

GOLD WITH THE WIND

An unprecedented investigation into a perverse system: the case of the Belle-Île-en-Mer wind farm

How the trawling lobby reaps the benefits of offshore wind and sacrifices artisanal fishing

BLOOM

"Renewable energy is the guarantor of peace in the 21st century"

—

Antonio Guterres, UN Secretary-General, 2022[1]

"The mutual reinforcing of climate change and biodiversity loss means that satisfactorily resolving either issue requires consideration of the other".

—

IPBES/IPCC co-sponsored workshop on biodiversity and climate change, 2021[2]

1 *Le Monde* (2022) Antonio Guterres: "Renewable energy is the guarantor of peace in the 21st century"

2 IPBES, IPCC (2021) IPBES-IPCC co-sponsored workshop report on biodiversity and climate change

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THE BASICS: EVERYTHING YOU NEED TO KNOW IN JUST THREE PAGES

Just as the French National Commission for Public Debate (CNDP) is organizing a nationwide consultation in France, named "La mer en débat" ("The Sea Under Debate"), which is of critical importance for the future of the ocean, BLOOM reveals in a new investigation how the public debate on offshore wind farms is being conducted under the sway and for the financial benefit of the trawl lobby, at the expense of public finances, artisanal fishers and marine ecosystems including vulnerable cold-water corals.

Off the coast of Belle-Île-en-Mer, the French government is planning the development of a 750 MW wind farm. Designed to meet the electricity needs of 450,000 inhabitants by 2030, this offshore wind farm has a special feature: it will be the first floating wind farm in France.[3]

At the end of a six-month public debate, which required a budget of one million euros to gather the opinions of thousands of citizens, local authorities, economic stakeholders and wind turbine manufacturers, a consensus emerged in favor of locating the "Sud Bretagne" wind farm offshore, i.e. beyond the 12 nautical mile line (around 22 kilometers).

However, in defiance of this consensus based on environmental, technical and landscape criteria, the government announced in 2022 that the project would be located entirely within the 12-nautical-mile territorial waters, in an area frequented almost exclusively by artisanal fishers, thus meeting almost word for word the isolated demands made throughout the public debate by the trawl lobby, embodied by the Regional Committee for Maritime Fisheries and Marine Aquaculture in Brittany (*French: Comité régional des pêches maritimes et des élevages marins de Bretagne* (CRPMEM))[4] and the city of Lorient, which for decades have tirelessly defended high-impact industrial or semi-industrial fishing methods such as bottom trawling and related "trailing" gear before all decision-making bodies, without defending the remainder of French fishers, particularly small-scale fishers using low-impact gear (so-called "passive" gear).

At the heart of this democratic denial lies a policy implemented by the government in the development of offshore wind power in order to buy, with a great deal of public money, the complacency of the trawl lobby, which favor a fishing method that generates losses for society far beyond its mere environmental impacts.[5] This failure to successfully reconcile the development of offshore wind power with the protection of biodiversity can be explained by a dual dynamic:

- **A *de facto* right of veto granted to representatives of the fishing industry in democratic decision-making processes** concerning the siting of future wind farms
- **According to the French President, this wind farm tax should enable the fishing industry to generate no less than 700 million euros over the next few years,[6]** without any strict criteria for the allocation of this financial windfall being established to ensure the industry's transition to fishing methods that respect the seabed and biodiversity, with minimum environmental impact and maximum social gain.

3 Excluding the smaller-scale pilot projects under development off Le Croisic and in the Mediterranean. Ministère de la transition écologique et des territoires (2023) Eolien en mer

4 At the head of the Regional Committee for Fisheries in Brittany, its chairman Olivier le Nézet continues to be singled out for defending the interests of industrial fishing, dominated by trawling, against all odds, to the detriment of artisanal fishing. Tired of this contempt for their profession, artisanal fishers formed the Angry Fishers movement in 2023, which calls for, among other things, *"the dissolution of the French National Committee for Maritime Fisheries"* and the resignation of its chairman, Olivier Le Nézet, who *"through his intolerable accumulation of mandates is no longer credible in the eyes of the profession"*. Mediapart (2024) Olivier Le Nézet, "pêcheur de petits-fours" à la barre du lobby français de la pêche.

5 The result of a collaboration between BLOOM, L'Institut Agro, AgroParisTech, The Shift Project, EHESS and Atelier des jours à venir, the "Time for a U-Turn" report published in January 2024 offers an unprecedented multi-criteria assessment of 70% of French fisheries. This assessment of the social-ecological performance of fisheries clearly shows the limits of industrial fishing, dominated by trawling, and the potential represented by artisanal fishing in terms of the social-ecological transition of fisheries. It represents a first step towards the development of a truly 'sustainable' fishery, or a "pêchécologie" (ecofishery), as term coined by Didier Gascuel in his manifesto for sustainable fishing, i.e. a fishery that minimizes its impact on the climate and living organisms, while contributing to European food sovereignty, maximizing employment and offering decent socio-economic and human prospects.

6 BLOOM (2023) A French President should not stoop so low

While industrial fishing is the leading cause of ocean destruction according to the Intergovernmental Panel on Biodiversity (IPBES), **the power of industry representatives defending high-impact fisheries is such that they manage to short-circuit democratic decisions, to the detriment of artisanal fishing, public finances and marine ecosystems.** In the end, the trawl industry, aided by the government, has succeeded in placing the park's route on the fishing grounds of low-impact artisanal fishers: rocky areas that are home to a remarkable diversity of species, and which until now have been untouched by trawlers and the damage they cause. **These seabeds are home to particularly fragile species such as the Coral jaune** (*Dendrophyllia cornigera*),[7] **which is on the International Union for Conservation of Nature** (IUCN) **red list of threatened species** and, due to its rarity in the Atlantic, is classified as a Natural area of floristic and faunistic ecological interest determining species, or ZNIEFF (French: *Zone naturelle d'intérêt écologique floristique et faunistique*), by the Regional Scientific Council of Natural Heritage of Brittany.[8,9] Protected from destruction for decades, it is now the representatives of the trawling industry who could cause their destruction, having designated this protected area as the site for a wind farm, in return for an inexhaustible financial windfall which they alone will decide how to use.

For the Belle-Île-en-Mer Park alone, more than one and a half million euros will be distributed each year between the French National Committee for Maritime Fisheries, the Regional Committee for Fisheries in Brittany and the Departmental Committee for Fisheries in Morbihan[10] **thanks to its presence** in French territorial waters.[11] Olivier Le Nézet, cumulative Chairman of these three committees and the kingpin of the French industrial fishing lobby, and with 24 mandates to his name,[12] did not let this opportunity pass him by, congratulating himself on the fact that *"the area selected is the area proposed by the regional fisheries committee"*. Whilst also overlooking all the artisanal fishers operating in this area, he added that *"this is the zone of least constraint identified by the committee in conjunction with professional fishers. These are rocky seabeds, where trawling is not practised (apart from the four-panel trawl)"*.[13]

> **the government is offering a lifeline to industrial fishing, which is dominated by trawling, even though this practice is condemned due to its unacceptable ecological and climatic impacts.**

One and a half million euros has been made available to the Committee for Fisheries in a highly opaque fashion, even though its board is made up of members such as the French Fishing Ship-Owners' Union (French: *Union des armateurs à la pêche de France (UAPF)*), which has given itself the mandate to *"fight the environmental lobbies"*,[14] despite an ecological and social emergency that is becoming more pressing by the day. With the distribution of this tax, the government is offering a lifeline to industrial fishing, which is dominated by trawling, even though this practice is condemned due to its unacceptable ecological and climatic impacts, and its dependence on diesel fuel, which puts trawling fishing companies in chronic deficit, despite the substantial public aid received.

7 IUCN (2014) Dendrophyllia cornigera

8 French: *Conseil scientifique régional du patrimoine naturel de Bretagne*

9 Observatoire de l'environnement en Bretagne (2021) Determining species and habitats for ZNIEFFs in Brittany

10 French: *le Comité national des pêches, le Comité régional des pêches de Bretagne et le Comité départemental des pêches du Morbihan*

11 Morbihan is a key département for the French industrial fishing industry, particularly with the presence of Lorient, France's leading fishing port by value, where numerous industrial trawlers (e.g. Scapêche, SCAPAK, APAK, etc.) are registered.

12 Mediapart (2024) Olivier Le Nézet, "pêcheur de petits-fours" à la barre du lobby français de la pêche. One of Olivier Le Nézet's mandates concerns the Open-C Foundation, France's offshore testing center for renewable energies.

13 Ouest France (2021) Bretagne. L'État donne son feu vert au parc éolien flottant entre Belle-Île et Groix

14 UAPF (2024) A propos de l'UAPF. In January 2024, the UAPF changed the description of its home page, replacing "Fighting against environmental lobbies" in its commitments with "Defending good environmental practices".

By trampling over the conclusions of the public debate, **the trawler fishing lobby has pulled off a veritable democratic and financial hold-up in Belle-Île-en-Mer, making artisanal fishing and the preservation of biodiversity the collateral victims of its refusal to change its model and embark on the transition.**

To put an end to this extraordinary regime benefiting the destroyers of ecosystems and the climate, **BLOOM calls for a review of the wind tax and warns of the domination of industrial fishing lobbies on democratic processes** to ensure that the conclusions of the current and future public debates do not suffer the same fate. BLOOM is simultaneously calling for full transparency on the use of wind tax funds by the fishing industry and is sending the French National Committee for Maritime Fisheries and Marine Aquaculture[15] an environmental information request to lift the veil on the list and selection criteria for projects *"contributing to the sustainable development of fishing and livestock farming"* that the national, regional and departmental committees intend to develop using this tax.

15 French: *Comité national des pêches maritimes et des élevages marins*

INTRODUCTION

Although France is Europe's leading maritime power, with an exclusive economic zone (EEZ) of just over 11 million km² and a considerable wind resource – the second largest wind "deposit" in Europe behind Great Britain[16] – the development of offshore wind power is lagging far behind.

At the end of 2023, France had only one fully deployed wind farm in service, located off the coast of Saint-Nazaire, with an installed capacity of 480 MW, far behind its European neighbors such as Germany and Belgium, which had respectively accumulated more than 8 GW and 2 GW by the end of 2022.[17] Condemned for climate inaction by the French Council of State, the highest court in France, in 2021,[18] France is also the only European country to have been sanctioned, in 2020, for failing to meet its renewable energy development targets.[19]

Yet the recommendations of the Intergovernmental Panel on Climate Change (IPCC) are clear. The prime means of combating global warming and its effects lies in the development of renewable solar and wind energies. To close this gap, France is demonstrating its determination to accelerate the development of renewable energies and is adopting new legislation in this area. Since 2019, the "Energy Climate" law has set the goal of achieving carbon neutrality by 2050. In line with this, the French National Low Carbon Strategy (French: *Stratégie Nationale Bas Carbone (SNBC)*) aims to achieve a 40% reduction in the final energy consumed in France by 2050, and a move away from fossil fuels, which still account for more than half of our current energy mix.[20]

In order to achieve these goals, the government has set itself the target of installing 45 GW of offshore wind power (land-based and floating) by 2050.[21] With this in mind, French President Emmanuel Macron announced at the Assises de la Mer conference in November 2023 that a major bidding process would be launched in 2025 for the development of 10 GW of offshore wind power, which would make offshore wind the country's second-largest source of electricity generation behind nuclear power.

However, its current deployment is accompanied by perverse mechanisms linked to the existing tax system, which favors the siting of wind farms in territorial waters, to the detriment of vulnerable ecosystems and small-scale fishing.

In fact, via the wind tax, wind farms located in territorial waters, within 12 nautical miles, generate huge revenues, with the main beneficiaries being local authorities and fishing committees: the national, regional and departmental fishing committees, many of which, notably the French National Committee and the Regional Committee for Brittany, are chaired by the same individual (Olivier Le Nézet), defend a highly production-oriented fishing model that destroys marine ecosystems and has no consideration for artisanal fishers.

16 Ministère de la Transition écologique et de la Cohésion des territoires et le Ministère de la Transition énergétique (2023) Éolien terrestre

17 EurObserv'ER (2023) Baromètre éolien 2023

18 Tribunal administratif de Paris (2021) L'Affaire du Siècle : l'Etat devra réparer le préjudice écologique dont il est responsable

19 *Le Monde* (2022) France to pay up to €500m for falling short of renewable energy targets

20 Ministère de la transition écologique et de la cohésion des territoires (2022) Stratégie nationale bas carbone (SNBC)

21 Secrétariat général à la planification écologique (2023) La planification écologique dans l'énergie Confirmed by President Emmanuel Macron at the Assises de l'économie de la Mer in November 2023. Ouest France (2023) Aides à la pêche, éolien… Ce qu'a dit Emmanuel Macron aux Assises de l'économie de la mer

In addition to influencing the location of wind farms by encouraging tax beneficiaries to favor coastal waters, the terms of this tax keep the trawler fishing industry afloat instead of committing it to transition to more virtuous methods, promising it a financial windfall amounting to 700 million euros by 2035, as announced by Emmanuel Macron at the Assises de l'économie de la mer conference held in Nantes on 28 November 2023.

As legislation has evolved, the representatives of this high-impact fishing industry have succeeded in turning offshore wind farm development into a colossal source of revenue, gradually shifting towards funding for fisheries committees and lifting constraints on the use of these funds, without ever seizing this financial opportunity to initiate a genuine ecological and social transition of the fishing industry.

