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Hornsea Project Two Offshore Wind Farm – Deemed Marine Licence Variation Request – Post-Storm Monitoring

01 June 2022

Our ref. [07748955]

Dear Deborah,

Further to our recent conversations regarding variations required to the Hornsea Project Two Offshore Wind Farm Deemed Marine Licences (DMLs), please accept this letter as a formal request for a variation to remove Condition 15(2)(c) from Schedule 9 (Marine Licence A2) and Schedule 11 (Marine Licence B2) of the DMLs which set out the requirement for bathymetric survey to be undertaken in areas within which works were carried out following the first major storm event.

Detail and rationale of the request was outlined in the Hornsea Project Two “Approach to Post-Construction Monitoring” document (Ørsted Doc. Ref: 06857680) which was approved by the Marine Management Organisation (MMO) on 8th March 2022 (Ørsted Doc. Ref: 07693738_A). The justification for the condition to be removed is noted as;

- The MMO’s own strategic review of monitoring¹ which details the problems with this requirement
- The conclusions of negligible impact in the Environmental Statement chapters (Chapter 7.2.1 (Marine Processes) and 7.2.2 (Benthic Subtidal and Intertidal Ecology))
- Logistical challenges of having vessels and surveyors on standby for an unknown event
- The hydrodynamic properties of the Hornsea Project Two export cable area present a low risk of scour during any storm event thus the survey would bring little or no benefit to the monitoring package for the project.

Hornsea Project Two is therefore formally requesting that Condition 15(2)(c) is removed from the relevant DML’s. Table 1 shows the current DML wording and the proposed wording of the Condition to be varied (differences are shown in **bold red underline** with ~~strikethrough~~ to show proposed removal of relevant wording).

¹ MMO (2014) Review of environmental data associated with post-consent monitoring of licence conditions of offshore wind farms.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/317787/1031.pdf

A tracked changes version and clean version of the relevant section of the DMLs has also been provided with this Variation Request (Ørsted Doc. Ref: 07748934_A & 07748933_A respectively) as per the MMO’s guidance on the process to vary a DML.

