

Norfolk Boreas Offshore Wind Farm

Statement of Common Ground

Eastern Inshore Fisheries and
Conservation Authority

(Version 3)

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Glossary of Acronyms

AEol	Adverse Effect on Integrity
CIA	Cumulative Impact Assessment
DCO	Development Consent Order
DML	Deemed Marine Licence
EMF	Electromagnetic field
ES	Environmental Statement
ETG	Expert Topic Group
HHW	Haisborough Hammond and Winterton
HRA	Habitats Regulations Assessment
FLCP	Fisheries Liaison and Co-existence Plan
HDD	Horizontal Directional Drilling
HRA	Habitats Regulations Assessment
IFCA	Inshore Fisheries and Conservation Authority
JNCC	Joint Nature Conservation Committee
LiDAR	Light Detection and Ranging
MarESA	Marine Evidence based Sensitivity Assessments
MarLIN	Marine Life Information Network
MMO	Marine Management Organisation
PEIR	Preliminary Environmental Information Report
SAC	Special Area of Conservation
SIP	Site Integrity Plan
SoCG	Statement of Common Ground

Glossary of Terminology

Array cables	Cables which link wind turbine to wind turbine, and wind turbine to offshore electrical platforms.
Landfall	Where the offshore cables come ashore at Happisburgh South
Norfolk Boreas Site	The Norfolk Boreas wind farm boundary. Located offshore, this will contain all the wind farm array.
Offshore cable corridor	The corridor of seabed from the Norfolk Boreas site to the landfall site within which the offshore export cables will be located.
Offshore electrical platform	A fixed structure located within the Norfolk Boreas site, containing electrical equipment to aggregate the power from the wind turbines and convert it into a suitable form for export to shore.
Offshore export cables	The cables which transmit power from the offshore electrical platform to the landfall.
Offshore project area	The area including the Norfolk Boreas site, project interconnector search area and offshore cable corridor.
Offshore service platform	A fixed structure (if required) providing accommodation for offshore personnel. An accommodation vessel may be used instead
Onshore cable route	The up to 35m working width within a 45m wide corridor which will contain

	the buried export cables as well as the temporary running track, topsoil storage and excavated material during construction.
Project interconnector search area	The area within which project interconnector cables would be installed.
The Applicant	Norfolk Boreas Limited has made an application for development consent for the Norfolk Boreas Offshore Wind Farm. Therefore, Norfolk Boreas Limited is the Applicant.
The Project	The Norfolk Boreas Offshore Wind Farm.

1 INTRODUCTION

1. This Statement of Common Ground (SoCG) has been prepared between the Eastern Inshore Fisheries and Conservation Authority (IFCA) and Norfolk Boreas Limited (hereafter ‘the Applicant’) to set out the areas of agreement and disagreement in relation to the Development Consent Order (DCO) application for the Norfolk Boreas Offshore Wind Farm (hereafter ‘the project’). A full description of the project can be found in Chapter 5 of the Environmental Statement. Document reference 6.1.5 of the Application, APP-218.
2. This SoCG comprises agreement logs which have been structured to reflect the topics of interest to EIFCA with regard to the Norfolk Boreas DCO application (hereafter ‘the Application’). The agreement logs (section 2) outline all topic specific matters agreed and those of disagreement between EIFCA and the Applicant.
3. The Applicant has had regard to the Guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.

1.1 Consultation with the Eastern IFCA

4. This section briefly summarises the consultation that the Applicant has had with Eastern IFCA. For further information on the consultation process please see the Consultation Report (document reference 5.1 of the Application, APP-027).

1.1.1 The Role of the Eastern IFCA

5. The Eastern IFCA is one of ten Inshore Fisheries and Conservation Authorities. The Eastern IFCA district extends six nautical miles out to sea from the Humber in the north to Harwich in the south. The role of the IFCAs is to “lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry”.
6. The proposed offshore cable corridor for Norfolk Boreas Offshore Wind Farm will pass through the Eastern IFCA district. Therefore, given the potential impacts upon inshore fisheries and habitats, it is considered appropriate for the Eastern IFCA to provide comments on this development. It should be noted that the Eastern IFCA’s interest and therefore comments focus primarily on the inshore section of the Norfolk Boreas cable corridor.
7. It should also be noted that while the Eastern IFCA manages fisheries in relation to conservation requirements, the Eastern IFCA is not a body for statutory nature conservation advice and may defer to Natural England on these matters. Equally it

should be noted that the Eastern IFCA is a regulator of inshore fisheries rather than a representative. It is, however, in the Eastern IFCA's remit to manage fisheries in ways that promote a sustainable marine environment and support a viable fishing industry. The Eastern IFCA will therefore provide comments on the impacts as a result of the export cables of the proposed Norfolk Boreas project on the marine environment and inshore fisheries.

8. The Applicant has engaged with the Eastern EIFCA concerning the project on multiple occasions during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant to Section 42 of the Planning Act 2008. Due to similarities between the Norfolk Boreas project and its 'sister' project Norfolk Vanguard, which is being developed one year ahead of Norfolk Boreas, early consultation with stakeholders was conducted for both projects concurrently. Although latterly, consultation has been undertaken separately for the two projects, Norfolk Boreas has had regard to the Norfolk Vanguard consultation and many of the agreements achieved for the Norfolk Vanguard project also apply to the Norfolk Boreas project.
9. During formal (Section 42) consultation, the Eastern IFCA provided comments on the Norfolk Boreas Preliminary Environmental Information Report (PEIR) by way of a letter dated 7th December 2018.
10. Further to the statutory Section 42 consultation, meetings were held with the Eastern IFCA through the Evidence Plan Process for both the Norfolk Boreas and the Norfolk Vanguard projects.
11. Table 1 provides an overview of meetings and correspondence undertaken with the Eastern IFCA. Minutes of the meetings are provided in Appendices 9.2, 9.16, 9.29 (pre-Section 42) and Appendix 28.1 (post-Section 42) of the Consultation Report (document reference 5.1 of the Application, APP-027).
12. The Eastern IFCA submitted a relevant representation for the Norfolk Boreas project on 5th August 2019. This document takes account of the issues raised in that representation and throughout the Examination.

