

Submitted to Draft Updated Sectoral Marine Plan for Offshore Wind Energy  
Submitted on 2025-08-22 09:01:30

## Map of Regions, Option Areas and Key Considerations within the updated Sectoral Marine Plan for Offshore Wind Energy

### Questions

1 Do you agree that up to 1 Gigawatt (GW) of Test and Demonstration projects should be included within the scope of the updated Plan? Please provide any comments you have on their inclusion or proposed parameters.

Not Answered

Please give your views here.:

We don't have a strong view on this proposal, unless such sites can also be used to accelerate the scale and ambition in understanding, addressing and testing approaches to mitigation, if necessary, for potential environmental impacts arising from offshore wind development. See our further comments below.

2 Do you have any comments on how the benefits of offshore wind development could be maximised? If referring to development within a certain region, please specify.

Please give your views here.:

The initial focus should be on understanding and addressing potential environmental impacts arising from offshore wind developments. Whilst we strongly support efforts to address climate change and reduce carbon emissions, it is important that efforts to achieve this do not worsen the current parlous state of Scotland's biodiversity. It is vital that the sectoral marine plan does not compromise the efforts laid out in Scotland's biodiversity strategy – we are not clear that this is currently the case. Specifically, when it comes to diadromous fish, there is a lack of accurate information on the use of the marine environment by diadromous fish, and an apparent lack of ambition and resource to study and understand the potential impacts of developments on diadromous fish. This has resulted in potential impacts on fish being screened out of HRAs and not being addressed through the EIA process appropriately.

We expected to see an analysis of the total amount of capacity required to meet Scotland's electricity needs, and an honest appraisal of the additional infrastructure (and associated environmental impacts) of getting this energy to where it will subsequently be used. Several members of FMS are extremely concerned about this aspect of offshore energy developments, both in terms of the number of cables hitting land in certain locations (e.g. Netherton Hub) and the number of river crossings required. Greater assurance is required that this level of development will not further impact on engendered Atlantic salmon populations. The pace of development and number of applications being brought forward at one time is not consistent with the need to address these issues.

Atlantic salmon are now considered by IUCN to be an endangered species in GB. Greater emphasis on understanding and addressing potential impacts on salmon and sea trout is urgently required in order to understand the environmental consequences of offshore wind.

Fisheries Management Scotland are members of the ScotMER Diadromous Fish Receptor Group, and contributed to joint work to identify and prioritise evidence gaps associated with the planning and consenting processes for offshore renewable developments. The resulting 'evidence map' was first published in 2019, but very little progress has been made in addressing the identified evidence gaps. Of even greater concern is the fact that the current consenting process has not driven much meaningful action by developers to address these evidence gaps.

Properly delivering this work must be a precursor to 'maximising benefits' from offshore wind.

3 Do you have any comments on how social impacts could be mitigated?

Please give your views here.:

See our comments in relation to environmental impacts - any such impacts with have significant socio-economic consequences.

4 Do you have any comments on how economic impacts could be mitigated?

Please give your views here.:

See our comments in relation to environmental impacts - any such impacts with have significant socio-economic consequences.

5 Do you have any comments on how environmental impacts could be mitigated?

Please give your views here.:

This will require significant investment to, in the first instance, address the evidence gaps identified by ScotMER, and then to design appropriate mitigation where necessary. It is incredibly frustrating that so little progress has been made on this front - such understanding should be a precursor to growth of offshore wind in Scottish waters.

Fisheries Management Scotland are members of the ScotMER Diadromous Fish Receptor Group, and contributed to joint work to identify and prioritise evidence gaps associated with the planning and consenting processes for offshore renewable developments. The resulting 'evidence map' was first published in 2019, but very little progress has been made in addressing the identified evidence gaps. Of even greater concern is the fact that the current consenting process does not appear to have driven much meaningful action by developers to address these evidence gaps.

The scale of proposed offshore developments and other technical approaches to marine renewables development represents a step-change in the exposure of marine animals of high cultural and economic significance to attendant risks. As highlighted above, understanding of many of these risks is insufficient to support proposals for mitigation even at the stage when substantial developments are being submitted for licensing. The cumulative impact of such proposals, alongside those developments already submitted or likely to follow in the near future is potentially even greater. We believe that more needs to be done to ensure that the best scientific talent is made available to find practicable ways to address the unresolved uncertainties. Fisheries Management Scotland would welcome an opportunity to constructively engage with any such process.

We are strongly of the view that District Salmon Fishery Boards have a vital role to play in ensuring that developments proceed in a manner that does not impact wild diadromous fish such as Atlantic salmon and sea trout. As recognised in Scotland's Wild Salmon Strategy, the fisheries management sector is significantly under-resourced, and in the light of the wild salmon crisis, more needs to be done to support DSFBs in responding to offshore developments. Due to the strategic nature of these locations, and the potential for impacts to be spread across a great many rivers, this work has generally been coordinated through Fisheries Management Scotland. We therefore believe that at least one post should be supported within FMS, with a commitment over the medium term, to support DSFBs in responding to developments (and associated onshore infrastructure), and to allow a suitable level of engagement with developers and their consultants as part of the process. A similar precedent has already been set for our strategic engagement with the aquaculture industry.

