

The following comments are made on the North Irish Sea Array (NISA) Application on behalf of the Isle of Man Territorial Sea Committee:-

#### **Chapter 12 - Benthic Subtidal and Intertidal Ecology**

1. Document Page DP20 12.3.2.7. Contamination levels are expected to be low. They know they are low as they sampled the intertidal area, so why expected and not known?
2. General comment. It would be useful to have some figures showing the site with the relevant designations, sample locations and sediment distributions.
3. DP30 Table 12.14. There is no mention of noise impacts here. I appreciate benthic species are less sensitive to noise compared to other marine animals such as cetaceans and fish. However, this and other potential issues have not been addressed here, with no information provided for the justification of them being scoped out. This also should include permanent loss of habitat in construction. Under decommissioning they should also consider habitat loss – once the turbines are removed.
4. DP36 12.5.2 and onwards. Same comments above apply here.
5. DP48 Magnitude of impact. The report states that “based on current scientific knowledge it is not possible to predict whether such a spread will occur and to what extent and it is predicted that the impact will affect receptors indirectly.” If the information is not available to answer these questions how can these statements be made?
6. DP53 first paragraph. Same comment as above. If it is not possible to predict what will happen how can these assessments be made?
7. DP53 12.5.4. There is no mention of the impacts associated with removing the hard substrate (monopile bases) and the impact on biodiversity and abundance. See earlier comment. This also applies to Table 12.21.
8. DP58 12.8 Transboundary Effects. There is no mention here to the Isle of Man. I appreciate that it is unlikely to have an effect, but we still should be included here.
9. Figure 12.2. Why was the wider study area not sampled?

#### **Volume 8: Appendix 2.1 Scoping Report - 5.4 Benthic and Intertidal Ecology**

10. DP62 5.4.5 Potential impacts. It is agreed that piling is unlikely to have a significant impact, but certain life stages are more susceptible, such as larvae, and this should be recognised. For example, scallop larvae can be impacted by pile driving and this can potentially affect the fishery

#### **Volume 9: Appendix 12.1. Array Area Benthic Survey Report**

11. DP8 2.2. Survey Design. It is not very clear how the number and location of the sampling sites was determined. The report states a random stratified sampling approach but how does that actually

work? For example, why were two sites sampled 15 times while the other two were only sampled 5 times? I assume this is related to the size of the different habitats but it could be made clearer.

12. DP30 4. Discussion. The area stated as “seapens and burrowing megafauna in circalittoral fine mud” should be excluded from development i.e. monopiles should be sited away from that area.
13. General comment. Only the array area was surveyed so any assumptions made regarding the surrounding area e.g. the Zone of Influence (Zol) need to be viewed cautiously.

### **Chapter 13 – Fish and Shellfish Ecology**

14. **General Comment:** In the Fish and Shellfish Technical Report and Assessment Chapter there are four (4) and one (1) relatively general references to the Isle of Man respectively. Given that the Fish and Shellfish study area extends significantly into Manx territorial waters, it is of concern that little apparent consideration of this jurisdiction has been made.
15. The Isle of Man Territorial Sea Committee therefore seeks reassurance that Manx interests and transboundary impacts have been appropriately considered and assessed. The following evaluation addresses each question:-

#### **Baseline Report and Main Report Consistency**

16. **Assessment:** The technical baseline report and main assessment report seem to generally align. However, some inconsistencies were observed, particularly in species mapping and references to data sources, such as the absence of cross-referenced maps in both reports. Additionally, some species were mentioned in one report but not sufficiently covered in the other, leading to potential gaps in the impact assessments.
17. **Recommendation:** Ensure consistency in both reports regarding species data, maps, and methodologies. Any updates or changes in species coverage or spatial boundaries should be reflected in both reports to avoid contradictory conclusions. e.g., in section **16.2.2 Study Area for commercial fisheries, chapter 16 of the EIAR** - include **Figure 2-1: Study Area for Fish and Shellfish Ecology Baseline** from Appendix-13.1 for consistency and to minimise the potential gaps in the impact assessments.

#### **Study Area Appropriateness**

18. **Assessment:** The Zone of Influence (Zol) was adequately defined for mobile species like herring, mackerel, and diadromous fish. However, for less mobile or sessile species (e.g., brown crab, whelk and scallops), the study area was too limited and may not fully encompass their ecological zones. There were also instances where boundaries cut through designated Manx Marine Nature Reserves (MNRs), which could lead to fragmented assessments.
19. It is particularly important to consider study areas/‘zones of influence’/assessments in relation to statistical and related fisheries reporting areas, e.g., ICES statistical rectangles. Fish and Shellfish ecology fundamentally link to fishing activity, and so an appropriate balance should be found between these two receptors so that they are aligned.
20. **Recommendation:** Expand the study area for sessile species to include their full ecological range. Avoid cutting through MNRs and ensure that the entire reserve area is considered for species that reside or move across these boundaries.

