

The Northern Ireland Marine Task Force (NIMTF) is a coalition of 10 eNGOs, comprised of Friends of the Earth, Irish Whale and Dolphin Group, Keep Northern Ireland Beautiful, Marine Conservation Society, National Trust, Northern Ireland Environment Link, RSPB, Ulster Wildlife, WWF & Wildfowl and Wetlands Trust. Since its establishment in 2007, NIMTF has advocated for policies which protect and guarantee the restoration of marine biodiversity in NI seas.

NIMTF welcomes the opportunity to comment on the Department of Housing, Local Government and Heritage consultation for Ireland's 4<sup>th</sup> National Biodiversity Action Plan.

We appreciate the importance of this public consultation to deliver the transformative changes required to protect and restore Irish nature, including within the marine environment.

This National Biodiversity Action Plan should align with and reflect the '30x30' target which aims to protect 30% of Ireland's land and sea for nature conservation by 2030. Ireland has already committed to this 30x30 target and so it should be included in this NBAP as an overarching, strategic target.

To truly halt the decline in nature and promote habitat and species recovery *along* and *across* borders, as well as within them, greater levels of engagement between Ireland and Northern Ireland are necessary. The island of Ireland is a single biogeographic unit, and a single unit for plant and animal health, requiring policy alignment and active cooperation between both sides of the island.

An array of marine species found in ROI waters migrate into NI waters and vice versa annually. Examples include the Basking Shark (*Cetorhinus maximus*)<sup>1 2</sup>, which migrates northwardly through ROI<sup>3</sup> waters into NI waters annually between May and August. Commercially important species such as Atlantic mackerel (*Scomber scombrus*) also migrate during in the summer months from ROI waters, North through feeding<sup>4</sup>, then migrate south overwinter to spawning grounds in the Celtic Sea.

Management efforts for migratory species in ROI and NI waters impacts species ability to thrive throughout the waters around the island of Ireland. Without aligning targets for species protection and recovery in Northern and Southern waters, it is futile to expect conservation objectives set for marine biodiversity within this action plan to be fully met. With DAERA currently developing a biodiversity strategy for NI, there is a real opportunity to co-ordinate objectives, targets and actions for marine biodiversity throughout Irish waters.

Establishing a North-South marine biodiversity forum can provide a platform for transboundary communication, knowledge sharing and the development of complementary management efforts for marine species and habitats. There are several areas within the proposed Biodiversity Action Plan that could be supported through the formation of such a forum, ensuring higher levels of species and habitat protection and recovery.

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<sup>1</sup> <https://www.baskingshark.ie/legal-status>

<sup>2</sup> <https://www.legislation.gov.uk/nisi/1985/171/article/10>

<sup>3</sup> <https://www.baskingshark.ie/distribution#:~:text=The%20current%20accepted%20migratory%20theory,deeper%20waters%20to%20the%20west.>

<sup>4</sup> <https://shiny.marine.ie/speciesdash/>

- **Development of the ROI MPA network**

Under objective 2, outcome 2F, it is promising to see DHLGH will enact and implement comprehensive legislation enabling the designation and management of Marine Protected Areas (MPAs). A North-South marine biodiversity forum would facilitate government officials, eNGOs, sea users and other stakeholders contributing to this process to capture transboundary considerations to MPA network development in the ROI.

The experiences of developing the Northern Ireland MPA network could be applied to ensure greater success of the ROI MPA network. For example, The NI MPA network currently covers 38% in NI inshore region<sup>5</sup>. However, according to a DAERA environmental assessment, only 4% of the MPA network is actively managed. Actionable management plans will therefore be required for each MPA, and these should be implemented immediately to enable the MPA conservation objectives to be met. A successful MPA network that meets the objectives of species protection and recovery will also require adequate resources for long-term monitoring and enforcement.

North-South collaboration will also help identify features that require designations to improve the ecological coherence of both NI and ROI MPA networks, acting further to meet the objectives of the OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic, and marine biodiversity throughout the region.

