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# REPORT

## Briefing on the Irish Maritime Area Planning Act (MAP) Act 2021 and its impacts on fishing areas in the Irish EEZ



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## 1. Welcome & Introduction by PelAC Chair

Sean O'Donoghue, Chair of the Pelagic Advisory Council (PelAC) and moderator of this briefing session, opened the meeting and welcomed the participants.

The Chair recalled the rationale for holding this briefing meeting on the Maritime Area Planning Act (MAP Act) 2021. He explained this event was organised jointly between the North Western Waters Advisory Council and the PelAC, to gather knowledge and information on the content of the MAP Act and its impacts on the fishing areas in the Irish EEZ. He underlined this session was not intended to debate nor discuss issues within the Act itself. He noted the large number of participants that were following the meeting online, demonstrating the interest of the topic among (international) stakeholders.

## 2. Maritime Area Planning Act – Overview and Licensing process

The Chair invited Martina Hennessy to present a general overview of the Maritime Area Planning Act 2021.

Martina Hennessy took the floor. She introduced herself as the principal officer on offshore planning policy development at the Department of Energy, Climate and Communications (DECC) in Ireland.

### Overview Maritime Area Planning Act 2021

Hennessy started with an overview of Offshore Renewable Energy policy, pointing out that her Department has a responsibility for energy, but that colleagues in other Departments held the responsibility for the legislation. Therefore, legislation falls outside of DECC.

She showed a map of the Irish maritime area, reflecting the large – yet undeveloped – potential of the space for the development of Offshore Renewable Energy (ORE). This development would offer a number of advantages in light of the current political climate, as well as Ireland's ambitions to increase its production of renewable energy.

At this point in time, only one small offshore wind project is operational, which was deployed approximately 20 years ago. The project was built as a demonstrator and was nearly at the end of its life. The project failed to develop partly due to the need to overhaul the planning legislation, as well as the fact that for some time Ireland focussed more on developing onshore wind energy compared to other countries.

The climate agenda and targets for reducing emissions, such as achieving net-zero emissions by 2050, sets the context for Ireland's commitments to achieve 5GW of renewable energy by 2023. There are more longer-term ambitions to upscale and reach at least 30 GW through floating wind. She mentioned ongoing work on green hydrogen to support industrial development. In the context of targets to reduce GHG by 51% by 2030, there is broad recognition of the need to develop ORE, and the crisis in Ukraine has only accelerated Ireland's need to reduce its dependency on fossil fuels.

The driver for the MAP Act 2021 was the National Marine Planning Framework, a decision-making tool for any regulatory authority for development in offshore areas and the management of the Irish seas. The protection of biodiversity lies central to this, which is essential to any sector. There is commitment for both to co-exist. The framework does not foresee any zoning and recognizes the possibility for multiple activities in one area. This is a fundamental principle to the MAP Act 2021 as well.

The new legislation was introduced in 2021, which resulted in a hugely significant change as to how the offshore is managed. The MAP Act 2021 replaces the Foreshore Act 1993, which was no longer fit for purpose, and regulates beyond the 12 nm zone by providing a legal basis for the marine spatial

planning system, making it more coherent and streamlined. Hennessy stressed a key provision of the MAP Act: that any activity licensed at sea is required to provide data back to the State. In the old Act, there was no legal basis to demand any data. With data, the State can increase and build knowledge on the developments at sea. The MAP Act also enshrines public participation, attaches conditions to licensing and captures enforcement of these conditions.

### Licensing and Consenting process

The MAP Act 2021 provides a framework for decision-makers for how the system is envisaged to operate. A requirement for any developer in the gateway to the planning system is the Maritime Area Consent (MAC). A MAC will be required for the development of any activities in the marine space. To be granted a MAC, a developer must meet a set of criteria such as:

- demonstrating a relevant field of competence
- financial capability
- technical expertise to develop what is being proposed.

These criteria are established to prevent any kind of ‘hoarding’ of the marine space. MACs are granted on a ‘use it or lose it’ principle, and will not be granted to developers judged incapable of meeting climate targets. Once a developer gets consent, they can apply to the planning authority at An Bord Pleanála, where project details are further assessed. Public consultation will be carried out at this stage on project proposals.

A new agency will be established under the MAP Act 2021. This agency, the Maritime Area Regulatory Authority (MARA), will be established in Q1 of 2023 and will be responsible for granting MACs. MARA will manage licensing, list the activities where licensing is required, with the intention to make it more flexible. Hennessy underlined there was no single-sized approach for all projects, but that MARA should enable decisions to be made in a time fashion. MARA will also be responsible for compliance and enforcement, as well as licensing applications in the foreshore system. The MARA team will examine how to move these licenses to the new licensing system in the transition phase and will be responsible for the coordination with other public bodies. Finally, MARA can request data from any MAC-holder.

