Our Ref: FH-Morgan-OWProj/24-0001

Your Ref: EN010136 – Morgan Offshore Wind Farm

Interested Party Reference Number: 20048922
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To whom it may concern,

SFF Response to Morgan Offshore Windfarm Generation Assets License Application Consultation

This response to the application is presented by the Scottish Fishermen's Federation on behalf of the 450 plus fishing vessels in membership of its constituent associations, the Anglo Scottish Fishermen's Association, Fife Fishermen's Association. Fishing Vessel Agents and Owners Association, Mallaig & North West Fishermen's Association, Orkney Fisheries Association, Scottish Pelagic Fishermen's Association, the Scottish White Fish Producer's Association and Shetland Fishermen's Association.

1. Summary

SFF's members Associations vessels have been fishing in the eastern Irish Sea from 1970s. WCSP Ltd (a member of Scottish White Fish Producers Association Ltd.- SWFPA) have been catching and processing Queen Scallops (also King Scallops) in the eastern Irish Sea since 1971, currently employing over 100 people at our processing site and 30 fishermen who rely on the health of the Queen Scallop fishery. In addition, SPFA members have been fishing at the Morgan area and rest of Irish Sea for decades. We **object** to the proposal as its area overlaps important Queen Scallop beds and herring fishing grounds of the eastern Irish Sea fishery as well important spawning and nursery ground for these fish species. Current proposal measures do not go far enough to respect these important fisheries. The Queen Scallop fishery is one of 4 global Queen Scallop commercial fisheries, therefore Morgan OWF raises significant socioeconomic and market implications and this is especially the case if considered in tandem with the developer's other Mona OWF proposal which will develop on the other most commercially important Queen Scallop beds of the eastern Irish Sea. There are also no mitigation measures proposed to financially compensate Queen Scallop operators and herring pelagic vessels for any unforeseen consequences such as short or long-term habitat loss.

We consider that the proposal in its current state presents a possible **Moderate or Major** (leaning towards major) impact on fisheries.

This document initially assesses the proposal in relation to our vessels' 2023 fishing activity for Queen Scallops and we conclude that over 50% of the Queen Scallop fishery and a remarkable percentage of our pelagic fishery will be situated within OWF infrastructure in the future between Morgan (and Mona for cumulative considerations). Secondly this document outlines the practical issues of fishing vessels being able to continue fishing in which are poor weather autumn & winter fisheries. Finally with Morgan (and Mona cumulatively) being unique in covering so much of the sandy/gravelly Queen Scallop and herring nursery & fishing grounds, there is a real risk of loss of their habitat and the commercial fishery we rely on, for which the Fish & Shellfish Ecology Chapter unacceptably also dismisses as an impact, rated as minor.

2. Current Queen Scallop fishing activity evidence and quantifying ground altered by OWF infrastructure

This section provides an initial background of Queen Scallop fishing for 2023 in relation to the Morgan proposal area in the eastern Irish Sea as well as Mona (separate project and application) which requires examination as the two projects collectively by the same developer capture most of the commercial Queen Scallop fishing ground in the eastern Irish Sea. It should be noted that the King Scallop fishery will also be negatively affected by the development but for the purpose of this response, our representation concentrates on the Queen Scallop fishery which we regard as more important in this circumstance. Further evidence on the impact to the King Scallop fishery can be provided on request.

In terms of spatial data (presented at WCSP Ltd response on this consultation), Morgan shall be situated on approximately **15%** of 2023's fishing activity for Queen Scallops. This % assessment considers that the Scallop Mitigation Zone presented in the coexistence plan in its current form for Morgan will not serve as a true Scallop Mitigation Zone where a vessel skipper would not be affected by OWF infrastructure, therefore our opinion considers the impact to be as high as 15% (note only based on 2023 data). Our explanation for this is based on our understanding that the western triangle SMZ will be bound west along the Isle of Man territorial sea 12nm line and to the south by a row of turbines. The area will be clear within of turbines and substations, but the Fisheries co-existence plan indicates that cables will be routed through. This % affected would be reduced if the Scallop Mitigation Zone was perceived more by ourselves to actually compensate better than its current form (discussed in sections ahead).

