

# ORE NEW APPROACH

KFO and ISEFPO

- Recognising the urgent need to clarify and define the roles of all stakeholders in the interaction between the Seafood and Offshore Renewable Energy (ORE) industries, the Killybegs Fisherman's Organisation and the Irish South and East Fish Producers Organisation have proposed a comprehensive method of working that ensures all stakeholders are actively involved in the *formulation* of ORE applications and not just informed after the event as a *fait accompli*.

ORE projects in Ireland will be developed in three Phases

1. Phase 1 projects which have all been granted a Maritime Area Consent will produce 3GW
2. Phase 2 projects will bring this to 7GW
3. The enduring regime which is stated to have the potential for 70GW

## PHASE 1

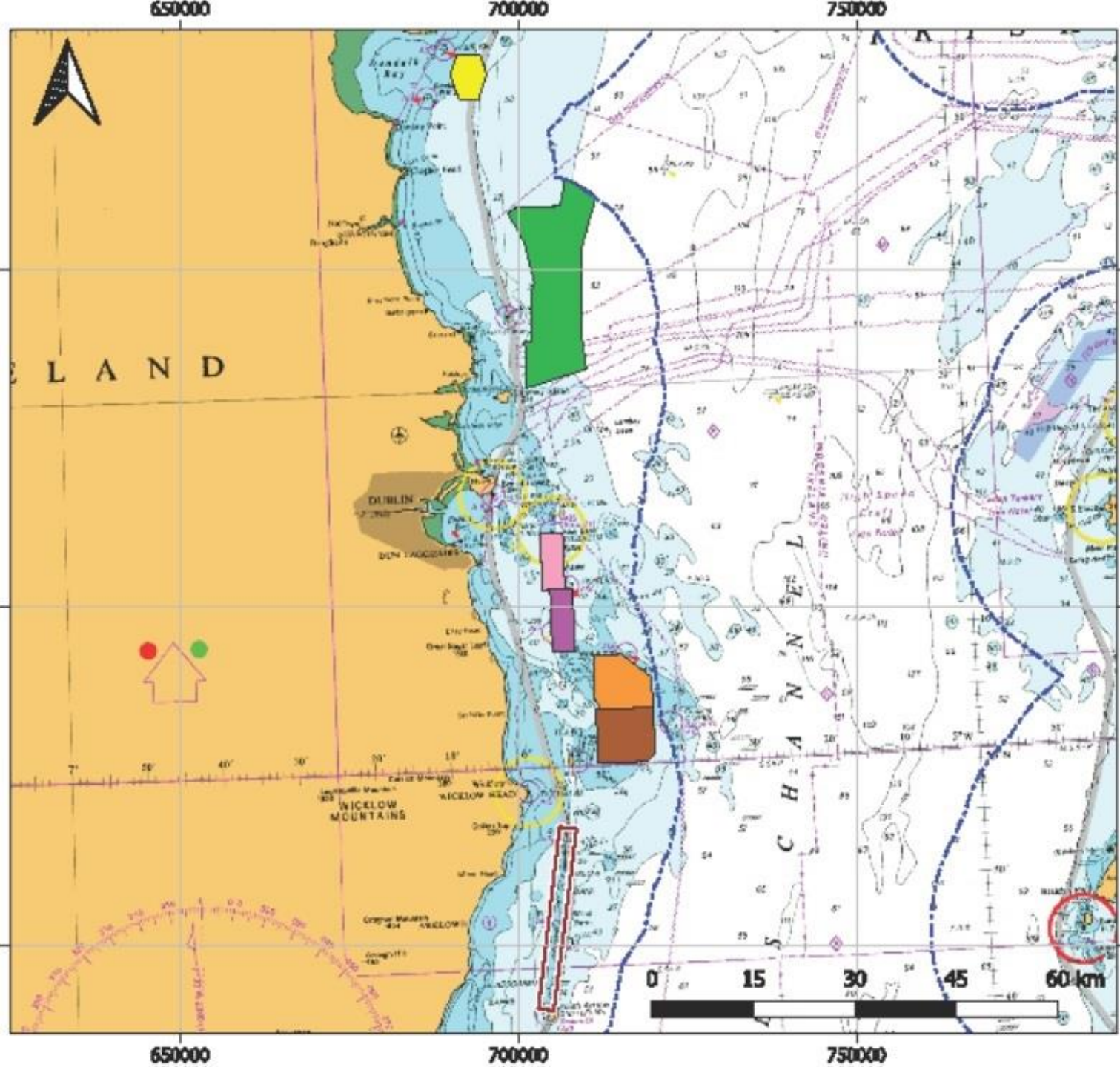
The fishing Industry in Ireland recognizes the evolving nature of the ORE industry and its ambition for energy production and security, it is essential that the renewable energy sector recognizes the vital role that fisheries play in delivering food security and ensure that the activities of the ORE industry do not undermine the future economic prosperity of those employed in the fishing industry either at sea or ashore. It is these latter concerns that are exacerbated by the lack of any real engagement prior to the development of the Phase 1 ORE project

In the absence of any constructive engagement by the ORE industry, the fishing and wider seafood industry is facing significant challenges arising from the proposed location and scale of ORE developments planned for the Irish Sea and right around the coast of Ireland.

