



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

East Anglia TWO Offshore Wind Farm

**Appendix B3b to the Natural England Deadline 4 Submission**

**Natural England's Further Comments on the Draft Marine Mammal Mitigation Protocol [REP7-029, REP7-030] and In Principle Southern North Sea SAC Site Integrity Plan [REP7-031, REP7-032]**

For:

The construction and operation of East Anglia TWO Offshore Windfarm, a 900MW windfarm which could consist of up to 67 turbines, generators and associated infrastructure, located 37km from Lowestoft and 32km from Southwold.

Planning Inspectorate Reference: EN010078

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25<sup>th</sup> March 2020



## **Natural England's Further Comments on the Draft Marine Mammal Mitigation Protocol [REP7-029, REP7-030] and In Principle Southern North Sea SAC Site Integrity Plan [REP7-031, REP7-032]**

This document is applicable to both the East Anglia ONE North and East Anglia TWO 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. Whilst for completeness of the record this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it again for the other project.

### **1. Summary**

In Appendix B3 [REP4-090] submitted at Deadline 4, Natural England provided comments on Version 2 of the Draft Marine Mammal Mitigation Protocol (MMMP) [REP3-042] and the In-Principle Site Integrity Plan (SIP) for the Southern North Sea Special Area of Conservation (SAC) [REP3-044] submitted by the Applicant at Deadline 3. These comments are updated following Version 3 of the Draft MMMP [REP7-029, REP7-030] and In Principle SIP [REP7-031, REP7-032] submitted by the Applicant at Deadline 7.

### **2. Marine Mammal Swimming Speed**

Natural England welcomes the change in Section 5.2.2 and Appendix 1 of the MMMP [REP7-029, REP7-030] where the cited swimming speed has reverted to 1.5m/s and text changed accordingly.

### **3. Mitigation Commitments**

Within Version 3 of the MMMP [REP7-029, REP7-030], Natural England welcomes the reference to Condition 27 of the Generation DML and Condition 23 of the Transmission 23, which secures the commitments. We note text has been removed describing the commitments.



#### **4. Clustering of UXO Detonations**

Natural England notes that in Section 6.4 of the SIP [REP7-031, REP7-032] the Applicant has removed reference to a 5km cluster centre point. However, the Applicant still hasn't provided any evidence or justification for using clustering as a mitigation tool.

Subsequent to Deadline 7, at the project update meeting held on the 11th March 2021 between Natural England and the Applicant, it was discussed that the Applicant would remove reference to clustering as a mitigation tool. At the time of this meeting no information had been provided regarding how clustering of UXO would work or a justification for the number of UXO that would constitute a cluster and over what distance they would be spread.

However, if this information is provided post-consent through the appropriate variation process, Natural England would be content to consider it.

On 25<sup>th</sup> March the Applicant advised some updated text for definition of detonation within the DML. It is noted that this wording allows some clustering, but only under a very specific scenario where two UXO's are discovered so close that any individual detonation is not possible. The wording provided ensures that such a detonation would need specific approval and that it could be expected that information to support this would be provided as part of the approval process. Natural England, therefore, considers this limited and controlled use of clustering acceptable.