

Application by Norfolk Boreas Limited for an Order Granting Development Consent for the Norfolk Boreas Offshore Windfarm Project

Issue Specific Hearing 2:	Environmental Matters including HRA
Date:	14 November 2019 at 10.00am
Location:	The Kings Centre, King Street, Norwich, NR1 1PH

Requested Attendees

- The Applicant
- Environment Agency (EA)
- Marine Management Organisation (MMO)
- Natural England (NE)
- Norfolk Wildlife Trust (NWT)
- Royal Society for the Protection of Birds (RSPB)

Issue Specific Hearings

All Interested Parties are invited to attend issue specific hearings but it would assist the running of the hearings if notice could be given to the Inspectorate's Case Team (NorfolkBoreas@planninginspectorate.gov.uk) of a wish to participate prior to the hearing.

Each Interested Party is entitled to make oral representations at hearings. However, this is subject to the Examining Authority's (ExA's) power to control hearings.

The hearing venue will be open 30 minutes prior to the start of each hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and all matters have been covered.

This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including further written questions.

Every effort will be made to ensure that the issues will be discussed on the days that they are scheduled for. Should the consideration of the

issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any Hearing there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

Agenda

1. Welcome, introductions, arrangements for the hearing

2. Purpose of the Issue Specific Hearing (ISH)

- a. To consider the biodiversity effects of the Application with regards to both marine and terrestrial ecology and ornithology.
- b. To consider the Habitats Regulation Assessment for the Proposed Development.
- c. As many of the issues that the ExA wish to discuss are relevant to both HRA and EIA, it is intended to avoid duplication to examine subject specific issues rather than separate HRA from EIA. However, each issue will be summarised to ensure that both regulations have been adequately covered.

3. Marine Ecology

- a. To have a discussion regarding compliance of the Application with the East Inshore and Offshore Marine Plans.
- b. To understand when the further seabed mobility studies would be completed and any potential impacts on biodiversity receptors.
- c. To understand the risks associated with the conceptual model for physical marine and coastal process impacts on marine ecological receptors, particularly in relation to designated features in the Haisborough, Hammond and Winterton SAC (HHWSAC), including cumulative/in - combination impact assessments.
- d. To receive an update on the joint statement being prepared by MMO and NE on cable protection within designated sites, and in particular timescales.
- e. To consider the effects on and recovery of sandbank features within the HHWSAC of repeated replacement or reburial of cable and need for monitoring.
- f. To consider the need for hydrodynamic modelling for sediment disposal as a result of dredging operations.

- g. To consider the approach to *S.spinulosa* reef mapping and assessment.
- h. To consider the need for a licence condition for releasing sediments 50m, rather than 500m, from *S.spinulosa* reef.
- i. To understand the need for considering the cumulative effects on sandeel and the need for post-construction habitat assessment.
- j. To understand the concerns of using Site Integrity Plans for SNS and HHW mitigation and management.
- k. To understand the concerns regarding modelling of continuous noise impacts on marine mammals.
- l. To discuss the value of the Memorandum of Understanding between the Applicant and the Wildlife Trust in relation to the development of EPS injury and disturbance licences post consent.

4. Terrestrial Ecology and Surface Water

- a. To consider the need for further information regarding potential impact of open cut trenching and management measures on fish species.
- b. To understand the concerns, and further information required, related to possible HDD drilling mud breakouts, particularly in relation to the River Wensum SAC.
- c. To understand the potential impact of trenchless crossings and the implications of construction plant compounds adjacent to water courses on fish species and how these will be mitigated.
- d. To consider the need for post construction surveys or monitoring of protected habitats and species.
- e. To understand the difference in definition of chalk rivers between EA and the Applicant, and to consider if the definition affects the outcome of the Applicant's assessment.

5. Ornithology

- a. To understand the differences in approach in assessing impacts and effects from the project alone on displacement for red-throated diver and guillemot.
- b. To receive an update on the assessment of combined/ in-combination effects of collisions and displacement from the project alone and cumulatively with other projects for gannet.
- c. To understand the issues around cumulative impact assessment in relation to the number of wind farm project assessed and potential

missing projects, and displacement impacts for red-throated diver, razorbill and guillemot.

- d. To consider the conclusions on significance resulting from cumulative impacts on seabirds during operation.
- e. To understand the concerns around the conclusion of no AEOI for lesser black-backed gull of Alde-Ore Estuary SPA, for both the project alone and in-combination with other projects.
- f. To discuss RSPBs concerns regarding the lack of the assemblage feature when considering the list of species for Flamborough and Filey Coast SPA.
- g. To understand the concerns around the conclusion of no AEOI for gannet and kittiwake of Flamborough and Filey Coast SPA, for both the project alone and in-combination with other projects.
- h. To understand the concerns around the conclusion of no AEOI for razorbill of Flamborough and Filey Coast SPA, in-combination with other projects.
- i. To understand the concerns around the conclusion of no AEOI for guillemot of Flamborough and Filey Coast SPA, in-combination with other projects.
- j. To understand why RSPB consider puffin should be assessed separately for the Flamborough and Filey Coast SPA.
- k. To understand the concerns around the conclusion of no AEOI for red-throated diver at the Greater Wash SPA, in-combination with other projects.
- l. To understand the concerns around the assessment of collision risk to little gull of the Greater Wash SPA.

6. Comments on dDCO

- a. Following the first DCO ISH to consider comments specifically related to environmental matters

7. Hornsea Project Three Offshore Wind Farm and Norfolk Vanguard

- a. Implications of the SoS decision to defer the decision on Hornsea Project Three Offshore Wind Farm until the end of March 2020 and undertake additional consultation in relation to off shore matters.
- b. Potential implications should the SoS decide to put back any decision on the Norfolk Vanguard application until the end of March 2020.