Table 1 Summary of consultation with the Eastern IFCA in relation to Benthic and Intertidal Ecology

Date	Contact Type	Topic
Pre-Application		
31 st May 2016	Email to the Eastern IFCA	Request for ports and information on fishing areas and seasonality.

Date	Contact Type	Topic
15 th September 2016	Meeting	Introduction to Norfolk Vanguard and Norfolk Boreas projects.
16 th January 2018	Email from the Applicant	Provision of technical reports to support the benthic Habitats Regulations Assessments (drafts of Appendix 7.1 and 7.2 of the Information to Support HRA report (document reference 5.3 of the Application, APP-201)).
5 th February 2018	Norfolk Boreas- Email from the Applicant	Issue of the Benthic and Intertidal Ecology and Fish Ecology Method Statements to the Benthic and Fish ETG (provided in Appendix 9.2 of the Consultation report (document reference 5.1 of the Application, APP-027)).
14 th March 2018	Norfolk Boreas- Marine Physical Processes, Benthic Ecology and Fish ETG meeting	Agreement of the methods to be used in the EIA (minutes provided in Appendix 9.43 of the Consultation report (document reference 5.1 of the Application, APP-027)).
7 th December 2018	Norfolk Boreas PEIR response	Eastern IFCA's response to the Norfolk Boreas PEIR.
21 st February 2019	Norfolk Boreas Marine Physical Processes, Benthic Ecology and Fish ETG meeting	Agreement on approach and findings of the EIA and HRA for Marine Physical Processes, Water Sediment and Quality, Benthic and Intertidal Ecology and Fish and Shellfish Ecology (minutes provided in Appendix 28.1 of the Consultation report (document reference 5.1, APP-027)).
Post-Application		
5 th August 2019	Relevant Representation	<p>Request that the Applicant avoids cable installation within area 36, an area where a byelaw has been proposed to restrict fishing in order to protect <i>Sabellaria spinulosa</i> reef.</p> <p>The Eastern IFCA has concerns over the number of projects and activities occurring within the southern North Sea and request that cumulative impacts are considered fully during the examination. The Eastern IFCA notes that the cumulative impacts of multiple windfarms and dredging areas on marine life and on the viability of the inshore fishing industry need to be properly considered during planning.</p> <p>The Eastern IFCA highlights the potential impacts of the project on sandeels particularly in view of the degree of development in the southern North Sea and defer to Natural England for formal conservation advice on the</p>

Date	Contact Type	Topic
		<p>impact of the project on sandeels and any mitigation that may be required.</p> <p>Eastern IFCA has concerns in relation to uncertainties around current knowledge of the impact of electromagnetic fields on elasmobranchs and shellfish species (i.e. edible crab and lobster), particularly in view of the proliferation of marine electricity cables off the East Anglian coast. Eastern IFCA defers to Natural England and Cefas for formal conservation advice on impacts of electromagnetic fields and whether precautionary mitigation should be required.</p> <p>The Eastern IFCA also notes that every effort should be made to maximise the length of cable that is buried and maintain burial over time as using cable armouring instead of cable burial increase the likelihood of adverse long-term environmental and fisheries impacts and are not in keeping with the East Marine Plans.</p>
November/ December 2019	Email correspondence	To progress Version 1 this SoCG
March 2020	Email correspondence	To progress Version 2 this SoCG
April 2020	Email correspondence	To progress the final version (Version 3) of the SoCG

2 STATEMENT OF COMMON GROUND

13. Within the sections and tables below, the different topics and areas of agreement (highlighted in green) and disagreement (highlighted in red) between the Eastern IFCA and the Applicant are set out. Areas where the Eastern IFCA have deferred their position to Natural England are left unhighlighted.
14. Within the agreement logs (D6) and (D9) denotes where updates were made between versions submitted at the respective Deadlines.

2.1 Benthic and Intertidal Ecology

15. The project has the potential to impact upon Benthic and Intertidal Ecology. Chapter 10 of the Norfolk Boreas Environmental Statement (ES) (document reference 6.1.10 of the Application, APP-223) provides an assessment of the significance of these impacts.
16. Table 2 provides areas of agreement (common ground) and disagreement regarding Benthic and Intertidal Ecology.

Table 2 Agreement Log - Benthic and intertidal ecology

Topic	Norfolk Boreas Limited's position	Eastern IFCA's position	Final position
Site Selection and Project Design			
Landfall	Landfall at Happisburgh is the most appropriate of the options available, avoiding the Cromer Shoal Chalk Beds Marine Conservation Zone (MCZ) and despite it being in close proximity to the MCZ activities within the cable corridor are unlikely to result in significant impacts on the MCZ.	Agreed in PEIR response submitted on 7 th December 2018.	It is agreed by both parties that landfall at Happisburgh South is appropriate.
Environmental Impact Assessment and Habitats Regulations Assessment (HRA)			
Existing Environment	Survey data collected for Norfolk Boreas for the characterisation of benthic and intertidal ecology are suitable for the assessment and as agreed in the expert topic group meeting in March 2018.	Agreed	It is agreed by both parties that sufficient appropriate survey data has been collected to undertake the assessment.
	The ES adequately characterises the baseline environment in terms of benthic and intertidal ecology.	Agreed	It is agreed by both parties that the existing environment for benthic ecology has been characterised by appropriately for the assessment
	The mapping of potential <i>Sabellaria spinulosa</i> reef by Envision on behalf of Norfolk Boreas Limited identifies potential reef areas which are largely consistent with the areas Natural England has identified to manage as reef (as shown on Figure 1 below). Both Norfolk Boreas Limited and Natural England mapping show that Sabellaria reef is likely to be present within the area 36 (See Figure 2 below) for which the Eastern IFCA is proposing a byelaw closing this area to bottom trawled fishing practices (further detail provided below).	Agreed	It is agreed that the areas of potential reef identified by Envision on behalf of Norfolk Boreas Limited are mostly consistent with the 'areas to be managed as reef' identified by Natural England.
Assessment methodology	Appropriate legislation, planning policy and guidance relevant to benthic and intertidal ecology has been used.	Agreed	It is agreed by both parties that the appropriate legislation, planning policy

