

East Anglia THREE
Offshore Windfarm

East Anglia THREE

Draft Statement of Common Ground

Comité Régional des Pêches Maritimes
(Nord Pas-de-Calais Picardie)

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SoCG/Applicant and CRPMEM

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1 Introduction

1.1 Introduction

1. This Statement of Common Ground (SoCG) has been prepared with the Comité Régional des Pêches Maritimes et des Elevages Marins Nord-Pas de Calais/Picardie (CRPMEM NPdC/P) to show where agreement has been reached with East Anglia THREE Limited (EATL) during the pre and post Development Consent Order (DCO) application consultation.
2. This SoCG comprises an agreement log which has been structured to reflect topics of interest to CRPMEM NPdC/P regarding the East Anglia THREE DCO application (the **Application**). The position with respect to each relevant issue is presented in a tabular form.

1.2 The Development

3. The Application is for development consent to construct and operate up to 172 wind turbine generators and associated infrastructure, with an installed capacity of up to 1,200 MW (the **Project**).
4. The DCO, if made, would be known as the East Anglia THREE Offshore Wind Farm Order. It will comprise the following elements:
 - Up to 172 offshore wind turbines and associated foundations, with an installed capacity of up to 1,200 MW;
 - Up to two meteorological masts and foundations;
 - Up to twelve buoys;
 - Up to six offshore electrical stations;
 - Up to one offshore platform housing accommodation facilities;
 - Subsea inter-array cables between the wind turbines and offshore electrical stations;
 - Up to four subsea export cables to transmit electricity from the offshore electrical stations to shore;
 - Up to four interconnector cables between the East Anglia ONE and East Anglia THREE Projects;
 - Scour protection around foundations and on inter-array and export cables as required;
 - Landfall at Bawdsey with onshore transition bays to join the offshore and onshore cables;
 - Up to four onshore underground circuits (each containing up to three cables) pulled through existing ducting to be laid by East Anglia ONE or directly laid,

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- running for approximately 37 km from landfall to the connection point at Bramford, Suffolk, with jointing pits, to transmit electricity to up to two new onshore substations;
 - Up to two onshore substations at Bramford, Suffolk, to connect the offshore windfarm to the National Grid;
 - The permanent and / or temporary compulsory acquisition (if required) of land and / or rights for the proposed Project;
 - Overriding of easements and other rights over or affecting land for the proposed Project;
 - The application and / or disapplication of legislation relevant to the proposed Project including inter alia legislation relating to compulsory purchase; and
 - Such ancillary, incidental and consequential provisions, permits or consents as are necessary and / or convenient.
5. The Application was submitted to the Planning Inspectorate on 18th November 2015 and accepted for examination on 15th December 2015.

1.3 Consultation with CRPMEM NPdC/P

6. This section briefly summarises the consultation that EATL has had with CRPMEM NPdC/P; for further information on the consultation process and the outcome of consultations please see the Consultation Report (document 5.2 of the Application).

1.3.1 Pre-Application

7. EATL (and their consultants Brown and May Marine (BMM)) engaged with CRPMEM NPdC/P on the Project during the pre-application process, both in terms of informal non-statutory engagement (meeting with CRPMEM NPdC/P held 21st June 2013) and formal consultation carried out pursuant to section 42 of the Planning Act 2008.
8. During the meeting held with CRPMEM NPdC/P in May 2013 a presentation was given by BMM outlining key parameters of the Project in relation to French commercial fishing interests. Information regarding levels and types of fishing activity by the French fleet were provided by CRPMEM NPdC/P.

1.3.2 Post-Application

9. Following telephone and email correspondence with CRPMEM NPdC/P (27th and 29th April 2016, 3rd of May 2016, and 6th and 17th of June 2016) agreement was reached on certain matters previously raised by CRPMEM NPdC/P. A summary of the relevant representation made by the CRPMEM NPdC/P are included in the letter at Appendix 1 of this SoCG).

2 Agreement log

10. The topics for areas of agreement between CRPMEM NPdC/P and EATL are set out below.

2.1 Commercial Fisheries

11. The Project has the potential to impact commercial fishing activity. Chapter 14 of the East Anglia THREE Environmental Statement (ES) (Document 6.1.14 of the Application) provides an assessment of the significance of these impacts. Table 1 below provides areas of common ground that have been reached regarding the findings reported within that chapter.

Table 1. SoCG – Commercial Fisheries

ID	EATL Position	CRPMEM NPdC/P Position
Environmental Impact Assessment		
1	The commercial fisheries existing environment presented within the ES has been derived from the best available sources at the time of writing. CRPMEM NPdC/P agrees that this provides a reasonable representation of fishing activity by French owned and operated commercial fishing vessels in the vicinity of the Project.	Agreed
2	The general methodologies used in the assessment are suitable and appropriate.	Agreed
3	The results of the assessment are suitable and appropriate.	Agreed.
4	<p>The potential impact of displacement activity from fleets that currently fish within the Application boundary has been assessed directly within the ES (sections 14.6.1.7, 14.6.2.7 and 14.1.1.2.). No significant displacement effects were identified. The results were based on levels of fishing activity identified within the existing environment, the temporary nature of any exclusion during construction and lack of any permanent loss of fishing ground during the operational phase.</p> <p>The potential cumulative impacts of increased fishing efforts, have been assessed directly within the ES (section 14.1.1.3) and this assessment took account of a comprehensive range of developments</p>	CRPMEM NPcC/P has concerns relating to increased fishing activity and effort on grounds fished by the French fleet from cumulative displacement of other fleets (Dutch, and to a lesser extent, Belgian vessels) as a result of other wind farm developments and marine spatial planning activities such as aggregate extraction and Marine Conservation Zones (MCZs) and Special Areas of Conservation (SAC) with marine

