

# The North Sea Regional Advisory Council



**NSRAC**

## Paper 6

### Spatial Planning Working Group Report

**Euan Dunn, Chair Spatial Planning Working Group, Boulogne-sur-mer  
28-29 June 2010**

There have been 2 meetings of the SPWG since ExCom in Ostend in February. This update reports on activities by the chair since then, major developments in marine spatial planning and forthcoming issues for the SPWG to address. Relevant action points from Ostend NSRAC ExCom Report are:

1. The NSRAC needs better funding to cope with the additional pressures from both wind farm and MPA proposals. We will discuss this as a priority at the next meeting of the Spatial Planning Working Group. Those wishing to attend the 11th March meetings with the JNCC and Forewind should inform Euan as soon as possible. (4.5, 4.13, 11.8).	Secretariat Chair of Spatial Planning WG
2. Members should consider whether there are any sources of funding to help the NSRAC carry out a coordinating role with respect to spatial planning issues. A consultant is needed to help fishers maximise the estimation of the value of their fisheries. Dedicated capacity with GIS skills is also required. (11.11) and its location considered (13.1).	Members

The second of these actions will be dealt with separately in a presentation by Nathan de Rosarieux. This issue is key to engagement with windfarm developers and MPAs, and arose at the meetings reported under 1 and 3, below. It urgently needs discussion and development in Boulogne.

### **1. Meeting (11 March) in London with Forewind on Engagement with the fishing industry and the development of the Dogger Bank offshore wind farm zone.**

NSRAC: Euan Dunn, Barrie Deas, Dale Rodmell, Mike Park, Rory Campbell, Henrik Lund, Perrine Ducloy, Willem de Boer, Pim Wissers, Harald Oestensjoe, Nigel Proctor, Sarah Goddard (WWF)

Forewind: Gareth Lewis (Head of Development), Sharn Ward (Offshore Consent), Kim Gauld-Clark (Cable Consent)

#### Introduction to Forewind and the Dogger Bank project:

- Forewind Ltd comprises four European energy companies: Statoil, Statkraft, SSE and RWE NPower renewables, all of which are significant players in the renewable energy sector.
- Dogger Bank is the largest zone in the Crown Estate's Offshore Wind Round 3.
- The zone has the potential to accommodate up to nearly 13GW electricity generating capacity.
- Development of the zone is at a very early stage.

- There are no pre-conceived ideas about the form of the arrangement or design of the zone, or areas of the zone that could be more suitable for development.
- Forewind are undertaking a 'zonal characterisation process' to fully understand the zone and the various constraints. This forms part of the zonal assessment and planning (ZAP) process to enable robust identification of individual sites/project areas within the Dogger Bank zone.
- The Dogger Bank zone will be developed in phases, known as "tranches".

There are 2 elements to development: offshore zone and cable corridor; there will be 4-5 cable corridors to mainland (Yorks to Norfolk) but these are not fixed yet and can change. Forewind is 2-3 yrs away from submitting any applications. Tranche 1 begins in June 2010. They plan to conduct a full fisheries survey (in addition to surveys for birds, cetaceans and geophysics).

Individual turbines will be = or > 3.6MW (but see also **2** below), placed 700-800m apart. The Crown Estate's Offshore Wind Round 1 and 2 have not prohibited fishing over export cables but fishing was displaced from array cables. Forewind is not taking a blanket approach to exclusion zones for fishing although this may be necessary during construction for health & safety (50m exclusion around each turbine). The clustering of arrays is yet to be decided, e.g. could have lots of individual arrays within a zone or – alternatively - turbines could be spaced out evenly across the zone.

#### Introduction to the NSRAC

Euan Dunn gave a brief introduction on the origin, remit and structure of the NSRAC, and its previous engagement with offshore windfarm development. Some member countries of the NSRAC had responded to the consultation on the Strategic Environmental Assessment (SEA) for the UK's Round 3 offshore zones.

NSRAC stressed that the Dogger Bank zone is very important to the fishing sectors in all countries. In 2008, the Dogger Bank Zone provided the Danish with approximately 150000 tonnes of Sandeels worth £23m (approximately 6.6% of the total catch) to the Danish economy in 2008 alone. NSRAC had provided data for the draft SAC on the Dogger Bank Impact Report, based on the Lot 7 study led by CEFAS. The Dogger Bank was chosen to undertake a pilot analysis.

#### Discussion

The NSRAC is aware this is a massive operation which is not going to go away, which has huge potential to displace fisheries, and therefore the sector is looking for (a) damage limitation, (b) genuine (not cosmetic) dialogue.

