

From: [REDACTED]
To: [AwelyMor](#)
Subject: FW: Awel y Mor - examining authority questions
Date: 09 November 2022 17:20:48
Attachments: [image001.png](#)
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Dear Sir/Madam,

With reference to Application by Awel y Môr Offshore Wind Farm Limited for an Order Granting Development Consent for the Awel y Môr Offshore Wind Farm project
- **The Examining Authority's written questions and requests for information (ExQ1) Issued on 27 September 2022**

You have asked the following questions and kindly agreed to our late answers. I have consulted the Fisheries Team, via their Senior Biodiversity Officer – Marine and we offer the following comments.

2.102 NRW, NS, DAERANI, Isle of Man Government, JNCC

RIAA Please confirm if there are any additional European/Ramsar sites or qualifying features which have not been included in [APP-027].

The Isle of Man is not specifically mentioned in this report, but it is not (and has not been) within an area covered by the European Habitats Regulations. It is covered by the Bern and Ramsar Conventions and it currently has one designated Ramsar Site, Ballaugh Curraghs (designated with hen harrier interest). A report has identified 5 further qualifying sites (<https://www.ukotcf.org.uk/wp-content/uploads/2020/05/RamsarUKOTCDRepShort054.pdf>), but these are not designated as Ramsar Sites, nevertheless, two of them include areas designated as ASSIs (Central Ayres with nesting little terns, and Maughold Coast and Brooghs with nesting seabirds). We are in the process of designating sites for nature conservation interest and note that other key seabird sites await designation assessment or are protected under Manx National Heritage byelaws. There has not at this time been an assessment of potential European sites of nature conservation interest on the Isle of Man (Bern Convention Emerald Sites) but this is under discussion. Whilst there is no reference to these named sites, the applicant states that they have been considered but screened out. We await their developing response document in answer to our queries and they have stated that this will include an assessment of ornithological sites specific to the Isle of Man.

12.5 Isle of Man Government (Territorial Sea Committee), Captain Haddock's Seafood, Manx Fish Producers Organisation

Commercial Fisheries – General

Are you satisfied with ES volume 2, chapter 8 [APP-054] and:

a) potting fleet, netting fleet and dredging fleet being the three receptors requiring assessment for commercial fisheries;

Yes we are satisfied.

b) data sources in table 5 to inform the commercial fisheries environmental statement assessment;

These are generally adequate with the exception of the spatial data 'Vessel Monitoring System (VMS) data for UK-registered vessels of 15m length and over 2016 – 2019. MMO'. It's not possible to make a comprehensive assessment of spatial distribution of fishing activity in the area if only using >15m data, which only represents a proportion of the fleet and tends to include more of the nomadic vessels, which have less long-term association with an area. VMS data is available for >12m vessels which would be an improvement. Using >15m vessels only would disproportionately bias the data.

c) applicant's pro-rata annual landings value approach to define magnitude of impact - paragraphs 73-78;

It is acknowledged that the matter is still debated, but in assessing Magnitude of Impact, it is difficult to conclude that operating mobile gear vessels safely and unhindered will be feasible within an array after construction. So the conclusion of **short-term duration** is questionable.

*'Paragraph 73 This impact will lead to a localised loss of access to fishing grounds and the fish and shellfish resources within these grounds for a range of fishing opportunities during the period of construction, which will **directly affect fleets over a short-term duration (i.e. less than 5 years)**. The impact is **predicted to be intermittent with localised exclusion surrounding construction activities**.'*

These paragraphs, 73-78, would benefit from additional detail to clarify that the values have been derived from **all size classes of vessel** operating in the area and not just the >15m vessels. It can be inferred, since it indicates all landings, but it could be stated clearly. The section would also benefit from an indication of how the assessment of effect has been determined, if only using >15m data for spatial distribution and a total value, but not how many individual vessels (ie <15m vessels have been impacted. The last sentence in Paragraph 75 does little to provide certainty that the values are accurate, so its important that the methodology to determine impact is adequately explained.

*'Paragraph 75 Potting fishery: the UK potting fleet targets whelk and other shellfish species across a wide area from inshore grounds extending out into and beyond the array area. **VMS data indicates that vessels over 15m length**, understood to be primarily targeting whelk, are active in the AyM array area and across extensive grounds to the north and east of AyM. **An average annual first sales value of £272,000 landings is taken from the study area by UK potting vessels**. Noting that the array area overlaps with approximately 8.3% of this study area, this equates to a pro-rata value of approximately £23,000 (based on uniform landings across the entire study area). **While such a simplistic calculation brings higher level of uncertainty to the resulting figure, it does demonstrate the potential opportunity within the array area.**'*

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Similarly paragraph 77

'Paragraph 77 Dredge fishery: the UK dredging fleet target scallop across a relatively wide area offshore. An average annual first sales value of £181,000 landings is taken specifically within the

study area by UK dredging vessels. **VMS data (but only for >15m boats)** indicate some dredging within the northernmost extent of the AyM array area, though the same data indicates that scallop grounds to the north of the array area are significantly more important to this fleet.'

The landings data should in principle indicate the value of dredge fishery catch taken from the area, but the use of only >15m vessel data means it **cannot indicate from where from, or by which vessel**. The statement indicates some activity in the 'northernmost extent' but that only relates to >15m vessels- how can it be known whether smaller vessels are using the proposed area more regularly? >15m vessels are more likely to operate further from the coast anyway, so naturally they will be further north. The analysis, as indicated, cannot say anything about <15m boats operating closer in shore, potentially within the development area, and so cannot adequately account for impact on such vessels or individuals.

