

Vattenfall Wind Power Ltd

Thanet Extension Offshore Wind Farm

Appendix 4 to Deadline 3 Submission: Response to
ExA Action Points arising from Issue Specific
Hearing 6

Relevant Examination Deadline: 3

Submitted by Vattenfall Wind Power Ltd

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Revision A

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Revision A	Original Document submitted to the Examining Authority
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Annexes referred in this document

Annex A

Survey vessel tracks

1 Introduction

- 1 This note has been drafted in response to requests by the Examining Authority (ExA) during Issue Specific Hearing 6 (ISH6) on Fishing and Fisheries on 20 February 2019 and through reference to the ISH6 Action Points document PINS Ref EV-022.
- 2 The ExA, in EV-022, provided five Action Points as follows:
 - Action 1: WTG platform lighting
 - Action 2: Mitigation for reduction in fishing grounds
 - Action 3: Consideration of the effects on fishing vessels to be included within the planned Navigation technical workshop
 - Action 4: Absent from Action Points prepared by ExA
 - Action 5: ES assessment outcomes in relation to loss of fishing grounds
 - Action 6: Survey vessel track
 - Action 7: TFA submit to ExA anonymised screenshots of the Succorfish data presented at ISH6.
- 3 Actions 1, 2, 3 and 6 are responded to in this document, action 7 is for Thanet Fishermen's Association (TFA).
- 4 Action 5 forms part of ongoing discussions with TFA and in line with the deadline set out in EV-022 will be reported on at the next fishing hearing in April.

2 Action 1: WTG platform lighting

- 5 **The Applicant is to consider the question of platform lighting to assist navigation within the array area by fishing vessels, whether it can be provided as part of the TEOW project and how it could be secured within the DCO.**
- 6 This request was made following concerns raised by TFA regarding the existing Thanet Offshore Wind Farm (TOWF) and the replacement of platform light bulbs.
- 7 For TOWF, platform lights will be fixed as and when attendance is required on particular turbines and is not something that a specific trip offshore would be made for
- 8 Recently, TOWF have been directed by Trinity House to install covers over platform lights as they have the potential to interfere with statutory Aids to Navigation and could cause confusion to mariners.
- 9 The Applicant understands that Trinity House are requesting that wind farm operators to turn off platform lights when turbines are not actively being worked on so as to not interfere with Aids to Navigation. This may be done remotely if possible or as and when technicians visit the turbine.
- 10 As such the statutory use of platform lights for navigation would not be supported by Trinity House and it is not something the Applicant is able to commit to. The Applicant has been in liaising with Trinity House on this particular point and it is understood they will respond in kind for Deadline 4. All stipulated Aids to Navigation will be displayed and maintained in accordance with the conditions in the dML.

3 Action 2: Mitigation for reduction in fishing grounds

- 11 **The Applicant to consider the extent to which a group of mitigation measures could be secured to ensure the safety of fishermen in the area of TEOWF, particularly in the area referred to as ‘the Inshore Route’. To include consideration of contributions toward AIS systems for fishing community.**
- 12 Mitigation measures for reduction in fishing grounds including, where necessary, following FLOWW 2015 guidance to assess and agree displacement payments is secured in the Fisheries Liaison and Coexistence Plan (FLCP) which has been updated following comments from TFA as is submitted as Appendix 41 to Deadline 3. The Applicant continues to discuss the FLCP with TFA with a view to finalising the document by ISH8.
- 13 It is important to note that the purpose of the FLCP is to ensure that through proactivity, dialogue, notification and ongoing management any adverse impacts to fisherman is reduced, including in relation to safety. This is why the FCLP has been embedded as part of the project assessment and the conclusions of that assessment reduce as a result. As noted in the FLCP and in the embedded mitigation outlined in the ES Chapter (Table 9.11), liaison with the fisheries stakeholders will be on going and information will be circulated to stakeholders in a timely and efficient manner via the FLO and the issue of Notice to Mariners
- 14 In terms of safety measures, the Applicant is content to consider contributions toward AIS systems if this is something TFA consider necessary. Whilst it was discussed at ISH6 the prior concerns relating to the use of AIS were noted and that point that it is not confirmed that the local fishing community would actually wish to use this technology. The Applicant continues to discuss these matters with TFA and will provide an update at ISH8.
- 15 **TFA to continue to engage with the Applicant to agree which measures might be capable of being secured in the Fisheries Coexistence Liaison Plan.**
- 16 As discussed above, the Applicant and TFA continue to engage regularly on these matters and whilst the FLCP has not been able to be finalised for Deadline 3, it is anticipated that this will be agreed in good time before the close of Examination.