We also believe that more resource is needed for NatureScot to respond to offshore wind developments, particularly in relation to diadromous fish. If the Scottish Government is serious about protecting the marine (and associated terrestrial) environment and addressing the nature crisis, NatureScot must be better resourced to undertake this work.

Finally, before any new targets for Offshore Wind are adopted, Scottish Government must ensure that strategic research to understand direct and indirect impacts on diadromous fish is funded in full. Funding for this work should come through a combination of direct funding from Scottish Government, but also from developers as a clear outcome of the consenting process. It is not acceptable to continue to consent developments in the face of the considerable uncertainty around impacts of iconic native Scottish species.

6 Do you think the monitoring of environmental impacts of the draft Plan should be overseen by existing expert groups, or should a new expert advisory group be established for this purpose?

New group(s)

Please give your views here.:

In our view the current planning and consenting process is not adequately supporting efforts to understand and address environmental impacts. Whichever process is followed, the expert group should be asked to make recommendations about the following key areas:

Whether the consultees involved in the consenting process are properly resourced to ensure that develops are taken forward in a sustainable manner for all relevant receptors.

A thorough appraisal of the suitability of the HRA and EIA processes in understanding and properly addressing the considerable information gaps in consenting offshore wind developments in a sustainable manner

Whether the contribution by developers in addressing environmental evidence gaps is sufficient and appropriate to the profits that they stand to make once developments are consented.

Our strong view is that all industries that benefit from their use of Scotland's natural environment should make an ongoing contribution to its sustainable management.

7 Do you have any comments on the proposed changes to the SMP-OWE governance structure?

Please give your views here.:

No comments

8 Do you have any suggestions for how evidence should be shared and/or fed into strategic research programmes?

Please give your views here.:

No comments

9 Do you agree with the approach proposed to remove the iterative plan review process and replace it with the stated evidence and future planning proposals?

Not Answered

Please give your views here.:

No specific comments – as we have outlined throughout our response, our priority is for Scottish Government to ensure that the environmental consequences of offshore wind developments are properly understood and addressed.

10 If you have any further comments or points that you think should be taken into account in the plan, please provide those below.

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See our comments on the SEA and HRA below.

11 A policy review has identified that no aspects of the draft plan will impact on children's rights, as outlined briefly in Annex C. Do you agree with these findings? If you have identified any impacts on children's rights and/or wellbeing, please explain.

Not Answered

If you have identified any impacts on children's rights and/or wellbeing, please explain.:

No comments

12 Do you have any comments on the partial Business and Regulatory Impact Assessment?

Please give your views here.:

No comments

13 Do you have any comments on the partial Island Communities Impact Assessment?

Please give your views here.:

No comments

14 Do you have any comments on the Strategic Environmental Assessment Environmental Report?

Please give your views here.:

We note that the report states that Atlantic salmon, sea trout and eel are known to use the areas in question. However, presumably due to the disappointing lack of progress in addressing the evidence gaps for diadromous fish identified through the ScotMER process, the information set out for 'characteristics' and 'mitigation available and potential residual effects' is inadequate to give wild fisheries managers confidence that potential impacts on wild fish will be properly considered and addressed through this process.

It is disappointing that the SEA fails to identify and set out proposals to mitigate the majority of the evidence gaps identified through ScotMER. As it stands, we do not consider that this document is fit-for-purpose.

We are strongly of the view that there needs to be a step-change in ambition to understand and address these vital evidence gaps for a species (Atlantic salmon) now considered by the IUCN to be endangered in GB.

15 Do you have any comments on the Habitats Regulations Appraisal Appropriate Assessment Information Report?

Please give your views here.:

Page 271 of the Strategic Habitats Regulations Appraisal - Screening and Appropriate Assessment Information Report contains the following text:

Following advice received from NatureScot in March 2023, migratory fish (and freshwater pearl mussel) have been excluded from the HRA process in relation to the potential effects from OWF development at the OAs. This is due to the very limited evidence to apportion individual fish back to the relevant Protected sites, making assessment at the plan level extremely uncertain. However, the corresponding SEA for the Draft Plan considers the potential effects on migratory fish (and other fish species).

The decision to exclude migratory fish species (such as Atlantic salmon and sea trout) and freshwater pearl mussel from the HRA process raises significant concerns. These concerns are set out below:

- The Habitats Regulations (Regulation 48) require that any plan or project likely to have a significant effect on a European site must be subject to Appropriate Assessment, regardless of scientific uncertainty.
- The precautionary principle is a cornerstone of HRA. Where uncertainty exists, the default position should be to include potentially affected qualifying interests, not exclude them.
- Migratory fish are qualifying interests of 17 SACs in Scotland, and their connectivity to marine environments is well established, even if precise at-sea distributions are not.
- The lack of precise apportionment data does not equate to a lack of potential impact. The possibility of interaction between offshore wind developments and migratory routes or marine phases of these species is sufficient to trigger HRA consideration.
- This approach risks undermining the integrity of the SAC Network, particularly for species already under pressure from climate change, habitat loss, and other marine developments.
- While it may be challenging to assess impacts at the strategic plan level, this does not remove the obligation to acknowledge potential risks and flag

them for project-level assessment.

