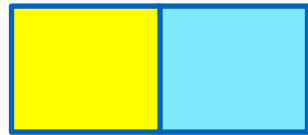




SCOTTISHPOWER
RENEWABLES



East Anglia ONE North and East Anglia TWO Offshore Windfarms

Draft Statement of Common Ground Commercial Fisheries Working Group (CFWG)

Applicants: East Anglia ONE North Limited and East Anglia TWO Limited
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Applicable to **East Anglia ONE North** and **East Anglia TWO**



Revision Summary				
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Description of Revisions			
Rev	Page	Section	Description
001	n/a	n/a	First draft for submission at Deadline 1



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Glossary of Acronyms

APP	Application Document
CFLO	Company Fisheries Liaison Officer
CFWG	Commercial Fisheries Working Group
CMS	Construction Method Statement
DCO	Development Consent Order
DML	Deemed Marine Licence
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
FIR	Fishing Industry Representative
FLCP	Fisheries Liaison and Coexistence Plan
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables Group
OFLO	Offshore Fisheries Liaison Officer
MMO	Marine Management Organisation
PD	Procedural Decision
PINS	Planning Inspectorate
SoCG	Statement of Common Ground
SPR	ScottishPower Renewables
UXO	Unexploded Ordnance



Glossary of Terminology

Applicants	East Anglia TWO Limited / East Anglia ONE North Limited
Construction, operation and maintenance platform	A fixed offshore structure required for construction, operation, and maintenance personnel and activities.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO / East Anglia ONE North windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
Evidence Plan Process	A voluntary consultation process with specialist stakeholders to agree the approach to the EIA and the information required to support HRA.
Generation Deemed Marine Licence (DML)	The deemed marine licence in respect of the generation assets set out within Schedule 13 of the draft DCO.
Horizontal directional drilling (HDD)	A method of cable installation where the cable is drilled beneath a feature without the need for trenching.
Inter-array cables	Offshore cables which link the wind turbines to each other and the offshore electrical platforms, these cables will include fibre optic cables.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land and connect to the onshore cables.
Offshore cable corridor	This is the area which will contain the offshore export cables between offshore electrical platforms and landfall.
Offshore development area	The East Anglia TWO / East Anglia ONE North windfarm site and offshore cable corridor (up to Mean High Water Springs).
Offshore electrical platform	A fixed structure located within the windfarm area, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the offshore electrical platforms to the landfall. These cables will include fibre optic cables.
Offshore platform	A collective term for the construction, operation and maintenance platform and the offshore electrical platforms.
Platform link cable	Electrical cable which links one or more offshore platforms, these cables will include fibre optic cables.
Safety zone	A marine area declared for the purposes of safety around a renewable energy installation or works / construction area under the Energy Act 2004.



Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.

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1 Introduction

1.1 Background

1. This document is applicable to both the East Anglia ONE North and East Anglia TWO Development Consent Order (DCO) applications, and therefore is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's (ExA) procedural decisions on document management of 23rd December 2019 (PD-004). Whilst this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it for the other project submission.
2. This Statement of Common Ground (SoCG) has been prepared by East Anglia TWO Limited, East Anglia ONE North Limited (hereafter the Applicants) and the Commercial Fisheries Working Group (CFWG). It identifies areas of the East Anglia TWO and East Anglia ONE North Development Consent Order application (the Applications) where matters are agreed or not agreed between parties.
3. The Applicants have had regard to the guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.
4. This SoCG has been structured to reflect topics of interest to the CFWG on the Applications. Topic specific matters agreed, not agreed and actions to resolve between the Applicants and the CFWG are included within this SoCG.
5. The table(s) presented below is the basis for a SoCG with the Applicants and the CFWG in respect of Commercial Fisheries.
6. Throughout the SoCG the phrase "Agreed" identifies any point of agreement between the Applicants and the CFWG.
7. The phrase "Not Agreed" identifies any point that is not yet agreed between the Applicants and the CFWG. Points that are not yet agreed will be the subject of ongoing discussion between the Applicants and the CFWG to reach agreement on the point wherever possible or refine the extent of disagreement between parties. The notes column of the SoCG tables provides commentary on these matters.
8. The tables in **section 2** are based upon discussions and information exchanged between the Applicants and the CFWG during the pre-application and post-application phases of the application.

