

**BSAC Ecosystem Based Management Working Group**  
**Friday 17<sup>th</sup> February 2023;**  
**09:00 – 14:30 (CET)**  
**Online through Zoom**

**REPORT**

**1. Welcome by the Ecosystem Based Management WG Chair, Nils Höglund – Present:**

**The EBM WG Chair** welcomed the BSAC members, observers, representatives of DG Mare, Members States, invited speakers, representatives of the wind energy sector and observers.

**The Chair** underlined that the meeting will focus on the impact of offshore wind farms (OWF) on Baltic ecosystem and fisheries. This topic was discussed for the first time in the BSAC EBM Working Group in October 2022<sup>1</sup>. The objective of the meeting is to formulate draft BSAC recommendations.

**2. Formalities for the start of the meeting**  
**Apologies and adoption of the agenda**

List of participants is on the website. The agenda was adopted<sup>2</sup>.

**3. Report from the previous EBM WG**

*Presentation at last meeting: coordination, consultation, compensations.*

[Summary of previous EBM WG discussion;](#)

[Background paper](#)

*A background document was prepared by the BSAC Secretariat following the EBM WG of the 26<sup>th</sup> October 2022<sup>3</sup>.*

**The EBM WG Chair** referred to the discussion on offshore wind farms (OWF) during the BSAC Joint Working Group on 26<sup>th</sup> October 2022. All participants agreed that there are still many knowledge gaps on the impacts of OWF, especially on the ecosystem. He underlined that the meeting will aim at finding common ground in formulating draft recommendations, taking into account the conclusions of the last meeting. He stated that the core conclusions reached by the WG referred to the need for coordination between MS in terms of planning and legislation, setting coexistence principles for OWF and fisheries, compensations, and the need for stakeholder consultations.

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<sup>1</sup> [BSAC - BSAC Ecosystem Based Management Working Group](#)

<sup>2</sup> [BSAC - BSAC Ecosystem Based Management Working Group](#)

<sup>3</sup> [http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Ecosystem-Based-Management-Working-Group-\(3\)/3-OWF-devpmts-Baltic-EBMWG-summary-doc.aspx?lang=en-GB](http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Ecosystem-Based-Management-Working-Group-(3)/3-OWF-devpmts-Baltic-EBMWG-summary-doc.aspx?lang=en-GB)

**A fisheries representative** underlined that impact of OWF on fish stocks and fish habitats, including spawning and nursery area, as well as migratory routes should be carefully considered.

#### **4. Offshore windfarms effects on the ecosystem, fish stocks and fisheries**

##### **a. Presentation of the Overview of the effects of offshore wind farms on fisheries and aquaculture: final report<sup>4</sup>**

**Gert van Hoey, ILVO** is the lead author of the European Commission report<sup>5</sup> on the overview of the effects of offshore wind farms on fisheries and aquaculture.

**Gert van Hoey** presented<sup>6</sup> the overview of the effects of offshore wind farms on fisheries and aquaculture, published by the European Commission. He underlined that the global shift to renewable energy, including large-scale development of offshore wind farms (OWFs), is well underway. This expansion will in certain places lead to increased coexistence and the potential for multiple uses of the space available for fishing and aquaculture activities, or to potential conflicts and restrictions for some fishing activities. The overview presents the state of knowledge on the existing and potential future effects of offshore wind farms (OWFs) on fisheries and aquaculture, including two case studies (Belgian OWF and Danish Kriegers Flak area). The conflicts between OWF and fisheries arise from the fact that OWF are fixed structures and fishing is a dynamic activity. No tailored management approaches have been developed for fisheries in OWF development. Some OWFs have set up compensation mechanisms for displaced fisheries. The ecological effects are documented on the basis of site-specific studies, but the degree to which OWF development leads to changes in biodiversity, species composition, spill over effects and habitat characteristics in the short, medium and long term have to be defined on wider scale. It is unknown what the observed spill over effect mean at fish population level or wider regional scale for fish stocks. The overview presents potential future effect of wind farms and identifies many knowledge gaps. OWF have diverse effects on ecology, which occur particularly at local spatial scales and vary according to salinity. During construction work, the seafloor ecosystem is temporally disturbed (sediment displacement; high impulsive sounds from piling). During the operational phase, introduced structures and/or turbine foundations change the local habitat characteristics, leading to mixed effects. Some can be considered as positive, as they provide a surface for colonization by fouling species and by attracting various fish (pelagic and demersal) and crustacean species (artificial reef effect). The effects of decommissioning the OWF structures on ecology (e.g. some ecological benefits shall change), engineering possibilities (e.g. not increasing the OWF foot print in an area) and socio-economic aspects need to be collected.

