



On the Draft South Coast Designated Maritime Area Plan for Offshore Renewable Energy (SC-DMAP - Public Consultation)

A submission from The Seafood Industry Representatives' Forum

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1. Summary

The Seafood Industry Representatives Forum (SIRF) is a collective of eight Irish fishing and aquaculture industry representative organisations, formed to jointly address the issues and challenges associated with Marine Spatial Planning (MSP), in particular ORE development, and the potential impacts on the seafood sector.

In responding to the public consultation on the Draft South Coast Designated Maritime Area Plan for Offshore Renewable Energy (SC-DMAP), the SIRF acknowledge the importance of Offshore Renewable Energy (ORE) in contributing to decarbonisation targets, climate change adaptation and energy security, in addition to efforts required in reducing land-based emissions and reduction in energy usage. To this end the SIRF are committed to actively participating in the identification of appropriate sites for future ORE development. However, the SIRF would like to highlight the following issues with the proposed SC-DMAP:

- The Overarching and Fisheries Policies stipulated in the National Marine Planning Framework have not been applied as there was no attempt to avoid, minimised or mitigate the potential impact on commercial fisheries and essential fish habitats during the identification of the four SC-DMAP areas.
- Commercial fisheries were only considered in the context of co-existence and co-location and DECC have not demonstrated how avoidance of significant adverse impacts on commercial fisheries and essential fish habitats was considered as the preferred option.
- Fishing grounds and aquaculture sites are key food production areas and should be formally recognised as such. Fishing grounds cannot be relocated as they are based on the presence of the target species, whilst aquaculture sites are based on range of factors including local hydrographic conditions and available food source for filter feeders. The selection of areas for ORE development based solely on their economic attractiveness to developers is not appropriate and should include other critical factors including food production in future analyses.
- The constraint analyses openly applied subjective criteria to aid in the selection of areas which were deemed technically and economically attractive for ORE development despite likely significant impact on fishing activity and marine species.
- Significant potential impacts to commercial fisheries highlighted by the Marine Institute were not transparently communicated in the publicly available consultation documents.
- Three out of the four SC-DMAP areas are located outside the 12 nm zone and the fisheries within them are managed under the EU Common Fisheries Policy. The Marine Institute highlighted the potential impact on international fishing fleets, but this was not effectively communicated internationally through the public consultation.
- A Fisheries Management and Mitigation Strategy (FMMS) should be developed as part as the SC-DMAP process and not at a later stage on a project-by-project basis.
- The FMMS should assess the potential socio-economic impact of planned ORE development on the affected fisheries and the associated processing sectors and should include all direct, indirect, and cumulative / in-combination impacts, from all ORE developments planned or envisaged.
- The Marine Institute's recommendation that a detailed assessment of essential fish habitat and a risk assessment in relation to ORE developments be conducted for the DMAP area was not communicated in the publicly available consultation documents nor was it acted upon in the analyses undertaken.

- The commercial fisheries and fish spawning and nursery data layers were stated as “*being presented for informative purposes only*”, with it noted that “*Detail on fishery activity for the region will come from engagement with the stakeholders*” and that the spawning and nursery dataset would “*require ground truthing and further engagement with stakeholders at a project level*”. If data were not considered complete or valid for analytical inclusion, then there should have been no refinement of the larger DMAP area until such analyses were undertaken. Any refinements should have been made based on complete datasets and applying an inclusive and balanced approach between the different maritime factors, users and activities.
- Given the stated need for engagement with stakeholders to provide missing data, the SIRF advocate for the establishment of, and full participation in, an expert working group that would undertake to develop a Multi-Criteria Decision Analysis Tool that properly accounts for all sectors in the refinement of the SC-DMAP area. Such an undertaking would be in line with other national MSP initiatives including the MPA process, which has repeatedly stressed the need for participation and not just consultation in such processes. The group should be properly resourced to enable full participation from all relevant seafood organisations, including fishing, processing and aquaculture organisations, and other interest groups.

In summary, for the reasons stated above, the Seafood Industry Representatives Forum:

- Do not agree with the four maritime areas identified for future offshore wind development in the draft SC-DMAP.
- Do not agree that the draft SC-DMAP policy objectives and governance approach will support and guide its sustainable and coherent implementation. To date there has been no implementation of the NMPF fisheries policies.
- Do not agree that co-existence should be the primary focus of the SC-DMAP as the NMPF clearly states that in order of preference proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, or c) mitigate significant adverse impacts on existing activities and maritime users. As demonstrated in the constraint analyses, commercial fisheries and essential fish habitats were effectively disregarded in the process to date.
- Conclude that the plan-led framework set out in the SC-DMAP appears to be *primarily* a prioritisation exercise for selecting technically and economically attractive sites for ORE developers without balanced consideration for existing maritime activities. Site selection that takes proper account of commercial fisheries is absent or, at best, delayed until later in the development process (possibly as late as project stage). As such, the plan-led approach is, unfortunately, proving to be only a minor improvement on the Phase One process.

2. Background

The South Coast Offshore Renewable Energy Designated Maritime Area Plan (DMAP) Proposal was published by the Department of the Environment, Climate and Communications (DECC) on 14 July 2023 and a Public Engagement Survey launched on the 1 August 2023. The Seafood Industry Representatives Forum (SIRF) made a submission to the Public Engagement Survey in October 2023 and outlined in detail the vital need for inclusive, balanced and comprehensive Marine Spatial Planning (MSP) and the recognition and implementation of the existing policies in the National Marine Planning Framework (NMPF) in relation to ORE development.

The NMPF defines MSP as “a process that brings together multiple users of the ocean to make informed and coordinated decisions about how to use marine resources sustainably” and states that all proposals that assist the State in meeting the Government’s ORE targets will be rigorously assessed to ensure compliance with environmental standards and to minimise impacts on the marine environment, marine ecology, and *other maritime users*.

Central to the NMPF is a series of overarching and sectoral marine planning policies, which apply to all proposals capable of impacting the maritime area, including the South Coast DMAP. The NMPF is clear that these policies must be considered and applied in full if any plan is to be considered in compliance with the NMPF.