All agreed that all Forewind's EIA assessments and any comments from the fishing industry on the proposals must be evidence-based. There are currently two main sources of fishing data available - Vessel Monitoring System (VMS) and ICES Log book data. Each of these sources (on which the Lot 7 study was based) has limitations. VMS only applies to vessels >15m, so does not record data of smaller vessels. In addition, the ICES squares scale is not high enough resolution to address fishing activity in relation to turbine placement. All existing data (especially VMS) require considerable interpretation to understand what the boats are doing, the historical context needs to be taken account of, and there are also big data gaps (which the fishing sector can help fill).

The development of Rounds 1 and 2 of offshore wind farms has not been a good example of useful engagement with the fishing industry. A more collaborative approach is needed for Round 3. Statoil have been involved with productive engagement with the fishing industry regarding the proposed Langede pipeline, and this is recommended by the fishing sector as a helpful model to use.

NSRAC advised Forewind that it was willing to act as a forum to direct dialogue on Forewind's development activities to its Member States (MSs) but recommended that further dialogue with MSs and their fisheries sectors was undertaken to ensure that all were given the opportunity to engage.

Not all fishermen were represented by a national organisation so it was more difficult to identify individuals and the resulting information deficit was larger inshore. Engaging with all fishermen in these circumstances is challenging but could be addressed through the arrangement of a community meeting (with careful consideration of timing to avoid times of peak fishing activity).

Barrie Deas raised the possibility of undertaking a new study to gather a comprehensive set of data on the fishing industry across the North Sea area. This could provide Forewind, other windfarm developers and industries active in the North Sea, policy makers and the fishing sector itself with the quality of data that is necessary to undertake accurate and evidence-based assessments of the effects of developments and policies on the various sectors of fishing industry.

Such a piece of work would take the form of collation of data from a wide variety of sources within the fishing industry, including those smaller sectors, particularly those using smaller vessels, that aren't currently captured in the existing data sets or aren't members of fishing associations. It would need to be collated in a common format.

NSRAC invited Forewind to contribute to the costs of such a study. Forewind agreed to this in principle, subject to reassurances being made about the quality of the data and the availability of it for Forewind's own site-specific EIA assessments.

NSRAC advised Forewind to ensure that, in assessing the zone, and undertaking site-specific assessments, the cumulative effects of the proposal with other offshore wind zones was fully considered.

## 2. Forewind Stakeholder Workshop, London, 28 Apr 2010

NSRAC: Euan Dunn, Henrik Lund, Willem de Boer, Harald Oestensjoe

Agenda included:

- Objective setting and key issue rating (key Qs we'd like answered)
- Presentation by Forewind
- Offshore turbine constraints (and where to place turbines on the map)
- Cable & grid constraints (and where to place C & G on the map)
- Stakeholder group discussions (-> feedback and next steps)

The presentations from the day are available to download from Forewind's website:

<http://www.forewind.co.uk/stakeholders/presentations/>

We learned more about the 'tranche' approach. The Dogger Bank zone is divided into 4 tranches – their shapes have not yet been finalised but there will be 3 'projects' (each 1 GW) per tranche. Thus 4 x 3 x 1GW = approx the 13GW which the Dogger Bank development zone aims to generate.

Forewind hopes to identify Tranche A by July 2010, followed by 2 years of stakeholder engagement, survey etc (EIA) They will apply for consent at the end of 2012 and expect a consent decision end 2013. Tranches B, C, D will each start in July of, respectively, 2011, 2012 and 2013.

For 13GW, Forewind would use 40% of the total area but this depends on (a) turbine size, (b) spacing:

- a) Individual turbine size has increased over the years to 3MW but manufacturers are now beginning to think of 5MW or even 10MW (the bigger the turbine, the greater the spacing)
- b) The shallower the water, the less the (turbine) foundation costs so, other things being equal, the areas closest to shore are likely to be developed first. Various potential array scenarios were illustrated, e.g. turbines equidistant from one another, mosaic, 'doughnut', multiple doughnuts, doughnut of doughnuts!

Foundation options depend on seabed conditions and water depth so much to consider – even possibly offshore islands for construction phase.

