

Norfolk Vanguard Offshore Wind Farm

Norfolk Vanguard Ltd and Natural England Joint Position Statement at Deadline 4

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Deadline 4

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Photo: Kentish Flats Offshore Wind Farm



Table of Contents

1	Joint position	1
1.1	Onshore	1
1.2	Haisborough, Hammond and Winterton Special Area of Conservation	2
1.3	Offshore Ornithology	4

1 JOINT POSITION

1. The Applicant and Natural England have continued to engage on the outstanding issues summarised in the Statement of Common Ground submitted at Deadline 1 (Rep1 - SOCG - 13.1) with a view to progressing matters and reaching common ground.

1.1 Onshore

2. The Applicant initially submitted two clarification notes to Natural England on 3rd December 2018 (included as Appendices 2 and 3 to the Statement of Common Ground submitted at Deadline 1):
 - Water Dependent Designated Sites Clarification Note – Responding to issues related to groundwater supply mechanisms at nearby water dependent designated sites; and
 - Bats Associated with Paston Great Barn Special Area of Conservation (SAC) Clarification Note – Responding to hedgerow loss and fragmentation of bat foraging habitat.
3. Natural England provided feedback on the Water Dependent Designated Sites Clarification Note through written response on 08 January 2019. A copy of this response was submitted to PINS at Deadline 1 as Annex D of our Written Representations [REP1-088].
4. This response advised that further information was required.
5. Natural England provided feedback on both of these clarification notes in a call held between the Applicant and Natural England on 22nd January 2019.
6. Subsequent to this call, Natural England provided written response to the Bats Associated with Paston Great Barn Special Area of Conservation (SAC) clarification note on 23 January 2019. This response advised that further information was required.
7. The Applicant subsequently submitted updates to these two clarification notes to Natural England on 27th February 2019. Additional clarification has also been provided by the Applicant to Natural England regarding sediment management at the River Wensum SAC, and on the other outstanding onshore issues identified within the Statement of Common Ground submitted at Deadline 1. The information issued to Natural England on 27th February 2019 comprises:
 - Water Dependent Designated Sites Clarification Note - Version 2;
 - Bats Associated with Paston Great Barn SAC Clarification Note - Version 2;
 - Sediment Management at the River Wensum Crossing Clarification Note; and

- Other unresolved issues identified by Natural England Clarification Note.
8. All four clarification notes listed above were provided to Natural England on 27th February, to inform discussions for a call on the same day.
 9. Natural England has subsequently provided the Applicant with a timescale for detailed responses to this additional information. It is hoped that the majority of the clarification notes can be responded to by Natural England prior to Deadline 5 on 20 March 2019 and that all notes will have been reviewed prior to the Issue Specific Hearing on the 27th March 2019.
 10. Whilst progress is being made it has not been possible to move any of the unresolved onshore ecological items in the Statement of Common Ground to “agreed” before Deadline 4. An updated Statement of Common Ground between the Applicant and Natural England will be submitted to the examination following a review of the submitted clarification notes. It is expected that the Statement of Common Ground will be updated following the Issue Specific Hearing on 27th March 2019.

1.2 Haisborough, Hammond and Winterton Special Area of Conservation

11. A call was held between the Applicant and Natural England on 8th March 2019 to discuss outstanding benthic ecology issues which relate to the Haisborough, Hammond and Winterton Special Area of Conservation (SAC).
12. Both parties are preparing the following further information, with a view to progressing matters:
 - Natural England will be submitting the Statutory Nature Conservation Bodies’ position regarding Sabellaria spinulosa reef on artificial substrate (e.g. cable protection) at Deadline 4.
 - Natural England will be submitting a generic advice note regarding cable protection at Deadline 4.
 - Natural England will be submitting a generic advice note on the information required from Applicant’s to address our concerns to rule out adverse effect on integrity for HHW SAC at deadline 4
 - In response to requests from Natural England, the Applicant is progressing an interim cable burial study in the Haisborough, Hammond and Winterton (HHW) SAC with a view to justifying and potentially refining the cable protection requirements. The Applicant acknowledges that as a European site, the Haisborough, Hammond and Winterton SAC has a special environmental status. For this reason, the Applicant agrees that there is benefit in securing the mitigation associated with the SAC in a single plan (a Norfolk Vanguard Haisborough, Hammond and Winterton Special Area of Conservation Site Integrity Plan) and through a separate condition in the transmission asset Deemed Marine Licences (DMLs). The Applicant is

engaging with Natural England as to the precise wording of the condition and content for the plan.

13. Therefore, whilst progress is being made it has not been possible to move any of the unresolved benthic ecology items in the Statement of Common Ground to “agreed” before Deadline 4. Consultation between the Applicant and Natural England will continue on these matters and an updated Statement of Common Ground will be submitted once the additional information has been discussed. It is expected that the Statement of Common Ground will be updated following the Issue Specific Hearing on 27th March 2019.