The overarching policy specifies that proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, or c) mitigate significant adverse impacts on the subject matter of the policy including Seafood/Fisheries (*Fisheries Policy 1* and *Aquaculture Policy 2*). To comply with this requirement, proposals must demonstrate how avoidance of significant adverse impacts is considered as the preferred option. Further, if the proposal demonstrates that significant adverse impacts cannot be avoided, the proposal must then proceed to consider minimising significant adverse impacts. Finally, if the proposal demonstrates that significant adverse impacts cannot be avoided or minimised the proposal must then proceed to consider measures to mitigate these impacts.

Co-existence is also considered within the NMPF with the stated objective of encouraging effective use of space to support existing and future sustainable economic activity and also mitigation of conflicts and minimisation of the footprint of proposals. The *Co-existence Policy 1* states that proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate. If proposals cannot avoid significant adverse impacts (including displacement) on other activities they must, in order of preference: a) minimise significant adverse impacts, b) mitigate significant adverse impacts, or c) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.

The NMPF commits the Government to the use of sub-national forward spatial planning through the establishment of Designated Maritime Area Plans (DMAPs). DMAPs can be used to develop multi-activity area plans; to promote use of specific activities, including for example offshore renewable energy; and/or for the purposes of the sustainable use and protection of particular marine environments. In the case of the South Coast DMAP it is important to recognise that it, as a specific plan for offshore renewable energy, has the stated aim of facilitating an initial development of 700-900 megawatt (MW) of offshore wind capacity by 2030, and subsequent future development stages beyond 2030. The establishment of the SC-DMAP gives effect to the decision by the Government and the Oireachtas in 2023 that, as part of the new national plan-led regime for ORE, all post-Phase 1 offshore wind developments in Ireland will be located within maritime areas identified for this purpose by Government through the establishment of DMAPs.

3. South Coast DMAP and areas identification

The Public Consultation on the Draft South Coast Designated Maritime Area Plan for Offshore Renewable Energy (SC-DMAP) opened on the 3 May 2024. The concerns raised by the Seafood Industry Representatives’ Forum (SIRF) and submitted to the DECC during the Public Engagement

Survey in 2023 unfortunately appeared to have been realised with the proposed areas likely to have a significant direct impact on existing fishing activity and further unknown indirect and cumulative impacts.

The SIRF believe that the draft SC-DMAP process has not implemented the NMPF Fisheries Policies correctly and that little attempt has been made to avoid, minimise or mitigate the impact on fishing grounds and existing fishing activities as required by the NMPF. Commercial fisheries have only been considered in the context of co-existence and co-location and there appears to have been little attempt to minimise the footprint of proposed areas and avoid adverse impacts on the fishing activities therein.

In order to further understand the selection of the four SC-DMAP areas from the larger initial draft DMAP area it is informative to map a selection of the different exclusions and higher rated constraints (Figure 1). Two technical exclusions were defined as water depths greater than 75 m and areas of exposed bedrock. The SIRF would content that these were excluded not because it is not possible to install offshore wind turbines in these areas but instead due to potential increased installation costs and a decreased availability of suitable installation vessels capable of operating at greater depths.

The original DMAP area was further refined through the constraint analyses detailed in the *South Coast Designated Maritime Area Plan: Maritime Area identification* report. By its' own admission this analysis is *“subjective, generalised for the whole of the study area and did not consider cumulative impact”*. The constraint ratings scale applied to the data layers was focussed on judging whether a constraint was likely to have an impact on development and how significant that impact would be. A constraint rating of 5 was the highest and considered *“likely to preclude development”* as *“disturbance of the attribute would cause permanent loss, and/or represent a direct conflict where co-location or co-existence with offshore wind cannot be facilitated”*. A constraint rating of 1 was the lowest data-based constraint and considered to confer *“no likely constraint”* as the *“attribute would be of low to negligible susceptibility to impact from offshore wind with a high degree of recoverability. Opportunities for co-location / co-existence with offshore wind are possible”*. A further, more detailed breakdown of the constraint scores was provided by DECC on the consultation website on the 7 June 2024 (*SC-DMAP Workbook 1 – Draft Environmental Data Log*), following a request by members of the SIRF for greater transparency in the constraint analyses. This document provided a list of the datasets and data layers used in the analyses and also the constraint scores and reasons for the scores.