21. Please compare map in **Figure 2-30: Inshore Fishing Grounds Targeted by Potting** (Marine Institute, 2016) in Appendix-13.1 of the fish and shellfish ecology baseline characterisation Volume 9: Appendices (Offshore) to maps at this link:-  
<https://www.gov.im/media/1363405/ch-41-fisheries.pdf>
22. Figure 3-19 (Baseline) shows inshore dredge fishing grounds, but nothing offshore – the fleet may not differentiate between these areas and fish between inshore and offshore grounds – so for completeness and displacement/cumulative impacts perspectives there should be illustration and assessment of offshore grounds.
23. Similarly, Figure 3-22 (baseline) Nephrops – shows only fishing activity inshore and around the array, but for completeness and displacement/cumulative impacts perspectives there should be illustration and assessment of offshore grounds. Nephrops fishing occurs further north and east, including into Manx waters. How has the assessment considered these areas?
24. How might the development relate to ongoing work in the Manx section of the Western Irish Sea Mud Belt in relation to FU15 and potential windfarm impacts?
25. See recent consultation and spatial closures here:-  
<https://consult.gov.im/environment-food-and-agriculture/new-fisheries-spatial-management-measures-wismb/>

#### **Species of Conservation Importance and Designated Sites**

26. Identification of designated sites: how does the process accommodate statutory marine protected area designations in neighbouring jurisdictions that are not, or have never been EU member states- e.g. the Isle of Man? It appears to be restricted only to EU-based Directives and classifications.
  - See: <https://www.gov.im/media/1362728/mnr-designation-order-2018-300920.pdf>
  - Made under the Wildlife Act 1990:  
[https://legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1990/19900002/19900002.pdf?zoom\\_highlight=wildlife+act#search=%22wildlife%20act%22](https://legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1990/19900002/19900002.pdf?zoom_highlight=wildlife+act#search=%22wildlife%20act%22)
27. How is this considered in the context of Transboundary impacts?
28. As such, there does not appear to have been consideration of Manx designated marine sites.
29. There are several fish and shellfish and their management that are features and/or objective of Marine Nature Reserves (MNRs), including the multilateral conservation agreements noted in the text, and to which the Isle of Man is also a signatory to.  
<https://www.gov.im/media/1378920/designation-of-marine-nature-reserves-guidance-note.pdf>  
<https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/environment-directorate/ecosystem-policy-team/wildlife-biodiversity-and-protected-sites/protected-sites/marine-nature-reserves/>
30. As internationally and statutorily-designated sites, within a neighbouring jurisdiction, there should at least be explicit consideration of them in the context of Transboundary impacts.  
<https://manngis.maps.arcgis.com/apps/webappviewer/index.html?id=74e6bd8c85534835b80dea94a4180a11>

31. A list of considered sites should be provided, not only those carried forward.

#### **Valued Ecological Receptors**

32. The legally-protected status and conservations objectives (including the context of multilateral international agreements to which Isle of Man is also signatory to) would suggest inclusion, or at least explicit consideration of Manx sites and protected species, and yet there seems to be no reference to the island.
33. How have Manx designated sites and valued ecological receptors been considered within the EIA process and report?
34. This comment can be similarly extended to all other relevant receptor chapters.

#### **Species Relevance and Inclusion**

35. **Assessment:** Commercial species like king scallop, queen scallop, and brown crab etc. were included, whilst other commercial species of interest such as; turbot, spurdog, and, squids are not considered in *Table 3-4: Summary of fish and shellfish VERs and their value/importance within the fish and shellfish study area*. Also there was limited consideration for some conservation and recreational species, such as basking shark and tope particularly those located in the Manx waters. Additionally, species protected under Isle of Man legislation, such as species listed in the Wildlife Act 1990, were not fully addressed, both as features of the development study area and from Transboundary perspectives.
36. **Recommendation:** Ensure that all relevant species, including those of conservation and recreational importance (e.g., basking sharks, diadromous fish), are fully considered, both locally and for adjacent jurisdictions. Review species protected under Manx law at the links provided below and confirm they are covered in the assessment.
37. Manx Marine Environmental Assessment, and the relevant chapter therein:-  
<https://www.gov.im/about-the-government/departments/infrastructure/harbours-information/territorial-seas/manx-marine-environmental-assessment/>
38. Bangor University reports, university theses:-  
<http://sustainable-fisheries-iom.bangor.ac.uk/communications.php.en>

