



Hornsea Project Three Offshore Wind Farm

Statement of Common Ground between Hornsea Project Three
(UK) Ltd. and Eastern Inshore Fisheries and Conservation Authority

Date: November 2018

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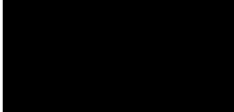
London, SW1P 1WG

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Revision History

Version	Date	Author	Context
1	September 2018	Hornsea Three	Pre-examination: Initial draft for discussion with Eastern IFCA
2	October 2018	EIFCA	EIFCA comments on SoCG
3	November 2018	Hornsea Three and EIFCA	Deadline I submission

Signatories

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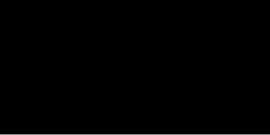
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Acronyms

Acronym	Description
DCO	Development Consent Order
EIA	Environmental Impact Assessment
Ex.A	Examining Authority
HVAC	High Voltage Alternating Current
HVDC	High Voltage Directional Current
IFCA	Inshore Fisheries and Conservation Authority
PEIR	Preliminary Environmental Information Report
SAC	Special Area of Conservation
SoCG	Statement of Common Ground

1. Introduction

Overview

1.1 This Statement of Common Ground (SoCG) has been prepared by Hornsea Project Three ('the Applicant') and the Eastern Inshore Fisheries and Conservation Authority (IFCA), together 'the parties', as a means of clearly stating the areas of agreement, and any areas of disagreement, between the two parties in relation to the proposed Development Consent Order (DCO) application for the Hornsea Project Three offshore wind farm ('the Project'). This SoCG does not deal with or extend to any development other than the Project.

Approach to SoCG

1.2 This SoCG has been developed during the pre-examination phase of the Project based on the Relevant Representation submitted by the Eastern IFCA.

1.3 The structure of this SoCG is as follows:

- Section 1: Introduction;
- Section 2: Consultation;
- Section 3: Agreements Log; and
- Section 4: Summary.

1.4 It is the intention that this document will help give the Examining Authority (Ex.A) an early sight of the level of common ground between both parties from the outset of the examination process.

Hornsea Three

1.5 Hornsea Three is a proposed offshore wind farm located in the southern North Sea, with a total capacity of up to 2,400 MW and will include all associated offshore (including up to 300 turbines) and onshore infrastructure.

1.6 The key components of Hornsea Three include:

- Turbines and associated foundations;
- Turbine foundations;
- Array cables;
- Offshore substation(s), and platform(s) and associated foundations;
- Offshore accommodation platform/s and associated foundations;
- Offshore export cable/s;
- Offshore and or Onshore HVAC booster station/s (AC transmission option only);
- Onshore cables; and

- Onshore HVDC converter/HVAC substation.
- 1.7 The Hornsea Three array area (i.e. the area in which the turbines are located) is approximately 696 km², and is located approximately 121 km northeast off the Norfolk coast and 160 km east of the Yorkshire coast.
- 1.8 The Hornsea Three offshore cable corridor extends from the Norfolk coast, offshore in a northeasterly direction to the western and southern boundary of the Hornsea Three array area. The Hornsea Three offshore cable corridor is approximately 163 km in length.
- 1.9 From the Norfolk coast, underground onshore cables will connect the offshore wind farm to an onshore HVDC converter/HVAC substation, which will in turn, connect to an existing National Grid substation. Hornsea Three will connect to the Norwich Main National Grid substation, located to the south of Norwich. The onshore cable corridor is 55 km in length at its fullest extent.

2. Consultation

Application Elements of Relevance to Eastern IFCA

- 2.1 Eastern IFCA is one of 10 Inshore Fisheries and Conservation Authorities (IFCAs), which protect the marine inshore environment around the coasts of England, extending to 6 nautical miles via the regulation of fisheries and provision of advice in relation to marine development.
- 2.2 The relevant aspects of the Hornsea Three Application that relate to Eastern IFCA are therefore inshore Commercial Fisheries, Fish and Shellfish ecology and Benthic Ecology and this is reflected by the issues raised by the Eastern IFCA in their Relevant Representation and considered within this SoCG.

Consultation Summary

- 2.3 Table 2.1 sets out the consultation undertaken between the parties to date.

Table 2.1: Consultation with Eastern IFCA

Date	Detail
October 2016	Consultation on the Scoping
February 2017	Pre-application consultation meeting between the parties
September 2017	Consultation on the PEIR (Section 42)
November 2017	Meeting between the parties to discuss points raised within Section 42 Consultation and to provide project updates.