Hennessy moved on to explain the ‘phased approach’ to deliver on the ambitions for ORE. By 2030, there is an ambition to deliver 5 GW of ORE with an additional 2GW earmarked for green hydrogen, and DECC envisages this to happen in different phases of activity. Many activities are taking place in parallel, the outcomes of which are expected to deliver on the 2030 targets. To reach the 2030 targets, two batches of projects will be progressed through the planning system and a lot of work is ongoing to also build the enduring regime. Beyond 2030, further development of the renewable sector, such as the potential for export, will be looked at.

### Transition Arrangements under the MAP 2021/ Phase 1 Applications

The Minister for Environment will assess/accept project applications for ORE projects during the transitional period leading up to the formal establishment of the MARA. Once MARA is established, all responsibilities for granting MACs will transfer to this new entity. A number of projects have been moving through the system for some time, since offshore wind projects can take between 6-10 years before they are operational. In order to ensure they can move ahead without delay until MARA is established, the Minister oversees the process in the transition period. In 2022, there was an application window between April-June, where eligible projects could apply for a MAC. They were assessed based on published criteria. The aim was to ensure only those developers with the capability to deliver towards the 2030 targets should be permitted into the planning system. Once a MAC is granted, a levy must be paid to the State for use of the area.

There is mechanism in place to award contracts to projects, through an “Offshore Renewable Energy Support Scheme 1 auction”. The first will be run in April this year and the winning bidders will enter into contracts with the State to supply electricity for 15-20 years. In order for projects to move to construction they need to get planning permission from An Bord Pleanála and viable contracts guaranteeing a buyer for the electricity to be produced. It is expected that there will be some attrition throughout the process, and not all projects may be successful.

### Phase 2 Applications

Phase 2 consists of a second group of projects to deliver on the 2030 targets and to close the gap between Phase 1 and the 5 GW offshore wind target. These projects need to be viable.

A policy statement will set out criteria for eligibility for phase 2 projects. Once the criteria are published and MARA is established, phase 2 projects can compete in the second “Offshore Renewable Energy Support Scheme 2 auction” in early 2024. The process is similar to phase 1 projects, but with more defined criteria. Phase 2 projects will only start once there are enough projects for a competitive auction and they demonstrate ability to meet Government targets.

The Minister has set up the Offshore Wind Delivery Task Force, which brings various elements together from different Departments, to try and accelerate the activities needed across the different sectors and to ensure targets can be met. For example: ports, enterprise opportunities, communications units, and engagement with other organisations on marine biodiversity to identify marine protected areas. This work is recognised as important to progress at pace to help determine the best locations for ORE. The Task Force is envisaged to go beyond the Department and scope of DECC.

To ensure an enduring regime, a number of processes will run in parallel for all deployments beyond 2030, such as resource assessment, which will look into the physical maritime area and how it can be used in the long-term. Economic assessments will be carried out, to ensure an economically viable strategy is adopted. In addition, projects need to be analysed by the Department to determine the potential profit margin for the State, and whether needs to meet long term potential are met.

### Offshore Renewable Development Plan

The Offshore Renewable Development Plan has been developing for the last 18 months. It consists of updating a plan produced in 2014 and pulls together knowledge about the maritime space at national level from different industries, such as port sectors or tourism, combining useful information and identifying gaps and areas to build up knowledge. The plan is currently in draft and near finalisation. In the coming weeks, a public consultation on the plan will be launched, followed by in-person events around the coast aimed at having in-depth discussions on topics such as environmental assessments. When the public consultation is completed, the feedback will be incorporated into the plan before publication.

Subsequently, work will commence on designated marine area plans (DMAPs), building statutory plans for offshore areas. Any sector can develop DMAPs upon approval by the Minister for Housing, but DECC will propose that DECC takes the lead in developing DMAPs for offshore renewable energy. In terms of process, public participation is key. A structured process is set out in the legislation, with public consultation procedures built in, which will be initiated in a more localised level once plans are approved.

In conclusion, Hennessy underlined the value of the maritime area offering a huge potential for ORE, but recognising that it is a shared space, as captured by the legislation and the planning framework. There is a clear need to develop ORE, but this will be done in collaboration and in consultation with

other marine users, emphasising the need for different sectors to work together. Hennessy felt the MAP Act 2021 provides a solid framework for just that.

### 3. Consultation process: Seafood ORE subgroup

The Chair invited Captain Robert Mc Cabe, Chair of the Seafood ORE subgroup, to present the process of consulting fishery stakeholders. Particularly for the international audience of today's meeting, the work of the Seafood ORE group is timely.

Capt. Mc Cabe took the floor. He mentioned he had spoken at a separate meeting of the NWWAC before, but at the time the subgroup was at a very early stage in its setup. He was impressed by the volume of work going on in the Irish maritime regime and recognized that this pace however important, also presented its challenges.