The cumulative impact of Morgan is further increased in a future scenario with Mona and Morgan both in construction and eventual operation shows that an additional 38% of 2023's VMS data shall fall within Mona. Again, the Scallop Mitigation Zone for Mona which shall comprise of a 3km wide corridor, has been indicated by the developer in the Co-Existence plan for that project will not be absent cable routing through the Scallop Mitigation Zone. Therefore, for this reason the Scallop Mitigation Zone for Morgan will not reduce the effect the windfarm shall have on queen Scallop vessel operations as likely anticipated. The overall cumulative effect is that **53% of Queen data for 2023 shall fall within the Morgan and Mona OWF proposal areas**. With just over half the Queen Scallop fishery being subject to spatial squeeze, this will result in increased pressure and displacement in other areas affecting the health balance of this fishery.

Should the applicant consider designating a more effective Scallop mitigation Zone deserving of the Scallop industry's needs to operate then the overall cumulative effect would be reduced from 53% to possibly 20-25%.

3. Impact of infrastructure & significance of effects

Page 142-159 of Chapter 6: Commercial Fisheries outline that there will be only a **negligible-minor** effect on Scottish west coast vessels (including Queen Scallop and herring fisheries), i.e. us as a receptor, associated with a variety of impacts Morgan OWF will impose cumulatively. This is arrived at by the ES with a reliance on the coexistence plan that will deliver as a plan to revert fishing access to near-baseline conditions. We do not agree this scoring and we are of the opinion that there will be a **moderate or major** effect on our operations. As outlined in Section 2 above there is a risk of 53% of our ground facing access issues or habitat loss and therefore for "Displacement of fishing activity into other areas" for instance to be rated as negligible is a significant underscore of this impact.

The reason for our assumption is based on other operational OWF and lessons learned and factual evidence from other operational OWF. As a case study we have used Seagreen OWF which is an array considered which is another prolific Scallop fishery (King Scallops). During construction (2 years) the mobile sector had very limited access due to the Array area, mostly due to prelay of IACs and problems with achieving burial depth. IACs data and rock protection positions very much delayed which further increased the spatial squeeze element of the OWF.

Construction phase of Morgan is proposed to take 4 years therefore access to the Array will be limited reducing effort and annual grossings by as much as 53%, if they have the same problems as other OWF have had with cable burial and rock protection. The magnitude therefore on the receptor should be escalated for the construction phase from **low to medium.**

During the Operation and Maintenance (O&M) phase the magnitude of the impact is deemed negligible, however even with mitigation measures put in place, activity will greatly be reduced. Multiple vessels (including pelagic vessels) cannot fish in the array at any given time as they did pre-construction, multiple cable crossings require rock protection (Which scallop vessels must stay clear of as it causes this type of fishery multiple problems). Weather criteria will be greatly reduced due the physical presence of the WTGs and potential snagging hazards from IACs, rock protection and any other infrastructure connected to the Morgan Array.

Again, learning from Seagreen and other offshore windfarms that are in operation, effort and annual grossing could be reduced by up to 66%.

The development impacts on pelagic fishery would be high throughout the construction and (O&M) phases as pelagic vessels cannot operate near or within the windfarms. Therefore, the magnitude of impact therefore must be raised from **negligible to High.** Too much of the commercial fisheries' chapter are based on assumptions and not adequately looking at the facts and lessons learned from other operational OWF.

Further justifications of our disagreement with the fisheries is provided below.