1.2 The Development

9. The key offshore components of each project will comprise:
 - Offshore wind turbines and their associated foundations;



- Offshore platforms - up to four offshore electrical platforms and their associated foundations supporting some of the windfarm's electrical equipment, and up to one construction, operation and maintenance platform and associated foundations that may cater for personnel and activities required during the construction phase and operation and maintenance of the windfarm;
- Sub-sea cables between the wind turbines and between wind turbines and offshore electrical platforms (inter-array), between separate offshore platforms (platform link cables) and between offshore electrical platforms and the landfall (export cables);
- Scour protection around foundations and on inter-array, platform link and export sub-sea cables as required; and
- Potential for one meteorological mast (met mast) and its associated foundations for monitoring wind speeds during the operational phase of the windfarm.

1.3 Summary of Agreed, Not Agreed and Outstanding Matters

10. **Table 1.1** provides a summary of the matters agreed, not agreed and those which are outstanding between the Applicants and the CFWG for Commercial Fisheries. For further information on agreements that are outstanding / under discussion and for which the Applicants and the CFWG are working to address within the examination period, see **Table 2.2**.

Table 1.1 Summary of Agreed, Not Agreed and Outstanding Matters

Topic	Agreed, Disagreed or Outstanding
Commercial Fisheries	Outstanding



2 Statement of Common Ground

11. The matters agreed and not agreed between the Applicants and the CFWG are set out below.

2.1 Commercial Fisheries

12. The Projects have the potential to impact upon commercial fisheries. **Chapter 13 Commercial Fisheries** of the ES (APP-061) provides an assessment of the significance of these impacts.
13. **Table 2.1** provides an overview of meetings and correspondence undertaken with the CFWG regarding commercial fisheries.
14. **Table 2.2** provides areas of agreement and disagreement with the CFWG regarding commercial fisheries.
15. Further details on the stakeholder engagement process for commercial fisheries can be found in the **Consultation Report** (PINS reference APP-029).

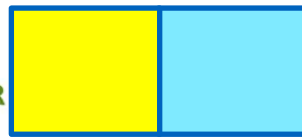
Table 2.1 Summary of Consultation with the CFWG regarding commercial fisheries

Date	Contact Type	Topic
Pre-Application		
26th April 2016	Meeting	To discuss the project updates and allow questions to be raised.
11th January 2017	Meeting	To discuss the project updates and allow questions to be raised.
27th September 2017	Meeting	To discuss the project updates and allow questions to be raised.
30th January 2018	Meeting	To discuss the project updates and allow questions to be raised.
25th October 2018	Meeting	Project update meeting with offshore and onshore updates and programme updates.
24 th April 2019	Meeting	Project update meeting with offshore and onshore updates and programme updates.
6 th November 2019	Meeting	Project update meeting with offshore and onshore updates and programme updates.
Post-Application		
August 2020	Communication	Draft SoCG issued for comment
30 September 2020	Meeting	SoCG meeting 1



Table 2.2 Commercial Fisheries

ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
Environmental Impact Assessment						
CFWG - 001	Existing Environment	The commercial fisheries baseline and environmental statement are a fair and reasonable representation of the fishing activities in the area.	Agreed	Agreed	Agreed	None
CFWG - 002	Assessment Methodology	The general methodologies used in the assessment are suitable and appropriate.	Agreed	Agreed	Agreed	None
CFWG - 003	Assessment Conclusions	The results of the project-alone assessment are suitable and appropriate.	In discussion	In discussion	In discussion	<p>CFWG position: The CFWG position is that whilst the construction related impact conclusion of 'moderate' would seem appropriate, we do have a concern regarding the impacts over the lifetime of the project relating to the effect of the infrastructure on fishing practices and issues such as cable exposures which have been concluded as 'minor'.</p> <p>Applicants position: The Applicants assessment Chapter 13 - Commercial Fisheries (App-061) concluded minor significant impacts recognising that much of the inshore fleet use areas of the offshore cable corridor in respect of which fishing activities would be able to resume post</p>