The case of the Belle-Île-en-Mer wind farm project, as we shall see, unfortunately illustrates the failure of French public policy on offshore wind power in every respect. As the first floating offshore wind farm, it should have been a showcase for the development of the floating wind industry in France. To date, however, the trawler fishing lobby has succeeded in turning it into a shining counterexample, by trampling all democratic processes underfoot.

GLOSSARY

MPA Marine Protected Area

CNDP French National Commission for Public Debate (French: *Commission nationale du débat public*)

CNPN French National Council for the Protection of Nature (French: *Conseil national de la protection de la nature*)

CRML Regional Conference on the Sea and the Coast in Brittany (French: *Conférence régionale pour la mer et le littoral de Bretagne*)

IPCC Intergovernmental Panel on Climate Change

IPBES Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services

SNSM *Société nationale de sauvetage en mer* (the French National Sea Rescue Society)

EEZ Exclusive Economic Zone

I. OFFSHORE WIND POWER: A RESPONSE TO THE CLIMATE EMERGENCY

When the consequences of climate disruption are becoming greater and more frightening by the day, there is an urgent need to reduce our greenhouse gas emissions and achieve carbon neutrality on a planetary scale in order to stabilize the atmospheric concentration of greenhouse gases. In the interests of fairness and equity for developing countries, UN Secretary-General Antonio Guterres has called on industrialized countries to achieve carbon neutrality by 2040.[22] To achieve this goal, the Intergovernmental Panel on Climate Change (IPCC) highlighted **two essential measures for mitigating global warming in its March 2023 report: the development of renewable solar and wind energies, and the protection and restoration of ecosystems.**[23] This is an observation that underlines the vital importance of maintaining the link between the development of renewable energies and the protection of ecosystems.

> **France must pursue a proactive policy combining energy savings, energy efficiency and the decarbonization of its energy mix.**

However, **the legislative reforms introduced in recent years have failed to meet the dual requirement** of developing renewable energies whilst preserving ecosystems.

A race against time is therefore underway to put French public policy on track for a genuine ecological revolution, rather than the *business-as-usual* approach from the government, which is blind to the protection of biodiversity, whilst claiming to be an "ecology à la française" whose sole objective is to make "climate rhyme with growth".[24]

Lagging behind on renewable energy, France adopts ambitious targets

France is lagging behind in the development of renewable energies. **Condemned for climate inaction by the French Council of State,[25] it is also the only European country to have been sanctioned, in 2020, for failing to meet its renewable energy development targets.**[26]

In order to overcome this failure, in 2019, in the Energy and Climate Law (French: *Loi Energie Climat*), France set itself the goal of achieving carbon neutrality by 2050, with an intermediate target of a 55% reduction in its greenhouse gas emissions by 2030 compared to 1990 levels. To achieve this goal, **France must pursue a proactive policy combining energy savings, energy efficiency and the decarbonization of its energy mix.** The French National Low Carbon Strategy (SNBC) envisages a 40% reduction in the final energy consumed in France by 2050, and a move away from fossil fuels, which represent over 50% of its current energy mix.[27]

22 UN (2023) Climate Action Acceleration Agenda

23 IPCC (2023) AR6 Synthesis report. Climate change 2023. Summary for policymakers Figure 7

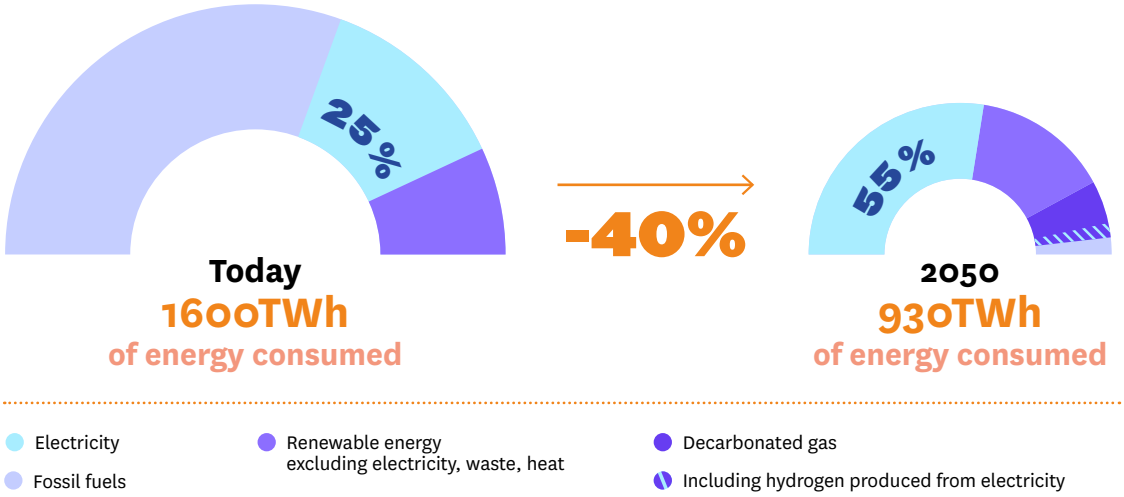
24 *Reporterre* (2024) Pour Gabriel Attal, il faut faire "rimer climat avec croissance"

25 Tribunal administratif de Paris (2021) L'Affaire du Siècle : l'Etat devra réparer le préjudice écologique dont il est responsable

26 *Le Monde* (2022) France to pay up to €500m for falling short of renewable energy targets

27 Ministère de la transition écologique et de la cohésion des territoires (2022) Stratégie nationale bas carbone (SNBC)

Figure 1 **Energy transition scenario from the National Low-Carbon Strategy**



This strategy, essential in the face of the climate emergency, heralds a genuine revolution in the energy sector.

In this respect, the development of offshore wind power is opening up promising prospects, as it enables the installation of larger and therefore more powerful wind turbines than on land, and also benefits from stronger, more stable winds. **France has considerable potential in this area:** in addition to being Europe's leading maritime power, with an exclusive economic zone (EEZ) of just over 11 million km², it boasts a very substantial wind resource, the second largest wind "deposit" in Europe behind that of Great Britain.[28]

However, while our European neighbors have already been using this technology for many years, France is lagging far behind. At the end of 2022, it barely had 500 MW installed offshore with a single wind farm at Saint-Nazaire, placing it far behind Germany and Belgium, which had more than 8 GW and 2 GW respectively by the end of 2022.[29] By 2023, it was struggling to complete the installation of its second wind farm at Saint Brieuc,[30] having experienced a number of technical problems, and hoped to finalize the construction of the third offshore wind farm at Fécamp in 2024.

In June 2023, the French General Secretariat for Ecological Planning (French: *Secrétariat général à la planification écologique*) announced a target of 45 GW of offshore wind power (*land-based and floating*) by 2050, with an intermediate target of 18 GW by 2030.[31] In this context, French President Emmanuel Macron, at the Assises de la Mer conference in November 2023, announced the launch in 2025 of a major bidding process for the development of 10 GW of offshore wind power, which would make offshore wind the country's second-largest source of electricity generation behind nuclear power.

28 Ministère de la Transition écologique et de la Cohésion des territoires et le Ministère de la Transition énergétique (2023) Onshore wind power

29 EurObserv'ER (2023) Wind Barometer 2023

30 *Ouest-France* (2023) France's most powerful offshore wind farm completed after 8 months of construction in Brittany

31 Secrétariat général à la planification écologique (2023) Ecological planning in the energy sector Confirmed by President Emmanuel Macron at the Assises de l'économie de la Mer in November 2023. *Ouest France* (2023) Aid for fishing, wind power... What Emmanuel Macron said at the Assises de l'économie de la mer (Conference on the sea economy)

Based on an assumption of 5 MW/km², [32] **these 45 GW would represent an area of 9,000 km², or 2.5% of French waters.**

While the spatial footprint of offshore wind farms may appear relatively small, it is in fact larger than that of Corsica, and therefore not insignificant. The installation of these offshore wind farms therefore requires particular vigilance in order to reconcile climate and environmental issues, and so as to not sacrifice biodiversity on the pretext of "catching up" after years of inaction. The government has failed to take this on board, resulting in a flawed public policy that fails to provide an integrated response to these interconnected challenges.

Biodiversity: forgotten by French public policy

France has adopted a series of laws in recent years to accelerate the development of offshore wind farms, in order to make up for lost time in the development of renewable energies. **While the stated aim is commendable, some of these legislative developments and the government's persistent silence are evidence of worrying drifts that have a direct impact on citizens' right to information and environmental protection.**

Citizen consultation on a reduced scale

In 2018, French President Emmanuel Macron promulgated the **Law for a state serving a society based on trust law** (French: ***la loi pour un État au service d'une société de confiance, ESSOC***). [33] Among the measures adopted in this major framework law is **a shift in the timetable with public debate taking place earlier in the wind farm development process:** whereas public consultation initially took place after the location of the wind farm had been defined and the developer in charge of its construction, operation and dismantling had been chosen. It now takes place earlier, when the location of the project and the developer have not yet been decided. [34]

This system, presented as giving citizens more opportunity to influence the final investment decision by allowing them to intervene earlier in the decision-making process, *"in particular to gather public comments on the location of the zone"*, [35] **was not, however, supplemented by a reinforced requirement for environmental information on the entire zone where the wind farm might be located.**

As the French Office for Biodiversity (OFB) points out regarding the Belle-Île offshore wind farm project, **citizens are faced with a general lack of knowledge about the marine environment when it comes to deciding on the various options under consideration:** *"Little is known about the marine environment as a whole. Quality knowledge is, let's say, good in the near-coastal strip, but very patchy the further offshore you go."* [36]

The French National Commission for Public Debate (CNDP), which oversaw the public debate on the Belle-Île offshore project, also noted the *"lack of solid, up-to-date scientific data"* and the *"far too fragmented environmental data"*, **deploring the failure to publish a detailed environmental inventory of the entire area, making it more difficult to submit constructive, detailed opinions:** *"this explains why the answers to the public's questions sometimes remained at the stage of generalities, feeding a certain feeling of frustration"*. He concludes that this reversal of the timetable introduced by the ESSOC law has not lived up to its promise: *"We are touching here on the limits of consultations within the framework of the ESSOC law, which do not concern projects that are technically and geographically fixed"*. [37]

This lack of access to environmental information is compounded by the increasing fragility of mechanisms for protecting biodiversity and protected species.

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32 European Commission (2024) Capacity Densities of European Offshore Wind Farms

33 Journal officiel de la République française (2016) LOI n° 2016-1087 du 8 août 2016 pour la reconquête de la biodiversité, de la nature et des paysages

34 Journal officiel de la République française (2018) Article 58 de la LOI n° 2018-727 du 10 août 2018 pour un Etat au service d'une société de confiance

35 *Actu Environnement* (2018) Energies renouvelables en mer : le permis enveloppe entre en vigueur

36 CNDP (2021) Compte rendu du débat public Floating wind turbines in southern Brittany

37 CNDP (2021) Compte rendu du débat public Floating wind turbines in southern Brittany

Accelerating projects at the expense of biodiversity

Given that it takes an average of 10 years to build an offshore wind farm in France, compared with the European average of 5 years, **the French Renewable Energy Acceleration Act (APER), enacted in March 2023, and the European Nature Restoration Law, adopted in February 2024, have the goal of drastically reducing the obstacles to the deployment of renewable energy projects.**[38]

> **France and the European Union are undermining these environmental standards relating to protected species and habitats**

Several measures have thus been introduced to complete the French and European legislative arsenal in favor of renewable energies, by streamlining environmental procedures and reducing project appraisal times. **One of these measures is the increasing weakening of mechanisms for safeguarding protected species.**

In France, the Environmental Code prohibits any project that threatens protected species and their habitats.[39] Derogations are possible if three cumulative conditions, granted on a case-by-case basis, are met:[40]

1 There is no other satisfactory solution to the project
2 The derogation does not adversely affect the maintenance, at a favorable conservation status, of the populations of the species concerned in their natural range
3 The project meets an imperative reason of major public interest (RIIPM).

The climate emergency requires public authorities to shake off their lethargy and deploy a general policy of sobriety, energy efficiency and decarbonization. However, far from adopting an environmental turnaround, France and the European Union are undermining these environmental standards relating to protected species and habitats: **France has decided to move away from a case-by-case approach, and to classify large-scale renewable energy projects as "imperative reasons of major public interest" (RIIPM),**[41] while the European Union now allows Member States to be exempted from the obligation to prove *"that there is no less damaging alternative solution"*, provided that *"a strategic environmental assessment has been carried out"* or that renewable energy projects "*have been subject to an environmental impact assessment*".[42]

38 Journal officiel de la République française (2023) Loi n° 2023-175 du 10 mars 2023 relative à l'accélération de la production d'énergies renouvelables. Under the renewable energies law, France has set itself the goal of halving the development time for renewable energy projects.

39 Journal officiel de la République française (2016) Article L411-1 du Code de l'environnement

40 Journal officiel de la République française (2016) Article L411-2 du Code de l'environnement

41 Journal officiel de la République française (2023) Decree no. 2023-1366 of December 28, 2023. Note that onshore wind farms benefit from RIIPM classification above a certain threshold. For offshore wind farms, no threshold has been set, but they should certainly benefit from RIIPM status, given their scale and contribution to national objectives.