3.1 Outline Fisheries Liaison and Co-Existence Plan

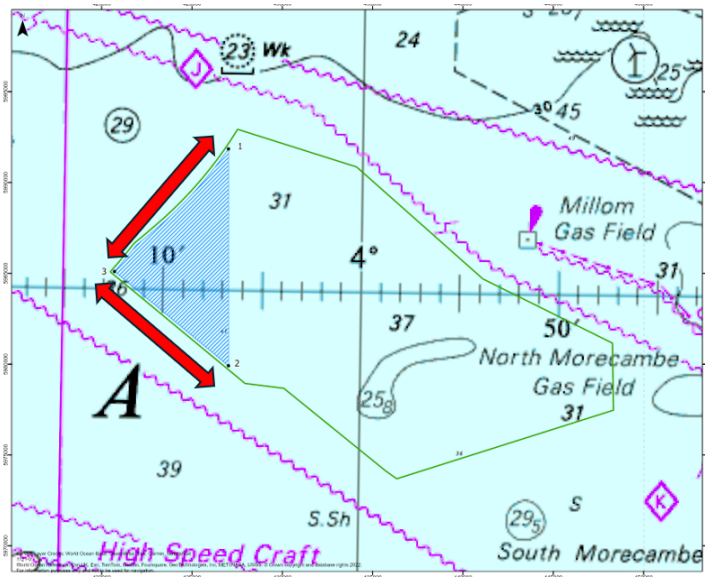
Through consultation with the applicant, a co-existence plan has been presented to support the application. This includes a set of measures which would help to accommodate Queen and King Scallop fishing as much as possible in the situation where offshore windfarm infrastructure is constructed on scallop grounds in this area. For instance, the applicant has included a number of measures which we support such as north-south rows of wind turbine generators and cable routing with 1400m spacing. This supports the general movement of fishing vessels in this area which tow north to south with the tides. Within Morgan the western extents are fished (by Queen Scallopers and pelagic vessels (herring) and the eastern extents are considered nursery fishing ground which is left unfished by our members. The proposals also include a Scallop Mitigation Zone which has the intention of leaving as much free access as possible for the western fished area within the proposal area.

The Scallop Mitigation Zone is presented as a triangle which is a sufficient area which correlates with the bulk of the fishing data that our members have provided through previous consultation with the developer. The proposals and Coexistence plan however contains details which reveal that it will not be an effective SMZ and fishing vessels (both scallopers and pelagic) will encounter practicalities which will affect safety and fishing access. The flaws identified with the SMZ are as such which fishing businesses such as ourselves find difficult to agree with as being a true SMZ: -

1. Rows of WTGs along the northwest and southwest perimeters of the Scallop Mitigation Zone.
2. Associated WTG Interconnecting cables along the perimeter of the SMZ, and
3. Probable routing of cables through the SMZ.

Our concerns over the nature of the SMZ are further shown in the map below which in the view of fishing businesses will present a '**fishing on a postage stamp'** scenario in the future.

Red arrows indicate elements of the SMZ of concern in terms of perimeter rows and associative cable route



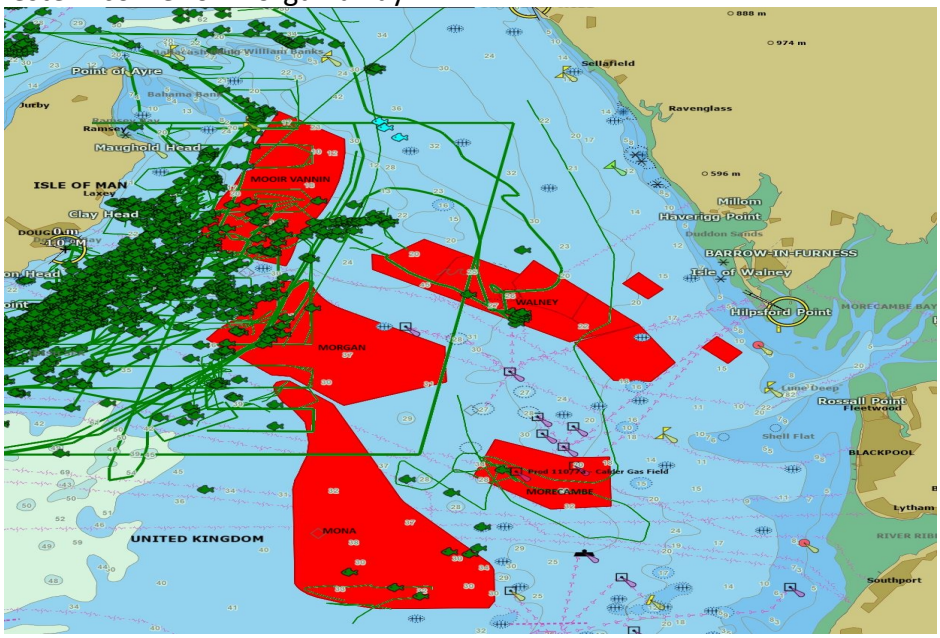
On paper it could be perceived a significant sacrifice of the proposal area from the developer however the finer details are clear that it is going to present a fishing access issue. We have no issues with WTG infrastructure along the east perimeter of the SMZ as this was to be expected;