- Advice on the NatureScot website

(<https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra>) makes clear that for a plan or project to be consented the appropriate assessment must ascertain that the plan or project will not adversely affect the integrity of a European site. Such conclusions must be made on the basis of there being no reasonable scientific doubt as to the absence of adverse effects. It is clear that this is not the case for Atlantic salmon or Freshwater Pearl Mussel SACs.

- Excluding migratory fish from the HRA process could expose the plan to legal challenge, particularly if future project-level assessments reveal significant effects that were not anticipated or scoped in at the strategic level.

On the basis of the above we argue that rather than excluding migratory fish from the HRA process, the Sectoral Marine Plan should:

- Acknowledge the uncertainty around migratory fish distribution, whilst accepting that it is likely that fish from SAC rivers will transit through areas encompassed by the plan.
- Identify key evidence gaps and recommend targeted research or monitoring to inform future assessments.

In addition to the above concerns, we note that section 7.2.7. when discussing Fish Aggregating Devices, states that pelagic species such as Atlantic salmon, which undertake large migrations and seasonal movements, are less likely to aggregate around structures than demersal species such as gadoids which show a greater association with the seabed. Whilst this may be true in the context of marine mammals, it misses the vital point that Fish Aggregation Devices will also result in aggregations of predators (including predatory fish such as gadoids, and mammals). As juvenile Atlantic salmon pass through these development areas (as accepted in the Strategic Environmental Assessment Environmental Report) they are therefore likely to be subject to increased predation pressure from marine mammals, sea birds and predatory fish. The risk of creating predation hotspots on important migratory routes has not yet been properly assessed or mitigated.

16 Do you have any comments on the Social and Economic Impact Assessment?

Please give your views here.:

No comments

17 Do you have any comments on the Nature Conservation Marine Protected Area Assessment?

Please give your views here.:

No comments

18 Do you have any comments on the Sustainability Appraisal report?

Please give your views here.:

We note that the SEA results indicate that at a national scale, the Draft Plan will have significant effects in the environment. It also notes that there are moderate to major adverse effects on both resident and migratory bird populations due to collision or displacement and this is cited as an exception to the statement that the majority of adverse effects will not have a cumulative effect at a national scale beyond that identified at the individual site or regional level. However, given the lack of understanding of potential impacts for migratory fish, we do not believe that similar adverse impacts on diadromous fish can be discounted at this stage. Importantly, the current consenting process is not doing enough to fill these evidence gaps. We regularly have to challenge attempts to scope out potential impacts (on the basis that there is a lack of evidence) despite the fact that there is also no evidence of lack of impact. We highlight the following advice from the Marine Directorate in a recent offshore wind application:

“Desk-based studies are extremely limited in determining the impacts of developments on diadromous fish....MSS do not consider it appropriate for an EIA/HRA to conclude that there is no or negligible impact just because no evidence exists of the impact. MSS advise that impacts to diadromous fish must be adequately investigated, rather than relying on a lack of evidence to claim there is no impact.”

MSS Advice to MD-LOT re. West of Orkney OWF, June 2022. See

[https://marine.gov.scot/sites/default/files/appendix\\_1\\_-\\_consultation\\_responses\\_and\\_advice\\_redacted.pdf](https://marine.gov.scot/sites/default/files/appendix_1_-_consultation_responses_and_advice_redacted.pdf)

Similar to our concerns expressed above, we do not believe that the Sustainability Appraisal has done an adequate job of assessing the impact on diadromous fish.

There also appears to be a lack of holistic assessment of downstream effects. For example, the document outlines a number of key pathways for impacts on specific species or habitats, without proper assessment of the importance of such habitats to fish species, such as sea trout and Atlantic salmon. Like many species, diadromous fish rely on a healthy, well-functioning marine environment in order to complete their life cycle.

19 Do you have any comments on the Regional Locational Guidance?

Please give your views here.:

No Comments

About you

What is your name?

Name:  
Alan Wells

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:  
Fisheries Management Scotland

Further information about your organisation's response

Please add any additional context:

Fisheries Management Scotland is the representative body for Scotland's District Salmon Fishery Boards, the River Tweed Commission and charitable Rivers and Fisheries Trusts. Our members work to conserve Scotland's valuable and iconic wild salmon and freshwater fish and fisheries and the aquatic environment on which they depend. FMS are members of the ScotMER diadromous fish receptor group and contributed to work to identify and prioritise evidence gaps associated with the planning and consenting processes for offshore renewable developments. We believe that urgent work is now required to address these evidence gaps and ensure that the growth of offshore wind does not impact already endangered populations of wild Atlantic salmon and sea trout, and critically endangered freshwater pearl mussel, which rely on migratory salmonids to complete their life cycle.

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Publish response only (without name)

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Yes

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Email:  
general@fms.scot

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Where did you hear about this consultation?

Browsing the consultation hub

If other, please say where::

## Evaluation

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Matrix 1 - How satisfied were you with this consultation?:

Please enter comments here.:

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