42 European Parliament (2024) Article 6 of the Nature Restoration Regulation amending Regulation (EU) 2022/869. BLOOM (2023) Nature Restoration Act: what's in it for the ocean? and Council of the EU (2023) Council reaches agreement on Nature Restoration Regulation

In addition to these legislative changes, which ignore the "avoid, reduce and compensate" principle that must be applied to all land development projects in order to avoid net losses of biodiversity,[43] **France has steadfastly refused to align itself with scientific findings and international recommendations for the sanctuary of Marine "Protected" Areas, ensuring that wind farm projects are not built in the very heart of areas officially designated for the protection of biodiversity.** The wind farm project off the coast of Dunkirk is located in the Natura 2000 area of the Bancs de Flandre and on a bird migration corridor. Despite the various warnings issued against this project, with the Conseil national pour la protection de la nature (CNPN) highlighting for example that *"this project (...) cannot take place without harming the populations of the protected species concerned, particularly in view of the cumulative effects with other parks"*,[44] and the French Environmental Authority recommending *"reviewing certain compensation measures which, as they stand, do not ensure the absence of biodiversity loss and guarantee the conservation objectives of certain species"* and *"justifying the reasons which led the State to select the area, subject of the call for tenders (AO), within a marine protected area, and to pay particular attention to biodiversity issues when deciding on future AO or acceleration zones for offshore wind power"*,[45] the French government refuses to make any commitment in this regard.

The 2023 APER law merely states in Article 56 that *"priority areas located in the exclusive economic zone and outside national parks with a maritime section"* [46] *are targeted as a priority."* The draft French "National Strategy for the Sea and Coast" (French: *La Stratégie nationale mer et littoral*), whose public consultation ended in October 2023, maintained this *"priority"* focus, mentioning no formal prohibition on the siting of wind farms in Marine Protected Areas or vulnerable marine ecosystems.[47] **The strategic façade documents submitted for public consultation as part of the major debate currently being organized by the CNDP illustrate this headlong rush: while recalling the objectives of *"priority zones"* set out in the APER law, the document does not establish any criteria for safeguarding Marine Protected Areas and stresses that *"zones closer to the coast may be identified"*, and that it will thus be *"proposed to adopt a minimum distance of 15 kilometers from the coast"*.**[48]

Against this backdrop, the IUCN, the world's leading conservation organization, has called on the French government to "affirm the importance of biodiversity protection over the development of activities in Marine Protected Areas in the National Strategy for the Sea and Coast".[49] This is a request echoed by **all environmental associations, including BLOOM, who are calling for a ban on wind farm development in Marine "Protected" Areas.**

43 Office français de la biodiversité (2024) Implement the "avoid-reduce-compensate" sequence

44 Conseil national de la protection de la nature (2023) Avis du Conseil national de la protection de la nature, Commission Espèces et communautés biologiques Séance du 11 juillet 2023

45 IGEDD (2023) Deliberate opinion of the Environmental Authority on the Dunkirk offshore wind farm, its connection and the compatibility of the territorial coherence plan (Scot) FlandreDunkerque (59)

46 Journal official de la République française (2023) Article 56 de la LOI n° 2023-175 du 10 mars 2023 relative à l'accélération de la production d'énergies renouvelables

47 Secrétariat d'État chargé de la Mer-Stratégie nationale mer et littoral 2030 (2023) National sea and coastline strategy 2030 Draft version

48 Ministère de la Transition Écologique (2023) Débat public - Planification de l'espace maritime en Nord-Atlantique – Manche Ouest Dossier des maîtres d'ouvrage

49 IUCN French Committee (2023) Planification des projets éoliens en mer

Environmental groups call for ban on wind farms in Marine "Protected" Areas

- **BLOOM :** *In order to comply with international (IUCN) definitions of Marine Protected Areas, France must de facto renounce the siting of offshore wind turbines in all Marine Protected Areas. According to the IUCN, an MPA is defined as 'a clearly defined geographical space, recognized, specialized and managed through legal or other effective means, to ensure the long-term conservation of nature and associated ecosystem services and cultural values'. As such, industrial activities and infrastructures are prohibited".*[50]
- **Greenpeace France :** *"For Greenpeace France, offshore wind turbines should not be installed in Marine Protected Areas".* [51]
- **France Nature environnement :** *"Considering that the preservation of biodiversity is of major public interest, we ask (....) that all renewable energy production and transmission projects avoid Marine Protected Areas and other areas where biodiversity is at stake (migratory corridors in particular)".*[52]
- **Ligue de protection des oiseaux :** *"The LPO is theoretically unfavorable to projects envisaged in Special Protection Areas (Natura 2000 sites designated under the Birds Directive) or in Natural Marine Parks (PNM)".*[53]
- **Comité français de l'UICN :** *"In the event of conflict between socio-economic objectives and those of biodiversity protection, the latter should logically take priority".*[54]

Thus, whilst the IPCC and IPBES constantly remind us of the urgent need to focus both on the development of renewable energies and the conservation of natural ecosystems, and whilst the IUCN has spoken out against the development of industrial infrastructures, particularly wind farms, in Marine Protected Areas,[55] **France and the European Union, under the guise of speeding up the development of renewable energies, are refusing to follow the IUCN's recommendations concerning protected areas. They are making a dangerous shift towards prioritizing the energy transition at the expense of protecting living organisms, despite the fact that these two issues are interdependent and that the room for maneuver to protect our ecosystems is shrinking by the day.**

This dynamic is all the more incomprehensible and worrying given that the boom in floating offshore wind technology offers greater flexibility in the location of wind farms, enabling them to be built further offshore, in deeper waters, minimizing the impact of offshore wind projects on small-scale fishing, vulnerable marine ecosystems, major bird migration corridors or French Marine Protected Areas, and thus better reconciling environmental, economic and social issues.

50 BLOOM (2023) Ramener l'océan à la vie

51 Greenpeace (2024) Quel est l'impact environnemental des éoliennes ?

52 France Nature Environnement (2022) Eoliennes au large d'Oleron : le cahier d'acteur de FNE NA

53 Ligue pour la protection des oiseaux (2022) Eolien offshore

54 IUCN French Committee (2021) Analyse de l'intégration des enjeux dans l'évaluation environnementale des projets éoliens offshore

55 IUCN (2021) Mitigating biodiversity impacts associated with solar and wind energy development

II. OFFSHORE WIND POWER TECHNOLOGIES UNDER DEBATE

Today, offshore wind power development is based on two technologies: *land-based* and *floating*. On a global scale, floating wind is a more recent technology, and is currently less developed than land-based wind. In France, for example, no floating wind farms have yet been commissioned, with the exception of a few pilot projects and of the eight tenders launched in France before 2024, only two concerned floating wind, with a capacity of 750 MW, compared with 3000 to 3500 MW for land-based wind projects.[56]

The inauguration in August 2023 of a floating wind farm located 140km off the coast of Norway with a total capacity of 94.6MW is testimony to the ability of this technology to move wind farms further away from the coast.[57]

Together, these two technologies offer governments and energy companies great flexibility in siting wind farms, so as to minimize their impact on marine habitats, species and maritime activities such as fishing.

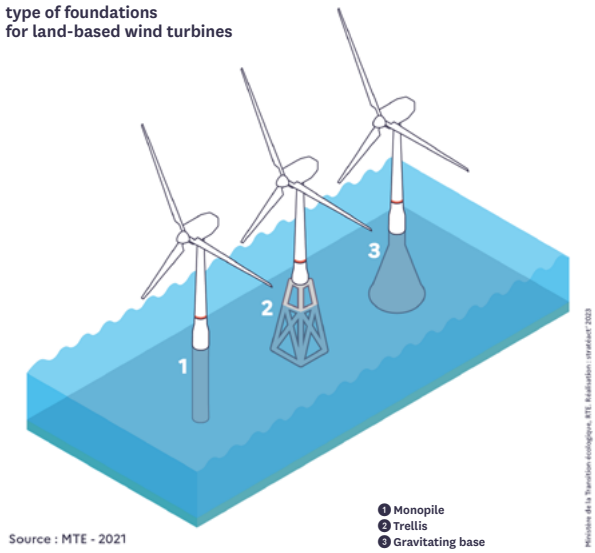
Two technologies with distinct characteristics

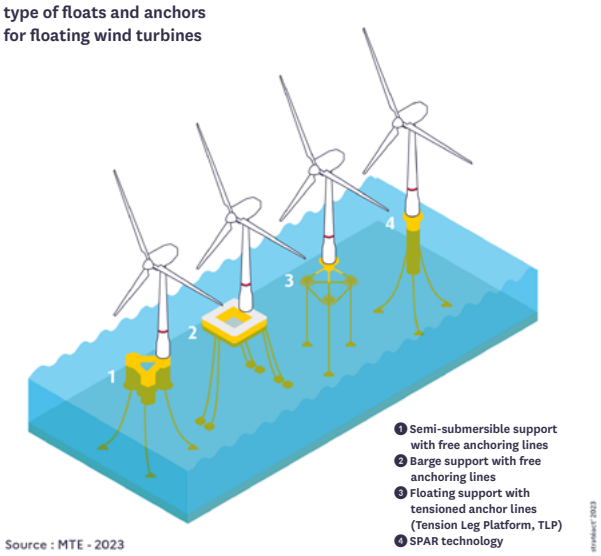
Land-based and floating wind turbine technologies differ mainly in the way they are anchored to the seabed:

- **Land-based wind turbines** are installed by fixing foundations to the seabed, at depths of up to 70 meters.
- **Floating wind turbines** are installed on steel or concrete floats and held in place by an anchoring system that can reach depths of up to 400 meters.

The size and power of wind turbines are evolving rapidly as the industry becomes more professional. Today, the largest offshore wind turbines can reach a blade tip height of 260 meters, with a power output of 16MW. These figures are likely to evolve over the coming years but remain difficult to predict.[58]

Figure 2 **Different offshore wind power technologies**[59]





56 Eoliennes en mer en France (2024) Présentation

57 *euronews* (2023) Norway: World's biggest floating wind farm will power oil and gas platforms

58 *Offshore wind turbines in France (2024) Technology*

59 *Offshore wind turbines in France (2024) Technology*

Towards floating offshore wind farms?

During the construction and operation phases, wind farms have various impacts on the marine environment. Monopile technology, which is particularly criticized, requires piles to be driven into the seabed, generating colossal underwater noise to the detriment of cetaceans and marine species.[60]

In general, the construction phase can increase water turbidity and threaten fish and shellfish populations by resuspending sediments, as well as contributing to the spread of pollutants contained in sediments (heavy metals, pesticides, etc.), with the risk of contaminating surrounding ecosystems, particularly when the construction zone is located near an estuary or port. The choice of location and technology for wind farms therefore depends on both the impact during the installation phase (noise pollution, chemical pollution, destruction of habitats, etc.) and the operation phase (bird migration routes, vulnerability of marine ecosystems, etc.).

Consequently, scientists prefer to locate wind farms outside coastal waters, which are home to particularly fragile ecosystems such as seagrass beds, spawning grounds and nurseries, but also outside vulnerable marine ecosystems, notably in the area of the continental slope.[61]

In the case of the Belle-Île wind farm project, for example, Ifremer called for

> ***"particular attention to be paid to the most sensitive habitats, i.e. those that fulfil the most ecological roles, whether as nurseries for fish, spawning grounds for marine animal reproduction, or simply because these are species that build their own habitat and are fragile species by definition".***[62]

Wind farms also disrupt small-scale fishing activities. Small-scale fishing, which is less mobile than deep-sea fishing, is more sensitive to the reduction in fishing zones that wind farms may bring, whereas large deep-sea vessels, equipped and built with a view to going out to sea for several days at a time, can easily get around and away from wind farms and target other fishing zones, potentially further away from their home port. **From a socio-economic point of view, wind farms located offshore or in areas little frequented by artisanal fishers are therefore preferable.**

In view of these environmental, social and economic challenges, the construction of offshore wind farms, particularly using floating technology, is gaining increasing support from European, governmental, international, scientific and charitable bodies.

60 *Sciences et Avenir* (2016) Human noise disrupts the entire ocean life chain

61 Enric Sala (2023) Declaration of support

62 CNDP (2021) Compte rendu du débat public Eoliennes flottantes au sud de la Bretagne

"A trend in favor of offshore installations thanks to floating wind turbines"

The scientific community, environmental protection organizations, the European Parliament, the French National Assembly and various European institutions are all in favor of this technology.

- **The European Parliament** *"Stresses that floating wind farms have the potential to be developed in deep water areas, which expands the viable zone for wind energy development while reducing its visibility from shore;"* and *"further [reducing] the impact on fisheries"*.[63]

- **The French National Council for the Protection of Nature (French: *Conseil national de protection de la nature*)** recommends that *"floating wind farm projects should be favored, in view of their impact on biodiversity (birds, bats, and fauna disturbed by pile-driving) and the landscapes linking land and sea, by moving them away from the coast without being too close to the slope in order to preserve cetaceans"*.[64]

- **France énergie éolienne (FEE),** the French wind energy industry association, points out that *"in France, the development of floating offshore wind turbines will make it possible to exploit stronger and more regular wind deposits, as areas with potentially greater wind resources can be exploited, even if they are further from the coast and/or at greater depths"*.[65]

- **Greenpeace France** points out that *"as floating wind turbines do not require drilling and are further from the coast, they seem to have less impact, so it is important to develop this technology at the same time"*.[66]

- **The French National Assembly and Senate** also took this line in the 2023 law on accelerating the production of renewable energies, specifying that, for future offshore wind farm projects, *"priority is given to priority zones located in the exclusive economic zone"*,[67] i.e. offshore, beyond the 12 nautical mile line (around 22 kilometers) delimiting territorial waters.