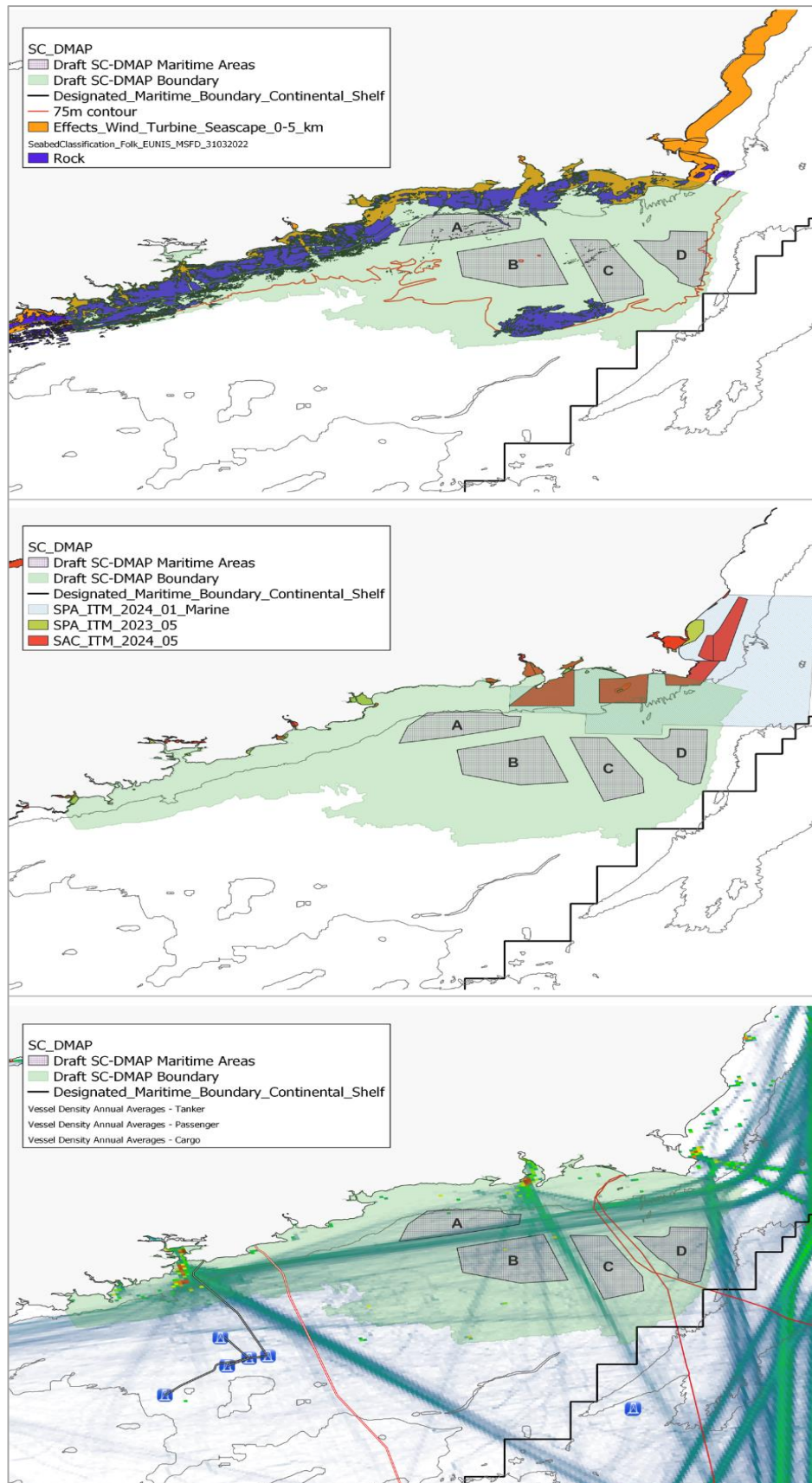


Figure 1. (top) technical exclusions and seascape 'hard' constraint (middle) Environmental protection 'hard' constraints (bottom) marine installations and shipping lane 'hard/significant' constraints on the identification of the SC-DMAP areas.

A number of 'hard' constraints were identified which significantly reduced the available space within the proposed DMAP area. A 5km exclusion zone on the coast was applied as the *Seascope* was given a rating of 5 as there was considered to be *"a high likelihood that this technical constraint would not only cause significant cost increases and or significant schedule delays, but also have substantial objections to the closeness to shore (with particular relevance for the Copper Coast)"*.

The SC-DMAP is also explicit in its attempts to avoid overlap of the chosen areas with Natura 2000 sites designated under the Birds and Habitat Directives or areas proposed as Natura 2000 sites but not yet designated. These were given a constraint rating of 4, *"as SAC habitats are less likely to recover if disturbed through construction activities"* and in the case of the SPAs *"as mitigation may be required based on a site-specific assessment"*. The high rating and the overlap of these areas with each other effectively rendered them as a hard constraint and exclusion zone (Figure 1).

Marine Installations such as pipelines, cables and navigation buoys were also rated as 4-5 and effectively considered to be hard constraints (Figure 1). Finally, high-density shipping lanes (tanker, cargo and passenger) were given a high rating as it was considered as *"a high likely technical constraint causing significant cost increase and / or significant schedule delays (which could include avoidance out of precaution, or micro siting of the turbines). Higher levels of vessel movements in an area per month would mean that survey and construction activities would cause significant disruption to vessel routes for other industry"*.

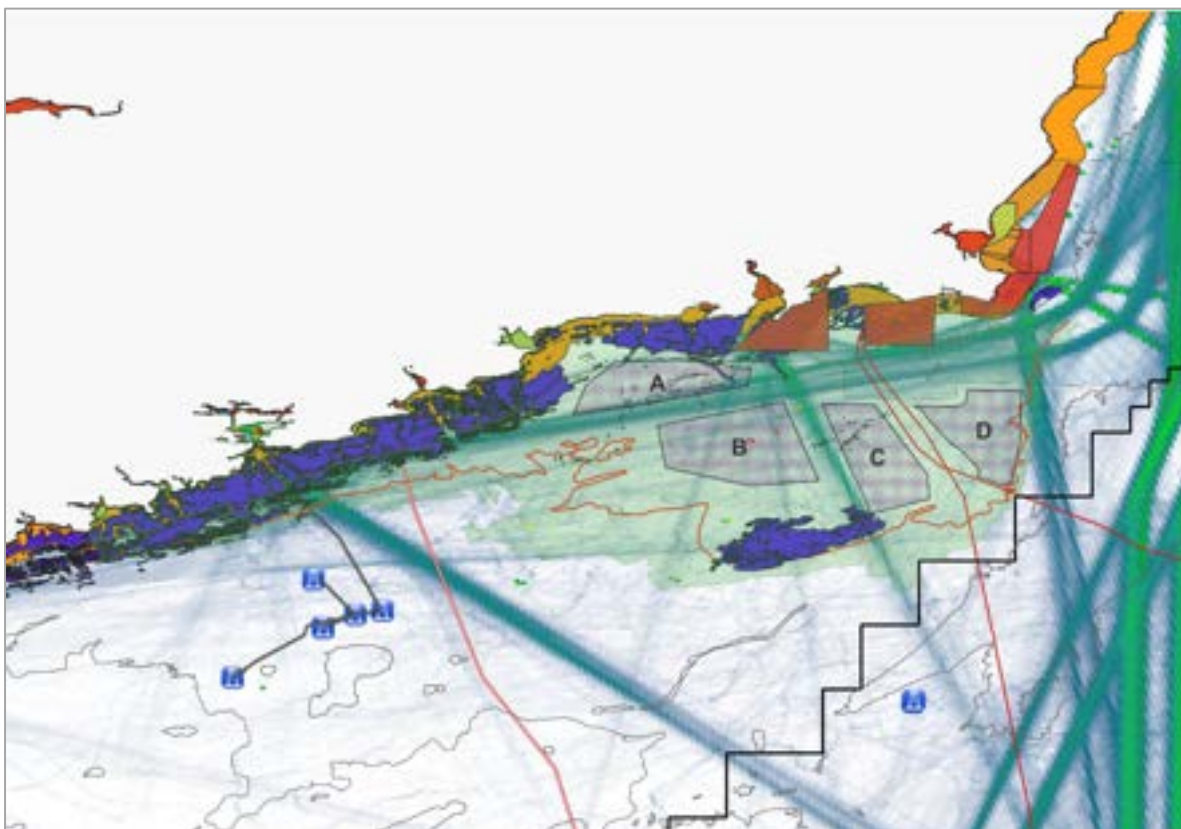


Figure 2. Combined technical exclusions and 'hard' environmental, marine installation and shipping lane constraints identified around the draft SC-DMAP areas.

