Appendix 5-6:
Fisheries Management and Mitigation Strategy

ORIEL WINDFARM
OFFSHORE RENEWABLE ENERGY

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ORIEL WIND FARM PROJECT

Environmental Impact Assessment Report
Appendix 5-6: Fisheries Management and Mitigation Strategy

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Glossary

Term	Meaning
Fishing Industry Representative (FIR)	Fisheries liaison role often appointed with advice from local fisheries stakeholders who provides a balanced fishing industry view and provides a single onshore contact point within the fishing community.
Fisheries Liaison Officer (FLO)	Individual employed by the Applicant as the key fishing/fisheries contact.
Guard vessel	Vessels used to provide protection to and from vulnerable project structures, exposed cables, etc.
Offshore Fisheries Liaison Officer (OFLO)	OFLOs are placed onboard main survey and construction vessels to act as the point of communication with fisheries stakeholders at sea, when necessary.
Static gear	Any form of fishing gear that operates without being towed or moved through the water (i.e. pots, long lines, set nets, traps).
Vessel Monitoring System (VMS)	A satellite or VHF radio tracking system using transmitters on board fishing vessels.

Acronyms

Term	Meaning
DHLGH	Department of Housing, Local Government and Heritage
EIAR	Environmental Impact Assessment Report
FIR	Fishing Industry Representative
FLO	Fisheries Liaison Officer
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables
FMMS	Fisheries Management and Mitigation Strategy
HWM	High Water Mark
NMPF	National Marine Planning Framework
NtM	Notice to Mariners
OFLO	Offshore Fisheries Liaison Officer
OSS	Offshore Substation Site

Units

Unit	Description
km	Kilometre (distance)
km^2	Square kilometre (area)

1 FISHERIES MANAGEMENT AND MITIGATION STRATEGY

1.1 Introduction

1.1.1 Purpose

This Fisheries Management and Mitigation Strategy (FMMS) has been prepared by RPS on behalf of Oriel Windfarm Limited (the Applicant) to support the Environmental Impact Assessment Report (EIAR) for the Oriel Wind Farm Project (hereafter referred to as 'the Project').

The FMMS will be further developed post-application in advance of the construction phase of the Project.

The purpose of the FMMS is to set out the approach to fisheries liaison and mitigation in respect of the Project, including an outline of the measures proposed to be implemented to facilitate co-existence with commercial fishing and to minimise potential impacts. The FMMS also sets out relevant commitments made within the EIAR in relation to fisheries liaison.

1.1.2 Scope

The remit of the FMMS is for the Project activities taking place seaward of the High Water Mark (HWM).

1.1.3 Document structure

The FMMS is structured as follows:

- Section 2: Project Background;
- Section 3: Guidance;
- Section 4: Summary of EIAR measures included in the Project;
- Section 5: Roles and Responsibilities;
- Section 6: Fisheries Management and Mitigation; and
- References.