#### **Spatial and Temporal Considerations**

39. **Assessment:** The report reasonably considered the spatial distribution of most species, including feeding, spawning, and nursery areas. However, temporal factors (such as seasonal migrations or spawning periods) were not consistently addressed, especially for species like salmon and sea trout, which have distinct seasonal movements.
40. **Recommendation:** Incorporate seasonal factors for key species, particularly for migratory fish and breeding periods. Make sure that both adult and juvenile life stages, as well as larvae distributions, are considered in the assessments.
41. Temporal (seasonal) consideration may have relevance in relation of timing of development works, and therefore should be considered as well as spatial aspects.
42. Connectivity: Section 3.5 Shellfish Ecology

3.5.26: noting 'Scallop in the Irish Sea represent spatially discrete stocks, though some can be interconnected through larval dispersal. Larval dispersal simulations indicate no connectivity between stocks in the northern Irish Sea and around the Isle of Man and stocks in the southern Irish Sea and further south. By contrast, stocks in Cardigan Bay and off the Irish coast show limited connectivity, while strong connectivity is predicted between stocks in the south Irish Sea and northeast Celtic Sea (Marine Institute and Bord Iascaigh Mhara, 2024).'

43. Please note the recent paper Close et al 2024:-  
<https://www.frontiersin.org/journals/marine-science/articles/10.3389/fmars.2023.1274136/full>
44. Figure 3-22: Nephrops Fishing Grounds in the Western Irish Sea (Marine Institute, 2016). The two maps within this figure don't appear to correlate very well. The distribution of burrows extends much further north and west than the heat map of fishing activity. It is well known that fishing occurs throughout FU15, and consistent with burrow distribution. It appears that the fishing activity has been selected either by national jurisdiction or by vessel nationality or by zone of influence. The assessment should be made on the stock and interactions across the distribution – or acknowledge the restricted data presentation and rationale.
45. See also comment above about selective presentation of Nephrops fishing activity.

#### **Protected Sites**

46. **Assessment:** While the EIAR considered European sites, it did not sufficiently address statutorily designated sites under Isle of Man legislation, such as MNRs. This could lead to gaps in protection and management for these areas, which are crucial for species like king scallop and brown crab. Especially when the developments Zol cuts through Manx MNR as indicated by **Figure 2-30: Inshore Fishing Grounds Targeted by Potting** (Marine Institute, 2016).
47. **Recommendation:** Include all MNRs and relevant protected species from Isle of Man's MNR byelaws in the assessment. Ensure the designated sites and their management goals are fully considered, as they carry legal weight similar to European sites, and it is therefore not appropriate to ignore the statutory conservation designations of adjacent jurisdictions, either in general, or in relation to transboundary considerations. In particular since they are designated for many of the same objectives as EU-based classifications
48. Relevant information can be obtained from the below links:-

<https://www.gov.im/media/1362728/mnr-designation-order-2018-300920.pdf>

<https://www.gov.im/media/1362727/manx-marine-nature-reserves-byelaws-2018-sd-2018-0186-300920.pdf>

<https://www.gov.im/media/1378920/designation-of-marine-nature-reserves-guidance-note.pdf>

#### **Data and Evidence Validity**

49. **Assessment:** Data sources, such as AFBI surveys, were used appropriately, but the report lacked integration of local Isle of Man data, such as the Manx Marine Environmental Assessment (MMEA) and Bangor University reports, which contain valuable information on species distributions and ecology, particularly in relation to linkages between the Isle of Man and Wales.
50. **Recommendation:** Incorporate local Isle of Man datasets, such as the MMEA and Bangor University studies, to ensure a more complete and contextually relevant assessment. Address any data gaps by conducting additional surveys if needed, particularly for species that are poorly documented. Please see as referenced below.

51. Manx Marine Environmental Assessment (MMEA), and the relevant chapter therein:-  
<https://www.gov.im/about-the-government/departments/infrastructure/harbours-information/territorial-seas/manx-marine-environmental-assessment/>
52. Bangor University reports, university theses:-  
<http://sustainable-fisheries-iom.bangor.ac.uk/communications.php.en>

#### **Cumulative Impacts**

53. **Assessment:** The report discussed cumulative impacts, but several developments within or near the Isle of Man were not adequately considered. Additionally, some project statuses were outdated, and their inclusion in the cumulative impact map was inconsistent.
54. **Recommendation:** Update the cumulative impacts section to include all known and planned developments within the Isle of Man territorial waters, particularly those that may affect fish and shellfish ecology. Ensure the most recent project statuses are reflected and that developments are correctly categorised.

#### **Impact Significance and Mitigation**

55. **Assessment:** The significance of impacts for species like king scallop and brown crab was well-considered, but for other species like diadromous fish (salmon, sea trout), there was a lack of life stage-specific analysis. Further mitigation measures for sensitive species were also insufficiently detailed, and residual effects were not always clear.
56. **Recommendation:** Ensure that all species, including juveniles and larvae, are considered in the impact assessment. Propose additional mitigation measures for highly sensitive species, and clarify residual effects, particularly where impacts are deemed significant. Strengthen the connection between fishery impacts and fish/shellfish ecology chapters.