The area available to the DMAP was significantly reduced once the aforementioned exclusions and constraints were compiled into a single layer (Figure 2). The only inshore area available was Area A, whilst the offshore areas (outside the 12 nm) largely aligned with the proposed Areas B-D. In effect

the four areas identified align with the available space after the self-identified technical exclusions and subjectively rated high level constraints have been applied.

Table 1. Constraint ratings applied to commercial fisheries layers in the SC-DMAP area identification analysis.

Data provider	Layer	Sub/layer	Constraint Rating	Added in the current
Marine Institute	Fishing Method All Gears	0-17	2	Yes
		17-45	2	Yes
		45-85	2	Yes
		85-146	2	Yes
		146-238	2	Yes
		238-367	2	Yes
		367-815	2	Yes
		815-3065	3	Yes
		0 - 4	1	No
		4 - 15	1	No
	Fishing Method Mobile Bottom	15 - 30	2	No
		30 - 48	2	No
		48 - 70	2	No
		70 - 106	2	No
		106 - 174	2	No
		0 - 1	1	No
		1 - 3.7	1	No
		3.7 - 9.2	1	No
		9.2 - 24.5	1	No
		24.5 - 75	1	No
	Fishing Method Mobile Other	75 - 420	2	No
		420 - 724	2	No
		724 - 2023	2	No
		0 - 1	0	No
		1 - 4	1	No
		4 - 8	1	No
		8 - 12	1	No
		12 - 16	1	No
		16 - 22	1	No
		22 - 28	1	No
Fishing Method Mobile Seine	28 - 34	1	No	
	0 - 1	0	No	
	1 - 5	1	No	
	5 - 12	1	No	
	12 - 22	1	No	
	22 - 32	1	No	
	32 - 44	1	No	
	44 - 62	1	No	
	62 - 98	1	No	
	Ireland's Marine Atlas	Inshore Bottom Trawl Fishing		1
Inshore Dredge Fishing			2	No
Inshore Line Fishing			2	No
Inshore Mid-water Trawl Fishing			2	No
Inshore Nets Fishing			1	No
Inshore Periwinkle Harvesting			1	No
Inshore Pot Fishing			2	No
EUTRADE	VMS Vessel > 15m fishing intensity areas		2	No
OceanWise	6 Mile, UK		1	No
	6 Miles Wales Limit		1	No

The question is where do other marine activities such as commercial fisheries and sensitive habitats such as spawning, and nursery grounds fit into the analyses? Activities within 5 km of the coast were

protected due to the 5 km seascape exclusion zone but activities further offshore appear to have been disregarded. The *Maritime Area identification* report indicated that nine layers were included in the commercial fisheries constraint analysis though no further information on the content of the layers was provided. Further information was made available on the 7 June in the *SC-DMAP Workbook 1 – Draft Environmental Data Log*, and for ease has been compiled in Table 1 of the current document.

During the review of the constraint ratings of the commercial fisheries layers it was not clear which nine layers were included in the analyses in the *Maritime Area identification* report, and which were omitted. Further it was not clear whether the fishing layers were based on effort or landings and whether the data only included Irish vessels or whether it was based on international data. DECC clarified that only Irish effort data 2018-2022 were included in the offshore analyses, whilst the inshore data were from the Marine Institute's Marine Atlas and comprised data that was created in support of the Natura 2000 risk assessment in 2013.

As three out of the four SC-DMAP areas are located outside the 12 nm zone and the fisheries within them are managed under the EU Common Fisheries Policy it is a significant oversight that international fishing effort was not included in the analyses. Further the inshore data included is over 10 years old and it is not scientifically appropriate to conclude that this data is representative of the current inshore fisheries without some form of ground truthing.

Regardless, two things are immediately obvious when the commercial fisheries ratings were reviewed. The first being that the layers were split into 7-8 sublayers, the basis of which is not described and does not appear to align with existing effort data published by the Marine Institute. The specific details of the data used in the analyses should be clarified and all original data files made publicly available for transparency. Secondly it is clear to see that 53% of the commercial fisheries sub-layers were rated as 1 and 41% rated as 2, which were described respectively as “*a low and medium likely technical constraint causing significant cost increase and / or significant schedule delays*” (Table 1). The impact on the fisheries was not considered in the rating but only the constraint on the potential development of the sites for ORE. As fisheries were deemed to be movable and replaceable with ORE without major increases in cost or time delays, they have been rated lower in the constraint analysis than environmental factors or other marine activities. The SIRF's conclusion from this is that the output of the analysis is biased against fisheries and the approach is in contravention of NMPF Fisheries Policy 1 which, states “*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.*”

It is noteworthy that the ratings scores for fisheries, as provided by the consultants, all include the following caveat “*Data is being presented for informative purposes only. Detail on fishery activity for the region will come from engagement with the stakeholders*”. This raises the question of whether the analyses were actually completed by the consultants and approved for use in the identification of the four SC-DMAP areas or whether further analyses are required?