2 PROJECT BACKGROUND

2.1 Project characteristics

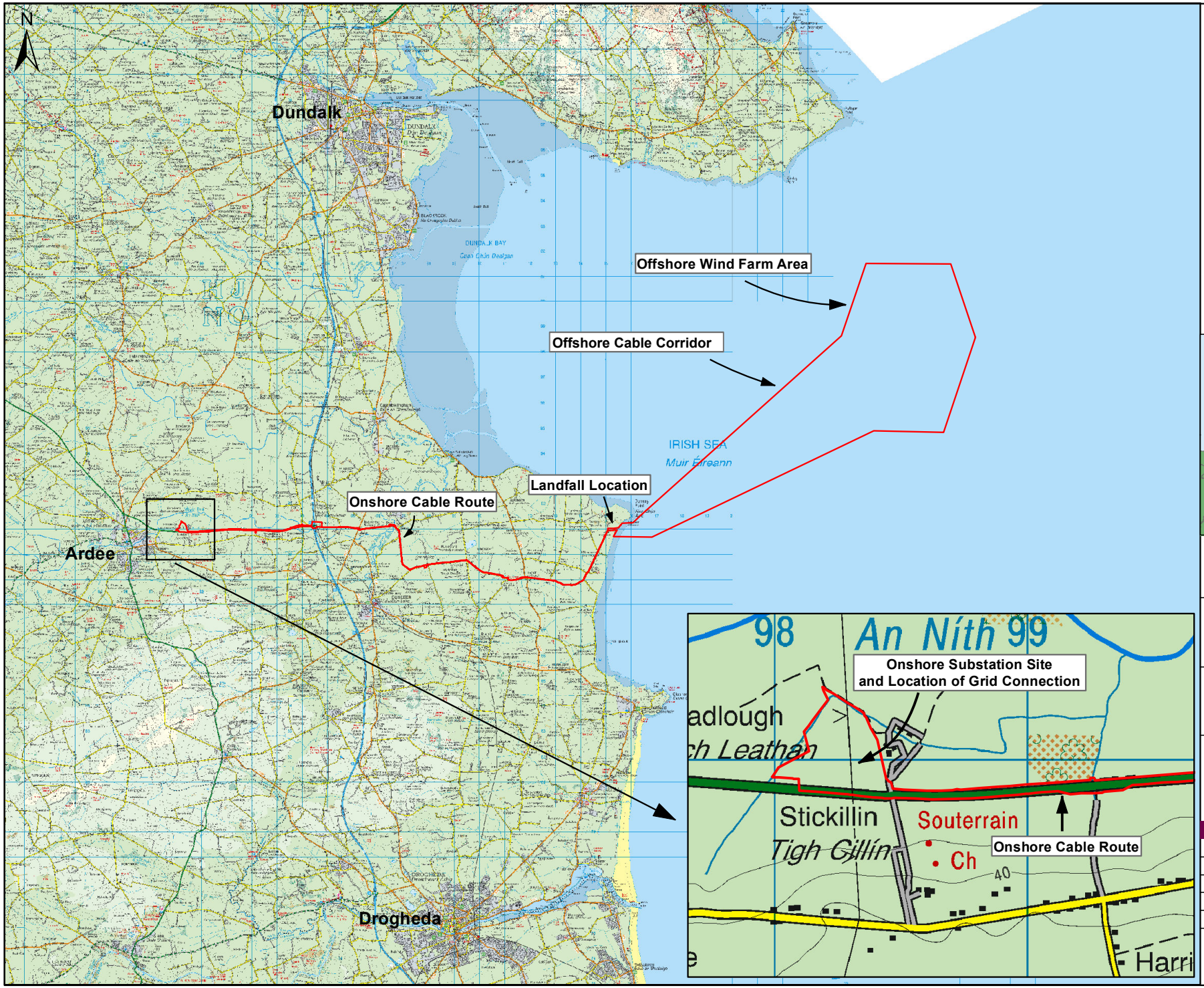
The Project is located in the Irish Sea, off the coast of County Louth (approximately 22 km east of Dundalk town centre and 18 km east of Blackrock). The closest wind turbine will be approximately 6 km from the closest shore on the Cooley Peninsula. The offshore cable corridor extends approximately 11 km southwest from the offshore wind farm area to the landfall south of Dunany Point (Figure 2-1).

The Project parameters will consist of the following key components:

- 25 wind turbine foundations (monopiles) attached to the seabed;
- 25 wind turbines (each comprising a tower section, nacelle and three rotor blades);
- One Offshore Substation Site (OSS) and associated foundations (monopiles) attached to the seabed;
- One OSS topside infrastructure (for the purposes of this report, the term OSS is used to refer collectively to the platform structure and the topside equipment);
- A network of 41 km of inter-array cabling;
- 16 km of an offshore cable within the consented offshore cable corridor; and
- Scour protection and cable protection.