#### **Monitoring Plans**

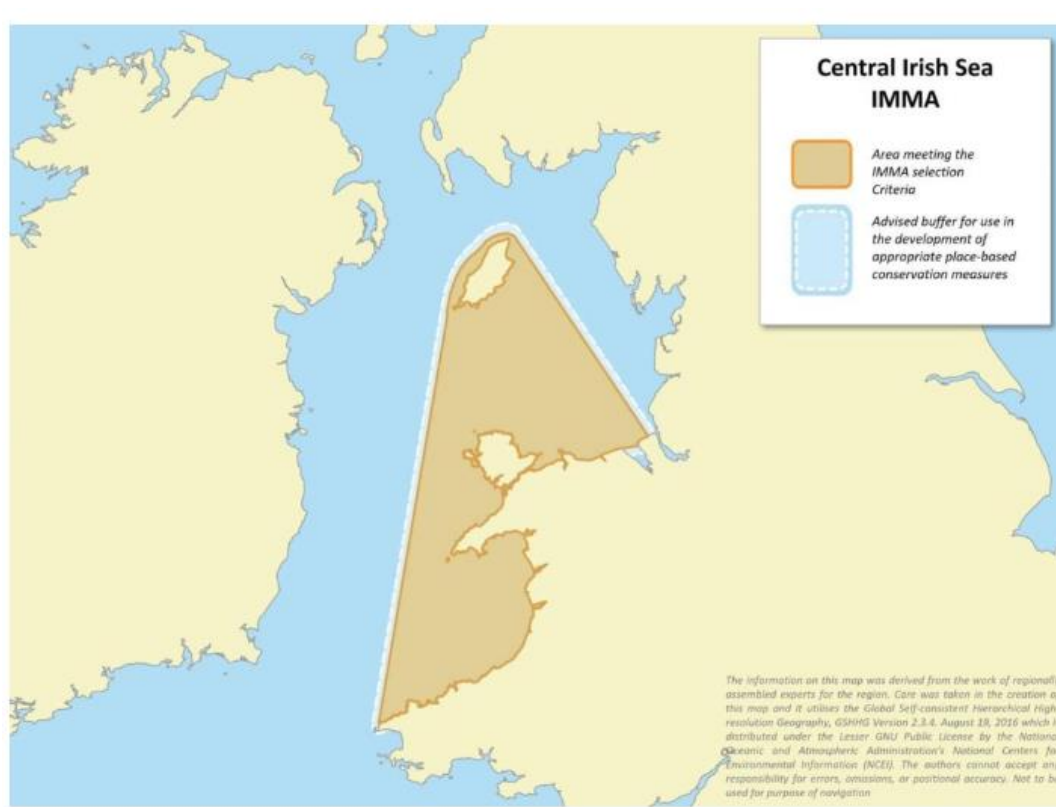
57. **Assessment:** The monitoring plans proposed were generally weak, with few specifics on how impacts on key species would be tracked post-construction. For example, there were limited plans for long-term monitoring of species like scallops or diadromous fish, which are crucial for both commercial fisheries and conservation.
58. **Recommendation:** Develop robust, species-specific monitoring plans to track the long-term effects of the wind farm on fish and shellfish populations. This should include seasonal monitoring to capture variations in species presence and activity, and a focus on tracking both direct and cumulative impacts.
59. **Conclusion:** The EIAR for the NISA project has addressed many key factors in assessing fish and shellfish ecology, but there are several gaps, particularly in terms of species inclusion, spatial boundaries, cumulative impacts, and monitoring plans, and particularly in relation to specific consideration of the Isle of Man as a neighbouring jurisdiction and with territorial interests within the study area. By incorporating local Isle of Man data, expanding the scope for sessile species, addressing cumulative effects comprehensively, and strengthening the monitoring framework, the assessment can better align with ecological and regulatory standards.

