



International and Offshore Energy Division
South Coast DMAP Submission
Department of the Environment, Climate and Communications
29 – 31 Adelaide Road
Dublin 2, D02 X285
Ireland

Dun Laoghaire, 14 June 2024

Subject: Public Consultation on the draft South Coast Designated Maritime Area Plan for Offshore Renewable Energy (SC-DMAP)

The North Western Waters Advisory Council (NWWAC) would like to thank the Department of Environment, Climate and Communications (DECC) for the opportunity to contribute to this consultation. Additionally, the NWWAC and the Pelagic Advisory Council (PelAC) are appreciative of the involvement of its representatives in updating the members of both ACs at a meeting of their joint Focus Group Spatial Dimension on 29 May. Following involvement in and contribution to the public consultation on the South Coast DMAP proposal in autumn 2023, both NWWAC and PelAC have continued taking an interest in the further development of the DMAP process.

In responding to the consultation, the membership of the ACs acknowledge and are committed to the importance of Offshore Wind Power in contributing to decarbonisation targets, climate change adaptation and energy security in this context in addition to efforts made in reducing land-based emissions and reduction in energy usage. However, in responding to the consultation, the NWWAC would like to highlight the following impacts and issues with the proposed SC-DMAP:

Biodiversity

The proposed plan includes the development of Area A by 2030 with Areas B, C and D earmarked for development in the decade following. One objective in the preparation of the draft SC-DMAP has been to avoid potential adverse impacts on biodiversity, EU protected sites, and future national protected site designations.

Following review of the available information, the NWWAC wishes to reiterate its concerns regarding the sites proposed for development within the SC-DMAP area due to their importance as spawning and nursery grounds for several commercially important species, including cod, whiting, haddock and herring. Impacts from surveys and construction can pose significant threats to these species, some of which are already under pressure. The latest ICES advice for cod in divisions 7.e-k is for zero catch in 2024, as has been for several previous years, and recruitment has diminished over the past number of years ([link](#)). Similarly, advice for whiting in ICES divisions 7.b-c and 7.e-k shows that recruitment is continually decreasing and stock biomass is low ([link](#)). Both stocks have been in a depleted state in the Irish Sea as well, and any impacts on these spawning and nursery grounds in the proposed SC-DMAP





area may, additionally, negatively affect Irish Sea stocks as well¹. While these difficulties have been and are continuously being addressed through fisheries management in the Celtic Sea and Irish Sea, (for example via avoidance and technical measures), the stocks have been slow to recover and any additional negative impacts that could further exacerbate these difficulties should be avoided. In addition, impacts (including spatial exclusion and displacement) from various project phases including survey, construction, operation and decommissioning are not solely restricted to the immediate area but can have wider reaching and cumulative impacts in the neighbouring areas adjacent to the project.

Constraint analysis

The importance of protecting spawning and nursery areas for fish and shellfish species cannot be overstated. Therefore, the NWWAC requests clarification regarding the weighting of these layers in the constraints analysis given that proposed areas B and C overlap directly with the Celtic Sea Conservation Area (Council Regulation (EU) 2019/1241 Annex VI, Part C, Art. 2.1²) established to protect gadoid species. It appears that the presence of designated sites such as SPAs and SACs was identified as a more important constraint rather than the presence of these areas that are vitally important for maintaining the biomass of various commercial species which reinforces the sector's concerns on the placement of the areas. Though commercial fish species do not fall under environmental protection, they contribute directly to food security not only in Ireland but across the European Union.

In the consultation documents DECC noted "*An analysis carried out by the Marine Institute of the fishing activity and spawning and nursery grounds taking place in the four Maritime Areas within the SC-DMAP area noted that the potential impact to these areas is unlikely to be severe to the stocks as a whole*". Following analysis by the AC, the Marine Institute report³ deals with the impact on fishing activity and the impact on spawning and nursery ground separately. However, at no point does the Marine Institute report state that the "potential impact to these areas is unlikely to be severe to the stocks as a whole" as concluded by DECC in their consultation documents from 03 May 2024. On the impact on fishing activity, the Marine Institute report clearly shows the economic impacts on the scallop fishery, whilst noting the lack of data from vessels <12s. In the summary it is noted "*If vessels are excluded from these areas or part of these areas, the scallop fishery is likely to be most strongly impacted because there is limited scope for displacement*". Whilst the impact will be most significant for Irish vessels there will also be a significant impact on Belgian vessels. The impact on other fisheries is more limited, but the

¹ While studies have been carried out on the mixing of stocks between the Irish Sea and the Celtic Sea, they have focussed mainly on movement of fish from the Irish Sea into the Celtic Sea, e.g. ICES WKIRISH 5 ([link](#)) which states "The results suggest that there is an area of stock mixing within cod of Celtic Sea and Irish Sea origin." Further studies are needed to establish movement of stocks from the spawning and nursery grounds in the SC-DMAP area to fully understand potential impacts.

