

South East RIFF (SE RIFF) Submission to Draft South Coast Designated Maritime Area Plan for Offshore Renewable Energy (SC-DMAP): Public Consultation

In making our submission we wish to make the following observations/comments based on the Policy Objectives contained within the consultation document, as these objectives frame many of our observations/concerns, and end with final concluding remarks.

SF 1. This objective discusses the principle of **Avoidance**.

How was inshore fishing activity avoided by the selection of area A Tonn Nua?

Every effort must be made to avoid overlap and disturbance to fishery areas. In the selection of ORE sites, fish migration routes, spawning, nursery and key fishing areas must also be avoided. With regard to Area A, this is no way achieved, due to the fact that it is entirely within the 12nm limit, overlapping with important inshore fisheries mainly such as brown crab, as shown by the MI maps of potting activity which completely overlap area A. Inshore net fishing is also shown effected. As inshore fishers are limited to where they can fish with regard to distance from shore, the issue of avoidance becomes one of **displacement** to them, as when their fishing in area A is restricted, they will be forced into other adjacent inshore grounds fishing on top of other fishers (during surveys, construction, operation and decommissioning).

While the MI produced maps/Marine Atlas do give an indication of inshore fishing activity, the true extent has never been mapped due to the absence of mandatory fishing activity monitoring systems such as VMS or logbooks for inshore boats. How can avoidance and resulting displacement then be ensured? How can inshore fishers within Area A demonstrate their current/recent level of activity and have independent evaluation as to the impacts arising from the development of an ORE project there? To assist with avoiding the final placement/location of the eventual site within key inshore fishing areas, the true activity of inshore fishing must first be mapped before an Area is chosen. This can be at least assisted by the BIM mapping project that is due to take place this summer. Participation in this should be encouraged, and a decision on the location of area A reconsidered in conjunction with this information and following consultation.

Area A does not avoid spawning/nursery areas of key species such as Cod, Hake, whiting, mackerel, and horse mackerel. Fishing in general is under increasing pressure of quota restrictions with the overall fleet competing for a limited resource, with Brexit adding to this with the loss of UK fishing grounds. Placing an ORE project within key spawning/nursery areas must be avoided in order not to further impact on the future recruitment of such species and their sustainability. It has been proven that when stocks of trawl/net fisheries become uneconomic that fishers of larger offshore vessels move to step down to pot and other inshore fisheries, as has happened with previous decommissioning schemes, to the detriment of existing inshore fishers. Inshore fishers also need whitefish and pelagic fisheries to survive by avoiding complete dependance on pot fisheries. Due to the level of potting activity within 12nm this actually prevents easy access to spawning/recruitment areas of such species and also scallop, which is known to exist also within area A, which assist in maintaining stocks more offshore outside of Area A that are fished by the scallop fleet.

Area A also overlaps with the migration route of key species such as herring and sprat, which are fished in the southeast as important wintertime fisheries for inshore boats, taking pressure of pot fisheries. Also, salmon, which is under extreme pressure already. Fishermen on the south and east coast were forced to cease fishing for salmon until stocks recover above acceptable conservation limits. The development of Area A is a further risk/threat to a recovery taking place.

SF 2. This objective discusses the principle of **Engagement**.

Effective engagement is definitely agreed to as essential. But this must be appropriate and fully inclusive, reflecting the stakeholders to be engaged with. Those that are viewed as most likely to be impacted such as fishers (and the wider seafood industry) must be prioritized, with a full understanding of the limitations of the types of engagement currently being adopted. Not all fishers are members of organizations that can have information disseminated to them, and many have poor digital literacy skills and don't follow social media or even have email addresses. Therefore, using the fishing boat register all fishers should be wrote to in hard copy with clear information as part of any consultation. Relying on 'walk in' sessions is not adequate in itself, as many fishers may not know about the timings etc. or be available if for example fishing. Fishers should be written to and invited to register for further engagement. Engagement sessions should also be provided exclusively for fishers rather than general ones where they can more easily question the information. To repeat 100% of fishers must initially be contacted. The impacted fishers need to be identified and given the opportunity to participate in consultation, maybe through facilitated workshops?

SF 3. This objective discusses the principle of **Mitigation**.

There appears to be more emphasis on mitigation, rather than avoidance, which we question. Similar issues arise with mitigation (as with avoidance). How can you effectively mitigate when firstly there is not a true or independently approved knowledge of

- a) The location and true extent of fishing activity within area A or any other chosen area
- b) The impact of ORE survey techniques, and the construction, operation and decommissioning of turbines and associated infrastructure such as sub stations and cable routes
- c) An agreed monitoring plan between the State authorities and key stakeholders on the impacts of the activities outlined in point b above on key existing stakeholders such as fishing activities etc.