## **Chapter 14 – Marine Mammal Ecology**

60. DP6 last sentence. It would be helpful if the figures were within this chapter rather than another section.
61. DP10 Table 14.2. The table does not mention any of our Manx data, such as the MMEA report or Manx Wildlife Trust (MWT)/Manx Whale and Dolphin Watch (MWDW) surveys.
62. DP10 Table 14.2. It would be useful to see this on a map to help understand survey coverage.
63. DP13 Table 14.4. The report needs to be more specific on the duration “...changes that last for years.” How many years? 3? 43? Also the duration values for the other magnitude are much lower than reported for other Irish wind farms.
64. DP18 Harbour porpoise dose-response function. Care should be taken when comparing impacts and effects at different sites. Location and species conditioning will play a role in their behaviour and this may not be a true reflection of what may happen here, only an indication.
65. DP28 14.3.2.6. Grey Seals. Telemetry data has also shown a connection to the Isle of Man, with seals tagged in Strangford Lough. The work was done by Sea Mammal Research Unit (SMRU) in Scotland.
66. DP28 Table 14.8. It makes no reference to the Manx Marine Nature Reserves (MNRs). These should be included here.
67. DP30 Footnotes 8-10. It is not clear what they mean here. Is the report suggesting that the SCANS IV data/ Evans and Waggitt (2023) data are incorrect and that is why they aren’t using it? Why would they not use the most up to date data? Possibly because the abundance is that much higher?
68. DP33. 14.4.3 Operational Phase. What about operational noise? As the Irish Sea becomes more crowded with more and more OWFs operational noise will become more of an issue. We assume this was scoped out at an earlier stage?
69. DP33 14.4.4 Decommissioning. What about the impacts associated with removing biota from the pile foundations? This may have provided prey for cetacean and seal species.
70. DP34 Table 14.14 Pile driving parameters and soft start procedures. What about the use of Acoustic Deterrent Devices (ADDs), or the use of Marine Management Organisation (MMO) and Passive Acoustic Monitoring (PAM)?
71. DP46 Operational noise. As the report has identified, there is still a lack of data on operational noise from larger wind farms, surely this should be scoped in? Especially as more and more larger OWFs are planned for the Irish Sea and cumulative impacts will need to assess this too.
72. DP52 High-order detonation. It is concerning that so many individuals could be injured by this (harbour porpoise, seals and bottlenose dolphins). As protected species this is a concern. Also using the Management Unit (MU) for scale makes it appear like an insignificant percentage of the population but from a local perspective that is significant. In fact, any permanent damage to these species could impact the designated features/protected sites.

73. DP78 Monopiles and beyond. As stated previously care should be taken when only using the MU as the population size. From a local perspective this could be significant. This applies across the entire report. Additionally, the numbers of potentially impacted animals is high. As protected species this is a concern and could affect the NIS assessment.
74. DP93 Magnitude of Impact. These figures for Harbour porpoise disturbance are very large. It is appreciated that this can be minor in effect but still it's a huge number of individuals.
75. DP106 Harbour seals. Could a piling restriction be put in place during pupping season to protect the vulnerable seal pups?
76. DP107 Magnitude of impact. Large numbers of harbour seals could be impacted here. The report needs to acknowledge that their numbers are not increasing to the same extent as grey seals and therefore this non-fatal impact could be affecting the condition of individuals and subsequently the population as a whole.
77. DP111 Magnitude of impact. Again grey seal numbers seem high here.
78. DP139 14.5.4.4. Impact 21. There is no consideration of the loss of prey availability as a result of the monopiles being removed. There is some evidence that suggests they form fish aggregation sites and that the rock armour forms habitats for lobsters and crabs.
79. DP148 Transboundary effects. It does not clearly outline the transboundary nations that could be affected nor does it mention the Isle of Man.
80. DP152 14.9.2. This section is not very clear as to what other projects are screened in or not. A quick table or list would be useful here. Therefore, it is difficult to agree if there are cumulative impacts with other wind farms in close proximity to the proposed development or not.
81. DP158 Table 14.50. The Manx Offshore Wind Farm (OWF), Mooir Vannin, does not appear to be on the list.
82. DP164 DEPONS paragraph. We are not sure a decline of 20% in harbour porpoise, even with it recovering within 6-7 years, is acceptable. If this is the case at other wind farm site or other developments that must have a cumulative impact on the local and regional populations?
83. DP165. We are not sure we agree with this assessment. The magnitude is assessed to be medium for harbour porpoise. As a protected species any impact on their population is not good, especially an impact on reproductive success. Could this impact, which is taken in isolation, have a cumulative impact with other factors, such as climate change, resulting in a significant effect on the population? This is not considered. These factors are reviewed in isolation and are predictions, which does not fill the reader with confidence in the assessment.
84. DP169 Summary of tiers. The number of bottlenose dolphin that could potentially be disturbed is high especially as this is based on the MU, rather than a local population estimate. As outlined above we are not sure we agree with an assessment of slight.
85. DP179 Harbour seals. Impacted numbers for harbour seals is again high and with their less than successful population recovery we are concerned that this might be another factor that slows their progress, even though the population is thought to be favourable in Ireland.