The offshore wind farm area (i.e. the area in which the turbines, inter-array cables and OSS will be located) covers 27.7 km^2.

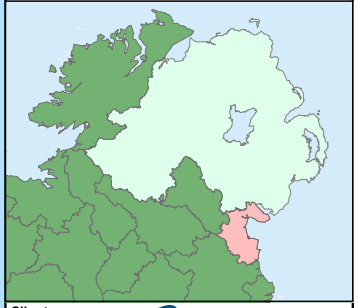
Five wind turbines will be connected in a string of inter-array cables back to the OSS. There will therefore be five strings of inter-array cables connecting into the OSS. An offshore cable will transfer the electricity from the OSS to shore, where it will connect to the onshore infrastructure.



Legend

Planning Application Boundary

Data Sources: OWL, OSi.



Client

ORIEL WINDFARM
OFFSHORE RENEWABLE ENERGY

Project

Oriel Wind Farm Project

Figure 2-1:
Overview of Oriel Wind Farm Project

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Issue Details

Drawn By: NR	**Project No.** MDR1520b
Checked By: CC	**File Ref:** MDR1520bArc3072F02
Approved By: CC	
Scale: 1:200,000 @ A4	**Projection:** ITM (IRENET95) Geographic Co-ordinates: ETRS89
Date: 12/01/2024	

2.2 Policy

The National Marine Planning Framework (NMPF) (Department of Housing, Local Government and Heritage) (DHLGH., 2022) Fisheries Policy 2 states:

"*Where significant impact upon fishing activity arising from any proposal is identified, a Fisheries Management and Mitigation Strategy (FMMS) should be prepared by the proposer of development or other maritime area use, in consultation with local fishing interests and other interests as appropriate. All efforts should be made to agree the FMMS with those interests. Those interests should also undertake to engage with the proposer and provide best available, transparent and accurate information and data in a timely manner to help complete the FMMS. The FMMS should be drawn up as part of readying a proposal prior to submission, with measures identified to be considered in finalising conditions of any authorisations granted. Development of the strategy should be coordinated with other relevant assessments such as EIA where possible.*

The content of the FMMS should be relevant to the particular circumstances and could include:

- *An assessment of the potential impact of all phases of the development or other suggested use on the affected fishery or fisheries, both in socio-economic terms and in relation to environmental sustainability. This assessment should include consideration of any impact upon cultural identity within fishing communities, as well as identifying indirect / in-combination matters;*
- *A recognition that the disruption to existing fishing opportunities / activity should be minimised as far as possible;*
- *Demonstration of the public benefit(s) that outweigh the significant impacts identified;*
- *Reasonable measures to mitigate any constraints which the Project or use may place on existing or proposed fishing activity;*
- *Reasonable measures to mitigate any potential impacts on sustainability of fish stocks (e.g. impacts on spawning grounds or areas of fish or shellfish abundance) and any socio-economic impacts; and*
- *Open communication with appropriate seafood stakeholders should be achieved as per the* Seafood/ORE Engagement in Ireland (DHLGH, 2023) (including dispute mechanisms).

Where it does not prove possible to agree the FMMS with all interests:

- *Divergent views and the reasons for any divergence of views between the parties should be fully explained in the FMMS, and dissenting views should be given a platform within the said FMMS to make their case; and*
- *Where divergent views are identified, relevant public authorities should be engaged to identify informal and formal* steps designed to enable proposal(s) to progress."

Volume 2B chapter 12: Commercial Fisheries concluded that all impacts from the Project on commercial fisheries were not significant. This FMMS has been developed as part of good practice to best manage co-existence with the Project.

2.3 Consents

The Project will be subject to the consents shown in Table 2-1. Table 2-1 will be completed once full details are available and is provided here for illustrative purposes.

Table 2-1: Consents applicable to the offshore infrastructure of the Project.