Topic	Norfolk Boreas Limited's position	Eastern IFCA's position	Final position
			and guidance relevant to benthic and intertidal ecology has been used.
	The list of potential impacts on benthic and intertidal ecology assessed is appropriate.	Agreed	It is agreed by both parties that the list of potential impacts on benthic and intertidal ecology is appropriate.
	The impact assessment methodology is appropriate and is in line with the Method Statement provided in February 2018 (see Appendix 9.2 of the Consultation Report (Application document 5.1, APP-027) and agreed during the expert topic group meeting in March 2018.	Agreed	It is agreed by both parties that the impact assessment methodology used in the EIA are appropriate.
Worst case scenario	The worst-case scenario used in the assessment for benthic and intertidal ecology is appropriate.	Agreed	It is agreed by both parties that the worst-case scenario used in the assessment for benthic and intertidal ecology is appropriate.
Assessment findings	The characterisation of sensitivity of benthic receptors is appropriate. <i>Sabellaria spinulosa</i> reef has been identified as having medium sensitivity to temporary physical disturbance in accordance with the Marine Life Information Network (MarLIN) Marine Evidence based Sensitivity Assessments (MarESA)	Agreed	It is agreed by both parties that the characterisation of receptor sensitivity for <i>Sabellaria spinulosa</i> reef is appropriate.
	The magnitude of effects on benthic and intertidal ecology have been correctly identified in ES Chapter 10.	Agreed	It is agreed by both parties that the magnitude of effects on benthic ecology identified in Chapter 10 of the ES are appropriate.
	There would be no permanent habitat loss for <i>Sabellaria</i> reef within the offshore cable corridor as this is an	Eastern IFCA agrees that <i>Sabellaria spinulosa</i> could potentially recolonise where the substratum has recovered	It is agreed by both parties that <i>Sabellaria spinulosa</i> could potentially

Topic	Norfolk Boreas Limited's position	Eastern IFCA's position	Final position
	<p>ephemeral species which is likely to recolonise disturbed areas or colonise cable protection.</p> <p><i>S. spinulosa</i> reef can be expected to colonise cable protection as an artificial substrate, in accordance with the UK Biodiversity Action Plan Priority Habitat Description for <i>S. spinulosa</i> Reefs (JNCC, 2016¹):</p> <p>"<i>S. spinulosa</i> requires only a few key environmental factors for survival in UK waters. Most important seems to be a good supply of sand grains for tube building, put into suspension by strong water movement.... The worms need some form of hard substratum to which their tubes will initially be attached, whether bedrock, boulders, artificial substrata, pebbles or shell fragments."</p>	<p>following works and where suitable artificial substratum is available, however we defer to Natural England regarding the conservation status of this <i>Sabellaria</i> reef.</p>	<p>recolonise where the substratum has recovered following works and where suitable artificial substratum is available, however the EIFCA defer to Natural England.</p>
	<p>There would be no temporary habitat loss of <i>Sabellaria</i> reef if micro-siting is possible.</p> <p>If micro-siting is not possible the assessment identifies a low magnitude of effect and the effects would be temporary.</p>	<p>Eastern IFCA agrees with these statements so long as the works area is sufficiently far from reef identified and so long as the preconstruction surveys are undertaken close to the start of construction.</p> <p>Eastern IFCA maintain that micro-siting around areas known to support <i>Sabellaria</i> reef is necessary to ensure the conservation objectives of HHW SAC can be met, however we defer to Natural England for formal advice regarding the magnitude and scale of effects if micrositing were not possible.</p>	<p>It is agreed by both parties that there would be no temporary habitat loss of <i>Sabellaria spinulosa</i> reef if micro-siting is possible, noting potential for temporary loss subject to the distance of the works from <i>S. spinulosa</i> reef.</p>

¹ <http://jncc.defra.gov.uk/page-5706>

Topic	Norfolk Boreas Limited's position	Eastern IFCA's position	Final position
	<p>The proposed byelaw area 36 (Figure 2), if implemented, relates only to a closure on bottom-towed fishing gear and not to other activities such as cable installation.</p> <p>Norfolk Boreas Limited has however included a DCO condition (Condition 9(1)(m) of the Transmission DML, Schedule 9 and 10) which requires a Haisborough, Hammond and Winterton (HHW) SAC Site Integrity Plan (SIP), in accordance with the Outline HHW SAC SIP (document reference 8.20 of the Application, APP-711), to be agreed with the Marine Management Organisation (MMO) in consultation with Natural England. This would include agreeing the cable route, including any micrositing, with the MMO in consultation with Natural England. Works cannot commence in the SAC until the MMO is satisfied that there would be no Adverse Effect on Integrity (AEOI) on the HHW SAC.</p> <p>(D9) The Applicant has now proposed two alternative conditions - one which relies on the HHW SIP and which requires the Applicant to satisfy the MMO that there remains no AEol at the point of construction, and the other which continues to secure all the mitigation proposed in a Cable Specification, Installation and Monitoring Plan (CSIMP) and removes the Grampian condition as requested by the MMO and NE. Further information is provided within section 6 of the Applicant's Haisborough Hammond and Winterton Special Area of Conservation Position Paper [REP5-057] and within the Applicant's comments on the MMO's response to WQ3.5.5.5 submitted at Deadline 8 (ExA.WQR-3.D87.V1).</p>	<p>Eastern IFCA intend to close Restricted Area 36 (Figure 2) of the proposed Marine Protected Area Byelaw 2019 to demersal fishing activity to protect the reef feature from damage. Although the scope of Eastern IFCA byelaws is restricted to managing sea fisheries resources and protecting marine ecosystems from the impacts of fishing, Eastern IFCA are keen to encourage 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. 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.</p> <p>Eastern IFCA recognise that DCO condition 9(1)(m) of the Transmission DML, Schedule 9 and 10 requires the agreement of the cable route (including micrositing) with the MMO in consultation with Natural England.</p> <p>(D9) Eastern IFCA recognise that an alternative condition has been proposed, however as the Applicant has</p>	<p>Not agreed as it has not been possible for the Applicant to commit to avoiding Area 36 at this stage of the project.</p>