86. DP185 Table 14.68. Again, high numbers of grey seal will be impacted, even as a population percentage. It is appreciated that this impact is not expected to affect the population trajectory over a generational scale, however large numbers will nevertheless be impacted. We are not sure we feel comfortable about this elevated figure. This applies to the above comments too.
87. DP187 Magnitude. The lack of knowledge around vessel disturbance would suggest that monitoring would be useful. This applies to all sites, rather than assuming it isn't an issue or is difficult to understand. Displacement of animals from one area to another affects their overall health and adds to their energy expenditure. If an individual has to move away from one area it is likely to have to move to another, to another, to another as a result of a series of developments, where is left for them to go? Is it suitable/safe? Can they feed there?
88. General comment. Although the proposed development does not fall within the recently recognised Central Irish Important Marine Mammal Area (IMMA) (see below), there is no mention of it within the report and it should be highlighted.  
<https://www.marinemammalhabitat.org/factsheets/central-irish-sea-imma/>



89. General comment. It is important to think about the usage within the MUs, whilst the entire 'population' which uses the area defined as a management unit may not be significantly impacted the more localised scale (i.e. Irish Sea) needs to be considered.

#### **Volume 8: Appendix 2.1. Scoping Report – 5.6 Marine Mammal Ecology**

90. DP77 Table 5.10. Behavioural disturbance from other activities should include O&M as maintenance surveys of rock armour and cabling will have an impact too.

#### **Volume 9: Appendix 14.1. Underwater Noise Modelling Report**

91. DP20 3.2.2. Where it states that only one pile will be installed within a 24 hour period, will this include night time? Obviously MMOs will not be able to operate in the dark so PAMs must be used if necessary.
92. DP43 Table 5-2. Is the size of the vessels appropriate for vessels using/working within the wind farm area?

#### **Volume 9: Appendix 14.2 Marine Mammal Baseline Characterisation**

93. DP14 Figure 2. Although the Isle of Man does not have any SACs we do have Marine Nature Reserves, many of which have cetaceans and seals as designating features.
94. DP14 Table 1. As above there is no mention of the use of any Manx data, such as the MMEA report.
95. General comment. It's a shame that Manx data have not been incorporated into the abundance and distribution assessments. This could have provided some additional information.
96. DP71 6.9. Summary. If Manx data had been used would their assessment be different? Probably not but we don't know definitively.
97. DP96 10.5 Telemetry. The report refers to connectivity between Ireland and Wales, England and Scotland. However, there is no mention of the Isle of Man. We know from work undertaken by SMRU tagging seals in Strangford Lough that several of them reached the Isle of Man. One was even a regular visitor.

#### **Volume 9: Appendix 14.3 Marine Mammal Uncertainties and Limitations**

98. No comment.

#### **Volume 9: Appendix 14.4 Marine Mammal Mitigation Protocol**

99. DP15 4.4.1 Marine Mammal Observers (MMO). If MMO's are to be employed on back-to-back shifts to enable 24-7 construction operations, how will they observe marine mammals at night? The next sentence refers to daylight hours only so why employ MMOs during the night? This paragraph is confusing.

100. DP16 4.2.2 Passive Acoustic Monitoring. I thought I read in one of the previous chapters/reports that piling activity would not be 24-7 and only one pile would be installed per day, so which is it?
101. DP20 4.7 Noise Abatement. It is reassuring to see that noise abatement systems are being suggested.

#### **Natura Impact Statement. Volume 1 Main Report**

102. DP21 Table 1.4. As previously highlighted, it would have been beneficial to have included Manx data here.
103. DP139 Table 5.6. The Manx MNRs are not included here and should be. Many of the designating features are for marine mammals. What is concerning is they have consulted with the IOM Government at the scoping stage and yet the MNRs have still be excluded.
104. DP160 paragraph four. Could piling activities be restricted during calving season, if this level of disturbance is to be experienced?
105. DP517 6.3.1.1.1 Mitigation. It is likely that other developments will apply the relevant mitigation but there is no certainty of that at this time and caution should be taken when making assessments based on that statement.
106. DP518. General comment. Could bubble curtains and/or pile restrictions be put in place during the calving period?
107. General comment. If harbour porpoises move to another area due to disturbance and other areas are excluded too, as a result of other wind farm developments, where does this leave the harbour porpoises and other marine mammals? The space available to them shrinks. This does not seem to really have been addressed through the cumulative assessment.
108. DP590 7.1 Marine Mammals. There is no mention of any of the 10 Manx MNRs and it should.

#### **Volume 2: Appendix 4 Cable Route Benthic Survey Report**

109. DP10 2.1. Intertidal. Why did the foreshore licence not cover the southwest section?

#### **General comment**

110. The layout of the EIA was not well presented and required some navigation. Figures are reported separately from the main chapters, and you have to refer to various other chapters for the detailed information. It is appreciated that you don't want to repeat the same information over and over again but this seems to be rather messy. Not intuitive and lots of jumping around from chapter to chapter.