4 Action 3: Consideration of the effects on fishing vessels to be included within the planned Navigation technical workshop

- 17 Applicant to include within the navigation technical workshop the explicit consideration of to make allowance for the presence for a range of vessels including fishing vessels. To include actions in restricted visibility or adverse weather conditions.**
- 18 TFA to submit to the applicant by the end of this week written submissions information about the normal passing distances with ships in practice.**
- 19 TFA provided the Applicant with a submission on passing distances and the concerns relating to safety of fishing vessels in the inshore route prior to navigation workshop.
- 20 The additional effect that fishing vessels have on navigation in this area was discussed at the workshop, although the full detail of TFAs submission was not able to be presented simply due to lack of time and the necessary discussion of strategic issues of concern to all mariners and parties present at that meeting.
- 21 The Applicant expects that TFA will be submitting this note at Deadline 3 and as such this will necessarily be reviewed with the other qualitative evidence provided by shipping and navigation stakeholders at the workshop. It should be noted that discussions at the workshop did not specifically refer to passing distances of fishing vessels or recreational craft and did not raise other quantitative measures of avoidance, with IPs relying on their qualitative inputs.

5 Action 6: Survey vessel track

- 22 **The Applicant is to confirm whether there is a plotted track of the shipping survey vessel. If this exists it should be submitted at D3. It should also be made available to the technical workshop where consideration should be given to the question of whether its location and avoidance behaviours by other vessels might have affected the shipping survey outcomes.**
- 23 The vessel tracks for the winter and summer shipping surveys can be found in Annex A to this document. This was not presented in the navigation workshop due to lack of time.
- 24 There is no evidence at all to suggest that the existence of the survey vessel would have affected other vessels behaviour such that it might affect the representativeness of survey itself (and specifically in influencing the transits of third-party vessels). It is a necessary part of carrying out these MGN543 compliant surveys that ship based survey is required to operate within or close to the study area to capture the full spectrum of marine traffic through AIS, radar and visual assessment means whilst complying with COLREGS and navigational practices. There are no reported close quarters situations or vessel interactions from review of the survey vessel logs or as provided by other IP's.
- 25 The volume of traffic within the area, as demonstrated by data submitted and by multiple IPs, is unlikely to be significantly affected by the imposition of one additional vessel and this vessel is extremely unlikely to have influenced the behaviour of other vessels, except for minor course alterations as would be required for any vessel in compliance with COLREGs and general navigational practice. There is no basis whatsoever for the suggestion that vessels would have avoided this area or made significantly different passage plans or manoeuvres as a result of the survey being undertaken.