## Phase 1 Cont.

### For Example

- The lack of active stakeholder engagement during the design of the Phase 1 projects has resulted in both the Oriel and North Irish Sea Array being sited (76% and 85%, respectively) on very valuable *Nephrops* grounds in the Irish Sea (see map below).
- *Nephrops* are the second most valuable wild-capture species to the Irish seafood economy, with landings worth some €53M in 2021. Over 30% from the Irish sea.
- The proposed projects will prevent access to a significant proportion of the Irish EEZ part of the North Irish Sea *Nephrops* ground. This will have implications in any future renegotiation of the TCA.
- This could have been avoided if *real* stakeholder engagement had been pursued.

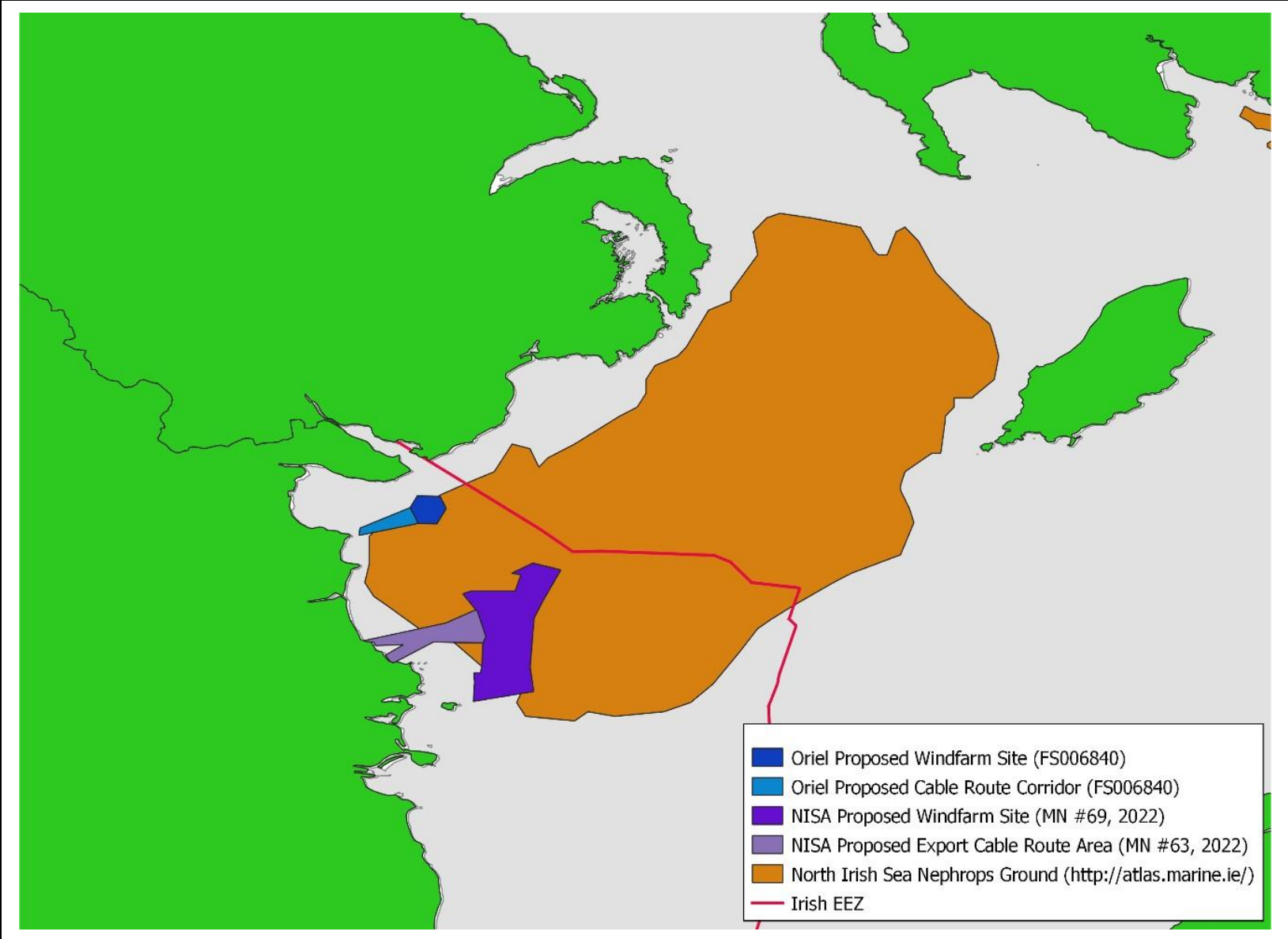


**Ireland - Relevant Projects**

- Legend**
- 12 Nautical Mile Limit
  - Relevant Projects East**
  - Oriel
  - North Irish Sea Array (NISA)
  - Dublin Array - Kish Bank
  - Dublin Array - Bray Bank
  - Codling Wind Park Array Area 1
  - Codling Wind Park Array Area 2
  - Arklow Phase 2



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# Phase 1 Applications

The KFO and IS&EFPO are proposing the following as a way to address, even at this late stage, the serious deficiencies in these Phase 1 projects that arise because these projects were awarded a MAC

- i) in the absence of any Marine Spatial Plan.
- ii) without adhering to the requirements of *Schedule 5, Section 80* of the Maritime Area Planning Act 2021 ( Ireland ) as it relates to stakeholder engagement.

**The most serious of these deficiencies is the unacceptable location of these ORE proposals as shown in Figure 1 (above).**

- In light of the fact that the Minister has issued Maritime Area Consent (MAC) for these Phase 1 projects, our proposal below sets out the process that should be followed hereafter to ensure that the final location and design of any proposed windfarm and its attendant cabling are sited such that full account is taken of the interests of the fishing industry.

**This may require, in certain instances, that the application does not progress to development consent.**

- 1 The KFO and IS&EFPO's proposal includes all future applications under the Maritime Area Planning Act 2021 ( Ireland ) and, if utilized any future determinations by the Minister under transition arrangements.
- 2 In putting forward this **New Approach** both organisations are trying to avoid the situation now unfolding in the Irish Sea and exemplified in Figure 2



## Phase 1 and Phase 2 Projects

Should all of these projects go ahead the impact on the Irish fishing industry would be immediate and catastrophic. For those operating in the Irish Sea it could be the end of a way of life.

