

Mr. Ruari Lean
Vattenfall

BY EMAIL ONLY

29 August 2023

EIFCA comments on the proposed non-material change for the Norfolk Vanguard Offshore Wind Farm, set out in the DCO Non-Material Change 2 Response to Points of Clarification Letter (August 2023)

Dear Mr. Lean,

Thank you for your invitation to provide comment on the proposed addition of two landfall ducts (required to house the separated positive and negative energy cables) on the Happisburgh coast, and for providing Eastern IFCA with the associated documents.

The role of the Eastern IFCA is “to lead, champion and manage a sustainable marine environment and inshore fisheries” in our district, which extends from the Humber to Harwich and six nautical miles out to sea. As the application relates to an area within our district, and given the potential for impacts upon inshore fisheries and habitats, it is considered appropriate for Eastern IFCA to provide comment on the proposal.

In all consultation responses, the Authority assesses applications (and pre-applications) according to the Eastern IFCA vision and adherence of those same applications with policies detailed in the relevant marine plan, as directed under section 58(1) of the Marine and Coastal Access Act 2009. The plans relevant to the Authority’s district are the East Inshore and East Offshore Marine Plans. We consider whether proposed developments will have a positive, negative or negligible effect on plan policies related to the IFCA vision to “manage a sustainable marine environment and inshore fisheries”. These considerations also enable the IFCA to provide advice in relation to the need to protect the environment, the need to protect human health and the need to prevent interference with other legitimate users of the sea.

East Marine Plan policy considerations:

The Authority has reviewed the associated documents and have considered the extent to which the application addresses the following policies within Eastern IFCA’s remit:

FISH 1 - *Within areas of fishing activity, proposals should demonstrate that they will not prevent fishing activities on, or access to, fishing grounds; how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them; how, if the adverse impacts cannot be minimised, they will be mitigated; the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts.*

Fishing activity within the proposed cable landfall zone

The inshore area off the coast of Happisburgh supports a range of fishing activities, including:

- Static pots and creels (crustaceans and whelk)
- Handlining
- Lines – jigging and trolling
- Push netting for shrimp
- Commercial diving

There are three fishers that primarily utilise the area and would be affected by the additional duct burials. These fishers predominantly pot for crab and lobster during the summer months and net and line fish for the bass, cod, herring and skate all year-round. Five further vessels utilise the areas to the immediate east and west of the proposed landfall zone, specifically in and around the Cromer MCZ and off the coast of Sea Palling.

There is no port in Happisburgh, and as such fishing vessels are beach-launched. The supporting document highlights that access to the beach for the public will be maintained and EIFCA wish to highlight the importance of this for fishers.

As stated in the supporting document, the proposed additional ducts would result in the burial of a maximum of 1km of additional ducts, and the size of the proposed landfall zone remains unchanged. The proposed works are therefore unlikely to have a large additional negative impact on most fishers utilising the Happisburgh coast, but could affect the eight inshore fishers whose grounds overlap with the proposed landfall zone. The additional time (two weeks) required to import/export materials for the additional ducts is more time in which these fishers would be prevented from accessing their fishing grounds. However, due to the fact that the majority of the targeted species are highly mobile, it is likely that they will vacate the landfall zone during the proposed works and fishing effort may therefore be displaced slightly to the surrounding areas. The supporting document highlights that there will be no change to the amount of underwater noise generated by the additional duct burial and therefore commercial species are unlikely to be displaced more due to the NMC.

BIO 1, FISH 2 - *Appropriate weight should be attached to biodiversity taking account of the best available evidence, including on habitats and species that are protected or of conservation concern; Proposals should demonstrate that they will not have an adverse impact upon spawning and nursery areas and any associated habitat.*

The Haisborough, Hammond and Winterton SAC (located approx. 12nm offshore from location of the proposed NMC, Happisburgh village) is comprised of many sand banks (shoals) that are spawning grounds for sand eels, lemon sole and sole, as well as nursery grounds for cod, herring, mackerel, sole, lemon sole and plaice. It is thought that these species remain in the area around the SAC in the shallow nutrient-rich waters¹, where they are targeted by commercial and recreational inshore fishers.

The proposed NMC does not coincide with any known spawning or nursery areas and section 3.2 of the supporting statement document assesses in detail the potential impacts of the NMC on fish and shellfish (and concludes no adverse effect). EIFCA are satisfied that the potential effects on commercially important species such as herring and sandeel have been adequately assessed and agree that the majority of species that utilise the area are highly mobile and will likely vacate the area over the duration of the proposed works.

Thank you for the opportunity to provide these comments. We look forward to continuing to work with the Benthic Steering Group for the Norfolk Projects.

Yours sincerely,

Zoe Pearson

¹ [Herring - Kent & Essex IFCA \(kentandessex-ifca.gov.uk\)](http://kentandessex-ifca.gov.uk)