however the SMZ as presented at the moment will affect fishing and connectivity with the ground and tows to the south.

Analysis of WTG row positioning between points 1 – 3 and points 3 – 2 of the diagram will inflict the following fishing challenges. In terms of points 1 and 3, this is a prolific fishing area for Queen and King Scallops along the Isle of Man territorial sea limit. There is however further concern for continuity of fishing between points 3 and 2 as a row of turbines along this perimeter would cut existing Queen and King Scallops tows in half where vessels at the present would fishing north to south in and out of the Morgan area. This flaw has been experienced by the Scallop fishing industry this year fishing within Seagreen OWF where good fishing tows along favourable contours have been cut in half by ill thought cable routing. With Seagreen OWF this was a serious missed opportunity and flaw which presents a safety issue for fishing vessels operating for life.

A second flaw of this proposal concerns that the presence of WTGs along the perimeter will reduce the prominence of the SMZ by approximately 8%. For example, our fishing vessel in Seagreen OWF this year (2024) operated at a maximum safe distance of 135m when fishing alongside inter array cables. Therefore we consider that between points 1 – 3 – 2 : a length of 17.5 km x 135 m = 8% of the SMZ area with an access issue, particularly the case if the developer only buries to 0.5m where they will likely become exposed.

The presence of WTGs along the perimeter will make the proposed SMZ area 100% out of use for the pelagic vessels due to technicality of pelagic fisheries and the hazards that WTGs cause for pelagic vessels. As our fishing plotter data indicates (see below) that the herring fishery heavily takes place at the western corner of Morgan array.



Source: Scottish Pelagic Fishermen's Association Ltd.

A third flaw of the SMZ is the co-existence plan's probability that cables will be routed through the SMZ. The fishable area within the SMZ will be some 4km x 4km approximately and if cables are routed through then this defeats the purpose of a coexistence arrangement / allocation of peace of mind access for fishing vessels.

Furthermore Section 1.1.1.36 suggests that the SMZ shall be further 'refined' which we interpret that that this will be further adjusted to the detriment of fishing access opportunities in this crucial

western area of the proposal area. Furthermore, there is nothing to say that the developer will not introduce two rows of WTGs along the perimeter of the SMZ. This section also (similar to the Mona proposal) states that "cables and cable protection are not excluded from this area". This is wholly unacceptable to us as a measure to present in a coexistence plan and appears to offer the minimum to the Queen Scallop fishing industry.