- **The French government,** as part of the ongoing public debate on maritime planning, recommends that areas identified for offshore wind farms be located at a *"minimum distance of 15 kilometers from the coast"*.[68]

63 European Parliament (2019) European Parliament resolution of 7 July 2021 on the impact on the fishing sector of offshore wind farms and other renewable energy systems

64 Conseil national de la protection de la nature (2021) Autosaisine du CNPN sur le développement de l'énergie offshore en France et ses impacts sur la biodiversité

65 France énergie éolienne (2020) Cahier d'acteur : L'éolien en mer en Bretagne : pour un développement pérenne et harmonieux

66 Greenpeace (2021) Quel est l'impact environnemental des éoliennes ?

67 Journal officiel de la République française (2023) Article 56 de la LOI n° 2023-175 du 10 mars 2023 relative à l'accélération de la production d'énergies renouvelables

68 Ministère de la Transition Écologique (2023) Débat public - Planification de l'espace maritime en Nord-Atlantique – Manche Ouest Dossier des maîtres d'ouvrage

This trend in favor of offshore floating wind power, supported by the main players in the French wind industry,[69] is now being taken to the highest levels of government. French President Emmanuel Macron stated at the Assises de la Mer conference in November 2023 that he wanted

> ***"to make France the leading European nation for floating wind power by 2050, with massive investment in floating wind and port infrastructures, consolidating French and European industries",***

and announced at the same time that *"more than 200 million euros will be invested in floating wind and port infrastructures".*[70]

This is a large-scale public policy, then, with the aim of floating wind farms accounting for 35% of the offshore fleet by 2050.[71]

However, at a time when there is a growing consensus in favor of offshore wind farms, using floating wind technology where depths allow, **France's tax system operates in the opposite direction to these social and environmental challenges, creating a deadly dynamic that promises astronomical financial gains to local authorities and the industrial fishing lobby, provided the wind farms are located within 12 nautical miles.**

69 *Le Monde* (2022) How France relies on floating wind turbines to generate electricity

70 *France Info* (2023) Assises de la Mer in Nantes, Emmanuel Macron wants "to make France the leading European nation for floating wind power by 2050"

71 France renouvelables (2024) Offshore wind power, a major asset for industrial regeneration

III. THE INDUSTRIAL FISHING LOBBY IS HELPING ITSELF TO THE WIND TAX

Article 1519B of the French General Tax Code sets out an annual tax for offshore wind farms, which is paid into a *"national offshore wind energy compensation fund"*, the distribution key for which is defined in article 1519C.[72]

The evolution of this tax since its creation in 2005 reveals the hold of the industrial fishing lobby over French public policy, and testifies to the success of its influence: in the space of two decades, the industrial fishing sector has **managed to get its hands on these public funds, whilst at the same time establishing a perverse mechanism that encourages the establishment of wind farms in the coastal strip, to the detriment of the environment and small-scale fishing.**

The evolution of a bill under the influence of industrial fishing lobbies

In 2005, the government introduced a tax on offshore wind turbines. Initially conceived as a democratic measure, **in 2010 the tax turned into a golden goose for the industrial fishing lobby. The amount involved is enormous, with several million euros a year dedicated to the Saint-Nazaire wind farm alone.**[73] However, at a time when the social and ecological transition of the French fishing industry is becoming more pressing by the day, the representatives of this destructive fishing industry are succeeding, with the support of the government and senators of the presidential majority, in reducing the criteria for the allocation of this considerable financial windfall to a bare minimum.

The story of how a public tax became a cash machine for industrial fishing.

2005: A wind power tax for the communes and department concerned

When the tax was introduced in 2005, all wind farms under development were planned to be located in territorial waters. A tax of €12,000 per installed megawatt was introduced for *"electricity production installations using mechanical wind energy located in inland waters or the territorial sea"*.[74] **The tax is distributed exclusively to the French communes and departments concerned, which have direct control over the use of the funds:**

- **50%** for *"coastal communities from which [wind turbines] are visible"*
- **50%** to the general council of the department concerned, *"within the framework of a departmental fund for maritime fishing and leisure activities"*.[75]

72 Journal officiel de la République française (2023) Article 1519C du Code général des impôts

73 Sénat (2022) Taxe sur les éoliennes maritimes et attentes des pêcheurs

74 Journal officiel de la République française (2008) Article 1519B du Code général des impôts

75 Journal officiel de la République française (2007) Article 1519C du Code général des impôts

2010: Industry lobbies get their hands on the wind tax

In 2010, the industrial fishing lobby pulled off its first major coup by entering the heart of the scheme, and thereby gaining access to a considerable financial windfall: **the wind tax, which now stands at €13,1317, is now divided between the public sphere and private industrial interests, testifying to the growing hold of the private sector over the state budget and the shift in financial power that is taking place between departmental democratic bodies and private industrialists:**

- **50%** for *"coastal communities from which installations are visible"*
- **35%** for the national, regional and departmental fisheries committees, for *"the financing of projects contributing to the sustainable exploitation of fisheries resources"*
- **15%** for the *"financing of projects contributing to the sustainable development of other maritime activities"*, on a coast-to-coast basis.[76]

2015: The state intervenes to pacify emerging conflicts within the industrial fishing lobby

The wind tax, which now stands at €15,094 per installed megawatt, is whetting the appetites of national, regional and departmental committees. On 29 December 2015, **the French National Assembly passed the 2016 Finance Act, placing itself as arbiter of disputes between these different committees concerning the sharing of this new financial windfall.**

The Assembly also added a touch of general interest to the privatization of the revenue from the wind tax by allocating 5% of these funds to sea rescue:

- **50%** for *"coastal communities from which installations are visible"*
- **35 %** for the national, regional and departmental fisheries committees, for *"the financing of projects contributing to the sustainable exploitation of fisheries resources"*, with a precise distribution of funds:
  - **15%** for the National Committee
  - **10%** for regional committees *"within whose jurisdiction the facilities are located"*
  - **10%** for departmental or interdepartmental committees *"within whose jurisdiction the facilities are located"*
- **10%** for the *"financing of projects contributing to the sustainable development of other maritime activities"*, on a seafront scale
- **5%** for sea rescue organizations.[77]

2016: Biodiversity issues are finally included among the wind tax's beneficiaries

A year later, just as the funds generated by the wind power tax were looking set to grow, with the tax now amounting to €15,842 per megawatt installed, the government removed the requirement to finance projects relating to other maritime activities *"on the scale of the maritime façade"*, and cut back on this budget to **finally introduce the issue of biodiversity, by allocating 5% of the tax to the French Agency for Biodiversity (later to become the French Office for Biodiversity).**[78]

76 Journal officiel de la République française (2010) Article 1519C du Code général des impôts

77 Journal officiel de la République française (2015) Article 1519C du Code général des impôts

78 Journal officiel de la République française (2016) Article 1519C du Code général des impôts

2021: The wind tax is extended to offshore wind projects, but maintains a client-driven dynamic in favor of projects in coastal waters.

With the prospect of wind farms being developed offshore, beyond territorial waters, a tax loophole was identified. On 8 November 2021, the French Finance Bill for 2022 therefore clarified that the wind tax, which amounts to €19,405 per installed megawatt, will apply to wind turbines installed in the coastal strip as well as to wind turbines installed beyond 12 nautical miles. However, **far from eliminating the tax benefits accruing directly to communes and fisheries committees for all future wind farms, the government is introducing a two-tier system of *"distribution of the tax on offshore wind turbines according to location"*[79]:**

- **For all wind farms located in French territorial waters,** under development or under study, the existing distribution key remains in place:
  - **50%** for *"coastal communities from which installations are visible"*
  - **35%** for the national, regional and departmental fisheries committees, for *"the financing of projects contributing to the sustainable exploitation of fisheries resources"*, with a precise distribution of funds:
    - 15% for the National Committee
    - 10% for regional committees *"within whose jurisdiction the facilities are located"*
    - 10% for departmental or interdepartmental committees *"within whose jurisdiction the facilities are located"*
  - **10%** for the French Office for Biodiversity
  - **5%** for sea rescue organizations.[80]
- **For all wind farms to be built beyond 12 nautical miles,** a tax is allocated to the state budget, with no precise legislative mechanism for its distribution, apart from, in the explanatory memorandum to this amendment, the desire to participate in *"actions relating to the knowledge and protection of marine biodiversity, the exploitation and sustainable processing of fishery products, the development of other maritime activities and maritime safety"*.[81]

2022: The industrial fishing lobby continues its headlong rush with the support of the government

Since the industrial fishing lobby's first victory over the wind tax in 2010, the funds allocated were explicitly earmarked for *"the financing of projects contributing to the sustainable exploitation of fishery resources"*. **Clearly, restricting these funds to the conservation of fishery resources was too restrictive for the government and industrial lobbies, who amended the text in the Senate,** through an amendment by the Renew group supported by the government, so that the objective of these funds would henceforth be simply that of the *"sustainable development of fishing and marine farming"*.[82]

The explanatory memorandum by the senators of the presidential majority justifies this amendment by repeating word for word the statement of the industrial fishing lobby, explaining that *"this excessively narrow wording (dating from 2010) does not meet the current challenges and needs of the industry. It limits the possibilities for financing projects to those related to the management of fisheries resources, whereas the desire today is to act in favor of the sustainable development of the sector, in its three environmental, economic and social dimensions"*.

79 Assemblée nationale (2021) Amendement n°II-3525 (Rect)

80 Journal officiel de la République française (2015) Article 1519C du Code général des impôts

81 Assemblée nationale (2021) Amendement n°II-3525 (Rect)

82 Sénat (2022) Amendement N° II-758

It goes on to explain that the new wording would make it possible to **"enhance the attractiveness of the industry by promoting its trade, or by modernizing vessels with a view to both improving their safety and reducing the fleet's dependence on fossil fuels"**.[83] This is a discourse blind to the conservation of fish stocks, the protection of ecosystems and the necessary de-trawling and transition of the sector, likely to support the deadliest innovations, such as electric fishing and demersal seining. These two destructive fishing techniques have been fought against for years by coastal fishers in the regions of Hauts-de-France and Normandy and have been presented by the industrial fishing lobby as more sustainable fishing techniques as they are likely to reduce the diesel consumption of vessels for the same volume of catches.[84]

In addition, in 2023, a decree removed the part that referred to the supervision of the use of credits by fisheries committees.[85] Until then, these committees had to ensure that projects met the eligibility requirements of the European Fisheries Fund, but this obligation has disappeared with the new decree, bringing no new restrictions on the use of these funds or on the notion of sustainability, leaving the committees free to continue practicing their destructive techniques undisturbed.

In order to lift the veil on the abnormally opaque use of these funds, BLOOM has sent the French National Committee for Maritime Fisheries and Aquaculture a request for environmental information to clarify the list of projects that the committees intend to develop using this tax, as well as the selection criteria for these projects.

BLOOM has requested the following information[86]:

- *"The list of projects "contributing to the sustainable development of fishing and livestock farming" that the National Committee intends to develop and/or finance with the proceeds of the wind tax, or, where appropriate, those that the Committee has already developed or financed*
- *If applicable, the criteria that the Committee has established for the development and/or selection of these projects, including the definition of "sustainability" of projects, the possible distribution of these funds among different categories of projects or areas, the eligible persons, or any other criteria concerning the Committee's past or future use of the tax proceeds*
- *The list of projects of departmental, interdepartmental or regional interest that the departmental, interdepartmental or regional committees intend to develop and/or finance, or failing that, the criteria they have established for their development and/or selection"*

83 Sénat (2022) Amendement N° II-758

84 BLOOM (2020) What is the problem?

85 Journal de la République française (2023) Décret n° 2023-28 du 23 janvier 2023 modifiant le décret n° 2012-103 du 27 janvier 2012

86 Under EU and French law, any person may request information from the French administration or a person entrusted with a public service if the information relates to the environment. On 13 February 2024, BLOOM sent a request for environmental information to the French National Committee for Maritime Fisheries and Aquaculture. The National Committee has one month to respond. Should the Committee fail to respond, BLOOM reserves the right to take legal action.

A perverse tax system that runs counter to social and environmental concerns

At the end of a legislative process spanning from 2005 to 2023, the industrial fishing lobby has succeeded in turning the development of offshore wind farms into an astronomical source of income, free from any constraints. **At the Assises de l'économie de la mer held in Nantes on 28 November 2023, French President Emmanuel Macron could not have expressed it better, announcing that this wind tax would bring in some 700 million euros for fisheries committees by 2035.**[87]

It is *"a good move"*, according to Emmanuel Macron, since the **removal in the Senate of any constraint on the use of these funds towards the protection of fishery resources enables the government and the industrial fishing lobby to shape a new narrative by announcing the use of these funds for a "greening of the sector"**, including the "greening of maritime fuel", such as **the replacement of diesel engines on French trawlers by hydrogen-powered engines,** and the "reduction of our vessels' dependence on oil", as announced by French Secretary of State for the Sea, Hervé Berville, at the Assises.[88]

The whole discourse is based on an unproven technological solution, as the hydrogen engine sector is still in its infancy. Above all, for the industrial fishing lobby, the real motive lies elsewhere: **this speech allows them to gain time, haloed by a virtuous discourse on their future "decarbonization", and allows them to continue, with the government's approval, their enterprise of destroying** marine ecosystems and plundering marine resources. Furthermore, this sleight of hand enables the trawling business to pre-empt criticism from its opponents who are calling for a genuine transition of the sector, by announcing a so-called *"transition"* to anyone that will listen, which in reality makes no fundamental change to its methods.

Unfortunately, the industrial fishing lobby's control on the wind tax doesn't stop there: **by perpetuating a tax imbalance in the distribution of funds between wind farms located in the coastal strip and wind farms located offshore, France is encouraging fisheries committees to vote in favor of future wind farms in coastal waters.** Indeed, the Fisheries Committee directly collects the wind tax from wind farms located in coastal waters, which it then receives at 35%, with no constraints on the use of the funds, other than that of *"sustainable fisheries development"*, whereas offshore wind farms replenish the state treasury, which can exercise greater control over the use of the funds and can then be returned to the fishing industry.