Table 1 Proposed wording changes to Condition 15

Current wording of Condition 15 (Schedule 9 & 11)	Proposed wording of Condition 15 (Schedule 9 & 11)
<p>Post-construction</p> <p>15.—(1) The undertaker must, in discharging Condition 8(2)(a), submit details for written approval by the MMO in consultation with the relevant statutory nature conservation body and, in respect of the surveys required under paragraph (2)(a), (b) and (c), in consultation with the Environment Agency, of proposed post-construction surveys, including methodologies (including appropriate buffers, where relevant) and timings, and a proposed format, content and timings for providing reports on the results. The survey proposals must be in general accordance with the principles set out in the in-principle monitoring plan and must specify each survey’s objectives and explain how it will assist in either informing a useful and valid comparison with the preconstruction position and/or will enable the validation or otherwise of key predictions in the environmental statement.</p> <p>(2) Subject to receipt of specific proposals, so far as applicable, the post-construction surveys must comprise, in outline—</p> <p>(a) a survey to determine any change in the location, extent and composition of any benthic habitats of conservation, ecological and/or economic importance (including Annex 1 habitats) identified in the pre-construction survey in the parts of the offshore Order limits in which construction works were carried out. The survey design must be informed by the results of the pre-construction benthic survey;</p> <p>(b) a high-resolution swath bathymetric survey to be undertaken no sooner than 6 months following completion of construction works and disposal activities to include a 100% coverage of the parts of the offshore Order limits with a water depth no greater than 12 metres (referenced to Chart Datum) within which construction works and disposal activities were carried out under this licence to assess any changes in bedform morphology and such further monitoring as may be required to ensure that the cables have been buried or protected and sediment is able to move over any installed cable protection. The need for further surveys must be agreed in writing with the MMO following submission of the first year of survey data;</p> <p>(c) a high-resolution bathymetric survey of a representative sample area, as may be agreed in writing with the MMO, of the parts of the offshore Order limits with a water depth no greater than 12 metres (referenced to Chart Datum) within which</p>	<p>Post-construction</p> <p>15.—(1) The undertaker must, in discharging Condition 8(2)(a), submit details for written approval by the MMO in consultation with the relevant statutory nature conservation body and, in respect of the surveys required under paragraph (2)(a) and (b), in consultation with the Environment Agency, of proposed post-construction surveys, including methodologies (including appropriate buffers, where relevant) and timings, and a proposed format, content and timings for providing reports on the results. The survey proposals must be in general accordance with the principles set out in the in-principle monitoring plan and must specify each survey’s objectives and explain how it will assist in either informing a useful and valid comparison with the preconstruction position and/or will enable the validation or otherwise of key predictions in the environmental statement.</p> <p>(2) Subject to receipt of specific proposals, so far as applicable, the post-construction surveys must comprise, in outline—</p> <p>(a) a survey to determine any change in the location, extent and composition of any benthic habitats of conservation, ecological and/or economic importance (including Annex 1 habitats) identified in the pre-construction survey in the parts of the offshore Order limits in which construction works were carried out. The survey design must be informed by the results of the pre-construction benthic survey;</p> <p>(b) a high-resolution swath bathymetric survey to be undertaken no sooner than 6 months following completion of construction works and disposal activities to include a 100% coverage of the parts of the offshore Order limits with a water depth no greater than 12metres (referenced to Chart Datum) within which construction works and disposal activities were carried out under this licence to assess any changes in bedform morphology and such further monitoring as may be required to ensure that the cables have been buried or protected and sediment is able to move over any installed cable protection. The need for further surveys must be agreed in writing with the MMO following submission of the first year of survey data;</p> <p>(c) a high resolution bathymetric survey of a representative sample area, as may be agreed in writing with the MMO, of the parts of the offshore Order limits with a water depth no greater than 12 metres (referenced to Chart Datum) within which construction works and disposal activities</p>

<p>construction works and disposal activities were carried out under this licence following the first major storm event the timing of which must be agreed with the MMO in consultation with Natural England and the Environment Agency;</p> <p>(d) a grab survey and particle size analysis in the parts of the offshore Order limits within which dredging and disposal activities relating to Work Nos. 3A and 4A were carried out under this licence within 12 months of the completion of the dredging and disposal activities to determine the extent of suitable herring spawning ground habitat within those areas; and</p> <p>(e) vessel traffic monitoring by automatic identification system, for 28 days taking account seasonal variations in traffic patterns, for a maximum duration of 1 year post-construction. A report must be submitted to the MMO and the MCA at the end of the first year after construction is completed.</p>	<p>were carried out under this licence following the first major storm event the timing of which must be agreed with the MMO in consultation with Natural England and the Environment Agency;</p> <p>(c) a grab survey and particle size analysis in the parts of the offshore Order limits within which dredging and disposal activities relating to Work Nos. 3A and 4A were carried out under this licence within 12 months of the completion of the dredging and disposal activities to determine the extent of suitable herring spawning ground habitat within those areas; and</p> <p>(d) vessel traffic monitoring by automatic identification system, for 28 days taking account seasonal variations in traffic patterns, for a maximum duration of 1 year post-construction. A report must be submitted to the MMO and the MCA at the end of the first year after construction is completed.</p>
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There are not considered to be any implications on the Hornsea Project Two Development Consent Order (DCO) as a result of the request set out within this letter, given the standalone nature of this particular Condition within the DML.

As described above, the MMO have agreed to the rationale for removing Condition 15(2)(c) from Schedule 9 (Marine Licence A2) and Schedule 11 (Marine Licence B2) of the DMLs via its approval of the Approach to Post-Construction Monitoring document (Ørsted Doc. Ref: 06857680).

I trust that this letter provides all the information required to make the relevant changes to the DML however, if you have any queries, please do not hesitate to contact me.

Yours sincerely,

Tobias Naylor

Hornsea Project Two Offshore Environmental Manager

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