Consent	Legislation	Consenting authority	Date
Maritime Area Consent	Maritime Area Planning Act 2021	Department of the Environment, Climate, and Communications	2022
Dumping at Sea Permit	Dumping at Sea Act 1996 (as amended)	Environmental Protection Agency (EPA)	TBC
Planning application	Maritime Area Planning Act 2021	Department of the Environment, Climate, and Communications	TBC

[Hold: Other consents that may be required prior to construction to be outlined here].

3 GUIDANCE

The FMMS will be developed with reference to available good practice guidance (current best practice guidance discussed below) and in accordance with relevant policy set out in the NMPF (Department of Housing, Planning and Local Government (DHPLG, 2019) and Seafood/ORE Engagement in Ireland (DHLGH, 2023). In addition, information gathered through consultation with fishing organisations, individual fishers and other relevant commercial fisheries stakeholders both as part of the EIA process and through on-going fisheries liaison and engagement will be taken into account when developing the FMMS.

Best practice guidance with regard to fisheries liaison management and mitigation in respect of offshore wind farm projects has been developed in the UK by the Fishing Liaison with Offshore Wind and Wet Renewables (FLOWW) Group (FLOWW, 2014; 2015) and has been used to inform this FMMS in the absence of similar Irish guidance.

FLOWW guidance will be adhered to and complemented with Irish specific guidance should this become available.

4 SUMMARY OF EIAR MEASURES INCLUDED IN THE PROJECT

This section presents the measures included in the Project as outlined in the EIAR, with cross-reference to where they are addressed within the FMMS.

Table 4-1: EIAR measures included in the Project relevant to the FMMS.

Cross reference to EIAR (volume 2B)	Potential impact (all phases)	Measures included in the Project	Where addressed in this FMMS
Volume 2B, chapter 12: Commercial Fisheries	Displacement of fishing activity	Notices to Mariners, FMMS, marine coordination and liaison with commercial fisheries stakeholders	See Sections 6.1.1 and 6.1.2.
Volume 2B, chapter 12: Commercial Fisheries	Potential changes to fishing activity due to the presence of infrastructure	Notices to Mariners, FMMS, marine coordination and liaison with commercial fisheries stakeholders	See Sections 6.1.1 and 6.1.2.
Volume 2B, chapter 12: Commercial Fisheries	Potential for snagging of gear	Marking of infrastructure on navigation charts, appropriate marine coordination and liaison with commercial fisheries stakeholders, the burial of cables in the seabed where possible, and cable protection deployed where burial in the seabed is not possible.	See Sections 6.1.1 and 6.1.2.
Volume 2B, chapter 12: Commercial Fisheries	Reduction in available seabed due to the presence of infrastructure	Notices to Mariners, FMMS, marine coordination and liaison with commercial fisheries stakeholders	See Sections 6.1.1 and 6.1.2.
Volume 2B, chapter 13: Shipping and Navigation	All potential impacts	The Project will seek to utilise local fishing vessels where possible on the Project (such as for Guard Boat provision).	See Section 6.1.2.

5 ROLES AND RESPONSIBILITIES

5.1.1 Overview

This section sets out the key roles and responsibilities and lines of communication in relation to the FMMS.

In order to facilitate the implementation of early and ongoing liaison procedures between the Applicant and the fishing industry in an effective manner, the FMMS will include details of the fisheries liaison roles proposed and clearly outline their responsibilities in respect of the Project (Section 5.1.2).

A Fisheries Liaison Officer (FLO) will be appointed and their position maintained as appropriate throughout the various development phases of the Project. Additional fishing liaison roles which may be appropriate include Offshore Fisheries Liaison Officers (OFLOs) and Fishing Industry Representatives (FIRs; described further below).

In the appointment of OFLOs and FIRs it will be recognised that local fishers' knowledge of fishing practices and vessels can reduce interactions between fishing activity and works associated with the Project.

The roles and responsibilities of the Applicant and the FLO, as well as that of OFLOs and FIRs which may be appointed, are outlined in the section below. However, it should be noted that these positions can be amalgamated and are subject to appointment by the Applicant.