Topic	Norfolk Boreas Limited's position	Eastern IFCA's position	Final position
	<p>(D9) As explained in Applicants response to third round of written questions [REP7-017]. The Applicant has committed to avoiding Annex I <i>S.spinulosa</i> where possible when cable routing, and this would include within Area 36. The Applicant has also committed to not installing cable protection within the priority areas to be managed as <i>S.spinulosa</i> reef. One of these priority areas occupies a large proportion of Area 36 (the smaller area presented as darker purple in Figure 5.1 of the outline HHW SIP [REP6-011] and Figure 4.1 of the outline HHW SAC CSIMP [REP6-017]) and thus there would be no habitat loss as a result of cable protection in this area. The Applicant is therefore confident that with this mitigation Annex I <i>S.spinulosa</i> reef within Area 36 would not be adversely affected by the project nor would the project inhibit the ability of reef to restore in the areas where Natural England have the highest confidence that this is possible.</p> <p>Importantly, the Applicant does not believe that a commitment to exclude cable installation in Area 36 at this stage is an appropriate mitigation measure. This is because if Annex I <i>S.spinulosa</i> reef were to be present at the time of construction to the south of Area 36 and not within it, the Applicant may be required to avoid an area with no reef to the detriment of an area which contained actual reef. The Applicant also considers that a one-off activity of installing a cable within Area 36 would be significantly different to the repeated and spatially more extensive activity of bottom-towed fishing (which the byelaw for Area 36 has been principally designed and would be implemented to prevent). Therefore, whilst it is appropriate to exclude certain fishing activity, it is not appropriate to extend this to exclude cable installation.</p>	<p>not committed to avoiding Area 36 completely, we are not able to agree on this matter.</p> <p>Eastern IFCA would also like to clarify once again that Restricted Area 36 is not targeted by a high level of long-term dredging activities. It is currently targeted by a very low level of inshore trawling activity. Eastern IFCA acknowledges that cable works will result in temporary disturbance to seabed habitats, compared with potential repeated disturbance from fishing, but the disturbance from cable works will be at a greater magnitude within the affected area (deeper and wider, potentially including trenching, dredging and/or placement of artificial substrate) than the shallow abrasion from the sweep of an inshore trawl. We therefore consider that the area requires protection from cable installation as well as from bottom-towed fishing gear.</p>	

Topic	Norfolk Boreas Limited's position	Eastern IFCA's position	Final position
	The Applicant will maintain the existing good working relationship with EIFCA, with the intention to engage on the potential to avoid Area 36 during the detailed design stage.		
	The impact significance conclusions of negligible or minor adverse on benthic ecology in Chapter 10 of the ES are appropriate.	Eastern IFCA defers to Natural England for formal conservation advice on the significance conclusions in Chapter 10 of the ES.	EIFCA defer to Natural England
Cumulative Impact Assessment (CIA)	The plans and projects considered within the CIA are appropriate.	Agree	It is agreed by both parties that the projects considered within the CIA are appropriate.
	The cumulative impact conclusions of negligible or minor significance are appropriate.	Eastern IFCA defers to Natural England for formal conservation advice on cumulative impact conclusions.	EIFCA defer to Natural England
Mitigation and Management			
Mitigation and Management	The mitigation measures (as outlined in Schedule of Mitigation (Document 6.6) of the Application APP-688) and section 10.7.1 of ES Chapter 10 is appropriate) of micro-siting around <i>S.spinulosa</i> reef where possible and ensuring a 50 m buffer from <i>S. spinulosa</i> reef for disposal of sediment is appropriate.	Eastern IFCA defers to Natural England advice regarding measures that could be put in place to mitigate impacts of the offshore cable corridor on both sandbanks and <i>Sabellaria spinulosa</i> reefs.	EIFCA defer to Natural England
	Norfolk Boreas Limited acknowledges the importance of the HHW SAC. For this reason, the Applicant has committed to securing the mitigation associated with the HHW SAC through a SIP, in accordance with Condition 9(1)(m) of the transmission asset DMLs. The SIP provides a framework to agree all mitigation associated with the HHW SAC with the MMO in consultation with Natural England, based on the best available information prior to construction.	Eastern IFCA defers to Natural England regarding measures that could be put in place to mitigate impacts of the offshore cable corridor on both sandbanks and <i>Sabellaria</i> reef. Eastern IFCA notes that even 5% of the cable length within the SAC being subject to cable protection works is	Deferred to Natural England, however Eastern IFCA believes cable protection should only be used as a very last resort within the SAC. Eastern IFCA would have concerns if cable works, in particular cable protection or reburial, were to be undertaken in an area