The OWF development process is part of the obligatory maritime spatial planning (MSP) process for EU Member States. However, the MSP management process needs to take

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<sup>4</sup> European Commission, European Climate, Infrastructure and Environment Executive Agency, Van Hoey, G., Bastardie, F., Birchenough, S., et al., Overview of the effects of offshore wind farms on fisheries and aquaculture : final report, Publications Office, 2021, <https://data.europa.eu/doi/10.2826/63640>

<sup>5</sup> <https://op.europa.eu/en/publication-detail/-/publication/3f2134f9-b84f-11eb-8aca-01aa75ed71a1/language-e>

<sup>6</sup> Presentation [BSAC - BSAC Ecosystem Based Management Working Group](#)

into account these challenges to ensure co-existence between fisheries and OWF. The key management strategies should include stakeholder consultations from early stage and on continuous basis and compensations. A standard procedure to compensate the fishery sector for socio-economic loss is lacking. This has to be tackled at EU level.

There is no common approach to legislation on safety around OWFs. In some Member States several types of restrictions in relation to navigation and operability of other activities are present across offshore wind farms. During construction, navigation is in general forbidden, but once the OWF is in operation variable rules exist. Overviews of national legislations determining the operability (possibilities and restrictions) of fishing in and around OWFs. The major socio-economic effects for fisheries are the loss of fishing grounds (economic value, but also emotional value), leading to effects on catch volume, gear conflicts (e.g. bottom trawl gears cannot operate within OWFs, restrictions in anchoring passive fishing equipment within OWFs) and changes in travel time from harbour to fishing grounds. Socio-economic balance for the fishery in relation to restrictions and/or opportunities caused by OWFs to have a better view on possible compensation needs for fisheries should be developed. With regard to stakeholder consultations, the study recommends an early is essential to create beneficial conditions for future multi-use and co-location of fishery and offshore aquaculture activities with OWFs.

**Gert van Hoey** presented two case studies. The Danish Kriegers Flak case study provides a typical example of the environmental impact assessment (EIA) process required ahead of an OWF implementation, and illustrates how the knowledge gaps on anticipated OWFs effects are currently tackled in such EIAs. The EIA on fisheries concluded that, overall, the significance for trawl fishery in the operational phase both in the study area and in the cable corridor would be moderate. It can be minimised when fishing over cables is allowed and set-up take into account historical trawl tracks. In the Belgian study, no negative effect on fisheries had been observed and there were indication of increased catch rates of plaice around some OWFs.

**Gert van Hoey** concluded by saying that OWFs tend to restrict fishing activities and pose many challenges to get a balanced management. Fishers struggle with the safety implications (cable, collision), operate in less flexible way, changes in travel time and switch to other gears is not easy. For fish (or ecosystem) benefits are noticed (e.g. artificial reef effect), but no quantification on stock/population level.

## **b. Questions and discussion**

**Andy Lipsky, expert on OWF and co-chair of ICES Working Group on Fisheries and Offshore Wind Energy, speaking in his name only,** referred to the need to acquire knowledge on ecosystem wide effects of the increasing scale and magnitude of OWF. Scientific understanding is needed to inform cumulative impact assessments and evaluate socio-economic trade-offs of management decisions with regard to the installation of offshore renewable energy. ICES will hold a theme session on ecosystem science needed to support a new era of offshore marine renewable energy during its Annual Science

Conference in September, in Bilbao.<sup>7</sup> He underlined that the predicted impact of OWF is very large due to aggregation of effects. The changes caused by OWF to the ecosystem must be monitored, because unmonitored changes may create additional uncertainty in the stock assessment and result in the application of more conservative management measures<sup>8</sup>.