SF 3. States that the FMMS must be prepared by the ORE developer in consultation with local fishing interests. This is wholly unacceptable, as this negates the State as an honest broker, and of its responsibilities to protect the livelihoods and safety of fishers etc. that it licenses. The experience to date in previous consultations by ORE companies with fishers (and the SE RIFF) is that ORE representatives minimize/downplay the impact of the development of ORE sites including survey techniques, construction and operation etc. Their analysis cannot be taken as independent/nonbiased.

The State authorities (not the ORE sector) must determine the above three points (a to c) including baseline data before any ORE development activities take place, and present it to the seafood sector as part of the consultation process, where information should then feed into the final selection of an Area A etc.

The appropriate State authorities must also assess if and how fisheries can co-exist or not within ORE sites. ORE companies have in previous consultations stated that it is not the

intention to have exclusion zones within/adjacent to ORE sites. However, ORE operators are unlikely to be accountable for what State regulatory bodies might enforce with regard to safety of fishers and other boat operators, in particular if incidents occur such as collisions with a turbine or entanglement with cables not correctly buried or that become exposed. To what extent will search and rescue vessels or helicopters be restricted from operating within windfarms sites?

A full socio-economic study is required to show the full anticipated impact on not just fishing, but also on the wider seafood sector including seafood added value/processing, marine tourism and the wider economy such as ancillary services to the seafood/marine sector.

All of the above needs to occur before real mitigation can be attempted.

SF 4. This objective discusses **Aquaculture**.

Aquaculture areas are more clearly identified as defined licensed sites. Engagement with aquaculture operators is envisaged to be easier and impact concerns are likely to be in regard to cables routes from the final designated Area A etc. Processes to equally identify and engage with impacted fishers and other commercial marine users' needs to be carried out.

SF 5. This objective discusses the principle of **FLOs**.

A clear protocol on how FLOs engage with fishers must be circulated to all fishers in order that fishers have clear knowledge on the responsibilities and duties of appointed FLOs.

We also strongly believe that as well as the State/ORE developer appointing an FLO to work on their behalf, that the fisheries/seafood sector should be allowed and encouraged/supported to appoint their own FLO. This FLO could be funded through the likes of the Community Benefit Fund. The role of this FLO could be to assist in liaising with the ORE appointed FLO, to ensure that information is circulated and the views of fishers etc. are obtained and made available. It would also increase the level of thrust within the seafood sector.

SF 6 and SF 7. These objectives discuss the principle of **Cable Management**.

This is naturally an important element that needs to go right. Again, avoidance of fisheries areas is essential, by both the location of the cable routes but also the timing of the works to avoid key fishing seasonal patterns. Any cable management plan should be informed by best international practice based on the experience of cables already laid and being laid, for example local interconnector cables. Any resulting impacts of incidents that have occurred to date with other transmission and other types of cables, and how these incidents were resolved should be reported openly and transparently in the preparation of a cable management plan in consultation with fishers. For example, incidents have occurred in other jurisdictions where fishing boats had gear snagged on cables that were exposed. When such incidents are mentioned at consultation meetings there appears to be a level of ambiguity about who is legally responsible (fisher or ORE operator/State). This must be made clear with certainty as it has a direct impact on a fisher's decision to fish within/adjacent to an ORE site and its associated cable routes. The State must take a lead/oversight role not just in the preparation of a cable management plan, but also in its operation during construction and operation and the decommissioning of an ORE project, including what happens to the cables afterwards. This

must include considering the potential for situations where an ORE company discontinues to operate the site for whatever reason (e.g. bankruptcy or sale).

CO1. This objective discusses the principle of **Permanent and Temporary Exclusions**.

‘That, in order to promote co-existence between ORE and other existing and future uses within the SC-DMAP area, permanent exclusions on activities or usages around or within ORE or transmission infrastructure located within the SC-DMAP area should be avoided where possible’ This is very ambiguous language and does nothing to reassure fishers that they will be able to fish within/adjacent to windfarm arrays. Certainty regarding whether there will be Permanent exclusions needs to be decided in consultation before the location of an ORE site is agreed to, and throughout the lifetime of the project. Therefore, you need to know, the extent of the different fisheries, the fishers that partake in them and their fishing methods before you can assess the need or not for permanent exclusion zones, which must have transparent oversight from the regulatory authorities for safety etc. before an area is selected and agreed. The same applies to temporary exclusions. For both temporary and permanent exclusions, measures must take into account the impact of displacement into adjacent fishery areas. Consideration must also be given for dealing fairly with fishers who chose not to fish within/adjacent to windfarm infrastructure due to fears for their own safety and suffer a loss to their incomes as a result.

