



Maritime &
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Agency

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Your ref: EN010087 ExQ2
Our ref: Boreas Offshore Windfarm
Project

26th February 2020

Dear Sir/Madam

**Application by Norfolk Boreas Limited for the Norfolk Boreas Offshore
Windfarm**

**The Examining Authority's further written questions and requests for
information (ExQ2) at Deadline 5.**

Thank you for the opportunity to respond to the Examining Authority's further written questions and requests for information, ExA Q2 at Deadline 5.

The Maritime and Coastguard Agency's (MCA) remit for offshore renewable energy development is to ensure that safety of navigation is preserved, and our search and rescue capability is maintained, whilst progress is made towards government targets for renewable energy.

Our responses to our relevant questions can be found in the attached table.

Yours faithfully,

[Redacted signature]

Helen Croxson
OREI Advisor
Maritime and Coastguard Agency



HM Coastguard

11.0	Marine Navigation and Shipping	
<p>Q2.11.0.1</p> <p>Question to:</p> <p>Maritime and Coastguard Agency (MCA)</p>	<p>Safety Assessment for fishing vessels:</p> <p>Is safety assessment for fishing vessels in ES Ch 14 section 14.7.4.6 methodologically suitable, with reference to NFFO/VisNed comments in [REP2-043]?</p>	<p>The MCA generally does not assess the Commercial Fisheries chapter of an Environmental Statement, rather the focus is on the Navigation Risk Assessment (NRA) and the Shipping and Navigation chapter where fishing vessels are included as part of assessing the risks to surface navigation. Noting that in ES Ch.14 section 14.4.3.1 (Safety Risks) it states:</p> <p><i>“Where Norfolk Boreas poses a potential safety risk to fishing vessels and crews, the significance criteria outlined previously are not considered appropriate. In these instances, impacts are assessed in terms of potential risks in line with the parameters used in Chapter 15 Shipping and Navigation (Table 14.8).”</i></p> <p>It is noted that the mitigation measures identified in section 14.7.4.6, to which the NFFO/VisNed comments refer, are those identified in the Navigation Risk Assessment which was carried out in accordance with MCA guidelines and is considered acceptable. It is noted in <i>Table 14.12 Worst Case Assumptions</i>, that the key design parameters for <i>Impact 6 & Impact 13: Safety Issues for Fishing Vessels</i> includes cable burial, cable protection and cable crossings for both the array and export cables and the safety risks identified are manoeuvrability and snagging of fishing gear. Manoeuvrability risks (collisions and allisions) were assessed in the NRA and Ch.15 where the approach is acceptable. Snagging risks will be addressed in the Cable Burial Risk Assessment which is normally carried out post-consent and is a condition of the Deemed Marine Licence. As part of this MCA would expect identification of likely changes to charted depths as a result of cable protection measures and associated changes to vessel grounding risk.</p> <p>Section 14.7.4.6, Paragraph 160 states that <i>“safety issues for fishing vessels should be within acceptable limits”</i> and it is MCA’s interpretation that the applicant expects the risks will be within acceptable limits once all separate post-consent assessment has been concluded.</p>

<p>Q2.11.0.2</p> <p>Question to:</p> <p>The Applicant Marine and Coastguard Agency (MCA)</p>	<p>Safety Zones triggered by SOVs during major maintenance:</p> <p>Explain the implications to fishing and navigational safety of the comment in REP3-007: 'safety zones triggered by the use of SOVs during major maintenance are currently not supported by the MCA'.</p>	<p>As part of the Statement of Common Ground between MCA and the applicant, we included a comment that although Safety Zones (SZ) are considered on a case by case basis as part of the SZ application phase post consent, we wanted it noted with the applicant that a SZ triggered by the use of Service Operation Vessels (SOVs) during major maintenance are currently not supported by the MCA.</p> <p>The MCA supports the use of a SZ during construction, major maintenance and decommissioning, where large construction vessels are used. However, as clear case would need to be made as part of the SZ application for the inclusion of the SOV during routine maintenance. This is because we believe that there is a difference between a large construction vessel conducting major works for a long period of time, compared to very short term works undertaken by the SOV, in multiple locations throughout the day, where the Walk to Work system could be disconnected relatively quick in an emergency. Some of the justification seen in previous applications is questionable, i.e. lifting components up to 4 tonnes, which is likely to only be undertaken once or twice a year.</p> <p>Whilst we understand and acknowledge that the SOV will potentially have up to 60 personnel onboard, and the inherent risks with the Walk to Work system to personnel, there are many vessels carrying similar activities every day in terms of risk. They utilise effective practice of good seamanship, with appropriate lookouts able to utilise ships' VHF (very high frequency) radios to warn/apprise errant or unsuspecting marine craft in the vicinity, Safety Management System practices and procedures, and risk assessment, to ensure the risk is suitably mitigated and remains ALARP, without the need for further legislative requirements such as instituting additional safety zones. Other vessels should automatically keep clear as per COLREGs, practice of good seamanship, and the SOV can broadcast requests for vessels to avoid the area.</p> <p>We understand that it is a preference to include a SZ for SOVs to deter fishing in close proximity to structures but that is not a reason to justify a SZ. MCA believes the use of the SOV should fit the internationally recognised law of sea; through maintaining safe distances, and a sufficient look out via visual observations, radio watches and radar etc, and we see no real benefit for applying a safety zone to an SOV during routine maintenance and personnel transfer operations.</p>
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<p>Q2.11.0.3 Question to:</p> <p>Marine and Coastguard Agency (MCA) NFFO/VisNed</p>	<p>Risk mitigation for fishing vessels:</p> <p>Is the Fisheries Co-existence and Liaison Plan as drafted sufficient to mitigate risk to Fishing vessels in the vicinity of service vessels related to Norfolk Boreas survey, construction and maintenance activities?</p>	<p>The MCA remit is to ensure the safety of navigation and we would therefore only have an interest where there was an impact on safety and not commercial interests. The Fisheries Co-existence and Liaison Plan is one of several documents prepared by the applicant to mitigate the risk to fishing vessels before and after consent. The current Fisheries Co-existence and Liaison Plan appears to be in line with the relevant FLOWW guidance.</p> <p>The MCA is working with the applicant on the DCO/DML conditions relating to the cable damage, exposure and cable burial which we feel contribute to safety navigation for the fishing industry.</p> <p>The MCA would expect the applicant to notify the fishing industry where there is a risk to the safety of fishing vessels, through consultation and the appropriate notifications. We would expect the Fisheries Co-existence and Liaison Plan to be discussed and agreed by both parties with concerns addressed and plans put in place for follow up action, including the relevant documentation required post consent.</p>
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