² Under this Regulation, real-time closures can be used as a measure for protection of juvenile and spawning aggregations. ([link](#))

³ Overlap between proposed DMAP polygons and fishing activity, spawning and nursery grounds – Briefing document to DECC; Hans Gerritsen – Marine Institute – version 4, 24/04/2024





NWWAC believes that DECC should have presented the impacts transparently and fully acknowledged the scale of impact on the scallop fishery.

On the impact on spawning and nursery grounds, the Marine Institute noted the uncertainty in the data and recommended a *"risk- and precautionary-based approach when planning ORE activities"*. The Marine Institute also highlighted that *"the Marine Institute recommends that an update detailed assessment of essential fish habitat and a risk assessment in relation to ORE developments is carried out for this DMAP area"*. The NWWAC believes that this may be construed as the work should be carried out as part of the DMAP process covering the whole DMAP area and not as part of the individual development applications.

NWWAC members would appreciate clarification as to why the Marine Institute report was not included as part of the publicly available consultation documents and regarding the identified contradictions as outlined above.

The NWWAC also notes its concern regarding additional impacts from proposed developments in UK⁴ waters and would like to seek clarification regarding the extent to which both jurisdictions have assessed potential cumulative impacts on the same fish stocks as part of the work of the Specialised Committee on Fisheries as part of the Trade and Cooperation Agreement.

Related to the rating of the constraint layers, which was noted in the Maritime Area Identification Report⁵ as being "subjective, generalised for the whole of the study area and did not consider cumulative impact", members voiced their concerns that the highly important scallop fishery in the proposed development area was not rated as a higher constraint. As scallops have limited mobility, installing fixed wind turbines directly in the area of this important fishery is likely to disturb the stocks. It will prevent the fishery to continue to the same extent. This is despite the much-welcomed overarching policies to put coexistence on a statutory basis and the provision for no mandatory exclusion of fisheries in future ORE Projects as developed by the Seafood ORE Working Group set up in Ireland. The NWWAC points out that this is the most important scallop fishing area within the Irish EEZ and any overlap or reduction in access will have significant adverse socio-economic impacts on the impacted fleets. There is only limited evidence currently that even if permitted to do so, whether mobile gear fisheries can be carried out safely in the vicinity of wind turbines. This includes scallop dredging.

The NWWAC would further like to request clarification of the commercial fisheries data used in the constraint analysis. It should be clarified whether this data comprised Irish or International effort data or if it was based on Irish landings, all of which is available from the Marine Institute's Atlas of Commercial Fisheries⁶. Further the temporal period of the data and the métiers included should be specified as this is critical to understanding the appropriateness of the data. It is also unclear as to how much interaction and data from non-Irish fleets operating in the proposed areas has been considered in the analysis given the data aggregation used.

⁴ The Crown Estate Project Development Areas ([link](#))

⁵ ([link](#))

⁶ ([link](#))





Conflicts with the National Marine Framework Plan

The current plan seems to solely consider coexistence of ORE developments with the fisheries sector, and members believe that this is contrary to Policy 1 of the National Marine Framework Plan (NMFP)⁷ which states as a first preference that *“Proposals that may have significant adverse impacts on access for existing fishing activities, must demonstrate that they will, in order of preference: (a) Avoid, (b) Minimise, or (c) Mitigate such impacts (d) if it is not possible to mitigate significant adverse impacts on fishing activity, the public benefits for proceeding with the proposal that outweigh the significant adverse impacts on existing fishing activity must be demonstrated.”*

While the proposed plan includes the development of a Fisheries Management and Mitigation Strategy (FMMS), policy 2 of the NMFP identifies that the developer of a proposed ORE shall prepare same. The NWWAC is of the opinion that as DECC is putting forward the development plan and change of use for this area, the preparation of an FMMS falls under its remit rather than the remit of the commercial developer during project development.

Members of both NWWAC and PelAC are looking forward to the potential refinements following the publication of the awaited Celtic Sea Ecological Sensitivity Analysis report and inclusion of the findings in the SC-DMAP. They would also like to express their concern at the apparent lack of coordination between the SC-DMAP process and the Celtic Sea Ecological Sensitivity Analysis as the results of the latter are expected to provide additional information which should have been considered in the SC-DMAP proposal prior to going to public consultation.

While coexistence is set as a condition for development of the identified sites, experience at sea has shown that fishing within ORE developments is often difficult or mutually exclusive due to factors such as the type of fishing and safety concerns by fishers. Any potential development must take fully into account the metier of the fishery currently located within the development area and ensure full coexistence with this metier in line with the objectives of the SC-DMAP. Any safety concerns must be addressed directly with the fishing industry and appropriate training provided where needed.