Annex A: Survey vessel tracks

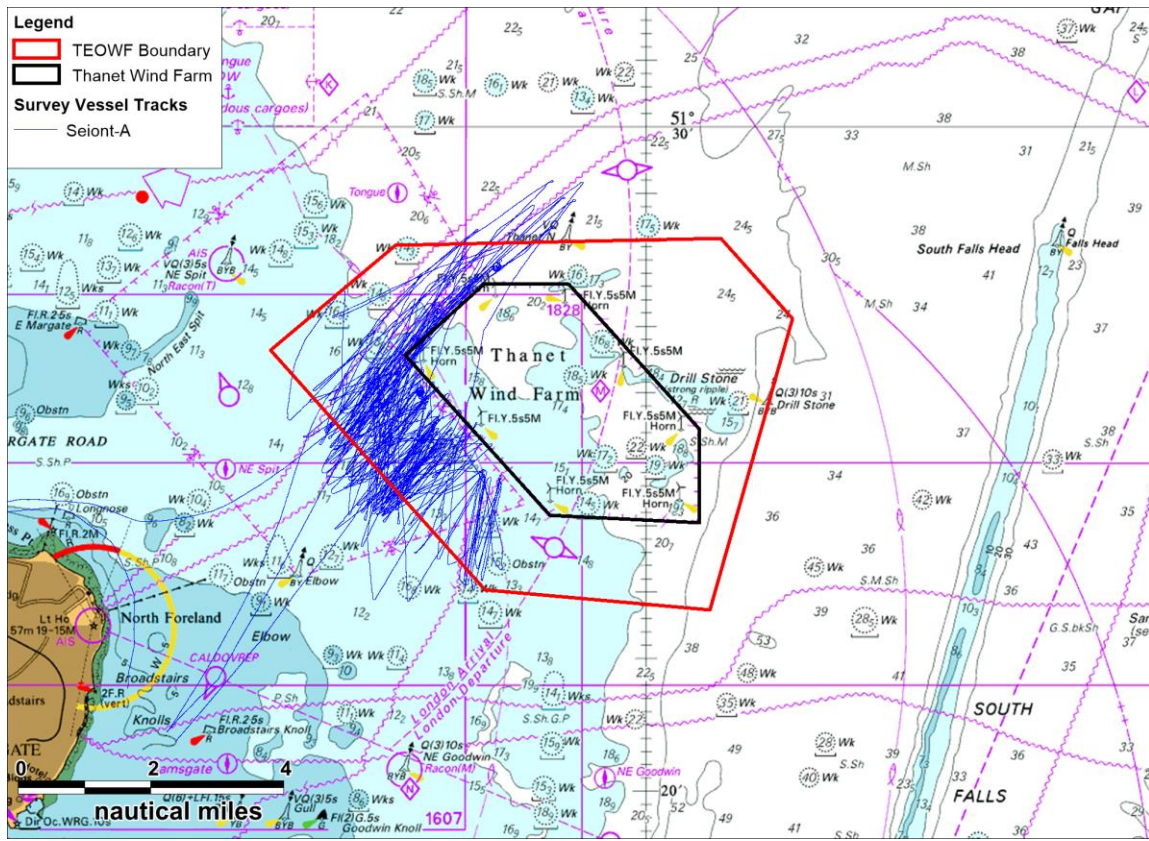


Figure 1: February 2017 survey vessel tracks

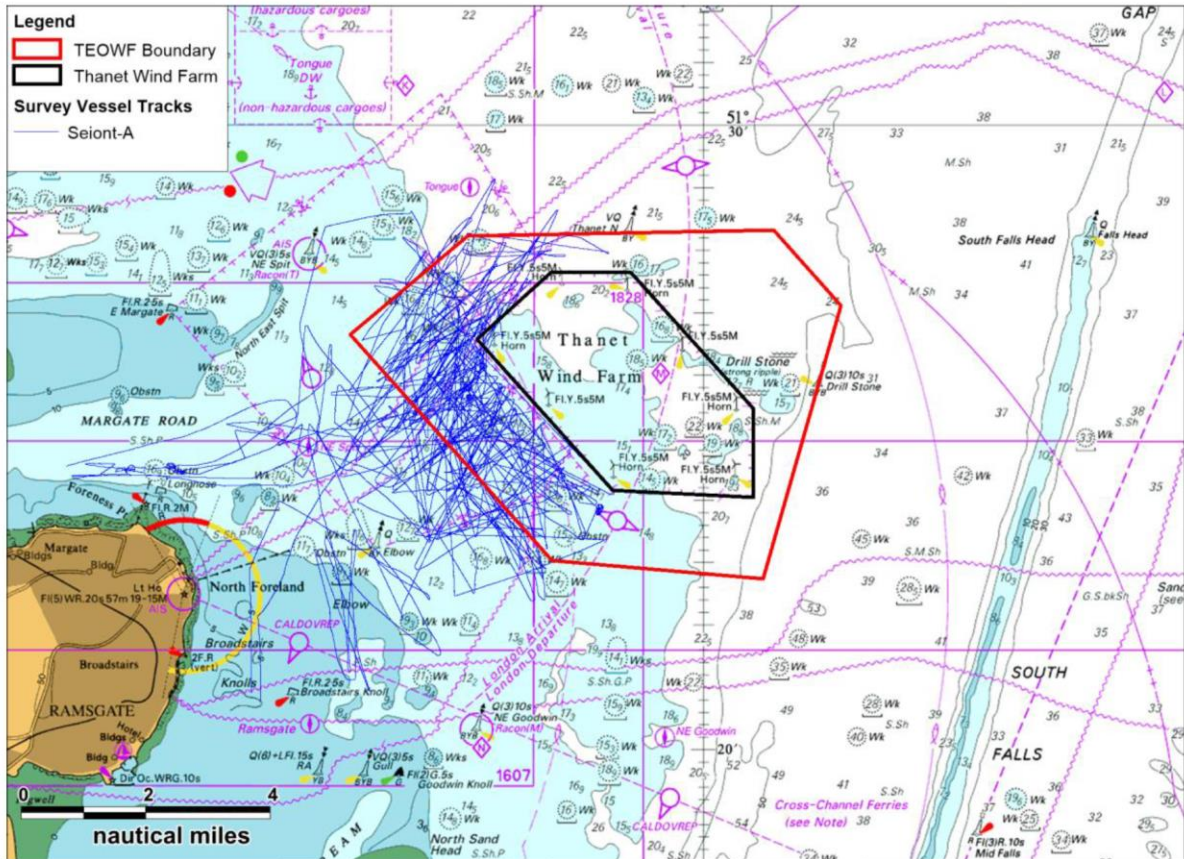


Figure 2: June 2017 survey vessel tracks