The Seafood ORE subgroup was established in May 2022 with its first meeting held in July. He underlined the importance of the work of the subgroup for the roll-out of ORE in Ireland, focussing on engagement and bringing the seafood and ORE sectors together. The subgroup engages in effective and constructive dialogue, to see how some of the challenges with these new developments can be addressed and which opportunities arise.

Mc Cabe explained that around 40 participants attend the subgroup meetings regularly. Currently, there are 17 organisations in the seafood sector that are members of the subgroup, which include the aquaculture and seaweed sectors as well. In addition, four organisations representing all developers are involved in the subgroup, as well as three government Departments and a number of other relevant agencies, such as BIM.

The subgroup has held 6 meetings to date, and Mc Cabe was impressed with the results so far. The group has established itself, presentations by the various Departments have been held, which helped to better understand the processes involved. Notably the role of wildlife agencies/organisations were eye-opening, as well as discussions on how to follow on from there.

The first objective of the group is to develop a standard for good practice, and to act as a liaison between the seafood and the ORE sectors. A guide document is being developed, which can serve as a reference for the criteria for phase 2 MACs, allowing for an ORE standard in the consenting process, helping explain how the criteria are met.

The guide document sets the context of the ORE issues in Ireland, and sets out key principles such as shared respect and an understanding of the different interests. It also identifies the right contacts for engagement. Mc Cabe acknowledged the need to include international elements in this as well. The document sets out the process for consultation following the various stages in detail. Some gaps have been identified, such as gathering the correct data. Often larger vessels can supply data around fishing activities, but smaller vessels are less able to. Therefore, there is an absence of good data on cable runs and their impacts on biodiversity, for example. When all the data is collected, it will need to be saved in a central hub. This is being worked on at the moment.

Mc Cabe underlined one key question on who represents the seafood sector. While there are established organisations and effective representations in various fora, it becomes difficult to distil them into a group representing the industry as a whole. He thought this challenge was worth reflecting upon today.

In terms of next steps, once the guide document is finalised the subgroup will prioritise the issues to focus on, and commence on that work. In parallel, phase 1 MACs are being issued which demonstrates

the process is progressing, with developers and seafood sectors engaged as early in the process as possible. He closed by mentioning that a review of the Engagement Standard was foreseen for early 2024 and that in May 2024 a follow on replacement group will be set up, as a forum for all interests.

The Chair thanked Capt. Mc Cabe for the presentation and clarified the Briefing meeting was held under the auspices of two ACs, which are formal stakeholder bodies with a specific remit under the CFP, consisting of stakeholders representing all the interests in the fishing sector, including both industry but also environmental NGOs. He added that two NGOs were present at today's meeting.

#### **4. Case Study: Joint-Venture KFO, Hexicon & Sinbad Marine Services**

The Chair invited Michael Keatinge to present the joint-Venture between the Killybegs Fishermen's Organisation (KFO), Hexicon and Sinbad Marine services case study.

Keatinge, from Seaview Marine Economic Consultancy, acting as a key facilitator for developing the new approach and the Memorandum of Understanding between the three parties, took the floor. He expressed his appreciation for the enormous amount of work done by the different Departments, noting their significant progress. He remarked on the number of international stakeholders in the audience of the briefing meeting, recognizing the legitimate rights under the CFP of fishermen from other EU countries to fish in Irish waters.

In other parts of European waters, such as the North Sea, ORE follows a more plan-led approach, while Ireland works more developer-led. He noted that with the start of aquaculture in Ireland there was a first sizeable shift in the use of space in a long time. Put 'bluntly', when it comes to fishing, conflicts with ORE have emerged from the beginning, particularly noticeable in the UK or Irish media. He predicted a 'problem on the horizon' on some of the ORE projects, which what today's meeting tries to address in the context of new legislation.

He explained there was a degree of concern within the fishing industry. Results from a survey held among fishermen (noting the small sample size) showed 78% of the interviewed fishermen fear ORE will negatively impact their fishing activities. Of the fishermen that were aware of a specific project close to their fishing areas, 85% responded that the project would impact their fishing activity directly. Only 13% of respondents think developers will act transparently in the development process. Finally, only 17% think the government will act fairly in governing offshore wind.

Hexicon is an early-phase Swedish developer, that engaged in a joint-Venture with the KFO. One of the key principles of the collaboration is the involvement of stakeholders. Keatinge depicted a map with digitised fishing routes in the Irish waters, based on VMS data. It shows the amount of fishing is significant, and that there is interaction between the two industries. There is a cost-benefit ratio to consider, especially when the quality of the seabed is impacted. The critical point is that there are other points of view on how ORE projects should be accommodated.