Added to this perverse incentive is a final scandal in terms of the use of public finances and the efficiency of public action: indeed, the fact that the wind tax is being passed on is conveniently justified by the negative impact that these wind farms would have on "the fishing industry". However, there is a world of difference between artisanal and industrial fishing, whether that be in terms of social, economic or environmental performance,[89] and the French tax regime for wind power will further these disparities. This is due to the fact that the beneficiaries of this wind tax are the fisheries committees, who speak out and act in favor of deep-sea vessels, which can easily, unlike small-scale fishing vessels, move to other fishing zones further offshore, in situations where they have not simply been able to position the turbines in such a way as to allow bottom trawling between them, as in the case of the Fécamp wind farm.[90]

87 BLOOM (2023) A French President should not stoop so low

88 *Le Monde* (2023) Les pêcheurs mécontents du "plan de transition énergétique" du gouvernement

89 Bloom (2024) Time for a U-Turn: For a social ecological transition of fisheries

90 In Europe, regulations governing fishing in wind farms vary from country to country. For example, fishing is prohibited in Belgium and Germany, but permitted in the UK and Denmark during the wind farm's operational phase. In France, wind farms authorize fishing, subject to certain navigation conditions, authorized speed and vessel size, with no-entry zones limited mainly to the safety corridors surrounding the turbines. The Fécamp wind farm, for example, has opted to align its turbines and cables in the direction of the current, which means that trailing fishing gear such as bottom trawls can continue to be used. Parc éolien en mer de Fécamp (2015) Pêche et parc éolien en mer de Fécamp, quelle cohabitation? and Ministère de la Transition Écologique et de la Cohésion des Territoires (2023) Peut-on pêcher dans un parc éolien en mer ?

This jeer at small-scale fishers is the umpteenth blow that they have received; they have also all the while been knowingly ignored by Olivier Le Nézet, Chairman of the National Fisheries Committee, who, in an article by Médiapart devoted to the fishing boss in early 2024, *"is accused above all of defending the interests of the minority (the industrial fishing sector) to the detriment of the majority (the small-scale fishers). The latter represent almost three-quarters of French fishing vessels, even though the remaining quarter accounts for the bulk of fishing quotas and sales. Within the National Fishing Committee, small-scale fishers do not really have a say".*[91]

Thus, while there is a growing consensus in favor of offshore wind farms, particularly floating wind farms, **France's offshore wind tax regime has created a perverse system of incentives for setting up wind farms in coastal waters.** In addition to the issue of siting, **it is the very use of this considerable financial windfall that, through successive amendments to the French General Tax Code, has gradually slid towards funding fisheries committees, with a lifting of constraints on the use of these funds, without ever seizing this financial opportunity to initiate a genuine ecological and social transition of the fishing sector.**[92]

The case of the Belle-Île wind farm project, as we shall see, is an unfortunate illustration of the failure of French public policy on offshore wind power. **As the first floating offshore wind farm, it should have showcased the development of the floating wind industry in France. To date, however, the trawler fishing lobby has succeeded in turning it into a prime counterexample, by trampling all democratic processes underfoot.**

"Time for a U-Turn: For a social ecological transition of fisheries"



In January 2024, in collaboration with L'Institut Agro, AgroParisTech, The Shift Project, EHESS and l'Atelier des jours à venir, BLOOM published the report *Time for a U-Turn*.[93] This ground-breaking analysis is the first to diagnose the social, economic and environmental performance of the French fishing industry. The results are unequivocal, highlighting the catastrophic record of large-scale industrial fishing and dragging gear.

- For the same level of catches, large bottom trawls and seines create 2 to 3 times fewer jobs and almost 2 times less added value than vessels using passive gear (lines, traps and nets)
- **90%** of bottom abrasion is caused by large bottom trawls and seines
- **84%** of landings from overexploited resources come from large bottom trawls and seines
- **57%** of CO_2 emissions come from large bottom trawls and seines

91 *Mediapart* (2024) Olivier Le Nézet, « pêcheur de petits-fours » à la barre du lobby français de la pêche

92 Gascuel (2023) La pêchécologie; Bloom (2024) Time for a U-Turn: For a social ecological transition of fisheries; BLOOM (2024) À contre-courant; BLOOM (2023) Ramener l'océan à la vie

93 Bloom (2024) Time for a U-Turn: For a social ecological transition of fisheries

IV. IN BELLE-ÎLE-EN-MER, THE TRAWL LOBBY GAINS A FOOTHOLD IN COMPLETE DISREGARD OF THE DEMOCRATIC PROCESS

The wind farm project off Belle-Île, dubbed the "South Brittany" project, is the first commercial floating wind farm project in France. Planned in two phases, with the initial development of 250MW of floating wind turbines, before an extension for a further 500MW, the Belle-Île project was intended to set an example by minimizing the impact on the seabed, ecosystems and coastal fisheries.

Due to the perverse mechanisms introduced by the wind tax and the trawl lobby's stranglehold on democratic processes, representatives of trawl fishing have succeeded in establishing the siting of the wind farm in coastal waters to seize the wind tax revenues, even if this means sacrificing fragile ecosystems and a fishing zone frequented by artisanal fishers from coastal areas and Morbihan islands.

Public consultation gone astray

Following the first calls for tenders for the development of offshore wind power in France between 2011 and 2013, the government asked the prefects in charge of the Brittany maritime domain to identify new areas suitable for the construction of offshore wind farms. **Following a lengthy regional consultation process, to which we will return later, the French National Commission for Public Debate (CNDP) organized a wide-ranging public debate between July and December 2020 to determine the future location of a 750MW floating wind farm off Belle-Île.**

However, while a broad consensus emerged at the end of the public debate in favor of an offshore site, the government announced a few months later that the area finally chosen for the first 250MW unit would be...in coastal waters.

Only one stakeholder was satisfied with this government decision, which went against the grain of the democratic process implemented by the CNDP, and this was the trawl lobby. Olivier Le Nézet, Chairman of the Regional Committee for Maritime Fisheries in Brittany and the Departmental Committee for Fisheries in Morbihan (French: *Comité départemental des pêches du Morbihan*), welcomed the fact that *"the area selected [was] the area proposed by the Regional Fisheries Committee. It is the area of least constraint identified by the committee with professional fishers. These are rocky bottoms, where trawling is not practiced (except for the four-panel trawl)".*[94]

The Belle-Île wind farm project is a prime example of the perversity of the current wind tax and the ability of the trawl-dominated industrial fishing lobby to impose its choices, in defiance of the public institutions responsible for environmental protection, the communes and departmental councils, the public and the wind industry.

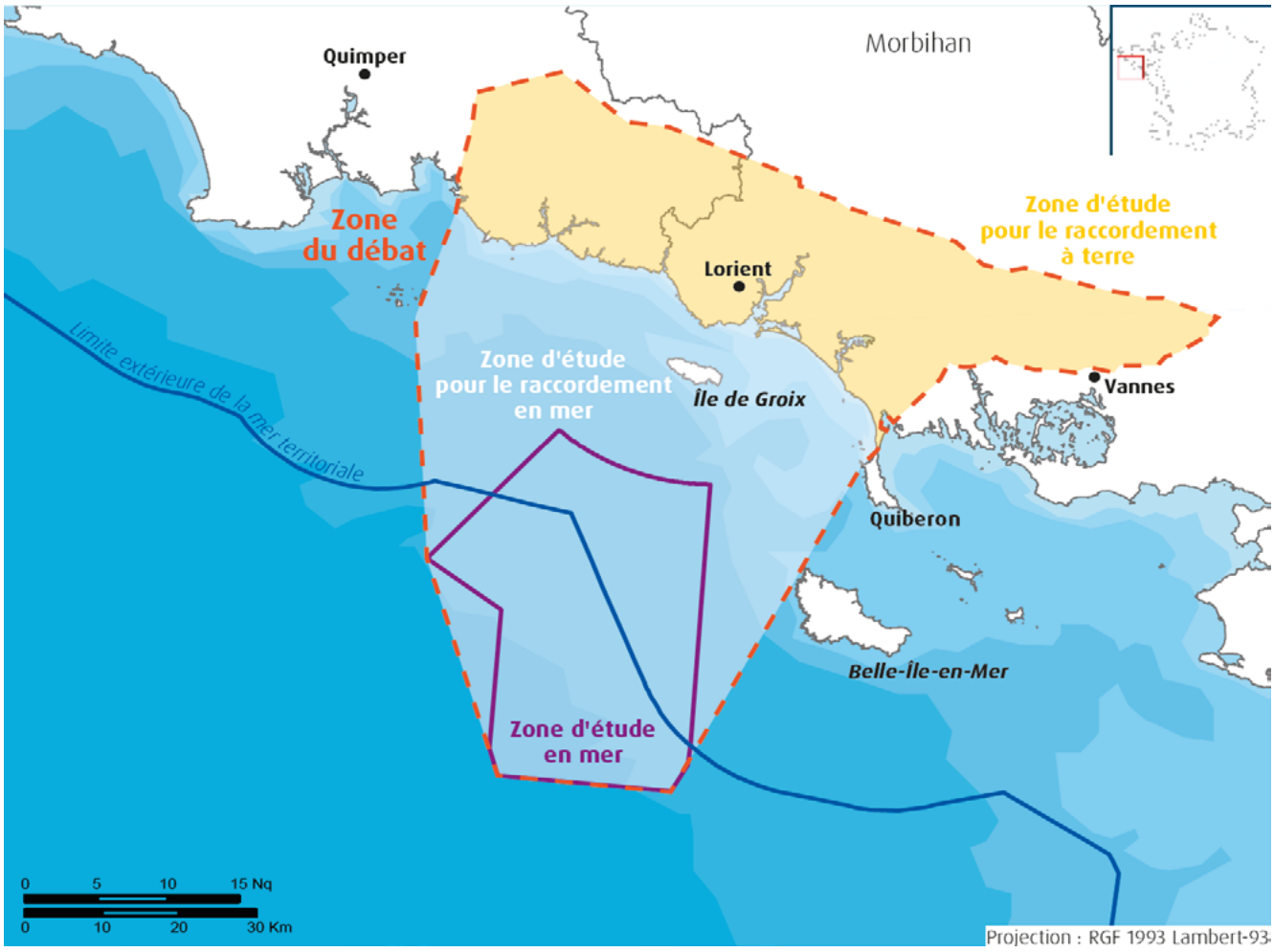
A public debate in favor of a floating offshore wind farm

The public debate inaugurated by the CNDP in July 2020 for the siting of the Belle-Île floating wind farm calls for the choice of a preferential zone of 600km² within a larger study area of 1330km².

As the study area straddles the 12-nautical-mile line, **the public debate is a technical, social, economic and environmental debate between offshore wind power in the exclusive economic zone and wind power in coastal waters within the 12-nautical-mile band.**

94 *Ouest-France* (2021) Bretagne. L'État donne son feu vert au parc éolien flottant entre Belle-Île et Groix

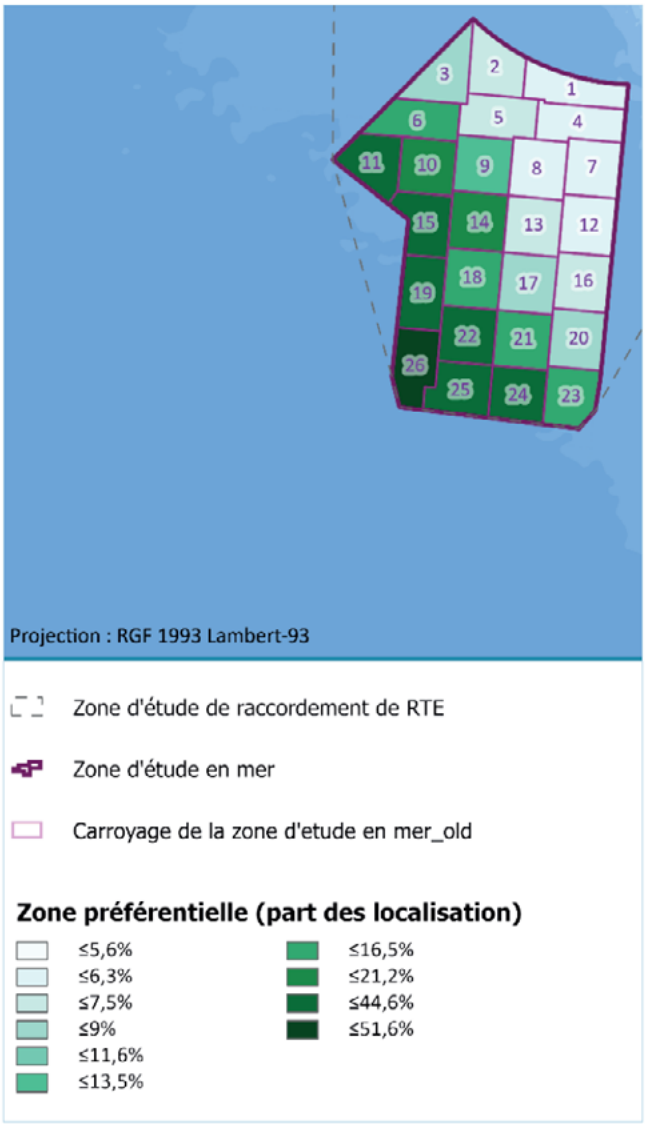
Figure 3 **Study area proposed for public debate**[95]



- area subject to public debate for the South Brittany offshore wind farm
- 12-nautical-mile limit delimiting French territorial waters

95 Ministère de la Transition Écologique (2021) Dossier du maître d'ouvrage - Projet d'éoliennes flottantes au sud de la Bretagne

Figure 4 **Results of the "Je choisis ma zone" online public consultation (1,578 respondents)**



During the public debate, over 1,500 citizens filled in the online questionnaire, "Choosing my zone" (French: *"Je choisis ma zone"*), with impressive results. As summarized by the CNDP, *"the closer you are to the coast, the more the squares are defined as exclusion zones, and the further away you are, the more you are in a preferential zone"*.[96] **For the public, the decision is clear: the floating wind farm must be located offshore.**

In addition to this public consultation, 12 of the 19 stakeholders questioned were in favor of offshore siting. The reasons put forward were technical, economic, landscape-based and environmental. The French Office for Biodiversity (OFB), for example, points out that *"in terms of avifauna, it is well known that there is a density gradient between the coast and the open sea. Based on this observation, the area of least concern would therefore be located in the most offshore part of the macro-zone"*.[97] Of the eight wind farm developers, seven are in favor of offshore siting, citing the soft seabed offshore (whereas the rocky seabed in coastal waters would make the work more complex and costly), greater depth (and therefore reduced effect of extreme swells), or greater social acceptability (due to less landscape impact).[98]

On the other hand, the South Brittany Regional Shellfish Growing Committee (French: *Comité Régional de la Conchyliculture de Bretagne-Sud*), the regional fishing committees of Brittany and Pays de la Loire, the developer QairMarine, the CGT, the Brest Metropolitan and Regional Development Council (French: *Conseil de développement de la métropole et du Pays de Brest*), and the Metropolitan Community of Lorient (French: *Communauté d'agglomération de Lorient*), are all in favor of the project being built close to the coast, in order to reap the benefits of the wind tax and demonstrate their loyalty to the trawl lobby.