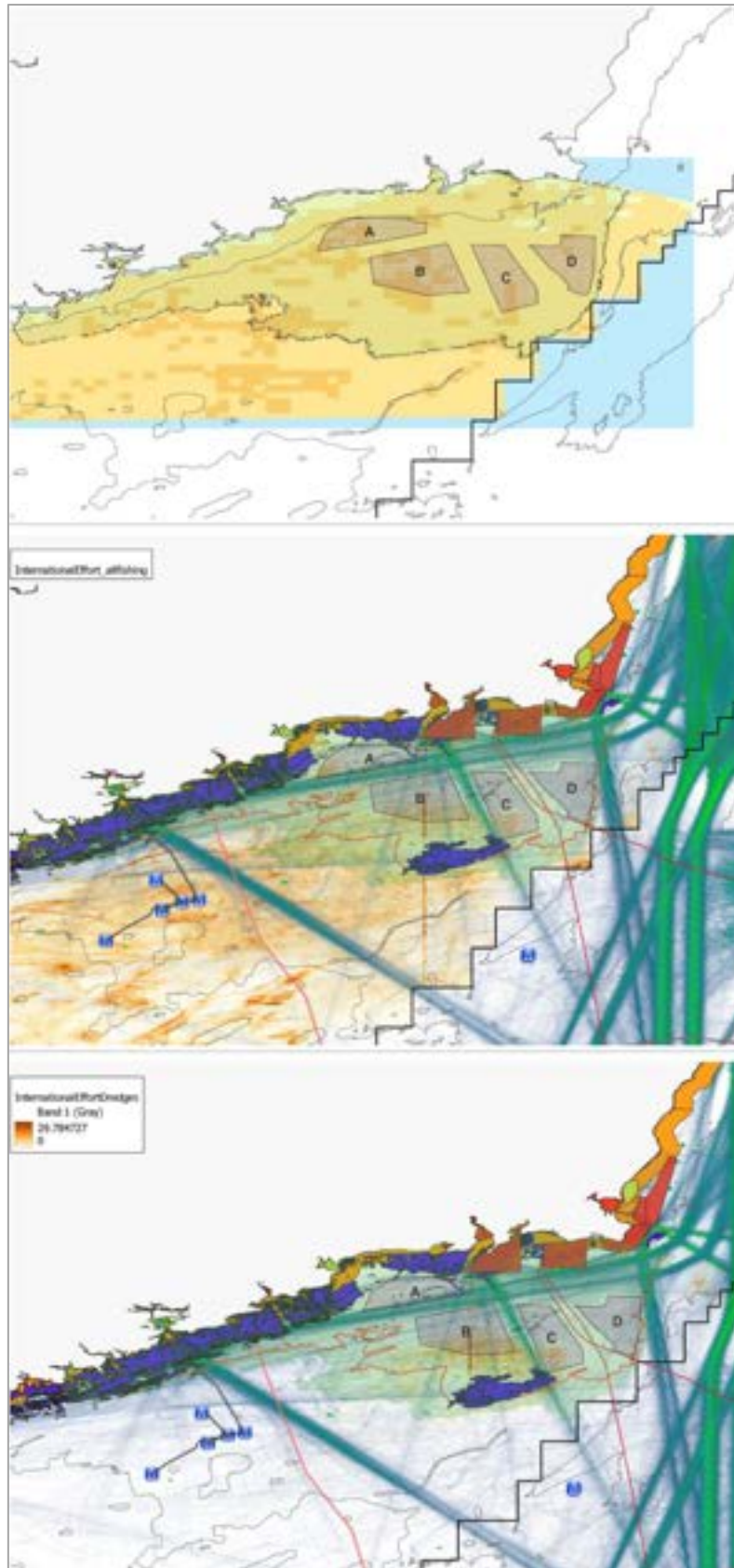


Figure 3. (top) commercial fisheries constraints layer overlaid with the draft SC-DMAP areas (middle) combined technical exclusions and 'hard' environmental, marine installation and shipping lane constraints and international fishing effort (bottom) combined technical exclusions and 'hard' environmental, marine installation and shipping lane constraints and Irish Dredge fishing effort.

The output from the constraint analysis of commercial fisheries inevitably and predictably indicated that constraints were lower than the other higher rated activities and sectors (Figure 3). Within the consultation documents there was little mention of overlap with existing fishing effort and the potential for displacement with the four areas identified. When the Marine Institute’s fishing effort data 2018-2022 is overlaid with the proposed areas it is clear that there is significant fishing effort in some of the proposed SC-DMAP areas and in particular the Irish dredge fishery for scallops in areas B and C (Figure 3). As such, any development in these areas would have a significant adverse impact on access for the existing fishing activities as defined in the NMPF and further analyses and refinement of the area undertaken in the process should have aligned with *Fisheries Policy 1 - (a) Avoid, (b) Minimise, or (c) Mitigate*. Why this overlap and likely potential impact on an important Irish fishery was not clearly presented in the publicly available consultation documents is not clear and should be addressed by the DECC.

One might assume that the DECC were not aware of the overlap and potential impact and the need to implement the policies within the NMPF. However, in the main consultation document it noted that *“An analysis carried out by the MI 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”*. This report was not made publicly available as part of the SC-DMAP consultation process but was requested from and supplied by the Marine Institute.

The analyses within the Marine Institute report clearly highlighted the overlap with the scallop fishery (Figure 4) and noted that *“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”*. It also noted that the Belgian fleet would also be significantly impacted and the French, Spanish and UK fleets to a lesser extent, thus highlighting the need for international consultation and coordination during the SC-DMAP process.

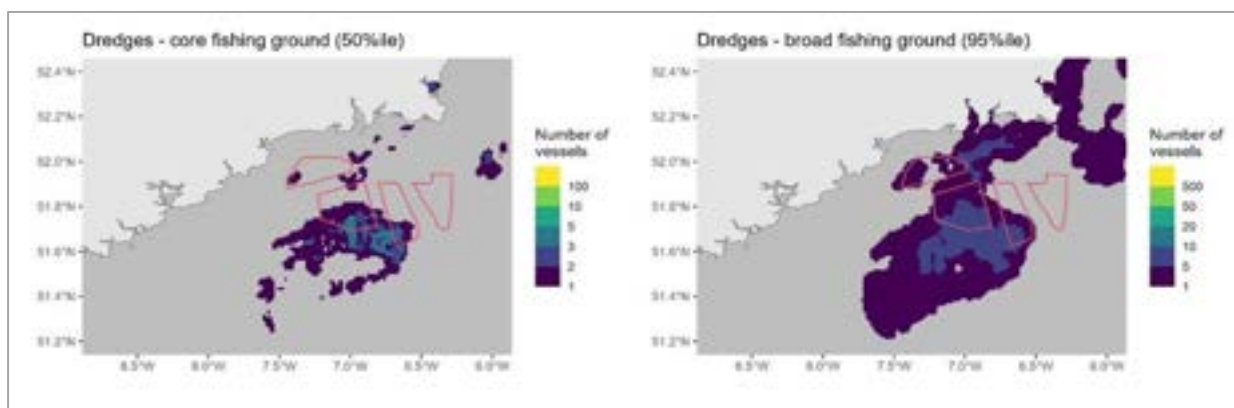


Figure 4. From the Marine Institute Report - Dredges: the northern part of the main scallop grounds in the Celtic Sea overlaps with some of the polygons. A relatively small number of vessels are involved in this fishery but displacement from the ORE areas may have significant impact on these vessels. There is also considerable dredging activity by vessels under 12m (not included in these maps) but this is likely to be mostly close to shore.