Put into perspective, in order for Europe to reach 160 GW, 20.000 square nautical miles at sea will be needed. This represents a stretch from Ireland to Newfoundland. 30 GW would stretch entirely down the West Coast of Ireland.

In his view, the fishing industry accepts the need to develop offshore wind. Fishermen don't object to the plans themselves, they just ask how both activities can coexist. 82% of surveyed fishermen know of a project being planned close to their fishing area. 52% of the respondents agree that it is important to develop ORE in Irish waters, while 32% disagree. 58% of fishermen think that the most or second most important risk mitigation policy, is the selection of wind farm zones to minimize impact on

fisheries. Offshore wind developments create new opportunities as well. Fishermen regard alternative employment as the most important opportunity that emerges from ORE, with 32% of fishermen interested in alternative employment. However, scepticism about other opportunities is widespread.

Keatinge moved on to show a diagram illustrating sustainable development with three interlinking domains: Society, Environment and Economy. He underscored that the value of heritage in Ireland is also an issue in the development of ORE.

When looking at areas of interest, the approach taken is a developer-led approach. Industry is asked to demonstrate why ORE shouldn't be designated in that area and why, thereby positioning the industry to lobby to reverse plans. The new approach sought through the joint-venture seeks to reverse this trend and try to find a way to jointly agree. Through this approach, the fishing industry develops proposals with developers on areas which should be used for OREs, and which shouldn't. When NGOs, industry and society can bring forward their proposals, these can be pulled together to designate areas that everyone can live with. There is only one key principle to abide by, which is that "no" is not an option.

Gathering data sets entails considerable work, and data is available within the fishing industry. There is a job for the Seafood ORE subgroup to use this data and put it together, in order to ensure the best available science on where areas should be located. The joint-Venture has engaged with a University to act as an impartial broker that can determine where ORE areas should be located, based on all the available information and following the key principle.

Keatinge hoped this process under the MAP Act 2021 could begin to see a fishery-led approach such as illustrated by this case study. The ACs can act as vehicles to gather the different views and feed them into the process, through an inclusive approach. As the regime moves forward, Keatinge hoped this approach of including the three domains of Economy, Environment and Society could be turned into a code of practice that is acceptable to all.

The Chair thanked Keatinge for the presentation, and indicated all the meeting slides would be circulated to participants after the meeting.





## 5. Panel discussion

The Chair introduced the members of the panel, based on the bios provided in the Annex, and showed a slide with questions which were developed ahead of the meeting to facilitate the panel discussion. He re-emphasised that the intent of the meeting was to inform on the legislation and the processes, not to debate any controversial issues. To kick-off the panel discussion, he raised two issues which were considered most important for the stakeholders present:

- How are international stakeholders being informed and involved in the granting of licenses for offshore wind areas?
- ACs are key bodies to consult European stakeholders, can a consultation process be put in place with ACs? How could this take form?

He explained the Advisory Councils have a role under the CFP to bring together different stakeholders in the fishing sector. The ACs have tried to get involved in the MAP Act 2021 process through various entities, such as the Seafood ORE subgroup. He raised the question to the different Departments, as to how they envisage consulting ACs about ongoing applications and surveys. He remarked that prior to the ACs getting involved, a large number of international colleagues did not feel as though this process would have an impact on their fishing operations, which is clearly not the case.

Hennessy remarked that DECC was still at the very beginning of implementing an entirely new piece of legislation and system of managing the offshore space, where substantial cross-government work still needs to be done to engage with stakeholders. In the context of marine spatial planning there is an obligation to engage internationally when developing national plans. There are some challenges that come along with this, such as the UK no longer being part of the EU. DECC is engaging with equivalents in Europe to ensure plans match up. Plans need to be integrated and there is a challenge to ensure all relevant parties are informed. ORE involves 3 Department Generals at the level of the EU Commission: DG MARE, DG ENV and DG ENERGY. More needs to be done jointly to develop the plans. International stakeholders have not been taken onboard yet. The legislation requires that international bodies are made aware as appropriate, and more work needs to be undertaken to inform these bodies, both nationally and internationally. Once MAC applications are in process, an element of public participation, engagement and consultation will be envisaged, but Hennessy could not yet detail the mechanism for this. She imagined information would be published on websites, acknowledging this only works if people know when and where to look for this information. This will be looked into. When moving into the spatially planned approach, Hennessy assured DECC will be engaging in-depth with all relevant sectors, and thought public participation and the ACs may have a role to play.

The Chair was pleased with the indications provided during this meeting, but he wanted to try and plan exactly how to involve and notify the ACs on a continuous basis.

Martin O'Meara echoed Hennessy's comment on being at the very early stages of the implementation with many details yet to be worked out. He mentioned that one of the proposals of the Seafood ORE subgroup was to include international stakeholders, but it was decided to give the Irish sector immediate priority as an iterative process, and deal with the international chapter at a later stage. Mc Cabe referred to the Seafood/ORW Group's next priorities, and suggested that this was something to pick up. He was open to proposals on including the ACs in the Group. He emphasized there was more work to be done on communication in general and how the legislation will be implemented.

