

Bord Iascaigh Mhara (BIM) response to Public Consultation on the Draft South Coast Designated Maritime Area Plan for Offshore Renewable Energy (SC-DMAP)

Do you agree with the four maritime areas identified for future offshore wind development in the draft SC-DMAP? If not, why?

The new draft South Coast DMAP has been issued in advance and does not take account of the Celtic Sea Ecological Sensitivity analysis (ESA) which is due to be issued in June. The combined effects of ORE and MPAs on seafood and other sectors need to be considered but this is not possible when proposed ORE development/ Maritime areas do not take account of the ESA process and location of future MPAs. There is also a risk that the proposed ORE areas will fall within key areas of ecological sensitivity which raises uncertainty as to whether the ORE developments will be legally permitted to proceed.

BIM acknowledges the consideration of our earlier submission in relation to the designation of maritime areas for future offshore wind development. It is noted / acknowledged, from an aquaculture perspective, that there is no overlap with licensed areas. It is also noted that areas where there were concerns about potential contaminated sediment resuspension have also been avoided. The cable routes, land access points for power delivery and construction of these may still impact upon aquaculture sector activities and we wish to reiterate the need for continued consultation and engagement in relation to associated planning at project level and through the EIA process. However, we do consider that it has been appropriately addressed within the SC-DMAP and acknowledge that the principles of avoid, minimize and mitigate have been acquitted while acknowledging that most Aquaculture activity takes place in areas that are not attractive for other considerations.

The transmission element of this project will also require the careful application of these criteria.

Do you agree that the draft SC-DMAP policy objectives and governance approach, including for environmental protection, will support and guide its sustainable and coherent implementation?

Alignment to NMPF

BIM suggest that the SEA of the new SC DMAP needs to better align with NMPF policies and objectives. The NMPF contains dedicated policies for fisheries and aquaculture. The SEA excludes these dedicated policies but instead includes a policy on coexistence of seafood, aquaculture and fisheries. The SEA does not outline how avoidance of significant adverse impacts is considered as the preferred option.

The wording on policy objectives for seafood in the new draft South Coast DMAP leans heavily towards coexistence rather than considering avoidance in the first instance. This is contrary to the National Marine Planning Framework (NMPF) overarching policies which outlines how proposals must demonstrate avoidance of significant adverse impacts as the preferred option (Section 4 NMPF).

If the proposal demonstrates that significant adverse impacts cannot be avoided the proposal must then proceed to consider minimising significant adverse impacts. If the proposal demonstrates that significant adverse impacts cannot be avoided or minimised the proposal must then proceed to consider mitigating significant adverse impacts (Section 4 NMPF). There is a need to minimise the footprint of proposals and consider co-existence of activities where possible (Section 6.1, NMPF). The need to encourage co-existence is essential in minimising or mitigating the negative impacts of displacement (Section 7.6, NMPF).

In light of this we suggest that SF policy 1 should be more explicit on the need to demonstrate how avoidance is clearly demonstrated as the preferred option. SF policy 1, page 55 of the new SC DMAP leads with recommendations for developers to engage with seafood sector and maximise opportunities for coexistence. Next follows a recommendation that where feasible, a reduction of potential adverse impacts should be investigated through avoidance, minimising and/or mitigating impacts including through facilitating coexistence. The wording is confusing and does not follow the NMPF requirement for proposals to demonstrate how avoidance of significant adverse impacts is considered as the preferred option.

Food Security and Food safety

Given that the SC-DMAP in conjunction with the NMPF provides a framework under which competent authorities will make decisions regarding consents and development permissions it is critical that the policies unambiguously acknowledge and provide for Seafood (fishing and aquaculture) in the context of food security and food safety.

Given that the proposed SF polices set the basis for engagement for this and future DMAPS it is worth considering being explicit as to what is included in the policy. While we note that aquaculture does not fall within the boundaries of the maritime areas of the SC DMAP that does not mean that it will not become pertinent during the transmission phase or in future DMAPs. Therefore, it is worth referring to Seafood which includes both fisheries and aquaculture (or if preferable to refer to fisheries and aquaculture respectively).

Food Safety is a critical issue for the seafood sector. This has been considered in the SEA under Population & Human Health (PHH). Shellfish Waters designations are considered within Water Quality Policy Objectives and the dedicated SEA Environmental Objective for the consideration of cumulative effects under PHH is welcomed. However, Food Safety and Shellfish Waters are not contained within the policy objectives of the DMAP. We wish to reiterate the protection status of designated shellfish waters under Food Safety and Water Framework Directive legislation and request that this is included within the SC-DMAP. We wish to further reiterate the point raised in our submission in 2023 that it would be considered prudent to consult directly with the Molluscan Shellfish Safety Committee (MSSC) to address any specific issues that arise in relation to the protection of Shellfish Waters. The committee is comprised of experts from the SFPA, MI, FSAI, BIM, IFA Aquaculture and industry. [https://www.fsai.ie/about/who-we-are/our-people/industry-fora/molluscan-shellfish-safety-committee-\(mssc\)-forum](https://www.fsai.ie/about/who-we-are/our-people/industry-fora/molluscan-shellfish-safety-committee-(mssc)-forum). Water Quality is of vital importance to seafood production, especially shellfish aquaculture and the prevailing issues have not been called out in the existing environmental problems section of the SEA Environmental Report (section 5.3.10).