4. Overlap with essential fish habitat, spawning and nursery grounds

The main consultation document stated that “*there is a partial overlap between the four Maritime Areas with the spawning areas of cod, haddock and whiting and with nursery grounds of haddock, hake, horse mackerel, mackerel, megrim and whiting, but not herring which requires very specific sediment types*”. As noted above there was also a reference to the Marine Institute report which stated that the report “*noted that the potential impact to these areas is unlikely to be severe to the stocks as a whole*”. Taken at face value it would appear that there were no concerns about the potentially negative impact of development of the four SC-DMAP areas for ORE on the essential fish habitats present.

Interestingly, the Marine Institute report did not conclude that there would be no severe impacts to the stocks but instead stated in bold 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*”. This clear recommendation appears to have been misinterpreted in the reference to the Marine Institute report in the main consultation document. The Marine Institute further recommended “*a risk- and precautionary-based approach when planning ORE activities. This might involve a prioritised listing the main species\receptors likely to be present (based on data and evidence where available otherwise based on local knowledge and expert opinion). The likely spawning time, spawning behaviour, preferred habitat etc. can be elucidated from the literature. All potential effects\pressures should be listed along with proposed mitigation measures*”. The SIRF’s interpretation of the recommendations is that the necessary analyses should be conducted as part of the DMAP process and not as part of individual developments.

Table 2. The constraint ratings applied to Fish and Shellfish layers in the SC-DMAP area identification analysis.

Data provider	Layer	Constraint	Added in the current
Ireland's Marine Atlas	Hake Nursery	1	No
	Herring Nursery	1	Yes
	Horse Mackerel Nursery	1	No
	Horse Mackerel Spawning	1	Yes
	Mackerel Nursery	1	No
	Mackerel Spawning	1	Yes
	Megrim Nursery	1	Yes
	Megrim Spawning	1	Yes
	White Belly Angler Monk Nursery	1	No
	Whiting Nursery	1	Yes
Whiting Spawning	1	Yes	
Marine Institute	Basking Shark Distribution	2	No
	Key Shellfish beds	3	No
	Scallop habitats	3	No

The constraint analyses also considered *Fish and Shellfish* with a focus primarily on essential fish habitats such as spawning and nursery habitats. The *Maritime Area identification report* indicated that fifteen layers were included in the Fish and Shellfish constraint analysis but only fourteen were included in the *SC-DMAP Workbook 1 – Draft Environmental Data Log* (Table 2) with associated ratings and only seven were included in the heat map presented as Figure B.6 E6 in the *Maritime Area identification report*. Data for Cod appears not to have been included in the constraint analyses, which is a concern given that the areas overlap with the Celtic Sea Conservation Area (Council Regulation (EU) 2019/1241 Annex VI, Part C, Art. 2.1), which is specifically targeted at protecting Cod spawning

grounds. The Marine Institute report also clearly shows the significant overlap of the Celtic Sea Cod spawning grounds with the proposed SC-DMAP areas (Figure 5).

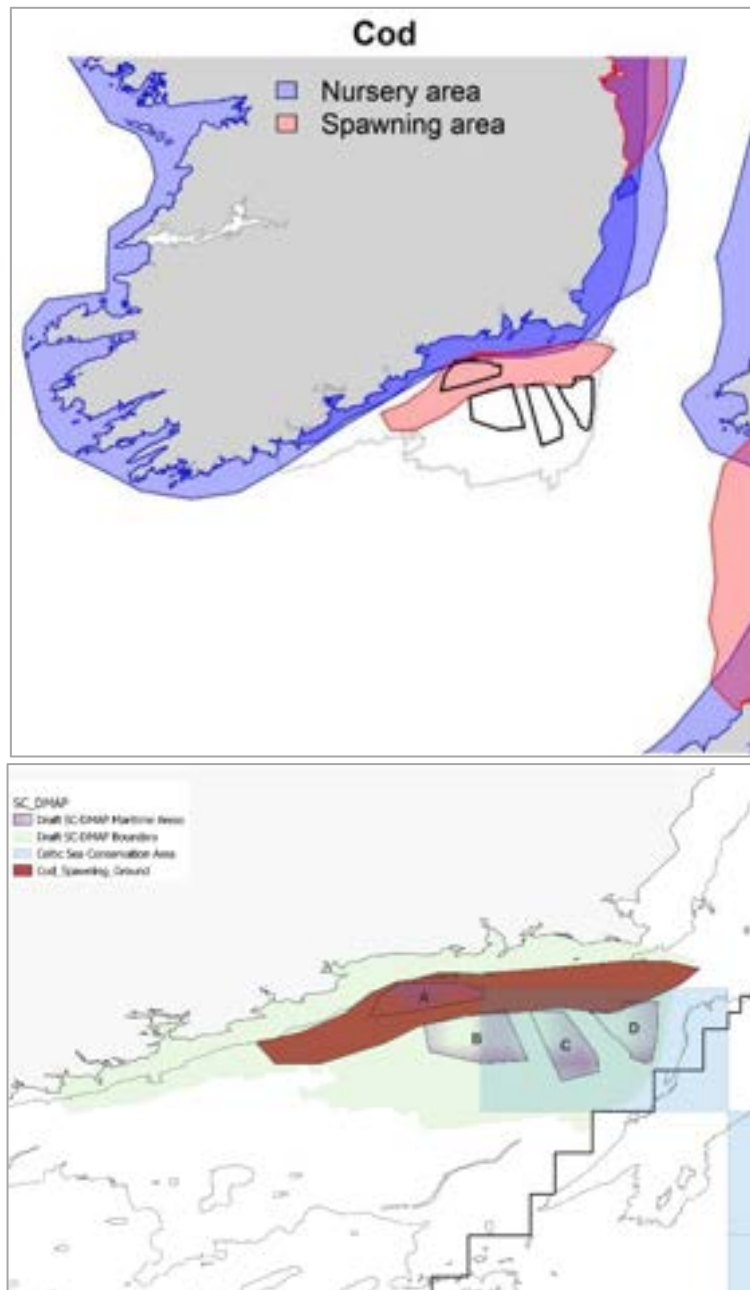


Figure 5. (left) From the Marine Institute Report. The overlap of the SC-DMAP areas with the Celtic Sea Cod spawning grounds. (right) the overlap of the SC-DMAP areas with the Celtic Sea Conservation Area.