### **Summary**

111. Although the proposed development is a considerable distance from the Isle of Man the documentation still needs to include Manx data, such as the MMEA report, and refer to our protected sites and our legislation. For example, how can density estimates be made if Manx data are not incorporated or how can potential impacts to important features can be assessed if they are not included with the reports. It appears that in some figures the Isle of Man has been excluded from the assessment altogether.
112. Although the NIS presented no ecological impacts and this is unlikely to change the outcomes of the statement, I feel that the cumulative assessment is not comprehensive enough and this is where impacts could be most relevant to the Isle of Man. For example, operational noise may not have fatal impacts on our species however, little is known about the long-term exposure this type of noise will have and it will only increase as more larger wind farms are built. Additionally, as species distribution becomes squeezed, albeit temporarily, there will be less space for them and where they are displaced to may not be ideal impacting their long term health/survivability, both individually and as a population.

### **Chapter 15 - Offshore Ornithology**

The North Irish Sea region, which includes the Isle of Man and Ireland, is a critical area for various migratory bird species. These bird species as listed in (**Table 15.12 in Chapter 15 Offshore Ornithology of NISA EIAR**), cross the Irish Sea during their annual migrations and could be affected by the development of Offshore Wind Farms (OWFs) like the North Irish Sea Array etc. The North Irish Sea Array OWF, proposed off the coast of Ireland, has the potential to impact migratory bird species that travel between the Isle of Man and Ireland. Careful planning, ongoing monitoring, and the implementation of mitigation measures, where effects are identified, in line with concepts of cumulative transboundary effects, are essential to holistically minimise these impacts and protect the biodiversity of both regions.

In the EIAR and Natura Impact Statement, SPAs have been identified but there is no account of Manx sites – designated Marine Nature Reserves (MNRs) and ASSIs and key seabird sites in Manx National Heritage (MNH) ownership. It is requested that consideration of potential impacts is not limited to SPAs, as this assumes current or prior EU member status and designation, or an equivalent assessment, but no European level assessment has been made for the Isle of Man (for potential Bern Convention Emerald Sites, equivalent to SPA). By definition, transboundary effects cannot assume that designations, or the status of assessments, are the same either side of the boundary, and therefore Isle of Man marine conservation designations, for example Marine Nature Reserves (MNRs), National Nature Reserves (NNRs) under the Wildlife Act 1990, and other designations as appropriate, need to be accounted for, or clearly justified as to why they are not. The Isle of Man is a signatory to various international treaties and conventions, via the UK and, as such, has its own jurisdictional responsibilities.

Breeding seabird sites of national importance on the Isle of Man include Maughold Coast and Brooghs ASSI, Central Ayres ASSI/Ayres NNR, Marine Drive ASSI, but also the Point of Ayre (Terns), the Calf of Man (seabirds include a recovering colony of Manx Shearwaters), and the Sugarloaf/Spanish Head section of coast. The latter two have protection under Manx National Heritage. There are also 10 MNRs with identified seabird interest of relevance.

[Manx-marine-nature-reserves-guidance-notes-for-mnr-designations.pdf \(gov.im\)](#)

#### [Isle of Man Government - Protected sites](#)

There is one designated Ramsar Site (Ballaugh Curraghs) and potential further Ramsar sites have been identified in a report to the Overseas Territories Conservation Forum (<https://www.ukotcf.org.uk/conventions/ramsar-2/>).

Please consider the below list of data/reports in the EIA report for completeness of project impacts.

- Manx Marine Environmental Assessment (MMEA) Chapter 3.6
- Seabirds Count' was the last one of these. The IOM survey was undertaken by Manx Bird Life (MBL) (funded by Ørsted and DEFA) and is published on the MBL website.  
<https://manxbirdlife.im/wp-content/uploads/2019/05/Final-report-on-the-Isle-of-Man-Seabird-Census-2017-18-sample.pdf>  
This data was then put into the wider Seabirds Count data with that for the UK and Ireland. It is coordinated across the British Isles. It has recently been published.  
<https://jncc.gov.uk/our-work/seabirds-count/>
- The data, together with other data relating to the work of the Seabird Monitoring Partnership (some annual counts and key sites with detailed study (none of the latter on the IOM), is held on a database accessed via the UK JNCC website. The same website also has summaries of the data, by species, with information relating within that, to each jurisdiction.  
<https://jncc.gov.uk/our-work/seabird-monitoring/>  
<https://jncc.gov.uk/our-work/smp-report-1986-2019/>
- This is standard data and we note a reference to this data is site apportioning, where the IOM data has been divided between north, south and west.
- Manx Bird Atlas
- Isle of Man Birds of Conservation Concern (BoCC)
- Up to date Manx Shearwater breeding counts from the Calf of Man (Although amber-listed for the UK and IOM (BoCC5) and in BoCC on the IOM, this species is of special concern in the Isle of Man due to its history of holding a significant breeding aggregation, which then became apparently extinct but which is just now recovering, following rat eradication work and the vulnerability of its small breeding population, Manx Wildlife Trust (MWT) reports that **'the unpublished 2024 figures for Manx Shearwater breeding pairs on the Calf has increased to 1,500 pairs'**.)