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
						<p>construction and that only a small portion of the inshore fleet use the windfarm sites. It was however recognised that some changes to mode of operation may be required in the case of vessels operating longlines and nets.</p> <p>It is also important to note that the 'nominal spacing' of wind turbines is likely to be much greater than the 'minimum spacing' set out in the Project description of 1200m between rows of wind turbines and 800m between wind turbines in rows. For example, the wind turbine spacing on East Anglia ONE is 1950m x 750m for 7MW wind turbines with a tip height of 189m. In comparison the wind turbine envelope for the Applications comprises wind turbines with a maximum tip height of between 250 and 300m.</p> <p>Finally, the Applicants have made a number of commitments, discussed below under 'Liaison and coexistence measures' which addresses issues such as debris post construction and cable exposure, which will further enable coexistence.</p> <p>The Applicants and the CFWG will continue to engage on this matter through the</p>



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
						Examination. It is expected that this matter can be resolved for submission of an updated SoCG into the Examination at Deadline 3.
		The results of the cumulative assessment are suitable and appropriate.	In discussion	In discussion	In discussion	As per the CFWG position and Applicants response in CFWG-003 above.
CFWG - 004	Communication	The level and quality of communication between the Project and the CFWG to date has been appropriate.	Agreed	Agreed	Agreed	None
		The Project will maintain on-going communication and liaison between the Applicants and the CFWG during the pre-construction, construction, operational and decommissioning phases of the Project.	Agreed	Agreed	Agreed	None
CFWG - 005	Liaison and coexistence measures	A company fisheries liaison officer (CFLO), with appropriate experience of the relevant sectors of the fishing industry, will be appointed at the start of	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		the preconstruction phase in accordance with Condition 17(1)(e)(iv) of the generation DML and Condition 13(1)(e)(iv) of the transmission DML to act to ensure the appropriate liaison with the CFWG and wider commercial fishing industry.				
CFWG - 006		The CFLO will prepare a fisheries liaison and coexistence plan (FLCP), in accordance with Condition 17(1)(e)(v) of the generation DML and Condition 13(1)(e)(v) of the transmission DML, which will require to be approved by the MMO.	Agreed	Agreed	Agreed	The Applicants will prepare the FLCP in accordance with the Outline FLCP, which is to be prepared by the Applicant and submitted into the Examination at Deadline 1(2 November 2020). The CFWG will review the Outline FLCP once submitted into the Examination at Deadline 1.
CFWG - 007		The FLCP will be developed in accordance with the most current version of the Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) Best Practice Guidance for Offshore Renewables Developments.	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
CFWG - 008		The fishing industry representatives (FIR) within the CFWG will act as FIRs for the local fishing industry.	Agreed	Agreed	Agreed	None
CFWG - 009		At least one offshore FLO (OFLO) will be present on a vessel working on the Project during major pre-construction and construction activities, such as the site investigation, export cable installation and wind turbine installation, to manage the interface between vessels working on the Project and fishing vessels. Wherever possible, OFLOs will be drawn from the local fishing industry.	Agreed	Agreed	Agreed	<p>CFWG position: The CFWG agrees with this statement, but would request, where possible, that a second OFLO is present during the construction period where there is major activity on both the export cable and windfarm in parallel.</p> <p>Applicants position: The use of a second OFLO under the circumstances described in the CFWG position will be considered, where possible.</p>
CFWG - 010		The Project will ensure that relevant Project package managers / engineers and, or contractor representatives are available to discuss pre-construction plans with the CFWG if requested. This is to ensure that relevant information	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		such as site conditions and proposed cable installation plans are shared, including any plans for deployment and placement of export cable laying vessel anchors.				