The spawning and nursery grounds that were considered in the constraint analyses were all rated as 1 in a similar approach taken with the commercial fisheries activity as it was considered that *“there is a low likely technical constraint causing significant cost increase and / or significant schedule delays”*. The sensitivity of the areas was not taken into account. This is surprising as, noted above, some of these areas are afforded protection at EU level but this has been disregarded at national level, which is a contradiction within the analyses considering the high ratings applied to the Natura 2000 sites and the stated aim of avoiding impact on those areas.

Like the commercial fisheries constraint analyses, it was noted for each spawning and nursery layer that *“Data is being presented for informative purposes only. This data set will require ground truthing and further engagement with stakeholders at a project level”*. It appears again that the consultants considered that the data was not complete at the time of analyses. If this was the case, how were the data considered complete enough to refine the larger initial draft DMAP area down to four draft SC-DMAP areas. To the SIRF it appears, the refinement was based on selecting the most suitable sites for ORE development from a technical and economic suitability point of view regardless of the potential impact on fishing activities and marine species.

This point is further confirmed by the failure of the DECC to wait for the Ecological Sensitivity Analysis (ESA) of the Celtic Sea to be finalised by MPA Advisory Group. That analysis will help to inform future designations of MPAs within the Celtic Sea as underpinned by the MPA legislation, once enacted. It seems logical that this information should have been made publicly available and considered in the context of the constraint analyses prior to the identification of the four SC-DMAP areas being completed. The main consultation document stated that DECC had engaged with the group to provide it with information and data from the draft SC-DMAP. However, this process should in reality have been performed in reverse with the MPA Advisory Group feeding the data that they have compiled into the SC-DMAP process. One would hope that the four areas identified based on the limited and biased constraint analyses have not been considered as a cost layer within the ESA as was the case with the Phase 1 projects and the ESA of the Irish Sea in 2023.

It is clear that there are many data gaps and research needs concerning the identification of sensitive habitats and the assessment of potential impacts from ORE development on them. There is also a significant need to understand the potential impact of ORE developments on hydrography, sedimentation and plankton abundance and distribution, which are a critical food source many fish and aquaculture species. Whilst DECC acknowledged the need for a dedicated research programme to monitor the impacts of ORE on marine species and ecosystems, they suggested that this can be developed as part of the implementation and monitoring of the SC-DMAP (i.e. it can be done as part of the project development). Thorough analyses should have been conducted as part of the refinement process of the DMAP areas and in fact analyses of this type were being conducted by the MPA Advisory Group. This would be more in keeping with the Marine Institute’s recommendation to apply *“a risk- and precautionary-based approach when planning ORE activities*. Under the new Plan-Led approach to ORE development the DMAP process is the first step in the development phase and as such the analyses conducted to identify DMAP areas should be conducted robustly and apply the recommended risk- and precautionary-based approaches.

5. Co-existence

The DECC has consistently stated that mandatory permanent exclusions will not be applied to fisheries in ORE development areas. This is reiterated in the draft plan and while this is welcome it does not truly reflect the reality of commercial fisheries. Based on available information and past experiences from the UK and other countries, it is highly unlikely that fishing with towed gears (trawls, beam trawls and dredges) will be able to continue in the ORE development areas. Even with large spacing between turbines, it would be unsafe for vessels to operate in the ORE area without damage to fishing gear and/or cabling, regardless of whether cabling is armoured or not. Vessels when towing such gear have limited manoeuvrability particularly in bad weather and with strong tidal flows. Therefore, these areas

while technically open to fishing are effectively fishery exclusion zones. Towed gear fisheries targeting sedentary species such as scallop and other shellfish within the zones will have very limited opportunities to displace to other areas so effectively these fisheries will be closed permanently once construction has been completed with only limited fishing opportunities in other areas, if at all. Pot fisheries for shellfish may equally be affected by the ORE development and likewise smaller vessels with limited capacity may suffer the same future as towed geared fisheries.

Co-existence of aquaculture and ORE developments may be possible in the future and these opportunities should be explored. However, there remain many uncertainties about the impact of ORE developments including changes in local hydrography and sediment deposition rates. It is also important to note that aquaculture is not legislated for in regard to the Maritime Area Planning (MAP) Bill and it would appear that proposed legislative framework currently does not apply to the aquaculture sector - in other words, the policies, principles, and objectives of the National Marine Planning Framework means little in regard to the aquaculture sector if they are not underpinned by appropriate legislation. The aquaculture sector must be included as part of any legislative framework for the marine planning system, in order to ensure the consistent application of the NMPF policies by all marine planning bodies in their decision-making roles.

6. Fisheries Management and Mitigation Strategy (FMMS).

It is evident, both from the constraint mapping used and the Marine Institute report, that the SC-DMAP, as proposed, will significantly impact commercially important fisheries as well as the spawning and nursery grounds of others. These interactions include:

- The northern part of the main scallop grounds in the Celtic Sea. Fisheries for scallops have the highest amount of activity inside the development areas, followed by fisheries using beam trawls and bottom trawls. 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.
- The development areas overlap with the spawning and nursery grounds of species of commercial interest.