Migratory birds on the Manx BirdLife Red List that travel between Ireland and the Isle of Man are of particular concern due to their declining populations and the pressures they face across their migratory routes. These species rely on the habitats in Ireland, the Isle of Man, and the UK for breeding, feeding, and resting, making their conservation a transboundary issue.

Please consider inclusion of the following species:-

- **Hen Harrier (*Circus cyaneus*)** - IOM Amber-listed
- **Short Eared Owl (*Asio flammeus*)** - IOM Red-listed
- **Chough (*Pyrrhocorax pyrrhocorax*)** - IOM Amber-listed

The proposed Mooir Vannin (Isle of Man) Offshore Wind Farm (OWF) is scoped in to ...? For Marine Mammals (Natura - Table 6.1) but not for Offshore Ornithology (Table 6.4) which is more likely to be susceptible to cumulative impacts.

## **Conclusion**

The migratory birds on the Manx BirdLife Red List face significant challenges due to habitat loss, persecution, and other human-induced pressures across their migratory routes between the Isle of Man and Ireland. Protecting these species requires a collaborative approach that includes habitat conservation, careful planning of infrastructure developments, and cross-border conservation strategies. The Manx BirdLife Red List, MNRs, local conservation communities and, legislations serve as crucial tools for conservation planning on the Isle of Man and form the framework for addressing transboundary conservation challenges. By in cooperating identified species at the greatest risk, local conservationists, governments and, developers of nationally critical infrastructures e.g., NISA project can collaborated on prioritise actions to protect these birds, such as habitat restoration, legal protections, and public awareness campaigns. From the developers' side, implement these concerns as project design constraints in their various design envelops. To meet the common objective of developing environmentally friendly and sustainable projects.

## **Chapter 16 – Commercial Fisheries**

The Department of Environment & Agriculture (DEFA) cannot foresee any direct impact on IOM fisheries or IOM fishing vessels, outside of potential navigation/shipping concerns which are otherwise considered separately. There may be indirect impacts on Irish Sea fisheries generally as a result of the developments in the context of the cumulative reduction of potential fishing area (both during construction and operation phases).

In particular, the proposed developments on the eastern seaboard of the Republic of Ireland encroach onto traditional Nephrops (prawn) trawl fisheries and mixed whitefish fishing grounds. Whilst IOM vessels do not normally participate in these fisheries in this area, the cumulative displacement effect of the developments may force fleets (Northern Irish and Republic of Ireland fleets in particular) onto fishing grounds between the Isle of Man and Northern Ireland. Some of this area within UK waters is designated as Marine Conservation Zones and the displaced fishing activity may undermine the conservation objectives of those sites. Fishery productivity in the areas remaining open to fishing in the North Irish Sea may reduce in terms of catch-per-unit-effort, resulting in increased benthic impact from fishing activities in an already heavily disturbed benthic environment. Developers should (collectively) consider the cumulative and indirect impacts of the proposed developments, and mitigate these impacts where possible in consultation with impacted fleets, and monitor the resultant change in fishing behaviour as a result of displacement, including (but not limited to) changes in:-

- Spatial distribution of fishing activity of impacted fleets;
- Changes in landings, effort, and landings per unit effort, in the western Irish Sea fisheries;
- Changes in relative benthic status before, during and after construction and throughout the operational phase; and,
- Changes in number of vessels engaged in demersal trawl fisheries in the western North Irish Sea fishing grounds.

## **Chapter 17 – Shipping and Navigation**

As an Island nation, any significant risk of interference with marine navigation is of concern, with particular regard to transport to and from the island, and the shipping lanes in the islands Territorial

waters, which are used to connect the UK and Ireland. These are strategic lifeline routes, that the Island depends on, and it is essential that these are not impacted upon as part of these proposals.

The Department of Infrastructure (DOI) as represented by the Territorial Sea Committee (TSC) would like to note that the economy of the Island is highly reliant on regular, safe shipping for its goods, and any deviations from well-established timetables and routes, would not support the Island's business community that rely on daily deliveries via the Isle of Man Steam Packet Company.

It would appear from the proposed position of North Irish Sea Array, that there should not be any impact on the shipping routes as operated by the Isle of Man Steam Packet Company, however it is recommended that there is direct liaison with them to confirm this position.

The Territorial Sea Committee therefore request that you please keep the Department fully engaged as the process progresses, and also request continued engagement with the Isle of Man Steam Packet Company.