CFWG - 011		Cables shall be installed with the objective of minimising as far as reasonably practicable effects on longer term fishing operations, principally through cable burial. A detailed cable laying plan will be prepared and issued to the MMO for approval, which incorporates a burial risk assessment to ascertain suitable burial depths and cable laying techniques in accordance with Condition 17(1)(d)(ii)(bb) of the generation DML and Condition 13(1)(d)(ii)(bb) of the transmission DML with the objective of achieving the appropriate level of cable burial.	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
CFWG - 012		In line with standard practice in the North Sea oil and gas industry, measures would be undertaken to ensure that where cable protection is required, the protection methods used are compatible with fishing activities where practicable.	Agreed	Agreed	Agreed	<p>CFWG position: The CFWG position is that whilst we agree to this statement, we do have concerns with regard to movement of, or exposure of cable protection mattresses (which appear to be commonly used on recent offshore windfarm projects) and would welcome continued monitoring of cable protection through the lifetime of the project and notification to fishermen when exposures occur and that they are rectified at the earliest possible opportunity.</p> <p>Applicants position: The CFWG position is noted and the Applicants consider that the requirements for monitoring for cable exposure and notification to fishing stakeholders are addressed and secured through the draft DCO (see CFWG-018 and 019). Furthermore, the Applicants would rectify any cable exposures as soon as reasonably practicable, subject to regulatory control and associated timescales.</p>
CFWG - 013		The 'loss of gear' protocol and 'gear snagging' protocol developed by SPR for their East Anglia offshore windfarms will	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		be adopted by the Project and incorporated into the FLCP.				
CFWG - 014		Construction will be in accordance with the parameters assessed in the ES and the methods contained within the construction method statement (CMS) approved by the MMO and in accordance with Condition 17(1)(d) of the generation DML and Condition 13(1)(d) of the transmission DML.	Agreed	Agreed	Agreed	None
CFWG - 015		Construction related seabed debris will be removed / recovered in accordance with the requirements of Condition 14 in the generation DML and Condition 10 in the transmission DML. Large debris resulting from any UXO clearance will be removed and disposed of in accordance with Condition 16(1)(a) of the generation DML	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		and Condition 12(1)(a) of the transmission DML.				
CFWG - 016		In accordance with Condition 22(2)(b) in the Generation DML and Condition 18(2)(b) of the Transmission DML a post-construction swath-bathymetry survey will be undertaken to assess any changes in bedform topography and such further monitoring or assessment as may be agreed with the MMO to ensure that cables have been buried or protected.	Agreed	Agreed	Agreed	None
CFWG - 017		A post-cable installation fishing survey, which will be secured in the FLCP in accordance with the outline FLCP, will be undertaken to assess any seabed obstructions resulting from the burial of export cables. Should the post-lay survey identify the presence of construction related debris or seabed obstacles that could have the potential to	In discussion	In discussion	In discussion	<p>The Applicant will consult with the CFWG in preparation of the methodology for the post-cable installation fishing survey prior to submission of the FLCP to the MMO for approval.</p> <p>The FLCP will be prepared in accordance with the Outline FLCP, which is to be prepared by the Applicant and submitted into the Examination at Deadline 1 (2 November 2020).</p>



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		interfere with fishing activities, appropriate rectification will be undertaken by the Applicant. Potential obstacles will not include cable plough furrows and mounds created during cable installation.				<p>CFWG position: The CFWG welcomes the commitment made, but would request the following additional commitments;</p> <ul style="list-style-type: none"> • That the survey comprises both trawls and drift net fishing techniques; • That the survey is completed as soon as practicably possible following installation of the export cables; • That the Construction Exclusion Zone for the export cable route remains in place until the survey is complete and the area is declared safe for fishing activities. Should the survey identify obstacles to fishing activities, re-opening the exclusion zone will occur after Notice to Mariners are issued to the fishing industry to notify them of the location of any obstacles requiring remediation. <p>Applicants position: The Applicants are considering the requests from the CFWG and will continue to engage on this matter</p>