The SIRF remain strongly of the view that, as the proposed plan includes “a *significant impact upon fishing activity arising from a proposal*” (NMPF, Fishery Policy 2), then a Fisheries Management and Mitigation Strategy (FMMS) is required as an integral part of the ‘Plan’. As set out in our submission of October 2023, this FMMS should:

- Assess the potential socio-economic impact of planned ORE development on the affected fisheries and should include all direct, indirect, and cumulative / in-combination impacts, from all ORE developments planned or envisaged.
- Assess the in-combination impact of protected sites (SACs and SPAs both existing and planned) as well as any Marine Protected Areas or other closures, limitations, or restrictions on fishing introduced through the Common Fisheries Policy or national legislation. This is of particular importance given the constraint weighting given to protected sites that effectively rules out ORE development within the footprint of such sites.
- Assess the potential socio-economic impact of planned ORE development on the seafood processing sector linked with any affected fishery. This assessment should include the direct, indirect, and cumulative / in-combination impacts.

- Show how these impacts can be minimised, including reasonable measures to mitigate any constraints which the proposed development or use may place on existing or proposed fishing activity.
- Include reasonable measures to mitigate any possible biological impacts on the sustainability of fish stocks including impacts on spawning, nursery, and juvenile grounds or areas of fish or shellfish abundance or the distribution of target species, especially during the planning and construction phases of ORE development.
- Consider any impact upon the cultural identity of affected fishing communities.
- Identify and quantify the impact (both in the short/immediate and longer term) of spatial squeeze on fish and shellfish population dynamics.
- Identify the impact of spatial squeeze on the long-term balance between fishing effort and resources and, specifically, the impact on the Fleet Capacity – Balance indicators employed by the European Commission. Further, where an impact on the Fleet Capacity – Balance is predicted, estimate the scale and cost of any fleet adjustment necessary to restore the long-term balance between fishing effort and resources.
- Estimate the impact on fleets from other EU member states (including France, Spain, Netherlands Belgium etc.) and third countries (UK, Norway, Iceland etc.).
- Based on an agreed definition of benefit and using inter alia cost benefit or other appropriate analysis of both the public benefits and impact (cost) on fisheries, clearly demonstrate that the public benefit(s) outweigh any impacts identified.
- Include, as part of the mitigation strategy, the necessary financial instrument to address any impacts identified, including displacement from or loss of access to traditional fishing grounds.
- Include a risk-based assessment of other potential impacts of planned ORE development, including the impact of electromagnetic fields (EMFs) generated by ORE inter-array cables; the impact of noise; the impact on insurance liability and costs for vessels operating within or close to ORE; and the impact of any unintended interaction between ORE and fishing vessels and their gear.

7. Scale

Coincident with the ongoing development of Offshore Renewable Energy, recent years have witnessed growing concerns within the fishing industry about the loss of fishing grounds to an array of competing spatial pressures. These include Natura 2000 sites, marine protected areas, and other closures, limitations, and restrictions introduced through the Common Fisheries Policy or national legislation. This deepening unease within the Seafood Industry is exacerbated by several factors:

- The proposed SC-DMAP is clearly a plan to promote the use of one specific activity (ORE) rather than the more complex, multi-activity, area planning consistent with Marine Spatial Planning.
- There is currently no evidence that marine spatial planning has provided any kind of effective safeguard for fishing and in Ireland’s entire EEZ it is not possible to point to any area exclusively reserved for wild capture fishing.
- The knowledge that while the original SC-DMAP proposal specified support for the development of (up to) 900 MW of ORE within the South Coast ORE DMAP area, the current draft makes it clear that further programmes of deployment will take place in the areas identified (B, C, and D).

- The knowledge that the SC-DMAP is explicit in its attempts to avoid overlap with Natura 2000 sites. The high constraint rating (4) allocated to these protected sites and their overlap with each other effectively renders them as a hard constraint and exclusion zone as demonstrated (see Figure 1).

Together these point towards continued loss of fishing grounds from a seafood industry still reeling from the impact of BREXIT. Critically, this loss will be increased, and perhaps considerably, as ORE developments are excluded from marine protected areas. If it is the case that net zero (offshore renewable energy) and biodiversity loss (marine protected areas) are being prioritised over and above fishing, despite fishing's value in producing low carbon, healthy and sustainable food, contributing to our food security and supporting our coastal communities, then the Seafood Industry's concerns about relentless spatial squeeze cannot be regarded as an overreaction.

That said, the Seafood Industry believe that it is possible to reduce considerably the impact of offshore renewables on fishing if we opt for better planning, design and through the implementation/build process. A strategic approach to understanding and dealing with the potential for displacement is needed that: i) openly addresses the cumulative impact on fishing of all aspects of spatial squeeze; ii) provides a robust analysis of displacement effects including unintended consequences; and iii) incorporates an appropriate Fisheries Management and Mitigation Strategy that includes mitigation measures that clearly minimise the potential impacts of ORE and other sources of spatial squeeze on fishing businesses and fishing communities.

8. Conclusions

The SIRF acknowledge the importance of Offshore Renewable Energy (ORE) in contributing to decarbonisation targets, climate change adaptation and energy security, in addition to efforts required in reducing land-based emissions and reduction in energy usage. To this end the SIRF are committed to actively participating in the identification of appropriate sites for future ORE development.

However, as illustrated in this submission, the approach taken and analyses employed in refining the SC-DMAP area are not appropriate and aim to promote the use of one specific activity (ORE) rather than the more complex, multi-activity, area planning consistent with Marine Spatial Planning. As such the analyses should be conducted again, starting with the larger draft DMAP area, and involve full stakeholder participation and include balanced consideration for existing maritime activities such as commercial fishing and sensitive habitats such as fish spawning and nursery areas. There is a vital need to progress the development of ORE in Ireland's sea area in a way that creates consensus and avoids any repeat of past mistakes.

There is also an urgent need to formally recognise that fishing grounds and aquaculture sites are key food production areas that cannot be relocated. Seafood is a low carbon, healthy and sustainable part of our food supply, which can and should be part of the targeted solution to contributing to decarbonisation targets and addressing climate change.

Seafood production greatly supports our coastal communities and the SIRF recognises that an orderly development of offshore wind is essential and could also offer significant economic and community benefits. As an industry the seafood sector stands ready to work towards achieving a consensus on

that orderly development; to use its knowledge and expertise, honed over many years, towards the common good.