**The representative of DG MARE (Céline Frank)** underlined that many knowledge gaps on the impact of OWF still exist. She mentioned the in-depth case studies carried by Belgium and Denmark as examples of good initiatives to deepen the knowledge on the impacts of OWF. She referred to the Ocean Observation initiative<sup>9</sup>, essential for the knowledge base of the Green Deal. This initiative aims to achieve a common EU approach for measuring once and using the data for many purposes. A regulation will be prepared in support of this kind of research, monitoring and data collection. The impact of OWF on fisheries is part of a non-recurrent request submitted by the European Commission to ICES this year. Dialogue between fisheries and OWF sectors will be launched during the European Maritime Days on 24<sup>th</sup> – 25<sup>th</sup> May 2023 in Brest. She underlined that the overview published by the European Commission will be updated with the results of extensive studies conducted with European Environment Agency (EEA), mapping environmental impact and emerging technologies. She informed the meeting that considerable funding for reducing the possible impacts of OWF on other sectors is available under Horizon Europe Framework Programme.

**The EBM WG Chair** underlined that the Baltic ecosystem is severely depressed and therefore any additional pressure has a much bigger impact than elsewhere. This fact should be taken into account when assessing the impact of OWFs in the Baltic.

**The ExCom Vice-Chair, also representing the anglers** referred to the spill-over effect of OWF refers to commercial and recreational fishers. The increasing magnitude of OWFs in the Baltic causes fisheries displacement, forcing the commercial and recreational fishers to fish in other areas. He asked to engage recreational fishers in early stages of discussions and planning.

**A fisheries representative from Denmark** stated that according to some experts, cormorants are attracted to offshore wind farms, because of the lack of disturbance and proximity to food sources in shallow areas, close to spawning grounds. Therefore, through increased predation of cormorants, the OWF located in shallow water might have a considerable effect on fish recruitment. In his view, an increased environmental value of

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<sup>7</sup> ICES updates: the Fisheries and Wind Working Group has recently renewed the TORs. September 2023- Bilbao, Spain- ICES Annual Meeting- Session- Ecosystem science needed to support a new era of offshore marine renewable energy- <https://www.ices.dk/events/asc/2023/Pages/Theme-session-A.aspx>

<sup>8</sup> In the chat Gert van Hoey replied: In order to have more data, the monitoring needs to be aligned, put together on a basin scale (not per OWF zone), and of course adapted to the new questions. New monitoring technologies are of course needed.

<sup>9</sup> [Ocean observation – sharing responsibility \(europa.eu\)](https://ocean-observation.europa.eu/)

OWF should not be overestimated. The OWF industry is expanding rapidly, which increases the potential for impacts on marine environment, including fish stocks. He compared OWF installations to a forest in a desert and stated that it is not nature restoration, but nature creation and biological engineering to create something that has not existed. In his view, there are several reasons for excluding the co-location of OWF and fisheries. Safety risks and insurance issues seem to make the co-location mostly impossible in practice. He underlined that the OWF investors should be made responsible for installing the OWF in a such a way that they do not disturb the existing activities.

**The representative of DG MARE** referred to the results of the Belgian OWF environmental monitoring programme, which had examined the impact of offshore wind farms on fish, harbour porpoise and birds. According to the current knowledge, the environmental effects of OWF are mostly temporary. She stated that more data is needed to precisely assess the effects on different fish species. Referring to recreational fishery, she agreed that both commercial and recreational fishers should be included in the stakeholders consultations. She proposed that the European Anglers Alliance could take the lead on this matter in the stakeholders dialogue during the Blue Forum in April 2023<sup>10</sup>. She also stated that more studies are needed in order to understand the factors attracting the cormorants to offshore wind farms and to evaluate the scale and impact of cormorant aggregations. She referred to the Offshore Coalition for Energy and Nature – OCEaN which provides an open forum for discussion<sup>11</sup> between NGOs and OWF operators to develop a better understanding of the impacts that the construction and operation of offshore wind and connecting electricity infrastructure has on the marine environment and how these can be avoided or minimised. This coalition provides energy and nature database, promoting positive offshore measures<sup>12</sup>.

She also referred to the European Commission's guidance<sup>13</sup> on reconciling wind energy developments and nature. It provides information and best practice that will help Member State's competent authorities, developers, consultants and the wind energy industry to ensure that wind energy developments, onshore and offshore, comply with the provisions of the environmental legislation.