Table 2.2: Post application consultation between the parties.

Date	Detail
31 October 2018	Conference call to discuss progress of Statement of Common Ground.

3. Agreements Log

- 3.1 The following section of this SoCG identifies the level of agreement between the parties for each relevant point raised by Eastern IFCA within their Relevant Representation. In order to easily identify whether a matter is “agreed”, “under discussion” or indeed “not agreed” a colour coding system of green, yellow and orange is used in the “final position” column to represent the respective status of discussions.
- 3.2 Table 3.1 identifies the status of discussions relating to this topic area between the parties.

Table 3.1: Agreement Log (Issues raised by Eastern IFCA Relevant Representation).

Eastern IFCA Comments and Recommendations	Hornsea Project Three Position	Further EIFCA comments	Final Position
<p>ICFA support the decision to move the cable route away from the sensitive chalk features but question why a more direct route that goes from Weybourne and crosses the north west corner of the MCZ has not been proposed. This would reduce the total footprint of the inshore section of the cable route, and thus reduce the impacts on the fishing industry and seabed habitats. It would also lie across more mobile coarse sediments (according to the existing habitat data), compared to mixed sediments which are known to have a higher sensitivity and a lower recoverability to disturbance, reducing ecosystem impacts.</p>	<p>Full details of the rationale for selection of the Hornsea Three offshore cable corridor is set out in paragraph 4.10.3.3 of Volume 1, Chapter 4: Site Selection and Consideration of Alternatives of the Environmental Statement (Document A6.1.4). In the nearshore area, selection of the Hornsea Three offshore cable corridor route was influenced by a number of constraints and the overarching principles set out in section 4.9 of Volume 1, Chapter 4: Site Selection and Consideration of Alternatives of the Environmental Statement.</p> <p>Alternative routeing options to minimise overlap with the Cromer Shoal Chalk Beds MCZ further offshore, to the north west (as suggested by the Eastern IFCA) were considered but were not deemed feasible. The Sheringham Shoal and Pollard Bank bathymetric features were considered to pose potential technical constraints and were avoided, particularly where alternatives would have meant crossing existing cables in close proximity to these (see Figure 4.8 in Volume 1, Chapter 4: Site Selection and Consideration of Alternatives of the Environmental Statement).</p> <p>The re-routing of the Hornsea Three offshore cable corridor between Section 42 consultation through the PEIR and the DCO application has resulted in an increase in the overall length of the Hornsea Three offshore cable corridor. The reasoning for this change was due to concerns raised by key stakeholders about potential impacts on features of the Cromer Shoal Chalk Beds MCZ, particularly clay exposures and chalk reef. While the re-route does result in a greater footprint within The Wash and North Norfolk Coast SAC, the overall impact on designated sites was reduced overall.</p> <p>In response to the further EIFCA comments, the Applicant notes that effects of cable installation on sub-features of the Annex I sandbanks habitat are inherent in the assessments, as these consider effects on the</p>	<p>19/10/2018- EIFCA note the constrains involved when determining the offshore cable corridor route and understand the reasons why the proposed cable route was chosen over other alternatives. We accept that despite the increase in the footprint of the cable route the impacts on Cromer Shoal Chalk Beds MCZ has been reduced. However, we consider there should be recognition and assessment of the impacts of the export cables on Annex 1 habitat sub-features (subtidal mixed sediments in particular) within The Wash & North Norfolk Coast SAC.</p> <p>31/10/2018 – EIFCA acknowledge that mixed sediments have been considered under the biotope SS.SMx.PoR.SspiMx in Volume 2, Chapter 2: Benthic Ecology of the Environmental Statement and that the effect of temporary habitat loss/disturbance of such habitats has been assessed under Annex I 'Sandbanks which are slightly covered by seawater all the time' to be of minor adverse significance, not significant in EIA terms.</p> <p>EIFCA are currently consulting on byelaw closures along the North Norfolk Coast to protect mixed sediment from shrimp beam trawling</p>	<p>Under discussion</p>