ID	EATL Position	CRPMEM NPdC/P Position
	and other marine spatial planning activities including aggregate extraction, MCZs and SACs. No significant cumulative effects were identified. EATL believe that the assessment methodology is appropriate and robust.	components.
Communication		
5	The level and quality of communication between EATL and representatives of the French fishing industry to date has been appropriate.	Agreed.
6	We aim is to maintain on-going communication between EATL and all relevant sectors of the fishing industry during the pre-construction, construction, operational and decommissioning phases of the Project.	Agreed as an aim.
Management Measures		
7	A fisheries liaison and coexistence plan, as required in the draft DML (Schedules 10 - 15 Part 2, Condition 13 (d) (v)) should be established between EATL and the relevant commercial fisheries stakeholders that will address potential issues that may arise during pre-construction, construction, operational and decommissioning activities with the aim of minimising impacts, as far as practicable.	Agreed.
8	A Fisheries Liaison Officer (FLO), with appropriate experience of the relevant sectors of the fishing industry, will be appointed at the start of the pre-construction phase in accordance with the draft DML (Schedules 10 - 15, Part 2, Condition 13 (d) (iv)) to act to ensure the appropriate liaison with the commercial fisheries industry.	Agreed.
9	In accordance with the draft DML (Schedules 10 - 15, Part 2, Condition 13 (d) (v)) the FLO will, as part of normal duties, develop a Fisheries Liaison Plan (FLP) to ensure that the relevant fishing fleets are notified of planned and on-going works.	Agreed.
10	The FLP will be developed in consultation with the relevant fisheries stakeholders and in accordance with the appropriate guidance Fisheries Liaison Offshore Wind and Wet (FLOWW) Best Practice	Agreed.

ID	EATL Position	CRPMEM NPdC/P Position
	Guidance for Offshore Renewables Developments (2015) ¹ .	
11	Cables shall be installed with the objective of minimising as far as reasonably practicable effects on longer term fishing operations. A detailed cable laying plan will be provided which incorporates a burial risk assessment to ascertain suitable burial depths and cable laying techniques in accordance with the draft DML (Schedules 10 - 15, Part 2, Condition 13 (g)(ii)) and with the objective of achieving the maximum level of cable burial.	Agreed.
12	Construction will be in accordance with the parameters assessed in the ES and a construction method statement will be provided in the draft DML (Schedules 10 - 15, Part 2, Condition 13 (c)).	Agreed.
13	Construction related seabed debris will be removed in accordance with the requirements of draft DML (Schedules 10 - 15, Part 2, Condition 11 (10)).	Agreed.
14	EATL will request that cable protection manufacturers evaluate the extent to which the various protection options can be safely fished over.	Agreed.
15	EATL will adopt a hierarchical approach to cable protection options in the event that full burial of the entire cable length is not achievable. Under this approach, which will involve consultation with relevant fishing organisations and their representatives, protection options will be assessed using a number of criteria including the aim of selecting protection methods which would cause the least disturbance to fishing practices.	Agreed.
16	Given the linear arrangement of turbine rows and proposed minimum spacing between turbines, fishing within the site will be able to resume post construction.	Agreed.
17	An emergency safety response plan will be developed which will include rescue procedures to for fishing vessels snagging gear on foundations or cables and/or losing power and steering. This would form part of the Emergency Response Co-	Agreed.

¹ Document available at <http://www.thecrownstate.co.uk/energy-minerals-and-infrastructure/offshore-wind-energy/working-with-us/floww/>

ID	EATL Position	CRPMEM NPdC/P Position
	operation Plan (ERCoP) required in the draft DCO and would follow oil and gas industry guidelines.	
18	A protocol will be established for the safe recovery of any fishing gears caught fast within the operational wind farm site.	Agreed.
19	Suitable arrangements will be established for attributable gear damages and losses in line with standard procedures as outlined in the Fisheries Liaison Offshore Wind and Wet (FLOWW) Best Practice Guidance for Offshore Renewables Developments (2015): Recommendations for Fisheries Disruption Settlements and Community Funds.	Agreed.
20	<p>Decommissioning of the windfarm would follow the relevant guidance at the time. Under the Energy Act 2004, EATL is required to compile a decommissioning plan. This plan will be reviewed at intervals during the life of the project and updated based on the latest information on relevant standards, environmental impacts, technology and cost. It is agreed that the wind farm will be decommissioned with the intention of returning the area to pre-construction conditions as far as is possible as such that remaining infrastructure would not pose a safety hazard to fishing activity. This would be verified through appropriate post decommissioning surveys. Remedial action would be taken to remove identified emergent hazards.</p> <p>As recommended within the FLOWW guidelines (2014) EATL will implement similar arrangements for the mitigation of displacement of fishing activities during the decommissioning phase as provided for the installation phase.</p> <p>EATL will establish arrangements to address attributable gear losses associated with infrastructure, in line with oil and gas guidance, during the decommissioning phase if required.</p>	Agreed.

Signing box: The undersigned agreed to the provisions within this SoCG – CRPMEM NPdC/P

Signed	
Printed Name	
Position	
On behalf of	
Date	

Signing box: The undersigned agreed to the provisions within this SoCG – EATL

Signed	
Printed Name	
Position	
On behalf of	
Date	

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