**Gert van Hoey** stated that some spill-over effects of OWF could be an incentive for the fisheries sector. Some species are likely to form aggregations around OWFs and do not move away.

**Andy Lipsky** referred to several negative effects of OWF. According to recent studies, OWF could impair spawning and recruitment. OWF could also have potential implications on behavioural changes in shellfish. Impacts on water column and stratification can be positive and negative.

**Johanna Fox, WWF Baltic Ecoregion Programme** stated that data is lacking to make models on OWF impact at sea-basin level.

## 5. Fishing in offshore windfarms

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<sup>10</sup> [The Blue Forum](#)

<sup>11</sup> [Who we are — Offshore Coalition \(offshore-coalition.eu\)](#)

<sup>12</sup> Energy and Nature database [Energy & Nature Database — Offshore Coalition \(offshore-coalition.eu\)](#)

<sup>13</sup> [Commission issues guidance on reconciling wind energy developments and nature \(europa.eu\)](#)

### **a. Presentation of EU MSP Platform recommendations on fishing within offshore windfarms<sup>14</sup>**

**Frédéric Herpers, representing the MSP Platform<sup>15</sup>**, presented<sup>16</sup> the MSP Platform which provides, on request technical support to EU MS in the implementation of MSP Directive, as well as a global overview on MSP in each sea basin for all stakeholders. The Platform is used to share experience and practices on MSP as tool to support the Blue Economy. He referred to some background documents produced by the Platform, among others recommendations for positive interactions between offshore wind farms and fisheries and best practice guidance. He presented temporal effects and potential tensions between OWF and fisheries. The type of effects is also related to the implementation stage of the OWF. Phase No. 1 is the pre-construction, phase 2 construction, phase 3 production and maintenance, phase 4 – dismantling. Since the beginning of the OWF planning (strategic level – MSP process) activities within OWF must be considered to reduce impacts on the existing activities and the environment (SEA) and to ensure maritime security around and in the OWF areas. The construction phase is the most impacting phase on activities and environment. There are major risks for maritime safety. Construction period should be planned in the period of low fishing activity. An anticipated dialogue with stakeholders is needed to manage the activities in various phases. The MSP process needs to take account of transboundary effects.

**The EBM WG Chair** underlined that the production phase of OWF is of core importance from the fisheries perspective. He expressed concern about cumulative effects of OWF, causing displacement of fisheries, but also long-term negative impact on the ecosystem.

**A fisheries representative from Denmark** underlined that the possibility of maintaining access to fishing grounds should be considered before taking into account compensations for fishers for lost fishing grounds. In his view, a societal dialogue with all stakeholders should be developed in order to find the right balance between sustainable food production (fisheries) and wind energy production. Perspectives of all stakeholders should be considered.

**Frédéric Herpers** stated that intensive OWF development in the Baltic should be seen from the perspective of all sea-based activities and maritime spatial planning (MSP). The impact of climate change should also be considered in MSP. Cumulative impacts of OWF must be taken into account. He drew attention to the fact that noise generated by OWF might cause negative effects on living organisms. MSP legislation should be implemented and followed.

**The representative of DG Mare** referred to the fact that MSFD dedicates one of the specific qualitative descriptors to define threshold values for underwater noise (descriptor 11). The European Commission and the Member States are working to improve the integration between MSFD implementation and MSP.

### **b. Discussion**

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<sup>14</sup> <https://maritime-spatial-planning.ec.europa.eu/sector-information/offshore-wind-and-fisheries>

<sup>15</sup> [About Us | The European Maritime Spatial Planning Platform \(europa.eu\)](#)

<sup>16</sup> Presentation [BSAC - BSAC Ecosystem Based Management Working Group](#)

**The EBM WG Chair** opened the discussion on the following issues:

- *Rules for fishing implemented in different Members States and the pros/cons of further harmonisation the legal provisions;*
- *How to deal with fishing effort displacement from prohibited areas?*
- *What challenges exist for fishing operations in OWF areas? (spacing, legal requirements, insurance)?*

**A fisheries representative from Denmark** underlined that livelihoods of fishers are directly affected by expansion of OWF and therefore a human dimension must be kept in establishing the measures regulating the activities around OWF.