The Chair voiced support for discussing any proposals on how communication with the ACs could take form.

Cecil Beamish thanked the NWWAC and PelAC for holding this meeting. He noted the range of government policies that need to coexist going forward and he hoped to see consultation on the ORE policy and consenting processes developing. From the outset, there is recognition of the seafood industry as a long-time prior user of the space, and that the industry will continue to exist after the planning, with a maximum amount of consultation. He noted there were challenges on both sides in terms of partnering up seafood and ORE sectors as responsible partners and generating meaningful consultation. The Department of Agriculture, Food and the Marine welcomed the establishment of the Seafood ORE subgroup, as it offers a key channel for consultation for both sides. The completion of this work will be vital for the continuation of this consultation. From a national point of view, the challenge for the seafood industry is to organise itself to be considered as serious partners to be consulted. Beamish pointed out that ACs hold a store of knowledge of what is happening in other Member States. ACs can make submissions on national structures based on best practices/lessons learned from similar process in for example, the Netherlands, Denmark or Germany. He insisted they should not be passive but engage actively to feed into such structures, in order to build a relationship with ORE. Developers also need to build awareness of how this should work. Beamish calls for intensification of the consultation, with individual project led proposals coming through, and to capture some of the challenges with fishing activities ubiquitous throughout the area.

The Chair agreed and emphasized the ACs were trying hard to be proactive, such as by organising this meeting. But it would be useful to know who to contact and when. He asked Capt. Mc Cabe why the ACs couldn't become part of the seafood ORE subgroup, since there is a clear need for developers to engage with international players.

Capt. Mc Cabe confirmed the legislation provides for clear details on the importance of ensuring participation by international stakeholders, but the ACs were initially not invited to the Seafood ORE subgroup in the early stages of its setup, due to the large number of participants that were already taking part, some of which were also very active in the ACs. The group initially aimed to set a structure and a mode of operation. However, he stressed there was no intention of being non-inclusive. Now that the group is up and running, there are opportunities to revisit the inclusion of the ACs. The Chair proposed to re-discuss participation by the ACs once the group finalises its guide document (**action 1**).

Simon Berrow asked if there was a similar issue with regard to the consultation of NGOs. He noted most NGOs in Ireland are experiencing 'consultation fatigue' of being involved in too many plans and sites. There is a strain on the resources to ensure proper preparation to these discussions, complicating their contribution to the task-forces. The Irish Environmental Network is an umbrella group NGOs, with only a handful that have marine interests. There is not enough staff or resources to follow all the projects. The NGO sector would need to be further resourced if they are to engage properly and responsibly to these discussions.

The Chair asked how Bord Iascaigh Mhara, an active player in the Irish marine space, experiences the communication with regard to the MAP Act processes, or whether the experience is similar to the ACs.

Rory Campbell replied that the communication so far during phase 1 had been somewhat mixed. It has been particularly challenging for the fishing industry to find out where surveys are taking place, which led to a degree of conflict between developers and the industry. He noted communication in the early stages around surveys is extremely important.

Beamish reiterated the need for ACs to take a proactive role, separate from the consultations, policy and the plans of developers. He thought it would be potentially worthwhile for the ACs to engage actively with MARA on this issue once it is established. This is something both ACs could do jointly.

Another option is for the ACs to pursue the participation on the Seafood ORE subgroup once more. A role for the ACs in the subgroup in his view was something the Department would consider.

Hennessy added that the Offshore Renewable Energy Development Plan Advisory will close in a few months' time and a document will be published. When entering the next phase, DECC envisages a plan-led approach for the planning of areas to determine which areas are suitable for ORE, and DECC is looking to bring in stakeholders with knowledge on those areas, and the international bodies with an interest in these areas. Once it is narrowed down stakeholders with a particular interest can be brought into that process, such as fishing or environmental.

The Chair suggested for the ACs to send a letter to DECC requesting to become part of this process (**action 2**). The Chair asked Capt. Mc Cabe how the involvement of the ACs could be ensured, while at the same time ensuring efficiency. ACs do not have the resources to follow every plan from each developer. He asked what the best way was to get informed and provide input, without this taking up all the time of the ACs? As an action, he proposed to get clarity on how this could be handled (**action 1**).

Patrick Murphy took the floor and thanked the speakers for the presentations. He directed a question to Cecil Beamish and Martina Hennessy, asking what the role of DAFM is outside of the MAP Act legislation, as it is not enshrined in MARA. He echoed the comment from Berrow and added it was not just the NGO community struggling with resources, but the industry as well. He thought it was critical for the ACs to follow this work on behalf of stakeholders. The Chair added a question on how the National Parks and Wildlife Services (NPWS) would come into play here as well.