Topic	Norfolk Boreas Limited's position	Eastern IFCA's position	Final position
	<p>An Interim Cable Burial Study has confirmed that at least 95% of the cable length within the HHW SAC is likely to be buried and as a result, Norfolk Boreas Limited has committed to a reduction from 10% (as assessed in the Application) to 5% of the cable length within the SAC potentially requiring cable protection. This will be reflected in next draft of the Norfolk Boreas DCO. In addition, the deployment of cable protection must be agreed with the MMO through the HHW SIP (document reference 8.20 of the Application APP-711). Works cannot commence in the SAC until the MMO is satisfied that there would be no AEOI of the HHW SAC.</p> <p>(D9) as stated above the Applicant has proposed an alternative condition which would use a CSIMP as the mechanism for agreeing mitigation measures used within the HHW SAC.</p>	<p>extremely undesirable and is not in keeping with the East Marine Plans. Every effort should be made to maximise the length of cables that are buried and maintain burial over time. Using cable armouring instead of cable burial increases the likelihood of adverse environmental and fishery impacts.</p> <p>Eastern IFCA would be concerned if cable works – including cable protection and reburial – were to be undertaken in area 36 (Figure 2) which is to be closed to demersal fishing to protect sensitive seabed habitats. Eastern IFCA again suggests that <i>Sabellaria</i> reef areas are avoided in cable route selection, if possible, to avoid future impacts.</p>	<p>closed to demersal fishing gear to protect sensitive seabed habitats.</p> <p>The deployment of cable protection must be agreed with the MMO through the SIP. Works cannot commence in the SAC until the MMO is satisfied that there would be no AEOI of the HHW SAC.</p>
	<p>The In Principle Monitoring Plan (Document reference 8.12 of the Application, APP-703), provides an appropriate framework to agree monitoring with the MMO.</p>	<p>Eastern IFCA defers to Natural England and the MMO on this matter.</p>	<p>Deferred to Natural England and the MMO.</p>

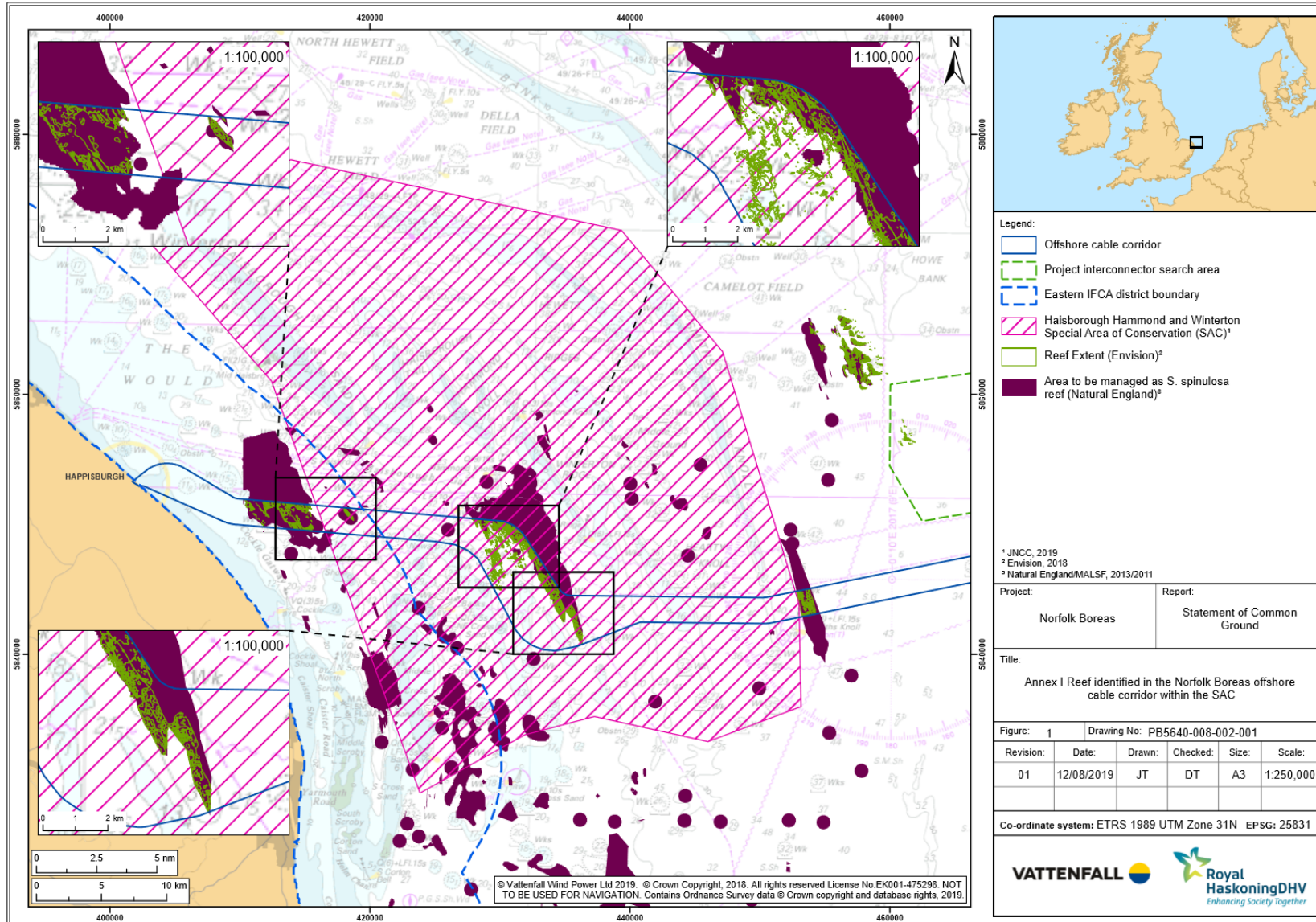
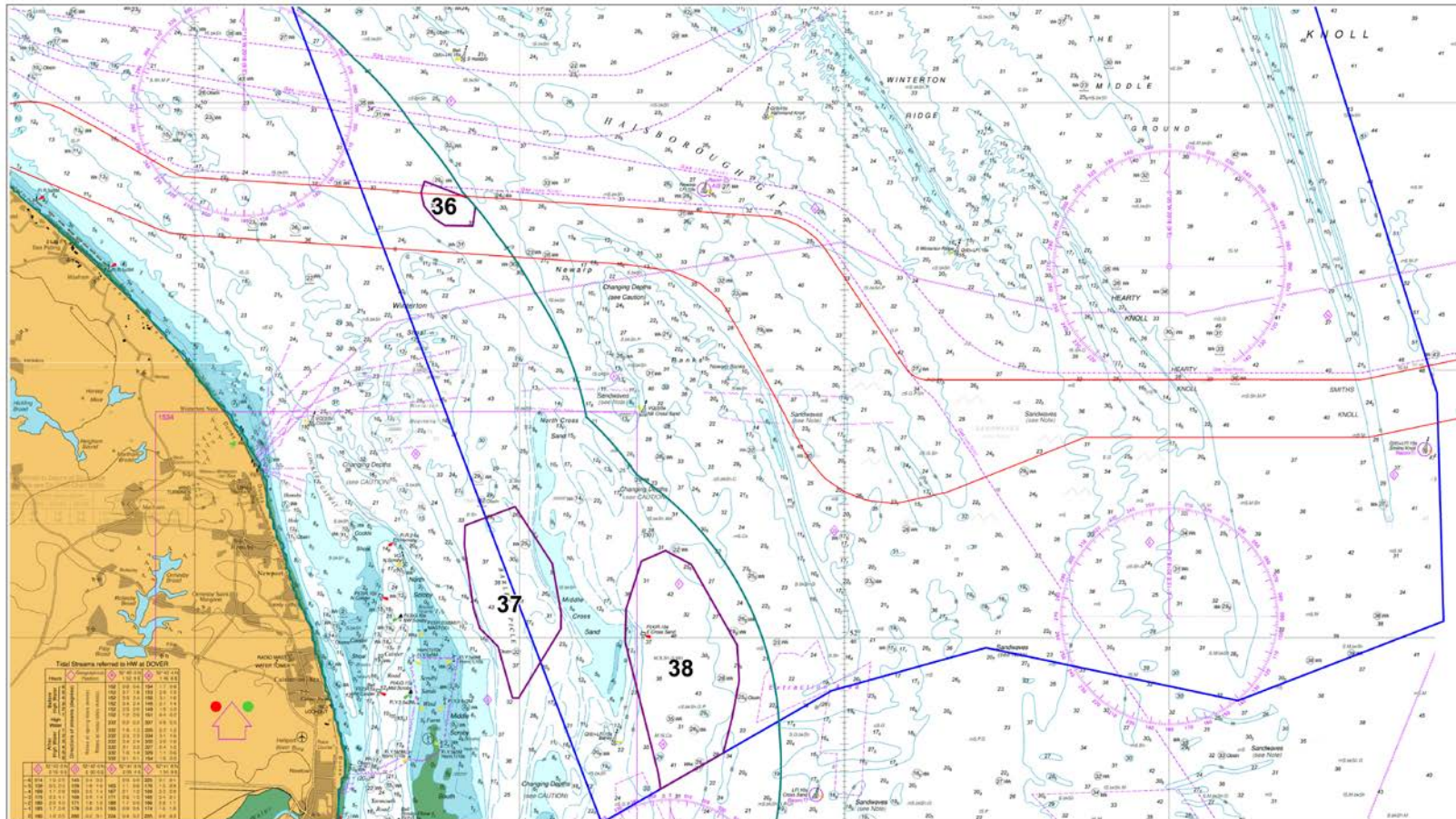