Another measure of the coexistence plan which is disappointing is with regards to the commitment to 0.5m burial. Our knowledge of this area is that the seabed is gravelly and sandy and sufficient cable burial should not be an issue in our opinion. The ambition and aim for 0.5m presents a real risk to fishing vessels continuing to operate in this area as cables buried to such a depth will just re-surface and become exposed quickly on commencement of fishing and with the area being a naturally dynamic moving seabed. There is further vast evidence of shallow buried cables nearby (10miles southeast) at Gwynt y Mor OWF (commissioned 2015) of a similar seabed substrate, whereby in 2021 a notice to mariners was issued, including the statement "a *significant number of array cable exposures are still being reported. Due to the mobile nature of the seabed within the wind farm boundary these cable exposures are subject to change and may develop in areas where there were none previously*"[1]. Should Morgan be constructed, it is inevitable that cables only buried 0.5m would become exposed quickly following construction. Exposed lengths would not only be unsafe to fish/tow over, but they may encroach on corridors within the area which are left to fish. Should the development go ahead, the developer should be committing to a deeper burial depth of say 1.5-3m.

In general, the Coexistence Plan has intentions of a solution for the fishing industry. There are aspects and measures we support such as 1400m turbine spacing, north to south inter array cable routing and avoidance of protection to a minimum. We however cannot support the application on the basis of the Scallop Mitigation Zone. The coexistence plan contains too many caveats which we perceive puts the developer's interests before respecting the interests of Queen Scallop and pelagic fishermen who have operated within the Morgan proposal area for over 50 years. As it stands, we anticipate the proposal to have a **moderate or major** effect on our operations and the next section justifies this in slightly more detail. The proposal would be slightly more warming to us in terms of predicted impact if the following measures were included / modified within the application: -

- Commitment to removal of northwest and southwestern WTGs bounding the SMZ Scallop Mitigation Zone.
- A commitment to bury cables to a greater depth than at present of 0.5m.
- The document suggests the Scallop Mitigation Zone is indicative and will be refined which makes us further cautious about what the end result shall be. There needs to be a real commitment in this regard, and
- A commitment to not take cables through the Scallop Mitigation Zone.

SFF is of the view that credit where it is due this outline FLCP is a good plan, however no matter what has been and will be captured within it going forward will not alter the magnitude of impact that the Morgan array will have on commercial fisheries. We have the following suggestion that would make the plan more effective if taken on board:

- Again, the proposed western SMZ triangle does not serve as a true SMZ for our members for the fact that it will be bound by turbines around the perimeter of it and as per the outline Fisheries Liaison and Coexistence Plan cables will probably be brought through it. This will undermine the purpose of the SMZ and make it symbolic. We want the western

SMZ triangle to be free of any turbines and cables in order for fishing to continue undisrupted.

- The FIR should be appointed by the fishing industry along with the CFLO this triangle of communication is really important between the fishers/FIRs/and/CFLOs.
- FIRs should not be required to be prepare and distribute meeting minutes, this is the role of the CFLO.
- In this array where the most impacted fishery is scallop dredging, cable protection over existing cables and where burial depth cannot be achieved will be no go areas for this section of the fleet, which again increases the magnitude of impact.
- Time delay in the as laid positions of IACs, export cables and cable protection coordinates further increases the magnitude of impact. Time delay is out with the control of the developer as the data lies with the contractor and therefore delays are inevitable i.e. lessons learned from other OWF.
- Increased spacing between WTGs has been welcomed however the number of vessels fishing within the Array at any one time is greatly reduced, therefore effort and earnings will significantly be reduced. This will not help the pelagic vessels at all as they cannot operate within array due to the vessel size and nature of operation, and
- The use of smooth shallower profiles, grade and type of rock is not a mitigation measure for the scallop fisheries as previously mentioned.

If the recommendations are adopted as above, we would envisage the overall negative effect on us as a receptor would be greatly reduced. Essentially Morgan OWF would be directly adjacent to the most important fishing grounds and would not interfere with access the interconnecting grounds to the south.