### **Stakeholders (Fisheries/OIG) perspectives**

**Johanna Fox, WWF Baltic Ecoregion Programme** presented<sup>17</sup> guidelines for planning “Offshore Renewable Energy go-to areas” (ORE go-to areas) in the Baltic Sea, under the amended Directive for Renewable Energy and the REPOWEREU Plan<sup>18</sup>. The guidelines were developed by WWF and CCB during a Roundtable held in January 2023, to provide input on the drafted criteria for the identification of ORE go-to areas in the Baltic Sea Region and was by invitation only, with representatives from the industry sector and NGOs. These guidelines are a tool for discussions with decision makers, with a view to aligning climate, energy and nature/marine legislation through transboundary and cross-sectoral cooperation. She presented the key recommendations: development of a regional strategy for acceleration and expansion of ORE in the Baltic Sea, need to follow marine/nature legislation and implement strategies that allow the recovery and viability of marine ecosystems, improving coordination and collaboration at regional level - HELCOM level, improving transnational planning - following the decision tree for: MSP development and updates and identification and use of ORE go-to areas, in the Baltic: development of a specific platform for sharing use of recommendations and promoting nature-based solutions and ensuring finance towards better environmental monitoring and data collection. Environmental legislation should not be undermined. Cumulative and compound impacts should be addressed. ORE go-to areas should be identified by identification and mapping of areas for exclusion and identification of potential co-existence areas.

**The EBM WG Chair** underlined one of the basic conclusions of the guidelines, that, taking into account the basic principles underlying marine protected areas, OWF should be excluded from MPAs on the basis of environmental impact assessments (EIA).

**A fisheries representative from Denmark** stated that a more flexible approach is needed to the co-existence of sustainable energy production, marine protected areas and fisheries. In his view, a case by case approach is needed for excluding fishing and OWF from protected areas. Any fishery exclusion (loss of fishing grounds) should be compensated.

**Gert van Hoey** agreed that EIA are essential ahead of OWF implementation and exclusion of OWF from MPAs should be considered on a case-by-case basis.

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<sup>17</sup> Presentation [BSAC - BSAC Ecosystem Based Management Working Group](#)

<sup>18</sup> Coalition Clean Baltic and WWF Baltic Ecoregion Programme organised an online roundtable on Guidelines for Planning “Offshore Renewable Energy (ORE) go-to areas” in the Baltic Sea - as a joint effort to steer the discussion and help create a win-win situation with a focus on nature positive solutions for marine ecosystems. The Roundtable on guidelines was held on 27<sup>th</sup> January 2023. See more at [Coalition Clean Baltic \(CCB\)](#)

**A fisheries representative from Sweden** shared the view that any exclusions of sea-based activities from MPAs should be decided on a case-by-case basis. Referring to the compensation fund at regional level proposed at the last meeting of the WG, she underlined that conditions for implementing such a fund should be further discussed.

**Johanna Fox** stated that given the current ecological state of the Baltic, as well as uncertainties related to the impact of wind farms, there is a huge risk in opening up MPAs to OWF and fisheries. In her view, the Baltic needs to be better managed and protected.

**A small scale fisheries representative from Poland** stated that the co-existence of OWF and fisheries seems rather unrealistic given the existing restrictions (500 m exclusion zone in the vicinity of OWF, restriction for bottom trawling).

**A representative of the Polish administration** referred to the national expert group to deal with coexistence of OWF and fisheries with approximately 50 experts, among them representatives of the Polish administration from various ministries, fishers, OWF investors. The group discusses the rules for co-existence of OWF and fisheries. Special measures allowing navigation and fishing operations in the OWF areas are under preparation.

**The representative of DG Mare** underlined that safety is the first criteria in developing the rules for fisheries in OWF areas. Some Member States install corridors for shipping and fishing in the OWF areas. Projects on the use of passive gears in OWF are also carried out to see whether these gears can be permitted in OWF. With reference to MPAs, she underlined that different measures are applied in MPAs and strictly protected MPAs. Strictly protected areas (no-take zones) are fully and legally protected areas where natural processes are left essentially undisturbed from human activity. Any human activity in MPAs is based on EIA.

