

TERMS OF REFERENCE

Joint Focus Group between the PelAC and NWWAC on impacts from ORE developments and conservation site designations (FG Spatial Dimension)

Background

In 2020 the NWWAC and PelAC first came together to jointly develop advice to the European Commission for a non-recurrent request to ICES on seismic impacts ([link](#)) which was submitted on 04 August 2020. The Commission's reply from 14 October 2020 stated that this request was not appropriate as it would not fit into the scope and timeframe in the Commission's cooperation with ICES ([link](#)).

Following this advice, an additional submission for a non-recurrent request to ICES on impacts of wind energy developments was made on 04 November 2020 ([link](#)) with support from the NSAC. Again, the Commission's response stated that this request was not appropriate as it would not fit into the scope and timeframe in the Commission's cooperation with ICES ([link](#)).

Due to the COVID-19 pandemic, the follow up on the above was delayed. At the Inter-AC meeting on 19 January 2022 ([link](#)) two presentations were given addressing the above topics and the Commission services kindly agreed to join the Advisory Councils in a dedicated virtual workshop to continue the discussions. This led to the submission of joint advice on the impacts of underwater noise and offshore wind energy developments on commercial fisheries on 11 October 2022 ([link](#)). In their response from 28 February 2023 the Commission point out that various projects as well as EU wide, national and regional initiatives are in place addressing the issues raised by the ACs ([link](#)), with the Horizon Europe work programme for 2024 foreseeing an investment of EUR 10 million for "Minimisation of environmental, and optimisation of socio-economic impacts in the deployment, operation and decommissioning of offshore wind farms".

With the energy crisis triggered by the war in Ukraine, Member States in the NWWAC and PelAC remit areas rapidly advanced their planning and development for offshore renewable energy (ORE) developments. To specifically address the extensive plans within the Irish EEZ, the two ACs organised a briefing on 11 January 2023 gather knowledge and information on the content of the Maritime Area Planning Act 2021 and its impacts on the fishing areas in the Irish EEZ ([link](#)).

Potential impacts from ORE developments fall into various categories as identified especially in the joint submission from 11 October 2022. The 'spatial squeeze' due to the number and extent of site

applications is of great concern to the ACs. This is compounded by the fact that the [EU Biodiversity Strategy](#) sets the target of protecting 30% of EU land and sea by 2030 potentially leading to further displacement and closing down of EU fisheries. Improved coordination between fisheries management and maritime spatial planning processes is urgently needed. This was also acknowledged by the Commission in their Communication on the CFP ([SWD\(2023\) 103 final](#)), published in February 2023 while simultaneously calling for a phasing out of all mobile bottom fishing in MPAs ([COM\(2023\) 102 final](#)) in line with the objectives of the MSFD and the proposed Nature Restoration Law.

Objective

The Focus Group will review previous advice submitted (as detailed above) in relation to potential impacts on commercial fish species from seismic activities, including underwater noise, and the development of ORE and follow up on identified issues where needed.

In addition, the Focus Group will investigate the extent to which fisheries in the ACs remit areas are likely to be impacted by spatial squeeze due to the various developments taking place and planned for the future. This includes but is not limited to ORE developments and MPA designations.

Outcome

The Focus Group will develop advice to the European Commission and Member States on items identified as part of the follow up on the ACs' previous advice, as well as on the topic of spatial squeeze experienced by the fisheries in its remit areas.

Proposed Chair:	Gonçalo Carvalho, Sciaena – Ocean # Conservation # Awareness
Vice-Chair:	tba
Rapporteur:	Anne-Marie Kats, PELAC Secretariat; Mo Mathies, NWWAC Secretariat
Working language:	English
Time frame:	continuous until dissolved by members

The group will carry out its work via virtual meetings and written electronic procedure, unless a physical meeting is required and requested by FG members to aid the development of advice.

NWWAC: The FG Spatial Dimension will function within the Horizontal Working Group. Depending on the timing of development and finalisation of the advice, this may either undergo written procedure for revision and adoption or be approved at one of the upcoming NWWAC Horizontal Working Group or ExCom meetings.

PelAC: The FG Spatial Dimension will operate under the Ecosystem Focus Group. Depending on the timing of development and finalisation of the advice, this may either undergo written procedure for revision and adoption or be approved at one of the upcoming PelAC Working Group I and ExCom meetings.

Members

Name	Organisation	Country	AC