Hennessy replied that the fisheries and aquaculture sectors are intended to become much more integrated in the long run. As the process takes form, all marine sectors will be brought in. Opportunities to participate will be ensured through consultations on any development. A possibility to be notified will be looked into. Bodies like NPWS have a role at that point as well because they formally have to review any application against the provisions by the Birds and Habitats Directive. A public consultation process will be in place to ensure all sectors can give input and this will be taken into account. MPAs will come into play here as well, all elements will be assessed when the application goes into An Bord Pleanála.

O'Meara added that MARA will only be up and running by Q2 of 2023, so it cannot take on every single marine unit overnight. Responsibilities will need to be taken on iteratively. The role of fisheries will be taken into account, but it is not the immediate priority on the agenda. The NPWS has a role as a statutory body under the Birds and Habitats Directive, and as such has a role in designating European conservation areas and planning development, both nationally and internationally.

The Chair added that while NPWS issues licences for geophysical surveys, there was no consultation mechanism in place for this as far as he was aware. As the NPWS does not seem to be part of the MAP Act, he asked O'Meara for guidance on how can notifications regarding surveys could be issued.

O'Meara confirmed the NPWS are not part of the MAP Act 2021. The areas and the notification of surveys need to be looked at collectively by the NPWS together with colleagues from the three Departments and the agencies involved. This could potentially be an area for the Subgroup to deal with.

Hennessy added that there was a slight change in terms of how these applications have been dealt with. It used to be the case that any assessments from NPWS on survey applications would be managed as part of an integrated process through the Foreshore unit, but this has now changed. In some cases, foreshore licenses are not required and that means if applications go straight to NPWS, there may be no notice. These changes have exacerbated the issue. There will be an opportunity to

look at this with the establishment of MARA, when the new licensing process will be set up but also the previous foreshore licensing process will be taken on as well.

Murphy remarked that DAFM is not covered under the MAP Act. He was concerned that a ‘black hole’ of surveys, plans and companies would occur without any notification. He stressed that his members had contacted him to get clarity from the Departments on this. He asked what the next step would be.

Berrow clarified that NPWS do not issue licenses for seismic surveys or site investigations. They are consulted for their impacts on biodiversity, so it’s not their responsibility to notify that a specific site investigation ongoing.

The Chair remarked that this has changed, based on Hennessy’s explanation. MARA will be taking on licensing processes for geo-physical surveys as well. He returned to the ACs and asked if it would be possible to get contact information of MARA, so the ACs can reach out once it is established.

Hennessy confirmed that the NPWS does not issue licenses for activities not covered by the foreshore act, but they still need to be consulted if there is a potential impact with regard to a site. She clarified it is not the role of NPWS to notify other parties. She acknowledged there is a gap in the system for geophysical surveys taking place outside the 12 nm zone. It used to be the Foreshore unit’s responsibility to assess them, but with the changed process, there is less awareness of what is happening, which is an issue. She said all three Departments need to look into this to find a solution.

Beamish stressed that there are various structures in place between Departments to consult each other and stay in touch. DECC is responsible for the ORE planning, DHLGH covers the consenting process for the time being while awaiting the establishment of MARA. Once MARA is established, there will be a more conscious process for the licensing and taking into account fishing activity. MARA will have various consultation structures to coordinate on permitting licensing at sea. The seafood group interacts with this depending on the Department it deals with and the remit of its use. All frameworks are being developed and modernised.

Niall McManus returned to the point on geophysical surveying and added that the NPWS do not give permission, just guidance taking into consideration provisions in the relevant Directive that applies. He asked for the timeline to close this loop.

Hennessy replied that once MARA is established at the end of Q1, a communications protocol will be put in place to make sure everyone is notified with as much information as possible (**action 4**).

The Chair moved on to a question regarding the designation of MPAs and VMEs, asking how these areas are taken into account in the planning process, and how can the ACs could become part of this equation.

Hennessy explained that the process of designating MPAs falls under a separate piece of legislation, and deciding where they will be designated will take time. A screening exercise is currently ongoing which assesses the impacts of projects going through the planning system, to inform An Bord Pleanála. This will help inform the areas likely to be assigned as MPAs, but she emphasized that the legal processes involved will take some time. NPWS are doing similar work on designating areas based on as much information available as possible, to ensure areas are assessed before consent is granted.

The Chair thanked the panellists for their contributions and remarked that the international dimension of involving stakeholders has been well emphasized.

