

Public Consultation on the Draft South Coast Designated Maritime Area Plan for Offshore Renewable Energy

Submitted by the Sustainable Water Network (SWAN) to the Department of the Environment, Climate and Communications (DECC) on 13 June 2024

Question 1: Identifying Maritime Areas for offshore wind development

The SC-DMAP aims to promote the sustainable development and growth of the maritime and coastal economies and the sustainable use of marine and coastal resources. Government has used an ecosystem-based approach to identify four Maritime Areas within which fixed offshore wind farms may be located in the SC-DMAP area. This involves making spatial and policy assessments based on environmental, social and economic data and information, and integrating the views of stakeholders and the public throughout the process. The identification of Maritime Areas has sought to avoid and minimise potential associated adverse environmental impacts, including impacts on biodiversity, EU Natura 2000 sites, and other existing marine users. This has taken place through the comprehensive environmental and technical analysis.

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

The Sustainable Water Network (SWAN- a network of 25 environmental NGOs from around Ireland) welcomes the ecosystems-based approach and that the four identified Maritime Areas have no exclusions and low environmental constraints, with the draft SC-DMAP not overlapping with any existing Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or Important Bird and Biodiversity Areas (IBAs), as well as a buffer zone around the proposed Seas Off Wexford SPA. We support the stated objective “to avoid potential adverse impacts on biodiversity, EU protected sites, and future national protected site designations [in the preparation of the draft SC-DMAP].”

It is positive to note that BVG’s report on Maritime Area identification finds that “the [identification] process identifies areas of low environmental and technical constraint” and the combination of these ratings (with technical constraints) used to identify Maritime Areas disincentivizes planning within the most environmentally sensitive areas. We recognise that areas of lowest levelised cost of energy (LOCE) were not selected for Maritime Areas, as they were found in areas with high environmental constraints, which took priority.

Figure B.11 in the “South Coast Designated Maritime Area Plan: Maritime Area identification” report by BVG Associates shows significant marine mammal constraint across the Study Area. SWAN calls for assurances that underwater noise associated with construction and operation will be mitigated to lessen impacts on marine mammals, with particular emphasis on cetaceans which rely on sound for many of their critical natural functions. In the same report, Figure B.14 shows ornithology constraints. While these are shown as being concentrated by coasts (likely around colonies), we reiterate the need for ongoing monitoring and analysis through the process, based on species-specific characteristics, such as foraging radii and typical flying height of resident and migratory seabirds in the area, to ensure that vulnerable species are not negatively impacted.

Question 2: Sustainable development and environmental protection

The SC-DMAP will provide for the sustainable development of offshore wind through consideration of environmental protection, while maintaining, and where possible, enhancing marine biodiversity. A governance structure will oversee and monitor the implementation of the SC-DMAP including environmental impacts. Building upon and informing national, regional and local land and marine planning policy, policy objectives set out in the SC-DMAP will inform future decisions and assessments by relevant competent authorities on proposed offshore renewable energy projects and their enabling infrastructure, including for electricity transmission offshore and onshore. Any future offshore wind projects and associated transmission infrastructure within the SC-DMAP will also be subject to all necessary environmental assessment and State permits.

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?

Once implemented correctly, the DMAP process appears to feed into the UN's Sustainable Development Goals and be in line with the policy objectives of relevant EU Directives and plans and national legislation. It is vital that restoration of nature and biodiversity are at the heart of planning. By using sources of geospatial environmental data as inputs to constraint mapping from NPWS, Ramsar, UNESCO, EMODNet, Ireland's Marine Atlas and ObSERVE for designated sites, marine habitats, marine mammals, fish and shellfish, ornithology, we are encouraged that the process has a strong evidence base. We hope this and future DMAP processes will be adaptive, based on the most up-to-date data as it becomes available, including the ObSERVE II survey (due for 2025 completion). Monitoring of Maritime Area A should provide lessons for the use of subsequent Maritime Areas and future DMAPs.