5.1.2 Key roles

The Applicant

The primary responsibilities of the Applicant will be as follows:

- To plan, construct, operate and decommission the Project in co-existence with fishing activities;
- To maintain employment of an FLO throughout the planning, construction and decommissioning of the Project, and as necessary throughout its lifetime;
- To formulate, agree and implement efficient communication channels for distributing project related information to fisheries stakeholders (Section 6.1.1); and
- To give consideration to the concerns of commercial fisheries stakeholders and follow relevant good practice guidance in the formulation of liaison and mitigation strategies (Section 6.1.2).

Fisheries Liaison Officer (FLO)

The primary responsibilities of the FLO include the following:

- To be the key point of contact for fisheries stakeholders;
- To identify individual commercial vessels and skippers operating in areas relevant to the Project;
- To establish and maintain a strong working relationship with the fishing industry;
- To identify potential interactions of the Project and its associated activities on fishing operations; and
- To communicate clearly and accurately with the fishing industry on behalf of the Applicant.

In addition, the FLO would be expected to undertake the following duties:

- To maintain a fisheries stakeholder database including vessel descriptions, information on fishing methods deployed, skipper's concerns and contact details;

- To organise meetings with fisheries stakeholders and maintain regular liaison with local fisheries stakeholders as required;
- To prepare and distribute information and notices with regard to the Project and related activities that could potentially interact with fisheries stakeholders;
- To gather information on the fishing activities that take place within and around the Project;
- To identify and communicate to the Applicant relevant fishermen's concerns and sensitivities in respect of the various activities associated with the Project; and
- To act as an OFLO, where appropriate.

Offshore Fisheries Liaison Officer (OFLO)

OFLOs may be placed onboard main survey and construction vessels to act as the point of communication with fisheries stakeholders at sea, where necessary.

The primary responsibilities of OFLOs will be anticipated to include:

- To maintain regular contact with the FLO and the Applicant and/or their contractors, as appropriate, concerning fishing vessel activity around the Project;
- To keep the masters and watch officers of survey and construction vessels informed of fishing vessels operating in the vicinity of their vessel's working areas, and the gears and modes of operation of such vessels;
- To communicate with the vessel master in respect of providing relevant information to fishing vessels, such as vessel locations, operations, schedule of works and advisory safety zones;
- To liaise with fishers who may have static gear deployed in the proximity of the Project, around advisory safety zones and vessel transit routes; and
- To work with the vessel master to ensure adherence to relevant aspects of the FMMS.

Fisheries Industry Representative (FIR)

In addition to FLOs and OFLOs, in some instances offshore wind farm projects may consider the appointment of FIRs. FIRs can act as a single point of contact with the fishing community and provide a balanced fishing industry view.

The need for FIRs is generally identified on a case-by-case basis depending on the extent of fisheries stakeholders potentially affected by a project, the structure and representation range of local fisheries organisations and subject to the final scope of works of the appointed project FLO.

The principal responsibilities of a FIR, if appointed, will be anticipated to include:

- To liaise with fishing skippers with the objective of providing details of fishing activities in the offshore wind farm area and particular sensitivities;
- To liaise with the FLO and OFLO to assist the Applicant to identify areas of concern and/or potential conflict at an early stage to enable the implementation of appropriate designed-in and management measures to address them, as far as practicable; and
- To assist in the distribution of notices and relevant project information to local fisheries stakeholders and in updating the fisheries contacts database.

FIRs may also act as OFLOs or assist in the identification of suitable OFLOs as appropriate.

6 FISHERIES MANAGEMENT AND MITIGATION

6.1.1 Communication and information transfer

Overview

The implementation of an appropriate communication and information transfer strategy is of key importance to help minimising interference and facilitating effective co-existence with the fishing industry. Section 5.1.2 above outlines the key roles and responsibilities with regard to liaison with the fishing industry. This section provides an overview of the Applicant's communication and information distribution strategy.