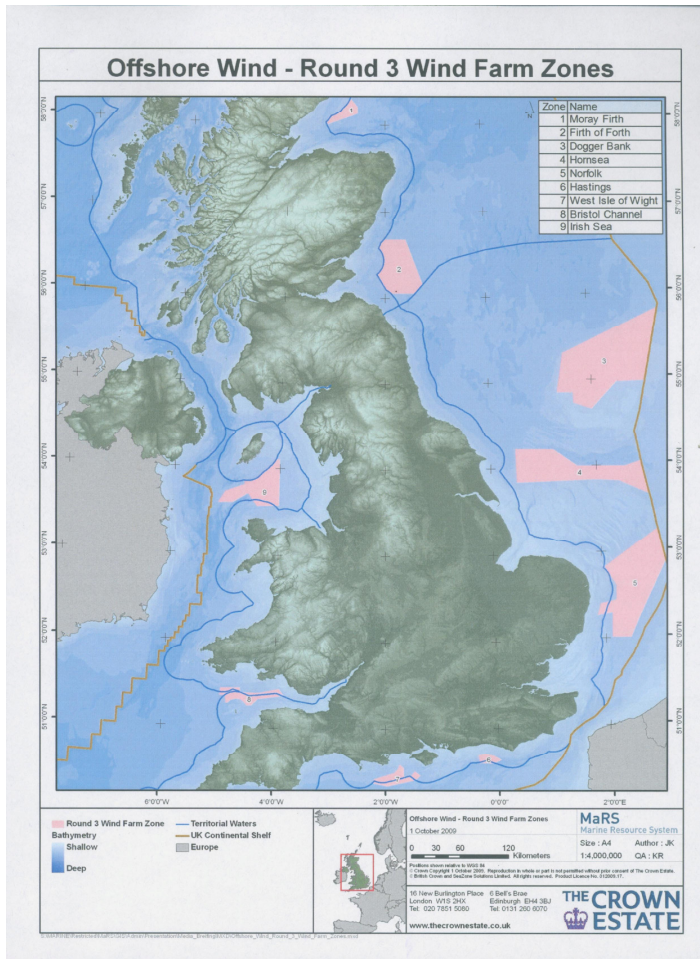
Discussion points from Forewind to the fishing stakeholders:

- Presume fishing can continue between arrays within a tranche
- By mid-May 2010, Forewind will have engagement strategy – Fisheries Liaison Coordinator

- Forewind would like thoughts on what that strategy & consultation should include
- In what form might NSRAC provide information on fish ecology?

#### Discussion points from fishing stakeholders to Forewind:

- Need for Fisheries Liaison coordinators to inform Forewind strategy
- Information sharing needed between all 3 developers (Dogger, Hornsea, Norfolk)
- Need to look at cumulative displacement from all these windfarm zones



### 3. Meeting with JNCC on UK MPAs (Natura 2000 and MCZs) 11 March 2010

#### Background

Apart from N2000 sites, national MPAs are being proposed under the UK Marine and Coastal Access Act (2009) and the Marine (Scotland) Act which gained royal assent on 12 March. In England and Wales, these sites are called Marine Conservation Zones (MCZs) and - in Scotland - Marine Protected Areas. For Scottish waters, Scottish Ministers will designate MPAs in territorial waters under the Scottish Marine Bill and in offshore waters (including the UK Continental Shelf beyond 200nm) under the UK Marine and Coastal Access Act.

The MCZ Project (England & Wales) has been established by Defra, Natural England, and JNCC to identify and recommend MCZs to the Government in English territorial waters and all UK offshore waters apart from Scotland. The overall MCZ Project will be delivered through 4 Regional (Stakeholder) Projects, of which the North Sea is one. They will work with sea users and interest groups to identify MCZs and provide recommendations for sites within their regions. There are 2

Regional Projects for the English part of the North Sea: Balanced Seas (South-East & E) and Net Gain (E England).

Unlike N2000, socio-economic factors can be invoked in the *selection* MCZs, unlike in N2000 where socio-economic factors can only influence *management* of sites already designated on purely nature conservation criteria.

For UK MPA summary see: [http://www.jncc.gov.uk/PDF/MPAsInfoDoc\\_v2\\_1.pdf](http://www.jncc.gov.uk/PDF/MPAsInfoDoc_v2_1.pdf)

JNCC has also produced a guide on the MCZ Project and how stakeholders can get involved: [http://www.jncc.gov.uk/PDF/MCZProjectInfoDoc\\_v1\\_1.pdf](http://www.jncc.gov.uk/PDF/MCZProjectInfoDoc_v1_1.pdf)

JNCC invited the NSRAC to a meeting in London to discuss these developments, particularly in recognition that measures for sites outside 12nm (or in 6-12nm where historic fishing rights for non-UK vessels apply) require consultation with the relevant fishing States under the CFP.