Eastern IFCA Comments and Recommendations	Hornsea Project Three Position	Further EIFCA comments	Final Position
	<p>representative biotopes present within this area, e.g. for mixed sediments, the relevant biotope was the SS.SMx.Por.SspiMx biotope, for sandy sediments the relevant biotope was the SS.SSa.IFiSa.NcirBat biotope (see paragraph 2.11.1.75 and 2.11.1.76 of Volume 2, Chapter 2: Benthic Ecology of the Environmental Statement (APP-062) and paragraph 5.5.1.10 to 5.5.1.11 of the Report to Inform Appropriate Assessment (APP-051)).</p>	<p>activities as it is considered sensitive to abrasion/disturbance pressures. The area where the cable corridor cuts through The Wash and North Norfolk Coast SAC, already has a byelaw (Byelaw 12) in place which prohibits towed demersal fishing gears out to 3nm.</p>	
<p>To accurately assess seabed disturbance resulting from cable installation activities and the requirement for rock armouring cable protection, a better understanding of the habitats in the cable corridor is required and should be conducted through further habitat surveys.</p>	<p>As outlined in paragraph 2.6.1.4 of Volume 2, Chapter 2: Benthic Ecology of the Environmental Statement, the Hornsea Three offshore cable corridor re-route in the nearshore area coinciding with The Wash and North Norfolk Coast SAC was characterised using a combination of Hornsea Three site specific data and desktop data sources in this area. The desktop data sets which were used to extend the nearshore biotope maps generated from the Hornsea Three site specific benthic ecology data to provide a baseline characterisation for the purposes of the Environmental Impact Assessment (EIA), are outlined in paragraph 2.7.6.2 of Volume 2, Chapter 2: Benthic Ecology of the Environmental Statement. The desktop data showed that the sediment types were broadly similar across the area with sandy sediments inshore grading into coarse/mixed sediments further offshore within The Wash and North Norfolk Coast SAC. This consistency across multiple datasets provided confidence in the extrapolation of biotopes into areas where there had been no site-specific sampling.</p> <p>Noting stakeholder concerns (including EIFCA), the Applicant would highlight that, since the DCO application was submitted, the Applicant has undertaken site-specific drop-down video sampling within the part of the Hornsea Three offshore cable corridor that coincides with The Wash and North Norfolk Coast SAC. The purpose of this sampling was to validate the baseline and predictions made within Volume 2, Chapter 2: Benthic Ecology of the Environmental Statement.</p>	<p>19/10/2018- EIFCA acknowledge the biotopes assigned by the Applicant within the offshore cable corridor route, however note that they are of low confidence and differ significantly to the feature extents provided by Natural England (June 2018 data release). We are not aware of APEM 2013; Meadows and Frojan 2012; McIlwaine, Rance & Frojan 2014 or Natural England 2017 including evidence for the cable route part of The Wash & North Norfolk Coast SAC.</p> <p>The results from the drop-down video surveys carried out by the Applicant will provide further evidence of habitats in the Wash and North Norfolk Coast SAC within the cable corridor. We appreciate Orsted's offer to share the results of the surveys. However, until this evidence is available it is unclear as to how much subtidal mixed sediment (EUNIS A4.5) will be affected. Subtidal mixed sediment is a sub-feature of the Annex I habitat feature "Sandbanks which are</p>	<p>Agreed</p>

Eastern IFCA Comments and Recommendations	Hornsea Project Three Position	Further EIFCA comments	Final Position
	<p>The full findings of the survey have been provided to stakeholders and has been submitted as part of the Applicant's response to Deadline I.</p>	<p>"slightly covered by seawater all the time" – see conservation advice¹</p> <p>EIFCA are currently consulting on byelaw closures along the North Norfolk Coast to protect mixed sediment from shrimp beam trawling activities. Where the cable corridor cuts through The Wash and North Norfolk Coast SAC, Byelaw 12 prohibits towed demersal fishing gears out to 3nm. Natural England's feature extent shows this area to contain a substantial proportion of sensitive mixed sediments.</p> <p>It is important to note that Natural England's feature extent data along the North Norfolk Coast is also of low confidence, and thus when proposing management measures for the shrimp fishery a precautionary approach has been applied to ensure protection of Annex 1 habitats in this area.</p> <p>31/10/2018 – EIFCA are pleased that the site-specific ground truthing video surveys have been conducted and agree that they increase the confidence in classification of habitat type across</p>	

¹

<https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK0017075&SiteName=The+Wash+&SiteNameDisplay=The+Wash+and+North+Norfolk+Coast+SAC&countyCode=&responsiblePerson=&SeaArea=&IFCAArae=>

