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LAS AGUAS  
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Minister Darragh O'Brien, TD  
Department of Housing, Local Government and Heritage  
Custom House  
Dublin  
D01 W6X0

Dun Laoghaire, 09 November 2023

Dear Minister,

**Subject: Ecological sensitivity analysis of the western Irish Sea to inform future designation of Marine Protected Areas (MPAs) Report**

The North Western Waters Advisory Council (NWWAC) is a representative and legitimate EU fisheries stakeholder body which is legally recognised as an organisation pursuing an aim of general European interest, as described in the Common Fisheries Policy. Member organisations from five EU Member States, Belgium, France, Ireland, the Netherlands and Spain) representing either the fishing industry or other interest groups, for example civil society interests and recreational fisheries, come together to provide strategic stakeholder advice to sustainable fisheries management to the European Commission and the Member States related.

The NWWAC has followed the Irish Government's initiative on expanding Ireland's Marine Protected Areas network since 2021. We participated in the public consultation on the MPA Advisory Group's Report entitled "Expanding Ireland's Marine Protected Area Network" ([link](#)) and in the Shared Island Dialogue.

The NWWAC is also very interested in the recently published "Ecological sensitivity analysis of the western Irish Sea to inform future designation of Marine Protected Areas (MPAs) Report". We highly appreciated the presentation of the report and related work by Prof. Tasman Crowe, UCD Earth Institute and Chair of the MPA Advisory Group, at the latest meeting of the NWWAC Horizontal Working Group on 26 September. This presentation was followed by a discussion during which NWWAC members raised concerns in relation to the study itself as well as regarding its subsequent application. These concerns are summarized below.

## Concerns

### Data availability

NWWAC members identified that the majority of data used in the conservation prioritisation analyses were fisheries dependent data which were mainly based on VMS and logbook data and therefore biased towards areas that are of key importance for commercial fishing. Since the Marine Institute does not conduct groundfish or pelagic surveys in the Irish Sea it can be assumed that most of the survey data available was from the AFBI groundfish survey, which has a limited number of sampling



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stations in the western Irish Sea, the majority of which are concentrated around the *Nephrops* grounds in the northern part of the study area. Therefore, the NWWAC draws specific attention to the following statements in the report: *“The resultant sampling data is not a true representation of the species range and does not capture the diversity of life present in the Irish Sea”* and *“There is an urgent need to use a synoptic sampling approach to obtain an accurate picture of the population status and distribution of species and habitats in the Irish Sea”*.

### Exclusion of habitats and species

As part of the Expert Group’s Terms of Reference, habitats and species that are listed in the EU Birds and Habitats Directives were excluded from this study as *“These are already subject to ongoing analyses and site identification processes led by NPWS in accordance with national requirements under those Directives”* and *“Legal provisions for their conservation and sustainability are already in place”*. NWWAC members feel that this has resulted in a significant data gap in the sensitivity analysis and led to the incorrect interpretation of areas that were not deemed to be potentially sensitive, for example sand banks. These are defined in Annex I of the Habitats Directive as *“Sandbanks which are slightly covered by sea water all the time”* and NWWAC members wish to query why some of the largest sandbanks including the Kish, Arklow and Codling remain undesignated and have also been highlighted as areas for ORE developments with monopile based wind turbines.

Following publication of the sensitivity analysis report, the DHLGH has announced the proposed designation of a large Special Protection Area (SPA) in the northern part of the study area, which is also a proposed site for ORE development. These proposed designations/uses are in direct contradiction to each other and highlight the deficiency in the output of the analyses as part of this report.

### Peer review

NWWAC members raised concerns regarding the apparent lack of an official review and analysis of the published report. With Ireland’s ambitious aims regarding ORE development over the coming years, it is felt that a robust review and evaluation would add to the transparency of the assessment and its potential for subsequent application in future designation of MPAs and ORE development sites.

## Recommendations

The NWWAC considers the ecological sensitivity report a good starting point, as is communicated in the report’s conclusions: *“Given limitations encountered in the underlying data, some knowledge gaps identified by the study and the need for wider stakeholder participation, some of the conclusions and recommendations are the best that could be made under these circumstances. Such instances provide a signpost to processes by which more definitive outputs may be generated in the future, once better*





*data and knowledge are available. In addition, a more substantive and longer-term process of stakeholder engagement and participation is anticipated to be undertaken under the new MPA legislation when it comes into force."* Therefore, the NWWAC advises to consider the following recommendations when identifying future work to finetune the presented approach:

- Full peer review of published report;
- Increased involvement of key stakeholders from the outset, specifically in relation to data availability;
- Inclusion of ecosystem services other than carbon sequestration in future analyses, for example seafood supply and its contribution to food security;
- Evaluation of impacts from monopile wind turbine development on local hydrodynamics as well as potential disturbance and resuspension of carbon stores;
- Evaluation of underwater archaeology features (i.e., shipwrecks) as supporting features for localised biodiversity support.

In addition, the NWWAC advises to remove the main commercial species of Rays (Blonde Ray, Thornback Ray, Spotted Ray) from the list of structures analysed in the document as these species are not managed under individual TACs. They are managed under a group TAC on the basis of ICES assessments using the available data for each of the stocks involved. The management of skates and rays fisheries is currently evolving through work overseen by the European Commission, ICES, STECF and Advisory Councils (including the NWWAC) to move towards an MSY type assessment for the individual stocks. Avoidance measures and improved selectivity also form an important part of this work. Therefore, the NWWAC considers it premature to include these individual species in the analysis for the identification of possible MPAs.

<https://www.nwwac.org/francaise - myCarousel43>

Finally, the NWWAC strongly recommends that this report should not be used in the ongoing ORE planning process or for identifying potential future MPAs unless additional work has been carried out as identified in the key outcomes of the report: *"Further work under the forthcoming MPA legislation will enable potential MPA network solutions to be refined on the basis of national policy, analyses involving new additional evidence and the participation and input of stakeholders."*

I thank you for the opportunity to submit our concerns regarding this report and look forward to your reply.

Yours sincerely,

Emiel Brouckaert  
NWWAC Chairman



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