Information exchange

Disseminating appropriate and accurate information to all parties as early as possible and ensuring that effective lines of communication in relation to the Project are maintained, is key to fostering an ongoing productive working relationship with fisheries stakeholders.

Appropriate communication channels will be established with fisheries stakeholders to ensure they are kept informed of offshore activities throughout the construction, operational and maintenance and decommissioning phases. Key communications are anticipated to include:

- Consultation, project updates and regular liaison with individual fisheries stakeholders through port visits, face to face meetings, website bulletins, emails, letters and phone calls;
- Marking of permanent infrastructure on navigation charts, where appropriate;
- Circulation of Notice to Mariners (NtM) and other relevant navigational warnings, informing of the position, nature and timing of works and of advisory safety zones or advisory clearance distances which may apply, where appropriate; and
- The Marine Survey Office will be informed of progress and completion of the Project and of the location of project infrastructure.

An outline schedule for the distribution of information to commercial fisheries stakeholders during the construction, and operational and maintenance phases of the Project is given in Table 6-1.

Table 6-1: Timeframes for distribution of project information.

Activity	Timing
Site surveys	Notice and information distribution not less than two weeks prior to survey mobilisation (where feasible). Subject to a consent condition (where present).
Construction activities	Notice and information distribution as soon as reasonably practicable prior to commencement of offshore construction activities. Subject to a consent condition (where present). For individual construction vessels, notice and information will be aimed to be provided not less than two weeks prior to vessel mobilisation (where feasible). Subject to a consent condition (where present).
Consultation meetings	Consultation meetings as required throughout the Project life cycle.
Unscheduled liaison	Additional unscheduled liaison and consultation would be undertaken by either the FLO or the FIR (if applicable), as required, to address any issues and fishermen's concerns as they arise.

6.1.2 Co-existence and management measures

The Applicant is committed to promoting co-existence between the Project and fishing activities. An approach to avoiding and reducing impacts to both the commercial fishing and offshore wind farm industries is considered the most sustainable approach to achieve this.

Suitable procedures to facilitate co-existence will evolve through discussion with fisheries stakeholders and as construction plans are refined, but are expected to include:

- Fishing will be permitted within the offshore wind farm area and along the offshore cable corridor. Safety zones will be advised for areas subject to construction or maintenance activities;
- Regular and routine communications to provide reasonable time to fishers to enable decisions around operating practices to be made;
- Early provision and communication of construction and cable laying plans;
- Minimising fishing clearance areas during construction where safe and practicable;
- Consideration for the use of guard vessels and OFLOs as appropriate;
- Development of a Code of Conduct for contracted vessels and of a fisheries guidance document to reduce interactions with fishing activities and provide appropriate response procedures;
- Cables will be buried and protected where burial is not possible. The location and type of cable protection used (if required) would be communicated to the fishing industry;
- Undertaking of post-lay and burial cable inspection surveys, and where appropriate and practicable undertaking of rectification works;
- Development of a procedure for claim for loss or damage to fishing gear; and
- Adherence to good practice guidance with regard to fisheries liaison and mitigation (i.e. FLOWW guidance or Irish equivalent when developed).

It is the intention of the Applicant to promote co-existence and minimise potential disruption to normal commercial fishing practices. It is recognised, however, that there may be instances where the relocation of static fishing gear may be necessary as a result of construction works. Where this is the case, compensation measures will be established as appropriate. This will be undertaken following an evidence-based approach taking account of existing good practice guidance (i.e. FLOWW guidance or Irish equivalent once developed).

As described in FLOWW guidance (FLOWW., 2014) "*Commercial compensation should only be used as a last resort when there are significant residual impacts that cannot otherwise be mitigated. Compensation should only be paid on the basis of factually accurate and justifiable claims. There is therefore an obligation upon affected fishermen to provide evidence (such as three years' worth of catch records and VMS data) to corroborate any such claims".*

References

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