Figure 1 Sabellaria reef mapping by the Applicant and Natural England



	<p>Haisborough, Hammond & Winterton SAC – Proposed Restricted Areas 36 to 38</p> <ul style="list-style-type: none"> Restricted area to bottom-towed gear Eastern IFCA district boundary Haisborough, Hammond and Winterton SAC boundary Norfolk Boreas Cable Corridor 	<p>Date: 25/09/2019 Drawn by: SC Projection: Lat Long WSG84 EMS boundary: JNCC download - UK_SACs_withMarineComponents_2103821 2019_09_Adm_OWf_HHW_Boreas_closure_Chart.WOR</p>
<p>Not to be used for Navigation – for illustrative purposes only</p> <p><small>Contains public sector information licensed under the Open Government Licence v1.0 (c) British Crown and OceanWise 2019. All rights reserved. Licence No.EK001-20180110. This product has been derived in part from material obtained from the UK Hydrographic Office with the permission of the UK Hydrographic Office, Her Majesty's Stationery Office and other relevant authorities.</small></p>		

Figure 2 Proposed closures to bottom-towed gear agreed by the Eastern Inshore Fisheries and Conservation Authority on the 15th May 2019

2.2 Fish and Shellfish Ecology

17. The project has the potential to impact upon Fish and Shellfish Ecology. Chapter 11 of the Norfolk Boreas ES (document reference 6.1.12 of the Application, APP-225) provides an assessment of the significance of these impacts.
18. Table 3 provides areas of agreement (common ground) and disagreement regarding Fish and Shellfish Ecology.