We are concerned that environmental attributes were not considered along the export cable routes. Through the DMAP process, constraints must also be considered in relation to construction (including the impacts of dredging or dumping and capacity of ports), the impacts outwith the designated areas, and the effects of decommissioning in the future. Where there is unavailable data, or the impact of ORE development on an ecosystem is unknown, the precautionary principle must be applied.

Question 3: Promoting shared use of the sea

The draft SC-DMAP ecosystem-based approach aims to maximise opportunities for co-existence between offshore renewable energy and other marine users and activities such as aquaculture, commercial fishing and seafood activity, and tourism and recreation, as well as the protection of the marine environment and biodiversity. The draft Plan provides that mandatory permanent exclusions on additional activities or usages within Maritime Areas identified for future offshore renewable energy development should be not imposed save relating to safety or in other exceptional circumstances.

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

SWAN note the EPA's point raised in the Natura Impact Statement: *"It should be clarified whether it is proposed to exclude the location of offshore renewable devices in Natura 2000*

sites or sites or areas protected under other national or international instruments from development. The requirements of Article 6 of the Habitats Directive should be fully integrated into the environmental assessment." We recognise that existing SPAs and SACs have been avoided from the four Maritime Areas identified in the SC-DMAP and call for this to be set as a precedent for future DMAP processes, ensuring future DMAPs exclude future MPAs as areas for possible development. While "successful co-existence is a core objective of the draft Plan," we must see the prioritisation of nature restoration and biodiversity in Irish waters, avoiding co-location of ORE in areas identified for marine protection. Rather than avoiding activities which "might be in direct conflict with ORE," we call for avoidance of activities in direct conflict to Ireland reaching Good Environmental Status (GES) per the 11 descriptors of the Marine Strategy Framework Directive (MSFD).

Additionally, fish populations must be considered in their role in the marine ecosystem (for instance, as prey for seabirds, sharks and marine mammals), rather than just as commercial stock. The identified areas include spawning and nursery grounds for fish species including haddock, herring, cod and pollock, which are important not just commercially, but also for their role in the marine food web. Ongoing monitoring via regional surveys is necessary, with reassessment of the most up-to-date data at project state and throughout development and implementation, as well as during decommissioning, with long-term impacts studied. Independent monitoring of areas of special interests and features for possible inclusion in future MPAs is also necessary.

SWAN welcomes the intention of the plan-led approach to "identify the most appropriate maritime areas for future ORE development, through analysis of the local marine environment and engagement with local coastal communities," in response to the anticipated acceleration in ORE applications as Ireland seeks to reach important net zero targets.

Question 4: Maximising benefits for all

Independent economic analysis highlights that implementation of the draft SC-DMAP could generate significant economic and societal opportunities in Ireland, through inward investment and employment creation. The analysis also highlights that the majority of these benefits will be captured at regional and local level along the south coast. Maximising these economic benefits and opportunities is a key objective of the SC-DMAP.

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

SWAN's priorities are ensuring compliance with the Marine Strategy Framework Directive, achieving and maintaining Good Environmental Status in the marine environment. We echo Seas at Risk's call for ORE¹ to be developed in harmony with nature, addressing the triple crises of climate, energy and biodiversity equally, with impact on marine ecosystems and coastal communities kept to a minimum. The plan must demonstrate responsibility towards nature, not just the economy. As part of a just transition to net zero, the environmental sciences sector must be developed as part of the economic and employment opportunities associated with the project, with the capacity and skillsets of ecologists and marine biologists developed and utilised to deliver for the environment.

We are strongly in support of a process that has stakeholder engagement throughout the planning, development and use of the area. The expertise of environmental NGOs and local input from coastal communities must be central to planning. As a coalition partner of Fair Seas, we join and strongly support their call for strong environmental NGO representation on the Marine Ecosystems and Ornithology Working Group.