1.3 Offshore Ornithology

14. The Applicant submitted three update notes at Deadline 1 as appendices to the Applicant's Responses to the first Written Questions:

- Red-throated diver displacement (Appendix 3.1, document reference ExA; WQApp3.1; 10.D1.3)
- Collision Risk Modelling: update and clarification (Appendix 3.2, document reference ExA; WQApp3.2; 10.D1.3)
- Operational Auk Displacement: update and clarification (Appendix 3.3, document reference ExA; WQApp3.3; 10.D1.3)

15. Natural England provided detailed responses to these notes in their submissions at Deadline 3 [REP3-051]. On the basis of the updated assessments provided it was agreed that, with respect to the project alone impact assessment (EIA), all the issues raised by Natural England had been resolved. It was also agreed that, with the exception of Natural England's preferred worst case scenario for red-throated diver operational displacement ((100% displacement and 10% mortality from Norfolk Vanguard West, and combined displacement from both Norfolk Vanguard East and Norfolk Vanguard West), none of the project alone impacts are significant (in EIA terms).

16. An additional update note was submitted by the Applicant at Deadline 3 (Migrant non-seabird collision risk modelling; ExA; AS; 10.D3.6).

17. Natural England will be providing a full responses to this update note at Deadline 4.

18. A call was held between the Applicant and Natural England on the 8th March 2019 to discuss the status of the outstanding issues. The aim of this call was to discuss and reach agreement on the steps required to resolve these issues. The topics covered and summary next steps agreed are set out below:

- Collision risk modelling
 - It was agreed that outputs using the Band (2012) model would be provided using Natural England's preferred input parameter values as well as those considered appropriate by the Applicant for the revised design; and
 - The Marine Scotland Science stochastic model is not considered sufficiently reliable for use (in its fully stochastic mode) at present therefore it was agreed that no results using this model would be presented for Norfolk Vanguard.
- Apportioning rates for Special Protection Area (SPA) populations

- Assessment using Natural England's preferred rates will be provided alongside evidence based rates the Applicant considers appropriate for gannet from Flamborough and Filey Coast (FFC) SPA; and
- Assessment will include results with assignment of months to the breeding season based on both the migration-free breeding definition, considered appropriate by the Applicant for Norfolk Vanguard, and the full breeding season as requested by Natural England for gannet from FFC SPA and lesser black-backed gull (LBBG) from Alde-Ore SPA (kittiwake from FFC SPA is not considered such an issue, but this is subject to review of more recent tracking data)
- Displacement
 - For red-throated diver, operational cumulative and in-combination assessments will make reference to a recent cumulative assessment conducted for the Thanet Extension Offshore Wind Farm as this covers the same geographical area and populations as those relevant to Norfolk Vanguard, with adjustments to the results made for Norfolk Vanguard as appropriate;
 - The red-throated diver assessment of cable installation disturbance in the Greater Wash SPA will be updated using Natural England's preferred rates of displacement and mortality, alongside those using the Applicant's evidence based rates;
 - Best practice guidance for vessel movements through the Greater Wash SPA and/or the Outer Thames Estuary SPA (depending on the port selected as the Project's operations and maintenance base) will be supplied by Natural England to the Applicant for consideration (these will reflect the same advice agreed with the East Anglia THREE offshore wind farm); and
 - Cumulative and in-combination auk displacement will be updated to include consideration of additional points raised by Natural England in their Deadline 3 submissions.
- Population Viability Analysis (PVA)
 - Natural England advised that consideration of outputs from PVA models should be presented for any impacts where the background mortality rate is increased by more than 1%;
 - Natural England advised that updated PVA may be required for those species/populations for which current outputs (i.e. those presented for previous assessments) were not conducted following current guidance to use a matched-run approach, with counterfactual outputs and for a 30 year simulation period. Species that this may include are lesser black-backed gulls

from the Alde Ore Estuary SPA and the wider populations of kittiwake and great black-backed gull;

- PVA outputs presented as part of the applications for the Hornsea Project THREE wind farm for Flamborough and Filey Coast SPA species (gannet, kittiwake, guillemot, razorbill and puffin) were produced using current Natural England advice and therefore if the relevant metrics can be extracted from the reported outputs these will be used in support of the Norfolk Vanguard assessment; and
 - The Applicant will review the predicted impacts following updates to the assessments (as detailed above) and determine for which species and populations updated PVA would be required.
- Non-seabird migrant collision risk
 - Natural England provided a summary response to the Applicant's assessment submitted at Deadline 3 which identified points for which clarification may be required.

19. Therefore, whilst progress is being made it has not been possible to move any of the unresolved offshore ornithology items in the Statement of Common Ground to "agreed" before Deadline 4. Consultation between the Applicant and Natural England will continue on these matters and an updated Statement of Common Ground will be submitted at Deadline 5.

20. The Applicant will continue to work on the above aspects of the assessment with the intention to submit an update on these matters at Deadline 6 and it is expected that further discussions will be conducted at the next Issue Specific Hearing on 27 March 2019.