3.2 Other practicality considerations

Weather

The Commercial fisheries chapter and coexistence plan does not necessarily factor enough in the impact that poor weather will have on decision making fishing vessel skippers. From experience, most skippers will only enter windfarms to fish when the weather conditions are ideal. The Morgan project area is situated on top of autumn and winter Queen and King Scallop fisheries as dictated by the seasonality of the product, i.e. fished when yields are at their peak in the autumn and winter months. As a result, fishery management strategies and closed seasonal seasons have been in implemented for years accordingly to account for this seasonality. We expect Morgan to have a **High** level of magnitude on us a receptor as presently skippers will fish in slightly poorish weather, however will be hesitant to enter during the same conditions with the hazards imposed by a windfarm. This would be the case with the Scallop mitigation Zone presented in the Co-Existence plan whereby there would be an opportunity to fish in the parcel presented, however with rows of turbines along the northwest and southwest perimeter of the SMZ and factoring tide and weather into this, would result in safety issues. Essentially our fishermen are of the opinion that although Morgan at present would enable a SMZ and a parcel of sea to fish, there is the crucial hazard of rows of WTGs along the perimeter of the SMZ. Rather than being an OWF they can fish alongside / adjacent to, they would still view it as having to enter the OWF to start fishing and in any given moderate sea state, would be nervous about safety of the vessel. We would like to point out at the

present that fishing vessels can fish this area during poor weather in the autumn and winter months both for King and Queen Scallops when the yields are at their highest and subsequently the value of the product.

General navigation

a. Baseline data

The data collected for the commercial fisheries chapter does have a number of gaps, especially in relation to traffic movements and fishing activity. MGN654 states that there is a requirement for a 14-day winter traffic survey and a 14 summer traffic survey, this is very much a snap shot in time.

The first winter survey took place 21st November - 5th December 2021 which would not have captured any queen scallop fishing vessels, and the summer survey 15th July to 29th July 2022 would have been prior to the major fishery which takes place August to December.

Spring survey 4th - 18th May 2023 would have missed both king scallop and queen scallop fishery, winter survey 11th - 27th 10th November would not have captured the queen scallop fishery.

In terms of herring fisheries, all a forementioned surveys have also missed herring fishery season in the array as the EIA states, "Landings statistics indicate that August and September are the most important months for the herring fishery".

The overview of catch and landing data has been captured well as this is a legal requirement that all catches and landings are declared and recorded therefore the figures presented will be correct.

b. Impacts on navigation

We have concerns about the proposal's impacts on navigation and also cumulatively in mind of other windfarm proposals in the east Irish Sea. From our experience of fishing in Seagreen Windfarm this year for King Scallops the fishing vessel skipper, in addition to concentrating on fishing had to secure the safety of the vessel in terms of: -

1. Other fishing vessels operating within the 'alley ways' between the cable routing between WTGs.
2. Other normal marine traffic.
3. Windfarm survey vessels on site at the time – over-trawl.
4. Guard vessels.
5. Anchored Acoustic monitoring equipment.
6. Wind turbine generators, and
7. Inter-array cables.

The current co-existence plan does offer greater scope for coexistence compared to Seagreen on paper; however, we expect that the 0.5m burial target will be disastrous. This would result in our vessels and others having little confidence to tow over the cables, and subsequently lead to a heightened navigation risk with more vessels operating in a squeezed area. The plotter screen taken from one of our member's fishing vessels this year within Seagreen shows the reality of a fishing vessel operating between cable routing and highlights the squeezing and therefore heightened risk

of collision between fishing vessels competing for a smaller area. In context of Morgan, all the important SMZ area which covers the bulk of the current fishable area will probably have cables running through it as indicated by the submitted coexistence plan as well as rows of WTGS to the northwest and southwest of the SMZ. As discussed in the previous section, with poorer weather factored in and fishing vessels desperate to catch in peak season in the Irish Sea in the run up to the busy Christmas market, this risk is even more significant. We have reviewed the Navigation section of the EIA the significance of this effect seems to be downplayed.

The Morgan proposal also raises concerns for transiting to and from ports such as Kirkcudbright when not fishing and also during emergency situations, e.g. airlifting of casualties, engine failure scenarios. This is particularly the case in terms of the cumulative impact of up to a total of 4 offshore wind farms proposed for the Irish Sea within current navigation routes between the fishing grounds and Kirkcudbright.