Eastern IFCA Comments and Recommendations	Hornsea Project Three Position	Further EIFCA comments	Final Position
		the cable route. We appreciate the precautionary approach made by the Applicant in classifying sediments as the more sensitive mixed sediments rather than sand in areas of uncertainty.	
Eastern IFCA have concerns over the requirement for rock armouring cable protection, due to the potential impacts on soft-sediment habitats and on the fishing industry. Recent experience of Race Bank cable installation in The Wash and North Norfolk Coast Special Area of Conservation (SAC) have shown operation and maintenance requirements have increased considerably beyond initial predictions with subsequent increases in seabed disturbance and the potential for the exclusion of fishing activities within certain areas where cable cannot be buried. This raises the question of how realistic the predictions are for Hornsea Three cable installation, operation and maintenance activities and increases the potential for cumulative impacts and increased in-combination effects with other activities.	<p>The Applicant acknowledges the concerns raised in relation to the use of cable protection measures in the nearshore area and within The Wash and North Norfolk Coast SAC. The assumptions in relation to cable protection measures within The Wash and North Norfolk Coast SAC (i.e. up to 10% of all cables within the SAC boundary may require cable protection) are considered to be conservative. This is based on the Applicant's experience from offshore wind projects in the UK and overseas, including recent experience on Race Bank.</p> <p>The Applicant is therefore confident that the impact assessments presented within the Environmental Statement consider the maximum design scenario for Hornsea Project Three offshore wind farm.</p> <p>Volume 2, Chapter 6: Commercial Fisheries of the Environmental Statement (APP-066) considers the effect of cable protection on commercial fisheries, including snagging risk. The measures outlined in the outline Fisheries Coexistence and Liaison Plan (APP-183) will ensure the design of cable protection measures will take into account the commercial fishery activity in the area where such measures are deployed (should they be required at all). Where cable protection is required, this would affect a limited area of the nearshore environment and the location of these measures would be communicated to the fishing industry. As such, it is highly unlikely that the presence of cable protection associated with Hornsea Three cables would lead to exclusion of towed gear in the area.</p>	<p>19/10/2018 - Further evidence of habitats within the cable corridor will allow for better estimations of the requirement for cable protection. EIFCA acknowledge the estimation of up to 10% of cables within The Wash and North Norfolk Coast SAC. We question if the potential for this has been considered in the fisheries assessment as this could lead to permanent exclusion to towed gears beyond the 3nm line.</p> <p>We question if there are any known areas where cable protection will be required in the Wash and North Norfolk Coast SAC?</p> <p>31/10/2018 – EIFCA acknowledge that cable protection is a last resort with burial of the cable the highest priority. We acknowledge that the estimation for the amount of cable protection along the section of the cable route within The Wash and North Norfolk Coast SAC of 10%, is the upper limit based on engineer's advice. Assuming the cable route within the SAC is 10-15km, then at a worst-case scenario this would mean a loss of 1-1.5km of subtidal mixed habitat. We acknowledge the Applicants comments</p>	Agreed

Eastern IFCA Comments and Recommendations	Hornsea Project Three Position	Further EIFCA comments	Final Position
		<p>regarding the difference between Hornsea Three and Racebank and how the hydrodynamic conditions along the North Norfolk Coast are significantly different to those in the Wash. The Applicant also advised that other cable routes in the area (Dudgeon and Sheringham shoal) had little or no requirement for cable protection during installation.</p> <p>EIFCA understand the level of trawling activity in the proposed cable route is low and that alongside communication with the fishing industry any effects of cable protection are unlikely to exclude the use of towed gear in the area.</p>	
<p>Following discussions with some of the local potting fleet, it is apparent that the proposed cable route lies within an important area for the fishery. The heaviest impacts are expected to be on those that fish out of Cley-next-the-Sea and Weybourne. There are also concerns regarding the displacement effects of another cable route on the fishery and the cumulative impacts on the local fishing fleet from cable installation, operation and maintenance works across the inshore areas of the district. The potting fishery represents a substantial contribution to both national and local economies,</p>	<p>The Applicant acknowledges the concerns raised in relation to the local potting fleet. Paragraphs 6.11.1.30 to 6.11.1.53 of Volume 2, Chapter 6: Commercial Fisheries of the Environmental Statement, present an assessment of the effects of construction activities within the Hornsea Three offshore cable corridor on this fleet (and other fleets). It is acknowledged that the local potting fleet has increased sensitivity to this impact and that, unmitigated, the effect would be significant. As such, further mitigation measures have been proposed as outlined in Paragraphs 6.11.1.54 of Volume 2, Chapter 6: Commercial Fisheries of the Environmental Statement. These are also set out in the outline Fisheries Coexistence and Liaison Plan.</p> <p>The Applicant is committed to working with the local fishing industry through the Fisheries Coexistence and Liaison Plan, to ensure effects are minimised.</p>	<p>19/10/2018 - EIFCA acknowledge that mitigation has been proposed to minimise impacts on the local potting fleet. We emphasise the importance of developing mitigation via close and continued engagement with the fishing community.</p> <p>31/10/2018 – EIFCA acknowledge that if there is a requirement for regular working groups to be developed for fisheries liaison this will be done so through liaison with FLO's and FIR's.</p>	<p>Agreed</p>