A few months later, the result was astounding: the government took up the cause of this handful of players and announced a project for coastal waters.

96 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

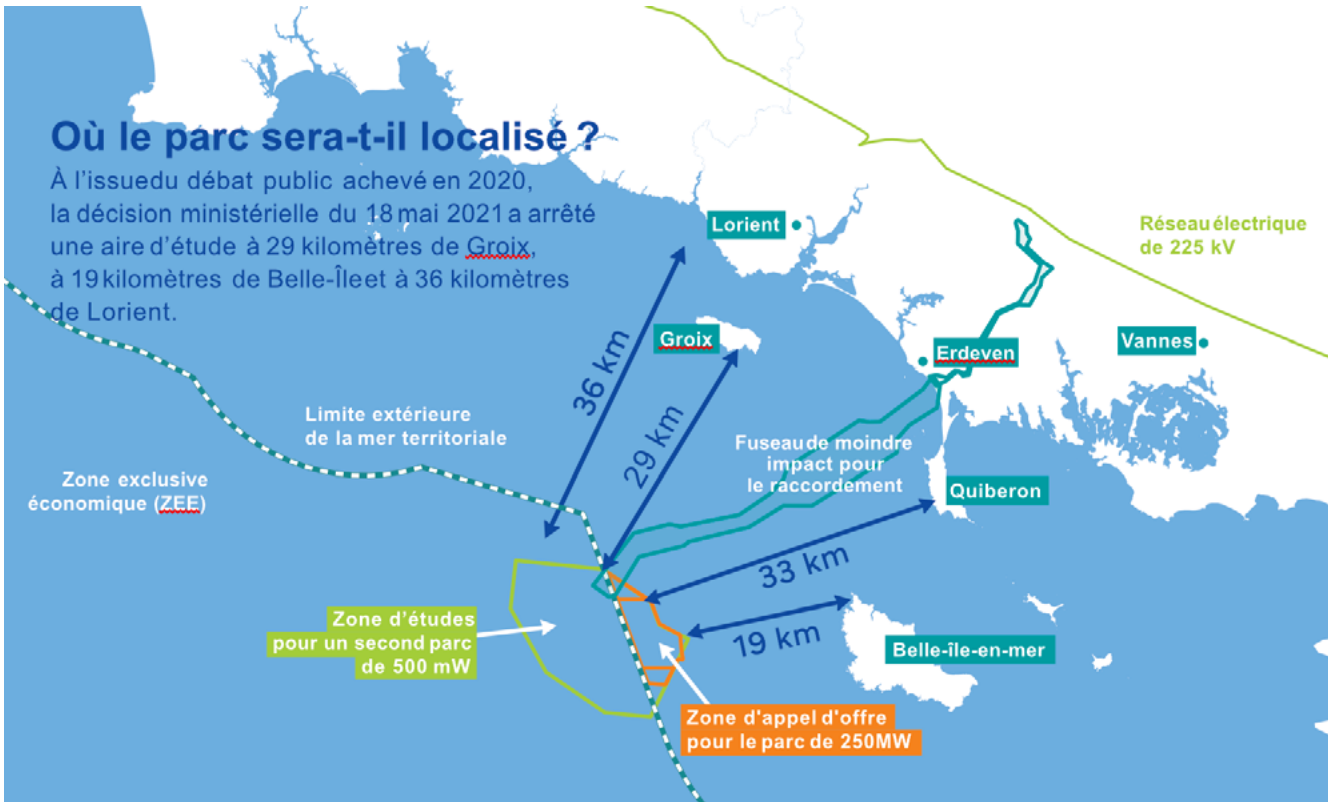
97 Office français de la biodiversité (2020) Cahier d'acteur de l'OFB - Eoliennes flottantes au sud de la Bretagne

98 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

A flouted democratic process

The public debate organized by the CNDP ended in December 2020. On 21 May 2021, the French Ministry of Ecological Transition confirmed that the wind farm project would go ahead, but that the chosen zone is not offshore, but straddles the 12 nautical mile line.[99] A fortnight later, the CNDP's reaction was scathing: *"the nature of any arbitration [leading to this decision] is not specified"*.[100] Without any further justification, **the government announced a year later, on 27 September 2022, that the first phase of the 250MW project would take place exclusively in territorial waters, within the 12-nautical-mile coastal strip clearly identified during the public debate as the area to be avoided as a priority.**[101]

Figure 5 **Government announcement of the Belle-Île wind farm project area**[102]



99 Journal officiel de la République française (2021) Décision du 18 mai 2021 consécutive au débat public portant sur les projets d'éoliennes flottantes au sud de la Bretagne et leur raccordement

100 CNDP (2021) Avis de la CNDP sur la qualité de la décision des responsables du projet)

101 Ministère de la Transition Écologique et de la Cohésion des Territoires (2022) Eolien en mer au sud de la Bretagne : le Gouvernement précise la localisation du premier parc

102 Ministry of Energy Transition (2023) Project brochure

Local elected representatives, citizens and environmental protection organizations took to the stage on numerous occasions to denounce a democratic denial orchestrated for the benefit of *"certain communities or professional bodies"*.[103] The Morbihan Departmental Council (French: Conseil départemental du Morbihan), whilst emphasizing its support for the development of offshore wind power, adopted a motion of censure on the project, with its Chairman denouncing it as *"a farce"* and pointing the finger at the role played by the Committee for Fisheries in Brittany (French: *Comité des pêches de Bretagne*) in pocketing the wind power tax:

> *"You can't do just anything anywhere for the sole reason of the supposed benefits for certain communities or professional bodies (...)* ***It's obvious that this location has been agreed on for a long time between the state, the Brittany region and the Brittany fisheries committee (...) It's clear that when 35% of the financial windfall, or 1.4 million euros, goes to the fisheries committee, it's less forthcoming on the subject (...) I really believe that the state and the region have tried to ensure that the fishers, who are much more mobilized over there, have been involved in the process from the outset,*** *even before consulting local elected representatives, particularly those from Belle-Île-en-Mer. This is what we deeply regret. The dice were loaded from the start".*[104]

The mayors of Belle-Île sent an open letter to the French President, transmitting five motions of censure, explaining that *"the choice of location seemed set before the end of the public debate"*, and also emphasizing, with regard to the wind turbine tax, that ***"the debate must not be polluted by the question of compensation for the nuisance caused by wind turbines (...) The siting beyond the territorial sea is a necessity".***[105] A citizens' association in Groix agrees, stating that *"the government wants the wind turbines to remain in territorial waters, within the 12-mile zone, so that the communes (Lorient, Groix, Belle-île...) can benefit from the tax fallout. It's a way of buying them off"*,[106] while France Nature Environnement denounced *"a decision that calls into question the democratic methods of this government and its predecessor, which has decided against the majority of opinions expressed in the public debate".*[107]

In this denial of democracy by the government, local stakeholders point to the influence of the Fisheries Committee and its motive for profit via the wind tax. **A closer look at the institutional dynamics of the Brittany region confirms this hypothesis: far from any environmental or democratic consideration, it is the trawl lobby that is calling the shots.**

A foregone conclusion in favor of the trawl lobby

In 2012, the region of Brittany set up the Regional Conference on the Sea and the Coast in Brittany (French: *Conférence régionale pour la mer et le littoral de Bretagne, CRML*). Involved in the development of strategic coastal documents, maritime planning policies and the identification of areas suitable for the siting of offshore wind farms, **the CRML is established as the official consultation body of the Brittany region to bring democratic debate to life and enable the definition and implementation of public policies relating to the marine environment.**[108] Co-chaired by the Prefect of the Brittany region, the Atlantic Maritime Prefect and the Chairman of the Regional Council of Brittany, its members are divided into five colleges: state and public establishments, local authorities, private sector representatives, associations and trade unions.[109]

Yet, **far from this official mandate and its multipartite constitution, the CRML has become the spearhead of the Regional Council of Brittany and the government in pre-empting the public debate on the wind farm issue in Brittany, causing confusion within the government and giving the impression that the location was a foregone conclusion.**

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103 Conseil départemental du Morbihan (2022) Procès-verbal de la réunion du 28 septembre 2022

104 Conseil départemental du Morbihan (2022) Procès-verbal de la réunion du 28 septembre 2022

105 *Ouest-France* (2023) Parc éolien au large de Belle-Île : les élus s'adressent au président de la République

106 *Ouest-France* (2022) Parc éolien en Bretagne-Sud. À Groix, entre déception et fatalisme

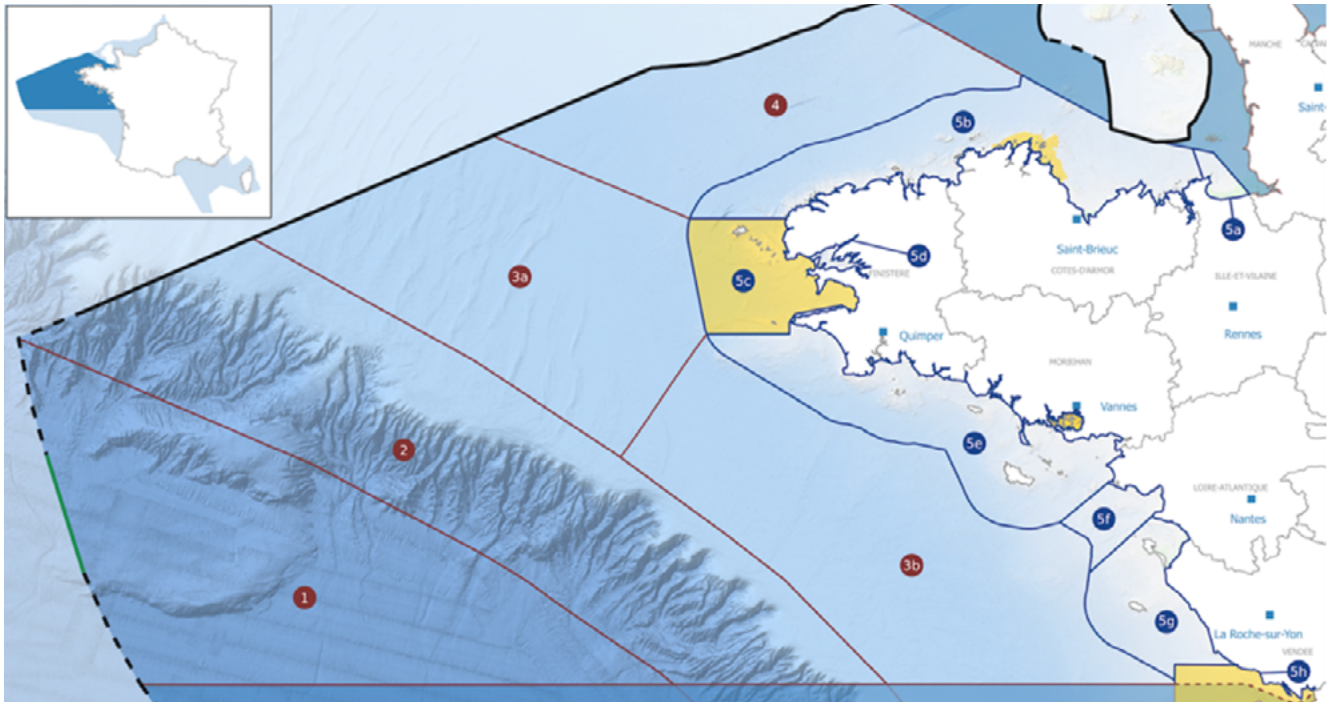
107 France Nature Environnement (2022) Éoliennes Flottantes Sud Bretagne : Le gouvernement choisit une zone en contradiction avec le bilan du débat public

108 Préfecture de la région Bretagne (2019) Contrat d'action publique pour la Bretagne

109 Conférence régionale de la mer et du littoral (2015) Règlement intérieur

Stage 1: Pre-empting the debate

In September 2019, at the end of the first drafting of the "strategic coastline documents" setting out the broad lines of maritime planning for metropolitan waters, France published its new mapping of priority uses for the various marine zones. In the document relating to waters located in Brittany and the "North Atlantic - Western Channel" coastline, the coastal zone around Belle-Île gives *"priority to sustainable fisheries and aquaculture"*, while the waters of the exclusive economic zone off Belle-Île are intended *"as a priority for the development of floating wind farms and sustainable professional fisheries"*. It is specified that *"this zone will be the first to be studied for the development of floating wind turbines, taking into account the work carried out at regional level, extending beyond the perimeter of zone 3b if necessary"*.[110]



Map of vocations for the "North Atlantic – West of the Channel" coastline[111]

In 2019, official documents on maritime planning in French waters clearly indicated that the location of wind turbines offshore, beyond territorial waters, was favored in Southern Brittany.

