

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



Deadline 5 submission by Eastern Inshore Fisheries & Conservation Authority

Response to the Examining Authority's questions issued on 12th February 2020

Q2.6.0.1 Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA) Implications of new Fisheries Bylaws: Update the likely timeframes for implementation of the proposed fisheries bylaws and the Applicant's commitment to work with the EIFCA to understand the possible implications of each parties' plans on the other.

On 15th May 2019 Eastern IFCA agreed to make the Marine Protected Areas Byelaw 2019. This byelaw includes spatial closures to towed demersal fishing in three areas in the inshore part of Haisborough, Hammond and Winterton Special Area of Conservation (as previously advised in Eastern IFCA's Deadline 2 submission). At Deadline 2, we reported that the byelaw was due for submission to the Marine Management Organisation (MMO) for quality assurance at the end of 2019 or very start of 2020. The updated situation is that Eastern IFCA has not yet submitted the byelaw to the MMO, because we are still resolving an issue that emerged during the public consultation on the byelaw. Eastern IFCA does intend to submit the byelaw to MMO as soon as possible; we anticipate this will be within the next two months.

Eastern IFCA have been working closely with the Applicants with the intention of encouraging the Applicant to microsite around Restricted Area 36. We will continue to work together throughout the examination to ensure we fully understand the implications of each party's plans on the other.

While we recognise the commitments made this far by the Applicant and are aware that there are other constraints in the area that are preventing the Applicant from fully committing to microsite around Restricted Area 36 at this stage, Eastern IFCA maintain that we do not consider it appropriate for electricity cables to be laid within Restricted Area 36 because of the impacts on the reef feature and the consequent impacts on the ability of the HHW SAC to meet its conservation objectives. As always, Eastern IFCA are keen to ensure parity by encouraging regulators of non-fishing activities that could damage or disturb sensitive features (including cable laying, remedial works and cable protection) to prevent or at least minimise such activities in areas closed to fishing for the protection of these features.

Q2.6.0.2 Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA) Cefas investigation of the impact of seals: Advise the status of Cefas investigation of the impact of seals on commercial fishing.

At Deadline 2, Eastern IFCA reported that Cefas are currently undertaking work to investigate the impact of seals on commercial fishing. Eastern IFCA has not been

involved in this work other than one officer attending a workshop in November 2018. We have reviewed the information from that workshop and have identified that several organisations, but not Cefas, were involved in work examining interactions between seals and fishing. The project is being implemented by the marine consultancy ABPmer and the National Federation of Fishermen's Organisation for Defra and the MMO¹. The ABPmer website, in an article dated 6th August 2019, reported that the project is underway; a survey of fishing/seals interactions has been completed and trials of a seal deterrent are ongoing.

Q2.6.0.3 Eastern Inshore Fisheries and Conservation Authority (Eastern IFCA) Assessment of potential effects of windfarm service vessel traffic: Further to the Applicant's explanation given at the ISH4 [REP4-014] is Eastern IFCA satisfied regarding the assessment of potential effects of windfarm service vessel traffic on fishing gear and safety of fishing vessels?

Eastern IFCA are satisfied regarding the assessment of potential effects of windfarm service vessel traffic on fishing gear and safety of fishing vessels. As mentioned at ISH4 Eastern IFCA wanted to highlight the need for effective communication between developers and the fishing industry to the Applicant. This needs to be a strong commitment that is upheld by the Applicant and any contractors if the proposal is accepted.

¹MMO (2018). Assessing Non-Lethal Seal Deterrent Options: Literature and Data Review. A report produced for the Marine Management Organisation. MMO Project No: 1131, October 2018, 45.