## 6. Closing remarks by NWWAC Chair

Emiel Brouckaert, Chair of the NWWAC, thanked all the speakers and panellists for their interesting contributions. He remarked that the meeting covered many spatial areas that are important for both the remits of the NWWAC and the PelAC. He noted that these areas also cover shared spaces with the UK, which are no longer part of the EU. He wondered how the link with fisheries would take form, and whether it would require a similar process such as the Specialised Committee on Fisheries. *“Would joint recommendations be required when shared fishing grounds are impacted leading to area closures, such as recommendations developed by Member State groups?”*, he asked.

The ACs have a remit under the CFP and need to be prepared to give advice on this entire process, as recommendations will be needed. He referred to the [ACFishMap](#) developed by the NWWAC, that could certainly serve as a tool to gather relevant information and to follow-up on this process. He was also impressed by the maps showed in Keatinge’s presentation.

He referred to Hennessy’s extensive presentation, informing the stakeholders on the MAP Act based on the EU marine spatial planning Directive, which contains important biodiversity protection elements. The MAP Act 2021 contains fundamental principles aiming to establish coexistence. As ACs, it is important to follow-up on this discussion, and notably, on the 7 areas that are already assigned, to determine how these affect the fishing grounds. He hoped this information would become available soon.

He felt that the session also assured that alignment is foreseen between the MARA and the process of designating MPAs. This is being dealt with in the Offshore Wind Delivery Task Force and is key in the context of marine spatial planning. A public consultation on the ORE development plan will soon be launched which will be an important moment for the fishing industry and the ACs to follow up on.

Capt. McCabe gave a very similar presentation to the NWWAC in July 2022, when the Seafood ORE subgroup had just been set up. Brouckaert underlined the importance of involving international stakeholders into the work of the subgroup. He called on the NWWAC and the PelAC to reiterate their request to form part of the Seafood ORE subgroup. *“There are gaps to be filled in terms of representation, and the AC Fish Map could serve as an important tool to map out important fishing grounds”*.

Brouckaert added that the key points addressed in the panel discussion were the involvement of international stakeholders, which is an element that the MARA will look into once established. He noted a clear action point for the ACs to get in touch with MARA and feed into this process for consenting areas for ORE. The knowledge ACs can bring in from similar processes in other Member States was recognized and emphasis was put on ACs becoming proactive in their engagement. It has also been pointed out that the ACs cover not just international fishery industries but also NGOs. The Seafood ORE subgroup will reconsider the participation by ACs in the work of the group. A comment was made as to the representation, covering resources and the need to define representation to avoid overburdening the process with too many stakeholders.

A final discussion was held on legislative issues, planning applications, surveys and notifications. The real conclusion is that the green deal objectives and climate targets are important for reducing the dependency on fossil fuels. He thought it was worth pointing out that under the CFP the ACs have a role in ensuring self-sufficiency and supplying raw material for food production, thus the element of food security also needs to be taken into account.

Brouckaert proposed as an action item for the ACs to remain informed on the content and consultations, and how AC input be ensured.

## 7. End of meeting

The Chair thanked Brouckaert for these comprehensive conclusions and suggested for both the NWWAC and Pelagic AC to jointly follow-up on the actions from the briefing session.

The Chair thanked the speakers, the panellist, the interpreters, and gave particular thanks to the NWWAC Secretariat for the efforts in organising the hybrid setup of the briefing meeting system.

## 8. Action points

1. Once the guiding document of the Seafood ORE Subgroup is finalised, NWWAC and PelAC to formally request once more to become member of the Seafood ORE subgroup – and discuss a process of involvement that ensures time/resource efficiency for the ACs.
2. NWWAC and PelAC to send a letter to DECC expressing an interest in becoming part of the process for the engagement with international stakeholders in the next phase of area planning following a plan-led approach.
3. DECC to provide NWWAC and PelAC Secretariats with contact details of MARA, once established. ACs to reach out to MARA to become involved as the license and consenting process takes form.
4. Once MARA is established, DECC to put in place a communications protocol to ensure notifications on both foreshore and offshore licences.



## 9. Meeting participants

First name	Surname	Organisation
Cecil	Beamish	DAFM
Jose	Beltran	OPP-7 Burela
Simon	Berrow	IWDG
Caroline	Boquel	BIM
Emiel	Brouckaert	NWWAC
Patrick	Bruinink	PFA
Rory	Campbell	BIM
Greg	Casey	Wild Ireland Defence
Baptiste	Cautain	Les Pecheurs de Bretagne
Juan Carlos	Corras Arias	FREMSS
Ben	Crowe	Hexicon Group
Camille	Daniëls	Vlaamse overheid
Edward	Farrell	Killybegs Fishermen's Organisation
Martina	Hennessy	DECC
Deirdre	Hoare	Independent
Gerald	Hussenot Desenonges	BLUEFISH
Anne-Marie	Kats	PelAC Secretariat
Michael	Keatinge	Seaview Marine Economic Consulting
Colm	Lordan	Marine Institute
Jesus	Lourido Garcia	puerto de celeiro sa opp77
John	Lynch	ISEFPO
Bart	Maertens	Vlaamse overheid
Mo	Mathies	NWWAC Secretariat
Oliver	McBride	The Fishing Daily
Robert	McCabe	Seafood ORE Group
Martina	McCarthy	DAFM
Niall	McManus	EarthRoute
Patrick	Murphy	Irish South and West FPO
Aodh	O Domhnaill	IFPO
Risteard	Ó Domhnaill	Aqualicence
Ciaran	O'Donnell	Marine Institute
Sean	O'Donoghue	KILLYBEGS FISHERMEN'S ORGANISATION LTD
Martin	O'Mara	DHLGH
Mikel	Ortiz	OPPAO
Norah	Parke	KFO
Jim	Parkinson	Sinbad Marine Services
Julie	Parkinson	Sinbad Marine Services
Irene	Prieto	ANASOL
Rob	Pronk	W. van der Zwan & Zn. B.V.