A year earlier, while actively participating in the development of these "strategic coastline documents", the CRML met to define its own preferential zone within the Belle-Île wind farm study area[112] and transmitted it to the French National Commission for Public Debate (CNDP) (French: *la Commission nationale du débat public*) by letter on 26 November 2019, six months before the opening of the public debate.[113] **From then on, with the support of the French state and the Regional Council of Brittany, the CRML's intrusion in the public debate became commonplace.**

110 Secrétariat d'État chargé de la Mer (2019) North Atlantic - Western Channel maritime facade strategy

111 Secrétariat d'État chargé de la Mer (2019) North Atlantic - Western Channel maritime facade strategy

112 Regional Sea and Coastal Conference (2018) 22e Regional Sea and Coastal Conference

113 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne: Letter from Michèle Kirry, Prefect of the Brittany Region, and Loïg Chesnais-Girard, Chairman of the Brittany Regional Council, dated 26 November 2019, drawing the attention of the French National Commission for Public Debate (CNDP) to certain points in the file.

Stage 2: Providing turnkey solutions

At the opening of the public debate, **all the stakeholders called upon to designate their preferred zone within the study area discovered a map in the official documents provided by the public authorities, which was supposed to be blank, on which appeared the zone pre-identified by CRML.** The Ministry of Ecological Transition, the Regional Council of Brittany and RTE, the authors of this document, even went so far as to write in black and white that *"within the study area, the Regional Conference on the Sea and the Coast (CRML) has identified a more precise siting zone of 516km² which it proposes to retain as a preferential zone within the framework of this debate"*.[114]

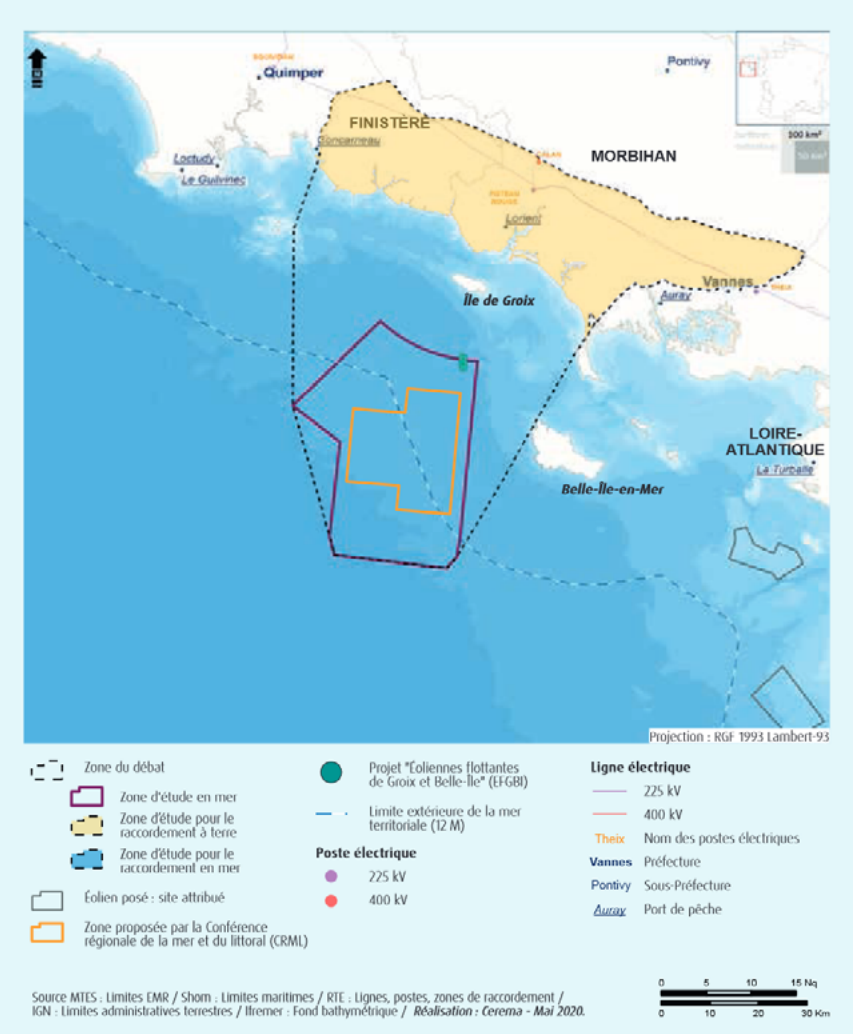


Figure 6 **File provided by the French Ministry of Ecological Transition, the Regional Council of Brittany and RTE for the public debate. In yellow, in the center of the study area, is the CRML's preferential zone.**

114 Ministère de la Transition Écologique (2021) Dossier du maître d'ouvrage - Projet d'éoliennes flottantes au sud de la Bretagne

At the end of the public debate, the CNDP was quick to denounce this attempt by the Ministry of Ecological Transition and the Regional Council of Brittany to pre-empt the consultation process by imposing its views, pointing to the *"constant reminder by the state and above all by the Regional Council of Brittany of the work of the CRML"*, describing the *"impression of a pre-written script"*.[115] The CNDP denounced these maneuvers, and the confusion generated throughout the debate:

> *"At the same time as the question of defining a project zone within the debate zone was being formulation, the work of the Conférence régionale de la mer et du littoral de Bretagne (CRML) was put forward, proposing a zone for locating the project.* ***Was this to be interpreted as the response suggested by the project owner to the public? (...) The project owner is casting doubt on the real nature of the question posed:*** *is it a question of validating the preparatory work of the CRML, or is the discussion really open?"*.[116]

Stage 3: Pretending to embody the consensus

Yet, the CRML's interference in the public debate did not stop there. **A few days before the end of the public debate, the Prefecture of Brittany and the Regional Council of Brittany convened the members of the CRML for an exceptional deliberation in which the CRML *"unanimously"* confirmed the zone previously proposed,**[117] **without publishing any minutes of this deliberation, and *"without specifying the participants in this meeting and therefore the identity of those who voted"*.**[118] This incident was also criticized by the CNDP, which saw in it *"the risk of it being interpreted as an attempt to exert pressure at the end of the debate, with regard to the choice of location, whereas the CRML's proposal was included in the debate from the outset and reiterated on numerous occasions by the project owner in the presentation file and at public meetings"*.

This incident is all the more worrying in that the "unanimity" announced by the CRML was clearly a deception, with the Commission noting that *"the work of the CRML was presented as having involved all the players concerned and having been adopted unanimously. However, some of these same players subsequently moved away from the CRML zoning in their own proposals"*, following the example of the OFB, which had spoken out individually in favor of a more offshore zone during the public debate.

Unusually, CNDP President Chantal Jouanno herself denounced the CRML's interference at the end of the public debate: *"It is not advisable to present a preconceived consensus zone between stakeholders. This procedure creates misunderstandings on the part of the public and tensions with stakeholders"*. Regarding the exceptional deliberation of the CRML organized as a matter of urgency a few days before the close of the public debate, she added that:

> *"The CNDP reminds us that project owners must refrain from any initiative during the debate, such as the vote taken by the CRML in early December confirming the study area"* .[119]

The CRML's continued interference in the public debate bears witness to the feverish efforts of the state and the Regional Council of Brittany to steer the debate in favor of a site that is at least partly located in coastal waters. This interference did not bear fruit during the debate, but ultimately foreshadowed the decision announced by the government and benefited the trawl lobby, at the expense of artisanal fishing and marine ecosystems.

115 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

116 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

117 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne: Letter from the presidents of the CRML to the prefects coordinating the coastlines dated 20 July 2018 and deliberation of the CRML on 8 December 2020.

118 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

119 CNDP (2021) Bilan de la présidente - Débat public : Éoliennes flottantes au sud de la Bretagne

A wind farm that sacrifices small-scale fishing and coastal ecosystems

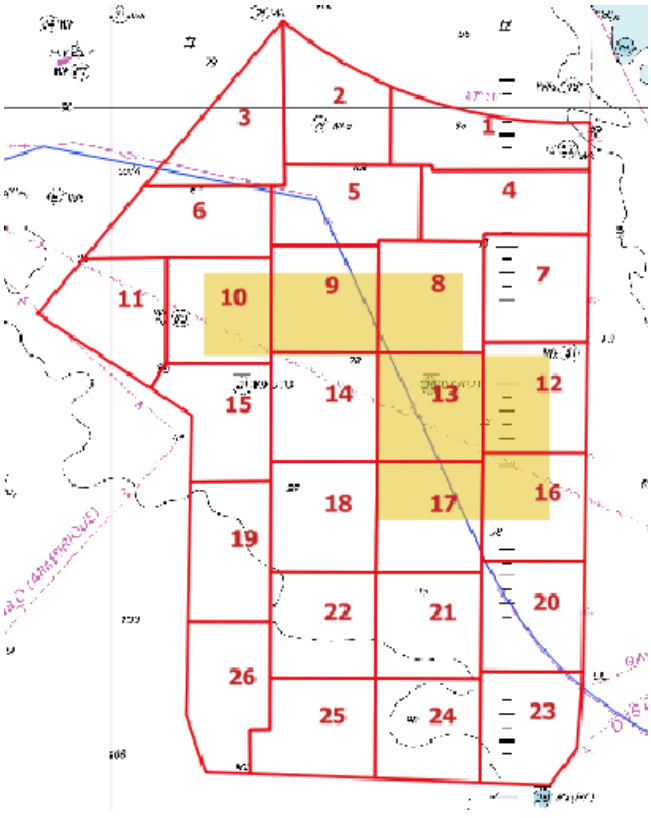
Industrial fishing occupies a prominent place on the CRML: the Chairman of the Regional Committee for Maritime Fisheries in Brittany (Olivier Le Nezet) and the Chairmen of the four Departmental Committees for Fisheries in Ille-et-Vilaine, Morbihan (also Olivier Le Nezet), the Côtes-d'Armor and Finistère sit on the college of private-sector representatives, while the Chairmen of the metropolitan areas of the main industrial fishing ports (St Brieuc, Lorient and Brest) sit on the college of local authorities.

Beyond this composition, **the opinions published during the public debate and the reports published by the CNDP reveal the hold of the trawl lobby on public decision-making, even if it means making small-scale fishing and coastal ecosystems the collateral victims of the trawlers' refusal to make the transition.**

The Regional Fisheries Committee sacrifices small-scale fishing to trawlers

During the public debate, Brittany's Regional Fisheries Committee (French: *Comité régionale des pêches de Brittany*) expressed its preference for a particular zone within the study area. Far from the general consensus in favor of an offshore location, the map proposed by the Regional Fisheries Committee borders territorial waters and the EEZ.

Figure 7 **In yellow, the preferential zone of the Regional Fisheries Committee in Brittany within the study area. In blue, the 12-nautical-mile limit delimiting territorial waters.**



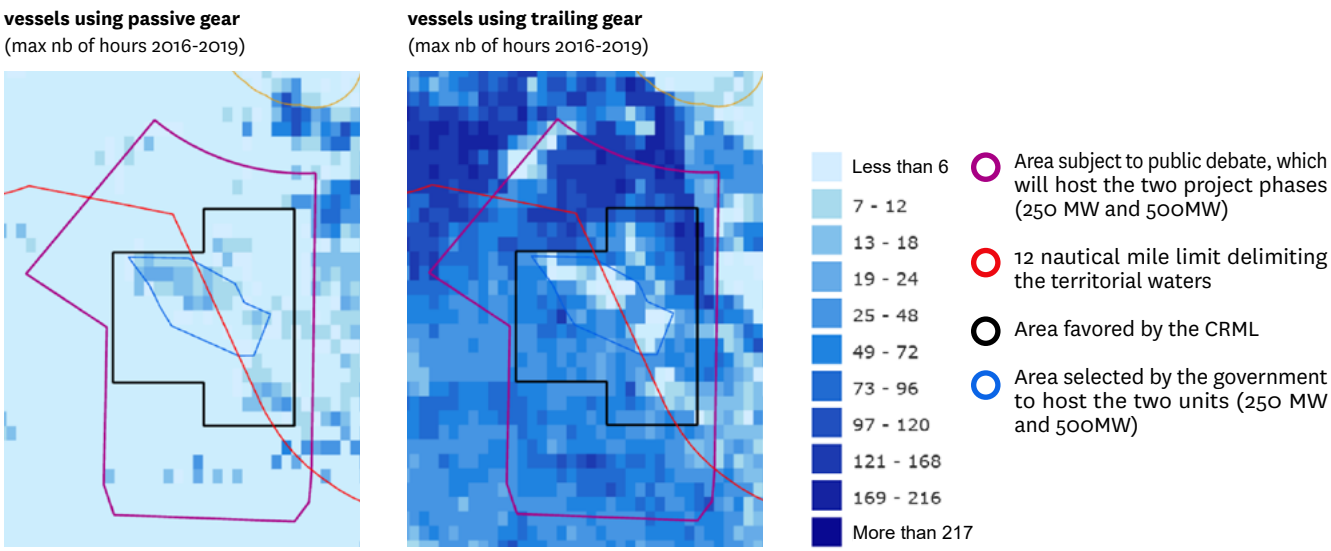
The CNDP explains that *"the proposal from Brittany's fishers is determined mainly by the following criteria: positioning on at least partially rocky seabeds, so as not to encroach too heavily on dragnet fishing zones; compensation for any loss of fishing area through a fiscal or parafiscal resource"*.[120] **Thus, the lure of the wind tax for wind farms located in territorial waters and the refusal to see the wind farm located in a trawling zone determined the Committee's choice.**

However, an analysis of the fishing economy in Southern Brittany reveals that, in doing so, the Regional Fisheries Committee has quite simply... sacrificed the fishing zone favored by artisanal fishers, where trailing gear is absent due to the rocky nature of the seabed.