NSRAC: Euan Dunn, Barrie Deas, Dale Rodmell, Mike Park, Rory Campbell, Willem de Boer, Perrine Ducloy, Peter Breckling, Henrik Lund, Nigel Proctor, Harald Oestensjoe.

JNCC updated the NSRAC on the state of play with SAC and SPA designation (see also 4, below, for Dogger Bank). JNCC hopes that NSRAC members will help their efforts to engage the non-UK fishers in the UK MPA processes (in particular the MCZ Projects). Ideally JNCC would like non-UK fishermen to:

- Validate existing VMS and landings data;
- Improve the quality of data – e.g. more information on gear, catches, seasonality etc.
- Inform JNCC if data gaps; and
- Indicate the (relative) value of fishing areas to fishing activities.

#### Presentation by NSRAC

Euan Dunn described the work done by the NSRAC on marine spatial planning, leading up to the Lot 7 project developed by Chris Darby ('Cooperation to Develop Fisheries Information from the North Sea'). In the Lot 7 study, fishing activities by UK and other fleets operating on the Dogger Bank were analysed using VMS and log book data, in order to inform the UK's Impact Assessment in relation to the draft SAC in the area. ED proposed that, given the emerging network of MPAs and other offshore developments (notably windfarms), this work now needs to be done *throughout* the North Sea so that the NSRAC, government and developers can get an accurate and coherent idea of fishing activities throughout the region, not least to address the potential impacts of displacement in a comprehensive way.

Barrie Deas noted that the NSRAC was looking into the possibility of employing staff to undertake this (GIS-based) mapping work for the whole North Sea (and wider), the creation of this database to be funded by those who require this level of data and planning; however, this funding is yet to be secured.

JNCC noted that the UK's timescale is to designate an ecologically coherent network by 2012) and that therefore the majority of data gathering for the MCZ Project is needed by **October 2010**. NSRAC indicated that this deadline would be impossible to meet in a comprehensive and informed way. JNCC was encouraged by the NSRAC's intent to create one coherent dataset of fishing activity for MSP purposes, but suspected that the process might be too late for the October deadline. JNCC and the regional MCZ projects do want to engage the views of as many of the fisheries sector as possible in the regional MCZ project stakeholder groups. Active engagement of the fisheries sector is necessary to:

- validate current data available
- incorporate detail on fishing at a finer scale
- provide any further relevant information on unfished areas and
- ensure fishermen's views and activities are taken on board.

Barrie Deas pointed out that VMS is a powerful tool but needs careful interpretation (it can be a tool to mislead as many factors influence VMS outputs, e.g. TACs, days at sea, gear restrictions and markets). Logbook data is useful but is not necessarily at the spatial scale by which a feature can be

protected while allowing fishing opportunities to continue. Access to data is also a challenge: vessel operators own the data but won't yield it up unless they want to, and there are also confidentiality issues. Since the RACs do not currently own fisheries data the JNCC asked the RAC members whether they could approach their associations to engage their respective national fishing fleets.

JNCC also suggested that it would be worthwhile investigating whether the data being collected for UK MPA activities might feed into the proposed NSRAC MSP project; thus simplifying some data gathering. The NSRAC noted that it would need to think about the format in which this could work, requiring a dialogue to collect the sort of data that suits the ToRs of the MCZ project. Further discussion included the need to develop a protocol for data gathering at an EU level i.e. the need for consistency in data gathering formats.

#### Discussion of fisheries data gathering

- Data needs
- Who should JNCC be talking to?
- How should JNCC collect data from small-scale fisheries?
- What is the role of the NSRAC?

It was agreed that VMS data alone was not sufficient. Validation is needed alongside gathering of further information held by fishers to ensure correct data is being used and the VMS is understood and interpreted correctly. JNCC would provide the NSRAC with details on how they handle data ownership and confidentiality. It was generally agreed that the NSRAC was not the place to gather (VMS) data and that JNCC (international liaison officers) should be visiting the fishers in the NSRAC's constituent countries to do this.

Some non-VMS small-scale French vessels fish to a small extent in The Channel Areas. It was likely that since Balanced Seas regional project had native French staff on their team, it might be possible for them to undertake consultations with under 15m French fleets on JNCC's behalf, after co-ordination with JNCC. Perrine Ducloy indicated that she would be willing to help with this.

The regional MCZ projects and JNCC will provide the NSRAC members with precise options by which non-UK fishers can influence the decision-making processes in the project stakeholder groups. Each of the four regional MCZ projects has a steering group representing all the sectors who will meet at regular intervals. Given that it will not be possible for all the key people (including non-UK fishers) to attend all meetings, JNCC would inform the RAC with options on how to engage with MCZ projects.