This is essentially acknowledged in the netting fishery section (Paragraph 76)

*'76 Netting fishery: the UK netting fleet targets bass, flounder, thornback ray and variety of other demersal species using fixed nets. An average annual first sales value of £30,000 landings is taken specifically within the study area by UK (Welsh and English) netting vessels. **Limited spatial data is available for netting activity, though the majority of netting vessels are under 10m length and expected to predominantly operate in waters inshore of the AyM array area.'***

So the same issue may similarly apply to < 15m pot and dredge vessels.

d) that all relevant projects and associated tiers considered within the commercial fisheries cumulative effect assessment in table 13.

Yes, agreed.

12.6 Isle of Man Government (Territorial Sea Committee)

Commercial Fisheries – General Are you satisfied issues raised during consultation have been captured in table 2-3 in the Commercial Fisheries Baseline Report [APP-109]?

We are not completely satisfied.

Concerns about the effects on commercial fisheries due to impacts on earlier life stages, habitats and ecological connectivities.

As previously stated in submissions, the potential impacts on all stages of commercial species' lifecycles and their spatial connectivities should be acknowledged and considered as far as possible in Table 2-3, noting the inherent challenges of this approach.

For example, two different consultants have compiled the reports on Fish and Shellfish Ecology and Commercial Fisheries respectively, and while it is noted that within Chapter 8 (Commercial Fisheries) there is acknowledgement of Chapter 6 (fish and Shellfish Ecology) impact assessments – see Tables 11 (page 85) and 12 (page 97), it is also noted that paragraph 133 that;

'133 Details of the fish and shellfish ecology assessment are summarised in Table 11; justifications for this assessment will not be repeated in this chapter. Evidence, modelling and

justifications for these assessments are provided in Volume 2, Chapter 6. ‘

As such it might appear that the assessment of another, non-commercial fisheries consultant, is being simply transferred to the commercial fisheries chapter without additional consideration. This may or may not be the case, but explicit statement of how the linkage between fish and shellfish ecology and commercial fisheries is made would be welcomed. Further, this consideration would be appropriate in Table 2-3 since the effect on settlement, and nursery habitats and other life stages of a species may have significant effects on the longer-term effects on the harvestable life stage of commercial species.

For reference:

IoM Government response to PEIR Document (2021)

Commercial Fisheries, Fish and Shellfish and Transboundary Effects

As previously noted in the Fish and Shellfish Section (Chapter 6 and Baseline) and **PEIR Volume 1, Annex 3.2: Transboundary Screening report**, assessment of this topic ‘*is anticipated to focus on the Isle of Man and the Republic of Ireland, in addition to transboundary commercial interests considered through the Commercial Fisheries assessment in the EIA.*’

As such, the previous submission by this Committee noted the relevance of ecological connectivities between areas within the region, and particularly the importance of larval distribution of scallops from north Wales into the wider Irish Sea.

The Committee reiterates its earlier comment (below) and recommends further consultation with Bangor University Fisheries and Conservation Science Group in this regard (<http://fisheries-conservation.bangor.ac.uk/>).

- **Trans-boundary effects in relation to this indicator have been scoped out of the assessment, and the committee seeks reassurance that sufficient consideration of the potential impacts on sessile, commercially important fishery species have been adequately considered.** Specifically, studies have indicated that, within the Irish Sea, south-north connectivity of scallop and queen scallop grounds, and may be important in relation to recruitment patterns further north. This may be true of other species with plankton-dispersed larvae

See particle tracking reports:

- [Neill, S.P. & Kaiser, M.J. \(2008\) Sources and sinks of scallops \(*Pecten maximus*\) in the waters of the Isle of Man as predicted from particle tracking models. Fisheries & Conservation report No. 3, Bangor University. Pp. 25 <http://fisheries-conservation.bangor.ac.uk/iom/documents/3.pdf>](#)
- [Close H. \(2014\) Connectivity between Populations of the Scallop *Pecten maximus* in the Irish Sea and the Implications for Fisheries Management. MSc thesis, Bangor University, pp 82.](#)

19.18 Isle of Man Government (Territorial Sea Committee), Carl Davies

Charter Angling *Are you satisfied the issues raised during consultation have been captured in table 2-2 in the Charter Angling Baseline Report [APP-118]? If not, please explain reasons and provide evidence justification.*

No comment.

Note, we are currently discussing a Statement of Common Ground with the applicant.

Kind regards,

Richard Selman

On behalf of DEFA, Isle of Man Government.

Dr RG Selman, (he/him), Ecosystem Policy Manager

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RAAUE: S'preevaadjagh yn çhaghteraght post-l shoh chammah's coadanyn erbee currit marish as ta shoh coadit ec y leigh. Cha nhegin diu coipal ny cur eh da peiagh erbee elley ny ymmydey yn chooid t'ayn er aght erbee dyn kied leayr veih'n choyrtagh. Mannagh nee shiu yn enmyssagh kiarit jeh'n phost-l shoh, doll-shiu magh eh, my sailliu, as cur-shiu fys da'n choyrtagh cha leah as oddys shiu.

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