Table 3 Agreement Log - Fish and Shellfish Ecology

Topic	Norfolk Boreas Limited position	Eastern IFCA position	Final position
Environmental Impact Assessment			
Existing Environment	The ES adequately characterises the baseline environment in respect of fish and shellfish ecology.	Agreed, receptors have been identified based on their commercial importance, location of spawning and nursery grounds, conservation importance and their role within the North Sea food web.	It is agreed by both parties that the ES adequately characterises the fish and shellfish ecology baseline.
Assessment Methodology	The impact assessment methodology used in respect of fish and shellfish ecology is appropriate.	Agreed	It is agreed by both parties that the EIA methodology used is appropriate.
	The list of potential impacts on fish and shellfish ecology assessed is appropriate.	Agreed	It is agreed by both parties that the list of potential impacts considered in the assessment is appropriate.
Worst Case Scenario	The worst-case scenario used in the assessment for fish and shellfish Ecology is appropriate.	Agreed	It is agreed by both parties that the worst-case scenario used is appropriate.
Assessment Findings	The characterisation of receptor sensitivity is appropriate.	Agreed	It is agreed by both parties that the characterisation of receptor sensitivity is appropriate.
	The magnitude of effect is correctly identified.	Agreed	It is agreed by both parties that the magnitude of effect is correctly identified.
	The impact significance conclusions in respect of the assessment of the project alone on fish and shellfish ecology in general terms are appropriate.	Agreed	It is agreed by both parties that the conclusions of the assessment in respect of the project alone are appropriate.

Topic	Norfolk Boreas Limited position	Eastern IFCA position	Final position
	<p>As noted in the ES, the evidence available to date indicates that electromagnetic field (EMF) related effects may cause short term, temporary reactions, when individuals are in close proximity of the cables, rather than resulting in a barrier to migration or long-term impacts upon feeding or confusion. It is well established that the strength of the EMF decreases rapidly with distance from source. Effects on electro/magneto sensitive species would be localised and take place on an individual rather than population basis. There is no evidence from existing installed subsea cables that fish and shellfish species have been significantly affected by the EMFs emitted by the cables. Therefore, impacts above minor adverse significance in respect of EMFs are not to be expected on fish and shellfish receptors.</p>	<p>Eastern IFCA would agree with this position based on the available literature at present, however we would like to highlight that there are appreciable gaps in the scientific literature as to the potential effects of EMF emissions from subsea cables on marine fauna. Eastern IFCA therefore believe that there are too many uncertainties for the applicant to conclude no impacts above minor adverse significance on fish and shellfish receptors. Eastern IFCA defers to Natural England and the MMO for further advice on impacts of EMF and whether precautionary mitigation should be required.</p>	<p>(D6) While Eastern IFCA continue to hold concerns over the gap in scientific literature surrounding EMFs, Eastern IFCA are aware that this issue is unlikely to be resolved during the course of the examination and defer to Natural England and the MMO for further advice.</p>
Cumulative Impact Assessment	<p>The plans and projects considered within the CIA are appropriate. These include a comprehensive range of proposals across the southern North Sea from early planning/scoping through to construction stages, including offshore wind farms and aggregate dredging areas.</p> <p>Projects and activities which were in existence at the time of undertaking the Norfolk Boreas EIA existing environment characterisation are considered to be a component of the baseline and are therefore not included in the CIA as this would represent double counting of their effect.</p> <p>Consideration was given in the cumulative assessment to relevant fish and shellfish receptors, including those with spawning and nursery grounds in the area of the project and</p>	<p>Eastern IFCA defer to Natural England for conservation advice on the method used to conduct the CIA.</p>	<p>The EIFCA defer to Natural England</p>

Topic	Norfolk Boreas Limited position	Eastern IFCA position	Final position
	<p>those dependent on the presence of specific seabed habitats (i.e. sandeels, spawning herring). The assessment considered wide-scale cumulative impacts with a wide range of projects and activities across the Southern North Sea being included for assessment.</p>		
	<p>The CIA methodology is appropriate.</p>	<p>Eastern IFCA defer to Natural England for conservation advice on the method used to conduct the CIA.</p>	<p>The EIFCA defer to Natural England</p>
	<p>The assessment and conclusions of the CIA in respect of fish and shellfish ecology in general are appropriate.</p>	<p>Eastern IFCA defer to Natural England for formal conservation advice on the assessment and conclusions of the CIA in respect to fish and shellfish ecology.</p>	<p>The EIFCA defer to Natural England</p>
	<p>The assessment and conclusions of the CIA in ES Chapter 11 Fish Ecology in respect of sandeels are appropriate. Given the location of the project in relation to known key sandeel grounds in the southern North Sea, the potential contribution of the project to cumulative impacts on this species would be very small. Chapter 12 Marine Mammal Ecology (document reference 6.1.12 of the Application, APP- 225) assesses the inter-relationship with fish ecology in relation to changes to prey availability for marine mammals, including harbour porpoise, and identified potential impacts of negligible to minor significance in this respect Potential impacts associated with loss of prey on harbour porpoise, as a qualifying feature of the Southern North Sea SAC, are addressed in the Information to Support Habitats Regulations Assessment (Document Reference 5.1 of the Application, APP -201). This</p>	<p>Eastern IFCA highlights the importance of sandeels as a prey species for harbour porpoise, a qualifying feature of the Southern North Sea SAC. Eastern IFCA defers to Natural England for formal conservation advice on this matter, however would like to highlight Eastern IFCA's concern about the scale of both licensed and planned offshore activities (particularly aggregate extraction and offshore wind farm construction) in the southern North Sea, because of cumulative effects these could have on seabed habitats, including those that support sandeels.</p>	<p>(D6) While Eastern IFCA continue to hold concerns over the proliferation of offshore development and activity in the southern North Sea, Eastern IFCA recognise that this is an issue that is unlikely to be resolved during the course of the examination, and defer to Natural England for formal conservation advice.</p>