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
						through the Examination. It is expected that this matter can be resolved for submission of an updated SoCG into the Examination at Deadline 3.
CFWG - 018		Proposals for monitoring offshore cables and the status of cable protection during the operational lifetime of the authorised scheme, which include a risk based approach to the management of unburied or shallow buried cables, will be agreed with the MMO in accordance with Condition 17(1)(d)(ii)(cc) of the Generation DML and Condition 13(1)(d)(ii)(cc) of the Transmission DML.	Agreed	Agreed	Agreed	None
CFWG - 019		In case of exposure of cables on or above the seabed, the Applicant will notify mariners by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure	In discussion	In discussion	In discussion	CFWG position: The CFWG welcomes the commitments made in this statement, however, we do have a concern with regard to exposure timescales in instances where cable exposures cannot be rectified within a reasonable timeframe and the impact that may have on fishing activities. The CFWG



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		in accordance with Condition 10(12) of the Generation DML and Condition 6(12) of the Transmission DML.				<p>would welcome a commitment from the Applicant that long-duration cable exposures and how potential impacts on fishing activities will be mitigated is addressed through the CFWG meetings.</p> <p>Applicants position: The Applicants can commit to using the CFWG meetings forum for discussing any long-duration cable exposures and how potential impacts on fishing activities will be mitigated.</p> <p>It is expected that this matter can be resolved for submission of an updated SoCG into the Examination at Deadline 3.</p>
CFWG - 020		Fishing vessels will not be able to operate within construction safety zones during construction or the survey exclusion zone during pre-construction geophysical surveys where towed survey equipment is used. A co-operation process will be agreed with the CFWG based on the co-operation process developed for the East Anglia ONE project.	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
CFWG - 021		The risk of construction and maintenance vessels interacting with static fishing gear deployed at sea will be managed through communication requirements and operational policies that will be described in the FLCP.	Agreed	Agreed	Agreed	None
CFWG - 022		The Applicants contracted construction and maintenance vessels will only undertake activities prescribed in their line of work. All construction vessel activities will be controlled and coordinated via the Projects' marine coordination office.	Agreed	Agreed	Agreed	None
CFWG - 023		Decommissioning of the windfarm would follow the relevant guidance at the time. Under the Energy Act, 2004, the Applicants are required to compile a decommissioning programme. This plan will be reviewed at intervals during the life of the project and updated based on the latest information	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		<p>on relevant standards, environmental impacts, technology and cost. It is agreed that the windfarm will be decommissioned with the intention of returning the area to pre-construction conditions as far as is practicable and as such remaining infrastructure would not pose a safety hazard to fishing activity. This would be verified through appropriate post decommissioning surveys and monitoring as required by the Regulator. Remedial action would be taken to remove identified emergent hazards.</p> <p>As recommended within the FLOWW guidelines (2014), the Applicants will implement similar arrangements for the mitigation of displacement of fishing activities during the decommissioning phase as provided for during the construction phase. The</p>				



ID	Topic	Statement	East Anglia TWO Limited position	East Anglia ONE North Limited position	CFWG position	Notes
		Applicants will establish arrangements to address attributable gear losses associated with infrastructure, in line with oil and gas guidance, during the decommissioning phase if required.				
CFWG – 024	None	Not applicable.				



3 Signatures

16. The above Statement of Common Ground is agreed between East Anglia TWO Limited, East Anglia ONE North Limited and the UK Commercial Fisheries Working Group (CFWG) on the day specified below.

Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of the Commercial Fisheries Working Group (CFWG)
Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of East Anglia TWO Limited
Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of East Anglia ONE North Limited