- **Identify partnerships for Blue Carbon habitat restoration programmes**

We welcome to inclusion of promoting marine nature-based solutions, including restoration and restoring 'blue carbon' ecosystems, as outlined in objective 4, outcome 4c. In NI, DAERA are currently co-designing a Blue Carbon action plan, in tandem with updating the NI MPA Strategy.

As blue carbon protection and restoration is a priority in both ROI and NI, it is a key area of engagement that could be developed further within a North-South marine biodiversity forum. Priorities will include identifying wider research gaps, exploring the options for developing partnerships and securing funding for blue carbon restoration programmes in the North and South.

- **Improving island wide data collection through citizen science programmes**

Citizen science is a key method in supporting data collection within the marine environment, and currently projects within Northern Ireland and ROI are gathering data on the same species. The NIMTF therefore welcomes the target to ensure by 2026, that Ireland has mainstreamed the inclusion of Citizen Science in marine environmental policy implementation and actions contributing to the conservation of marine biodiversity.

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<sup>5</sup> <https://www.daera-ni.gov.uk/articles/marine-protected-areas>

Elasmobranch conservation projects such as Ulster Wildlife's Sea Deep project<sup>6</sup> encourage members of the general public to submit shark egg case records. In ROI similar projects like the Ray Project<sup>7</sup>, are also receiving egg case data. It is important to ensure the methodologies for gathering records are the same by both projects, so data can be combined and analyzed together. Through north- south engagement, tools can be developed to create citizen science programmes, which ensure the standardization of data and aligns methodologies throughout the ROI and NI. These programmes will also assist data sharing North and South, providing crucial data on species presence and distribution that would otherwise not be being received and utilized by relevant conservation projects, is available throughout the island of Ireland.

- **Closing gaps in NBAP proposals that may permit illegal activity**

Target 2F7 says "As soon as possible and no later than 2026, commercial fisheries and aquaculture in Ireland are carried out without causing significant adverse effects on EU Natura 2000 sites or their qualifying marine habitats and species". Similarly target 2F8 says "As soon as possible and no later than 2026, ensure that all commercial fishing in Irish waters is carried out in full compliance with the EU Common Fisheries Policy, with national and EU conservation legislation, and all associated regulations". However, if national and EU conservation legislation is currently appropriately applied, then no plan or project or operation (such as fishing) could be permitted to go ahead if it was going to break national or EU legislation for example, by causing significant adverse effects on EU Natura 2000 sites or their qualifying marine habitats and species, as that would be illegal. As such, it seems totally inappropriate that, based on the wording of 2F7 and 2F8, between now and 2026 national and EU conservation legislation could be broken. This is a potentially serious loophole and the NI MTF would recommend that the starting date for policy 2F7 and 2F8 should be 1<sup>st</sup> January 2023 or whenever the NBAP is approved, whichever is earlier. Otherwise, if the proposed target is implemented as written, that could facilitate the approval of certain operations including and/or aquaculture developments that could be illegal under national and EU law. It is essential and a bare minimum that the Irish government ensures compliance with all existing national and EU laws at all times.

Furthermore, NIMTF support the recommendations outlined in the Fair Seas response to this consultation including the following statements:

- **Suggested addition to objective 1:** By 2026, measures for sustainability and biodiversity implemented under the Common Fisheries Policy are delivering positive outcomes for biodiversity.
- **Suggested addition to objective 1:** DHLGH will publish detailed site-specific management plans for all SACs and SPAs and details of the funding that will be made available to ensure the achievement of the targets in those plans.
- **Suggested addition to objective 1:** DHLGH and other relevant organizations will support projects focused on restoring marine habitats and species including native oysters, seagrass and saltmarsh.

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<sup>6</sup> <https://www.seadeepni.org/>

<sup>7</sup> <https://www.therayproject.org/>

- **Suggested addition to objective 2:** *Number and spatial coverage of designated MPAs within Ireland's maritime area reaches 30% by 2030 and achieves 'fully' protected status for 10% of Irish waters.*
- **Suggested addition to objective 4:** Avoiding, mitigating and minimizing biodiversity loss and decline will be central to the development of the revised Offshore Renewable Energy Development Plan (OREDPII) process by 2023, which will include biodiversity representatives.

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