This analysis of the study area reveals that industrial fishing and artisanal fishing operate in relatively distinct zones, with artisanal fishers avoiding competition with destructive fishing vessels in the same zone: vessels using trailing gear (trawls and seines)[121] on soft bottoms and artisanal fishers using passive gear (lines, traps and nets) on rocky bottoms. However, this study does not take into account a large proportion of artisanal fishing vessels under 12 meters in length, which could not be included in the study due to the lack of a geolocation system.[122]

This analysis, though incomplete, is unequivocal: **the preferential zone designated by the Regional Fisheries Committee precisely targets the preferred areas of artisanal fishers in order to preserve bottom trawl and troll fishing zones.**

Figure 8 **Fishing zones for passive and trailing gear**



120 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

121 Vessels using trawling gear are in the vast majority in the study area. They account for 72% to 75% of all vessels, and the boats from the port of Lorient are the most active. CNDP (2021) Compte rendu du débat public- Eoliennes flottantes au sud de la Bretagne (in French)

122 Cerema (2020) Approche cartographique de l'activité de pêche professionnelle au nord du Golfe de Gascogne

Despite being largely ignored during the public debate, **artisanal fishers operating in the region were quick to criticize the position of the Regional Fisheries Committee in Brittany.** *"It's where I fish half the year, but the trawlers can't be bothered"*, said a Lorient fisher who practices net fishing,[123] while another artisanal fisher explained that a quarter of his annual sales come from the future site, where he comes to fish three to four months a year.[124]

Conversely, Olivier Le Nézet, Chariman of the National Fisheries Committee and the Regional Committee in Brittany and Morbihan expressed his satisfaction at having been listened to at the end of the public debate:

> ***"The area selected is the one proposed by the Regional Fisheries Committee. It's the area of least constraint identified by the Committee alongside professional fishers. These are rocky bottoms, where trawling is not practiced (except for the four-panel trawl)".***[125]

Mr. Le Nézet's satisfaction is based on his personal involvement in the project. During the public debate, he took part in two round tables to present fishing activities in the project area, and the Fisheries Committee's contributions to maritime planning exercises.[126] Olivier Le Nézet's omnipresence is much broader. He alone holds no fewer than twenty-four mandates in bodies in Brittany and on a national scale, as revealed by Médiapart in early 2024.[127] These include his position as Chairman of the Port of Lorient, Brittany's leading fishing port and the second largest in France, his position as Vice-Chairman of France Filière Pêche, his membership of the French Office for Biodiversity Board of Directors and the Open-C Foundation, France's offshore testing center for renewable energies. Within each of these bodies, Mr. Le Nézet defends the same position: that of protecting the industrial fishing industry without any consideration for artisanal fishers, biodiversity or the crucial issues of ecological transition. This situation has not failed to be rebuked by artisanal fishers exhausted by a system that is doing everything it can to put them out of business: *"You're against the Committee, you can't fish anymore"*, says a former fisher.[128] This anger gave rise to the movement "Angry Fishers in 2023" (French: *Les pêcheurs en colère en 2023*), which is demanding, among other things, *"the dissolution of National Fisheries Committee" and the resignation of its Chairman, Olivier Le Nézet, who "through his intolerable accumulation of mandates is no longer credible in the eyes of the profession"*.[129]

As a result of this feudal system, the historical allies of the Regional Fisheries Committee have remained deaf to the demands of the artisanal fishers who have been sacrificed in this way. For example, the Brest Metropolitan and Regional Development Council (French: *Conseil de développement de la métropole et du Pays de Brest*) is adamant that *"the Fisheries Committee's proposal be considered a priority"*.[130]

123 *Mediapart* (2024) Olivier Le Nézet, « pêcheur de petits-fours » à la barre du lobby français de la pêche

124 Débat Éoliennes flottantes au sud de la Bretagne (2020) Atelier usages de la mer en visioconférence - 201120 Fisher's testimony at 1h37'.

125 *Ouest-France* (2021) Bretagne. State gives green light to floating wind farm between Belle-Île and Groix

126 CNDP (2020) Réunion thématique Les usages de la mer - Bretagne

127 *Mediapart* (2024) Olivier Le Nézet, « pêcheur de petits-fours » à la barre du lobby français de la pêche

128 *Mediapart* (2024) Olivier Le Nézet, « pêcheur de petits-fours » à la barre du lobby français de la pêche

129 *Mediapart* (2024) Olivier Le Nézet, « pêcheur de petits-fours » à la barre du lobby français de la pêche

130 Conseil de développement de la Métropole et du Pays de Brest (2020) Cahier d'acteur du Conseil de développement de la Métropole et du Pays de Brest

Far from imagining that it would have to negotiate anything, the Regional Fisheries Committee, confident of its position and its support within the CRML, the Regional Council of Brittany and the government, **explained during the public debate that *"any consideration of setting up a floating wind turbine project outside this zone identified with the help of professional fishers is unthinkable due to the specific nature of each profession"*.**[131]

A firm stance that has not gone unnoticed by the general public, with one participant who attended a meeting on uses of the sea held as part of the public debate explaining at the end of the meeting that: *"we learned that a preferential pre-zone of around 500 km² had already been determined by regional players, as well as a* ***refined zone of 226km² selected by the regional fishers' committee, and they clearly indicated to us that they had priority over the choices"*.**[132]

Yet criticism of this choice of location does not stop there; by sacrificing small-scale fishing, the Regional Fisheries Committee has also sacrificed the only seabed protected from bottom trawlers and trailing gear, which scrapes the seabed and thus tears up everything in their path.

Fragile ecosystems under threat

Following the designation of the area selected for the first 250MW wind farm, the government published a protocol to characterize the "benthic habitats" compartment, i.e. the seabed: *"to enable the future winner of the competitive bidding procedure to assess the impact of the wind farm on this compartment during the life phases of the project"*.[133] In particular, this protocol reveals that *"observations of black and yellow coral [were] made during the June 2022 campaign"*. To characterize the density and extent of these corals more precisely, it is indicated that further studies will be carried out to map their presence. Black corals (*Antipathella subpinnata*)[134] and coral jaune (*Dendrophyllia cornigera*)[135] are found on rocky bottoms that were previously protected from bottom fishing gear. **These species are particularly fragile and vulnerable due to their arborescent morphology and slow growth rate.** Coral jaune is on the IUCN red list and, due to its rarity in the Atlantic, is classified as a Natural area of ecological, faunal and floristic interest, or ZNIEFF (French: *Zone naturelle d'intérêt écologique floristique et faunistique*) determining species by the Regional Scientific Council for Brittany's Natural Heritage (French: *Conseil scientifique régional du patrimoine naturel de Bretagne*).[136]

131 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

132 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne. Contribution appended to 'avis 456'.

133 Ministère de la Transition Écologique (2023) Parc éolien au large de la Bretagne Sud (AO5) – état actuel de l'environnement Protocole relatif au compartiment "Habitats benthiques"

134 DORIS (2020) Antipathella subpinnata

135 UICN (2014) Dendrophyllia cornigera

136 Observatoire de l'environnement en Bretagne (2021) Les espèces et les habitats déterminants pour les ZNIEFF en Bretagne

Having been protected from destruction for decades because they live on rocky bottoms where trawlers do not venture, it is now the trawl lobby that could cause the loss of these species with their designation of this preserved area by naming it the site for a wind farm.

> **From every point of view, the challenges of protecting biodiversity are never seriously considered by the government**

Although the existence of these corals had not been precisely determined prior to the public debate, **the government's decision to turn its back on the CNDP's conclusions and scientific advice is further evidence of the disregard from the industrial fishing lobby and the government for biodiversity preservation issues.** Indeed, **several scientific players had stressed the need, as a precautionary principle, to rule out rocky areas as possible sites for the project:** Ifremer pointed out that *"little is known about these rocky habitats. So, as a precaution [...], these are areas to be avoided, or at any rate, areas where monitoring and the acquisition of knowledge should be prioritized if they are to be considered preferential for the park"*,[137] while the OFB warned that rocky bottoms were *"likely to harbour a rich and diversified fixed fauna, which should also be avoided"*[138] and that *"there could be equally important issues outside the Natura 2000 network"*.[139] In the same vein, the IUCN generally highlights the vulnerability of seabeds in the context of renewable energy development, pointing out that *"resilience is much lower in rocky reef-type habitats"*.[140]

Despite the numerous warnings, the discovery of vulnerable species on the IUCN red list, the disregard for artisanal fishing and the conclusions of a 6-month public debate, **the government has still not reversed its decision to build the wind farm in an area with artisanal fishing and vulnerable ecosystems.**

From every point of view, the challenges of protecting biodiversity are never seriously considered by the government, which has turned a blind eye to these issues with the sole aim of catching up with the energy transition without offending the interests of industrialists who are ravaging ecosystems, against all environmental and climate-focused common sense.

137 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

138 Office français de la biodiversité (2020) Cahier d'acteur de l'OFB - Eoliennes flottantes au sud de la Bretagne

139 CNDP (2021) Compte rendu du débat public - Eoliennes flottantes au sud de la Bretagne

140 Comité français de l'UICN (2014) Développement des énergies marines renouvelables et préservation de la biodiversité

CONCLUSION

By allocating the wind tax on the basis of a perverse model that encourages the construction of wind farms to the detriment of biodiversity, vulnerable ecosystems and small-scale fishing, the government is offering trawling a lifeline, despite the fact that this fishing method is doomed due to its unacceptable ecological and climatic impacts as well as its dependence on diesel, which puts trawling companies into chronic deficit, despite the substantial public aid received.

In other words, by supporting the trawl lobby 'whatever the cost', the government is choosing to prevent trawlers from going bankrupt and to allocate public money to a vast Ponzi scheme that temporarily masks the inevitable collapse of fishing methods that are the least beneficial to society, instead of committing these sums to a genuine social and ecological transition of the fishing sector. The government is thus continuing what the state has been doing for decades: obeying the established industrial lobbies rather than protecting the general interest and heeding the repeated calls from the scientific community to transition the fishing sector towards minimum environmental impact for maximum social gain.

If the government stubbornly maintains the current distribution of this tax, it will prevent the protection of marine ecosystems and the transition of the sector, condemn its most virtuous segment – artisanal fishing – and reduce our window of opportunity to effectively combat global warming, marking once again the failure of public policies to intelligently reconcile energy transition and biodiversity protection.

As a study published in January 2024 in the prestigious scientific journal *Nature* reminds us, *"Though renewable energy is needed to avert catastrophic effects of climate change and can be implemented in ways that are compatible with NCP our findings underscore the need to carefully plan, site, and evaluate tradeoffs with other [ecosystem conservation] objectives"*.[141] Thus, BLOOM calls on the French government to:

- **Ensure that the Belle-Île wind farm respects vulnerable ecosystems and does not sacrifice small-scale fishing**

- **Ensure that all renewable energies respect marine ecosystems and artisanal fishing, and to this end, we ask the French government to:**
  - **Prohibit all current and future marine renewable energy projects, including offshore wind farms, in Marine Protected Areas**
  - **Define tender zones far enough from the coast** to avoid destroying vulnerable coastal ecosystems and preserve the artisanal fishing industry
  - **Ensure that offshore wind farm projects are systematically screened for alternative siting areas** when prior impact studies reveal risks to protected habitats and species

141 *Nature* (2023) Mapping the planet's critical areas for biodiversity and nature's contributions to people

- **Modify the distribution of the wind tax so that it finances:**
  - **Ocean protection,** and in particular the French Office for Biodiversity (OFB) and Marine Protected Area managers, on actions to create and manage Marine Protected Areas and environmental policing, in particular strict protection zones
  - **The transition of the fishing industry** to low-impact methods, in particular by supporting the withdrawal from the fleet of trawlers and towed gear or their conversion to passive gear
  - **The Société Nationale de Sauvetage en Mer** (SNSM)
  - **Scientific research** to improve knowledge of the marine environment
  - **Local authorities** (for wind farms located within 12 nautical miles) on actions relating to the transition to low-energy consumption and the protection of marine and coastal ecosystems, including the creation and management of marine protected areas, particularly strict protection zones

Until April 2024, as part of the process of updating the Strategic Coastal Zone Documents (French: *documents stratégiques de façade*, *DSF*), citizens are invited to take part in a major national public debate on maritime planning.

This debate is of major importance and represents a unique opportunity to intelligently reconcile ecological transition and biodiversity protection by identifying priority areas for the establishment of genuine Marine Protected Areas on the one hand, and for the development of offshore wind power on the other.



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March 2024