Eastern IFCA Comments and Recommendations	Hornsea Project Three Position	Further EIFCA comments	Final Position
including the tourism section, and any detriment experienced by the fishing community would have wider repercussions on the local economy/community.			
Eastern IFCA suggest a wider assessment is required of the cumulative and in-combination impacts of offshore wind farm development (including Electro Magnetic Fields) and other licensed activities on fish and shellfish dependent on seabed habitat, particularly habitat that provides important spawning and nursery areas, given the increasing number of such developments off the East Anglia coast.	<p>While the Applicant acknowledges the concerns raised in relation to potential cumulative impacts, the Applicant's position is that the cumulative effect assessment as presented within the Environmental Statement is adequately robust. Cumulative effects on fish and shellfish populations, including those associated with electromagnetic fields, are fully assessed in Section 3.13 of Volume 2, Chapter 3: Fish and Shellfish Ecology of the Environmental Statement (APP-063). These impact assessments concluded effects of minor adverse significance, which were not significant in EIA terms.</p> <p>The conclusions made were based on the relatively small proportion of these habitats potentially affected by cumulative impacts. For example, any potential effects of electromagnetic fields on fish and shellfish receptors may occur in close proximity to the cable, if these occur at all (see Paragraph 3.13.3.42 of Volume 2, Chapter 3: Fish and Shellfish Ecology of the Environmental Statement). For construction related impacts, any effects on fish and shellfish populations were predicted to be temporary and reversible and therefore were not predicted to result in significant cumulative effects.</p> <p>The Applicant acknowledges there are uncertainties in relation to the effects of electromagnetic fields on fish and shellfish receptors, although</p>	<p>19/10/2018 - EIFCA acknowledge the assessment of cumulative effects made by the applicant. However, we would like to highlight that there are still large knowledge gaps regarding the impacts of electromagnetic fields on fish and shellfish receptors. This includes the commercially important edible crab species where recent evidence has highlighted potential impacts on behaviour and physiology (Scott <i>et al.</i>, 2018)².</p> <p>31/10/2018 – EIFCA acknowledge that the applicant has done what they can and plan to carry out a further desk-based assessment of potential impacts of electromagnetic fields, however there are still large knowledge gaps regarding the impacts of electromagnetic fields on fish and shellfish receptors which bring uncertainty into the assessment. This requires a collective approach across developers to conduct</p>	Under discussion

² Scott, K., Harsanyi, P. and Lyndon, A.R., 2018. Understanding the effects of electromagnetic field emissions from Marine Renewable Energy Devices (MREDs) on the commercially important edible crab, *Cancer pagurus* (L.). *Marine Pollution Bulletin*, 131, p.580-588.

Eastern IFCA Comments and Recommendations	Hornsea Project Three Position	Further EIFCA comments	Final Position
	<p>the evidence available at the time of drafting the Environmental Statement indicates that any effects, should these occur, would affect a limited extent in close proximity to the cables. Noting this uncertainty, the Applicant has a commitment within the DCO to undertake a desk based assessment on electromagnetic fields, including attenuation of field strengths, shielding and cable burial depths using industry best practice, as part of the cable specification and installation plan, to be submitted to and approved by the MMO prior to commencement of construction activities (see Schedule 11, Part 2, Condition 11(1)(h) and Schedule 12, Part 2, Condition 12(1)(h) of the draft DCO).</p>	<p>research and fill in the gaps. This uncertainty coupled with the presence of two other cable routes, in close proximity, presents a potential problem and should not be ruled out at this stage.</p>	

4. Summary

- 4.1 This SoCG has been developed with IFCA to capture those matters agreed, under discussion and not agreed in relation to inshore fisheries and conservation as raised by IFCA within their Relevant Representation.
- 4.2 Section to be fully drafted following Eastern IFCA review of the draft SoCG.