**A representative of the German Federal Agency on Nature Conservation** referred to the ongoing discussion on MPAs and OWF in Germany. The MPAs in Germany have different levels of protection and decisions on the location of OWF are taken on a case-by-case basis. The approach has changed a little because of the recognised need for energy transformation.

**A fisheries representative from Denmark** stated that he could not accept a blanket approach, assuming that OWF should be excluded from MPAs. He repeated that a case by case approach is needed for excluding fishing and OWF from protected areas. He underlined that the OWF located outside MPAs might also have negative impact on the areas outside the OWF. He agreed that corridors for navigation can be established in OWF, however, access for all types of fishing gears might not be possible.

**Johanna Fox** agreed that OWF have impact on MPAs, as well as outside protected areas. There is a need for better data and long-term monitoring to assess the cumulative impact of OWF. The Member States should address data collection and monitoring through different funding mechanisms.

**The EBM WG Chair** underlined that a clear message should be send that the Baltic Sea is a unique ecosystem that is especially sensitive to anthropogenic pressures due to its shallow depth and intensive sea-based uses. Any additional human pressure such as the OWF have a much bigger impact in the Baltic than elsewhere.

## **6. Conflict resolution and compensation**



### a. Presentation of the EU MSP Platform recommendations on avoiding and resolving conflicts<sup>19</sup>

**Frédéric Herpers, EU MSP Platform** presented the recommendations of the **Platform** on avoiding and resolving conflicts<sup>20</sup>. Potential conflicts include accidental damages, disturbance of species, ecological consequences of spatial exclusion, economic consequences of spatial exclusion, social economic impacts for commercial and recreational fishers, socio-cultural conflicts. The mitigation measures aimed at reducing conflicts should be picked up in a MSP process, for instance in the strategic environmental assessment (SEA). The measures proposed by the EU MSP Platform include shared knowledge on the maritime activities on the targeted area to assess the environmental, economic and socio-cultural impacts, early communication and stakeholder consultation before the designation of potential sites for the development of OWF is essential and identifies conflict potential at an early stage, an early integration of all stakeholders to support the siting process by the availability of knowledge of the fishing sector and acknowledging the importance of this commercial and recreational fishing sector. He underlined that independent third parties who are aware of and consider all concerns of the partners involved, can facilitate discussions, negotiations and the creation of guidelines for the joint use of designated areas. An independent entity can mediate between the partners and therefore support the finding of a compromise. Co-design approaches for the co-location of OWF with other uses can reduce the impact potential on fisheries, strengthen the relationship of the sectors of concern and even enable beneficial co-operation between them. This can be combined with licensing processes that favour the fisheries most affected by displacement. Promotion of co-operation examples allows for mutual learning and informs MSP regarding acceptable mitigation measures. Compensation payments for the disturbance and the associated loss of income (due to reduced fishing effort) or additional expenditure (due to detours to the fishing grounds) of the fishing sector caused by the expansion of OWF can reduce the impact potential.

### b. Questions and discussion on compensation fund and other conflict resolution mechanisms

**The EBM WG Chair** referred to the proposal made at the last meeting of the WG to establish a compensation fund at regional level. He asked the participants to discuss the following conditions for implementing such a fund:

- *Who should benefit from this fund?*
- *What should it be used for?*
- *Who should be responsible for its allocation?*
- *Should BSAC make such recommendation?*

**The EBM WG Chair stated that** funding mechanisms differ greatly from one Member State to another and there is a need for greater harmonisation between Member States and at regional level. The need for flexibility with regard to compensations schemes to account, among others, for unforeseen cumulative impact was recognised at previous meeting of the

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<sup>19</sup> <https://maritime-spatial-planning.ec.europa.eu/sector-information/offshore-wind-and-fisheries>

<sup>20</sup> Presentation [BSAC - BSAC Ecosystem Based Management Working Group](#)

WG. The need for compensation for adverse effects on the environment or restoration should also be taken into account.

**Johanna Fox, WWF Baltic Ecoregion Programme** agreed to the need to establish standardised funding mechanisms across the Baltic region. In her view, a funding mechanism should be equal and accessible for all and should not create competitive disadvantages.

**The ExCom Vice-Chair and representative of anglers** underlined that recreational fishers have long experience with regard to compensations for any adverse impacts of human-made installations. The system of compensations for negative effects of hydropower constructions has not been very effective. He agreed that to the MSP Forum recommendation that an independent entity should mediate between the stakeholders to mitigate conflicts and support compromise solutions. In his view, compensations have to be agreed before the installation phase of OWF.