CO 2. This objective discusses the principle of **making information such as ORE location maps of infrastructure readily available including chart plotter systems**.

Any measure that makes such information accessible to fishers in their everyday working lives is welcome. Mobile phones apps would also be essential as not all inshore fishers have GPS chart plotters.

In conclusion

Area A Tonn Nua is completely within the 12nm zone overlapping with key inshore fishing areas, and with key spawning/nursery areas and migration routes. Therefore, the principal of avoidance has not occurred with regard to our sector. Cable routes are also not known at this stage but are likely to impact the inshore sector. The marine tourism sector is also potentially impacted by this site selection as it is on the migration route for whales and dolphins that feed on fish passing through this area. Therefore, we would not agree with the location of Area A.

It has been stated that current technology cannot support wind arrays in more offshore deeper waters outside of 12nm. However, an article in the Munster Express on the 05th June <https://www.munster-express.ie/news/protect-waterfords-coastline/> cites the planned development of a fixed bottom windfarm in Morven, Scotland in depths ranging from 64 to 75m enabling it to be placed 60km from the shore there. This follows general EU best practice that windfarms are being located 20+km from the coast.

A more rigorous examination of the impact of this or any area is required that sets out to fill the data gaps in the extent of inshore fishing sector activity in particular, and the impact on it by the ORE development from the surveys to decommissioning stages is required. BIM are proposing to carry out a study on fishing activity this summer, this should be taken into consideration with a focused consultation with the sector, before a final area is selected.

For fishers to give an informed view of the impact of a chosen area, they need to have first a clearer view of the impacts and the proposed mitigation measures that would be associated with the chosen area. This appears to be left to be decided to after an ORE developer is selected. While there is are various bodies working on general principles such as the ORE Seafood Working group, this is all removed from the everyday lives of fishers who are being asked their views now on an area being selected that could completely impact on their ability to earn a living. How can they comment on a selected area when they don't know how it will operate, and what mitigations measures will be in place to sustain their incomes – especially when the extent of their fishing activity is not fully known/appreciated?

The impact of **displacement** of fishing effort from the site of the ORE infrastructure cannot be emphasized enough. Fishers forced to move their gear will do so to the detriment of others who do not fish within the impacted area. When fishers who are directly impacted are potentially compensated this can increase the risk of impact in other locations and different fisheries, when such fishers use this compensation to enter other fisheries already under pressure.

Carrots such as community benefit funds (CBFs) and job opportunities in the ORE sector are also being dangled. Question 4 of the consultation survey mentions that independent economic analysis highlights great benefits from Ore developments. However, this is all cart before the horse without a clear plan that the seafood sector can see where they fit in, and what their pathway is to avail of such opportunities. As this is a climate change crisis where is the joined up thinking, with a lead government agency down on the coast, meeting fishers explaining the benefits and how they as fishers can avail of the claimed opportunities? Also, CBFs are not seen to directly benefit or compensate fishers but instead the wider community to include many that are likely to not have their incomes impacted, which is being viewed within the fisheries sector as being divisive. Therefore, the actual current jobs in the seafood industry such as inshore fisheries (at sea and onshore), and other sectors such as marine tourism must be protected. The State while it is responding to the climate change crisis needs to demonstrate that it values the contribution of the seafood sector as a food source and for its value to the economy in coastal areas, and its heritage linked to tourism, rather than see it dwindle away. Other employment opportunities such as ORE should be seen as supporting this way of life and not replacing it. Area A does not set out to achieve this.

There is a total lack of overall spatial planning as the DMAP South draft plan does not indicate or deal with other pending designations such as MPAs. Instead, it focuses solely on ORE. Q3. On the questionnaire states *'The draft SC-DMAP ecosystem-based approach aims to maximize opportunities for co-existence between offshore renewable energy and other marine users and activities such aquaculture, commercial fishing and seafood activity, and tourism and recreation, as well as the protection of the marine environment and biodiversity'*. Protecting biodiversity and the marine environment is alluded to but not defined. It is difficult for the seafood sector to contemplate sacrificing fishing areas, when additional restrictions are likely within their fishing areas with the DMAP South, but are not outlined now, therefore a lack of joined up thinking.

In conclusion, the SE RIFF seeks a review of the methodology to select the chosen sites that takes into consideration the above points, and that ultimately does not adversely impact our inshore fisheries sector. Area A must be reconsidered.