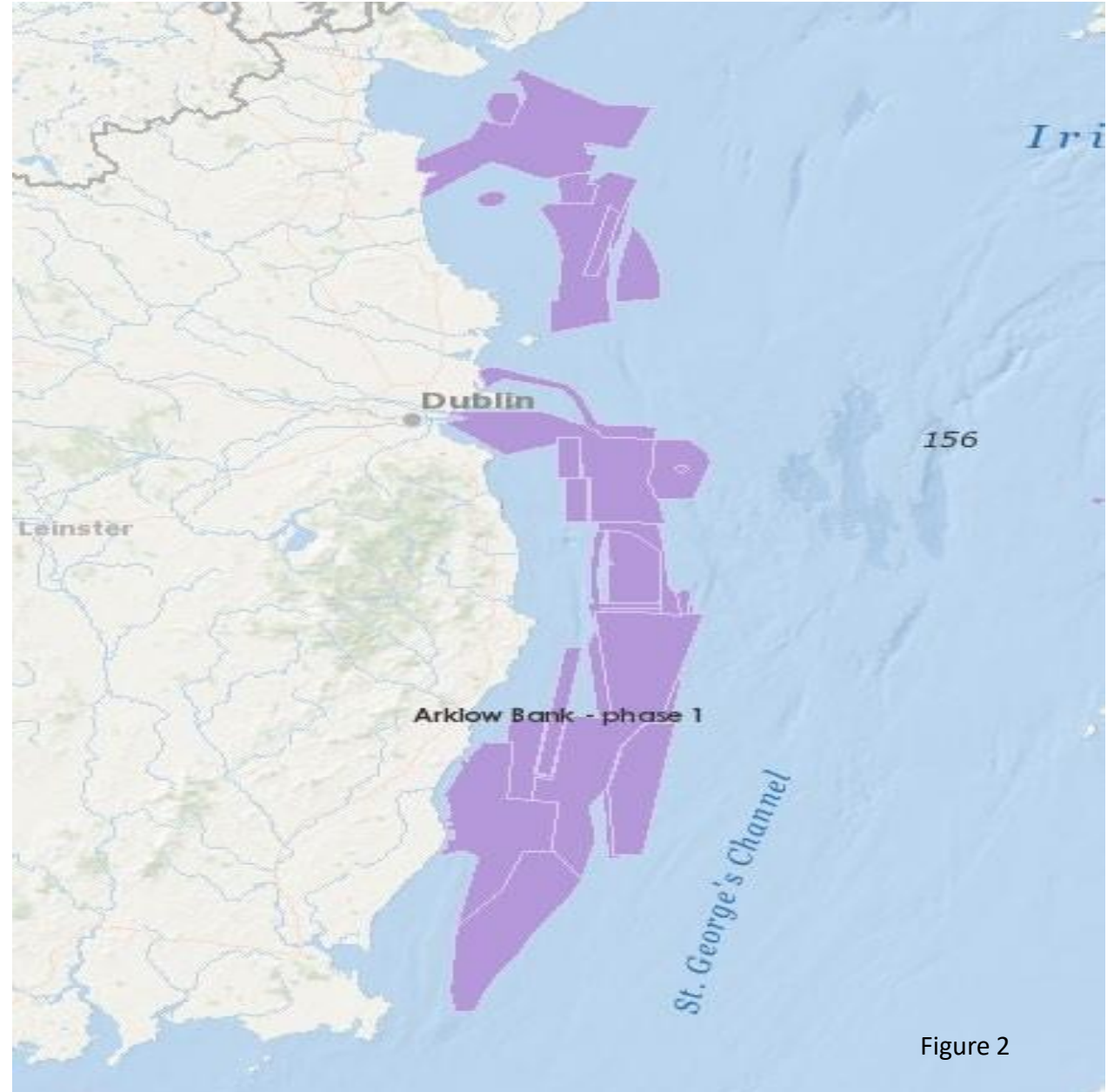


Figure 2

The KFO and IS&EFPO are proposing the following *New Approach* to address the future relationship between the Irish fishing industry and ORE developers.

**1. Pre-MAC Application Process**

- a) The status of all projects proposed by developers, for the Irish Sea, along with those proposed for the south, west and north coasts should be clarified as a matter of urgency.
- b) The ORE industry should no longer have any autonomy when identifying and registering their interest in any prospective ORE site. Instead, a mechanism to facilitate early and meaningful engagement with the fishing industry and its representatives must be introduced as a matter of urgency.
- c) Thereafter, the extent and nature of stakeholders' engagement undertaken by the applicant in respect of the proposed maritime usage, as provided for in the Maritime Area Planning Act 2021 ( Ireland ) must be strictly applied by the Marine Area Regulatory Authority (MARA) in determining any MAC application under Phase 2 and the enduring regime.

**2. Marine Spatial Planning (DMAPs)**

- a) In the preparation of any Marine Spatial Plan (DMAP) providing for future ORE development, the principles of sustainable development, as set out in *Article 9* of the Maritime Spatial Planning Directive should apply.
- b) As part of the preparation of any Marine Spatial Plan (DMAP) providing for future ORE development, the fishing industry will be formally invited to provide advice and information highlighting areas that would be the least disruptive for the location of ORE installations taking account of economic, social, cultural and biological considerations. The environmental considerations will also need to be taken into account.

## **ORE Industry – Fisheries Liaison:**

The following rules should apply to any direct engagement between the ORE industry and the fishing industry.

- a) In every case the ORE developers should, in the first instance, contact the appropriate fishing industry **representatives**.

