



THE PLANNING ACT 2008
THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010

HORNSEA PROJECT THREE OFFSHORE WIND FARM

Planning Inspectorate Reference: EN10080

**Annex E: Natural England's additional detailed comments on
marine mammals**

7 November 2018

1. Introduction

- 1.1. Natural England submitted Relevant Representations on 20th July 2018 where we outline our main points of concern in relation to marine mammals and the project impact assessment. Since the submission of the Relevant Representations we have engaged in discussions with the Applicant to achieve agreement on specific points, where possible. These discussions are reflected in the Applicant's All Other Matters Statements of Common Ground (SoCG).
- 1.2. This Annex provides a list of additional comments that are of lesser concern to Natural England but which, in our view, should be addressed by the Applicant for completeness of the ES.

Table E1: Further comments on marine mammal sections of the ES not included in Natural England's Relevant Representations.

ES section	Natural England's comments
Vol. 2 Ch. 4 – Marine Mammals	
4.5.4.2	To clarify, there were two, not three, Expert Working Group meetings held following the Section 42 consultation. These took place on 20.11 2017 and 15.03.2018.
Table 4.5, Line 28	In response to Natural England's Section 42 comment: 'While harbour porpoise show a high responsiveness to underwater noise, this does not necessarily imply vulnerability. A full discussion of this has taken place through the EWG and full meeting minutes are presented'.
Fig. 4.4	Natural England requests clarification as to whether the correct key has been used for this figure. Presently the map the key colours either do not match the figure colours, or the higher density colours have been omitted from the key.
4.7.2.27 and Table 4.10	Based on the text provided the, normal foraging range for grey seal is <145 km. We therefore question the inclusion of Berwickshire and North Northumbria Coast SAC in Table 4.10.
4.7.2.34	Text in para. 4.7.2.32 presents a range of foraging distances for harbour seals, however there is no number given for the 'normal foraging range' on which the site selection for Table 4.11 is based.
Table 4.12	Natural England would like further clarification as to why the JCP Phase III density data has not been used to inform cetacean densities. Natural England considers this to be the most appropriate source of harbour porpoise density data as it represents the predicted average over a period of 4 years and not just a snapshot in one month and one year such as the SCANS III survey.
4.11.1.5	Natural England appreciate the 'most likely' piling scenario. It provided very useful context alongside the worst case/maximum design scenarios presented.
4.11.1.33	This section states that 15% of the maximum hammer energy will be employed for 7.5 minutes, ramping up to the maximum hammer energy over 30 minutes. However, Table 3.18 in Chapter 3 Project Description, suggests that this soft start and piling scenario will be completely different (<750 kJ for 45 minutes, 750-1500 kJ for 45 mins etc). Natural England request that the actual soft start to be undertaken is clarified. The RIAA may also need to be updated on the basis of the response.

4.11.1.72	While Natural England has no issue with using the porpoise response curve for minke whales and dolphins, we would caution on the language suggesting 'harbour porpoises have been shown to be generally more responsive to underwater noise than other species'. The recent ADD trials carried out on minke whales (McGarry et al., 2017) suggested that minke whales are very responsive to noise and therefore potentially could be more responsive than harbour porpoise.
4.11.1.175	This section seems to infer that UXO clearance could only occur prior to construction. However, Natural England notes, based on experience from other offshore wind farm projects that there is sometimes a need to carry out UXO clearance after the construction works have started. This should be considered when assessing the impacts of UXO clearance cumulatively with other noisy activities.
4.12.1.8	This paragraph is repeating the text from the paragraph above.
Table 4.54	This table should be updated to reflect the latest information on the stages of different projects. East Anglia Three is now consented, Blyth Demonstrator and East Anglia 1 have now begun construction, Aggregates Area 483 has received a marine licence and should be included in Tier 1.
Fig. 4.39	Aggregates Area 483 has now received a marine licence and should be screened in to the assessment.
4.13.1.19	The reference to the DEPONS work (van Beest et al., 2015) is not relevant to the CEA. To date the DEPONS model has not been used to undertake a realistic assessment of the potential North Sea wind farm construction.
4.13.1.31 – 3.13.1.35	The information presented in this section is inaccurate - in determining impact the text is saying that estimated 15% percent of the MU harbour porpoises being affected was not significant (Booth et al., 2017) and since Hornsea Three predicts disturbance to 11% of the population then it will not be a significant effect. However, it is not made clear in the text, that the reference population number used in the PCoD assessment was ~227 000 and Hornsea Three assessment is using the latest SCANS III reference population of ~345 000. Therefore it would be incorrect to compare these percentages as the reference populations are different.
Table 4.59	The table legend should state 'harbour porpoise' rather than 'minke whale'.
4.13.1.73, 4.13.1.74	This is the first time the international importance/conservation value of marine mammals has been mentioned within the assessment since the introduction.
4.13.1.86, 4.13.1.94, 4.13.1.100	These paragraphs require removal as they are a relic from the PEIr text.
Vol. 4 Annex 3.1 – Subsea Noise Technical Report	
5.1.3.2	It is not clear why the 'average' value was only used for the single strike criteria.
<i>To note</i>	The Marine Mammal Mitigation Plan (MMMP) will need to mitigate to 1.5 km to protect minke whales from PTS.

5.2 – Report to Inform Appropriate Assessment

Table 6.5	The values in this table are different to Table 4.8 in the marine mammals chapter. For the visual boat based (Hornsea 3 plus 4 km buffer) the total should be 2,165 rather than 165. In addition, the density estimate for aerial video is different: 1.019 in the marine mammals chapter and 0.912 in the RIAA. Could the correct values be confirmed?
6.5.2.71	Natural England is unclear based on this paragraph, how the return times have been factored into the calculations and request further clarification on this issue.