The Morgan proposal area in combination with Mona will also create a squeezing and competing of space between the two windfarms, more so in the vicinity of the Isle of Man to Liverpool ferry route directly south of Morgan. We have concerns that there will be an increased collision risk with other marine traffic whilst trying to fish in area which will be squeezed further.

4. Fish and Shellfish Ecology

As a receptor which will be directly impacted by Morgan, we are of the opinion that access to fish is of course one moderate/major impact; however, may not be as concerning to us as the potential for Queen Scallop and herring habitat loss. This is particularly the case since the Morgan proposal area covers unfished juvenile Queen Scallop nursery ground to the east.

Reference to Document ref.No: F2.3, page 201 we strongly disagree with paragraph 3.11.5.14, that the cumulative effect on Queen and King Scallop biomass is “minor adverse”, and such an assessment without any science is simply an assumption. Furthermore Table 3.34 concludes that there will be no ongoing monitoring required with regard to the effect that the project shall have on fish and shellfish. We view this as seriously irresponsible as there is simply no science to what impact a windfarm development is on Queen Scallops, let alone probably the largest Queen Scallop commercial fishery in Europe.

The SFF, therefore insists that a robust monitoring plan must be put in place using a baseline of five years prior to construction, during construction and every three years after operation, through to decommissioning if the prosed Morgan OWF achieves consent.

Windfarms have been developed on King Scallop beds around the UK as we have fished in and have shown survivability. King Scallops however are a different species and so far in the short term, their sensory structures appear to have shown to resist the effects of EMPS, construction noise, turbine vibrations etc; however, there is no science / no one knows yet what wind farms will have one Queen Scallops. The coexistence plan makes an effort to leave a portion of the Queen Scallop ground within Morgan free of development (Figure 1.3, doc ref J13), however we have serious concerns that the disturbance and alteration to the seabed to the east of this corridor shall detrimentally affect the unfished areas considered as nursery/spawning fishing ground by the fishermen. The following risks are as such: -

- Cable burial and change of substrate no longer supporting congregations of Queen Scallops and commercially viable levels.
- Fixed Turbine disturbance to currents altering plankton distribution and larval dispersal over the Queen Scallop grounds, as indicated as a possible effect by (Barbut et al., 2020).
- Local tidal energy losses of turbines and resulting sedimentation effects (Gill A.B et al., 2020), and
- Fixed turbines & cable rock dumping creating artificial reefs encouraging invasive species such as starfish to explode in population (Gill A.B et al., 2020)

Due to the risks identified above to the Queen Scallop habitat, which are evidenced by what has been observed in other offshore windfarms and literature we cannot support the minor adverse scoring provided in the Fish and Shellfish Ecology chapter.

Further research should be undertaken before a potential catastrophe could occur in altering the Queen Scallop habitat which we rely on. Across the UK many windfarms have been constructed on shallow banks that support King Scallop dredging; of these the King Scallops are recruited from other areas of unfished seabed. Mona (and Morgan) proposals would be unique as they would capture the sandy gravelly ground where both spawning of Queen Scallops occurs and where they are recruited and subsequently fished year after year.

In addition, as the mentioned areas are suitable for herring spawning, the SFF are concerned about the Development impacts on all commercial value fish species in the area, especially the Development impacts on the herring which are also particularly sensitive to noise impacts as they have swim bladders which are involved in hearing (Popper et al., 2014).

We are of view that Developers must take heed of ICES advice on Irish Sea herring. ICES state in their advice for 2024 for Herring in Division 7.a North ***that activities that have a negative impact on the spawning of herring are considered as a source of risk for the species***. Therefore, SFF propose the above-mentioned ICES advice to be taken into account and acted upon at determination stage.

The link to ICES advice on Irish Sea herring is provided as follows: Irish Sea Herring 7.a North

On behalf of the SFF we appreciate the opportunity to submit this written response and reiterate the **SFF robustly objects to the application as it negatively impacts our members.**

Best regards

Fahim Hashimi
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Scottish Fishermen's Federation