Do you agree that the draft SC-DMAP includes sufficient provisions for co-existence between offshore renewable energy and other maritime activities?

Provisions for transparency in stakeholder engagement

Proactive consultation and ongoing engagement with communities and sectoral stakeholders is of vital importance in supporting and driving the potential economic and employment opportunities.

The onus on the developer is very clearly stated in terms of documenting engagements and consultation with the seafood industry. The same level of clarity around recording actions taken specifically around avoidance, minimising and mitigating adverse impacts would lend transparency and confidence in SF policies.

Section 7.1, page 48 of the SC DMAP document highlights the issue of limited detailed data availability for small vessels. The document also outlines how significant engagement by a sea fisheries liaison officer (FLO) with individual fishers along the south coast informed the preparation of the SC-DMAP. No information is provided on the outcomes from this engagement nor on how this engagement informed preparation of the SC-DMAP. A key object of the NMPF is to help realise the potential of marine resources in an integrated fashion and deal with interaction between different interests in a fair, balanced and transparent manner, including those who are employed in the marine sector (Section 6, NMPF).

Other comments

SF4 - The Aquaculture Management and Mitigation Strategy is welcomed. It should be adaptive and responsive to change as the plans are developed. The provision to appoint a Fisheries Liaison officer is welcomed. It is suggested that a more suitable name for the Fisheries Liaison Officer would be a Seafood Liaison Officer as this would encompass the wider sector including aquaculture.

SF6 – The cable management plan should extend to consideration of aquaculture activities in relation land access routes and timing of construction / maintenance activities.

Do you agree that the plan-led framework set out in the draft SC-DMAP will effectively support and drive economic and employment opportunities, including opportunities along the south coast?

Proactive consideration of fisheries and aquaculture is necessary to avoid injustices during the transition towards offshore renewable energy generation in Ireland. Existing users being squeezed out of the marine space as a consequence of the emergence of renewable energy and cable developments, is a risk of great concern to the sector, and needs to be taken into consideration when evaluating what a just transition entails.

Findings of recently published studies indicate that each stage of plan development and associated mitigation poses different challenges and opportunities to facilitate a just transition and have different implications for different seafood industry segments. We caution that a “one size fits all” approach will undermine economic and employment opportunities.

SEA Specific Comments

Review of Plans and Programmes - Section 4:

The review of relevant plans and programmes (Section 4) makes only one reference to the National Strategic Plan for Sustainable Aquaculture Development, 2030 (NSPSA) which contains policy actions in relation to co-existence, environmental monitoring and other marine planning aspects. There is no reference at all to the Irish Inshore Fisheries Sector Strategy.

Relevant Aspects of the current state of the Environment - Section 5:

Within the general state of the environment overview the aquaculture description is poorly covered. Detailed information on aquaculture activities in the region were provided by BIM in the previous consultation response and could have been used to more effectively inform this section of the Environmental Report.

Constraints analysis

No information is provided on the methodology for weighting the contribution of different sectors to the constraints analysis, nor is any information provided on the weighting of different elements of seafood production such as inshore and offshore fisheries. This in contrast to the Celtic Sea ESA approach which includes detailed criteria and methods for weighting different sectors, with both fishing effort and monetary value considered in relation to fisheries.

For example, Figure 5.20 on page 83 of the SEA Environmental Report contains maps of inshore fishing effort provided by the Marine Institute which shows extensive pot fishing activity in an area where it is proposed to locate Maritime area A. There is no discussion in the SEA document on how the proposed maritime area aims to avoid this activity. The document also acknowledges overlap with scallop fishing grounds. Again, no information is provided on how avoidance of significant adverse impacts is considered as the preferred option. To align with the NMPF this should be corrected.

Existing Environmental Problems - Section 5.3.10:

The commentary relating to Fisheries and Aquaculture in this section is poorly referenced, frames the sector in an unduly negative light and in some cases is clearly inaccurate. We request a complete review of this section and that any replacement text be supported by peer reviewed publications and not grey literature.

In particular we reject the inference that the sustainable development of the aquaculture sector presents any unique challenges for regulatory authorities in terms of licensing processes and environmental assessments.