Every meeting should have:

- An agenda, agreed by both parties and circulated in advance by the ORE developer.
- A Rapporteur, agreed by both parties.
- Minutes, circulated and agreed by both parties.
- Action points, circulated and agreed by both parties.
- Action point follow up, circulated and agreed by both parties.

b) **Fishery Liaison Officers (FLOs):** Define and formalise the role of Fishery Liaison Officers and ensure that the provision of an FLO is a mandatory provision of any licence awarded in respect of any project that impacts any fishery.

## **ORE– Project Location:**

- a) With a view to agreeing the optimum location of any future ORE development, discussions between the fishing industry, other stakeholders and the ORE industry should commence once the provisions of part 2 above have been completed.
- b) If these discussions are successful, then the MAC can be applied for with the support of the fishing industry.
- c) A Functioning dispute resolution mechanism.

## Post-planning

- a) **ORE Industry – Fisheries Liaison:** Once planning permission is obtained, the ORE industry should continue to engage actively with the fishing industry.
- b) **Fishery Liaison Officers (FLOs):** The Fishery Liaison Officers should continue throughout the post planning/building phase of any project.
- c) **Dispute resolution mechanism:** The mechanism,

## Surveys

- a) Prior to embarking on any surveys there must be fishing industry engagement.
- b) Surveys must be undertaken with minimal disruption of fishing activities.
- c) A minimum notice period of 30 days must be given.
- d) Any Marine Notice must reflect fishing industry requirements.

## Construction, Post-construction/Operation, Decommissioning

A detailed set of fishing industry engagement procedures must be established prior to the construction, post-construction/operation and decommissioning stages of every project.

**THANK YOU**