**A representative of Renewables Grid Initiative** underlined the need for effective implementation of compensatory mechanisms. She pointed out that the tendering process should be more sustainable. There should be a systemic approach to both environmental compensation and socio-economic compensations.

**The representative of DG Mare** drew attention to the fact that OWF companies had put in place significant compensation funds. She gave an example of Renewable Grid Initiative as an initiative working to reach consensus on a set of principles that would act as good practice guidance for high quality compensation practices.

**The BSAC ExCom Chair** proposed to establish a Code of best practices on compensation schemes.

**A small scale fisheries representative from Poland** drew attention to the fact that during a meeting of a Polish expert group to deal with coexistence of OWF and fisheries, the Polish fishers had proposed that the OWF investors pay a certain percentage of their income to fishers as compensations for the loss of fishing grounds and for restocking purposes. This proposal was not accepted by the investors. He agreed that a Code of best practices on compensation schemes established at regional level could help in implementing transparent and effective compensations mechanisms in the Baltic member States.

**The representative of DG Mare** expressed her support for the proposal to establish a Code of best practices on compensation schemes and their funding at regional level.

## **7. BSAC recommendations**

### **a. Discussion and wrap up by the Chair**

**The Executive Secretary** presented the draft conclusions prepared by the Chair and the Secretariat:

- 1. Identified effects of OWF on the ecosystem and fisheries, both negative and positive ones, should be recognised along with persisting knowledge gaps;**
- 2. Consultation and involvement of all stakeholders, and coordination of Member States are given the highest priority;**

3. **Co-existence plans are developed with respect to maritime security and access to fishing within OWF should always be preferred to compensation;**
4. **Standardised and cumulative environmental and socioeconomic impact assessments are carried out independently and transparently, and accompanied by continued long term monitoring;**
5. **Compensation schemes (both environmental compensation and socio-economic compensations) should be implemented where residual effects persist and/or where co-existence between offshore wind farms and fisheries is not possible.**

**A fisheries representative from Denmark** pointed to the fact that practical difficulties to allow access to OWF areas are linked to risk and safety management, including the lack of clarity on liability shared responsibility.

**Andy Lipsky** stated that in the United States, the insurance rates for fishing vessels which are allowed to fish over cables in OWF areas have not changed. Requirements imposed on fishing vessels meet the insurance requirements. He referred to the principles of co-existence between OWF and fisheries. The OWF developers in the United States and the UK encourage fishers to conduct survey work on behalf of the developer and benefit from their practical knowledge.

With reference to the compensation fund at regional level, **Johanna Fox, WWF Baltic Ecoregion Programme** referred to the Baltic Sea Action Fund as an independent funding mechanism that could be used as a compensation fund. **The ExCom Vice-Chair and representative of anglers** agreed to take into account the existing Baltic regional funds such as the Baltic Sea Action Plan Fund. **A fisheries representative from Sweden** underlined that a compensation scheme should be managed by an independent body.

**Frédérick Herpers** presented (in the chat) an example of annual tax on electricity production installations using mechanical energy from the wind located in inland waters or the territorial sea developed in France and redistributed to cities, environmental public agencies, and representatives of fishers (*see under references at the end of this report*).

**The Working Group** took note of all the comments provided by the participants during the discussion of the conclusions. These comments will be taken into account by the Secretariat in drafting the recommendations.

**The Working Group** approved the conclusion points and agreed to ask the Secretariat to develop them into a draft BSAC recommendations after the meeting. Following a written adoption procedure by the Working Group, the draft BSAC recommendations will be presented to the ExCom for approval.

## 8. AOB

There was no AOB.

**The EBM WG Chair** thanked the invited experts for their presentations, participants for good discussions and the interpreters for their work.