Statements relating to marine litter and the fisheries industry fail to recognise that land-based sources represent greater than 80% of marine litter. The fishing and aquaculture sectors contribute towards the remaining 20% but other sources such as trash and/or other items lost off of commercial and leisure vessels and platforms at sea must be acknowledged. The Single Use Plastics Directive should also be referenced here.

Evidence should be provided to support the statement that “sewage discharges and accidental loss, or intentional disposal of, fuel or oil” arising from the fishing industry pose a problem in this area. In the absence of such evidence this statement should be removed.

The statement that “There has been a dramatic escalation in the fishing of some inshore fisheries stocks for instance (e.g. razor clams) in recent years, while others are under long-term pressure.” is incorrect. There has been an increase in effort relating to certain stocks over the last two decades, but we are unaware of any “dramatic escalation in fishing” for any stock in the last 5 years. This section must be corrected.

Statements relating to the CFP have been pulled from grey literature, this section should be reviewed using Irish Stock book or EU CFP review documents.

Water Quality is of vital importance to seafood production, especially shellfish aquaculture and the prevailing issues well documented by the EPA have not been called out in the existing environmental problems section of the SEA Environmental Report (section 5.3.10).

SEA Environmental Objectives - Section 6.2:

Seafood issues are well covered across the SEA Environmental Objectives and form a good basis for the Strategic Environmental Assessment. We request that NMPF Aquaculture policies are also included in Table 6.2 as part of the context for the Material Assets objective. Additionally, there is a reference to SDG 12 as Life Under Water. This should be corrected to Responsible Consumption and Production.

Policy assessment (Section 8)

We welcome the fact that WQ1 Acknowledges that aquaculture is recognized as a sensitive environmental receptor and that shellfish waters are noted with respect to potential mobilization of contaminants from installation techniques and routes chosen (ER pg. 157).

We further welcome the inclusion of designated shellfish waters in the cumulative effects assessment.

SEA-ER: Mitigation and Monitoring (Section 9)

BIM welcomes the recommendation in the SEA Environmental Report for a pre-consent survey for the following:

- Fish and shellfish species populations within the offshore wind farm and export cable route:
- Commercial Fisheries survey to determine fishing activity within the offshore wind farm.

BIM welcomes the recommendation in the SEA Environmental Report for post consent plans as project level mitigation covering:

- Fisheries Management and Mitigation Strategy– This sets out the approach to fisheries liaison and mitigation for the offshore infrastructure.
- Aquaculture Management and Mitigation Strategy (where relevant). This sets out the approach to aquaculture liaison and mitigation for the offshore infrastructure.
- Construction Environmental Management Plan – This relates to the construction of the onshore infrastructure.
- Environmental Management Plan – This relates to the management of the construction, operation and maintenance and decommissioning of the offshore infrastructure.
- Marine Invasive Non-native Species Management Plan – This relates to the management of marine invasive non-native species during construction of the offshore infrastructure.

Environmental Monitoring Programme:

- BIM requests that Food Safety impacts are integrated as appropriate under PHH and that aligned with bathing water quality, a target of “No deterioration in Shellfish waters quality as a result of ORE activities related to the SC-DMAP” is included.
- We request that MSFD D9 monitoring is also included within PHH, BFF & W
- The proposal for monitoring to assess impacts on fishers using the SC-DMAP area is welcomed.
- In relation to data gaps highlighted in the difficulties encountered in compiling the SEA Environmental Report, it is suggested that Fishers are actively consulted and engaged in helping to addressing the knowledge gaps.

Additional Data to inform the plan.

- BIM also wish to highlight that we are currently conducting two projects in this regard. We have developed a community based, participatory mapping project which will enable under 12 m vessel owners to provide validated spatial information on their fishing activities. The mapping tool has been developed and data collection will commence on the south coast in June 2024. Outputs will feed into continuous engagement between the state and fishers on DMAP implementation, inform the planning process and assist developers in avoiding areas of high fishing activity.
- BIM are also conducting a spatial assessment of coexistence between fisheries and ORE. Using global fishing watch and 4c-offshore data, we are assessing fishing effort pre and post construction on European offshore wind farms. We will examine effects in relation to technical and policy characteristics of wind farms. Project results will feed into the development of policy around coexistence and ultimately assist developers in optimising infrastructure design and layout to help minimise and mitigate negative effects of displacement.
- In relation to Alien Species with Environmental Characteristics – BFF (pg. 56 SEA ER) , where is it noted that there is a lack of information on marine alien species, please refer to: <https://bim.ie/aquaculture/sustainability-and-certification/marine-invasive-species/> for a summary of work carried out by BIM to support the aquaculture sector in understanding, preventing and managing IAS risks. This includes data collated as part of the BIM survey programme and was published in early 2024. This data has also been submitted to and is available on the NBDC website.