Cumulative effects

Members also raised concerns regarding impacts on stratification, turbulence and primary production during both construction and operational phase. In this regard, the AC would like to draw attention to the extensive research carried out by the Wozep ecological programme ([link](#)) and especially the results from ecosystem modelling. The AC recommends that the proposed research and monitoring programme considers the most up to date scientific knowledge and modelling expertise available in Ireland as well as that of other Member States.

In the past, both Advisory Councils have addressed the potential impacts from offshore wind energy developments. In this regard, the Acs highlight recommendation made to the European Commission which are relevant to this proposal, and included in the [NWWAC/PELAC/NSAC advice for a non-](#)

⁷ ([link](#))





recurrent request to ICES on impacts of wind energy developments. This advice highlights for example the knowledge gaps in relation to cumulative effects. Questions raised in this submission are directly relevant to the proposed developments in the SC-DMAP area and should be considered when undertaking relevant surveys, modelling, environmental impact assessments as well as appropriate assessments.

Following their joint workshop in May 2022, the NWWAC and PelAC submitted Joint advice on the impacts of underwater noise and offshore wind energy developments on commercial fisheries. Again, recommendations made in this submission are directly relevant to the proposed development. Included in this recommendation are the ACs' comments on the Recommendations in the European Commission's "Overview of the effects of offshore wind farms on fisheries and aquaculture (EASME/EMFF/2018/011 Lot 1: Specific Contract No. 03)" and the Recommendations from the European Marine Board's "Addressing underwater noise in Europe, Future Science Brief No 7 October 2021". Both documents contain valuable information, and the ACs' additional comments made in their joint submission should be considered as part of this public consultation process.

Links to additional relevant NWWAC and other publications are included in the attached annex.

We would like to thank the Department of the Environment, Climate and Communications for the opportunity to participate in this consultation and trust that the information provided in this response will be considered when evaluating the potential project development of the SC-DMAP area.

Please do not hesitate to contact us should you need any further information or clarification on specific items.

Yours sincerely,

Emiel Brouckaert
NWWAC Chairman





Annex

List of relevant submissions and other information

- [NWWAC/PELAC advice for non-recurrent request to ICES on seismic impacts](#), 04 August 2020
- [NWWAC/PELAC/NSAC advice for a non-recurrent request to ICES on impacts of wind energy developments](#), 04 November 2020
- [Report from the NWWAC/PelAC workshop on the impacts of seismic and offshore wind energy developments on commercial fisheries](#), 25 July 2022
- [NWWAC/PELAC Workshop on the impacts of seismic and offshore wind energy developments on fisheries](#), 10 May 2022
- [Joint NWWAC/PelAC advice on the impacts of underwater noise and offshore wind energy developments on commercial fisheries](#), 11 October 2022
- [NWWAC/NSAC/MAC Workshop on Brown Crab](#), 16 May 2023
- [Joint NWWAC/NSAC/MAC Advice on Brown Crab](#), 22 September 2023
- European Parliament resolution of 7 July 2021 on the impact on the fishing sector of offshore wind farms and other renewable energy systems ([2019/2158\(INI\)](#))
- European Court of Auditors [Special Report 22/2023: Offshore renewable energy in the EU](#)

Projects & publications

[ElasmoPower](#) project, Wageningen University

Harsanyi, P., Scott, K., Easton, B.A., de la Cruz Ortiz, G., Chapman, E.C., Piper, A.J., Rochas, C.M. and Lyndon, A.R., 2022. The Effects of Anthropogenic Electromagnetic Fields (EMF) on the Early Development of Two Commercially Important Crustaceans, European Lobster, *Homarus gammarus* (L.) and Edible Crab, *Cancer pagurus* (L.).

Scott, K., Harsanyi, P., Easton, B.A., Piper, A.J., Rochas, C. and Lyndon, A.R., 2021. Exposure to Electromagnetic Fields (EMF) from Submarine Power Cables Can Trigger Strength-Dependent Behavioural and Physiological Responses in Edible Crab, *Cancer pagurus* (L.). *Journal of Marine Science and Engineering*, 9(7), p.776.

Scott, K., Piper, A. J. R., Chapman, E. C. N., and Rochas, C. M. V., 2020. Review of the effects of underwater sound, vibration and electromagnetic fields on crustaceans. *Seafish Report*.

Scott, K., Harsanyi, P. and Lyndon, A.R., 2018. Understanding the effects of electromagnetic field emissions from Marine Renewable Energy Devices (MREDs) on the commercially important edible crab, *Cancer pagurus* (L.). *Marine pollution bulletin*, 131, pp.580-588.