Topic	Norfolk Boreas Limited position	Eastern IFCA position	Final position
	<p>concluded no significant disturbance to harbour porpoise and no adverse effect on the integrity of the Southern North Sea SAC in relation to the conservation objectives for harbour porpoise.</p> <p>The assessment and conclusions of the CIA in respect of electromagnetic fields are appropriate.</p> <p>As noted in the ES, the evidence available to date indicates that EMF related effects may cause short term, temporary reactions, when individuals are in close proximity of the cables, rather than resulting in a barrier to migration or long-term impacts upon feeding. This would apply both on a project specific and in a cumulative context.</p>	<p>Eastern IFCA would like to highlight that the impacts of electricity cables on marine life are poorly understood and that there are appreciable gaps in the scientific literature as to the potential effects of electromagnetic emissions from subsea cables on marine fauna. Of particular concern are elasmobranchs (sharks, skates and rays), which are the most widespread electrosensitive fish group of UK coastal waters. There is also recent evidence (Scott et al., 2018), which is not referenced in the Environmental Statement, to suggest that electromagnetic fields emitted from subsea power cables could impact on the behaviour and physiology of edible crabs. Eastern IFCA have concerns over the ability of the Applicant to accurately determine the impacts of export cables on fish and shellfish ecology. Eastern IFCA would like to see regular updates on the latest understanding of electromagnetic fields and their impacts on marine life, which could develop significantly during the examination period. Eastern IFCA defer to Natural England and Cefas for formal conservation advice on impacts of electromagnetic fields and whether precautionary mitigation should be required.</p>	<p>(D6) While Eastern IFCA continue to hold concerns over the gap in scientific literature surrounding EMFs, Eastern IFCA are aware that this issue is unlikely to be resolved during the course of the examination and defer to Natural England and the MMO for further advice.</p>

2.3 Commercial Fisheries

19. The project has the potential to impact upon commercial fisheries. Chapter 14 of the Norfolk Boreas ES (document reference 6.1.14 of the Application, APP-227) provides an assessment of the significance of these impacts.
20. Table 4 provides areas of agreement (common ground) regarding commercial fisheries. No areas of disagreement have been identified

Table 4 Agreement Log - Commercial Fisheries

Topic	Norfolk Boreas Limited position	Eastern IFCA position	Final position
Environmental Impact Assessment			
Existing Environment	The ES adequately characterises the baseline environment in terms of commercial fisheries.	Agreed	It is agreed by both parties that the ES adequately characterises the commercial fisheries baseline.
Assessment Methodology	The list of potential impacts on commercial fisheries assessed is appropriate.	Agreed	It is agreed by both parties that the list of potential impacts considered in the assessment is appropriate.
	The impact assessment methodology used in respect of commercial fisheries is appropriate.	Agreed	It is agreed by both parties that the impact assessment methodology used is appropriate.
Worst Case Scenario	The worst-case scenario used in the assessment for commercial fisheries is appropriate.	Agreed	It is agreed by both parties that the worst-case scenario used is appropriate.
Assessment Findings	The characterisation of receptor sensitivity is appropriate. The increased sensitivity of the local inshore fleet to loss of fishing grounds and displacement has been appropriately identified in the ES.	The Eastern IFCA agrees that the assessment of receptor sensitivity of the UK local inshore vessels as medium is appropriate and that the increased sensitivity of the inshore fleet has been taken into consideration. The Eastern IFCA highlights that whilst the level of fishing effort occurring inshore is much smaller than that applied by larger offshore fishing vessels, displacement can have disproportionately large effects on inshore fisheries, which are characterised by small vessels operating within a short range from launch sites.	It is agreed by both parties that the characterisation of receptors sensitivity is appropriate.

Topic	Norfolk Boreas Limited position	Eastern IFCA position	Final position
	The magnitude of effect is correctly identified.	Agreed, Eastern IFCA once again highlights that displacement can have disproportionately large effects on inshore fisheries, which are characterised by small vessels operating within a short range from launch sites.	It is agreed by both parties that the magnitude of effect is correctly identified.
	The impact significance conclusions in respect of the assessment of loss of fishing grounds and potential for associated displacement on the local inshore fleet are appropriate.	Agreed	It is agreed by both parties that the impact significance conclusion in respect of the assessment of loss of fishing grounds and potential displacement on the local inshore fleet is appropriate.
Cumulative Impact Assessment	The plans and projects considered within the CIA are appropriate. These include a comprehensive range of proposals across the southern North Sea and English Channel from early planning/scoping through to construction stages. Projects and activities which were in existence at the time of undertaking the Norfolk Boreas EIA existing environment characterisation are considered to be a component of the baseline and are therefore not included in the CIA as this would represent double counting of their effect.	Eastern IFCA agree that the projects considered in the CIA are appropriate.	It is agreed that the projects considered in the CIA are appropriate.
	The CIA methodology is appropriate.	Agreed	It is agreed that the CIA methodology is appropriate.
	The assessment and conclusions of the CIA in respect of commercial fisheries in general are appropriate.	Agreed	It is agreed that conclusions of the CIA are appropriate.

Topic	Norfolk Boreas Limited position	Eastern IFCA position	Final position
Mitigation and Management			
Mitigation and Management	The measures outlined in the ES and in the Outline Fisheries Liaison and Co-existence Plan (FLCP) (document reference 8.19 of the Application, APP-710) to facilitate co-existence and adequate communication between the fishing industry and the Applicant are appropriate.	Agreed. The Eastern IFCA supports the use of a local Fisheries Liaison Officer (FLO), the Kingfisher information Service and Notice to Mariners to minimise disruption to fishers. This should occur alongside continuous communication with relevant fisheries managers (Eastern IFCA out to six nautical miles and the MMO and Defra (beyond six nautical miles)) to ensure that mitigation considers the most up-to-date fisheries management measures.	It is agreed by both parties that the measures outlined in the ES and in the Outline FLCP to facilitate co-existence and adequate communication between the fishing industry and the Applicant are appropriate.

The names inserted below are to confirm that these are the current positions of the two parties contributing to this SOCG

Printed name	Julian Gregory
Name of organisation	The Eastern Inshore Fisheries and Conservation Authority
Position	Chief Executive Officer
On behalf of	The Eastern Inshore Fisheries and Conservation Authority
Date	22 nd April 2020

Printed Name	Jake Laws
Position	Norfolk Boreas Consents Manager
On behalf of	Norfolk Boreas Limited (the Applicant)
Date	23 th March 2020