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## **References to relevant documents provided by participants on the chat and after the meeting (on offshore wind farms)**

### **Received from Andrew Lipsky (for additional references – please ask the BSAC Secretariat)**

We are also poised for a number of publications to be published on a special issue of Fisheries and Offshore Wind Energy in the future-

<https://afspubs.onlinelibrary.wiley.com/page/journal/19425120/homepage/offshorewindinteractions>. NOAA Fisheries will also be publishing in the next few weeks a summary synthesis of the effects of offshore wind development on fisheries in partnership with fishing industry interests and our Bureau of Ocean Energy Management. When that paper publishes I will share it with you. This paper covers the interactions between Wind and Fisheries Socio-Economics, Fisheries Management and Fisheries Data Collections, Ecosystem Effects (pelagic, benthic, oceanographic) to regional science planning.

### **ICES updates:**

Our Fisheries and Wind Working Group has recently renewed our TORs see attached--we will be working on these questions for next three years.

**September 2023- Bilbao, Spain- ICES Annual Meeting- Session- Ecosystem science needed to support a new era of offshore marine renewable energy-** <https://www.ices.dk/events/asc/2023/Pages/Theme-session-A.aspx>

[Workshop on Unavoidable Survey Effort Reduction 2 \(WKUSER2\) \(figshare.com\)](#)

[Magnetic fields generated by the DC cables of offshore wind farms have no effect on spatial distribution or swimming behavior of lesser sandeel larvae \(Ammodytes marinus\) - ScienceDirect](#)

[\(PDF\) Hard-bottom habitats support commercially important fish species: a systematic review for the North Atlantic Ocean and Baltic Sea \(researchgate.net\)](#)

[Diversity | Free Full-Text | Long-Term Succession on Offshore Wind Farms and the Role of Species Interactions \(mdpi.com\)](#)

[\(PDF\) The Use of eDNA to Monitor Pelagic Fish in Offshore Floating Wind Farms \(researchgate.net\)](#)

### **From Céline Frank (DG MARE)**

Here is some interesting example of sea basin approach to planning offshore wind with insights on spatial impacts on other sectors in the North Sea: <https://energy.ec.europa.eu/system/files/2023-01/Final%20Report%20spatial%20studies%20North%20Seas2030.pdf>

<https://energy.ec.europa.eu/system/files/2023-01/Annex%201%20FINAL.pdf>

### **Compensations, example from France presented by Frédérick Herpers**

Article 1519 B of the General Tax Code (CGI) introduces, for the benefit of municipalities and sea users, an annual tax on electricity production installations using mechanical energy from the wind located in inland waters or the territorial sea.

This tax is paid annually by the operator of the electricity production unit using mechanical wind energy.

The annual rate of this tax is set out in Article 1519 B of the CGI. It is currently €16,301 per installed megawatt. This amount changes each year as the value index of the total gross domestic product changes.

The proceeds of the tax are allocated to the national compensation fund for offshore wind energy.

How are the resources of the offshore wind tax fund distributed?

The proceeds of the tax on electricity generating installations using mechanical energy from offshore wind power, mentioned in Article 1519 B, are allocated to the national compensation fund for offshore wind power, with the exception of the levies mentioned in Article 1641 made for the benefit of the State.

The rules for distributing the resources of this fund are defined by article 1519 C of the General Tax Code.

The resources of this fund are distributed under the following conditions:

50% are allocated to coastal municipalities from which facilities are visible. In the distribution of this product between the municipalities, account is taken of the distance separating the installations from one of the points on the territory of the municipalities concerned and the population of the latter. As an exception, when the

installations are visible from several departments, the distribution is carried out jointly in the departments concerned;

35% are allocated to the committees for sea fisheries and marine breeding, for the financing of projects contributing to the sustainable exploitation of fishery resources. This percentage is distributed as follows: 15% to the National Committee for Sea Fisheries and Sea Farming, 10% to the Regional Committees for Sea Fisheries and Sea Farming in whose jurisdiction the installations have been set up and 10% to the departmental and interdepartmental committees for sea fisheries and sea farming in whose jurisdiction the installations have been set up. Where there is no departmental committee, the percentage benefits the corresponding regional committee;

5% is allocated to the financing of projects contributing to the sustainable development of other maritime activities;

5% is allocated, at the level of the seafront, to the French Agency for Biodiversity; 5% is allocated to maritime rescue and relief organisations.

The level of the allocation for fishermen was defined by the government. Please note that the amount for fishermen is 35% of the total. to illustrate for a project with 496 MW so the annual tax collection is 8085296€/year with the updated rate.