Romain	Soisson	Compagnie des Peches Saint-Malo
Eimear	Stafford	Sinbad Offshore
Ferenc	Szalay	Confédération Internationale de la Peche Sportive
Torcuato	Teixeira Valoria	Asesor Xurídico Federacion Nacional De Confrarías De Pescadores
Paul	Thomas	European Association of fish Producers Organisatio
Brian	Twomey	
Matilde	Vallerani	NWWAC Secretariat
Arthur	Yon	FROM Nord



## Annex – Panellists

**Martina Hennessy:** Martina Hennessy is a Principal in the Department of the Environment, Climate and Communications (DECC) in Ireland, heading up one of the policy divisions leading the development of Offshore Renewable Energy (ORE). The role encompasses development of a new regulatory framework for the sector, in addition to integrated spatial planning which will be important in setting out the pathway for the State to transition to a plan-led approach for ORE.

**Captain Robert Mc Cabe:** Captain Robert Mc Cabe is the Chair of the Seafood/ORE Working Group. Robert is a Master Mariner by profession and represents the Nautical Institute at the International Maritime Organisation. Robert served at sea on foreign going vessels from 1973 to 1985 and on Lighthouse Service Ships from 1985 to 2000. Robert is a member of Galway Harbour Board, a volunteer member of the RNLI Operations Committee and a former Director of Operations and Navigation with the Commissioners of Irish Lights.

**Dr Cecil Beamish:** Dr Cecil Beamish is the Assistant Secretary General for the Marine areas of the Department of Agriculture Food and the Marine which operates from the National Seafood Centre, Clonakilty, Co. Cork and deals with a number of sectors relating to Sea Fisheries, Aquaculture, Seafood Development & Marketing, Seafood Processing, Fisheries Resource Management, Harbour Infrastructure capital development, Fishery Harbour Management, Marine Research, Marine Institute, BIM, Sea Fisheries Protection Authority and all matters relating to the EU Common Fisheries Policy (CFP).

**Dr Simon Berrow:** Dr Simon Berrow has been working on cetaceans (whales, dolphins and mammals) in Ireland since 1987. He has been involved in developing best practice for the conservation and management of cetaceans in Ireland including small scale coastal surveys and acoustic monitoring. He has carried out a large number of environmental impact and marine mammal risk assessments and ran fisheries bycatch programmes. He is a lecturer at the Atlantic Technological University in Galway contributing to the Applied Freshwater and Marine Biology degree and MSc programmes and supervisors MSc and PhD candidates. He has over 200 scientific papers to his name and is founder member and current CEO of the Irish Whale and Dolphin Group ([www.iwdg.ie](http://www.iwdg.ie)).

**Rory Campbell:** Rory Campbell is the Seafood Technical Services (STS) Director with Bord Iascaigh Mhara (BIM). BIM which is primarily focused on the fisheries and aquaculture sectors in Ireland helping to find technological solutions for the various challenges facing the Irish seafood sector. The STS business unit also plays an important role in regional fisheries and aquaculture development, and provides certification, sustainability and food safety services to the seafood sector. Rory has been with BIM since late 2020, having previously held various roles in the fisheries and aquaculture sectors in Scotland (Mowi, Scottish Fishermen's Federation and Marine Scotland Science).

**Martin O'Meara:** Martin O'Meara is the Assistant Principal Officer, Marine Planning Policy and Legislation, Department of Housing, Planning and Local Government. He joined the Marine Planning Policy and Legislation (MPPL) section of the Department of Housing, Planning and Local Government as Assistant Principal Officer in February 2020. The MPPL section is responsible for marine planning in Ireland through the implementation of Ireland's first National Marine Planning Framework which covers Ireland's maritime area, including internal waters (sea area), territorial sea, exclusive economic zone (EEZ) and continental shelf. The framework applies to a maritime area of circa 495,000 square kilometres and is a parallel document to the National Planning Framework.