEA:** Office of Evidence & Assessment; **ODG:** Office of the Director General; **OCCS:** Office of Communications & Corporate Services