

From: [Tania Davey](#)
To: [Norfolk Vanguard](#)
Cc: [Joan Edwards](#)
Subject: TWT response to Norfolk Vanguard questions
Date: 13 March 2019 18:29:12
Attachments: [TWT response NV deadline 5.pdf](#)

Dear Sir/Madam

Please find attached a response from The Wildlife Trusts to the Examiner's second written questions for Norfolk Vanguard.

Kind regards

Tania

Tania Davey
Living Seas Sustainable Development Officer
Tel: 01507 528388
Mob: [REDACTED]
Banovallum House
Manor House Street
Horncastle
Lincolnshire
LN9 5HF



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Royal Society of Wildlife Trusts, The Kiln, Waterside, Mather Road, Newark, Nottinghamshire NG24 1WT. Registered Charity Number 207238



Ms Ridge
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

The Wildlife Trust reference: 20012715

BY EMAIL

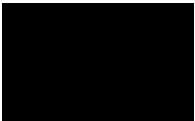
13 March 2019

Dear Ms Ridge

Deadline 5: The Wildlife Trusts response to the Examiner's second written questions for Norfolk Vanguard offshore wind farm

Thank you for inviting The Wildlife Trusts to respond to further written questions on the Norfolk Vanguard offshore wind farm application. Please find our response overleaf.

Yours sincerely



Joan Edwards
Director, Public Affairs and Living Seas
The Wildlife Trusts

The Wildlife Trusts

*The Kiln
Waterside
Mather Road
Newark
Nottinghamshire
NG24 1WT
Tel (01636) 677711
Fax (01636) 670001
Email
info@wildlifetrusts.org*

*Website
www.wildlifetrusts.org*

Patron
*HRH The Prince of Wales
KG KT GCB OM*
President
Tony Juniper CBE

*Royal Society of Wildlife Trusts
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TWT response to Examiner's second written questions for Norfolk Vanguard Offshore Wind Farm

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	Question to	Question	TWT response
General			
1.7	NE, RSPB, MMO, TWT, WDC	Are you satisfied that long-term ecological monitoring during the operational phase of the project is adequately secured in the dDCO?	<p>TWT recommend that a period of post-construction monitoring is undertaken to understand the impact of offshore wind farm development on harbour porpoise within the Southern North Sea SCI. As stated previously, this would be best delivered through a programme of strategic monitoring.</p> <p>Currently monitoring for the Southern North Sea SCI is only secured through the In-Principle monitoring plan. Although we welcome that the applicant supports a strategic approach to monitoring, we highlight that a mechanism to deliver this is not in place. Without a strategic approach in place, the standard for offshore wind farms is to monitor noise levels from the first 4 piling operations. This is not adequate to understand the impact of underwater noise from construction activities on the Southern North Sea SCI. Minimum monitoring requirements should include noise monitoring pre construction, during construction and post-construction and the distribution of harbour porpoise in relation to this.</p>
Ecology offshore – marine mammals			
4.8	TWT and WDC	In your Written Representations [REP1-123 and REP1-124 respectively], and also TWT at the offshore environmental matters Issue Specific Hearing 2 (ISH2) [EV-009 and EV-010] and in its Post Hearing Submission [REP3-063], you consider that an approach of setting noise limits should be adopted and that you do not support the current Statutory Nature	The evidence which casts doubt on the proposed SNCB area-based thresholds is that the thresholds are not underpinned by any evidence. This is recognised by Natural England in the response to deadline 4 for the Hornsea Three offshore wind farm examination (page 49) ¹ Therefore, there is a lack of confidence that the chosen thresholds will ensure no adverse effect on site integrity. In contrast, the noise limits used in

¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010080/EN010080-001479-Natural%20England%20-%20Response%20to%20the%20Examining%20Authority%E2%80%99s%20Further%20Written%20Questions%20and%20further%20information%20requested%20by%20the%20Examining%20Authority.pdf>

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		<p>Conservation Bodies (SNCB) advice in this regard. The ExA notes the two reports that TWT has cited in [REP3-063] with attached hyperlinks, but please provide any further relevant scientific evidence or justification that you consider casts doubt on the existing SNCB approach. Also, if you are able to, please provide a copy of the statement that was released on 7 February 2019 that TWT has referred to in [REP3-063].</p>	<p>Germany area based on scientific data and are tried and tested.</p> <p>We reiterate that the proposed SNCB thresholds have still not yet been approved.</p> <p>We are in discussion with JNCC on sharing the statement released on the 7th February.</p>
4.9	Applicant, NE, MMO, TWT, WDC	<p>At the offshore environmental matters Issue Specific Hearing 2 (ISH2) [EV-009 and EV-010] the Applicant stated that other offshore construction techniques, such as vibration or downward impulses, were being considered. At present Condition 14(f) of Schedules 9 and 10 and Condition 9(f) of Schedules 11 and 12 of the dDCO only requires the submission of a Marine Mammal Mitigation Protocol (MMMP) in the event that driven or part-driven piles are proposed to be used. Furthermore, Conditions 14(m) of Schedules 9 and 10 and 9(l) of Schedules 11 and 12 contain similar wording in relation to the submission of a Site Integrity Plan (SIP). In the event that the Applicant proposed to utilise any other construction techniques, instead of driven or part-driven piling, do you consider that a MMMP and SIP should still be submitted? Please justify your answer.</p>	<p>Mitigation is essential for any construction technique which could have an adverse effect on the Southern North Sea SCI or European Protected Species. Techniques such as vibration or downward impulses, if not done so already, would need to be assessed to understand the impact of the activity of marine mammals and mitigation put in place where necessary.</p>
4.11	Applicant, MMO, NE, WDC, TWT	<p>A maximum hammer energy of 5,000kJ has now been specified in condition 14(1)(n) of Schedules 9 and 10 of the dDCO [REP2-017]. However, please comment on whether or not there would be any benefits in having a range</p>	<p>TWT confirm that it would be beneficial to include a range of maximum hammer energies specified within the dDCO, including the maximum hammer energy for pin piles.</p>

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		<p>of maximum hammer energies being specified in the dDCO, for example the 2,700kJ figure that relates to the worst-case scenario for a 9MW pin pile structure?</p>	
<p>Habitats Regulations Assessment</p>			
<p>23.102</p>	<p>Applicant, NE, MMO, TWT and WDC</p>	<p>A conclusion of no AEOI on the SNS cSAC relies on appropriate mitigation measures being secured in the final Site Integrity Plan and Marine Mammal Mitigation Protocol. However, these mitigation measures are not yet specified and there remains some doubt over how effective certain measures, such as soft start piling, actually are. Please comment further on this matter.</p>	<p>In relation to the Site Integrity Plan, evidence of the effectiveness of mitigation measures such as bubble curtains may be available from offshore wind farm development in Germany. TWT suggests more evidence is required to give confidence on the effectiveness of mitigation measures. Where evidencing is lacking, monitoring should be put in place. This is supported by European Commission Guidance on Article 6 (page 52)² which outlines:</p> <p>“For the competent authority to be able to decide if the mitigation measures are sufficient to remove any potential adverse effects of the plan or project on the site (and do not inadvertently cause other adverse effects on the species and habitat types in question), each mitigation measure must be described in detail, with an explanation based on scientific evidence of how it will eliminate or reduce the adverse impacts which have been identified. Information should also be provided of how, when and by whom they will be implemented, and what arrangements will be put in place to monitor their effectiveness and take corrective measures if necessary.”</p>

²http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/Provisions_Art_.nov.2018_endocx.pdf