#### UK MPA Stakeholder Forum

In addition to the regional project stakeholder groups there will also be a UK MPA Stakeholder Forum which will meet twice a year to discuss UK-wide MPA developments, address strategic issues which are significant beyond an individual project area, and disseminate the collective views of UK sectoral stakeholders, the Devolved Administrations and their conservation advisors, and international stakeholders. At the timing of the 11 March meeting with NSRAC, ToRs for the Stakeholder Forum were still being developed but - once final - would, with other information, be posted in the [Marine Protected Sites webpage](#) and JNCC newsletter.

#### ACTION:

- RAC members and fishing representatives to email [MPAengagement@jncc.gov.uk](mailto:MPAengagement@jncc.gov.uk) if they are interested in receiving updates.

#### Concluding remarks

Euan Dunn highlighted that the NSRAC is mainly interested in two of the MCZ project areas plus the Scottish MPAs. It was essential that non-UK fishers engage in the process but, while the NSRAC will facilitate where possible, it will primarily be up to the members and their individual national associations and research institutes to decide on how they wish to interact with the regional projects.

JNCC emphasised that the regional MCZ project needs to get the information and views of non-UK fisheries on board as soon as possible in order to give them the best possible opportunity to influence the decision-making process regarding the location and conservation objectives of MCZs.

#### 4. Update on UK consultation on Dogger Bank SAC proposal

The formal consultation on the UK's Dogger Bank SAC has not yet started but JNCC has proposed a new boundary and some changed conditions to the UK Government. Harbour porpoise now joins Grey and Common Seal as non-qualifying - leaving sandbank as the only qualifying feature.

The overall area is now smaller, mostly achieved by reducing the coverage of the slope area, particularly the northern edge (former overlap with Forewind development zone!). The boundary now seems to bisect the 20-30m contour areas. Given the scale of the site, the reduction doesn't look huge - until you do the maths. Comparing the Oct 08 boundary area (1,505,712ha) to the Mar 2010 area (1,233,884ha) reveals a reduction of 271,828 ha (ca 18%).

The Version 5 dated March 2010 can be found in:

[http://www.jncc.gov.uk/pdf/DoggerBank\\_SelectionAssessment\\_v5\\_0.pdf](http://www.jncc.gov.uk/pdf/DoggerBank_SelectionAssessment_v5_0.pdf)

Changes are described as:

*Amended site boundary (v1.6) and regrading of harbour porpoise following reassessment of data in response to scientific questions on site justification.*

One presumes a formal consultation will begin in 2010 with a view to submitting a Dogger Bank SAC proposal, along other SAC proposals, to the European Commission but, given the consultation period required, this is bound to miss the Commission's next moderation deadline of October 2010.

#### 5. Workshop on the development of fisheries management measures in Natura 2000 sites in the Dutch EEZ (FIMPAS)

The first of 3 workshops in 2010 and 2011 was held in Scheveningen, Netherlands, on 22-24 Feb on (a) the development of fisheries management measures in Natura 2000 sites in the Dutch EEZ and (b) to observe the formulation of the final advice on the appropriateness of such measures through the ICES process (final proposal being the responsibility of the ICES Advisory Committee (ACOM)).

The final result of FIMPAS will be the basis for a Dutch-led proposal to the Commission for the adoption of fisheries measures in the Natura 2000 sites. Other countries with an EEZ on the Dogger Bank will be invited to consider a joint proposal for measures in the area.

At the first workshop, NSRAC was represented by Pim Visser (Euan Dunn attended for BirdLife). The agenda was data needs and compilation, with data in 3 main groups: (1) documentation of fisheries in the designated sites, (2) data on ecological impacts these fisheries have on sites in relation to conservation objectives, (3) geographical distribution of ecological values to be protected. Based on data prepared prior to and during the workshop, the availability and sufficiency of the data for the FIMPAS Project was assessed.

The workshop addressed a matrix of fishing methods (beam trawl, otter trawl, shrimp trawl, gill-net, seine net, inshore shellfisheries) against nature conservation features (habitat, marine mammals, seabirds). Dutch data on fishing activity in the area are good (VMS. Logbook, presented by IMARES), less so on fleets of other nations fishing in the area.

The 2<sup>nd</sup> workshop (June 30-July1) will assess the fisheries impacts on the designated sites, building on potential conflicts between fisheries and nature protection derived from the 1<sup>st</sup> workshop.